

**AGENDA**  
**ONTARIO CITY COUNCIL - CITY OF ONTARIO, OREGON**  
Monday, May 20, 2013, 7:00 p.m., M.T.

- 1) **Call to order**  
Roll Call: Norm Crume \_\_\_\_\_ Jackson Fox \_\_\_\_\_ Charlotte Fugate \_\_\_\_\_ Dan Jones \_\_\_\_\_  
Larry Tuttle \_\_\_\_\_ Ron Verini \_\_\_\_\_

2) **Pledge of Allegiance**

This Agenda was posted on Wednesday, May 15, 2013, and a study session was held on Thursday, May 16, 2013. Copies of the Agenda are available at the City Hall Customer Service Counter and on the city's website at [www.ontariooregon.org](http://www.ontariooregon.org).

3) **Motion to adopt the entire agenda**

4) **Consent Agenda: Motion Action Approving Consent Agenda Items**

- A) Minutes of Regular Meeting of May 6, 2013 ..... 1-12
- B) Bid Award: HVAC (Grant Mechanical) ..... 13-22
- C) Bid Award: Janitorial Services (Varsity Facility Services) ..... 23-24
- D) Resolution 2013-118: Oregon Savings Growth Plan as a Deferred Plan Option ..... 25-26
- E) Proclamation: Older Americans Month - May 2013 ..... 27
- F) Approval of the Bills

5) **Department Head Updates: Thursday**

- 6) **Public Comments:** Citizens may address the Council on items not on the Agenda. Out of respect to the Council and others in attendance, please limit your comment to three (3) minutes. This time limit will be enforced. Please state your name and city of residence for the record.

7) **Presentation:**

- A) Transit in Budget Update - Loni Debban, Malheur Council on Aging
- B) Snake River Economic Development Alliance (SREDA) - Kit Kamo

8) **Old Business:**

- A) Ordinance #2678-2013: Amending OMC 8-7-4 re Installation of Sewer Back Check Devices (Backwater Valves) - Final Reading ..... 28-29
- B) Ordinance #2679-2013: Amend OMC 8-1-1 re Specifications Adopted - Final Reading ..... 30-31
- C) Update on Mayor Vacancy

9) **New Business:**

- A) Resolution 2013-119: ODOT Fund Exchange Agreement #29178 ..... 32-40

11) **Discussion Items: Thursday**

- A) Assistance to the American Legion re: Flag Pole at Evergreen Cemetery
- B) Rachel Hopper Issue
- C) Cemetery Issues: Perpetual Maintenance, Boundaries, Upkeep, etc.
- D) 9-1-1 Update
- E) Work Session Process/Format

12) **Correspondence, Comments and Ex-Officio Reports**

13) **Adjourn**

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

**ONTARIO CITY COUNCIL MEETING MINUTES**

**May 6, 2013**

The regular meeting of the Ontario City Council was called to order by Council President Dan Jones at 7:00 p.m. on Monday, May 6, 2013, in the Council Chambers of City Hall. Council members present were Norm Crume, Jackson Fox, Charlotte Fugate, Dan Jones, Larry Tuttle, and Ron Verini.

Members of staff present were Jay Henry, Tori Barnett, Mark Alexander, Mike Long, Dan Shepard, and Bob Walker. The meeting was recorded, and copies are available at City Hall.

Mike Long led everyone in the Pledge of Allegiance.

**AGENDA**

Ron Verini moved, seconded by Charlotte Fugate, to adopt the Agenda as presented. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Tuttle-yes; Verini-yes. Motion carried 6/0/0.

**CONSENT AGENDA**

Norm Crume moved, seconded by Charlotte Fugate, to approve Consent Agenda Item A: Minutes of the Regular Meeting of April 15, 2013; Item B: Request to Proceed: SRO Contract with 8C School District 2013-14 School Year; Item C: Fuel Bid Award: Fiscal Year 2013-14; Item D: Planning Commission Appointment: Craig Smith; and Item E: Approval of the Bills. Roll call vote: Crume-yes; Fox-no; Fugate-yes; Jones-yes; Tuttle-yes; Verini-yes. Motion carried 5/1/0.

Norm Crume asked Chief Alexander, regarding Page 10 of the SRO Contract, under Financial Implications, would the Chief please explain the wording.

Chief Alexander stated that was the verbiage from the prior two contracts. He felt comfortable that the number wouldn't be reached; however, that could be looked into for future contracts.

**DEPARTMENT HEAD UPDATES**

Bob Walker, with assistance from Sean Maloney, OODT, stated the city checked out the utilization of leftover funds for Phase III of the underpass project to do actual construction; however it did not prove to be cost effective, and staff would like to proceed with Phase III as planned.

It was Council consensus to approve the action submitted by Mr. Walker.

**PUBLIC COMMENT**

Bill Thompson, Ontario, asked the Council if the city could help with replacing the American flag at Evergreen Cemetery. There was a nice 40 foot flag pole there, but no flag or rope. Several military groups, such as the American Legion and the VFW, had placed flags in the past, but currently had no funding available for restringing. He asked if the city had a bucket truck or something to assist in restringing the pole for them. The pole had originally been donated to honor a pioneer family, but it had never been lighted. Three or four years ago, they put up a new flag and a solar light. It was also backlit from the TVCC gym lights. The Legion would be happy to keep the flags if they could get the pole restrung.

Councilor Jones stated this item would be on the next Agenda, as the cemetery would already be scheduled for discussion. He believed the city could assist in this matter.

*[Copied verbatim from hand-out]*

Ruth Rolland, Ontario, stated "What about respect? Like any community, Ontario, exists for the benefit of the people who live here, buy and sell products and services in the community, and work here. The people living in the community elect their city council. – And every council person here has many admirable traits. All work hard, and are serious minded. The City is filled with hard-working, serious minded people – men and women who are working parents or grandparents, teachers, business owners, store clerks and waitresses, forklift drivers, and even employees of the city. They are all a part of this community, and they are also voters and tax payers. Most of us living in Ontario are working people – and we care about Fairness, and we think working people deserve Respect. My question here today is to Council President Jones and to each one of the members of the City Council – DO YOU APPRECIATE AND RESPECT ALL – OR ANY – OF THE CITY EMPLOYEES who make sure Ontario's City services and departments keep operating every day – to serve this community – all day long – EVERY DAY OF THE YEAR? And I just want to ask in addition, to each member of the City Council, do you respect ALL the working people who live and work in the Ontario community? –Working people, whether employed at a farm or packing shed, or an insurance office – or for the City – THEY ARE – AFTER ALL – the heart and strength that binds this community together. – They buy things, pay mortgages and rents, **they step up to do their jobs, they take care of their debts and take care of their families** – which is... – that's the very bed-rock meaning of RESPECT. I would like to hear each member of the Council respond individually – DO YOU RESPECT THE CITY'S PUBLIC WORKS EMPLOYEES, AND DO THE CITY COUNCIL'S ACTIONS CONVEY THE RESPECT – OR LACK OF IT – that each of you holds for these employees? The Public Works employees deserve a fair Labor Agreement from this city's leaders.

Councilor Jones denied Ms. Rolland's request to poll the Council on whether or not they respected the Public Works employees. Her request was ridiculous. Other Councilors could respond, but he would not.

Councilor Fox stated every member of the Council respected everyone on Earth.

Ms. Rolland replied that some turned a blind eye, and some would see all. That was her own personal observation.

#### NEW BUSINESS

##### Resolution #2013-116: Setting a Uniform Administrative Charge for Public Works Department Services

Bob Walker, Public Works Director, stated the City Council had approved various resolutions authorizing the Public Works Department to impose an administrative charge of 25% on fees charged by the Public Works Department for performing various services. For instance, Resolution 2004-118 imposed a 25% administrative charge, in addition to the City's actual staff costs, for repairing a service connection that was not damaged by the city. The purpose of the administrative charge was to compensate for the city's administrative overhead. He had investigated the administrative charge and determined that it was unnecessarily high, and was proposing that the administrative charge be reduced to 7% rather than 25%.

Proposed Resolution #2013-116 revised the administrative charge to 7% for all Public Works Department services, with the exception of system development charges (SDCs). SDCs were not charges for services performed by the Public Works Department, but were used to finance capital improvement projects.

The Public Works Committee, at their April 25, 2013 meeting, recommended that the City Council approve Resolution #2013-116.

Jackson Fox moved, seconded by Norm Crume, the City Council approve **Resolution #2013-116, A RESOLUTION SETTING A UNIFORM ADMINISTRATIVE CHARGE FOR PUBLIC WORKS DEPARTMENT SERVICE, effective immediately.** Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Tuttle-yes; Verini-yes. Motion carried 6/0/0.

**Ordinance #2678-2013: Amending OMC 8-7-4 re Installation of Sewer Back Check Devices (Backwater Valves) 1<sup>st</sup> Reading**

Bob Walker, Public Works Director, stated in December, 2012, staff brought the City Council proposed Ordinance 2672-2012, which amended the sewer back check requirements of Subsection (O) of City Code Section 8-7-4, which allowed the city to require the installation of backwater valves (back check devices) on old service connections in some circumstances. During Council discussion of the proposed ordinance, Councilor Fox questioned whether the ordinance language was consistent with the State Building Code. As a result of that discussion, consideration of Ordinance 2672-2012 was tabled.

Subsequent investigation by staff confirmed that the proposed language was inconsistent with Section 710.1 of the State Plumbing Specialty Code, which prohibited the installation of all backwater valves that were above the elevation of the next upstream manhole cover. Oregon Administrative Rule 918-750-0100(2) prohibited cities from enforcing any city code provisions that were inconsistent with the Oregon Plumbing Specialty Code.

The matter was brought to the Public Works Committee, who recommended at their April 25, 2013 meeting, that the reference to sewer back check devices in subsection (O) of City Code Section 8-7-4 be deleted entirely, in order to resolve the inconsistency between the state and city code provisions. Proposed Ordinance 2678-2013 would accomplish that.

Charlotte Fugate moved, seconded by Ron Verini, that the City Council approve **Ordinance No. 2678-2013, AN ORDINANCE AMENDING CITY CODE SECTION 8-7-4 REGARDING INSTALLATION OF SEWER BACK CHECK DEVICES (BACKWATER VALVES)**, on First Reading by Title Only. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Tuttle-yes; Verini-Yes. Motion carried 6/0/0.

**Ordinance #2679-2013: Amending OMC 8-1-1 re Specifications Adopted (1<sup>st</sup> Reading)**

Dan Shepard, Engineering Technician, stated the City of Ontario adopted the 2002 edition of the Idaho Standards for Public Works Construction (ISPWC) in 2002. Since then, five editions had superseded one another. Each in turn was adopted by the Public Works Department. On July 1, 2002 the City Council adopted Ordinance 2497-2002, which amended OMC 8-1, to adopt Idaho Stands for Public Works Construction and City of Ontario Supplement to the ISPWC.

The ISPWC was a set of comprehensive specifications that governed Public Work projects and work that was done in the public right of way. Periodically the specifications were updated and a new edition was issued.

The adopting ordinance of the ISPWC specifically referred to the 2002 edition. As the ISPWC was the standard referenced in most Public Works contracts, it was important to stay current on the edition being used. By deleting the number "2002" from the ordinance, Public Works, with the recommendation of the Public Works Committee, could update the Idaho Standards for Public Works Construction more efficiently.

Ron Verini moved, seconded by Norm Crume, the City Council adopt **Ordinance 2679-2013, AN ORDINANCE AMENDING TITLE 8, CHAPTER 1, SECTION 1, OF THE ONTARIO MUNICIPAL CODE - SPECIFICATIONS ADOPTED**, on first reading, by title only. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Tuttle-yes; Verini-Yes. Motion carried 6/0/0.

**PUBLIC HEARING**

**Resolution #2013-117: Adopting a Supplemental Budget for the General Fund, Golf Course Fund, and Capital Projects Fund for the Biennial Budget Year 2011-2013**

It being the date advertised for public hearing on the matter of Resolution #2013-117, the Council President declared the hearing open. There were no objections to the city's jurisdiction to hear the action, no abstentions, ex-parte contact, and no declarations of conflict of interest.

Mike Long, Finance Director, stated the City's Budget Committee met on January 29, 2013 to review and discuss the operations. They also passed a motion recommending the Council adopt the supplemental budget for 2011-2013. This Public Hearing was to discuss the Aquatic Center in the General Fund and the Golf Course Fund changes in operations and the Capital Projects Fund unanticipated revenue from the sale of surplus property. The financial implication was increasing the General Fund by \$100,862, the Golf Course Fund \$122,212, and the Capital Projects Fund \$100,000 for a total of \$323,074.

The Council President opened the hearing for public testimony.

Proponents: None.

Opponents: None.

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

Councilor Fugate asked if \$122,212 for the Golf Course included the \$25K authorized for the City Manager to spend for incidentals at the golf course.

Mr. Long state no. It only increased by what was discussed with the Budget Committee at their January meeting, or the \$122,212. That would be reviewed as they got closer to the end of the fiscal year. The \$122,212 should cover the \$25K.

Councilor Jones stated he believed they authorized the City Manager to spend that, but it wasn't in the budget

Mr. Long stated that was correct, but the proposed resolution would be increasing a number of line items. It would not increase any budget numbers. If something needed to be approved, it would come out of the already approved \$25K.

Councilor Fox stated this Public Hearing processes formalized what has already been done, according to law.

Mr. Long stated this had also been approved by the Budget Committee.

Jackson Fox moved, seconded by Larry Tuttle, that the City Council approve **Resolution #2013-117, A RESOLUTION ADOPTING THE SUPPLEMENTAL BUDGET FOR FISCAL YEAR 2011-2013 AND TO APPROPRIATE THE ADJUSTMENTS**. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Tuttle-yes; Verini-yes. Motion carried 6/0/0.

**Resolution #2013-115: Amending Building Department Permit Fees**

It being the date advertised for public hearing on the matter of Resolution #2013-115, the Council President declared the hearing open. There were no objections to the city's jurisdiction to hear the action, no abstentions, ex-parte contact, and no declarations of conflict of interest.

Bob Walker, Public Works Director, stated in 2004 an ordinance authorized the City Council to set building permit and related fees. It was stated at that time that a review should be performed every three years to evaluate the permit fees. The last review performed was in 2005. The Building Department would like to remove some permit fees that were not deemed necessary and clear up some inconsistencies which were found when transferring from the old Permit Tracker permit software (an in-house, homemade program) to the new Sassy Software Solutions permit software. On Thursday, April 25, 2013, the Public Works Committee moved to recommend the request to the City Council.

The Council President opened the hearing for public testimony.

Proponents: None.

Opponents: None.

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

Councilor Fugate asked if this would raise any fees?

Mr. Walker stated he didn't believe so. There were more items on the schedule than before, but it wouldn't be increasing any fees, or if there were, it would only be marginal. The software allowed better clarification on the permits.

Councilor Tuttle asked on which ones.

Mr. Walker stated he didn't know exactly, mechanical, commercial, residential, etc. He knew there was more information on this new program than on the old.

Charlotte Fugate moved, seconded by Ron Verini, that the City Council approve **Resolution #2013-115, A RESOLUTION AMENDING BUILDING DEPARTMENT PERMIT FEES**. Roll call vote: Crume-yes; Fox-no; Fugate-yes; Jones-yes; Tuttle-yes; Verini-yes. Motion carried 5/1/0.

#### **NEW BUSINESS - CONTINUED**

##### **Kimley-Horn Contract for Engineering Services for FAA AIP 3-41-0044-011-FY'13**

Jay Henry, City Manager, stated this contract was for engineering on an FAA funded project to rehabilitate and construct taxi lanes and to rehabilitate the beacon. This engineering contract was for \$145,352, of which 90% would be paid by the FAA. This project was supported by the Airport Master Plan and was on the city's Capital Improvement Projects list. It had been reviewed by the FAA and approved for funding. The entire project was expected to cost about \$600,000, with the FAA funding is 90%, leaving the city a match of approximately \$60,000. The city delay starting the project until next year, but this project was scheduled to be done this year and the FAA was somewhat inflexible. This contract would be paid out of the FAA reimbursement grant at 90%.

Norm Crume moved, seconded by Jackson Fox, that the City Council approve the contract with Kimley-Horn for engineering services for AIP project 3-41-0044-011. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Tuttle-yes; Verini-Yes. Motion carried 6/0/0.

##### **Ubiquitel Water Tower Lease Amendment No. 1**

Jay Henry, City Manager, stated after the Council approved the UbiquiTel lease extension with a ten-year fixed term, UbiquiTel asked staff to consider whether it would present to the Council another alternative, namely, a lease with a ten-year fixed term, followed by three optional five-year terms. UbiquiTel proposed that the city would have the right to prevent renewal of the lease if the city gave UbiquiTel notice of non-renewal at least 12 months before the expiration of the ten-year term or before the end of the first or second five-year renewal term. UbiquiTel was requesting these additional five-year renewal options in order to help spread its costs for putting new equipment on the water tower as part of the lease extension. UbiquiTel informed staff that if the Council didn't approve UbiquiTel's requested change in the extension, UbiquiTel would sign the fixed ten-year lease extension approved by the Council on April 15, 2013.

Under the lease formula (\$1,500/month, increasing annually by 3%), renewing the lease for an additional five year term at the end of the initial ten-year term would generate \$128,431 in revenue; renewing it for a second five-year term would generate \$148,886 in revenue; and renewing it for a third five-year term would generate \$177,778 in revenue.

Jackson Fox moved, seconded by Ron Verini, to deny UbiquiTel's latest request. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Tuttle-yes; Verini-Yes. Motion carried 6/0/0.

**Crest Way and Horning Way Annexation: Set Public Hearing**

Jay Henry, City manager, stated the purpose of this agenda item was to obtain the Council's permission to schedule a public hearing on the proposed Crest Way/Horning Way annexation. On April 16, 2013, staff had a meeting with nine residents of the proposed Crest Way/Horning Way annexation area to discuss whether they were willing to voluntarily annex into the city if the city did not require them to connect to city services at the time of annexation. The residents had a number of questions, but only one couple said they were opposed to annexation because they have more chickens and dogs than are allowed under the City Code. After that meeting, staff also contacted residents who did not attend the meeting.

Staff believed that there was enough interest among the residents to justify moving forward with the annexation process. The next step was to schedule a public hearing to allow the residents as well as voters in the city to comment on the proposed annexation. Prior to the hearing date, staff would circulate consent forms among the property owners and the registered voters who lived in the proposed Crest Way/Horning Way annexation area.

If, before the public hearing, the city received signed consent forms from property owners who owned more than one-half of the property by area, and signed consent forms from a majority of registered voters within the proposed annexation area (at least 12 of the 23 registered voters), the city could proceed with the next steps in the annexation process without holding an election for the people in the proposed annexation area. The public hearing must be advertised for two full weeks before it is held, which would mean that the earliest hearing date would be at the regular Council meeting on June 3, 2013.

If the city received the required number of signed consent forms, the city could proceed with the annexation and rezone of the annexation area into the city. This would mean starting the formal land use process through the Planning Commission and City Council for the enactment of annexation and rezone ordinances.

If the city failed to receive the required minimum number of consent forms, the City Council did not have to move forward on the annexation process. Various options would be presented to the Council at the time of the public hearing if an insufficient number of consent forms were received.

Norm Crume moved, seconded by Jackson Fox, that the City Council schedule a public hearing on the proposed Horning Way/Crest Way annexation on June 3, 2013, at 7 p.m. in the City Council chambers. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Tuttle-yes; Verini-Yes. Motion carried 6/0/0.

**Riley Hill – Request for Waiver of Building Fees**

Jay Henry, City Manager, stated several years ago, Riley Hill began building two homes, but only completed the foundations. It had been approximately 6½ years since any work had been done on the properties. Mr. Hill was now asking for a waiver for the building permit costs. The Building Official did not feel the waivers were warranted. The City Manager reviewed all the documents and agreed with the Building Official, and issued a response letter to Mr. Hill explaining the city's decision. Issuance of new building permits would trigger SDCs; however, at the City Manager's recommendation, since the development was already in place, it would be excessively onerous to charge the SDCs. He recommended charging the permit fees, but to waive the SDCs. Following receipt of the City Manger's decision letter, Mr. Hill requested to address the Council. Basically, the Council options were to waive the building fees, to waive the SDCs, to waive both, to charge or one or the other, or to charge both. He was just looking for direction from the Council.

Mike Erlebach, Ontario, stated he had been a resident of Ontario for over 50 years, and owned a business in town. He had purchased a lot in a subdivision 15 or 20 years ago, and had planned to live there. He had plans to put in a townhouse and pulled the trigger on a permit. However, due to circumstances, he had not been able to begin his project until this fall. He had purchased a footing and found permit only, which was substantially less. His original permit was for \$2,016.14, and footings and foundation only would have only been \$150. If he had known of that option, he might have done that. He was before the Council asking that they not require him to buy a second permit for the same project. He appreciated the efforts of the Council in making this area a better place to live. He also thanked Councilor Crume for his efforts in taking care of graffiti.

Riley Hill, Ontario, stated he had purchased the permits in 2006, but then the economy tanked, so it wasn't prudent to move forward. His situation was that he purchased a full permit for each home, hooked up water and sewer to each foundation, and work commenced within the 180 time frame. He suspended work, and in reading the Code, he saw that he could, in writing, ask for an extension. He read that he didn't have to do that in succession. Barring that argument, if the Council didn't go that route, and the city did not do any inspections, there was no damage to the city. Had he, in the alternative, purchased just a footing and foundation permit, he would have paid \$155 or whatever, and this conversation wouldn't be taking place. He'd be picking up a structural permit. He wouldn't be paying again for something he hadn't benefited from. It appeared to him that it would be good policy - a precedent - and he was probably going to spend \$1,500 more if he was found the wrong way. He could afford it, but some couldn't. \$1500-2000 was a major expense for some - from buying, building, or moving forward. Here in Ontario, they were always talking about being business friendly, but was that always done? The precedent was the chance to set the right one. Forget his face. In addressing Jay's comments on the SDCs, that there were none, in fact, there were. He specifically remembered, as did other Public Works Committee members, that there were to be no SDCs on existing lots in Ontario. There were lawsuits over similar things back then. Somehow, that recommendation went out of the Public Works Committee, to the Public Works Director, and it obviously didn't go any further. However, the Public Works Committee didn't follow up either. Jay was right. If they would give him another minute to speak after the vote, he would appreciate it.

Councilor Jones asked in reference to Mr. Erlebach, had he purchased another permit?

Mr. Erlebach stated he had purchased a footing and foundation permit only, and was in the process of putting that in. That included the 200 lineal foot of city sidewalk he would put in.

Councilor Jones verified in 2006, Mr. Hill purchased a full building permit, but didn't do any building. A letter was received about the expiration, but he couldn't pull the trigger on the project.

Councilor Verini stated the letters contradicted each other. In the letter from staff, it read that there was a 180 day expiration timeline, but extensions could be granted, but not more than 180 days each, if requested within the 180 initial time frame. If that was true, the request for relaxation of the building permit fees would be detrimental in that other people could make the same request. At the work session, they had asked how many outstanding permits were currently on the books, not completed, and he understood it was substantial. They were setting a precedent. When staff issued the letter, relaxing the SDCs, that was beyond what probably should have done, but at the same time was making this a kinder and gentler group to work with regarding building permits. After reading the other letter and reflecting back to the Riley Hill letter, what would he say to the request for the permit waiver that the city hadn't proposed?

Mr. Hill stated his project was already under way. He suspended work due to lack of financing. It was before SDCs were in effect. It was causing no damage to the city. 50% would go to Fruitland, and the other 50% would have to stay in building. It couldn't be used anywhere else.

Councilor Fox stated in the letter from the city, he didn't see where Mr. Hill was given credit for the foundation. Those inspections were done, so why charge for those again? He tended to agree with both contractors. He didn't see the damage to the city. What was the "bad" precedent being set?

Mr. Henry stated if they agreed to waive the building fees, it would open the door for others to request the same. It might be right or wrong, but that was how staff interpreted it. They wanted to provide for consistency in the regulations.

Councilor Fox asked if staff looked into the 180 day trigger? The intent for the 180 day period was in case the building codes changed in that time. Then you would have to change to meet those codes. Had those changed in the past six years?

Councilor Tuttle stated it went back to that there was an ordinance in place. So, did they follow it, or continue to make exceptions. The ordinance was in place, and neither contractor had asked for an extension. If the Council granted an exception, that would open the door for everyone else. If the ordinance wasn't any good, then change it. It was on the books now, so they needed to follow it. He didn't believe they should waive the fees. He was in favor of following the ordinances that were on the books.

Councilor Fox stated he was also in favor of following ordinances on the books, but it got foggy how staff only wanted to follow certain ordinances, but not all.

Councilor Tuttle stated it was there, and that was the point.

Councilor Crume stated in a perfect world, they talked of no harm, no foul to the city, he understood that in theory and thought. If it was solely his own decision, and it wouldn't set a precedent over what was in an ordinance or what was fair, he would like to see, in Mr. Hill's situation, whatever he had paid, that money accounted for, and whatever those fees were six years ago, if there was a difference today, then he wanted to see a change in whatever was left to be done at today's cost, whether by inspection or SDCs, or whatever, and the same for Mr. Erlebach. He paid 100% but didn't do anything. The city got \$2K, but didn't expend anything. But, did a perfect world exist? He didn't have an answer. He had heard compelling statements from two people on the Council who were in the construction business. He was a layman - he didn't know what work was done, or what expenses were. But, he also heard what staff was saying, and he understood the need to stay consistent. Councilor Fox brought up the idea of being business friendly and trying to get people to build and live in Ontario. He strived to go in that direction, too. He just didn't know what would be the best route to take.

Dan Jones moved, seconded by Jackson fox, that the Council instruct staff to reduce these two current permits by ½ of the original, of today's costs, in order for these two to complete their projects, and put this to rest. Roll call vote – Crume-no; Fox-yes; Fugate-no; Jones-yes; Tuttle-no; Verini-no. Motion failed 2/4/0.

Mr. Erlebach agreed it was fair and equitable.

Councilor Crume asked what the fees were six years ago, excluding SDCs, against today's fees.

Mr. Hill stated building costs and sales were higher in 2006 than now. The fee structure they passed earlier, the fees were so minute, it wouldn't even be noticed.

Mr. Walker stated the fees were last increased in 2004.

Mr. Shepard suggested that the motion be clear that staff wasn't going to charge for footings and foundation again. It would be only for the foundation up.

Councilor Jones stated Mr. Erlebach has purchased a full permit, and then purchased a second one for footings and foundation only.

Councilor Fox asked what they would be doing if it was 181 days instead of six years.

Councilor Jones stated they probably wouldn't be talking about it; however, in regards to Mr. Shepard's request for clarification on the motion...

Councilor Verini stated with the motion on the floor, in regards to the SDCs, did that mean that if they approved the motion, that that in effect set a firm precedent for other builders to come before the Council and request a waiver of the SDCs?

Councilor Fox stated other builders could request a fair shake. The Council couldn't affect SDC law.

Councilor Verini stated he wanted to do the right thing, but didn't want to dig themselves into a hole.

Mr. Hill stated the fees had been paid, and there would be no damage to the city. The Council knew there was a group of them working hard on the From Poverty to Prosperity program, so would the Council consider instead of making their checks to the city, get the fee assessment from the building department, and make the check out to the From Poverty to Prosperity program instead of having to give half to Fruitland. The city would gain from this – no damage.

Mr. Henry stated he wasn't opposed to that suggestion, but didn't know if the building contract would allow that to happen. It might put them in violation of that contract. Also, whatever the Council decided, staff would follow, but either way, he respectfully asked that a decision be made. Mr. Hill was continuing on his construction of the homes, and they needed to be inspected.

Mr. Hill stated nothing was covered up, and he appreciated the city working with him on the projects.

Councilor Tuttle stated Mr. Hill didn't have a permit, so he couldn't request an inspection.

Councilor Crume verified that Mr. Hill wanted to pay half the fees, and none to Fruitland.

Mr. Hill stated the fees were already paid.

Jackson Fox moved that the Council agree to Riley Hill's proposal regarding charges going to the Malheur County - From Poverty to Prosperity program, if that action didn't violate the Building Inspection contract. Motion died for lack of second.

Mr. Henry stated in reading through the contract, it did read that Ontario would be required to pay 50% of all chargeable fees, collected and uncollected, in Ontario for which inspections were requested, so it appeared the city would be on the hook to pay 50% of the fees collected.

Norm Crume moved that the Council waive the 180 day regulation time frame and accept the permit fees paid for building inspections as complete payment for inspections. Motion failed for lack of second.

Mr. Henry asked for direction from the Council.

Councilor Jones stated staff was to follow the existing ordinance.

#### **Washington Street Bid Award**

Bob Walker, Public Works Director, stated at the Council work session on May 3, 2013, he had distributed a May 1, 2013 memorandum from Bret Turner, the City's Project Manager for the NW Washington Realignment Project. Among other items, the Memorandum discussed a bid opening on March 27, 2013, for general contractors to complete the final details of the project. Of the six bids received, three were disqualified. The lowest responsive and responsible bidder was Granite Excavation, Inc. with a bid of \$2,844,369.68. As stated in the memorandum, on April 4, 2013, staff gave Granite Excavation a Notice of Award along with a contract. The purpose of this agenda item was for the Council to ratify the low bid award to Granite Excavation and authorize the City Manager to execute the resulting contracts on the city's behalf.

Jackson Fox moved, seconded by Ron Verini, that the City Council ratify the City of Ontario's acceptance of the low bid award from Granite Excavation in the amount of \$2,844,369.86 for a portion of the NW Washington Realignment Project, as well as the City Manager's execution of the contract documents in connection with that award. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Tuttle-yes; Verini-Yes. Motion carried 6/0/0.

#### **Fourth Amended Purchase and Sale Agreement with Chris Hardin of CDH Consulting for the Stelling Property**

Jay Henry, City Manager, stated the city was under contract to sell 74.72 acres of undeveloped property (the Stelling property) to Chris Hardin, dba CDH Consulting, for construction of a data center. The latest escrow closing date expired on May 5, 2013, and Mr. Hardin has now requested a one year extension while he continues to work with potential user clients.

Mr. Hardin requested a one-year extension of the Agreement, but has not offered to pay any additional funds to the city for the privilege. The Council consensus at the work session on May 2, 2013, appeared to be to require Mr. Hardin to pay the same amount (\$50,000) as was paid for the last one-year extension. The proposed Fourth Amended Purchase and Sale Agreement provides for the following: Closing date extension to May 5, 2014; and \$50,000 payable to the City of Ontario solely as a fee for extending the closing date, with none of the money credited to the purchase price.

The City currently holds \$208,300 in non-refundable earnest money under previous agreements with Mr. Hardin. Mr. Hardin paid \$50,000 to the City for the previous one-year extension through May 5, 2013, in the Third Amended Purchase and Sale Agreement.

It was also possible that he pay another \$50,000 to the City of Ontario as additional non-refundable consideration for extending the escrow period.

Councilor Tuttle verified that gave a total of \$208,300?

Mr. Henry stated it was the total credit against purchase price; he had actually paid \$233,300, but some of that did not apply towards purchase price.

Councilor Tuttle stated the figures didn't add up. The city had \$75K that wasn't given back, but \$208,300 would apply to the purchase. None was returned – it was all non-refundable earnest money?

Councilor Fox stated it was not all earnest money. Some was for an extension on the time, to renew for a year. He might be in agreement to have some of that \$50K apply to the purchase prices, but he wanted to motivate Mr. Hardin.

Councilor Verini stated that \$25k as non-refundable, and \$25K against the purchase price, would be fair to Mr. Hardin. If Mr. Hardin truly had someone interested in the property that would be a small enough fee. He hadn't heard anything from economic development.

Councilor Fox agreed. When would the new time limit expire?

Mr. Henry stated it would expire May 5, 2014.

Councilor Fox stated some other developer might have landed a company, if this wasn't tied up by Hardin. He agreed with the 25/25 split.

Ron Verini moved, seconded by Norm Crume, that the City Council authorize the City Manager to sign the Fourth Amended Purchase and Sale Agreement with Chris Hardin of CDH Consulting, upon condition that Chris Hardin agree to pay the City an additional non-refundable \$25,000, and another \$25,000 which would be credited to the purchase price (Total to be paid \$50,000). Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Tuttle-yes; Verini-Yes. Motion carried 6/0/0.

#### **CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS**

- Jay Henry presented a Certificate for Outstanding Service, to Mike Long, Finance Director. The Certificate read: "Outstanding Service" In honor of your outstanding performance and dedication, we gladly present Michael Long with this certificate of recognition for your high standards of excellence in work ethic, performance and integrity. Presented May 6, 2013.
- Ron Verini informed everyone there had been five soldiers killed in action last week in Afghanistan. One was a local boy from Meridian.

- Jackson Fox stated he had received a call from a citizen talking about how awful Evergreen Cemetery was looking. He drove out there and took photos, and it did look horrible. He also went to the Payette Cemetery, and took pictures. It was a world of difference. Our cemetery was appalling.
- Jackson Fox stated on the Rachel Hopper issue, he wanted it placed on the next Agenda for discussion. He had received a letter from MCDA Dan Norris, copies of which he distributed to the Council. The letter seemed to change everything from how it was previously left, and he wanted something done.

Consensus to add to next Work Session.

- Norm Crume reminded everyone that Serve Day was this coming week-end, and they were still looking for volunteers to help with the projects.
- Norm Crume stated he had seen the pictures from the cemetery which Councilor Fox had mentioned, and he was also appalled. About this time of year, every year, he had been contacted by citizens complaining about this problem. The pictures were nothing new, and seemed pretty common. He wished that wasn't the case.

Councilor Fox stated maybe the city needed to privatize. He owned plots out there, and his people were buried there. Many of our citizen's people were buried there. Before they could buy and receive a Deed, they had to pay Perpetual Maintenance on each lot. He understood that some weeds could occur, but it looked like someone was practicing on their mowing skills. He wanted to be proud of that cemetery. If that was at his home, he'd change the lawn care people.

Mr. Henry stated after receiving complaints, he had contacted Kathy Daly, [cemetery Sexton] and was told the work crew would be out on Wednesday cleaning it up.

Councilor Jones asked that a detailed report be given at the next Work Session.

Councilor Fox asked that they be provided a copy of the Perpetual Maintenance agreement. He had no idea we used prison work crews for upkeep. He had also been told the cemeteries would be mowed weekly.

Councilor Jones stated there had also been some issues regarding boundary lines at Evergreen. He wanted to see that addressed in the report to the Council.

- Councilor Jones stated the Golf Course Committee would be meeting next week; however, at the previous meeting they had discussed dissolving the Committee and to no longer be a part of the course. He had asked that they remain a Committee, but he had been asked to identify their role at the course. He wanted to see this on the next Agenda for discussion. This Committee was very valuable, and he hated to see them become disenchanting and walk away. He also wanted an overall update on the course.

Councilor Fox stated he had played 9 holes last Sunday, and had been approached by someone to discuss city issues. He didn't want to discuss city issues on his personal time, and informed them to speak with the Golf Course Committee.

**ADJOURN**

Jackson Fox moved, seconded by Ron Verini, that the meeting be adjourned. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Tuttle-yes; Verini-yes. Motion carried 6/0/0.

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
Dan Jones, Council President

\_\_\_\_\_  
Tori Barnett, MMC, City Recorder

# CONSENT AGENDA

May 20, 2013

TO: Mayor and City Council  
FROM: Bob Walker, Public Works Director  
THROUGH: Jay Henry, City Manager  
**SUBJECT: BID AWARD: HVAC MAINTENANCE SERVICES**  
DATE: May 14, 2013

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## SUMMARY:

Attached are the following documents:

- Exhibit A – HVAC Equipment List
- Exhibit B – Service Locations

Bids were opened on May 1, 2013, for the HVAC Maintenance Services; the apparent lowest-responsive bidder is Grant Mechanical, Inc. of Nampa, Idaho. They have been performing this service for the past two years. The other bidder, YMC, Inc. of Meridian, Idaho was \$27,171 higher than Grant Mechanical, Inc.

COMPANY	ANNUAL TOTAL
GRANT MECHANICAL, INC.	\$ 25,324.00
YMC, INC.	\$ 52,495.00

## BACKGROUND:

The current HVAC Maintenance Services contract expires June 30, 2013. The new contract will begin July 1, 2013 and expire on June 30, 2015, with an option to extend for two more years. The HVAC Maintenance Services Contract covers 189 pieces of equipment in 27 locations throughout the City of Ontario (refer to Exhibits A and B). Grant Mechanical Inc. has been the City's contractor for the past 4 years and has done an exceptional job.

## FINANCIAL IMPLICATIONS:

If this contract is not awarded the City would have to contact a contractor every time a piece of equipment fails, which would cost more in the long run.

## STAFF RECOMMENDATION:

Staff recommends the City Manager, be authorized to be signatory to the agreement and to award the HVAC Maintenance Services to Grant Mechanical, Inc.

**EXHIBIT A  
HVAC EQUIPMENT LIST**

**AQUATIC CENTER, 790 SW 3<sup>RD</sup> AVENUE**

ID	TYPE	MAKE	MODEL	SERIAL	FILTERS	BELTS	LOCATION	DESCRIPTION
ACO-1	AIR COMPRESSOR	BALDOR	127455F035		N/A	4L520W	LG MECH ROOM	*COMPONENT OF CS-1
AD-1	AIR DRYER	HANKISON	8010?			N/A	LG MECH ROOM	*COMPONENT OF CS-1
AH-1	AIR HANDLER	PACE	A27FCSI	82-43838-01	20X20X2 (12) 20X25X2 (4)	PB86 (2)	LG MECH ROOM	POOL ROOM UNIT
AH-2	AIR HANDLER	PACE	A16FCSI	82-43838-02	20X20X2 (9)	A82 (2)	LG MECH ROOM	BLDG SPACE UNIT
AH-3	AIR HANDLER	BRYANT	350AAV060100FBSA	4607A06030	20X25X4 (1)	N/A	STORAGE ROOM	WEST WING UNIT, 90+ GAS
B-1	BOILER	CLVR-BRKS	MODEL 3	G-08415-M3	N/A	N/A	LG MECH ROOM	WATER TUBE BOILER
B-2	BOILER	RAYPAK	P-R206A-EN-C	0706211242	N/A	N/A	SM MECH ROOM	SPA BOILER (LEFT)
B-3	BOILER	RAYPAK	C-R185A-EN	0007172583	N/A	N/A	SM MECH ROOM	WADING POOL BOILER (RT)
CS-1	CONTROL SYSTEM	N/A	N/A		N/A	A51 (1)	LG MECH ROOM	PNEUMATIC *INCL. ACO & AD
CU-3	CONDENSING UNIT	BRYANT	124ANA060000BAAA	4107E06656	N/A	N/A	GROUND WEST	14 SEER, TIED TO AH-3
DHU-1	DEHUMIDIFIER	DECTRON	RS-080-43	13608-2	20X25X2 (4) 16X25X2 (2)	A41 (1) B71 (1)	POOLROOM ROOF	SOUTH UNIT (4 <sup>TH</sup> AVE SIDE)
DHU-2	DEHUMIDIFIER	DECTRON	RS-080-43	13608-1	20X25X2 (4) 16X25X2 (2)	A41 (1) B71 (1)	POOLROOM ROOF	NORTH UNIT (PARK SIDE)
P-1	PUMP	ARMSTRONG	2B1000BF	110334 4.875	N/A	N/A	LG MECH ROOM	SPACE HEATING WTR PUMP
P-2	PUMP	ARMSTRONG	125B1000BF	110332 4.875	N/A	N/A	LG MECH ROOM	HEAT RECOVERY PUMP
P-3	PUMP	BERKELEY	B3TPMS		N/A	N/A	LG MECH ROOM	MAIN POOL CIRC. PUMP (PIT)
P-5	PUMP	B&G	P00383		N/A	N/A	LG MECH ROOM	DOMESTIC WTR CIRC. PUMP
P-6	PUMP	ARMSTRONG	15B1000BF	110333 4.75	N/A	N/A	LG MECH ROOM	DOMESTIC WTR HEAT PUMP
P-7	PUMP	FRANKLIN	FPDB1		N/A	N/A	LG MECH ROOM	DHU-2, ABOVE SURGE TANK
P-8	PUMP	FRANKLIN	DB1-K1		N/A	N/A	LG MECH ROOM	DHU-1, ABOVE SURGE TANK
P-9	PUMP	ROTRON	DR454V58M	WIT18143216	N/A	N/A	SM MECH ROOM	HYDROTHERAPY AIR PUMP
P-10	PUMP	JACUZZI			N/A	N/A	SM MECH ROOM	HYDRO. CIRC. PUMP (CNTR)
P-11	PUMP	JACUZZI	DB1-K1		N/A	N/A	SM MECH ROOM	WADING POOL CIRC. (RIGHT)
P-12	PUMP	B&G	P42535		N/A	N/A	SM MECH ROOM	HYDRO. PRESSURE PMP (LF)
RF-1	RETURN FAN	GREENHECK	SOB 1830	695448	N/A	A58 (2)	LG MECH ROOM	BLDG SPC., ABOVE FILTERS
WDS-1	WATER DIST. SYSTEM	N/A	N/A		N/A	N/A	LG MECH ROOM	B-1 HYDRONIC LOOPS

CITY HALL, 444 SW 4<sup>TH</sup> STREET

ID	TYPE	MAKE	MODEL	SERIAL	FILTERS	BELTS	LOCATION	DESCRIPTION
AH-2	AIR HANDLER	CARRIER	40QNB024	0701Y41299	WASHABLE	N/A	IT OFFICE	WALL MNT DUCTLESS SPLIT
CU-2	CONDENSING UNIT	CARRIER	38HDL024311	2201X09545	N/A	N/A	ROOF-1 E.	IT OFFICE DUCTLESS SPLIT
EF-2	EXHAUST FAN	BROAN	510-A	N/A	N/A	N/A	BOOKING ROOM	THRU WALL CABINET STYLE
EF-3	EXHAUST FAN	GEMINI	GC-520		N/A	DD	PATROL ROOM	ABOVE SINK AREA
EF-4	EXHAUST FAN	ACME	PRN100		N/A	DD	ROOF-1 (UPPER)	PD CELLS (BY HOSE TOWER)
EF-6	EXHAUST FAN	PENN	BB-45		N/A	4L270 (1)	ROOF-2 (LOWER)	APPARATUS ROOM (WEST)
EF-7	EXHAUST FAN	PENN	BB-45		N/A	4L270 (1)	ROOF-2 (LOWER)	APPARATUS ROOM (EAST)
EF-9	EXHAUST FAN	PENN	BB-45		N/A	4L270 (1)	ROOF-3 (HOSE T.)	HOSE TOWER ROOF
EF-10	EXHAUST FAN	ILG	PV w/ BD DMPR		N/A	DD	ELECT ROOM	ABOVE DOOR
EF-11	EXHAUST FAN	BROAN	511-B		N/A	DD	TELECOM RM (1 <sup>ST</sup> )	FLOOR HEIGHT CABINET
EF-12	EXHAUST FAN				N/A	DD	PD HALLWAY (1 <sup>ST</sup> )	ABOVE CEILING (JAN & BRK)
ERU-1	ENERGY RECOVERY UNIT	VENMAR	VHC-36	00490600-008057-20110412	20X20X4 (2) 16X20X4 (2)		ROOF-2 (LOWER)	
FC 1-3	FAN COIL UNIT	SANYO	UHX1262	0032503	10X13X2 (2)	DD	PD HALLWAY (1 <sup>ST</sup> ) (HOLDING CELLS)	CONCEALED CEILING, DUCTED TYPE, 1 TON
FC 1-5	FAN COIL UNIT	SANYO	18XMHX52		WASHABLE	DD	EAST LOBBY (1 <sup>ST</sup> )	CEILING CASSETTE, 4 WAY AIR DISCHARGE, 1.5 TON
FC 1-6	FAN COIL UNIT	SANYO	12XMHX52		WASHABLE	DD	FINANCE BRKRM (1 <sup>ST</sup> )	CEILING CASSETTE, 4 WAY AIR DISCHARGE, 1.5 TON
FC 1-7A	FAN COIL UNIT	SANYO	18XMHX52		WASHABLE	DD	FINANCE DRCTR. (1 <sup>ST</sup> )	E. CEILING CASSETTE, 4 WAY AIR DSCHRG, 1.5 TON
FC 1-7B	FAN COIL UNIT	SANYO	18XMHX52		WASHABLE	DD	FINANCE DRCTR. (1 <sup>ST</sup> )	W. CEILING CASSETTE, 4 WAY AIR DSCHRG, 1.5 TON
FC 1-9	FAN COIL UNIT	SANYO	12XMHX52		WASHABLE	DD	PD INTERVIEW RM (1 <sup>ST</sup> )	CEILING CASSETTE, 4 WAY AIR DISCHARGE, 1 TON
FC 1-10	FAN COIL UNIT	SANYO	24XHX52		WASHABLE	DD	WEST LOBBY/ VESTIBULE (1 <sup>ST</sup> )	CEILING CASSETTE, 4 WAY AIR DISCHARGE, 2 TON
FC 1-11	FAN COIL UNIT	SANYO	12XMHX52		WASHABLE	DD	COPY ROOM (1 <sup>ST</sup> )	CEILING CASSETTE, 4 WAY AIR DISCHARGE, 1 TON
FC 1-12A	FAN COIL UNIT	SANYO	12XMHX52		WASHABLE	DD	FINANCE OPEN OFFICE (1 <sup>ST</sup> )	N. CEILING CASSETTE, 4 WAY AIR DISCHARGE, 1 TON
FC 1-12B	FAN COIL UNIT	SANYO	12XMHX52		WASHABLE	DD	FINANCE OPEN OFFICE (1 <sup>ST</sup> )	S. CEILING CASSETTE, 4 WAY AIR DISCHARGE, 1 TON
FC 1-13	FAN COIL UNIT	SANYO	12XMHX52		WASHABLE	DD	PD BOOKING ROOM (1 <sup>ST</sup> )	CEILING CASSETTE, 4 WAY AIR DISCHARGE, 1 TON
FC 1-14	FAN COIL UNIT	SANYO	12XMHX52		WASHABLE	DD	PD SERGEANT OFFICE (1 <sup>ST</sup> )	CEILING CASSETTE, 4 WAY AIR DISCHARGE, 1 TON
FC 1-15	FAN COIL UNIT	SANYO	KHS1872	0002211	WASHABLE	N/A	TELECOM ROOM (1 <sup>ST</sup> )	SPLIT SYSTEM AC TIED TO HP-3
FC	FAN COIL UNIT	SANYO	KHS1872	0001511	WASHABLE	N/A	SERVER ROOM	SPLIT SYSTEM AC

1-16	FAN COIL UNIT	SANYO	12XMHX52						(1 <sup>ST</sup> )	TIED TO HP-4
FC 1-17	FAN COIL UNIT	SANYO	12XMHX52					DD	PD DETECTIVE OFFICE (1 <sup>ST</sup> )	CEILING CASSETTE, 4 WAY AIR DISCHARGE, 1 TON
FC 1-19	FAN COIL UNIT	SANYO	12XMHX52					DD	PD CHIEF (1 <sup>ST</sup> )	CEILING CASSETTE, 4 WAY AIR DISCHARGE, 1 TON
FC 1-20	FAN COIL UNIT	SANYO	18XMHX52					DD	PD ADMIN OFFICE (1 <sup>ST</sup> )	CEILING CASSETTE, 4 WAY AIR DISCHARGE, 1.5 TON
FC 1-21	FAN COIL UNIT	SANYO	12XMHX52					DD	PD PATROL NORTH (1 <sup>ST</sup> )	CEILING CASSETTE, 4 WAY AIR DISCHARGE, 1 TON
FC 1-22	FAN COIL UNIT	SANYO	12XMHX52					DD	PD PATROL SOUTH (1 <sup>ST</sup> )	CEILING CASSETTE, 4 WAY AIR DISCHARGE, 1 TON
FC 1-23	FAN COIL UNIT	SANYO	12XMHX52					DD	RECEPTION (1 <sup>ST</sup> )	CEILING CASSETTE, 4 WAY AIR DISCHARGE, 1 TON
FC 1-25A	FAN COIL UNIT	SANYO	18XMHX52					DD	PD DISPATCH (1 <sup>ST</sup> )	N. CEILING CASSETTE, 4 WAY AIR DSCHRG, 1.5 TON
FC 1-25B	FAN COIL UNIT	SANYO	18XMHX52					DD	PD DISPATCH (1 <sup>ST</sup> )	S. CEILING CASSETTE, 4 WAY AIR DSCHRG, 1.5 TON
FC 1-28	FAN COIL UNIT	SANYO	UHX1862	0017704				DD	WEST LOBBY (RESTROOMS) (1 <sup>ST</sup> )	CONCEALED CEILING, DUCTED TYPE, 1.5 TON
FC 2-1	FAN COIL UNIT	SANYO	UHX1862	0017804				DD	FD DORMITORY (2 <sup>ND</sup> ) (& SHOWER)	CONCEALED CEILING, DUCTED TYPE, 1.5 TON
FC 2-2	FAN COIL UNIT	SANYO	12XMHX52					DD	RADIO ROOM (2 <sup>ND</sup> )	CEILING CASSETTE, 4 WAY AIR DISCHARGE, 1 TON
FC 2-3	FAN COIL UNIT	SANYO	12XMHX52					DD	PW ADMIN. ASSIST. (2 <sup>ND</sup> )	CEILING CASSETTE, 4 WAY AIR DISCHARGE, 1 TON
FC 2-4	FAN COIL UNIT	SANYO	12XMHX52					DD	PW ADMIN (2 <sup>ND</sup> )	CEILING CASSETTE, 4 WAY AIR DISCHARGE, 1 TON
FC 2-5A	FAN COIL UNIT	SANYO	18XMHX52					DD	PW DIRECTOR (2 <sup>ND</sup> )	E. CEILING CASSETTE, 4 WAY AIR DSCHRG, 1.5 TON
FC 2-5B	FAN COIL UNIT	SANYO	18XMHX52					DD	PW DIRECTOR (2 <sup>ND</sup> )	W. CEILING CASSETTE, 4 WAY AIR DSCHRG, 1.5 TON
FC 2-7	FAN COIL UNIT	SANYO	12XMHX52					DD	SERVER/IT OFFICE (2 <sup>ND</sup> )	CEILING CASSETTE, 4 WAY AIR DISCHARGE, 1 TON
FC 2-8	FAN COIL UNIT	SANYO	12XMHX52					DD	HR OFFICE (2 <sup>ND</sup> )	CEILING CASSETTE, 4 WAY AIR DISCHARGE, 1 TON
FC 2-9	FAN COIL UNIT	SANYO	UHX1262	0032803				DD	WEST LOBBY/PASSAGE (2 <sup>ND</sup> )	CONCEALED CEILING, DUCTED TYPE, 1 TON
FC 2-10	FAN COIL UNIT	SANYO	12XMHX52					DD	COPY ROOM (2 <sup>ND</sup> )	CEILING CASSETTE, 4 WAY AIR DISCHARGE, 1 TON
FC 2-11A	FAN COIL UNIT	SANYO	UHX3662	0004804				DD	HALL - EAST (2 <sup>ND</sup> ) (COUNCIL CHMBR)	CONCEALED CEILING, DUCTED TYPE, 3 TON
FC 2-11B	FAN COIL UNIT	SANYO	UHX3662	0005304				DD	HALL - WEST (2 <sup>ND</sup> ) (COUNCIL CHMBR)	CONCEALED CEILING, DUCTED TYPE, 3 TON
FC	FAN COIL UNIT	SANYO	12XMHX52					DD	IMAGING ROOM	CEILING CASSETTE, 4 WAY



**ONTARIO GOLF CLUB, 1345 GOLF COURSE ROAD**

ID	TYPE	MAKE	MODEL	SERIAL	FILTERS	BELTS	LOCATION	DESCRIPTION
AH-1	AIR HANDLER	BRYANT	350MAV060140		16X25X2 (2)	N/A	CLUB BASEMENT	PRIMARY FURNACE (RIGHT)
AH-2	AIR HANDLER	BRYANT	350MAV060140		16X25X2 (2)	N/A	CLUB BASEMENT	SCNDRY (SLAVE) FRNC (LF1)
CU-1	CONDENSING UNIT	BRYANT	561CJ060-H	1105E08045	N/A	N/A	CLUB GROUND E.	5 TON, TIED TO AH-1 (LEFT)
CU-2	CONDENSING UNIT	BRYANT	561CJ060-H	1005E08386	N/A	N/A	CLUBGROUND E.	5 TON, TIED TO AH-2 (RIGHT)
EF-1	EXHAUST FAN	DAYTON	2C912		N/A	DD	CLUB ROOF	MEN RSTRM (NORTH)
EF-2	EXHAUST FAN	DAYTON	2C912		N/A	DD	CLUB ROOF	WOMEN RSTRM (MIDDLE)
EF-3	EXHAUST FAN	CAPTIVEAIRE	NCA16FA		N/A	AX-27 (1)	CLUB ROOF	KITCHEN HOOD
SF-1	SUPPLY FAN W/ EC	CAPTIVEAIRE	A1-G10		N/A	AX-42 (1)	CLUB ROOF	KITCHEN HOOD
UH-1	UNIT HEATER	REZNOR			N/A	N/A	SHOP	OFFICE SPACE HEAT
UH-2	UNIT HEATER	BERKO	HUHAA1024	4104-2088-013	N/A	N/A	PUMP STATION	ELECTRIC HEAT

**PERMIT APPLICATION CENTER, 458 SW 3<sup>RD</sup> STREET**

ID	TYPE	MAKE	MODEL	SERIAL	FILTERS	BELTS	LOCATION	DESCRIPTION
AH-1	AIR HANDLER	RUUD	UHQA1215T	HMO08847968	16X20X1 (1)	N/A	PRINTING ROOM	ELECTRIC FURNACE
CU-1	CONDENSING UNIT	RUUD	UACB-030JAS	2167F08846451	N/A	N/A	ROOF	ROOF

**PUBLIC WORKS HEADQUARTERS, 1551 NW 9<sup>TH</sup> STREET**

ID	TYPE	MAKE	MODEL	SERIAL	FILTERS	BELTS	LOCATION	DESCRIPTION
AC-1	AIR COND. UNIT	CARRIER			WASHABLE	N/A	SHOP OFFICE	THRU WALL UNIT
AC-2	AIR COND. UNIT	CARRIER	52SED209301RC	4696E64856	WASHABLE	N/A	EXTERIOR OFFICE	THRU WALL UNIT
AH-1	AIR HANDLER	TEMP-STAR	NTCS 125BK01	L96550 43266	AC-1	N/A	SCADA RM CLNG	SECONDARY HEAT SOURCE
AH-2	AIR HANDLER						BREAKROOM	WALL MOUNT MINI SPLIT
B-1	BOILER	WEIL-MCLAIN	PFG-6-PIN	CP5931232	N/A	N/A	MECHANICAL RM	RADIANT FLOOR HEAT
CS-1	CONTROL SYSTEM	WIRSBO	DUOMIX 201		N/A	N/A	MECHANICAL RM	B-1 TSTATS & ZONE CNTRL'S
CU-1	CONDENSING UNIT	CARRIER	CA5560VKD2	L9735 43348	N/A	N/A	EXT. NORTH SIDE	OFFICE SPACE COOLING
CU-2	CONDENSING UNIT						BREAKROOM	WALL MOUNT MINI SPLIT
EF-1	EXHAUST FAN	BROAN	678-F		N/A	DD	WOMEN RSTRM	CEILING BATHROOM FAN
EF-2	EXHAUST FAN	BROAN	678-F		N/A	DD	MEN RESTROOM	CEILING BATHROOM FAN
EF-3	EXHAUST FAN	ZEPHYR	Z-8S/H RA/TD		N/A	DD	SCADA ROOM	FAN FOR SHOWER
EF-4	EXHAUST FAN	BROAN	678-F/678F-F		N/A	DD	SHOP RESTROOM	CEILING BATHROOM FAN
EF-5	EXHAUST FAN	DAYTON	9K955A		N/A	DD	SHOP N. WALL	SHOP EXHAUST, NORTH
WDS-1	WATER DIST SYSTEM	N/A	N/A		N/A	N/A	FLOOR HEAT	B-1 PIPES, PUMPS, ETC

RECREATION CENTER, 790 SW 3<sup>RD</sup> AVENUE

ID	TYPE	MAKE	MODEL	SERIAL	FILTERS	BELTS	LOCATION	DESCRIPTION
AH-1	AIR HANDLER	CARRIER	58MXA080-16	4395A00226	16X25X1 (1)	N/A	STRG/MECH RM	GAS UNIT
CU-1	CONDENSING UNIT	CARRIER	38CKB048300	4995E06237	N/A	N/A	GROUND NORTH	TIED TO AH-1
UH-1	UNIT HEATER	MODINE			N/A	N/A	PARK SHOP	PARK SHOP HEAT

WATER TREATMENT PLANT, 1900 SE 5<sup>TH</sup> AVENUE

ID	TYPE	MAKE	MODEL	SERIAL	FILTERS	BELTS	LOCATION	DESCRIPTION
AC-1	AIR COND. UNIT	WESTINGHOUSE	WAH106P1T2	JK83005666	WASHABLE	N/A	OP OFFICE	DNSTRS OPERATIONS OFC.
AC-2	AIR COND. UNIT	CARRIER	FCB061RB		WASHABLE	N/A	ADS	CONTROL ROOM
EF-1	EXHAUST FAN	PENN	AF54		N/A	B74 (1)	OP CLARIFIER	CLARIFIER - NORTH
EF-2	EXHAUST FAN	PENN	AF54		N/A	B74 (1)	OP CLARIFIER	CLARIFIER - SOUTH
EF-3	EXHAUST FAN				N/A	A85	OP PUMP GALLEY	ROOF ACCESS
EF-4	EXHAUST FAN	DAYTON	4C007D		N/A	DD	OP CMPRSR RM E.	COMPRESSOR RM EAST WL
EF-5	EXHAUST FAN	DAYTON	4C007D		N/A	DD	OP CMPRSR RM S.	COMPRESSOR RM SOUTH W
EF-6	EXHAUST FAN	ILG	PV63		N/A	DD	OP CL2 EJECT RM	UPSTRS CL2 EJORCTOR RM
EF-7	EXHAUST FAN				N/A	?	SHOP EAST SIDE	ROOFTOP UNIT
EF-8	EXHAUST FAN				N/A	DD	PS ROOF	ROOFTOP UNIT - PUMP RM
EF-14	EXHAUST FAN	ACME	FCF20CW UB		N/A	B54 (1)	AD CEILING - CNTR	FORWARD CURVE BLWR
EF-15	EXHAUST FAN	ACME	FCF10CW UB		N/A	A31 (1)	AD CEILING - S.	FORWARD CURVE BLWR
EF-16	EXHAUST FAN	ACME	FCF22CW UB		N/A	B54 (1)	AD CEILING - N.	FORWARD CURVE BLWR
EF-17	EXHAUST FAN	PACE	CRE 6F	70-13742-2	N/A	4L300 (1)	OP ROOF	ROOFTOP UNIT
EF-18	EXHAUST FAN	FASCO	D260		N/A	DD	OP SCALE ROOM	DNSTRS OLD CL2 SCALE RM
RTU-1	ROOFTOP UNIT	BDP	580DEV072150ABAA	4997G21081	16X25X2 (2)	A39 (1)	OP ROOF	PACKAGED ROOFTOP UNIT
UH-1	UNIT HEATER	MODINE	HD30AH0134	30011025202-4347	N/A	N/A	OP SCALE ROOM	DNSTRS OLD CL2 SCALE RM
UH-2	UNIT HEATER	REZNOR	FE165-H	BA166M4N34046X	N/A	N/A	OP PUMP GALLEY	NW CORNER
UH-3	UNIT HEATER	REZNOR	FT175	BAK75W5N28695	N/A	N/A	OP PUMP GALLEY	NE CORNER
UH-4	UNIT HEATER	BERKO	HUHA748	4104-2088-011	N/A	N/A	PS PUMP ROOM	PUMP ROOM HEAT
UH-5	UNIT HEATER	EMERSON	MUH-07-4	10-85-3223	N/A	N/A	PS CHEM STRG	CHEM. STORAGE RM HEAT
UH-6	UNIT HEATER	QMARK			N/A	N/A	OP PP ROOM	POTASSIUM PERMANGANATE
UH-7	UNIT HEATER	LENNOX	LF24-100A-5	S6003A11066	N/A	N/A	SHOP	HANGING FROM CEILING
UH-8	UNIT HEATER	MODINE	HD30AH0134	30011025202-4347	N/A	N/A	OP CL2 EJECT RM	UPSTRS CL2 EJORCTOR RM
UH-9	UNIT HEATER	LENNOX	LF24-45A-5	S6003C50117	N/A	N/A	OP LIME DSPSR	OLD LIME DISPENSER ROOM
UH-12	UNIT HEATER	REZNOR	UDAS-300S	EBEJ79Y3N43021X	N/A	N/A	ADS SOUTH	SOUTH UNIT
UH-13	UNIT HEATER	REZNOR	UDAS-300S		N/A	N/A	ADS EAST	EAST UNIT
UH-14	UNIT HEATER	REZNOR	UDAS-300S	EBEJ79Y3N43020X	N/A	N/A	ADS WEST	WEST UNIT

WASTEWATER TREATMENT PLANT, 2405 MALHEUR DRIVE

ID	TYPE	MAKE	MODEL	SERIAL	FILTERS	BELTS	LOCATION	DESCRIPTION
AH-1	AIR HANDLER	RHEEM	RGED-04EMAES	CG5D704M14843802	18X25X1 (1)	N/A	OP JANITOR (R)	JANITOR ROOM RIGHT UNIT
AH-2	AIR HANDLER	RHEEM	RGED-04EMAES	CG5D704M47939513	18X25X1 (1)	N/A	OP JANITOR (L)	JANITOR ROOM LEFT UNIT
AH-3	AIR HANDLER	RHEEM	RGDE-07EMAGS	CG5D702M02940856	18X25X1 (1)	N/A	OP UTILITY CLST	UTILITY CLOSET NEAR LAB
CU-1	CONDENSING UNIT	RHEEM			N/A	N/A	OP GRND SOUTH	EXT. LEFT, TIED TO AH-1
CU-2	CONDENSING UNIT	RHEEM			N/A	N/A	OP GRND MIDDLE	EXT. MIDDLE, TIED TO AH-2
CU-3	CONDENSING UNIT	RHEEM			N/A	N/A	OP GRND NORTH	EXT. RIGHT, TIED TO AH-3
EF-7	EXHAUST FAN				N/A	?	SHOP	WALL MOUNTED NORTH
EF-9	EXHAUST FAN	STANLEY	TE30		N/A	A36 (1)	PB SOUTH	SOUTH WALL UNIT
EF-10	EXHAUST FAN	STANLEY	TE30		N/A	A36 (1)	PB NORTH	NORTH WALL UNIT
EF-11	EXHAUST FAN				N/A	DD	PB CONTROL RM	CL2/SO2 CNTRL RM CEILING
EF-12	EXHAUST FAN				N/A	DD	PB SO2 STRG RM	SO2 STRG RM CEILING
EF-13	EXHAUST FAN	PENN			N/A	DD	PB CL2 STRG RM	CL2 STRG RM CEILING
EF-14	EXHAUST FAN	DAYTON			N/A	DD	HDW BAR SCR UP	BAR SCREEN RM CEILING
EF-15	EXHAUST FAN				N/A	DD	HDW COLLECTION	COLLECTION RM CEILING
EF-20	EXHAUST FAN	CENTRI MAST	XB120	05F253401	N/A	3L380 (1)	HDW BAR SCR DN	IN-LINE FAN ABV BRSCRN
RH-1	RADIANT HEATER	ROBERTS-GORD.	ER60	9401-035-060-0008	N/A	N/A	SHOP - WEST	INFRARED RDNT TUBE HTR
RH-2	RADIANT HEATER	ROBERTS-GORD.	ER60	9401-035-060-0008	N/A	N/A	SHOP - EAST	INFRARED RDNT TUBE HTR
RH-3	RADIANT HEATER	ROBERTS-GORD.	ER60	9401-035-060-0009	N/A	N/A	SHOP - MIDDLE	INFRARED RDNT TUBE HTR
UH-1	UNIT HEATER	REZNOR	UDAS150	BEAT9Y2N80754X	N/A	N/A	PB PUMP ROOM	NE CORNER PUMP ROOM
UH-2	UNIT HEATER	CADET	CEH03P		N/A	N/A	PB CONTROL RM	CL2/SO2 CNTRL RM - ELEC.
UH-3	UNIT HEATER	CADET	CEH03P		N/A	N/A	PB SO2 STRG RM	SO2 STORAGE ROOM - ELEC
UH-4	UNIT HEATER	TRANE			N/A	N/A	PB CL2 STRG RM	CL2 STORAGE ROOM - GAS
UH-5	UNIT HEATER	MARKEL			N/A	N/A	HDW BARSCREEN	BARSCREEN ROOM HEAT
UH-6	UNIT HEATER	MARKEL			N/A	N/A	HDW COLLECTION	COLLECTION RM HEAT

MURAKAMI LIFT STATION, 136 SE 13<sup>TH</sup> AVENUE

ID	TYPE	MAKE	MODEL	SERIAL	FILTERS	BELTS	LOCATION	DESCRIPTION
UH-8	UNIT HEATER	QMARK	MUH0581		N/A	N/A	CONTROL ROOM	ELECTRIC UNIT HEATER
UH-9	UNIT HEATER	QMARK	MUH0581		N/A	N/A	GENERATOR RM	ELECTRIC UNIT HEATER

8<sup>TH</sup> AVENUE LIFT STATION, 455 NW 8<sup>TH</sup> AVENUE

ID	TYPE	MAKE	MODEL	SERIAL	FILTERS	BELTS	LOCATION	DESCRIPTION
UH-6	UNIT HEATER	CADET			N/A	N/A	SE CORNER	ELECTRIC UNIT HEATER

**EASTSIDE BOOSTER STATION, 512 SE 5<sup>TH</sup> AVENUE**

ID	TYPE	MAKE	MODEL	SERIAL	FILTERS	BELTS	LOCATION	DESCRIPTION
AH-1	AIR HANDLER	JANITROL	37-100-2	04641	N/A	YES	NW CORNER	NATURAL GAS HEATER

**CANYON 2 PUMP STATION,**

ID	TYPE	MAKE	MODEL	SERIAL	FILTERS	BELTS	LOCATION	DESCRIPTION
UH-15	UNIT HEATER	CADET	CEH 05 SB	CG5D704M14943802	N/A	N/A	NW CORNER	ELECTRIC UNIT HEATER
EF-12	EXHAUST FAN	CENTRIMST	XD100	PPC 233601	N/A		MAIN ROOM	EXHAUST FAN

**WESTSIDE BOOSTER STATION, 1415 SUNSET DRIVE**

ID	TYPE	MAKE	MODEL	SERIAL	FILTERS	BELTS	LOCATION	DESCRIPTION
UH-10	UNIT HEATER	SINGER	CAT#EUH10K		N/A	N/A	SE CORNER	ELECTRIC UNIT HEATER
UH-11	UNIT HEATER	SINGER	CAT#EUH10K		N/A	N/A	NW CORNER	ELECTRIC UNIT HEATER

**MALHEUR LIFT STATION, 2148 MALHEUR DRIVE**

ID	TYPE	MAKE	MODEL	SERIAL	FILTERS	BELTS	LOCATION	DESCRIPTION
AC-3	AIR COND. UNIT	FRIDGIDAIRE	FAH10EN2T3 7224001	EK61901122	WASHABLE	N/A	CONTROL ROOM	THRU WALL UNIT

**NORTHWEST REGIONAL LIFT STATION, 1600 NW 18<sup>TH</sup> STREET**

ID	TYPE	MAKE	MODEL	SERIAL	FILTERS	BELTS	LOCATION	DESCRIPTION
AC-4	AIR COND. UNIT	FRIDGIDAIRE	FAH10EN2T2 7224001	EK60406897	WASHABLE	N/A	CONTROL ROOM	THRU WALL UNIT

**EXHIBIT B  
SERVICE LOCATIONS**

Locations/buildings to be included in this contract shall be:

<b>LOCATION/BUILDING</b>	<b>ADDRESS</b>
City Hall	444 SW 4 <sup>th</sup> Street
Apartment Building	467 SW 3 <sup>rd</sup> Street
Fire Station 2	3288 SW 4 <sup>th</sup> Avenue
Ontario Aquatic Center & Recreation Center	790 SW 3 <sup>rd</sup> Avenue
Public Works Operations	1551 NW 9 <sup>th</sup> Street
Ontario Golf Club	1345 Golf Course Road
Evergreen Cemetery	1155 S Park Boulevard
Permit Application Center	458 SW 3 <sup>rd</sup> Street
Water Treatment Plant	1900 SE 5 <sup>th</sup> Avenue
Wastewater Treatment Plant	2405 Malheur Drive
Old Public Works Shop	55 NE 2 <sup>nd</sup> Avenue
8th Ave Lift Station	455 NW 8th Avenue
Regional Lift Station	NW 18th St/East of Wastewater Trtmnt. Plant
Malheur Lift Station	2148 Malheur Drive
SRCI Lower Lift Station	NE 36th Street/So of 4225 NW 36th Street
SRCI Headworks Barscreen	777 Stanton Boulevard - SRCI
Tapadera Lift Station	NE 3rd Avenue/West of 1321 NE 3rd Avenue
LID 44 Lift Station	1900 SE 5th Avenue – Water Trtmnt. Plant
Murakami Lift Station	136 SE 13th Avenue
Eastside Lift Station	SE 3rd Avenue/west of 317 SE 3rd Avenue
West Idaho Lift Station	W Idaho Avenue, btwn NW 16th & 17th Street
Westside Pump Station	1415 Sunset Drive
Westside Booster Station	1415 Sunset Drive
Eastside Booster Station	512 SE 5th Avenue
Canyon II Booster Station	Canyon 2 Road
Bench Reservoir Booster Station	Foothill Drive
Skyline Reservoir Irrigation Station	Heinz Boulevard

**\*\* PLEASE NOTE: THE CITY RESERVES THE RIGHT TO ADD OR DELETE SERVICE LOCATIONS DURING THE TERM OF THIS AGREEMENT AS NEEDED.**

## CONSENT AGENDA

May 20, 2013

TO: Mayor and City Council

FROM: Bob Walker, Public Works Director

THROUGH: Jay Henry, City Manager

**SUBJECT: BID AWARD: JANITORIAL SERVICES 2013**

DATE: May 14, 2013

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### SUMMARY:

Attached are the following documents:

- Janitorial Services – Bid tabulation

Bids were opened on May 1, 2013, for the Janitorial Services Bid 2013; the apparent lowest-responsive bidder is Varsity Facility Services of Boise. The current janitorial company, ABM Janitorial Services of Boise, was \$18,418 higher than Varsity Facility Services.

COMPANY	ANNUAL TOTAL
<b>Varsity Facility Services</b>	<b>\$ 19,133.22</b>
<b>ABM Janitorial Services</b>	<b>\$ 37,551.60</b>

### BACKGROUND:

The current janitorial contract with ABM Janitorial Services expires on June 30, 2013. The new contract will begin on July 1, 2013 and run through June 30, 2015 with an option to extend for two more years. The janitorial service is for City Hall, the Aquatic Center, Public Works Headquarters, and the Permit Center. We have checked references for Varsity Facility Services and received favorable comments.

### FINANCIAL IMPLICATION:

Award to Varsity Facility Services will save the City of Ontario \$18,418 per year.

### STAFF RECOMMENDATION:

Staff recommends that the City Manager be authorized to sign the agreement and to award the Janitorial Services 2013 to Varsity Facility Services.

## JANITORIAL SERVICES BID 2013

	VARSITY FACILITY SERVICES	ABM JANITORIAL SERVICES
<i>RATE FORM</i>	X	X
<i>SIGNATURE PAGE</i>	X	X
<i>SUBCONTRACTOR INFORMATION SHEET</i>	X	X
<i>REFERENCE SHEET</i>	X	X
<i>BID CERTIFICATIONS (4)</i>	X	X
<b><u>MONTHLY PRICE:</u></b>		
Monthly Janitorial Service	1,495.00	--
Optional City Hall Offices	100.00	--
	<b><u>\$1,595.00</u></b>	
<b><u>ANNUAL PRICE:</u></b>		
City Hall	7,627.83	15,873.84
Option 1 - City Hall Offices	1,200.00	-
Aquatic Center	8,076.52	16,499.52
Public Works Headquarters	1,671.65	3,657.00
Permit Application Center	557.22	1,521.24
<b>TOTAL BID:</b>	<b><u>\$19,133.22</u></b>	<b><u>\$37,551.60</u></b>
<b><u>UNIT COSTS:</u></b>		
Interior window washing - City Hall entire Facility	185.00 /occurrence	200.25 /occurrence
Exterior window washing - City Hall ground level	95.00 /occurrence	111.38 /occurrence
Exterior window washing - City Hall second floor	130.00 /occurrence	141.00 /occurrence
Interior window washing - Aquatic Center ground level	240.00 /occurrence	141.00 /occurrence
Exterior window washing - Aquatic Center ground level	295.00 /occurrence	170.63 /occurrence
Interior window washing - Public Works Headquarters	20.00 /occurrence	81.75 /occurrence
Exterior window washing - Public Works Headquarters	30.00 /occurrence	96.56 /occurrence
Exterior window washing - Permit Center	20.00 /occurrence	81.75 /occurrence
Supplemental cleaning - Scheduled (all facilities)	15.00 /hr	-- /hr
Supplemental cleaning - Emergency (all facilities)	20.00 /hr	-- /hr

## AGENDA REPORT

May 20, 2013

TO: City Council

FROM: Anita Zink, Human Resource Manager

THROUGH: Jay Henry, City Manager

**SUBJECT: RESOLUTION 2013-118: REQUEST TO ADD THE OREGON SAVINGS GROWTH PLAN AS A DEFERRED PLAN OPTION**

DATE: May 10, 2013

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### **SUMMARY:**

Attached is the following document:

- Resolution 2013-118

Staff is requesting that the City Council approve the addition of the Oregon Savings Growth Plan to the options for employees to participate in for their 457 deferred compensation plan. This is no cost to the City.

### **BACKGROUND:**

The City currently offers three options for employees to participate in for their 457 retirement plans.

### **RECOMMENDATION:**

Staff recommends City Council approve Resolution 2013-118.

### **PROPOSED MOTION:**

I move the City Council approve Resolution 2013-118, A RESOLUTION ADDING THE OREGON DEFERRED COMPENSATION PLAN, to give employees the option to participate in the Oregon Savings Growth Plan.

# RESOLUTION FOR INCLUSION UNDER THE STATE OF OREGON DEFERRED COMPENSATION PLAN



LOCAL GOVERNMENT PROGRAM - Resolution 2013-118

The \_\_\_\_\_ (Governing Body) of \_\_\_\_\_  
\_\_\_\_\_ (Employer), pursuant to the provisions of Oregon Revised

Statutes (ORS) 243.474, which provides in part that:

"A local government that establishes a deferred compensation plan may invest all or part of the plan's assets through the deferred compensation investment program established by the Oregon Investment Council (OIC) under ORS 243.421,"

Hereby determines to be included in the State of Oregon Deferred Compensation Investment Program, also known as the Oregon Savings Growth Plan, established by the OIC under ORS 243.421 and administered by the Public Employees Retirement Board according to ORS 243.435 for its eligible personnel.

**Be it further resolved** that the proper officers are herewith authorized and directed to take all actions and make such reductions and submit such deferrals as are required by the Public Employees Retirement Board of the State of Oregon pursuant to ORS 243.478 (1), and

**Be it further resolved** that Employer agrees to be bound by the terms and conditions of the contracts between the State, its investment providers and record keeping company, and the "Plan Document" as identified in ORS 243.401 to 243.507 and TPA services as amended from time to time. Specifically, without limitation, Employer agrees to appoint its governing body as Trustee of its Plan, as required by Section 457(g) of the Internal Revenue Code (IRC), 26 USC 457(g)(2). The Employer certifies it is an "eligible employer" under IRC Section 457(e)(1) and has received a copy of the Plan Document and TPA Services.

**Be it further resolved** that Employer shall submit a certified copy of this resolution and "Notification Memo" to the State of Oregon, Public Employees Retirement System (PERS) as the Plan Administrator.

**Be it further resolved** that the Governing Body and Employer, recognize the PERS Board's responsibility for maintaining the integrity of the Plan and hereby agree to cooperate fully with the Plan Administrator in accordance with procedures established by PERS, including without limitation in processing requests for withdrawal in case of an unforeseeable emergency as defined in IRC Sec. 457(b)(5) and Treasury Regulations 1.457-2(h)(4) and (5).

## DESIGNATION OF AGENT

The person in the following position is hereby designated as the agent in matters pertaining to the State of Oregon Deferred Compensation Investment Program.

Title \_\_\_\_\_  
Agent \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_  
Phone Number \_\_\_\_\_  
E-mail address \_\_\_\_\_  
Office Hours \_\_\_\_\_  
Alternate Agent \_\_\_\_\_  
Phone Number \_\_\_\_\_  
Fax Number \_\_\_\_\_

**PROCLAMATION**  
**Older Americans Month 2013**  
**“Unleash the Power of Age”**

**WHEREAS,** the City of Ontario includes 2,363 people ages 60 and above; and

**WHEREAS,** Ontario is committed to valuing all individuals and recognizing their ongoing life achievements; and

**WHEREAS,** the older adults in Ontario play an important role by continuing to contribute experience, knowledge, wisdom, and accomplishments; and

**WHEREAS,** our older adults are active community members involved in volunteering, mentorship, arts and culture, and civic engagement; and

**WHEREAS,** recognizing the successes of community elders encourages their ongoing participation and further accomplishments; and

**WHEREAS,** our community can provide opportunities to allow older citizens to continue to flourish by:

- Emphasizing the importance of elders and their leadership by publicly recognizing their continued achievements –
- Presenting opportunities for older Americans to share their wisdom, experience, and skills –
- Recognizing older adults as a valuable asset in strengthening American communities.

**NOW, THEREFORE, the City Council of Ontario, Oregon,** does hereby declare May, 2013 as Older Americans Month. We support them as powerful and vital citizens who greatly contribute to the community.

In witness whereof, I have hereunto set my hand this 20<sup>th</sup> day of May, 2013.

\_\_\_\_\_  
Dan Jones, Council President

## AGENDA REPORT – OLD BUSINESS

May 20, 2013

TO: Mayor and City Council

FROM: Larry Sullivan, City Attorney

THROUGH: Jay Henry, City Manager

**SUBJECT: ORDINANCE NO. 2678-2013 AMENDING CITY CODE SECTION 8-7-4 REGARDING  
INSTALLATION OF SEWER BACK CHECK DEVICES (BACKWATER VALVES)-Final Reading**

DATE: May 9, 2013

---

### **SUMMARY:**

Attached is the following document:

- Ordinance No. 2678-2013

### **PREVIOUS COUNCIL ACTION:**

05-06-2013 Council passed Ordinance #2678-2013 on First Reading

### **RECOMMENDATION:**

Staff recommends the Council approve a first reading of Ordinance No. 2678-2013.

### **PROPOSED MOTION:**

I move the City Council approve Ordinance No. 2678-2013, AN ORDINANCE AMENDING CITY CODE SECTION 8-7-4 REGARDING INSTALLATION OF SEWER BACK CHECK DEVICES (BACKWATER VALVES), on Second and Final Reading by Title Only.

ORDINANCE NO. 2678-2013

AN ORDINANCE AMENDING CITY CODE SECTION 8-7-4 REGARDING INSTALLATION OF SEWER BACK CHECK DEVICES (BACKWATER VALVES)

WHEREAS, Subsection (O) of City Code Section 8-7-4 and Section 710.1 of the Oregon Specialty Plumbing Code both attempt to regulate the installation of backwater valves in sewers (which the City Code refers to as sewer back check devices);

WHEREAS, Subsection (O) is inconsistent with Section 710.1 of the State Code; and

WHEREAS, The reference to sewer back check devices in subsection (O) of City Code Section 8-7-4 must be deleted in order to bring the City Code into compliance with Chapter 7, Part 1, Section 710.1 of the Oregon Specialty Plumbing Code, which takes precedence over municipal ordinances pursuant to Oregon Administrative Rule 918-750-0100(2).

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

Section 1. Subsection (O) of Section 8-7-4 of the Ontario City Code is hereby amended by deleting that portion that is stricken.

**8-7-4 Use of public sewer restricted.**

\*\*\*\*\*

(O) Valves and Sewer Laterals: No sewer pipe within a street or alley right of way shall be less than four inches (4") internal diameter, and all sewers shall be of sufficient size to accommodate any property they are intended to drain in accordance with the State of Oregon Plumbing Code. ~~The City shall require a Sewer Back Check device on all new construction or the rehabilitation of an old service connection when there is any occupied space below the elevation of the street.~~

\*\*\*\*\*

PASSED AND ADOPTED by the Common Council of the City of Ontario this \_\_\_\_ day of \_\_\_\_\_, 2013, by the following vote:

AYES:

NAYS:

ABSENT:

APPROVED by the Council President acting as Mayor this \_\_\_\_ day of \_\_\_\_\_, 2013.

ATTEST:

\_\_\_\_\_  
Dan Jones, Council President

\_\_\_\_\_  
Tori Barnett, MMC, City Recorder

## AGENDA REPORT – OLD BUSINESS

May 20, 2013

To: Mayor and Council

From: Dan Shepard, Engineering Technician III

Through: Jay Henry, City Manager

Subject: **ORDINANCE NO. 2679-2013: AN ORDINANCE AMENDING TITLE 8, CHAPTER 1, SECTION 1, OF THE ONTARIO MUNICIPAL CODE, SPECIFICATIONS ADOPTED (Final Reading)**

Date: May 9, 2013

---

### **SUMMARY:**

Attached is the following document:

- Ordinance #2679-2013

### **PREVIOUS COUNCIL ACTION:**

05-06-2013 Council adopted Ordinance 2679-2013 on First Reading

### **RECOMMENDATIONS:**

Staff recommends adoption of Ordinance 2679-2013.

### **PROPOSED MOTION:**

I move the City Council adopt **ORDINANCE 2679-2013, AN ORDINANCE AMENDING TITLE 1, CHAPTER 1, SECTION 1, OF THE ONTARIO MUNICIPAL CODE - SPECIFICATIONS ADOPTED**, on Second and Final Reading by Title Only.

**ORDINANCE NO. 2679-2013**

**AN ORDINANCE AMENDING CHAPTER 1 SECTION 1  
OF TITLE 8 - SPECIFICATIONS ADOPTED**

**WHEREAS,** the City of Ontario is engaged from time to time in certain public works projects; and

**WHEREAS,** it has been deemed to be in the best interest of the City of Ontario to have a current standard set of specifications for such public works projects.

**NOW THEREFORE, THE CITY OF ONTARIO ORDAINS AS FOLLOWS:**

1. Section 1: That 8-1-1 of the Ontario City Code be amended to read in its entirety as follows:

“The Idaho Specifications for Public Works Construction and City of Ontario Supplement are hereby adopted by reference in its entirety. A copy of said Idaho Specifications for Public Works Construction and City of Ontario Supplement shall be kept on file in the office of the City Manager and the office of the Public Works Director at all times and shall be made available for public inspection during normal office hours.” (Supersedes Ord. 2497-2013, July 1, 2002; and Ord. 2235, 4-18-88)

**PASSED AND ADOPTED** by the Common Council of the City of Ontario this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by the following vote:

AYES:

NAYES:

ABSENT:

**APPROVED** by the Mayor on this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Dan Jones, Council President

**ATTEST:**

\_\_\_\_\_  
Tori Barnett, MMC, City Recorder

## AGENDA REPORT

May 20, 2013

TO: Mayor and City Council

FROM: Bob Walker, Public Works Director

THROUGH: Jay Henry, City Manager

**SUBJECT: RESOLUTION #2013-119: A RESOLUTION APPROVING FUND EXCHANGE AGREEMENT #29178 BETWEEN THE CITY OF ONTARIO AND THE STATE OF OREGON, ACTING BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION FOR FUND DISTRIBUTION FOR ONTARIO TRANSPORTATION PRESERVATION PROJECTS**

DATE: May 13, 2013

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### SUMMARY:

Attached are the following document(s):

- Resolution #2013-119
- 2013 Fund Exchange Agreement #29178

### PREVIOUS COUNCIL ACTION:

April 4, 2005 City Council authorized the Mayor to sign Fund Exchange Agreement #22388, which allowed staff to construct and complete the southwest 4<sup>th</sup> Avenue and southwest 4<sup>th</sup> street signal project.

March 16, 2009 City Council adopted Resolution #2009-108: a Resolution approving Fund Exchange #25415, which authorized the Mayor to sign the agreement for the design and construction of North Oregon Street and rehabilitation between Idaho Street and Northwest 1<sup>st</sup> Street.

August 16, 2010 City Council adopted Resolution #2010-131: a Resolution approving Fund Exchange #27023, which authorized the Mayor to sign the agreement for chip sealing and landscaping.

January 17, 2012 City Council adopted Resolution #2012-101: a Resolution approving Fund Exchange #28277, which authorized the Mayor to sign the agreement for chip sealing and equipment purchases.

March 19, 2012 City Council adopted Resolution #2012-104: a Resolution approving Fund Exchange #28370, which authorized the Mayor to sign the agreement for the 2012 Street Program.

**BACKGROUND:**

The State of Oregon offers Fund Exchange programs acting by and through its Department of Transportation, in which Federal funds are exchanged for State funds at a ratio of \$94 State dollars for \$100 Federal dollars. This gives the City the ability to build projects under local control instead of federal control. The process will grant the City \$132,771.24 for \$141,246.00 federal funds.

**RECOMMENDATION:**

Staff recommends the Council authorize the Mayor to sign the 2013 Fund Exchange Agreement # 29178.

**PROPOSED MOTION:**

I move the City Council adopt Resolution #2013-119: A RESOLUTION APPROVING FUND EXCHANGE AGREEMENT #29178 BETWEEN THE CITY OF ONTARIO AND THE STATE OF OREGON, ACTING BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION FOR FUND DISTRIBUTION FOR ONTARIO TRANSPORTATION PRESERVATION PROJECTS.

**RESOLUTION #2013-119**

**A RESOLUTION APPROVING FUND EXCHANGE AGREEMENT #29178  
BETWEEN THE CITY OF ONTARIO AND THE STATE OF OREGON, ACTING BY  
AND THROUGH ITS DEPARTMENT OF TRANSPORTATION FOR FUND  
DISTRIBUTION FOR ONTARIO TRANSPORTATION PRESERVATION PROJECTS**

**WHEREAS,** the State of Oregon offers Fund Exchange programs acting by and through its Department of Transportation; and

**WHEREAS,** Federal funds are exchanged for State funds at a ratio of \$94 State dollars for \$100 Federal dollars; and

**WHEREAS,** the City of Ontario has been given the opportunity to receive \$132,771.24 State dollars for \$141,246.00 Federal dollars.

**NOW THEREFORE, BE IT HEREBY RESOLVED** by the Ontario City Council, to approve Fund Exchange Agreement #29178 between the City of Ontario and the State of Oregon acting by and through its Department of Transportation for fund distribution for Ontario Transportation Preservation Projects.

**EFFECTIVE DATE:** Effective immediately upon passage.

**PASSED AND ADOPTED** by the Ontario City Council this \_\_\_\_\_ day of \_\_\_\_\_ 2013, by the following vote:

AYES:

NAYES:

ABSENT:

**APPROVED** by the Council President acting as Mayor this \_\_\_\_ day of \_\_\_\_\_, 2013

\_\_\_\_\_  
Dan Jones, Council President

ATTEST:

\_\_\_\_\_  
Suzanne Skerjanec, Acting City Recorder

2013 FUND EXCHANGE AGREEMENT  
Ontario Transportation Preservation Projects  
City of Ontario

THIS AGREEMENT is made and entered into by and between the STATE OF OREGON, acting by and through its Department of Transportation, hereinafter referred to as "State"; and CITYOF ONTARIO, acting by and through its elected officials, hereinafter referred to as "Agency," both herein referred to individually or collectively as "Party" or "Parties."

**RECITALS**

1. By the authority granted in Oregon Revised Statute (ORS) 190.110, 366.572 and 366.576, State may enter into cooperative agreements with counties, cities and units of local governments for the performance of work on certain types of improvement projects with the allocation of costs on terms and conditions mutually agreeable to the contracting parties.
2. This 2013 Fund Exchange for City of Ontario includes their 2012 federal fiscal adjustment of \$9,992.00 in the total. There is also a financial adjustment from the City's 2012 fund exchange expenditures of - \$1,888.00 included.

**NOW THEREFORE**, the premises being in general as stated in the foregoing Recitals, it is agreed by and between the Parties hereto as follows:

**TERMS OF AGREEMENT**

1. Agency has submitted a completed and signed Part 1 of the Project Prospectus, or a similar document agreed to by State, outlining the schedule and costs associated with all phases of the Ontario Transportation Preservation Projects, hereinafter referred to as "Project."
2. State has reviewed Agency's prospectus and considered Agency's request for the Fund Exchange. State has determined that Agency's Project is eligible for the exchange of funds.
3. To assist in funding the Project, Agency has requested State to exchange 2013 federal funds, which have been allocated to Agency, for state funds based on the following ratio:

\$94 state for \$100 federal

4. Based on this ratio, Agency wishes to trade \$141,246.00 federal funds for \$132,771.24 state funds.

5. The term of this Agreement will begin upon execution and will terminate two (2) years on the same day and month unless extended by an executed amendment.
6. The Parties agree that the exchange is subject to the following conditions:
  - a. The federal funds transferred to State may be used by State at its discretion.
  - b. State funds transferred to Agency must be used for the Project. This Fund Exchange will provide funding for specific roadway projects and may also be used for the following maintenance purposes:
    - i. Purchase or Production of Aggregate. Agency shall ensure the purchase or production of aggregate will be highway related and used exclusively for highway work.
    - ii. Purchase of Equipment. Agency shall clearly describe how it plans to use said equipment on highways. Agency shall demonstrate that the equipment will only be used for highway purposes.
  - c. State funds may be used for all phases of the Project, including preliminary engineering, right of way, utility relocations and construction. Said use shall be consistent with the Oregon Constitution and statutes (Section 3a of Article IX Oregon Constitution). Agency shall be responsible to account for expenditure of state funds.
  - d. This Fund Exchange shall be on a reimbursement basis, with state funds limited to a maximum amount of \$132,771.24. All costs incurred in excess of the Fund Exchange amount will be the sole responsibility of Agency.
  - e. State certifies, at the time this Agreement is executed, that sufficient funds are available and authorized for expenditure to finance costs of this Agreement within State's current appropriation or limitation of the current biennial budget.
  - f. Agency, and any contractors, shall perform the work as an independent contractor and will be exclusively responsible for all costs and expenses related to its employment of individuals to perform the work including, but not limited to, retirement contributions, workers' compensation, unemployment taxes, and state and federal income tax withholdings.
  - g. Agency shall comply with all federal, state, and local laws, regulations, executive orders and ordinances applicable to the work under this Agreement, including, without limitation, the provisions of ORS 279C.505, 279C.515, 279C.520, 279C.530 and 279B.270 incorporated herein by reference and made a part hereof. Without limiting the generality of the foregoing, Agency expressly agrees to comply with (i) Title VI of Civil Rights Act of 1964; (ii) Title V and Section 504 of the Rehabilitation Act of 1973; (iii) the Americans with Disabilities Act of 1990 and ORS 659A.142; (iv) all regulations and administrative rules established

pursuant to the foregoing laws; and (v) all other applicable requirements of federal and state civil rights and rehabilitation statutes, rules and regulations.

- h. Agency, or its consultant, shall conduct the necessary preliminary engineering and design work required to produce final plans, specifications and cost estimates; purchase all necessary right of way in accordance with current state and federal laws and regulations; obtain all required permits; be responsible for all utility relocations; advertise for bid proposals; award all contracts; perform all construction engineering; and make all contractor payments required to complete the Project.
- i. Agency shall submit invoices to State on a monthly basis, for actual costs incurred by Agency on behalf of the Project directly to State's Project Manager for review and approval. Such invoices will be in a form identifying the Project, the agreement number, the invoice number or account number or both, and will itemize all expenses for which reimbursement is claimed. Under no conditions shall State's obligations exceed \$132,771.24, including all expenses. Travel expenses will not be reimbursed.
- j. Agency shall, at its own expense, maintain and operate the Project upon completion at a minimum level that is consistent with normal depreciation and service demand.
- k. All employers, including Agency, that employ subject workers in the State of Oregon shall comply with ORS 656.017 and provide the required Workers' Compensation coverage unless such employers are exempt under ORS 656.126. Employers Liability insurance with coverage limits of not less than \$500,000 must be included. Agency shall ensure that each of its subcontractors complies with these requirements.
- l. This Agreement may be terminated by either party upon thirty (30) days' notice, in writing and delivered by certified mail or in person.
  - i. State may terminate this Agreement effective upon delivery of written notice to Agency, or at such later date as may be established by State, under any of the following conditions:
    - A. If Agency fails to provide services called for by this Agreement within the time specified herein or any extension thereof.
    - B. If Agency fails to perform any of the other provisions of this Agreement, or so fails to pursue the work as to endanger performance of this Agreement in accordance with its terms, and after receipt of written notice from State fails to correct such failures within ten (10) days or such longer period as State may authorize.

- ii. Either Party may terminate this Agreement effective upon delivery of written notice to the other Party, or at such later date as may be established by the terminating Party, under any of the following conditions:
    - A. If either Party fails to receive funding, appropriations, limitations or other expenditure authority sufficient to allow either Party, in the exercise of their reasonable administrative discretion, to continue to make payments for performance of this Agreement.
    - B. If federal or state laws, regulations or guidelines are modified or interpreted in such a way that either the work under this Agreement is prohibited or either Party is prohibited from paying for such work from the planned funding source.
  - iii. Any termination of this Agreement shall not prejudice any rights or obligations accrued to the Parties prior to termination.
  - m. State and Agency agree that if any term or provision of this Agreement is declared by a court of competent jurisdiction to be invalid, unenforceable, illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the Parties shall be construed and enforced as if the Agreement did not contain the particular term or provision held to be invalid.
7. Agency acknowledges and agrees that State, the Oregon Secretary of State's Office, the federal government, and their duly authorized representatives shall have access to the books, documents, papers, and records of Agency which are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcripts for a period of six (6) years after final payment. Copies of applicable records shall be made available upon request. Payment for costs of copies is reimbursable by State.
  8. Agency certifies and represents that the individual(s) signing this Agreement has been authorized to enter into and execute this Agreement on behalf of Agency, under the direction or approval of its governing body, commission, board, officers, members or representatives, and to legally bind Agency.
  9. This Agreement may be executed in several counterparts (facsimile or otherwise) all of which when taken together shall constitute one agreement binding on all Parties, notwithstanding that all Parties are not signatories to the same counterpart. Each copy of this Agreement so executed shall constitute an original.
  10. This Agreement and attached exhibits constitute the entire agreement between the Parties on the subject matter hereof. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this Agreement. No waiver, consent, modification or change of terms of this Agreement shall bind either Party unless in writing and signed by both Parties and all necessary approvals have been obtained. Such waiver, consent, modification or change, if made, shall be

effective only in the specific instance and for the specific purpose given. The failure of State to enforce any provision of this Agreement shall not constitute a waiver by State of that or any other provision.

**THE PARTIES**, by execution of this Agreement, hereby acknowledge that their signing representatives have read this Agreement, understand it, and agree to be bound by its terms and conditions.

The funding for this Fund Exchange program was approved by the Oregon Transportation Commission on March 21, 2012, as a part of the 2012-2015 Statewide Transportation Improvement Program (STIP).

The Program and Funding Services Manager approved the Fund Exchange on March 6, 2013.

**Signature Page to Follow**

**CITY OF ONTARIO**, by and through its

By \_\_\_\_\_  
Mayor (or other assigned designee)

Date \_\_\_\_\_

By \_\_\_\_\_  
City Recorder (or other assigned designee).

Date \_\_\_\_\_

**APPROVED AS TO LEGAL SUFFICIENCY**

By \_\_\_\_\_  
Counsel

Date \_\_\_\_\_

**Agency Contact:**

Bob Walker, Public Works Director  
City of Ontario  
444 SW 4<sup>th</sup> Street  
Ontario, Oregon 97914  
(541) 881-3231  
Bob.walker@ontariooregon.org

**State Contact:**

Mike Barry, Local Agency Liaison  
3012 Island Avenue  
La Grande, Oregon 97850  
(541) 963-1353  
Michael.p.barry@odot.state.or.us

**STATE OF OREGON**, by and through its Department of Transportation

By \_\_\_\_\_  
Region 5 Manager

Date \_\_\_\_\_

**APPROVED AS TO LEGAL SUFFICIENCY**

By           N/A            
Assistant Attorney General

Date \_\_\_\_\_