

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



**STUDY SESSION AGENDA
CITY COUNCIL – CITY OF ONTARIO OREGON
THURSDAY, SEPTEMBER 7, 2017, 12:00 PM, MT**

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

1) CALL TO ORDER

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

2) PLEDGE OF ALLEGIANCE

This Agenda was posted on September 5, 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) PRESENTATIONS

- A) Elizabeth Dole Foundation: Hidden Heroes
- B) Downtown Parking Modification Proposal

6) OLD BUSINESS

- A) Ordinance #2729-2017: Sales Tax Ordinance Discussion

7) NEW BUSINESS

- A) Resolution #2017-131: Rename Eastside Kiwanis Park to Lanterman Kiwanis Park
- B) Extension of Intergovernmental Agreement #5490 between City of Ontario and Oregon Department of Justice for Wastewater Service to the Snake River Correctional Institute
- C) Approval of Contract Award to Quality Electric Inc. for the 2017 Airport Improvement Project
- D) Bid Award: 2017 Annual Sewer Line and Water Line Replacement

8) DEPARTMENT HEAD UPDATES

- A) Monthly Financial Stats: Kari Ott, Finance Director
- B) Fire Department Quarterly Report: Terry Leighton, Fire Chief
- C) Recreation Department Quarterly Report: Debbie Jeffries, Recreation Manager
- D) Code Enforcement Civil Penalties Progress Update

9) HAND-OUTS/DISCUSSION ITEMS

- A) Police Monthly Stats: July, 2017
- B) Ordinance Monthly Stats: July 2017
- C) Fire Department Stats: August, 2017

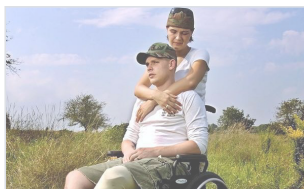
The City Council may recess/adjourn to Executive Session under ORS 192.660(2) as follows: (a) Employment of Public Officers, Employees, or Agents; (b) Discipline of Public Officers, Employees, or Agents; (c) Labor Negotiations; (d) Real Property Transactions; (e) Exempt Public Records; (f) Trade Negotiations;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

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

- D) Public Works Stats: July, 2017
- E) County Court Minutes: 08-09-2017; 08-16-2017
- F) SREDA Minutes: 08-02-2017

10) CORRESPONDENCE, COMMENTS AND EX-OFFICIO REPORTS

11) ADJOURN



ELIZABETH DOLE FOUNDATION *overview*

Senator Elizabeth Dole created the Elizabeth Dole Foundation after she witnessed firsthand at Walter Reed Army Medical Center the struggles of the caregivers who support and care for wounded warriors. Becoming a military or veteran caregiver is complicated, consuming, and emotionally and physically debilitating. This role often comes with no advance warning, no preparation, and many caregivers are left not knowing where to turn for help.

The Foundation envisions an America where military caregivers are empowered, appreciated, and recognized for their service to our nation. We seek to strengthen and empower American military caregivers and their families by raising public awareness, driving research, championing policy, and leading collaborations that make a significant impact on their lives. Our efforts are designed to better align critical services for military caregivers and their wounded warriors, promote synergy between the public, private, nonprofit, labor and faith communities, and raise awareness about the critical needs facing caregivers today. We are not reinventing the wheel. Instead, we strive to strengthen the community that currently supports service members and their families.

RAND *study*

The Foundation's first undertaking was to commission the RAND Corporation to conduct the most comprehensive, evidence-based national study of military caregivers and their needs to date. The study includes an environmental scan of services available and a gap analysis, laying the groundwork for a national response to this societal crisis. The RAND study revealed how long our nation has neglected this issue. To read the full RAND report, visit: <http://www.rand.org/health/projects/military-caregivers.html>. In June 2017, the Foundation and RAND released a research blueprint to serve as a guide for the military caregiver support community in prioritizing and facilitating future research for America's hidden heroes. To read the full research blueprint, visit: https://www.rand.org/pubs/research_reports/RR1873.html.

NATIONAL *coalition*

Upon completion of the comprehensive RAND Corporation study of military and veteran caregivers, the Elizabeth Dole Foundation convened the National Coalition for Military Caregivers to holistically address the gaps in support identified by the study. Prominent leaders from public, private, non-profit, and faith communities have stepped up to work with the Foundation to broaden the continuum of support for military and veteran caregivers nationwide.

IMPACT *program*

The Foundation engages with its coalition partners through the Impact Program, a forum dedicated to spotlighting best practices for programs serving military caregivers, facilitating discussion on the needs of military caregivers, and collaborating on forward-thinking strategies to tackle these complex challenges. Through this program, the Foundation seeks to advance dialogue on emerging issues in the caregiver space, and unite its partners around a set of advocacy objectives to address those issues and questions.



Elizabeth Dole Foundation
CARING FOR MILITARY FAMILIES

DOLE CAREGIVER *fellows*

The Dole Caregiver Fellows program gives our hidden heroes a national voice. Our Fellows, who are actively caring for wounded warriors, play a lead role in raising awareness and advocating for military caregivers nationwide. Now a 50-state initiative, including Puerto Rico and Washington, DC, this program engages these spouses, parents, siblings and other loved ones as advisors and advocates, who activate their communities to address caregivers' challenges and provide a local caregiver story and help cultivate a network of support for every state.

HIDDEN HEROES CAREGIVER *community*

The Hidden Heroes Caregiver Community (HHCC) was established in 2015 and has been steadily growing ever since. The objective of this online support group is to create a positive and healthy place for military caregivers of all eras to connect with one another. The HHCC is run and moderated by caregivers, and offers a secure, welcoming environment for military caregivers to share their stories, seek advice, and find a shared understanding. Military caregivers can register and join the HHCC through our website, HiddenHeroes.org.

HIDDEN HEROES *fund*

Through the Hidden Heroes Fund, the Foundation spurs targeted support for military caregivers, providing funding to leading nonprofit organizations with an exemplary track record. Examples of Hidden Heroes Fund grantees include the Code of Support Foundation, Public Counsel, the Military Officers Association of America, Yellow Ribbon Fund, and the Military Child Education Coalition. We are proud to report that military and veteran caregivers nationwide are already benefitting from the expanded services and programs of grantee organizations.

HIDDEN HEROES *campaign*

With the leadership of Hidden Heroes Chair, Tom Hanks, and the support of our National Coalition partners and donors, the Elizabeth Dole Foundation officially launched the Hidden Heroes Campaign in the fall of 2016. This celebrity-driven awareness campaign brings a deeper understanding of the personal experiences and profound needs of military caregivers and their families. Hidden Heroes also marked the launch HiddenHeroes.org, a first-of-its-kind online destination for military caregivers where they can join a virtual community of their peers; access a directory of valuable, vetted resources, and discover testimonials from military caregivers across the caregiving spectrum.

HIDDEN HEROES *cities*

In 2016, the U.S. Conference of Mayors passed a Resolution that encourages all cities to become military and veteran caregiver supportive cities. In response, the Elizabeth Dole Foundation launched a national civic engagement initiative, Hidden Heroes Cities. The Hidden Heroes Cities program invites cities and counties across the nation to join with the Foundation and its national partners to create a local network of support. To help launch local initiatives, the Elizabeth Dole Foundation created a Resolution modeled on the U.S. Conference of Mayors national Resolution, and is urging every city in the nation to begin their efforts by pledging their support. To date, more than 100 cities and counties have signed on and are moving full speed ahead; finding the most locally relevant ways to increase awareness and support for their caregivers. With the help of the Foundation and the Dole Caregiver Fellows, each city has begun to proactively address the unique needs of the military caregivers on a local level.

Questions? Visit us at HiddenHeroes.org or contact us at info@elizabethdolefoundation.org.

 @DoleFoundation  @ElizabethDoleFoundation  @ElizabethDoleFoundation



Elizabeth Dole Foundation
CARING FOR MILITARY FAMILIES

THE ELIZABETH DOLE FOUNDATION

HIDDEN HEROES CAMPAIGN

It's no secret that our nation's military servicemembers and veterans are heroes. Medals, ribbons, and national support are indicative of the many sacrifices these heroes make everyday. There is no equivalent, however, for our **hidden heroes** – the military caregivers who make incredible sacrifices to care for our nation's injured and ill servicemembers and veterans.

Senator Elizabeth Dole's eyes were opened to the tremendous challenges facing military caregivers when her husband, Bob, was admitted to Walter Reed Army Medical Center. During her frequent visits, she listened to stories from caregivers and their families whose lives had suddenly changed forever. Their frustration, fear and struggle in the immediate wake of a loved one's catastrophic injuries inspired Senator Dole to launch the **Elizabeth Dole Foundation to support our hidden heroes.**

The Elizabeth Dole Foundation brings attention to the untold stories of military caregivers. By shining a light on these hidden heroes, our country can work together to seek solutions for the tremendous challenges and long-term needs of our nation's military caregivers.

THE PROBLEM

As a first step, the Foundation commissioned the **RAND Corporation** to conduct the first comprehensive, evidence-based national study of military caregivers and their needs. The study revealed a societal crisis: an estimated **5.5 million of Americans care for injured or ill servicemembers and veterans.**

Military caregivers provide \$14 billion of uncompensated care annually. Caregivers must often set aside their own career and life goals to provide care often without sufficient knowledge of, or access to, available resources. This overwhelming responsibility results in steep mental and physical tolls, family strain, and long-term financial concerns.

In June 2017, in partnership with the RAND Corporation, the Foundation released a follow up study to serve as a blueprint in prioritizing and facilitating future research, as part of Senator Dole's continued commitment to finding evidence-based solutions to this national caregiving crisis.



THE SOLUTION: HIDDEN HEROES

With founder **Elizabeth Dole**, **Hidden Heroes chair Tom Hanks**, and the support of our **National Coalition partners and donors**, the Elizabeth Dole Foundation officially launched Hidden Heroes on September 27, 2016. This large-scale campaign brings a deeper understanding of the personal experiences and profound needs of military caregivers and their families.

Americans will learn how to take action to support military caregivers within their own communities and **Civic Engagement** is a vital component of the campaign. The Elizabeth Dole Foundation and our partners are working with local governments to become “military caregiving cities.” Mayors and city officials, nonprofits, faith-based organizations and businesses will host town hall meetings to devise strategies to address the specific needs of the military caregivers in each community.

HiddenHeroes.org is the centerpiece of the campaign. This first-of-its-kind online destination for military caregivers makes it easy for caregivers to self-identify and engage in a safe, compassionate virtual community of their peers, where they can ask questions and support one another. A directory of valuable, vetted programs and organizations providing direct services to military caregivers connects hidden heroes to valuable resources and helpful support.

The campaign serves as a stage for **Elizabeth Dole Caregiver Fellows** to share their personal experiences in caregiving. The Dole Caregiver Fellows program provides our Hidden Heroes with a platform to advocate for military caregivers nationwide. Dole Caregiver Fellows, who are actively caring for wounded warriors, play a lead role in bringing national attention to this crisis. This 50-state initiative engages the spouses, parents, and other loved ones of our wounded servicemembers and veterans as advisors and advocates. The Fellows activate their communities to address caregivers’ challenges.

A national public service announcement campaign featuring Tom Hanks and Ryan Phillippe draws attention to the military caregiving crisis and encourages Americans to take action. Military caregivers don’t often ask for help but they deserve our support. This campaign encourages military caregivers to raise their hand; share their stories; and find helpful support at **HiddenHeroes.org**. Through a series of celebrity-driven PSAs, we aim to elevate the national conversation around how to increase and improve services that support military caregivers.

THANK YOU

For more information, visit **HiddenHeroes.org**
or contact info@elizabethdolefoundation.org.

9/7/2017



ch2m.SM

City of Ontario

S. Oregon – Downtown
Parking

Agenda

- Review Existing Parallel Parking
- Review Proposed Parallel Parking



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Existing Conditions: W. Idaho Street to SW 4th Ave



Legend

- Parallel Parking
- Diagonal Parking
- Back Parking Lots
- Crosswalk
- Ramp (may not include truncated domes)

Notes

Possible improvements:

- Addition of ADA stalls
- Crosswalk parking distance compliance
- Removal of mid-block crossings
- Addition of some truncated domes
- Drainage improvements
- Trash enclosure in back parking lots
- Sealing and striping in back parking lot



Crosswalk Spacing Impact



Aerial image © 2017 Google Earth. Annotation © 2017 CH2M HILL

Legend

- Parallel Parking
- Crosswalk

Note

Crosswalk code requires 20 feet from crosswalk to edge of parking stall. This eliminates both stalls before and after the midblock crossing, and the two stalls at the end of each block.



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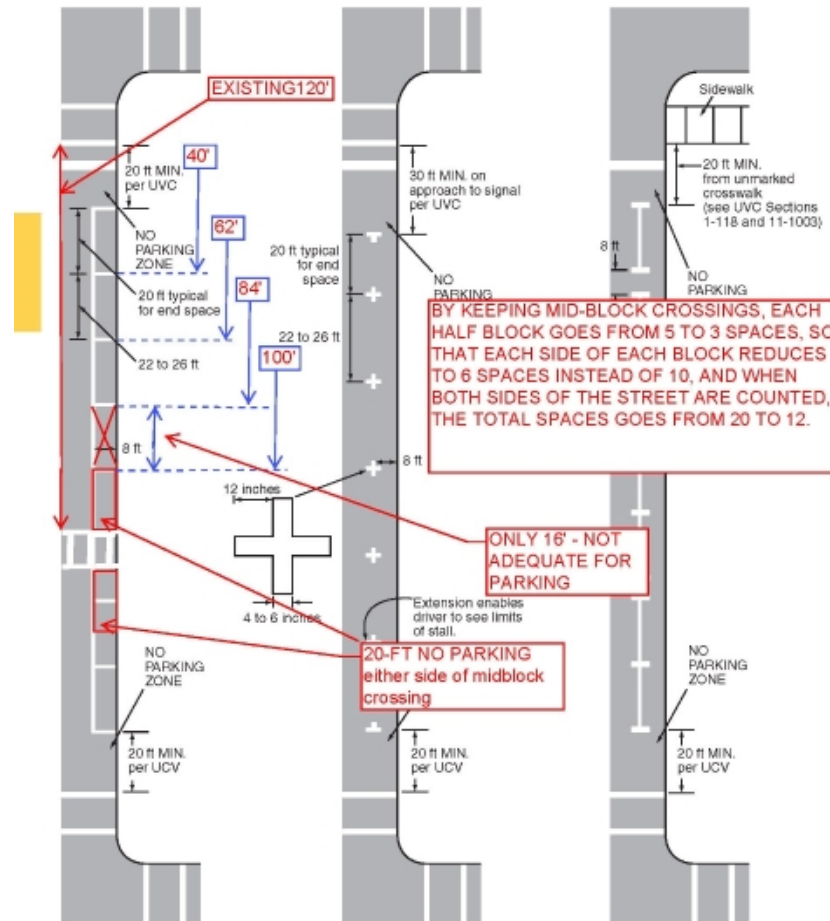
Mid-block Crossing Impact

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IMPACT OF MAINTAINING MID-BLOCK CROSSINGS

2009 Edition

Figure 3B-21. Examples of Parking Space Markings



ch2m

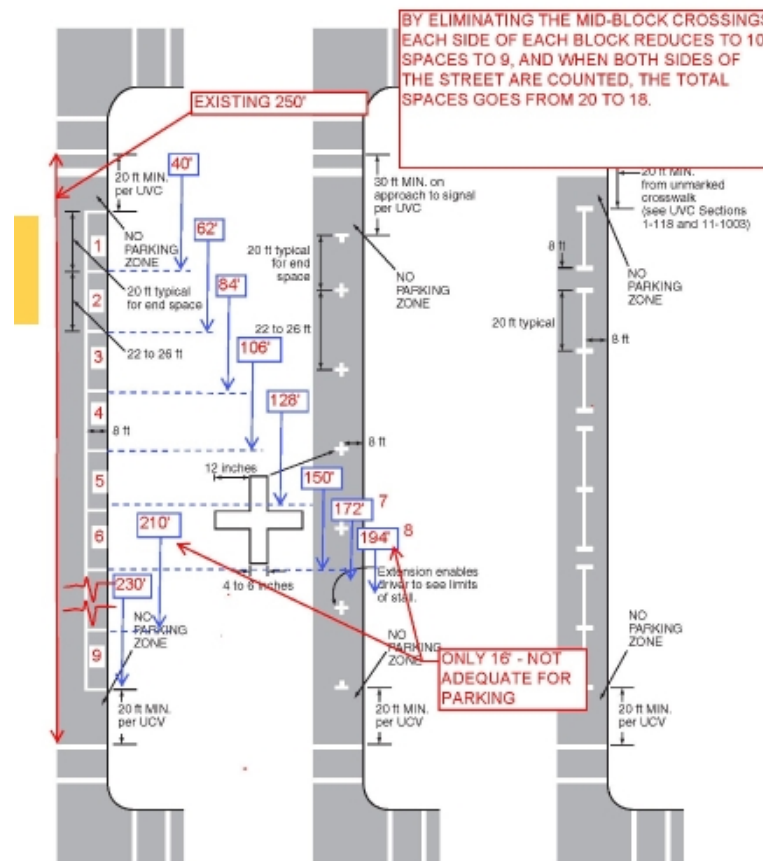
Elimination of Mid-block Crossing

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IMPACT OF ELIMINATION OF MID-BLOCK CROSSINGS

2009 Edition

Figure 3B-21. Examples of Parking Space Markings



ch2m

Summary

- Meeting the code for setback from crosswalks with the City's current system including midblock crossings, means losing 4 parallel parking spaces per block side. Or 8 spaces per block counting both sides (reduction from 20 to 12 spaces).
- Eliminating the midblock crossing allows for a reduction of only 2 parallel parking spaces per block counting both sides (reduction from 20 to 18 spaces).





**AGENDA REPORT
OLD BUSINESS
September 7, 2017**

To: Mayor and City Council

FROM: Adam J. Brown, City Manager

THROUGH: Adam J. Brown, City Manager

SUBJECT: ORDINANCE #2729-2017: SALES TAX ORDINANCE DISCUSSION

DATE: August 31, 2017

PROPOSED MOTION:

I MOVE THAT THE CITY COUNCIL REVISE THE READINGS OF THE SALES TAX ORDINANCE TO SEPTEMBER 19TH AND SEPTEMBER 26TH.

SUMMARY:

The City has studied a local sales tax over the past year both analytically and through community feedback. The City of Ontario faces extreme cutbacks in service if revenue changes are not made. A local sales tax that brings in 79% of the revenue from outside the community has been determined to be the most responsible solution for the Ontario community.

BACKGROUND:

The city began long term forecasting analysis (LTFA) of the city's finances in August of 2016. This included an analysis of historical revenues and expenditures and five-year forecasting of the same. Choices in expenditure reductions and revenue alternatives were reviewed and narrowed.

A local sales tax was selected for further investigation. Staff performed their own analysis and also received an unbiased third party economic study to determine the market sensitivity of a sales tax imposition. The report determined that 79% of the revenue will come from non-city residents. Some degree of business will be lost from the sales tax, but the city would retain a competitive advantage over our neighboring state Idaho.

Six public forums were hosted in the city between February and June of 2017 to gather public feedback. Written feedback was received from the in person meetings. Very little feedback has been submitted online or at the official City Council meetings.

While the City of Ontario is home to only 11,500 it serves a daily/weekly traffic of closer to 60,000. The econometric study substantiated this estimate showing a net inflow of retail business to Ontario of \$491.6 million.

The Council requested that a draft ordinance be created. The ordinance was created, reviewed by legal council, and presented to the City Council in July of 2017. A follow up presentation was given to the City Council on August 15, 2017. The Council requested that the unapproved draft ordinance be put online for public comment and that readings be scheduled in September on the 7th and 19th of the month.

CURRENT SITUATION:

The document is ready for review by council. Changes can be made during the reading from comments received by the public and requested changes from the City Council. A first reading should be scheduled for September 19th. A second reading should be scheduled for September 26, 2017 whereupon the council may vote on the matter. The city must determine what services to cut if the measure does not pass.

Ontario citizens will have the right to request a referendum of the ordinance to ballot. If it is referred to ballot, it will be voted on in May of 2018. State law requires that all work cease on the approved ordinance until the ballot affirms or rejects the proposed measure. Even with Council approval, the voters will still have the opportunity to vote on the issue if they so choose.

ANALYSIS:

- A. **FINANCIAL** It is estimated that the tax will generate approximately \$3.7 million. The economic study provides a wide margin of revenue estimates based upon the actual elasticity.

The revenue must first be used to maintain existing service levels which are short approximately \$900,000 in the FY2018 General Fund budget. Secondly, they must be used to fill a shortage in the street fund of approximately \$700,000 to keep the current service level. Additional services to be supplemented, according to the Council's priorities, are law enforcement, fire and rescue, additional street services, recreation, and parks.

Without additional revenues the city will need to cut the General Fund by \$900,000 and the Street Fund by \$700,000. The General Fund services will include reduction in support services, and direct services in recreation, law enforcement, and fire and rescue.

Wait times for law enforcement will increase. Call times for fire and rescue services will most likely be longer. Recreation services may be cut entirely.

- B. **TIMING** If approved, the earliest the tax should go into effect is January 1, 2018, which means the first collection would be in April.

If the voters choose to have a referendum for the sales tax ordinance, the item will go to voters in May of 2018. All activity on the issue will cease until the matter is voted on by the public. A second reading is scheduled for September 19, 2017

- C. **POLICY/LEGAL** A sales tax has been implemented in two cities within Oregon and most recently across the state with the passage of House Bill 2017. The City Council must read the item twice prior to approval.

ALTERNATIVES:

The City Council can either vote on the measure themselves or can refer it directly to ballot. The referendum process is built in to the law so residents can decide to vote on the ordinance if they so chose. Council and staff respect the process and are ready to proceed either way. If the voters choose the referendum process, collections will not begin until July 1, 2018 at the earliest if approved by voters in May.

RECOMMENDATION:

Staff recommends the City Council provide additional comments on the draft and allow City staff to meet with several other organizations to get feedback on the farmers exemption.

ATTACHMENTS:

1. Sales Tax Ordinance Procedure
2. Draft Sales Tax Ordinance

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.



Unapproved Draft Sales Tax Ordinance

ORDINANCE #2729-2017

AN ORDINANCE ADDING CHAPTER 25 TO TITLE 3 OF THE ONTARIO CITY CODE TO ESTABLISH AND ENFORCE A 1% (ONE PERCENT) SALES TAX ON THE SALE OF RETAIL GOODS WITHIN THE CITY, AND TO CREATE EXEMPTIONS FROM THE TAX

- WHEREAS,** The City of Ontario's primary source of General Fund revenue is real property taxes subject to limitations imposed by the Oregon Constitution; and
- WHEREAS,** The cost of providing essential services to City residents has increased significantly over the years due to a variety of factors over which the City has little or no control; and
- WHEREAS,** To stay within its budget, the City has been forced in many cases to gradually reduce services and to eliminate programs, such as the Aquatic Center and the municipal golf course, which enhance the quality of life of City residents; and
- WHEREAS,** Budget projections show that, in the 2018-2019 budget year and thereafter, the cost of providing services funded through the General Fund will require significant reductions in essential services, including in the areas of public safety, road maintenance, and recreation; and
- WHEREAS,** The City is a regional shopping hub for the western Treasure Valley of Idaho and Oregon; and
- WHEREAS,** A substantial percentage of the City's budget is used to provide services and amenities to retail shoppers, the majority of whom are nonresidents who currently contribute little or nothing to the City's tax base; and
- WHEREAS,** The Ontario City Council finds that the imposition of a 1% sales tax will not have a long-term negative impact on retail businesses in Ontario and will generate enough revenue for the City to maintain a reasonable level of essential services for the foreseeable future; and
- WHEREAS,** The Ontario City Council has thoroughly explored alternative sources of revenue and finds that there are no other sources which will provide sufficient stable revenue without imposing a substantial financial burden on City residents and businesses; and
- WHEREAS,** The Ontario City Council finds that it is necessary for the health, welfare and safety of the residents of the City to enact a 1% sales tax on retail sales within the City, subject to certain exemptions.

NOW THEREFORE, THE CITY OF ONTARIO ORDAINS AS FOLLOWS:

Section 1. The following Chapter 25 is hereby added to Title 3 of the Ontario City Code and is entitled "Retail Sales Tax":

Unapproved Draft Sales Tax Ordinance

3-25-1 Definitions

The following words and phrases whenever used in this chapter shall be construed as defined in this section unless from the context a different meaning is intended.

- (A) “Caterer” means a person who prepares food at a business site, for compensation, for consumption on or off the business premises but within the corporate limits of the City.
- (B) “City” means the City of Ontario, Oregon. When applied to a geographical area, the “City” includes any area within its municipal boundaries, including any areas annexed into the City in the future.
- (C) “Combination facility” has the same meaning as defined in Oregon Administrative 333-150-0000(4)(i) which the State of Oregon Department of Agriculture licenses or inspects under Oregon Administrative Rule 333-158-0000.
- (D) “Director” means the Director of Finance of the City of Ontario, or his/her designee.
- (E) “Establishment” means any entity subject to or liable for any tax or payment of any tax imposed under this chapter.
- (F) “Farmer” means any person who:
 - 1. Engages in the business of growing, raising, or producing agricultural products for sale upon that person’s own land or land in which the person has a present right of possession; and
 - 2. Generates gross sales of agricultural products, or has a harvested value of agricultural products, which the person has grown, raised, or produced, of at least \$10,000 for the immediate preceding tax year; or
 - 3. A farmer whose agricultural products had an estimated valued of at least ten thousand dollars for the immediate preceding tax year, if the person did not sell or harvest an agricultural product during that year.
- (G) “Food” includes all prepared food items and beverages, excluding alcoholic beverages, served in a restaurant including “takeout”, “to go” or delivered orders.
- (H) “Non-exempt goods” include but are not limited to the following:
 - 1. Automobile and truck parts, accessories, and tires;
 - 2. Non-licensed vehicles;
 - 3. Furniture, home furnishings, electronics and appliances;
 - 4. Building materials and supplies;
 - 5. Lawn and garden equipment and supplies;
 - 6. Food and beverages, excluding alcohol;
 - 7. Groceries and specialty foods;
 - 8. Health and personal care products;
 - 9. Clothing, apparel, and shoes;

Unapproved Draft Sales Tax Ordinance

10. Jewelry, luggage, and leather goods;
 11. Sporting goods, hobby goods, and musical instruments;
 12. Books, periodicals, and music;
 13. Flowers, office supplies, stationery items;
 14. Used merchandise;
 15. Prepared food and beverages; and
 16. Miscellaneous department store and general store items.
- (I) “Operator” means the person who is proprietor of the establishment, whether in capacity of owner, lessee, sublessee, mortgagee in possession, licensee, managing agent, or any other capacity.
- (J) “Person” means any individual, firm, business, entity, partnership, joint venture, association, social club, fraternal organization, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate, or any other group or combination acting as a unit.
- (K) “Restaurant” means any establishment required to be licensed as a restaurant, mobile unit or pushcart by the State of Oregon Health Division and includes any establishment where food or beverage is prepared for consumption by the public or any establishment where the public obtains food or beverage so prepared in form or quantity consumable then and there, whether or not it is consumed within the confines of the premises where prepared, and also includes establishments which prepare food or beverage in consumable form for service outside the premises where prepared. The term restaurant includes, but is not limited to grocery store delis, coffee shops, and caterers; it also includes establishments where such food or beverage is prepared in a combination facility. The term restaurant does not include a restaurant licensed by the State of Oregon Health Division as a limited service restaurant.
- (L) “Retailer” means any person engaged or continuing in the business of sales of tangible personal property at retail.
- (M) “Sale” means any transfer of title or possession, or both, exchange, barter, conditional or otherwise, in any manner or by any means whatsoever, including consignment transactions and auctions, of property for a consideration. “Sale” includes any transaction whereby the possession of such property is transferred but the seller retains the title as security for the payment of the price. “Sale” also includes the fabrication of tangible personal property for consumers who, in whole or in part, furnish either directly or indirectly the materials used in such fabrication work.
- (N) “Sales tax” means a City tax on gross sales receipts of identified non-exempt goods.
- (O) “Supplier” means any person who rents, leases, licenses, or makes sales of tangible personal property within the City, either directly to the consumer or customer or to wholesalers, jobbers, fabricators, manufacturers, modifiers, assemblers, repairers, or those engaged in the business of providing services which involve the use, sale, rental, lease, or license of tangible personal property.
- (P) “Tax Collector” means the City of Ontario’s representative or his or her designee or agent for all purposes under this Chapter.

Unapproved Draft Sales Tax Ordinance

- (Q) “Taxpayer” means any individual, firm, business, entity, partnership, joint venture, association, social club, fraternal organization, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate, or any other group or combination acting as a unit, and subject to tax under this chapter.

3-25-2 Tax Imposed.

- (A) Sales Tax. The City hereby imposes a personal property sales tax of 1% (one percent) on all receipts from the sale of non-exempt goods by operators within the City, in addition to all other taxes, fees, and charges of every kind.
- (B) Computation. In the computation of this tax any fraction of one-half cent or more shall be treated as one cent.
- (C) Reduction of Rate. The council may decrease the rate of the tax to any rate below 1% (one percent) or eliminate the tax after a public hearing. Notice of the hearing shall be given by publication in a newspaper of general circulation in the City at least 10 days prior to the date of the public hearing.

3-25-3 Miscellaneous Exemptions.

The sale of the following miscellaneous goods shall be exempt from the tax imposed in Section 3-25-2:

- (A) Alcoholic beverages subject to the state liquor tax.
- (B) Tobacco Items subject to the state tobacco tax.
- (C) Pharmaceuticals, hearing aids and corrective lenses when the buyer presents a prescription.
- (D) If such sales are authorized by the City, marijuana subject to state tax.
- (E) Licensed motor vehicle sales.
- (F) Goods sold by governments, including the City government.
- (G) Goods sold by utility and telecommunications businesses that are also subject to state and local franchise fees.
- (H) Goods in which the sales occur through the internet.
- (I) Fuel items subject to the state motor vehicle fuel tax.
- (J) Food and beverages sold by public or private schools, colleges, and hospitals.
- (K) Food and beverages sold in connection with overnight residential facilities, including but not limited to convalescent homes, nursing homes, retirement homes, and bed and breakfast establishments if the food and beverage is provided as part of the cost of sleeping accommodations.
- (L) Food and beverages provided by nonprofit tax-exempt organizations to citizens over 60 years of age as a part of a recognized senior citizen nutritional program.
- (M) Overnight accommodations that are subject to the City’s transient occupancy tax or transient lodging tax.

Unapproved Draft Sales Tax Ordinance

- (N) Goods sold in temporary restaurants, including food stands, booths, street concessions, and similar operations if operated by community based non-profit organizations or social clubs.
- (O) Goods sold in vending machines.
- (P) Goods sold to wholesale buyers.

3-25-4 Farmer Exemption.

Before claiming the farmer exemption in this Section, farmers must apply to the City for an exemption certificate number. Schedule F from IRS tax filing forms must be used to verify the level of sales needed to qualify for the farmer exemption as provided in Section 3-25-1(F). Retail sales to farmers with valid exemption certificate numbers are exempt for the following goods, in addition to goods exempted by Section 3-25-3:

- (A) Farm machinery, implements and repair parts purchased for use in conducting a farming activity. The following goods do not qualify as farm machinery or implements for the purpose of this exemption:
 - 1. lawn tractors;
 - 2. all-terrain vehicles;
 - 3. aircraft;
 - 5. recreational vehicles and equipment, including motor homes, boats and equipment used to transport recreational vehicles;
 - 6. hand tools and hand powered tools; and
 - 7. property with a useful life of less than one year.
- (B) Livestock for breeding purposes where the animals are registered in nationally recognized breed association.
- (C) Beef and dairy cattle to be used in producing an agricultural product.
- (D) Animal pharmaceuticals to administer to an animal raised to produce an agricultural product for sale. Animal pharmaceuticals must be approved by the United State Food and Drug Administration (FDA) or the USDA.
- (E) Propane and natural gas used exclusively for one or more of the following purposes:
 - 1. to distill mint on a farm, or
 - 2. to heat structures used to house chickens that are sold as agricultural products.
- (F) Bedding materials used to accumulate and facilitate the removal of chicken manure. The chickens must be raised by a farmer and sold as agricultural products.
- (G) Poultry for the use in the production for sale of poultry or poultry products.
- (H) Building materials used in constructing, repairing, decorating, or improving new or existing buildings or other structures to provide housing to agricultural employees of the farmer.

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- (I) Livestock nutrient management equipment and goods used to install repair, clean, alter, or improve such equipment.
- (J) Anaerobic digesters, and goods that become an ingredient or component of an anaerobic digester.
- (K) Chemical sprays and washes for the post-harvest treatment of fruit to prevent scald, fungus, mold, or decay.
- (L) Feed, seed, fertilizer, spray materials (pesticides), and enhanced pollination agents used by farmers who participate in the federal conservation reserve program, the environmental quality incentives program, the wetlands reserve program, and the wildlife habitat incentives program, or their successors administered by the United States Department of Agriculture (USDA).
- (M) Tangible personal property purchased by a farmer for resale without intervening use as a consumer; for example, packing materials such as binder twine purchased by a farmer to contain agricultural products that the farmer will sell.

3-25-5 Administration and Collection of Tax.

The Finance Department of the City of Ontario is hereby authorized and empowered to administer, regulate, and collect payment of all sales taxes adopted and imposed by this ordinance. The City shall have all powers set forth in this chapter, together with those additional powers necessary and proper to carry out the provisions of this Ordinance.

3-25-6 Consent to Inspection of records.

The City of Ontario hereby consents to the inspection of such records as are necessary to qualify the City for inspection of records.

3-25-7 Operator's Duties;

Each operator shall collect the tax imposed by this chapter, to the same extent and at the same time as the amount for taxable purchases are collected from every purchaser. The amount of tax need not be separately stated.

3-25-8 Tax Permits

- (A) Sales Tax Permit Required. Except as allowed under subsection (C) below for new businesses, no operator shall conduct sales subject to the City's sales tax without a sales tax permit issued by the City. The permit shall be based upon an application completed by the operator on a form provided by the City. The operator must complete a separate application for each place of business in the City in which the operator conducts sales subject to the City's sales tax.
- (B) Business Registration Required. Every operator desiring to conduct business in the City of Ontario shall also have a valid business registration in accordance with Title 3, Chapter 4 of the Ontario City Code, in addition to a municipal sales tax permit.
- (C) Time for Tax Permit Application. Operators engaged in business at the time this chapter becomes effective must obtain a sales tax permit not later than 20 calendar days after the effective date of this chapter. Operators starting business after this chapter is adopted must register their business and apply for a tax permit within 15 days after commencing business. The

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privilege of registration after the date of imposition of such tax does not relieve any person from the obligation of payment or collection of tax regardless of registration.

- (D) Issuance of Tax Permit. The City shall, within 10 days after a tax permit application is submitted, issue without charge a tax permit to each applicant to collect the tax from retail buyers, together with a duplicate thereof for each additional place of business of each registrant. Permits shall be non-assignable and nontransferable and shall be surrendered immediately to the City upon the cessation of business at the location named or upon its sale or transfer.
- (E) Reporting. Every operator shall, on or before the last day of the month following the end of each calendar quarter (in the months of April, July, October and January), make a return to the director, on forms provided by the City, specifying the total sales subject to this chapter and the amount of tax collected under this chapter. The operator may request or the director may establish shorter reporting periods for any operator if the operator or director deems it necessary to insure collection of the tax; and the director may require further information in the return relevant to payment of the liability. A return shall not be considered filed until it is actually received by the director.
- (F) Remitting. At the time the return is filed, the full amount of the tax collected shall be remitted to the director. Payments received by the director for application against existing liabilities will be credited toward the period designated by the taxpayer under conditions which are not prejudicial to the interest of the City. A condition which is considered prejudicial is the imminent expiration of the statute of limitations for a period or periods.
- (G) Order of Payments. Non-designated payments shall be applied in the order of the oldest liability first, with the payment credited first toward any accrued penalty, then to interest, then to the underlying tax until the payment is exhausted. Crediting of a payment toward a specific reporting period will be first applied against any accrued penalty, then to interest, then to the underlying tax. The director, when in the director's discretion determines that it will be in the best interest of the City, may specify that a different order of payment credit should be followed with regard to a particular tax or factual situation. The director may establish shorter reporting periods for any operator if the director deems it necessary to insure collection of the tax and the director may require further information in the return relevant to payment of the liability. When a shorter return period is required, penalties and interest shall be computed according to the shorter return period. Returns and payments are due immediately upon cessation of business for any reason. All taxes collected by operators pursuant to this chapter shall be held in trust for the account of the City until payment is made to the director. A separate trust bank account is not required to comply with this provision.
- (H) First Tax Payment. The first payment of taxes under this Ordinance shall be due and payable together by the 30th day of April 2018, for that period beginning on January 1, 2018, and ending March 31, 2018.

3-25-9 Penalties and interest

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- (A) Initial 10% Penalty. Any operator who fails to remit any portion of any tax imposed by this chapter within the time required, shall pay a penalty of ten percent of the amount of the tax, in addition to the amount of the tax.
- (B) Additional 10% Penalty. Any operator who fails to remit any delinquent remittance on or before a period of 60 days following the date on which the remittance first became delinquent, shall pay a second delinquency penalty of ten percent of the amount of the tax in addition to the amount of the tax and the penalty first imposed.
- (C) Revocation of Tax Permit. Any person who violates any provision of this Ordinance shall have his municipal tax permit and tax number revoked. The City shall send written notice of revocation of the tax permit, and number to the permit holder by certified mail to the address given on the permit application. The permit holder shall have ten (10) days from the date said notice is mailed to file a written request of appeal with the City Council, challenging the revocation. If no appeal is timely made, the revocation becomes final. Whenever a person subject to this Ordinance has had their tax permit and tax number evoked, the City shall not reissue the permit or issue a new permit to the person until the person places with the City a bond or other sufficient security in the amount equal to three (3) times the actual, determined, or estimated average monthly amount of tax payable by the person, pursuant to this chapter.
- (D) 25% Fraud Penalty. If the director determines that the nonpayment of any remittance due under this chapter is due to fraud, a penalty of 25% percent of the amount of the tax shall be added thereto in addition to the penalties stated in subparagraphs A and B of this section.
- (E) Interest On Late Payments. In addition to the penalties imposed, any operator who fails to remit any tax imposed by this chapter shall pay interest at the rate of one percent per month or fraction thereof on the amount of the tax, exclusive of penalties, from the date on which the remittance first became delinquent until paid.
- (F) Penalty as Part of Tax. Every penalty imposed and such interest as accrues under the provisions of this section shall become a part of the tax required to be paid.
- (G) Distribution to General Fund. All sums collected pursuant to the penalty provisions in paragraphs A, B, C, D and F of this section shall be distributed to the City of Ontario General Fund to offset the costs of auditing and enforcement of this tax.
- (H) Lien on Property. Any amount due under this Ordinance which a person fails to report or accurately compute shall become a lien upon the property of the taxpayer on the date that the same becomes due, and the City may seek to enforce the lien and collect all taxes and interest due, together with the reasonable costs of collection, including attorney fees, in a court of competent jurisdiction.
- (I) Waiver of Penalties. Penalties and interest for certain late tax payments may be waived by the City Council.

3-25-10 Failure to Collect and Report Tax

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If any operator should fail to make, within the time provided in this chapter, any report of the tax required by this chapter, the director shall proceed in such manner as deemed best to obtain facts and information on which to base the estimate of tax due. As soon as the director shall procure such facts and information as is able to be obtained, upon which to base the assessment of any tax imposed by this chapter and payable by any operator, the director shall proceed to determine and assess against such operator the tax, interest and penalties provided for by this chapter. In case such determination is made, the director shall give a notice of the amount so assessed by having it served personally or by depositing it in the United States mail, postage prepaid, addressed to the operator so assessed at the last known place of address. Such operator may make an appeal of such determination as provided in section 3-25-11 (Appeal). If no appeal is filed, the director's determination is final and the amount thereby is immediately due and payable.

3-25-11 Appeal

Any operator aggrieved by any decision of the director with respect to the amount of such tax, interest and penalties, if any, may appeal within 30 days of the serving or mailing of the determination of tax due. The hearings officer shall hear and consider any records and evidence presented bearing upon the director's determination of amount due, and makes findings affirming, reversing, or modifying the determination. The findings of the hearings officer shall be final and conclusive, and shall be served upon the appellant in the manner prescribed above for service of notice of hearing. Any amount found to be due shall be immediately due and payable upon the service of notice.

3-25-12 Records

It shall be the duty of every operator liable for the collection and payment to the City of any tax imposed by this chapter to keep and preserve, for a period of three years, all such records as may be necessary to determine the amount of such tax. The director shall have the right to inspect all records at all reasonable times.

3-25-13 Refunds

- (A) Claiming a Refund. Whenever the amount of any tax, interest or penalty has been overpaid or paid more than once, or has been erroneously or illegally collected or received by the City under this chapter, it may be refunded as provided in subsection B of this section, provided a claim in writing, stating under penalty of perjury the specific grounds upon which the claim is founded, is filed with the director within one year of the date of payment. The claim shall be on forms furnished by the director.
- (B) Processing Refund Requests. The director shall have 20 calendar days from the date of receipt of a claim to review the claim and make a determination in writing as to the validity of the claim. The director shall notify the claimant in writing of the director's determination. Such notice shall be mailed to the address provided by claimant on the claim form. In the event a claim is determined by the director to be a valid claim, an operator may claim a refund, or take as credit against taxes collected and remitted, the amount overpaid, paid more than once or erroneously or illegally collected or received in a manner prescribed by the director. The operator shall notify director of claimant's choice no later than 15 days following the date director mailed the determination. In the event claimant has not notified the director of claimant's choice within the 15 day period and the operator is still in business, a credit will be granted against the tax liability

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for the next reporting period, if the operator is no longer in business, a refund check will be mailed to claimant at the address provided in the claim form.

- (C) Proof by Written Records. No refund shall be paid under the provisions of this section unless the claimant established the right by written records showing entitlement to such refund and the director acknowledged the validity of the claim.

3-25-14 Actions to Collect

Any tax required to be paid by any operator under the provisions of this chapter shall be deemed a debt owed by the operator to the City. Any such tax collected by an operator which has not been paid to the City shall be deemed a debt owed by the operator to the City. Any person owing money to the City under the provisions of this chapter shall be liable to an action brought in the name of the City Of Ontario for the recovery of such amount. In lieu of filing an action for the recovery, the City of Ontario, when taxes due are more than 30 days delinquent, can submit any outstanding tax to a collection agency. So long as the City of Ontario has complied with the provisions set forth in ORS 697.105, in the event the City turns over a delinquent tax account to a collection agency, it may add to the amount owing an amount equal to the collection agency fees, not to exceed the greater of fifty dollars or fifty percent of the outstanding tax, penalties and interest owing.

3-25-15 Violations

- (A) Punishable Violations. All violations of this chapter are punishable in accordance with Section 1-4-1 of the City Code. It is a violation of this chapter for any operator or other person to:
1. Fail or refuses to comply as required herein;
 2. Fail or refuse to furnish any return required to be made;
 3. Fail or refuse to permit inspection of records;
 4. Fail or refuse to furnish a supplemental return or other data required by the director;
 5. Render a false or fraudulent return or claim;
 6. Fail, refuse or neglect to remit the tax to the City by the due date.
- (B) Classes of Violations. Violation of subsections 1-4 and 6 above shall be considered a Class C violation under Code Section 1-4-1. Filing a false or fraudulent return shall be considered a Class A violation under Code Section 1-4-1.
- (C) Remedies Nonexclusive. The remedies provided by this section are not exclusive and shall not prevent the City from exercising any other remedy available under the law, nor shall the provisions of this ordinance prohibit or restrict the City or other appropriate prosecutor from pursuing criminal charges under state law or city ordinance.

3-25-16 Confidentiality

- (A) Limitations. Except as otherwise required by law, it shall be unlawful for the City, any officer, employee or agent to divulge, release or make known in any manner any financial information submitted or disclosed to the City under the terms of this chapter. Nothing in this section shall prohibit:

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1. The disclosure of the names and addresses of any person who are operating a restaurant; or
 2. The disclosure of general statistics in a form which would prevent the identification of financial information regarding an individual operator; or
 3. Presentation of evidence to the court, or other tribunal having jurisdiction in the prosecution of any criminal or civil claim or an appeal for amount due the City under this chapter.
 4. The disclosure of information when such disclosure of conditionally exempt information is ordered under public records law procedures.
 5. The disclosure of records related to a business's failure to report and remit the tax when the report or tax is in arrears for over six months or the tax exceeds \$5,000.00. The City Council expressly finds and determines that the public interest in disclosure of such records clearly outweighs the interest in confidentiality under ORS 192.501(5)
- (B) Disclosure to IRS. The City Council, as provided by law or under such rules and provision as it may prescribe, may permit, notwithstanding the provisions of this Ordinance as to secrecy, the Commissioner of Internal Revenue of the United States or his delegate or the proper officer of any state imposing a tax to inspect the sales tax returns or information provided or obtained in connection therewith or may furnish to such officer or his authorized agent copies or an abstract thereof.
- (C) Operator's Own Records. Nothing in this Ordinance shall prohibit an operator or authorized representative, upon proper identification, from inspecting and copying the operator's own sales tax returns and information supplied therewith.
- (D) Employment Records. Nothing in this Ordinance shall require the City or its agents and representatives to publish, share or discuss a specific person or employer using information derived from Oregon Employment Department subject to ORS 657.665, or subject to the Rules and Guidelines Regarding Confidentiality of Oregon Employment Department Data.

3-25-17 Examining Books, Records, or Persons

- (A) Appointment of Auditors. The City, for the purpose of determining the correctness of any tax return, or for the purpose of an estimate of taxes due, may examine or may cause to be examined by an agent or representative designated by it for that purpose, any books, papers, records, or memoranda, including copies of operator's state and federal income tax return, bearing upon the matter of the operator's tax return.
- (B) Effect of Audit. If any error or omission is discovered in such audits or in any other way, the City may compute and determine the amount of tax due upon the basis of facts obtained from such information within the City's possession and assert a deficiency. One or more deficiency determinations may be made for the amount due for one or more than one period. In making such determinations, the City may offset over payments against amounts due. Further

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determinations shall be made for the period or periods during which the person fails to make a tax return and shall be based upon any information in the City's possession.

- (C) Written Notice of Deficiency. The City shall provide written notice of the City's determination and the amount of deficiency, including interest at the rate of ten percent (10%) per annum or such other rate as may be allowed by Oregon Code and as set by resolution adopted by the City Council from the date due, to the person from whom such deficiency amount is due. Such notice may be given personally or mailed to the person at the address furnished by the City in the sales tax application.

3-25-18 Severability

It is hereby declared to be the legislative intent that the provisions, and parts thereof, of this Ordinance shall be severable. Should any section, subsection, paragraph, clause or phrase of this chapter, or any particular application thereof, be declared invalid or unconstitutional for any reason by a court of competent jurisdiction, such decision shall not affect the remaining portions of the section, subsection, paragraph, clause or phrase of this chapter.

3-25-19 Effective Date

This Ordinance shall be in full force and 30 days following passage by the City Council.

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

AYES:

NAYS:

EXCUSED:

ABSENT:

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

ATTEST:

Ronald Verini, Mayor

Tori Barnett, MMC, City Recorder



**AGENDA REPORT
NEW BUSINESS
September 7, 2017**

To: Mayor and City Council

FROM: Adam J. Brown, City Manager

THROUGH: Adam J. Brown, City Manager

SUBJECT: **RESOLUTION #2017-131: RENAME EASTSIDE KIWANIS PARK TO LANTERMAN
KIWANIS PARK**

DATE: August 25, 2017

PROPOSED MOTION:

I MOVE TO APPROVE RESOLUTION #2017-131, A RESOLUTION APPROVING RENAMING EAST-SIDE KIWANIS PARK "LANTERMAN KIWANIS PARK" EFFECTIVE MARCH 2018.

SUMMARY:

The Ontario Kiwanis Club is requesting the City Council approve changing the name of the Eastside Kiwanis park to the Lanterman Kiwanis Park effective March 2018.

BACKGROUND:

The Kiwanis Club sponsors two parks within the City of Ontario and have contributed countless hours and funds toward maintaining them and upgrading them. Beck Kiwanis Park is on the west side of the city. They also sponsor a park known as the Eastside Kiwanis Park.

Bob Lanterman, a member of the Ontario Kiwanis Club, passed away in 2017. The Kiwanis Club would like to memorialize the contributions of this Kiwanis member.

CURRENT SITUATION:

The Ontario Kiwanis Club would like the City Council to consider approving a request to honor Bob Lanterman by renaming Eastside Kiwanis Park to Lanterman Kiwanis Park in recognition for all the service he gave to this community.

Jack Robert 'Bob' Lanterman was a community member that put his beliefs into action and was an integral part of major projects in the community as a Mason, Kiwanis member, and Meals on Wheels driver. He is a graduate of Ontario High School and served in the Army in World War II.

Among his other good works he was involved in Help them to Hope for 40 years. He was man of the year for the Ontario Chamber of Commerce in 2010. He was supported by a devoted wife, Sharon Woodruff, for 53 years.

ANALYSIS:

- A. **FINANCIAL** The Ontario Kiwanis Club will provide new signs. The city will incur no costs.
- B. **TIMING** The Kiwanis Club has requested that the naming become effective in March 2018.
- C. **POLICY/LEGAL** Naming rights for the park are the responsibility of the City Council. This park, like many others, are co-sponsored by service clubs and thus bear the name of the service club too.

ALTERNATIVES:

Take No Action - Without action on this request the park will continue to be known as Eastside Kiwanis Park.

RECOMMENDATION:

The City Manager recommends approving the renaming of Eastside Kiwanis Park to Lanterman Kiwanis Park effective March 2018.

ATTACHMENTS:

- 1. Request from Kiwanis Club to Rename Park
- 2. Resolution #2017-131



**AGENDA REPORT
NEW BUSINESS
September 7, 2017**

To: Mayor and City Council

FROM: Adam J. Brown, City Manager

THROUGH: Adam J. Brown, City Manager

SUBJECT: **RESOLUTION #2017-131: RENAME EASTSIDE KIWANIS PARK TO LANTERMAN
KIWANIS PARK**

DATE: August 25, 2017

PROPOSED MOTION:

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CURRENT SITUATION:

The Ontario Kiwanis Club would like the City Council to consider approving a request to honor Bob Lanterman by renaming Eastside Kiwanis Park to Lanterman Kiwanis Park in recognition for all the service he gave to this community.

Jack Robert 'Bob' Lanterman was a community member that put his beliefs into action and was an integral part of major projects in the community as a Mason, Kiwanis member, and Meals on Wheels driver. He is a graduate of Ontario High School and served in the Army in World War II.

Among his other good works he was involved in Help them to Hope for 40 years. He was man of the year for the Ontario Chamber of Commerce in 2010. He was supported by a devoted wife, Sharon Woodruff, for 53 years.

ANALYSIS:

- A. **FINANCIAL** The Ontario Kiwanis Club will provide new signs. The city will incur no costs.
- B. **TIMING** The Kiwanis Club has requested that the naming become effective in March 2018.
- C. **POLICY/LEGAL** Naming rights for the park are the responsibility of the City Council. This park, like many others, are co-sponsored by service clubs and thus bear the name of the service club too.

ALTERNATIVES:

Take No Action - Without action on this request the park will continue to be known as Eastside Kiwanis Park.

RECOMMENDATION:

The City Manager recommends approving the renaming of Eastside Kiwanis Park to Lanterman Kiwanis Park effective March 2018.

ATTACHMENTS:

- 1. Request from Kiwanis Club to Rename Park
- 2. Resolution #2017-131

From: Matt Sorensen <matt@bgcwtv.org>
To: Adam Brown <adam.brown@ontariooregon.org>
Date: 8/2/2017 11:48 AM
Subject: Request for renaming Eastside Kiwanis Park

Adam,

The Ontario Kiwanis Club would like the Ontario City Council give consideration to voting to approve a request we have to help us honor a community member and outstanding Kiwanis members that passed in 2017.

Jack Robert 'Bob' Lanterman was a community member that put his beliefs into action and was an integral part of major projects in the community as a Mason, Kiwanis member, and helped with Meals on Wheels.

The Ontario Kiwanis Club is requesting the City Council approve changing the name of the Eastside Kiwanis park to the Lanterman Kiwanis Park effective March 2018.

If there is a formal process to get this accomplished please let me know and I will do the work necessary. Otherwise, please consider this email our formal request.

Sincerely,
Matt Sorensen
Ontario Kiwanis President

Matt Sorensen

Executive Director
Boys & Girls Club of Western Treasure Valley
PO Box 876
573 S.W. 3rd Ave - Ontario, OR 97914
Phone- 541-889-7979 **Email-** matt@bgcwtv.org

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RESOLUTION # 2017-131

A RESOLUTION RENAMING EASTSIDE KIWANIS PARK TO LANTERMAN KIWANIS PARK

- WHEREAS,** The Ontario Kiwanis Club would like the Ontario City Council to consider approving a request to honor a community member and outstanding Kiwanis members who passed in 2017; and
- WHEREAS,** Bob attended Ontario High School and graduated in 1943 and enlisted in the US Army serving in Europe in World War II; and
- WHEREAS,** He was a Shriner and member of the Masonic Lodge, where he received a special honor for 60 years of service; and
- WHEREAS,** He was a member of the Kiwanis Club and served as president several times; and
- WHEREAS,** He was actively involved in Help Them to Hope for 40 years; and
- WHEREAS,** He was chosen by the Ontario Chamber of Commerce as Man of the Year in 2010; and
- WHEREAS,** He was supported by the love of his life, Sharon Woodruff for 53 years; and
- WHEREAS,** Jack Robert 'Bob' Lanterman was a community member that put his beliefs into action and was an integral part of major projects in the community as a Mason, Kiwanis member, and driver for Meals on Wheels; and
- WHEREAS,** The Ontario Kiwanis Club is requesting the City Council approve changing the name of the Eastside Kiwanis Park to the Lanterman Kiwanis Park.

NOW, THEREFORE BE IT RESOLVED, that the City of Ontario change the name of “Eastside Kiwanis Park” to “Lanterman Kiwanis Park”.

EFFECTIVE DATE: March 2018

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

AYES:

NAYS:

ABSENT:

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

ATTEST:

Ronald Verini, Mayor

Tori Barnett, MMC, City Recorder



AGENDA REPORT
NEW BUSINESS
September 7, 2017

To: Mayor and City Council

FROM: Betsy Roberts/City Engineer

THROUGH: Adam J. Brown, City Manager

SUBJECT: **SNAKE RIVER CORRECTIONAL INSTITUTE (SRCI) WASTEWATER SERVICES
CONTRACT EXTENSION**

DATE: August 29, 2017

PROPOSED MOTION:

I MOVE THE COUNCIL APPROVE THE PROPOSED ONE-YEAR EXTENSION OF INTERGOVERNMENTAL AGREEMENT #5490 FOR SANITARY SEWER SERVICES BY THE CITY OF ONTARIO FOR THE SNAKE RIVER CORRECTIONAL INSTITUTE.

SUMMARY:

Intergovernmental Agreement #5490 terminates September 30, 2017. Both the City of Ontario and the SRCI would like to renegotiate the Agreement. However, because of unknown impacts to the City's wastewater treatment system due to negotiation of the City's wastewater permit, both parties agreed renegotiation of the Agreement should be delayed until permit requirements were understood. Extension of the contract as-is for up to one year, should provide adequate time for understanding of the permit impacts as well as contract renegotiation.

BACKGROUND:

The City is currently negotiating with the Department of Environmental Quality (DEQ) regarding the City's National Pollutant Discharge Elimination System (NPDES) permit. This permit allows the City to discharge treated effluent from its wastewater treatment facility to the Snake River during the winter months of the year.

The City Manager, Public Works Director and City Engineer have met with the local SRCI staff and Department of Justice (DOJ) staff over the past year regarding renegotiation of the contract and the impact of the NPDES permit. Additionally, the SRCI is aware of challenges that the City has faced in operating the SRCI Lower Lift Station; this is a lift station that conveys only SRCI facility waste. The City is currently undergoing an analysis of this lift station to understand the root of the problems and prepare potential solutions. Extension of the Agreement will provide adequate time to understand the potential improvement costs of the lower lift station and integrate improvements into the contract negotiation process. Beyond the lift station improvements, the City has taken preliminary steps in assessing the condition of approximately 30 concrete manholes along the steepest section of the SRCI's gravity line extending from the lift station back up the hill towards the prison. This gravity line serves only the SRCI flows. Hydrogen sulfide gas tends to build up in the steeper sections of the line and has been resulting in damage to the concrete manholes. The cost to repair or replace these manholes will be available this fall to be included in the renegotiation of the Agreement.

CURRENT SITUATION:

Because water quality restrictions have significantly increased since the City's last permit renewal cycle was completed, the City may be facing significant treatment system improvements. The current Agreement between the City and SRCI clearly states that the DOJ will participate in treatment system modifications caused by regulatory requirements. Additionally, cost information for lift station and manhole improvements is being developed to be incorporated into the negotiation process.

The extension of the contract will allow for this information to be understood and clearly incorporated into the negotiation of the Agreement.

ANALYSIS:

- A. **FINANCIAL:** There is no cost directly associated with the extension of Intergovernmental Agreement #5490.
- B. **TIMING:** The current Intergovernmental Agreement #5490 terminates September 30, 2017. Approving the extension now will ensure that the Agreement is properly in place.
- C. **POLICY/LEGAL:** Allowing the contract to expire exposes both the City and the DOJ to potential liability.

ALTERNATIVES:

- A. Approve the attached contract amendment extending Intergovernmental Agreement #5490.
 - 1. By approving the contract extension, the City and DOJ are able to take advantage of significant information associated with the NPDES permit as well as improvements to the SRCI Lower Lift Station and associated manholes.
- B. Do Nothing
 - 1. By not acting, the Agreement will expire and both the City and DOJ could be exposed to potential liability.

RECOMMENDATION:

Staff recommends that the City Council approve Amendment #2 to Intergovernmental Agreement #5490 extending the duration of the Agreement up to one year.

ATTACHMENTS:

- Amendment #2 to Intergovernmental Agreement #5490.

**AMENDMENT #2 TO
INTERGOVERNMENTAL AGREEMENT #5490**

This amendment #2 (the "Amendment") to Intergovernmental Agreement #5490 (the "Agreement") executed on December 18, 1990 and amended and restated on October 20, 1997 (Amendment #1), is entered into by and between the State of Oregon, acting by and through its Department of Corrections, hereinafter referred to as "DOC" and the City of Ontario, hereinafter referred to as "City". Each party, without distinction, shall be referred to individually as "Party" or collectively as "Parties". This Amendment shall become effective on the date of the last signature. The changes in this amendment apply to Services provided by City on and after the effective date of the amendment.

1. The Agreement is hereby amended as follows. New language is indicated by being in **bold and underlined** and deleted language is indicated by [brackets]:

- a. Article 5, Term, is hereby amended as follows:

"The term of this Agreement shall commence as of the 1st day of October, 1997, and shall continue [for a period of twenty years, through the 30th of September, 2017] **through September 30, 2018.**"

2. This Amendment may be executed in counterparts and the counterparts, when assembled, shall constitute one and the same instrument.

3. Except as expressly amended above, all other terms and conditions of the Agreement are still in full force and effect. City certifies that the representation, warranties and certifications contained in the Agreement are true and correct as of the effective date of this Amendment and with the same effect as though made at the time of the Amendment.

The Parties acknowledge that they have read and understand this Amendment, and agree to be bound by its terms and conditions as of the Effective Date.

FOR CITY OF ONTARIO:

BY _____
Date

FOR THE DEPARTMENT OF CORRECTIONS:

BY _____
Michael Gower, Assistant Director Date



**AGENDA REPORT
NEW BUSINESS
September 7, 2017**

To: Mayor and City Council

FROM: Adam J. Brown, City Manager

THROUGH: Adam J. Brown, City Manager

SUBJECT: **APPROVAL OF CONTRACT AWARD TO QUALITY ELECTRIC INC. FOR THE 2017 AIRPORT IMPROVEMENT PROJECT**

DATE: August 29, 2017

PROPOSED MOTION:

I MOVE THAT THE CITY COUNCIL AWARD A CONTRACT TO QUALITY ELECTRIC INC. FOR IMPROVEMENTS TO THE ONTARIO AIRPORT TOTALING \$643,342

SUMMARY:

As part of the 2017-2018 Airport Capital Plan, a project was approved to build airport taxiway lighting, precision approach path indicator (PAPI), runway end identifier lights (REIL's), and directional signs to improve the safety of the airport.

BACKGROUND:

The Airport Capital Improvement Program (CIP) is approved each year by both the Airport Committee and the Ontario City Council. This year's project included airport taxiway lighting, PAPI's, REIL's, and directional signs to improve the safety of the airport.

CURRENT SITUATION:

Through hard work of the Federal Aviation Administration and the City's Engineer, full funding was found to complete the project.

The project was put out for bids. Two bids were received. One from Quality Electric Co and the other from Power Plus Inc. Quality Electric Co. from Boise, ID was the low bidder. The low bid came in close to, but under the engineer's estimate. The other bid was close to, but over the engineer's estimate. This spread validates the engineers estimate.

The engineer has reviewed the bids and deemed them to be responsible and responsive to the bid solicitation. The engineer recommends approval of the contract.

ANALYSIS:

- A. **FINANCIAL** The total cost of the project including engineering, construction and project management is \$831,000.

The FAA pays for 90% of the project costs. The State normally pays for 5%, and the local government pays 5%. Fortunately the city applied for and was awarded a COAR grant from the State of Oregon to pay for an additional 4% of the project cost leaving the city's obligation to 1%. The cost sharing breaks down as follows:

1. Federal \$747,900
2. State \$74,712
3. City of Ontario \$8,388

The local share was budgeted and appropriated for this purpose.

- B. **TIMING** The contractor has waited for the FAA to identify full funding sources and is ready to begin work. The work will need to be split over the period of two seasons since they will not be able to do some work in the winter. Some project pieces can begin as soon as the contract is approved and others will wait until the spring.
- C. **POLICY/LEGAL** The City Council, by policy, is required to approve the award of this contract.

ALTERNATIVES:

Take No Action - If the Council does not award the bid, it must go to the next highest bidder or be rebid. The next highest bid was \$711,487, which is \$68,145 more than the low bid. Additional funding will need to be sought after to award it to the next highest bidder.

RECOMMENDATION:

The City Manager recommends that the Ontario City Council award a contract to Quality Electric Inc. for improvements to the Ontario Airport totaling \$643,342.

ATTACHMENTS:

1. Performance Bond
2. Bidders List and Certificate of Liability
3. Contract



**AGENDA REPORT
NEW BUSINESS
September 7, 2017**

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ALTERNATIVES:

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RECOMMENDATION:

The City Manager recommends that the Ontario City Council award a contract to Quality Electric Inc. for improvements to the Ontario Airport totaling \$643,342.

ATTACHMENTS:

1. Performance Bond
2. Bidders List and Certificate of Liability
3. Contract

City of Ontario, Oregon
 Ontario Municipal Airport
 Install Taxiway Edge Lighting, PAPI, REILs, and Lighted Guidance Signs
 AIP # 3-41-0044-014

PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS: that

Quality Electric Inc.

(Name of CONTRACTOR)

5225 Irving, Boise, Idaho 83706

(Address of CONTRACTOR)

Corporation _____, hereinafter called
 (Individual, Partnership, or Corporation)

Principal, and Merchants Bonding Company (Mutual)

(Name of Surety)

PO Box 14498, Des Moines, IA 50306

(Address of Surety)

hereinafter called Surety, are held and firmly bound unto the City of Ontario, Oregon hereinafter called the OWNER, in the penal sum of Six Hundred Forty-Three Thousand Three Hundred Forty One & 00/100 Dollars (\$ 643,341.85) in lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION is such that whereas, the principal entered into a certain Agreement with the OWNER, dated the 23rd day of August, 2017 a copy of which is bound herein attached and made a part hereof for the construction of: Ontario Municipal Airport Taxiway Lighting PAPI, REIL's & Signs.

NOW, THEREFORE, if the Principal shall well, truly and faithfully perform its duties, all the undertaking, covenants, terms, conditions, and agreements of said Agreement during the original term thereof, and any extensions thereof which may be granted by the OWNER, with or without notice to the Surety and during the one (1) year guaranty period, and if he shall satisfy all claims and demands incurred under such contract, and shall fully indemnify and save harmless the OWNER from all costs and damages that it may suffer by reason of failure to do so, and shall reimburse and repay the OWNER all outlay and expense that the OWNER may incur in making good any default, this obligation shall be void; otherwise to remain in full force and effect.

PROVIDED FURTHER, that the said Surety, for value received hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Agreement or to the Work to be performed thereunder or the Specifications accompanying the same shall in any way affect its obligation on this Bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Contract or to the Work or to the Specifications.

City of Ontario, Oregon
Ontario Municipal Airport
Install Taxiway Edge Lighting, PAPI, REILs, and Lighted Guidance Signs
AIP # 3-41-0044-014

PERFORMANCE BOND (Continued)

PROVIDED FURTHER, that no final settlement between the OWNER and the CONTRACTOR shall abridge the right of any beneficiary hereunder, whose claim may be unsatisfied.

IN WITNESS WHEREOF, this instrument is executed in three (3) parts, each of which shall be deemed an original, this 23rd day of August, 2017.

Quality Electric Inc.
Contractor

Quality Electric Inc.
Principal

By: [Signature]
Signature

5225 Irving
Street or P.O. Box

Boise, Idaho 83706
City, State and Zip Code

ATTEST:

(Principal) Secretary

(SEAL)
Rachael Trickett
Witness as to Principal

5225 Irving
Street or P.O. Box
Boise ID 83706
City, State and Zip Code

Merchants Bonding Company (Mutual)
Surety

By: [Signature]
Signature Jennifer Grenrood, Attorney-In-Fact

PO Box 14498
Street or P.O. Box

Des Moines, IA 50306
City, State and Zip Code

ATTEST:

(Surety) Secretary

(SEAL)
[Signature]
Witness as to Surety

5605 Overland Rd
Street or P.O. Box

Boise, Idaho 83705
City, State and Zip Code

NOTE:

1. Date of Payment Bond must not be prior to the date of the Agreement. (If the CONTRACTOR is a Partnership, all partners should execute the Bond.)
2. The Rate of premium of the Bond shall be stated together with the total amount of the premium charged.
3. The current power of attorney of the person who signs for any surety company shall be attached to the bond.

Bond Premium \$ 7,147.00

PAYMENT BOND

KNOW ALL MEN BY THESE PRESENTS: that

Quality Electric Inc.

(Name of CONTRACTOR)

5225 Irving, Boise, Idaho 83706

(Address of CONTRACTOR)

Corporation

(Individual, Partnership, or Corporation), hereinafter called

Principal, and Merchants Bonding Company (Mutual)

(Name of Surety)

PO Box 14498, Des Moines, IA 50306

(Address of Surety)

hereinafter called Surety, are held and firmly bound unto the City of Ontario, Oregon hereinafter called the OWNER, in the penal sum of Six Hundred Forty-Three Thousand Three Hundred Forty One & 00/100 Dollars (\$ 643,341.85) in lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION is such that whereas, the principal entered into a certain Agreement with the OWNER, dated the 26th day of July, 2017, a copy of which is bound herein and made a part hereof for the construction of:

Ontario Municipal Airport Taxiway Lighting PAPI, REIL's & Signs

NOW, THEREFORE, if the Principal shall promptly make payment to all persons, firms, Subcontractors, and corporations furnishing materials for or performing labor in the prosecution of the Work provided for in such Agreement, and any authorized extension or modification thereof, including all amounts due for materials, lubricants, oil, gasoline, repairs on machinery, equipment and tools, consumed or used in connection with the construction of such Work, and all insurance premiums on said Work, and for all labor performed in such Work whether by Subcontractor or otherwise, then this obligation shall be void; otherwise to remain in full force and effect.

PROVIDED FURTHER, that the said Surety, for value received hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Agreement or to the Work to be performed thereunder or the Specifications accompanying the same shall in any way affect its obligation to this Bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Contract or to the Work or to the Specifications.

PROVIDED FURTHER, that no final settlement between the OWNER and the CONTRACTOR shall abridge the right of any beneficiary hereunder, whose claim may be unsatisfied.

City of Ontario, Oregon
Ontario Municipal Airport
Install Taxiway Edge Lighting, PAPI, REILs, and Lighted Guidance Signs
AIP # 3-41-0044-014

PAYMENT BOND (Continued)

IN WITNESS WHEREOF, this instrument is executed in three (3) parts, each of which shall be deemed an original, this the 26th day of July, 2017.

Quality Electric Inc.
Contractor

ATTEST:

Quality Electric Inc.
Principal

(Principal) Secretary

By: [Signature]
Signature

5225 Irving, Boise, Idaho 83706
Street or P.O. Box

Boise, Idaho 83706
City, State and Zip Code

(SEAL)

[Signature]
Witness as to Principal

5225 Irving

Street or P.O. Box

Boise ID 83706

City, State and Zip Code

Merchants Bonding Company (Mutual)
Surety

ATTEST:

By: [Signature]
Signature Jennifer Grenrood, Attorney-In-Fact

(Surety) Secretary

PO Box 14498, Des Moines, IA 50306
Street or P.O. Box

Des Moines, IA 50306
City, State and Zip Code

(SEAL)

[Signature]
Witness as to Surety

5605 Overland Rd

Street or P.O. Box

Boise, Idaho 83705

City, State and Zip Code

NOTES:

1. Date of Payment Bond must not be prior to the date of the Agreement. (If the CONTRACTOR is a Partnership, all partners should execute the Bond.)
2. The Rate of premium of the Bond shall be stated together with the total amount of the premium charged.
3. The current power of attorney of the person who signs for any surety company shall be attached to the bond.

Bond Premium \$ 7,147.00

MERCHANTS
BONDING COMPANYTM
POWER OF ATTORNEY

Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations of the State of Iowa (herein collectively called the "Companies") do hereby make, constitute and appoint, individually,

Jenae M Sexton; Jennifer Grenrood; Karyl A Richter; Machele Day

their true and lawful Attorney(s)-in-Fact, to sign its name as surety(ies) and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

This Power-of-Attorney is granted and is signed and sealed by facsimile under and by authority of the following By-Laws adopted by the Board of Directors of Merchants Bonding Company (Mutual) on April 23, 2011 and amended August 14, 2015 and adopted by the Board of Directors of Merchants National Bonding, Inc., on October 16, 2015.

"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice President shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof."

"The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and authority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.

In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner-Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 8th day of August, 2017.



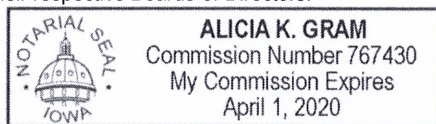
MERCHANTS BONDING COMPANY (MUTUAL)
MERCHANTS NATIONAL BONDING, INC.

By

Larry Taylor
President

STATE OF IOWA
COUNTY OF DALLAS ss.

On this 8th day of August, 2017, before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the seals affixed to the foregoing instrument are the Corporate Seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.



Alicia K. Gram
Notary Public

(Expiration of notary's commission
does not invalidate this instrument)

I, William Warner, Jr., Secretary of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 23rd day of August, 2017.



William Warner Jr.
Secretary

City of Ontario, Oregon
Ontario Municipal Airport
Install Taxiway Edge Lighting, PAPI, REILs, and Lighted Guidance Signs
AIP # 3-41-0044-014

LETTER OF INTENT FOR DBE PARTICIPATION

(TO BE SUBMITTED PRIOR TO NOTICE OF AWARD)

Name of Bidder's Firm: Quality Electric INC
Address: 5225 Irving Street City: Boise State: ID Zip: 83706
Phone Number: 208 375-1300

Name of DBE Firm: N/A
Address: _____ City: _____ State: _____ Zip: _____
Phone Number: _____

State Certification Number: _____

Description of work to be performed by DBE firm:

only Received 1 Bid from a DBE firm
for Stripping Cortis Clean Sweep

Bidder intends to utilize the above-named Disadvantaged firm for the work described above. The estimated amount of work is valued at \$_____. If the above-named bidder is not determined to be the successful bidder, the Letter of Intent shall be null and void.

Name of DBE Firm: _____
Address: _____ City: _____ State: _____ Zip: _____
Phone Number: _____

State Certification Number: _____

Description of work to be performed by DBE firm:

Bidder intends to utilize the above-named Disadvantaged firm for the work described above. The estimated amount of work is valued at \$_____. If the above-named bidder is not determined to be the successful bidder, the Letter of Intent shall be null and void.

NOTE: Use additional sheets if needed.

NON-TRAFFICKING CERTIFICATION
(TO BE SUBMITTED PRIOR TO NOTICE OF AWARD)

Trafficking in persons:

A. Provisions applicable to a recipient that is a private entity.

1. You as the recipient, your employees, subrecipients under this award, and subrecipients' employees may not –
- i. Engage in severe forms of trafficking in persons during the period of time that the award is in effect;
 - ii. Procure a commercial sex act during the period of time that the award is in effect; or
 - iii. Use forced labor in the performance of the award or subawards under the award.

Certification:

I, Don Rye, being Vice President (title)
of Quality Electric Inc, hereby certify that the information as stated above is

true and complete to the best of my knowledge and belief and the above mentioned statement will be
provided in writing to all subcontractors hired for the above mentioned job.

Don Rye
Signature

7-27-17
Date

Don Rye Vice President
Name and Title

Quality Electric Inc.
Contractor



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
07/31/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER FEDERATED MUTUAL INSURANCE COMPANY HOME OFFICE: P.O. BOX 328 OWATONNA, MN 55060		CONTACT NAME: CLIENT CONTACT CENTER PHONE (A/C, No, Ext): 888-333-4949 FAX (A/C, No): 507-446-4664 E-MAIL ADDRESS: CLIENTCONTACTCENTER@FEDINS.COM	
INSURED QUALITY ELECTRIC INC 5225 W IRVING ST BOISE, ID 83706-1209		INSURER(S) AFFORDING COVERAGE INSURER A: FEDERATED MUTUAL INSURANCE COMPANY INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	NAIC # 13935

COVERAGES

CERTIFICATE NUMBER: 738

REVISION NUMBER: 0

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	☒ COMMERCIAL GENERAL LIABILITY	Y	N	9290920	08/01/2017	08/01/2018	EACH OCCURRENCE	\$1,000,000
	☐ CLAIMS-MADE ☒ OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$100,000
							MED EXP (Any one person)	\$5,000
							PERSONAL & ADV INJURY	\$1,000,000
							GENERAL AGGREGATE	\$2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:							
	☒ POLICY ☐ PRO-JECT ☐ LOC						PRODUCTS - COMPIOP AGG	\$2,000,000
	OTHER:							
A	AUTOMOBILE LIABILITY	N	N	9290920	08/01/2017	08/01/2018	COMBINED SINGLE LIMIT (Ea accident)	\$1,000,000
	☒ ANY AUTO						BODILY INJURY (Per person)	
	☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS						BODILY INJURY (Per accident)	
	☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	
A	☒ UMBRELLA LIAB ☒ OCCUR	N	N	9290921	08/01/2017	08/01/2018	EACH OCCURRENCE	\$5,000,000
	☐ EXCESS LIAB ☐ CLAIMS-MADE						AGGREGATE	\$5,000,000
	☐ DED ☐ RETENTION							
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	Y / N	N / A				PER STATUTE	OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)						E.L. EACH ACCIDENT	
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	
							E.L. DISEASE - POLICY LIMIT	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

PROJECT: FY 2017 AIRPORT IMPROVEMENTS - ONTARIO MUNICIPAL AIRPORT - AIP 3-41-0044-014 ONTARIO, OR
THE CERTIFICATE HOLDER IS AN ADDITIONAL INSURED SUBJECT TO THE CONDITIONS OF THE ADDITIONAL INSURED - OWNERS, LESSORS OR CONTRACTORS - AUTOMATIC STATUS WHEN REQUIRED IN CONSTRUCTION AGREEMENT WITH YOU ENDORSEMENT FOR GENERAL LIABILITY.

CERTIFICATE HOLDER**CANCELLATION**301-744-9
J-U-B ENGINEERS INC
250 S BEECHWOOD DR STE 201
BOISE, ID 83709-0944

738 0

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2015 ACORD CORPORATION. All rights reserved.



QUALELE-05

GFIETSCH

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

07/28/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER License # 26480 HUB International Mountain States Limited 2600 Rose Hill, Suite 101 PO Box 5815 Boise, ID 83705		CONTACT NAME: PHONE (A/C, No, Ext): (208) 433-1000 E-MAIL ADDRESS:	FAX (A/C, No): (866) 898-4905
INSURED Quality Electric, Inc. 5225 W. Irving Street Boise, ID 83706-1209		INSURER(S) AFFORDING COVERAGE	
		INSURER A: Alaska National Insurance Company	
		INSURER B:	
		INSURER C:	
		INSURER D:	
		INSURER E:	
		INSURER F:	
		NAIC # 38733	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☐ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PROJECT ☐ LOC OTHER:						EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$
	AUTOMOBILE LIABILITY ☐ ANY AUTO OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB ☐ OCCUR EXCESS LIAB ☐ CLAIMS-MADE DED ☐ RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) ☐ Y/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	17GWS09122	07/01/2017	07/01/2018	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Project: Miscellaneous Electrical Work, FY 2017 Airport Improvements Ontario Municipal Airport - AIP 3-41-0044-014, Ontario, OR

CERTIFICATE HOLDER

CANCELLATION

J-U-B Engineers, Inc.
250 S. Beechwood Ave., Ste 201
Boise, ID 83709

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

City of Ontario, Oregon
Ontario Municipal Airport
Install Taxiway Edge Lighting, PAPI, REILs, and Lighted Guidance Signs
AIP # 3-41-0044-014

NOTICE TO PROCEED

To: Quality Electric, Inc.
CONTRACTOR
5225 Irving St.
Boise, ID 83706

Date: _____

You are hereby notified that the Contract Time for construction of the above Project will commence to run on the ____ day of _____, 2017. On that date, you are to start performing the Work and your other obligations under the Contract Documents. The date of Substantial Completion shall be no later than _____.

OWNER

By: _____
Signature

Name: _____

Title: _____

ACCEPTANCE OF NOTICE

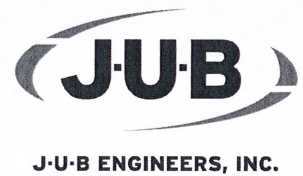
Receipt of the above Notice to Proceed is hereby acknowledged by Quality Electric, Inc., this ____ day of _____, 20____.

CONTRACTOR

By: _____
Signature

Name: _____

Title: _____



August 28, 2017

Mr. Adam Brown
City Manager
City of Ontario, Oregon
444 SW 4th Street
Ontario, OR 97914

**RE: Construction Agreement Package
FY 2017 Airport Improvements to the Ontario Municipal Airport
FAA AIP 3-41-0044-013 – Airfield Electrical Project**

Dear Mr. Brown:

Attached is the Construction Agreement Package for the FY 2017 Improvements to the Ontario Municipal Airport.

Contents and Instructions are as follows:

- **Notice of Award** (3 copies) – Please sign and date all 3 copies and return 2 copies to J-U-B. One copy is for the City's records.
- **Contract Form** (3 copies) – Please sign and date all 3 copies and return 2 copies to J-U-B. One copy is for the City's records.
- **Performance Bond** (1 copy) – To be reviewed by the City for acceptance then retain for the City's Records.
- **Payment Bond** (1 copy) – To be reviewed by the City for acceptance then retain for the City's Records.

If you have any questions or need additional assistance, please call me at (208) 376-7330.

Sincerely,

J-U-B ENGINEERS, INC.

A handwritten signature in blue ink, appearing to read "TJE", is written over the printed name of Toby J. Epler.

Toby J. Epler, P.E.
Project Manager

Enclosures

City of Ontario, Oregon
Ontario Municipal Airport
Install Taxiway Edge Lighting, PAPI, REILs, and Lighted Guidance Signs
AIP # 3-41-0044-014

CONTRACT FORM

THIS AGREEMENT, made the _____ day of _____, 2017, by and between, Quality Electric, Inc. hereinafter called the "CONTRACTOR," and the City of Ontario, Oregon, hereinafter called the "OWNER".

WITNESSETH: That the CONTRACTOR and the OWNER, for the consideration hereinafter named, agree as follows:

ARTICLE 1: SCOPE OF WORK: The CONTRACTOR shall furnish all labor, tools, materials, equipment and supplies required for the **Install Taxiway Edge Lighting, PAPI, REILs, and Lighted Guidance Signs project** in accordance with the Contract Documents, plans and specifications for **AIP No. 3-41-0044-014**. The approximate quantities of work are shown in the Bid Proposal bound in this document.

ARTICLE 2: TIME OF COMPLETION: The work to be performed under this Contract shall be commenced on the date specified in the Notice to Proceed, and shall be completed within **64 Calendar Days**. The CONTRACTOR agrees to pay, as liquidated damages, the following sums:

One Thousand Five Hundred Dollars and Zero Cents (\$1,500.00)

for each consecutive **Calendar day** thereafter, the work remains uncompleted. The time for completion shall include the time necessary to order and procure materials. The CONTRACTOR may not begin actual field installation of work until he can demonstrate that all materials are available and weather conditions will allow completion of any work such as pavement repairs. The intent is to reduce the impact to airport operations and field engineering time. The CONTRACTOR shall present a project schedule prior to field installations, to ensure progressive completion.

ARTICLE 3: THE CONTRACT SUM: The OWNER shall pay the CONTRACTOR for the performance of the Contract, subject to additions and deductions provided therein, in current funds an amount equal to the estimated bid **for All Schedules**, including tax, as provided in the Bid Schedule of Items and Prices, as follows:

Six Hundred Forty-Three Thousand, Three Hundred Forty-One Dollars and Eighty-Five Cents (\$643,341.85)

ARTICLE 4: PARTIAL PAYMENT: The OWNER will make payment on account to the CONTRACTOR as provided therein, as follows:

Within 30 calendar days of the end of the previous month in which work was completed, Ninety percent (90%) of the value, based on the contract price, of labor incorporated in the work as estimated by the ENGINEER, less the aggregate of previous payments, will be due the CONTRACTOR.

Partial Payments will not be made if there are any outstanding Certified Payrolls or No Work Performed Notices (NWP). Payrolls and NWP are required to be submitted to the Engineer within 10 days of Payroll. Affidavits

ARTICLE 5: ACCEPTANCE AND FINAL PAYMENT: Upon due notice from the CONTRACTOR of presumptive completion of the entire project, the ENGINEER and OWNER will make an inspection. If all construction provided for and contemplated by the contract is found to be completed in accordance with the contract, plans, and specifications, such inspection shall constitute the final inspection. The ENGINEER shall notify the CONTRACTOR in writing of substantial completion as of the date of the final inspection.

CONTRACT FORM (Continued)

Prior to Project Acceptance and preparation of necessary State Notices, the CONTRACTOR shall submit evidence, satisfactory to the ENGINEER, that all Intents and Affidavits, payrolls, material bills, taxes and other indebtedness connected with the work have been submitted, filed and/or paid.

The entire balance found to be due the CONTRACTOR, including the retained percentage shall be paid to the CONTRACTOR within thirty (30) days after the date of acceptance by the OWNER.

The making and acceptance of the final payment shall constitute a waiver of all claims by the OWNER, other than those arising from unsettled liens, from faulty work appearing after final payment, or from requirements of the specifications, and of all claims by the CONTRACTOR, except those previously made and still unsettled.

If, after the work has been substantially completed, full completion thereof is materially delayed through no fault of the CONTRACTOR, and the ENGINEER so confirms, the OWNER shall, upon a verification of the ENGINEER, and without terminating the contract, make full payment of the balance due for that portion of the work fully completed and accepted. Such payment shall be made under the terms and conditions governing partial acceptance, except that it shall not constitute a waiver of claims.

ARTICLE 6: THE CONTRACT DOCUMENTS: The Invitation for Bid, Information for Bidders, Bid Proposal, FAA General Provisions, Owners General Conditions, Federal Contract Clauses, Specifications for Construction, Additional Special Provisions, Appendices, and Plans, together with this Agreement, form the Contract, and they are as fully a part thereof and hereof as if hereto attached or herein repeated.

ARTICLE 7: FEDERAL CONTRACT CLAUSES: The CONTRACTOR agrees by signing this contract, to certify and comply with all Federal regulations, clauses and certifications stipulated within these contract documents.

49 CFR Part 26 provides that each contract the OWNER enters into with a CONTRACTOR (and each subcontract the contractor signs with a subcontractor) shall include the following assurance:

"The CONTRACTOR and its subcontractors shall not discriminate on the basis of race color, national origin, or sex in the performance of this contract. The CONTRACTOR shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of Department of Transportation (DOT) assisted contracts. Failure by the CONTRACTOR to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate"

ARTICLE 8: QUANTITIES AND ADDITIONAL WORK: The OWNER reserves the right to increase or decrease any quantities shown in the Bid Schedule, and the CONTRACTOR agrees to perform additional work at the unit price bid for all increases, or deduct for any decreases in the unit price bid.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

CONTRACTOR

QUALITY ELECTRIC INC
[Signature]
Vice President

OWNER



AGENDA REPORT
NEW BUSINESS
September 7, 2017

To: Mayor and City Council

FROM: Betsy Roberts/City Engineer

THROUGH: Adam J. Brown, City Manager

SUBJECT: **BID AWARD: 2017 ANNUAL SEWER AND WATER LINE REPLACEMENT**

DATE: August 29, 2017

PROPOSED MOTION:

I MOVE THE CITY COUNCIL DIRECT CH2M TO PURSUE INCORPORATION OF THE CURRENT FISCAL YEAR'S ANNUAL SEWER AND WATER LINE REPLACEMENT PROJECT INTO THE CARRIED OVER 2017 ANNUAL PROJECT FOR BIDDING OVER THE WINTER OF 2017-2018.

SUMMARY:

The City had a bid opening for the 2017 Annual Sewer and Water Line Replacement Project on Thursday, August 24, 2017. There were no bidders.

BACKGROUND:

Each year the City sets aside budget to conduct needed improvements and replace old and aging pipe throughout the community. The 2017 improvements were part of the 2016-17 fiscal year, with construction being carried over into the current fiscal year.

Attached are a list of contractors that were contacted by Keller Associates, the lead design engineer on the project, and the list of actual plan holders (those contractors who purchased a set of Construction Documents once the advertising period began).

CURRENT SITUATION:

Construction in the Treasure Valley is exploding; recently Oregon and Idaho were ranked No. 1 and No. 2 for construction growth in the nation, according to the Associated General Contractors of America. This means that finding a contractor with time to perform the construction can be challenging. Getting a fair prices on construction can be even tougher with that type of pressure on contractors.

The current project was estimated at approximately \$225,000 to \$250,000. By adding this current fiscal year's project to that, the City can advertise a project that will be roughly \$650,000. A project of this size is more attractive to contractors. Additionally, if the design can be completed this fall, the project could be bid over this winter – sometime between December and February. Contractors are typically just starting to fill out their work schedules for the coming spring and summer construction season.

ANALYSIS:

- A. **FINANCIAL:** FY 2017-18 Budget: The current approved City budget includes \$200,000 each for water and sewer line replacement as well as \$120,000 for storm sewer construction. This total amount includes both design and construction. Total Amount: \$520,000
UCF Line Items: _____
Storm Sewer Line Items: _____
FY 2016-17 Budget and remainder carried forward: Construction - \$250,000, and the remainder of the engineering fees, approximately \$8,000 for Keller's work on Contract Administration.
UCF Line Items: 030-087-719312 (Sanitary Sewer) and 030-087-719211 (Water)
Storm Sewer Line Item: 115-170-719300
- B. **TIMING:** Based on the poor Bid Result for this current construction project, it is imperative that the Council move forward with design for the next construction phase immediately in order to be able to bid this winter.
- C. **POLICY/LEGAL:** None.

ALTERNATIVES:

- A. Negotiate directly with a contractor to get the current project done immediately.
1. This could result in high prices, and a questionable ability to actually get the work done before asphalt plants shut down for the winter.

B. Rebid the Current Project

1. Council could choose rebid the current project as it stands. This could be done either immediately (anticipating completion of the project this fall/winter) or over the winter, anticipating a construction start next spring. We anticipate completing the project this fall and achieving a good execution would not be feasible. Constructing next spring would be feasible, but would then be running parallel to the City's FY 2017-18 project.

C. Add the Current FY Project to Last FY Project and Bid over Winter

1. This option could result in a fairly large project that would be enticing to a larger number of contractors and would be bid over the winter when contractors are more eager to sign on work. We anticipate unit prices would be better and more contractors would be bidding.

RECOMMENDATION:

Staff recommends that the City Council direct CH2M to work with Keller Associates to complete the design for the FY 2017-18 project and to combine that with the current FY 2016-17 project for bid over this coming winter.

ATTACHMENTS:

- Contractors informed of project
- Planholders list

City of Ontario
Ontario Water and Sewer Main Improvements

Planholder	Contact	Mailing Address 1	Mailing Address 2	Phone	Fax	Email
AGC - Boise	Kristy Watson	1649 W. Shoreline Dr., Ste. 100	Boise, ID 83702	208-344-2531	208-343-5321	kwatson@idahoagc.org
Irminger Construction	Dan Williams	3473 N. Brookside Ln.	Boise, ID 83714	208-939-1031	208-938-4698	iccidan@gmail.com
HD Supply Waterworks - ID	Kim Brandt	3338 Commercial Court	Meridian, ID 83642	208-888-5656	208-888-9799	kim.brandt@hdsupply.com
Cascade Pipeline Corporation	John McNatt	P.O. Box 1135	Meridian, ID 83680	208-895-0286	208-898-0144	cascade@cascadepipelinecorporation.com
Anderson & Wood Const.	Shaneen Hahn	2120 E. Lanark St.	Meridian, ID 83642	208-888-7917	208-888-4945	shahn@awconst.com
Owyhee Construction, Inc.	Eddy Roberts	6336 W. Contractors, Ste. A	Boise, ID 83709	208-376-2240	208-376-0324	eddy@owyheeconstruction.com
Big Bite Excavation	Julie Schelhorn	2930 Garrity Blvd.	Nampa, ID 83687	208-466-4044		julie@bigbiteinc.com
Central Paving Inc.	Jeffrey Hannes	5040 S. Apple St. / PO Box 15010	Boise, ID 83715	208-338-0818	208-338-1329	bid@centralpaving.com
Blue Sky Construction, LLC	Steve Snead	2365 E. Columbia Rd.	Meridian, ID 83642	208-288-2092	208-288-5766	SteveSnead@bscidaho.com
Nelcon, Inc.	Michelle	P.O. Box 5370	Kalispell, MT 59903	406-756-8560	406-755-4236	michelle@nelcon.biz
Dahle Construction	Keith Mustin			208-960-4301	208-465-8895	keithm@dahleconstructionllc.com
L2 Excavation LLC	Eric Bird	2817 Brandt Ave.	Nampa, ID 83686	208-800-0330		eric@l2excavation.com
Alta Construction Inc.	Justin King	619 N. Cloverdale Rd.	Boise, ID 83713	208-853-1720	208-853-6588	jking@altaedge.com
Titan Technologies	Clifton Cox	5717 W. Albatros St.	Boise, ID 83705	208-573-2128	208-363-9531	clcox2211@msn.com
J.J. Howard	Eric Howard	5983 W. State Street, Ste. D	Boise, ID 83703	208-846-8937		erich@jjhowardeng.com
Knife River	Kevin Seely	5450 W. Gowen Rd.	Boise, ID 83709	208-362-6152	208-562-5045	kevin.seely@kniferiver.com

Plan Holder Report as of 08/24/2017 11:36:27 AM MDT**Keller Associates -Meridian**

Ontario 2017 Water and Sewer Main Improvements (eBidDoc #5301072)

Contact: Crystal Warner
 Phone: 208-288-1992
 E-mail: cwarner@kellerassociates.com
 Bid Date: 08/24/2017 11:30 AM MDT

[Help](#)

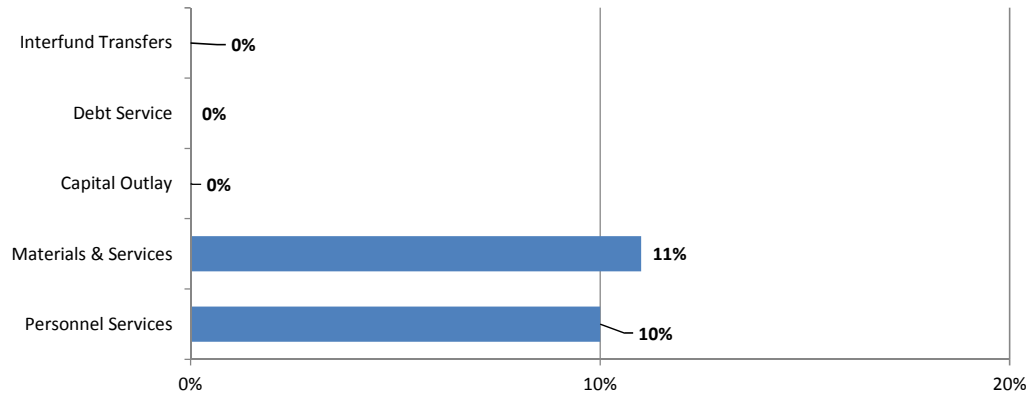
Company	Contact	Designation	Bus. Types	Entry Date	Doc Type	Comments
Anderson & Wood Construction Co. Inc. 2120 Lanark St. Meridian, ID 83642	Shaneen Hahn Phone: 208-888-7917 Fax: 208-888-4945 Email: info@awconst.com	Prime Bidder		08/10/2017	eBidDoc	
Dodge Data & Analytics 4300 Beltway Place Suite 180 Arlington, TX 76018	Melanie Yancey Phone: 8175278246 Fax: 8175278246 Email: dodge.docs@construction.com	Plan Room		08/10/2017	eBidDoc	
NWVRC PO Box 2199 Spokane, WA 99210	Dan Phone: 509-999-XXXX Fax: Email: mouchett@nwvrc.com	Supplier	MBE	08/10/2017	eBidDoc	
Keller Associates, Inc. 131 SW 5th Avenue, Suite A Meridian, ID 83642	Justin Walker Phone: 2082881992 Fax: 2082881999 Email: jwalker@kellerassociates.com	A/E Consultant		08/10/2017	Paper	
Idaho AGC 1649 W Shoreline Dr, Ste 100 Boise, ID 83702	Kelsey Fitzmaurice Phone: 208-344-2531 Fax: 208-343-5321 Email: kfitzmaurice@idahoagc.org	Plan Room	SBE	08/10/2017	CD	
City of Ontario Public Works 1551 NW 9th Street Ontario, OR 97914	Betsy Roberts, P.E. Phone: 208-383-6334 Fax: Email: Betsy.Roberts@CH2M.com	Project Owner		08/10/2017	Paper	
City of Ontario Public Works 1551 NW 9th Street Ontario, OR 97914	Dan Shepard Phone: 541-889-8572 Fax: Email: Dan.Shepard@ch2m.com	Project Owner		08/10/2017	Paper	
Blue Sky Construction 2365 E Columbia Rd Meridian, ID 83642	Steve Snead Phone: 208-288-2092 Fax: Email: stevesnead@bscidaho.com	Prime Bidder		08/14/2017	eBidDoc	
Eugene Builders Exchange PO Box 22036 2460 W 11th Ave Eugene, OR 97402	Jeremy Moritz Phone: 541-484-5331 Fax: 541-484-5884 Email: projects@ebe.org	Plan Room		08/17/2017	eBidDoc	
Contractor Plan Center 5468 SE International Way Milwaukie, OR 97222	Brie Kidwell Phone: 503-650-0148 Fax: 503-650-8273 Email: brie@contractorplancenter.com	Plan Room	WBE	08/18/2017	eBidDoc	
ConstructConnect 3825 Edwards Rd Cincinnati, OH 45209	Eric Mills Phone: 800-364-2059 Fax: 866-570-8187 Email: content@constructconnect.com	Plan Room		08/22/2017	eBidDoc	
HD Supply Waterwork 3338 Commercial Court Meridian, ID 83642	Kim Brandt Phone: 208-888-5656 Fax: 208-888-9799 Email: kim.brandt@hdsupply.com	Supplier		08/22/2017	eBidDoc	

**CITY OF ONTARIO
GENERAL FUND - DEPARTMENT EXPENSE
FOR THE PERIOD ENDED
JULY 31, 2017**

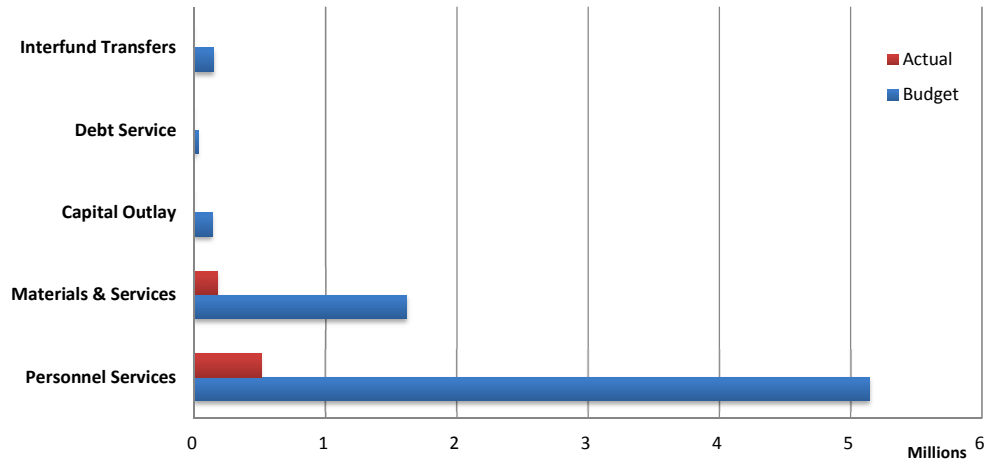
DEPARTMENT	BUDGET	ACTUAL	% EXPENDED	COMMENTS
Parks	279,252	14,169	5.1%	
Recreation	211,129	19,791	9.4%	
Parks & Recreation	490,381	33,960	6.9%	
Fire	1,512,788	117,365	7.8%	
Code Enforcement	142,829	8,917	6.2%	
Police	3,305,140	337,030	10.2%	
Police reserves	2,000	-	0.0%	
Public Safety Total	4,962,757	463,311	9.3%	
Administration	365,910	28,692	7.8%	
City Council	25,791	2,299	8.9%	
Human Resources	106,708	7,635	7.2%	
Business Registration	1,100	0	0.0%	
Cemetery	146,808	10,723	7.3%	
Finance	228,956	12,697	5.5%	Contract payment timing
Technology	110,774	8,306	7.5%	
General Government Total	986,047	70,352	7.1%	
Community development	171,751	11,824	6.9%	
Community Development	171,751	11,824	6.9%	
Administrative Overhead	331,175	98,398	29.7%	Liability insurance premium
Other Total	331,175	98,398	29.7%	
Operating Transfers Out	117,273	-	0.0%	Interfund transfers not recorded yet.
GENERAL FUND TOTALS	\$ 7,059,384	677,845.60	9.6%	
YTD BUDGET BENCHMARK			8.3333%	 -1.3%

**CITY OF ONTARIO
GENERAL FUND - DEPARTMENT EXPENSE
FOR THE PERIOD ENDED
JULY 31, 2017**

% Expended by Category



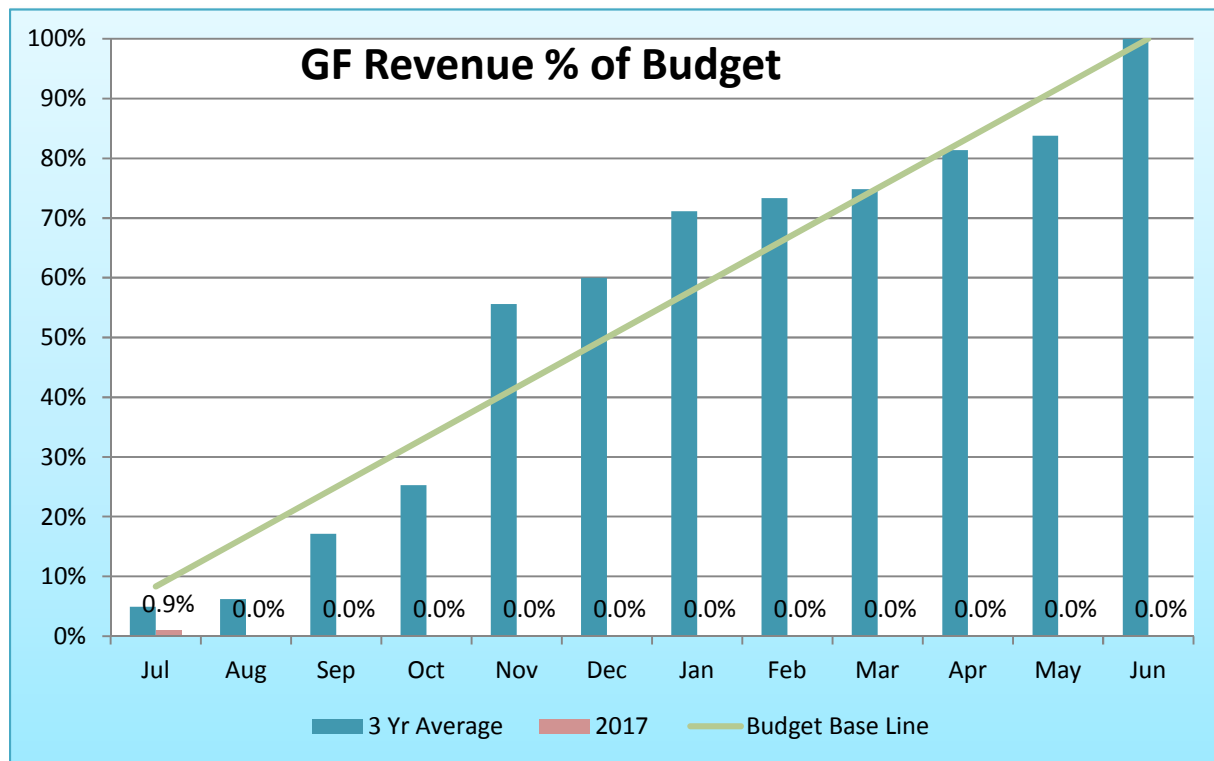
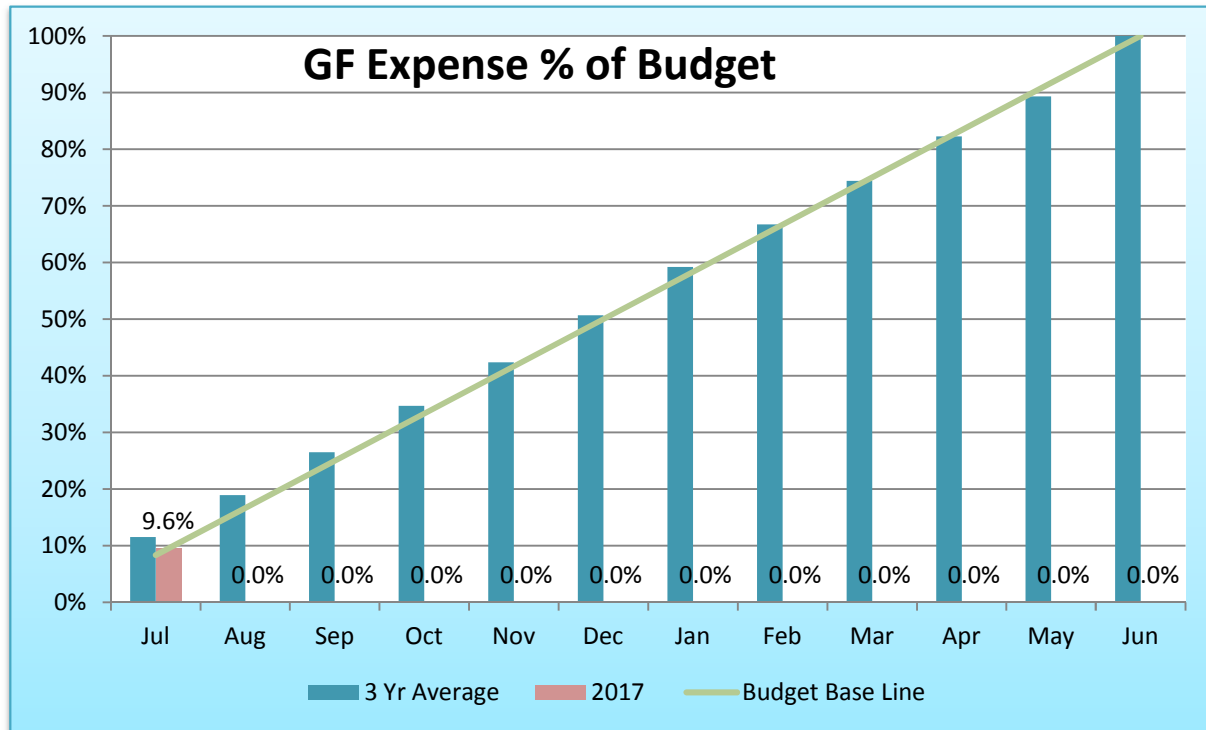
Budget to Actual by Category



**CITY OF ONTARIO
GENERAL FUND - DEPARTMENT REVENUE
FOR THE PERIOD ENDED
JULY 31, 2017**

DEPARTMENT	BUDGET	ACTUAL	% REALIZED	COMMENTS
GENERAL FUND BEGINNING FUND BALANCE	2,350,000	0	0.0%	(not calculated in totals) not recorded yet
Parks	101,900	640	0.6%	
Recreation	74,900	2,220	3.0%	
Parks & Recreation	176,800	2,860	1.6%	
Fire	133,622	-	0.0%	
Code Enforcement	10,998	1,026	9.3%	
Police	202,475	1,398	0.7%	
Public Safety Total	347,095	2,424	0.7%	
Interest	20,000	2,812	14.1%	higher interest rate than prior year
State Revenue Sharing	128,500	-	0.0%	Quarterly payments
Administrative Services	497,149	41,429	8.3%	
Other General Revenues	12,055	374	3.1%	Less Misc. revenue
Property Taxes	3,395,459	23,058	0.7%	P. taxes are due in November
Alcohol Bvg License & Fee	173,500	250	0.1%	Quarterly payments
Cigarette tax	14,530	-	0.0%	State slow on payments
Franchise Fees	1,634,300	-	0.0%	Quarterly payments
Business Registration	1,700	75	4.4%	
Cemetery	45,500	6,075	13.4%	
General Government Total	5,922,693	74,073	1.3%	
P&Z Hearings	1,500	145	9.7%	
Community development	1,500	145	9.7%	
GENERAL FUND REVENUE TOTALS	\$ 6,448,088	\$ 79,502	1.2%	
YTD BUDGET BENCHMARK			8.3%	 -7.1%

**CITY OF ONTARIO
GENERAL FUND
FOR THE PERIOD ENDED
JULY 31, 2017**



**CITY OF ONTARIO
OTHER FUNDS - DEPARTMENT EXPENSES AND REVENUE
FOR THE PERIOD ENDED
JULY 31, 2017**

DEPARTMENT/FUND	EXPENDITURES				REVENUES		
	BUDGET	ACTUAL	% EXPENDED		BUDGET	ACTUAL	% REALIZED
005 Golf Course Fund	803	-	0.0%		803	-	0.0%
010 Grant Fund	886,609	-	0.0%		895,719	-	0.0%
027 Building Fund	188,420	7,214	3.8%		188,600	27,133	14.4%
030 Capital Projects Fund	524,923	-	0.0%		3,343,956	43,858	1.3%
031 SDC Fund	202,001	-	0.0%		202,001	16,612	8.2%
035 Debt Service Fund	61,433	-	0.0%		142,330	2,572	1.8%
045 Street Fund	2,160,861	156,711	7.3%		2,160,861	34,801	1.6%
050 Trust Funds	586,072	46,445	7.9%		741,012	2,900	0.4%
055 Reserve Funds	383,810	-	0.0%		1,959,484	8,208	0.4%
060 Revolving Loan Fund	516,977	-	0.0%		516,977	2,311	0.4%
065 Aquatic Donation Fund	25,814	-	0.0%		25,814	-	0.0%
105 Water Fund	3,274,297	238,709	7.3%		4,054,788	294,249	7.3%
110 Sewer Fund	3,554,390	387,822	10.9%		4,313,783	262,661	6.1%
115 Storm Sewer Fund	211,795	9,840	4.6%		599,123	9,122	1.5%
120 Airport Fund	85,255	4,413	5.2%		85,255	39,164	45.9%
125 Aquatic Fund	623,297	-	0.0%		623,297	-	0.0%
YTD BUDGET BENCHMARK				8.3%			



9/7/2017

Fire Department

**Third Quarter
Summer Report**

Fire Chief

Terry Leighton

The logo features the word "ONTARIO" in large, green, 3D block letters with a blue outline. Below it, the phrase "Where Oregon Begins..." is written in a yellow, cursive-style font. The text is set against a background of a stylized sun with rays and a blue star.

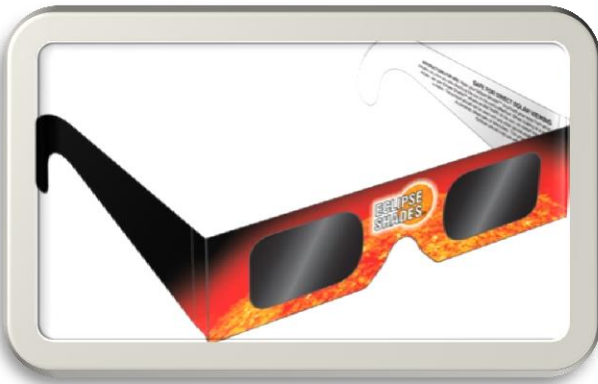


WHERE:
Path is indicated on
the map

ONTARIO:
1 min 30 sec of view
time







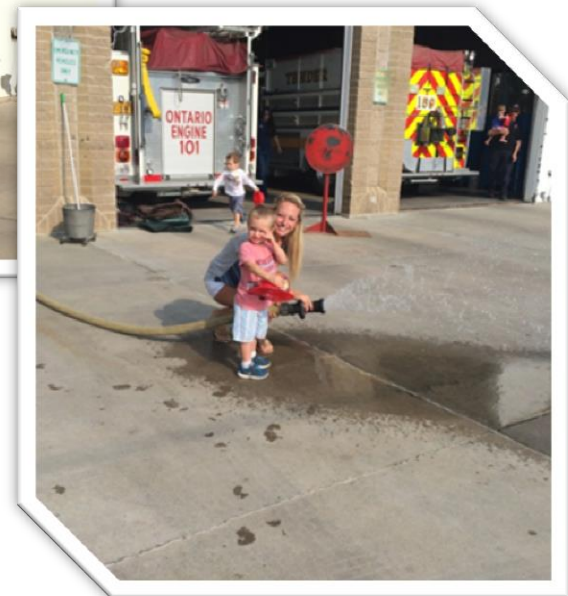
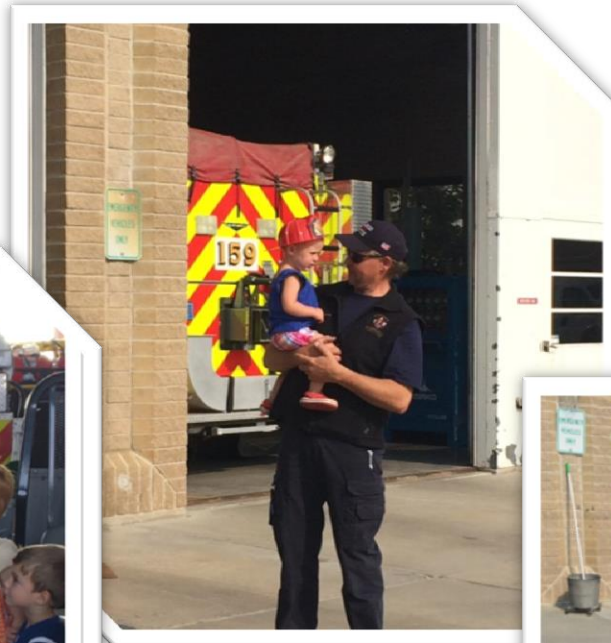


Training



Summer 2017

This is why we do what we do.



Spring Training and Public Education



EVERYDAY IS A TRAINING DAY!

○ 504

- Man hours of training for the career and volunteer staff

○ 170

- Students educated in fire safety during field trips or summer school or rec center camps

13 Structure Fires



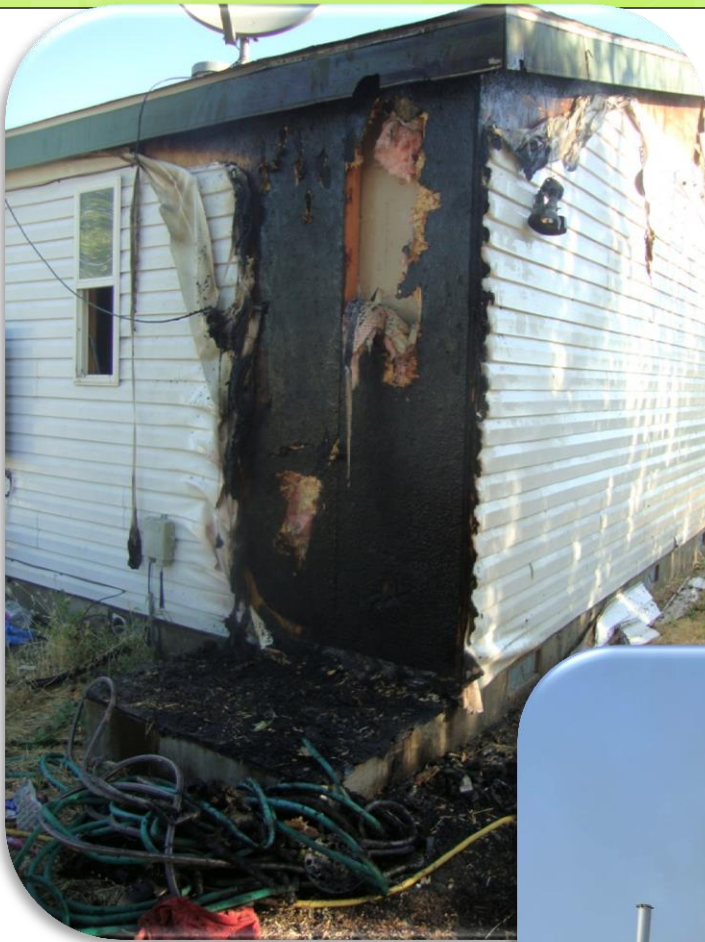
6 Rural

7 City



Summer 2017

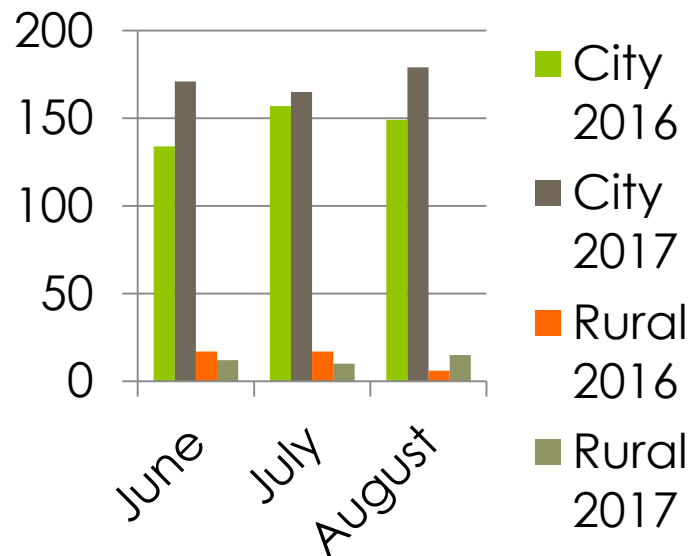




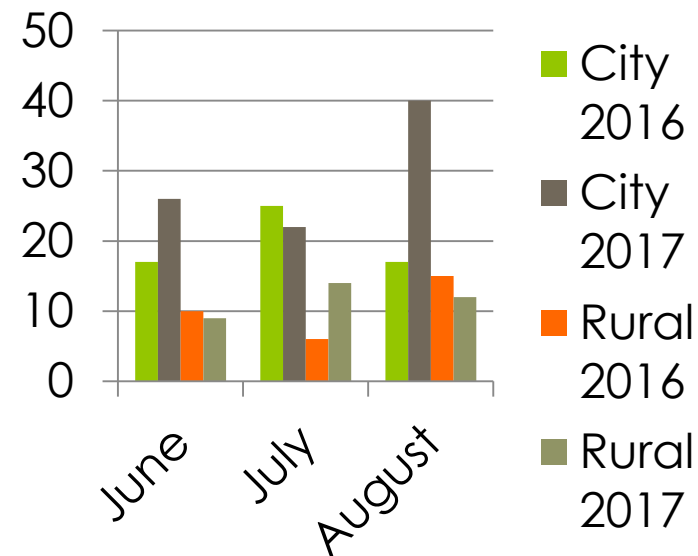
Medical and Fire Calls



Medical



Fire



It's all about the people



Welcome
to the
Family

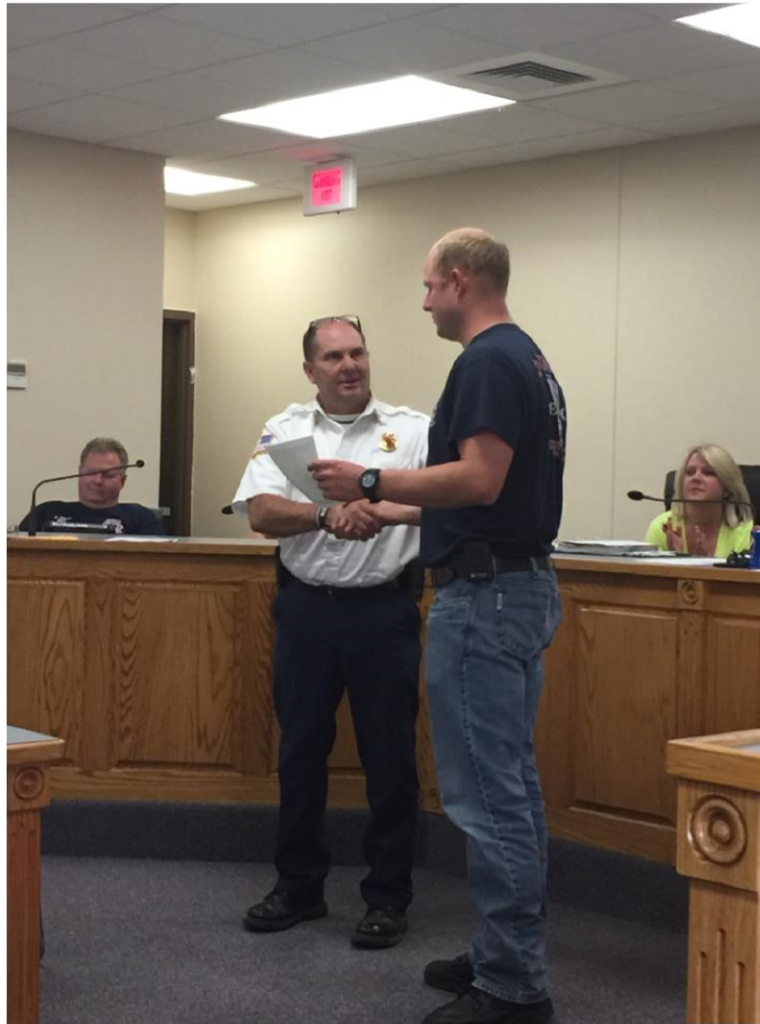


Jonathan Rico
July 1st, 2017



Caitlin Cruickshank
May 15th, 2017

Summer 2017



**Congratulations to:
Jordan Watts
Jonathan Rico
Dalton Fenstemacher**

**For completion of Oregon's
Firefighter 1**



Teamwork

Summer 2017

Healthy Project

Workout Winners



1. Clint Benson 18.5 hours

2. Mark Saito 8.5 hours

3. Frank Grimaldo 3.75 hours

Clint will receive a prize for his effort.
Next tallying of the hours will conclude
at the end of September. May the
"hours" be ever in your favor...



Nutritional Counseling provided by Caitlin Cruickshank

Mud Fest: 2nd Place



Summer 2017

Caitlin, Gavin, Jonathan, Allen, Brooke & Brett

Light It Up 5K Run



**Brett Leavitt, Reyes Romayor, Olee Shell,
Caitlin Cruickshank & Clint Benson**



Summer 2017



MDA Camp

2nd Annual Water Fest
@ Aquatic Center



Summer 2017



Buckaroo Supper

**AMAZING
VOLUNTEER EFFORT**



**Raised \$8,750.00 for
Muscle Dystrophy**



Fill the Boot



9/7/2017

Recreation Department Quarterly Presentation



Debbie Jeffries
Recreation Manager

Mallory Mallea
Program Coordinator



Mariah Buthman
Arts & Crafts Instructor P/T

Summer Gonzalez
Art's & Crafts Instructor P/T



Seasonal Staff
Officials, Field Prep,
Volunteers (Sport Coaches, Arts & Crafts) etc.

Parks & Recreation Board Members



- Greg Herrera--Chairperson
- Jeremy Roberts
- Eric Evans
- Shay Meskill
- BreAnna McLean
- Juan Lopez
- Alfredo Rodriguez
- Ex-Officio – Ramon Palomo



Community Partners & Beyond

Ontario School District:

- ✓ Use of facilities for softball practice, football practice and flag football

Boys & Girls Club (Ontario):

- ✓ Sent about 20 kids to Gridiron Dreams
- ✓ Use of soccer field

Community Partners & Beyond



NFL Flag Football-
Powered by USA
Football:

- ✓ Jerseys
- ✓ Equipment
- ✓ Support

Four Rivers

Community School:

- ✓ Use of soccer fields
- ✓ Use of gym

TVCC:

- ✓ Use of Girls softball fields

Community Partners & Beyond



Challenger Sports:

- ✓ Summer youth soccer camp

Ontario Youth Baseball:

- ✓ Help with registration

Ontario Community Library

- ✓ Summer Reading Program

Community Partners & Beyond



Guild Mortgage
Kara Currey

- \$ 500.00 donation
for Youth Sports
Scholarships

Community Partners & Beyond



Payette County Recreation:

- ✓ Girls softball games in the U-11/U-14 age groups



- ## Citizens on Patrol:
- ✓ Use of Recreation building for monthly meetings
 - ✓ Volunteered to help with fishing day

Community Partners & Beyond

Ontario Public Safety:
✓ Field Trips



Community Partners & Beyond



Four Rivers Cultural Center:
✓ Field Trip



Community Partners & Beyond



Malheur County Fair:

- ✓ Fair booth
- ✓ "Bales, Pails, and Wagging Tails"



Community Partners & Beyond



Girl's Softball 2017 Sponsors:

- ✓ Children's Dentistry
- ✓ Partner's Produce
- ✓ Ontario Bearing & Hydraulic
- ✓ Graphix Wear
- ✓ North Verde Auto Salvage
- ✓ Growing Up Strong Daycare
- ✓ Nichols Accounting
- ✓ Coley Glass
- ✓ Gressley Farms

**Total
Donations:**

\$1,620

Quarterly Report

Community Partners & Beyond



Gridiron Dreams:

- ✓ Football camp
- ✓ Payette/Boise
- ✓ Help with registration





Summer Sports- Events and Classes



Youth Track and Field Meets:



Quarterly Report

Summer Sports- Events and Classes



Pickleball:



Tennis:



Pickleball



Summer Sports- Events and Classes



Art's & Crafts Classes:



Summer Sports- Events and Classes



NFL Flag Football:



Summer Sports- Events and Classes

Challenger Soccer Camp:



Summer Sports and Event Participation:

768 Customers

Recreation Financials 2016-2017 Fiscal Year



Revenue

Budget	Actual	Realized
71,400	78,882	111 %

Expense

Budget	Actual	Expended
208,562	208,638	101 %

June, July, August Revenue Comparison 2016-2017:

June, July, August 2016:
\$20,883

June, July, August 2017:
\$20,425

Future City Council



Upcoming Recreation Events:

**Ontario Recreation Department
745 SW 3rd AVE. Ontario, OR 97914
(541) 881-3260
Fall - Winter – Spring
2016 – 2017**

Youth Fall Soccer

Boys and Girls in grades 1st – 8th, \$ 25.00 (In City Limits) and \$ 30.00 (Out of City Limits)

Registration Dates Now – August 24, 2016. Jersey fee \$ 22.00 – unless you have a jersey from last year.

Ontario Recreation Youth Tackle Football

Boys and Girls 5th and 6th Grade, Tackle Football \$ 55.00 (In City Limits) and \$ 60.00 (Out of City Limits)

Registration Dates: Now – August 28, 2017

We update the city webpage frequently!



Find us and follow us on Facebook!



09/07/2017

Code Enforcement

Civil Penalties:
Progress Update

Progress Report



Task	% Complete
Hearing Officer Definition	100%
Derelict Properties Definition/Process	100%
Penalty Matrix Table	100%
Forms	100%
Title 11 Addition/Admin Rules	90%
Title 7 Additions/Amend/Delete	70%
Review Process (Legal, CM, Finance)	20%

Hearings Officer



ONTARIO REVISED CODE TITLE 2 CHAPTER 15

2.15.1 Office of Hearings Officer Created; Qualifications; Duties and Powers

(a) There is hereby created the position of Hearings Officer. The City Council shall appoint one or more qualified persons to serve as Hearings Officer, who shall serve at the pleasure of the City Council. The Hearings Officer shall have the authority to hear any matter committed to the Hearings Officer by the Ontario Revised Code, or referred to the Hearings Officer by the City Council.

(b) Hearings Officers shall have the power to conduct quasi-judicial hearings, to serve as the expedited land division referee, to administer oaths or affirmations, to serve as a special master and make findings of fact in matters referred by the City Council, to prepare a record of quasi-judicial proceedings, and to make findings of fact and conclusions of law in all quasi-judicial proceedings heard by the Hearings Officer.

Derelict Properties



DERELICT STRUCTURES

7.5.1. Derelict Structures Prohibited. Derelict structures on any premises are hereby declared to be a public nuisance.

Chapter 5 - DERELICT STRUCTURES

7.5.1 Derelict Structures Prohibited

7.5.2 Order to Vacate Buildings or Structures

7.5.3 Prohibited Habitation

7.5.6 Removal of Placard Prohibited

7.5.7 Temporary Safeguards

7.5.8. Derelict Structure Registration

7.5.9 Derelict Structure Fees

7.5.10 Abatement of Derelict Structure by Remediation

7.5.11 Failure to Follow Order for Remediation of Derelict Structure

Penalty Matrix Table



Penalty Matrix
ORC TITLE 11
CSD # [REDACTED] Invoice # [REDACTED]
VIOLATION OF ORC



Gravity or Magnitude of Violation/s
Potential for Harm or Impact to the Community

Other Factors	<u>Minor</u>	<u>Moderate</u>	<u>Major</u>
Total			
0 - .5	\$100.00	\$ 200.00	\$ 300.00
1 - 1.5	\$200.00	\$ 350.00	\$ 600.00
2 - 2.5	\$300.00	\$ 500.00	\$1,000.00
3 - 3.5	\$425.00	\$ 800.00	\$1,500.00
4 +	\$500.00	\$1,000.00	\$2,000.00

To use matrix for one time penalty, assign a value to each of the four following mitigating factors. Total the four values assigned and find row that matches numerically. Then select the column that best fits the nature of the violation.

Intent: Accidental Violation (0) Negligent Act (.5) Knowing Act (1) Intentional Act (1.5)

Cooperation: Cooperative (0) Indifferent Cooperation (.5) Un-Cooperative (1)

Mitigation: Steps Taken to Correct (0) Some Action (.5) Refusal to Take Steps (1)

History: No Prior Violations (0) Prior Related Violations (.5) Prior Same Violation (1)

For daily penalty applications, follow the same steps, and use 25% of the result.
Administrator may, at his or her option, impose a penalty greater than 25% of the result of this table should specific circumstances warrant.

Minor Violation – Has no or low risk to public health, safety, or welfare.

Moderate Violation – Has potential or limited risk to public health, safety, or welfare.

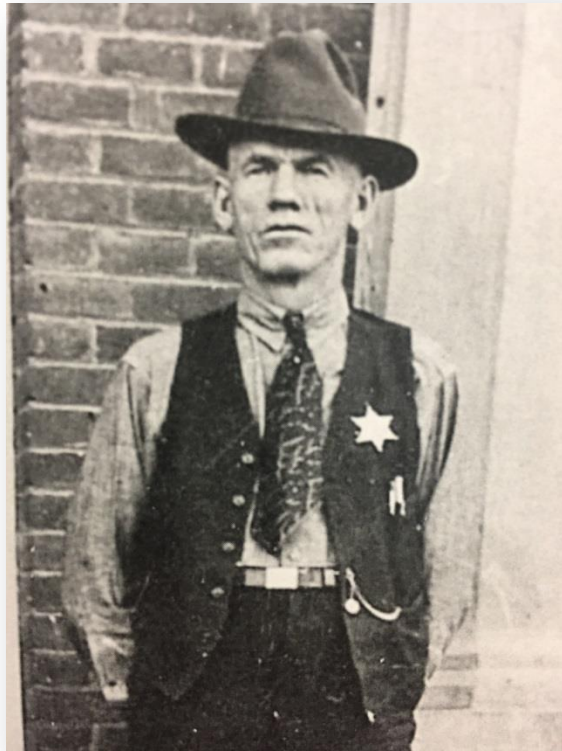
Major Violation – Has definite risk to public health, safety, or welfare.

1. Violation of:

Date Issued: [Click here to enter a date.](#)

ENFORCEMENT OFFICER SIGNATURE

Forms, Forms & More Forms





ENFORCEMENT ORDER / COMPLIANCE REQUIRED

CITY OF ONTARIO)
 COUNTY OF MALHEUR) CASE NO.
 STATE OF OREGON)

TO:

RE: Property located at:

DATE: [Click here to enter a date.](#)

THE UNDERSIGNED CERTIFIES AND SAYS THAT THE FOLLOWING PERSON:		
NAME:	TELEPHONE NO:	
MAILING ADDRESS:		
CITY:	STATE:	ZIP:
AT THE FOLLOWING PLACE WITHIN THE CORPORATE LIMITS OF THE CITY OF ONTARIO AND IN THE ABOVE-MENTIONED STATE AND COUNTY:		
ON OR ABOUT:	AT OR NEAR LOCATION:	

THE FOLLOWING ONTARIO REVISED CODE (ORC) VIOLATIONS WERE OBSERVED:	
1. Violation of ORC	Description of Violation:
2. Violation of ORC	Description of Violation:
3. Violation of ORC	Description of Violation:

COMPLIANCE REQUIRED

As the property owner and/or tenant of the property listed above, you are responsible for correcting the above-listed violations by [Click here to enter a date.](#), by 5:00 p.m.

444 SW 4TH STREET, ONTARIO OREGON 97914 – CODE ENFORCEMENT DIVISION – OFFICE: 541-881-3227

The above-listed violations may be remedied by taking the following actions:

- 1.
- 2.
- 3.

While it is the City's preference that the violations be corrected as set forth in this Enforcement Order, failure to comply may result in the issuance of a civil penalty in an amount not to exceed \$2000.00 per violation. NO MONETARY PENALTY IS BEING ASSESSED AT THIS TIME.

I SWEAR/AFFIRM UNDER APPLICABLE LAW AND UNDER PENALTIES FOR FALSE SWEARING THAT I HAVE SUFFICIENT GROUNDS TO AND DO BELIEVE THAT THE ABOVE-MENTIONED PERSON COMMITTED THE ABOVE VIOLATION(S). I HAVE ISSUED THIS ENFORCEMENT ORDER AS OF THE DATE SET FORTH BELOW.

[Click here to enter a date.](#)
 DATE ISSUED

[Choose an item.](#)
 ENFORCEMENT OFFICER OF THE CITY OF ONTARIO

RIGHT TO APPEAL

1. APPEAL RIGHTS AND PROCEDURE:

You have the right to appeal this Enforcement Order to the City of Ontario's Hearings Officer. A notice of appeal must be filed with the City Recorder within TEN (10) business days after receiving this Enforcement Order. The notice of appeal shall contain:

- (1) The name, address and telephone number of the appellant;
- (2) A copy of this Enforcement Order; and
- (3) The basis for the appeal, stating with specificity why this Enforcement Order was issued in error, based on one or more of the following:
 - (A) The Enforcement Order was issued in violation of, or is inconsistent with the Ontario Revised Code;
 - (B) The Enforcement Order was issued in violation of, or is inconsistent with a rule;
 - (C) The Enforcement Order is not supported by a factual basis; or
 - (D) The Enforcement Order is in violation of other applicable federal, state or local law.

The notice of appeal SHALL be accompanied by an appeal fee, as established by resolution of the Ontario City Council. The appeal fee is not refundable unless the Hearings Officer finds that this Enforcement Order was not well founded in law or fact, in which case the appeal fee shall be refunded in full.

ANY NOTICE OF APPEAL FILED AFTER THE TIME PERIOD SET FORTH ABOVE SHALL BE DISMISSED BY THE HEARINGS OFFICER AS UNTIMELY. FAILURE TO FILE A NOTICE OF APPEAL SHALL BE A WAIVER OF ALL RIGHTS TO REVIEW THIS ENFORCEMENT ORDER.

2. HEARING ON APPEAL:

Upon the filing of a notice of appeal, the Hearings Officer shall set a time, date, and place for the hearing. The date shall be not less than TWENTY (20) business days nor more than sixty (60) business days after the date the notice of appeal is filed. The Hearings Officer may postpone, continue or reschedule the hearing with the consent of all parties or upon the motion of any party for good cause shown.

3. FINALITY OF ENFORCEMENT ORDER:

This Enforcement Order shall become final upon expiration of the time for filing a notice of appeal. If a notice of appeal is timely filed, this Enforcement Order shall become final upon issuance of the Hearing Officer's decision affirming the Enforcement Order.

4. QUESTIONS:

If you have any questions about this Enforcement Order, you may contact the Community Development Department at the following address or telephone number:

ONTARIO POLICE DEPARTMENT
 CODE ENFORCEMENT DIVISION
 444 SW 4TH STREET
 ONTARIO, OR 97914
 OFFICE: 541.881.3227



NOTICE AND ASSESSMENT OF CIVIL PENALTY

CITY OF ONTARIO)
 COUNTY OF MALHEUR)
 STATE OF OREGON)

CASE/PENALTY NO. [REDACTED]

INVOICE NO. [REDACTED]

TO: (Owner/tenant and mailing address)

RE: Property located at:

DATE: [Click here to enter a date.](#)



THE UNDERSIGNED CERTIFIES AND SAYS THAT THE FOLLOWING PERSON:

NAME:		TELEPHONE NO:
MAILING ADDRESS:		
CITY:	STATE:	ZIP:
AT THE FOLLOWING PLACE WITHIN THE CORPORATE LIMITS OF THE CITY OF ONTARIO AND IN THE ABOVE-MENTIONED STATE AND COUNTY:		
ON OR ABOUT: Click here to enter a date.	AT OR NEAR LOCATION:	

DID THEN AND THERE:

1. Violate ORC [REDACTED]	Description of Violation:	Amount of Civil Penalty: \$
2. Violate ORC [REDACTED]	Description of Violation:	Amount of Civil Penalty: \$
3. Violate ORC [REDACTED]	Description of Violation:	Amount of Civil Penalty: \$

An Enforcement Order was issued to the above-named on [Click here to enter a date.](#)

Correction of the above-stated Ontario Revised Code violations was to be made by [Click here to enter a date.](#) These corrections have not been made as of the date of this Notice.

TOTAL AMOUNT OF CIVIL PENALTIES, BASED ON THE ATTACHED MATRIX, AND ASSESSED BY THIS NOTICE AND ASSESSMENT OF CIVIL PENALTY ARE: \$ [REDACTED].

I SWEAR/AFFIRM UNDER PENALTIES FOR FALSE SWEARING THAT I HAVE SUFFICIENT GROUNDS TO AND DO BELIEVE THAT THE ABOVE-MENTIONED PERSON COMMITTED THE ABOVE VIOLATION(S) AND FAILED TO CORRECT SAID VIOLATIONS WITHIN THE TIME LIMITS SET FORTH IN THE ENFORCEMENT ORDER ISSUED PREVIOUSLY AS SET FORTH ABOVE.

[Click here to enter a date.](#)
 DATE ISSUED

[Choose an item.](#)
 ENFORCEMENT OFFICER OF THE CITY OF ONTARIO

YOU HAVE THE RIGHT TO APPEAL THIS NOTICE AND ASSESSMENT OF CIVIL PENALTY TO THE CITY'S HEARINGS OFFICER

PAYMENT PROCEDURE / RIGHT TO APPEAL

1. **PAYMENT:** PAYMENT IS DUE WITHIN THIRTY (30) BUSINESS DAYS.

Payment in full of the total amount of all civil penalties assessed must be made by delivering payment, within thirty (30) business days of the date this Notice and Assessment of Civil Penalty was issued, to the following address:

CITY OF ONTARIO
 FINANCE DIVISION
 444 SW 4TH STREET
 ONTARIO, OR 97914

2. **APPEAL RIGHTS AND PROCEDURE:**

You have the right to appeal this Notice of Civil Penalty to the City of Ontario's Hearings Officer. A notice of appeal must be filed with the City Recorder **within fifteen (15) business days** after receiving this Notice. The notice of appeal shall contain:

- (1) The name and address of the appellant;
- (2) A copy of this Notice and Assessment of Civil Penalty; and
- (3) The basis for the appeal, stating with specificity:
 - (A) Why the imposition of the civil penalty is in error as the violation(s) were corrected within the time stated in the enforcement order; or
 - (B) Why the amount of the civil penalty is not supported by a factual basis based on the criteria set forth in ORC TITLE 11.

The notice of appeal SHALL be accompanied by an appeal fee, as established by resolution of the Ontario City Council. The appeal fee is not refundable unless the Hearings Officer finds that this Notice and Assessment of Civil Penalty was not well founded in law or fact, in which case the appeal fee shall be refunded in full.

ANY NOTICE OF APPEAL FILED AFTER THE TIME PERIOD SET FORTH ABOVE SHALL BE DISMISSED BY THE HEARINGS OFFICER AS UNTIMELY. FAILURE TO FILE A NOTICE OF APPEAL SHALL BE A WAIVER OF ALL RIGHT TO REVIEW THE IMPOSITION OR AMOUNT OF THE CIVIL PENALTY.

3. **HEARING ON APPEAL:**

Upon the filing of a notice of appeal, the Hearings Officer shall set a time, date, and place for a hearing. The hearing date shall be set not less than twenty (20) business days nor more than sixty (60) business days after the date the notice of appeal is filed, unless continued with the consent of all parties or upon the motion of any party for good cause shown.

4. **FINALITY OF CIVIL PENALTY:**

This Notice and Assessment of Civil Penalty shall become final upon the expiration of the time for filing an appeal. If a notice of appeal is timely filed, the civil penalty shall become final upon the issuance of the Hearing Officer's decision affirming the civil penalty.

5. **QUESTIONS:**

If you have any questions about this Notice and Assessment of Civil Penalty, you may contact the Code Enforcement Division at following address or telephone number:

ONTARIO POLICE DEPARTMENT
 CODE ENFORCEMENT DIVISION
 444 SW 4TH STREET
 ONTARIO, OREGON 97914
 TELEPHONE NUMBER: (541) 881-3227

Finance Forms

PROPERTY LIEN REQUEST

DATE: _____

INVOICE #:

CASE #:

PROPERTY ADDRESS:

PROPERTY OWNER:

Corinna,

Ontario Police Code Enforcement is requesting the outstanding ORC Title 11 Civil Penalty of *insert name* be placed on the City Lien Docket. The amount of debt is \$\$\$, originally invoiced under invoice (invoice #) on (date), has not been paid and time for appeal has lapsed. ORC authority for this action is listed below:

ORC Title 11.18. Unpaid Civil Penalties to Become Liens. If a civil penalty remains unpaid thirty calendar days after such penalty becomes final, the civil penalty shall be entered in the City lien docket. The lien shall bear interest at the legal rate, which shall commence from the date of entry in the lien docket, and may be foreclosed as provided by law.

To:

Attached to this letter is the originating Civil Penalty Notice of Assessment for this action.

Please provide me with the Lien Docket number when completed.

Please contact me with any questions or concerns.

Thank you,

Code Enforcement Officer
541.881.3227
Dallas.brockett@ontariooregon.org



ORC TITLE 11 CIVIL PENALTY INVOICE REQUEST FORM ACCOUNTS RECEIVABLE

DATE:

BILLEE NAME:

BILLING ADDRESS:

LINE 1 – PENALTY TYPE: _____

LINE 1 – PENALTY NOTATION: _____

LINE 1 – PENALTY AMOUNT: \$ _____

LINE 2 – PENALTY TYPE: _____

LINE 2 – PENALTY NOTATION: _____

LINE 2 – PENALTY AMOUNT: \$ _____

LINE 3 – PENALTY TYPE: _____

LINE 3 – PENALTY NOTATION: _____

LINE 3 – PENALTY AMOUNT: \$ _____

LINE 4 – PENALTY TYPE: _____

LINE 4 – PENALTY NOTATION: _____

LINE 4 – PENALTY AMOUNT: \$ _____

TOTAL AMOUNT OF CIVIL PENALTY: \$ _____

PAYMENT DUE DATE: _____

CODE COMPLIANCE CASE NUMBER:

AUTHORIZED BY: _____

CODE ENFORCEMENT OFFICER

Create Additional Title (11)

**ONTARIO REVISED CODE
TITLE 11
ADMINISTRATIVE RULE MAKING
AND CONTESTED CASE PROCEDURES**



- 11.1 Scope
- 11.2. Definitions
- 11.3. Administrative Rulemaking Authority
- 11.4. Notice of Rulemaking
- 11.5. Opportunity for Comment
- 11.6. Temporary and Emergency Rules
- 11.7. Basis and Validity for Rule; Publication of Rules
- 11.8. Council Review of Administrative Rules
- 11.9. Initiation of Enforcement
- 11.10. Delivery of Enforcement Order
- 11.11. Appeal from Enforcement Order
- 11.12. Effective Date; Finality
- 11.13. Alternative Dispute Resolution
- 11.14. Imposition of Civil Penalty
- 11.15. Criteria for Imposition of Civil Penalty
- 11.16. Notice
- 11.17. Effective Date; Finality
- 11.18. Unpaid Civil Penalties to Become Liens
- 11.19. Appeal from Imposition of Civil Penalty
- 11.20. New and Renewal License and Permit Applications
- 11.21. Notice
- 11.22. Appeals of Denials of New or Renewed Licenses or Permits
- 11.23. Emergency License or Permit Suspension or Revocation
- 11.24. Adoption of Rules for Contested Case Proceedings
- 11.25. Setting Hearings
- 11.26. Notice of Hearing
- 11.27. Stay of Enforcement Order
- 11.28. Informal Resolution
- 11.29. Subpoenas
- 11.30. Discovery
- 11.31. Late Filing of Documents
- 11.32. Prehearing Notice
- 11.33. Hearings Procedure
- 11.34. Rules of Evidence
- 11.35. Transmittal of Questions to the Enforcement Officer
- 11.36. Exclusion of Witnesses; Removal of Disruptive Individuals
- 11.37. Record
- 11.38. Final Order
- 11.39. Default; Requests to Set Aside Default
- 11.40. Reconsideration or Rehearing
- 11.41. Remedies
- 11.42. Appeal of Hearings Officer's Decision or Order
- 11.43. Enforcement

Title 7: Add, Delete, Amend

ONTARIO REVISED CODE TITLE 7 PROPERTY MAINTENANCE HEALTH AND SANITATION



Chapter 1 - GENERAL PROVISIONS

- 7.1.1 Short Title
- 7.1.2. Purpose
- 7.1.3. Scope
- 7.1.4 Intent
- 7.1.5 Definitions; Rules of Construction
- 7.1.6 Severability
- 7.1.7 Application of Other Codes
- 7.1.8 Saving Clause
- 7.1.9 Coordination of Enforcement
- 7.1.10 Responsibility
- 7.1.11 Modifications
- 7.1.12 Failure to Obey Order of Health Officer

Chapter 2 - MAINTENANCE AND REPAIRS

- 7.2.1. Required Maintenance
- 7.2.2 Skilled Work Required

Chapter 3 - JUNK

- 7.3.1 Outside Storage Prohibited
- 7.3.2 Keeping Junk Prohibited
- 7.3.3 Abatement of Junk Motor Vehicles

Chapter 4 - GENERAL EXTERIOR BUILDING AND STRUCTURE MAINTENANCE

- 7.4.1 General
- 7.4.2 Exterior Surfaces
- 7.4.3 Street Numbers
- 7.4.5 Foundation Walls
- 7.4.6 Exterior Walls
- 7.4.7 Roofs and Drainage
- 7.4.8 Decorative Features
- 7.4.9 Windows and Doors
- 7.4.10 Glazing
- 7.4.11 Accessory Structures

Chapter 5 - DERELICT STRUCTURES

- 7.5.1 Derelict Structures Prohibited
- 7.5.2 Order to Vacate Buildings or Structures
- 7.5.3 Prohibited Habitation
- 7.5.6 Removal of Placard Prohibited
- 7.5.7 Temporary Safeguards
- 7.5.8. Derelict Structure Registration
- 7.5.9 Derelict Structure Fees
- 7.5.10 Abatement of Derelict Structure by Remediation
- 7.5.11 Failure to Follow Order for Remediation of Derelict Structure

Chapter 6 - MISCELLANEOUS VIOLATIONS

- 7.6.1 Pest Infestation Prohibited
- 7.6.2 Noxious Vegetation Prohibited
- 7.6.3 Keeping of Chickens

Chapter 7 - PUBLIC NUISANCES

- 7.7.1 Public Nuisance Prohibited
- 7.7.2 Public Nuisances
- 7.7.3 Notice to Person Responsible
- 7.7.4 Form of Notice
- 7.7.5 Effective Date of Notice
- 7.7.6 Method of Service
- 7.7.7 Recording a Violation
- 7.7.8 Abatement Procedures - Joint Responsibility
- 7.7.9 Abatement Procedures - By the City
- 7.7.10 Abatement Procedures - Assessment of Costs
- 7.7.11 Abatement Procedures - Summary Abatement
- 7.7.12 Collections

Chapter 8 - GRAFFITI

- 7.8.1 Definitions
- 7.8.2 Graffiti Prohibited
- 7.8.3 Possession of graffiti implement prohibited
- 7.8.4 Violation of chapter
- 7.8.5 Graffiti removal required
- 7.8.6 Graffiti notice to remove
- 7.8.7 City Abatement Option
- 7.8.8 Community Service
- 7.8.9 Parental Responsibility
- 7.8.10 Parental civil liability
- 7.8.11 Seizure impoundment
- 7.8.12 Severability

Chapter 9 - PENALTIES

- 7.9.1 Violations
- 7.9.2 Receivership Authority

Questions/Comments?





City of Ontario
POLICE DEPARTMENT
Office of the Chief
443 W 4th Street
Ontario, OR 97914

To: Ontario City Council
Re: Department Statistics for July 2017

Activity	Month of July	Previous Month	Year to Date	Prior Year to Date
Calls for Service	1043	1014	6435	5960
Traffic Stops	209	125	831	754
Cited Traffic/Parking	130	115	704	522
Motor Vehicle Crashes	41	43	305	219
Arrests	77	85	463	529
Arrests w/ Use of Force	2	0	7	11
Citizen Complaints	0	0	0	0
Task Force Cases	1	1	23	21
SRO Cases	53	109	412	140
Gang Related Cases	31	15	81	29
Gang Designations	0	0	1	0
Graffiti	31	7	72	50
Death Investigations	2	1	9	12
Burglary	10	10	73	86
Robbery	2	1	5	2
Larceny	35	26	359	397
Assault	13	9	120	52
Homicide	0	0	2	0
Sex Crimes	2	1	8	8
Alarms	32	26	187	133
Ordinance Cases Total	137	127	836	885



ONTARIO POLICE DEPARTMENT

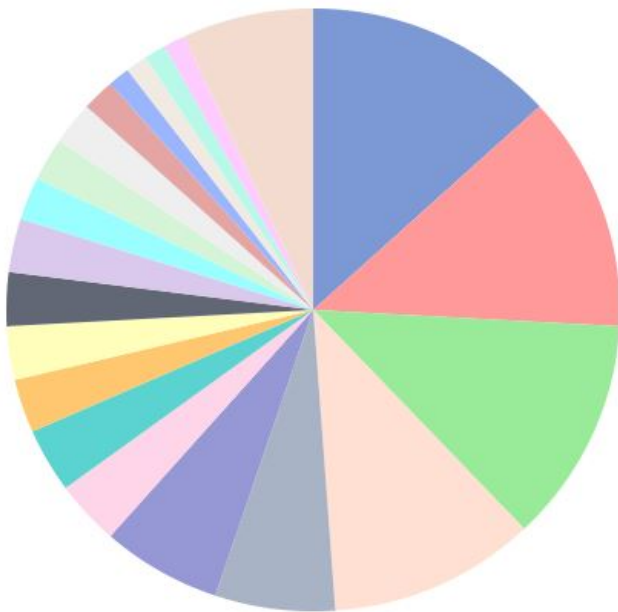
444 SW 4TH STREET, ONTARIO, OR 97914

OFFICE: (541) 889-7684 DISPATCH: (541) 473-5125 FAX: (541) 889-3026

Code Enforcement Stats JULY 2017

Open Date From:
Open Date To:

07/01/2017
07/31/2017



Violations by Violation Type		
Weeds	23	13.2%
Parking over 72 hours ? Abandoned Vehicle	22	12.6%
Public nuisance	21	12.1%
Dog running at large	19	10.9%
Graffiti prohibited	11	6.3%
Prohibited parking and stopping	11	6.3%
AniCare Transport	6	3.4%
Animal Neglect II	6	3.4%
Debris	5	2.9%
Dog license required; No dog license	5	2.9%
Parking Complaint	5	2.9%
Storage of Junk	5	2.9%
Storage of Motor Vehicles or Parts	4	2.3%
Patrol Assist	4	2.3%
Animal Complaint	4	2.3%
Animals at large	3	1.7%
Attractive Nuisance	2	1.1%
Cruelty to animals	2	1.1%
Accumulation of Garbage	2	1.1%
Iceboxes and Other Containers	2	1.1%
All Others	12	6.9%

Total Violations	176
Total Cases	137
Garbage	2
Dogs running at large	19
Dogs taken to Ani-Care	6
Junk	5



August 2017 ACTIVITY REPORT

Emergency Medical:

(Types of medical calls responded to: Falls with injury, fall lift assists, medical emergencies, medical alarms, assaults, etc.)

CITY	179
RURAL	15

4 of these emergency calls required back-up crews to be called in to respond to 2nd call.

Hazmat Team Calls:

0

Fire Related Emergency Calls:

(Types of fire related calls responded to: Rescue calls, building fires, vehicle fires, smoke detector/fire alarm activation, unauthorized burning, etc.)

	TOTAL	General	Mutual Aid
CITY	40	5	0
RURAL	12	4	0

TOTAL CALLS FOR MONTH

CITY	219
RURAL	27

FIREFIGHTER TRAINING:

7/25/17 Search and Rescue Denver Drill

8/1/17 Splinting and Immobilization practical's

8/7/17 Leader ship in the fire service

8/15/17 Aerial operations and master streams

8/16/17 Elevator operations at St Al's

8/22/17 Forcible entry and ventilation drills

8/23/17 Risk management for personnel and the community

PERMITS ISSUED:

Burn Ban in Effect

City Open Burns 0

City Burn Barrels 0

Rural Open Burns 0

Rural Burn Barrels 0

AG Burns 3

INSPECTIONS:

08/24/Ontario Alternative High School

08/24 Recycle Center

8/24 Starbucks Coffee

8/25 St Al's Health Plaza

SCHOOL VISITS:

STATION TOURS:

Ontario recreation summer camp visited and had lunch together

COMMUNITY INVOLVEMENT:

8/1 Interview and counseling with Juvenile fire setter.

8/6 Farm worker appreciation day in the park

8/10/ MDA camp with the kids

8/10 Interview and counseling with Juvenile fire setter.

8/26 Water fest @ Lions park

8/26 Ontario Light it up fun run

2017 Solar Eclipse

8/17-22 Teleconferences with State of Oregon emergency management team on eclipse. Daily updates and planning sessions.

8/18-21 Eclipse Incident Command Post set up and operational.

Summary of Calls of Interest:

8/7/17 762/746 NW 2nd st

R1 responded to a vehicle fire and house fire at the same time at this location. Due to the nature of the call a general alarm was paged. Upon R1 arrival they were told by OPD officer Swank that this was a possible suicide and the scene was not code 4. It was reported that there was the car fire and fire at the rear of the structure and everyone was out of the structure except one and it was a possible suicide but there were guns involved. 100 arrived and assumed command and was also advised by OPD of the situation and it not being code 4. We determined it would be ok to fight the car fire and protect the exposure but not to go anywhere near the main structure until it was cleared by PD. The car fire was being attacked at first with a booster line. The fire continued to grow and progress was not being made with that line. The amount of fire and the difficulty extinguishing it there appeared to be an accelerant or something different than standard car combustibles. The fire was mostly contained to the passenger compartment area. Command made the decision to change tactics and attack with a 1.75 hose that has foam capability. When the greater volume of water along with the foam the fire was then contained rapidly. After investigation it appeared the heaviest burning was in the driver's side area but the whole passenger compartment area burned badly and the fire also extended somewhat into the hood area.



8/7/17 762 NW 2nd st

R1 responded to a vehicle fire and house fire at the same time at this location. Due to the nature of the call a general alarm was paged. Upon R1 arrival they were told by OPD officer Swank that this was a possible suicide and the scene was not code 4. It was reported that there was the car fire and fire at the rear of the structure and everyone was out of the structure except one and it was a possible suicide but there were guns involved. 100 arrived and assumed command and was also advised by OPD of the situation and it not being code 4. We determined it would be ok to fight the car fire and protect the exposure but not to go anywhere near the main structure until it was cleared by PD. When it was cleared we had Benson and Reeve take a 1.75 attack line down the Bravo side of the structure back to the Charlie side and attack from the exterior, they were designated Charlie division. There was a bedroom along the whole Charlie side. A four foot window was on the bravo corner and the glass was

cracked from the heat. The Charlie division cleared the window and fought what fire was in the room from that window. They also checked the attic from a gable vent on the Charlie end. Fire attack crew of LT Gammage and Fenstermacher was assigned to go inside and primary search and check for any other fire extension in the structure and the attic space. They found the inside primary to be all clear with the exception of one fatal in the Charlie bedroom. They did not enter that room; they just used the TIC and checked for hot spots from the doorway. They found light smoke inside with low heat. We set up a ppv fan on the Alpha side to clear the smoke. E103 was assigned to nurse water supply to R1 and have their crew be support. They checked exposure D on the interior and set up lights for the scene. E101 was water supply and they layed a line to 103. Part of their crew was then sent interior as fire attack. The fire was knocked down at 2:50 and units were then assigned to load their equipment to be back in service. E101 and E103 cleared and R1 remained on scene to assist with securing the scene. Due to the nature of the incident, OSP fire investigator Hagadorn and Deputy Fire Marshall Kump were called along with other investigators. The fire is still under investigation but the origin of the fire was on the bed in the Charlie bedroom. The cause to be determined.



8/11/17 1142 SW 8th ave

R-1 dispatched a fire that was out and occupant just wanted to have checked out. Single family dwelling nothing showing from the exterior, R-1 will investigate. R-1 was met on scene by home owner, she stated that her and her family arrived home to hear smoke alarms activating and a smokey house. Her granddaughter extinguished the fire located in the bathroom by splashing water on it. Which homeowner stated this caused the fire to flash and run up the dry wall. Upon further inspection, R-1 noticed that the origin of the fire originated in a bathroom vanity located above the toilet. The fire was caused by a wax candle left burning along with contents in and around the vanity. R-1 attempted to reset the smoke alarm breaker, but was unable to locate. It appeared the smoke alarms were hard wired but the smoke detectors were not operating correctly. R-1 continued by ventilating the home with a ppv fan, and continued to monitor for fire extension onto the attic. Home owner informed R-1 that they were in the process of remodeling the bathroom where the fire originated and in the process they had removed two light fixtures above the vanity and had covered up the holes with duct tape. Which during

the fire these hole burnt through and burned the duct tape. This was a cause for concern of fire extension onto the attic space. Lt. Gammage decided to request a general alarm for one engine company to respond to the scene for man power. Upon arrival officer Brett Leavitt was informed of the situation, Lt. Gammage requested one for one firefighter to make entrance into the attic and inspect for fire spread in the insulation. Firefighter D. Fenstamacher made access to the attic above the bathroom through a man hole door located above the garage. Firefighter Fenstamacher, was able to locate some smoke stained insulation, and decided to pull a section of fiber glass insulation. R-1 informed the homeowners of the findings, advised her to notify an electrician about the smoke detector malfunction. Home owner agreed and advised that she would also contact her home insurance agent

8/20/17 995 N. Oregon

R1 called for a commercial fire alarm showing zone 1 general fire. Upon arrival staff had residents outside due to the alarm. R1 went to the room with water heaters where the smoke was discovered. One water heater discovered had soot around one of the element panels. Panel was removed and a wire was discovered to be burnt and melted. The breaker for the water heater was turned off, and the administration was called to schedule repair of the water heater. Appliances were cold to touch and water heater was code 4. R1 was able to reset alarm, and it showed system normal.

8/20/17 833 Alameda

R1 called for a report of smoke at the above address. Upon arrival R1 was able to smell strong electrical plastic odor. Upon inspection the water heater was found with black soot around the top element plate. The electrical wire covering was melted and charred. When the occupant opened the door she thought there was a fire. Another occupant turned off the breaker to the water heater, at that time. Upon R1 arrival there was no smoke, only smell. With the electricity off the heater had cooled. The occupants had called the maintenance person to evaluate the damage to the water heater.



Rural structure fires

8/8/17 1235 NW 11th st

R1/ 100 responded to a large unknown type fire upon arrival R1 size up was grass fire with structure threatened. 100 arrived and assumed command asked for a general alarm. 156 with 3 members responded first to assist with grass fire. 155 responded for water supply and assist with man power. R1 crew got a pretty good knock down on the grass fire and then was assigned by command to relocate and focus on a structure that was an exposure. 156 had better access and were assigned to finish up with the grass fire portion and get a good fire line around the black area. The fire did have an exposure to a shop on an adjoining property. The property tenants stated they hired the neighbor to cut the weeds and he was in the process and then was burning them. I was not able to talk to the neighbor but I told his mother that we had a burn ban in the county and there could be fines if he burns again. I also told her he could be responsible for the damages to the neighbor's property.



8/17/17 712 Sugar ave

R1 and 100 responded to a structure fire at 712 Sugar. With the dispatch information a general alarm was called to have assistance. While enroute a large column of black smoke was visible. 100 call for a working fire and requested TVP Malheur Sheriff and utilities. Upon arrival R1 gave a size up of a fully involved mobile home with attached buildings with other structures threatened. 100 was command and assigned to be fire attack. They pulled a 1.75 line to protect the charlie structure and also a booster line to protect a small exposure and the main electrical on the bravo side. 155 arrived and we used their crew to assist with fire attack and water to supply R1. 155 crew pulled a second 1.75 line for attack and later on added 200' of 1" wild land hose. They were putting out spot fires in the corrals around the buildings. The main structure was a total loss and there was damage to the electrical supply. There was too much damage to be able to find the origin and cause. It is suspected that there may have been an electrical issue. The house has been vacant for a couple of months and a few days before some new renters to be were cleaning. The owner stated she first saw smoke and then flames at the front end of the mobile home and this is near the electrical panel. She thought she had turned the power off but the main breaker was on and the new renters said while they were working in the home the power was on.

This was an extremely hot fire and was totally lost when R1 arrived. The main concern was for the exposures and to be able to protect many goats that were in a pen nearby. The owner offered the use of a small backhoe to remove the metal roofing so that we could get to all the hot spots better. We returned to the property a few times to check on hot spots and small fires smoldering in the corrals.





July
2017

Prepared by CH2M for
CITY OF ONTARIO/PUBLIC WORKS DEPARTMENT

Monthly Business Review

PUBLIC WORKS DEPARTMENT

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FIELD SERVICES: STREETS & COLLECTION/DISTRIBUTION SUMMARY

JULY ACTIVITIES:

- Chip seal preparation along North Oregon Street, NW 2nd Avenue and NW 4th Avenue.
- Started Round No. 1 of street sweeping of the entire town.
- Built walls for Well No. 17 and started construction of the roof.
- Trimmed weeds in the city right of way.
- Weekly trash pickup on East Idaho Avenue along the Ontario Marketplace.
- Swept downtown and the underpass every Friday morning at 4 a.m.
- Installed eight sign bases for visitor info and the fairgrounds.
- Paved back the railroad crossing on SE 5th Avenue after Union Pacific Railroad raised the tracks.
- Smoothed up the rough areas of road along North Oregon Street.
- Handed out door hangers to the residents along the chip seal route a week prior to the chip seal beginning.
- Trimmed trees throughout the chip seal area.
- Installed one fire hydrant near the intersection of West Idaho Avenue and North Dorian Drive.
- Prepped the asphalt on West Idaho Avenue for an asphalt patch.
- Finished the safety chains around the lift station wet well lids and modified them to meet Oregon Occupational Safety and Health Administration regulations.
- Internal safety audit conducted from July 17 to July 19.
- Coordinated with Union Pacific Railroad regarding installation of bolts to hang banners from the railroad crossing over West Idaho Avenue.
- Participated in Eclipse preparation meetings.



Field Services Crew chip sealing NW 2nd Avenue and NW 4th Avenue.

FIELD SERVICES: STREETS & COLLECTION/DISTRIBUTION SUMMARY

JULY ACTIVITIES CONTINUED:

- Chip sealed July 25 to July 27. Put down approximately 130 tons of oil and 1,200 tons of 3/8-inch chips with only minor mechanical issues that were dealt with.
- Weekly lift station inspections completed.
- Weekly vehicle and building inspections completed.
- Purchased a new safety hoist for confined space entry and retrieval.
- 36 water services were turned on at the customer's request.
- 22 water services were shut off at the customer's request.
- 49 water services were shut off for non-payment.
- 39 water services were turned on for payment received.
- 29 water services were read only on/off at the customer's request.
- 20 water meters were changed out for not working properly.
- 14 water services were shut off for leaks at the customer's request.
- 9 water services were checked for consumption issues.



Field Services Crew chip sealing NW 2nd Avenue and NW 4th Avenue.

FIELD SERVICES: STREETS & COLLECTION/DISTRIBUTION SUMMARY

JULY ACTIVITIES CONTINUED:

- 12 water services were checked to verify still off from non-payment list.
- 5 water services were turned on and verified leak is repaired.
- 37 utility locates were completed.
- Installation of bus shelters for the Malheur Council on Aging.

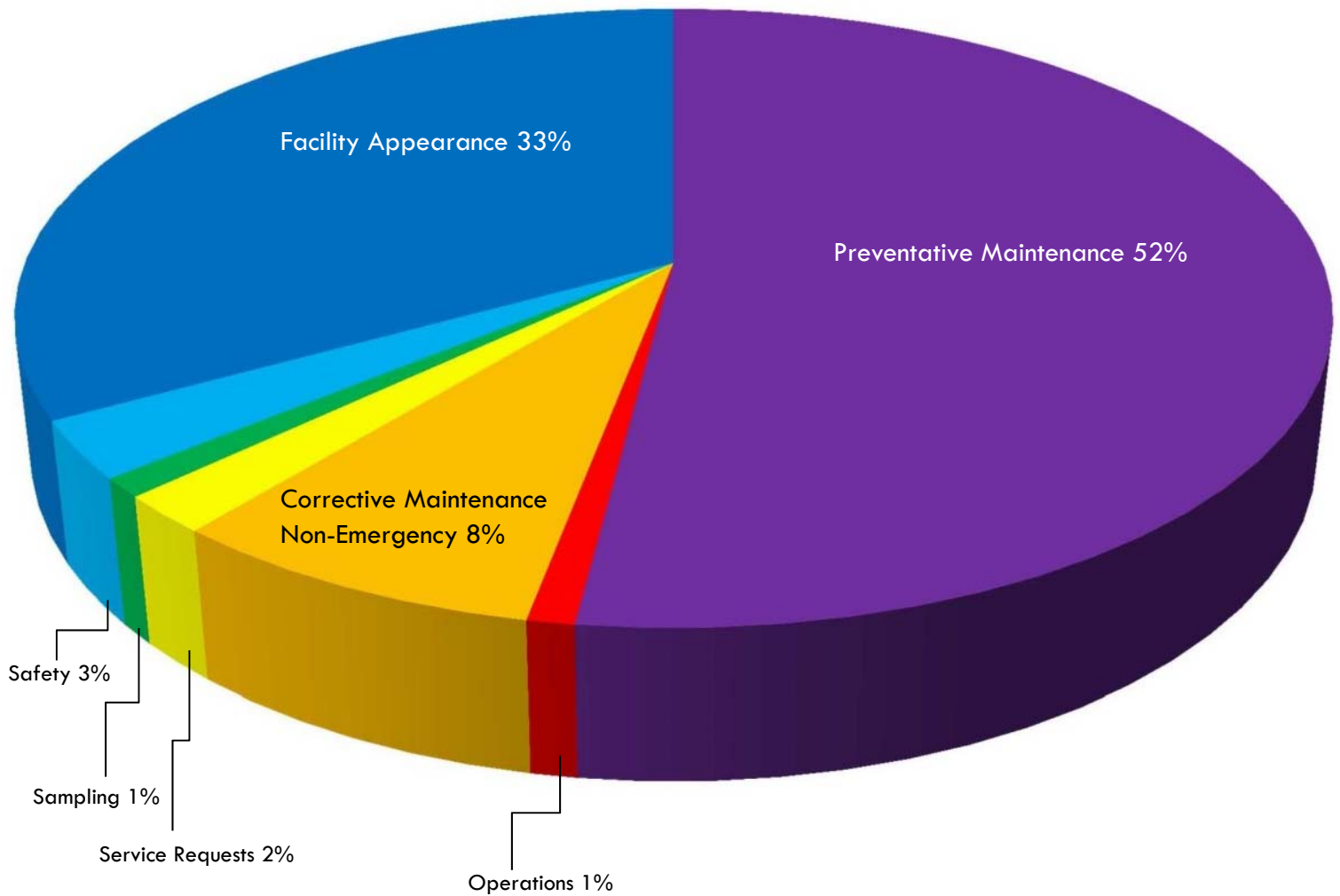


**Field Services Crew chip
sealing North Oregon
Street.**



FIELD SERVICES: STREETS & COLLECTION/DISTRIBUTION SUMMARY

July
Work Orders Actual Hours by Work Order Type



WATER TREATMENT PLANT SUMMARY

JULY ACTIVITIES:

- 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.
- Filter No. 2 off line for repairs, addressing minor sand leak in filter underdrain system.
- Heinz off line between July 3 and July 19.
- Call with Oregon Department of Environmental Quality (O-DEQ) to discuss results of sanitary review conducted by DEQ in May. Very minor modifications to system required.
- Solids removal of filter sludge stored at the Water Treatment.
- The new chemical feed system project trials continue. Systems are working as designed. We are still fine tuning.
- Clarifier #2 off line for repairs, flocculation basin flights are being repaired, flights have begun to fail due to excessive sand and mud accumulation from high water during the spring.
- Solids removal of filter sludge stored at the Water Treatment.
- Fabrication of new ladder cage locks for Eastside tanks, this will help prevent unauthorized persons climbing to the top of the tanks, this was identified as a problem on an internal sanitary survey.
- The tanks at Eastside are scheduled to be painted by in house staff this week.
- Lead and copper sampling in designated locations from customers throughout the City, This sampling is mandated by the State of Oregon.

WATER TREATMENT PLANT SUMMARY

JULY ACTIVITIES CONTINUED:



Water Treatment Plant Well No. 17 new well house wall construction.

WATER TREATMENT PLANT SUMMARY

JULY ACTIVITIES CONTINUED:



Water Treatment Plant Well No. 17 new well house construction.

WATER TREATMENT PLANT SUMMARY

JULY ACTIVITIES:



Recovery pond cleaning by Water Treatment Plant operators.

ch2m.
SM



WASTEWATER TREATMENT PLANT SUMMARY

JULY ACTIVITIES:

- Normal operations.
- Clean and fill off line chlorine contact chamber (there are 2 chambers).
- Typical housekeeping items throughout the system.
- Sprayed weeds around the property; this will continue as weather allows and on an as needed basis.
- Meeting held to discuss new National Pollutant Discharge Elimination System (NPDES) permit and prepare for a later meeting this month.
- Aerator checks and maintenance.
- Maintenance of eye wash station located at Wastewater Treatment Plant.
- Net Daily Monitoring Report submittal.



Septage Receiving Plant receiving a load.

WASTEWATER TREATMENT PLANT SUMMARY

JULY ACTIVITIES:



Cleaning chlorine contact basin No. 1 at WWTP.



Chlorine contact basin No. 2.

FACILITY MAINTENANCE SUMMARY

JULY ACTIVITIES:

- Hobson came in to work on the Heating Ventilation and Air Conditioning (HVAC) system at City Hall.
- Overhead Door came and fixed the door at Station II at the Ontario Municipal Airport.
- Grant mechanical new HVAC system at the Development Services Center.
- Repair a fan motor at HVAC system at the Wastewater Treatment Plant.



Hobson working on the HVAC system at Ontario City Hall.



Ontario Police Department investigating graffiti on the 8th Avenue Lift Station near Beck Kiwanis Park.

PARKS AND CEMETERY SUMMARY

JULY ACTIVITIES:

- There were four burials this month at Evergreen Cemetery and no burials at Sunset Cemetery.
- There were a total of 105 mowing hours in both cemeteries.
- It took 127 hours to mow all City parks.
- Bids were received on the new cameras for the restrooms at Lion's Park and Beck Kiwanis Park.
- Crews installed a new 110 electrical outlet at Moore Park.
- Portable toilets now get three cleanings a week – Monday, Wednesday and Friday at Beck Kiwanis Park and Lion's Park.
- Crews installed a new wall air conditioner for the Ontario Police at the apartments.
- Farmers Supply Co-op sprayed weeds at the former Ontario Golf Course.
- Crews replaced a water pump on the trailer used for watering the downtown flower pots.



Portable toilet vandalism at one of the parks.

ENGINEERING SUMMARY

JULY ACTIVITIES:

- Right of way permits issued: 7
- Maps printed: 12
- Preliminary development meeting for new business wanting to locate downtown.
- Worked with developer at Oregon Child Development Center on location of new fire hydrant required by new construction.
- Worked with property owner on cost of new services.
- Worked with Union Pacific on SE 5th Avenue crossing closure.
- Assisted with lead and copper survey locations.
- Working with Malheur County Environmental office on sanitary sewer connections.
- National Pollutant Discharge Elimination System (NPDES) – Continued coordination with internal team and DEQ on Schedule of Compliance.
- WTP Inspection – Attended the conference call with the DEQ regarding their previous month's inspection. Modifications required were minor.
- Council Activities - Developed and presented Staff Reports for:
 - E. Idaho Tree Replacement program in conjunction with Meadow Outdoor Advertising
 - NPDES Phase 3 Task Order which takes the City through the coming 6 months which could result in a completed permit going to public review
 - Water Treatment Plant budget increase request
- SRCI:
 - Conducted field inspections and hydraulic testing at SRCI Lower Lift Station
 - Completed review of MH's coming from SRCI
- Supported chip seal efforts
- Worked on bids for dump truck and pick-up trucks
- Annual Water Line and Sewer Line Projects – Conducted final review of design.
- Worked on City Hall counter remodel drawings.

**Water and
Wastewater
Financing
Workshop at
Treasure Valley
Community
College.**



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

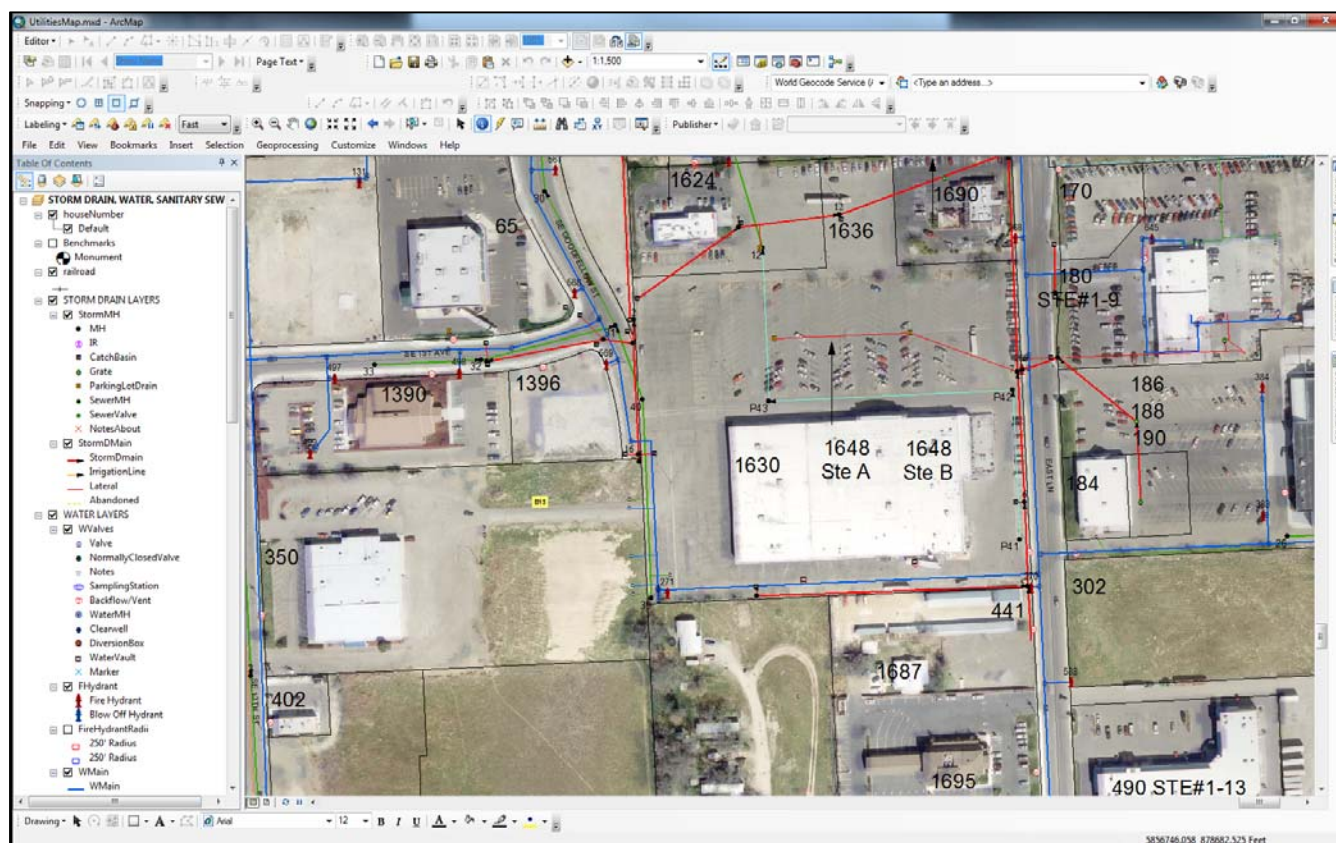
PARKS DEPARTMENT

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.



MALHEUR COUNTY COURT MINUTES

August 9, 2017

County Court met with Judge Dan Joyce presiding with Commissioner Don Hodge and Commissioner Larry Wilson present. Staff present was Administrative Officer Lorinda DuBois.

Also present was John Braese of the Malheur Enterprise and Eastern Oregon Regional Solutions Coordinator Courtney Warner Crowell.

LEGISLATIVE UPDATE

Representative Cliff Bentz met with the Court and gave a PowerPoint presentation reviewing the 2017 Legislative Session. There was a claim that the state budget will have a \$1.8 billion shortfall, even though there is an expected \$1.3 billion more in anticipated revenue in the next biennium. Issues contributing to increased costs include Medicaid, PERS, rising state employee costs, and passage of unfunded ballot measures. The Majority Party pushed to raise taxes; the Minority Party said we will talk about revenue reform after there is discussion about cost containment and investing in the economy. Republicans were able to stop tax increases by just one vote in both the House and Senate; there was extreme pressure from the Democrats to recruit one Republican to vote with them for the gross receipts tax. Many tax bills were introduced; only two bills that included tax increases were passed - Hospital Provider Tax, which will keep 350,000 low-income Oregonians on Medicaid; and the Transportation Package. Attempts were made to eliminate several tax credit opportunities; the Rural Medical Provider Tax Credit was extended to 2022; and the Fish Screening Tax Credit was extended to 2024.

Representative Bentz drafted 83 bills (of these 83 bills, at minimum two-thirds were requested by constituents); 40 were introduced; 17 were scheduled for a hearing; and 4 were signed into law.

A number of bills relating to water issues were stopped; additional funds were allocated to ODFW for Sage Grouse Conservation activities; and a mining bill that will help open mining opportunities in the state passed. The self-serve gasoline legislation was expanded and now allows for 24-hour self-serve in low-population counties (if there is a convenience store at the fueling station then staff are required to pump the gas ,if requested, from 6

a.m. to 6 p.m.). There are many rural areas that have limited fueling stations and access to gas is vital.

County Counsel Stephanie Williams joined the meeting.

Several changes to the Low Carbon Fuel Standard (LCFS) were included in HB 2017 (Transportation Package). Malheur county is ranked 32nd for road conditions in the state; 50 miles of road should be chip-sealed each year and currently only 21 miles is done. ODOT is also behind on road maintenance and bridge projects. The gas tax will increase 10-cents over 7 years; title fees will increase \$24 over 5 years; and registration fees will increase \$20 over 5 years. An employee payroll tax of one-tenth of 0.01% was also implemented in HB 2017, as well as an adult bicycle tax, light vehicle dealer privilege tax, and electric/high mileage vehicle fee. The Small Cities and Counties funding will increase. The development of an intermodal facility (reload facility) in Malheur county is funded through HB 2017 and ConnectOregon. Funds generated through the employee payroll tax will be used for transit purposes; Representative Bentz expressed that he believes Malheur county has a need for bus service from Ontario, Nyssa, and Vale areas to the Caldwell, Nampa, Boise area in order to bring in a needed workforce to our area. Funding for freight mobility enhancements is for the highway from Ontario to Bend; the Court will need to weigh in with ODOT for the use of these funds. There is a chance that there could be a referendum put on the ballot in 2018 for HB 2017; but there seems to be broad support for this Transportation Package.

Other bills of interest that were passed in the session include: HB 2012 - Eastern Oregon Border Economic Development Region (a direct result of Speaker Tina Kotek's visit to Malheur county); HB 2005 - Equal Pay Act; SB 314 relating to Relief Nurseries; HB 2746 is the bottle bill increase; and SB 208 relates to charter school athletics.

Likely issues to be addressed in 2018 include: low carbon fuel standards, gross tax receipts, PERS, cap and trade, child care, sage grouse, and clean air.

Representative Bentz answered questions and was thanked for his work.

Mr. Braese left the meeting.

COMMUNITY CORRECTIONS

Community Corrections Lieutenant Debbie Hust met with the Court. Ms. Hust requested a support letter from the Court for the 2017-2019 Reinvestment Grant; grant funds are used to help fund a probation officer (PO) position; a portion of the Jail Program Coordinator position; diversion programs through the Jail and Lifeways, and to help with housing for persons being released from prison.

Lieutenant Hust also presented the IGA with Department of Corrections for the grant-in-aid funding for 2017-2019.

Commissioner Hodge moved to sign a letter of support for the Reinvestment Grant; and moved to approve Intergovernmental Agreement #5469 between the State of Oregon and Malheur County for the grant-in-aid funding. Commissioner Wilson seconded and the motion passed unanimously. See instrument #[2017-3131](#) for the letter of support. The IGA will be returned for recording.

REGIONAL SOLUTIONS COORDINATOR

Courtney Warner Crowell introduced herself to the Court. Ms. Crowell is the Eastern Oregon Regional Solutions Coordinator through the Governor's Office.

COURT MINUTES

Commissioner Wilson moved to approve Court Minutes of August 2, 2017 as written. Commissioner Hodge seconded and the motion passed unanimously.

BUDGET TRANSFER RESOLUTION

Commissioner Wilson moved to approve Resolution No. R17-34: In the Matter of Fund Transfers Under Local Budget Law ORS 294.463. Commissioner Hodge seconded and the motion passed unanimously. Funds are transferred in the Economic Development fund between Contracted Services and Technical Assistance. See instrument #[2017-3133](#)

IGA #148021 - AMENDMENT

Commissioner Wilson moved to approve Thirteenth Amendment to Oregon Health Authority 2015-2017 Intergovernmental Agreement for the Financing of Public Health Services. Commissioner Hodge seconded and the motion passed unanimously. The amendment decreases Tobacco Prevention & Education funding in the amount of \$25,500. A copy will be returned for recording.

CONTRACT TO SELL - PROVIDENT INVESTMENTS

Commissioner Wilson moved to approve Contract to Sell/Installment Agreement Pursuant to ORS 275.190 with Provident Investments LLC for Ref. #3778 purchased at the Land Sale. Commissioner Hodge seconded and the motion passed unanimously. See instrument #[2017-3132](#)

CASCADE NATURAL GAS - EASEMENT

Commissioner Wilson moved to approve Right of Way Easement to Cascade Natural Gas Corporation. Commissioner Hodge seconded and the motion passed unanimously. The document will be returned for recording by Cascade Natural Gas.

EMPLOYMENT CONTRACT - HILL

Ms. DuBois inquired if the Court was agreeable to entering into a PERS retiree employment contract with Cliff Hill for deputy services in Jordan Valley due to the recent resignation of a Jordan Valley resident deputy. The Court had no objections; Ms. Williams will draft a contract.

BOARD OF DIRECTORS FOR 501(c)(4) NON-PROFIT ECONOMIC DEVELOPMENT CORPORATION

The Court discussed persons to appoint as board members to the 501(c)(4) non-profit economic development corporation to be formed in connection with HB 2017 and the Malheur county reload facility project. Ms. Williams compiled a confidential list of suggested individuals; Economic Development Director Greg Smith has suggested the board consist of 7 members to include: one public sector representative, a minimum of two financial representatives, and agricultural representation.

Commissioner Wilson proposed: Greg Smith, Lynn Findley, John Qualls, Toni Parish, Grant Kitamura, Jim Farmer and Kay Riley.

Judge Joyce proposed: Greg Smith, Bob Kemble, Corey Maag, Toni Parish, John Qualls, Lynn Findley, Grant Kitamura, and Jim Farmer. Judge Joyce stated he did not propose anyone who lived in Idaho.

Commissioner Hodge proposed: Greg Smith, Toni Parish, Jim Farmer, Grant Kitamura, Corey Maag, and Lynn Findley; he did not have a seventh person selected but said he could support Dirk DeBoer.

Commissioner Wilson explained that the persons he received the most encouragement to appoint were Kay Riley, Grant Kitamura and Jim Farmers as these individuals represent the largest packer/shipper companies and have the most experience; additionally, they all use rail. Commissioner Wilson indicated he had no reservations about Kay Riley living in Idaho as he is an owner of Snake River Produce which is an Oregon company. Commissioner Wilson and Commissioner Hodge both thought that Corey Maag's strengths were in growing and cattle.

Commissioner Wilson moved to appoint the following to the 501(c)(4) non-profit economic development board: Greg Smith (Project Manager); Lynn Findley (Vale City Manager); John Qualls and Toni Parish (financial representatives); Grant Kitamura, Jim Farmer, and Kay Riley (shipper/packer/grower representatives); and Corey Maag as a shipper/packer/grower alternate; subject to

their acceptance. Commissioner Hodge seconded and the motion passed unanimously.

COURT ADJOURNMENT

Judge Joyce adjourned the meeting.

MALHEUR COUNTY COURT MINUTES

August 16, 2017

County Court met with Commissioner Larry Wilson and Commissioner Don Hodge present. Staff present was Surveyor/Engineer Tom Edwards, Undersheriff Travis Johnson, Treasurer/Tax Collector Jennifer Forsyth, and County Counsel Stephanie Williams.

Also present was John Braese of the Malheur Enterprise.

ORDER DESIGNATING NEWSPAPER

Treasurer/Tax Collector Jennifer Forsyth met with the Court regarding designating a newspaper for publication of the 2017 tax foreclosure list. Ms. Forsyth requested the Argus Observer be designated. Commissioner Hodge moved to authorize the publication of the 2017 tax foreclosure list in the Argus Observer as requested by Ms. Forsyth. Commissioner Wilson seconded and the motion passed. Order No. GO-08-17 In the Matter of the Designation of a Newspaper for the Publication of the 2017 Malheur County Tax Foreclosure List was signed. See instrument # [2017-3225](#)

Ms. Forsyth left the meeting.

ROAD ACCEPTANCE - PARTITION PLAT

Surveyor/Engineer Tom Edwards met with the Court and presented a road dedication on a partition plat for the Court's consideration. Commissioner Hodge moved to accept the road dedication of a portion of N Rd. F on Michael Schaffeld's Partition Plat #17-08. Commissioner Wilson seconded and the motion passed. See instrument # [2017-3223](#)

Mr. Edwards left the meeting.

SHERIFF'S OFFICE

Undersheriff Travis Johnson met with the Court and provided an update on staffing in the dispatch center. One new dispatcher was hired and will be starting work soon. A background check is being done on another applicant to possibly fill the second vacancy. It is expected that another staff member will retire by the end of this year; due to the pending retirement Undersheriff Johnson requested authorization to begin the advertising/hiring process for the pending vacancy. The Court had no objections to starting the hiring process.

Undersheriff Johnson also presented the temporary employment agreement with Cliff Hill. Commissioner Hodge moved to approve Malheur County Sheriff Deputy - employment of PERS retiree Temporary Employment Agreement with Cliff Hill. Commissioner Wilson seconded and the motion passed. The agreement terminates December 31, 2017. See instrument # ***

The Court members also visited with Undersheriff Johnson about the possibility of the County providing housing for a Jordan Valley deputy on the County owned property in Jordan Valley. Undersheriff Johnson will research the idea further.

Undersheriff Johnson left the meeting.

COURT MINUTES

Commissioner Hodge moved to approve Court Minutes of August 9, 2017 as written. Commissioner Wilson seconded and the motion passed.

ADDENDUM TO CONTRACT - GREGORY SMITH & COMPANY

Commissioner Hodge moved to approve First Addendum to Contract for Personal Services: Malheur County Economic Development Consultant/Coordinator. Commissioner Wilson seconded and the motion passed. Additional professional services are needed outside the scope of services under the original contract in order to proceed with a Malheur County reload facility project and to begin work associated with HB 2017. The addendum terminates December 31, 2017 and the additional compensation for the professional services is \$3,000 per month from August-December 2017. See instrument # [2017-3226](#)

COURT ADJOURNMENT

The meeting was adjourned.

**BOARD OF DIRECTORS**

St. Luke's – Fruitland, Idaho

August 2, 2017 ~ 7 am

Members and Guests Present – Patrick Nauman, Randy Griffin, Sandy Hemenway, Jeff Williams, Ken Bishop, Dan Cummings, Ronald Verini, Dan Greig, Melody Goodman, Laura Gross, Dennis Baughman, Annette Serrano, Cathy Yasuda, Rick LaHuis, Mike Hanigan, Andy Oyervides, Charlotte Fugate, Debbi Roeper, Tommy Ahlquist, Matthew Rabe, Larry Hogg, Alan Massey, Ed Susman, Bob Komoto, Rob Rutz, Kyle McCauley, Sean Hackett, Dawn Callahan, Amy Stalh, Karin Davis, Carolyn Wesner, and Tony Wendel
Staff: Kit Kamo, Executive Director for SREDA and Kristen Nieskens, Community Development Specialist.

1. Call the Meeting to Order: Chairman Patrick Nauman called the meeting to order at 7:03 a.m.
2. Introductions of Attendees: Chairman Nauman then thanked everyone for coming to today's meeting. Multiple communities were once again represented. All found their way today to Fruitland. We then went around the room and everyone present introduced themselves and the business or entity they were representing.
3. Approval of July 5, 2017 Board Minutes: Chairman Nauman asked if everyone had a chance to read and review the July 5, 2017 board minutes that were sent out. Chairman Nauman then asked if anyone had any questions or corrections to the minutes. Hearing none, Chairman Nauman asked for a motion to approve the minutes as emailed and presented. Dan Cummings made a motion to approve the minutes, seconded by Dan Greig. The motion passed unanimously.
4. Financial Update: Treasurer Sandy Hemenway went over in detail the financial handouts for the month of July discussing balances at the end of the month in both the checking and money market accounts, and then totals for month end. Sandy explained to the group SREDA has \$46,002.88 in our ICB checking account, \$50,571.33 in our Money Market account for a total checking and savings balance of \$96,724.21. She then reviewed the private donations received for the month and stated that SREDA has had several renewal memberships. She then reviewed expenses for the month commenting on certain ones as she presented the financial information. After Sandy's review and explanations, Chairman Nauman asked if anyone had any questions on the financial report. Hearing none, Patrick then asked for a motion to approve the treasurer's report as discussed and presented. Ken Bishop made a motion to approve the treasurer's report as printed and presented, seconded by Jeff Williams. The motion passed unanimously.
5. Bank Signature Card Update: Chairman Nauman explained the banks request to have our SREDA Executive Directors signature on the bank signature card. This is necessary so Kit can use the bank account debt card when she travels. New signature cards were present for the proper officers to sign and update. After discussion, Chairman Nauman

asked if anyone had any questions or concerns. Hearing none, Patrick then asked for a motion to approved adding Kit Kamo to our bank signature cards. Jeff Williams made a motion to approve the signature card update, seconded by Andy Oyervides. The motion passed unanimously.

6. Business/Community Update: St. Luke's – Shawn Hackett provided an update on St. Luke's Fruitland facility. Mr. Hackett stated the new facility has now been open for over two years and last year had over 87,000 patients served. Mr. Hackett then reviewed all of the various medical services available in the new facility and which procedures could be done here. It was a good update and a lot of services are offered in this facility. Mr. Hackett also explained some future goals of the hospital. A big item coming up will be the construction of a functioning Respite House.

Next Idaho candidate for Governor Mr. Tommy Ahlquist addressed the group. Mr. Ahlquist explained his background and his Idaho roots. He considers himself a business man first over his medical career which has been expansive. He has been involved with economic development in the past and has owned over 2.6 million sq. ft. of office space. Mr. Ahlquist has a unique skill set when combining his medical and businesses backgrounds. He has also completed a lot of community service work and understands this. Mr. Ahlquist believes that the great State of Idaho has some heritage. The State needs jobs to keep our kids here. Idaho leads the nation in poorness, 44th to be exact. Mr. Ahlquist then spent time discussing health insurance increases which are not good for the citizens of Idaho. Mr. Ahlquist stated the two major root caused issues facing Idaho right now are not enough jobs for our kids and health care premium increases which the citizens of the state cannot afford. Mr. Ahlquist will be a small business advocate once elected to office. Government binds businesses by creating new policy. Education is also a concern as Idaho ranks 43rd right now and this is the foundation of our local communities. Wages are very low, which is our tax base, and not enough kids to take the jobs that are available. Tired of the negativity in the State. We need hope instilled in our kids. We are in a mess today because of the Federal Government. Idaho can fix this with our health systems and insurance companies but to do so we need some medical reform and copay insurance adjustments. Mr. Ahlquist ending his discussions stating that the three big items the state needs to fix are jobs, education and health care.

7. City and Community Highlights:

City Highlights:

- a. Fruitland: Mayor Ken Bishop said that the city has been very busy recently. The mayor then discussed several projects the city is working on including the Eckhart Company project and several others. He also stated that single multi-level housing continues to increase in the city. The Crest View Park project is now nearing completion. The city's budget workshops have now been completed. They are also revisiting the city hall project looking at an upgrade or replacement the current building which is yet to be determined.

- b. Payette: Councilman Alan Massey started the Payette update and said they have been very busy with budgets right now. The city leaders have also toured several new business locations and like everyone else are getting ready for the eclipse with many events planned.
- c. Ontario: Mayor Ron Verini said the city is on an uptick. The old mall of southwest Fourth Avenue is now receiving a major infusion of cash with a couple of new tenants looking at the sight. Also, the old golf course is seeing some new life. The new revenue enhancement project, a one percent sales tax appears to be gaining support. Next the Mayor said that the Department of Veteran Affairs is looking at bringing over to Eastern Oregon a new veterans facility. Currently, Malheur County is close to 3,000 veterans and there are several more on the Idaho side of the river. We are truly are putting the awesome back to Ontario. A lot of good things are happening.

Next, Dan Cummings, the city community development director, confirmed the old mall activity with two new businesses looking to move into the building. The city and TVCC are working on a possible lease of the old golf course building to be utilized in conjunction with TVCC and Silverhawk Aviation to train pilots both for helicopter and fixed wing. They hope to start by September 2017.

St. Alphonsus Hospital Plaza had a major water leak. The water line was constructed in 1972 and it appears that a rock caused the water line to burst. The facility will now be under construction for a while. Unlike Fruitland, new housing starts in Ontario have been minimal but the city has received three so far this year. However, commercial activity has been very high.

- d. Nyssa: No one was present from the City of Nyssa so no report was given.
- e. Weiser: Larry Hogg city councilman said the city is working on the fiscal budget and hope to be done by the end of the month. SREDA was included in the line item budget. Eclipse planning continues which is a large event in Weiser. Weiser will welcome all for the event.
- f. New Plymouth: No one was present from the City of New Plymouth so no report was given.
- g. Vale: No one was present from the City of Vale so no report was given.
- h. Emmett: A report was presented stating the city is seeing an increase in the industrial park. Inside the city limits things have been slow but moving forward. Woodgrain is hiring in their new facility and this has helped the city. Inside the city limits only four building lots could be identified so the city is now looking for some possible new annexation possibilities. And remember that the Gem County fair is going on this week, so come on over!

Community Highlights:

- a. Fruitland: Dawn Callahan reported that the Fruitland Chamber luncheon will be today and it will include a State of the City address by Mayor Bishop. Local groups are also very busy planning and discussing the eclipse events.
- b. Payette: Mayor Jeff Williams discussed the boys and girls club has now reached an agreement on the parish hall and plans to open a center in Payette. Mayor Williams then discussed the Seventh Avenue railroad crossing especially for pedestrian traffic. The City leaders have been working with Union Pacific Railroad to upgrade and make this a safer place for the citizens of Payette.
- c. Ontario: Charlotte Fugate provided the update. She handed out the eclipse brochure and explained the slogan “Ontario – Put the awe in Ontario!” campaign. She also said the City has received permission to install a new banner on the railroad crossing. Revitalize Ontario has partnered with the Farmers Market and the goal is to welcome everyone to the community. It will be busy and fun.
- d. Weiser: Patrick Nauman discussed the four day events which will take place for the upcoming solar eclipse. About seventy vendors will come to the park of which around twenty will be food vendors. Currently the best estimate is that around 60,000 - 70,000 people will be in town for the weekend. They estimate that it could take from four to six hours to get from Payette to Weiser. However, please get out and attend the local weekend events, they will be fun. Also, over 100 planes will fly into the Weiser airport on the day of the event. The new RV resort lodge is moving forward will have camping sites available for the eclipse. The Riddleys Grocery Store is still settling things with their insurance company, but will rebuild either in the current location or possibly in another location.
- e. No other community highlights were given this month.

8. County Highlights:

- a. Payette County: Lara Gross, with AmeriCorps Vista, discussed food security. They will partner with local farmers for local food and produce. The first ever Pop Up Produce Market will take place this Thursday in the St. Luke’s parking lot. Also, the Purdum’s produce stand is now reopened.
 - b. Washington County: The Intrinsic Organics building is now going up and hopes to be operational this October.
 - c. Malheur County: No report was given for Malheur County as no one was present.
9. Executive Director Report: Executive Director Kit Kamo began her report by reviewing various projects as follows:

Projects – Project Vera – redeveloped and now known as Project Yes; Project W – responded to the Idaho RFP with 2 sites; Payette County BRE with 3 companies; Project Owyhee Reservoir State Airport (aka Pelican Point); Project Hunt – (formerly from last fall) submitted 2 sites and found a potential landowner willing to work with the company; Project Payette Airport Land; and continued to work on developing a US EDA Rural Development District in Region 3.

Kit attended part of the Oregon Infrastructure Financing class held in Ontario and was able to network with some federal and state partners.

Jenny Hemly, Idaho Dept. of Commerce, came out and toured with SREDA in Payette. We were joined by Councilwoman Kathy Dodson and Councilman Alan Massey, as well as city staff. We toured a number of the projects, some available land and building sites and some recreation/amenities that are available or could be available – highlights were the 40-80 acre airport city owned land. In addition, Jenny and Kit did several business retention and expansion (BRE) visits to existing businesses while in Payette County. They also met with the new Payette Chamber executive, Barbara Wilson.

Jake Reynolds, Idaho Dept. of Commerce, met with SREDA regarding our Rural Economic Development Professional Grant program. Jake has toured around the entire state meeting with each of the rural programs. The meeting was very successful. Idaho Dept. of Commerce has granted SREDA with \$20,000/year to help support the economic development person through their rural grant program. The assistance is very much appreciated!

A big thanks to Jane Padgett, Oregon Dept. of Human Services, who donated a small computer desk and great chair to SREDA. ☺ This was very much appreciated.



Kristen and John continue to work on Project Explore – involving TVCC, BLM, and Malheur County, County Road Dept., and other partners. We will be looking for grant dollars for signage, maps and brochures.

Kit & Kristen attended the Vale Chamber of Commerce meeting with guest speaker Oregon Representative Cliff Bentz. Kit also attended the Nyssa Chamber of Commerce, Ontario Chamber and the Weiser Chamber of Commerce luncheons.

Thanks to the help of an Idaho Power Education Grant, Kristen attended her 3rd and final year at the NW Community Development Institute in Boise.

Kit continued working with the Oregon Dept. of Aviation board member and staff, BLM, Malheur County and some locals to gain support for fixing the state-owned Airport at Pelican Point along the Owyhee Reservoir. A meeting had been scheduled this week to bring all the

parties together at the site to visit about what it would take to repair the runway. That meeting had to be cancelled due to air restrictions from fires near the airport.

10. Round Table Discussion:

Work Source Oregon. Ed Susman reviewed the handouts he provided to our group today. He reviewed the total eclipse handout and the band of totality. Next he reviewed the local employment and unemployment picture for Malheur County. Lastly, the regional economist, provided a handout too. Minimum wage in rural Oregon is now \$10. Ed then reviewed the last page providing an analysis for Malheur County. The ending comment was that approximately 2,700 people have left the county.

Bob Komoto said that more is happening in Ontario than the eclipse. First the Ontario Kiwanis Club's annual chicken barbeque will take place and Bob explained what projects the proceeds are given to. He then discussed the Four Rivers Cultural Center fund raiser.

Karen Davis, St. Luke's Drug Free Coalition gave an update. The group has multiple local things going on.

Cathy Yasuda with Treasure Valley Community College provided updates for the group on fall registration. A lot of local school children will be coming to campus for the eclipse events. The College will be open for business on August 21st. The Gym parking lot has been designated as a community viewing sight. Cathy then stated how excited she was for the new programs this fall which she explained.

11. Adjournment: Chairman Patrick Nauman then asked for a motion to adjourn the meeting at 8:05 a.m. A motion was made by Dan Cummings, seconded by Ken Bishop to adjourn the meeting. The motion passed unanimously.

Patrick then stated our next meeting will be held on September 6, 2017 in Weiser, ID potentially at the old Weiser Train Station at 7:00 a.m.

Calendar of Events

August 21, 2017	Total Solar ECLIPSE – enjoy!!!
September 6, 2017	SREDA Monthly Meeting – Weiser, ID Train Station
October 4, 2017	SREDA Monthly Meeting – Ontario, OR TBA
Oct.-Nov., 2017	SREDA ANNUAL Meeting – TBA
November 1, 2017	SREDA Monthly Board Meeting – Payette, ID Senior Center

**** All SREDA Monthly Meetings are open to the public****

Minutes prepared by Randy Griffin, SREDA Secretary



BOARD OF DIRECTORS
Meeting Agenda
September 6, 2017 – 7 am
Ontario City Hall - Ontario, Oregon

1. Call meeting to order Chair Patrick Nauman
2. Introduction of attendees
3. Board of Director Position Replacement – Marla Roberts
4. Approval of August 2nd minutes
5. Financial update - Sandy Hemenway, Treasurer
6. Annual Meeting – Set Date
7. City and Community Highlights
Fruitland, Payette, Ontario, Nyssa, Weiser, New Plymouth, Vale
8. County Highlights
Payette County, Washington County, & Malheur County
9. Executive Director Report
 - i. Projects & activities
10. Round Table Discussion
11. Adjourn

Calendar of EVENTS

September 6	SREDA Monthly meeting Ontario – City Hall
September 6	Meeting with Oregon Aviation Dept., BLM, County, & Numerous Pilots @ Owyhee Reservoir State Airport
September 8	8:30 am to 4:30 pm EDA Region III Meeting, BSU
September 9-15	Kit on Vacation
September 18	Workforce 101; 10am to 1pm-TVCC
September 21-22	Idaho Heritage Conf. – Boise
September 30	Rural Skill Builder Training RDI - Pendleton
October 4	SREDA Monthly meeting Weiser – Train Depot
October 4	Region III Manufactures Day – Ford Center, Nampa
October 17-19	IEDA – Nampa
October 19-20	Idaho Commerce Rural ED Pro Training
Oct-Nov	SREDA ANNUAL Meeting TBD
November 1	SREDA Monthly meeting Payette TBA

All SREDA monthly meetings are open to the public