

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



**COUNCIL MEETING AGENDA
CITY COUNCIL – CITY OF ONTARIO OREGON
TUESDAY, AUGUST 15, 2017, 7:00 AM, MT**

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

1) CALL TO ORDER

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

2) PLEDGE OF ALLEGIANCE

This Agenda was posted on August 11, 2017. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website at www.ontariooregon.org.

3) MOTION TO ADOPT THE AGENDA

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

5) CONSENT AGENDA

A) Minutes: July 18, 2017 Regular Council Meeting

6) PRESENTATIONS

A) Public Works Annual Report

7) NEW BUSINESS

- A) Transportation Utility Fee
Resolution #2017-128: \$8 Monthly Transportation Utility Fee for the Ontario Municipal Street System; and
Resolution #2017-129: Classifying Certain Fees and Charges as not Subject to Limitations of Article IX, Section 11b, of the Oregon Constitution
- B) Resolution #2017-130: Establish Fees for Solar Eclipse Activities

8) HAND-OUTS/DISCUSSION ITEMS

- A) Monthly Stats: Public Works Department
- B) Procedure for Enactment of Sales Tax Ordinance

9) CORRESPONDENCE, COMMENTS AND EX-OFFICIO REPORTS

10) EXECUTIVE SESSION

A) ORS 192.660(2)d

11) ADJOURN



CITY COUNCIL MEETING MINUTES July 18, 2017

The regular meeting of the Ontario City Council was called to order by Mayor Ronald Verini at 7:00 p.m. on Tuesday, July 18, 2017, in the Council Chambers of City Hall. Council members present were Ronald Verini, Norm Crume, Tessa Winebarger, Dan Capron, Betty Carter, Ramon Palomo, and Marty Justus.

Members of staff present were Adam Brown, Marcy Siriwardene, Terry Leighton, Larry Sullivan, Kari Ott, and Dan Cummings.

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

Councilor Winebarger led everyone in the Pledge of Allegiance.

AGENDA

Adam Brown, City Manager, stated they had added a Sales Tax Discussion to the Agenda.

CARTER moved, WINEBARGER seconded, to **ADOPT THE AGENDA AS AMENDED**. Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

PUBLIC COMMENT

Judith Kirby, Ontario, stated: *I'm Judith Kirby. I live in Ontario, Oregon. I just wanted to comment on this. I think it's good in some ways, but I went to the meeting at the Cultural Center and some of the things that the Cultural Center is not in this. So, I urge all of you, I mean we are trying to be supportive of you guys, and I know no one, none of you put us in the position we are, the state did. They did it with PERS; they did it with land use planning, and they did it with minimum wage. But, please, please print something or present it a meeting. It's got to be the same, because some people feel like they're getting the wool dragged over their eyes, and they're uninformed, they're, they're just uninformed. They were so uninformed at that meeting, like we could raise taxes. Well, that's against the law. We can raise sales taxes, if we can't raise property taxes. But, this is not the same as what we got in the meeting. I talked to the Manager. There's nothing about a dump truck in here, nothing about five city policemen needed in here. That was really troubling at the meeting. So I would urge you, when you print and when you talk, be concise, be consistent. What is it that we need in the buildings, what is it we need in equipment, what is it we need in personnel, and why, because people out there are not listening. I already know that there is movement underway to put it on the ballot, and you know what's going to happen. So, you might be already gearing for Plan B, because this town is so darn negative right now I can't believe it. Thank you. Oh, also, when you put the swimming pool on as a conceptual thing, say conceptual, because this does not address the needs of the elderly. I rehabbed in the old pool, and there were forty other people rehabbing in that pool, and it needs to be, there needs to be something recreational in this town for everyone, not just the kids. Thank you.*

CONSENT AGENDA

WINEBARGER moved, PALOMO seconded, to **ADOPT CONSENT AGENDA** Item (A) Minutes of Regular Meeting of June 20, 2017. Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.



OLD BUSINESS**Ordinance #2728-2017: Creating Title 2, Chapter 14, of the Ontario Municipal Code, Creating a Diversity Advisory Committee – Final Reading**

Adam Brown, City Manager, stated there were no changes since First Reading. The next step, following adoption, would be recruiting members, and developing some bylaws. There was an entire session dedicated to this type of action at the City Manager's Conference.

Larry Sullivan, City Attorney, stated there were a few minor changes between the First and Second Reading of the ordinance. The City Charter required that those be pointed out. The Headings of the ordinance will change to correctly reflect what chapter they would be going into. The ordinance in the packet was correct, but was reading slightly different from the previous one. The document went from Chapter 6 to Chapter 14; the headings were changed to read 2-14-1, 2-14-2, etc.

Councilor Crume verified that from this point forward, when changes were made, was there a way for the Council to see those changes in their second packet? It didn't currently show or tell them anything.

Mr. Brown stated there was nothing material in the changes. The Council could compare the first reading to the second, but in the future, staff could do the strike-out feature.

JUSTUS moved, CARTER seconded, that the City Council **APPROVE ORDINANCE #2728-2017, AN ORDINANCE CREATING TITLE 2, CHAPTER 14, OF THE ONTARIO MUNICIPAL CODE, CREATING A DIVERSITY ADVISORY COMMITTEE, ON SECOND AND FINAL READING BY TITLE ONLY.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

Continued Sales Tax Discussion

Mayor Verini stated in their last discussion, the Council agreed on the possibility of 1% sales tax through a consensus, along with the grocery tax. They also agreed to include the small businesses. He was aware that would be discussed again. Also, auto sales and ag sales. He knew Mr. Brown had some updates for the Council.

Mr. Brown stated he had made progress since the earlier discussions. One challenge had been that there wasn't a clean way to define the ag community, and to exempt them. Following some research garnered from other states, was they could create a "farmer's certificate" for wholesale purchases sales tax exemption. The farmers would verify to the city that they had gross agricultural sales over \$10K, and they would use the IRS Schedule for the exemption. He'd been working on using different states' definitions of things. It included wholesale items, and things used to produce the end product. He was looking for direction on what to do next.

Also, they had discussed the revenue side, but ran out of time before fully discussing the expenditure side, as to what exactly the city was going to commit to. If they thought very broadly about this, and pulled in all those items on the next spreadsheet, it came down to a safe community, quality roads, and life quality. Those were the three things the Council had been talking about over the past year as they've discussed the challenges before them. Keeping the community safe through adequate fire protection and adequate law enforcement; how could they maintain the roads with limited funding; how could Ontario be a place of choice for where people want to live. Ultimately, *that* was going to have a larger economic impact if people want live here and choose to live here over other places.

Following the previous discussion, he had adjusted the expenditures based upon the revenue adjustments suggested before. While very preliminary, there was the General Fund deficit, and staff was working on a supplement for the street fund. Those were items #1 and #2, because if they were unable to balance those two funds, it would mean a lot of cuts in service. This year, they added in the street utility fee. The Council chose that if the sales taxed proposed was enacted, the SUF would cease. That money went directly to fund chip sealing. It was not, however, the recommended amount. The needs were around \$300K annually. That would just keep the roads moving along so they didn't have to be entirely replaced. Studies showed that a little maintenance each year, it could be deferred higher costs. Capital Plan Investment equaled Buildings and Infrastructure. There was detail available in the Capital Plan, and staff would look for a better way to get that information out to the community.



The pool/recreation aquatic center numbers were adjusted based upon revenue recommendations discussed at the previous meeting.

Funding the Airport Manager; there were some great things taking place at the Ontario Airport.

Police officers: the ICMA study identified a greater shortage than the city could fund. They had placed three officers in the chart, but that was not the level identified by the study. But, it was a great improvement. It would give the opportunity to have a Detective, a Gang Officer, and some things that had been cut over the past few years.

Firefighters: one of those positions would likely be a command position, like a Deputy Chief, and then a traditional firefighter. That was closer to the ICMA recommendation.

Code Enforcement Officer: at that level of funding, with the grocery tax, the department could add another full-time Code Enforcement Officer, so staffing would be 2.5, not 1.5 bodies.

This all went back to the priorities. They had also discussed the entrances to the city, the signage, the presence that everyone saw as they entered on Idaho Avenue. If the General Fund increased, they needed to set aside some of those funds. In keeping with the 22% of fund balance that was set for the current budget, that would be \$320K.

Those were the spending choices. There were a lot more needs, but this was major progress, and it provided the opportunity to make Ontario a place of choice.

Mayor Verini stated when they originally spoke of this action, the goal was around \$2.9-3M. But now, he was showing something significantly higher than that. How did they get from there to here?

Mr. Brown stated that was the choice that was made by the Council at the last discussion on this, to include grocery sales, and that was a big chunk of retail in Ontario. It also included the mid-point analysis vs. the extremely conservative numbers that the consultants provided. They provided a range of 2.5% to 5% level. The numbers used by the consultants were based upon the 5%. For the 1%, it was 5.1% to 7.5%, and they used the 7.5%. They used very conservative revenues, but what he had brought to the Council last time was that they should consider something more realistic, which he referred to as the mid-point analysis, somewhere between the high and the low.

The draft was coming together faster than originally anticipated, so it would be available for attorney review this coming week. Following that, Council would start talking about it – reviewing it, working out the kinks. He also wanted to focus on doing better communication with the public.

Councilor Crume stated a farmer would still pay tax until he paid over \$10K for a load of fertilizer?

Mr. Brown stated no. The \$10K certified the individual as a farmer, who was different than someone who had six chickens. The \$10K threshold was to prove that someone was a legitimate farmer.

Councilor Crume stated that Farmer Jones would have to come to Norm's Auto Electric and spend \$10K before he received a break? How would they prove the \$10K?

Mr. Brown stated no. They received the break on dollar one. That's where IRS Form Schedule F was in play.

Kari Ott, Finance Director, stated Schedule F was the farmer's schedule (Farmer's Schedule C). Mr. Brown was speaking to the gross revenue, not any expenses. It would be from the year before. It was what was done for fuel tax. In order to get bulk fuel, they had to provide a Schedule F each year.

Mr. Brown stated it was a practice already used.

Mayor Verini asked if there were any further comments, questions, or suggestions from the Council.



Councilor Justus stated he asked Mr. Brown for clarification earlier in the week with regard to the definition of a small business, four employees or less. What the study showed and what he knew, was usually the definition of a small business was ten employees or less.

Mr. Brown stated the number of employees of four was something set by the consultant. He had not received the granular data yet. At four employees, it was 36 businesses within the city. The consultant could run numbers with ten, but with 36, that accounted for 30% retail sales in the city, according to the data, which was pretty accurate. But, he could still get that data.

Mayor Verini stated on the 1-4 employees for the small businesses, that represented with the numbers received on the survey, about \$570-645K in revenue that would need to be reduced in the city's calculations. At 1%, if they removed the grocery and the small businesses, and not considering the ag that was just discussed, they'd be well below the target. They'd be around \$2.2M range for enhanced revenue coming in. That needed to be considered when they discussed it again, because those were some serious numbers. Especially after this new chart was provided, as far as the cost for the city. It had increased from \$2,997,000 to over \$5M.

Councilor Crume stated that was more desires than costs.

Mr. Brown stated if Idaho eliminated the grocery tax, the Council would definitely want to readdress that. That would be very large chunk of money.

Mayor Verini stated if the Council went back to the chart, what were they talking about with regard to what the Council wants to see for enhanced police, fire, airport, beautification, pool...who really had a handle on this? What was the most important on the Council, that they wanted to spend the enhanced revenues on? What, out of all the listed items, did they really want to concentrate on?

Councilor Crume stated if they got everything going, they could look at something of this nature, but he wasn't going to count on it until everything was done. This was way ahead of schedule, other than being able to inform the community some things could be done if the money was received. It was great to know the needs, but to figure out exactly what was wanted, it was too far in the future. But, at least have an idea of what they'd like.

Mayor Verini stated until the city received that first dollar, they wouldn't know how many dollars would eventually come in.

Councilor Crume agreed; it was all a guess. Also, if everything did begin moving forward, he didn't know if they'd want to do anything from that chart until Idaho determined about the grocery tax, so Ontario wasn't locked into anything. He believed they'd have the data by this time next year.

Mr. Brown stated one thing he'd increased following the previous discussion was more money for the street fund, because you could sink money into capital and be ahead. If they had to reduce that, they'd have progressed themselves a little bit ahead. If they were going to move forward with grocery retail, they'd probably want to use that for capital things.

Mayor Verini stated on the chart, a safe community, quality roads, life with equality...unless someone had a different idea, they had to zero in on something out of there to really focus on, for the first revenue enhancement coming in, the first million dollars, what were they going to concentrate on, initially? Were they going to concentrate on fire protection, law enforcement, the pool, maybe slicing some of that money off for the maintenance of the roads? They had to have some type of idea, as a Council, as to what they were looking at for expenditures. The expenditures they had were huge, so they had to zero in.

Councilor Justus stated to him, in reading the list, that was his priority list. Number one was they had to get the General Fund deficit fixed. As the money came in, they would add #1, then #2, then #3, etc. He'd prefer that they move downtown up a little, but that's okay. He thought the list was exactly the way they should be spending the money as it came in.



Mayor Verini stated it needed to be discussed, because he disagreed. He looked at it as a safety issue, bringing the money in for police officers, firefighters; that would be imperative. To take a look at those two items, first – safety in the community. Then, work the chart. He wasn't saying spend \$300K, plus the \$220K- he was saying to increase the number of officers and firefighters to a degree, then plug in something like the General Fund structural deficit. Work to massage all of this in some form. If they plugged in the \$700K, then the \$1.5M, then the \$300K, then the \$600K, right there they'd used up almost all they had coming in.

Councilor Carter verified this was a format, not the order, nor the process. Did they need to have those in the order as they stood, or was there another format to arrange them?

Mr. Brown stated they were generally in order based on his recommendation. The reason the GF deficit was so high up was due to being able to maintain the police force they had. If they didn't fix that, they couldn't maintain the force they already had. Maintain the force in place now, then add to it, to make it a level that was believed adequate. Whether more police officers or firefighters would go above the pool, for example, or some other capital investments, that was a discussion and a decision for the Council. This was the right order in a broad sense: safety first, quality of roads, then quality of life. This list went towards that goal. Some of the things in the middle could be leapfrogged.

Mayor Verini stated that was what the Council needed to discuss. If they followed the existing order, they'd run out of money before ever bringing another police officer on staff.

Councilor Justus stated the \$5M was not enough.

Mayor Verini stated the revenue they had coming in, at 1%, was not going to reach the \$5M.

Mr. Brown disagreed. The numbers given were extremely conservative, but also this schedule was based upon the revenue decisions made last time. If they hadn't made those decisions before, he wouldn't be recommending \$1.5M into the street fund; he'd be recommending just the balancing of it, which was \$750K. At a lower revenue level, things in front would change, so there would be funding for police and fire.

Mayor Verini stated they wouldn't know until they actually implemented it.

Councilor Carter stated if Adam had placed in the first column before, he has a total there, if he had put a total in front of that total, would that have made a difference for you? That total, the cost per, that total would not, the latter total there, would exceed, so this total would be lower. If he had had both totals for you, would that have comforted your mind somewhat?

Mr. Brown stated that was just the unit cost.

Councilor Carter stated he hadn't totaled both of those.

Mr. Sullivan stated that Councilor Crume commented on something that he understood as being a perspective on what approach was going to be taken by the Council in adopting an ordinance, to some extent. Is it the Council's intent that they would want to have some prioritization in the ordinance itself of how that money will be spent.

Mayor Verini stated it was a no, for him.

Councilor Carter stated they could tweak it as they moved forward.

Councilor Justus stated if they didn't hit the \$5M mark, Mr. Brown would be coming back to Council asking for some changes.

Councilor Capron stated first off, they needed to balance. They couldn't move on anything unless they were balanced. As much as he loved the pool, he'd drop that down much lower on the list. You had to have fire; you had to have police. Move everything else up. He'd love to have a pool, but who knew how long it would be before that happened.

Councilor Carter stated it would be soon.

Councilor Capron stated by the time it was built and sent to operate, along with a splash pad, and then other phases, but they had to have roads, and they had to have safety. Balance out, then put in roads, safety, and then hit the wish list.

Mayor Verini stated the discussion had to start somewhere. Their ideas, as a community *and* as a Council, they had to start planning ahead for "what ifs". If they had the 1%, and suddenly Idaho dropped taxing groceries, that would represent a tremendous amount of money that Ontario would not have coming into the community. They had to plan ahead. What priorities were they really thinking about. Yes, the GF structural deficit was extremely important, but the safety of the community – did that come next? What did the community want the Council to do. That's when the Council needed to speak with the constituents, finding out what they wanted.

Councilor Capron stated that was why he mentioned the pool. If they lose the 1% from groceries, and the pool was placed up high, you built the pool, and then it can't be funded, it would be shut down again. He wanted to get everything else done first. Any leftover funds, just like in their personal lives, you don't install a pool if you can't afford groceries.

Councilor Crume stated that was what Mr. Brown said, going with capital items. For example, in professional boxing, if you were a new contender, up and coming, and you were eyeing the championship. That's not what you have your eye on – you have your eye on every fight before that shot. He was cautioning the Council about eyeing all the cool things; get the job in front of them done first. Level out, know what they had to deal with. It was good to have dreams, but keep a level head before dreaming too big.

Mayor Verini wasn't asking for a decision now; they all needed to begin thinking about the future and what if the grocery tax was removed, what if...

Councilor Crume stated what if the petition went through and passes....

Councilor Carter agreed, but what if it didn't?

Councilor Winebarger stated her agreement with Councilor Crume. Currently, the Council didn't know what was taking place. They needed to meet their deficits first. They knew where they were slacking, where they needed extra help, for now. They knew what needed to be addressed. That's why they were looking at revenues in the first place, to see where they could fix the problem. Fix the deficits, help the street fund, and all those other choices could be made later. They needed to address the needs first, the wants later.

Councilor Crume stated there had been something in the newspaper that day about the city receiving so many thousands of dollars from this new bill passed. Any details?

Mr. Brown stated they were told that \$2.7 to the City of Ontario over ten years. You could average that out to \$270K. It was probably back-loaded. It was all incremental over a ten-year period. By the end of the ten-year period, that could be half a million dollars. Representative Bentz's office had told them that it was \$2.7M over ten years. That was directly for streets. That would potentially take that off the street fund need.

Councilor Justus stated he understood wanting to make sure that the city, he understood Norm and Tess, and he was right there with them, but they also had, to make Ontario that livable city, they had to invest in it. If all they did was keep saying "let's get here" but before we go here, we never go there, they'd never go, and no one would ever come. To him, and he totally agreed with police officers and firefighters, but if they wanted a city with citizens to patrol, they had to have a city that people wanted to live in. That pool was pretty darn important.



Beautification was pretty darn important. If they didn't go there, if they didn't get a full time code enforcement officer that could help bring the city to its fullest potential, all they'd ever be doing was chasing the dream instead of living it.

Mayor Verini stated that was a part of the quality of life piece.

Councilor Justus stated it was down low, and it needed to be spread equally.

Councilor Carter stated they also needed to look at the bottom line.

Councilor Justus stated the pool was really important. They had to spend the money on that pool. Everything on the list was really important – there was nothing up there that they could say they could live without.

Councilor Carter stated for her, the bottom line, they were never going to forget that. They knew what it was. The bottom line was \$5M, and they would have to think outside the box on a lot of things they did, and how they thought about things. When they were playing the "what if" game, what if the grocery tax in Idaho didn't go away. They could not live in Oregon, anticipating it was or was not going to go away. They had to think about what to do in Ontario, Oregon, for our community and for our citizens. Then, they could take things and move forward. They would never forget the dollar lines. For her, this was similar to a roadmap. It's a plan – now how to get there.

Councilor Capron stated who was to say if they did move the grocery tax, that Ontario would drop it, too. The Council might decide it was worth keeping.

Councilor Winebarger stated her doubt that anyone in Fruitland was going to drive the 40 minutes to Nampa, to pay their 6% still for gas, and then their time. They'd still shop here.

Councilor Justus stated it was still going to be 6% for paper towels, or 6% on Windex. The bargain would still be Ontario.

Councilor Carter stated people would still shop in Idaho, no matter what.

Mr. Brown stated when they were doing budget discussions, they were provided a list of priorities, where they said they'd start cutting from the bottom and work their way up to hit a mark. This list is different. When this list was created, it was not intended to cut off from the bottom. It's the same list from a week ago, but the increments, the units, changed, based on the revenue available. Adding a police officer was not visible; adding a pool was visible. The citizens could see where their money went. Safety, hopefully, would be felt over time. One valuable thing was that when they went out and explained why the tax was needed, the general priorities were safety, roads, and quality of life.

Mayor Verini asked about the timing for putting the ordinance together, putting all of this together, and presenting it to the Council.

Mr. Brown stated he needed to meet with Mr. Sullivan to get it all lined out. It was an ordinance, so there would be two readings. He could do the draft, but then it would be handed off to Mr. Sullivan. It would also be prudent to kick it back to the consultant for review. They could maybe have something in front of Council in August, but nothing was certain.

PUBLIC HEARING(S)

Ordinance #2726-2017: Annexation and Rezone of Lots 4 and 11 of Ridge View Subdivision 1 – Residential-Urban Growth Area (R-UGA) to City Single Family Residential (RS-50) First Reading

It being the date advertised for public hearing on the matter of Ordinance #2726-2017, the Hearing was declared open. There were no objections to the city's jurisdiction to hear the action, no abstentions, ex-parte contact, and no declarations of conflict of interest.



Dan Cummings, Community Development Director, presented.

At its regular meeting of July 10, 2017, the Planning Commission heard the annexation and rezone proposal contained in Planning File 2017-04-04AZ, which was applicable to two properties located at 1939 Thomas Circle and 1936 Brady Circle, the properties being known as Tax Lots 8900 & 9600, on Assessor's Map 18S47E05AC.

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

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

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

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

A. Rezone

1. Section 10B-20-30 REQUIRED FINDINGS, DECISION CRITERIA. In preparing findings to support a quasi-judicial zoning map amendment decision, the following findings shall be addressed except when alternatives are set forth or where a required findings clearly does not apply to the current action:
 - a. The zoning map amendment is in conformance with statewide planning goals and guidelines.
 - b. The zoning map amendment is in conformity with the acknowledged comprehensive plan.
 - c. The applicant has demonstrated a mistake or error in the original zone designation or the applicant has demonstrated a change in physical, social or market conditions generally 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 of fact:

- a. The City of Ontario Municipal Code implements policies contained in the City of Ontario Comprehensive Plan, which conforms to the Statewide Planning Goals; if a proposed rezone meets all criteria and standards contained in the OMC, the request will be consistent with Comprehensive Plan Policies and therefore conform to the Statewide Planning Goals.
- b. The subject properties are currently zoned R-UGA and the request is to rezone to the companion City Duplex Residential (RD-40) Zone that is the same zone as adjacent and nearby property. The requested zone allows basically the same use as the UGA zone, but the existing subdivision was approved in 1998 to be a single family residential subdivision, and therefore is reflected in the Comprehensive Plan Goal 10 Single Family needs count. No Comprehensive Plan amendment is necessary for this rezone; therefore, the proposal is consistent with, and conforms to, the Comprehensive Plan. Based on testimony given at the Planning Commission meeting, the Planning commission made a determination that the City Single Family Residential zone RS-50 would be a better fit for the existing development and made a recommendation to the City Council to rezone the herein described lands, Lots 4 and 11 to the Single Family Residential (RS-50) zone and set the side yard setback for these two lots to 5 feet.
- c. The applicants have requested annexation into the City of Ontario concurrent with the request for rezone; a City Zone must be applied to the property once within City Limits. The existing zone is not a mistake, and there is no need to demonstrate a change in conditions in the surrounding area; the change in zone is necessary and appropriate.
- d. This request is legally necessary due to the annexation of the property; granting of this request is not a special privilege and no public need has to be demonstrated.
- e. The subject property is adequate in size and shape for the proposed use to be rezoned from R-UGA to City Single Family Residential (RS-50).
- f. The property owner of tax lot 9600 proposes development at this time into a single-family dwelling and has presented a plot plan showing adequate room for structures, parking, landscaping, etc. City Water and Sewer are available near the boundary of the property. City fire and police services will be available upon annexation for both properties. City streets, right-of-ways, including curb, gutter and sidewalks are in place and have been developed to city standards.
- g. Uses allowed by the current zone are basically identical to the proposed zone. No significant difference in allowed uses will occur as a result of the rezone. Requirements in the OMC applicable to uses in the residential zone will ensure that impacts from dust, noise, vibration, odor, heat, glare, lighting, or discharges into the air, water or land are minimized.

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

B. Annexation:

1. 10B-45-10 INITIATION OF ACTION. When a person, authorized by statute, wishes to extend the city's boundaries, an application on forms supplied by the city shall be filed with the Planning Director and which include: annexation consent forms, by the property owners, and by tenants if required by law or court decision; request for a change in zoning map designation, or plan change if required; request for other quasi-judicial action if required; fees, and other exhibits and requirements for a quasi-judicial action as set forth in this Title. All land use actions associated with the annexation shall be consolidated, as feasible, and one fee paid.
2. Oregon Revised Statute 222.125: Annexation by consent of all owners of land and majority of electors; proclamation of annexation. The legislative body of a city need not call or hold an election in the city or in any contiguous territory proposed to be annexed or hold the hearing otherwise required under ORS 222.120 when all of the owners of land in that territory and not less than 50 percent of the electors, if any, residing in the territory consent in writing to the annexation of the land in the territory and file a statement of their consent with the legislative body. Upon receiving written consent to annexation by owners and electors under this section, the legislative body of the city, by resolution or ordinance, may set the final boundaries of the area to be annexed by a legal description and proclaim the annexation.



Findings:

1. The applicants have paid the fees and provided the proper application with signatures.
2. The property is annexable because it lies inside the Urban Growth Boundary and is contiguous with current city limits and Subdivision Plat was approved and recorded in 1998.
3. The property is currently zoned for Residential use in the Urban Growth Area; the requested zone, City Single Family Residential RS-50, is consistent with existing property within the platted subdivision.
4. Findings from preceding sections of this report are herein included by this reference. A change to the comprehensive plan map or text is not necessary to annex the property; however, the annexation of the property must be consistent with all applicable Comprehensive Plan Policies.
5. Annexation would benefit the city by increasing tax revenue, and, by providing more potentially developable residential land.

Conclusion: All criteria and standards applicable to a request for annexation have been met. The property may be annexed. Annexation will benefit the city by increasing tax revenue.

The quasi-judicial Zoning Map amendment procedures are designed and authorized to adjust zone boundaries and create new zoning classifications on the official Zoning Map within areas on the land use plan indicated for the uses allowed by the map change. Such changes shall be in conformity with the land use goals of the State. The decision of the Commission shall be the final decision of the City unless an appeal is filed as authorized by this Title. (LANGUAGE IN 10B-10-05 SUPERSEDES THIS LANGUAGE) WHICH IS: The ultimate decision-making authority for legislative actions and zone changes brought under the provisions of this Title shall rest with the City Council. Certain actions of the Planning Commission are in the form of a recommendation to the City Council. The land use actions for which the Commission provides only a recommendation to the Council are amendments of the comprehensive plan and zoning ordinances or Zoning Map.

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

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

Councilor Justus asked how much money would be generated by annexing these lots into the city.

Mr. Cummings stated he did not have that information.

Councilor Justus stated Mr. Cummings' recommendation was to annex these into the city, and the city would receive more revenue, but what would it cost the city to maintain it? There were four [sic-three] lots that would become property within the city limits. If they did this, it would increase tax revenues, but they hadn't done any type of study that would show that the tax revenue wouldn't come close to what the expenses would be for maintenance.

Mr. Cummings stated it seldom every did, with any of them.

Councilor Justus asked if all of those properties had been offered annexation.

Mr. Cummings stated yes, many times. They always question what the benefit would be for them.

Councilor Justus stated his point was that they were spot zoning. Why were they not amending the UGB so all the lots had five foot setbacks? A question for Mr. Sullivan, then, with all these others that have city water and sewer that were not in the city limits, the city charged 1.5x the rate, has that cost been analyzed to see if that was a true cost? They were getting a bargain. Anyone who used city water and sewer, but was not within the city limits, the cost should reflect what the property taxes would be.

Mr. Sullivan stated that was what the city policy was for all perspective water and sewer hook-ups for properties outside the city limits.

Councilor Justus was saying if you lived outside the city limits, and you were using the city's services, there should be a fee assessed. Stop – they're never going to buy the cow! Why buy the milk, if you got the cow for free? They were giving away the cow!

Mr. Cummings stated his understanding, but these people were asking to come in, and the others were not.

Mr. Brown stated at the Public Hearing, there was some misinformation the property owners had received about the cost of the annexation, which Mr. Cummings clarified for them. He believed there might be some who found it more appealing now.

The Hearing was opened for public testimony.

Opponents: None.

Proponents: None.

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

Carter moved, Winebarger second, that **THE REQUEST FOR ANNEXATION OF THE SUBJECT PROPERTIES INTO THE CITY OF ONTARIO AND THE REQUEST FOR REZONE OF THE SUBJECT PROPERTIES FROM RESIDENTIAL-URBAN GROWTH AREA (R-UGA) TO CITY SINGLE FAMILY RESIDENTIAL (RS-50), BE APPROVAL BY THE CITY COUNCIL, BASED ON THE INFORMATION, FINDINGS AND CONCLUSIONS IN THIS REPORT AND RECOMMENDATION OF THE PLANNING COMMISSION.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-no; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 6/1/0.

Winebarger moved, Crume seconded, that the City Council **ADOPT ORDINANCE #2726-2017,AN ORDINANCE ANNEXING INTO THE CITY AND REZONING OF TWO PARCELS OF LAND ONE BEING LOCATED AT 1939 THOMAS CIRCLE AND THE OTHER AT 1936 BRADY CIRCLE IN THE RIDGE VIEW SUBDIVISION FROM RESIDENTIAL UGA TO CITY SINGLE FAMILY RESIDENTIAL (RS-50); ON FIRST READING BY TITLE ONLY.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-no; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 6/1/0.

Ordinance #2727-2017: Amending the Ontario Comprehensive Plan and Zoning Map, Rezoning Property Tax Map 18S47E09BA, Tax Lot 3900, from Single Family Residential (RS-50) to High Density Residential (RM-10) First Reading

It being the date advertised for public hearing on the matter of Ordinance #2727-2017, the Hearing was declared open. There were no objections to the city's jurisdiction to hear the action, no abstentions, ex-parte contact, and no declarations of conflict of interest.

Dan Cummings, Community Development Director, presented.

The Planning Commission tabled this action until date uncertain, not to exceed 180 days for additional information. Staff recommends the Council table this action to a date uncertain to be announced at the next Planning Commission meeting on this matter.

Crume moved, Justus seconded, that the City Council **TABLE THIS ACTION UNTIL SUCH TIME AS THE**



PLANNING COMMISSION SENDS A RECOMMENDATION TO THE CITY COUNCIL FOR ACTION. Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

ADJOURN

Crume moved, Carter seconded, that the **MEETING BE ADJOURNED**. Roll call vote - Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

Ronald Verini, Mayor

ATTEST:

Tori Barnett, MMC, City Recorder



ch2m.SM



YEAR-END REPORT
2016-17

City of Ontario
OREGON



CH2M Ontario Project

2016-17 ANNUAL REPORT

TABLE OF CONTENTS

A MESSAGE FROM THE PUBLIC WORKS DIRECTOR.....	2
OUR VISION	3
SUPPORT SERVICES	4
CITY OF ONTARIO FACILITIES.....	5
PUBLIC WORKS DEPARTMENTS	
Field Services – Streets, Collection and Distribution	6-22
<i>Work Orders 2014-2015</i>	23
<i>Maintenance Areas</i>	24
Water Treatment Operations.....	25-45
<i>Delivered Water Comparison Exhibit 1</i>	46
Wastewater Treatment Operations	47-53
<i>Wastewater Load Exhibit 2</i>	54
Facility Maintenance	55-62
Parks and Cemetery	63-71
Engineering Division	72-80
<i>Capital Improvement Projects</i>	81
SUSTAINABILITY	82
COMMUNITY PROJECTS	83-84
CONTACT US	85



A Message from the Public Works Director

Since July of 2014, CH2M has partnered with the City of Ontario to manage its Public Works Department. During the past fiscal year, we have seen many positive changes throughout the city.

This report highlights some of those accomplishments for the past 12 months. The City faces challenges related to aging infrastructure, compliance and budget constraints. Our challenges are no different from other cities throughout the country. Our goal is to strengthen our partnership to make Ontario a better place for our residents and visitors.

One of the strengths of having CH2M as a partner is the access to experts in various fields throughout the company. During this past year, CH2M has invested countless hours from these experts to provide support and input to help solve real-time problems and issues. We understand the importance of being innovative, resourceful and flexible partners to provide the best solutions for street, utility and environmental needs.

A few of the highlights from the past year include:

- Perfect Safety Record; no lost-time incidents.
- "Snowpocalypse 2017" with 42 inches of snow over the winter.
- New Chemical Feed System Project at the Water Treatment Plant.
- Perfect compliance record for Water and Wastewater.
- Moore Park sidewalk project.
- 59 truckloads of leaves and debris picked up from residences throughout Ontario in annual pickup day.
- Emergency repair of 120 feet of collapsed storm line in the Plaza Subdivision.

The CH2M Ontario team would like to share our appreciation to the Mayor, City Manager, Council, Public Works Committee and other City staff for their support and willingness to work together toward the betterment of Ontario and its citizens. We look forward to many years of a positive and collaborative partnership.

Cliff Leeper

ch2m.
SM

OUR VISION

SAFETY

We provide a safe environment for our associates ensuring that they go home safely every night to their families.

MAINTENANCE

We commit to be responsible stewards, ensuring that all assets and investments are maintained and operated at the highest level of quality.

REGULATORY COMPLIANCE

We are viewed by regulatory agencies as a leader and partner in environmental protection, working together to meet our common goals of protecting the environment and providing safe drinking water.

TECHNICAL OPERATIONS

We respond quickly and efficiently to everyday needs and to the unforeseen through careful resource planning and access to a deep regional support team.

ETHICS

CH2M has been recognized as one of the World's Most Ethical Companies® for the seventh consecutive year by the Ethisphere Institute, an independent research center that promotes best practices in corporate ethics and governance. This award recognizes CH2M's advancement of best practices in business ethics, compliance practices, and corporate social responsibility. We demand the highest level of ethics and maintain this philosophy through involvement, learning, and recognition.



Support Resources

CH2M has been providing Operations and Maintenance (O&M) services in Ontario, Oregon, since July 2014. Our deep regional resources have extensive knowledge of the environmental requirements unique to Oregon, including regulatory requirements and water quality. In Ontario, our onsite O&M staff works tirelessly to keep the facilities running smoothly. In addition, staff has received hundreds of hours in support from numerous CH2M regional and corporate support personnel.

Regulatory Compliance

- CH2M Personnel from around the country have worked with Ontario staff on all regulatory compliance issues. They are also responsible for reviewing all correspondences to and from the United States Environmental Protection Agency (USEPA), Oregon Water Resources Department and Oregon Department of Environmental Quality (Oregon DEQ).

Operational Assistance and Optimization

- Regional Technical Managers provided assistance and review of Ontario's water and wastewater operation.
- CH2M staff migrated assets to the Computer Maintenance Management System (CMMS) to provide better control and management of assets.
- Water Treatment Specialists conducted a water plant pilot study to facilitate chemical feed and operational improvement.
- CH2M Asset Management team completed a condition assessment study for the Public Works Department to provide a baseline of understanding of assets.

CH2M's resources run deep in the State of Oregon.

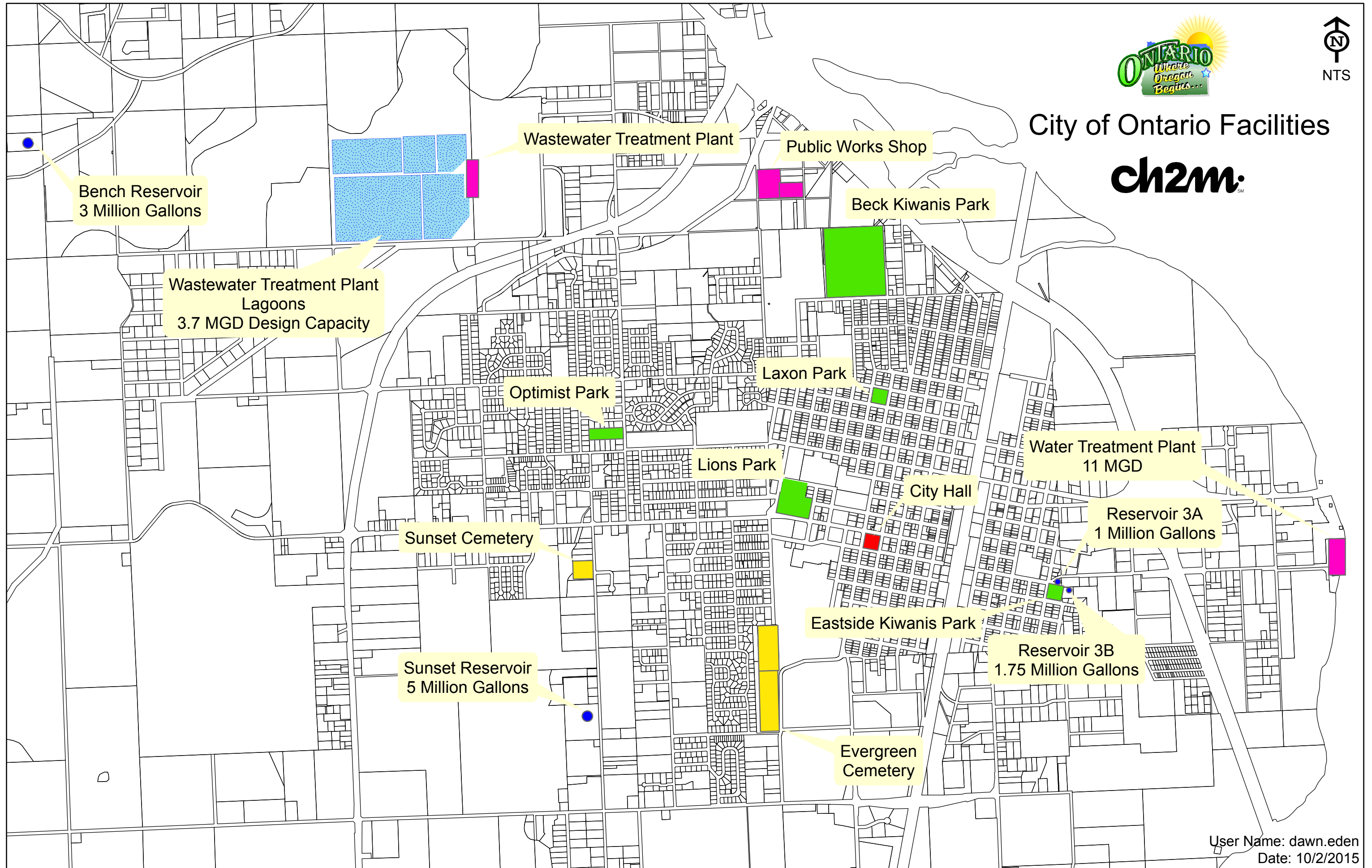
CH2M was founded in 1946 by Holly Cornell, James Howland, Thomas Burke Hayes and Fred Merryfield. The company became CH2M Hill after a 1971 merger with Clair A. Hill and Associates.

In 2015, the company announced a global rebrand, adopting the nickname CH2M while retaining CH2M Hill Companies Ltd. as the firm's legal name.

The goals were simple: find clients who needed engineering or consulting solutions; provide the solutions through technology, creativity and ingenuity; find more clients and more projects; hire creative, bright people to deliver the work; and then share the benefits.



City of Ontario Facilities



Field Services

Streets, Water Distribution, Sanitary Sewer Collection and Storm Collection Systems

STREET MAINTENANCE DIVISION

The Streets Department maintains more than 228 lane miles of improved streets and more than 9 miles of alleys.

Duties include resurfacing, repairing and maintaining the streets, installing and maintaining street signs and pavement markings, tree trimming, and spraying for weeds.

The Street Division also completes excavation and repair of deteriorating streets, gravel road grading, street sweeping, crackfilling, chipsealing, snow removal and sanding.

WATER DISTRIBUTION

There are approximately 65.5 miles of water mains within a 4.65 square mile area ranging from 4 inch to 24 inch in diameter in the Ontario water distribution system, supplying water to more than 3,600 accounts. In addition to serving City residents, the City supplies water to the Snake River Correctional Institution (SRCI) through approximately 7 miles of 12-inch water main. The City has the following water storage reservoirs to serve City residents:

- Eastside Reservoir 3A, 1 MG
- Eastside Reservoir 3B, 1.75 MG
- Westside Sunset Reservoir, 5 MG
- Bench Reservoir, 3 MG

The City's 3 Million Gallon (MG) Bench Reservoir is the main supply for the Canyon 2 Pump Station that pumps water to SRCI's two 0.5 MG reservoirs. Altogether, Ontario's four reservoirs have a total storage capacity of 10.75 MG.

The City operates three booster pump stations:

- Eastside Booster Pump Station takes care of pressure to the Bench Reservoir and system pressure
- Westside Booster Pump Station services the Bench Reservoir and system pressure
- Canyon 2 Booster Pump Station pushes water to SRCI

The Public Works Department has an established valve and fire hydrant replacement program. The majority of valves throughout the City are 6-inch gate valves, which are exercised and evaluated on a yearly basis. Damaged or poorly operating valves are routinely replaced. Older style fire hydrants are being systematically replaced with models having 6-inch dry barrels. All fire hydrants are flushed on an annual basis.

SANITARY SEWER COLLECTION

The City of Ontario has more than 78 miles of gravity sanitary sewer collection pipe ranging in size from 8 inches to 24 inches in diameter. Citizens within the City limits are required to be connected to the City's sanitary sewer collection system. The collection system moves water to the Wastewater Treatment Plant via gravity pipe and force main. There are nine lift stations scattered throughout the City to move wastewater through the system. As with the water distribution system, the City's sanitary sewer collection system serves SRCI. A 3.65 mile stretch of 15-inch to 18-inch diameter sewer main brings raw sewage from the prison to the SRCI lower lift station and then directly into the Wastewater Treatment Plant.

Public Works staff maintains the collection system and lift stations. They conduct a physical inspection of each lift station on a weekly basis to confirm the lift station is in acceptable working order and the facility is neat and clean. Staff checks known problem areas in the collection system mains and conduct line flushing as needed. Recurrent problem areas are flagged for future repair or replacement.

STORMWATER COLLECTION

The Public Works Department maintains more than 56 miles of stormwater collection piping and more than 1,300 catch basins. Staff cleans catch basins in the fall after the leaves come off the trees and monitor catch basins as they clean streets.

Task	Actual Performance	% Completed
Water Service Inspection	3,972	100%
Valve Exercise	1,910	100%
Fire Hydrant Inspection and Flushing	654	100%
Sewer Main Cleaning	26 miles	100%
Catch Basins Cleaned	1,458	100%

Field Services crew pouring concrete curb and gutter on NW 2nd Avenue.



CH2M 2016-17 Yearly Update
Field Services - Streets

Street Maintenance Accomplishments 2016-17
Chipsealed 12 lane miles of street. Chipseals provide protection from water and weather damage. Chipseal application provides substantial savings to taxpayers and typically lasts 7 to 12 years with minimal maintenance required.
Plowed seven storm events between December and February and applied sand and salt. Ontario received approximately 42 inches of snow this winter.
Swept entire town three times, plus the primary and secondary roads in between those the main sweeps of town.
Sign maintenance and replacement as needed throughout City limits.
Provided storm event sweeping.
Striped the parking lots down town – adding required number of ADA parking spots to each parking lot.
Crack sealed 12 lane miles.
Replaced approximately 241 feet of concrete curb and gutter in preparation for chipseal in Maintenance Area No. 6.
Right-of-way maintenance, including weed abatement and blading.
Swept downtown South Oregon Street weekly.
Installed 60 new Welcome to Ontario banners provided by the Chamber of Commerce.
Provided event traffic control for the Veteran and Holiday parades.
Crack sealed and re-striped two parking lots at City Hall.
Crack sealed the City parking lot at the corner of SW 1 st Avenue and SW 1 st Street, and two of the parking lots along Depot Lane.
Re-striped the City parking lot at the corner of SW 1 st Avenue and SW 1 st Street.
Cleaned catch basins city wide – approximately 6-8 weeks to complete.

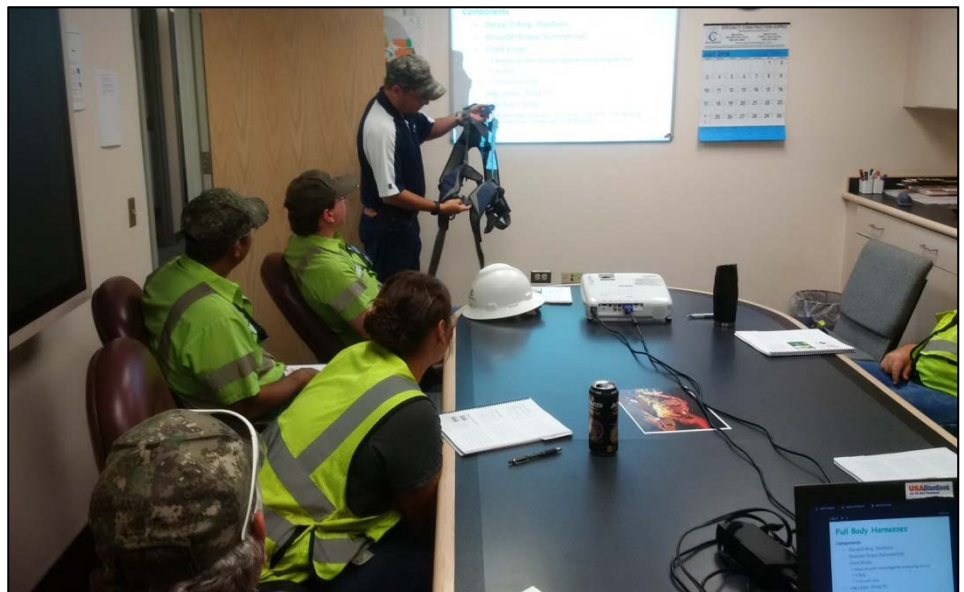
CH2M 2016-17 Yearly Update
Field Services - Streets

Installed gates at the Ontario Municipal Airport.
Installed 160 feet of curb and gutter at Moore Park – 8 yards of concrete. Plus, 170 feet of 12 foot sidewalk at Moore Park – 25 yards of concrete.
Nearly 60 10-yd dump truck loads of leaves and yard debris were hauled to Ontario Sanitary Service during the annual leaf pickup.
Plowed the airport runway and taxiways December 7 th -9 th , 14 th -15 th , 23 rd -24 th and 27 th . This is a joint effort with the airport manager and volunteers. We used the loader to move berms of snow off the tarmac at the airport each time it was plowed.
Approximately 8,000 gallons of de-icing liquid was applied in December.
Approximately 85 tons of deicing salt was applied on primary and secondary routes in December.
There were seven frozen water meters which were either replaced or thawed.
Started the year with a 4-inch snow event on January 4 – primary and secondary routes were plowed and salted.
There was an 8-inch snow event on January 7 – primary and secondary routes were plowed, salted and residential routes were plowed. It took more than two days to clear the roads throughout the town.
January 18, there was a 15-inch snow event – primary and secondary routes were plowed, salted and residential routes were plowed. This took multiple days to complete as the storm lasted two days. The entire town was plowed at least once within 24hrs of the storm ending. It took 19hrs and 2 shifts to remove the snow from downtown areas that were plowed to the center.
The Ontario Municipal Airport was plowed during each event. Loader equipment was sent out afterward to move piles from the tarmac, taxiway and runway
Crews assisted in clearing the catch basins with help from Owyhee and Old Owyhee Irrigation districts and Farmer's Supply Co-op. They cleared 95 percent of all catch basins in town in preparation of the snow melt.
More than a total of 215 sets of snow stakes have been delivered since winter began. The snow stake program is for elderly and disabled residents who have no one to help them clear snow berms from their driveways after the snow plows pass by.



Crew paving back alley north of NW 5th Avenue, between NW 1st and 2nd Streets, between NW 5th and 7th Avenues.

Dave Ellis, Western
Area Safety
Professional, top
photo, provides
elevated lift training
to the Ontario Project.





Field Services Crew patching back asphalt at Sierra Vista Apartments.



Field Services crew crack sealed and repainted parking stripes at City Hall (top photo) and Optimist Park on North Verde Drive (bottom photo).





Top photo, painting cross walk bars across from Beck Kiwanis Park.

Bottom photo, Field Services crew cleaning catch basins.





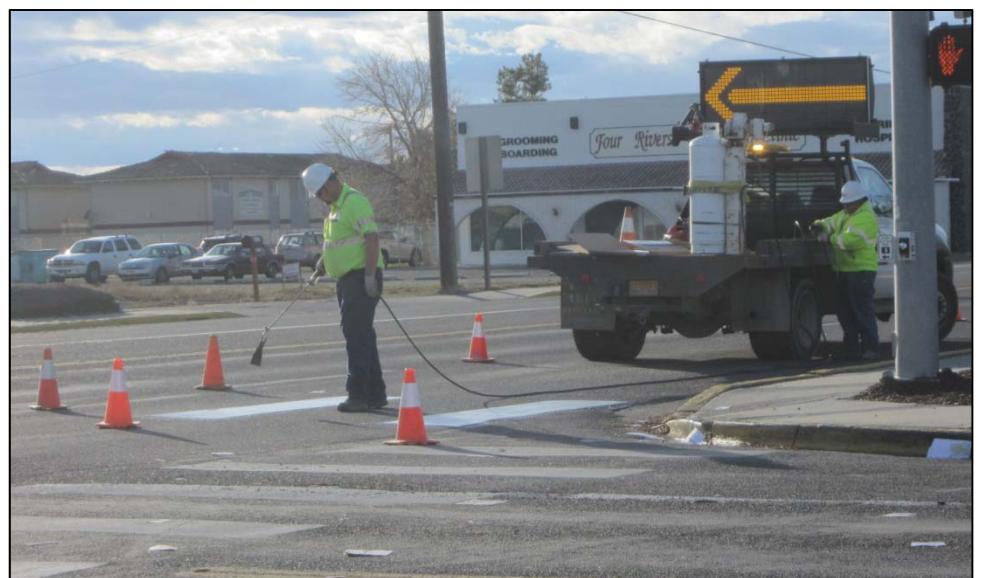
Field Services Crew finishing freshly poured concrete along Moore Park at SW 1st Street and South Oregon Street.



Field Services Crew
patching back
asphalt – a total of
21 tons around
Ontario – before the
plant shut down for
the winter.



Field Services Crew hangs Christmas decorations along downtown Ontario.



Field Services Crew hot
taping crosswalks along SW
4th Avenue.



Snow plows on SW 4th Street during one of the snow events.



Plowing North
Oregon Street on
their way back to
the Public Works
Shop.



Downtown South Oregon Street after plows made the road passable for shoppers and business owners.

Oregon Department of Transportation (ODOT) assisted the Ontario Public Works Department with the use of a snow blower to make a road to the Ontario Golf Course, and cut down on the snow and ice along Southwest 4th Avenue, East Idaho, North Oregon and the truck route on Southwest 2nd Street.





24-inch storm line on West Idaho Avenue was blocked with roots and debris, causing neighborhood flooding. Crews diverted flow and pumped the line for 48 hours until Warrington Construction could replace the section of pipe. This was done in shifts and pumping was continuous to prevent flooding the neighborhood homes. The diesel pump for the Wastewater Treatment plant was used together with a 3-inch trash pump to keep the flow out of the street. The Fire Department used their pumper truck to start the process until all parts were on site to run the backup pump.





Removed a damaged pavilion shelter from Lion's Park. The heavy snow load broke a couple beams in the cover and could not be repaired.



Field Services Crew finishing new concrete curb and gutter along West Idaho Avenue.



Above, Field Services Crew crack sealing along North Oregon Street in preparation for the summer's chip seal project.



At right, Field Services Crew installing new water valves to new Well No. 17 at the Water Treatment Plant.



Building the walls for new well house Well No. 17 at the Water Treatment Plant.



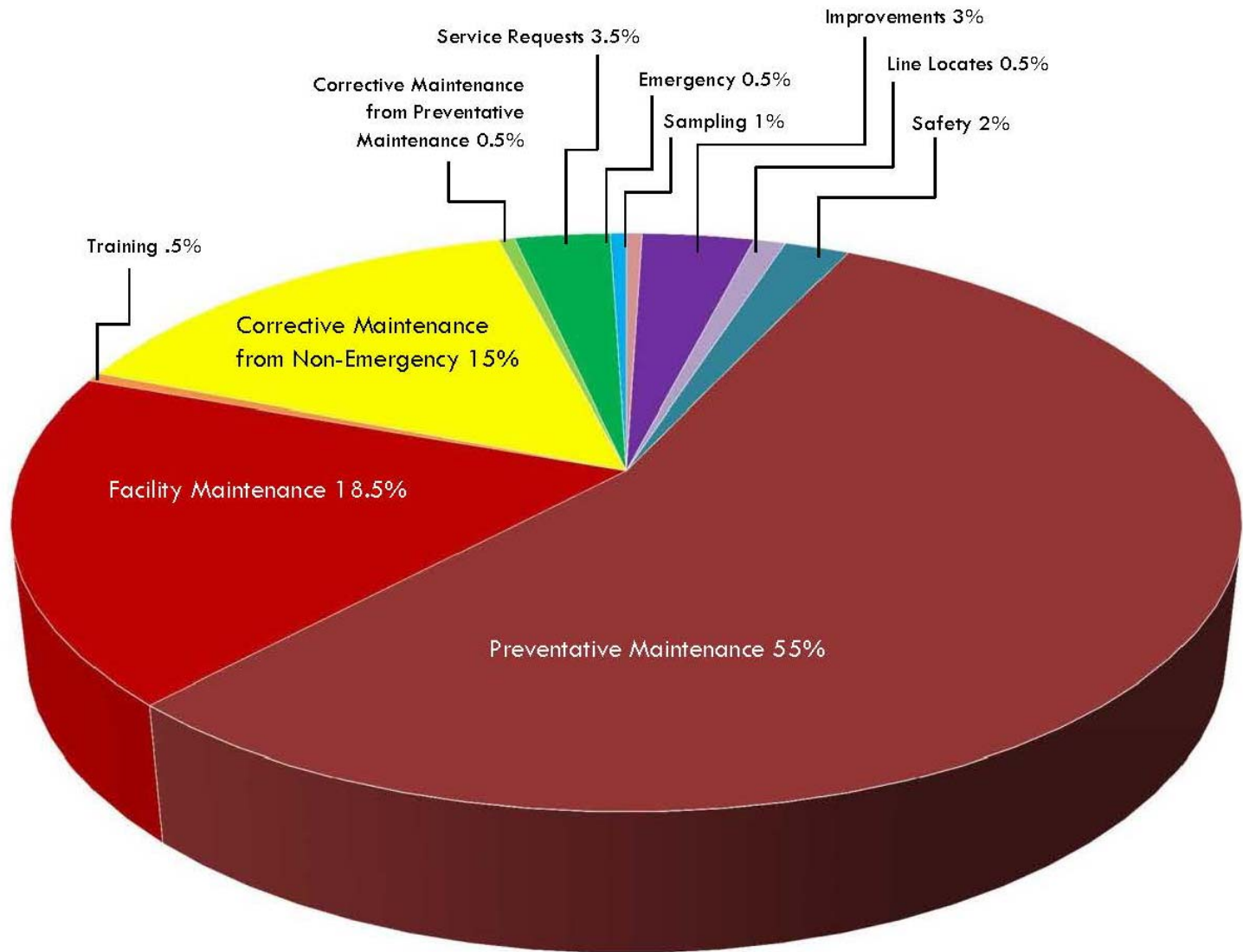
Field Services Crew managed the slurry seal of the City parking lots downtown and restriped the parking spaces.



Field Services Crew installed 4 of the 8 bus shelters for the Malheur Council on Aging. The remainder of the shelters will be installed in July.



Work Orders 2016-17





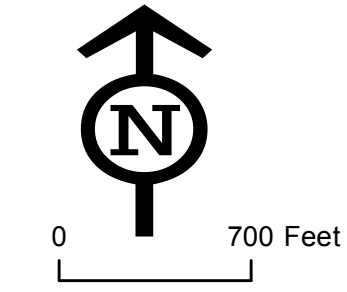
ONTARIO, OREGON CITY LIMIT MAP



Legend

- Private Streets
- Maintenance Area 1 - 2021
- Maintenance Area 2 - 2022
- Maintenance Area 3 - 2023
- Maintenance Area 4 - 2024
- Maintenance Area 5 - 2015
- Maintenance Area 6 - 2016
- Maintenance Area 7 - 2017
- Maintenance Area 8 - 2018
- Maintenance Area 9 - 2019
- Maintenance Area 10 - 2020

DISCLAIMER: THE INFORMATION ON THIS MAP COMES FROM MULTIPLE SOURCES AND MAY CONTAIN INACCURACIES. TAX LOT BOUNDARIES ARE BASED ON ASSESSORS RECORDS AND MAY NOT REFLECT WHAT IS SEEN "ON THE GROUND". THE CITY OF ONTARIO/CH2MHILL ASSUMES NO RESPONSIBILITY OR LIABILITY FOR ANY ERRORS, OMISSIONS OR INCONSISTENCIES. PLEASE CONTACT CH2MHILL DIRECTLY IF YOU SEEK SPECIFIC INFORMATION.



Water Treatment Operations

WATER TREATMENT

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

There are two sources of water for Ontario's estimated 11,090 residents: 80 percent of our water comes from the Snake River and 20 percent comes from wells. Two plants treat our city's water. One is a conventional filtration plant, and the other is an upflow clarifier. The steps for treatment are flocculation, sedimentation, filtration and disinfection – meeting the compliance of the Oregon Health Authority.

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

The Water Treatment Plant has a reliable capacity (capacity with the largest pump out of service) of 8.3 million gallons per day (MGD) and a maximum capacity of 11 MGD. The Water Treatment Plant average production is 6 MGD and the City's largest industrial user, Heinz Frozen Foods, uses an average of 2.2 million gallons (MG) of that water.

The City retains surface and groundwater rights permits for a combined total of 38.23 cubic feet per second (CFS), 24.71 million gallons per day (MGD) for municipal use.

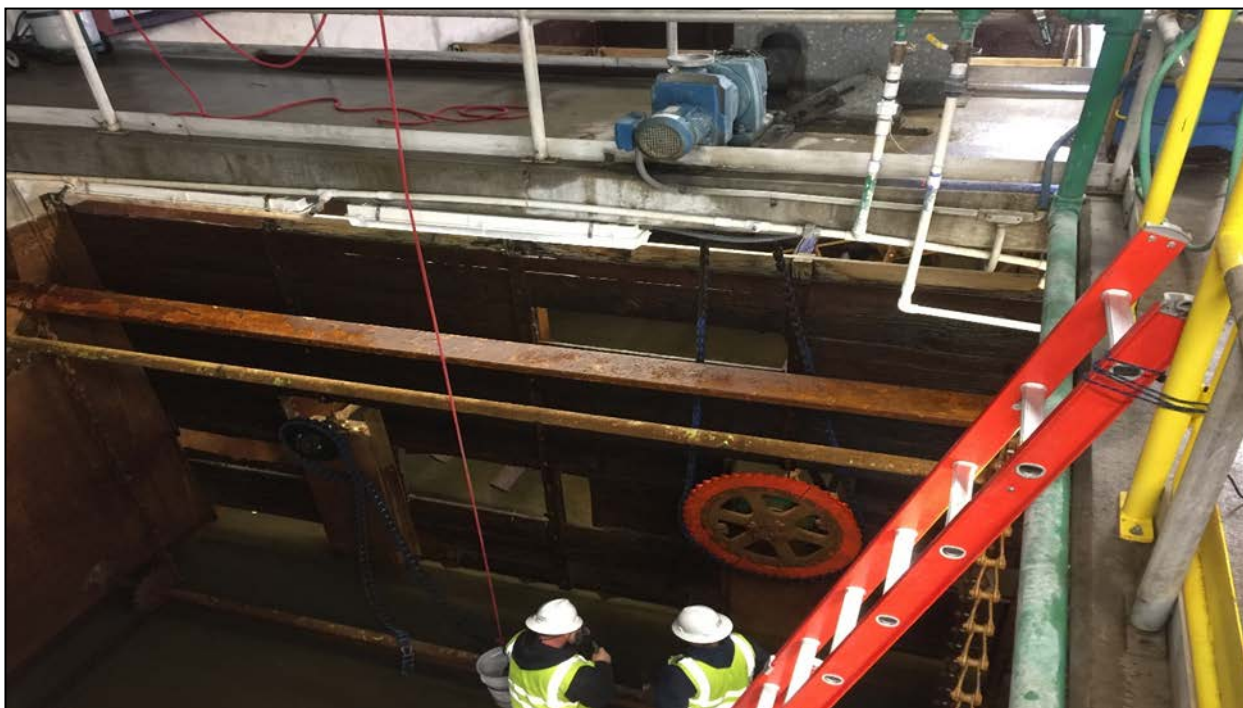
All of the City's potable water is treated and disinfected at the Water Treatment Plant. The plant has an original 8 MGD design capacity based on the optimum filter loading rates. The City expanded its treatment capacity in 2006, through the addition of two adsorption clarification and filtration tanks.

Water Treatment Plant 2016-17 Achievements
Work began on the Water Treatment Plant Chemical Feed Improvements Project.
New solids decant pump was ordered to replace the old pump which was rebuilt multiple times and worn out.
Eastside Reservoir 3B was isolated and drained. The tank was inspected for coating failures and then repaired.
Flight chain repair on west clarifier sedimentation basin - this will require the basin to be drained and the chain to be repaired. Bearings were found to be worn out on shaft drive systems. New bearings were replaced upon arrival. The opposite treatment train also had its bearings replaced proactively.

Water Treatment Plant 2016-17 Achievements
Eastside tank was found to have three small leaks. The tank was drained and the coatings vendor returned to address and repair the leaks at no cost to the City.
Installed bearing onto primary drive shaft for flocculator in clarifier No. 2.
Set axillary pump into Snake River to use for a backup water source during plant upgrade.
Installed the 30-inch feed line to the conventional treatment plant “old plant”.
Continuing to install the new 20-inch feed line to the WesTech plant.
Installed three new chlorine tanks.
Installed new river pump motors with variable frequency drives (VFDs).
Sand removal from flocculation basins in the old treatment plant due to the long period of high water levels and additional solids in the raw water.



Water Treatment Plant Crew held a preconstruction meeting for the 2016 Chemical Feed Improvements project.



Water Treatment Plant operators working on repairing the secondary drive chain for the flocculators.

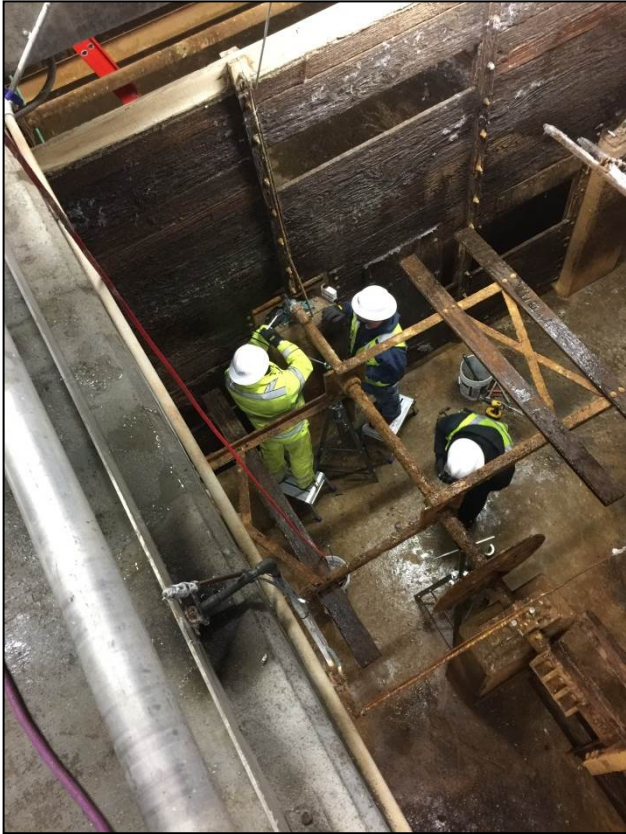


**Water Treatment Plant
Operator climbs to the top
of Reservoir 3B to take a
chlorine residual sample.**





Water Treatment Plant Operator repairs a chain.



Water Treatment Plant operators making a bearing repair at the Water Treatment Plant.



Bearing repair at Water Treatment Plant – new and replaced bearing pictured above.



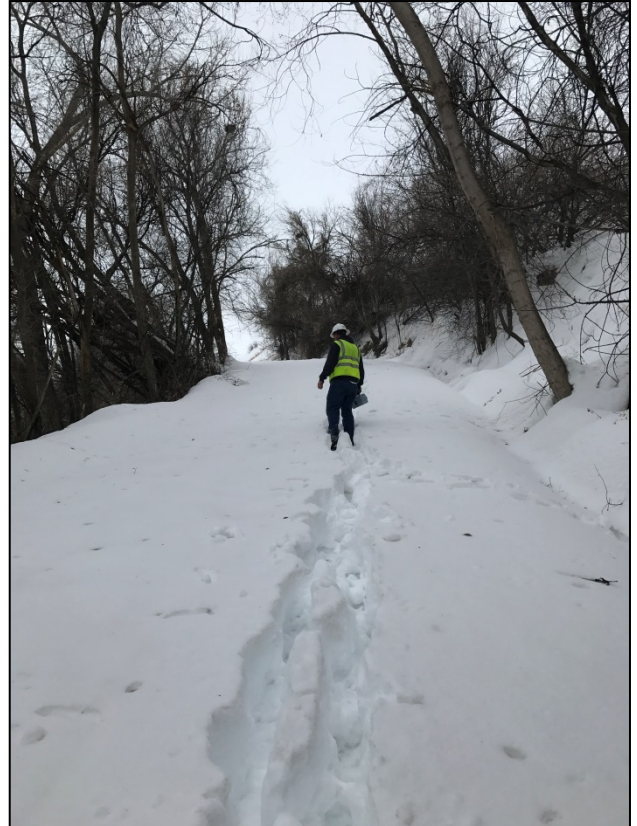
Left photo, chemical tank removal at Water Treatment Plant; right photo, filter system at Water Treatment Plant.



Ice on the Snake River behind the Water Treatment Plant.



New chemical feed mixing building at the Water Treatment Plant.



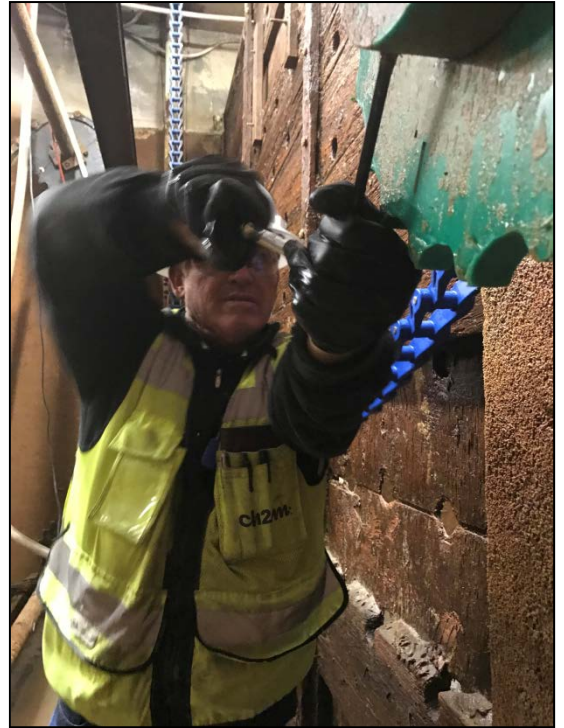
Clockwise from top left:
Water Treatment Plant and
the high Snake River in the
distance; Operator hiking
through the snow to get to
the Bench Reservoir for
sampling; Snake River on a
clear blue sunny day in
January.





Top: Snow removal efforts at the Water Treatment Plant main building. Right: Icicles forming on the Sunset water tank.

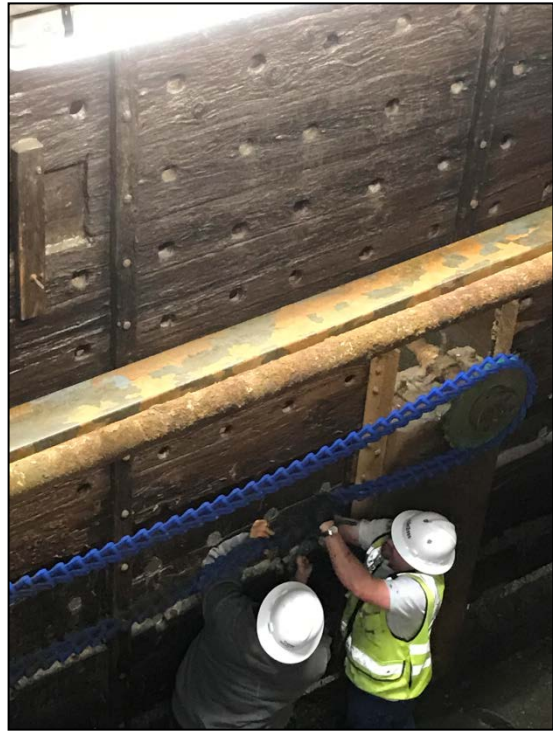




Top, Water Plant Operator replacing a drive sprocket for clarifier No. 2 flocculator. Bottom photo, new Water Treatment Plant chemical mixing building.

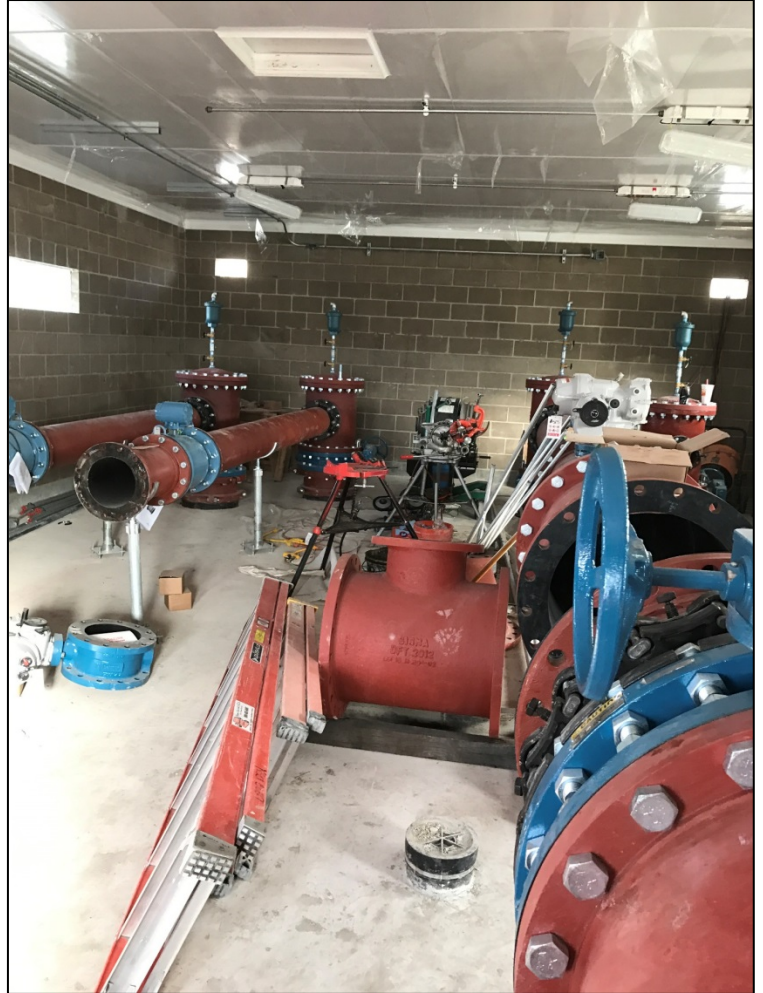


Water Treatment Plant Operators replacing the drive chain for clarifier No. 2 flocculator.





Preparing to take a sample of tank 3B.



Inside the new Chemical Feed Plant.

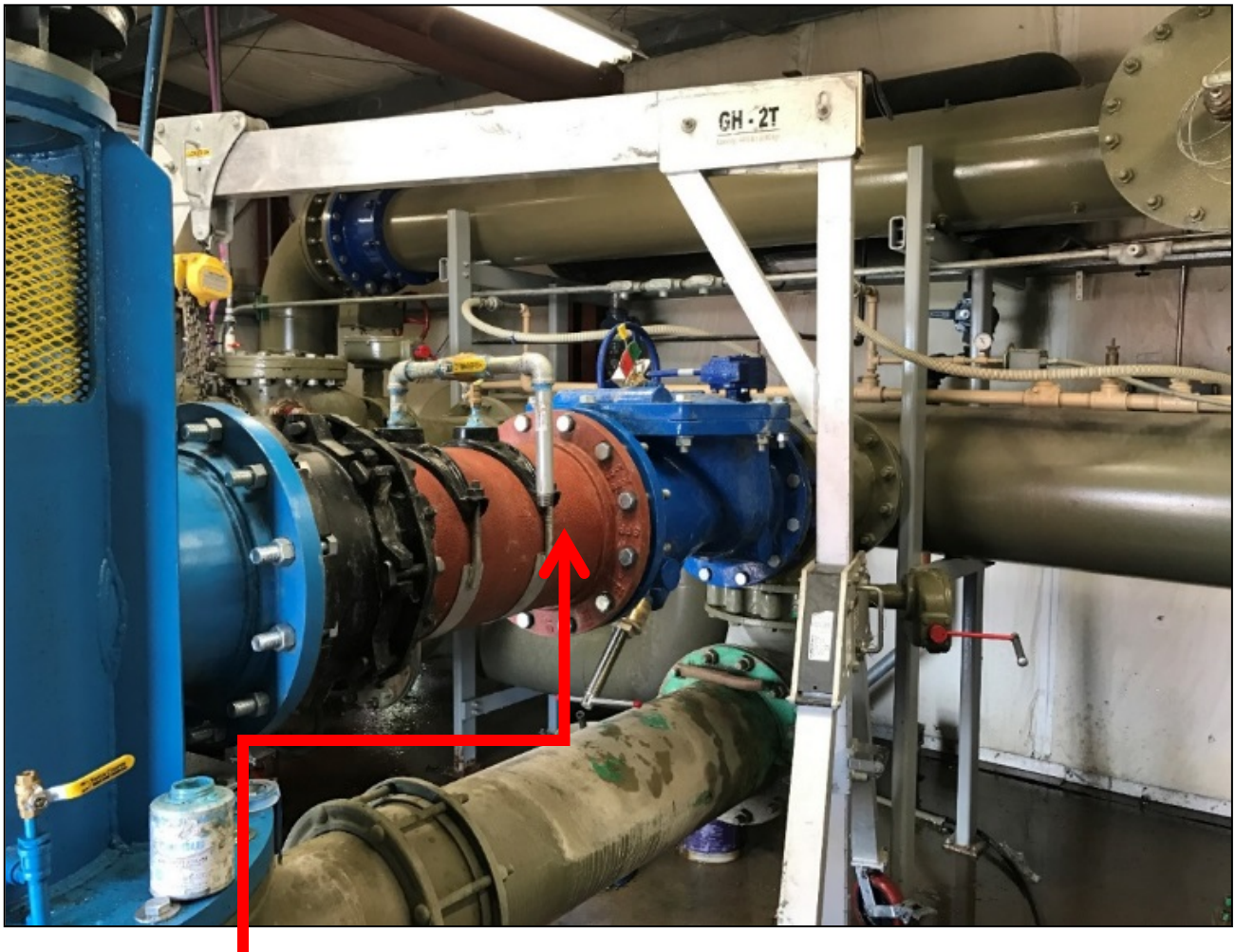
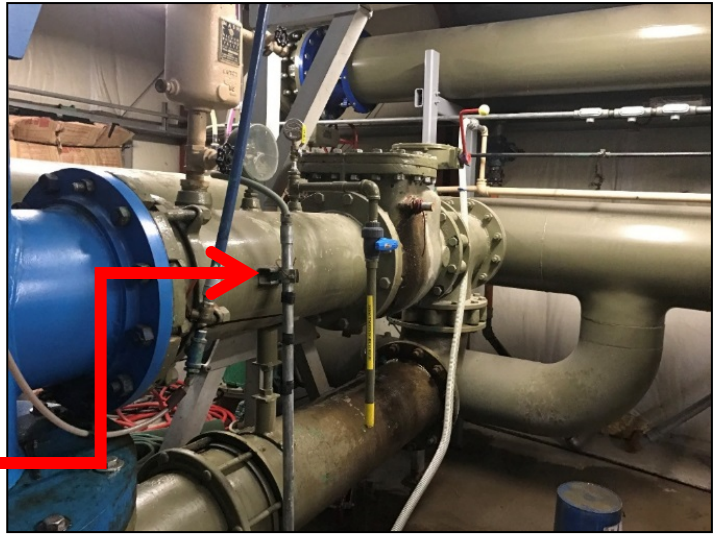


Field Services Crew Seth Blackburn,
Raymundo Rodriguez and Operator Robert
Crites clearing the drain line of clarifier No.
1 "old plant".



New chlorine chemical feed pumps at the Water Treatment Plant.

Old leaking river pump station check valve.



New check valve at Water Treatment Plant.



Water Treatment Plant crew repairing chain and sprockets in clarifier No. 2. Redwood bafflewall to be replaced later this year.



New dynamic mixers installed at the new Chemical Feed Building at the Water Treatment Plant.





New caustic soda tank.



New 20-inch water supply line for the WesTech Treatment Plant.

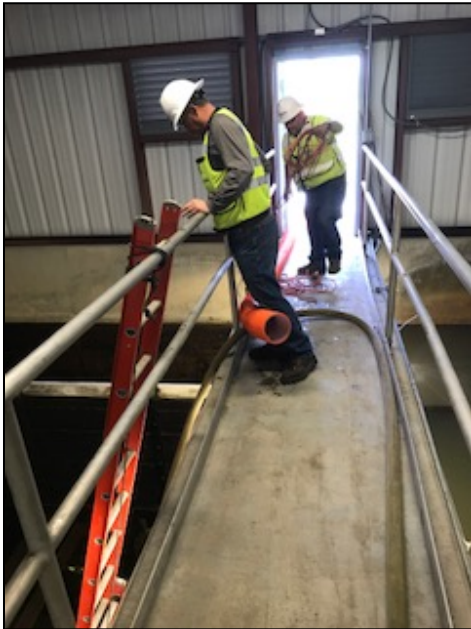
At right, Water Treatment Plant crew monitors the new chemical feed setup. Below, Water Treatment Plant Crew makes some minor adjustments to the chemical feed system.





Above photos: Water Treatment Plant Well No. 17 new valves and tees installed by Field Services Crew.

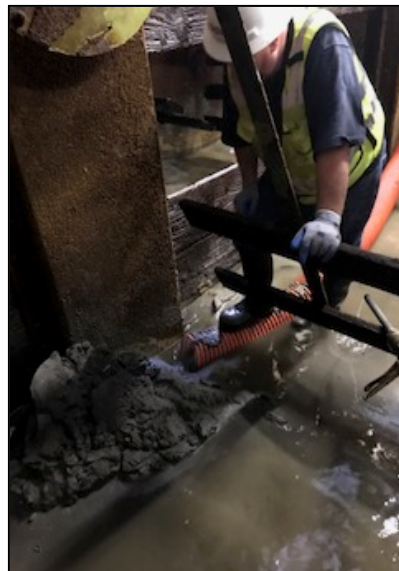
Field
Services
crew
clearing
sand from
flocculation
basin No. 1



Crew running pump calibration curves for the new ferric and poly chemical pumps and chlorine chemical pumps.

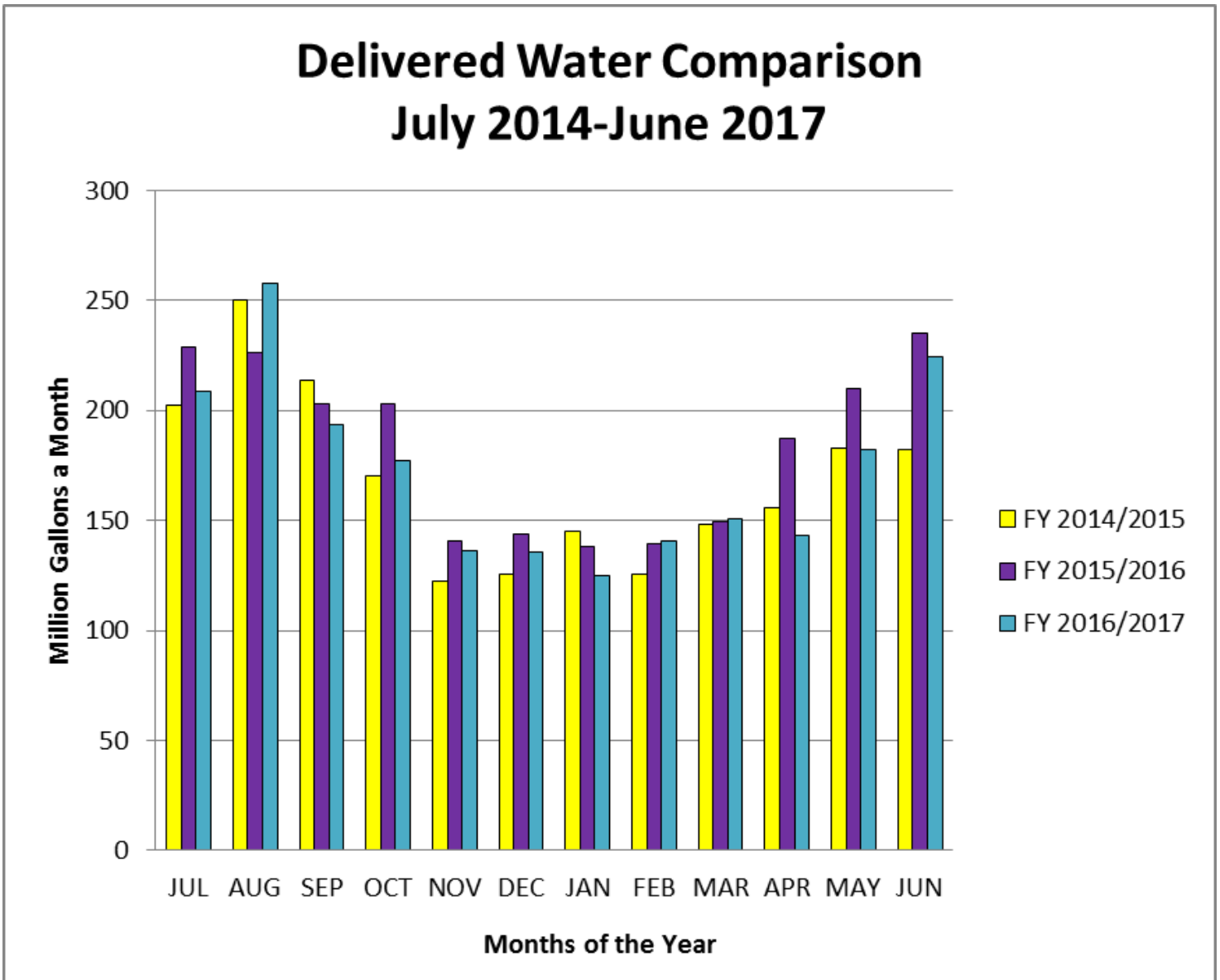


Vacuum hose to remove sand at Water Treatment Plant.



Water Treatment Plant crew removing sand from Clarifier No. 2.

Exhibit 1
Delivered Water Comparison July 2014-June 2017



Wastewater Treatment Operations

WASTEWATER TREATMENT

The Wastewater Treatment Plant collects wastewater from the entire city and Snake River Correctional Institution. The prison accounts for approximately 16 percent of the flow to the plant.

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

Average discharge volume is approximately 1.5 million gallons a day (MGD). Winter discharge is to the Snake River from November through March. Summer discharge is land applied to approximately 353 acres of cropland at the Skyline Farm.



Water Treatment and Wastewater Treatment Supervisor and operators walk the Wastewater Treatment Plant property and discuss operations.

CH2M Yearly Update 2016-17
Wastewater Treatment Operations

Wastewater Treatment Plant 2016-17 Achievements
We switched out the effluent flow meter with a new meter. The meter is the original, and has been in service since 1994.
Working with the Department of Environmental Quality to address our National Pollutant Discharge Elimination System (NPDES) issue.
Discharging to the Snake River November-March
Quarterly compliance sampling throughout the system as per schedules and protocols.
Rebuilt and installed valves for filter system at Skyline Farms irrigation station.
No treatment violations.
An internal operations audit was performed for the wastewater system. A Ch2M auditor reviewed operations and data. No significant issues were discovered during this review.
An audit was performed this month by Oregon DEQ. No findings were found and the inspection went well.
Wastewater Treatment crew rebuilt the Everfelt filter system for Skyline Farms irrigation system.
May 15 inspection by Oregon Department of Environmental Quality – no violations found.



View of the Wastewater Treatment Plant lagoons from the Bench Reservoir.



Field Services Crew puts a lift station pump back in Tapadera Lift Station, while Chris Childs from Vale Electric looks on.





Wastewater Treatment Plant operator running Ph tests and takes samples at Wastewater Treatment Plant.

Aerators at the
Wastewater Treatment
Plant lagoons with a mist
over the ponds on a foggy
morning.





Wastewater Treatment Plant lagoons and driveway to the plant.



Operator installing a vessel to collect a 24 hour composite sample at the Wastewater Treatment Plant for effluent Biological Oxygen Demand (BOD) and Total Suspended Solids (TSS) monitoring.



Wastewater Treatment Plant roof snow removal.

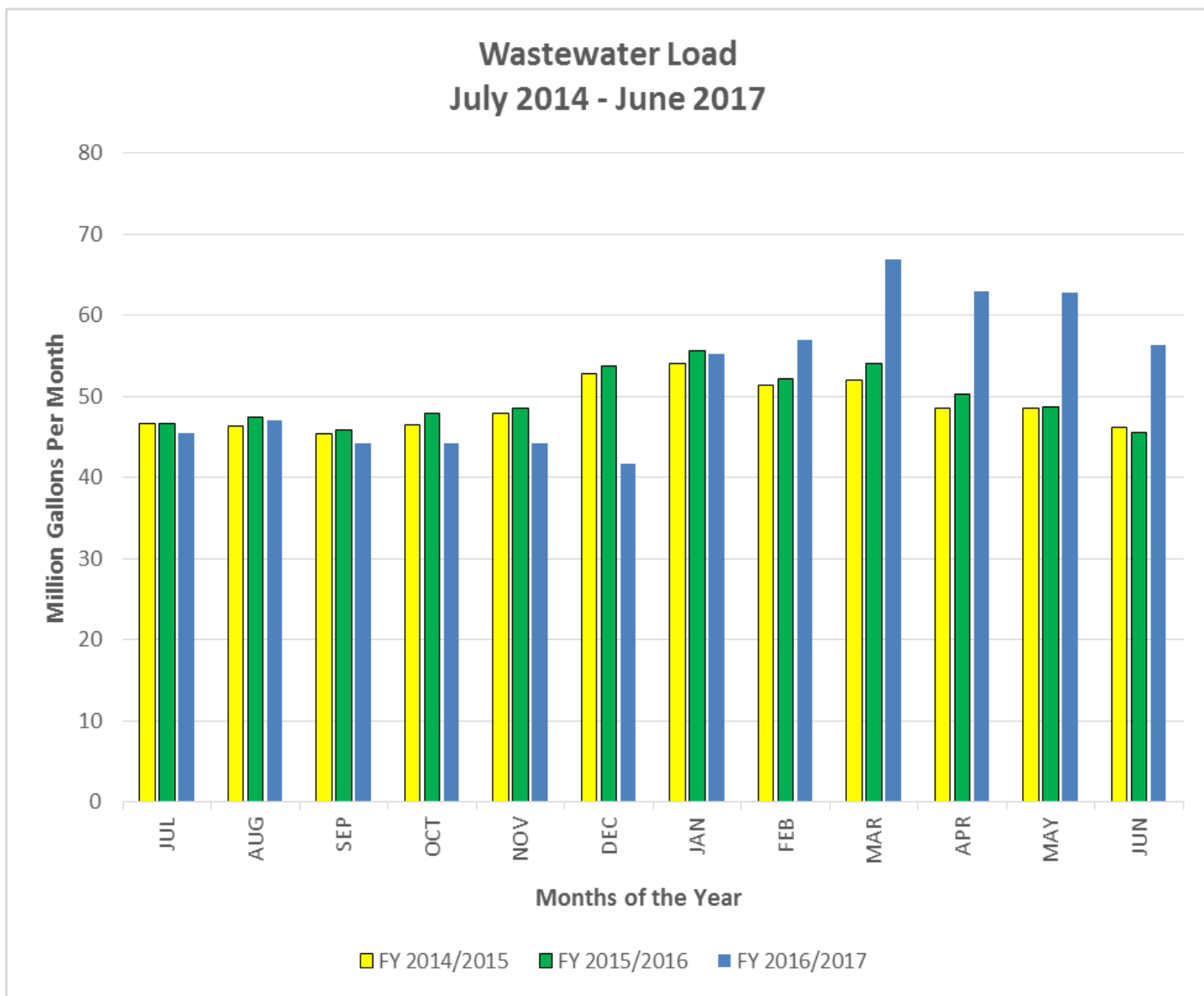


Wastewater Treatment crew cleaning septage receiving station.



Wastewater Treatment operations employee preparing a load of weed killer for the Wastewater Treatment Plant.

Exhibit 2
Wastewater Load July 2014-June 2017



Facility Maintenance

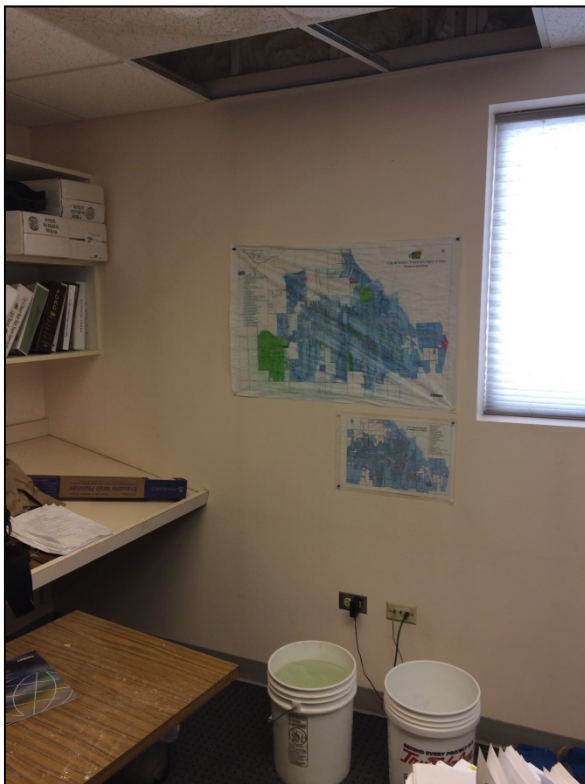
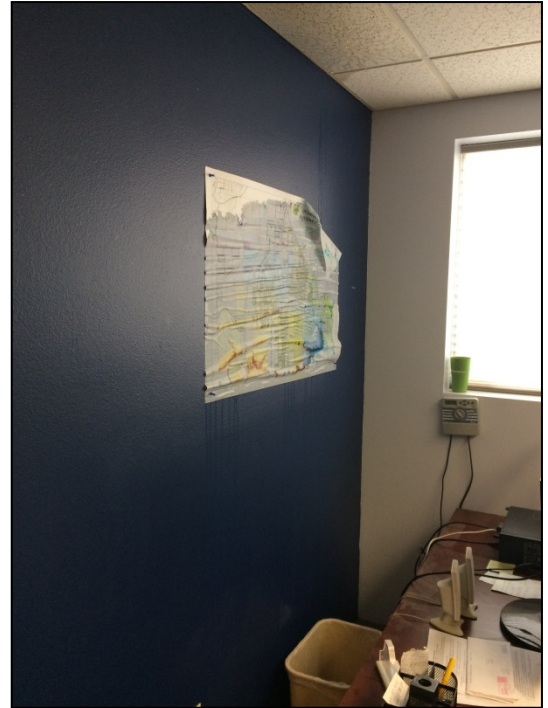
The City of Ontario owns and City Hall consisting of the Police and Fire Departments, Finance Department and Administration; Development Services Center with the Building and Planning Departments; Recreation Department; City Shop with Field Services, Collection and Distribution, Engineering and Administration; Water Treatment Plant; Wastewater Treatment Plant; and Parks and Cemetery with shops at the Beck Kiwanis Park, Lion's Park, Evergreen Cemetery and Sunset Cemetery.

Additionally, the City also maintains the closed Ontario Golf Course and the closed Ontario Aquatic Center.

Facility Maintenance Highlights of Fiscal Year 2016-17
Gate installation at Ontario Municipal Golf Course.
New alarm system installed at the Development Services Building.
New key pad installed on alarm system at Ontario Golf Course Clubhouse and Public Works Shop.
Elevator repair work completed at City Hall.
Floor tile replaced in the Police Department at City Hall. Department was also repainted.
New floor tile was installed in the downstairs women's restroom at City Hall.
Tore down one of the pavilions at Lion's Park due to snow damage.
Repaired a leak upstairs at City Hall in the Council Chambers.
New tile floor in hallway and breakroom at Public Work Shop.

Top three photos, new gates installed at Ontario Municipal Airport. Bottom photo, Jay Hysell, Mike Wirtz and Dale Cruson review containment facilities for Airport Spill Prevention, Control and Containment Plan.



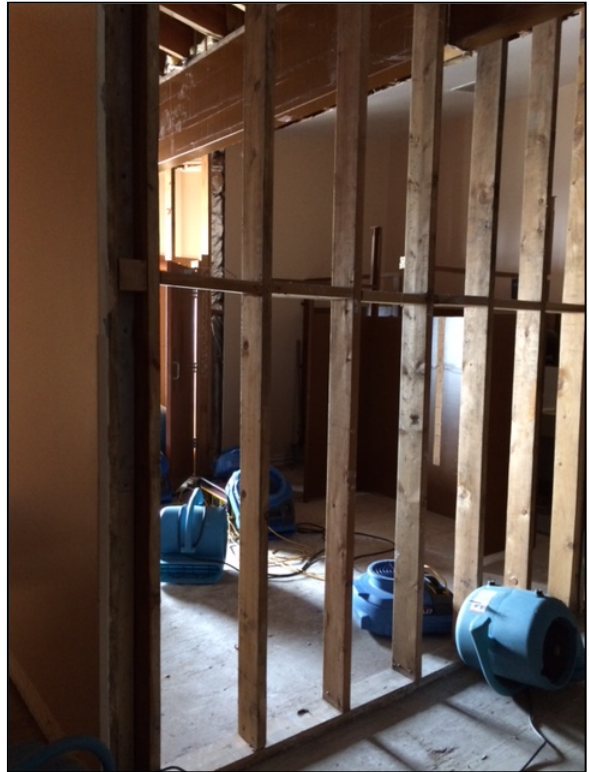


Top left, Public Works Shop break room; top right, Rob Presley's office; bottom left: Casey Mordhorst's office; bottom right: Betsy Roberts' office and one of five leaks in the Engineering office. Crew has utilized every bucket, bowl and disposable aluminum baking tray to contain the leaks from the roof. Roof was leaking at such a fast rate, containers were emptied about every two hours.



City Hall
reflooring
project in
the Ontario
Police
Department
hallway on
the first
floor.

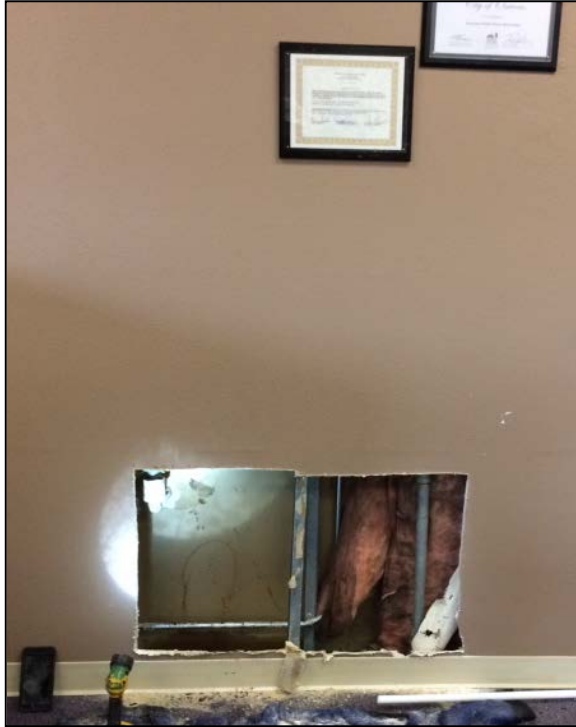




City Hall reflooring project in the Ontario Police Department hallway on the first floor.



Tearing down the park pavilion at Lion's Park after the structural damage was discovered due to snow damage.



Top photos, water leak repaired in City Hall Council Chambers. Bottom photo, glass window replaced at the old Ontario Aquatic Center recreation office.





Water leak repaired in Ontario City Hall police holding cell.



Parks and Cemetery/Facility Maintenance Crew mends rain gutters at the City Hall apartments.



Gate installed at the Ontario Municipal Airport to keep Ontario eclipse campers off the airport runway grounds.

Parks and Cemetery

The City of Ontario owns and maintains 13 park and recreational areas on a total of 1,012 acres of land, in addition to the Wayne King Skateboard Park. There are four neighborhood parks, one community park, one large urban park and numerous special use sites in the park system. The City also owns an aquatic center which is currently closed but being evaluated for significant repairs and improvements.

Parks and Cemetery Department tasks include mowing, ground maintenance, maintenance of equipment, interior and exterior building repairs, repair and installation of sprinkler lines and heads, and planting lawn, trees, shrubs and flowers.

Parks and Cemetery Highlights of Fiscal Year 2015-16
There were 65 burials this year at the Evergreen Cemetery and Sunset Cemetery combined.
There was a total of 1,416.5 mowing hours calculated at both the parks and cemeteries combined.
A utility vehicle was purchased for use in the cemeteries.
Green Giant finished the new sprinkler system at Beck Kiwanis Park.
A new Christmas tree was planted in Lion's Park and seven trees were planted in the downtown City parking lots. Trees were also replaced at Beck Kiwanis Park.
Crew mulched leaves for 32 hours in the parks.
Parks and Cemetery staff helped remove snow from sidewalks along City property and plowing snow off the City Hall parking lot.



Parks and Cemetery crew mows, irrigates and maintains all City of Ontario parks and cemeteries.



Top left, new sprinkler system is installed at Beck Kiwanis Park. Top right, trees are trimmed at Lions Park.





A holiday tree was planted in Lion's Park along SW 4th Avenue for upcoming celebrations throughout the upcoming holiday season. An electrical service was also run to provide a power source.

Parks and Cemetery



Doug Stewart, Parks and Cemetery Crew, uses a gator to move snow berms from areas marked with pink snow stakes for Ontario's seniors and disabled residents. Doug Stewart touches up areas by hand too. There were more than 200 people on the special list.





Left photo: Snow covered graves at Evergreen Cemetery. Right photo: Parks and Cemetery crew preparing to dig a grave at Evergreen Cemetery. Digging graves continued despite the 42 inches of snow accumulation and below freezing temperatures.



Parks crew planting a new tree at Beck Kiwanis Park this spring.



Tree trimming at Lion's Park.



Above, children playing and families picnicking at Lion's Park on a hot summer afternoon. At right, employee tests out a mower for the Park's Department at Lion's Park.



Engineering Division

ADMINISTRATIVE SUPPORT STAFF

Engineering Technicians Dan Shepard and Dawn Eden, under the leadership and direction of CH2M Engineer Betsy Roberts, provide an array of administrative and engineering support to the Public Works team and the City.

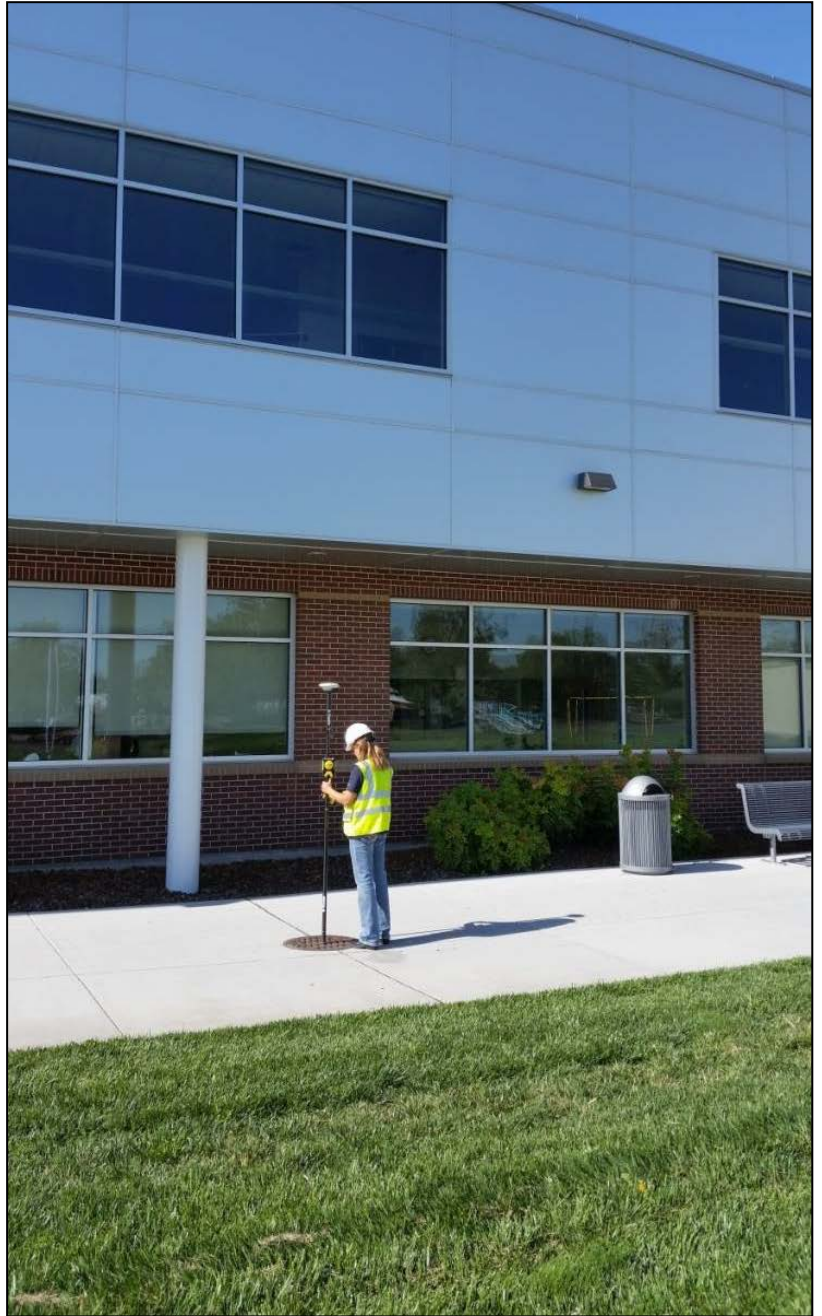
The Engineering Division reviews plans for construction of public improvements and maintains the City's mapping system. The department provides technical support to residents, developers, contractors, other City departments, and consulting engineers and surveyors.

Staff reviews and approves construction plans for subdivisions, partitions, streets, sanitary sewer, water lines, and storm drainage construction projects. They also design projects, prepare bid documents for public works maintenance projects and provide project management and inspections for public improvements.

The Geographic Information System (GIS) database is maintained by the Engineering Division. The department also maintains and updates the record maps for all City addresses, City utilities, right of way, easements, zone changes, fire district changes and City base maps.

The City Engineer develops the City's Capital Improvements Plan, develops engineering project scopes, prepares engineering project designs, reviews consultant work, issues requests for proposals, and presents engineering issues to City Council regularly.

Engineering 2016-17 Achievements	
Task	Total
Right of Way Permits	59
Work Orders	19
Maps Created	182
Encroachment Permits	1
Advance Finance Districts	1
Deferred Improvement Agreements	4



Engineering Technician using Global Positioning System (GPS) to collect a location point on a sanitary sewer manhole on the back side of the Ontario Middle School.



CH2M Engineering Technician inspects sidewalk at Albertson's in Ontario following a trip and fall complaint.



Citizens filling sandbags at Fire Station II, Ontario Municipal Airport.





Engineering Technician collects GPS coordinates at a new sewer and water connection for a new residence.



Engineering Technician uses a tape measure to dip a manhole and determine its depth along SW 4th Street, south of SW 18th Avenue.



Engineering Technician utilizes a Global Positioning System (GPS) handheld unit to collect a point on a catch basin on the Highway 201 Interstate 84 overpass.



Engineering Technician collects points on irrigation system valves downtown. These points will be uploaded to a map of Ontario for future development of the downtown corridor.



Engineering Technician photographs Parks and Recreation Crew at a residence along SW 4th Street with pink snow stakes. The City has more than 215 senior and disabled residents on this year's assistance list.



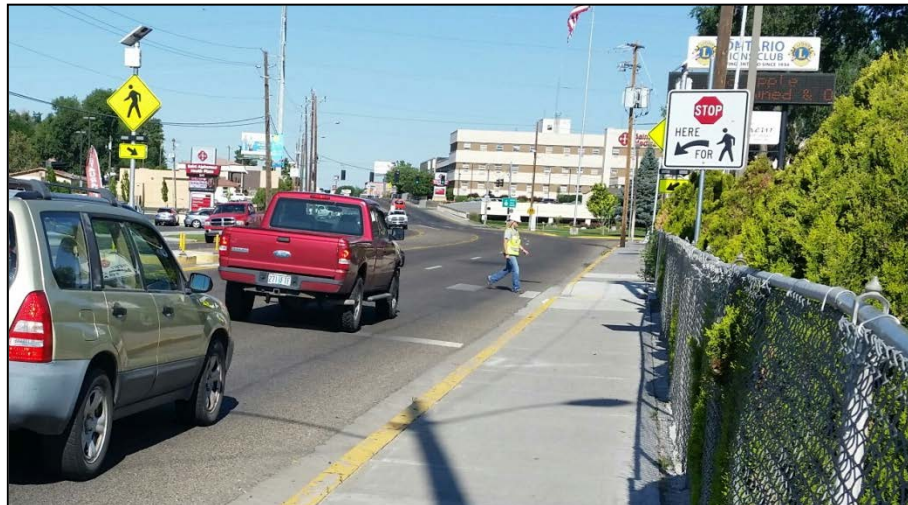
Engineering Division taking GPS points on new pipe for the Chemical Feed Building at the Water Treatment Plant. The new points and lines will be added to the GIS map of underground utilities for the City of Ontario.



Engineering Technician collects GPS coordinates on newly installed valves at the Water Treatment Plant for Well No. 17.



Monthly testing of the
Rapid Flashing Beacons
performed at all locations
throughout Ontario.



Capital Improvement Projects 2016-2017
Cemetery
Purchased Utility Cart
Parks
Beck Park Irrigation Improvements
Water Treatment Plant
Chemical Feed Project Construction
Rate Study Completion
Microchlor cell replacement
Water Distribution System
Well 17 Construction
Eastside Tank Liner Leak Repair Completion
Annual Fire Hydrant Replacement
Annual Waterline Replacement – Design Phase
Pneumatic Valve Replacement
Collections System
Annual Sanitary Sewer Replacement– Design Phase
Stormdrain System Line Replacement – Design Phase
Streets
Crack Seal
Moore Park Sidewalk Repair
Wastewater Treatment Plant
Negotiation of National Pollutant Discharge Elimination System (NPDES)

Sustainability

CH2M employees have made it a priority to strengthen the success of the communities we serve. Our Sustainability Plan provides social, economic, and environmental benefits to the City and its residents. Over the past year, our team has completed projects impacting each of these areas. Over the past year, CH2M has been a part of identifying and tracking specific performance criteria that centers around sustainability. Our sustainability program is robust and wide-ranging, functioning as a model for other companies across the country.



Economic Impact

Our economic impact for sustainability in Ontario has created savings in fuel reductions and carbon emissions. Route optimization, regular maintenance and closely monitoring fuel consumption have created reductions in carbon emissions, just through the total reduction in road miles driven. It is estimated that fuel reduction, as a result of route optimization, is at least a couple hundred dollars per month. As we continue into the third year, we will evaluate some specific unit costs related to the total waste being processed.

Community Projects

In 2016-17, employees participated in multiple community events, addressing the unique needs of the community.

- Supported local holiday events by decorating streets, plus planting and decorating a holiday tree in Lion's Park.
- Provided traffic plans and support for multiple recreational 5K and 10K fundraisers throughout the year.
- Coordinated with Pheasants Forever to provide youth hunting opportunities at Skyline Farms.
- CH2M Ontario Project sponsored prizes to give away at the Malheur County 811 Contractor Appreciation Lunch. Nearly 200 contractors from Malheur and Payette counties attended the lunch held at the Boulevard Grange Hall.
- Crews provided set up and take down of traffic control barricades for local parades such as the Veteran's Day Parade and Winter Wonderland Parade.
- Employees delivered food to a local shelter during the holidays.
- CH2M Ontario Project sponsored local youth baseball and soccer teams through the Recreation Department.
- Crews ran tours of the water and wastewater facilities to local groups.
- CH2M offered free leaf and yard debris pickup during the fall.
- Arranged for snow removal from elderly and disabled residents' driveway during heavy snow events. Over 200 driveway marking stakes delivered to Ontario residents.
- Poured concrete pads and installed eight bus shelters for the Malheur Council on Aging for Snake River Transit.

Environmental Impact

- Each CH2M department in Ontario participates in our recycling program to reduce trash in the landfill. We currently recycle paper, cardboard, aluminum, scrap metal, and batteries. In 2016-2017, we collected and recycled more than 18,000 pounds of mixed recyclables, including 25 pounds of batteries.
- This year we have joined the initiative to recycle nitrile gloves through Kimberly-Clark. The gloves are comparatively priced and recycle boxes are available at all public works locations.

Additional Programs

As one of the first in our industry to publish a sustainability report in 2005, CH2M continues a tradition of excellence and transparency in reporting on internal operations related to sustainability. Verdantix, an independent analyst firm focused on sustainable business issues, has named CH2M a U.S. leader in sustainability consulting (2013), environmental services (2012), sustainable engineering (2010) and climate change consulting (2009).

This culture of delivering and growing a business that focuses on sustainable solutions is an integral part of our local operations as well. CH2M has been working and training on sustainable practices throughout the public works operation, covering everything from recommendations for capital improvements to reduction in the use of building energy and paper waste. Each focused on positive impacts on triple bottom line results: social, environmental, and economic.

Each year, the Ontario team develops a sustainability plan that looks at progress from previous years and new goals for the future. Each quarter results are reviewed and reported. The 2016-17 goals continue to focus on fuel usage, electrical power reduction, and waste reduction and recycling.



Contact Us

For additional information, contact:

CLIFF LEEPER

Public Works Director

CH2M

1551 NW 9th St

Ontario, OR 97914

541.889.8572



**AGENDA REPORT
NEW BUSINESS
August 15, 2017**

To: Mayor and City Council

FROM: Tori Barnett, City Recorder

THROUGH: Adam J. Brown, City Manager

**SUBJECT: TRANSPORTATION UTILITY FEE
RESOLUTION #2017-128: \$8 MONTHLY TRANSPORTATION UTILITY FEE FOR
THE ONTARIO MUNICIPAL STREET SYSTEM; AND
RESOLUTION #2017-129: CLASSIFYING CERTAIN FEES AND CHARGES AS NOT
SUBJECT TO LIMITATIONS OF ARTICLE IX, SECTION 11B, OF THE OREGON
CONSTITUTION**

DATE: August 14, 2017

PROPOSED MOTION:

I MOVE THE CITY COUNCIL ADOPT RESOLUTION 2017-128, A RESOLUTION ESTABLISHING TRANSPORTATION UTILITY FEES AND GOVERNANCE FOR USERS AND USE OF THE ONTARIO MUNICIPAL STREET SYSTEM.

I MOVE THE CITY COUNCIL ADOPT RESOLUTION 2017-129, A RESOLUTION CLASSIFYING CERTAIN FEES AND CHARGES AS NOT SUBJECT TO LIMITATIONS OF ARTICLE IX, SECTION 11B OF THE OREGON CONSTITUTION.

SUMMARY:

Council approved Ordinance #2725-2017 on July 6, 2017.

BACKGROUND:

At the recommendation of the City Manager, during the May 2017 Budget Hearings, the Budget Committee approved the implementation of an \$8 Transportation Utility Fee in the 2017-2018 budget.

CURRENT SITUATION:

The street fund does not currently have a large enough revenue source to pay for the annual street maintenance. The original proposed 2017-2018 budget given to the budget committee had some crack fill dollars appropriated, but no funding for chip sealing. The chip sealing had also been cut from the 2016-2017 budget. The City Council and Budget Committee recognized

the need for a funding mechanism to finance the pavement preservation and maintenance of the City's street system. The City Manager proposed, and the Budget Committee approved, an \$8 monthly transportation utility fee on each utility bill.

To impose a transportation utility fee, the City is required to create an ordinance, approve two different resolutions, allow for public comment and publish notice in the newspaper. These documents do the following:

- The ordinance created Title 8, Chapter 17 of the Ontario Municipal Code which will allowed the City to adopt the transportation utility fee and set up the parameters.
- Resolution 2017-128 will set the transportation utility fee as a monthly \$8 fee to each billing unit. The resolution also certifies that a chance for public comment was given.
- Resolution 2017-129 classifies the transportation utility fee not subject to Measure 5 limitations. This also certifies that a publication will be published in the newspaper to give notice of the adoption of this resolution.

ANALYSIS:

- A. **FINANCIAL** We expect this transportation utility fee will bring in \$364,800 to the Street Fund annually.
- B. **TIMING** This should be approved as soon as possible to start bringing revenue into the city to fund street maintenance.
- C. **POLICY/LEGAL** The ordinance and two resolutions are required to be approved in order to adopt a transportation utility fee.

ALTERNATIVES:

The council could take no action on this matter; chip sealing has already begun so other expenses would need to be cut from the street fund.

RECOMMENDATION:

Staff recommends the City Council approve Resolution 2017-128 and Resolution 2017-129.

ATTACHMENTS:

1. Resolution #2017-128
2. Resolution #2017-129
3. Alt Resolution #2017-128



RESOLUTION 2017-128

A RESOLUTION ESTABLISHING TRANSPORTATION UTILITY FEES AND GOVERNANCE FOR USERS AND USE OF THE ONTARIO MUNICIPAL STREET SYSTEM

- WHEREAS,** The City Council of Ontario recognizes the need for pavement preservation and improvement of the City's street system and a funding mechanism; and
- WHEREAS,** The Council adopted Ordinance No. 2725-2017 on July 6, 2017, which created policy guidance for the collection of a Transportation Utility Fee; and
- WHEREAS,** Ordinance No. 2725-2017 authorizes the establishment of Transportation Utility Fees by resolution; and
- WHEREAS,** The intent of the City Council was to charge a fee on all utility billing accounts; and
- WHEREAS,** The City Council has provided an opportunity for public comment as required by ORS 294.160.

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

SECTION 1 Billing Term. The Transportation Utility Fee shall appear on the monthly water, sewer or other utility bill and is referred to herein as the "Street Utility Fee".

SECTION 2 Street Utility Fees. The following Street Utility Fee shall apply an **\$8.00** fee to each billing unit per month per the terms of Ordinance No. 2725-2017, codified at Title 8, Chapter 17 of the Ontario Municipal Code.

SECTION 3 Other Definitions, Terms, Policies, and Procedures. Unless otherwise set forth herein, the definitions, terms, policies and procedures relating to the City's provision of utility and other services under this Resolution are those established by Ordinance No. 2725-2017 codified at Title 8, Chapter 17 of the Ontario Municipal Code.

EFFECTIVE DATE: Effective immediately upon passage.

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

AYES:

NAYES:

EXCUSED:

ABSENT:

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

ATTEST:

Ronald Verini, Mayor

Tori Barnett, MMC, City Recorder



RESOLUTION 2017-129

A RESOLUTION CLASSIFYING CERTAIN FEES AND CHARGES AS NOT SUBJECT TO LIMITATIONS OF ARTICLE IX, SECTION 11b OF THE OREGON CONSTITUTION (MEASURE 5)

- WHEREAS,** Article XI, Section 11b of the Oregon Constitution (Measure 5) imposes limits on only certain types of fees and charges imposed by local governments; and
- WHEREAS,** ORS 305.583, enacted by the 1990 Legislature to implement Article XI, Section 11b, provides that local governments may adopt resolutions classifying its existing fees and charges as either subject to, or not subject to the limits in Article XI, Section 11b of the Oregon Constitution; and
- WHEREAS,** If a local government adopts such a classifying resolution, ORS 305.583(8) requires that notice of the adoption be published within fifteen (15) days of the adoption to ensure that the public is notified of the action and has an opportunity to challenge the classification in court; and
- WHEREAS,** If no challenge is brought against the classification within sixty (60) days after adoption of the resolution, and assuming that notice is published as required, ORS 305.583 then prohibits any challenge at a later time to challenge the local government's classification of a fee or charge as not subject to the limits in Article XI, Section 11b of the Oregon Constitution, thereby providing the local government additional certainty in preparing and relying on its budget; and
- WHEREAS,** It is in the public interest that the recently adopted Transportation Utility Fee be classified as not subject to the limits of Article XI, Section 11b of the Oregon Constitution at this time.

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

SECTION 1 Classification of Fee. The Transportation Utility Fees set forth in Resolution 2017-128, attached hereto and incorporated herein by reference, are classified as incurred charges and thus not subject to the limits of Article XI, Section 11b of the Oregon Constitution.

SECTION 2 Publication. Within fifteen (15) days of the adoption of this Resolution, the City Recorder shall cause to be published in a newspaper of general circulation within the City, a notice of adoption of this resolution classifying fees and charges. The notice shall:

- a. Appear in the general news section of the newspaper, not in the classified advertisements;
- b. Measure at least three (3) square inches;
- c. Be printed in a type size at least equal to eight (8) point type; and
- d. State that the City Council has adopted a resolution classifying its Transportation Utility Fee as not subject to the limits of Article XI, Section 11b of the Oregon Constitution, that the reader may contact a designated City official to obtain a copy of the resolution, and that judicial review of the classification may be sought within sixty (60) days of the date the resolution was adopted.

EFFECTIVE DATE: Effective immediately upon passage.

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

AYES:

NAYES:

EXCUSED:

ABSENT:

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

Ronald Verini, Mayor

ATTEST:

Tori Barnett, MMC, City Recorder



RESOLUTION 2017-128

A RESOLUTION ESTABLISHING TRANSPORTATION UTILITY FEES AND GOVERNANCE FOR USERS AND USE OF THE ONTARIO MUNICIPAL STREET SYSTEM

- WHEREAS,** The City Council of Ontario recognizes the need for pavement preservation and improvement of the City's street system and a funding mechanism; and
- WHEREAS,** The Council adopted Ordinance No. 2725-2017 on July 6, 2017, which created policy guidance for the collection of a Transportation Utility Fee; and
- WHEREAS,** Ordinance No. 2725-2017 authorizes the establishment of Transportation Utility Fees by resolution; and
- WHEREAS,** It is the intent of the City Council and recommendation of the Budget Committee that the transportation utility fee be eliminated if a sales tax is approved and collections begin; and
- WHEREAS,** The intent of the City Council was to charge a fee on all utility billing accounts; and
- WHEREAS,** The City Council has provided an opportunity for public comment as required by ORS 294.160.

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

SECTION 1 Billing Term. The Transportation Utility Fee shall appear on the monthly water, sewer or other utility bill and is referred to herein as the "Street Utility Fee".

SECTION 2 Street Utility Fees. The following Street Utility Fee shall apply an **\$8.00** fee to each billing unit per month per the terms of Ordinance No. 2725-2017, codified at Title 8, Chapter 17 of the Ontario Municipal Code.

SECTION 3 Other Definitions, Terms, Policies, and Procedures. Unless otherwise set forth herein, the definitions, terms, policies and procedures relating to the City's provision of utility and other services under this Resolution are those established by Ordinance No. 2725-2017 codified at Title 8, Chapter 17 of the Ontario Municipal Code.

EFFECTIVE DATE: Effective immediately upon passage.

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

AYES:

NAYES:

EXCUSED:

ABSENT:

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

ATTEST:

Ronald Verini, Mayor

Tori Barnett, MMC, City Recorder



**AGENDA REPORT
NEW BUSINESS
August 15, 2017**

To: Mayor and City Council

FROM: Tori Barnett, City Recorder

THROUGH: Adam J. Brown, City Manager

SUBJECT: RESOLUTION #2017-130: ESTABLISH FEES FOR SOLAR ECLIPSE ACTIVITIES

DATE: August 14, 2017

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPROVE RESOLUTION #2017-130 AUTHORIZING THE CITY TO CHARGE FEES FOR RECREATIONAL ACTIVITIES ASSOCIATED WITH THE 2017 SOLAR ECLIPSE.

SUMMARY:

With approval by Council, the city will charge fees for certain recreational activities related to the solar eclipse.

BACKGROUND:

The City Council and the Airport Committee have both discussed opening the airport for overnight camping on the former golf course. Additionally, at the last Airport Committee meeting the committee discussed accepting reservations for accommodating fly-in traffic.

CURRENT SITUATION:

Based on comparisons within our community and with neighboring communities in the path of totality for the eclipse we are proposing charging the following fees for camping at the former Ontario Golf Course:

- A. \$200 for RV's
- B. \$100 for Tents
- C. \$25 for extra vehicles
- D. \$25 for day use of the eclipse per vehicle

For parking of airplanes we have agreed in concept to a 1/3 Fixed Based Operator (FBO) and 2/3 City split of the revenue generated by planes landing at the airport. The FBO will collect fees and have people on the ground assisting with the parking of planes. Based on comparisons with other airports within the state and areas hosting eclipse guests we are proposing the following rates on the airport property for fly-in reservations and parking.

- A. \$50 for a day fly-in
- B. \$150 for overnight

Since these revenues are generated on airport property, any revenue above and beyond what is incurred by expenses will go to the Airport Fund and can be used toward a future capital project or ongoing expenses at the discretion and future choice of the city council.

ANALYSIS:

A. FINANCIAL

This will generate some, minimal, revenue for which we can offset any costs associated with the solar eclipse. When we have a better idea of the revenue generated, we will return to the council for budget and appropriation.

- B. **TIMING** The idea has been discussed with both the City Council and Airport Committee at prior meetings. This will be the last opportunity for the City Council to approve fees prior to the eclipse.

- C. **POLICY/LEGAL** The passage of a fee is subject to ORS 294. 160(1) which provides: "The governing body of a city, county or other unit of local government shall provide an opportunity for interested persons to comment on the enactment of any ordinance or resolution prescribing a new fee or a fee increase or an increase in the rate or other manner in which the amount of a fee is determined or calculated."

ALTERNATIVES:

Taking no Action – Without council approval we will not be able to charge for recreational activities occurring at the airport during the solar eclipse weekend.

RECOMMENDATION:

Staff recommends that the City Council approve Resolution 2017-130 authorizing the city to charge fees for recreational activities associated with the 2017 Solar Eclipse.

ATTACHMENTS:

1. Resolution #2017-130



RESOLUTION # 2017-130

A RESOLUTION ESTABLISHING FEES FOR SOLAR ECLIPSE ACTIVITIES

- WHEREAS,** The Great American Solar Eclipse will occur on August 24, 2017; and
- WHEREAS,** Ontario, Oregon, is within the path of totality; and
- WHEREAS,** The City of Ontario is a prime viewing location for the eclipse, being immediately off of Interstate 84; and
- WHEREAS,** The city has land at the airport that can be used in multiple ways to generate revenue for eclipse related activities and costs; and
- WHEREAS,** The former Ontario Golf Course, located on the City Airport property, is ideal for camping of Recreational Vehicles (RV's) and tents; and
- WHEREAS,** Aviation traffic will be heavy for the day and users of the airport have inquired about making reservations for space at the airport for both overnight and day stays; and
- WHEREAS,** In recognition that the Fixed Base Operator (FBO) at the airport will assist in aviation parking and credit card processing, it is proposed that the fares be split with one-third of the revenue going to the FBO and two-thirds of the revenue going to the city for airplane fee's only.

NOW, THEREFORE BE IT RESOLVED, that the City of Ontario establishes the following fee schedule for solar eclipse recreational activities applicable from August 19 through August 25 as follows:

Golf Course use for camping and viewing

1. \$200 for RV's
2. \$100 for Tents
3. \$25 for extra vehicles
4. \$25 for day use of the eclipse per vehicle.

Airport reservation and parking

1. \$50 for a day fly-in
2. \$150 for overnight

BE IT FURTHER RESOLVED, in recognition of the partnership in accommodating the increased aviation traffic between the City and the FBO, the FBO will receive one-third of the revenue derived by income from aviation reservations.

EFFECTIVE DATE: Upon adoption.

PASSED AND ADOPTED by the Ontario City Council this 15th day of August, 2017, by the following vote:

AYES:

NAYS:

EXCUSED:

ABSENT:

APPROVED by the Mayor this 15th day of August, 2017.

Ronald Verini, Mayor

ATTEST:

Tori Barnett, MMC, City Recorder



CH2M

June 2017

Report



JUNE
2017

Prepared by CH2M for
CITY OF ONTARIO/PUBLIC WORKS DEPARTMENT

Monthly Business Review

PUBLIC WORKS DEPARTMENT

CONTENTS

FIELD SERVICES: STREETS AND COLLECTION/DISTRIBUTION SUMMARY.....	2-6
WATER TREATMENT PLANT SUMMARY.....	7-8
WASTEWATER TREATMENT PLANT SUMMARY	9
FACILITY MAINTENANCE SUMMARY	10
PARKS AND CEMETERY SUMMARY.....	11
ENGINEERING DIVISION SUMMARY.....	12-13
APPENDIX.....	14-15

FIELD SERVICES: STREETS & COLLECTION/DISTRIBUTION SUMMARY

JUNE ACTIVITIES:

- Seal coated the downtown parking lots.
- Striped the parking lots down town – adding required number of ADA parking spots to each parking lot.
- Applied herbicide to the city owned right of ways.
- Completed the crack seal on North Oregon from West Idaho Avenue to Yturri Beltline.
- Water meter repair.
- Finished the piping for Well No. 17.
- Poured the pad for Well No. 17 pump house.
- Framed the Well No. 17 pump house and started on the roof.
- Oregon Department of Human Services inspection on June 15.
- Installed two new chemical injection points at the WTP chemical feed building.
- Poured four bus shelter pads
- Installed four bus shelters on the newly poured pads.
- Excavated and formed three more bus shelter pads.
- The Verde irrigation pump discharge pipe failed, new parts were fabricated and installed.
- Patched back pot holes at the entrance to Wal-Mart and the truck entrance in the back of the building.
- Trimmed weeds in the city owned right of way.
- 900 tons of 3/8 inch chip seal rock was delivered to the Public Works shop in preparation for this year's chip seal.
- 48 water services were turned on per customer request.



Field Services Crew forms the foundation for new Well No. 17.



Finished concrete pad for Well No. 17.



Building the walls for new well house Well No. 17.

FIELD SERVICES: STREETS & COLLECTION/DISTRIBUTION SUMMARY

JUNE ACTIVITIES CONTINUED:

- 36 water services were shut off per customer request.
- 47 water services were read only at the customer's request.
- 45 water services were shut off for non-payment.
- 31 water services were turned on for payment received.
- 1 water meter was installed.
- 8 water meters were changed out as a result of not functioning.
- 18 water services were checked for consumption issues.
- 14 water services were checked for leaks per customer request.
- 10 water services were checked to verify still off.
- 5 water services were checked to verify leaks had been repaired.
- 55 utility locates were completed.



Water meter installation for the Bureau of Land Management at the Ontario Municipal Airport.



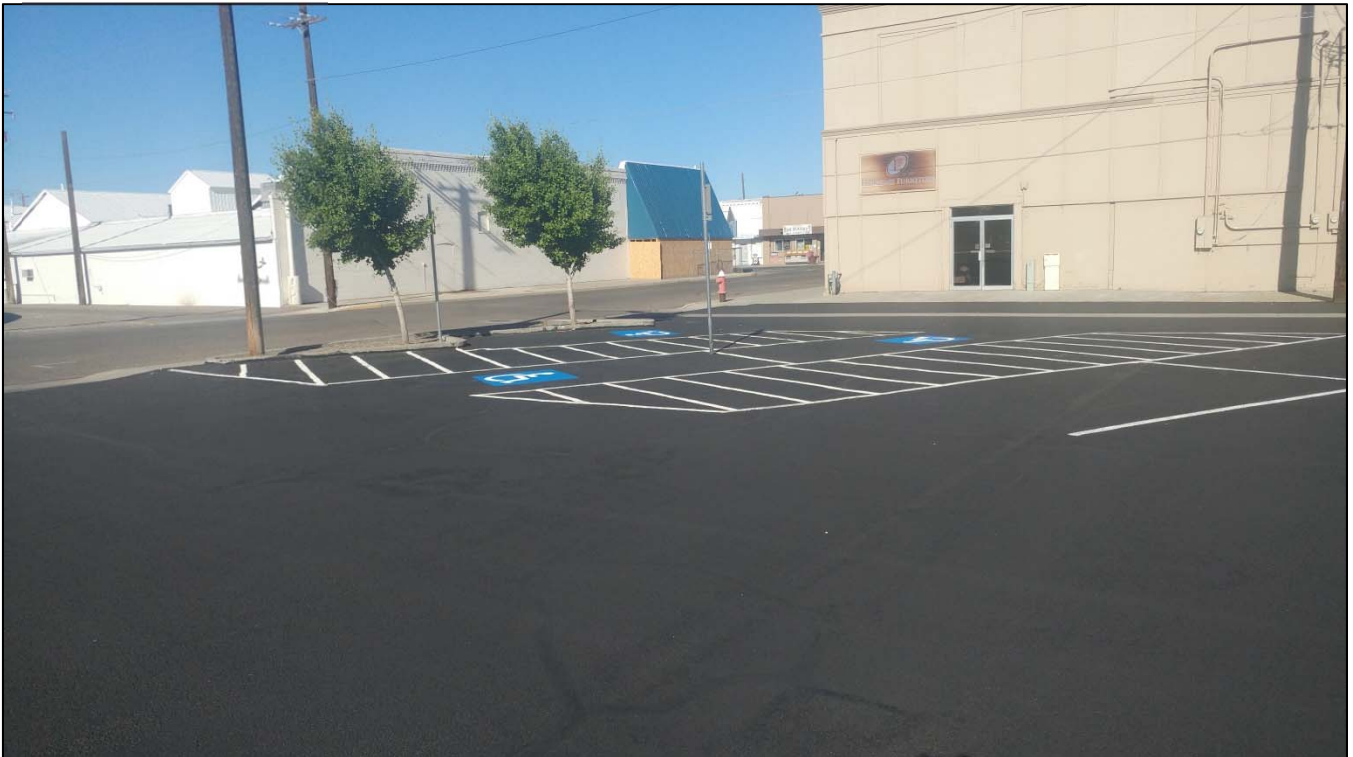
Water meter installation completed for the BLM.

FIELD SERVICES: STREETS & COLLECTION/DISTRIBUTION SUMMARY

JUNE ACTIVITIES CONTINUED:



Field Services Crew managed the slurry seal of the City parking lots downtown and restriped the parking spaces.



FIELD SERVICES: STREETS & COLLECTION/DISTRIBUTION SUMMARY

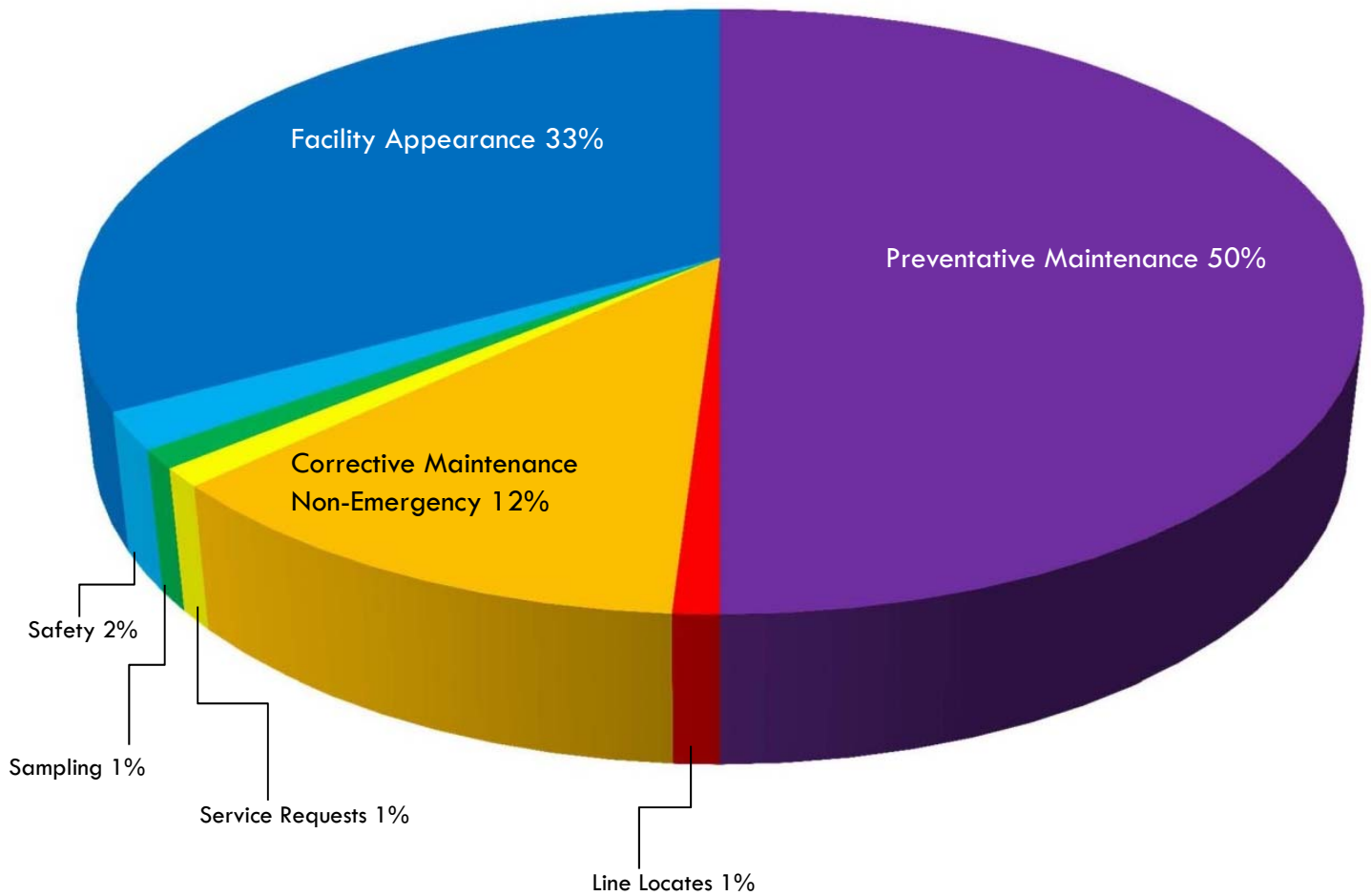
JUNE ACTIVITIES CONTINUED:



Field Services Crew installed 4 of the 8 bus shelters for the Malheur Council on Aging. The remainder of the shelters will be installed in July.

FIELD SERVICES: STREETS & COLLECTION/DISTRIBUTION SUMMARY

June
Work Orders Actual Hours by Work Order Type



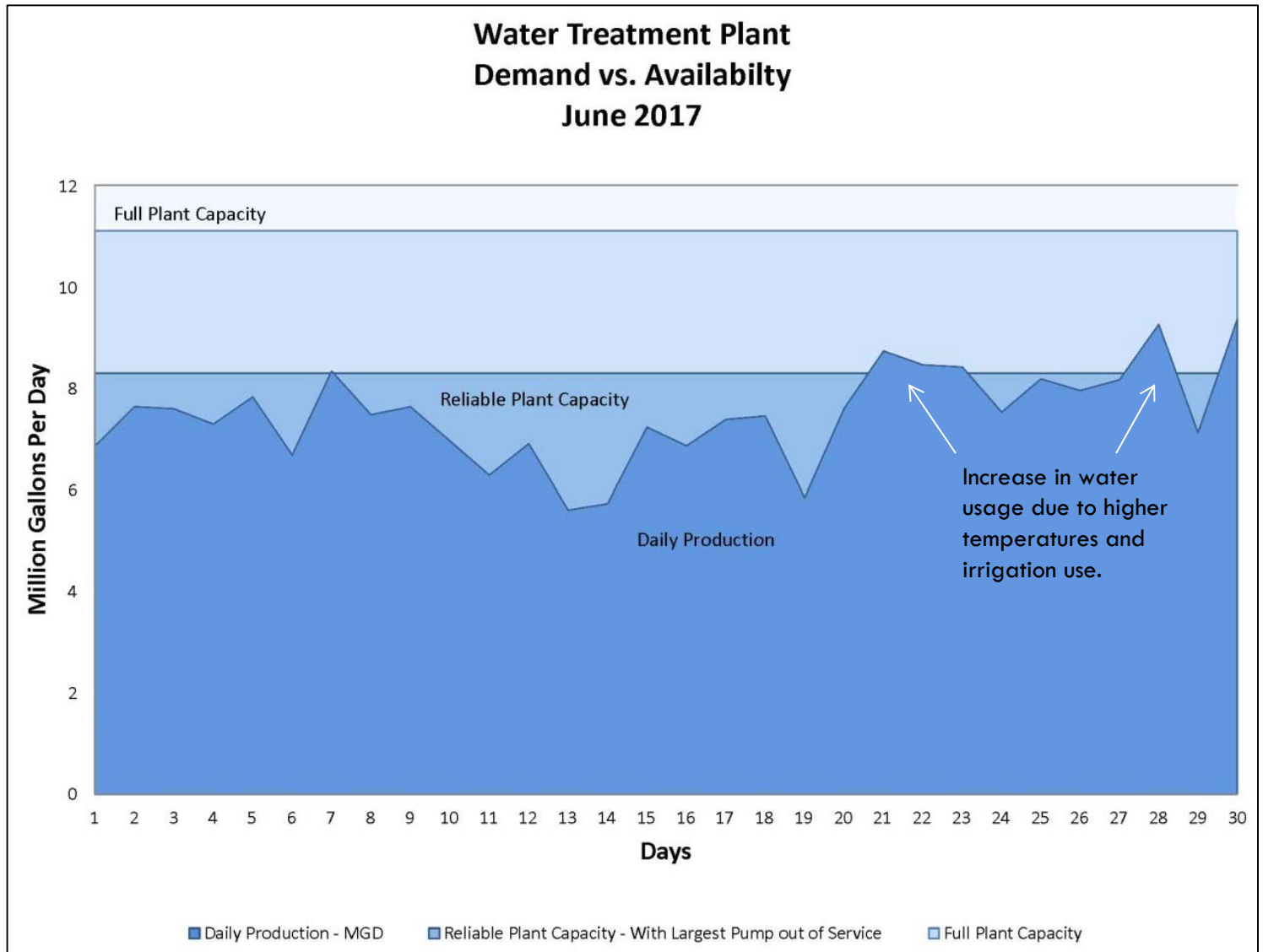
WATER TREATMENT PLANT SUMMARY

JUNE ACTIVITIES:

- Snake River water levels continue to drop but still significant flows in the river for this time of the year.
- Water inventories are good, with plant operations running well.
- The new chemical feed system project trials continue. Systems are working as designed. We are still fine tuning. CH2M technical experts were on-site to review operations and protocols. State of Oregon Health Department held an inspection of the Water Treatment Plant.
- A static mixer was removed and a new chemical injection was installed, this is related to fine tuning the new chemical feed systems.
- Safety repairs completed following a preliminary safety inspection earlier this month.
- Training for in house staff on the new chemical feed systems, one of our water resource experts was here all week to provide site specific chemical feed system training.
- Variable frequency drive training offered from one of our motor and electrical vendors.

WATER TREATMENT PLANT SUMMARY

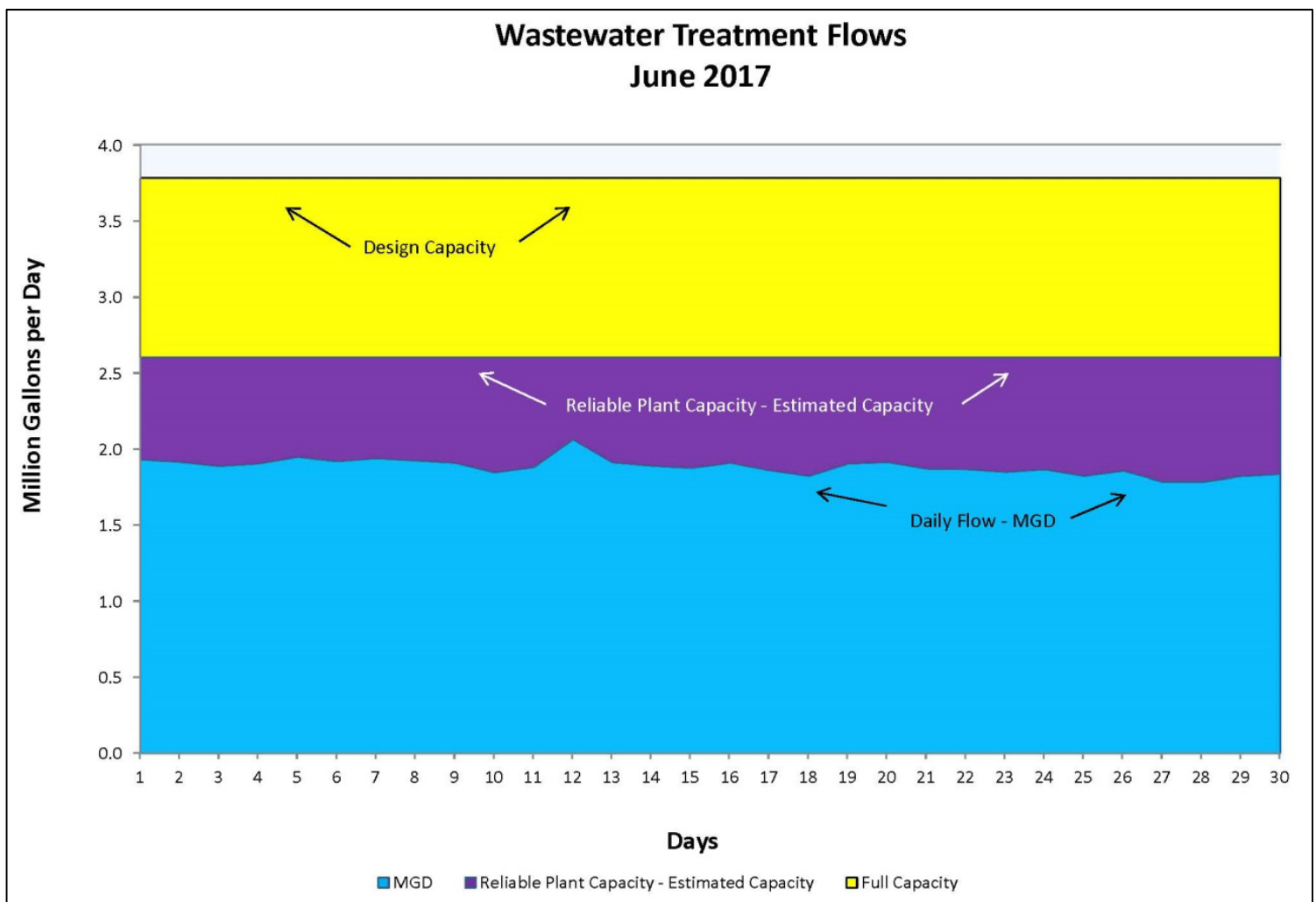
JUNE ACTIVITIES CONTINUED:



WASTEWATER TREATMENT PLANT SUMMARY

JUNE ACTIVITIES:

- Spraying weeds around the property, this will continue as weather allows on an as needed basis.
- Clean and fill off line chlorine contact chamber.
- Moving toward Op-10 and NET DMR System.
- Performed site safety audit (in house).
- Cross training for staff at Wastewater Treatment Plant and Water Treatment Plant.



FACILITY MAINTENANCE SUMMARY

JUNE ACTIVITIES:

- Grant Mechanical changed all the filters and checked all HVAC systems.
- Five Star finished the repairs at the old Ontario Golf Course clubhouse from the ceiling leak this winter.



Ontario City Hall – Police Department plus Fire and Rescue.



Gate installed at the Ontario Municipal Airport to keep Ontario eclipse campers off the airport runway grounds.

PARKS AND CEMETERY SUMMARY

JUNE ACTIVITIES:

- There were five burials in June at Evergreen Cemetery and no burials at Sunset Cemetery.
- There was a total of 109 mowing hours in the cemeteries.
- It took 183.5 hours to mow all City parks.
- Administration is addressing issues related to vandalism at the park's portable toilets.
- Sprinklers were replaced in the parks. With the hotter temperatures, the sprinklers have longer run times and some have broken from children playing with them.



Above, children playing and families picnicking at Lion's Park on a hot summer afternoon.



At right, Doug Stewart tests out a mower for the Park's Department at Lion's Park.

ch2m_{SM}

ENGINEERING SUMMARY

JUNE ACTIVITIES:

- Right of way permits issued: 3
- Maps printed: 8
- Preliminary development meeting for an existing business moving to a new location.
- Preliminary development meeting for an existing business expanding its parking.
- Preliminary development meeting for a new business on South Oregon Street.
- Preliminary development meeting for an existing business wishing to renovate.
- Continuing work with property owners regarding new bus shelter placement along bus route for the Malheur Council on Aging.
- National Pollutant Discharge Elimination System (NPDES) – Received 2 new compliance schedules from DEQ staff, so team began reviewing



Monthly testing of the Rapid Flashing Beacons performed at all locations throughout Ontario.



ENGINEERING SUMMARY

JUNE ACTIVITIES CONTINUED:

- WTP Project – Worked with On-site engineer and construction team to develop punchlist for final approval. Met with technical expert to understand operational nuances.
- WTP Inspection – was on-hand to support information needs and review of Water System by Oregon Health Authority
- Council Activities:
 - Developed and presented Staff Report regarding bid and purchase of chips and oil for summer chip seal program
 - Presented Staff Report on Resolution supporting submittal of Oregon's Transportation Growth Management (TGM) grant application
- SRCI:
 - Renewed conversations with Department of Corrections to set next meetings regarding contract extension
 - Began developing scope of work for SRCI Lower Lift Station Feasibility Study
 - Planned and coordinated with SRCI staff for review of MH's along gravity line approaching SRCI Lower Lift Station
- Supported final needs of Capital Improvements for City Budget:
 - Annual Water Line and Sewer Line Projects – Continued working with both consulting engineers to progress project forward.

APPENDIX

FIELD SERVICES

Collection and Distribution staff is responsible for Sewer Collection and Water Distribution throughout the City. Water Distribution duties include maintenance and repair of approximately 97 miles of water lines and 3,625 services which include service installations, mainline installation, meter reading, maintenance of more than 600 fire hydrants, and valve exercising of more than 1,700 water valves.

Sewer Collection duties include maintenance and repair of approximately 78 miles of sanitary sewer lines within the City. Responsibilities include constructing new pipelines, cleaning all gravity sanitary sewer lines, repairing or replacing sanitary sewer lines as needed, providing line locations for all water and sewer lines, and maintaining eight lift stations plus a barscreen and one lift station from Snake River Correctional Institution. The City has approximately 56 miles of storm drain collection lines and 1,450 catch basins throughout the City limits. Duties include Storm drain maintenance and repair, cleaning of approximately eleven miles of Storm drain lines and cleaning the catch basins.

*COLLECTION AND DISTRIBUTION STAFF MAINTAINS
78 MILES OF SANITARY SEWER LINES
56 MILES OF STORM DRAIN COLLECTION LINES
AND 1,450 CATCH BASINS THROUGHOUT
CITY LIMITS*

The Street Maintenance Division maintains more than 122 lane miles of improved streets and more than 9 miles of alleys. The street department is responsible for resurfacing, repairing and maintaining the streets, installing and maintaining street signs and markings, tree trimming, repairing all established pavement markings. The division also completes excavation and repair of deteriorating streets, gravel road grading, street sweeping, crack sealing, chipsealing, snow removal and sanding during the winter months, and weed control along the alleys. Street Maintenance staff assists the Chamber of Commerce by putting up decorations on street lights during the Christmas season and replacing them with the regular decorations when the season is over.

*STREET MAINTENANCE DIVISION MAINTAINS MORE THAN
122 LANE MILES OF IMPROVED STREETS
9 MILES OF ALLEYS
CHIPSEALS LAST A MINIMUM OF 8 YEARS,
AND PUBLIC WORKS CHIPSEALS 7 MILES PER YEAR*

As part of the Street Division's maintenance program, crews chipseal street surfaces in the summer to protect them from water and weather damage and to keep them in good condition. A chipseal maintains the existing pavement, delaying further aging due to water and sun; and provides a moisture barrier and corrects existing pavement problems by sealing cracks. A chipseal application provides substantial savings to

taxpayers and should last a minimum of eight years with minimal maintenance required. The City chipseals approximately 7 miles per year.

APPENDIX CONTINUED

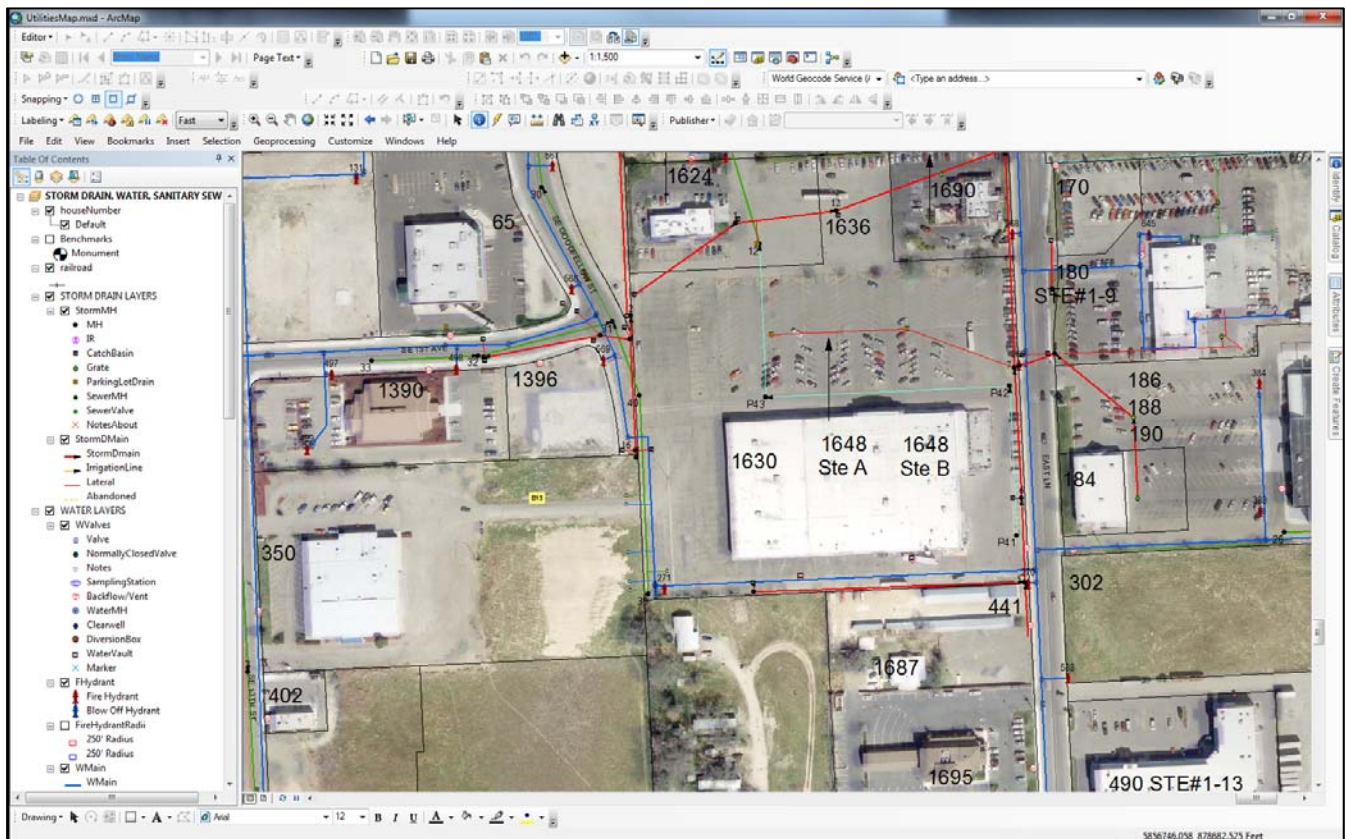
PARKS DEPARTMENT

The Ontario park system consists of both active and passive recreational areas. There are four neighborhood parks, one community park, one large urban park and numerous special use sites in the park system. In total, the City owns 13 park and recreational areas representing more than 1,012 acres of land. The City also owns the Wayne King Skateboard Park.

ENGINEERING DIVISION

The Engineering Division reviews plans for construction of public improvements, maintains the City's mapping system, and manages the engineering projects within both the Capital Improvements and Maintenance Programs. The department provides technical support to residents, developers, builders, other City departments, consulting engineers and surveyors. The staff reviews and approves construction plans for subdivisions, partitions, streets, sanitary sewer, water lines, and storm drainage construction projects. They also design projects, prepare bid documents for public works maintenance projects and provide project management for public improvements.

The Geographic Information System (GIS) database is maintained by Engineering Department staff. The department also maintains and updates the record maps for all City utilities, right-of-way, easements, land division plots and City base maps.



Memorandum

To: **Adam Brown and Ontario City Council Members**

From: **Larry Sullivan, Ontario City Attorney**

Re: **Procedure for Enactment of Sales Tax Ordinance**

Date: **August 9, 2017**

As has been discussed with the Council, a sales tax may be imposed by the City of Ontario by the enactment of an ordinance by the City Council under its home rule authority. No election is required. The procedure for enacting a sales tax ordinance is essentially the same as for the enactment of any other ordinance. That procedure appears in Chapter VIII of the City Charter. That procedure includes presentation to the Council of the ordinance on two separate occasions for two readings, unless the Council passes the ordinance unanimously in a single reading and waives a second reading. Unless the ordinance is passed on an emergency basis, it will go into effect 30 days after passage.

The passage of a sales tax ordinance is probably subject to ORS 294.160(1), which provides:

The governing body of a city, county or other unit of local government shall provide an opportunity for interested persons to comment on the enactment of any ordinance or resolution prescribing a new fee or a fee increase or an increase in the rate or other manner in which the amount of a fee is determined or calculated.

I interpret the reference to a “fee” to include a sales tax imposed on retail sellers in the city limits.

Compliance with ORS 294.160(1) requires the City Council to take oral or written comments from interested persons but does not establish a formal procedure for giving notice of that opportunity. No advertised formal public hearing is necessary as long as the Council includes the sales tax ordinance as an agenda item during a public meeting and allows for public comments during the meeting.

Other the other hand, there is nothing improper about advertising a formal public hearing to take comments on a sales tax ordinance if the Council chose to do so.