

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



**COUNCIL MEETING AGENDA
CITY COUNCIL – CITY OF ONTARIO OREGON
TUESDAY, JULY 18, 2017, 7:00 PM, MT**

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

1) CALL TO ORDER

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

2) PLEDGE OF ALLEGIANCE

This Agenda was posted on Friday, July 14, 2017. 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. Our of respect to the Council and others in attendance, please limit your comment to three (3) minutes. Please state your name and city of residence for the record.

5) CONSENT AGENDA

A) Minutes of 06-20-2017

6) OLD BUSINESS

- A) Ordinance #2728-2017: Creating Title 2, Chapter 14, of the Ontario Municipal Code, Creating a Diversity Advisory Committee - Final Reading
- B) Continued Sales Tax Discussion

7) PUBLIC HEARING

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

8) HAND-OUTS/DISCUSSION ITEMS

- A) Check Register June 1, 2017 to July 14, 2017

9) CORRESPONDENCE, COMMENTS AND EX-OFFICIO REPORTS

10) ADJOURN



CITY COUNCIL MEETING MINUTES June 20, 2017

The regular meeting of the Ontario City Council was called to order by Mayor Ronald Verini at 7:00 p.m. on Tuesday, June 20, 2017, in the Council Chambers of City Hall. Council members present were Ronald Verini, Norm Crume, Thomas Jost, Jr., Betty Carter, Ramon Palomo, Marty Justus, and Thomas Jost. Tessa Winebarger was excused.

Members of staff present were Adam Brown, Tori Barnett, Cal Kunz, Terry Leighton, Anita Zink, Larry Sullivan, Kari Ott, Dan Cummings, and Casey Mordhorst.

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

Thomas Jost led everyone in the Pledge of Allegiance.

AGENDA

Mayor Verini stated under Old Business, between "B" and "C", they would be taking a break. Also, there was one individual who asked to speak with regard to the Council candidates. Secondly, under Handouts, "A" would be an update on the sales tax by the City Manager. Further, because there had been an acceleration on Councilor Jost leaving, there would be a presentation under "F" under that section.

Adam Brown, City Manager, stated under Hand-Outs, "B" should read ICMA Video Opportunity.

Councilor Justus stated under "C" on Hand-Outs, it should include the scheduled days out of the city by the City Manager for July, August, September, and October.

CRUME moved, PALOMO seconded, to **ADOPT THE AGENDA AS AMENDED**. Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Jost-yes; Winebarger-out; Verini-yes. Motion carried 6/0/1.

CONSENT AGENDA

JUSTUS moved, CARTER seconded, to **ADOPT CONSENT AGENDA** Item (A) Minutes of Regular Meeting of May 16, 2017; (B) Resolution #2017-122: Set Policies for 2016-2017 per GASB54; and (C) Proposed Meetings Calendar: Jul-Dec, 2017. Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Jost-yes; Winebarger-out; Verini-yes. Motion carried 6/0/1.

OLD BUSINESS

Ordinance #2718-2016: Mobilitie Franchise Agreement (Final Reading)

No changes since First Reading.

CRUME moved, PALOMO seconded, that the City Council **APPROVE ORDINANCE #2718-2016, AN ORDINANCE GRANTING A NON-EXCLUSIVE TELECOMMUNICATIONS FRANCHISE TO MOBILITIE, LLC, ON SECOND AND FINAL READING**. Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Jost-yes; Winebarger-out; Verini-yes. Motion carried 6/0/1.



Ordinance #2724-2017: Amend OMC 2-12-201[A] re Airport Leases (1st Reading)

No changes since First Reading.

CARTER moved, JUSTUS seconded, that the City Council **APPROVE ORDINANCE #2724-2017, AN ORDINANCE REVISING SECTION 2-12-10 OF THE ONTARIO MUNICIPAL CODE TO REMOVE THE AIRPORT COMMITTEE FROM HAVING TO APPROVE PROPERTY LEASE TRANSFERS AND RENEWALS FROM ALREADY IMPROVED AIRPORT PARCELS, ON FIRST READING BY TITLE ONLY.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Jost-yes; Winebarger-out; Verini-yes. Motion carried 6/0/1.

Councilor Appointment Candidates

Due to the deployment of Thomas Jost, he has elected to resign from his position of City Councilor. An ad was placed in the Argus Observer, soliciting letters of interest from the citizenry to fill the position through the end of Councilor Jost's term, which would conclude December 31, 2018. Three letters had been received: Dan Capron, Charlotte Fugate, and Richard Newman. Council consensus was to interview the candidates at the current meeting, and make a decision on the appointment at the end of the process. The original appointment was set to begin on July 1, 2017; however, due to the even earlier deployment of Councilor Jost, the appointment would become effective immediately.

Mayor Verini stated they were there to fill the position of Councilor Thomas Jost from July, 2017, through December, 2018. The Council had agreed to make the decision that evening, following the interview process. One person – Chris Ruiz – asked to speak. Following that, Councilors could ask questions, and from there each should choose a candidate, and the candidate with the most votes would take the position. Or, they could interview and handle it by motion action.

Councilor Jost asked that a time limit be set for the questions/interview process. Maybe ten minutes per Councilor, or candidate.

The Council elected to allow each member ten minutes to ask questions from the candidates.

Chris Ruiz, Ontario: *My name is Chris Ruiz. I've been a member, citizen, of Ontario all my life, and I've participated in things that pertain to Ontario, and I've seen the growth of it, and my dad was very much active in the community, and it's very important, so this is home for me. I normally don't do public speaking, but I have been keeping an eye, monitoring, things that have been going on in Ontario, that type of thing. I heard that we were having, the Council was having a special election section amongst yourselves, and Dan Capron, I happen to meet and know Dan for about five years now, and when he told me that he was interested in becoming a Council member now that Councilor Jost was going to leave on duty, I said that'd be a great thing. I don't know the other two candidates very well, but I assume they are very qualified as well to do the job of Councilor for our city. And for all of you here, you've done very well. I'll just keep this short. I believe in Dan's ability, if you consider him, to elect him as one of your Council. I believe that he has very good qualities and very good ideas as to where Ontario should be and what concerns a lot of the citizens here. His, I believe that he is well-versed in a lot of the things in our city, some improvements and some things that he wants to add to it. I know Dan to be a very conscientious person, as far as knowing things that are going on, and how to approach things. He's very well-versed with our youth in this community, and I think it's a big plus, because I think a lot of the people he's worked with from all age groups, know him very well, as a coach, as a spiritual leader, those type of things, so I think that, I mean, I'm just here in support, and hope that you would consider him. I know it's not an easy decision, and I respect the other candidates, as well, in their abilities. It's just that I know Dan. I've spoken to him; we've talked about some of these things that are going on in Ontario. I know Ray really well, and Officer Jost, I've worked with him, and Betty, so I just hope, and I think that you will be very well-versed as a complete board, whomever you choose, but I think Dan would also add a big plus to whatever work that you have, whatever challenges you have ahead of you, I think Dan would do very well. So, that's just my little piece as a citizen, and my contribution to this. Thank you for your time.*

Councilor Justus stated he had three questions, and they were the same for all three candidates. First, "How best do you think you could best impact our city by your presence on our Council?"; Second, "Marijuana is a very contentious subject for our city. Do you believe the Council should allow a vote of the citizenship on instituting legal distribution of marijuana and taxing such sale?"; and Third, "Now that the Council is considering instituting a sales tax, do you support institution of the sales tax? If yes, do you believe 1, 1½, or 2% is what we should have?" He also to remind everyone that he and Charlotte Fugate represented Revitalize Ontario, so as co-chairs, they had a relationship.

Candidate Charlotte Fugate: Well, I've held this position...



The sound ceased at this point; remainder of minutes done from notes.

JUSTUS moved to appoint Charlotte Fugate to the position being vacated by Thomas Jost. Motion died for lack of second.

JOST moved, PALOMO seconded, to appoint Dan Capron to the position being vacated by Thomas Jost. Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Jost-yes; Winebarger-out; Verini-yes. Motion carried 6/0/1.

NEW BUSINESS

Resolution #2017-127: Receive/Expend Unexpected Revenue; Appropriate for Unexpected Items

Kari Ott, Finance Director, presented.

When the 2016-2017 budget was approved, there were some items that were unknown. As those amounts were now known, a budget resolution was necessary to prevent over expenditures in various departments. The following items needed to be adjusted within the budget to prevent over expenditures of budget appropriations:

- The unexpected snow event cost the city over \$50,000. An insurance claim was received for the golf course in the amount of \$19,965.95.
- More building permits were issued than budgeted, resulting in more revenue.
- Higher debt interest than budgeted.
- Minor adjustments needed in the water and sewer funds for retiree benefits.
- Utility billing supplies were not budgeted in the Storm Sewer Fund.
- More weed spray was needed at the airport than originally planned.
- Utility costs at the aquatic center were higher than expected.

An additional \$39,466 would be appropriated and the remaining budget changes were transfers between items already appropriated. By law, the proposed resolution had to be approved on or before June 30, 2017. A formal resolution approved by the City Council was required to expend funds per ORS 294. The Council could take no action on this matter; however, this would cause budget over expenditures.

JOST moved, CARTER seconded, **I MOVE THE CITY COUNCIL ADOPT RESOLUTION 2017-127, A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET TO RECOGNIZE UNEXPECTED REVENUES AND TO TRANSFER BUDGETED APPROPRIATIONS FOR UNEXPECTED ITEMS.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Jost-yes; Winebarger-out; Verini-yes. Motion carried 6/0/1.

Ordinance #2725-2017: Create OMC 8-17: \$8 Fee on Utility Bills for Street Maintenance [1st Reading]

Kari Ott, Finance Director, presented.

The Budget Committee met in May 2017 at which time an \$8 transportation utility fee was approved in the 2017-2018 budget based on a recommendation from the City Manager.

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

To impose a Transportation Utility Fee, the city was required to create an ordinance, approve two different resolutions, allow for public comment, and publish notice in the newspaper. These documents do the following:

- The ordinance would create a new section in the Ontario Municipal Code which would allow the city to adopt the Transportation Utility Fee and set up the parameters.

- The first resolution would set the transportation utility fee as a monthly \$8 fee to each billing unit. The resolution also certifies that a chance for public comment was given.
- The second resolution would classify the Transportation Utility Fee not subject to Measure 5 limitations. This also certified that a publication would be published in the newspaper to give notice of the adoption of this resolution.

The anticipated revenue generated from the \$8 monthly fee was approximately \$364,800, going to the Street Fund annually. This should be approved as soon as possible to start bringing revenue into the city to fund street maintenance. The Council could take no action on this matter; however, this would cause the chip sealing to be cut from the budget and also a larger transfer from the General Fund to fund Street Maintenance.

CRUME moved, JOST seconded, **I MOVE THE CITY COUNCIL ADOPT ORDINANCE #2725-2017, AN ORDINANCE CREATING TITLE 8, CHAPTER 17, OF THE ONTARIO MUNICIPAL CODE TO ADOPT A TRANSPORTATION UTILITY FEE FOR THE CITY OF ONTARIO on First Reading by Title Only.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Jost-yes; Winebarger-out; Verini-yes. Motion carried 6/0/1.

HAND-OUTS/DISCUSSION ITEMS

Update on Sales Tax

Revenue from Collections

ICMA Video Opportunity

ICMA Invitation to City Manager/Days out of City Jul-Oct, 2017

Good bye to Councilor Thomas Jost, Jr./Presentation of Plaque

Financials

CORRESPONDENCE, COMMENTS AND EX-OFFICIO REPORTS

ADJOURN

JOST moved, CRUME seconded, that **THE MEETING BE ADJOURNED.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Jost-yes; Winebarger-out; Verini-yes. Motion carried 6/0/1.

APPROVED:

Ronald Verini, Mayor

ATTEST:

Tori Barnett, MMC, City Recorder





**AGENDA REPORT
OLD BUSINESS
July 18, 2017**

To: Mayor and City Council

FROM: Tori Barnett, City Recorder

THROUGH: Adam J. Brown, City Manager

SUBJECT: **ORDINANCE #2728-2017: CREATING TITLE 2, CHAPTER 14, OF THE ONTARIO MUNICIPAL CODE, CREATING A DIVERSITY ADVISORY COMMITTEE - FINAL READING**

DATE: July 14, 2017

PROPOSED MOTION:

I MOVE TO APPROVE ORDINANCE 2728-2017, AN ORDINANCE CREATING TITLE 2, CHAPTER 14, OF THE ONTARIO MUNICIPAL CODE TO CREATE A DIVERSITY ADVISORY COMMITTEE, ON SECOND AND FINAL READING BY TITLE ONLY.

SUMMARY:

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

BACKGROUND:

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

Council approved the First Reading of Ordinance #2728-2017.

RECOMMENDATION:

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

ATTACHMENTS:

1. Ordinance #2728-2017



ORDINANCE NO. 2728-2017

AN ORDINANCE CREATING TITLE 2, CHAPTER 14, OF THE MUNICIPAL CODE TO CREATE A DIVERSITY ADVISORY COMMITTEE

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

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

Title 2: Ontario, Oregon Municipal Code

Chapter 14 - Diversity Advisory Committee Draft

2-14-1 - Diversity Advisory Committee Established

A Diversity Advisory Committee is established composed of seven (7) members representative of varying area cultures and socio economic circumstances. Consideration for broad representation reflective of the community shall be the primary factor in selection of the committee members. Recommendations from community associations that represent diverse populations shall be an additional contributing factor for selection of committee members.

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

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

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

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

2-14-3 - Ex-officio Members

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

2-14-4 - Meetings

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

2-14-5 - Advisory Capacity

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

2-14-6 - Duties and Responsibilities

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

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

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

2-14-7 - Compensation of members

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

2-14-8 - Quorum and rules and regulations for meetings

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

2-14-9 - Members - prohibited acts

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

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

2-14-10 - Items for review and recommendation

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

2-14-11 - Committee appraisal by City

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

2-14-12 - Regulation of Committee

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

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

AYES:

NAYS:

EXCUSED:

ABSENT:

APPROVED By the Mayor this ____ day of July, 2017

Ronald Verini, Mayor

Tori Barnett, MMC, City Recorder



**AGENDA REPORT
OLD BUSINESS
July 18, 2017**

To: Mayor and City Council

FROM: Adam J. Brown, City Manager

THROUGH: Adam J. Brown, City Manager

SUBJECT: CONTINUED SALES TAX DISCUSSION

DATE: July 16, 2017

PROPOSED MOTION:

I MOVE THE CITY COUNCIL

SUMMARY:

BACKGROUND:

CURRENT SITUATION:

ANALYSIS:

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

ALTERNATIVES:

RECOMMENDATION:

Staff recommends

ATTACHMENTS:

None



**AGENDA REPORT
PUBLIC HEARING
July 18, 2017**

To: Mayor and City Council

FROM: Dan Cummings, Community Development Director

THROUGH: Adam J. Brown, City Manager

SUBJECT: **ORDINANCE #2726-2017: ANNEXATION AND REZONE OF LOTS 4 AND 11 OF RIDGE VIEW SUBDIVISION I - RESIDENTIAL-URBAN GROWTH AREA (R-UGA) TO CITY SINGLE FAMILY RESIDENTIAL (RS-50)**

DATE: July 12, 2017

PROPOSED MOTION:

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

- 1. I MOVE THAT THE REQUEST FOR ANNEXATION OF THE SUBJECT PROPERTIES INTO THE CITY OF ONTARIO AND THE REQUEST FOR REZONE OF THE SUBJECT PROPERTIES FROM RESIDENTIAL-URBAN GROWTH AREA (R-UGA) TO CITY SINGLE FAMILY RESIDENTIAL (RS-50), BE APPROVAL BY THE CITY COUNCIL, BASED ON THE INFORMATION, FINDINGS AND CONCLUSIONS IN THIS REPORT AND RECOMMENDATION OF THE PLANNING COMMISSION.**
- 2. I MOVE THAT THE CITY COUNCIL ADOPT ORDINANCE #2726-2017, AN ORDINANCE ANNEXING INTO THE CITY AND REZONING OF TWO PARCELS OF LAND ONE BEING LOCATED AT 1939 THOMAS CIRCLE AND THE OTHER AT 1936 BRADY CIRCLE IN THE RIDGE VIEW SUBDIVISION FROM RESIDENTIAL UGA TO CITY SINGLE FAMILY RESIDENTIAL (RS-50); ON FIRST READING BY TITLE ONLY.**

OR

- 3. I MOVE THAT THE REQUEST FOR ANNEXATION OF THE SUBJECT PROPERTIES INTO THE CITY OF ONTARIO, AND THE REQUEST FOR REZONE OF THE SUBJECT PROPERTIES FROM R-UGA TO CITY SINGLE FAMILY RESIDENTIAL RS-50, BE DENIAL BASED ON THE INFORMATION, FINDINGS AND CONCLUSIONS SET FORTH BELOW:
(STATE FINDING AND REASONING FOR DENIAL):**

SUMMARY:

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

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

The Planning Commission based on finding and testimony made a recommendation to the City Council to to approve the annexation of the lands and not to rezone the property to City Duplex Residential (RD-40) as per the application, but to rezone the lands from Residential Urban Growth Area (R-UGA) to City Single Family Residential and set the side yard set back for the two properties to 5 feet.

BACKGROUND:

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

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

CURRENT SITUATION:

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

A. Rezone

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

a. The zoning map amendment is in conformance with statewide planning goals and

guidelines.

- b. The zoning map amendment is in conformity with the acknowledged comprehensive plan.
- c. The applicant has demonstrated a mistake or error in the original zone designation or the applicant has demonstrated a change in physical, social or market conditions generally effecting the area which make the proposed change appropriate.
- d. A public need is demonstrated for this zoning at this location and is not the granting of a special privilege for a single property or small group of properties.
- e. The property effected by the change is adequate in size and shape to facilitate its use and development as permitted under the new zoning classification.
- f. The property effected by the proposed change of zone is properly related to streets and public facilities and with services adequate to meet the demands of the uses allowed in the new zone.
- g. The proposed zoning map change will not result in adverse effects upon surrounding properties or surrounding uses from dust, noise, vibration, odor, heat, glare, lighting, or discharges into the air, water or land.

Findings of fact:

- a. The City of Ontario Municipal Code implements policies contained in the City of Ontario Comprehensive Plan, which conforms to the Statewide Planning Goals; if a proposed rezone meets all criteria and standards contained in the OMC, the request will be consistent with Comprehensive Plan Policies and therefore conform to the Statewide Planning Goals.
- b. The subject properties are currently zoned R-UGA and the request is to rezone to the companion City Duplex Residential (RD-40) Zone that is the same zone as adjacent and nearby property. The requested zone allows basically the same use as the UGA zone, but the existing subdivision was approved in 1998 to be a single family residential subdivision, and therefore is reflected in the Comprehensive Plan Goal 10 Single Family needs count. No Comprehensive Plan amendment is necessary for this rezone; therefore, the proposal is consistent with, and conforms to, the Comprehensive Plan. Based on testimony given at the Planning Commission meeting, the Planning commission made a determination that the City Single Family Residential zone RS-50 would be a better fit for the existing development and made a recommendation to the City Council to rezone the herein described lands, Lots 4 and 11 to the Single Family Residential (RS-50) zone and set the side yard setback for these two lots to 5 feet.
- c. The applicants have requested annexation into the City of Ontario concurrent with the request for rezone; a City Zone must be applied to the property once within City Limits. The existing zone is not a mistake, and there is no need to demonstrate a change in conditions in the surrounding area; the change in zone is necessary and appropriate.
- d. This request is legally necessary due to the annexation of the property; granting of this request is not a special privilege and no public need has to be demonstrated.

e. The subject property is adequate in size and shape for the proposed use to be rezoned from R-UGA to City Single Family Residential (RS-50).

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

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

Conclusion: The proposed recommended rezone to RS-50 is consistent with all applicable criteria and standards.

B. Annexation:

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

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

Findings:

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

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

3. The property is currently zoned for Residential use in the Urban Growth Area; the requested zone, City Single Family Residential RS-50, is consistent with existing property within the platted subdivision.

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

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

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

ANALYSIS:

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

ALTERNATIVES:

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

RECOMMENDATION:

The Planning Commission at a Public Hearing on July 10, 2017 made a motion that the request for annexation be approved and rezoning of the subject property from UGA Residential to Duplex Residential (RD-40), as set forth in ACTION 2017-04-04AZ not be recommended for approval and recommended rezoning to City Single Family Residential RS-50 and set the side yard for the two lots to 5 feet to the City Council, based on the information, findings and conclusions at said Public Hearing.

ATTACHMENTS:

1. Ordinance 2726-2017
2. Attachment "B" - Tax Map
3. Fair Housing Council Letter

ORDINANCE #2727-2017

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

- WHEREAS,** there has been submitted to the City of Ontario a written request for annexation and rezoning to the City signed by 100% of the owners of land within the affected territory to be annexed; and
- WHEREAS,** All of the owners of land in that territory have consented in writing to the annexation of their land in the territory and have filed a statement of their consent with the legislative body of the City; and
- WHEREAS,** The City Charter does not expressly require the City to submit a proposal of annexation of territory to the electors of the City; and
- WHEREAS,** All the owners has requested the lands to be rezoned from UGA Residential to City Duplex Residential (RD-40), but the Planning commission recommended the City Single Family Residential zone RS-50; and
- WHEREAS,** The City desires to withdraw the land to be annexed from the ONTARIO RURAL FIRE PROTECTION DISTRICT 7-302 and the ONTARIO RURAL ROAD ASSESSMENT DISTRICT NO. 3, pursuant to ORS 222.120(5) and has received assent from the Districts to do so;

NOW THEREFORE, THE CITY OF ONTARIO ORDAINS AS FOLLOWS:

1. Annexation Area. The following contiguous territory be and the same is hereby annexed: The property mapped and legally described in the attached Exhibits "A" and "B" respectively.
2. Rezoning. That based on the Planning Commission findings and recommendation the lands as shown and described in the attached Exhibits "A" and "B" be rezoned from UGA Residential to City Single Family Residential (RS-50).
3. Withdrawing above described area from Ontario Rural Fire Protection District 7-302. The Common Council of the City of Ontario deems it in the best interest of the public of the City of Ontario and hereby declares that the real property described hereinabove is withdrawn from the Ontario Rural fire Protection District No. 7-302 on the effective date of this annexation pursuant to ORS 222.120(5).

4. Withdrawing above described area from the Ontario Rural Road Assessment District No. 3. The Common Council of the City of Ontario deems it in the best interest of the public of the City of Ontario and hereby declares that the real property described hereinabove is withdrawn from the Ontario Rural Road Assessment District No. 3 on the effective date of this annexation pursuant to ORS Sections 222.120(5) and 222.510.
5. Record. The City Planner shall submit to the Oregon Secretary of State (1) a copy of this Ordinance, (2) a copy of the statement of consent of the landowner in the territory annexed; and (3) Shall send a description by metes and bounds, or legal subdivision, and a map depicting the new boundaries of the City within 10 days of the effective date of annexation to the Malheur County Assessor, Malheur County Clerk and the State Department of Revenue.

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

AYES:

NAYS:

ABSENT:

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

ATTEST:

Ronald Verini, Mayor

Tori Barnett, MMC, City Recorder

Exhibit "A"

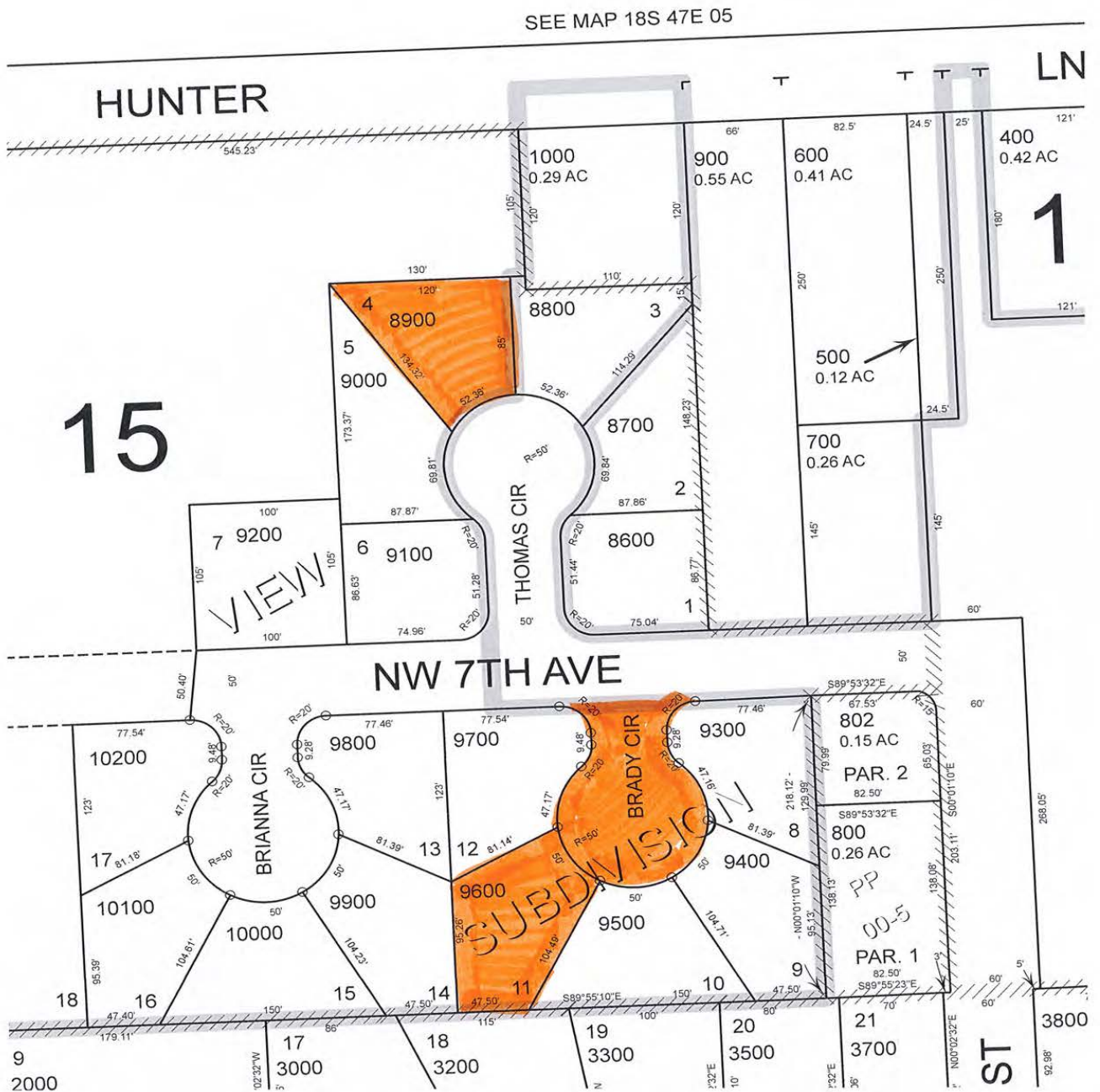
Property Description for Annexation/Rezone

City Action No. 2017-04-04AZ

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

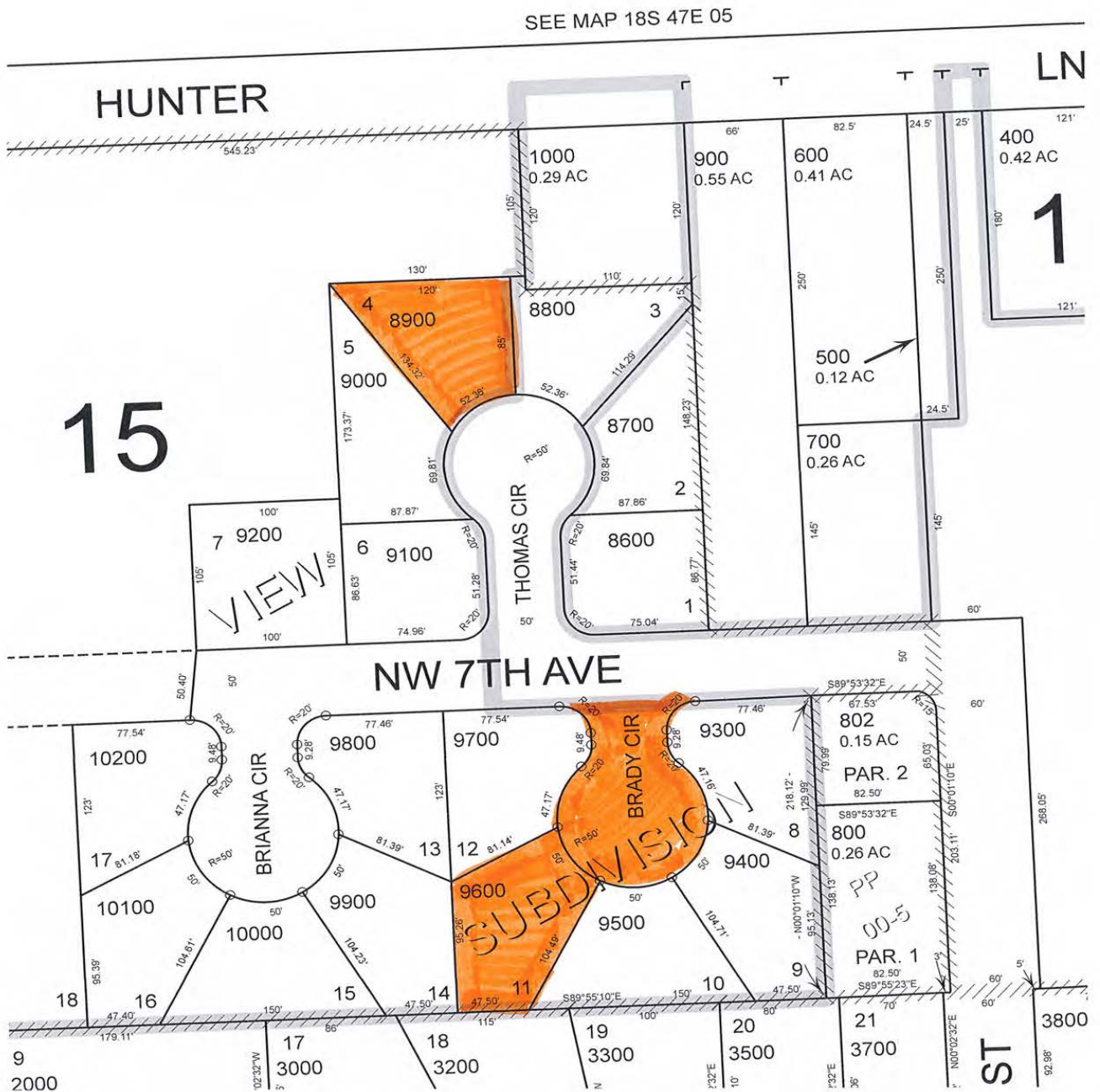
Exhibit "B"

Subject properties



Attachment "B"

Subject properties





July 9, 2017

Planning Commission
Community Development Building
458 SW 3rd Street
Ontario, OR 97914

Re: Action 2017-04-04AZ Annex from UGA Residential to RD-40 City Residential for two properties: 1936 Brady Circle and 18S4705AC Thomas circle 18S4705AC

Dear Commissioners:

This letter is submitted jointly by Housing Land Advocates (HLA) and the Fair Housing Council of Oregon (FHCO). Both HLA and FHCO are non-profit organizations that advocate for land use policies and practices that ensure an adequate and appropriate supply of affordable housing for all Oregonians. FHCO's interests relate to a jurisdiction's obligation to affirmatively further fair housing. Please include these comments in the record for the above-referenced proposed amendment.

As you may know, all amendments to the Comprehensive Plan Map and Zoning Map must comply with the Statewide Planning Goals. ORS 197.175(2)(a). However, the staff report for this proposal does not reference the proposal's impact on the City's Statewide Planning Goal 10 (Goal 10) obligations.

HLA and FHCO applaud the City's aim to increase its residential supply. However, when a decision is made affecting the residential land supply, the City must refer to its Housing Needs Analysis and Buildable Land Inventory to show that an adequate number of needed housing units (both housing type and affordability level) will be supported by the residential land supply after enactment of the proposed change. The record in support of the proposed amendment does not make clear how many residential units are permitted before and after the adoption of the proposed amendment.

Even when a proposal increases the residential land supply, the City must show that it is adding needed residential zones (e.g. RD-40). The City must demonstrate that its actions do not leave it



with less than adequate residential land supplies in the types, locations, and affordability ranges affected. *See Mulford v. Town of Lakeview*, 36 Or LUBA 715, 731 (1999) (rezoning residential land for industrial uses); *Gresham v. Fairview*, 3 Or LUBA 219 (same); see also, *Home Builders Assn. of Lane County v. City of Eugene*, 41 Or LUBA 370, 422 (2002) (subjecting Goal 10 inventories to tree and waterway protection zones of indefinite quantities and locations).

HLA and FHCO urge the Commission to defer adoption of the proposed amendment until the change in residential units permitted by the proposed amendment is made clear in the record. Thank you for your consideration. Please provide written notice of your decision to, FHCO, c/o Louise Dix, at 1221 SW Yamhill Street, #305, Portland, OR 97205 and HLA, c/o Jennifer Bragar, at 121 SW Morrison Street, Suite 1850, Portland, OR 97204. Please feel free to email Louise Dix at ldix@fhco.org or reach her by phone at (541) 951-0667.

Thank you for your consideration.

A handwritten signature in blue ink that reads "Louise Dix".

Louise Dix
AFFH Specialist
Fair Housing Council of Oregon

A handwritten signature in blue ink that reads "Jennifer Bragar".

Jennifer Bragar
President
Housing Land Advocates

cc: Gordon Howard (gordon.howard@state.or.us)



**AGENDA REPORT
PUBLIC HEARING
July 18, 2017**

To: Mayor and City Council

FROM: Dan Cummings, Community Development Director

THROUGH: Adam J. Brown, City Manager

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

DATE: July 14, 2017

PROPOSED MOTION:

THE PLANNING COMMISSION TABLED THIS ACTION UNTIL DATE UNCERTAIN WITH A NOT TO EXCEED OF 180 DAYS FOR ADDITION INFORMATION. STAFF RECOMMENDS THE CITY COUNCIL TABLE THIS ITEM TO A DATE UNCERTAIN TO BE ANNOUNCED AT THE NEXT PLANNING COMMISSION HEARING ON THIS ACTION.

MOTION: I MOVE THE CITY COUNCIL TABLE THIS ACTION ITEM UNTIL SUCH TIME AS THE PLANNING COMMISSION SEND A RECOMMENDATION TO THE CITY COUNCIL FOR ACTION.

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

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

OR

3. I MOVE THAT THE CITY COUNCIL DENY THE REQUEST FOR REZONE BASED OF THE FOLLOWING FINDINGS:

(STATE FINDING AND REASONING FOR DENIAL):

SUMMARY:

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

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

BACKGROUND:

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

CURRENT SITUATION:

The applicant/owner owns a parcel, known as Tax Map 18S4709BA, Tax Lot #3900, which is currently zoned City Single Family Residential (RS-50), and is requesting that this property be rezoned to High Density Residential (RM-10) to allow for better use and development of the properties.

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

Findings:

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

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

1. Citizen Involvement

Response:

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

2. Land Use Planning

Response:

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

3. Agricultural Lands

Response:

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

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

Response:

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

5. Air, Water and Land Resources Quality

Response:

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

6. Areas Subject to Natural Disasters and Hazards

Response:

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

7. Recreational Needs

Response:

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

8. Economic Development

Response:

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

9. Housing

Response:

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

10. Public Facilities and Services

Response:

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

11. Transportation

Response:

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

12. Energy Conservation

Response:

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

13. Urbanization

Response:

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

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

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

e. The subject property is a corner lot providing street frontage sufficient to accommodate the minimal additional parking related to the applicant's use and proposed use of the subject property. The size and shape of the property will allow for appropriate setbacks which would accommodate a larger building to be located on the property. As indicated in this application, applicant does not propose any redevelopment or construction on the property at this time which would change any zoning requirements applicable to the property. Any future development of the property would require compliance with zoning rules applicable to the property; however, the size and shape of the property should be sufficient to accommodate all reasonably feasible uses in the proposed zone.

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

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

Conclusion: Based on the findings above:

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

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

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

Comprehensive Plan is minimal. Therefore there is a change in social condition, and demonstrates that this criterion is met. **CRITERION IS MET**

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

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

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

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

Final Conclusion: ALL CRITERIA ARE MET

ANALYSIS:

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

comprehensive plan and zoning ordinances or Zoning Map.

ALTERNATIVES:

Alternatives could be as follows:

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

RECOMMENDATION:

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

ATTACHMENTS:

1. Ordinance #2727-2017
2. City Codes RS-50 & RM-10 Regulations
3. Oregon Fair Housing Council letter
4. Ord 2727-2017 LAS Revision



ORDINANCE #2727-2017

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

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

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

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

NOW THEREFORE, THE CITY OF ONTARIO ORDAINS AS FOLLOWS:

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

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

AYES:

NAYS:

EXCUSED:

ABSENT:

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

ATTEST:

Ronald Verini, Mayor

Tori Barnett, MMC, City Recorder

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

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

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

Exhibit "B"

Of subject property



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

SEE MAP 18S 47E 04CD



Attachment

Zoning regulations for RS-50 and RD-40

EXISTING ZONE:

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

PROPOSED ZONE:

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

-

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

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

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

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

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

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

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

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

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

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

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

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



July 9, 2017

Planning Commission
Community Development Building
458 SW 3rd Street
Ontario, OR 97914

**Re: Action 2017-05-08RZ Rezone from RS-50 Single Residential to RM-0 1 High
Density Residential: 489 SW 11th Street 18S4709BA Tax Lot #3900**

Dear Commissioners:

This letter is submitted jointly by Housing Land Advocates (HLA) and the Fair Housing Council of Oregon (FHCO). Both HLA and FHCO are non-profit organizations that advocate for land use policies and practices that ensure an adequate and appropriate supply of affordable housing for all Oregonians. FHCO's interests relate to a jurisdiction's obligation to affirmatively further fair housing. Please include these comments in the record for the above-referenced proposed amendment.

As you may know, all amendments to the Comprehensive Plan Map and Zoning Map must comply with the Statewide Planning Goals. ORS 197.175(2)(a). The staff report for this proposal references the proposal's impact on the City's Statewide Planning Goal 10 (Goal 10) obligations. Staff Report, p 5. However, these findings do not refer to the City's housing needs, as laid out in the City's Housing Needs Analysis and Buildable Land Inventory.

HLA and FHCO applaud the City's aim to increase its residential supply. However, when a decision is made affecting the residential land supply, the City must refer to its Housing Needs Analysis and Buildable Land Inventory to show that an adequate number of needed housing units (both housing type and affordability level) will be supported by the residential land supply after enactment of the proposed change. The record in support of the proposed amendment does not make clear how many residential units are permitted before and after the adoption of the proposed amendment.



Even when a proposal increases the residential land supply, the City must show that it is adding needed residential zones (e.g. RM-10). The City must demonstrate that its actions do not leave it with less than adequate residential land supplies in the types, locations, and affordability ranges affected. *See Mulford v. Town of Lakeview*, 36 Or LUBA 715, 731 (1999) (rezoning residential land for industrial uses); *Gresham v. Fairview*, 3 Or LUBA 219 (same); see also, *Home Builders Assn. of Lane County v. City of Eugene*, 41 Or LUBA 370, 422 (2002) (subjecting Goal 10 inventories to tree and waterway protection zones of indefinite quantities and locations).

HLA and FHCO urge the Commission to defer adoption of the proposed amendment until the change in residential units permitted by the proposed amendment is made clear in the record. Thank you for your consideration. Please provide written notice of your decision to, FHCO, c/o Louise Dix, at 1221 SW Yamhill Street, #305, Portland, OR 97205 and HLA, c/o Jennifer Bragar, at 121 SW Morrison Street, Suite 1850, Portland, OR 97204. Please feel free to email Louise Dix at ldix@fhco.org or reach her by phone at (541) 951-0667.

Thank you for your consideration.

A handwritten signature in blue ink that reads "Louise Dix".

Louise Dix
AFFH Specialist
Fair Housing Council of Oregon

A handwritten signature in blue ink that reads "Jennifer Bragar".

Jennifer Bragar
President
Housing Land Advocates

cc: Gordon Howard (gordon.howard@state.or.us)



ORDINANCE #2727-2017

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

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

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

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

NOW THEREFORE, THE CITY OF ONTARIO ORDAINS AS FOLLOWS:

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

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

AYES:

NAYS:

EXCUSED:

ABSENT:

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

ATTEST:

Ronald Verini, Mayor

Tori Barnett, MMC, City Recorder

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

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

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

Exhibit "B"

Of subject property



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

SEE MAP 18S 47E 04CD



Accounts Payable

Checks by Date - Summary by Check Date

User: kari.ott
Printed: 7/14/2017 4:43 PM

Check No	Vendor No	Vendor Name	Check Date	Check Amount
ACH	PRFED	PAYROLL TAXES	06/01/2017	185.32
ACH	PRORTAXE	OREGON DEPARTMENT OF REVENUE	06/01/2017	48.85
Total for 6/1/2017:				234.17
121707	&525	AMERICAN STAFFING, INC.	06/02/2017	519.13
121708	032180	ANYTIME SEPTIC SERVICES, LLC	06/02/2017	450.00
121709	364000	CLARION INN	06/02/2017	25.50
121710	879028	DAN CUMMINGS	06/02/2017	35.00
121711	262000	EASTSIDE FLORIST	06/02/2017	46.00
121712	878973	GUARDIAN MANAGEMENT COMPAN'	06/02/2017	471.10
121713	412500	KELLER ASSOCIATES, INC	06/02/2017	8,535.00
121714	MALLEAM/	MALLORY MALLEA	06/02/2017	35.00
121715	572000	ONTARIO SANITARY SERVICE, INC	06/02/2017	306.94
121716	583450	STATE OF OREGON DEPARTMENT OF	06/02/2017	1,080.00
121717	879166	PITNEY BOWES GOBAL FINANCIAL S	06/02/2017	953.25
121718	879102	PRO TECH COATINGS, INC.	06/02/2017	33,368.14
121719	879120	RECORD STEEL AND CONSTRUCTION	06/02/2017	403,471.35
121720	879197	LEVI ROMERO	06/02/2017	50.00
121721	666052	SAIF CORPORATION	06/02/2017	49,043.00
121722	684622	MARCY SIRIWARDENE	06/02/2017	35.00
121723	686822	SPRINT PCS	06/02/2017	108.80
121724	702008	STAPLES BUSINESS ADVANTAGE	06/02/2017	104.48
121725	879196	DIANE STOAKES	06/02/2017	20.00
121726	879146	TOSHIBA FINANCIAL SERVICES	06/02/2017	1,636.09
121727	788402	TRANSUNION RISK & ALTERNATIVE I	06/02/2017	140.00
121728	ZINKA	ANITA ZINK	06/02/2017	35.00
Total for 6/2/2017:				500,468.78
121729	879138	STANTEC CONSULTING SERVICE, INC	06/06/2017	1,955.80
Total for 6/6/2017:				1,955.80
121730	879058	A PLUS AWARDS	06/09/2017	20.00
121731	005800	ACTION MEDICAL, INC.	06/09/2017	4.90
121732	&525	AMERICAN STAFFING, INC.	06/09/2017	679.41
121733	UB*11302	YOLANDA ANDINO	06/09/2017	62.97
121734	033300	ARGUS OBSERVER	06/09/2017	1,072.05
121735	037600	AT&T	06/09/2017	20.56
121736	130624	B & W CAR WASH	06/09/2017	27.00
121737	879087	ADAM BROWN	06/09/2017	76.50
121738	130950	CABLE ONE	06/09/2017	297.95
121739	626400	CAMPO & POOLE DISTRIBUTING, LLC	06/09/2017	5,028.05
121740	192273	CBA LIGHTING & CONTROLS, INC	06/09/2017	339.44
121741	637830	CENTURY LINK	06/09/2017	1,579.21
121742	637828	Century Link Communications, LLC	06/09/2017	82.22

Check No	Vendor No	Vendor Name	Check Date	Check Amount
121743	878926	JARED CUTLER	06/09/2017	119.99
121744	UB*11298	DENISE ESSEX	06/09/2017	31.32
121745	UB*11303	DAVID & JACQUELINE EVANS \$\$	06/09/2017	175.09
121746	634311	FRAZIER AVIATION, LLC	06/09/2017	425.00
121747	333890	GRAPHIX WEAR	06/09/2017	1,575.00
121748	360015	HOME DEPOT CREDIT SERVICES	06/09/2017	63.92
121749	368200	HUGHES FIRE EQUIPMENT, INC.	06/09/2017	30.49
121750	UB*11296	NIKKA KELLY	06/09/2017	29.40
121751	UB*11300	ROSIE KNAPP	06/09/2017	57.46
121752	879191	Kristy's Custom Sewing	06/09/2017	15.00
121753	UB*11299	TYLER LAIRD	06/09/2017	114.43
121754	436000	LINDSAY ECOWATER, INC	06/09/2017	12.00
121755	UB*11301	MICHAEL \ VICTORIA MCLAY \ PARR	06/09/2017	102.75
121756	879113	Municipal Emergency Services Depository	06/09/2017	824.04
121757	22427	Murrysmith, Inc.	06/09/2017	7,182.87
121758	879163	ONTARIO AUTO RANCH	06/09/2017	110.70
121759	572000	ONTARIO SANITARY SERVICE, INC	06/09/2017	137.44
121760	UB*11297	ESMERALDA ONTIVEROS	06/09/2017	37.52
121761	516494	OREGON DEPARTMENT OF TRANSPOR	06/09/2017	666.84
121762	583401	OREGON DEPT OF ENVIRONMENTAL	06/09/2017	100,491.00
121763	702008	STAPLES BUSINESS ADVANTAGE	06/09/2017	108.26
121764	831840	VALLEY PAVING & ASPHALT, INC	06/09/2017	25,000.05
121765	879151	WASTE- PRO / ACCU-SHRED	06/09/2017	30.00
121766	878992	Wolfcom Enterprises	06/09/2017	80.00
121767	774001	WTECH LINK	06/09/2017	301.00
Total for 6/9/2017:				147,011.83
121769	144000	CASCADE NATURAL GAS CORP	06/16/2017	35.50
121770	192273	CBA LIGHTING & CONTROLS, INC	06/16/2017	320.00
121771	879133	COMMUNITY IN ACTION	06/16/2017	71,023.30
121772	289915	FIVE STAR CARPET CLEANING, INC.	06/16/2017	31,683.73
121773	634311	FRAZIER AVIATION, LLC	06/16/2017	1,510.00
121774	344128	CITY OF FRUITLAND	06/16/2017	4,880.66
121775	382005	Interpath Laboratory, Inc.	06/16/2017	1,140.00
121776	456402	MALHEUR COUNTY CLERK	06/16/2017	30.00
121777	602320	NAPA AUTO PARTS	06/16/2017	34.75
121778	879097	NEWEGG BUSINESS, INC.	06/16/2017	2,927.84
121779	539200	ONTARIO AREA CHAMBER OF COMM	06/16/2017	856.00
121780	878974	REVITALIZE ONTARIO	06/16/2017	4,844.00
121781	879199	Olivia Rodriguez	06/16/2017	750.00
121782	879200	Stunz Lumber Co., Inc.	06/16/2017	155.34
121783	&357	LARRY A. SULLIVAN	06/16/2017	1,284.50
121784	738002	SYMBOL ARTS, LLC	06/16/2017	256.00
121785	878931	TIRE FACTORY OF ONTARIO	06/16/2017	1,197.00
121786	878957	VALLI INFORMATION SYSTEMS, INC.	06/16/2017	2,283.36
121787	832852	MASTER CARD-WELLS FARGO	06/16/2017	11,203.78
Total for 6/16/2017:				136,415.76
121788	&525	AMERICAN STAFFING, INC.	06/23/2017	632.13
121789	879130	ANI-CARE ANIMAL SHELTER, INC.	06/23/2017	1,470.08
121790	879201	Braxton Bair	06/23/2017	57.00
121791	626400	CAMPO & POOLE DISTRIBUTING, LLC	06/23/2017	4,311.68
121792	144000	CASCADE NATURAL GAS CORP	06/23/2017	69.52
121793	192273	CBA LIGHTING & CONTROLS, INC	06/23/2017	94.80
121794	637830	CENTURY LINK	06/23/2017	436.10

Check No	Vendor No	Vendor Name	Check Date	Check Amount
121795	UB*11305	SANDRA DIAZ \$	06/23/2017	106.16
121796	UB*11304	NEAL ELLIOTT	06/23/2017	98.41
121797	&260	FOUR RIVERS CULTURAL CENTER	06/23/2017	19,902.83
121798	333852	GRAPHIC IMPRESSIONS	06/23/2017	365.00
121799	376000	IDAHO POWER CO	06/23/2017	1,746.65
121800	440000	LN CURTIS & SONS	06/23/2017	406.32
121801	441140	LOOKS NU, INC	06/23/2017	30.00
121802	UB*11306	MALHEUR EDUCATION SERVICE DIST	06/23/2017	82.18
121803	879173	TONIA MONTGOMERY	06/23/2017	60.00
121804	539200	ONTARIO AREA CHAMBER OF COMM	06/23/2017	15,529.59
121805	879012	STATE OF OREGON DEPT OF PUBLIC S	06/23/2017	120.00
121806	602520	PAYETTE COUNTY RECREATION DIST	06/23/2017	820.00
121807	642080	PETTY CASH	06/23/2017	179.47
121808	879149	PROFORCE LAW ENFORCEMENT	06/23/2017	286.95
121809	686822	SPRINT PCS	06/23/2017	109.00
121810	738002	SYMBOL ARTS, LLC	06/23/2017	90.00
121811	UB*11307	TROY WILLIAMS	06/23/2017	91.11
Total for 6/23/2017:				47,094.98
ACH	PRAFLAC	AMERICAN FAMILY LIFE ASSURANCE	06/30/2017	2,159.41
ACH	PRAMERF	AMERICAN FUNDS GROUP	06/30/2017	500.00
ACH	PRCCIS	E B S TRUST	06/30/2017	61,735.95
ACH	PRFED	PAYROLL TAXES	06/30/2017	60,596.34
ACH	PRNATW	NATIONWIDE RETIREMENT SOLUTION	06/30/2017	750.00
ACH	PRORJU	OREGON DEPARTMENT OF JUSTICE	06/30/2017	435.00
ACH	PRORTAXE	OREGON DEPARTMENT OF REVENUE	06/30/2017	16,022.59
ACH	PROSGP	OREGON SAVINGS & GROWTH PLAN	06/30/2017	2,200.00
ACH	PRPERS	OREGON PERS	06/30/2017	60,403.47
ACH	PRFED	PAYROLL TAXES	06/30/2017	892.08
ACH	PRORTAXE	OREGON DEPARTMENT OF REVENUE	06/30/2017	210.15
ACH	PRPERS	OREGON PERS	06/30/2017	1,002.47
19193	PRICMA	I C M A RETIREMENT TRUST 457	06/30/2017	150.00
19194	PRIDCHIL	IDAHO CHILD SUPPORT RECEIPTING	06/30/2017	734.96
19195	PRLINC	LINCOLN NATIONAL LIFE INS CO	06/30/2017	350.00
19196	PRSFIRE	STERLING SAVINGS BANK	06/30/2017	315.00
19197	PRUTCH	UTAH, OFFICE OF RECOVERY SERVICE	06/30/2017	716.00
121812	&525	AMERICAN STAFFING, INC.	06/30/2017	1,841.15
121813	032180	ANYTIME SEPTIC SERVICES, LLC	06/30/2017	85.00
121814	878915	CH2M HILL, OMI	06/30/2017	419,500.40
121815	184000	CLAIRES AUTOMOTIVE	06/30/2017	4,365.31
121816	364000	CLARION INN	06/30/2017	154.62
121817	190220	COMMERCIAL TIRE, INC.	06/30/2017	1,490.60
121818	879198	DIAMOND ASPHALT MAINTENANCE	06/30/2017	14,200.00
121819	333890	GRAPHIX WEAR	06/30/2017	934.00
121820	376000	IDAHO POWER CO	06/30/2017	1,457.20
121821	420000	JOHN DEERE FINANCIAL	06/30/2017	45.99
121822	422140	KINNEY INDUSTRIES, INC	06/30/2017	237.80
121823	440000	LN CURTIS & SONS	06/30/2017	293.83
121824	457799	MALHEUR DRAINAGE DISTRICT	06/30/2017	3,075.34
121825	602320	NAPA AUTO PARTS	06/30/2017	109.11
121826	879163	ONTARIO AUTO RANCH	06/30/2017	28,317.14
121827	572000	ONTARIO SANITARY SERVICE, INC	06/30/2017	306.94
121828	240100	STATE OF OREGON DCBS-FISCAL SER	06/30/2017	4,419.57
121829	583450	STATE OF OREGON DEPARTMENT OF	06/30/2017	3,780.00
121830	618100	PHYSICIANS PRIMARY CARE CENTER	06/30/2017	4,851.00
121831	672453	SEAWESTERN FIRE EQUIPMENT	06/30/2017	2,385.00

Check No	Vendor No	Vendor Name	Check Date	Check Amount
121832	878931	TIRE FACTORY OF ONTARIO	06/30/2017	517.00
121833	788203	TREASURE VALLEY COMMUNITY CO	06/30/2017	640.00
121834	878957	VALLI INFORMATION SYSTEMS, INC.	06/30/2017	181.29
121835	288897	VERIZON WIRELESS	06/30/2017	1,317.40
121836	879007	WEIDNER FIRE	06/30/2017	6,964.37
121837	863995	WHITE CLOUD COMMUNICATIONS, I	06/30/2017	4,160.00
121838	868215	WITMER PUBLIC SAFETY GROUP, INC	06/30/2017	201.99
121839	879206	Gabriel Aleman	06/30/2017	52.00
121840	879205	Rzel Bautista	06/30/2017	52.00
121841	879207	Zachary Carlson	06/30/2017	52.00
121842	334222	VICTOR GRIMALDO	06/30/2017	484.70
121843	879189	TERRY LEIGHTON	06/30/2017	25.85
121844	879208	Marcos Martinez	06/30/2017	52.00
121845	642080	PETTY CASH	06/30/2017	38.73
121846	879204	Eddie Rodriguez	06/30/2017	52.00
121847	879203	Alejandro Ruvalcaba	06/30/2017	59.50
121848	879043	MARGARET E. WOOD	06/30/2017	399.99
Total for 6/30/2017:				716,274.24
ACH	PRFED	PAYROLL TAXES	07/01/2017	1,515.93
ACH	PRORTAXE	OREGON DEPARTMENT OF REVENUE	07/01/2017	383.39
ACH	PRPERS	OREGON PERS	07/01/2017	1,700.29
Total for 7/1/2017:				3,599.61
ACH	PRFED	PAYROLL TAXES	07/07/2017	141.48
ACH	PRPERS	OREGON PERS	07/07/2017	265.29
121849	&525	AMERICAN STAFFING, INC.	07/07/2017	972.86
121850	037600	AT&T	07/07/2017	20.47
121851	130624	B & W CAR WASH	07/07/2017	27.00
121852	130950	CABLE ONE	07/07/2017	63.75
121853	626400	CAMPO & POOLE DISTRIBUTING, LLC	07/07/2017	3,753.60
121854	637828	Century Link Communications, LLC	07/07/2017	115.96
121855	520400	DORMANS, INC.	07/07/2017	19.62
121856	879209	Elite Extrication & Equipment	07/07/2017	649.95
121857	270285	ENHANCED TELECOMMUNICATIONS	07/07/2017	319.50
121858	333852	GRAPHIC IMPRESSIONS	07/07/2017	144.00
121859	879210	Idaho State Police	07/07/2017	100.00
121860	879211	Imaging Center of Idaho	07/07/2017	104.00
121861	879191	Kristy's Custom Sewing	07/07/2017	15.00
121862	425001	Laser Technology, Inc.	07/07/2017	558.00
121863	879189	TERRY LEIGHTON	07/07/2017	12.60
121864	436000	LINDSAY ECOWATER, INC	07/07/2017	10.00
121865	610100	MALHEUR MEMORIAL HEALTH CENT	07/07/2017	160.00
121866	618100	PHYSICIANS PRIMARY CARE CENTER	07/07/2017	17.00
121867	641142	RADAR SHOP	07/07/2017	567.00
121868	879145	SILVER SIGNET, LLC	07/07/2017	380.00
121869	878931	TIRE FACTORY OF ONTARIO	07/07/2017	617.00
121870	788402	TRANSUNION RISK & ALTERNATIVE I	07/07/2017	140.00
121871	863995	WHITE CLOUD COMMUNICATIONS, I	07/07/2017	13,725.08
121872	862500	Wilbur-Ellis Company, LLC	07/07/2017	100.00
121873	879026	ACCELA, INC. #774375	07/07/2017	18,629.68
121874	UB*11308	HEATHER BURKS	07/07/2017	27.81
121875	130950	CABLE ONE	07/07/2017	297.95
121876	143500	Cascade Fire Equipment Company	07/07/2017	43.54
121877	192000	CDW GOVERNMENT	07/07/2017	2,412.00

Check No	Vendor No	Vendor Name	Check Date	Check Amount
121878	15101	CITY OF ONTARIO	07/07/2017	3,900.00
121879	879028	DAN CUMMINGS	07/07/2017	35.00
121880	210200	CUSTOM MICRO INTERACTIVE	07/07/2017	5,000.00
121881	879025	iFOCUS CONSULTING	07/07/2017	14,400.00
121882	UB*11311	ANDREW KLOOSTERMAN	07/07/2017	116.56
121883	UB*11300	ROSIE KNAPP	07/07/2017	34.81
121884	428195	LEADS ONLINE, LLC	07/07/2017	1,668.00
121885	428200	LEAGUE OF OREGON CITIES	07/07/2017	8,176.60
121886	434008	Lexipol, LLC	07/07/2017	6,248.00
121887	436000	LINDSAY ECOWATER, INC	07/07/2017	7.00
121888	MALLEAM/	MALLORY MALLEA	07/07/2017	35.00
121889	477523	MUNICIPAL CODE CORPORATION	07/07/2017	350.00
121890	509600	NORTHWEST INSURANCE GROUP, INC	07/07/2017	2,915.00
121891	539200	ONTARIO AREA CHAMBER OF COMM	07/07/2017	1,500.00
121892	&419	Ontario Lions Club	07/07/2017	140.00
121893	583401	OREGON DEPT OF ENVIRONMENTAL	07/07/2017	840.00
121894	UB*11310	MCKENZIE PURNELL	07/07/2017	36.71
121895	368050	ROBB ENTERPRISES, INC	07/07/2017	107.29
121896	UB*11309	LESLIE ROBINSON	07/07/2017	55.22
121897	684622	MARCY SIRIWARDENE	07/07/2017	35.00
121898	802400	UNION PACIFIC RAILROAD COMPANY	07/07/2017	451.53
121899	847905	WES TEK MARKETING, LLC	07/07/2017	1,943.64
121900	ZINKA	ANITA ZINK	07/07/2017	35.00
121901	583401	OREGON DEPT OF ENVIRONMENTAL	07/07/2017	62,513.11
Total for 7/7/2017:				154,953.61
121902	879087	ADAM BROWN	07/10/2017	124.50
Total for 7/10/2017:				124.50
ACH	PRFED	PAYROLL TAXES	07/11/2017	294.28
ACH	PRPERS	OREGON PERS	07/11/2017	551.80
Total for 7/11/2017:				846.08
121903	032180	ANYTIME SEPTIC SERVICES, LLC	07/14/2017	105.00
121904	033300	ARGUS OBSERVER	07/14/2017	111.30
121905	144000	CASCADE NATURAL GAS CORP	07/14/2017	13.72
121906	637830	CENTURY LINK	07/14/2017	75.10
121907	247940	DOOLEY ENTERPRISES, INC	07/14/2017	1,476.00
121908	382005	Interpath Laboratory, Inc.	07/14/2017	9.35
121909	22427	MurrysSmith, Inc.	07/14/2017	23,261.20
121910	572000	ONTARIO SANITARY SERVICE, INC	07/14/2017	137.44
121911	242083	STATE OF OREGON DEPARTMENT OF	07/14/2017	3.00
121912	516494	OREGON DEPARTMENT OF TRANSPORTATION	07/14/2017	12,849.09
121913	528405	OSTER PROFESSIONAL GROUP, LLP	07/14/2017	23,000.00
121914	716553	ST LUKE'S	07/14/2017	46.00
121915	&357	LARRY A. SULLIVAN	07/14/2017	1,207.50
121916	879146	TOSHIBA FINANCIAL SERVICES	07/14/2017	2,442.72
121917	831840	VALLEY PAVING & ASPHALT, INC	07/14/2017	12,386.22
121918	878957	VALLI INFORMATION SYSTEMS, INC.	07/14/2017	1,943.16
121919	879151	WASTE- PRO / ACCU-SHRED	07/14/2017	30.00
121920	879202	West Valley Construction	07/14/2017	7,886.54
121921	879214	Baker Packing	07/14/2017	975.00
121922	130950	CABLE ONE	07/14/2017	63.75

Check No	Vendor No	Vendor Name	Check Date	Check Amount
121923	879215	Diego Castro	07/14/2017	41.00
121924	637830	CENTURY LINK	07/14/2017	1,466.48
121925	180798	CIS TRUST	07/14/2017	217,246.44
121926	634311	FRAZIER AVIATION, LLC	07/14/2017	425.00
121927	324000	GEM STATE COMMUNICATIONS INC	07/14/2017	470.00
121928	428200	LEAGUE OF OREGON CITIES	07/14/2017	2,200.00
121929	113500	ALLEN MONTGOMERY	07/14/2017	428.00
121930	589200	OREGON MAYORS ASSOCIATION	07/14/2017	275.00
121931	879213	Cameron Saito	07/14/2017	1,280.00
121932	738560	TAILORED SOLUTIONS CORPORATION	07/14/2017	705.00
121933	878921	WILKINS SAW & POWER EQUIPMENT	07/14/2017	75.00
121934	774001	WTECH LINK	07/14/2017	301.00
Total for 7/14/2017:				312,935.01
Report Total (253 checks):				2,021,914.37