AGENDA
CITY COUNCIL - CITY OF ONTARIO, OREGON
April 5, 2010, 7:00 p.m., M.T.

1) Call to order

A) Roll Call: Norm Crume ____ Charlotte Fugate ____ John Gaskill ____
Susann Mills ____ David Sullivan _____ Ron Verini ____
Joe Dominick ____

2) Pledge of Allegiance

This Agenda was posted on Wednesday, March 31, 2010, and a study session was held on Thursday, April 1, 2010. Copies of the Agenda are available at the City Hall Customer Service Counter and on the city's website at www.ontariooregon.org.

3) Motion to adopt the entire agenda

4) Consent Agenda: Motion Action Approving Consent Agenda Items

A) Approval of Minutes of Regular Meeting of 03/22/10 1-5
B) Proclamation: World Autism Awareness Day 6-7
C) Approval of the Bills

5) Public Comments: Citizens may address the Council on items not on the Agenda. Council may not be able to provide an immediate answer or response, but will direct staff to follow up within three days on any question raised. Out of respect to the Council and others in attendance, please limit your comment to three (3) minutes. Please state your name and city of residence for the record.

6) Presentation: Ontario Recreational Access-Hunter Activities from Pheasants Forever

7) Old Business

A) Ordinance #2640-2010: Amend OMC 9-3 to add Section 2(B) and Amend P&Z Code 10-57-16(B) Restricting Motor and Recreational Vehicle Parking in Front Yards and Setting Fines for Parking Violations (Final Reading) 8-13
B) Ordinance #2641-2010: Amend OMC 5-3 Add Section 2 Prohibiting the Use of Fireworks in City Parks and on Public School Grounds (Final Reading) 14-15

8) New Business:

A) Contract Bid Award: Golf Course Kitchen Remodel 16-21
B) Resolution #2010-117: Golf Course Kitchen/Clubhouse Remodel (Hand-Out)

9) Correspondence, Comments and Ex-Officio Reports

10) Adjourn

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

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COUNCIL MEETING MINUTES
March 22, 2010

The regular meeting of the Ontario City Council was called to order by Mayor Joe Dominick at 7:00 p.m. on Monday, March 22, 2010, in the Council Chambers of City Hall. Council members present were Norm Crume, Joe Dominick, Charlotte Fugate, John Gaskill, Susann Mills, David Sullivan and Ron Verini.

Members of staff present were Henry Lawrence, Tori Barnett, Larry Sullivan, Chuck Mickelson, Alan Daniels, Lynsey Hansen, and camera operator Erika Hopper.

Susann Mills led everyone in the Pledge of Allegiance.

AGENDA
Mayor Dominick stated there were two requested changes to the Agenda. Item 4.5 would need to be added to allow for a Mayoral Recognition action, and Larry Sullivan requested that Item C from the Consent Agenda be placed under New Business.

Ron Verini moved, seconded by Susann Mills, to adopt the Agenda as amended. Roll call vote: Crume-yes; Fugate-yes; Gaskill-yes; Mills-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 7/0/0.

CONSENT AGENDA
Susann Mills moved, seconded by Charlotte Fugate, to approve Consent Agenda Item A: Approval of Minutes of regular meeting of 03/01/2010; Item B: Proclamation-Sexual Assault Awareness Month-April; Item C: Resolution #2010-116: Deed Relinquishing Title of Property to Marlow Pounds and a Deed Conveying Title from Marlow Pounds for Real Property in Malheur County to Become the Site for the Murakami Sanitary Sewer Lift Station; and Item D: Approval of the Bills. Roll call vote: Crume-yes; Fugate-yes; Gaskill-yes; Mills-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 7/0/0.

Mayor Dominick read the proclamation into the record:

WHEREAS, sexual assault affects every person of Oregon as a victim-survivor or as a family member, friend, neighbor, employer, or co-worker of a victim-survivor; and

WHEREAS, it is estimated that 1 out of 6 adult women in Oregon has been the victim of forcible rape sometime in her lifetime; and

WHEREAS, it is important to recognize that sexual violence is preventable; and

WHEREAS, it is important to encourage healthy, non-violent interactions and diminish aspects of society that promote and support sexual violence; and

WHEREAS, it is important to broaden the scope and increase the effectiveness of sexual violence prevention efforts through partnerships; and

WHEREAS, it is important to recognize the compassion and dedication of the individuals who provide services to survivors and work to prevent sexual violence; and

WHEREAS, every individual and community in Oregon has the ability to help eliminate sexual violence by working together to promote social change.

NOW, THEREFORE, BE IT RESOLVED, that I, Joe Dominick, Mayor of the City of Ontario, do hereby proclaim the month of April 2010 as **SEXUAL ASSAULT AWARENESS MONTH** and encourage the citizens of Ontario to join in this observance.

PRESENTATION: Recognition-Mayor's Certificate to Frank Maloney
Mayor Dominick stated he and the Council had been discussing community service and helping your neighbors to make Ontario a better place. That evening, he wanted to recognize one individual whose service went beyond the norm. That person's acceptance of everyone in the community was incredible. He had leaned a lot from that person over the past three years – about helping others, and how important it was to help your neighbor. That person was instrumental in creating a winter shelter for the homeless, keeping the food pantry filled, coordinating three meals per week for the needy, and offering needed space for a parenting class to help young families become better parents and citizens. In between, he ran a church and helped his wife raise a family. In his style, he would say he had a lot of help, and it wasn't just him, but without his leadership and progressive thinking, these community events would not be successful. It was with great respect and friendship that he presented the Mayor's Certificate of Appreciation to Ontario First Christian Church Pastor Frank Maloney.

PUBLIC COMMENT
Carolyn Turner, Census Representative, encouraged all citizens to get their 2010 census document completed and returned. She also presented the two delegates from Japan with tote bags.

Representatives from the Osakasayama, Japan, Sister City delegation were introduced; Keigo Nakamura, Public Relations and Story Writer, and Jun Kawagishi, Recycling Specialist, were in attendance.

NEW BUSINESS

Funding for SREDA
Henry Lawrence, City Manager, stated this issue had been before the Council previously, with a presentation given by representatives from SREDA. The issue before the Council was to fund, for at least this first year, the amount of $10K to help with economic development and regional marketing efforts. All the cities and counties involved were being asked for funds, representing approximately $1 per capita, with the total not to exceed $10K per entity. If the Council wanted to continue this support, the issue would need to be addressed in the next budget cycle.

Councilor Crume stated he wanted to see yearly updates from SREDA on their progress.

Mr. Lawrence stated that shouldn't be a problem; plus Councilor Sullivan would be representing the Council and City as a member of the SREDA board.

David Sullivan moved, seconded by John Gaskill, to authorize the expenditure of $10,000 to support the regional economic development and marketing activities of the Snake River Economic Development Alliance (SREDA) on behalf of the City of Ontario, funded from the existing Administration budget identified as the following line items: Economic Development Travel and Dues for $3,000 and Economic Development Marketing for $7,000, with the payment made no earlier than July 1, 2010. Roll call vote: Crume-yes; Fugate-yes; Gaskill-yes; Mills-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 7/0/0.

Approval to Expend Remaining Grant Funds: AIP 3-4-10044-008
Alan Daniels, Airport Manager/Economic Development Director, stated the attached contract was a revision of the City's current contract with Kimley-Horn. The first contract was limited to $60,030 of the FAA grant of $124,168. (FAA Grant AIP 3-41-0044-008 accepted by Resolution No. 2009-104). The proposed revision would allow for the use of the remainder of that FAA grant, to continue the engineering work on the long lead-time item for the anticipated airport improvement project that included overlaying the runway, taxiway, ramp and adding new ramp area. The full cost of the project was expected to be approximately $4.4 million dollars. In anticipation of major construction at the airport funded by Connect Oregon 2 or 3 and by FAA funds, the long lead time items needed to be started as soon as possible. The State of Oregon agreed and gave Ontario written approval to begin (ODOT Grant Agreement number 24941) and indicated the funds spent would be applied to the City's matching requirements. The FAA agreed, and had already awarded the City $124,168 of the $775,000 allocated for the project. By starting now, when and if the airport moved into a funded position, the project would not be delayed by long lead-time items. Currently, the environmental requirements had been signed off and other work had been completed. This proposed second contract would supersede the first contract with Kimley-Horn and would be amended for the entire project if and when full funding was received. The proposed contract would be paid out of the FAA reimbursement grant at 95%, which the City had already accepted.

Charlotte Fugate moved, seconded by Susann Mills, that the City Council approve expending the remaining grant funds from Kimley-Horn for engineering services for Airport Improvement Project 3-41-0044-008. Roll call vote: Crume-yes; Fugate-yes; Gaskill-yes; Mills-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 7/0/0.

Ordinance #2638-2010: Amend OMC 4-5 Regulating Maintenance Standards for Buildings; Defining Dangerous Buildings; and Revising Penalties and Procedures for Enforcement of Maintenance Standards in Compliance with Senate Bill 915 (Final Reading)

Larry Sullivan, City Attorney, stated proposed Ordinance #2638-2010 was a substantial revision of Title 4, Chapter 5 of the Ontario Municipal Code, the "Ontario Residential Maintenance Code." The proposed ordinance expanded the Chapter to set maintenance standards for all buildings in Ontario, not just residences; it authorized the Building Inspector to regulate all dangerous buildings, not just substandard residences; and it changed the penalties and procedures for building code violations, to bring the City Code into compliance with a new state law governing the enforcement of building code violations.

At the Council work session on February 25, 2010, there was a discussion about making revisions in Ordinance #2638-2010, including revisions suggested in a memorandum written by Dan Cummings of CK3 and circulated among the Councilors. Revisions were made to Section 4-5-3 revising the definition of "Building" to partially incorporate a definition suggested in Dan Cummings' memorandum; deleting the definition of "Street" as that word no longer appeared in the ordinance; Section 4-5-4 deleted subsection 4-5-4(B) "Alteration", because it created an ambiguity as to whether the ordinance applied to unaltered buildings existing before the enactment of the ordinance. The remaining paragraph of Section 4-5-4 was revised to clarify that the ordinance applied to existing structures as well as new ones; it now stated that it applied to all structures, including those "now existing, under construction or to be constructed."; Section 4-57(B)(2) was revised to require that residential homeowners replace broken windows rather than boarding them over; Section 4-5-7(C)(7) was reorganized and revised to eliminate the requirement that all buildings have gutters and downspouts; and Section 4-5-7(C)(16) was revised to require that basement windows would protect against entry by stray and feral animals, including cats as well as rodents.

Susann Mills moved, seconded by Norm Crume, to approve Ordinance #2638-2010, AN ORDINANCE REGULATING MAINTENANCE STANDARDS FOR BUILDINGS; DEFINING DANGEROUS BULDINGS; AND REVISING PENALTIES AND PROCEDURES FOR ENFORCEMENT OF MAINTENANCE STANDARDS IN COMPLIANCE WITH SENATE BILL 915, on Second and Final Reading by Title Only. Roll call vote: Crume-yes; Fugate-yes; Gaskill-yes; Mills-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 7/0/0.

Ordinance #2640-2010: Amend OMC 9-3 to add Section 2(B) and Amend P&Z Code 10-57-16(B) Restricting Motor and Recreational Vehicle Parking in Front Yards and Setting Fines for Parking Violations (1st Reading)

Larry Sullivan, City Attorney, stated the proposed ordinance would restrict the parking of motor vehicles in the front yards of houses; imposed the same restrictions on the parking and storage of recreational vehicles; and corrected an error created by a previous ordinance in setting fines for parking violations.

The Council discussed placing restrictions on front yard parking in several work sessions, during which the Council reviewed draft language for a possible ordinance. Ordinance 2640-2010 was the product of those discussions. It added a front yard parking restriction as a new subsection (B) of City Code Section 9-3-2 reading that "*a motor vehicle may be parked temporarily on the lawn in the front yard of a dwelling unit solely for loading, unloading, or washing. With that exception, a motor vehicle may be parked in the front yard of a single or multi-family dwelling unit only on a driveway directly connected to a curb cut on the street, or in a parking space that is adjacent to the driveway, and that is located behind the public sidewalk or sidewalk area. The driveway and any adjacent parking space shall be on a prepared surface consisting of concrete, gravel, brick, asphalt or their equivalent, but not dirt or vegetation. The front yard is that portion of the front yard setback extending from the sides of the principal dwelling unit to the street in front of the dwelling unit.*"

Violations of the ordinance would be handled as parking violations rather than through a 14-day nuisance abatement procedure, which was an alternative discussed in previous work sessions. The same parking restriction was added to subsection (B) of Section 10A-57-16 of the Planning and Zoning Development Standards, governing the storage of recreational vehicles. The proposed ordinance also renumbered the subsections of Code Section 9-3-2 for clarity.

During a review of City Code Section 9-3-2, it was discovered that an error had been made in a previous ordinance, #2622-2008, in setting the penalties for parking violations under Section 9-3-2. The earlier ordinance erroneously eliminated the penalty for all but one of the parking violations in 9-3-2. Ordinance 2640-2010 corrected that error by creating a new Section 9-3-10 that allowed the Council to set by resolution the penalties and fees for all violations in Title 9, Chapter 3, including the parking violations in Section 9-3-2.

Councilor Gaskill voiced his opinion on the proposed ordinance, in that it would appear there were more urgent issues before the City, and considered this particular ordinance very low on the priority list.

David Sullivan moved, seconded by Norm Crume, to approve Ordinance #2640-2010, AN ORDINANCE AMENDING ONTARIO MUNICIPAL CODE 9-3, ADDING SECTIN 2(B), AND ONTARIO PLANNING AND ZONING CODE 10-57-16(B) RESTRICTING MOTOR AND RECREATIONAL VEHICLE PARKING IN FRONT YARDS AND SETTING FINES FOR PARKING VIOLATIONS, on First Reading by Title Only. Roll call vote: Crume-yes; Fugate-yes; Gaskill-no; Mills-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 6/1/0.

Ordinance #2641-2010: Amend OMC 5-3 Add Section 2 Prohibiting the Use of Fireworks in City Parks and on Public School Grounds (1st Reading)

Larry Sullivan, City Attorney, stated the proposed ordinance was developed at the request of the Fire Department, and was intended to prohibit the use of fireworks in City parks or on school grounds without a valid permit. The ordinance was intended to protect bystanders from injuries caused by the use of fireworks and other combustible materials, such as those that had been caused by spectators discharging fireworks in Beck Kiwanis Park and on May Roberts school grounds during the City's annual July 4th fireworks display. Violation of the ordinance would be a Class A infraction under the City Code, which currently carried a penalty of $722. Persons with a valid permit issued by the State Fire Marshall would be exempt from the ordinance, as would those persons who were authorized by the City or by 8C School District. For instance, police or fire training exercises would be exempt, as would the use of combustible chemicals by a teacher during chemistry class.

Councilor Mills wanted to see signs posted at the parks and schools outlining the prohibiting ordinance.

Councilor Fugate asked that the signs also included the fines which would be imposed if the ordinance was violated.

Susann Mills moved, seconded by John Gaskill, to approve Ordinance #2641-2010, AN ORDINANCE AMENDING ONTARIO MUNICIPAL CODE 5-3, ADDING SECTION 2, PROHIBITING THE USE OF FIREWORKS IN CITY PARKS AND ON PUBLIC SCHOOL GROUNDS, on First Reading by Title Only. Roll call vote: Crume-yes; Fugate-yes; Gaskill-yes; Mills-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 7/0/0.

Ordinance #2639-2010: Inland Development Franchise Agreement (Final Reading, as Amended)

Larry Sullivan, City Attorney, stated this was the second reading of the Inland Development Corporation franchise agreement. He had been contacted by James Deason, the attorney for Inland Development Corporation, via email, on March 17, 2010, requesting revisions in the ordinance. After review, he had approved the requested changes, which appeared in the marked up copy of the ordinance. One change was the required amount of the insurance requirement from $3M to $2M. The other change was to include the word "public" in front of the rights-of-way throughout the ordinance.

John Gaskill moved, seconded by Ron Verini, to adopt Ordinance #2639-2010, AN ORDINANCE GRANTING INLAND DEVELOPMENT CORPORATION THE RIGHT TO MAINTAIN A GENERAL TELECOMMUNICATIONS BUSINESS IN THE CITY OF ONTARIO AND TO USE THE PUBLIC RIGHTS OF WAY OF THE CITY OF ONTARIO FOR ITS TELECOMMUNICATIONS OPERATIONS, on Second and Final Reading by Title Only, as amended. Roll call vote: Crume-yes; Fugate-yes; Gaskill-yes; Mills-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 7/0/0.

CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS

- Henry Lawrence introduced the City's new Code Enforcement Officer, Lynsey Hansen.
- Councilor Verini stated the community resource and volunteer fair would occur on March 31st, from 10-3 at the Four Rivers Cultural Center. It was a group of organizations coming from Idaho and Oregon who were resources for people in need, and to provide a chance for those interested in volunteering with those organizations an opportunity to learn about them. US military veterans were strongly encouraged to attend the fair.
- Councilor Sullivan stated he would be bringing a golf course update to the Council at the next meeting. He was hoping to have a package ready regarding the development of the clubhouse. He also wanted Kenny [Gather] to attend to give an update on the sales and progress of the course.
- Mayor Dominick wanted the Council to know that for their next session, they would be discussing the possibility of the Mayor and Council passing a resolution in support of the bond that the 8C School District was running. That information would be to them ahead of time.
- Mayor Dominick officially welcomed to Ontario all the guests from Osakasayama, Japan – Daiju, Ayuna, Nana, Yuka, Miki, Nonoka, Mikuri, Saki, Ayumi, Hiroya, Saori, Midori, Shizuka, Keigo, and Jun. They had arrived last Friday, and nearly 70 people attended the welcoming reception at the Cultural Center. They entire delegation was being kept busy, and he thanked everyone in the community for their help. He also thanked the Argus Observer for their great coverage of events.

ADJOURN

John Gaskill moved, seconded by Susann Mills, that the meeting be adjourned. Roll call vote: Crume-yes; Fugate-yes; Gaskill-yes; Mills-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 7/0/0.

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Joe Dominick, Mayor

ATTEST:

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Tori Barnett, MMC, City Recorder

Background Information

World Autism Awareness Day

On December 18, 2007 the United Nations General Assembly adopted Resolution 62/139 declaring World Autism Awareness Day (WAAD) to be celebrated April 2, 2008 in perpetuity. This UN Resolution is one of few official disease or disorder-specific United Nations Days and will bring the world's attention to autism, a pervasive disorder that affects tens of millions.

The World Autism Awareness Day resolution encourages all Member States to take measures to raise awareness about autism throughout society and encourages early diagnosis and early intervention. It further expresses deep concern at the prevalence and high rate of autism in children in all regions of the world and the consequent developmental challenges.

Autism Speaks believes that World Autism Awareness Day will shine a bright light on autism as a growing global health crisis. WAAD activities will help to increase and develop world knowledge of the autism epidemic and will impart information regarding the importance of early diagnosis and early intervention. Additionally, WAAD will celebrate the unique talents and skills of persons with autism and will be a day when individuals with autism are warmly welcomed and embraced in community events around the globe.

By bringing together autism organizations all around the world, we will give a voice to the millions of individuals worldwide who are undiagnosed, misunderstood and looking for help. Please join us in our effort to make this possible.

PROCLAMATION

WHEREAS, autism affects all persons regardless of race, religion, socioeconomic status or geography; and

WHEREAS, the incidence of autism in the United States is 1 in 150 and 1 in 94 boys with rates appearing to have increased similarly around the globe; and

WHEREAS, a child is diagnosed with autism every 20 minutes; and

WHEREAS, on December 18, 2007, the United Nations General Assembly adopted Resolution 62-139 World Autism Awareness Day by unanimous consent, encouraging UN Member States to take measures to raise awareness about autism throughout society and to promote early diagnosis and early behavioral intervention; and

WHEREAS, the Resolution designates World Autism Awareness Day as a United Nations Day to be observed every year staring in 2008 to raise global awareness of autism; and

WHEREAS, the aims for World Autism Awareness Day are to inform the general public about the global health crisis of autism, stress the importance of early diagnosis and early intervention, and to celebrate the unique talents and qualities of individuals with autism; and

WHEREAS, autism is a lifelong condition in which the bulk of cost calls in adulthood, creating an enormous economic impact; and

WHEREAS, the consequent development challenges of autism threaten to undermine the achievement of the United Nation's Millennium Development Goals and other internationally agreed development goals.

NOW, THEREFORE, BE IT RESOLVED, that I, Joe Dominick, Mayor of the City of Ontario, implements the ideals of World Autism Awareness Day in the United States on April 2nd in perpetuity until the cure for autism is found.

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Joe Dominick, Mayor

OLD BUSINESS STAFF REPORT

April 5, 2010

TO: Mayor and City Council

FROM: Larry Sullivan, City Attorney

THROUGH: Henry Lawrence, City Manager

SUBJECT: ORDINANCE 2640-2010: AMEND OMC 9-3 AND P&Z CODE 10-57-16(B) RESTRICTING MOTOR AND RECREATIONAL VEHICLE PARKING IN FRONT YARDS AND SETTING FINES FOR PARKING VIOLATIONS -Final Reading

DATE: March 30, 2010

SUMMARY:

Attached is the following document:

- Ordinance 2640-2010

Proposed Ordinance 2640-2010 restricts the parking of motor vehicles in the front yards of houses; imposes the same restrictions on the parking and storage of recreational vehicles; and corrects an error created by a previous ordinance in setting fines for parking violations.

PREVIOUS COUNCIL ACTION:

03/22/10 Council approved Ordinance #2640-2010 on First Reading.

STAFF RECOMMENDATION:

Staff recommends the Council approve the final reading of Ordinance 2640-2010.

PROPOSED RECOMMENDATION:

I move that the City Council adopt Ordinance #2640-2010, AN ORDINANCE RESTRICTING MOTOR AND RECREATIONAL VEHICLE PARKING IN FRONT YARDS AND SETTING FINES FOR PARKING VIOLATIONS, on Second and Final Reading by Title Only.

ORDINANCE NO. 2640-2010

RESTRICTING MOTOR AND RECREATIONAL VEHICLE PARKING IN FRONT YARDS AND SETTING FINES FOR PARKING VIOLATIONS

WHEREAS, At many places in the City of Ontario, people regularly park their vehicles on dirt or grass in the front yards of houses; and

WHEREAS, The City Council finds that this contributes to blight and disorderly conditions, as well as damaging public and private property values and the appearance of the community at large, and should be restricted; and

WHEREAS, Section 9-3-2 of the City Code is the section dealing explicitly with parking restrictions in the City and should be amended to include this prohibition; and

WHEREAS, Section 10A-57-16(B), which authorizes the parking of recreational vehicles, trailers, boats and similar devices in any front yard, should be amended to be consistent with the amendment to Section 9-3-2; and

WHEREAS, Ordinance 2622-2008, enacted by the City Council in 2008, was intended to authorize the City Council to set, by resolution, parking fines for parking violations in Section 9-3-2 and other sections of Chapter 3 of Title 9 of the City Code, which Chapter deals generally with parking regulations; and

WHEREAS, as written, Ordinance 2622-2008 applies only to parking restrictions identified in Section 9-3-2(X), rather than all parking restrictions identified in Chapter 3 of Title 9; and

WHEREAS, To conform with the City Council's intent expressed in Ordinance 2622-2008, the reference to parking fines in Section 9-3-2(X) should be deleted, and a new section should be added to Chapter 3 of Title 9, authorizing the City Council to set all parking fines and fees by resolution.

NOW THEREFORE, The Common Council For The City Of Ontario Ordains As Follows:

Section 1. Section 9-3-2 of the Ontario City Code is amended by adding those provisions which are underlined and deleting those provisions which are stricken:

9-3-2 Prohibited parking and ~~standing~~ stopping.

(A) In addition to the State motor vehicle laws prohibiting parking, no person shall park or stop, as defined in ORS Chapter 801:

~~(A)~~(1) A vehicle in any alley other than for the expeditious loading or unloading of persons or materials, but in no case for a period of more than thirty (30) consecutive minutes,

~~(B)~~(2) A motor truck as defined by ORS 801.355 on a street between the hours of nine o'clock (9:00) P.M. and seven o'clock (7:00) A.M. of the following day in front of or adjacent to a residence, motel, apartment house, hotel, or other sleeping accommodation,

~~(C)~~(3) A vehicle upon a parkway or freeway, except as authorized,

~~(D)~~(4) A vehicle in a manner such that the front of the vehicle is facing the oncoming traffic on that side of the street, avenue, parkway, freeway or highway,

~~(E)~~(5)On a sidewalk,

~~(F)~~(6)Within an intersection,

~~(G)~~(7) Alongside or opposite a street excavation or obstruction when stopping, standing or parking would obstruct traffic,

~~(H)~~(8) Upon a bridge or other elevated structure upon a highway,

~~(I)~~(9) In the area between roadways of a divided highway, including crossovers,

~~(J)~~(10) At any place where traffic control devices prohibit stopping,

~~(K)~~(11) In front of a public or private driveway,

~~(L)~~(12) Within ten feet (10') of a fire hydrant,

~~(M)~~(13) Within twenty feet (20') of a crosswalk at an intersection,

~~(N)~~(14) Within fifty feet (50') upon the approach to an official flashing signal, stop sign, yield sign or traffic control device located at the side of the roadway if the standing or parking of a vehicle will obstruct the view of any traffic control device located at the side of the roadway,

~~(O)~~(15) Within fifteen feet (15') of the driveway entrance to a fire station and on the side of a street opposite the entrance to a fire station within seventy-five feet (75') of the entrance,

~~(P)~~(16) At any place where traffic control devices prohibit standing,

~~(Q)~~(17) Within fifty feet (50') of the nearest rail of a railroad,

~~(R)~~(18) At any place where traffic control devices prohibit parking,

~~(S)~~(19) On a bicycle lane,

~~(T)~~(20) On a bicycle path,

~~(U)~~(21) More than twelve inches (12") from the curb,

~~(V)~~(22) On any public highway at a time the vehicle registration is not current, or

~~(W)~~(23) Within a parking by permit only zone and the vehicle does not have a valid visible permit.

(B) A motor vehicle may be parked temporarily on the lawn in the front yard of a dwelling unit solely for loading, unloading, or washing. With that exception, a motor vehicle may be parked in the front yard of a single or multi-family dwelling unit only on a driveway directly connected to a curb cut on the street, or in a parking space that is adjacent to the driveway, and that is located behind the public sidewalk or sidewalk area. The driveway and any adjacent parking space shall be on a prepared surface consisting of concrete, gravel, brick, asphalt or their equivalent, but not dirt or vegetation. The front yard is that portion of the front yard setback extending from the sides of the principal dwelling unit to the street in front of the dwelling unit.

~~(X)~~(C) When signs are erected in each block giving notice thereof, no person shall park a vehicle for longer than the designated time between the hours of eight o'clock (8:00) A.M. and eight o'clock (8:00) P.M. of any day except Sundays and legal holidays upon any of the streets or sections thereof described in Exhibit "A."

~~The Council will determine the amount of the fine by resolution.~~

~~(Y)~~(D) A special construction parking zone may be established when in the judgment of the City Manager or his designee a street must be vacated during a short period of time in order to complete a City sponsored construction project. This designation will allow the Police Department to impound vehicles or other objects, which are parked within the construction area interfering with the progress of a City sponsored construction project.

(1) Prior to the impounding of any vehicle from a special construction parking zone, the Public Works Department will:

~~1~~ a. Place door hangers on all residences and commercial buildings in the area to be vacated at least thirty-six (36) hours prior to the required vacation of the street, informing occupants of the date of vacation; and

~~2~~b. Place street signs conspicuously within the project boundaries, on the day of vacation informing residents and visitors that no parking is allowed on the street. Prior to the impounding of any vehicle from a special construction parking zone, the Police Department will:

~~(a)~~1) Request police dispatch to contact the registered owner by telephone if a telephone number is available, in order to have the vehicle moved; and

~~(b)~~ 2) Attempt to contact residences in the immediate area of a vehicle in danger of impound for the purpose of notifying the vehicles' owner.

(2) When a vehicle is impounded from a special construction parking zone, the Police Department will send notice to the registered owner within forty-eight (48) hours of the impound. The notice will comply with Ontario Municipal Code ~~9-4-5, (2)~~ 9-4-5(2). The registered owner of the impounded vehicle will have the ability to appeal the impound. The City will waive all administrative costs for vehicles impounded from a special construction parking zone.

Section 2. The following Section 9-3-10 is added to Chapter 3 of Title 9 of the Ontario City Code:

Section 9-3-10 Penalties and Fees

The Ontario City Council shall set by resolution the penalties and fees for any violations of this Chapter.

Section 3. Section 10A-57-16 of the Planning and Zoning Development Standards is amended by adding those provisions which are underlined and deleting those provisions which are stricken:

10A-57-16 OFF-STREET PARKING, PLACEMENT OR STORAGE OF RECREATIONAL VEHICLES, UTILITY TRAILERS, BOATS, FLOTATION DEVICES OR OTHER SIMILAR DEVICES.

(A) It shall be unlawful within the limits of the City, for any person to park or locate any recreational vehicle, utility trailer, boat, flotation device or similar device on any street, alley or highways except as provided for in the Zoning Ordinance.

(B) Subject to Section 10A-57-15, vision clearance, ~~R~~recreational vehicles, utility trailers, boats, flotation devices or similar devices may be parked, placed, or stored in any front yard ~~provided they are parked, placed or stored behind the public sidewalk or sidewalk area of any front yard, subject to Section 10A-57-15, vision clearance.~~ only on a driveway directly connected to a curb cut on the street, or in a parking space that is adjacent to the driveway, and that is located behind the public sidewalk or sidewalk area. The driveway and any adjacent parking space shall be on a prepared surface consisting of concrete, gravel, brick, asphalt or their equivalent, but not dirt or vegetation. The front yard is that portion of the front yard setback extending from the sides of the principal dwelling unit to the street in front of the dwelling unit.

(C) No recreational vehicle shall be used as a place of habitation on any public street, alley or highway within the limits of the City, except; recreational vehicles may be parked in the front yard (behind the sidewalk or sidewalk area of a lot, parcel or tract of land) temporarily as a place of habitation not to exceed 72 hours. Longer periods of time, up to 14 consecutive days may be authorized in writing by the Planning and/or Building Department with no fee required. Habitation permits shall not exceed three per year.

Recreational vehicles, utility trailers, boats, flotation devices and other similar devices shall gain access to the front yard parking, placement or storage area via a developed curb cut or where the curb is not developed by an established driveway.

(D) The unoccupied temporary stopping or parking of a recreational vehicle is permitted on any street, alley or highway for a period of 72 hours in any seven consecutive days subject to any other prohibitions, regulations or limitations imposed by the traffic and parking regulations or ordinances for that street, alley or highway.

~~C.~~ (E) Other circumstances allowing for temporary habitation of a recreational vehicle are:

1. Authorized R.V. overnight park or mobile home park;
2. Authorized watchman's quarters;

3. Authorized use during construction of a permitted or conditional use; or
4. During a health hardship as provided in subsection (I).

~~D.~~ (F) Recreational vehicles and manufactured dwelling on sales lots, not set up for occupancy are exempt from any requirements of this Section, with the exception of Section 10A-57-15, Vision Clearance.

~~E.~~ (G). Chapter 10A-57 MISCELLANEOUS PROVISIONS shall apply to all manufactured housing and recreational vehicle outdoor sales lots.

~~F.~~ (H) Any person who is constructing a dwelling house upon his own lot, tract or parcel of land, may for a period of not to exceed 120 days park and occupy a recreational vehicle upon said lot, tract or parcel of land which may be occupied by the owners of said property during the period of construction. The Planning Commission may, it determines that an extension of time is warranted, grant an extension in monthly increments of up to three months, pursuant to the requirements of Chapter 10B-35.

~~G.~~ (I) A conditional use for a health hardship may be authorized by the Planning Commission according to the procedures set forth in Chapter 10B-25, provided that the use is of a temporary nature. Approval of a health hardship permits the placement of a recreational vehicle (travel trailer) subject to the following conditions in addition to the requirements of Chapter 10B-25:

1. The applicant can demonstrate that approval of the request would allow for the care of a seriously ill person in a manner that could not be achieved by any reasonable existing alternative.

2. The applicant has a medical doctor's written confirmation of a health hardship.

3. The approval is for a length of time not to exceed 12 months or the duration of the health hardship, whichever is less. The Planning Commission may extend approval for an additional 12-month period if a written request for renewal is submitted by the applicant before expiration and written reconfirmation of the health hardship is provided by a medical doctor.

PASSED AND ADOPTED by the Common Council of the City of Ontario this ____ day of _____, 2010, by the following vote:

AYES:
NAYS:
ABSENT:

APPROVED by the Mayor this ____ day of _____, 2010.

ATTEST:

_____ _____

Joe Dominick, Mayor Tori Barnett, City Recorder

OLD BUSINESS STAFF REPORT

April 5, 2010

TO: Mayor and City Council

FROM: Larry Sullivan, City Attorney

THROUGH: Henry Lawrence, City Manager

SUBJECT: ORDINANCE NO. 2641-2010: AMEND OMC 5-3, ADD SECTION 2, PROHIBITING THE USE OF FIREWORKS IN CITY PARKS AND ON PUBLIC SCHOOL GROUNDS-Final Reading

DATE: March 30, 2010

SUMMARY:

Attached is the following document:

- Ordinance 2641-2010

Proposed Ordinance 2641-2010 prohibits the use of fireworks in City parks or on school grounds without a valid permit.

DISCUSSION

Ordinance 2641-2010 was prepared at the request of the Fire Department. It is intended to protect bystanders from injuries caused by the use of fireworks and other combustible materials, such as those that have been caused by spectators discharging fireworks in Beck Kiwanis Park and on May Roberts school grounds during the City's annual July 4 fireworks display. Violation of the Ordinance would be a Class A infraction under the City Code, which currently carries a penalty of $722. Persons with a valid permit issued by the State Fire Marshall would be exempt from the ordinance. So would those persons who were authorized by the City or by 8C School Districts, such as police or fire training, or combustible chemicals used by a teacher during chemistry class.

PREVIOUS COUNCIL ACTION

03/22/10 Council approved Ordinance #2641-2010 on First Reading.

STAFF RECOMMENDATION

Staff recommends the Council approve a final reading of Ordinance No. 2641-2010.

STAFF RECOMMENDATION

I move that the City Council adopt Ordinance #2641-2010, AN ORDINANCE PROHIBITING THE USE OF FIREWORKS IN CITY PARKS AND ON PUBLIC SCHOOL GROUNDS, on Second and Final Reading by Title Only.

ORDINANCE NO. 2641-2010

PROHIBITING THE USE OF FIREWORKS IN CITY PARKS AND ON PUBLIC SCHOOL GROUNDS

WHEREAS, The use of fireworks without a permit in City parks and on public school grounds is a fire hazard and is a danger to the health and safety of students and City residents.

NOW THEREFORE, The Common Council For The City Of Ontario Ordains As Follows:

Section 1. The following Section 5-3-2 is added to Chapter 3 of Title 5 of the Ontario City Code:

Section 5-3-2 Prohibiting Use of Fireworks in City Parks and Public School Grounds.

(A) The use of all classes of fireworks, including the use of sparklers, snakes, or other spark or smoke producing articles containing combustible material, is prohibited in all City parks and on the grounds of all public schools in the Ontario City limits.

(B) The prohibition in subsection (A) does not apply to a public fireworks display by a person or organization possessing a valid permit issued pursuant to the Oregon Fireworks Law, ORS 480.110 through 480.165.

(C) The prohibition in subsection (A) on the use of fireworks in City parks does not apply to activities conducted by or sponsored by the City of Ontario. The prohibition in subsection (A) on the use of fireworks on public school grounds does not apply to activities conducted by or sponsored by the Ontario 8C School District.

(D) Violation of this Ordinance shall be a Class A violation as provided in Section 1-4-1 of the Ontario City Code.

PASSED AND ADOPTED by the Common Council of the City of Ontario this ____ day of _____, 2010, by the following vote:

AYES:
NAYS:
ABSENT:

APPROVED by the Mayor this ____ day of _____, 2010.

ATTEST:

_____
Joe Dominick, Mayor

_____
Tori Barnett, MMC, City Recorder

AGENDA REPORT
April 5, 2010

TO: Mayor and City Council

FROM: Bob Walker, Deputy Public Works Director
Yorick de Tassigny, Facilities Manager

THROUGH: Henry Lawrence, City Manager

SUBJECT: CONTRACT AWARD FOR GOLF COURSE KITCHEN REMODEL

DATE: March 29, 2010

SUMMARY:

Attached are the following documents:

- Revised Costs for Golf Course Kitchen Remodel.
- Letter from Ontario Building Official on ADA Requirements.

The purpose of this agenda item is to obtain the approval of the City Council to award the revised bid for remodeling the kitchen and dining room at the City of Ontario Golf Course Club House. At the last workshop, the City Council discussed whether the project is of sufficient size to utilize prevailing wages. In working with Larry Sullivan on this issue, he feels that the City cannot break this project into smaller projects in order to avoid the prevailing wage laws. As some of the objections from area contractors had to do with using prevailing wage rates and the bid was over the estimated budget, the City Manager directed staff to negotiate with the one contractor who submitted a bid on this project. We are also proposing that volunteer labor be utilized for some of the demolition work and painting. The resulting costs based on the negotiations with William D. Toombs Builder resulted in a cost of $59,634 which is a reduction of $16,411. As shown on the attachment, the overall project cost has been reduced from $97,901 to $81,619.

PREVIOUS COUNCIL ACTION:

Deputy Public Works Director Bob Walker and Facilities Manager Yorick de Tassigny presented the Plans and Specifications plus bid results for the kitchen and dining room remodel at the Council Workshop on March 18, 2010. The Council recommended that staff review the prevailing wage rate laws to see how they apply to this project, confirm whether or not existing bathrooms needed to be ADA compliant, and re-bid the project if prevailing wage rates did not apply.

BACKGROUND:
The City of Ontario Golf Course Clubhouse Kitchen and Dining Room needs renovation in order to be more functional and to meet current regulations. Some of the demolition and painting will be accomplished with volunteers.

1. Replacing majority of kitchen equipment.
2. Abating asbestos in the upper kitchen ceiling.
3. Demolishing existing walls and counters.
4. Constructing new walls, counters and ceiling in kitchen.
5. Installing stainless steel sheeting on portion of kitchen walls.
6. Repairing sub-floor in the kitchen and installing resilient sheet flooring.
7. Reconstructing a portion of the wall between the dining room and pro-shop including window.
8. Installing new glass door with sidelites between dining room and pro-shop.
9. Installing wainscoting in dining room.
10. Painting kitchen and dining room walls.
11. Installing required electrical, natural gas and plumbing facilities.

ALTERNATIVE:
The alternatives to the proposed Golf Course Clubhouse Kitchen and Dining Room Remodel are:

1. Award Revised Bid for purchase of kitchen appliances and equipment; award Asbestos Abatement Bid for kitchen area; and award both revised Schedule A (Kitchen Remodel) and revised Schedule B (Dining Room Remodel).
2. Award Bid for purchase of kitchen appliances and equipment; award Asbestos Abatement Bid for kitchen area; and award revised Schedule A (Kitchen Remodel) only.
3. Do not renovate kitchen and/or dining room.
4. Re-bid the project.

If the Council chooses to not award the Contract and re-bid the project, Council will need to formally reject the current bid.

FINANCIAL IMPLICATIONS:
The only funds in the 2009-2011 Budget for the kitchen remodel is the $15,000 budgeted for the range hood replacement. There is another $25,000 budgeted for the back flow device on the fire sprinkler system, which still needs to be installed in order to meet the fire sprinkler code requirements. Therefore, the balance of the costs for the Golf Course Kitchen and Dining Room Remodel Project will have to come from the $227,737 contingency line item in the Golf Course operating fund. The contingency line item is intended for operational costs and not capital costs. Staff will therefore bring a budget adjustment cleanup resolution to the Council to replenish the golf course operating fund from the General Fund reserves at a later date.

RECOMMENDATION:

The Public Works Department recommends that the City Council approve the revised bid award of $17,284 to Standard Restaurant Supply for purchase of kitchen appliances and equipment and for both the revised Schedule A (Kitchen Remodel) and revised Schedule B (Dining Room Remodel) in the amount of $59,634 to William D. Toombs Builder. The asbestos abatement in the kitchen area for $3,165 has already been scheduled with the abatement contractor. In addition, $336 for asbestos abatement air clearance, $750 for City Permit, and $450 for plan drafting and power point presentation are included in total project cost of $81,619.

PROPOSED MOTION:

I move the City Council authorize the City Manager to execute a contract with Standard Restaurant Supply in the revised amount of $17,284 for the purchase of necessary kitchen appliances and equipment and to execute a contract with William D. Toombs Builder in the revised amount of $59,634 for both Schedule A (Kitchen Remodel) and Schedule B (Dining Room Remodel). Total project cost is $ 81,619. This includes the $3,165 required for asbestos abatement in the kitchen area, $336 for asbestos abatement air clearance, $750 for City Permit, and $450 for plan drafting and power point presentation.

ONTARIO GOLF COURSE KITCHEN REMODEL – REVISED COSTS
MARCH 25, 2010

SCHEDULE A – KITCHEN REMODEL

ITEM	DESCRIPTION	BID TOTAL	NEGOTIATED TOTAL
1	**Demolition**		
	General - wall partitions, counters, wall coverings, resilient sheet flooring, door, shelving, etc.	2,352	1,352
	Existing kitchen hood assembly and fire suppression system	770	680
	Remove electrical outlets and plumbing which is not required for remodel	590	290
	Demolition Subtotal:	**$3,712**	**$2,322**
2	**Construction**		
	General – wall partitions, door installation, subfloor repair, etc.	2,013	2,013
	Drywall, tape, texture, paint, wall coverings	8,884	6,584
	Suspended ceiling in kitchen – suspension system and acoustical ceiling panel	2,480	1,800
	Flooring – resilient sheet flooring, rubber tile, base, etc.	3,822	3,472
	Kitchen counters/cabinets – design and installation	6,606	6,206
	Construction Subtotal:	**$23,805**	**$20,075**
3	**Mechanical**		
	Install gas piping to two (2) kitchen appliances to be located under hood	1,280	200
	Furnish and install 10' x 4' kitchen hood as shown on Plans, complete with necessary ventilation and fire suppression system, roof repair, SS	24,748	19,702
	Mechanical Subtotal:	**$26,028**	**$19,902**
4	**Electrical and Plumbing**		
	Install required electrical connections to appliances and additional electrical outlets as required	5,301	5,301
	Install necessary water supply and drains as needed for hand washing sinks. Relocate dishwashing sink drain.	2,068	2,068
	Electrical and Plumbing Subtotal:	**$7,369**	**$7,369**
	William D. Toombs Builder - SCHEDULE A TOTAL:	**$60,914**	**$49,668**

SCHEDULE B – DINING ROOM REMODEL

ITEM	DESCRIPTION	BID TOTAL	NEGOTIATED TOTAL
1	**Demolition:**		
	Remove wall coverings, including brick paneling and tongue & groove wood material on walls of dining room, including removal and salvage of large bulletin board to Owner	440	440
	Remove accordion door between dining room and small room in southeast corner of building. Salvage to Owner	165	0
	Existing walls between dining room and pro-shop as shown on Plans	286	286
	Door and open counter window between dining room and pro-shop	220	220
	Demolition Subtotal:	**$1,111**	**$946**
2	**Construction**		
	Wall partition modification on NE corner of Pro Shop, including window.	1,986	1,986
	Wainscoting	1,634	1,634
	Storefront door between Dining Room and Pro Shop	2,208	2,208
	Painting of wall surfaces, wainscoting and trim – two color scheme	7,392	2,392
	Construction Subtotal:	**$13,220**	**$8,220**
4	**Electrical**		
	Install electrical outlets and switches to as shown on Drawings.	800	800
	Electrical Subtotal:	**$800**	**$800**
	William D.Toombs Builder - SCHEDULE B TOTAL:	**$15,131**	**$9,966**

	William D. Toombs Builder - SCHEDULE A & B TOTAL:	**$76,045**	**$59,634**

KITCHEN APPLIANCES

QTY.	ITEM	BID COST	ALTERNATE COST
1	Restaurant Range – (2) oven, 48" griddle plate, (2) burner, removable shelf	$5,808	$4,695
1	Floor Model Fryer – (2) basket option	$1,495	$1,495
1	65" Solid Slide Lid Deep Well Horizontal Bottle Cooler	$1,411	$1,411
1	90" Glass Swing Door Back Bar Cooler	$2,457	$2,457
1	Solid Door Sandwich/Salad Unit (condiment table)	$1,319	$1,319
2	Hand Sink with Splash Mounted Gooseneck Faucet	$184	$134
1	30" x 48" Stainless Steel Prep Table w/ Adjustable Undershelf	$265	$265
1	Double Acting Heavy Duty Restaurant Passage Door	$559	$559
1	Reach-In Freezer, Self Contained, One Section	$2,491	$2,397
1	Reach-In Refrigerator, Self Contained, Two Section	$2,702	$2,552
	Standard Restaurant Supply - KITCHEN APPLIANCES TOTAL:	**$18,691**	**$17,284**

OVERALL PROJECT COST

ITEM	INITIAL COST	REVISED COST
Asbestos Abatement	$3,165	$3,165
Third Party Asbestos Abatement Air Clearance	Not Factored	$336
Construction	$76,045	$59,634
Kitchen Appliances	$18,691	$17,284
City Permit	In const. bid	$750
Plans & Power Point Presentation	Not Factored	$450
PROJECT TOTAL:	**$97,901**	**$81,619**

OPTION A – DINING ROOM LIGHTING

ITEM	COST
Existing fixture removal (by asbestos abatement company)	$250
Installation of six (6) chandeliers to match pendant lights above counter	$1,660
OPTION A TOTAL:	**$1,910**

City of Ontario
Office of the Building Department
444 SW 4th Street
Ontario, OR 97914
Voice (541) 881-3220
Fax (541) 881-3251
Dwayne.holloway@ontariooregon.org

March 19, 2010

Yorick de Tassigny
444 SW 4th Street
Ontario OR 97914

RE: Golf Course A.D.A. Accessible Bathrooms

This letter is concerning plans to remodel the kitchen and dining area of the Ontario Golf Course. As Building Official for the City of Ontario, in my opinion, I do not feel that this would trigger an upgrade of the bathroom facilities to be American Disabilities Act (ADA) compliant. ADA accessibility is referenced in the 2007 Oregon Structure Specialty Code (O.S.S.C.), Chapter 34. For existing buildings, this Code has not been adopted for ADA accessibility in Oregon. If a bathroom remodel were being done, then that would trigger the need for the bathroom to be ADA compliant but a kitchen remodel does not.

The design or method of construction shall be approved when the Building Official finds that the proposed design is satisfactory and compatible with the intent of the provisions of the Code, as per 104.11 of the 2007 O.S.S.C.

This is my interpretation of the current Building Code concerning the Ontario Golf Course. If you have any additional questions or concerns please contact me on my cell phone at 208-707-0724.

Thank you,

Dwayne Holloway

Dwayne Holloway
Building Official
City of Ontario
444 SW 4th St
Ontario, Or 97914

AGENDA REPORT

April 5, 2010

TO: Mayor and City Council

FROM: Bob Walker, Deputy Public Works Director
Yorick de Tassigny, Facilities Manager

THROUGH: Henry Lawrence, City Manager

SUBJECT: RESOLUTION #2010-117: A RESOLUTION AUTHORIZING A REALLOCATION OF EXPENDITURES WITHIN THE GOLF FUND TO COMPLETE THE GOLF COURSE KITCHEN AND DINING ROOM REMODEL PROJECT

DATE: March 29, 2010

SUMMARY:

Attached is the following document:

- Resolution # 2010-117

The purpose of this agenda item is for the approval of the City Council to authorize a reallocation of expenditures within the Golf Fund for remodeling the kitchen and dining room at the City of Ontario Golf Course Club House.

PREVIOUS COUNCIL ACTION:

Jun 2009 Council Adopted 2009-11 Biennial Budget Including $15,000 Golf Fund Capital for a Kitchen Range Hood and $25,000 for Fire Sprinkler Backflow Installation

Mar 2010 Deputy Public Works Director Bob Walker and Facilities Manager Yorick de Tassigny presented the Plans and Specifications plus bid results for the kitchen and dining room remodel at the Council Workshop. Council recommended that staff review prevailing wage rate laws to see how they apply to this project, confirm whether or not existing bathrooms needed to be ADA compliant, and re-bid the project if prevailing wage rates did not apply.

BACKGROUND:

The City of Ontario Golf Course Clubhouse Kitchen and Dining Room needs renovation in order to be more functional and to meet current regulations, to include:

1. Replacing majority of kitchen equipment.
2. Abating asbestos in the upper kitchen ceiling.
3. Demolishing existing walls and counters.
4. Constructing new walls, counters and ceiling in kitchen.

5. Installing stainless steel sheeting on portion of kitchen walls.
6. Repairing sub-floor in the kitchen and installing resilient sheet flooring.
7. Reconstructing a portion of the wall between the dining room and pro-shop including window.
8. Installing new glass door with sidelites between dining room and pro-shop.
9. Installing wainscoting in dining room.
10. Painting kitchen and dining room walls.
11. Installing required electrical, natural gas and plumbing facilities.

Some of the demolition and painting will be accomplished with volunteers.

ALTERNATIVE:
The Council could determine not to complete any project work outside of the existing Golf Fund capital budget and not reduce the Golf Fund contingency.

FINANCIAL IMPLICATIONS:
The 2009-2011 Biennial Budget included $15,000 for the range hood replacement, $10,000 for course site improvements, and $25,000 for the back flow device on the fire sprinkler system.

The balance of the costs for the Golf Course Kitchen and Dining Room Remodel Project, $75,000, are proposed to come from the $227,737 Golf Fund contingency line item. The contingency line item was originally intended for operational costs and not capital costs. Staff will therefore bring a budget adjustment cleanup resolution to the Council to replenish the golf course operating fund from the General Fund reserves at a later date. As a result, this budget adjustment will affect the General Fund contingency for an amount up to $75,000.

RECOMMENDATION:
Staff Recommends the City Council adopt RESOLUTION #2010-117.

PROPOSED MOTION:
I move that the City Council adopt RESOLUTION #2010-117 A RESOLUTION AUTHORIZING A REALLOCATION OF EXPENDITURES WITHIN THE GOLF FUND TO COMPLETE THE GOLF COURSE KITCHEN AND DINING ROOM REMODEL PROJECT.

RESOLUTION #2010-117

A RESOLUTION AUTHORIZING A REALLOCATION OF EXPENDITURES WITHIN THE GOLF FUND TO COMPLETE THE GOLF COURSE KITCHEN AND DINING ROOM REMODEL PROJECT

WHEREAS, the City of Ontario adopted the 2009-2011 budget document based upon known or anticipated revenues and expenditures; and

WHEREAS, golf course capital purchases budgeted included replacing the kitchen hood and installing a backflow into the fire sprinkler system; and

WHEREAS, additional improvements to the kitchen and dining area are necessary to allow for use of the facility for restaurant sales; and

WHEREAS, the City Council desires now to formally modify the 2009-2011 Golf Fund budget by reducing Operating Contingency expense and increasing the Capital Project expense to complete the project.

NOW THEREFORE, BE IT HEREBY RESOLVED by the Ontario City Council, to approve the following adjustments to the 2009-2011 Biennial budget:

Account Number	Account Name	Adopted 09-11 Budget	Proposed Change	Revised 09-11 Budget
GOLFFUND				
EXPENSES				
005-034-714120	SITE IMPROVEMENTS	$ 50,000	$ 75,000	$ 125,000
005-034-871000	OPERATING CONTINGENCY	$ 227,737	($ 75,000)	$ 152,737

EFFECTIVE DATE: Effective immediately upon passage.

PASSED AND ADOPTED by the City Council of the City of Ontario this _____ day of _____ 2010, by the following vote:

AYES:

NAYES:

ABSENT:

APPROVED by the Mayor this ____day of _____, 2010.

ATTEST:

_____ Joe Dominick, Mayor

_____ Tori Barnett, City Recorder