

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



**COUNCIL MEETING AGENDA
CITY COUNCIL – CITY OF ONTARIO OREGON
TUESDAY, FEBRUARY 13, 2024, 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 February 9, 2024. 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) Adoption of Minutes: January 23, 2024 Council Meeting

6) NEW BUSINESS

A) Apron Expansion: Independent Fee Estimate

7) PUBLIC HEARING

A) Accept Right of Way for a Portion of NW 16th Avenue

8) HAND-OUTS

- A) Monthly Department Stats: Police, Code Enforcement, Public Works, Fire
- B) Packet: V&C Feb 1, 2024
- C) Minutes: County Court 01-24-2024; 01-31-2024; Airport 01-02-2024

9) CORRESPONDENCE, COMMENTS AND EX-OFFICIO REPORTS

10) ADJOURN

**CITY COUNCIL MEETING MINUTES****January 23, 2024**

The scheduled meeting of the Ontario City Council was called to order by Council President John Kirby at 6:00 p.m. on Tuesday, January 23, 2024, in the Council Chambers of City Hall. Council members present were Penny Bakefelt, Ken Hart, Susann Mills, John Kirby, and Sam Baker. Mayor Deborah Folden and Eddie Melendrez were excused.

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

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

AGENDA

This Agenda was posted January 19, 2024. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website www.ontariooregon.org.

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

CONSENT AGENDA

HART moved, BAKER seconded, **TO ADOPT THE CONSENT AGENDA, WHICH CONSISTED OF APPROVAL OF COUNCIL MEETING MINUTES OF JANUARY 9, 2024**. Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Hart-yes; Bakefelt-yes; Melendrez-out; Folden-out. Motion carried 5/0/2.

NEW BUSINESS**Grant Management Task Order for Jacobs to Implement Safe Streets for All Grant**

Marshall Pierce, City Engineer, presented.

The City of Ontario committed to establishing a Comprehensive Safety Action Plan that was aimed at eliminating traffic fatalities and severe injuries in its community in the next five years. In August of 2022, the City Council passed a resolution that pledged the city to work towards the goal of zero deaths in the community and was awarded a Safe Streets for All (SS4A) Grant of \$280,000 in February 2023.

Jacobs Engineering was selected to perform grant administration based on qualifications and knowledge gained through assisting the city with the grant application. The Scope of Work included overall project, technical consultant supervision, community outreach coordination, and grant program reporting as required in the Agreement between the City of Ontario and the Federal Highway Administration (FHWA) for the preparation of a Comprehensive Safety Action Plan.

MILLS moved, BAKEFELT seconded, **THE CITY COUNCIL APPROVE THE GRANT MANAGEMENT TASK ORDER FOR \$50,000 WITH JACOBS ENGINEERING FOR IMPLEMENTATION OF THE SAFE STREETS FOR ALL GRANT AND AUTHORIZE THE CITY MANAGER TO SIGN ALL DOCUMENTS**. Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Hart-yes; Bakefelt-yes; Melendrez-out; Folden-out. Motion carried 5/0/2.

Rural Fire Contract: Extending Addendum #13

Clint Benson, Fire Chief, presented.

In early January 2024, staff became aware that Addendum #13 to the City/Rural Fire Services Contract expired June 30, 2023. Ontario Rural Fire Protection District continued to pay quarterly payments of \$51,828.25 (\$207,313 annually) per Addendum #13. After discussions with the City Manager, an extension to Addendum #13 was drafted and presented to the Ontario Rural Fire Protection District (ORFPD) at their January 11, 2024, board meeting. The ORFPD board unanimously voted to approve the extension as presented, and Chairperson Monty Culbertson signed the extension that evening. The ORFPD has been very supportive of the City of Ontario by assisting with the purchase of its new ladder truck through a monetary contribution of \$76,000. This important partnership continues to be strong and effective, with both sides working together to provide fire protection to the citizens. This extension of Addendum #13 would be valid until June 30, 2024. Per Addendum #13, members of the City Council and ORFPD Board would meet soon to discuss the next contract extension/addendum, to ensure that this important partnership continues.

This action extended Addendum #13 (dated June 28, 2022) to the original contract (dated February 3, 1999). The city was currently operating under an assumed extension and under the same terms as Addendum #13; however, a contract extension was needed as soon as possible.

BAKEFELT moved, MILLS seconded, **THE CITY COUNCIL APPROVE THE CONTRACT EXTENSION TO ADDENDUM #13**. Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Hart-yes; Bakefelt-yes; Melendrez-out; Folden-out. Motion carried 5/0/2.

Resolution #2024-101: Opening a Portion of Airport Way

Dan Cummings, City Manager, presented.

On March 21, 2016, under Resolution #2016-109, for the safety of the Ontario Municipal Airport, the City Council closed several private and public access roads leading into the Airport, one of which was Airport Way. At that time, Airport staff and the Airport Committee were informed that unauthorized vehicles had been accessing the city airport property and driving across restricted areas. This could have resulted in vehicle contact and/or accidents with aircraft. At the request of the Airport Committee and the recommendation of the Federal Aviation Administration (FAA) based upon safety issues, it was determined that access points onto the airport property needed to be gated and/or blocked to restrict unauthorized access onto the property. The proposed closures and gated areas were presented to the Airport Committee at that time, who unanimously gave support for staff to take action before the City Council for closing multiple roads, one of which was Airport Way.

A portion of Airport Way was constructed to city street standards and was ready to be reopened to public access and public right of way.

BAKER moved, MILLS seconded, **THE CITY COUNCIL APPROVE RESOLUTION #2024-101, A RESOLUTION REOPENING A PORTION OF AIRPORT WAY FROM THE CENTERLINE OF HIGHWAY 201 (SW 30TH STREET) GOING WEST FOR 710 FEET**. Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Hart-yes; Bakefelt-yes; Melendrez-out; Folden-out. Motion carried 5/0/2.

Resolution #2024-102: Appropriate Funds for EPA Invoice

Kari Ott, Finance Director, presented.

On November 27, 2023, the city received a letter addressed to the previous City Manager demanding reimbursement of costs incurred by the EPA for the Airport Pesticides Sites located at the Ontario Municipal Airport. EPA had performed a site evaluation and cleanup of the Airport property where Beck's Spray Operations were performed.



The current City Manager contacted EPA and received an extension to the deadline for payment to the end of January 2024 in order to get Council approval to make payment. The demand for payment was \$48,770.87. The General Fund beginning fund balance ended up approximately \$228,371 over the 2023-2024 budget, so this deduction for payment would reduce this surplus to approximately \$179,600. Payment needed to be made by January 31, 2024, to avoid additional penalties and interest. The city was required to pay the invoice or incur penalties; however, the Council could choose a different funding source if desired.

HART moved, BAKEFELT seconded, **THE CITY COUNCIL APPROVE RESOLUTION #2024-102: A RESOLUTION APPROPRIATING FUNDS TO PAY THE \$48,770.87 ENVIRONMENTAL PROTECTION AGENCY INVOICE FOR AIRPORT CLEANUP OPERATIONS.** Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Hart-yes; Bakefelt-yes; Melendrez-out; Folden-out. Motion carried 5/0/2.

Resolution #2024-103: Supplemental Budget to Appropriate Fire Department Donations

Kari Ott, Finance Director, presented.

The Ontario Fire Department received three local donations as follows: Ontario V.F.W. Post 5452 - \$300; American Legion Post #67 - \$300; and American Legion Auxiliary Unit #67 - \$50. The department would like to spend these donations on some minor fire equipment and a resolution was needed to appropriate funds.

HART moved, BAKEFELT seconded, **THE CITY COUNCIL APPROVE RESOLUTION #2024-103: A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET TO APPROPRIATE UNEXPECTED FIRE DEPARTMENT DONATIONS.** Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Hart-yes; Bakefelt-yes; Melendrez-out; Folden-out. Motion carried 5/0/2.

Approval of CDBG Grant Documents for New Water Intake Engineering Design

Casey Mordhorst, Public Works Director, presented.

The City Council authorized submittal of a CDBG grant application for a new Water Intake Engineering Design Project in 2023, and held a public hearing prior to the grant application submittal. Business Oregon notified the city that the grant application was successful, and documents were required to be approved to initiate the project.

BAKER moved, MILLS seconded, **THE CITY COUNCIL AUTHORIZE THE CITY MANAGER TO SIGN AND APPROVE ALL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) DOCUMENTS FOR THE NEW WATER INTAKE ENGINEERING DESIGN.** Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Hart-yes; Bakefelt-yes; Melendrez-out; Folden-out. Motion carried 5/0/2.

DEPARTMENT HEAD UPDATE

Finance Department: Monthly Report

Kari Ott, Finance Director, presented.

DISCUSSION ITEMS

Appoint Two City Councilors for Rural Contract Review: Mon, Feb 19th, or Thu, Feb 29th, 12:00pm

Councilor Kirby stated he had already spoken to Councilor Bakefelt at the agenda prep meeting, and had since spoken with everyone else regarding this action.

Chief Benson stated historically the committee consisted of two rural board members, two members from the Council, the City Manager, and the Fire Chief. He also noted on the suggested dates that February 19th was a recognized holiday; however, any dates would work. It would be to discuss how things were going regarding the current contract, as well as looking towards the new contract that would begin July 1, 2024. It helped him create a budget on the rural side, along with prepping for the city side. It was a good meeting to have. The dates listed were flexible, and did not have to occur on either of those dates; they were just suggestions. The actual purpose of this discussion was to get the names of the two Councilors that would serve on the board. The two from the Rural Board would be Monty Culbertson and Mike Derrick.



Councilor Kirby stated he had spoken with the Council, and each of them were busy, but Councilor Mills had agreed to serve. He confirmed that the City Manager would also be on the committee.

Mr. Cummings stated yes. The group historically was comprised of the City Manager, Fire Chief, two members from the Rural Board, and two City Councilors.

Councilor Kirby stated that Councilor Baker had agreed to serve. If there was a conflict with either of the Councilors, he would serve as the alternate.

Ms. Barnett confirmed the Councilors appointed were Councilor Baker and Councilor Mills.

Councilor Kirby stated yes, with him as the alternate.

Councilor Bakefelt stated she had expressed an interest in serving on that committee.

Councilor Kirby stated Vince was a member of public safety for the city, and to avoid any conflict he was, for that purpose, not nominating her. That was to protect her.

Councilor Bakefelt stated she did not see why that would be a conflict.

Councilor Kirby stated okay, but it was his call. That's what he was choosing to do.

Chief Benson stated he would work with Mr. Cummings on scheduling the meeting with all parties.

PUBLIC COMMENTS

Adeline Almaraz, Ontario, stated: *I've been here about six years. My comment was, I live right across May Roberts school, and we've been having problems at school zones. There's so much traffic going on, and it's safety, is what's really I'm concerned about, kids and stuff. You know, like in the morning it's not too bad, but like after school, yeah, there's a lot of traffic. And, you know, last year a little girl almost got ran over. I live right across the street. And, actually, I'd like to clean the town, I also had a question about that, too. Hopefully, it'll get better. The alleyways maybe need cleaning. That's all I got.*

HAND-OUTS

Check Register

December, 2023

Minutes:

County Court 01/03/2024; 01/08/2024; 01/10/2024

CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS

- Mr. Cummings stated staff was seeking clarification. In previous meetings, the Council directed that all applicants for the Diversity Advisory Committee go before that committee for a recommendation to the Council. At that same meeting, the discussion was also to send Public Works Committee applications to the PWC for recommendation. Also, at that time, the Airport Committee had multiple applications, so Council had those applications sent to the Airport Committee for recommendation. The DAC did not meet due to a quorum issue, so there was no recommendation from them. The PWC did not have a quorum, so there was no recommendation from them. The two applicants for that committee did not attend that meeting. Was the ruling from the Council that they wanted all applications to go before all the committees for a recommendation, or was the Council being selective on that action. Then, did staff hold up the appointments from being filled, waiting for recommendations? That's where this action currently sat. With regard to the PWC, there were two vacancies, but since they had not met, there was no recommendation. He had mentioned that to Councilor Hart, who stated the spots should just be filled, but it was Mr. Cummings' opinion that was



not a good reason to fill it because there were applications. Some were very specialized committees, and the PWC was one of those. In the past, he'd served on committees that the Council just appointed whoever applied, and he had seen people leave committees because they were tired of trying to work with people who had no background for that particular committee. He brought that up because staff needed clarification. Did Council want all applicants sent to the various committees for recommendation, and then if the committee did not meet and could not provide a recommendation to the Council, did staff continue to hold up the process, or bring them forward to the Council for review?

Councilor Hart stated from what he remembered, on the DAC, the reason for sending applicants to the committee was because there was a criteria, which he believed was inappropriate, and this Council should not pick people based on their race or their economic status. They pick people. They, themselves, had a criteria that they'd like to ensure they had a diverse committee. If they wanted to put people in boxes, they could do that. That was the reason, he believed, the Council wanted those applications to go back to the committee for recommendation. Those applications would come back to Council with a recommendation to support or deny the appointment. The overall power to appoint lay with the Mayor and City Council. He did not think they should ever give that authority to the committees. He thought that in the last meeting, related to Public Works Committee, there were three applicants, with two from Ontario and one from Fruitland. He had raised a concern that there was no one in attendance who applied.

Mr. Cummings stated only one of the applicants lived in the Ontario city limits. One lived in Payette, the other in Malheur County.

Councilor Hart stated the address was Ontario, so the question was that since no one knew one of the applicants, just because someone applied did not mean the Council had to agree, but it would be nice to interview. He thought they were asking the applicants to attend the current meeting so the Council could have a discussion with the applicant, and maybe ask questions. It was a very technical committee, and they wanted to make sure that they were appointing people that fit the committee. He was not asking to go back to the committee. It was up to the Council to make those decisions. He also did not want to blindly appoint someone. He believed it was respectful if they did appear before the Council, as they had taken the time to apply for a position, so they could explain why they were seeking appointment. He did know two of the PWC applicants, Pat Woodcock and Scott Wilson, so he could vote because he knew them, but the other candidate, he did not know. If she was still interested, he'd like her to come to the Council meeting so they could meet her and speak with her.

Mr. Cummings stated that was the basis for seeking clarification. If the Council wanted to get the applicants, but did not want to hold up the appointments, staff would know that and could take them to the committees. If they didn't meet or did not provide a recommendation, staff would bring that back to the Council at their next meeting. He agreed, the Council made the final decision. Ms. Barnett had just told him that Ms. Koehler, along with Mr. Woodcock, had been invited to the Council meeting. The clarity he was seeking was what did the Council want staff to do? For the first part, did they want all the applicants to go to all the committees, when possible? If they did not meet, therefore giving no recommendation, then they all came to Council? Was that the direction of the Council?

Councilor Kirby stated the problem he had was, especially with the DAC, that could be a legal issue.

Mr. Cummings stated the direction for that particular committee was clear. The Council was clear on that they wanted those applicants to go before the DAC first. The DAC had originally wanted the power to actually appoint, but the Council said no to that. The DAC was clear; he wanted clarification on the other city committees.

Councilor Kirby stated for other committees, they typically used the current format. But, he didn't know how other cities did their appointments. He thought there should be some uniformity in committee structure and the way it was processed by the Council.

Ms. Barnett asked what Councilor Kirby wanted. Was he asking her to seek input from other Oregon cities on how they conducted their committee appointments.

Councilor Kirby stated he didn't know. Maybe the League of Oregon Cities might have something written that addressed the issue.

Ms. Barnett stated she could look into that, and she would also do a listserv request to City Recorders, asking how their particular city handled committee appointments.

Councilor Hart stated it wasn't on the agenda, but his intent was to vote to put Pat Woodcock on the Public Works Committee, to ensure they had a quorum. Regarding Mr. Wilson, he had withdrawn his name, and the other applicant had not attended the current meeting. Since the Mayor was not in attendance, did they have to wait, or did that authority rolled to Councilor Kirby as the President acting in her stead? He did not want to see the action slow down. It was hard enough to get people to volunteer for the committees. He'd like to see the appointment of Mr. Woodcock move forward if they could.

Mr. Cummings stated that regarding a person currently on the committee, unless they officially resigned, not just their term ending, that person continued in their seat until the Council replaced them. So, regarding Pat Woodcock, since he had asked for reappointment, and he was a current sitting member, he continued to sit in the position until the Council removed him, or he resigned the seat. It appeared the Council would like the other applicant to appear before them so she could be interviewed, to see if she met the qualifications they were seeking for apposition on that committee. The invitation will be issued to Jackie Koehler. When they acted on the other position, the Council needed to officially reappoint Mr. Woodcock to serve another term.

Councilor Baker asked who was currently sitting on the Public Works Committee.

Ms. Barnett, with the help of Mr. Mordhorst, stated it was Jake Galeener, Al Christiani, Jackson Fox, and Pat Woodcock.

Councilor Baker stated all those people were busy, and it was hard to meet.

Ms. Barnett stated only two showed up to the last meeting, until the very end when a third did show up online, but the meeting was basically over.

Mr. Cummings stated legally, technically, the PWC was really a seven member committee, not five. When the Council changed it from seven to five members, they did it by resolution; however, an ordinance cannot be changed by a resolution. The PWC was established by ordinance and, therefore, could only be discontinued or modified by another ordinance. He was going to fix that. While it had been operating with only the five members, he wanted to fix it to get it done correctly. He intended to also add the wording that any future changes to the committee size as established by ordinances could be done by resolution. Was the Council amenable to that action?

Council consensus to do so.

Councilor Mills stated she had visited with people who might be qualified or had questions about serving on a committee who resided in the county. They wanted to know if they could serve. Was that actually an issue?



Mr. Cummings stated it was his understanding that when reviewing applications, they gave weight to those who resided within the city limits, then the county, then the state, then anywhere. That was his understanding based on prior discussions, but did not know if that was still the way they wanted to operate. What was the actual criteria when they wanted to start weighing residency issues on committees.

Councilor Baker stated his agreement with Councilor Hart's position. They'd like to have people from this community, but sometimes that doesn't work out, but he would like the most qualified person in the position. For example, the Public Works Committee – there was a lot of background needed, and a person who had that, that helped.

Councilor Kirby asked about someone who lived in, for example, Fruitland, but had a business or property in Ontario?

Councilor Hart stated they didn't want to codify anything. Everyone would vote their own way. If he was going to either oppose or support someone, he owed it to that person to say why. He wasn't looking to tie the Council's hands. They needed flexibility to appoint as needed.

Mr. Cummings stated the Budget Committee required those members to reside within the city limits.

Councilor Mills stated if those she had spoken with, if they were extremely qualified for a committee, was there a reason they could not apply?

Mr. Cummings stated no, there was no reason not to apply. It was encouraged. It was then up to the Council to make the selections, and they all worked to get the best people into those positions.

Councilor Baker stated as discussed earlier, some of the committees continually struggled to get a quorum. Getting four to attend a seven person committee meeting would be awesome. He understood there would be qualifications and standards, but if they were qualified with outstanding knowledge, he had no problem with where they came from, as long as it wasn't too far south.

Ms. Barnett reminded them there was also one vacancy on the Parks Committee, for a citizen at large.

Councilor Baker stated his appreciation that all three candidates for the Airport Committee vacancies had attended a previous Council meeting, to introduce themselves and to allow the Council the opportunity to ask questions.

Mr. Cummings stated he believed he understood the direction to go in.

ADJOURN

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

ACCEPTED:

ATTEST

Deborah K. Folden, Mayor

Tori Barnett, MMC, City Recorder





**AGENDA REPORT
NEW BUSINESS
February 13, 2024**

To: Mayor and City Council

FROM: Andy Wood, Airport Manager

THROUGH: Danny K. Cummings, City Manager

SUBJECT: **APRON EXPANSION: INDEPENDENT FEE ESTIMATE**

DATE: February 6, 2024

PROPOSED MOTION:

I MOVE THE CITY COUNCIL TO APPROVE THE CENTURY WEST INDEPENDENT FEE ESTIMATE CONTRACT, AND AUTHORIZE THE MAYOR TO SIGN THE CONTRACT.

SUMMARY:

On February 5, 2024, the Airport Committee sent a recommendation to the City Council to approve the Century West Engineers Independent Fee Estimate (IFE) contract for \$4,000.00.

BACKGROUND:

FAA AIP Handbook - Order 5100.20C outlines Programming Control and Reporting Procedures Grant-In-Aid Program procedures. The City Manager Signed the FAA AIP and BIL grant application for the Jet Apron Expansion Project for bid and construction. The next process is to have an Independent Airport Engineer estimate the project formulation, design, bidding, and construction services. A previous AIP number has been approved for the design stage from 2023 and is within budget to date with the match funding from FAA 90% and ODAV 9%. Local City Council matching funds are 1% of the complete project.

CURRENT SITUATION:

Century West Engineering from Bend, OR was approached to provide the fee estimate and can turn this around within 2 weeks of the signed contract.

ANALYSIS:

- A. **STRATEGIC PLAN** Century West Engineering is a reputable airport engineering company that gives a competitive, fair, reasonable estimate to satisfy FAA requirements.
- B. **FINANCIAL** The FAA will reimburse the City of Ontario for the cost of the IFE.
- C. **TIMING** The FAA and ODAV agreements are subject to the AIP Project Development Schedule. Final acceptance by the FAA on March 1, 2024.

- D. **POLICY/LEGAL** Failure to comply with the grant conditions, the project funding may be forfeited.

ALTERNATIVES:

We have the option to find an alternative suitable Airport Engineering firm to meet the IFE requirements.

RECOMMENDATION:

Staff recommends the City Council to approve the signing of the Century West Independent Fee Estimate.

ATTACHMENTS:

1. CWE Agreement - AIP-023 IFE



AGREEMENT AND AUTHORIZATION FOR ENGINEERING CONSULTING SERVICES

By this Agreement, effective _____, **City of Ontario** (Client) authorizes **Century West Engineering Corporation** (Engineer) to carry out and complete the Scope of Services in consideration of the mutual covenants set forth in this Agreement and the *ENGINEERING CONSULTING TERMS AND CONDITIONS*.

Project: **AIP-023 IFE**

Project No.: 12452.006.01

Scope of Services: Independent Fee Estimate (IFE) for FAA AIP 3-41-0044-023-2024 which includes the Project Formulation, Bidding, Construction, and Project Closeout Engineering Services for the following items:

- Apron Expansion

Opinion of Probable Cost:

\$ 4,000

Lump sum not to exceed specified amount without prior authorization by Client.

Client

By:(signature) _____
By:(printed) _____
Title: _____
Date: _____

Century West Engineering Corporation

By:(signature) _____
By:(printed) _____
Title: _____
Date: _____

ENGINEERING CONSULTING ♦ TERMS AND CONDITIONS

1. SERVICES: Engineer agrees to perform the Scope of Services (Services) under the following terms and conditions. Additional Services will be provided only by written amendment to this Agreement.

2. TIMES OF PAYMENTS: Engineer will submit invoices on a monthly basis for the unbilled portion of Services actually completed. Client will pay the invoice within 30 days of the invoice date. Accounts remaining unpaid after said 30 days will be considered delinquent and assessed a late payment charge (currently at the rate of 1 1/2% per month) calculated each month from the date of the invoice. Engineer reserves the right to suspend all Services until account delinquencies have been remedied.

3. OPINIONS OF COST: Because Engineer has no control over the cost of labor, materials, equipment or Services furnished by others, or over contractors' methods of determining prices, or other competitive bidding or market conditions, any cost estimates provided by Engineer will be made on the basis of experience and judgment. Engineer cannot and does not guarantee that proposals, bids or actual Project construction costs will not vary from opinions of probable costs prepared by Engineer.

4. CLIENT-PROVIDED INFORMATION: Client will make available to Engineer, all information readily available to Client regarding existing and proposed conditions of the site which will aid Engineer in its performance of Services. Engineer shall be entitled to rely, without further inquiry or investigation, on all information furnished to Engineer by Client. Client agrees to advise Engineer of any hazardous substances or any condition existing in, on or near the site presenting a potential danger to human health, the environment, or equipment. Client will immediately transmit to Engineer any new information which becomes available to Client which may have a bearing on Engineer's performance of Services or which relates to information Engineer has requested from Client. If any hazards, not disclosed to Engineer, are discovered after the Services are undertaken, Client and Engineer agree that the Scope of Services, time schedule and rate schedule shall be modified accordingly.

5. STANDARD OF PERFORMANCE: Engineer represents that Services will be performed within the limits prescribed by Client, and that its findings, recommendations, specifications and/or professional advice provided hereunder will be prepared and presented in a manner consistent with the level of care and skill ordinarily exercised by other professionals under similar circumstances at the time the Services are performed.

6. ACCESS, APPROVALS, PERMITS: Client shall arrange for access to and make all provisions for Engineer to enter onto public and private property as required for Engineer to perform the Services. Unless otherwise agreed, Client will be solely responsible for applying for and obtaining such permits and approvals as may be necessary for Engineer to perform the Services.

7. REUSE OF DOCUMENTS: All documents, including computer files,

drawings and specifications, prepared by Engineer pursuant to this Agreement shall remain the property of Engineer and are instruments of service with respect to the Project. They are not intended or represented to be suitable for reuse by Client or others on extensions of the Services provided for the Project under this Agreement or on any other project. Any reuse without written authorization, certification or adaptation by Engineer for the specific purpose intended will be at Client's sole risk and without liability to Engineer.

8. ASBESTOS/PCBs: All asbestos/PCB related Services are excluded from Engineer's Scope of Services. Client shall notify Engineer at the start of the Project if the presence of asbestos/PCBs on the project is suspected. If asbestos/PCBs are suspected or encountered, Engineer will stop its own work to permit proper testing and evaluation. If requested as an additional Service, Engineer will assist Client in contacting regulatory agencies and/or identifying appropriate testing laboratories.

9. SUBMITTAL REVIEW: Review by Engineer of submittals by contractor is only for general conformance with the design concept of the Project and general compliance with the information given in the Contract Documents. The review does not affect the contractor's responsibility to perform all contract requirements with no change in contract price or time. Any action taken by the Engineer is subject to the requirements of the plans, specifications and other Contract Documents. Client shall indemnify Engineer against any claim by any contractor based on the review.

10. ENGINEER AT CONSTRUCTION SITE: The presence or duties of Engineer's personnel at the construction site, whether as on-site representatives or otherwise, do not make Engineer or its personnel in any way responsible for those duties that belong to the Owner and/or the construction contractors or other entities, and do not relieve the construction contractors or any other entity of their obligations, duties and responsibilities, including but not limited to, all construction methods, means, techniques, sequences and procedures necessary for coordinating and completing all portions of the construction work in accordance with the Contract Documents and any health or safety precautions required by such construction work. Engineer and its personnel have no authority to exercise control over any construction contractor or other entity or their employees in connection with their work or any health or safety precautions and have no duty for inspecting, noting, observing, correcting or reporting on health or safety deficiencies of the construction contractor or other entity or any other persons at the site except Engineer's own personnel.

11. INDEMNIFICATION AND INSURANCE:

(a) Client agrees to indemnify, hold harmless and defend Engineer, its directors, officers, agents and employees, from and against any and all liabilities, claims, penalties, forfeitures, suits and the cost and expenses incidental thereto, including but not limited to reasonable attorney fees, which Engineer may hereafter incur, become responsible for or pay out as a result of death or bodily injuries to any person, destruction or damage to any property, contamination of or adverse effects on the environment or any violation of governmental laws, regulations or orders caused by (1) Client's breach of any term or provision of this Agreement; (2) Client's negligent or wrongful act or omission in the performance of this Agreement; or (3) Client's generation, storage or release of waste products including hazardous waste..

(b) Engineer agrees to indemnify, hold harmless and defend Client, its directors, officers, agents and employees, from and against any and all liabilities, claims, penalties, forfeitures, suits and the cost and expenses incidental thereto, including but not limited to reasonable attorney fees, which Client may hereafter incur, become responsible for or pay out as a result of death or bodily injuries to any person, destruction or damage to any property, contamination of or adverse effects on the environment or any violation of governmental laws, regulations or orders caused by Engineer's (1) breach of any term or provision of this Agreement; or (2) any negligent or wrongful act or omission in the performance of this Agreement.

(c) In the event any claim arises as a result of the concurrent negligence of Engineer and Client, liability will be determined on the basis of the doctrine of comparative negligence. Each party shall promptly notify the other party, in writing, of any threatened or actual claim, action, or proceeding. Engineer and Client shall jointly control the defense.

(d) Notwithstanding any other provision contained in this Agreement, neither party shall be liable to the other party for any indirect, incidental, special or consequential damages of any kind, including without limitation, lost profits or loss of use, regardless of the cause, including negligence.

(e) Upon request, Engineer will provide Client with Certificates of Insurance for Workers Compensation, General, Auto and Professional Liability coverage. Client agrees to maintain, during the performance of Services, general liability and automobile liability insurance in the amount of one million dollars (\$1,000,000).

12. LIMITED LIABILITY: Client agrees that Engineer's liability to Client, contractors, subcontractors, and their agents, employees and consultants, and to all other third parties which may arise from or be due directly or indirectly to the negligent acts, errors and/or omissions of engineer, its agents, employees or consultants shall be limited to a continued aggregate not to exceed \$100,000 or the total amount paid in fees to Engineer, whichever is greater.

13. TERMINATION: Either party may terminate this Agreement upon thirty (30) days written notice to the other. Either party may terminate this Agreement immediately in the event of a material breach by the other party to perform in accordance with the terms hereof but only if said breach is through no fault of the terminating party and said breach is not corrected before the date of termination. If this Agreement terminates for Force Majeure, Client shall pay Engineer for all Services authorized and performed prior to the termination date including, if applicable, a prorated lump sum fee.

14. SUCCESSORS AND ASSIGNS: Neither Engineer nor Client may assign this Agreement without the prior written consent of the other. Engineer may, however, employ any other party or entity it deems necessary or proper for any part of the Services required to be performed by Engineer under the terms of this Agreement. The covenants, conditions and terms of this Agreement shall extend to and be binding upon and inure to the benefit of the heirs, personal representatives, successors and assigns of the parties hereto.

15. MISCELLANEOUS:

(a) This Agreement shall be governed by the laws of the State of Oregon.

(b) Any claim brought by Client against Engineer must be brought no later than two years after the date of substantial completion of the Services hereunder or the expiration of the appropriate statute of limitations, whichever is earlier.

(c) In the event this Agreement should be referred to an attorney at law or agent for collection, Client agrees to pay such reasonable attorney's or agent's fees and costs as Engineer may incur to any attorney or agent in such collection even if no action is instituted. In the event an action is instituted to enforce any of the terms or conditions of this Agreement, the losing party shall pay to the prevailing party, in addition to the costs and disbursements allowed by statutes, such sum as the court may adjudge reasonable as attorney's fees in such action, in both trial and appellate courts.

(d) No waiver by either party of any provision of this Agreement shall be construed or deemed to be a waiver of (a) any other provision of this Agreement or (b) a subsequent breach of the same provision, unless such waiver be so expressed in writing and signed by the party to be bound.

(e) The terms and conditions of this Agreement contain a series of separate agreements. If in any proceeding a court or arbitrator shall refuse to enforce any of the separate agreements, any unenforceable agreement shall be deemed reduced or eliminated from the terms and conditions for the purpose of such proceeding, but only to the extent necessary to permit the remaining agreements to be enforced in such proceeding.

(f) This Agreement constitutes the entire agreement between Client and Engineer regarding the Services and supersedes all prior or contemporaneous oral or written representations or agreements. This Agreement shall not be modified except by a written document signed by both parties.



**AGENDA REPORT
PUBLIC HEARING
February 13, 2024**

To: Mayor and City Council

FROM: Dan Cummings, City Manager/Community Development Director

THROUGH: Danny K. Cummings, City Manager

SUBJECT: **ACCEPT RIGHT OF WAY FOR A PORTION OF NW 16TH AVENUE**

DATE: February 5, 2024

PROPOSED MOTION:

I MOVE THE CITY COUNCIL TO APPROVE THE DEDICATION OF THE RIGHT OF WAY FOR A PORTION OF NW 16TH AVENUE AND ADJACENT PUBLIC UTILITY EASEMENTS AS SHOWN IN THE DEEDS OF DEDICATION AS ATTACHMENT 1 AND 2 OF THIS REPORT AND AUTHORIZE THE MAYOR TO SIGN THE DEED OF DEDICATION.

SUMMARY:

The City Council, who is the governing body for the City of Ontario, needs to accept the right of way of a portion of NW 16th Avenue as shown on Attachments #1 and #2 to this report.

BACKGROUND:

Norm Poole Oil, Inc., through Ralph Poole, and Jack's Landing, LLC, through Bruce Erlebach, as part of the improvement of their property in building a portion of NW 16th Avenue for future development of the properties, need to dedicate the right of way and public utilities to allow for the construction of the project and inspections thereof. In doing so, they wish to dedicate the Right of Way and Public Utility easements prior to any partition or subdividing of the lands, so improvements are in place to aid in the development of the property.

CURRENT SITUATION:

To be able to construct the street and public utilities, a right of way is required to be in the city's name so the sewer and water line can be constructed to city standards and provide inspections of the project.

ANALYSIS:

- A. **STRATEGIC PLAN** The dedication of right of way meets the Growth and Desirability portions of the City Council's Strategic Plan.
- B. **FINANCIAL** There is no financial cost to the city at this time..

- C. **TIMING** This action needs to be completed in order to move forward with the construction of the project.
- D. **POLICY/LEGAL** The City Council is the only governing body that has the authority to accept right of way on behalf of the city.

ALTERNATIVES:

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

The Council could, by motion, not accept the right of way offered for dedication and allow the street to be a private street and utility which would not meet the city code for development of public street access.

RECOMMENDATION:

Staff recommends that the Council approve the request for the dedication of the street right of way and public utility easements and authorize the Mayor to sign the deeds of dedication.

ATTACHMENTS:

1. Attachment 1 ROW & Public Utility Easement Poole
2. Attachment 2 ROW & Public Utility Easement Erlebach



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

DEED OF DEDICATION FOR PUBLIC RIGHT OF WAY AND A PUBLIC UTILITY EASEMENT

FOR VALUE RECEIVED, **NORM POOLE OIL, INC.**, an Oregon Corporation, whose current address is P.O. Box 63, Ontario Oregon 97914, (“Grantor”), in consideration of the sum of –Zero– dollars (\$0.00) and other considerations, the receipt of which is hereby acknowledged, does hereby convey and grant to the **CITY OF ONTARIO**, (“Grantee”), whose address is 444 SW 4TH Street, Ontario, Oregon 97914, **HEREBY DEDICATE TO THE PUBLIC A RIGHT OF WAY**, and the right to erect, construct, install, and lay and thereafter use, operate, inspect, repair, maintain, replace, and remove a permanent roadway and public utilities, such as but limited to Sewer, Water, Gas, Electric and Communication services lines, Fixtures and Facilities over, across, and through the lands as described in Exhibit A and shown in Exhibit B. and also grants a **PUBLIC UTILITY EASEMENT** and the right to erect, construct, install, and lay and thereafter use, operate, inspect, repair, maintain, replace, and remove public utilities, such as but limited to Sewer, Water, Gas, Electric and Communication services lines, Fixtures and Facilities over, across, and through the lands, as described in Exhibit C and shown in Exhibit D, being real property located in Malheur County, Oregon (the “Property”), to wit:

Public Right of Way described in Attached Exhibit “A” And shown in Attached Exhibit “B”.

Public Utility Easement described in Attached Exhibit “C” And shown in Attached Exhibit “D”.

SUBJECT TO all existing easements of record.

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

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

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 5th day of February, 2024.

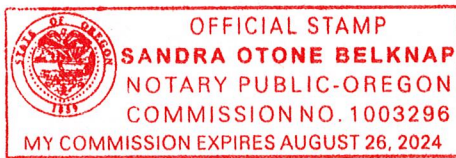
GRANTOR: **POOLE OIL, INC**, An Oregon Corporation,

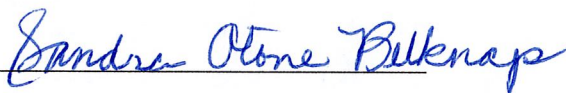
By: 
RALPH POOLE, President

State of Oregon)
County of Malheur) SS.

On this 5 day of February, 2024, before me, the undersigned Notary Public in and for said State, personally appeared **RALPH POOLE**, known or identified to me to be the PRESIDENT OF **POOLE OIL, INC**, and he executed the within instrument.

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





Notary Public for Oregon

My Commission expires: August 26, 2024

City of Ontario Acceptance:

Accepted by the Common Council of the City of Ontario on this _____ day of _____, 2024, in a Public Hearing at a regular Session of the City Council.

GRANTEE:

CITY OF ONTARIO

By: _____
Deborah Folden, Mayor

Attested: _____
City Recorder: Tori Barnett, MMC

Exhibit A
Description of Public Right-of-Way



Serving the Greater Northwest since 1972

CK3, LLC

ENGINEERING-SURVEYING & PLANNING
368 SW 5TH AVENUE, ONTARIO, OR 97914
945 W ORCHARD HERMISTON, OR 97838

EXHIBIT "A"

For The City on Ontario Oregon
Description of a Street Right of Way

Land within Section 33, Township 17 South, Range 47 East of the Willamette Meridian, City of Ontario, Malheur County, Oregon. The Basis of Bearings for this Right of Way is from Partition Plat No. 22-07, on file in the Office of the Malheur County Clerk's Office.

Commencing at the South One-Quarter Corner of Sections 33, marked by a 5/8" rebar and plastic cap, from which the Southwest Corner of Section 33 also marked by a 5/8" rebar and plastic cap, bears South 87°48'53" West a distance of 2628.06 feet; thence North 01°59'13" West, a distance of 1229.29 feet to an aluminum cap marking the centerline street intersection of Northwest Park boulevard and Northwest 16th Avenue, thence South 88°18'39" West along the centerline of said 16th Ave., a distance of 930.14 feet and the **POINT OF BEGINNING** for this description;

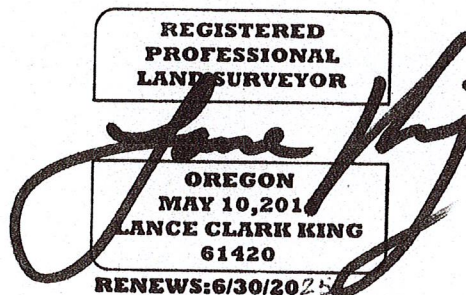
thence North 01°41'21" West a distance of 30.00 feet;

thence North 88°18'39" East, parallel with and 30 feet northerly from the centerline of said 16th Ave.; a distance of 486.73 feet, more or less, to a point on the west boundary of Parcel 2 of Partition Plat No. 22-07;

thence South 01°38'41" East along said Parcel 2 boundary a distance of 30.00 feet to a point on the centerline of said 16th Avenue.

thence South 88°18'39" West a distance of 486.71 feet, more or less, to the **POINT OF BEGINNING**.

END OF DESCRIPTION

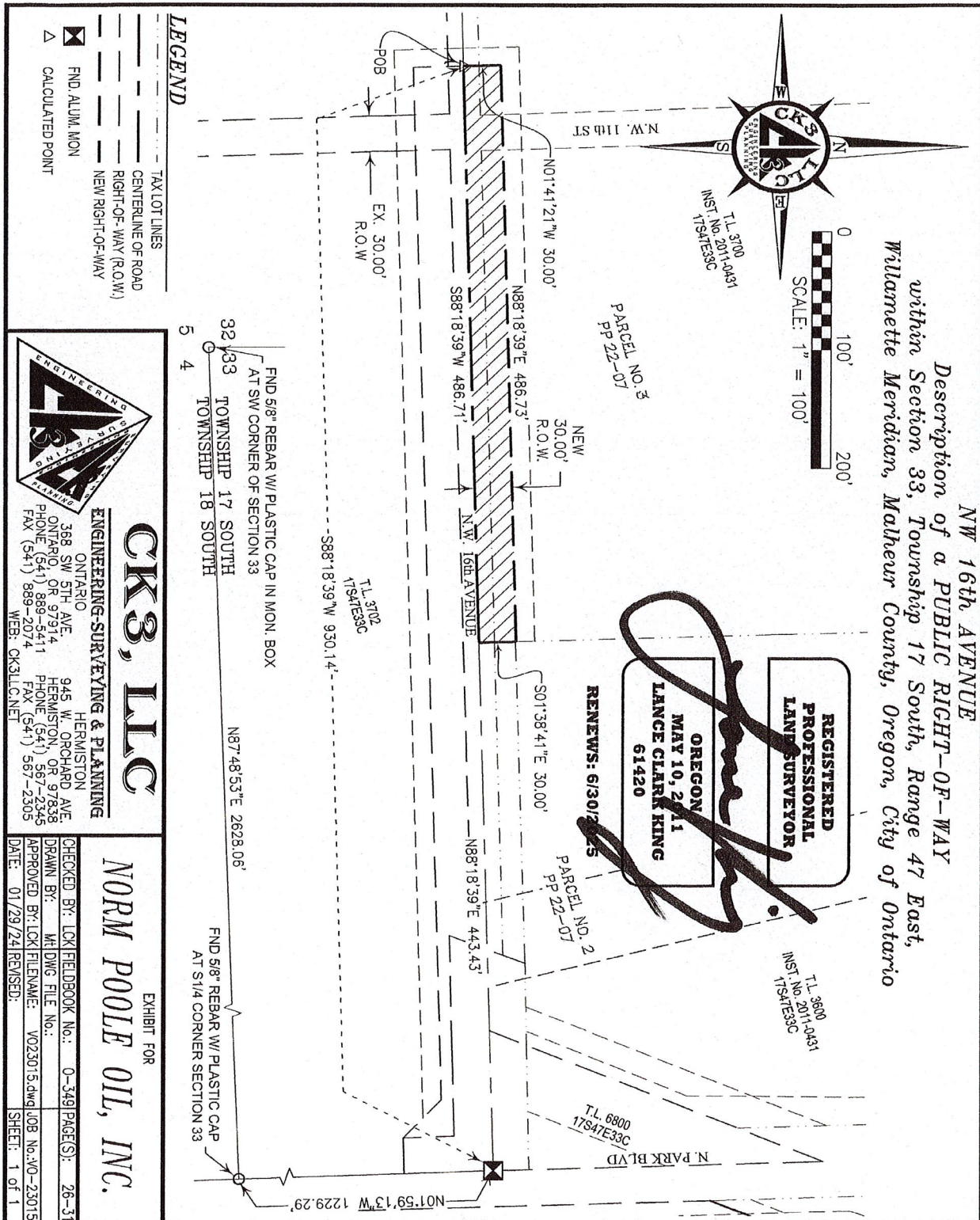


Ontario Phone (541) 889-5411 Fax (541) 889-2074 Web Address: ck3llc.net
Hermiston Phone (541) 567-2345 Fax (541) 567-2305

Exhibit B

Map of Public Right-of-Way

Exhibit B, Map of Public Right-of-way



CK3, LLC
ENGINEERING SURVEYING & PLANNING

ONTARIO
368 SW 5TH AVE.
ONTARIO, OR 97914
PHONE (541) 889-5411
FAX (541) 889-2074
WEB: CK3LLC.NET

HERMISTON
945 W. ORCHARD AVE.
HERMISTON, OR 97638
PHONE (541) 567-2345
FAX (541) 567-2305

NORM POOLE OIL, INC.

EXHIBIT FOR

CHECKED BY: LCK FIELDBOOK No.: 0-349 PAGE(S): 26-31
DRAWN BY: MHDWG FILE No.:
APPROVED BY: LCK FILENAME: V023015.dwg JOB No.: V0-23015
DATE: 01/29/24 REVISED: SHEET: 1 of 1

Exhibit C
Description of Public Utility Easement



Serving the Greater Northwest since 1972

CK3, LLC

ENGINEERING-SURVEYING & PLANNING
368 SW 5TH AVENUE, ONTARIO, OR 97914
945 W ORCHARD HERMISTON, OR 97838

EXHIBIT "C"

For The City on Ontario Oregon
Description of a Public Utility Easement

Land within Section 33, Township 17 South, Range 47 East of the Willamette Meridian, City of Ontario, Malheur County, Oregon. The Basis of Bearings for this Right of Way is from Partition Plat No. 22-07, on file in the Office of the Malheur County Clerk's Office.

Commencing at the South One-Quarter Corner of Sections 33, marked by a 5/8" rebar and plastic cap, from which the Southwest Corner of Section 33 also marked by a 5/8" rebar and plastic cap, bears South 87°48'53" West a distance of 2628.06 feet; thence North 01°59'13" West, a distance of 1229.29 feet to an aluminum cap marking the centerline street intersection of Northwest Park boulevard and Northwest 16th Avenue, thence South 88°18'39" West along the centerline of said 16th Ave., a distance of 930.14 feet and the **POINT OF BEGINNING** for this description;

thence South 88°18'39" West a distance of 15.00 feet,

thence North 01°41'21" West a distance of 45.00 feet;

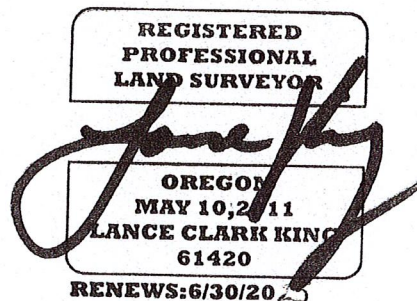
thence North 88°18'39" East, parallel with and 45.00 feet northerly from the centerline of said 16th Ave, a distance of 501.74 feet, more or less, to a point on the west boundary of Parcel 2 of Partition Plat No. 22-07;

thence South 01°38'41" East along said Parcel 2 boundary a distance of 15.00 feet,

thence South 88°18'39" West a distance of 486.73 feet,

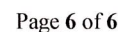
thence South 01°41'21" East a distance of 30.00 feet, more or less, to the **POINT OF BEGINNING**.

END OF DESCRIPTION



Ontario Phone (541) 889-5411 Fax (541) 889-2074 Web Address: ck3llc.net
Hermiston Phone (541) 567-2345 Fax (541) 567-2305

Exhibit D, Map of Public Utility Easement





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

**DEED OF DEDICATION FOR PUBLIC RIGHT OF WAY
AND
A PUBLIC UTILITY EASEMENT**

FOR VALUE RECEIVED, **JACK'S LANDING, LLC**, an Oregon Limited Liability Company, whose current address is P.O. Box 63, Ontario Oregon 97914, ("Grantor"), in consideration of the sum of –Zero- dollars (\$0.00) and other considerations, the receipt of which is hereby acknowledged, does hereby convey and grant to the **CITY OF ONTARIO**, ("Grantee"), whose address is 444 SW 4TH Street, Ontario, Oregon 97914, **HEREBY DEDICATE TO THE PUBLIC A RIGHT OF WAY**, and the right to erect, construct, install, and lay and thereafter use, operate, inspect, repair, maintain, replace, and remove a permanent roadway and public utilities, such as but limited to Sewer, Water, Gas, Electric and Communication services lines, Fixtures and Facilities over, across, and through the lands as described in Exhibit A and shown in Exhibit B. and also grants a **PUBLIC UTILITY EASEMENT** and the right to erect, construct, install, and lay and thereafter use, operate, inspect, repair, maintain, replace, and remove public utilities, such as but limited to Sewer, Water, Gas, Electric and Communication services lines, Fixtures and Facilities over, across, and through the lands, as described in Exhibit C and shown in Exhibit D, being real property located in Malheur County, Oregon (the "Property"), to wit:

Public Right of Way described in Attached Exhibit "A" And shown in Attached Exhibit "B".

Public Utility Easement described in Attached Exhibit "C" And shown in Attached Exhibit "D".

SUBJECT TO all existing easements of record.

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

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

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 6th day of February, 2024.

GRANTOR: **JACK'S LANDING, LLC**, An Oregon Limited Liability Company,

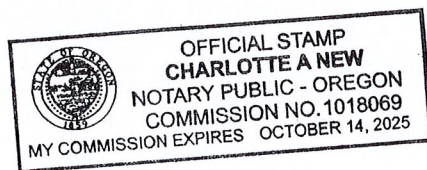
MEMBER: BLEACHER HOLDINGS, LLC, an Oregon Limited Liability Company. The members of which are Teresa Erlebach, Manager and Bruce Erlebach member.

By: Bruce Erlebach
BRUCE ERLEBACH, MEMBER

State of Oregon)
SS.
County of Malheur)

On this 6th day of February, 2024, before me, the undersigned Notary Public in and for said State, personally appeared **BRUCE ERLEBACH**, known or identified to me to be the MANAGING MEMBER for **JACKS' LANDING, LLC and BLEACHER HOLDINGS, LLC**, and she executed the within instrument.

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



Charlotte A New

Notary Public for Oregon

My Commission expires: OCT 14, 2025

City of Ontario Acceptance:

Accepted by the Common Council of the City of Ontario on this _____ day of _____, 2024, in a Public Hearing at a regular Session of the City Council.

GRANTEE:

CITY OF ONTARIO

By: _____
Deborah Folden, Mayor

Attested: _____
City Recorder: Tori Barnett, MMC

Exhibit A

Description of Public Right-of-Way



Serving the Greater Northwest since 1972

CK3, LLC

ENGINEERING-SURVEYING & PLANNING

368 SW 5TH AVENUE, ONTARIO, OR 97914

945 W ORCHARD HERMISTON, OR 97838

EXHIBIT "A"

For The City on Ontario Oregon
Description of a Street Right of Way

Land within Section 33, Township 17 South, Range 47 East of the Willamette Meridian, City of Ontario, Malheur County, Oregon. The Basis of Bearings for this Right of Way is from Partition Plat No. 22-07, on file in the Office of the Malheur County Clerk's Office.

Commencing at the South One-Quarter Corner of Sections 33, marked by a 5/8" rebar and plastic cap, from which the Southwest Corner of Section 33 also marked by a 5/8" rebar and plastic cap, bears South 87°48'53" West a distance of 2628.06 feet; thence North 01°59'13" West, a distance of 1229.29 feet to an aluminum cap marking the centerline street intersection of Northwest Park boulevard and Northwest 16th Avenue and the **POINT OF BEGINNING** for this description;

thence, North 01°43'02" West along the centerline of said Park Blvd a distance of 262.44 feet; thence, South 22°22'09" West a distance of 287.41 feet to a point on the centerline of said 16th Ave;

thence South 88°18'39" West along the centerline of said 16th Ave., a distance of 812.84 feet;

thence South 01°41'21" East a distance of 40.00 feet;

thence North 88°18'39" East, parallel with and 40 feet southerly from the centerline of said 16th Ave., a distance of 869.51 feet;

thence South 46°42'52" East a distance of 43.82 feet;

thence North 88°18'39" East a distance of 30.00 feet;

thence North 01°59'13" West a distance of 70.97 feet more or less to the **POINT OF BEGINNING**.

END OF DESCRIPTION

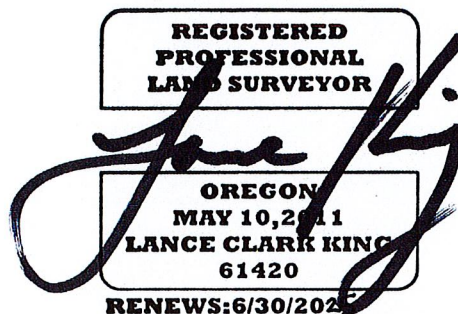


Exhibit B

Map of Public Right-of-Way

Exhibit B, Map of Public Right-of-way

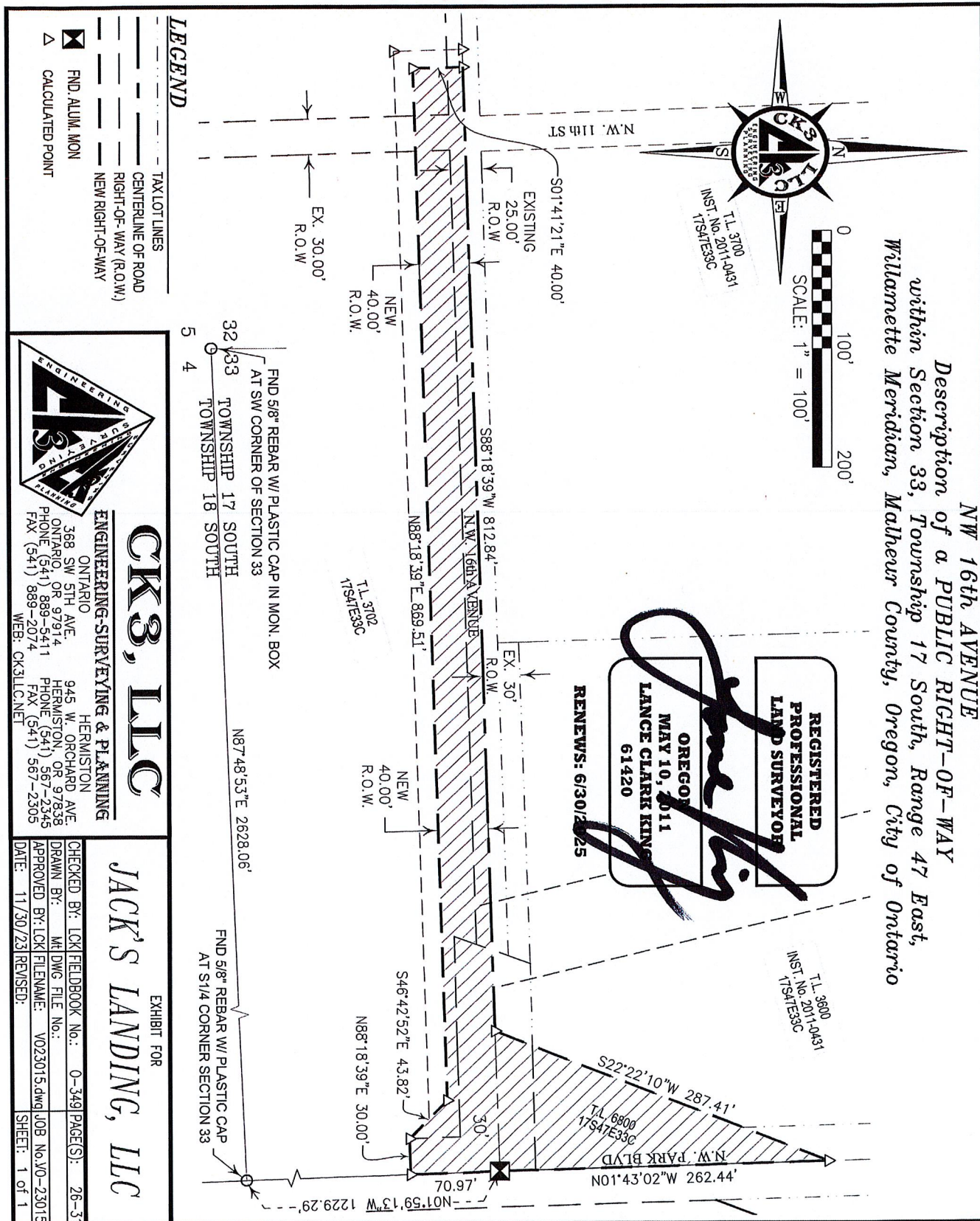


Exhibit C

Description of Public Utility Easement



Surveying the Greater Northwest since 1972

CK3, LLC

ENGINEERING-SURVEYING & PLANNING

368 SW 5TH AVENUE, ONTARIO, OR 97914

945 W ORCHARD HERMISTON, OR 97838

EXHIBIT "C"

For The City on Ontario Oregon
Description of a 15 foot wide Public Utility Easement

Land within Section 33, Township 17 South, Range 47 East of the Willamette Meridian, City of Ontario, Malheur County, Oregon. The Basis of Bearings for this Easement is from Partition Plat No. 22-07, on file in the Office of the Malheur County Clerk's Office.

Commencing at the South One-Quarter Corner of Sections 33, marked by a 5/8" rebar and plastic cap, from which the Southwest Corner of Section 33 also marked by a 5/8" rebar and plastic cap, bears South 87°48'53" West a distance of 2628.06 feet; thence North 01°59'13" West, a distance of 1229.29 feet to an aluminum cap marking the centerline street intersection of Northwest Park boulevard and Northwest 16th Avenue; thence along the centerline of said 16th Ave., South 88°18'39" West a distance of 930.14 feet to the **POINT OF BEGINNING** for this description;

thence South 01°41'21" East a distance of 40.00 feet;

thence North 88°18'39" East, parallel with and 40 feet southerly from the centerline of said 16th Ave., a distance of 869.51 feet;

thence South 46°42'52" East a distance of 21.22 feet;

thence South 88°18'39" West, parallel with and 55 feet southerly from the centerline of said 16th Ave., a distance of 899.52 feet;

thence North 01°41'21" West a distance of 55.00 feet;

thence North 88°18'39" East a distance of 15.00 feet more or less to the **POINT OF BEGINNING**.

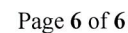
END OF DESCRIPTION

**REGISTERED
PROFESSIONAL
LAND SURVEYOR**

**OREGON
MAY 10, 2011
LANCE CLARK KING
61420**

RENEWS: 6/30/2025

Exhibit D, Map of Public Utility Easement





Police Stat Report

JANUARY 2024

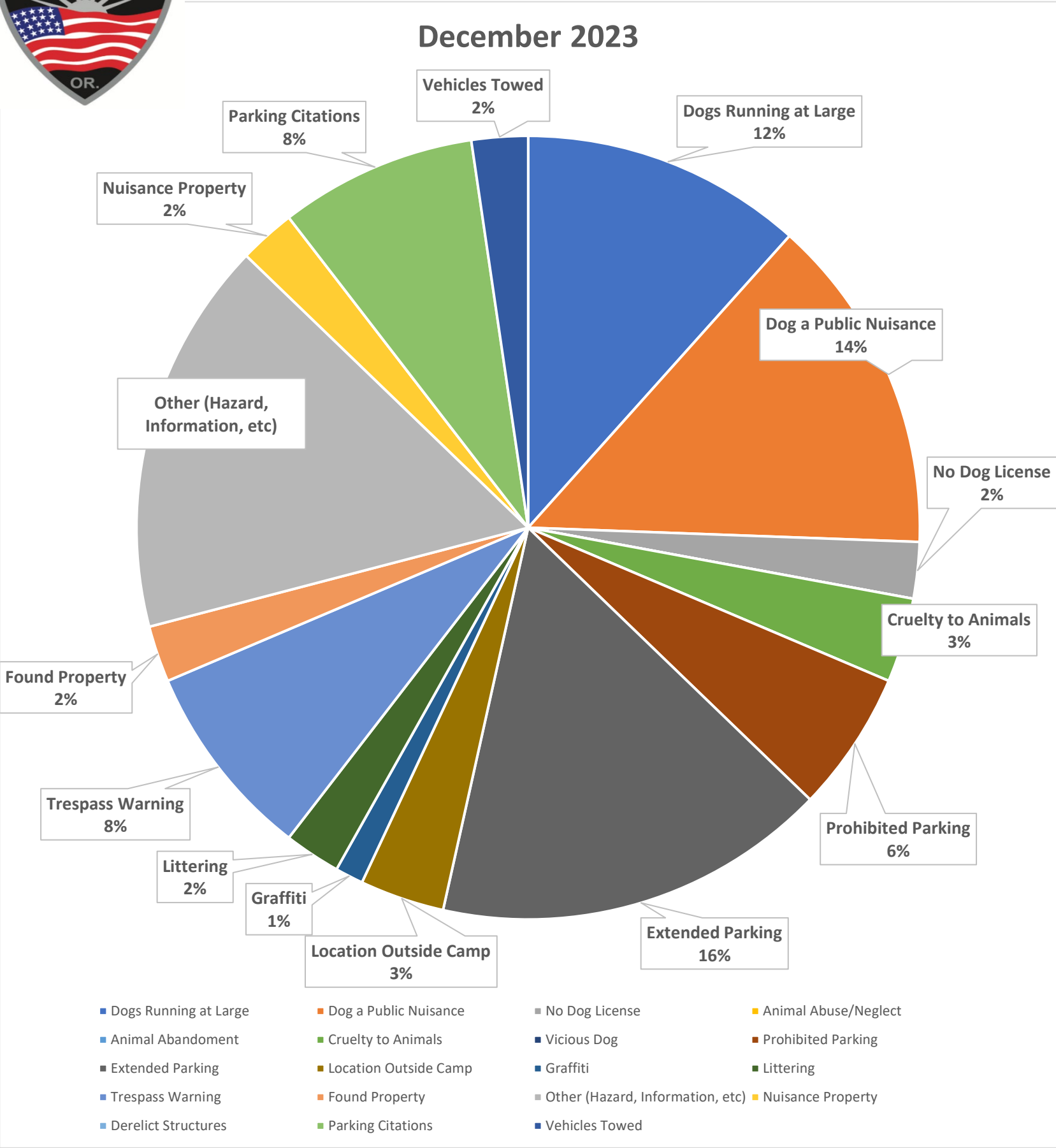
Activity	2023 Dec	2024 January	YTD 2024	PRIOR YTD 2023
Calls for Service	1251	1243	1243	1075
Case Activity	775	696	696	703
Murder	0	0	0	0
Manslaughter	0	0	0	0
Robbery	0	4	4	1
Sex Crimes	6	6	6	5
Burglary	10	7	7	3
Assault	10	4	4	12
Arson	0	0	0	0
UUMV / Auto Theft	13	10	10	7
Arrests	104	72	72	84
Arrests w/Use of Force	2	1	1	2
Gang Related Cases	1	0	0	1
Graffiti	0	1	1	0
Death Investigations	2	1	1	0
SRO Cases	1	10	10	14
Thefts	61	56	56	73
Traffic Stops	164	205	205	76
Cited Traffic/Parking	109	126	126	63
Traffic Crashes	42	42	42	47
Alarms	36	27	27	44

CODE ENFORCEMENT

JANUARY: 2024 STATS



Violation	Jan-24
Dogs Running at Large	10
Dog a Public Nuisance	12
No Dog License	2
Animal Abuse/Neglect	0
Animal Abandonment	0
Cruelty to Animals	3
Vicious Dog	0
Prohibited Parking	5
Extended Parking	14
Location Outside Camp	3
Graffiti	1
Littering	2
Trespass Warning	7
Found Property	2
Other (Hazard, Information, etc)	14
Nuisance Property	2
Derelict Structures	0
Parking Citations	7
Vehicles Towed	2
Total Violations	79
Total Cases	79
Cases listed in "OTHER" include road hazard, deceased animal removals, injured animals, snow removal, information report, discharging of an air gun, and a couple vicious dog investigations.	



Jacobs

Public Works Department

Monthly Report

January 2024



Monthly Business Review

Public Works Department

Contents:

- ENGINEERING DEVELOPMENT REVIEW SUMMARY
- WATER TREATMENT PLANT AND DISTRIBUTION SYSTEM SUMMARY
- WASTEWATER TREATMENT PLANT AND COLLECTION SYSTEM SUMMARY
- OPERATIONS MAINTENANCE SUMMARY
- FACILITIES, CEMETERIES & PARKS
- APPENDIX

January Business Review

DEVELOPMENT REVIEW

ACTIVITIES JANUARY 2024

- Issued New Address to Commercial lot.
- Attended 1 PDAC meeting to discuss the expansion of a business.
- Attended 1 PDAC meeting to discuss the addition of residential housing.
- Attended the Jacobs monthly safety meeting.
- Multiple plan reviews for new construction
- Multiple construction inspections
- Tapadera Lift Station- Substantial completion has been issues. Punch list items are being addressed currently.
- City Hall Elevator Modernization is in the engineering process.
- Water Treatment Plant Expansion continues with plans to become up and operational sometime in March.

January Business Review

WATER: TREATMENT PLANT AND DISTRIBUTION SUMMARY

ACTIVITIES JANUARY 2024

- 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.
- Quarterly DBP, TOC, and Alkalinity samples taken.
- Sample Tracking Tool, Monitoring Plan updated for 2024
- Annual Discharge Monitoring Report submitted to DEQ
- 26 new meters installed.
- 2 water meters changed out.
- 2 leak checks.
- 16 water meters turned on customer request.
- 15 meters checked for high consumption.
- 6 meters off customer request.
- 11 meters read verified.
- 1 meter winterized.

WATER: TREATMENT PLANT AND DISTRIBUTION SUMMARY**ACTIVITIES JANUARY 2024**

Repaired leak in Old Plant Filter #1 and replaced Silica Sand media



Rebuilt River Pump #2 Swing Check Valve

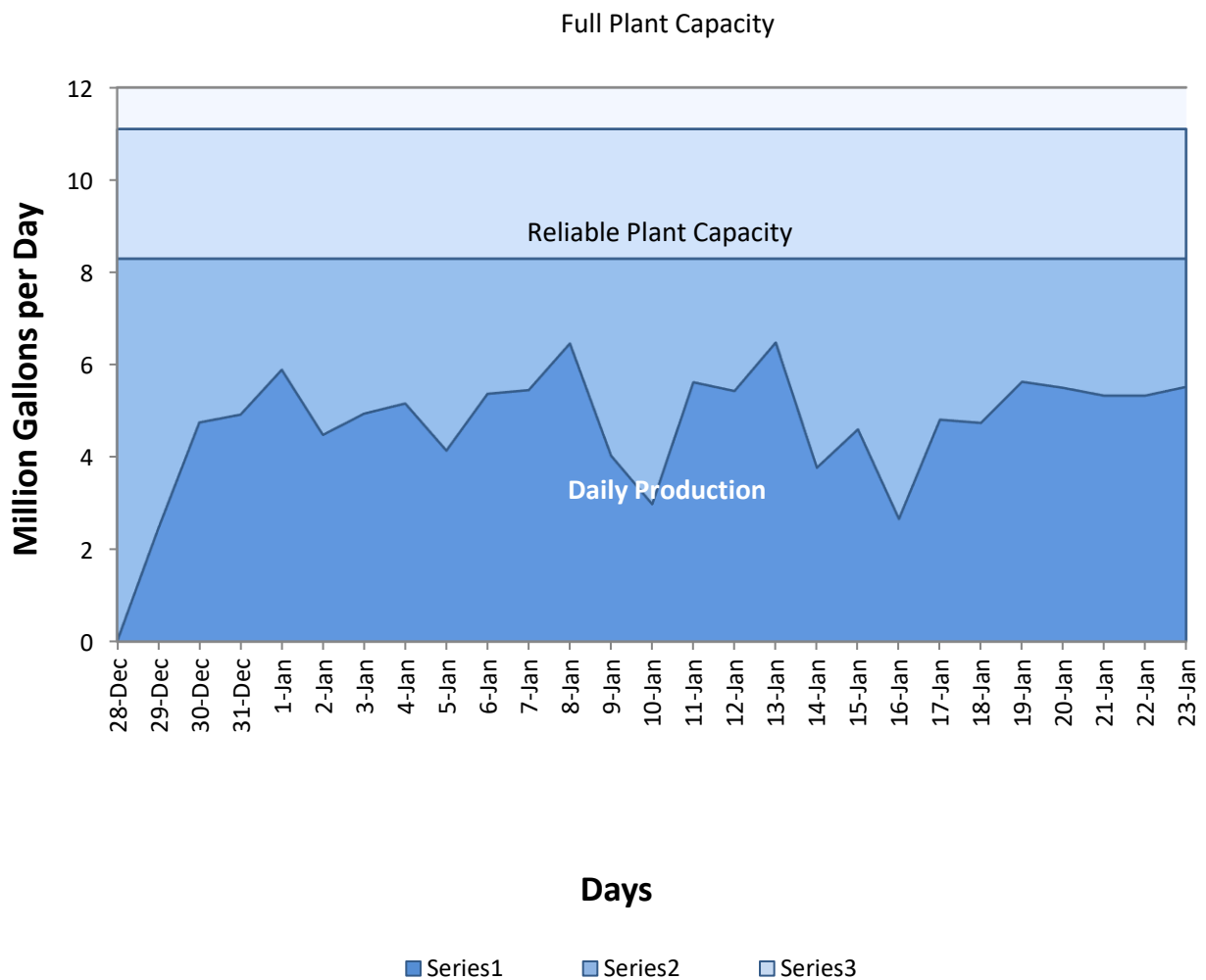


Replaced Westside Emergency Diesel Pump check valve



WATER TREATMENT PLANT PRODUCTION VS. CAPACITY

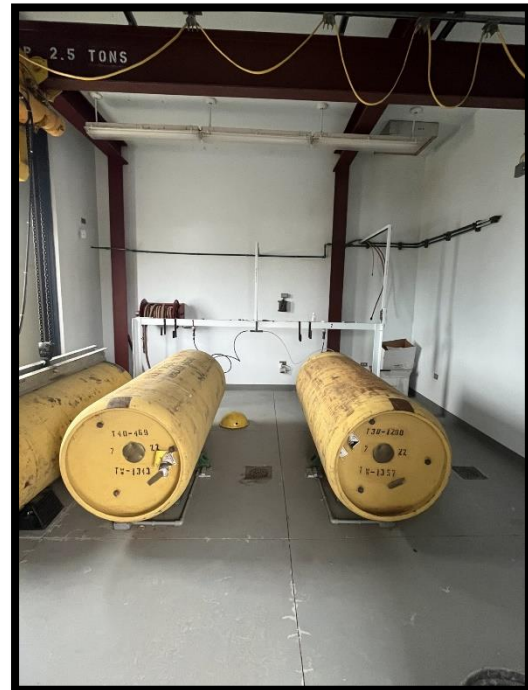
Demand vs. Availability Dec 28 2023- Jan 31, 2024



January Business Review

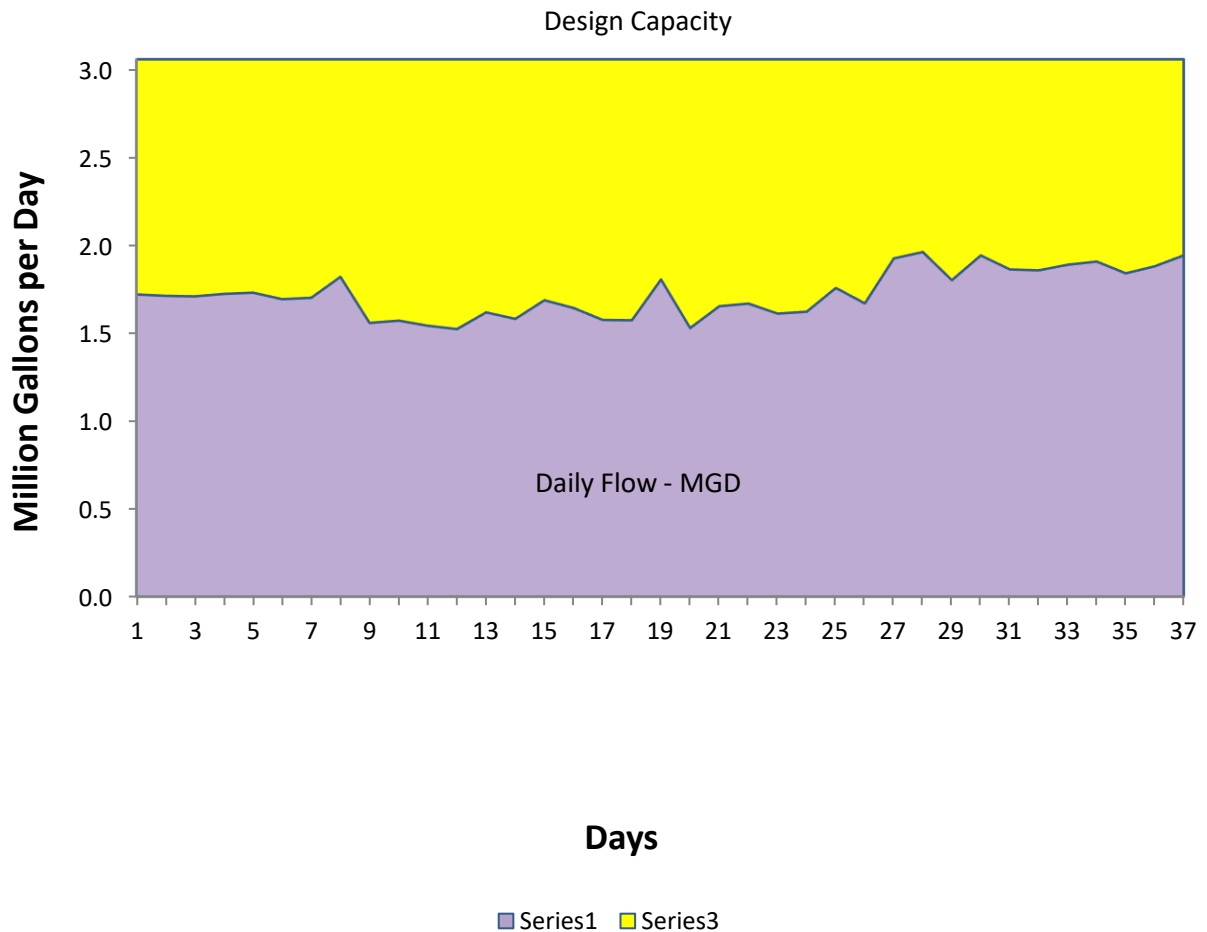
WASTEWATER TREATMENT PLANT AND COLLECTION SYSTEM SUMMARY ACTIVITIES JANUARY 2024

- All sampling per the 2019 NPDES permit has been completed.
- Submitted Recycled Water Annual Report to DEQ.
- Submitted the Inflow and Infiltration Reduction Annual Report to DEQ.
- All piezometer readings taken for the month.
- All work orders completed for the month.
- Sulfur Dioxide cylinder and Sodium Hypochlorite deliveries.
- CL-17 analyzer annual calibrations performed by HACH.
- As of Jan 31st, we have 18 days of storage in the WWTP Lagoons.
- Increased influent flows due to rain and melting snow fall.
- Increased effluent flows to 2.2 MGD due to increased influent flows.
- Repair to faulty heater in the MicroClor room.
- Repair of water lines on MicroClor due to freezing and faulty heater.



WASTEWATER TREATMENT PLANT

Wastewater Treatment Flows Dec 26, 2023 - Jan 31, 2024

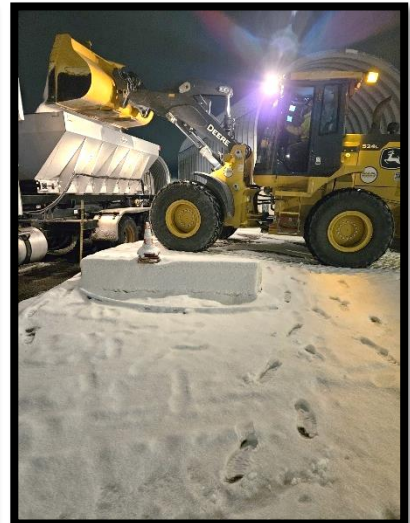
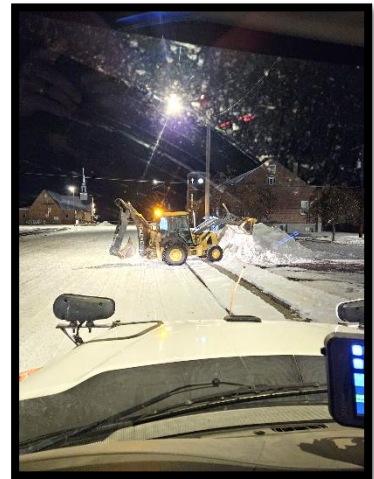


January Business Review

OPERATIONS MAINTENANCE: STREETS AND COLLECTION/DISTRIBUTION SUMMARY

ACTIVITIES JANUARY 2024

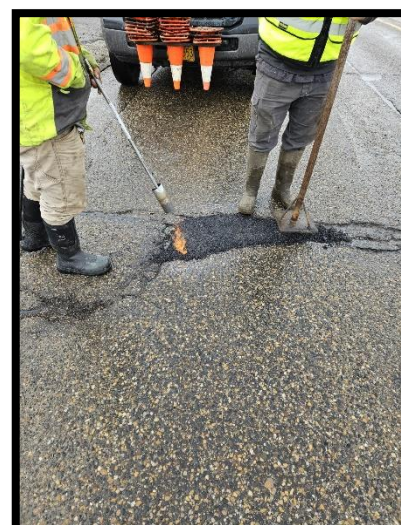
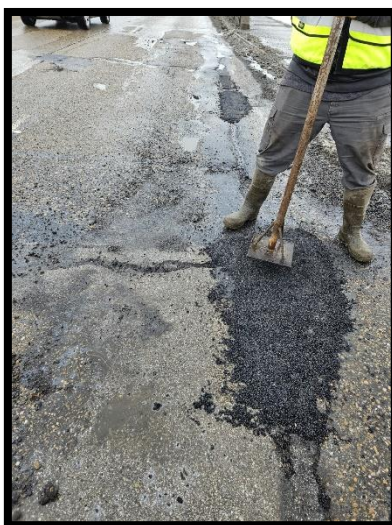
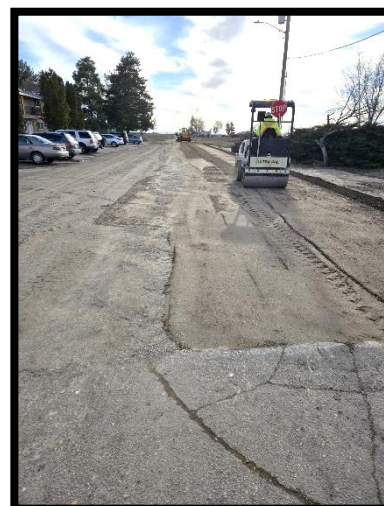
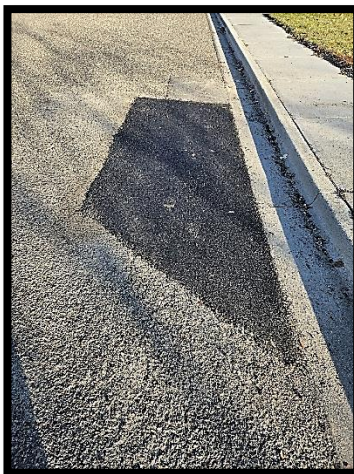
- Installed new water service at 240 NE 1st ST.
- Repaired backup generator at west Idaho lift station.
- Burned brush pile.
- Repaired fire hydrant that was hit on NE 2nd AVE.
- Graded SE 13th AVE. Hollars ST. SW 24th ST and SE 1st ST.
- Repaired street sign at NW 4th AVE and 5th ST.
- Cleaned wet well at Malheur lift station.
- Performed routine maintenance on equipment.
- Repair sinkhole on Lauren DR.
- Pothole repair on East Idaho(underpass)
- Pothole repair on East Lane.
- Salted roads throughout town.
- Plowed roads throughout town.
- Approximately 800 gallons of pretreat (MAG) used.
- 50 loader buckets of salt used. (approximately 150 yards of salt)
- 1,535 miles ran in plow trucks.
- 360 gallons of fuel used in plow trucks.
- 21 utility locates completed.



January Business Review

**OPERATIONS MAINTENANCE: STREETS AND COLLECTION/DISTRIBUTION
SUMMARY**

ACTIVITIES JANUARY 2024

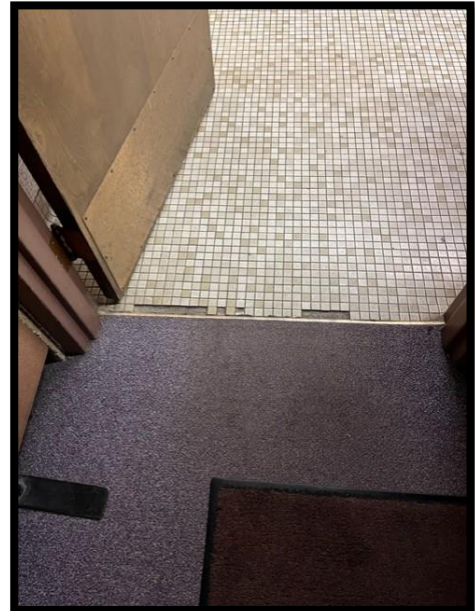


January Business Review

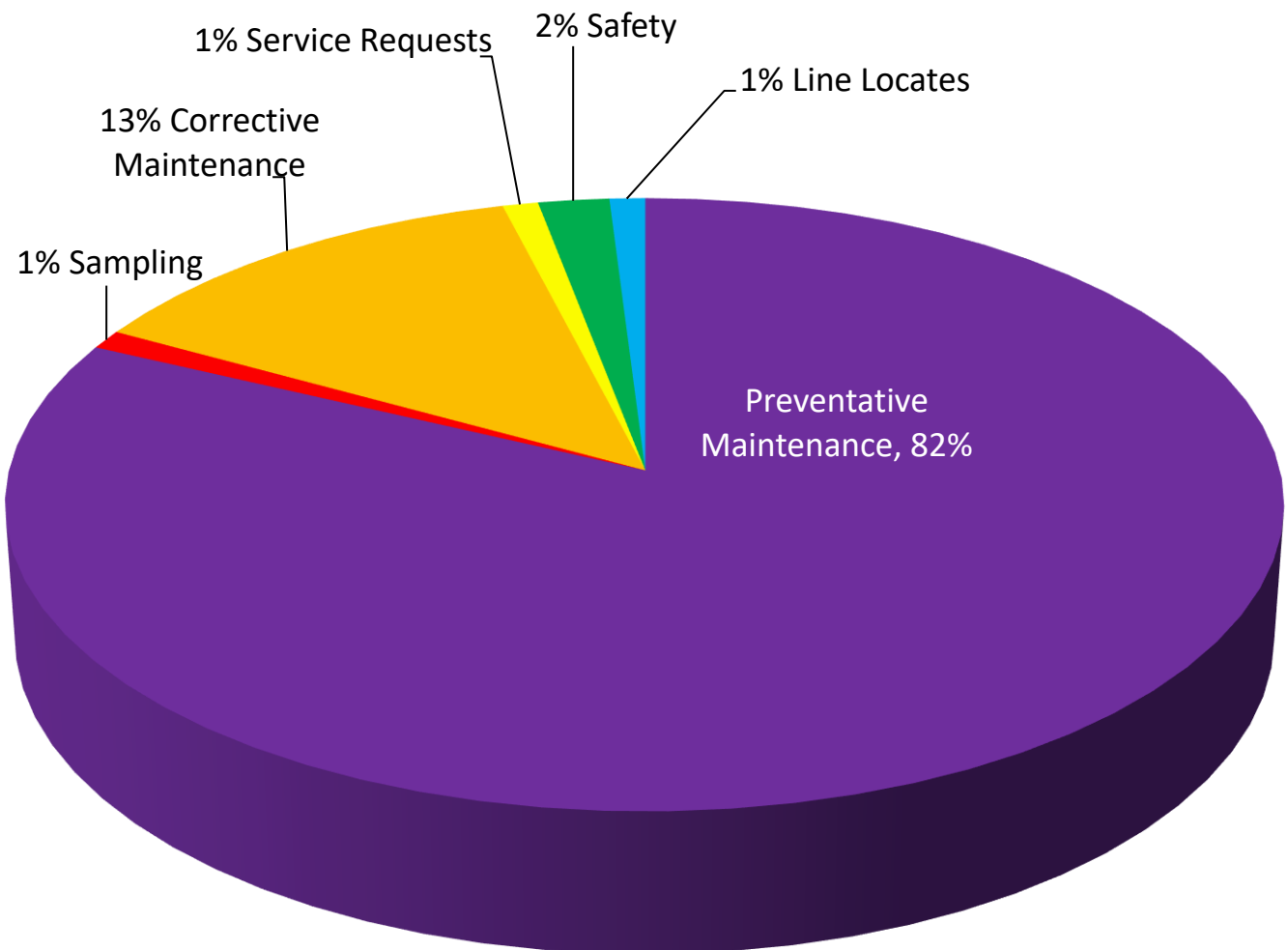
FACILITIES, CEMETERIES, AND PARKS SUMMARY

ACTIVITIES JANUARY 2024

- Installed three new door locks at the clubhouse.
- Repaired downstairs HVAC system at City Hall
- Removed excess dirt at Evergreen cemetery.
- Car struck North pumphouse at Evergreen cemetery.
- Bid on repairing the floor in the firemen's restroom/shower room.
- Two burials at Evergreen Cemetery, and one at Sunset Cemetery.



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.

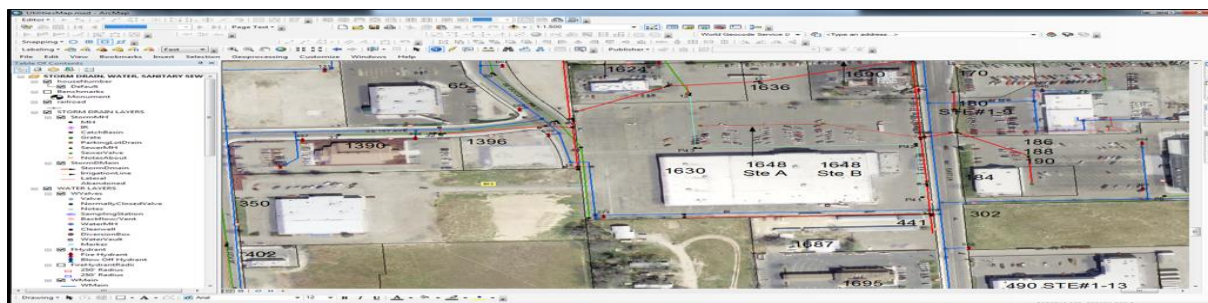
Public Works maintains a water system that complies with the EPA and Division of Health requirements. Staff also maintains the Wastewater Collection system and Wastewater Treatment facilities to meet DEQ standards. These same employees provide sewer and water line construction and maintenance to the 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 Oregon Health Authority requires an operator be on duty 365 days a year. Ontario customers account for 3,845 water services, not including Snake River Correctional Institute (SRCI).

THE WATER TREATMENT PLANT HAS A RELIABLE CAPACITY OF 8.3 MGD AND A MAXIMUM CAPACITY OF 11 MGD.

APPROXIMATELY 80 PERCENT OF WATER COMES FROM THE SNAKE RIVER, THE OTHER 20 PERCENT FROM WELLS.

MAINTAINS 80 MILES OF WATER MAINS.

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

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

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

WASTEWATER TREATMENT PLANT

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

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

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

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



January 2024 ACTIVITY REPORT



January 2024
Response Stats

January 2024 Calls for Service	City	Rural	Total	
Medical Emergencies	137	27	164	
Tiered Medical Calls (Non-Emergency)	34	3	37	18%
Fire Related Calls	11	2	13	6%
Hazmat	0	0	0	
Generals	1	0	1	
Mutual Aid Given	0	0	0	
Overdoses	8	0	8	
Total	182	32	214	
	85%	15%		

Fire Prevention:

Fire setter interview.

1/26 members of Ontario Fire Department along with the State Fire Marshal conducted a fire setter screening with a 11-year-old male who had set multiple fires in his home. It was determined that fire prevention education is recommended, and the juvenile will be starting prevention classes in the upcoming weeks.

Inspections:

- Adrian Manor PIP
- Lifeways facilities
- 8C School re-inspections
- Nazarene Church
- OCDC

Burn Permits Issued:

City Open Burns – 1

City Burn Barrels - 1

Rural Open Burns – 19

Rural Burn Barrels - 3



January 2024

Department Updates

Swearing in Ceremony

Lt Rico and Firefighter Kyle Ervin were sworn into the department in their respective roles. We expect great things from both.

Mark Saito

Firefighter Mark Saito retired January 31st. He will be working back with us for a year. We are very grateful for his 25 years of service.



Breathing Air Compressor

Our breathing air compressor has been ordered and will be with us in the next few weeks.

Elks Awards

On January 13th, Jordan Watts was awarded Firefighter of the year at the Elks lodge annual banquet. Our associate, Marty Heisig also received an award for citizen of the year for all he does with the Red Cross and Ontario Fire.

Firefighter Training

- Patient immobilization
- Patient packaging
- Vehicle stabilization
- Extrication with airbags
- Cold Weather Emergencies
- Incident Command
- SCBA/Breathing Techniques
- Search and Rescue
- Victim removal
- Hazmat
- Hose evolutions
- Elevator rescues

Building construction

Fruitland Fire Department hosted a 4hr building construction class that multiple OFD firefighters attended.

Forcible Entry

Lt Rico and FF Watts taught a forcible entry drill in Nyssa for the Nyssa Fire Department.



January 2024

Community Involvement

St Peters Station Tour

St Peter Catholic School visited the station with 40 of their students. The students enjoyed exploring the trucks and learning about fire escape planning.



Warming Shelter

The week of January 14th, Malheur County set up a warming shelter for our unhoused population to protect them from extremely low temperatures that rolled in. Some staff volunteered at the shelter throughout the week. Rescue also assisted staff of the shelter with unlocking an office containing the facility keys after they were left inside. The shelter was a blessing to those in need.

Mike Clark's Funeral

Mike Clark was one of our past volunteers and lifelong members. He sadly passed away in his home earlier in the month. OFD took multiple apparatus out to the graveside to show support and appreciation to Mike and his family.

Community Incidents

1/3 195 SE 2ND ST – 156 responded to reports of a structure on fire with flames visible from the roof. A general page was requested. The fire was isolated in the attic. Crews were able to extinguish the fire and contain it to the attic.

1/8 Cairo Elementary – R1 was dispatched to Cairo Elementary to assist with smoke removal. Upon arrival it was found that a milk crate had been left on top of a burner and it had somehow been turned on. The fire was extinguished but they did need help clearing the smoke out.

1/16 NW 22nd Ave – R1 was dispatched to stage in the area for a gunshot victim. After the scene was secured by PD, R1 proceeded to the scene finding a male subject with 3 gunshot wounds. He was transported to the Life Flight landing pad.



January 2024



1/25 Multiple motor vehicle accidents – On January 25th, OFD responded to multiple motor vehicle accidents, three of them having major injuries. At 7am, R1 was dispatched to assist Vale Fire Department with a head on crash that required extrication on Hwy 20-26. R1 was able to free the victims and they were both transported to the hospital.

Later in the day there were two other injury crashes back to back, the first on Railroad Ave and the second on Hwy 201.

1/28 Walmart – Crew was dispatched to Walmart for a female who appeared to be in cardiac arrest. Walmart employees did an incredible job and started CPR while waiting for crews to arrive. Female was transported to the hospital.

**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, February 1, 2024, 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

Comic-Con- Randall Kirby

STOL Evnet at Airport- Andy Wood

- 3) **APPROVAL OF MINUTES:-**Bob Quinn
December 7, 2023

- 4) Review Financial Report – Terry Dols

- 5) V&C Director Report- John Breidenbach

- 6) **COMMENTS FROM COMMITTEE MEMBERS**

- 7) **ADJOURN**

Attachments

1. Grant request
2. December 7, 2023, Minutes
3. V&C Financials



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)
info@ontariochamber.com

PROMOTION AND EVENT FUND APPLICATION

GENERAL INFORMATION:

Name of Applicant Organization: Border Town Comic Con c/o Four Rivers Health Community (Tax ID 20-259-0790)

Complete Mailing Address: PO Box 923, Ontario, OR 97914

Contact: David Armstrong (Board Member): 208-230-0790

Telephone (Venue): (541) 889-8191 **E-Mail:** [REDACTED]

Principal Event Contact __Randall Kirby__

Telephone: (541) 709-1358 (Cell)

E-Mail: bordertowncc@gmail.com /mummycop@yahoo.com

Name of Event and Date and Time Event Will Be Held:

Border Town Comic-Con March 18 & 19 2023

Has organization applied for a V&C Grant Before: ☒ Yes ☐ No

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

☒ X Yes ☐ No / \$1500

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

☒ X Yes ☐ No

Description of Promotion or Event:

The Border Town Comic (& Creator) Con (BTCC) is an innovative and evolving illustration and comics festival event taking place in Ontario, OR on Saturday March 16th, and Sunday, March 17th, 2024. BTCC's goal is to spotlight local and regional artists, writers, and creators across Ontario, the Treasure Valley, and beyond, while providing a family accessible space for fans of popular culture, film, comics, and storytelling through an illustration medium.

Comic-Cons are cultural festivals that imbue a spectrum of age, race, lived experiences, history, future visioning, the familiar and the possible (or even unknown). They are as much celebrations of localized identity, talent, and skill, as they are about cheesy (or cool) costumes and related contests, while being attractive as comparatively low-cost/affordable "all ages" family activity.

As hosted in Four Rivers Cultural Center, with Treasure Valley Community College nearby, the event also promotes and highlights cultural and educational opportunities for future generations.

As in prior iterations, invited vendors will have wares for display and sale, ranging from traditional comic-book art, to collectibles and memorabilia/specialized merchandise, to original crafts. There will also be workshops focused on practical elements of creative design and content delivery as well as opportunities for dialogue with established writers, artists, and allied creators along with dynamic conversations around equity (e.g. women in the industry, incorporating the authentic LGBTQIA+ voice) and the progression from comic book page to big screen blockbuster.

The draw of the comics and allied mediums is the power of storytelling for all – particularly in the comics – to take us on an adventure, to pull on heartstrings, to lift spirits, to make us laugh, to help us understand true injustice (often more than a broadly painted villain), to give escape, or to pull us out of complacency. You name it, and our guess is there's a comic that has covered it – with or without the spandex the general public usually associates with the art form (and usually long before the effects-laden movies are made). In education and in this event, the power to change one's narrative is a critical part of the endeavor – with or without the mask and cape.

As Community citizens, we believe our deepest purpose should be to enable encourage the creative, inventive, and inspirational along the way. We know through experience that different ideas, perspectives and backgrounds, create a stronger and more prosperous city/region. In other words, with great power comes ... well, we presume

you know the rest.

In it's inaugural year (2016), Border Town Comic Con featured more than 25 area artists, vendors, and creators, drawing *more than 1000 attendees* from across the region! In addition to the popular culture showcased by the event, we were also proud to partner with Four Rivers Cultural Center, as many Con participants also took in the various galleries and educational opportunities that are the core of that institution.

By the wrap of 2023's effort, organizers had documented more than 70 vendors/creative content contributors, and had tracked nearly 2,000 unduplicated attendees across an expanded 2 day format!

Our goal, in this second year back from the Pandemic event that nearly devastated the effort, is to continue that post pandemic growth trend, with increased presence, and an expanded draw from across the region, state, and nation, putting the event and Ontario itself "on the map" in terms of this destination festival.

In the grandest tradition of visual creative efforts, we are proposing a triumphant reboot and return in 2023!

We thank you in advance for your consideration and investment in our return!

NATURE	OF	PROMOTION/EVENT:
Tourism based capital project	<u> X </u>	Multi-night local lodging event
Special media promotion	<u> </u>	Education and/or training project

LAST REVISED 3/15

Amount of Funding Support Requested: \$2,500

Total Promotion/Event Budget: \$18,600

What specific expenditures will the granted funds be used for?*: resources towards Facilities rental

List promotion/event supporters or partners**: These are still in process of development but include Four Rivers Cultural Center, Four Rivers Health Community (Fiscal Sponsor) Ace Hardware (some in-kind contributions including flexibility in organizer time/effort), and Grocery Outlet (sundries)

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.):*

Given that this is a "rebuilding" period, and many are still feeling the residual impacts of

the Pandemic as well as current inflationary/economic challenges, BTCC is **conservatively** estimating 60 total Vendors for the 2024 event. Historically, at least half of these will come from out of the area (Boise), and often take advantage of Ontario area lodging in the process (as well as shopping at local retailers, eating at area restaurants, et al).

Though in the finalization stages, the event is anticipating at least 3 out of area “Premier Guests” who we will lodge in a local hotel for at least 2 nights each (historically at Clarion).

Again, erring on the conservative side, we are anticipating a minimum of 1500 unduplicated attendees over the 2-day schedule (ages, 12+), with the majority (70%) in the 18 to 55 age demographic (read: disposable income). At least 50% of these are likely to come from out of town, meaning good potential for retail/restaurant/fuel sales, as well as TOT for Ontario hotels.

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:

LAST REVISED 3/15

***NOTE: the following figures are estimates based on prior activity,
adjusted for estimated inflationary impacts**

PROPOSED REVENUES

Prior Year Carry-Over (2016 thru 2019)	Amount:
\$8,000	
2024 Vendor Registration (estimated 50 Vendors @ \$50/each)	Amount:
\$4,000	
Attendee “Gate” sales (\$7/each for ages/12+)	Amount:
\$5,250	
V&C Grant	Amount:
\$2,500	
2024 Financial Sponsors (including “in-kind contributions)	Amount:
\$1500	

TOTAL 2023 ESTIMATED REVENUE/VALUE: \$21,250

PROPOSED EXPENDITURES

Estimated Facilities Rental	Amount
\$4500	
Design/Printing (Fliers/Promotional Materials/Programs)	Amount:
\$1500	
Paid/Promoted Social Media	Amount: \$250
Other Paid (Print) Advertising:	Amount:
\$1600	
Participant Peripherals (Badges, lanyards, wristbands)	Amount: \$750

Vendor/Guest/Volunteer Supports (food/sundries)	Amount:
\$1000	
Supplemental Equipment Rental (tables)	Amount:
\$1500	
Admin & Panel Room Supplies (markers, note pads, presentational):	Amount: \$350

Contracted Services/Misc. Expenses

Security	Amount:
\$2,500	
Sound Services (Auditorium)	Amount: \$500
Speaker/Presenter Fees	Amount: \$700
Presenter Roundtrip Airfare/Mileage Estimate	Amount:
\$1,500	
Lodging (3 guests x 3 nights each @ \$150/night)	Amount:
\$1,350	
Speaker/Guest Per Diem (\$100/day X 2 days x 3 guests)	Amount: \$600

TOTAL 2024 EVENT BUDGET:
\$18,600

As a final condition to accepting granted funds, the applicant agrees to provide the Ontario Visitors and Conventions Board with a final report summarizing 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.

Date

1-23-24

Signed

Randall Kirby

Printed Name of Applicant

Date Received:

1-23-24

Ontario Area Chamber President/CEO:



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: Ontario Municipal Airport

Complete Mailing Address: 444 SW 4th Street, Ontario, OR 97914

Telephone: 541-709-7651 Fax: _____ E-Mail: andy.wood@ontarioregon.org

Principal Contact Andy Wood _____

Complete Mailing Address: _____

Telephone: _____ Fax: _____ E-Mail: _____

Name of Event and Date and Time Event Will Be Held: NATIONAL STOL SERIES

Has organization applied for a V&C Grant Before: X Yes _____ 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: SEE ATTACHED

NATURE OF PROMOTION/EVENT: STOL EVENT AT AIRPORT

X Tourism-based capital project

X Multi-night local lodging event

X Special media promotion

_____ Education and/or training project

Amount of Funding Support Requested: \$ 15,000

Total Promotion/Event Budget: \$ 30,000

What specific expenditures will the granted funds be used for?: To bring in STOL

Event, Airport infrastructure and beautification

List promotion/event supporters or partners**:

SEE ATTACHED

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.): 500 - 1000 Spectators

140 teams, 200 overnight stays. Opportunity to highlight
Airport to the Community

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	<u>Ontario v/c</u>	Amount \$	<u>15,000</u>
Source #2	<u>Sponsorship</u>	Amount \$	<u>16,000</u>
Source #3		Amount \$	
Source #4		Amount \$	
Source #5		Amount \$	

TOTAL REVENUES \$ _____

PROPOSED EXPENDITURES

Use #1	<u>National STOL</u>	Amount \$	<u>26,000</u>
Use #2	<u>A.R Port improvements</u>	Amount \$	<u>2,000</u>
Use #3	<u>Event Cost</u>	Amount \$	<u>2,000</u>
Use #4		Amount \$	
Use #5		Amount \$	
Use #6		Amount \$	
Use #7		Amount \$	
Use #8		Amount \$	
Use #9		Amount \$	
Use #10		Amount \$	

TOTAL EXPENDITURES \$ 30,000
REVENUES MINUS EXPENDITURES \$ 5

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.

1/24/24
Date

Andrew E Wood
Signed

Andrew E. Wood
Printed Name of Applicant

Date Received: 1/24/24 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.

WHAT IS National STOL?

In just 4 years, National STOL has become the leading Aviation Competition Series in the nation. The 2023 Series attracted more than 140 teams and 12,000 attendees in person, with more than 539,800 individuals tuning in online to the live broadcasts.

National STOL (Short Take Off and Landing) represents a competitive series designed for pilots across the nation. Pilots compete in multiple events throughout the year, accumulating points towards an Annual Championship. While proficiency in short takeoffs and landings is typically associated with bush pilots navigating backcountry terrain, it is a skill that all aviators can and should refine, ensuring our competitions are accessible to anyone involved in general aviation.

National STOL is the United State's best promoted annual aviation competition series, with more than \$75,000 paid and promotional advertising, and a publicity value in excess of \$535,000.

Our vision at National STOL is simple: we introduce the excitement of general aviation to a nationwide audience, challenge pilots to better themselves, and foster the next generation of aviators. Established in 2020, our series has demonstrated continuous growth in both competitors and events. As we enter the 2024 season, National STOL plans to host ten events from coast to coast.

National STOL sets itself apart from other airshows by producing live broadcasts of our competitions and effectively utilizing social media to deliver direct sponsorship activations to more viewers than ever before. National STOL's high levels of engagement position your brand directly in front of consumers, appealing both to the seasoned pilot and casual enthusiast.



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AIR-TECH

Ontario V&C Minutes
December 7, 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, Doug Dean

Board Members absent: Ken Hart, Debbie Blackaby, Terry Doles,

Ex-Officio Members Present: V&C Director John Breidenbach, City Manager Dan Cummings

NEW BUSINESS

Grant Fellowups

A. National Night Out - Penny Bakefeild

B. TVCC New Student Orientation

C. Snake River EEA – Cheryl Cruson

All gave reports events were successful.

MINUTES/FINANCIALS

September 7, 2023, minutes were reviewed. Cheryl Cruson motioned to approve, and Lynelle Christiani seconded.

Motion passed 4-0-0

Bob Quinn presented the financials. Cheryl Cruson motioned to approve, and Lynelle Chrisitini seconded.

Motion passed 4-0-0

Adjourn: Motion by Cheryl Cruson motioned, and Lynelle Christiani seconded.
to adjourn at 8:30 am, the motion passed 4-0-0

**CITY OF ONTARIO
VISITORS AND CONVENTIONS BOARD
PROMOTIONS AND EVENT FUND
BALANCES THROUGH
DRAFT JANUARY 2024**

2023	RESOURCES	EXPENSES	BALANCE
BALANCE FORWARD	\$792,814.15	\$764,739.60	\$28,074.55
JULY <i>T.O.T. Disbursement -\$2500</i>	\$2,500.00	\$0.00	\$30,574.55
AUGUST <i>T.O.T. Disbursement -\$2500</i>	\$2,500.00	\$2,000.00	\$31,074.55
SEPTEMBER <i>T.O.T. Disbursement -\$2500</i>	\$2,500.00	\$2,500.00	\$31,074.55
OCTOBER <i>T.O.T. Disbursement -\$2500</i>	\$2,500.00	\$0.00	\$33,574.55
NOVEMBER <i>T.O.T. Disbursement -\$2500</i>	\$2,500.00	\$0.00	\$36,074.55
DECEMBER <i>T.O.T. Disbursement -\$2500</i>	\$2,500.00	\$0.00	\$38,574.55
2024			
JANUARY <i>T.O.T. Disbursement -\$2500</i>	\$2,500.00	\$5,000.00	\$36,074.55
FEBRUARY <i>T.O.T. Disbursement -\$2500</i>			\$36,074.55
MARCH <i>T.O.T. Disbursement -\$2500</i>			\$36,074.55
APRIL <i>T.O.T. Disbursement -\$2500</i>			\$36,074.55
MAY <i>T.O.T. Disbursement -\$2500</i>			\$36,074.55
JUNE <i>T.O.T. Disbursement -\$2500</i>			\$36,074.55
TOTAL FISCAL	\$17,500.00	\$9,500.00	
ACCRUALS FROM JULY 1997 TO PRESENT	\$810,314.15	\$774,239.60	\$36,074.55

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

DATE	REQUESTOR	REQUESTED	GRANTED	DISBURSED
JUL 2022	ONTARIO SCHOOL DISTRICT 8C <i>Ontario Boxing Club - Start Up Funding</i>	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00
AUG 2022	JERROD TENNEL (Kingdom Muzic, LLC) <i>Pablo A. Mendez - Holy & Hyphy Tour</i>	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00
AUG 2022	TRACY HAMMOND / FROSTY FEST <i>2022 Holiday Experience</i>	\$ 8,000.00	\$ 5,000.00	\$ 5,000.00
SEP 2022	TREASURE VALLEY COMMUNITY COLLEGE <i>TVCC NEW STUDENT ORIENTATION</i>	\$ 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 <i>March 2023 Border Town Comic Con Festival</i>	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00
FEB 2023	BOYS & GIRLS CLUB OF TREASURE VALLEY <i>August 2023 National Night Out</i>	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00
MAR 2023	NO NEW ACTIVITY	\$ -	\$ -	\$ -
APR 2023	TREASURE VALLEY COMMUNITY COLLEGE RODEO TEAM <i>2023 TVCC Rodeo</i>	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
APR 2023	ONTARIO SPEEDWAY, LLC <i>Track Expansion & Spectator Capacity for ASBR Champion Series</i>	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00
MAY 2023	NO NEW ACTIVITY	\$ -	\$ -	\$ -
JUN 2023	NO NEW ACTIVITY	\$ -	\$ -	\$ -
JUL 2023	NO NEW ACTIVITY	\$ -	\$ -	\$ -
AUG 2023	TREASURE VALLEY COMMUNITY COLLEGE <i>TVCC New Student Orientation</i>	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
SEP 2023	SNAKE RIVER VALLEY EAA CHAPTER 837 <i>Ontario Municipal Airport Fly-In</i>	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00
OCT 2023	NO NEW ACTIVITY	\$ -	\$ -	\$ -
NOV 2023	NO NEW ACTIVITY	\$ -	\$ -	\$ -
DEC 2023	NO NEW ACTIVITY	\$ -	\$ -	\$ -
JAN 2024	GIGGLES & GRACE EARLY LEARNING CENTER <i>Teaching Conferences</i> <i>(Granted 9/7/23 - Issued for Payment 1/12/24)</i>	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
		\$ -	\$ -	\$ -
	1/25/2024	\$ 890,368.04	\$ 758,472.77	\$ 758,472.77

MALHEUR COUNTY COURT MINUTES

January 24, 2024

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. Members of the media, public, and staff had the opportunity to join the meeting electronically or in-person. Present in the meeting room were Economic and Community Development Coordinator Taylor Rembowski and Administrative Officer Lorinda DuBois. 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 # [2024-200](#)

BLM

Bureau of Land Management (BLM), Vale District, District Manager Shane DeForest met with the Court. Mr. DeForest has been with the Vale District since 2015; and in the District Manager position since October 2023. Mr. DeForest shared the Vale BLM Quarterly Report, October - December 2023 with the Court and provided an overview of some of the District projects.

Scoping for the environmental assessment for the HiTech lithium project has been completed; staff is reviewing the comments submitted and will incorporate the comments into the environmental assessment document.

The Aurora uranium/lithium exploration project is a couple of years behind the HiTech project; a formal plan of operations for development activities has not been submitted; the kick-off meeting for the collection of baseline information was recently completed.

Once approval is received, the Notice of Intent to prepare an environmental impact statement for the Grassy Mountain project will begin; two public meetings as a part of the scoping will be held - one in Vale and one in Jordan Valley.

The DeLamar mine project is in Idaho, but there are one or two roads that may be involved that are in Oregon.

Work has been continuing on Key Research Natural Areas. In 2015, BLM completed sage grouse planning amendments to accommodate the species status at that time. In that plan was designation for the Malheur Field Office area for the creation of nine Key Research Natural Areas; these are small units of vegetation that were intended to be set aside for research purposes. Litigation took place and an updated plan was issued in 2019; the 2019 plan was set aside; work continues on the nine areas - draft environmental assessments are out on several of the areas.

The Boardman to Hemingway project continues; working towards the goal of issuing Idaho Power a limited notice to proceed.

The US Air Force has been discussing an Over the Horizon project; an official proposal has not been submitted.

Currently targeted to issue the Record of Decision on the Southeast Oregon Resource Management Plan Amendment in February 2024.

The Lytle Boulevard transmission line project to provide power at the Landfill has not been calendared; it is hoped to put the project into the calendar in the Spring.

Mr. DeForest answered questions from the Court members. See instrument # [2024-213](#) for the written quarterly report.

SUBDIVISION PLAT

Surveyor Derrick McKrola presented a subdivision plat for the Court's consideration. Commissioner Jacobs moved to approve Wildwood Estates Subdivision Plat, in the City of Vale. Commissioner Mendiola seconded and the motion passed unanimously. See instrument # [2024-215](#)

LYTLE BLVD LANDFILL

Environmental Health Clerk Kelly Friend met with the Court and provided an update on the power project at Lytle Boulevard Landfill. The estimate from Idaho Power that was provided in September 2022 has now increased \$15,000. The electrician has the panels up, conduit in the ground, breakers are ready, and just needs to run the wires and place the meter on the pole. The project cannot progress any further until BLM completes its categorical exclusion.

BAKER TECHNICAL INSTITUTE (BTI)

Economic and Community Development Coordinator Taylor Rembowski requested the Court sign a letter of support for Baker Technical Institute's (BTI) efforts to obtain an EDA Public Works and Economic Adjustment Assistance Programs Grant. BTI is working to establish an infrastructure construction workforce training program through Department of Corrections, Snake River Correctional Institution. Commissioner Jacobs moved to sign the letter of support. Commissioner Mendiola seconded and the motion passed unanimously. See instrument # [2024-202](#)

FARMERS MUTUAL TELEPHONE COMPANY - BROADBAND

Farmers Mutual Telephone Company (FMTc) General Manager Ron Rembelski and Outside Plant Manager Blake Seamons met with the Court. FMTc is applying for funding from the Oregon Broadband Technical Assistance Program (BTAP) and requested a letter of support from the Court. Commissioner Mendiola moved to sign the letter of support. Commissioner Jacobs seconded and the motion passed unanimously. The maximum grant award is \$150,000 per county. See instrument # [2024-203](#)

WARMING SHELTER

Emergency Services Lieutenant Rich Harriman met with the Court and provided a verbal report on the temporary Warming Center held at the Fairgrounds (Girvin Hall) from January 13 - 19, 2024. At the regularly scheduled LEPC meeting the members discussed the forecasted cold weather (below zero temperatures) and began formulating a plan for a Warming Center. The

planning began on Thursday, January 11 and the Warming Center opened Saturday, January 13. Oregon Department of Human Services Office of Resilience and Emergency Management (OREM) was instrumental in the planning and execution of the Warming Center. A staff member of the American Red Cross assisted in an unofficial capacity. OREM coordinated meals for the Warming Center; three meals were provided. 20 meals per mealtime were planned when the Center first opened; by the close of the Center 70 meals per mealtime were given out. A total of 950 meals were provided; OREM paid for the meals at an expense of just over \$18,500; and the meals were provided by Hog Rock Cafe in Ontario. After the closure of the Warming Center, Hog Rock Cafe partnered with St. Matthews Episcopal Church to serve 50 lunches per day between January 23 and February 2. There were a total of 146 overnight stays at the Warming Center; the highest midnight count was 39 individuals. There were a total of 76 volunteers (excluding the shift leads and the 24-hour security). Service organizations were also available - Valley Family Health Care brought its Mobile Access Care (MAC) unit on two days and provided 4 nurse visits and 8 medical visits; DHS self-sufficiency staff assisted with enrollment in SNAP benefits; the Housing Authority, Community in Action, and Lifeways were also on-site. Staffing the shift lead positions was a challenge - a group of leaders, including County leaders/department heads, is needed to draw from in emergency situations. The site was not setup for donations. The cost of the security company was approximately \$12,000 and was originally going to be borne by the County; OREM has since said it will reimburse the County for the security expense. OREM also paid for cleaning of Girvin Hall.

The Court expressed appreciation to Lt. Harriman and all the volunteers and agencies who assisted with the Warming Center.

COURT MINUTES

Commissioner Jacobs moved to approve Court Minutes of January 17, 2024 as written. Commissioner Mendiola seconded and the motion passed unanimously.

SUPPLEMENTAL BUDGET RESOLUTION

Commissioner Jacobs moved to approve Supplemental Budget Resolution R24-03: In the Matter of Fiscal Year 2023/2024 Supplemental Budget by Resolution Under Local Budget Law ORS (Oregon Revised Statute) 294.471. Commissioner Mendiola seconded and the motion passed unanimously. The purpose of the supplemental budget is to allocate Child Support Incentive funds that were not anticipated when the budget was adopted - the funds will be used for security access doors; and to allocate ODHS Resilience & Emergency Management funds that were not anticipated when the budget was adopted - these are reimbursement funds for security of the temporary warming shelter. See instrument # [2024-201](#)

TOUR

Commissioner Jacobs noted that the Court members recently attended the CS Beef Packers Industry Tour in Idaho; the tour was very informative.

COURT ADJOURNMENT

Judge Joyce adjourned the meeting.

MALHEUR COUNTY COURT MINUTES

January 31, 2024

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. Members of the media, public, and staff had the opportunity to join the meeting electronically or in-person. Present in the meeting room were Economic and Community Development Coordinator Taylor Rembowski and Administrative Officer Lorinda DuBois. 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 # [2024-266](#)

TREASURE VALLEY PARAMEDICS (TVP) - QUARTERLY REPORT

TVP, Inc. President Steve Patterson and Vice-President Heather Land met with the Court and provided a quarterly update per the terms of the personal services contract amendment. The implementation of the chase car has been successful. TVP-Nyssa has two Advanced so the minimum for ALS requirements are met. A secure transport vehicle was purchased and is in use; this helps to keep the ambulances in service and with wear and tear on the ambulances. The paramedic shortage continues all over; it is hoped that the paramedic program at TVCC will be available this Fall. Oregon's licensing requirements changed January 2024 which has made it somewhat easier to hire paramedics from Idaho.

JUVENILE DEPARTMENT UPDATE

Juvenile Department Director Ted Martinez met with the Court to provide a department update and answered questions from the Court members. Mr. Martinez became the department director in August 2022 and at that time the department staffing was depleted and not at full strength. Since then, vacancies have been filled and the department is close to being fully staffed. The current staff is phenomenal; is doing a tremendous amount of work in the community; and is building relationships with the community, schools, and clients that they work with. In 2023, there were 257 youth referred to the department with a total of 341 allegations; 85 of these youth met with staff in the Juvenile Department and had some type of disposition. (Dispositions happen only when a case has been opened up by the DA. Just because a youth was cited for a crime, doesn't mean a case was opened or that it ended in a disposition.) 37 youth were on formal probation and supervised by the Juvenile Department and 4 youth were committed to Oregon Youth Authority. Mr. Martinez also shared the budget for JCP funds for the 2023-2025 biennium (some of the JCP Basic funds are set aside for emergency housing). See instrument # [2024-268](#) for the handout.

COURT MINUTES

Commissioner Mendiola moved to approve Court Minutes of January 24, 2024 as written. Commissioner Jacobs seconded and the motion passed unanimously.

SUPPLEMENTAL BUDGET RESOLUTION

Commissioner Jacobs moved to approve Supplemental Budget Resolution R24-05: In the Matter of Fiscal Year 2023/2024 Supplemental Budget by Resolution Under Local Budget Law ORS (Oregon Revised Statute) 294.471. Commissioner Mendiola seconded and the motion passed unanimously. The purpose of the supplemental budget is to allocate Senate Bill 70 fees in the Planning Department budget that were not anticipated when the budget was adopted - a portion of these funds will be used for legal notices. See instrument # [2024-267](#)

EARLY LEARNING HUB BOARD

Commissioner Mendiola moved to appoint Theresa Martinez, Director of Child Care Resources; and Mayra Pelayo, Ontario School District, to the Eastern Oregon Early Learning Hub Board. Commissioner Jacobs seconded and the motion passed unanimously. Ms. Martinez and Ms. Pelayo replace Marshall Hooker and Michell Russell on the board.

AMENDMENT - IGA #180022

Commissioner Jacobs moved to approve Sixth 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 added to Program Element 12-01 Public Health Emergency Preparedness and Response (PHEP).

ASD COORDINATOR VACANCY

Applications for the ASD Coordinator position were given to the Court; the Court will score the applications and interviews will be scheduled.

EXECUTIVE SESSION

Executive Session was called in accordance with ORS 192.660(2)(a) - Employment of Public Officers, Employees and Agents, with Judge Joyce presiding and Commissioner Jacobs and Commissioner Mendiola present. Also present were Administrative Officer Lorinda DuBois, Economic and Community Development Director Taylor Rembowski, Carol Skerjanec, and Inga Williams. No decisions were made during the session.

EXECUTIVE SESSION

Executive Session was called in accordance with ORS 192.660(2)(a) - Employment of Public Officers, Employees and Agents, with Judge Joyce presiding and Commissioner Jacobs and Commissioner Mendiola present. Also present were Administrative Officer Lorinda DuBois, Economic and Community Development Director Taylor Rembowski, Carol Skerjanec, and Stephen Zetz. No decisions were made during the session.

EXECUTIVE SESSION

Executive Session was called in accordance with ORS 192.660(2)(a) - Employment of Public Officers, Employees and Agents, with Judge Joyce presiding and Commissioner Jacobs and Commissioner Mendiola present. Also present were Administrative Officer Lorinda DuBois, Economic and Community Development Director Taylor Rembowski, Carol Skerjanec, and Tatiana Burgess. No decisions were made during the session.

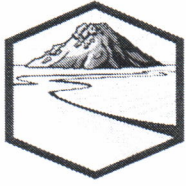
PLANNING DIRECTOR

Consensus of the interview committee was to authorize Commissioner Jacobs to make an offer of employment for the Planning Director position to the committee's number one candidate.

COURT ADJOURNMENT

Judge Joyce adjourned the meeting.

** Oregon Department of Emergency Management Emergency Management Performance Grant, Grant No: 23-522; effective date July 2023-June2024; recorded as instrument # [2024-292](#)



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Airport Committee Meeting Minutes

January 2, 2024

Dan Cummings approved the meeting to take place with three members serving as a quorum instead of the required four members due to the current vacancies.

The airport committee meeting was then called to order by Chairman Shawn Coleman at 6:06 pm.

Committee members present were John Freeburg, Shawn Coleman and Dan Beaubien. Those absent were Bill Hagar and Gary Taylor. Two regular positions and one alternate position were vacant at this time.

Ex Officio members: John Kirby-Airport committee liaison and Dan Cummings-City Manager.

Airport Manager: Andy Wood.

FBO: Steven Dunkin.

Public attendees: Dan Cannon-BLM, Pete Morgan, Rick Todd, Jim Beaumont, Mike Franks and Tori Barnett-City recorder.

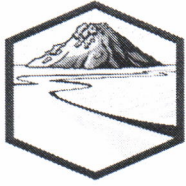
Public comment: Pete Morgan showed a picture of the public restrooms on the field at the Hermiston airport. He was in favor of installing the same at the Ontario airport in the future.

Approval of the agenda: John Freeburg moved and Dan Beaubien seconded to adopt the agenda as presented. Roll call vote: John Freeburg-yes, Dan Beaubien-yes and Shawn Coleman-yes. Bill Hagar-out and Gary Taylor-out. Motion carried 3/0/2.

Approval of the minutes: Dan Beaubien moved and John Freeburg seconded to adopt the airport committee minutes from 12-04-2023 as presented. Roll call vote: Dan Beaubien-yes, John Freeburg-yes and Shawn Coleman-yes. Bill Hagar-out and Gary Taylor-out. Motion carried 3/0/2.

Old Business: The airport committee welcomed new member Dan Beaubien.

City recorder Tori Barnett presented an overview of public meeting requirements as set forth by state, federal and local laws and ordinances.



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New Business: Dan Cummings suggested that we table the election of officers until the next regular meeting due to the three new members that will be installed by then. Dan Beaubien moved and John Freeburg seconded to table the election of officers until the next regular meeting. Roll call vote: Dan Beaubien-yes, John Freeburg-yes and Shawn Coleman-yes. Bill Hagar-out and Gary Taylor-out. Motion carried 3/0/2.

Member discussion items: An overview of the 2024 airport budget was presented with a handout by Andy Wood who said that a more complete and detailed discussion would take place at the next regular meeting. Andy also handed out a rank order sheet of items needing attention at the airport. This will also be shared at the next regular meeting complete with tallies of how the airport members ranked each on importance to them.

The committee members were asked to review the *Municipal Airport Authority Standard Manual of Airport Rules and Regulations* to see if there were any updates or changes needed as it has been five years since the last review by the committee. The committee agreed to do a review and report back at a later date this year.

Committee member comments: Airport manager Andy Wood discussed the cameras. He said that the cameras were working but are still not accessible to the public due to a link issue which is being worked on. He also spoke of installing additional cameras on airport way and other areas.

Dan Cummings said that the city is investigating the cost of the Lou Echanis memorial as well as doing some fact checking into her flying background.

Adjournment: Dan Beaubien moved, and John Freeburg seconded that the airport committee meeting be adjourned at 8:02 pm. Roll call vote: Dan Beaubien-yes, John Freeburg-yes and Shawn Coleman-yes. Bill Hagar-out and Gary Taylor-out. Motion carried 3/0/2.

Next meeting: Monday February 5, 2024, at 6 pm at Ontario City Hall.

Dan Beaubien - Chairman

Mike Franks - Secretary