



CITY COUNCIL MEETING MINUTES

April 9, 2024

The scheduled meeting of the Ontario City Council was called to order by Mayor Deborah Folden at 6:00 p.m. on Tuesday, April 9, 2024, in the Council Chambers of City Hall. Council members present were Deborah Folden, Penny Bakefelt, Susann Mills, John Kirby, Ken Hart, Sam Baker, and Eddie Melendrez.

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

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

AGENDA

This Agenda was posted April 5, 2024. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website www.ontariooregon.org.

Dan Cummings, City Manager, noted a change in the wording of the Public Hearing, Action 8A on the Agenda. Item currently read: *Accept Right of Way for a Portion of NW 4th Avenue, per Approved **Partition** Plat, Approved Under Planning Action 2022-08-22 SUB.* Item should be amended to read: *Accept Right of Way for a Portion of NW 4th Avenue, per Approved **Subdivision** Plat, Approved Under Planning Action 2022-08-22 SUB.* Incorrect word struck out.

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

CONSENT AGENDA

KIRBY moved, MILLS seconded, **TO ADOPT THE CONSENT AGENDA, WHICH CONSISTED OF APPROVAL OF COUNCIL MEETING MINUTES OF FEBRUARY 27, 2024, AND MARCH 23, 2024; AND PROCLAMATION: VIETNAMESE-AMERICAN REMEMBRANCE DAY APRIL 30, 2024.** Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Hart-yes; Bakefelt-yes; Melendrez-yes; Folden-yes. Motion carried 7/0/0.

Mayor Folden read the proclamation into the record:

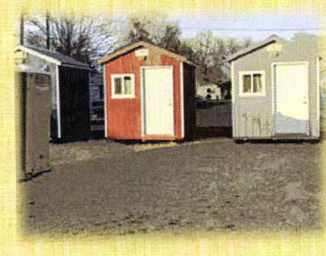
VIETNAMESE-AMERICAN REMEMBRANCE DAY: Whereas, Vietnamese refugees have proudly resided in the City of Ontario and surrounding communities since the conclusion of the Vietnam War on April 30, 1975; and Whereas, Vietnamese-Americans have put forth their full toiling energy building the City of Ontario, Oregon in a multitude of prominent areas including industry, economy, culture, education, and military service; and Whereas, Vietnamese Americans have counted on the State of Oregon, as being their second heart, mind, and family homeland; and Whereas, Every year, Vietnamese-Americans celebrate Remembrance Day on April 30th to solemnly honor the 58,000 American soldiers, and more than 300,000 South Vietnamese soldiers who sacrificed their lives in the line of duty for freedom and democracy in South Vietnam from 1955 to 1975. Now, therefore, be it resolved that I, Deborah K. Folden, Mayor of Ontario, Oregon, do hereby proclaim April 30, 2024, to be recognized as VIETNAMESE-AMERICAN REMEMBRANCE DAY and encourage all to join in the reverent recognition of this cultural heritage celebration.

PUBLIC COMMENT

Susan Vincent, Ontario, stated: *My name is Susan Vincent. I reside here in Ontario, Oregon, on NW 2nd Street. I understand from one of the Council members already that my, my little spiel is a moot point, but it's going to happen anyway. Ontario City Council members, dear Mayor and members of the Council, I am extremely unnerved by the recent article I read in the Malheur Enterprise stating that the city leaders of Ontario are trying to turn 16 tiny houses intended as temporarily housing into a homeless permanent housing at their current location, and I won't read the rest of that statement as I understand it's against the law. The article stated that there were 16 units, and those units are going to be open year round and remain on that property that the city is intending, well, I know the city is not intending, I know it's a grant because I went to the meeting last night which clarified. One particular of the Council member, of Council member and committee, promised me he would keep me informed of any neighborhood changes. At one time promised he would sit down with me and discuss my concerns, didn't happen. Empty promises. This decision affects our entire neighborhood. I have had many things stolen from my property. They broke into the toolbox on my truck breaking the lock, but thank goodness I had removed everything already was inside that toolbox, which had two shotguns stored in there, so I'm grateful I had already removed them. Someone else dented, in anger, the side of my truck by my driver door. They hit it with something making the dent, while it was parked in front of my house. They broke in, in broad daylight, police were dispatched, to my garage, during the day while I was at work, in the garage with my \$2,400 hunting dog that was released. A police officer came out, looked around, couldn't decide how they broke in, and I had a video. The video, I have cameras, the video shows a gentleman standing to the side of the garage, where the camera is at the back of my house, it did not show the actual event happening. Again, nothing happened. I have had people urinating, defecating by my fence and behind my garage, which I've had to clean up. They allow their pets to defecate in my front yard and I know they're not my dog. My dog is out in the back on his chain. I have been verbally threatened on more than one occasion. I have had a man who decided to camp in my front yard because it was his right, numerous people disposing of their trash in my yard, and this is ongoing, even though they closed down the feeding program, found a whole loaf of bread out there the other day, somehow, someone tossed it out there. People at the tiny houses throw their trash also in my yard as they walk by, so they're walking their dogs, candy wrappers, etc. I don't feel comfortable having my grandchildren or great grandchildren play outside, because I don't feel comfortable being outside either. When I walk out to my vehicle my head is constantly on a swivel. And talking of police taking care of complaints? Well they don't. I have sent multiple videos to the chief of police and one time only did he say he would pass it on to someone else to check out. Also at the City Council meeting back in October promised me, at that meeting, he promised me he would have someone come and talk to me about my concerns. Didn't happen either. There are plenty, I'm going to skip the next paragraph, guys, since Mr. Kirby has already addressed that this evening. The current location also attracts other homeless people to just hang out. They park their vehicles near the current location, sleep in their cars, and in sleeping bags outside the fence and on the sidewalk. And members, there's pictures of them camping, a couple pictures camped outside the area the tiny houses are enclosed in. These guys are camped on the outside behind the building. Often driving down the side road, the residents and other residents of the tiny homes just hang out in the road and if you say anything to them, they become obnoxious, and pretty much tell me to "profanity". Providing free housing and food, and free cell phones, hasn't helped the homeless that come in and enjoy all Ontario has to offer. How many homeless have been able to get jobs, which is also something I discussed last night, and permanent housing, have gotten permanent housing? I understand some have, but I also understand there are quite a few that they are unable to house for various reasons. I feel that these tiny houses are putting a bandage on a very large problem we have in our city. All you have to do is look around and see it. The definition of insanity is "to continue to do the same thing over and over and expect different results", and we're not, I don't see how the tiny houses benefits at this point. How about the law abiding, voting, tax paying citizens of our community? And not being included in planning. I've asked, I've begged, and pretty much been told that's too bad. Also, there's video of them trying to break cameras off my building in your packet.*

PRESENTATIONS**Community in Action Emergency Shelter Update**

Priscilla Garcia and Kristy Rodriguez, Community in Action, presented.



COMMUNITY IN ACTION
 ZISA SHELTER PROGRAM UPDATE
 HOUSING MANAGER
 PRISCILLA GARCIA
 EXECUTIVE DIRECTOR
 JOEY WARDON
 MALHEUR HARNEY COUNTY
 HOUSING AUTHORITY
 KRISTY RODRIGUEZ

**Helping
people.
Changing
lives.**

Agenda

- Introductions & Winter Shelter Info/Refresher
- HB 2006 & HB 5019
- Update on CinA Shelters
- Current Plans and Needs for Shelter Shelter & Homeless Data
- Past Shelter Resident Testimonials
- Questions

5/1/2024 COMMUNITY IN ACTION 2

Who are we?

COMMUNITY IN ACTION

- We exist to empower low and moderate-income individuals and families of Harney and Malheur Counties.
- We provide education and counseling, skills development, and access to community resources that help create self-sufficiency.

The mission of the Housing Authority of Malheur & Harney Counties is to address the need for available, safe, decent, sanitary and affordable housing for extremely low and low income residents of Malheur and Harney Counties. Our vision is to provide housing that helps residents improve their economic standing, self-sufficiency, and overall well-being. We strive to engage with community partners to enable us to create a positive impact on the lives of our community members. We aim to identify barriers affecting our communities and implement lasting solutions that will help our residents and community thrive.



5/1/2024 COMMUNITY IN ACTION 3

Community in Action's Tiny Shelter Program

- 16 tiny shelters provide temporary and safe place to live for those who are literally homeless.
- While in shelter all participants actively work on case management plans that are designed to help them attain an improved living situation.
- Shelters have 24/7 on-site monitors and cameras to ensure the safety of property and shelter stayers.
- All residents are provided on-going case management, advocacy, and referrals.

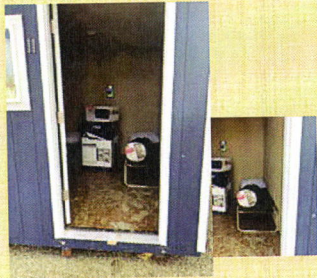


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Shelter Amenities

All shelter are well insulated and have wall heaters to ensure warmth through the harsh winters. Each unit is equipped with cots, sleeping bags, pillows, mini fridge, and microwaves. All shelter stayers are also provided with weekly laundry, gas, and shower vouchers.

While residents have been in the shelter partner agencies have been able to send referrals, provide outreach, and services.



5/1/2024 COMMUNITY IN ACTION 5

Shelter Transitioning from Winter Shelter to Year Round Shelter

- The Housing Authority of Malheur County and Community in Action have been working since Malheur County was added in as an opt in county to the Governors Executive Order 2003. We submitted plans for Rapid Re Housing funding and Shelter funding. The Rapid Re Housing plan was approved and we were provided HB 5019 funding that has assisted with our Turn Key Project and additional RRH beds. Our original plan for shelters were denied.
- Recently OHCS came back and provided funding from HB 5019 funds to support our efforts returning our Winter Shelters into a year round project. Funding will allow CinA to purchase the property, add cooling systems, and operations to cover the shelter through 2025.

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EO 2402 maintains added capacity for the state's shelter system, rehouses people experiencing homelessness, and prevent homelessness.

EO 2403 refreshes the state's Interagency Council on Homelessness which was directed to develop plans for reducing sheltered and unsheltered homelessness based upon an analysis ordered by EO 23 03 that was signed in January 2023.

Oregon House Bill 5019 (HB 5019) introduced during the 2023 Regular Session, addresses critical housing needs in the state. The bill focuses on state financial administration related to housing. It appropriates funds from the General Fund to specified state agencies for housing-related purposes.

Oregon House Bill 2006 (HB 2006)
 The bill defines the term "emergency shelter".

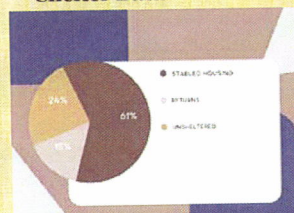
- It requires local governments to allow the siting of qualifying emergency shelters by qualifying entities, notwithstanding land use laws and regulations. The bill aims to address homelessness and improve access to emergency shelter and transitional housing.
- By relaxing land use regulations, it facilitates the establishment of emergency shelters.
- It encourages collaboration between government agencies and organizations to enhance housing services and support.

House Bill 2006 represents a significant step toward addressing housing challenges and ensuring access to emergency shelter for vulnerable populations in Oregon.

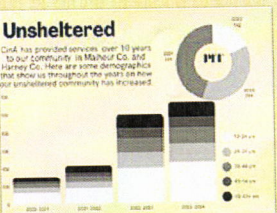
5/1/2024 SHARLENE COOPER TOST 7

Unsheltered Data/ Shelter Data

Data was gathered from HMIS data base and Malheur County Point in Time Count.



61% STABLED HOMEOWN
 24% IN TRANS
 15% UNSHeltered



Unsheltered

CinA has provided services over 10 years to our community in Malheur Co. and Harney Co. Here are some demographics that show us throughout the years on how our unsheltered community has increased.

Stably housed/hle could mean anything from attaining their own housing with or without subsidy. This also includes transitional housing, assisted living, reuniting with family etc.

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Community Support & Helping Hands.



Hygiene Kits



Advocates worked in putting together hygiene packs that were donations; and sorting the coats in preparation for Point Time in Count.

Community volunteers and leaders canvassed the assisted map out areas. Count took place under bridges, abandoned buildings, street, parks, shelters, food pantries, and



Point Time in Count received tremendous support from local news stations and newspapers

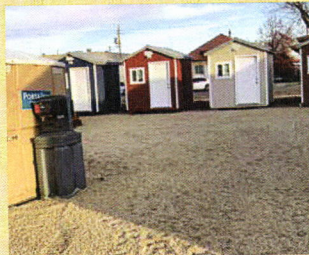
<https://www.facebook.com/watch/?v=228717016961401>



Shelter Updates and Plans

CinA is on year four of a six year donated lease from property owners where shelters are located. Since funds were allocated from OHCS we are in negotiations of purchasing the property. The shelters were built in 2020. When they were designed our main goal was to ensure they stay warm through the winter months.

We are now working with contractors and gathering bids to set up cooling systems for each unit.



Future Needs and Plans

Our biggest goal is to build permanent restrooms facilities on site for shelter stayers to access. Additionally, we would like to be able to provide onsite laundry facilities, share cooking space, additional office space, and more shelter units.

We have received additional funding through HB 5019 unfortunately it does not cover all needs. We are still seeking funding and donations meet our long term goals.



Testimonials of the unsheltered voices that have restored their journey with the Tiny Shelters Program.

"Hello, I would like to say that I am grateful to the Community in Action for the housing and support that I received. I was able to start in a shelter, move to transitional housing where they provided the necessities for us, like dishes, appliances, towels, furniture, and bedding. We were able to live in safe and comfortable environment of our own until we were able to obtain permanent housing. Now we have our own home where Community in Action was able to assist with our security deposit to move in. Because of this, I was able to have a successful ending to my struggle of being homeless with three children. I finally felt I had the support through their program, and I am forever thankful."

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My Story.....

Hello,

I am a single father of 3. I am writing this letter to thank and acknowledge the County Community in Action for the help and support in finding shelter and permanent housing for me and my family. Through them I was able to start in a shelter, move to transitional housing where they provided the necessities for us, like dishes, appliances, towels, furniture, and bedding. We were able to live in safe and comfortable environment of our own until we were able to obtain permanent housing. Now we have our own home where Community in Action was able to assist with our security deposit to move in. Because of this, I was able to have a successful ending to my struggle of being homeless with three children. I finally felt I had the support through their program, and I am forever thankful.

-J. Flores

Ms. Garcia stated she was aware of the bad stigma attached to homelessness, but they were the agency that was there to help that community.

Councilor Bakefelt asked of the 360 homeless in Malheur County, how many of those were in Ontario?

Ms. Garcia stated it was around 80%. She did not have official numbers yet, but once received, she'd share that. But she believed that within the Ontario city limits, it was at that 80%.

Councilor Hart asked Mr. Cummings out of all the funding, how much funding was received in Ontario to help provide services.

Mr. Cummings stated none of that funding came to Ontario. It was all through the Housing Authority and Community in Action. He applauded CinA for attending the Council meeting. He had asked them to attend so the community could get an update on what was happening. CinA met the deadline of HB2006 and created a conditional use permit that did stand until such time that they did not have funding to keep the facility open, at least part time. The HB stated that cities and counties could not shut those facilities down if they were in place at that time. CinA and the Housing Authority appeared before the Council and obtained that land use action, but HB2006 did have a sunset clause attached. That clause was met as long as they had funding and kept it operating. If they lost that, or shut it down for one year, they lost that ability, and to open again they would have to follow all the land use laws and regulations. To stay on that site, they'd be required to build a

tiny home system, meeting all the building and planning codes. Basically, they could keep it there, but the existing shelters would have to be taken away and new structures would have to be constructed that would be more like small apartments. They'd have to have a bedroom, a bathroom, and a small kitchenette type set up. It was still considered an emergency shelter that could be used for both winter and summer emergencies.

Councilor Hart stated what the state failed to do was provide funding to the city to pay for the police or fire services, and there was not enough property taxes in Ontario to even pay the police department. When the citizens became frustrated with the city's police or fire departments due to lack of resources, the state continued to give money to provide services, but no funds to pay property taxes or for police and fire departments. It was strangling cities throughout Oregon. Staff had spoken at the state levels, multiple times, asking for help in supplementing the services because everyone deserved police and fire. The state never gave funds to the cities to provide those services.

Ms. Rodriguez also asked Mr. Cummings to explain the HB5019 funds that were coming into the city to assist with the encampment sites, that it was due to the homeless dollars.

Mr. Cummings agreed the city had been speaking with legislators, letting them know it was great that they were providing funds to help the homeless problem, but there was no funding to help tax dollars to provide emergency services. They gained some ground, and legislators changed the rules to allow the non-profits to add in their plans to add in lieu of taxes payments, if they could, and Ms. Rodriguez indicated she was going to put that in all their grant applications, the payment in lieu of taxes, if it could be budgeted. Within the existing HB, they had already stepped up and were providing help and some funding to help the existing campsite by paying for some of the garbage services and portable restrooms. The city appreciated all the non-profits that were going to try and take advantage of that new legislation.

Councilor Kirby stated he did not think they were listening enough to the Susan Vincents of the world. If they were following the laws of Oregon and Ontario regarding zoning, no way would that be in that neighborhood. He still did not believe it should be located there. It was his understanding that if the city told Community in Action to find another location, the homes could not be moved because they did not meet code. He thanked Community in Action for attending the meeting, but the Council had no authority in this. Basically, the Oregon legislature was telling Ontario, tough. They wanted housing and they wanted the city to put it in residential neighborhoods, and it was causing those neighborhoods a hardship.

Ms. Rodriguez stated she understood his comments, but wherever they were moved, the mentality was the same: Not in my backyard.

Councilor Melendrez applauded Community in Action for their efforts, and appreciated and supported their work.

Councilor Mills asked Ms. Garcia if she had checked out any other cities that had the tiny houses, to see how those were being handled.

Ms. Garcia stated she had not, yet. She was aware this was not just an Ontario issue. She knew there were going to be fights with the other local governments in Malheur County.

Councilor Mills asked if there were any tiny homes in Harney County.

Ms. Garcia stated there were not, but they were working on that.

Councilor Mills stated she appreciated that it was transitional housing, and that people were being educated to get out on their own, to obtain employment, and become self-sufficient. Was there another location these homes could be moved to that would be a part that CinA or the Housing Authority might have that would work out better?

Ms. Garcia stated currently, no.



Councilor Mills asked Mr. Cummings if these tiny houses met city code for living structures in Ontario, and if they did, if someone wanted to put a tiny house in their backyard to have someone live there, what was the difference in the codes?

Mr. Cummings stated these were not tiny home, they were called emergency shelters. The little shelters did not meet the building codes. That was where the sunset clause came in. As long as they kept the facility funded and open, they could maintain emergency shelter status. If they wanted to move those shelters somewhere else, they couldn't. They would have to build a tiny home that met the current building codes. The State of Oregon created a small home code, and those could be 400 square foot, as long as they provided all the facilities that the residential code required, which was a bedroom, a bathroom, a small kitchenette, and connected to city plumbing. If they wanted to build a small home community, they had to do so in the proper zoning area, which technically, that property was zoned properly for that, being RM-10 High Density Residential, so they could put a small home community there if they wanted to build it to code, but that was a lot more money. They could not move the existing shelters to anywhere else because they did not....the other property would have had to have been done already under HB2006.

Councilor Mills asked if it was the governor who decided it should go from winter housing to year-round?

Mr. Cummings stated HB2006 was where it was now called emergency shelter, whether it be for cold or heat. Could even be too rainy, like in Portland. When Ontario first constructed homes, it was for winter emergency sheltering. The city was preparing to have the hearing on whether or not to extend that winter sheltering when Governor Brown added the regulation that removed the power from the cities. Then HB2006 came out, which put a sunset clause on it. Community in Action did the required process with the city, and established the shelters as emergency shelters, not just winter.

Councilor Bakefelt stated she was curious about an action plan for addressing some of the neighborhood issues, to be good neighbors.

Ms. Rodriguez assured the Council their shelter residents and staff were maintaining the good neighbor clause; however, they'd had to trespass people from their property, too. They were not able to force people to not camp out, but they could encourage them to move. They did their best, but not everyone listened, and not everyone wanted the help.

Councilor Bakefelt asked if she was saying that the people causing the issues were not from the tiny home area?

Ms. Rodriguez stated the was correct.

Councilor Melendrez added that this program did work, and there were folks that needed that support to make it from transitional housing to housing. It was a huge success, and some were gaining employment and helping others.

SREDA Update

Kristen Nieskens, SREDA, presented, and distributed an informational packet, which contained data on what SREDA had been doing. The Alliance was formed in 2009, a group that was created to bring this region together to build and support each other in economic efforts. It consisted of three counties – Malheur, Payette, and Washington; two states – Oregon and Idaho; and one common goal. One win was for the good of the whole. Bringing in a business also brought in employees, and the surrounding communities benefited. The Alliance relied on donors from the various cities and counties, and they appreciated those funds. There were also private partners, such as banks and businesses, who contributed to the funding. Partners also included services such as GEODC, SBDC, and others. They were there to support local businesses, for business retention and expansion, and also for marketing this area to encourage new businesses. There was a lot going on in this community and as she reached out to the partners at Business Oregon and Idaho Commerce they could see where the growth was happening and where it was coming from. They were seeing a lot coming from California, but in reality most of the movement and growth was coming from the Boise and Nampa areas. There appeared to be a lot of growth in the manufacturing industry and the arms industry on the Idaho side, but there was



also a lot of manufacturing and things coming our way. She introduced Bob Komoto, who spoke a little about partnerships and SREDA.

Bob Komoto stated he was a member of SREDA. He was retired and joined SREDA as a private citizen. He was currently the Secretary for the Alliance, and being the Secretary, he'd attended every meeting over the past years and over that time, he'd had the chance to see what came to SREDA's door. There was a lot that went on that didn't sound like success, but there were opportunities, and Kristen took those and channeled them what information was being asked for. Oftentimes, the requester didn't know the infrastructure, utilities, or laws that needed to be followed in order to establish a business, and she was able to direct them quickly and could make an informed decision. Not everything that came in was a success, but with Kristen's guidance, going and channeling people in the right direction, they found out things. SREDA was an inexpensive way to have an economic development partner in the community.

Ms. Nieskens continued with that she was putting a lot of effort into marketing this year, from local to regional to global. They'd been working hard on trying to get a grant, a way to offer grants to the constituents in this region where there was a need to find a certain grant writer, but how SREDA could help facilitate that, and what that would look like. Mr. Cummings had been an asset to SREDA, with his knowledge, and it was very much appreciated. SREDA appreciated the support of the Council, and if anyone had the opportunity, she encouraged them to visit SREDA's website.

Councilor Kirby asked if she was receiving inquiries from people seeking existing facilities, or were they looking for bare land.

Ms. Nieskens said it was about 50/50. A lot of people were interested in refurbishing old buildings, like the onion sheds. Most had done their homework, and were calling about a specific property. Then it became where the hookups were located, or how far away utilities currently were. There were some larger parcels available. She was hopeful they'd be seeing a lot more in the future.

Mr. Cummings stated at the last SREDA meeting, they looked at maybe partnering up for a grant writer. SREDA would acquire the writer, and everyone would contribute to fund that position. It was worth looking into. He informed Ms. Nieskens that Ontario created their own grant writing committee from staff, and had also contracted with a private grant writer to oversee some of that. It was great idea to get a feeling from the other cities such as Vale, Nyssa, Malheur County, etc., so if they would be interested in funding a full time grant writer, where every partner could take advantage of that. Also, even though Ontario might not see a win here, that was viewed as any win for any community in SREDA, was a win for everyone. SREDA was developed to help everyone who belonged – Malheur County, Ontario, Vale, Nyssa, Payette, Weizer, Fruitland, Payette County, Washington County. SREDA was an entity that was provided funding from Ontario, and their request for continuing the funding again would be considered during the budget process.

Councilor Bakefelt asked what type of grants were being discussed.

Ms. Nieskens stated most were run through the city and other entities. She did not have the time to run all those. She did a lot of grants through the State of Idaho, and a lot of the smaller grants here through, for example, GEODC.

Councilor Bakefelt asked about the types of grants available.

Ms. Nieskens stated the past four had been infrastructure grants.

Councilor Hart stated this was a great discussion. There was a new Economic Development person at the county, who was doing a great job. There was a lot of momentum, and continued focus on the community and the area to do things. When they got closer to the budget cycle, a question he'd have for Mr. Cummings was if he supported this, if the city decided to give funds to SREDA again, and Mr. Cummings had always said it helped him do what he could do. The city needed to continue looking for ways to leverage the limited city dollars, and SREDA had been one of the organizations he'd been proud to be a part of.

Recreation District Update

Andrew Maeda, Recreation District, stated: *Mayor Folden, Council members, I'm here tonight just to give you an update regarding the \$250k donation the city gave to the Ontario Community Recreation Center Project. To date, or as of today, we are just days away from closing out our preconstruction phase of the project. So that means as of right now, we have gone through all of the community feedback and any of the surveys done, which is pretty easy because there was just so much information prior to us taking over this project around 2020. Quickly after that, we got through and jumped into our design phase, which included your schematic, your design development, and your construction document creation. Then we began what seems to be traditionally the hardest part across this project over the last ten years, which is to pursue the funding needed to get that project done. Following the design phase, it was concluded that we wanted to go after an outdoor pool option for Phase II of the Ontario Community Recreation Center Project, and then eventually look at many more options in the future. Following that, I guess, that exact design phase there, we quickly jumped into construction documents creation. We hired our construction management team to work with our architecture and engineering team, just to make sure that what's being designed and put together in the construction documents can be built. Once we have that put out for bids, then we'll get estimates on that. As of that time period, we also began our fund-raising efforts, not only from our recreation district contingency and capital outlay budget, but also through community and local businesses. Several of them donated to this project, community members donated to this project, grants were tirelessly pursued, the city obviously donated to this project as well. As of April 1st, we did receive a pretty substantial grant that gets us 99-100% of our estimated goal right now, which is that \$3,000,000. What that means is here within, on Thursday we will have our final walk-through with our subcontractors, and then the actual bid opening date would be the 18th here in Ontario at our offices. Following that, within two days, we will be presented a guaranteed maximum price from our construction management team to our Board of Directors for approval. That is given that those bids that do come back are within a reasonable estimate from what we received earlier. When I say reasonable, that is anyone that understands these types of projects, understands the history with them that you will get some type of estimate early on, you'll get a little bit more refined estimate as you get through your construction documents phase, and then when you get your bids back, it's double that. So you really want to make sure you build a pretty substantial contingency when it comes to that cost estimate on the front. We did. We built in about a 45% contingency into that project budget just because we assumed that that project would come back pretty high, or at least much higher. We are really, really hopeful that here within the next week and a half that when we do get those bids back from our construction management team, or we have that official opening date, that it just needs to be within some sort of a ballpark range of what the original estimate was. It doesn't need to be exactly on or under. We do have a gap there because, again, we built in a substantial contingency for it. Once our board does approve that guaranteed maximum price, and just to be clear, when I say guaranteed maximum price, that's a type of proposal that we put out to use, not only to our architects and engineering team, but also to our construction management team. That means that the project should not go over that amount. I say shouldn't because even though it's titled a guaranteed maximum price, it does come with these fancy things called change orders. Those change orders can happen when they break into the foundation and find out that it's not going to be substantial enough for what we're looking to do on it, or they are looking to renovate a certain portion of the facility and it's not what they thought it was and so they have to submit a change order which increases the cost of the project. Generally, they don't like to do that, and they like to build in a contingency as well, which they did, early on. So, that's why I'm explaining that 45% contingency there. When we get that guaranteed maximum price back and our board approves that, it moves pretty quickly out of our preconstruction to our construction phase, which means we would have a demolition subcontractor onsite within two weeks. That construction was estimated to be six to eight months; we're planning for nine, which would have that project done or finished up right around December, and January giving us a good amount of wintertime to prepare opening in May of 2025 for Ontario. Again, all of this is pretty substantial to talk about right now in front of you. It is heavily dependent upon these bids that come back to us on the 18th of April, and that the city keeps their \$250k donation within that pot of money. You guys pull that out, then we're going to be in a little bit of hot water there. But, we just want to, one, give our thanks and the support for the City of Ontario, not only in your donation, but across multiple efforts that we've had over the past three or four years in the project, whether at the state level, local grant level, this specific grant that we received on April 1st, as well. We've had substantial support from our city and all those efforts, whether we got them or not, we had a lot of support and we really appreciate that. All of the work that has been accomplished by our city like our permitting, helping us, community members just being able to help us push our permitting along from the county and the state a little bit quicker, has all been really, really helpful,*

and all the community members that have jumped in to help us start the project to make sure that as we go along this timeline, we really teed it up to make sure that we have a starting point with reaching our funding and doing the project, breaking ground close to the time so we don't have to waste a lot of time for that. If you have any questions, I'm open to them. Again, thank you for the support.

Councilor Hart asked what the trigger for construction was that the city would release the \$250k? Did Ms. Ott recall, or maybe Mr. Maeda?

Mr. Maeda: *Yeah, I got to go put a shovel in the ground.*

Mr. Cummings stated it was his recollection that it was when they were ready to break ground, the funds would become available to them.

Councilor Hart stated he recalled that the name Ontario was supposed to be somewhere in the name.

Mr. Meada: *Yeah, it will lead with the Ontario Aquatic Center moving forward. I don't know, when we presented financials at our last presentation to the city, we presented financials across projected, profit-loss, and our current budget financials as well.*

Kari Ott, Finance Director, stated she had a copy of what the city wanted in return for the \$250k donation: *The name of the pool/pool complex will include the name of the city: Ontario; If any broad group is provided a discount to access pool services, Ontario residents will also receive that discounted rate; The Recreation District will supply to the Council/public with a written: Fundraising plan; Fundraising plan for funding the building and maintenance/operations of the pool; Construction rendering of the completed pool/pool complex; Construction timeline; Detailed operations plan; Approved funds will be held by city and not released to the Recreation District until construction has begun; and Approved funds will not be released without a reaffirming vote by the City Council that these conditions have been met.*

Councilor Hart said at some point they'd need to tee that up to reaffirm that, meaning they'd need to vote again.

Ms. Ott stated that also included the construction plans.

Mr. Maeda: *Yeah, at our last presentation, I believe we covered all of that, besides the construction documents, which are substantial documents. We'll have to send that out via DocuSign or something like that. It's not going to be emailed out.*

Mr. Cummings stated the construction plans had been submitted to the city. He let them know the Planning Department had already signed off. They were still waiting on the Building Department to sign off, to issue the permit.

Mr. Maeda: *They were close, very close, yeah.*

Mr. Cummings asked if the Fire Department had signed off yet.

Clint Benson, Fire Chief, stated it was close.

Councilor Melendrez stated his thanks for everyone who had worked on the project. If there was anything that Mr. Maeda thought he could help with, please let him know.

Mayor Folden thanked Mr. Maeda for all his work. It was very exciting for this community.

Mr. Maeda: *Yeah, big win for Ontario. Thank you all for your support.*

Councilor Melendrez asked to jump back to Ms. Vincent's comments. He thanked her for attending the meeting, and while he still supported the work of Community in Action and the Housing Authority, he had been trying to balance her needs, as well, and he'd like to share some things. With the church, there were signs put up, either no trespassing or no camping. Also, he'd gone with some of the youth that he mentored to collect garbage, and this last Serve Day project they had cleaned up, and he periodically went back and spoke to the neighbors, but he wanted to let her know he heard her, and he did feel for her concerns, and he appreciated all the times she reached out to him. There were times when it became difficult to reply to every email, but he did share her concerns with local leaders.

NEW BUSINESS

Resolution #2024-105: Supplemental Budget to Purchase Two Travel Cars

Kari Ott, Finance Director, presented.

On February 27, 2024, the City Council approved the purchase of two travel cars, and the proposed resolution was to appropriate funds for the purchase of the cars. Each car cost \$31,995, which was less than the \$34,319 originally presented.

Three surplus cars were sold for a total of \$9,950, which left a net cost of \$22,045 for the first new vehicle. The \$22,045 was proposed to come out of General Fund Administrative Overhead Contract Services, leaving a remaining budget of \$28,955 in that budget.

For the Police Department, three surplus vehicles were sold for a total of \$8,600. There was also a prior year insurance payment received of \$10,864. This left a net cost of \$12,531 for the second vehicle. The \$12,531 would be taken from the Public Safety Reserve Department of the Reserve Fund Contingency, leaving a balance of \$385,611 in that line. The proposed budget adjustment needed to be made before June 30, 2024.

HART moved, MELENDREZ seconded, **THE CITY COUNCIL APPROVE RESOLUTION #2024-105: A RESOLUTION APPROVING A SUPPLEMENTAL BUDGET TO APPROPRIATE FUNDS FOR TRAVEL CARS PURCHASE.** Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Hart-yes; Bakefelt-yes; Melendrez-yes; Folden-yes. Motion carried 7/0/0.

CDBG Grant Administration Services for New Secondary River Intake Project

Marshall Pierce, City Engineer (Jacobs), presented.

The City of Ontario was awarded funding from the Community Development Block Grant program from Business Oregon. Funding would be used for improvements to the city's drinking water supply system, specifically a new secondary river intake. The current phase of the CDBG grant program was engineering design of the secondary river water intake to improve the reliability and capacity of the city's drinking water supply system. The improvement was a component of the city's overall Drinking Water Master Plan approved by the Oregon Health Authority in 2021.

With funding approved for the first phase (engineering design), a grant administrator should be assigned to provide successful implementation of the grant for the life of the project. An RFQ was currently out to engineering firms, closing March 28, 2024, for the design work. The project was funded with federal grant funds, and with the grant being awarded, time was of the essence in completing the work. If the city elected not to move forward with the award of the task order, the implementation of the grant would need to be completed by city staff who lacked technical expertise and experience with the program, which could cause a challenge in successful implementation.

MELENDREZ moved, BAKEFELT seconded, **THE CITY COUNCIL APPROVE THE GRANT MANAGEMENT TASK ORDER FOR \$25,000 WITH DUCOTE CONSULTING FOR THE CDBG GRANT MANAGEMENT OF THE NEW SECONDARY RIVER INTAKE PROJECT AND AUTHORIZE THE CITY MANAGER TO SIGN ALL DOCUMENTS.** Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Hart-yes; Bakefelt-yes; Melendrez-yes; Folden-yes. Motion carried 7/0/0.



Authorization to Apply for Safe Drinking Water Revolving Loan Funds for a New 3.0 MG Storage Tank
Marshall Pierce, City Engineer (Jacobs), presented.

The City of Ontario was eligible to apply for funding from the Safe Drinking Water Revolving Loan Fund program from Business Oregon, from the Bipartisan Infrastructure Law. Funding could be used to improve water quality, capacity, and reliability, such as improvements to the city's drinking water supply system. The city was proposing to apply for the project award maximum of \$6,000,000 to fund the majority of the design and construction of a new water storage tank, replacing the East Side Storage Tank. The improvement was a component of the city's overall Drinking Water Master Plan approved by the Oregon Health Authority in 2021. The location of the project was at the city's Water Treatment Plant at 1900 SE 5th Avenue. The project benefited residents throughout the City of Ontario. A Letter of Intent was sent to Business Oregon in September of 2022.

The city was proposing to apply for the project award maximum of \$6,000,000 to fund the design and construction of a 3.0 MG storage tank to improve the reliability and capacity of the city's drinking water supply system. If successful, the loan funds would help support the city's financial position. Of the \$6M total amount, \$3,129,383 was a forgivable loan. The remaining \$2,870,617 would be a loan with an interest rate not to exceed 80% of the current market rate. Currently, this would equate to 2.16% interest. The interest cost would be \$1,060,383 over a 30-year term. The Application Package was due on the 15th of April; therefore, time was of the essence.

Councilor Hart asked the total cost of the project.

Mr. Pierce stated it was estimated at \$7.6M; at the time, it was \$6M, and the loan would have covered everything. Staff was looking at supplemental grants to offset that bump up.

Councilor Hart asked if they didn't receive those funds, where would the additional money come from?

Mr. Cummings stated they city probably wouldn't do the project. This was just authorizing the application.

MELENDREZ moved, HART seconded, **THE CITY COUNCIL APPROVE APPLYING FOR SAFE DRINKING WATER REVOLVING LOAN FUNDS TO SUPPORT THE DESIGN AND CONSTRUCTION OF A NEW 3.0 MG STORAGE TANK TO IMPROVE THE CAPACITY AND RELIABILITY OF THE CITY'S DRINKING WATER SYSTEM, AND AUTHORIZE THE CITY MANAGER TO SIGN ALL GRANT APPLICATION DOCUMENTS.** Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Hart-yes; Bakefelt-yes; Melendrez-yes; Folden-yes. Motion carried 7/0/0.

Resolution #2024-106: Safe Drinking Water Revolving Loan Fund Application
Kari Ott, Finance Director, presented.

The City Council discussed the loan application in the previous action item. With the approval to apply for the safe drinking water revolving loan fund application, staff would like to hire Anderson Perry and Ducote Consulting to prepare the application. There was a purchase order approved for \$10,000 in September 2022 that wasn't rolled forward to the current year budget.

Ducote Consulting had been working with the city on CDBG grants as the administrator and had done a great job. The city would like to hire Ducote Consulting to prepare the application for the Safe Drinking Water Revolving Fund Application. Anderson Perry had been working to get a good cost estimate on the project in order to know how much funding was necessary to complete the project. Staff estimated the work would not exceed \$5,000 total; however, the \$10,000 in the budget resolution gave a little extra if needed. It was proposed that \$10,000 would come from the Water Fund contingency, leaving a balance of \$844,936 in that line. The application needed to be submitted by April 15th.

HART moved, MILLS seconded, **THE CITY COUNCIL APPROVE RESOLUTION #2024-106: A RESOLUTION TO APPROPRIATE FUNDS FOR THE SAFE DRINKING LOAN FUND APPLICATION, NOT TO EXCEED \$10,000.** Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Hart-yes; Bakefelt-yes; Melendrez-yes; Folden-yes. Motion carried 7/0/0.



Safe Streets for All Grant (SS4A): Kittelson Task Order for Comprehensive Safety Action Plan
Marshall Pierce, City Engineer (Jacobs), presented.

The City of Ontario was awarded a \$280,000 Federal Highway Administration (FHWA) grant to complete a Comprehensive Safety Action Plan. The plan required a technical consultant to perform data collection, analysis, community outreach coordination, concept designs, and plan development. A technical consultant was now needed to work with the Task Force on creating a draft and final Safety Action Plan. Staff reviewed the city's transportation engineering services roster and chose Kittleson and Associates, Inc. as the technical consultant. Kittleson also performed the City's Transportation Master Plan in 2021. The project was funded with federal grant funds.

MELENDREZ moved, KIRBY seconded, **THE CITY COUNCIL APPROVE THE KITTELSON AND ASSOCIATES, INC., TASK ORDER TO PROVIDE TECHNICAL CONSULTING AND DEVELOPMENT OF THE COMP ROAD SAFETY ACTION PLAN AS PART OF THE SAFE STREETS FOR ALL GRANT.** Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Hart-yes; Bakefelt-yes; Melendrez-yes; Folden-yes. Motion carried 7/0/0.

PUBLIC HEARING

Accept Right of Way for a Portion of NW 4th Avenue, per Approved Subdivision Plat, Approved Under Planning Action 2022-08-22 SUB

It being the date advertised for a public hearing on the matter stated above, the hearing was declared open. There were no objections to the city's jurisdiction to hear the action. No abstentions, ex-parte contact, or declarations of conflict of interest were stated.

Dan Cummings, City Manager/Community Development Director, presented.

The City Council needed to accept the right of way of a portion of NW 4th Avenue. The subject property had been subdivided by Riley Hill into six lots, with public right of way being dedicated along the southern border of the property. The action required the dedication of public right of way for portions of NW 4th Avenue. Construction of all the public improvements would be done at a later date during development of the property. The Partition was ready to be finalized and the public right of way accepted by the City Council. There was no financial cost to the city, other than normal maintenance of the city infrastructure developed and constructed on the property by the developer. The alternative could be to not accept the right of way and instruct the applicant to make the street private; however, this alternative would not meet city codes for connectivity and existing public use of portions of the roads.

The Hearing was opened for public testimony. Opponents: None. Proponents: None. There being no Proponent and no Opponent testimony, the Hearing was closed.

MILLS moved, HART seconded, **THE CITY COUNCIL ACCEPT THE DEDICATION OF RIGHT OF WAY FOR A PORTION OF NW 4TH AVENUE AS SHOWN ON THE SUBDIVISION PLAT OF MEDICINE VALLEY SUBDIVISION, SAID SUBDIVISION BEING APPROVED BY AN ADMINISTRATIVE ACTION ON SEPTEMBER 22, 2022, UNDER PLANNING FILE 2022-08-22SUB, AND AUTHORIZE THE MAYOR TO EXECUTE HER SIGNATURE ON THE FINAL PLAT ACCEPTING THE DEDICATION OF RIGHT OF WAY AS SHOWN ON SAID PLAT.** Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Hart-yes; Bakefelt-yes; Melendrez-yes; Folden-yes. Motion carried 7/0/0.

DEPARTMENT HEAD UPDATES

Finance Department: Monthly

Kari Ott, Finance Director, presented.

Fire & Rescue Department: Quarterly

Clint Benson, Fire Chief, presented.

Police Department: Quarterly

Michael Iwai, Police Chief, presented.



DISCUSSION ITEMSMayor/Council Compensation

Dan Cummings, City Manager, stated questions had been raised, and a few misinformed comments made or written, about what the City Council was being paid. To clear the matter up, he informed the public that the Mayor received a monthly stipend of \$200 per month, and each Councilor received \$125 per month. The Mayor and Council did not receive any benefits. Further, the Council, by City Charter, could not issue themselves a raise without following very specific guidelines and timeframes.

Community Renewable Energy Program

Dan Cummings, City Manager, stated the city began the solar project lease when the city still owned the Stelling property. When that was sold, the new owners had to carry on the lease. During that process, the solar developer asked the city to help sponsor a million dollar grant they wanted. The Council approved the action. The city submitted for the million dollar grant. The city was originally awarded \$500k, but then found some more funding and came back with an additional \$400k, so the city received \$900k total. Part of the agreement to assist in administering the project, in exchange for the help, the city was supposed to receive \$20k from out of first draw from the grant. Currently, the city was ready to begin taking advantage of the program. In the original discussions the developer indicated the city might receive approximately \$50k in savings. As outlined in the contract, it now appeared the city might realize a savings of around \$44k. It was close to the original stated savings amount. The city was originally going to get a 10% discount; however, the changing rules allowed the city now to receive a 15% discount. This report was to inform the Council the city was moving towards the next stage where he needed to start signing contracts to receive that discount. Unless the Council decided they did not want to continue in the direction, he planned to sign the contracts. The contract had been submitted to the City Attorney for review, who indicated no issues with the contract as presented. Also, the reasons there were multiple contracts for this one item was because there would be a separate contract for each individual meter. There were around 40 meters, and each would have an individual meter number. The contracts were for 20 years in duration, and there were no penalties assessed should the city determine to cease the agreements. A copy of the contract was included in the packet for their review.

HAND-OUTSDepartment Stats: January, 2024

Public Works, Fire (No stats from OPD/CE due to new system glitches)

Minutes:

County Court: Feb 8, 2024, Mar 13, 2024, March 20, 2024, Mar 27, 2024; Airport Jan 2, 2024; and DAC Dec 20, 2024, Feb 21, 2024

Check Register:

Feb-Mar, 2024

CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORT S

- Councilor Kirby stated he went out every couple weeks to the homeless encampment, and it looked like there were more tenants out there. There was an accumulation of shopping carts, at least 12, but it didn't look like the trash was as bad, other than what the neighbors provided. Those neighbors were providing a lot of garbage, but the unhoused seemed to have things under control, in his opinion.

Mr. Cummings stated he also went out there about once a week, and it did seem there were more people staying in that area. The trash container had decreased from other people's usage, so maybe the talk at the previous meeting about keeping an eye on it and fining people using it who shouldn't be. That was theft of services. He also believed that those people living on the site were helping patrol it. He agreed it could appear cluttered, but for the most part they were trying to keep it clean and were using the dumpsters. There were trailers and a lot of trash before in the public right of way, so he thanked the county for stepping in and cleaning that up. He was working with staff, who were thinking of working with public works to do a cleanup day to clear up the



rest of the garbage that remained in the right of way. There were signs being made, to be posted, about the theft of service issues.

- Councilor Bakefelt thanked Code Officer Nick Tambornini for addressing an area she let him know about.
- Councilor Bakefelt informed the Council that the 2024 National Night Out event was August 13, 2024, which conflicted with a regular Council meeting, so she wanted to request that the Council cancel that meeting. That would make it easier for both Council and staff to participate in the event.

Councilor Kirby stated maybe it was more appropriate that staff bring that request to the Council. Maybe suggest a different date for the meeting.

Mr. Cummings stated staff could look at if there was anything major for the meeting, and let the Council know.

Mayor Folden stated this request was far enough in advance that staff and Council could plan around it.

Mr. Cummings stated staff would try to do that. They'd be stuck if there was a land use action planned for that meeting, as those dates had to be followed. Otherwise, other items could be shifted around.

- Councilor Melendrez stated his thanks to Work Source Youth Oregon work crew, or Youth in Action, a program out of the employment department. He planned to reach out to them for helping with the shopping cart issue at the homeless site.
- Councilor Melendrez suggested a campaign or public awareness campaign about the dog parks. He heard from some public works crews that people were not cleaning up after their dogs.

Mr. Cummings stated he had addressed that, putting word out to the public. That was another sign that was being taken care of by public works. It would put the public on notice that a lot of complaints were being sent in about people not cleaning up after their dogs. It was becoming a health issue. If it continued, the dog parks would be removed. The public works crews were not being paid to pick up dog poop. The city provided bags for picking up after the dogs, so there was no reason not to.

- Councilor Melendrez stated with regard to the DAC meeting of February 21st, the DAC had approached him still asking about the reason for the committee, what the expectations were. They were seeking ideas, guidance, and/or goals from the Council
- Councilor Mills thanked Code Enforcement Officer Nick Tambornini for the ride along last week. It was very informative. They visited several sites that she had questions about what the procedure was for getting them cleaned up. He also showed her the procedure he went through, showed her areas that had repeat offenders, and they visited the homeless site. She truly thanked him for his time.
- Mr. Cummings stated that during his annual evaluation, a Councilor had asked him to attend more LOC conferences, so he attended one in Pendleton last fall, and recently attended a conference in Seaside, sponsored by Northwest Regional City Manager's Conference. He chose that site because that conference included Oregon, Washington, and Alaska. His goal was to find out what issues other communities were facing. His report was that Ontario was not unique. The consensus was that everyone was having the same issues, mainly revenue, on being able to provide services to their communities, and dealing with the homeless population. That seemed to be the major topics at all the conferences and meetings he'd been attending.

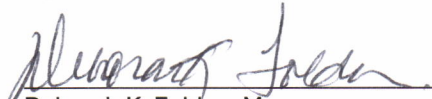


- Mr. Cummings stated the city had a person apply for the City Planner position. The person was interviewed, and she was a great fit. She had the same vision he'd had, and he felt very comfortable putting her in that position. She'd need more guidance and training, but she'd definitely fill that spot well. An offer was made, she accepted, and she had given her current employer – the county – her notice. The city was taking the county's planner. Her last day with the county would be the end of April, and then she asked for a two week break to prepare for her new position. She would start with Ontario in mid-May. The agreement had been that when he got a planner in place, he'd reduce his pay starting July 1st. He really thought she would do an excellent job.
- Mr. Cummings stated lastly, the new Councilor tablets had arrived, and they were ready to get set up. He asked that each Councilor coordinate with Tori for some time next week, so she could coordinate with Sheri, to get the current iPads cleaned off, the new tablets set up, and to ensure their city emails and CivicClerk were working.

ADJOURN

BAKEFELT moved, MILLS seconded, **THAT THE MEETING BE ADJOURNED**. Roll call vote: Mills-yes; Baker-no; Kirby-yes; Hart-no; Bakefelt-yes; Melendrez-yes; Folden-yes. Motion carried 5/2/0.

ACCEPTED:


Deborah K. Folden, Mayor

ATTEST


Tori Barnett, MMC, City Recorder