

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



**COUNCIL MEETING AGENDA
CITY COUNCIL – CITY OF ONTARIO OREGON
TUESDAY, JUNE 23, 2026, 6:00 PM, MT
[Zoom Link](#)**

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

1) CALL TO ORDER

Roll Call: Susann Mills ____ Michael Braden ____ Ken Hart ____ Adrianna Contreras ____ John Kirby ____
Council President Penny Bakefelt ____ Mayor Deborah Folden ____

2) PLEDGE OF ALLEGIANCE

This Agenda was posted on June 19, 2026. 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) CONSENT AGENDA

A) Approval of Council Meeting Minutes: June 9, 2026

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

6) NEW BUSINESS

- A) Rural Contract Approval
- B) SRV Mutual Aid Contract
- C) Resolution #2026-117: Finance End of Year

7) PUBLIC HEARING

- A) Resolution #2026-115: Election to Receive State Revenues
- B) Resolution #2026-116: Adopt City of Ontario Annual Budget FY2026-2027
- C) CDBG Final Notice: Design Services for River Intake Project
- D) CDBG Initial Notice: Construction Application for River Intake Project

8) DEPARTMENT HEAD UPDATES

A) Finance: Monthly Report

9) DISCUSSION ITEMS

10) HAND-OUTS

A) Minutes: County Court 05/20/2026, 05/27/2026, 06/03/2026, 06/10/2026

11) CORRESPONDENCE, COMMENTS AND EX-OFFICIO REPORTS

12) ADJOURN

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

The City of Ontario does not discriminate in providing access to its programs, services and activities on the basis of race, color, religion, ancestry, national origin, political affiliation, sex, age, marital status, physical or mental disability, or any other inappropriate reason prohibited by law or policy of the state or federal government. Should a person need special accommodations or interpretation services, contact the City at 889-7684 at least one working day prior to the need for services and every reasonable effort to accommodate the need will be made.



CITY COUNCIL MEETING MINUTES June 9, 2026

The scheduled meeting of the Ontario City Council was called to order by Mayor Deborah Folden at 6:00 p.m. on Tuesday, June 9, 2026, in the Council Chambers of City Hall. Council members present were Deborah Folden, Susann Mills, Michael Braden, Penny Bakefelt, and Adriana Contreras. Ken Hart and John Kirby were excused.

Staff present were Dan Cummings, Tori Barnett, Corinna Hysell, Clint Benson, Kari Ott, Andy Wood, Tatiana Burgess, Casey Mordhorst, Marshall Pierce, Al Haun, and Jason Cooper.

AGENDA

This Agenda was posted Friday, June 5, 2026. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website www.ontariooregon.org.

MILLS moved, CONTRERAS seconded, **TO ADOPT THE AGENDA AS PRESENTED**. Roll call vote: Mills-yes; Braden-yes; Hart-out; Contreras-yes; Kirby-out; Bakefelt-yes; Folden-yes. Motion carried 5/0/2.

CONSENT AGENDA

BAKEFELT moved, MILLS seconded, **TO ADOPT THE CONSENT AGENDA, WHICH CONSISTED OF ADOPTION OF COUNCIL MEETING MINUTES OF MAY 12, 2026**. Roll call vote: Mills-yes; Braden-yes; Hart-out; Contreras-yes; Kirby-out; Bakefelt-yes; Folden-yes. Motion carried 5/0/2.

PUBLIC COMMENT

Travis Williams, Ontario Sanitary Service, stated: *Just wanted to stop in and kind of give an update, kind of a mid-year update with Ontario Sanitary and the City of Ontario. I know that last time I was in here we had kind of talked about opening the transfer station, getting that back open for public use. It took a lot longer than I thought with permitting and our operations plan, but we have that in place now. So, with staffing right now, we're going to open it starting this Friday, actually, just Fridays only from noon to four until we can kind of get some more staffing in place and to also kind of see the need for it and the use that we'll get out of it. I was talking to, we might be able to help with some of the city clean up with the homeless encampment stuff, too, were we can kind of accept that stuff there and save a trip to Clay Peak, a little closer for you guys, work something out there, too, so we'll, if we can kind of work that on the side, maybe open it for a day, Monday, Tuesday, or Wednesday, whatever day of the week that we could just kind of coordinate that and make that available so that we can help out there. But, going forward for right now, just Fridays, noon to four, transfer station will be open and that's open to the public, not open to commercial business. We're not really set up right now to accept commercial haulers to bring in, whether it's roofing materials or construction debris, and that sort of thing. Really just to the general public right now allow that. The second thing I wanted to kind of bring up, we received a new truck. It'll be a residential sideload truck, so it'll be here in town. Right now, we're going through all the process to get it ready for the road. We did, we just got it last week. We did something similar where we want to do with this truck on the Payette side is we got a wrap for the side of it that kind of showed the cities that we serve with Payette, Fruitland, and New Plymouth, and so it's got all the high school's logos on it. We've got a lot of comments, a lot of good feedback for that, so we want to do something similar with Ontario. I don't know if we just put Ontario High School on there. We'd like to kind of make it a little more Ontario themed, so if you guys have any ideas or suggestions of something you might want to see on the side of the truck, feel free to let me know. I've talked to Dan quite a bit, so Dan could share it with me, but yeah, we're trying to look for something to put on the side of that thing to incorporate the town and the community. So, if you've got any ideas, please share them. Other than that, I just kind of want to stand up here and see if you guys have any questions or comments or anything.*

Councilor Mills asked if the transfer station was in the same location as before.

Mr. Williams: *The transfer station? Yes, it is. It's just in the back building. What kind of took so long was getting a way to be able to charge for people bringing stuff in, so we had to put in a lot of infrastructure for internet service back there, a metal building, obviously, was not conducive for internet, so we had to do some stuff with it. So that's all set up, the scale's all set up, we can bring people in to do everything there and capture all that. So, it's ready to go. Friday will be our first day of running that.*

Councilor Mills asked if there was anything they would not take at the transfer station?

Mr. Williams: *Yeah, no appliances, refrigerators, any of that sort, no tires, but any household waste, yeah, we can take that. And no C and D, no construction debris.*

OLD BUSINESS

Bid Award: AIP 25 Helicopter Parking Pad

Andy Wood, Airport Manager, presented.

The Helicopter Parking Pad project was a single pad to accommodate a Robinson R-44 Helicopter. This would increase safety around the airport ramp in accordance with the Capital Improvement Plan and Airport Master Plan to separate fixed wing aircraft from rotary aircraft. This area would help reduce fueling incidents around the fuel farm by setting out a landing area for rotary aircraft.

The City of Ontario Municipal Airport Layout Plan set forth the improvements to the west side of Silverhawk FBO for planned growth and development of the site. JUB, Airport Engineers, completed an environmental request. On February 5, 2026, the Oregon Department of Aviation's (ODAV's) Aviation Review Committee recommended the project to the Oregon State Aviation Board. The bids were opened on April 1, 2026 and the Airport Infrastructure Grant (AIG) funding to cover the shortfall in construction costs. The COAR Grant was executed on May 29, 2026.

FAA Airport Improvement Project (AIP) Grant: \$315,790 – Grant Total; \$300,000 - AIP Grant (95%); \$14,211 - COAR Grant from OregonDAV (4.5%); \$1,579 - City Match (0.5%)

FAA Airport Infrastructure Grant (AIG Companion Grant): \$28,747 – Grant Total; \$27,310 - AIG Grant (95%); \$1,293 - COAR Grant from OregonDAV (4.5%); \$144 - City Match (0.5%) Total

Total project cost: \$344,537; Total city match: \$1,723.00. In the 2025-2026 budget, Minor Airport Improvements was allocated \$3,000.00 for Helicopter Parking Pad Design and Construction.

The lowest bid was 18% higher than the Engineer's estimated cost. The bid received from Gyllenberg Construction, Inc, Baker City, OR was \$195,687.09. The next stage was the City Manager signing the construction agreement with the contractor, Gyllenberg Construction, Inc.

Oregon State Law required the city to notify the other bidders in writing at least seven days prior to awarding the project to the successful bidder. Notice was sent out on May 26, 2026. The project was available to start construction when the City Manager signed the construction agreement.

CONTRERAS moved, MILLS seconded, **THE CITY COUNCIL ACCEPT THE LOWEST BID AND AUTHORIZE THE CITY MANAGER TO SIGN ALL DOCUMENTS FOR THE CONSTRUCTION OF THE HELICOPTER PARKING PAD WEST OF SILVERHAWK FBO OFFICE UPON FINAL FUNDING AVAILABILITY.** Roll call vote: Mills-yes; Braden-yes; Hart-out; Contreras-yes; Kirby-out; Bakefelt-yes; Folden-yes. Motion carried 5/0/2.

Resolution #2026-113: Support of New Plumbing & Electrical Apprenticeship

Dan Cummings, City Manager, presented.

The State of Oregon Bureau of Labor and Industries (BOLI) did not allow electrical or plumbing apprenticeship programs for high school students. The pre-apprenticeship program builds skills and permits students to explore electrical and plumbing careers, but it did not grant hands-on training and classroom instruction to directly apply or count toward an Oregon plumbing or electrical apprenticeship license.

At the last Council meeting, Riley Hill asked the City Council for a letter of support for a resolution being presented to Malheur County in support of high school students participating in a new plumbing and electrical apprenticeship program created with a curriculum, classroom instruction, and job training wherein a student's time, costs, knowledge and successes are directly honed toward Oregon apprentice plumbing and electrical qualifications.

The Council approved their letter to the Malheur County Court. The Malheur County Court approved Resolution No. R26-20 in support of a new plumbing and electrical apprenticeship program for high school students in Malheur County on May 27, 2026.

This was a resolution to support high school students participating in a new plumbing and electrical apprenticeship program created with a curriculum, classroom instruction, and job-training wherein a students' time, costs, knowledge and successes were directly honed toward Oregon apprentice plumbing and electrical qualifications.

BAKEFELT moved, **CONTRERAS** seconded, **THE CITY COUNCIL APPROVE RESOLUTION #2026-113, A RESOLUTION IN SUPPORT OF A NEW PLUMBING AND ELECTRICAL APPRENTICESHIP PROGRAM FOR HIGH SCHOOL STUDENTS IN MALHEUR COUNTY AND THE STATE OF OREGON.** Roll call vote: Mills-yes; Braden-yes; Hart-out; Contreras-yes; Kirby-out; Bakefelt-yes; Folden-yes. Motion carried 5/0/2.

Silverhawk Airport Lease Extensions

Dan Cummings, City Manager, presented.

The City of Ontario and Silverhawk Properties, LLC entered into five airport leases, which would expire on October 1, 2026.

As per the lease agreements, Silverhawk has the right to extend the leases for an additional five (5) years provided they submit that request in writing to the city at least 120 days prior to the expiration date as long as they are not in default of the agreements. Silverhawk Properties LLC, by a letter dated May 5, 2026, exercised their right under the four (4) lease agreements to extend their lease for an additional five (5) years.

The city, City Airport Committee, and Silverhawk have been working on and discussing a few items that all parties felt needed to be addressed. At the Airport Committee meeting of May 4, 2026, unanimously voted to recommend the City of Ontario enter negotiations with Silverhawk to renew their FBO lease.

MILLS moved, **CONTRERAS** seconded, **THE CITY COUNCIL RECOGNIZE SILVERHAWK PROPERTIES LLC RIGHT TO EXTEND ALL FOUR (4) AIRPORT LEASES TO ANOTHER TERM OF FIVE (5) YEARS AND AUTHORIZE THE CITY MANAGER TO SIGN ANY AND ALL AMENDMENTS TO ANY OF THE LEASES THAT BOTH PARTIES AGREE TO.** Roll call vote: Mills-yes; Braden-yes; Hart-out; Contreras-yes; Kirby-out; Bakefelt-yes; Folden-yes. Motion carried 5/0/2.

NEW BUSINESS

Utility Billing Write-Offs

Mayor Folden declared a conflict of interest in this action, passed the matter to Council President Penny Bakefelt, and then stepped away from the dais.

Kari Ott, Finance Director, presented.

As required by the Allowance for Bad Debts and Write Offs Policy, the Council needs to approve accounts to write-off before they are written off and/or sent to collections. The list of accounts proposed to write off is attached to the report, and are all over 120 days past due.

There are \$26,0185.12 in utility bills are deemed uncollectible by the city and will go to Advantage Financial Credit Services. The remaining interest of \$30,349.89 and accounts for a deceased person or in bankruptcy of \$1,846.98 will be written off. The total amount to be written off the books is only approximately 0.7% of the \$7.5 million water, sewer, and storm revenues.



The collections agency (Advantage Financial Credit Services) will be sent accounts totaling \$26,018.12 (which includes the allowable interest). The remaining interest not allowed to go to collections will be written off. The last time utility accounts were written off was December 2024.

Councilor Mills stated some of the bills were pretty high, which hadn't been paid by individuals or companies, so was there a certain point where the water was turned off?

Ms. Ott stated yes, when the accounts were 60 days old, the water was turned off. The basic process was that a bill would go out, if that wasn't paid a "blue" letter was sent, and they also call people, and some compliance was obtained that way.

Councilor Mills stated it seemed they were sending a message that someone didn't pay their water bill, it would just get written off. If the same person came back, even a year later, and they wanted water again, then what?

Ms. Ott stated they would have to pay the collections bill first, then the city was notified the collections bill was paid, and then they could get water back on.

Councilor Mills asked what the percentage was of the 2024 collections that the city collected that was turned over to the collection agency.

Ms. Ott stated she did not have the percentage, but it wasn't very much. The city received some, but the collection agency kept some too, but there was not a whole lot remitted to the city. Maybe a few thousand.

Councilor Mills asked how long was once the water was turned off before it went to collections?

Ms. Ott stated it was another two months before that could be done because the city waited 120 days in an attempt to get the payment. The city continued to send bills until was eventually turned over to collections.

Councilor Bakefelt asked that for some of the larger bills, what about placing a lien, or were these mostly renters, not homeowners?

Ms. Ott stated liens had been discussed before, but with the amount of the bills, it was not always worth it because to try to collect on a lien was tough, and the city was not usually going to be in first position on a lien. She was not sure if the city could even legally do that.

Mr. Cummings stated the majority were usually renters, not property owners, so it was difficult to put a lien on the property.

CONTRERAS moved, BRADEN seconded, THE CITY COUNCIL APPROVE THE LIST OF UTILITY BILLING WRITE-OFFS AS PRESENTED AND AUTHORIZE SENDING THE APPLICABLE ACCOUNTS TO COLLECTIONS. Roll call vote: Mills-yes; Braden-yes; Hart-out; Contreras-yes; Kirby-out; Bakefelt-yes; Folden-abstain. Motion carried 4/0/2/1.

Mayor Folden returned to her seat at the dais.

New Hangar Build Land Lease: 143 Cessna
Andy Wood, Airport Manager, presented.

Jeffrey Boos would like to acquire a land lease to build a future hangar in Ontario to finish his RV-9 and continue flying. Mr. Boos visited several local airports and decided to request to lease land at Ontario Municipal Airport to build a purpose-built hangar. This fall, he planned to attend Treasure Valley Community College to get his pilot license reinstated and to earn his instrument rating.

MILLS moved, CONTRERAS seconded, THE CITY COUNCIL APPROVE THE LAND LEASE FOR JEFFERY BOOS TO LEASE AIRPORT LAND AND HANGAR BUILD A NEW HANGAR ON 143 CESSNA AND AUTHORIZE THE CITY MANAGER TO SIGN ALL DOCUMENTS. Roll call vote: Mills-yes; Braden-yes; Hart-out; Contreras-yes; Kirby-out; Bakefelt-yes; Folden-yes. Motion carried 5/0/2.

Contract and Task Order Award: Anderson Perry New Storage Tank and Pump Station

Marshall Pierce, City Engineer, presented.

The city's 2021 Water Master Plan (WMP) identified priority improvements for its drinking water supply, treatment, storage, and distribution. This project was identified as a priority improvement for storage and distribution. In 2024, the city pursued a SDW and Water/Wastewater (W/WW) Loan and was awarded and approved by City Council in 2025. The city then issued a Request for Qualification (RFQ) statement and selected Anderson Perry as the most qualified firm to perform the services. The city received a total of four respondents to the RFQ: RH2 Engineering, Anderson Perry, Keller Associates, and Consor. The Selection Committee included a total of five persons comprised of both Jacobs and city staff, with scoring categories including Project Team Resources and Professional Qualification, Experience, Method of Approach, Availability and Past Performance, and References.

The city was now in a position to award the engineering services portion of the Safe Drinking Water (SDW) and Water/Wastewater (W/WW) loan that was received last year, in the amount of \$721,000. After a public solicitation for qualification statements, Anderson Perry was selected for this project.

Councilor Mills asked the difference between a tall holding tank and a round one.

Mr. Pierce stated it was just the size and configuration, essentially volume.

Councilor Mills asked if they were about 1,000,000 gallons.

Mr. Piece stated no. Originally, they proposed 3M gallons, but after months of working with them, they realized that 3M was not sufficient, so they were probably looking at a 4M gallon tank. That would accommodate future growth in the city.

Councilor Bakefelt asked if they built a bigger tank, how much more space was that?

Mr. Piece stated there were two at Eastside Park. One was 1.9M, the other 2.5M gallons. A 4M gallon tank would not be significantly larger. Maybe a larger diameter, slightly taller.

Councilor Mills asked if that was in addition to what was there?

Mr. Piece stated no. The intent was to replace those two tanks, but with the additional growth anticipated, they were going to see about nursing one of the tanks that was in better condition to keep it online longer as they phased out the two tanks.

Councilor Mills asked about the timeframe.

Mr. Pierce stated design was over a year, construction around a year, too. That included the tank, the pump station, and all the piping.

MILLS moved, BAKEFELT seconded, THE CITY COUNCIL APPROVE THE PROFESSIONAL SERVICES AGREEMENT (PSA) AND THE TASK ORDER AWARD TO ANDERSON PERRY FOR THE DESIGN OF THE CITY'S NEW WATER STORAGE TANK AND BOOSTER PUMP STATION, IN THE AMOUNT OF \$721,000 AND AUTHORIZE THE CITY MANAGER TO SIGN ALL DOCUMENTS. Roll call vote: Mills-yes; Braden-yes; Hart-out; Contreras-yes; Kirby-out; Bakefelt-yes; Folden-yes. Motion carried 5/0/2.

Task Order Award: Ducote Consulting Safe Drinking Water (SDW) Grant Management and Environmental Reviewer Services

Marshall Pierce, City Engineer, presented.

The City of Ontario had a SDW and Water/Wastewater (W/WW) Program loan for a new Water Treatment Plan (WTP) storage tank and booster pump station. The current and first phase of the project was the engineering design. The project would improve the reliability and capacity of the city's drinking water supply system. The improvement was a component of the city's overall Drinking Water Master Plan approved by the Oregon Health Authority in 2021. Ducote Consulting had worked with the City on previous federal grant and loan projects and had always performed to staff's satisfaction, and was selected for this project.



The City was in a position to begin the design phase of the project and needed a Grant Administrator, as well as an Environmental Reviewer for the duration of the project.

BAKEFELT moved, CONTRERAS seconded, **THE CITY COUNCIL APPROVE DUCOTE CONSULTING'S GRANT MANAGEMENT TASK ORDER FOR \$25,000 AND THE ENVIRONMENTAL REVIEWER TASK ORDER FOR \$20,000 FOR THE SAFE DRINKING WATER (SDW) LOAN FOR THE NEW WATER STORAGE TANK AND BOOSTER PUMP STATION AND AUTHORIZE THE CITY MANAGER TO SIGN ALL DOCUMENTS.** Roll call vote: Mills-yes; Braden-yes; Hart-out; Contreras-yes; Kirby-out; Bakefelt-yes; Folden-yes. Motion carried 5/0/2.

Bid Award: Insituform – 2026 Collection System Rehab Project

Marshall Pierce, City Engineer, presented.

The city's new National Pollutant Discharge Elimination System (NPDES) Permit issued by the Oregon Department of Environmental Quality (DEQ) became effective on March 1, 2026. This permit required biennial collection system rehab projects in an attempt to lower pollutants (e.g. arsenic) entering the collection system, the Wastewater Treatment Plant (WWTP), and eventually the Snake River. The City of Ontario's bid opening for the 2026 Collection System Rehab Project occurred on March 25, 2026. Two responsive bids were received, with Insituform being the low responsive bidder. Their base bid amount was \$591,890, plus \$150,000 in additive bid items as budget allowed.

The city received a fair low bid for this project and is in a position to award the project within budget.

Councilor Mills asked how many bids had been received for this project.

Mr. Pierce stated they had received two, but 30 minutes later, they received two more, after the deadline. The contract required the bids remain sealed and they had to be returned to the bidder, so they had no idea what the bids were. Staff was pleasantly surprised at how low Insituform's bid was, and they were a global company that was very efficient.

MILLS moved, BRADEN seconded, **THE CITY COUNCIL APPROVE THE BID AWARD TO THE LOWEST RESPONSIVE BIDDER, INSITUFORM, FOR \$741,890, PLUS A 5% CONSTRUCTION CONTINGENCY (\$37,095), FOR A TOTAL AWARD AMOUNT OF \$778,985, AND AUTHORIZE THE CITY MANAGER TO SIGN ALL DOCUMENTS.** Roll call vote: Mills-yes; Braden-yes; Hart-out; Contreras-yes; Kirby-out; Bakefelt-yes; Folden-yes. Motion carried 5/0/2.

Task Order Amendment Award: Keller Associates Services During Bidding and Construction 2026 Collection System Rehab Project

Marshall Pierce, City Engineer, presented.

This project was an ODEQ required project per the new Permit's Compliance Schedule. Keller Associates performed engineering design for this project last year. Two bids were received in March this year, with notice of award to the low bidder being the previous Agenda item at this Council Meeting. This Task Order was for Keller Associates to provide SDC for this project for the full duration.

The city was in a position to get started with construction for this project, and needed the design consulting engineer to provide SDC services for the entire construction duration. Staff was ready to award this Task Order Amendment to Keller Associates.

CONTRERAS moved, MILLS seconded, **THE CITY COUNCIL APPROVE KELLER ASSOCIATES SERVICES DURING BIDDING AND CONSTRUCTION (SDC) TASK ORDER AMENDMENT NUMBER 1 IN THE AMOUNT OF \$76,200, FOR THE 2026 COLLECTION SYSTEM REHAB PROJECT AND AUTHORIZE THE CITY MANAGER TO SIGN ALL DOCUMENTS.** Roll call vote: Mills-yes; Braden-yes; Hart-out; Contreras-yes; Kirby-out; Bakefelt-yes; Folden-yes. Motion carried 5/0/2.

Bid Award: Lion's Park Parking Lot and Sidewalk

Al Haun, Assistant Project Director, presented.

Funding for a parking lot to be constructed in Lion's Park was approved by Council earlier this year. This funding, along with approved Parks CIP funds, would construct the parking lot, sidewalk along SW 2nd Avenue, and a section of the North South Trail from SW 2nd Avenue to the center sidewalk. All access would be ADA accessible throughout the park. Five bids were received, spanning from \$248,296 to \$367,318.

Parking around Lion's Park is very limited and with the large events held in the park, this would benefit all patrons that attended the various events. The sidewalks were not complete around the park and would be completed in this project.

Councilor Mills commented that after the Global Village event last weekend, the parking was everywhere, so this would be a great asset to the park and the functions that occurred down there.

Councilor Bakefelt asked when they anticipated breaking ground and completing the project.

Mr. Haun stated when he spoke with the contractor, it was indicated he was eager to begin the process, and planned to get started following Council approval of the bid award. He thought the project would be completed fairly quickly.

Councilor Mills asked if this would have any issues with the current pool construction project.

Mr. Haun stated no. The contractor who was doing the pool project, who had also bid on the sidewalk project, and during the pre-bid meeting, he was great to work with, stating if he was not the winning bid, he would be willing to work with the winning contractor as long as there was communication about the need to move fences, etc., but it was not going to set anything back. Access could also be gained from the opposite side of the area.

Councilor Mills asked if it was vertical parking.

Mr. Haun stated it was diagonal. Cars would enter on the swimming pool side, and exit out onto 2nd.

MILLS moved, BAKEFELT seconded, **THE CITY COUNCIL APPROVE THE BIDS RECEIVED AND AWARD THE LION'S PARK PARKING LOT AND SIDEWALK PROJECT TO BEZATES EXCAVATION IN THE AMOUNT OF \$248,296 AND APPROVE THE CITY MANAGER TO SIGN ALL DOCUMENTS.** Roll call vote: Mills-yes; Braden-yes; Hart-out; Contreras-yes; Kirby-out; Bakefelt-yes; Folden-yes. Motion carried 5/0/2.

Resolution #2026-114: GASB54

Kari Ott, Finance Director, presented.

Government Accounting Standards Board (GASB) No. 54 was adopted by the city during the fiscal year ended June 30, 2011. The City Council was required to formally establish spending policies for ending fund balances annually by formal resolution.

The city needed to commit the 2025-2026 ending fund balances in the Revolving Loan Fund, Capital Projects Fund, Trust Fund, and Reserve Fund for use in the 2026-2027 fiscal year. All commitments of the fund balances were required to be approved on or before the end of the fiscal year.

MILLA moved, BAKEFELT seconded, **THE CITY COUNCIL APPROVE RESOLUTION #2026-114, A RESOLUTION ESTABLISHING POLICIES RELATING TO ENDING FUND BALANCES OF 2025-2026.** Roll call vote: Mills-yes; Braden-yes; Hart-out; Contreras-yes; Kirby-out; Bakefelt-yes; Folden-yes. Motion carried 5/0/2.

PUBLIC HEARING(S)**Ordinance #2847-2026: Annexation of Tax Lots 700 and 802 on Assessor's Map 18S47E11BC and Rezoning from Urban Growth Area Commercial Zone and Urban Growth Area Residential Zone to City General Commercial Zone**

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

Tatiana Burgess, Community Development Director, presented.

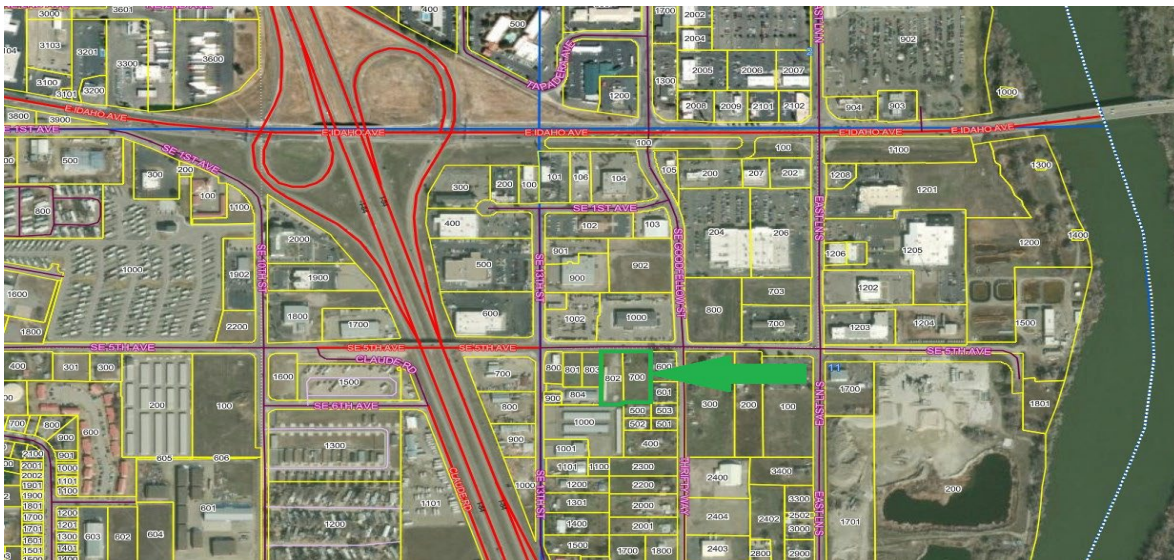
The applicant, Sulaiman Rahmani, and owner, Abdul Rahmani, requested that tax lot 802 on Assessor's Map 18S47E11BC be annexed into the City of Ontario, and rezoned from Urban Growth Commercial Zone (UGB-C) to City General Commercial Zone (O-C-2) and tax lot 700 on Assessor's Map 18S47E11BC be annexed into the City of Ontario and rezoned from Urban Residential Zone (UGB-R) to City General Commercial (O-C-2).

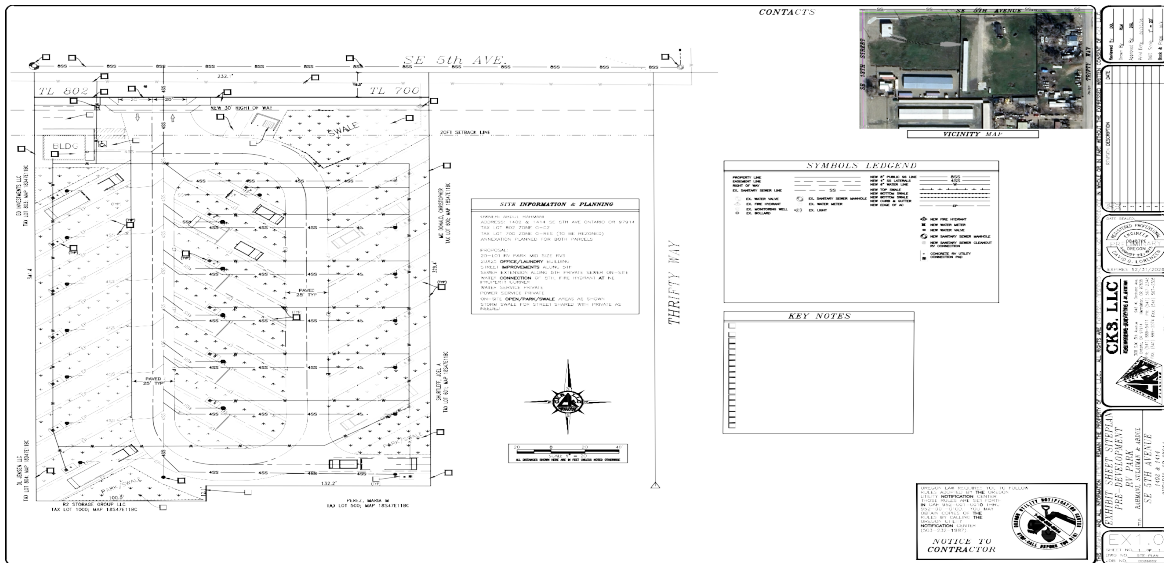
The subject parcels were 1.65 acres in total, more or less, and were the site of an old dwelling, as well as a small mini storage facility. The sites faced SE 5th Avenue, along an unimproved road section. Required notices were sent to adjoining landowners, Department of Land Conservation and Development, Malheur County, the Rural Road Assessment District #3, Oregon Department of Transportation (ODOT), Ontario city departments, and published in the Argus Observer on April 15 and May 20, 2026.

The Planning Department received a letter from ODOT on May 1, 2026, informing staff that ODOT had no comments or concerns regarding the proposal. The Planning Department also received a letter from the Fair Housing Council (FHCO) of Oregon on June 1, 2026, informing staff that FHCO was satisfied with the findings of the proposed zoning map amendment.

A Planning Commission hearing was held on May 11, 2026, and via a unanimous vote, it was recommended that the City Council approve this annexation.

The applicant intended to develop the site into a 20-space RV park with full utility hookups (water, sewer, electricity) at each space, a 500 square foot office and laundry building, trash enclosure, privacy fencing, landscaping, and public improvements, including curb, gutter, sidewalk, fire hydrant, and stormwater swales along SE 5th Avenue. All 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 was found to be consistent with the Zoning Ordinance, it was considered to be consistent with the Comprehensive Plan, and the planned development was an approved zoning under 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 finding 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 affecting 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 affected 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 affected 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:

1. Explain how the proposed zoning map amendment is in conformance with statewide planning goals and guidelines.

The City of Ontario, Malheur County and the State of Oregon have all agreed upon the Comprehensive Plan and Map. Within that map, the proposed annexation will close the gap in the zoning map, and provide and eliminate an urban growth area, that is currently surrounded in its entirety by properties that had been previously annexed into the City. Statewide Planning Goal 10 - Housing - specifies the State's housing needs for its citizens. Ontario has adopted its most recent Housing Needs Analysis and Buildable Lands Inventory in 2021, which established that Ontario had an active deficit of about 11.2 acres of Commercially-zoned land and an overall surplus of 177 acres of different variations of Residentially-zoned lands within the Urban Growth Area (UGA). The applicant chose to rezone the subject parcels, and assign the City's General Commercial (C-2) zone, to preserve long-term flexibility for multi-family residential developments or other expansive commercial uses. If the proposed annexation and rezoning is approved, the subject parcel will positively affect the identified needs of the Buildable Lands Inventory, by decreasing the surplus of residentially zoned land within the UGA by 0.92 acres, by annexing and rezoning tax lot 700, as well as reducing the identified deficit of commercially zoned land within the city limits, by 1.65 acres, by annexing and rezoning both tax lots 700 and 801, to the C-2 zone. This action will also enable commercial activity and employment, while preserving the option of developing the properties for multi-family dwelling purposes.



2. Explain how the proposed zoning map amendment is in conformance with the Acknowledged Comprehensive Plan.

The property is within the City of Ontario UGA and the annexation and rezoning of the property is in compliance to the acknowledged Comprehensive Plan. The annexation will not render a net change on allowed uses. The property zone will change from the Commercial and Residential zone within the Urban Growth Area, to the General Commercial (C-2) Zone within the City limits. The C-2 zone designation will be compliant with the Goal 14: Urbanization, and will preserve the commercial/ mixed-use character of the subject parcels, as consistent with the commercial corridor along SE 5th Ave. The applicant's proposal to develop the subject properties as an RV Park will contribute to Ontario's diversified housing needs. Per Oregon Housing Needs Analysis (OHNA) 2026 Production Targets and Adopted Methodology (December 2025) Ontario has been identified as a Peer 3 city, with a population greater than 10,000. As such, the greatest housing production indicators for Ontario are within the 0-30% AMI (47 annual units), followed closely by the 31-60% AMI category (29 annual units). Furthermore, per ORS 197.493, the occupancy of a recreational vehicle as a residential dwelling is permitted when placed within a recreational vehicle park.

It is found that the approval of an RV Park on the subject properties will not only address the current commercial land deficit, but it will also contribute towards achieving Ontario's OHNA production targets.

3. As applicant, you must explain how there has been a mistake or error in the original zone designation or a change in physical, social or market conditions generally affecting the area, which makes this proposed zone change appropriate.

The applicant's requested zone change from a UGA Zone to a City Zone does not imply that there has been a mistake or an error in the original zone. In fact, this request for annexation and zone change only shows that the original zone designation of UGA zones was done with future thought of economic growth in mind. What has changed is the growth and development around the subject area. The proposed annexation will allow the applicant to connect the development into the City services, which will expand the City's infrastructure (Goal 14), available housing supply (Goal 10) and overall livability and economic development (Goal 9).

4. As applicant, you must show 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.

The public will benefit by annexing and re-zoning these parcels into the city limits through increased tax revenue, increased development and increased infrastructure. The rezoning of the UGA zoned parcels to City General Commercial will allow for better use of the area, since the proposal is for a fully developed RV park. The RV Park will provide much-needed affordable temporary and workforce housing in an area with near-zero rental vacancies. The C-2 zoning designation also preserves future multi-family development options.

5. Explain how the property affected by the change, if approved, is adequate in size and shape to facilitate its use and development as permitted under the new zoning classification.

The minimum parcel size in the General Commercial (C-2) zone, once annexed in, is 3,000 square feet. The total proposed annexation area is 71,874 square feet, more or less. Should a residential development occur in a C-2 zone, it shall comply with the multi-family residential requirements, as outlined in Ontario Municipal Code 10A-29-07, which specifies that a minimum of 10 dwelling units is required. The annexation of the subject property will enable the applicant to meet the commercial zone site standards requirements, as well preserve the ability to meet the residential development requirements, as needed. A detailed site plan has been submitted by the applicant that demonstrates that all site development requirements can be met.

6. Explain how the property affected by the proposed change of zone is properly related to streets and other public facilities and with services adequate to meet the demands of the uses allowed in the new zone. This shall explain how this proposal will not absorb a disproportionate share of public facilities, utilities and general assets.

The parcel far exceeds the minimum parcel size and will be able to be developed into large developments as planned for in the comprehensive plan. The surrounding infrastructure is capable of handling traffic and expansion of services for the proposed RV-park development. The properties have direct access to an existing right-of-way: SE 5th Ave. The developer will install at his own cost: water service/meter, sewer connections, curb, gutter and sidewalk, fire hydrant, as well as onsite stormwater swales. As part of the UGA the property has been part of the City Transportation Master Plan, Water Master Plan, Waster Water Master Plan and the City Storm Water Master Plan and therefore has been approved to provide city services to this property.

7. Explain how the proposed change in zoning 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.

The annexed properties will be in harmony with the surrounding developed properties and will not result in any adverse effects to the adjacent properties zoned the same. The proposed development will include privacy fencing and frontage landscaping, which will aid any potential noise, glare or lighting mitigation. The proposed development will also include paved surfaces and onsite stormwater retention swales, which will eliminate dust and vibration discharges. The principal permitted uses will be more expansive, and consistent with the General Commercial zone.

SUMMARY CONCLUSIONS:

Based on the findings above: The City of Ontario Municipal Code Implements policies contained in the City of Ontario Comprehensive Plan conform 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

The findings 2 above show that the request is within goals and conformance of the Acknowledged Comprehensive plan. Therefore, this proposal has demonstrated itself to be consistent with the Comprehensive Plan. CRITERION IS MET

The information in finding 3 indicates that there has been no mistake and the request is consistent with the Comprehensive Plan. Therefore, there is no mistake, and the request follows the comprehensive plan and approved zoning and demonstrates that this criterion is met. CRITERION IS MET

As noted in finding 4, rezoning from the UGA zones to City zones would not be considered as the granting of a special privilege for a single property as it is providing for the same zoning as the comprehensive plan. CRITERION IS MET

As noted in the findings 5, the subject property size is adequate to demonstrate consistency with this criterion. CRITERION IS MET

As noted in the finding 6 above, the properties are properly related to streets and public facilities within the public streets, and the existing uses and services demonstrate that uses allowed in the proposed zone are provided. CRITERION IS MET

In the finding 7 above, that while the impact on surrounding properties will be low, with the proposed change in zoning, compliance with present City of Ontario ordinances will be essential in eliminating these issues. The permitted uses will remain the same and be subject to change due to the annexation. CRITERION IS MET

FINAL CONCLUSION: ALL CRITERIA ARE MET

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 applicant has 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 the current city limits.*
- 3. The property currently has three different UGA zones in the Urban Growth Area, and the companion requested City zones are consistent with contiguous property.*
- 4. Findings from preceding sections of this report are herein included by this reference. A change to the comprehensive plan map or text is not necessary to annex the property; however, the annexation of the property must be consistent with all applicable Comprehensive Plan Policies.*
- 5. Annexation would benefit the city by increasing tax revenue, and by providing more potentially developable residential land.*

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

SUMMARY CONCLUSIONS AND PLANNING COMMISSION DECISION:

A request for the annexation and rezoning of property may be recommended for approval or denial by the Planning Commission to the City Council if all applicable decision criteria and standards are found met, or able to be met through appropriate conditions of approval. In this case, findings must be made by the Planning Commission that the specific criteria are either met, able to be met through conditions of approval, or not met; options and discussion are provided under "Findings:" and "Conclusion:" for each criterion. All the criteria and standards must be met in order for the request to be recommended for approval.

POLICY/LEGAL

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 consistent with the Comprehensive Plan. A rezone must be made by an Ordinance, and the City Council is the Final Authority for approving a City Ordinance.

Councilor Mills asked if this was for mobile homes or trailers?

Ms. Burgess stated it was an RV park.

Councilor Mills asked if there were any rules or regulations as to how they were kept for the city itself?

Ms. Burgess stated all the developments in the city were required that they are kept with a nice appearance, but there was not anything currently regarding the year built, and she did not believe there was a state requirement. There were some regulations related to manufactured home parks, but the RV parks, for example the one the north of River Point RV Park, did have their local policies of what type of vehicles the allowed onsite, but it was not something that was within the city's guidelines. There hadn't been any regulations specifying specific year, make, model, size, or anything.



Councilor Mills stated she was not concerned about the size or year, she was concerned about the appearance around them. She was curious if there were rules that the city set for appearances for RV parks in Ontario, that would be kept up by the owner.

Ms. Burgess stated she was not aware of anything. She only knew of the standard of property appearance overall in the city. If the Council directed her that way, she would start looking into creating a policy or an ordinance in that regard.

Councilor Mills verified it was going to be 20 spaces.

Ms. Burgess stated that was correct.

Mr. Cummings stated several years ago the city was allowed to put regulations on RV parks, especially time restrictions because they didn't want RV parks to become mobile home parks. The state has now stripped cities of those rights. Regarding property appearance, they could not apply anything more to them than could be applied to any residential housing areas. They all had to be treated equally. The city's current codes for residential lots applied to them and nothing more could be applied. It used to be that RV parks were not allowed in commercial zones, but now that could not be restricted. The state's said all residential had to be treated the same, mobile homes, double-wides, trailers, stick built, tiny homes, small houses, didn't matter.

Councilor Bakefelt stated this was very close to the other large RV park, so what percentage of that RV park was permanent living?

Ms. Burgess stated she did not have the information; however, she did speak with the property manager last year, and back then, it was indicated they were often fully occupied, and she believed it was more than half. She could collect that information.

Councilor Bakefelt stated she was curious to know how it impacted visitors. When she thought of an RV park, traveling through, pull of the freeway, and if she pulled into an RV park with her family and there were a lot of people living there and it looked trashy and unkempt for whatever reason, she wouldn't be comfortable with that. That was her concern with adding another 23, pulling into an RV park when it was really not what she considered an RV park.

Ms. Burgess stated the unfortunate caveat to that was that it was codified under ORSs that an RV habitant or a space dedicated for an RV, as long as it was within the premises of an RV park, it was considered a dwelling unit. The definition of a dwelling unit was expanded so much that cities could not tell someone that they had "this many" units had to be for permanent, and the rest had to be a 30-year maximum term, or anything like that because the state has told cities that RV were to be occupied as a dwelling unit without limitations.

Councilor Bakefelt added when they moved in and they paid whatever for their space, but they were not paying the transient lodging tax.

Mr. Cummings stated if they stayed over 30 days, they did not. Less than 30 days, they paid the TOT.

The Hearing was opened for public testimony. Opponents: None.

Proponents: Hannah Tubbs, Ontario, stated: *I just personally, from being around the area, I think that more RV parking would be helpful. I actually see a lot of RVs kind of hanging out around our park, like in our parks and stuff, there might not be enough spots. I've looked at the current RV parks that are available, and there's rarely spots even available, so if you were somebody who even wanted to come through our city to stop and have an RV spot to camp at, there's currently low availability, so even being able to have that experience is low, so, I think that just having more options for RV parking is better in general. And it's tucked away into a certain area, instead of people parking RVs all along and throughout the city. So that's just my personal feedback of how I think it would be an opportunity.*

There being no Opponent testimony and no further Opponent testimony, the Hearing was closed.

MILLS moved, CONTRERAS seconded, THE CITY COUNCIL APPROVE THE FINDING OF FACTS AND RECOMMENDATION OF THE PLANNING COMMISSION FOR THE ANNEXATION OF TAX LOT 802 ON MAP 18S47E11BC AND REZONING IT FROM UGA COMMERCIAL ZONE (UGA-C) TO CITY GENERAL COMMERCIAL ZONE (C-2) AND ALSO, ANNEXATION OF TAX LOT 700 ON MAP 18S47E11BC AND REZONING IT FROM UGA RESIDENTIAL ZONE (UGA-R) TO CITY GENERAL COMMERCIAL ZONE (C-2), AS SET FORTH IN ACTION 2026-04-06CPAMD BASED ON THE INFORMATION, FINDINGS, AND CONCLUSIONS SET FORTH IN THIS REPORT. Roll call vote: Mills-yes; Braden-yes; Hart-out; Contreras-yes; Kirby-out; Bakefelt-yes; Folden-yes. Motion passed 5/0/2.

MILLS moved, CONTRERAS seconded, IN ACCORDANCE WITH SECTION 8.2(2) OF THE CITY CHARTER, THAT THE CITY COUNCIL APPROVE ORDINANCE #2847-2026, AN ORDINANCE PROCLAIMING THE ANNEXATION AND REZONING OF CERTAIN TERRITORY TO THE CITY OF ONTARIO FROM URBAN GROWTH AREA COMMERCIAL (UGA-C) ZONE AND FROM URBAN GROWTH AREA RESIDENTIAL (UGA-R) ZONE TO CITY GENERAL COMMERCIAL (C-2) ZONE, BEING 1.65 ACRES MORE OR LESS, WITHIN THE SW 1/4 OF NW 1/4 OF SECTION 11, TOWNSHIP 18 SOUTH, RANGE 47 EAST, WILLAMETTE MERIDIAN) AS SET FORTH IN ACTION 2026-04-06CPAMD, AT A SINGLE MEETING BY TITLE ONLY. Roll call vote: Mills-yes; Braden-yes; Hart-out; Contreras-yes; Kirby-out; Bakefelt-yes; Folden-yes. Motion passed 5/0/2.

MILLS moved, BRADEN seconded, IN ACCORDANCE WITH SECTION 8.2(2) OF THE CITY CHARTER, THAT THE CITY COUNCIL APPROVE ORDINANCE #2847-2026, AN ORDINANCE PROCLAIMING THE ANNEXATION AND REZONING OF CERTAIN TERRITORY TO THE CITY OF ONTARIO FROM URBAN GROWTH AREA COMMERCIAL (UGA-C) ZONE AND FROM URBAN GROWTH AREA RESIDENTIAL (UGA-R) ZONE TO CITY GENERAL COMMERCIAL (C-2) ZONE, BEING 1.65 ACRES MORE OR LESS, WITHIN THE SW 1/4 OF NW 1/4 OF SECTION 11, TOWNSHIP 18 SOUTH, RANGE 47 EAST, WILLAMETTE MERIDIAN) AS SET FORTH IN ACTION 2026-04-06CPAMD, AT A SINGLE MEETING BY TITLE ONLY. Roll call vote: Mills-yes; Braden-yes; Hart-out; Contreras-yes; Kirby-out; Bakefelt-yes; Folden-yes. Motion passed 5/0/2.

DEPARTMENT HEAD UPDATES

Community Development: Quarterly Report

Tatiana Burgess, Community Development Director, presented.

HAND-OUTS

Minutes

County Court 04-22-2026, 05-11-2026, 05-13-2026; Airport 05-04-2026

EXECUTIVE SESSION

Executive Session: ORS 192.660(2)(e) – Real Property

An executive session was called at 7:16pm under provisions of ORS 192.660(2)(e) to discuss real property. Representatives of the news media and designated staff would be allowed to attend the executive session. All other members of the audience were asked to leave the room. Representatives of the news media were specifically directed not to report on any of the deliberations during the executive session. No decision could be made in executive session. At the end of the executive session, the Council would return to open session and welcome the audience back into the room. The Council reconvened into regular session at 8:01pm.

ADJOURN

BAKEFELT moved, FOLDEN seconded, the meeting be adjourned. Roll call vote: Mills-yes; Braden-yes; Hart-out; Contreras-yes; Kirby-out; Bakefelt-yes; Folden-yes. Motion carried 5/0/2. Meeting concluded at 8:13pm.

ACCEPTED:

ATTEST:

Deborah K. Folden, Mayor

Tori Barnett, MMC, City Recorder





**AGENDA REPORT
NEW BUSINESS
June 23, 2026**

To: Mayor and City Council
FROM: Clint Benson, Fire Chief
THROUGH: Danny K. Cummings, City Manager
SUBJECT: RURAL CONTRACT APPROVAL
DATE: June 16, 2026

PROPOSED MOTION:

I MOVE THAT THE CITY COUNCIL APPROVE THE FIRST AMENDED AND RESTATED AGREEMENT TO PROVIDE FIRE SUPPRESSION AND OTHER SERVICES AND FOR THE MAYOR TO SIGN THE AGREEMENT.

SUMMARY:

Two members of the City Council consisting of Michael Braden and Suzanne Mills, two members of the Ontario Rural Fire Protection District Board consisting of Monty Culbertson and Brandon Coley, and city staff consisting of the City Manager Dan Cummings and Fire Chief Clint Benson worked together to amend the agreement as presented. Calculations of annual payment amounts are based upon the 5-year rolling call volume average (calls into the Rural Fire District), multiplied by the fire department's actual expenditures in the prior fiscal year, plus the previous calendar year insurance premiums paid by the City of Ontario to insure the district's apparatus.

BACKGROUND:

The city and Rural Fire District contractual relationship began in 1959. This critical partnership benefits both city and rural residents by combining resources to provide fire protection services in both response areas. This amended and restated agreement simplifies the calculation and provides each entity with financial amounts prior to the upcoming fiscal year budgets. Additionally, this agreement removes the negotiation process related to annual agreement amounts and will allow representatives of both entities to focus on operational and future capital projects.

CURRENT SITUATION:

The current agreement is set to expire on June 30, 2026. A priority recommendation of the joint 2025 Community Risk Assessment / Standard of Cover Study is to improve the partnership between the City of Ontario and Rural Fire District. Negotiations have been positive, and this amended agreement represents a solid partnership focused on providing quality fire protection services for the Ontario community.

ANALYSIS:

- A. **STRATEGIC PLAN** The partnership between the City of Ontario and Rural Fire District is consistent with several strategic goals, including desirability, lifestyle, beautification, and growth.
- B. **FINANCIAL** The new calculation within this agreement is based on the city fire department's actual expenditures. For example, when the fire department's expenditures increase due to additional staffing or other expenditures, this agreement produces a fair share from the Rural District. The annual agreement for FY 26/27 is set at \$253,844, an increase of \$15,344 over the current agreement amount.
- C. **TIMING** The current agreement is set to expire on June 30, 2026. The Rural Fire District has approved and signed the new agreement.
- D. **POLICY/LEGAL** The proposed agreement is very similar to the current agreement, with the only changes being related to the annual calculation method.

ALTERNATIVES:

One alternative is to table the decision, which will require an extension of the current agreement.

RECOMMENDATION:

City Manager Dan Cummings and Fire Chief Clint Benson recommend that the City Council approve the amended and restated agreement.

ATTACHMENTS:

1. City-Rural Fire Agreement 2026 [First Amendment & Restated Agreement]



FIRST AMENDMENT AND RESTATED
AGREEMENT TO PROVIDE FIRE SUPPRESSION AND OTHER SERVICES

This Agreement is entered into this 30th day of June 2026, between the Ontario Rural Fire Protection District No. 7-302 ("District") and the City of Ontario, a municipal corporation ("City").

RECITALS:

1. The District, a rural fire protection district, established in 1959, under the Oregon Revised Statutes, owns substantial fire suppression equipment.
2. The City owns facilities capable of housing the District's equipment and employs personnel trained in using such equipment as well as trained in using the City's equipment for fire suppression, fire prevention, basic life support medical care, rescue, extraction, and other related services.
3. The City provides fire suppression, fire prevention, basic life support medical care, rescue, extraction, and other related services within the corporate limits of the City of Ontario.
4. The District wishes to contract with the City to house District's equipment, provide trained firefighters and command staff to operate the equipment, insurance for firefighters and equipment, and provide the ancillary support necessary to provide the same level of service to the District as the City provides within the corporate limits of the City of Ontario.
5. The City wishes to provide such services to the District in exchange for payment by the District to the City of certain amounts.
6. ORS 190.110 (1) authorizes units of local government to enter into intergovernmental agreements for the performance of their duties or for the exercise of powers conferred upon such unit of government.

7. The City of Ontario and the Rural Fire Protection District first entered into an agreement on February 3, 1999, and was amended 14 times with the last amendment being on June 30, 2025.
8. This First Amended and Restated Agreement supersedes the Original and all previous 14 amendments.

THEREFORE, in consideration of the foregoing and in consideration of the terms, warranties, covenants, and assurances contained herein, the parties agree as follows:

1. DEFINITIONS

- 1.1 "Agreement" shall mean this "Agreement to Provide Fire Suppression and Other Services", including all materials incorporated herein by reference, all attachments and exhibits, and all amendments and supplements hereto.
- 1.2 "City" shall mean the City of Ontario, located in Malheur County, State of Oregon.
- 1.3 "Contracted Area" shall mean the property within the Ontario Rural Fire Protection District No. 7-302 as identified upon the records of Malheur County Tax Assessor as now exist or as extended or decreased in the future.
- 1.4 "District" shall mean the Ontario Rural Fire Protection District No. 7-302.
- 1.5 "Corporate Limit" shall mean the property included within the City of Ontario, extending as far as the corporate limits thereof now exist or as extended by annexation or other means in the future.
- 1.6 "Commanding Officer" shall mean the Ontario Fire Chief, as appointed by the City, in conformance with the Charter of the City of Ontario, or the Fire Chief's designee.
- 1.7 "Extraordinary Costs" shall mean those out-of-pocket costs incurred by either party as a result of the occurrence of an event in connection with the provision of services under this Agreement which is not contemplated by the parties as a service to be provided under this Agreement. For example, an increase in Worker's Compensation premiums due to an injury suffered while on a District fire or emergency call in the District. Costs incurred as a result of the Grossly Negligent actions or failure to act by employees of the City shall not constitute Extraordinary Costs under this Agreement.
- 1.8 "NFPA" shall mean the National Fire Protection Association.

1.9 "OR OSHA" shall mean Oregon Occupational Safety and Health Administration.

1.10 "Oregon FSAB" shall mean the Oregon Fire Standard and Accreditation Bureau.

2. SERVICE PROVIDED

2.1 General. The City hereby agrees to provide service within the Contracted Area as an extension of and in a manner similar in all respects to the service provided by the City within the Corporate Limit. The City shall also include the District's assets on the City's insurance policies at the same level as the City insures City's assets and shall insure any activities performed by career, City, and volunteer personnel responding to District calls under this Agreement at the same level City provides such insurance for activities performed while responding to City calls. Deductible amounts not paid by insurance shall be the responsibility of the District. Changes in deductible amounts shall not be binding upon District without approval under paragraph 3.4.

2.2 Response. The City shall, upon notice by telephone or otherwise, provide fire suppression, fire prevention, basic life support medical care, rescue, extraction, and other related services reasonably furnished by the City for the protection of life and property in the Contracted Area using the District's equipment. The City also agrees to assist in providing the above services with its own equipment, if needed, in an emergency. The District agrees that the City may use the District's equipment to assist in fire prevention and fire protection within the City in case of emergency. It is agreed herein that each party shall have a priority right to its own equipment for protection of life and property within its own boundaries. The City owns and operates apparatus which is used by the City to respond to emergencies and other calls. The use by the City of apparatus in performing this contract is specifically agreed not to be a breach of this Agreement.

2.3 Response Determination. The City, its dispatchers, and Commanding Officer, shall exercise their reasonable judgement from information received as to the amount and type of equipment responding to emergencies occurring within the Contracted Area.

2.4 District to Provide Equipment. The District agrees to provide, repair, maintain, and/or replace its own equipment, at its own expense, pursuant to guidelines established by NFPA, OROSHA, Oregon FSAB. and other similar guidelines. These are

to be used as guidelines only, not conclusive standards. The City agrees to do minor maintenance, wash, polish, clean, and dust all District assets and maintain vehicle inspection and operation records with the District consistent with standard operating guidelines.

2.5 Fire Chief. The Commanding Officer shall, during the duration of this Agreement, for purposes of procurement of insurance, be the Fire Chief for the District, pursuant to ORS 478.260, and EXHIBIT A of this agreement.

2.6 Agreements Outside the Contracted Area. It is hereby agreed by the parties that Snake River Correctional Institution shall be deemed to be within the Contracted Area and outside the Corporate Limit and shall be subject to this Agreement for purposes of fire suppression so long as the District, individually or jointly, has a contract to provide such services to the Snake River Correctional Institution. Other services and areas outside the Contracted Area may be included for purposes of this Agreement only by mutual consent by both parties. The parties mutually agree that the District will continue to participate, with District equipment, in the Conflagration Act, and Snake River Valley Chiefs mutual aid agreements.

2.7 Wild Land Mutual Aid Agreement. The parties mutually agree that the District will continue to provide District equipment in the Wild Lands mutual aid agreement. The Fire Chief will determine the amount of personnel available for the Wild Lands mutual aid agreement.

2.8 Provision of Office Space and Secretarial Services. The City shall provide office space for one person, sufficient for the District administration and storage of District documents, records, and administrative materials and the following secretarial services: Preparing meeting agendas and transcribing meeting minutes.

3. PAYMENTS

3.1 Amount of Payment. District agrees to pay the City Two Hundred, Fifty-Three Thousand, Eight Hundred and Forty-Four and No/100 Dollars (\$253,844) in quarterly payments, for one year of service, beginning July 1, 2026, and ending June 30, 2027. Such payments will begin promptly after Malheur County distributes revenues to the District (paying at that time any quarterly payments that have passed at that time) and on the following quarters thereafter: July 15, October 15, January 15, and April 15. Contract increases, if any, beyond the 2026-2027 fiscal year will be negotiated between the City and the District prior to the expiration of this contract.

- a) The calculation of payment amounts from the District to City will be determined by a five-year rolling average of call volume as per 3.4 of the

agreement, multiplied by the fire department's actual expenditures in the previous fiscal year.

- b) The District will also reimburse the City the amount of the previous calendar year automobile insurance premiums paid by the City for District apparatus.
- c) The district will be responsible for Capital and Equipment according to the cost split agreed upon in 3.1.a. and made in quarterly payments as per 3.1.

- 1. Within 60 days prior to the close of the fiscal year (June 30th), a meeting shall be held between the Fire Chief, one District board member, and one City council member to discuss the District's responsibility for current and future Capital and Equipment Expenditures. Thereafter, the Fire Chief shall determine the District's share of the cost, and the District shall reimburse the City.

3.2 Reimbursement for Extraordinary Costs. The party incurring any Extraordinary Costs, as defined in paragraph 1.7, shall be reimbursed by the other party, subject to the provisions of paragraph 3.2. Such reimbursement shall not exceed a total of \$10,000.00 per year, except that the \$10,000 cap shall not apply to any response(s) to the Snake River Correctional Institution which, because of its extent or duration, is reimbursable under the RFD's contract with the State of Oregon. Such responses shall be reimbursed in accordance with reimbursement made to the RFD by the state. Other than reimbursement from the State of Oregon for response to the Snake River Correctional Facility, reimbursement for any one Extraordinary Cost shall be payable over a period not to exceed five years. Said five-year period may continue beyond the one-year anticipated duration of the Agreement.

3.3 Non-Appropriation. Both parties recognize that funding for payments defined in paragraphs 3.1 and 3.2 are subject to annual appropriation and funding may be contingent upon voter approval of additional revenues. Each party shall prioritize its budget to continue this Agreement for the term specified in paragraph 4.1. Should either party be unable to obtain budgetary appropriation to continue this Agreement, they shall discuss this with the other party and either party may take whatever action it deems necessary, including, but not limited to, termination of this Agreement. Such termination of this Agreement will be available without further liability for such inability to make payment. The City's obligation to provide service under this Agreement in such an event shall cease at the end of the fiscal year that is paid, or, if payment has been made for a partial year, upon the day that bears the same proportion to the fiscal service year as the funds that have been paid to the City under

this Agreement bear to the Contract payment for such year, as determined under this Agreement.

3.4 Changes in Services or Service Area. A review process consisting of two members of the Ontario City Council and two members of the Board of the Ontario Rural Fire Protection District may be initiated by either party to negotiate for renewal of services and costs of this Agreement. Such persons must meet during the month of January and conclude no later than February. Items such as, but not limited to, property value changes, annexations, service standards, Contracted Area changes, run volumes, equipment purchases, existence of Extraordinary Costs and whether they are reimbursable, and other matters having a direct impact upon this Agreement, can be discussed. This renewal process is intended to arrive at a consensus for submission to the respective governing bodies for ratification. Should a consensus or ratification not be reached, either party may initiate termination pursuant to Paragraph 7.1 of this Agreement. Any amendments to this Agreement, including payment changes pursuant to paragraph 3.1, shall be effective July 1 for the next fiscal year unless specifically agreed to commence at other times.

4. TERM

4.1 The Term of this Agreement shall commence at midnight June 30, 2026, and shall continue until midnight June 30, 2027. This Term is, however, subject to the rights to terminate provided in various paragraphs within this Agreement.

5. REPRESENTATIONS, COVENANTS, AND WARRANTIES

5.1 Covenants by the City. The City represents, covenants, and warrants as follows:

5.1.1 It has full power and authority to enter into and carry out the provisions of this Agreement and all documents and instruments contemplated hereunder;

5.1.2 The execution of this Agreement and consummation of the transaction contemplated herein will not violate or be in conflict with any law, rule, regulation, or order, or any agreement to which it is a party or under which it is bound;

5.1.3 This Agreement has been authorized by all necessary actions;

5.1.4 This Agreement is a valid and binding obligation of the City and enforceable in accordance with its terms.

5.2 Covenants by the District. The District represents, covenants, and warrants as follows:

5.2.1 It has full power and authority to enter and carry out the provisions of this Agreement and all documents and instruments contemplated hereunder;

5.2.2 The execution of this Agreement and consummation of the transaction contemplated herein will not violate or in conflict with any law, rule, regulation, or order, or any agreement to which it is a party or under which it is bound;

5.2.3 This Agreement has been authorized by all necessary actions;

5.2.4 This Agreement is a valid and binding obligation of the District and enforceable in accordance with its terms.

6. HOLD HARMLESS

6.1 The City and the District agree to hold each other harmless for actions taken or omitted to be taken under this Agreement in good faith, provided such hold harmless shall not arise except as permitted by the Oregon Tort Claims Act, nor exceed any limits therein. Provided further that such hold harmless does not extend to the wrongful acts of employees or agents of the City.

7. TERMINATION

7.1 Termination without Cause. Either party may terminate this Agreement without cause by serving written notice to the other party of its intention to terminate this Agreement. Such notice shall be delivered on or before February 1st of any year of this Agreement. Such termination will be effective on July 1st following such notice. If notice is not timely given, it is agreed that the Agreement automatically continues, subject to paragraphs 3.1, 3.3 and 3.4 of this Agreement, providing for changes in payments and the ability to terminate upon failure to ratify and the ability to terminate upon failure to obtain appropriations. Upon any such termination, the City agrees to return all assets owned by the District to the District in good condition, reasonable wear and tear excepted, and the District agrees to store such assets other than on City property.

8. EVENTS OF DEFAULT AND REMEDIES

8.1 Events of Default. The following will constitute default under the Agreement:

8.1.1 Failure by the District to make any payment required hereunder on or prior to the date on which such payment is due;

8.1.2 Failure by the City to provide services as defined in paragraph 2 and in Exhibit B;

8.1.3 Failure by either party to observe and perform any covenant, condition, or agreement required to be observed or performed, for a period of thirty (30) days after written notice, specifying such failure and requesting that it be remedied; provided however, if the parties agree in writing to an extension of such thirty day period and if the necessary curative action is begun and prosecuted with the party's best efforts, such period may be extended as provided in such written extension;

8.1.4 Failure of the governing body to appropriate sufficient funds to enable either party to meet provision of this Agreement.

8.2 Remedies of Default

8.2.1 Specific enforcement of the terms of this Agreement by suit at law or in equity. The parties agree that damages would be impractical or impossible to determine and that specific enforcement of this Agreement is the preferred method of remedying default of the parties;

8.2.2 Injunctive relief, affirmative or prohibitive, shall specifically authorized by this Agreement;

8.2.3 Termination of the Agreement; however, termination of the Agreement shall not preclude either party from seeking other remedies available in law or in equity.

8.3 No Default, No Remedy. The parties agree that termination of this Agreement pursuant to paragraphs 3.3 and 3.4 shall not constitute default and shall not be subject to the remedies provided in paragraph 8.2.

8.4 Agreement to Pay Attorney Fees and Expenses. In the event either party to this Agreement should default under any of the provisions hereof and the non-defaulting party should employ attorneys or incur other expenses in litigation for the collection of monies or the enforcement or performance or observance of any obligation or agreement on the part of the defaulting party, the defaulting party agrees that it will, on demand therefor, pay to the non-defaulting party the reasonable fee and expenses of such attorneys. The amount of the attorney fees and expenses shall be fixed by the trial court in the event it goes to trial and the appellate court in the event an appeal is taken.

8.5 No Additional Waiver implied by One Waiver. In the event any agreement contained in this Agreement is breached by either party and thereafter waived by the other party, such waiver will be limited to the particular breach so waived and will not be deemed to waive any other breach hereunder.

9. ADMINISTRATIVE PROVISIONS

9.1 Notices. Any notice required hereunder shall be sufficient if delivered in person or if sent by registered or certified mail, postage and registration or certified charges prepaid, addressed as follows:

To the City: City of Ontario
 444 SW 4th Street
 Ontario, OR 97914

To the District: Ontario Rural Fire Protection District No. 7-302
 444 SW 4th Street
 Ontario, OR 97914

Such addresses may be changed by written notice to the other party. Any notice shall be deemed to have been given on the date delivered if delivered in person, otherwise on the date following the date mailed.

9.2 Biding Effect. The provisions of this Agreement shall inure to the benefit of the parties, their successors, and representatives. Provided however, this Agreement may not be assigned by either party and the duties, responsibilities, and obligations are personal to the named parties, their successors, and representatives.

9.3 Captions. The Table of Contents and the captions appearing in this Agreement are inserted only for convenience and in no way define, limit, construe, or describe the scope of intent of such sections.

9.4 Use of Pronouns. Whenever the context requires it the singular number includes the plural and the plural the singular, and the masculine, feminine and neuter gender shall include the masculine, feminine and neuter, as the context requires.

9.5 Entire Agreement. This Agreement contains the entire understanding of the parties. There are no conditions, representations, warranties, covenants, or undertakings other than those expressly set forth herein. This Agreement does not contain all of the internal guidelines and procedures inherent in operating the District.

9.6 Severability. In the event any provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

9.7 Applicable Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Oregon.

9.8 Survival of Covenants. The covenants and agreements contained herein shall survive full performance and/or termination of this Agreement.

9.9 Mutual Cooperation. The parties hereto covenant and agree to mutually cooperate to achieve the goals and objectives set forth in this Agreement.

IN WITNESS WHEREOF, this Agreement is hereby approved as of the day and year first above written.

CITY OF ONTARIO

**ONTARIO RURAL FIRE PROTECTION
DISTRICT NO. 7-302**

Deborah Folden, Mayor



Monty Culbertson, Chairman

ATTEST:

Tori Barnett, MMC, City Recorder

EXHIBIT A TO THE AGREEMENT TO PROVIDE FIRE SUPPRESSION AND OTHER SERVICES

The Fire Chief will perform the following duties for the District:

1. Prepare an operating budget for approval by the Board of Directors and administer the approved budget.
2. Implement the operations of the District.
3. Formulate, in association with the Board of Directors, current and long-range plans to improve provision of services to the District.
4. Advise Board as to suggest changes in procedure, equipment, supplies, or materials of the District.
5. Develop, in association with the Board of Directors, standards of performance and review such standards on a regular basis.
6. Promote efficient operation of the District.
7. Inform the Board of any matter requiring policy decisions.
8. Promote a positive relationship between the Board of Directors and patrons of the Board.
9. Assist the Board of Directors in establishing policies, rules, and regulations for regular operations and special projects, and in making revisions as needed.
10. Provide information, ideas, and suggestions to assist the Board of Directors in carrying out their function in the most efficient manner.
11. Submit recommendations for changes in objectives, Bylaws, and policies to the Board of Directors, as operations require, on an annual basis.
12. Provide advice and assistance to the Board of Directors in drafting and achieving an annual statement of mission and objectives.
13. Make recommendations, coordinate, and assist in: Reviewing price trends on equipment and supplies as needed; reviewing water sources and statistics to determine effectiveness of sources, adequacy of capacity, and opportunity for present and future expansion of District water supplies.
14. Present reports to Board of Directors, present bills to the Board of Directors for payment, keep District records, and take minutes at District meetings.

15. Work with District patrons to achieve the best and lowest fire insurance ratings through improvements by the District.
16. Promote and assist with annexation of property into the District
17. Work with the State of Oregon, Malheur County, and the City of Ontario in filing required reports, planning, and budgeting.
18. Work with the Board of Directors and other governmental entities to improve cooperation, solve mutual problems, and bring about improved and more effective relationships among the entities.
19. Review and analyze monthly and annual financial operating reports, compare actual income and expenses with budget, and discuss and initiate corrective action as directed by the Board of Directors.
20. Remain current regarding the District boundaries, high hazard areas, numbers and availability of equipment, supplies, and files, and the needs of the District.



**AGENDA REPORT
NEW BUSINESS
June 23, 2026**

To: Mayor and City Council
FROM: Clint Benson, Fire Chief
THROUGH: Danny K. Cummings, City Manager
SUBJECT: SRV MUTAL AID CONTRACT
DATE: June 16, 2026

PROPOSED MOTION:

I MOVE THE CITY COUNCIL TO APPROVE THE 2026 SNAKE RIVER VALLEY MUTUAL AID AGREEMENT.

SUMMARY:

The Snake River Valley Fire Chiefs Association mutual aid agreement is due for renewal. The 2026 agreement includes mutual aid with thirty-eight fire departments and will automatically renew after five years unless terminated by any party, or in the event of the need for updated procedures. Ontario Fire & Rescue benefits greatly from the resources offered through the Snake River Valley Fire Chiefs Association.

BACKGROUND:

Ontario Fire & Rescue was one of the original founding members of the SRV Chiefs Association in 1968. The original purpose of its formation was mutual aid. The SRV Chiefs Association has grown to thirty-eight members and provides an annual academy designed for beginning firefighters and another annual academy for more advanced firefighters. Ontario Fire & Rescue increasingly relies on mutual aid for incidents that exceed our staffing and equipment capabilities.

CURRENT SITUATION:

Currently, Ontario Fire & Rescue is grandfathered into the 2022 mutual aid agreement. The 2026 agreement is similar in content and does not increase the City of Ontario's responsibilities under the agreement, nor does it decrease the level of aid received from the partnering fire departments.

ANALYSIS:

- A. **STRATEGIC PLAN** Our partnership with the Snake River Valley Fire Chiefs Association provides critical aid during emergencies which aligns with the city's strategic plan by protecting property and life, consistent with desirability, lifestyle, and beautification.

- B. **FINANCIAL** The mutual aid agreement with the SRV Chiefs supplements existing staff by providing equipment and labor during emergencies, and does not create a financial strain on the city.
- C. **TIMING** Many of the SRV Chiefs Association fire departments have signed the 2026 SRV Mutual Aid Agreement, including the Ontario Rural Fire Protection District.
- D. **POLICY/LEGAL** Ontario Fire & Rescue regularly receives and gives mutual aid under the current agreement and has not had any legal issues with the SRV Fire Chiefs Association.

ALTERNATIVES:

Ontario Fire & Rescue would not be able to handle medium to large incidents, or multiple small incidents occurring at the same time, without the benefit of mutual aid.

RECOMMENDATION:

Staff recommends approving the 2026 SRV Mutual Aid Agreement, with signatures from the Mayor and Fire Chief.

ATTACHMENTS:

1. 2026 SRV Fire Chiefs
2. 2026 SRV Mutual Aid Agreement

Snake River Valley Fire Chiefs Association
Mutual Aid / Member Fire Departments - 2026

1. Adrian Fire Department
2. Baker City Fire Department
3. Brundage Fire Protection Agency
4. Caldwell Fire Department
5. Caldwell Rural Fire Protection District
6. Cambridge Fire Protection District
7. Council Volunteer Fire District
8. Emmett Fire Department
9. Fruitland Fire Department
10. Gem County Fire District #1
11. Gem County Fire District #2
12. Homedale Fire District
13. Huntington Fire Department
14. Indian Valley Fire Department
15. Jordan Valley Fire Department
16. Marsing Rural Fire District
17. Melba Rural Fire Protection District
18. Middleton Star Fire District
19. Midvale Fire Protection District
20. Murphy Reynolds Wilson Fire District
21. Meadows Valley Rural Fire
22. New Plymouth Fire District
23. Nyssa Fire Department
24. Nyssa Rural Fire Protection District
25. Ontario Fire & Rescue
26. Ontario Rural Fire Protection District
27. Parma Rural Fire District
28. Payette Fire Department
29. Payette Rural Fire District
30. Sand Hollow Fire Protection District
31. Silver City Fire Department
32. Upper Dear Flat Fire Protection District
33. Vale Fire Department
34. Vale Rural Fire District
35. Vale Rural Fire Protection Association
36. Weiser Fire Department
37. Weiser Rural Fire District
38. Wilder Rural Fire Protection District

Snake River Valley Mutual Aid Agreement

This Agreement is made and entered into by and between the undersigned fire protection agencies and districts operating within the Snake River Valley region of the States of Idaho and Oregon, hereinafter referred to collectively as the "Parties."

WHEREAS:

1. The Parties are public fire protection agencies authorized under Idaho Code Title 31, Title 50, Title 67, and Oregon Revised Statutes Chapters 476 and 190 to provide fire suppression, emergency medical services, rescue, fire prevention, and related emergency services within their respective jurisdictions; and
2. Each Party is responsible for the protection of life, property, and the environment within its respective jurisdiction, including urban, rural, wildland, and wildland urban interface areas; and
3. Fire incidents, emergency medical events, natural disasters, and other emergencies often exceed the resources of a single agency and require rapid, coordinated, and efficient response from multiple agencies; and
4. The geographic proximity of the Parties and the intermingling of jurisdictions within the Snake River Valley create a mutual interest in cooperative emergency response; and
5. Idaho Code Section 67 2333 and Oregon Revised Statutes 190.010 and 476.510 authorize public agencies to enter into agreements for mutual assistance, including interstate cooperation for emergency services; and
6. The Parties recognize that coordinated response enhances responder safety, improves operational effectiveness, and minimizes impacts to the public, property, and the environment; and
7. The Parties desire to enter into this Agreement to provide for mutual aid and assistance during emergencies when requested and when resources are available.

NOW THEREFORE, the Parties hereto mutually agree as follows:

1. The Parties agree to furnish fire protection, emergency medical, rescue personnel, and equipment to one another as may be necessary to provide an effective response to fires, emergencies, disasters, or incidents beyond the immediate control of the requesting Party.
2. Mutual aid may be provided for initial attack incidents or for extended operations when the size, complexity, or severity of an incident requires assistance from one or more of the Parties.
3. Assistance under this Agreement shall be provided within the jurisdiction of any requesting Party, provided that no Party shall be required to reduce its own personnel,

equipment, or services to the extent that it jeopardizes its normal emergency response capabilities.

4. No response under this Agreement shall be made unless the request for assistance is received through established and recognized communication channels and is made by, or on behalf of, an authorized officer of the requesting Party.
5. The fire official or incident commander of the requesting jurisdiction shall retain overall command and control of the incident. Personnel and equipment responding under this Agreement shall operate under the incident command system in use and remain under the operational control of the requesting jurisdiction for the duration of the assignment.
6. Except as may be provided by a separate written agreement or reimbursement schedule, the assurance of mutual aid set forth herein shall constitute the sole consideration for the performance of this Agreement. No Party shall be obligated to reimburse another Party for personnel costs, equipment uses, damage, injury, or liability incurred while rendering assistance under this Agreement.
7. Certain specialized resources, including but not limited to aircraft, heavy equipment, specialized teams, or contract resources, may be excluded from this Agreement and may be made available pursuant to separate agreements or state and federal mobilization plans.
8. This Agreement shall remain in full force and effect for a period of five (5) years from the date of execution and shall automatically renew for successive five-year periods unless terminated by any Party upon thirty (30) days' written notice to the other Parties.
9. Operational details, including but not limited to dispatch procedures, communication methods, authorized requesters, resource typing and staffing, and response protocols, shall be documented in an Operating Plan approved and signed by the Fire Chiefs or authorized officials of the participating agencies. The Operating Plan, as adopted, is incorporated herein by this reference.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed by their duly authorized officials as of the day and year first written below.

Chief _____

Agency _____

Mayor/Board _____



**AGENDA REPORT
NEW BUSINESS
June 23, 2026**

To: Mayor and City Council
FROM: Kari Ott, Finance Director
THROUGH: Danny K. Cummings, City Manager
SUBJECT: RESOLUTION #2026-117: FINANCE END OF YEAR
DATE: June 19, 2026

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPROVE RESOLUTION #2026-117: A RESOLUTION TO ADOPT A SUPPLEMENTAL BUDGET TO RECOGNIZE UNEXPECTED REVENUES AND TO TRANSFER BUDGETED APPROPRIATIONS FOR UNEXPECTED ITEMS.

SUMMARY:

Attached is Resolution #2026-117

BACKGROUND:

At the time the 2025-2026 budget was approved, there were some items that were unknown. Since these items are now known, a budget resolution is necessary to prevent over expenditures in various departments.

CURRENT SITUATION:

The following items need to be adjusted within the budget to prevent over expenditures of budget appropriations:

- There were unexpected grants
- Building revenues were much higher than budgeted, so an adjustment needs to be made for the 12% state assessment
- TOT revenues were higher than expected

ANALYSIS:

- STRATEGIC PLAN** No direct impact on strategic plan.
- FINANCIAL** An additional \$150,000 (grants and TOT) will be appropriated and the remaining budget changes are transfers between items already appropriated.
- TIMING** Per Oregon Local Budget Law, the proposed resolution must be approved on or before June 30, 2026.

D. **POLICY/LEGAL** A formal resolution approved by the City Council is required to expend funds per ORS 294.

ALTERNATIVES:

A. Take No Action - The Council could take no action on this matter; this would cause budget over expenditures.

RECOMMENDATION:

Staff recommends the City Council approve Resolution #2026-117.

ATTACHMENTS:

1. RES_CC_2026-117 Clean Up End of Year Budget (1)



RESOLUTION 2026-117

**A RESOLUTION TO ADOPT A SUPPLEMENTAL BUDGET TO RECOGNIZE
UNEXPECTED REVENUES AND TO TRANSFER BUDGETED
APPROPRIATIONS FOR UNEXPECTED ITEMS**

- WHEREAS,** The 2025-2026 budget was adopted without the knowledge of the fiscal impact on a few different items; and
- WHEREAS,** Legal services were higher than expected, HIDTA expenses were higher, TOT revenues were higher than expected, a grant for airport fencing was unexpectedly received; and
- WHEREAS,** Building revenues were higher than budgeted and 12% of these fees are required to be paid to the state; and
- WHEREAS,** The city desires to modify the 2025-2026 budget to receive and expend the unexpected items.

NOW THEREFORE, BE IT HEREBY RESOLVED by the Ontario City Council to approve the following adjustments to the fiscal year 2025-2026 budget:

Line Item	Item Description	FY 25-26 Budget	Amount of Change	Adjusted Budget
GENERAL FUND				
001-004-615600	Legal services	\$125,000	\$25,000	\$150,000
001-004-871000	Operating Contingency	\$711,652	(\$25,000)	\$686,652
BUILDING FUND				
027-010-617000	State Assessment	\$21,600	\$30,000	51,600
027-010-871000	Operating Contingency	\$685,566	(\$30,000)	\$655,566
TRUST FUND				
050-000-417100	Motel Occupancy Tax – C of C	\$242,000	\$20,000	\$262,000
050-000-417400	Motel Occupancy Tax – Fairgrounds	\$32,500	\$15,000	\$47,500
050-100-616000	Chamber of Commerce TOT Dist	\$242,000	\$20,000	\$262,000
050-112-616000	Fairgrounds TOT Distribution	\$32,500	\$15,000	\$47,500
RESERVE FUND				
055-138-614700	HD Task Force Operations	\$17,363	\$5,000	\$22,363
055-000-469156	HD Task Force Contributions	\$5,000	\$5,000	\$10,000
055-131-614700	HD Task Force Expenses	\$1,000	\$5,000	\$6,000
055-131-871000	Contingency	\$447,691	(\$5,000)	\$442,691
AIRPORT FUND				
120-000-441450	Grant	\$ -	\$105,000	\$105,000
120-006-712107	Airport Fencing	\$ -	\$105,000	\$105,000

EFFECTIVE DATE: Effective immediately upon passage.

PASSED AND ADOPTED by the City Council of the City of Ontario this 23rd day of June, 2026, by the following vote:

AYES:

NAYES:

ABSENT:

APPROVED by the Mayor this 23rd day of June, 2026.

Deborah K. Folden, Mayor

ATTEST:

Tori Barnett, MMC, City Recorder



**AGENDA REPORT
PUBLIC HEARING
June 23, 2026**

To: Mayor and City Council
FROM: Kari Ott, Finance Director
THROUGH: Danny K. Cummings, City Manager
SUBJECT: RESOLUTION #2026-115: ELECTION TO RECEIVE STATE REVENUES
DATE: June 9, 2026

PROPOSED MOTION:

I MOVE THE CITY COUNCIL ADOPT RESOLUTION #2026-115, A RESOLUTION DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUES FOR THE FISCAL YEAR 2026-2027.

SUMMARY:

Attached is the following document:

Resolution 2026-115: A Resolution Declaring the City's Election to Receive State Revenues for the Fiscal Year 2026-2027.

BACKGROUND:

The City Council is required to annually approve a formal resolution in order to elect to receive state revenues.

CURRENT SITUATION:

The City of Ontario Budget Committee held Public Hearings on May 26 & 27, 2026, discussing the 2026-2027 budget, which includes revenue sharing from the State of Oregon. The City Council is holding a Public Hearing on June 23, 2026, giving the citizens an opportunity to comment on the use of State Revenue Sharing, pursuant to ORS 221.770.

ANALYSIS:

- A. **STRATEGIC PLAN** No direct strategic plan impact.
- B. **FINANCIAL** The city will be able to receive State Revenues that are shared with cities throughout Oregon.
- C. **TIMING** The resolution is required to be approved on or before June 30, 2026, and resolutions must be approved by the City Council.
- D. **POLICY/LEGAL** An election to receive state revenues is required per ORS 221.770.

ALTERNATIVES:

A. Take No Action - The Council could take no action on this matter; this would mean the city would not be able to receive state shared revenues in the 2026-2027 fiscal year.

RECOMMENDATION:

Staff recommends the City Council approve Resolution #2026-115.

ATTACHMENTS:

1. Resolution #2026-115 STATE REVENUE SHARING



RESOLUTION #2026-115

**A RESOLUTION TO DECLARING THE CITY'S ELECTION
TO RECEIVE STATE REVENUES**

WHEREAS, The City of Ontario Budget Committee held Public Hearings on May 26 and 27, 2026; and

WHEREAS, The City Council held a Public Hearing on June 23, 2026, giving citizens an opportunity to comment on the use of State Revenue Sharing.

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

Pursuant to ORS 221.770, the city hereby elects to receive state revenues for fiscal year 2026-2027.

EFFECTIVE DATE: Effective immediately upon passage.

PASSED AND ADOPTED by the City Council of the City of Ontario this 23rd day of June, 2026, by the following vote:

AYES:

NAYES:

ABSENT:

APPROVED by the Mayor this 23rd day of June, 2026.

Deborah K. Folden, Mayor

ATTEST:

Tori Barnett, MMC, City Recorder

I certify that a Public Hearing before the Budget Committee was held on May 26 and 27, 2026, and a Public Hearing before the City Council was held on June 23, 2026, giving citizens an opportunity to comment on use of State Revenue Sharing.

Tori Barnett, MMC, City Recorder



**AGENDA REPORT
PUBLIC HEARING
June 23, 2026**

To: Mayor and City Council
FROM: Kari Ott, Finance Director
THROUGH: Danny K. Cummings, City Manager
SUBJECT: **RESOLUTION #2026-116: ADOPT CITY OF ONTARIO ANNUAL BUDGET
FY2026-2027**
DATE: June 9, 2026

PROPOSED MOTION:

1ST MOTION: I MOVE THE CITY COUNCIL APPROVE THE APPROPRIATIONS FOR THE GRANT AND BUILDING FUNDS IN RESOLUTION #2026-116.

2ND MOTION: I MOVE THE CITY COUNCIL APPROVE ALL REMAINING ELEMENTS OF RESOLUTION NO. 2026-116, A RESOLUTION TO ADOPT AND APPROPRIATE THE ANNUAL BUDGET FOR 2026-2027, IMPOSE THE TAXES UPON TAXABLE PROPERTY, AND CATEGORIZE THE TAXES IMPOSED FOR THE FISCAL YEAR 2026-2027.

SUMMARY:

The attached Resolution #2026-116 is a resolution to adopt and appropriate the annual budget for 2026-2027, impose the taxes upon taxable property, and categorize the taxes imposed for the fiscal year 2026-2027.

BACKGROUND:

The purpose of this agenda item is to adopt and appropriate the budget, impose taxes upon taxable property, and categorize the taxes imposed.

CURRENT SITUATION:

The City of Ontario Budget Committee held public hearings on May 26 & 27, 2026, and approved the 2026-2027 annual budget. The budget presented has no changes from what was approved by the budget committee.

The required public hearing notice was published in the Argus Observer. The City Council is holding this public hearing on June 23, 2026, giving the citizens an opportunity to comment on the annual budget for 2026-2027.

There are two motions to approve this resolution due to the conflict Councilor Braden disclosed in the budget committee meetings. Councilor Braden is not allowed to vote on the Building and Grant Funds.

ANALYSIS:

- A. **STRATEGIC PLAN** The budget presented for approval was based on the priorities set within the strategic plan.
- B. **FINANCIAL** The City Council will adopt and appropriate the annual budget in the amount of \$53,979,813.
- C. **TIMING** The budget is required to be approved on or before June 30, 2026.
- D. **POLICY/LEGAL** A budget is required to be approved by the City Council per ORS 294.

ALTERNATIVES:

A. Take No Action - The Council could take no action on this matter. If a budget is not approved by June 30, 2026, the city would not be able to receive property taxes and spend money as of July 1, 2026.

B. The Council could make changes up to 10% in each from from the budget committee approved budget.

RECOMMENDATION:

Staff recommends the City Council approve Resolution #2026-116.

ATTACHMENTS:

- 1. Resolution #2026-116 Adopting 2026-2027 Budget



RESOLUTION #2026-116

**A RESOLUTION ADOPTING
THE ANNUAL BUDGET FOR FISCAL YEAR 2026-2027**

WHEREAS, The City of Ontario Budget Committee held advertised public hearings on May 26 & 27, 2026 to review the proposed budget; and

WHEREAS, The Budget Committee approved a revised budget to review by the Ontario City Council; and

WHEREAS, The Ontario City Council having held an advertised public hearing on June 23, 2026, wishes to adopt the approved budget as recommended.

NOW THEREFORE, BE IT HEREBY RESOLVED that the Ontario City Council hereby adopts the annual budget for Fiscal Year 2026-2027 in the total of \$53,979,813 now on file at Ontario City Hall.

BE IT RESOLVED that amounts for the annual budget for the fiscal year beginning July 1, 2026, and for the purposes shown below are hereby appropriated as follows:

001 - GENERAL FUND	Appropriated Budget 2026-2027
Administration	\$658,528
Administrative Overhead	579,086
City Council	34,623
Non-Departmental Appropriations	279,965
Business Registrations	1,100
Cemetery	231,821
Community Development	240,521
Finance	286,592
Fire	2,980,072
Code Enforcement	468,948
Parks	893,818
Police	6,217,902
Technology	367,441
Capital Outlay	1,220,000
Interfund Transfers	1,617,141
Contingencies	565,338
TOTAL REQUIREMENTS.....	\$16,642,896
* <i>Unappropriated Ending Fund Balance</i>	<i>\$1,700,000</i>

002 – MARIJUANA ENFORCEMENT FUND	Appropriated Budget 2026-2027
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Public Safety – Marijuana Enforcement

Personnel Services \$50,818

TOTAL REQUIREMENTS..... \$50,818

010 - GRANT FUNDS	Appropriated Budget 2026-2027
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Grants \$1,593,524

TOTAL REQUIREMENTS..... \$1,593,524

027 – BUILDING FUND	Appropriated Budget 2026-2027
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Building Program

Personnel Services \$217,039

Materials & Services 44,448

Contingencies 730,539

TOTAL REQUIREMENTS..... \$992,026

030 - CAPITAL PROJECTS FUND	Appropriated Budget 2026-2027
------------------------------------	----------------------------------

Special Projects \$1,175,566

Public Works – Utility Capitalization Fee 4,447,879

E. Idaho Avenue 68,704

Park Improvements 76,314

W. Idaho Ext 118,977

Fire Apparatus 526,768

Downtown Attraction/Beautification 519,452

SRCI Wastewater 67,507

SRCI Water 33,375

TOTAL REQUIREMENTS..... \$7,034,542

031 - SDC FUND	Appropriated Budget 2026-2027
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System Development Charge Projects \$1,073,274

TOTAL REQUIREMENTS..... \$1,073,274

045 - STREET FUND	Appropriated Budget 2026-2027
--------------------------	----------------------------------

Street Maintenance \$4,116,949

TOTAL REQUIREMENTS..... \$4,116,949

050 - TRUST FUNDS	Appropriated Budget 2026-2027
Chamber of Commerce	\$242,000
Fairgrounds	38,980
OSS Mitigation	182,242
Recreation District	531,880
Visitors & Convention Bureau	437,775
TOTAL REQUIREMENTS.....	\$1,432,877
* <i>Unappropriated Ending Balance</i>	<i>\$221,436</i>

055 - RESERVE FUNDS	Appropriated Budget 2026-2027
Insurance Claims	\$84,325
Bike Path and Trails	572,328
Emergency Equipment	131,666
Public Safety	865,263
Public Works	1,726,705
PERS Side Account	646,480
Economic Development Infrastructure	93,733
GC Sinking	600
High Desert Task Force	20,000
Contingencies	799,616
TOTAL REQUIREMENTS.....	\$4,940,716

060 - REVOLVING LOAN FUND	Appropriated Budget 2026-2027
Economic Development loans	\$320,515
TOTAL REQUIREMENTS.....	\$320,515

105 - WATER FUND	Appropriated Budget 2026-2027
<i>Water Treatment</i>	
Water treatment operations	\$3,011,662
Capital Outlay	1,472,729
Debt Service	274,475
Interfund Transfers	358,207
Contingencies	867,043
TOTAL REQUIREMENTS.....	\$5,984,116

110 - SEWER FUND	Appropriated Budget 2026-2027
<i>Wastewater Treatment</i>	
Wastewater treatment operations	\$2,618,043
Capital Outlay	1,518,000
Debt Service	248,480
Interfund Transfers	301,417
Contingencies	2,398,879
TOTAL REQUIREMENTS.....	\$7,084,819

115 - STORM SEWER FUND	Appropriated Budget 2026-2027
<i>Storm Sewer</i>	
Storm sewer operations	\$117,524
Capital Outlay	50,000
Interfund Transfers	10,808
Contingencies	273,101
TOTAL REQUIREMENTS.....	\$451,433

120 – AIRPORT FUND	Appropriated Budget 2026-2027
<i>Ontario Municipal Airport</i>	
Airport operations	\$333,872
Transfers	6,000
TOTAL REQUIREMENTS.....	\$339,872

Total Appropriations, All Funds	\$52,058,377
*Total Unappropriated and Reserve Amounts, All Funds	\$1,921,436
TOTAL ADOPTED BUDGET	\$53,979,813

IMPOSING THE TAX

BE IT RESOLVED THAT THE Ontario City Council hereby imposes the taxes provided for in the adopted budget at the of \$4.8347 per \$1,000 of assessed value for operations, and that these taxes are hereby imposed and categorized for tax year 2026-2027 upon the assessed value of all taxable property within the district.

CATEGORIZING THE TAX

BE IT FURTHER RESOLVED that the Ontario City Council categorizes the taxes as follows:

General Government Limitation	Excluded from Limitation
General Fund \$4.8347 / \$1,000	\$0.00

EFFECTIVE DATE: Effective July 1, 2026.

Motion approving the appropriations for the Grant and Building Funds in Resolution #2026-116:

AYES:

NAYES:

ABSENT:

Motion approving all remaining elements of this Resolution #2026-116, a resolution to adopt and appropriate the Annual Budget for 2026-2027, impose the taxes upon taxable property, and categorize the taxes imposed for the fiscal year 2026-2027:

AYES:

NAYES:

ABSENT:

APPROVED by the Mayor this 23rd day of June, 2026

Deborah K. Folden, Mayor

ATTEST:

Tori Barnett, MMC, City Recorder



**AGENDA REPORT
PUBLIC HEARING
June 23, 2026**

To: Mayor and City Council
FROM: Marshall Pierce, City Engineer/Project Manager
THROUGH: Danny K. Cummings, City Manager
SUBJECT: **CDBG FINAL NOTICE: DESIGN SERVICES FOR RIVER INTAKE PROJECT**
DATE: June 11, 2026

PROPOSED MOTION:

N/A.

SUMMARY:

As required by HUD, two public notices/hearings are needed per each CDBG project. This is the final notice for the design portion of the river intake project, which was funded by block grant funds (\$500,000).

BACKGROUND:

The City is wrapping up the engineering design phase of the river intake project at our WTP. This project was funded by CDBG funds (\$500,000). As required by HUD, two public notices/hearings are needed per each CDBG project. This is the final notice for the design portion of the river intake project, which was funded by block grant funds (\$500,000). The first notice was held prior to design.

CURRENT SITUATION:

The City is wrapping up the engineering design phase of the river intake project at our WTP. This project was funded by CDBG funds (\$500,000). As required by HUD, two public notices/hearings are needed per each CDBG project. This is the final notice for the design portion of the river intake project, which was funded by block grant funds (\$500,000). The first notice was held prior to design. This hearing is for the City Council to obtain citizen views and to respond to questions and comments about regarding how this project went.

ANALYSIS:

- A. **STRATEGIC PLAN** This meets the Desirability aspect of the Strategic Plan.
- B. **FINANCIAL** None.
- C. **TIMING** As this project is wrapping up, time is of the essence to complete this public hearing.

D. **POLICY/LEGAL** Public hearing and comment period is required for this grant.

ALTERNATIVES:

No alternatives.

RECOMMENDATION:

N/A.

ATTACHMENTS:

1. Spanish- 2nd Public Hearing Notice CDBG Design
2. English - 2nd Public Hearing CDBG Design

AVISO DE SEGUNDA AUDIENCIA PÚBLICA

La Ciudad de Ontario está finalizando el proyecto de diseño para una toma secundaria de suministro de agua desde el río Snake, financiado con fondos del Community Development Block Grant (CDBG) administrado por el Departamento de Desarrollo Empresarial de Oregón. La ubicación del proyecto es Ontario, Oregón. Se estima que el proyecto ha beneficiado al menos a 10,044 personas, de las cuales el 57.88 % son personas de ingresos bajos o moderados.

El Concejo Municipal llevará a cabo una audiencia pública a las 7:00 p.m. el 23 de junio de 2026, en 444 SW 4th St., Ontario, OR 97914. El propósito de la audiencia es que el Concejo Municipal obtenga la opinión de los ciudadanos sobre el proyecto y reciba comentarios acerca del desempeño del gobierno local. También se aceptarán comentarios por escrito, los cuales deberán recibirse antes del 22 de junio de 2026 en 444 SW 4th Street, Ontario, OR 97914. Tanto los comentarios orales como los escritos serán revisados por el Concejo Municipal.

La ubicación de la audiencia es accesible para personas con discapacidades. Por favor, comuníquese con Dan Cummings al (541) 881-3223 si necesita alguna adaptación especial para asistir o participar en la audiencia.

Puede obtener más información sobre el Programa de Subvenciones para el Desarrollo Comunitario (CDBG) de Oregón y el proyecto. Esta información está disponible para revisión pública en 444 SW 4th Street, Ontario, OR 97914, durante el horario regular de oficina. Se solicita aviso previo.

2nd Public Hearing Notice

The City of Ontario is completing the Secondary Water Supply Intake from the Snake River design project funded with Community Development Block Grant funds from the Oregon Business Development Department. The location of the project is Ontario, Oregon. It is estimated that the project has benefited at least 10,044 persons, of whom 57.88% are low to moderate-income.

A public hearing will be held by the City Council at 7:00 pm on June 23, 2026, at 444 SW 4th St., Ontario, OR 97914. The purpose of the hearing is for the City Council to obtain citizens' views about the project and to take comments about the local government's performance. Written comments are also welcome and must be received by June 22, 2026, at 444 SW 4th Street, Ontario, OR 97914. Both oral and written comments will be reviewed by the City Council.

The location of the hearing is accessible to persons with disabilities. Please let Dan Cummings at (541) 881-3223 know if you need any special accommodations to attend or participate in the hearing.

More information about the Oregon Community Development Block Grant program and the project is available for public review at 444 SW 4th Street, Ontario, OR 97914, during office hours. Advance notice is requested.



**AGENDA REPORT
PUBLIC HEARING
June 23, 2026**

To: Mayor and City Council
FROM: Marshall Pierce, City Engineer/Project Manager
THROUGH: Danny K. Cummings, City Manager
SUBJECT: **CDBG INITIAL NOTICE: CONSTRUCTION APPLICATION FOR RIVER INTAKE PROJECT**
DATE: June 11, 2026

PROPOSED MOTION:

I MOVE CITY COUNCIL AUTHORIZE STAFF TO MOVE FORWARD WITH APPLYING FOR A COMMUNITY DEVELOPMENT BLOCK GRANT FOR THE CONSTRUCTION OF THE SECONDARY RIVER INTAKE PROJECT, UP TO \$2,000,000 IN GRANT AMOUNT.

SUMMARY:

As required by HUD, two public notices/hearings are needed per each CDBG project. This is the first notice for the construction portion of the river intake project, which a portion will be funded by block grant funds, up to \$2,000,000.

Additionally, Council is the approving authority for funding applications.

BACKGROUND:

The City is wrapping up the design of the new Secondary River Intake at our WTP. This design was funded by CDBG funds (\$500,000). We are now in a position to apply for the construction phase funds through the same project, up to \$2,000,000. A public hearing/notice is required for this as well.

CURRENT SITUATION:

The City is wrapping up the design of the new Secondary River Intake at our WTP. This design was funded by CDBG funds (\$500,000). We are now in a position to apply for the construction phase funds through the same project, up to \$2,000,000. A public hearing/notice is required for this as well.

ANALYSIS:

- A. **STRATEGIC PLAN** This meets the Desirability aspect of the Strategic Plan.
- B. **FINANCIAL** The grant amount is up to \$2,000,000.

- C. **TIMING** As the design portion is wrapping up, time is of the essence to complete this first public hearing for the next CDBG application.
- D. **POLICY/LLEGAL** Public hearing and comment period is required for this grant. Council is the approving authority for moving forward with the CDBG application.

ALTERNATIVES:

None.

RECOMMENDATION:

Staff recommends that after hearing public notice, that the City Council approve staff to move forward with applying for the grant and authorize the City Manager to sign all documents.

ATTACHMENTS:

1. Spanish- 1st Public Notice and Notice of Public Hearing CDBG Construction
2. English- 1st Public Notice and Notice of Public Hearing CDBG Construction

AVISO PÚBLICO Y AVISO DE AUDIENCIA PÚBLICA

La Ciudad de Ontario es elegible para solicitar una Subvención para el Desarrollo Comunitario (Community Development Block Grant, CDBG) para el año 2026 a través de Business Oregon. Los fondos del Community Development Block Grant provienen del Departamento de Vivienda y Desarrollo Urbano de los Estados Unidos (U.S. Department of Housing and Urban Development). Estas subvenciones pueden utilizarse para instalaciones públicas, mejoras en los sistemas de agua y aguas residuales, y mejoras de vivienda, principalmente para beneficiar a personas de ingresos bajos y moderados.

Aproximadamente \$11 millones serán otorgados en 2026 a ciudades y condados no metropolitanos de Oregón. La subvención máxima que una ciudad o condado puede recibir es de \$2,500,000.

La Ciudad de Ontario está preparando una solicitud para una Subvención para el Desarrollo Comunitario (CDBG) de 2026 a través de Business Oregon para mejoras en el sistema de agua. Se estima que el proyecto propuesto beneficiará al menos a 11,645 personas, de las cuales el 58.10 % son personas de ingresos bajos o moderados.

El Concejo Municipal llevará a cabo una audiencia pública a las 7:00 p.m. el 23 de junio de 2026, en 444 SW 4th St., Ontario, OR 97914. El propósito de esta audiencia es obtener las opiniones de los ciudadanos y responder preguntas y comentarios relacionados con las necesidades de desarrollo comunitario y vivienda, especialmente las necesidades de las personas de ingresos bajos y moderados, así como otras necesidades de la comunidad que podrían ser atendidas mediante un proyecto financiado con fondos del Community Development Block Grant, además de recibir comentarios sobre el proyecto propuesto.

También se aceptarán comentarios por escrito, los cuales deberán recibirse a más tardar el 22 de junio de 2026 en 444 SW 4th St., Ontario, OR 97914. Tanto los comentarios orales como los escritos serán considerados por el Concejo Municipal al decidir si presenta la solicitud.

El lugar de la audiencia es accesible para personas con discapacidades. Comuníquese con Dan Cummings al (541) 881-3223 si necesita alguna adaptación especial para asistir o participar en la reunión.

Puede obtener más información sobre las Subvenciones para el Desarrollo Comunitario de Oregón (CDBG), el proyecto propuesto y los registros relacionados con el uso anterior de fondos del Community Development Block Grant por parte de la Ciudad. Esta información está disponible para revisión pública en 444 SW 4th St., Ontario, OR 97914, durante el horario regular de oficina. Se solicita aviso previo. Si necesita adaptaciones especiales, comuníquese con Dan Cummings al (541) 881-3223 para que se le brinde la asistencia adecuada.

No se prevé el desplazamiento involuntario permanente de personas o negocios como resultado del proyecto propuesto. Si el desplazamiento llegara a ser necesario, se evaluarán alternativas para minimizarlo y proporcionar los beneficios requeridos y razonables a las personas afectadas. Cualquier vivienda para personas de ingresos bajos o moderados que sea demolida o convertida a otro uso será reemplazada.

Public Notice and Notice of Public Hearing

The City of Ontario is eligible to apply for a 2026 Community Development Block Grant from Business Oregon. Community Development Block Grant funds come from the U.S. Department of Housing and Urban Development. The grants can be used for public facilities, water/wastewater improvements, and housing improvements, primarily for persons with low and moderate incomes.

Approximately \$11 million will be awarded to Oregon non-metropolitan cities and counties in 2026. The maximum grant that a city or county can receive is \$2,500,000.

The City of Ontario is preparing an application for a 2026 Community Development Block Grant from the Business Oregon for Water System Improvements. It is estimated that the proposed project will benefit at least 11,645 persons, of whom 58.10% will be low or moderate-income.

A public hearing will be held by the city council at 7:00 p.m. on June 23, 2026, at 444 SW 4th St, Ontario, OR 97914. The purpose of this hearing is for the city council to obtain citizen views and to respond to questions and comments about community development and housing needs, especially the needs of low- and moderate-income persons, as well as other needs in the community that might be assisted with a Community Development Block Grant project, and the proposed project.

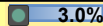
Written comments are also welcome and must be received by June 22, 2026, at 444 SW 4th St, Ontario, OR 97914. Both oral and written comments will be considered by the City Council in deciding whether to apply.

The location of the hearing is accessible to persons with disabilities. Please contact Dan Cummings at (541) 881-3223 if you will need any special accommodations to attend or participate in the meeting.


More information about Oregon Community Development Block Grants, the proposed project, and records about the City's past use of Community Development Block Grant funds is available for public review at 444 SW 4th St., Ontario, OR 97914 during regular office hours. Advance notice is requested. If special accommodations are needed, please notify Dan Cummings at (541)881-3223 so that appropriate assistance can be provided.

Permanent involuntary displacement of persons or businesses is not anticipated as a result from the proposed project. If displacement becomes necessary, alternatives will be examined to minimize the displacement and provide required/reasonable benefits to those displaced. Any low- and moderate-income housing that is demolished or converted to another use will be replaced.

**CITY OF ONTARIO
GENERAL FUND - DEPARTMENT REVENUE
FOR THE PERIOD ENDED
MARCH 31, 2026**

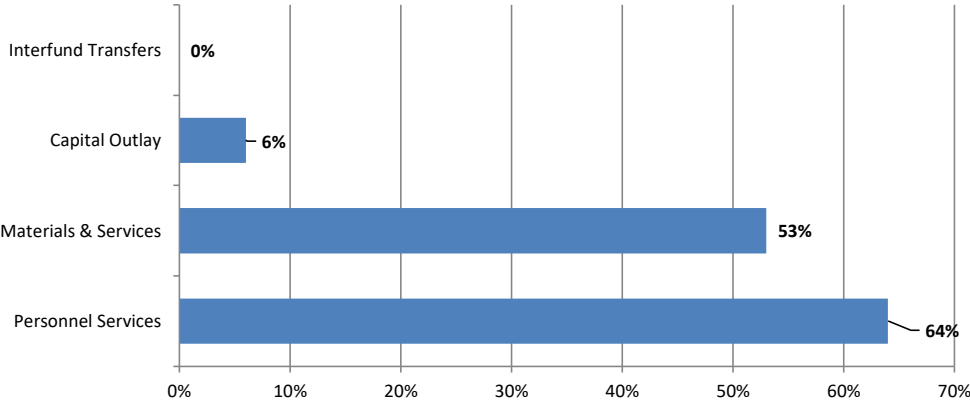
DEPARTMENT	BUDGET	ACTUAL	% REALIZED	COMMENTS
<i>GENERAL FUND BEGINNING FUND BALANCE</i>	6,187,310	7,617,616	123.1%	
Parks	111,020	105,291	94.8%	
Parks & Recreation	111,020	105,291	94.8%	
Fire	234,492	127,925	54.6%	
Code Enforcement	13,100	5,335	40.7%	
Police	746,885	579,518	77.6%	
Dispensary Business License	130,200	145,200	111.5%	
Public Safety Total	1,124,677	857,977	76.3%	
Interest	85,000	184,628	217.2%	
State Revenue Sharing	145,898	68,224	46.8%	
Administrative Services	497,148	372,861	75.0%	
Other General Revenues	8,000	46,788	584.8%	
Property Taxes	4,733,677	4,653,166	98.3%	
Alcohol Bvg License & Fee	212,129	113,246	53.4%	
Cigarette tax	7,005	4,399	62.8%	
Marijuana tax	2,500,000	1,599,707	64.0%	<i>This is 2 of 4 payments</i>
Franchise Fees	1,877,480	894,299	47.6%	
Cemetery	30,900	35,480	114.8%	
General Government Total	10,097,237	7,972,797	79.0%	
Planning & Zoning	73,500	3,330	4.5%	\$69,500 grant
Community development	73,500	3,330	4.5%	
Operating Transfers In	48,090	-	0.0%	
Transfer Total	48,090	-	0.0%	
GENERAL FUND REVENUE TOTALS	\$ 11,454,524	\$ 8,939,396	78.0%	
YTD CURRENT YEAR PROFIT(LOSS)		\$ 1,625,268		
YTD BUDGET BENCHMARK			75.0%	 3.0%

**CITY OF ONTARIO
GENERAL FUND - DEPARTMENT EXPENDITURES
FOR THE PERIOD ENDED
MARCH 31, 2026**

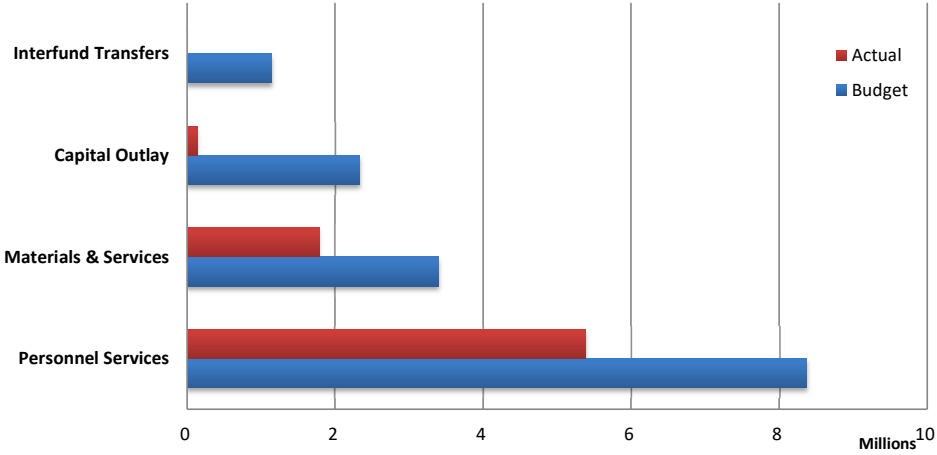
DEPARTMENT	BUDGET	ACTUAL	% EXPENDED	COMMENTS
Parks	1,151,419	126,362	11.0%	Lots of capital projects
Parks & Recreation	1,151,419	126,362	11.0%	
Fire	2,878,489	1,779,536	61.8%	
Code Enforcement	248,976	92,287	37.1%	dog lodging project
Police	6,019,259	3,460,803	57.5%	
Public Safety Total	9,146,724	5,332,626	58.3%	
Administration	638,385	407,940	63.9%	
City Council	31,857	11,965	37.6%	
Business Registration	1,100	330	30.0%	
Cemetery	223,823	118,704	53.0%	
Finance	286,138	192,792	67.4%	
Technology	303,774	171,133	56.3%	
General Government Total	1,485,077	902,864	60.8%	
Community development	243,921	125,916	51.6%	
Community Development	243,921	125,916	51.6%	
Administrative Overhead	1,592,839	493,294	31.0%	
Non-Departmental Contributions	519,658	333,066	64.1%	
Other Total	2,112,497	826,360	39.1%	
Operating Transfers Out	1,090,544	-	0.0%	
GENERAL FUND TOTALS	\$ 15,230,182	\$ 7,314,128	48.0%	
YTD BUDGET BENCHMARK			75.0%	 27.0%

**CITY OF ONTARIO
GENERAL FUND - DEPARTMENT EXPENDITURES
FOR THE PERIOD ENDED
MARCH 31, 2026**

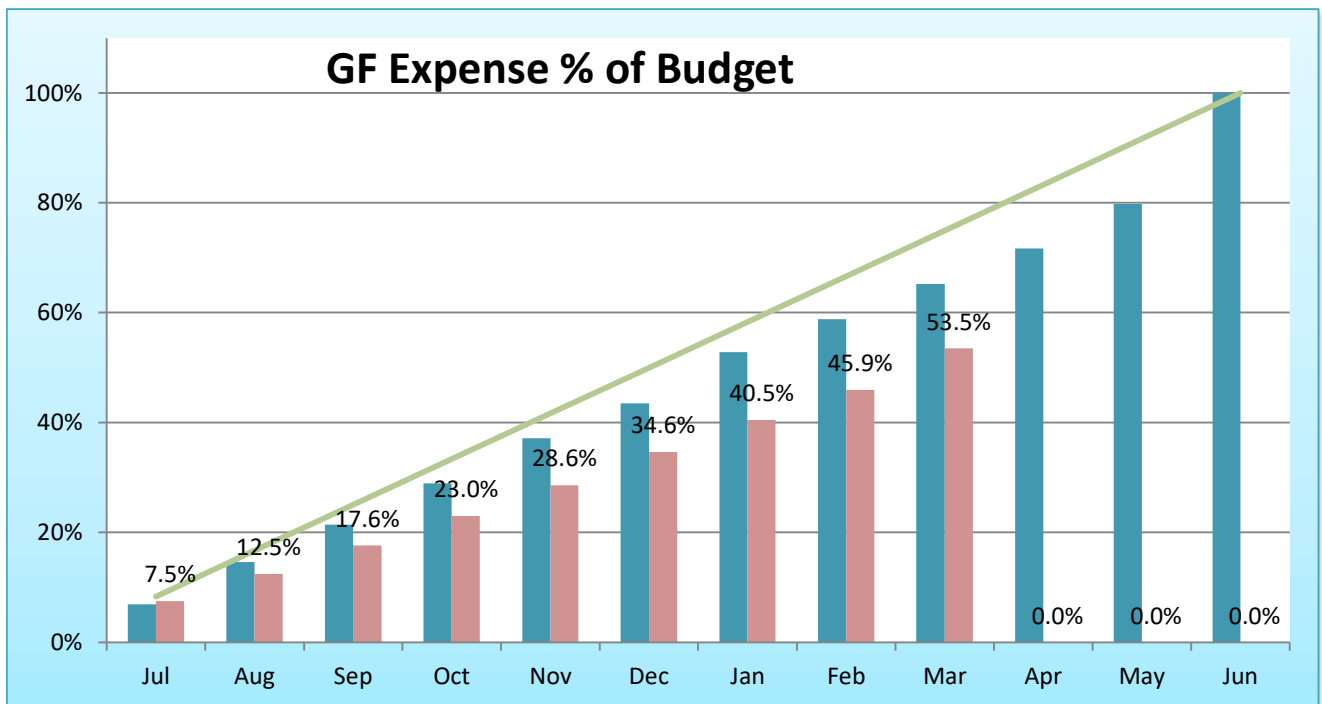
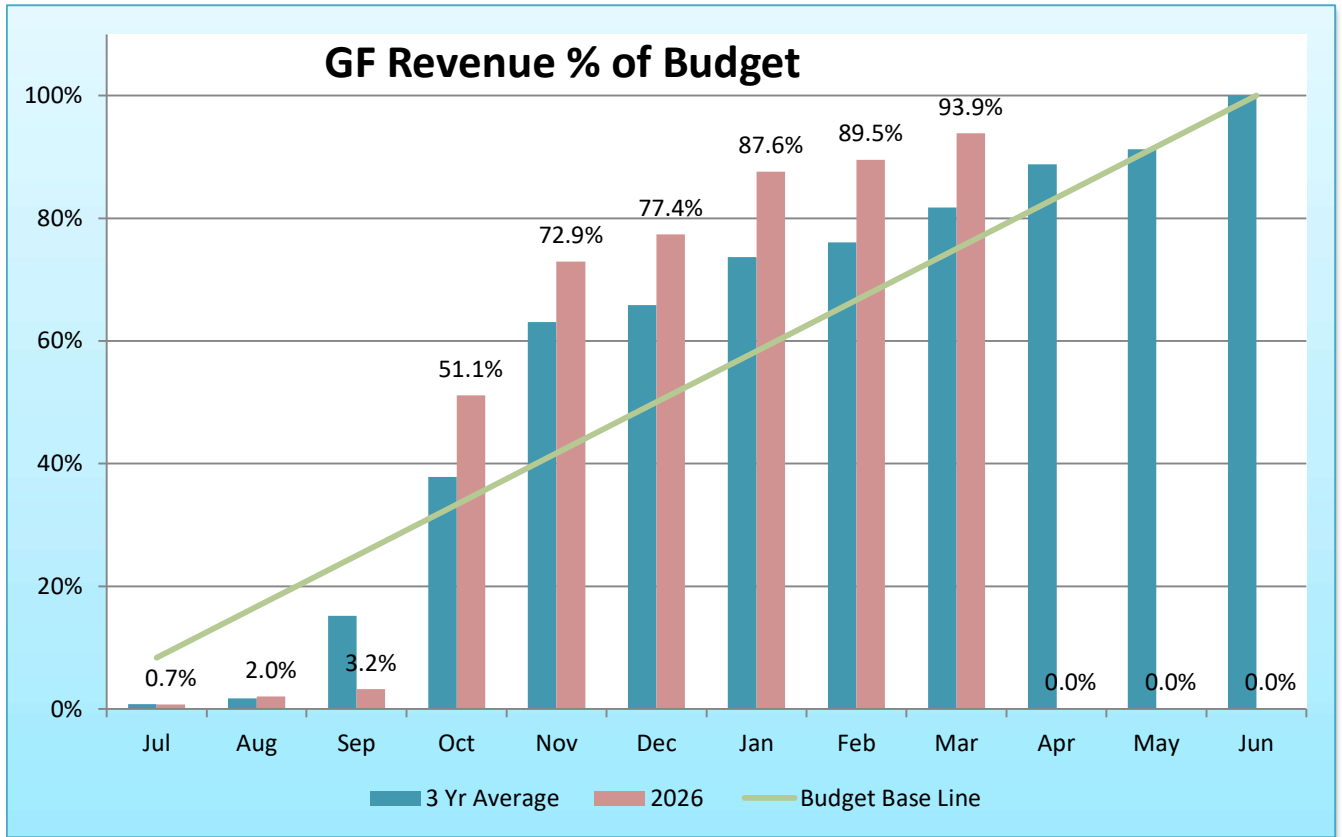
% Expended by Category



Budget to Actual by Category



**CITY OF ONTARIO
GENERAL FUND
FOR THE PERIOD ENDED
MARCH 31, 2026**



**CITY OF ONTARIO
OTHER FUNDS - EXPENDITURES
FOR THE PERIOD ENDED
MARCH 31, 2026**


DEPARTMENT/FUND	REVENUES				EXPENDITURES		
	BUDGET	ACTUAL	% REALIZED		BUDGET	ACTUAL	% EXPENDED
002 Marijuana Enforcement Fund	31,549	39,525	125.3%		31,549	31,549	100.0%
010 Grant Fund	1,774,077	1,450,569	81.8%		1,774,077	769,205	43.4%
027 Building Fund	957,103	1,064,793	111.3%		271,537	193,957	71.4%
030 Capital Projects Fund	6,144,414	6,512,484	106.0%		6,144,414	307,151	5.0%
031 SDC Fund	1,020,771	1,016,986	99.6%		1,020,771	-	0.0%
045 Street Fund	5,489,072	4,236,542	77.2%		5,489,072	2,645,617	48.2%
050 Trust Funds	1,452,158	1,290,992	88.9%		1,452,158	361,353	24.9%
055 Reserve Funds	4,667,685	4,210,665	90.2%		4,082,101	382,497	9.4%
060 Revolving Loan Fund	313,857	300,148	95.6%		313,857	60,000	19.1%
105 Water Fund	7,020,914	6,154,890	87.7%		5,763,547	4,160,572	72.2%
110 Sewer Fund	6,024,441	6,007,151	99.7%		4,991,013	2,556,886	51.2%
115 Storm Sewer Fund	492,466	478,737	97.2%		173,999	143,601	82.5%
120 Airport Fund	273,791	272,177	99.4%		273,791	342,463	125.1%
125 Aquatic Fund	1,029	1,029	100.0%		1,029	-	0.0%

Comments:


YTD BUDGET BENCHMARK

75.0%

**CITY OF ONTARIO
GENERAL FUND - DEPARTMENT REVENUE
FOR THE PERIOD ENDED
APRIL 30, 2026**

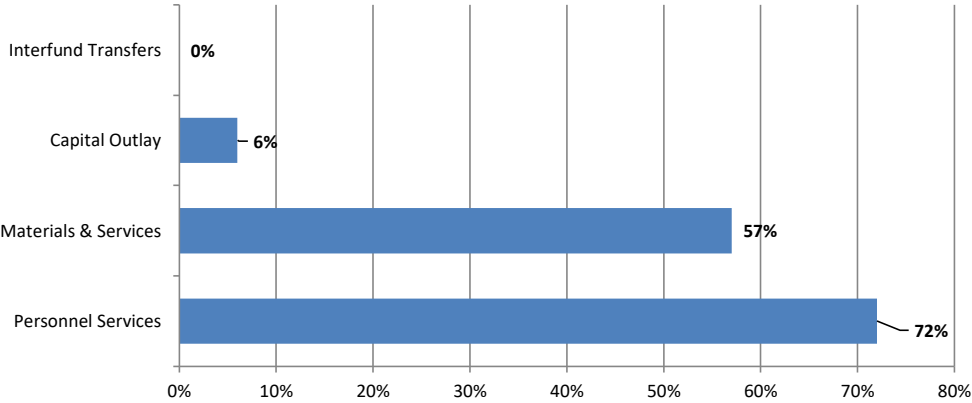
DEPARTMENT	BUDGET	ACTUAL	% REALIZED	COMMENTS
<i>GENERAL FUND BEGINNING FUND BALANCE</i>	6,187,310	7,617,616	123.1%	
Parks	111,020	118,421	106.7%	
Parks & Recreation	111,020	118,421	106.7%	
Fire	234,492	180,730	77.1%	
Code Enforcement	13,100	7,090	54.1%	
Police	746,885	649,872	87.0%	
Dispensary Business License	130,200	171,200	131.5%	
Public Safety Total	1,124,677	1,008,891	89.7%	
Interest	85,000	205,359	241.6%	
State Revenue Sharing	145,898	68,224	46.8%	
Administrative Services	497,148	414,290	83.3%	
Other General Revenues	8,000	52,169	652.1%	
Property Taxes	4,733,677	4,677,112	98.8%	
Alcohol Bvg License & Fee	212,129	126,732	59.7%	
Cigarette tax	7,005	4,766	68.0%	
Marijuana tax	2,500,000	1,599,707	64.0%	<i>This is 2 of 4 payments</i>
Franchise Fees	1,877,480	1,356,221	72.2%	
Cemetery	30,900	37,930	122.7%	
General Government Total	10,097,237	8,542,509	84.6%	
Planning & Zoning	73,500	3,645	5.0%	\$69,500 grant
Community development	73,500	3,645	5.0%	
Operating Transfers In	48,090	-	0.0%	
Transfer Total	48,090	-	0.0%	
GENERAL FUND REVENUE TOTALS	\$ 11,454,524	\$ 9,673,467	84.5%	
YTD CURRENT YEAR PROFIT(LOSS)		\$ 1,590,008		
YTD BUDGET BENCHMARK			83.3%	 1.1%

**CITY OF ONTARIO
GENERAL FUND - DEPARTMENT EXPENDITURES
FOR THE PERIOD ENDED
APRIL 30, 2026**

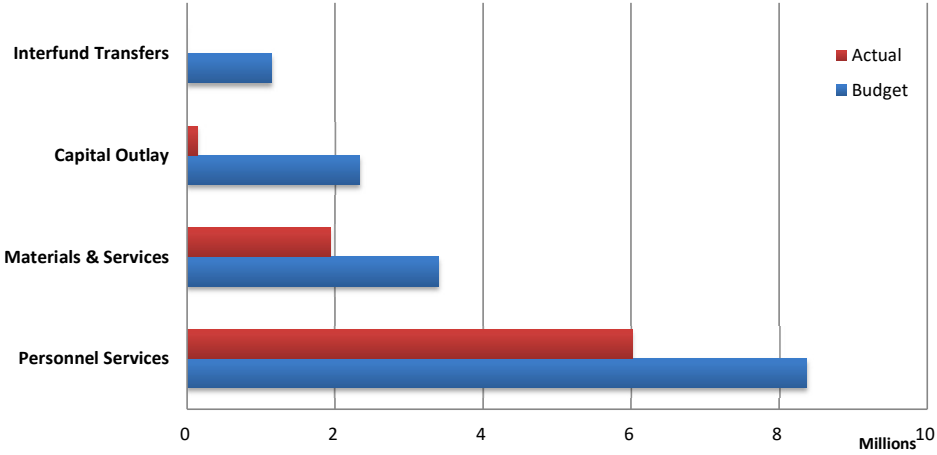
DEPARTMENT	BUDGET	ACTUAL	%	COMMENTS
			EXPENDED	
Parks	1,151,419	138,881	12.1%	Lots of capital projects
Parks & Recreation	1,151,419	138,881	12.1%	
Fire	2,878,489	1,969,894	68.4%	
Code Enforcement	248,976	104,600	42.0%	dog lodging project
Police	6,019,259	3,855,013	64.0%	
Public Safety Total	9,146,724	5,929,507	64.8%	
Administration	638,385	470,136	73.6%	
City Council	31,857	13,184	41.4%	
Business Registration	1,100	333	30.3%	
Cemetery	223,823	130,442	58.3%	
Finance	286,138	214,018	74.8%	
Technology	303,774	190,443	62.7%	
General Government Total	1,485,077	1,018,556	68.6%	
Community development	243,921	147,244	60.4%	
Community Development	243,921	147,244	60.4%	
Administrative Overhead	1,592,839	515,910	32.4%	
Non-Departmental Contributions	519,658	333,362	64.2%	
Other Total	2,112,497	849,272	40.2%	
Operating Transfers Out	1,090,544	-	0.0%	
GENERAL FUND TOTALS	\$ 15,230,182	\$ 8,083,459	53.1%	
YTD BUDGET BENCHMARK			83.3%	 30.3%

**CITY OF ONTARIO
 GENERAL FUND - DEPARTMENT EXPENDITURES
 FOR THE PERIOD ENDED
 APRIL 30, 2026**

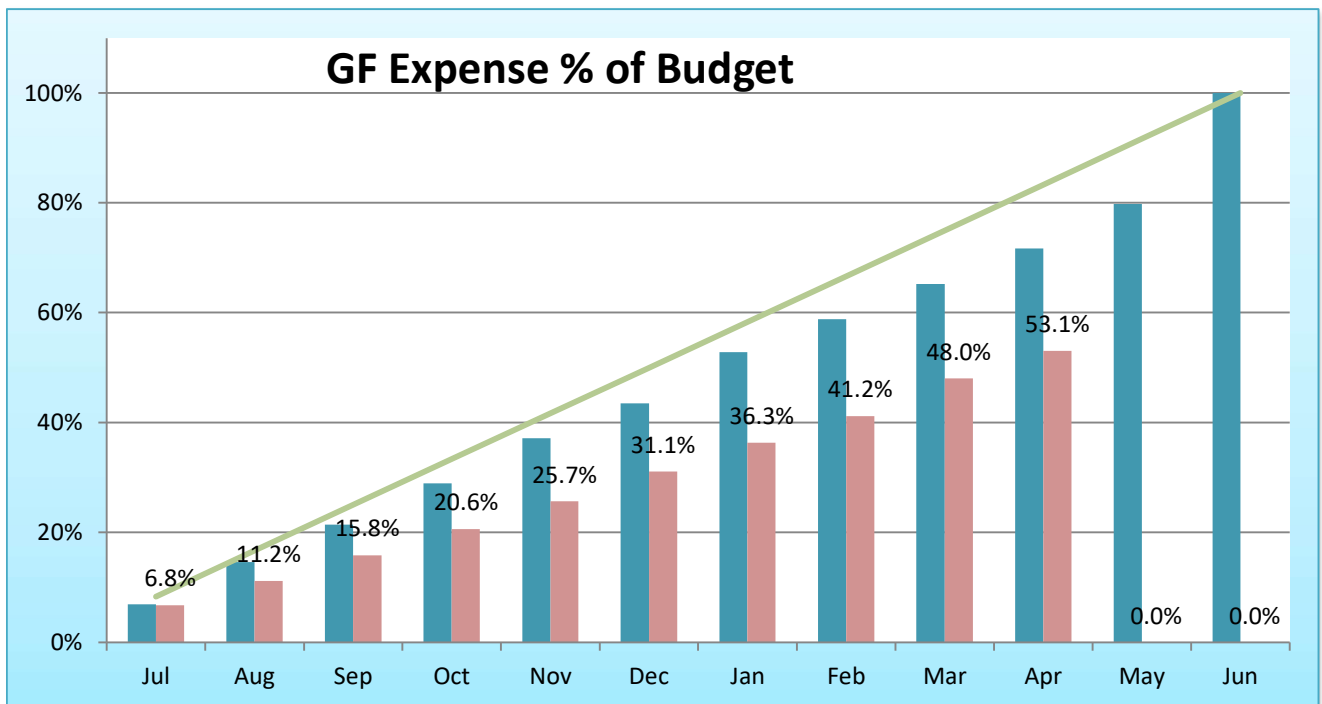
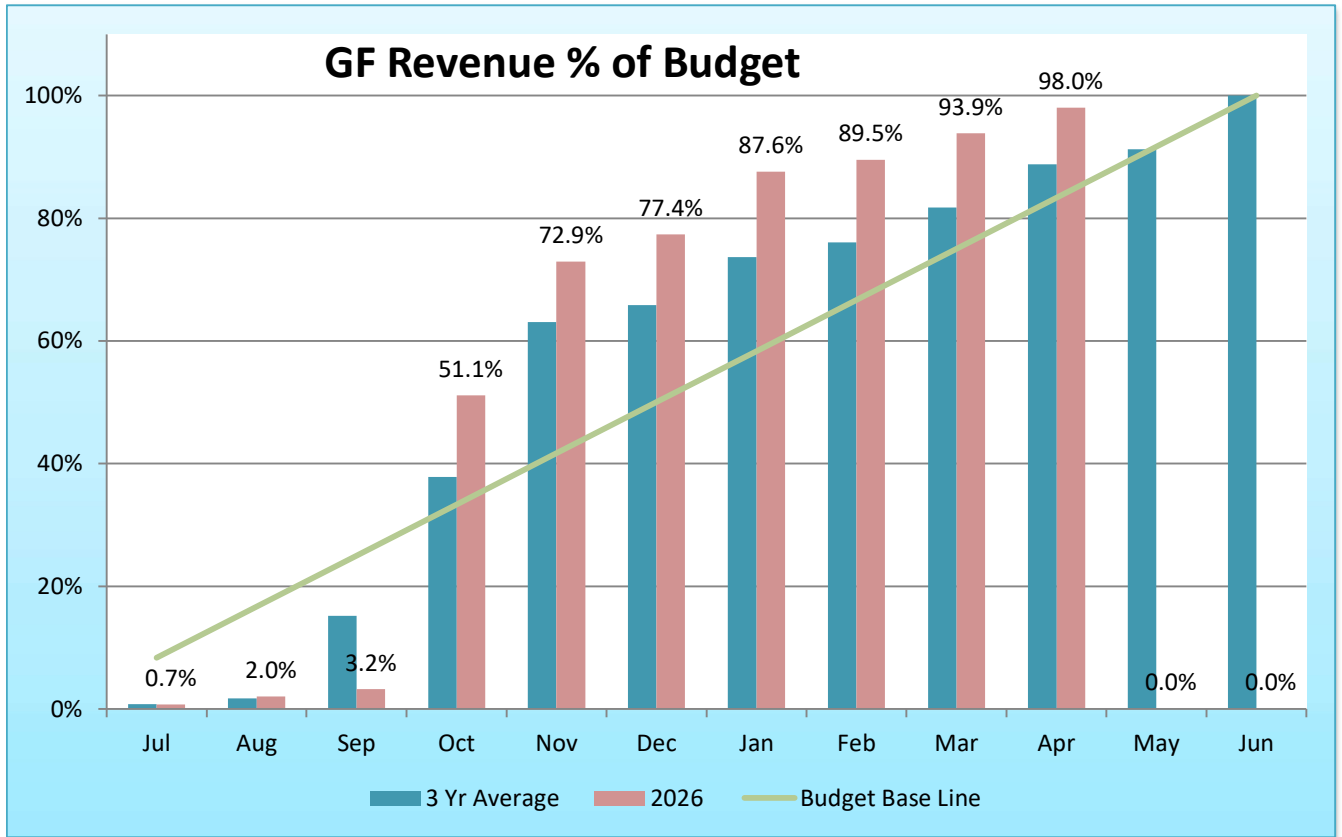
% Expended by Category



Budget to Actual by Category



**CITY OF ONTARIO
GENERAL FUND
FOR THE PERIOD ENDED
APRIL 30, 2026**



**CITY OF ONTARIO
OTHER FUNDS - EXPENDITURES
FOR THE PERIOD ENDED
APRIL 30, 2026**

DEPARTMENT/FUND	REVENUES				EXPENDITURES		
	BUDGET	ACTUAL	% REALIZED		BUDGET	ACTUAL	% EXPENDED
002 Marijuana Enforcement Fund	31,549	39,525	125.3%		31,549	31,549	100.0%
010 Grant Fund	1,774,077	1,460,569	82.3%		1,774,077	798,011	45.0%
027 Building Fund	957,103	1,069,507	111.7%		271,537	216,409	79.7%
030 Capital Projects Fund	6,144,414	6,578,393	107.1%		6,144,414	349,284	5.7%
031 SDC Fund	1,020,771	1,018,274	99.8%		1,020,771	-	0.0%
045 Street Fund	5,489,072	4,410,508	80.4%		5,489,072	2,917,831	53.2%
050 Trust Funds	1,452,158	1,354,877	93.3%		1,452,158	407,605	28.1%
055 Reserve Funds	4,667,685	4,268,175	91.4%		4,082,101	396,961	9.7%
060 Revolving Loan Fund	313,857	295,516	94.2%		313,857	60,000	19.1%
105 Water Fund	7,020,914	6,803,107	96.9%		5,763,547	5,088,170	88.3%
110 Sewer Fund	6,024,441	6,357,681	105.5%		4,991,013	2,766,731	55.4%
115 Storm Sewer Fund	492,466	489,569	99.4%		173,999	153,126	88.0%
120 Airport Fund	273,791	273,693	100.0%		273,791	362,501	132.4%
125 Aquatic Fund	1,029	1,029	100.0%		1,029	-	0.0%

Comments:

YTD BUDGET BENCHMARK

83.3%

MALHEUR COUNTY COURT MINUTES

May 20, 2026

The regularly scheduled meeting of the County Court was called to order by Judge Dan Joyce at 10:15 a.m. with Commissioner Ron Jacobs and Commissioner Jim Mendiola present. Judge Joyce led the Pledge of Allegiance. Members of the media, public and staff had the opportunity to join the meeting electronically or in person. Present in the meeting room was Administrative Officer Lorinda DuBois. Notice of the meeting was posted on the County website, Courthouse bulletin board, and emailed to the Argus Observer and those persons who have requested notice. The agenda is recorded as instrument # [2026-1825](#)

CROSSING PERMITS

Commissioner Jacobs moved to approve Crossing Permit #24-26 to Reese Goodrich/ADB for work on Gem Avenue #865; and Permit #25-26 to Romans Precision Irrigation for work on Willow Creek Road #502. Commissioner Mendiola seconded and the motion passed unanimously. Original permits will be kept on file at the Road Department.

Vote: RJ/JM/DJ in favor. Approved.

SPECIAL MEETING MINUTES

Commissioner Mendiola moved to approve Special Meeting Minutes of May 11, 2026 as written. Commissioner Jacobs seconded and the motion passed unanimously.

Vote: JM/RJ/DJ in favor. Approved.

COURT MINUTES

Commissioner Mendiola moved to approve Court Minutes of May 13, 2026 as written. Commissioner Jacobs seconded and the motion passed unanimously.

Vote: JM/RJ/DJ in favor. Approved.

PUBLIC COMMENTS

Judge Joyce asked for comments from the public. No public comments were received.

WORK SESSION – DRAFT MALHEUR COUNTY TRANSIT DEVELOPMENT STRATEGY

Krista Purser and Nick Foster from the consulting firm Kittelson & Associates; and MCOA&CS Transportation Manager Brittany White held a work session with the Court regarding the draft Malheur County Transit Development Strategy. Krista Purser led the work session. The plan identifies ways to make transit connections better both within and outside the county. ODOT requires projects be in an adopted plan to receive funding. A Technical Advisory Committee provided oversight in development of the plan. The Transit Development Strategy is different than the 5-year Coordinated Plan. The existing transit service is concentrated in the cities. Improved access for northern Ontario residents was an identified recommendation. Interest was identified in increasing the frequency of the Ontario – Nyssa commuter route; and a separate more direct route to Vale. Data shows a need for more connections in Ontario with transfer opportunities to other regional transit services.

Non-service strategies were also identified such as expanding the youth transit pass program, bus stop improvements, and real-time trip tracking.

The finalized plan will need to be adopted by the Court.

COURT ADJOURNMENT

Commissioner Jacobs moved to adjourn the meeting. Commissioner Mendiola seconded and the motion passed unanimously.

Vote: RJ/JM/DJ in favor. Approved.

MALHEUR COUNTY COURT MINUTES

May 27, 2026

The regularly scheduled meeting of the County Court was called to order by Judge Dan Joyce at 9:00 a.m. with Commissioner Ron Jacobs and Commissioner Jim Mendiola present. Judge Joyce led the Pledge of Allegiance. Members of the media, public and staff had the opportunity to join the meeting electronically or in person. Present in the meeting room was Economic and Community Development Coordinator Taylor Rembowski and County Surveyor Derrick McKrola. Notice of the meeting was posted on the County website, Courthouse bulletin board, and emailed to the Argus Observer and those persons who have requested notice. The agenda is recorded as instrument # [2026-1878](#)

RESOLUTION IN SUPPORT OF NEW APPRENTICESHIP PROGRAM

Riley Hill with Poverty to Prosperity (P2P) met with the Court and presented a resolution for their consideration. Mr. Hill explained that Poverty to Prosperity has been working to implement an electrical and plumbing apprenticeship program at the high school level. Mr. Hill has had discussions with BOLI about the need to offer an apprenticeship program at the high school level as the current pre-apprenticeship program does not count toward an apprenticeship license. Currently BOLI regulations require a minimum age of 18 and have high apprentice to journeyman ratio requirements. Idaho allows for apprenticeship programs beginning at the age of 16 and has much lower apprentice to journeyman ratios. Ontario, Nyssa and Vale school districts are in support of a high school apprenticeship program.

Commissioner Mendiola moved to approve Resolution No. R26-20 - In the Matter of: Resolution In Support of a New Plumbing and Electrical Apprenticeship Program for High School Students in Malheur County; and Oregon. Commissioner Jacobs seconded and the motion passed unanimously. See instrument # [2026-1879](#)

See instrument # [2026-1880](#) for support letters from the cities of Ontario, Nyssa and Vale; Treasure Valley Community College; Malheur County Education Service District; and the school districts of Ontario, Nyssa and Vale.

Vote: JM/RJ/DJ in favor. Approved.

SUBDIVISION PLAT

County Surveyor Derrick McKrola met with the Court and presented a subdivision plat for the Court's consideration. Commissioner Jacobs moved to approve Baja Falls II Subdivision Plat, in the city of Nyssa. Commissioner Mendiola seconded and the motion passed unanimously. See instrument # [2026-1877](#)

Vote: RJ/JM/DJ in favor. Approved.

Mr. McKrola left the meeting.

CROSSING PERMITS

Commissioner Jacobs moved to approve the following Crossing Permits to Rod Macsween/ Explor Geoscience USA to conduct geological surveys using county roads: Permit #26-26 for Airport Road #1100; Permit #27-26 for Bench Road #1010; Permit #28-26 for Borge Lane #650; Permit #29-26 for Canyon Two Road #1069; Permit #30-26 for Clark Blvd #857; Permit #31-26 for Community Road #932; Permit #32-26 for Desert Glen Road #1058; Permit #33-26 for Enterprise Avenue #662; Permit #34-26 for Fairview Drive #855; Permit #35-26 for Foothill Drive #869; Permit #36-26 for Foxtail Road #836; Permit #37-26 for Frontier Lane #873; Permit #38-26 for Greenfield Road #1009; Permit #39-26 for Heritage Road #553; Permit #40-26 for Janeta Lane #1043; Permit #41-26 for Kingman Road #957; Permit #42-26 for Klamath Avenue #774; Permit #43-26 for Lagoon Drive #869; Permit #44-26 for Lytle Blvd #570; Permit #45-26 for Miller Road #833; Permit #46-26 for NW 36th Street #537; Permit #47-26 for Overstreet Road #839; Permit #48-26 for Railroad Avenue #874; Permit #49-26 for Ridgeview Road #1053; Permit #50-26 for Rock Springs Canyon Road #850; Permit #51-26 for SE 2nd Avenue #871; Permit #52-26 for Stage Road #1011; Permit #53-26 for Townley Road #609; Permit #54-26 for Whitney Road #3569; and Permit #55-26 for Bully Creek Road #612. Commissioner Mendiola seconded and the motion passed unanimously. Original permits will be kept on file at the Road Department.

Vote: RJ/JM/DJ in favor. Approved.

DROUGHT DECLARATION

Lieutenant Rich Harriman met with the Court and presented a resolution declaring a state of emergency within Malheur County due to severe drought conditions. Also present was Sheriff Travis Johnson. Lieutenant Harriman read the Declaration. Thirteen other Oregon Counties and Tribes have filed drought declarations. Conditions could likely result in loss of economic stability, pasture shortages, decrease in feed production, shortened growing season and decreased water supplies for Malheur County agricultural and livestock producers. Extraordinary measures must be taken to alleviate suffering of people and livestock and to protect or mitigate economic loss, and to be responsive to the threat of wildfires. It is requested that Governor Kotek declare a Drought Emergency for all of Malheur County and direct the Oregon Department of Water Resources to make available in Malheur County Temporary Transfers of Water Rights, Emergency Water Use Permits, Use of Existing Right Option/Agreement; and other federal and state drought assistance and programs as needed.

Commissioner Jacobs moved to approve Resolution R26-19: In the Matter of Declaring a State of Emergency Within Malheur County; and moved to sign a letter to the Oregon Water Resources Department regarding the drought declaration.

Commissioner Mendiola seconded and the motion passed unanimously. See instrument # [2026-1881](#) and #[2026-1882](#)

Vote: RJ/JM/DJ in favor. Approved.

COURT MINUTES

Commissioner Mendiola moved to approve Court Minutes of May 20, 2026 as written. Commissioner Jacobs seconded and the

motion passed unanimously.

Vote: JM/RJ/DJ in favor. Approved.

FLAP APPLICATION

Mr. Rembowski explained he is preparing an application for the Federal Lands Access Program (FLAP) for Lake Owyhee Road/Owyhee Reservoir Road improvements (below the dam, essentially from Overstreet Road up to the reservoir). The application must be done in unison and approved by the BLM district manager. If the application is successful, appropriations would be in 2029-2031. Commissioner Mendiola moved to sign a letter of support for the FLAP application. Commissioner Jacobs seconded and the motion passed unanimously. See instrument # [2026-1883](#)

Vote: JM/RJ/DJ in favor. Approved.

PUBLIC COMMENTS

Judge Joyce asked for comments from the public. No public comments were received.

COURT ADJOURNMENT

Commissioner Mendiola moved to adjourn the meeting. Commissioner Jacobs seconded and the motion passed unanimously.

Vote: JM/RJ/DJ in favor. Approved.

MALHEUR COUNTY COURT MINUTES

June 3, 2026

The regularly scheduled meeting of the County Court was called to order by Judge Dan Joyce at 9:00 a.m. with Commissioner Jim Mendiola present. Commissioner Ron Jacobs was absent. Judge Joyce led the Pledge of Allegiance. Members of the media, public and staff had the opportunity to join the meeting electronically or in person. Present in the meeting room was Administrative Officer Lorinda DuBois and Economic and Community Development Coordinator Taylor Rembowski. Notice of the meeting was posted on the County website, Courthouse bulletin board, and emailed to the Argus Observer and those persons who have requested notice. The agenda is recorded as instrument # [2026-1950](#)

CROSSING PERMITS

Judge Joyce moved to approve the following Crossing Permits to Idaho Power for maintenance at locations on the following roads: Permit #55-26 for Foothill Drive #869; Permit #56-26 for Canyon Three Road #1030; Permit #57-26 for Boat Landing Road #915; Permit #58-26 for Rolland Road #965. Commissioner Mendiola seconded and the motion passed. Original permits will be kept on file at the Road Department.

Vote: DJ/JM in favor. Approved.

COURT MINUTES

Commissioner Mendiola moved to approve Court Minutes of May 27, 2026 as written. Judge Joyce seconded and the motion passed.

Vote: JM/DJ in favor. Approved.

AMENDMENT – IGA #185822

Commissioner Mendiola moved to approve Eighth Amendment to Oregon Health Authority 2025-2027 Intergovernmental Agreement #185822 for the Financing of Public Health Services. Judge Joyce seconded and the motion passed. Program Element 82-01 Rural Health Transformation Program – LPHA Transformation is added and funding is awarded.

Vote: JM/DJ in favor. Approved

OWYHEE BASIN STEWARDSHIP COALITION (OBSC)

Owyhee Basin Stewardship Coalition member Lynn Findley met with the Court. Mr. Findley explained that Senator Wyden's bill now includes a new version of maps that are acceptable to OBSC; and OBSC supports the bill. The new version of maps includes the cherry stem roads that is acceptable.

Paramount Gold (Grassy Mountain Mine) is working diligently with ODFW on the sage grouse matter and DEQ on residual cyanide measurements.

Eagle Nuclear Energy is working to obtain permits for additional core drilling (Aurora uranium exploration project) in the McDermitt area.

PUBLIC COMMENTS

Judge Joyce asked for comments from the public. No public comments were received.

COURT ADJOURNMENT

Commissioner Mendiola moved to adjourn the meeting. Judge Joyce seconded and the motion passed.

Vote: JM/DJ in favor. Approved.

MALHEUR COUNTY COURT MINUTES

June 10, 2026

The regularly scheduled meeting of the County Court was called to order by Judge Dan Joyce at 9:00 a.m. with Commissioner Ron Jacobs and Commissioner Jim Mendiola present. Judge Joyce led the Pledge of Allegiance. Members of the media, public and staff had the opportunity to join the meeting electronically or in person. Present in the meeting room was Administrative Officer Lorinda DuBois and Vale Fire Chief/Malheur County Fire Defense Chief Jess Tolman. Notice of the meeting was posted on the County website, Courthouse bulletin board, and emailed to the Argus Observer and those persons who have requested notice. The agenda is recorded as instrument # [2026-2036](#)

PUBLIC HEARING – ORDINANCE NO. 239

Present for the public hearing on Ordinance No. 239: An Ordinance Amending Malheur County Code Title 6, Chapter 1, Chapter 3, Section A, Chapter 4, Chapter 6 and Chapter 12; and Title 7, Chapter 1; and Declaring an Emergency were: County Counsel Stephanie Williams, Planning Director Kelsie Haueter; and Greg Winterowd and Morgan Snyder with Winterbrook Planning.

Judge Joyce opened the hearing.

Mr. Winterowd explained that the code amendment codifies State and administrative rule changes applicable to resource lands. Emphasis was given to things that happen more often in Malheur County, such as non-farm dwellings; the ordinance does not change how farmland is already regulated. A table is included in the ordinance that will be helpful for staff. The proposed amendments were also submitted to the State as required; minor comments were received and accommodated.

Ms. Williams noted no public comment was received at the Planning Commission hearing; and the Planning Commission recommended the County Court adopt Ordinance 239. The table in the ordinance focuses on what uses are permitted within the resource lands.

Judge Joyce asked for public comments. No comments were received.

The next hearing on Ordinance No. 239 is June 24, 2026.

BURN BAN

Fire Chief Jess Tolman met with the Court regarding implementing a burn ban. The County has already experienced wildland fires, and the lack of winter has resulted in record low fuel moisture. Commissioner Jacobs moved to approve Order GO-10-26: Order Prohibiting Outdoor Open Burning in Unincorporated Areas of Malheur County Located Outside of a Fire District, effective June 12, 2026. Commissioner Mendiola seconded and the motion passed unanimously. See instrument # [2026-2037](#)

Vote: RJ/JM/DJ in favor. Approved.

COURT MINUTES

Commissioner Mendiola moved to approve Court Minutes of June 3, 2026 as written. Judge Joyce seconded and the motion passed. Commissioner Jacobs abstained as he was not present on June 3, 2026.

Vote: JM/DJ in favor. Approved.

STIF ADVISORY COMMITTEE

Commissioner Mendiola moved to appoint Grace Herrera to the Malheur County Statewide Transportation Improvement Fund (STIF) Advisory Committee. Commissioner Jacobs seconded and the motion passed unanimously.

Vote: JM/RJ/DJ in favor. Approved.

WILDLIFE SERVICES WORK PLAN

Commissioner Jacobs moved to approve USDA (United States Department of Agriculture) APHIS (Animal and Plant Health Inspection Service) Wildlife Services Work and Financial Plan, Cooperative Agreement No. 26-7341-5124-RA. Commissioner Mendiola seconded and the motion passed unanimously. The document defines the objectives, plan of action, resources and budget for the cooperative wildlife services program in Malheur County to be conducted July 1, 2026 through June 30, 2027; the County's financial contribution to the program is \$117,000. A copy will be returned for recording.

Vote: RJ/JM/DJ in favor. Approved.

WILDLIFE SERVICES WORK PLAN (AERIAL)

Commissioner Jacobs moved to approve USDA APHIS Wildlife Services Work and Financial Plan, Cooperative Agreement No. 26-7341-5124-RA (Aerial). Commissioner Mendiola seconded and the motion passed unanimously. The document defines the objectives, plan of action, resources and budget for the aerial cooperative wildlife services program in Malheur County to be conducted July 1, 2026 through June 30, 2027 using aerial management; the County's financial contribution to the program is \$10,000. A copy will be returned for recording.

Vote: RJ/JM/DJ in favor. Approved.

SRS ELECTION

Commissioner Jacobs moved to submit the election and allocation form for the SRS (Secure Rural School Act) payment to be made in April 2027. Commissioner Mendiola seconded and the motion passed unanimously. The estimated payment for 2027 is \$830.78. See instrument # [2026-2038](#)

Vote: RJ/JM/DJ in favor. Approved

COOPERATING AGENCY PARTICIPATION AGREEMENT

Commissioner Jacobs moved to approve Cooperating Agency Participation Agreement with the Bureau of Land Management (BLM) for BLM's Sagebrush Focal Area Withdrawal National Environmental Policy Act (NEPA) analysis. Judge Joyce seconded and the motion passed unanimously. Commissioner Mendiola agreed to be the County's designated primary representative. A copy of the agreement will be returned for recording.

Vote: RJ/DJ/JM in favor. Approved.

AGREEMENT - DEPARTMENT OF REVENUE (DOR)

Commissioner Jacobs moved to approve Intergovernmental Services Agreement, Contract #15000-00061686 with Department of Revenue for map maintenance and related cartographic activities to be performed by Department of Revenue for Malheur County for fiscal year 2026/2027. Commissioner Mendiola seconded and the motion passed unanimously.

Vote: RJ/JM/DJ in favor. Approved.

ACCEPTANCE OF RESIGNATION

Commissioner Jacobs moved to accept the resignation of Environmental Health Director Edward Magner V (Evan Magner). Commissioner Mendiola seconded and the motion passed unanimously.

Vote: RJ/JM/DJ in favor. Approved.

PUBLIC COMMENTS

Judge Joyce asked for comments from the public. No public comments were received.

COURT ADJOURNMENT

Commissioner Mendiola moved to adjourn the meeting. Commissioner Jacobs seconded and the motion passed unanimously.

Vote: JM/RJ/DJ in favor. Approved.