

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

**AGENDA  
CITY COUNCIL - CITY OF ONTARIO, OREGON  
MONDAY, JUNE 6, 2016, 7:00 P.M., M.T.**

- 1) **CALL TO ORDER**  
Roll Call: Norm Crume \_\_\_\_\_ Tessa Winebarger \_\_\_\_\_ Charlotte Fugate \_\_\_\_\_ Marty Justus \_\_\_\_\_  
Larry Tuttle \_\_\_\_\_ Betty Carter \_\_\_\_\_ Mayor Ron Verini \_\_\_\_\_

2) **PLEDGE OF ALLEGIANCE**

This Agenda was posted on Wednesday, June 1, 2016. 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 05/16/2016 ..... 1-6  
B) Minutes of Special Meeting of 07/14/2015 ..... 7-8  
C) ROW Request - Wooden Pergola @ Malheur Council on Aging ..... 9-12  
D) Approval of the Bills

5) **DEPARTMENT HEAD UPDATES**

6) **PRESENTATIONS: Swearing in City Manager Adam Brown and Police Chief Cal Kunz**

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

8) **NEW BUSINESS**

- A) Bid Award: Well 17 Pump Installation ..... 13-14  
B) Microclor Cell Purchase - Water Department - Request for Earlier CIP Purchase ..... 15-18  
C) Funding Opportunities for Street Department ..... 19-25

9) **HAND-OUTS/DISCUSSION ITEMS**

- A) City Manager Guidelines and Parameters  
B) Ad-Hoc Committee for Union Negotiations  
C) Department Stats: OPD, PW, OFR, April 2016  
D) County Court Minutes: May 18, 2016  
E) Financials

10) **CORRESPONDENCE, COMMENTS AND EX-OFFICIO REPORTS**

11) **EXECUTIVE SESSION:**

- A) ORS 192.660(2)(i)

12) **ADJOURN**

**ONTARIO CITY COUNCIL MEETING MINUTES**

**May 16, 2016**

The regular meeting of the Ontario City Council was called to order by Mayor Ronald Verini at 7:00 p.m. on Monday, May 16, 2016, in the Council Chambers of City Hall. Council members present were Ronald Verini, Norm Crume, Tessa Winebarger, Betty Carter, Marty Justus, Larry Tuttle, and Charlotte Fugate.

Members of staff present were Tori Barnett, Mallory Mallea, Larry Sullivan, Dan Cummings, Anita Zink, Steve Mallea, Dale Cruson, Pete Morgan, Cliff Leeper, and Betsy Roberts.

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

Charlotte Fugate led everyone in the Pledge of Allegiance.

**AGENDA**

Mayor Verini stated a few items had been added to the Agenda. Under presentations, there would be a presentation to Rita Kanrich from staff and members of the Planning Commission; second, Toby Epler would be providing an update to the Council regarding the Ontario Airport, followed by John Forsyth, who would be presenting information related to insurance costs for hangar. Also, there was the addition of an executive session under ORS 192.660(2)(e), dealing with Real Property.

The Mayor also noted there could possibly be an additional executive session, under ORS 192.660(2)(a), to discuss the proposed Oster contract related to the Finance Department.

Charlotte Fugate moved, seconded by Betty Carter, to adopt the Agenda as amended. Roll call vote: Crume-yes; Winebarger-yes; Carter-yes; Justus-yes; Tuttle-yes; Fugate-yes; Verini-yes. Motion carried 7/0/0.

**CONSENT AGENDA**

Tessa Winebarger moved, seconded by Norm Crume, to adopt Consent Agenda items A) Minutes of Regular Meeting of May 3, 2016; B) Liquor License Application: Poker Room and Social Club; and C) Approval of the Bills. Roll call vote: Crume-yes; Winebarger-yes; Carter-yes; Justus-yes; Tuttle-yes; Fugate-yes; Verini-yes. Motion carried 7/0/0.

**PRESENTATION**

**Planning Commission Presentation**

Mayor Verini was joined by Planning Commission Chairman Ralph Poole, to present outgoing Commissioner Rita Kanrich a plaque in recognition of her 28 years on the Planning Commission. She would be missed on the Commission, as she had been a true asset in her service to the community.

**Airport Grant Update**

Toby Epler, J-U-B Engineers, was seeking direction from the Council on the proposed airport projects. The choice was really whether or not the Council wanted to partial out the project this year and next, or carry this year's funding over into next year, and complete the entire project, with the hopes of a matching grant of approximately \$41,000.

Consensus of Council to carry the funds forward into Fiscal Year 2017-2018 for completion of the project.

**AMEND AGENDA**

Marty Justus moved, seconded by Charlotte Fugate, to amend the Agenda to include executive session ORS 192.660(2)(a) for the Oster Contract discussion. Roll call vote: Crume-yes; Winebarger-yes; Carter-yes; Justus-yes; Tuttle-yes; Fugate-yes; Verini-yes. Motion carried 7/0/0.

**NEW BUSINESS**

**Rescind Hangar Insurance Increases**

Larry Sullivan, City Attorney, presented.

On March 31, 2016, the Council approved Peter Morgan Hangar Lease on condition that the liability insurance be increased from \$1M to \$2M for injury claims and to \$750,000 for property claims, and directed staff to send letters to current hangar owners requiring the same increases.

The Council's decision on March 31, 2016, to require hangar owners to increase their liability coverage, was prompted by a discussion with the City Attorney that the State of Oregon was annually increasing the tort claim limits for public bodies, including the city, and that for 2015-2016, public bodies were liable for up to \$1,635,500 for personal injury claims, and for up to \$560,000 for property damage claims. Because the city's current hangar leases required hangar owners to have insurance coverage of only \$1M for personal injury claims and \$100,000 for property damage, the city was potentially exposing its own insurance carrier to claims resulting from the negligence of hangar owners, which could result in increases in the cost of insurance for the city.

After that decision was made, John Forsyth, Field Waldo Insurance, the city's insurance agent, found out that airport hangar liability insurance in excess of \$1M was either impossible to obtain or available only at a substantially higher expense to hangar owners. Mr. Forsyth reported that information to the City Council at its work session on May 12, 2016. The Council consensus was to rescind the proposed liability insurance increases for hangar owners, in light of the fact that the city was carrying \$5M in liability coverage for the airport.

Based upon that decision, staff recommends that the Council approve the Peter Morgan Hangar Lease without requiring a liability insurance increase, and rescind its direction to staff to require current hangar owners to increase their liability insurance coverage.

Marty Justus moved, seconded by Betty Carter, that the City Council approve the 20-year hangar lease between the City and Peter Morgan without requiring an increase in liability insurance coverage. Roll call vote: Crume-yes; Winebarger-yes; Carter-yes; Justus-yes; Tuttle-yes; Fugate-yes; Verini-yes. Motion carried 7/0/0.

Charlotte Fugate moved, seconded by Marty Justus, that the City Council rescind its direction to staff to require hangar owners to increase the limits of their liability insurance coverage. Roll call vote: Crume-yes; Winebarger-yes; Carter-yes; Justus-yes; Tuttle-yes; Fugate-yes; Verini-yes. Motion carried 7/0/0.

**PUBLIC HEARING**

**Sage Ridge Place Subdivision Final Plat Approval**

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

Dan Cummings, Community Development Director, presented.

On October 13, 2014, the Planning Commission, acting as the Hearing's Officer, approved a request for a **Subdivision Tentative Plat** as an administrative action. The subject property was located at the current north end of Reiter Drive being north of the subdivision known as Village Addition, designated as Assessor's Map #18S4704, Tax lot 1602, and Map #18S4704BC, Tax lot 100. Norm Poole Oil, Ralph Poole, and Ken Poole, the applicants, have proposed division of these two parcels into 27 new parcels for single family residential use. This land division involves the creation of streets and easements and will be a continuation of Reiter Drive.

On May 4, 2016, city staff conducted the required Technical Review Committee (TRC) meeting on the final plat and approved the plat for submission to the City Council, recommending acceptance of the dedicated right of ways as shown on the final plat.

Background information included Council approval of the annexation and rezone of the subject property in 2008, and on November 20, 2014, the Council approved Ordinance No. 2694-2014, an ordinance amending the Transportation System Plan (TSP) to reclassify Reiter Drive as a local street and eliminate its connection to Malheur Drive.

*10B-55-40 TECHNICAL REVIEW OF FINAL PLAT. Upon receipt of a Final Plat the Technical Review Committee shall examine it and any accompanying documents to determine if the land division has been constructed and the plat prepared in substantial compliance with the approved tentative plan. Approval of the plat by the TRC must be in writing on a form provided by the City; such form shall be included in the record of the application.*

*The Public Works Director may direct field checks if he deems them advisable to verify that the plat is sufficiently correct on the ground.*

*If the Public Works Director finds that full conformity has not been achieved, he shall advise the Planning Official, applicant and applicant's engineer or surveyor, of changes or additions required and shall afford the applicant an opportunity to make changes or additions. The Final Plat shall not be approved until conformity has been achieved.*

**Findings:** The submitted final plat and supplemental material was reviewed by the full TRC on May 4, 2016. The plat is in a recordable form; the Malheur County Surveyor, Fire Chief, and Planning Official have approved the plat in form and will sign the final plat once items on the Public Works "Punch List" is approved by the Public Works Department. The TRC review revealed that some required items on the City's list, known as the "Punch List", were not complete. The Public Works Department performed field checks and is still working with the applicant at the time of this report to obtain completion. If complete at the time of the hearing, the plat may be approved and the Mayor may sign; if not complete, this request for final plat approval may be approved conditionally in that the Mayor may sign the plat upon completion of the "Punch List" as instructed by the Planning Official and Public Works Department.

**Conclusion:** The final plat and supplemental materials have been submitted and reviewed by the TRC as required. The City maintains a "Punch List" of tasks required to be complete that must be complete in order for the plat to be signed. **CRITERION CAN BE MET AS A CONDITION OF APPROVAL**

*10B-55-45 APPROVAL OF THE FINAL PLAT. Final plat approval for a land division involving the creation of streets shall be by action of the City Council at a public hearing; notice of the hearing shall be given at least 20 days prior to the hearing to the applicant, agent, and to any parties to the Administrative Decision approving the tentative plat. If the Technical Review Committee determines that the final plat and all required exhibits are in conformity with the standards of the land use decision, including all conditions of approval, the Council shall approve the plat by motion, and the Planning Official and Mayor shall sign the plat. The installation of improvements may be delayed under bond or other financing guarantee specified in the land division regulations.*

**Findings:** Findings and conclusions from preceding sections of this report are herein included by this reference.

As noted above, the TRC determined that the final plat was not in conformance with requirements due to some unfinished work. Regardless of the status of the work, the Council could still approve the final plat, but authorize signature only upon completion of the required tasks.

**Conclusion:** The plat is not in conformance with requirements and may not be signed unless the work is done; however, the request may be approved conditionally.

*10B-55-50 DEDICATION OF STREETS, ACCEPTANCE. Except for manufactured home subdivisions, manufactured home parks and RV parks, all streets, alleys and easements shown on the plat shall be expressly dedicated to the public and acceptance of the final plat by the city shall constitute acceptance of such platted streets, alleys and easements.*

**Findings:** Street dedication is included with this plat; when the plat is signed and recorded, the streets become city streets.

The Hearing was opened for public testimony.

Opponents: None.

Proponents: None.

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

Betty Carter moved, seconded by Tessa Winebarger, that the City Council approve the request for final plat approval of Sage Ridge Place Subdivision based on the information, findings of fact and conclusions contained in this report, subject to the conditions of approval, to-wit: CONDITIONS OF APPROVAL - The tasks listed on Exhibit B as the "Punch List", attached to this report and herein included by this reference, must be completed to the satisfaction of the Public Works Director in accordance with the OMC, prior to signing of the final plat. Roll call vote: Crume-yes; Winebarger-yes; Carter-yes; Justus-yes; Tuttle-yes; Fugate-yes; Verini-yes. Motion carried 7/0/0.

#### EXECUTIVE SESSION

##### ORS 192.660(2)(a)

An executive session was called under provisions of ORS 192.660(2)(a). The Council reconvened into regular session.

##### Oster Contract Proposal for Financial Services

Norm Crume moved, seconded by Tess Winebarger, that the City Council approve the Professional Services Contract as proposed by Oster Professional Group, CPA's, LLC, for a term of service beginning July 1, 2016. NO VOTE.

Mr. Sullivan pointed out a typo under 2.2.2, which should have the word "property" removed. Also, on page 9, under Notice to Parties, the notice to the city should go to the City Manager. Both corrections would be done prior to signing.

Norm Crume moved, seconded by Tess Winebarger, to approve the Norm Crume moved, seconded by Tessa Winebarger that the City Council approve the Professional Services Contract as proposed by Oster Professional Group, CPA's, LLC, with the word "property" stricken from 2.2.2 and on Page 9, under Notice to Parties, striking out Mayor and replacing with City Manager. Roll call vote: Crume-yes; Winebarger-yes; Carter-yes; Justus-no; Tuttle-yes; Fugate-yes; Verini-yes. Motion carried 6/1/0.

#### EXECUTIVE SESSION

##### ORS 192.660(2)(d)

An executive session was called under provisions of ORS 192.660(2)(d). No action as a result of the session. Council convened into another executive session.

EXECUTIVE SESSION

ORS 192.660(2)(b)

An executive session was called under provisions of ORS 192.660(2)(b). The Council reconvened into regular session.

CITY MANAGER EVALUATION ISSUES

Tessa Winebarger moved, seconded by Betty Carter, to ratify the evaluations for Tori Barnett done the previous two years, 2014 and 2015, as correct, including the merit raises given by those evaluations. DELAYED ROLL CALL.

Councilor Justus stated, for the record, that neither appropriate or inappropriate, that that motion did not include the acknowledgement that no inappropriate behavior happened. They might be approving those evaluations, but were not saying those were done appropriately.

Councilor Tuttle stated he thought they were making a mistake, and this was not the end of it. He believed they were putting themselves in a position that they were supporting inappropriate actions. Not only on Tori's part, but the Mayor's part. This was not going to be the end of this discussion, nor the end of what's going to go on with it. He believed they put themselves in a bad position.

Mayor Verini stated it was his belief that this was an opportunity to put this behind them. He believed it was an honest mistake, which would be corrected in moving forward.

Councilor Tuttle stated once again that was the Mayor's opinion, that he put on top of anybody else that ventured out an opinion, so fine.

Mayor Verini thanked Councilor Tuttle for explaining that.

RETYPE MOTION

Tessa Winebarger moved, seconded by Betty Carter, to ratify the evaluations for Tori Barnett done the previous two years, 2014 and 2015, as correct, including the merit raises given by those evaluations. Roll call vote: Crume-yes; Winebarger-yes; Fugate-no; Justus-no; Tuttle-no; Carter-yes; Verini-yes. Motion carried 4/3/0.

Mr. Sullivan asked if there was going to be a motion for the Council to do an evaluation for the current year?

Councilor Carter stated she had been reviewing the evaluation criteria and wanted to add something about progressive discipline. Discipline was important because it helped employees understand the city's rules, requirements, and expectations, and helped shape the employee's performance. The major purpose of any disciplinary action was to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future. Progressive discipline meant that with most disciplinary problems and repeated offenses, steps would normally be followed to correct the problem. Progressive discipline for misconduct included counseling or education, verbal warnings, written warnings, suspension, demotion, or as far as termination. There might be circumstances when one or more steps could be bypassed for certain types of employee problems, such as harassment, violence, illegal conduct, or a serious enough offense to justify suspension or termination of employment without going through the user discipline step. However, the employee warning record should be used throughout the disciplinary progress. There was a procedure to be followed, and the Council needed to keep in mind what they did now and how they did it in the future.

Tessa Winebarger moved, seconded by Betty Carter, that the City Council disregard the evaluation that was done for Tori Barnett by Mayor Verini in May, 2016, and that the Council, as a whole, did a new evaluation for Tori Barnett. Roll call vote: Crume-yes; Winebarger-yes; Fugate-no; Justus-no; Tuttle-no; Carter-yes; Verini-yes. Motion carried 4/3/0.

**EXECUTIVE SESSION**

**ORS 192.660(2)(e)**

An executive session was called under provisions of ORS 192.660(2)(e). No action was necessary based upon the session. The Council reconvened into regular session.

**ADJOURN**

Tessa Winebarger moved, seconded by Norm Crume, that the meeting be adjourned. Roll call vote: Crume-yes; Winebarger-yes; Carter-yes; Justus-Yes; Tuttle-yes; Fugate-yes; Verini-yes. Motion carried 7/0/0.

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
Ronald Verini, Mayor

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

**ONTARIO CITY COUNCIL  
SPECIAL MEETING MINUTES  
Tuesday, July 14, 2015**

The special meeting of the Ontario City Council was called to order by Mayor Ronald Verini at 7:00 p.m. on Tuesday, July 14, 2015, in the Council Chambers of City Hall. Council members present were Ronald Verini, Norm Crume, Charlotte Fugate, Tessa Winebarger, Larry Tuttle, and Betty Carter. Thomas Jost was excused.

Members of staff present were Tori Barnett, Larry Sullivan, Marcy Siriwardene, and Dan Cummings. The meeting was recorded, and copies are available at City Hall.

Also present was Mike Ybarguen, Idaho Power, and Greg Smith, Malheur County Economic Development Director.

Mayor Verini led everyone in the Pledge of Allegiance.

**AGENDA**

Charlotte Fugate moved, seconded by Tessa Winebarger, to adopt the Agenda. Roll call vote: Crume-yes; Winebarger-yes; Fugate-yes; Jost-out; Tuttle-yes; Carter-yes; Verini-yes. Motion carried 6/0/1.

**NEW BUSINESS**

**Idaho Power Readiness Evaluation Program**

Dan Cummings, Community Development Director, presented.

The City of Ontario and Malheur County Economic Development both submitted applications for the first round of the Idaho Power Readiness Evaluation Program for two sites, those being the "Hasebe-Yanagawa-King Property" [*Treasure 200 Industrial Site*], and "Wada Industrial Site" [*Wada Property*] both within the city limits of Ontario and both zoned (IBP) Industrial Business Parking.

On July 6, 2015, both the City of Ontario and Malheur County Economic Development received letters stating both sites were selected to advance to the next phase of the program.

To advance to the next round, each participant electing to continue into the Evaluation Phase of the program was required to submit a matching commitment of \$6,250.00.

Councilor Fugate asked what the advantage of doing this project.

Mike Ybarguen, Idaho Power, explained that potential clients were looking for an area and would look at sites. The clients would ask about site readiness. Idaho Power offered ten matches through a grant program (\$6,250) and three were in this area. He did not know if the program would be offered next year or not.

Councilor Fugate asked if the site would have to be re-evaluated every year.

Mr. Ybarguen stated that there might be new properties next year that could be on the program.

Greg Smith, Malheur County Economic Development Director, stated that site certification was different than Idaho Power certification.

Councilor Fugate asked what the difference is.

Mr. Smith stated it was very, very thorough, and cost around \$25,000 to get completed.

Councilor Larry Tuttle asked if the Wada property was state certified.

Mr. Smith said that it was a step needed to get Ontario more competitive with other states. He also wanted to take this opportunity to address a past misstatement wherein he had informed the Council that the City of Boardman did not have SDCs, however, they actually do. He continued on

Councilor Crume stated he believed the city was willing to invest money, but would like to have some assurance.

Mr. Smith stated there were no promises, but they were working hard to stimulate economic development.

Mayor Verini stated that the area needed to be sold and believed this was a great opportunity for Ontario.

Larry Sullivan, City Attorney, stated he would work on the documents immediately, as Idaho Power would need to have the city's match money (\$12,500) today.

Mr. Cummings clarified that this was *not* a state certification.

Norm Crume moved, seconded by Charlotte Fugate, that the City Council approve the expenditure of \$12,500 for the city's share of continuing on in Phase Two of the Idaho Power Site Readiness Evaluation Program for both the Treasure 200 Industrial Site and the Wada Industrial Site, and authorize staff to prepare a resolution transferring funds from Contingency. Roll call vote: Crume-yes; Winebarger-yes; Fugate-yes; Jost-out; Tuttle-yes; Carter-yes; Verini-yes. Motion carried 6/0/1.

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

Tori Barnett, Interim City Manager, stated that Councilor Fugate had presented an idea of having goats at the closed golf course property, to maintain the weeds. After looking into it, it was determined it would cost about \$50 an acre, and there was approximately 180 acres on the site.

Both Councilor Crume and Councilor Tuttle asked for more information on the issue.

Cliff Leeper, PW Director, CH2M, indicated Public Works was willing to maintain it after it was initially cleaned up.

**ADJOURN**

Norm Crume moved, seconded by Charlotte Fugate, that the meeting be adjourned. Roll call vote: Crume-yes; Winebarger-yes; Fugate-yes; Jost-out; Tuttle-yes; Carter-yes; Verini-yes. Motion carried 6/0/1.

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
Ronald Verini, Mayor

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

## CONSENT AGENDA

June 6, 2016

TO: Mayor and City Council

FROM: Dan Shepard, Engineering Technician

THROUGH: Cliff Leeper, Public Works Director

**SUBJECT: RIGHT OF WAY ENCROACHMENT PERMIT – WOODEN PERGOLA – MALHEUR COUNCIL ON AGING, 842 SOUTH EAST 1<sup>ST</sup> AVENUE**

DATE: June 2, 2016

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### SUMMARY:

Attached is the following document:

- Exhibit 1: Encroachment Permit Agreement for 842 SE 1<sup>st</sup> Ave.
- Location Map

Malheur Council on Aging (MCOA), located at 842 SE 1<sup>st</sup> Avenue, has requested an encroachment permit for a wooden pergola that extends partially into the right of way of SE 1<sup>st</sup> Avenue. The pergola was constructed on an existing concrete base. MCOA constructed the pergola without a permit. When they applied for a permit, it was found that the pergola encroached into the right of way. At this location, SE 1<sup>st</sup> Avenue is identified in the Transportation System Plan as a local street. The existing width of SE 1<sup>st</sup> Avenue is 36 feet from curb to curb and meets the local street standard. The encroachment will not have an effect on the street or existing utilities.

### RECOMMENDED MOTION:

Staff recommends Council approve the encroachment permit for a wooden pergola, for Malheur Council on Aging, 842 SE 1<sup>st</sup> Ave.

After Recording Return to:  
City of Ontario  
Public Works Department  
1551 NW 9<sup>th</sup> Street  
Ontario, OR 97914

## LICENSE

### ENCROACHMENT PERMIT FOR ENCROACHMENT OF A PERGOLA IN A CITY OF ONTARIO PUBLIC RIGHT-OF-WAY

BETWEEN: THE CITY OF ONTARIO, an Oregon municipal Corporation hereinafter referred to as "City."

AND: Malheur Council on Aging, 842 SW 1st Avenue, hereinafter referred to as "Developer."

PREMISES:

WHEREAS, Developer owns lots of the City of Ontario, Malheur County, Oregon;

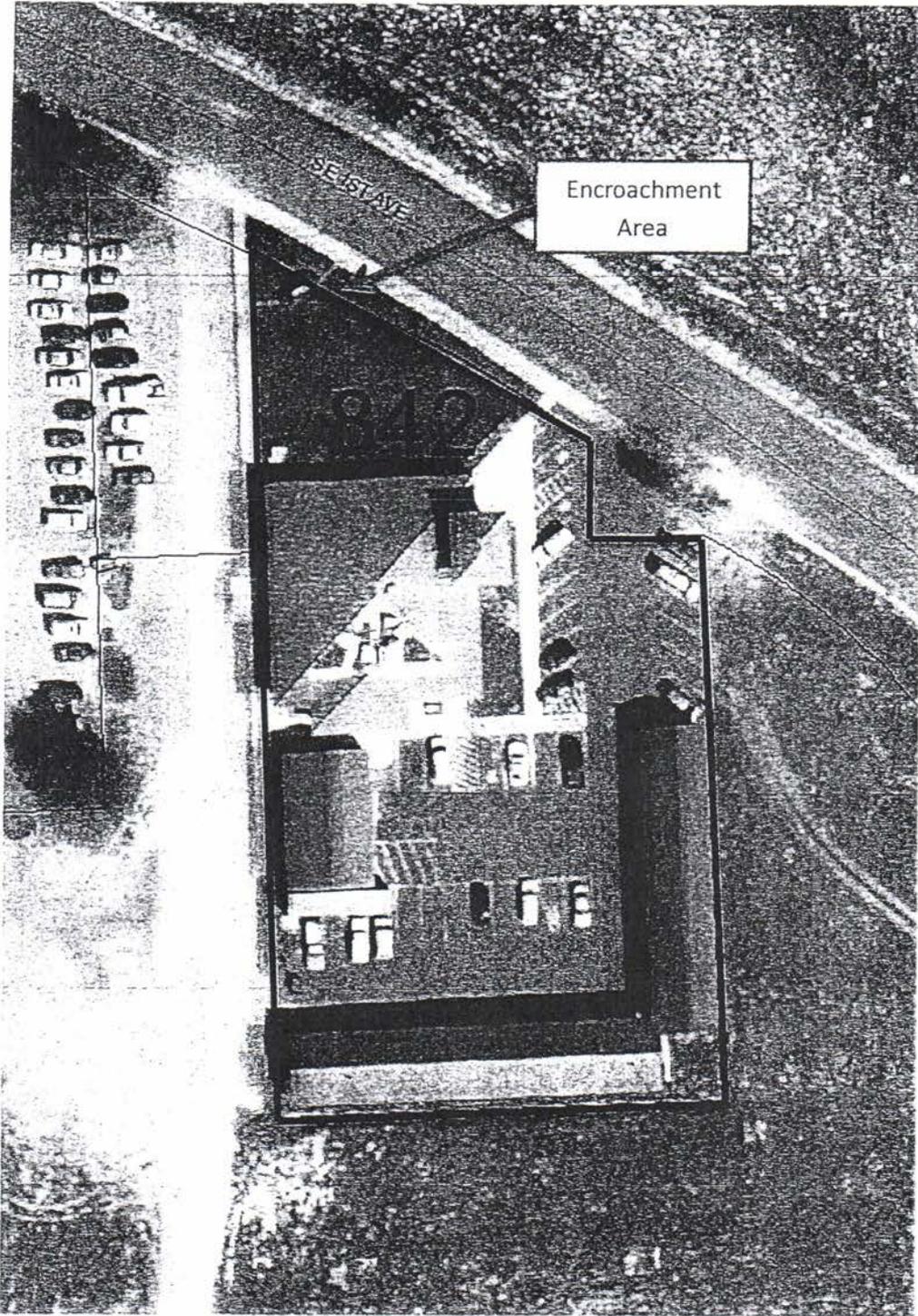
WHEREAS, Developer has constructed a wooden pergola with a concrete footing and foundation in the public right-of-way as set forth in Exhibit "A" attached hereto and herein incorporated by reference as the "Encroachment."

WHEREAS, City finds that construction of the Encroachment as proposed will not be detrimental to interests of the citizens of Ontario, provided Developer agrees that should the City, its agents, employees, or assigns require use of the Public Utility Easement in the future, Developer, his successors or assigns will remove or relocate said Encroachment at Developer's expense.

NOW THEREFORE, the parties agree as follows:

1. The aforementioned premises are deemed to be true and are herein incorporated by reference as part of this agreement.
2. This agreement is an instrument affecting the title and possession of the Property described above. All of the terms and conditions herein imposed shall run with the land and shall be binding upon and inure to the benefit of the successors in interest of the Developer. Upon any sale or division of the Property, the terms of this agreement shall apply separately to each parcel and the owner of each parcel succeed to the obligation imposed on Developer by this agreement.
3. City grants to Developer a license to use the Public Right-Of-Way adjacent to the Property to construct the Encroachment in accordance with the submitted plans.
4. Nothing contained in this agreement shall be construed to be a waiver of any applicable federal, state, or local building statues, rules, regulations, ordinances, codes or standards or a waiver of any zoning restrictions or required improvements as set forth in the City of Ontario Municipal Code.
5. In the event the City, its employees, agents or assigns should require the use of the Public Right-Of-Way at any time in the future, Developer, his successors or assigns, will remove or relocate the Encroachment at the sole expense of the Developer, his successors or assigns.





Encroachment Location  
Malheur Council on Aging  
842 South East 1<sup>st</sup> Street

## AGENDA REPORT

June 6, 2016

TO: Mayor and City Council

FROM: Betsy Roberts, City Engineer

THROUGH: Adam Brown, City Manager  
Cliff Leeper, Director of Public Works

SUBJECT: **WELL 17 PUMP INSTALLATION AWARD**

DATE: June 2, 2016

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### SUMMARY:

To bring the new potable water well No. 17 online, the pump and controls must be installed as well as installation of piping to connect to the existing raw water supply system and construction of a well house. Anderson-Perry provided drawings and specifications detailing the project needs. This project is being constructed through a Public Works – Contractor partnership. Because of the unique split of work shown on the drawings, the Public Works staff employed the use of the informal bid process (endorsed by the Council previously) to engage three pump contractors as well as three electrical/controls contractors.

Bids were solicited from seven contractors (including at least three well pump suppliers and three electrical/communications suppliers). Two bids were received for the pump installation and two bids were received for the telemetry/electrical installation. They are summarized in the tables below.

#### Pump Bids

Leon's Pump – Ontario Oregon	\$12,600.00
Riverside Inc. – Parma Idaho	\$20,017.00

#### Electrical/Control Bids

Vale Electric/ACS	\$59,509.00
Control Engineers	\$62,787.00

### PREVIOUS COUNCIL ACTION:

At the April 4, 2016 meeting, the Council approved Resolution 2016-114, the addition of \$90,000 to the Water Fund to provide a total budget of \$100,000.

**PROBLEM DISCUSSION:**

The apparent low bid submitted for the Pump Installation is from Leon's Pumps. The apparent low bid submitted for the Control/Telemetry is from Vale Electric/ACS. The combined cost of those two bids is: \$72,109. The Public Works staff will use as many supplies on-hand to complete their portion of the work, but have been budgeted up to \$15,000 for their effort. The remaining \$12,891 will be held as contingency until the project is completed.

**FINANCIAL IMPLICATIONS:**

The combined low bid from Leon's Pumps and Vale Electric/ACS is \$72,109.00. The budgeted amount for this project is \$100,000.00. Subtracting the potential amount needed by Public Works staff for the building, piping, and concrete flooring, we anticipate \$12,891.00 available for contingency.

**ALTERNATIVE:**

The Council could choose to deny the request to award to the two contractors.

**RECOMMENDATION:**

Staff recommends City Council award the pump installation effort to Leon's Pumps, as the apparent low bidder, and to Vale Electric/ACS, as the apparent low bidder for the electrical/controls portion of the work.

**PROPOSED MOTION:**

I move the Mayor and City Council award the pump installation for Well 17 Pump Installation Project to the apparent low bidder Leon's Pumps of Ontario, Oregon for \$12,600.00 and the Control/Telemetry portion of the Well 17 Pump Install Project to the apparent low bidder Vale Electric/ACS of Vale Oregon for \$59,509.00.

## AGENDA REPORT

June 6, 2016

TO: Mayor and City Council

FROM: Cliff Leeper, Public Works Director  
Betsy Roberts, City Engineer

THROUGH: Tori Barnett, City Manager Pro Tem

SUBJECT: MICROCLOR CELL PURCHASE, WATER DEPARTMENT FUND – REQUEST FOR EARLIER CAPITAL PURCHASE

DATE: June 2, 2016

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### SUMMARY:

The Public Works group requested funding in the coming fiscal year for three microclor cells for the Water Treatment Plant (WTP). These cells are used as part of the disinfection process at the WTP. They are used up over time and need to be replaced. We anticipated that all of the existing cells would last until July 1, but that is not the case. We would like to move this purchase forward to be made as soon as possible.

### PREVIOUS COUNCIL ACTION:

None.

### BACKGROUND:

Currently two cells are badly in need of replacement, one slightly worse than the other. The third cell appears to have adequate hours of life remaining such that it could potentially be useable until August. It would then need to be replace.

Because the WTP construction project was not done this current fiscal year, there is adequate funding available in the Water Fund to cover the early purchase request.

If purchased in this year, the purchase would not need to be made in the coming fiscal year (FY 2016-17) and that new budget could be modified if desired by the Council.

### ALTERNATIVE:

Not purchasing the microclor cells until FY2016-17, as planned, could be done, but efficiency for the disinfection system is extremely low and could lead to potential risk of improper disinfection of the treated water.

**FINANCIAL IMPLICATIONS:**

Purchase of three microclor cells plus several minor spare parts for breakable elements of the microclor system, such as solenoid valve, sensors, and switches (all very small, amounting to about 15% of the total cost) for \$31,700. We suggest making the purchase for all three cells and the critical parts at the same time in order to save on shipping fees and staff time necessary to make multiple purchases.

**RECOMMENDATION:**

Staff recommends advancing the purchase of the three microclor cells and critical spare parts to the current fiscal year for an amount of \$31,700.

**PROPOSED MOTION:**

I move that the City Council authorize the advance purchase of three microclor cells and critical spare parts to be made in the current fiscal year for an amount of \$31,700.



# Oregon

John A. Kitzhaber, M.D., Governor

Department of Transportation  
ODOT Region 5 Headquarters  
8022 Island Avenue  
La Grande, OR 97850  
Phone: (541) 963-3177

August 12, 2014

Tori Barnett  
Interim City Manager  
City of Ontario  
444 SW 4th Street  
Ontario, OR 97914

NEW 2015 - 2016

Subject: Project Letter of Understanding - 2015-2016 STIP Enhance Project  
Project Name: SE 2ND STREET; SE 14TH AVE- E DAHD AVE  
KIN: 18900

We are pleased to announce the above project has been placed on the Oregon Transportation Commission preliminary award list. This list is referred to as the STIP Enhance 100% list and is moving forward in the process.

While the project will not be "officially" awarded funding until final approval by the OTC, ODOT has been working with you to finalize the details of your project. Based on the application, the project scoping visits, and the information received from the Pre-Award Letter, our final understanding of the project details are listed below.

It is important to note that this letter is not a final agreement. The intent of this letter is to document each parties understanding of the project details and the timeline for moving forward. The details of your project as stated below will be used to prepare the Intergovernmental Agreement (IGA), if applicable.

### Final Project Details

<b>Project Financials:</b>	
Balance STIP Funding Amount:	\$2,693,500.00
Required Non-Federal Minimum Match (10.2736%):	\$331,174.00
Additional Match:	\$214,381.00
Other Funding:	\$0.00
Estimated Total Project Cost:	\$3,439,055.00
*Funding Rules:	MTRP - B4, 1.48% Agency - 15.86%
Match Type:	Cash
Match Provided By:	JPA
<b>Project Details:</b>	
STIP Project:	Requires - New IGA
Project Scope: (IGA Exhibit B SOW):	Reconstruction of SE 2nd Street from SE 14th Avenue to SE 3rd Avenue in Ontario. The project will consist of full reconstruction of the roadway section and will add storm drainage, sidewalks, bike lanes, street lighting, roadway widening, and landscaping.
Delivery Method:	State Administered - Region Technical Center
**Estimated Obligation Month/Year - PE:	1/30/2016
Estimated Obligation Month/Year - RDW:	NA
Estimated Obligation Month/Year - Construction:	NA
Once IGA must be executed by:	12/1/2015 = 60 days prior to Estimated Obligation Month/Year - PE or 1 <sup>st</sup> phase, whichever is earlier.
<b>State Contact Information:</b>	
- Sponsorship Authority Contact Name:	Tori Barnett
Title:	Interim City Manager
Email:	toribarnett@ontariooregon.gov
Phone:	(541) 869-7630
mailing Address:	444 SW 4th Street
City:	Ontario
State:	OR
Zip:	97914

- LAL/PM Contact Name:	Sean Maloney
Email:	Sean.Maloney@odot.state.or.us
Phone:	(541) 823-4025
Mailing Address:	1390 SE 1st Ave
City:	Ontario
State:	OR
Zip Code:	97914

\*Funding Ratio is defined as the relationship between STIP Enhance funds and total project cost and Agency funds and the total.  
 \*\*If Delivery method is "State Administered-Region Technical Center", PE date is only used to generate IGA draft in timely manner.

We are asking that a representative from your Agency sign and return a scanned copy of this letter to Craig.A.SIPP@odot.state.or.us and CC: the ODOT mailbox at [STIP-Enhance@odot.state.or.us](mailto:STIP-Enhance@odot.state.or.us). *within 30 days of not hearing back from your Agency within 30 days the funds may be in jeopardy of redistribution to another recipient.*

Please don't hesitate to contact me if you have any questions, (541) 963-1328.

Regards,  
 Craig Sipp  
 Area Manager

Please check one of the following:

- Upon final approval by the OTC - My agency will accept the STIP Enhance Award for this project and has secured this project.  
 My agency has decided to decline the STIP Enhance Award

Doni Barnett Interim City Manager  
 Agency Representative & Title

Aug 14, 2014  
 Date:

[Signature] Region Manager  
 ODOT Representative - Title

8/27/14  
 Date:

## AGENDA REPORT

June 6, 2016

TO: Mayor and City Council

FROM: Cliff Leeper, Public Works Director  
Betsy Roberts, City Engineer

THROUGH: Tori Barnett, City Manager Pro Tem

SUBJECT: **FUNDING OPPORTUNITIES FOR STREETS DEPARTMENT**

DATE: June 2, 2016

---

### SUMMARY:

In light of decreasing fund availability in the Streets Fund, the Public Works staff has reviewed several options for funding sources, reallocation of funds, etc. This report provides a few options available specific to the Streets Fund. Public Works staff would like direction from the council regarding these opportunities.

Attached is the following document:

- Oregon Department of Transportation (ODOT) Letter August 12, 2014  
Subject: Project Letter of Understanding – 2015 -2018 STIP Enhance Project  
SE 2<sup>nd</sup> Street: SE 14<sup>th</sup> Ave – E. Idaho Ave

### PREVIOUS COUNCIL ACTION:

Per the attached letter, the following obligations have been made:

STIP Funding: \$2,893,500

Required Non-Federal Match, 10.27%, by City: \$331,174

Additional Match, by City: \$214,384

For a total City obligation of \$545,558.

### BACKGROUND:

#### *City Fund Balance*

Currently the considered **Streets Fund** contains the following:

Total 2016-17 Revenues:	\$1,255,035
Total 2016-17 Expenditures:	\$2,010,373
Beginning Fund Balance:	\$765,000
Contingency Balance:	\$9,662

*NB: Capital Outlay included \$211,760 for chip seal*

***SE 2<sup>nd</sup> Street Project – As Originally Planned***

Additionally, \$30,000 was moved from the Streets Fund to the Grants Fund to cover the potential funding required by ODOT to cover the 10.27% match for final design of the SE 2<sup>nd</sup> Street Project, environmental review, and preliminary right-of-way work. Project construction is due to begin in spring 2018. The remaining portion of the total \$545,558 obligation would likely be required at the beginning of the 2017-18 Fiscal Year.

***May 18, 2016 - Meeting with ODOT***

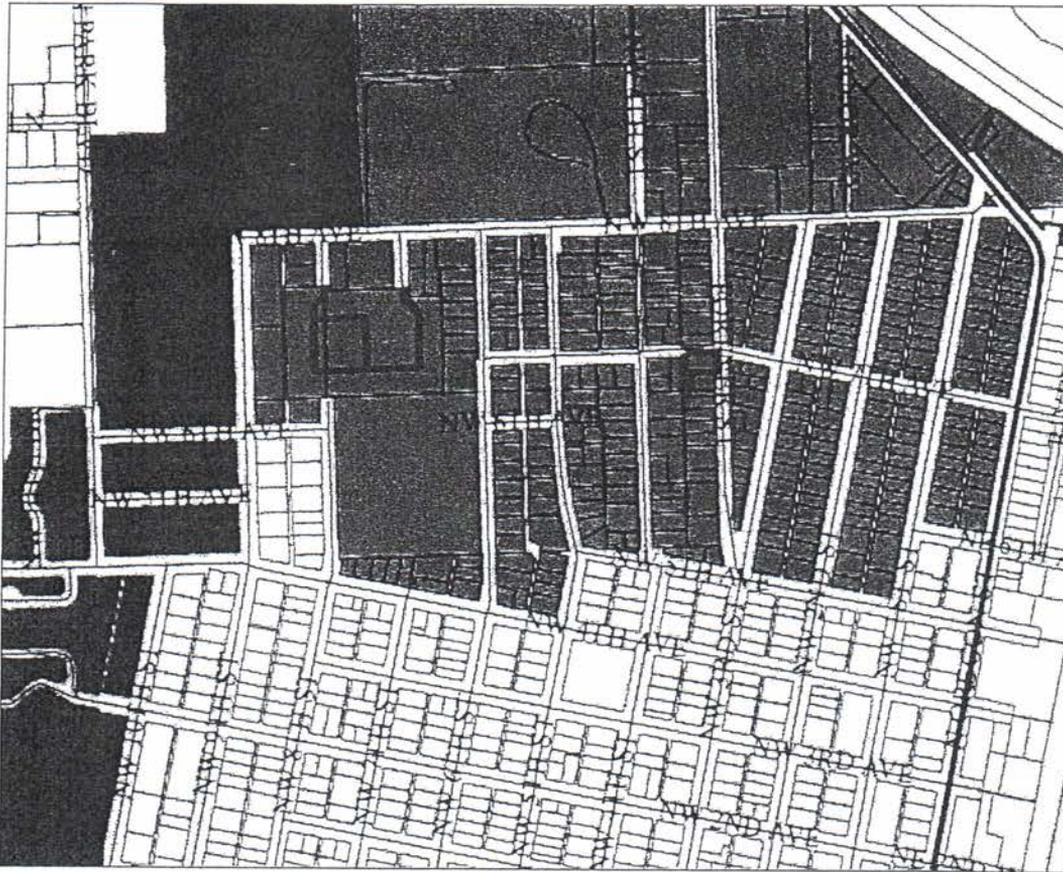
Staff met with ODOT to discuss options and obligations for the SE 2<sup>nd</sup> Street Project. Mike Barry of ODOT informed staff that money from the Fund Exchange program could be used as a match for the SE 2<sup>nd</sup> Street project to help offset the \$545,558 obligated by the City. The City currently has \$365,497.38 available in the Fund Exchange. ODOT needs notification from the cities interested in using their funds by September 30, 2016.

*Fund Exchange Definition*

Fund Exchange is the mechanism that eliminates the federal nexus from the Surface Transportation Funds (STP) available to each community with a population over 5,000. This is the City's share of the federal gas tax. By exchanging federal gas tax money for state funds, ODOT is able to eliminate the inevitable strings that come attached to federal dollars. The requirement for this money is that it is spent on roads, open to the public. ODOT indicates it can be used as a match, but even for maintenance programs such as chip sealing if necessary.

***Modified Chip Seal Approach – 2016***

Per the standard annual chip seal rotation, Area 6 is slated for crack fill and chip seal this year. The Public Works staff requested a budget of \$225,000 to conduct this year's crack and chip seal work. Public Works endorses a systematic process for maintenance. However, in light of the imminent Street Fund budget shortfalls, Public Works determined that a more in-depth review of the Area 6 streets was in order. Accordingly, the City Engineer along with the Field Superintendent have evaluated the condition of chip seals in Area 6. Area 6 extends generally includes the area in yellow in the map below:



This area is mostly residential. It does not see high volume traffic or heavily loaded vehicles. The pavement evaluation revealed that existing chip seals were in adequate condition such that chip sealing could be held off for a year and re-evaluated next year. However, it is essential that the crack sealing is completed this summer as planned. Public Works staff does not believe that holding off on chip seal in Area 6 for a year will have any negative side effects to the streets in the area. However, staff wants to be clear that while withholding preventative maintenance like chip seal can be acceptable and sometimes necessary, it should not be considered standard practice.

***Funding Option Summary***

The table below has been provided in an effort to convey information regarding existing revenue or budget as well as anticipated expenditures over the next several years

Source	FY 2016-17	FY 2017-18	Cumulative
<b><i>Revenue (+)</i></b>			
• City Grant Fund	\$30,000		
• City Street Fund	\$150,000 <sup>1</sup>	\$150,000 <sup>3</sup>	

• ODOT Fund Exchange		\$365,500+≅\$120,000 <sup>2</sup>	
			\$635,500
<i>Expenditures (-)</i>			
• SE 2 <sup>nd</sup> Final Design etc.	(\$30,000)		
• SE 2 <sup>nd</sup> Construction		(\$515,558) <sup>4</sup>	=\$119,942
• Annual Chip Seal Program		(\$225,000) <sup>5</sup>	=( \$105,058)
<b>Balance</b>	<b>\$150,000</b>	<b>(\$105,058)</b>	

<sup>1</sup> Contributed from modified chip seal program – recommend pushing 2016 dollars forward to FY 2017-18 to support obligation or maintain fund balance to continue future chip seal program

<sup>2</sup> This is the 2016 Fund Exchange balance (rounded) plus the anticipated yearly amount (estimated average has been \$120,000 or a bit more).

<sup>3</sup> This assumes carrying forward the additional chip seal funding to aid in covering the SE 2<sup>nd</sup> Street obligation.

<sup>4</sup> SE 2<sup>nd</sup> Street project is slated for construction starting in 2018. The current federal program requires that total City match is available prior to expenditure, so would likely be due to ODOT by January 2018.

<sup>5</sup> This assumes the Annual Chip Seal Program is reinstated after a 1 year hiatus.

**ALTERNATIVE:**

The annual chip seal program, budgeted for \$211,760 could be conducted as planned this year. The Council could consider locating funding to support the SE 2<sup>nd</sup> Street project for next year from another source.

**FINANCIAL IMPLICATIONS:**

By modifying the Annual Chip Seal Program for FY 2016-17, the Council could seed FY 2017-18 Streets Fund with an additional \$150,000. This provides adequate funding to meet the City’s FY 2017-18 obligation to ODOT for the SE 2<sup>nd</sup> Street Project. WITHOUT this additional funding, the City would need to secure an additional \$30,000 to fulfill its obligation. Even with moving the \$150,000 forward one year, the Street Fund would need at least another \$105,058 to cover just the Annual Chip Seal Program.

**RECOMMENDATION:**

Staff recommends the following:

- Conducting a modified chip seal program for FY 2016-17 and using the \$150,000 savings to seed FY 2017-18 budget; and
- Notifying ODOT of the City’s intent to use their Fund Exchange dollars towards their match for the SE 2<sup>nd</sup> Street Project.

Staff notes that the modified chip seal program is a solution that can be applied occasionally but should not be considered a permanent solution to increase funding in the Street Fund.

**PROPOSED MOTION:**

I move that the City Council authorize a change to the City's Street Fund to modify the Chip Seal line item from \$211,760 to \$61,760.



# Oregon

John A. Kitzhaber, M.D., Governor

Department of Transportation  
ODOT Region 5 Headquarters  
8012 Island Avenue  
La Grande, OR 97850  
Phone: (541) 968-3177

August 12, 2014

Tori Barnett  
Interim City Manager  
City of Ontario  
444 SW 4th Street  
Ontario, OR 97914

New 2015 - 2016

Subject: Project Letter of Understanding - 2015-2016 STIP Enhance Project  
Project Name: SE 2ND STREET; SE 34TH AVE-E DAHO AVE  
XN; 18900

We are pleased to announce the above project has been placed on the Oregon Transportation Commission preliminary award list. This list is referred to as the STIP Enhance 100% list and is moving forward in the process.

While the project will not be "officially" awarded funding until final approval by the OTC, ODOT has been working with you to finalize the details of your project. Based on the application, the project scoping visits, and the information received from the Pre-Award Letter, our final understanding of the project details are listed below.

It is important to note that this letter is not a legal agreement. The intent of this letter is to document each parties understanding of the project details and the timeline for moving forward. The details of your project as stated below will be used to prepare the Intergovernmental Agreement (IGA), if applicable.

### Final Project Details

<b>Project Financials:</b>	
Balance STIP Funding Amount:	\$2,895,900.00
Required Non-Federal Minimum Match (10.275%):	\$331,194.00
Additional Match:	\$214,391.00
Other Funding:	\$0.00
Estimated Total Project Cost:	\$3,439,058.00
Funding Rule:	MTSP - 84.14% Agency - 15.86%
Match Type:	Cash
Match Provided By:	JPA
<b>Project Details:</b>	
STIP Project:	Requires - New IGA
Project Scope (IGA Exhibit B SOW):	Reconstruction of SE 2nd Street from NE 34th Avenue to SE Sch Avenue in Ontario. The project will consist of full reconstruction of the roadway section and will add storm drainage, sidewalks, bike lanes, street lighting, roadway widening, and landscaping.
Delivery Method:	State Administered - Region Technical Center
**Estimated Obligation Month/Year - PE:	1/30/2015
Estimated Obligation Month/Year - RDWP:	NA
Estimated Obligation Month/Year - Construction:	NA
Date IGA must be executed by:	12/1/2015 = 60 days prior to Estimated Obligation Month/Year - PE or 1 <sup>st</sup> phase, whichever is earlier.
<b>State Contact Information:</b>	
- Requested Authority Contact Name:	Tori Barnett
Title:	Interim City Manager
Email:	tori.barnett@ontario.or.gov
Phone:	(541) 869-7684
Working Address:	444 SW 4th Street
City:	Ontario
State:	OR
Zip:	97914

- LAL/PM Contact Name:	Sean Maloney
Email:	Sean.Maloney@odot.state.or.us
Phone:	(541) 823-4025
Mailing Address:	1390 SE 1st Ave
City:	Ontario
State:	OR
Zip Code:	97914

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We are asking that a representative from your Agency sign and return a scanned copy of this letter to Craig.A.SIPP@odot.state.or.us and CC: the ODOT mailbox at STIP-Enhance@odot.state.or.us. Within 30 days of not hearing back from your Agency within 30 days the funds may be in jeopardy of redistribution to another recipient.

Please don't hesitate to contact me if you have any questions, (541) 963-1328.

Regards,  
 Craig Sipp  
 Area Manager

Please check one of the following:

- Upon final approval by the OTC - My agency will accept the STIP Enhance Award for this project and has secured this project.
- My agency has decided to decline the STIP Enhance Award

Doni Barnett Interim City Manager  
 Agency Representative & Title

Aug 14, 2014  
 Date:

[Signature] Region Manager  
 ODOT Representative - Title

8/7/14  
 Date:

# Discussion/Information /Hand-Out Items

City Council Meeting  
June 6, 2016



## City of Ontario

### POLICE DEPARTMENT

Office of the Chief

444 SW 4<sup>th</sup> Street

Ontario, OR 97914

Voice (541)889-5312 Ext. 2303

Fax (541)889-3026

To: Ontario City Council

Date: May 17, 2016

Re: Department Statistics for April, 2016

Activity	Month of March	Previous Month	Year to Date	Prior Year to Date
Calls for Service	1124	759	3385	3115
Traffic Stops	169	97	444	648
Cited Traffic Violations	116	60	289	402
Motor Vehicle Crashes	35	39	132	130
Arrests	102	66	321	346
Arrests w/ Use of Force	2	3	7	2
Citizen Complaints	0	0	0	0
Cases to Dist. Attorney	33	74	246	224
Ordinance Cases Total	323	103	571	366
Ordinance-Weeds	236	1	238	97
Ordinance-Garbage	2	3	10	22
Dogs to Ani-Care	5	6	30	30
Junk/Vehicles	4	24	39	55
Death Investigations	0	6	10	5
SRO Cases	28	30	122	106
Gang Related Cases	5	6	24	31
Gang Designations	0	0	0	2
Task Force Cases	5	2	10	17
Graffiti	6	7	30	35
Burglary	6	11	37	27
Robbery	0	1	2	2
Larceny	51	61	221	191
Assault	5	10	28	20
Homicide	0	0	0	0
Sex Crimes	1	1	3	8
Alarms	22	16	68	63
Property Loss/Recover	\$48,438/\$16,977	\$30,343/\$2608	\$195,713/\$27,766	\$111,808/\$11,082

# CH2M

## April 2016

### Business Review



Jeremy Delehant and Leo Rojo crack sealing Maintenance Area No. 6.



APRIL  
2016

Prepared by CH2M for  
CITY OF ONTARIO/PUBLIC WORKS DEPARTMENT

# Quarterly Business Review

PUBLIC WORKS DEPARTMENT

## CONTENTS

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PARKS AND CEMEMTERY SUMMARY.....	10
ENGINEERING DIVISION SUMMARY.....	11
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## FIELD SERVICES: STREETS & COLLECTION/DISTRIBUTION SUMMARY

### April activities:

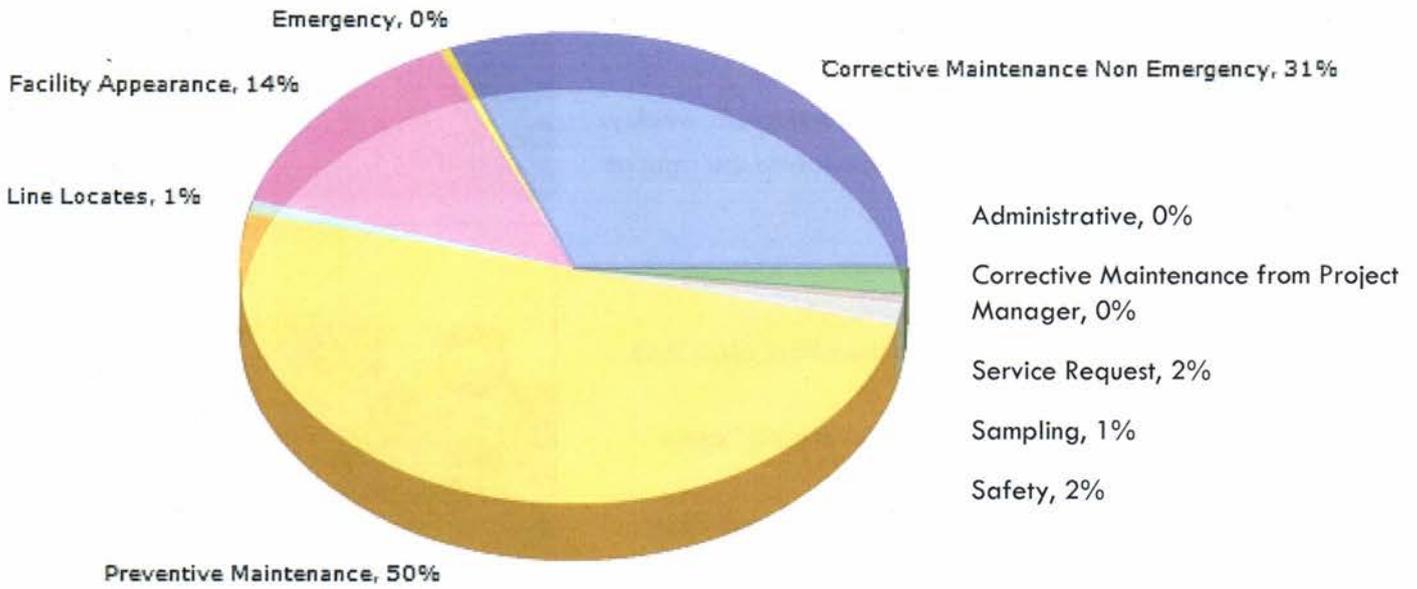
- Seven staff members attended the water/wastewater short school at Four Rivers Cultural Center May 4 through May 6.
- Six staff members attended road scholar classes held in Hines, Oregon, May 25 through May 26.
- Received the new Elgin street sweeper.
- Finished sweeping all areas of Ontario.
- Sweeping downtown business and underpass weekly.
- Applied a broad leaf weed herbicide to the right of ways.
- Trimmed the alleys in the northwest and southwest sides of Ontario.
- Started applying herbicide to the alleys after they had been trimmed.
- Finished applying herbicide to the crackfill area cracks in the street.
- Repaired the auger at the Water Treatment Plant – installed and epoxied new anchors into the concrete.
- Cleaned West Idaho lift station.
- Cleared two pump blockages out of West Idaho lift station pumps.
- Started the crack seal in Maintenance Area No. 6.
- Six water meters were replaced due to not working.



**Field Services crew receiving training on the new Elgin street sweeper.**

# FIELD SERVICES: STREETS & COLLECTION/DISTRIBUTION CONTINUED

Work Order Actual Hours by WO Type

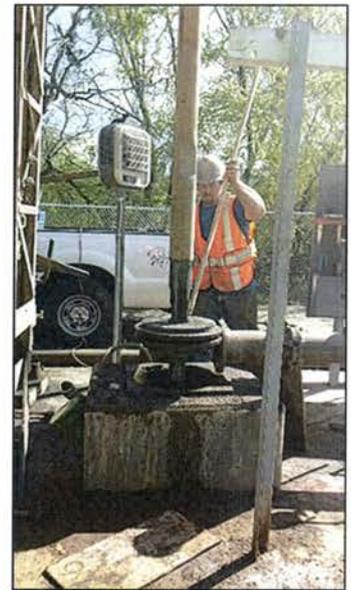


## WATER TREATMENT PLANT SUMMARY

April's 2016 performance was strikingly different than the past two months because for the first time in years we had, in operation, two renewed filters at the old plant. We anticipate that filter run times will consistently exceed 50 hours next month with new media in each filter. We delivered more water this month. This reflects warmer weather and sprinkler systems starting up. Another key element of April was getting Well 14 back on line and in service. Well 14 had been out of service for about six weeks.

### April activities:

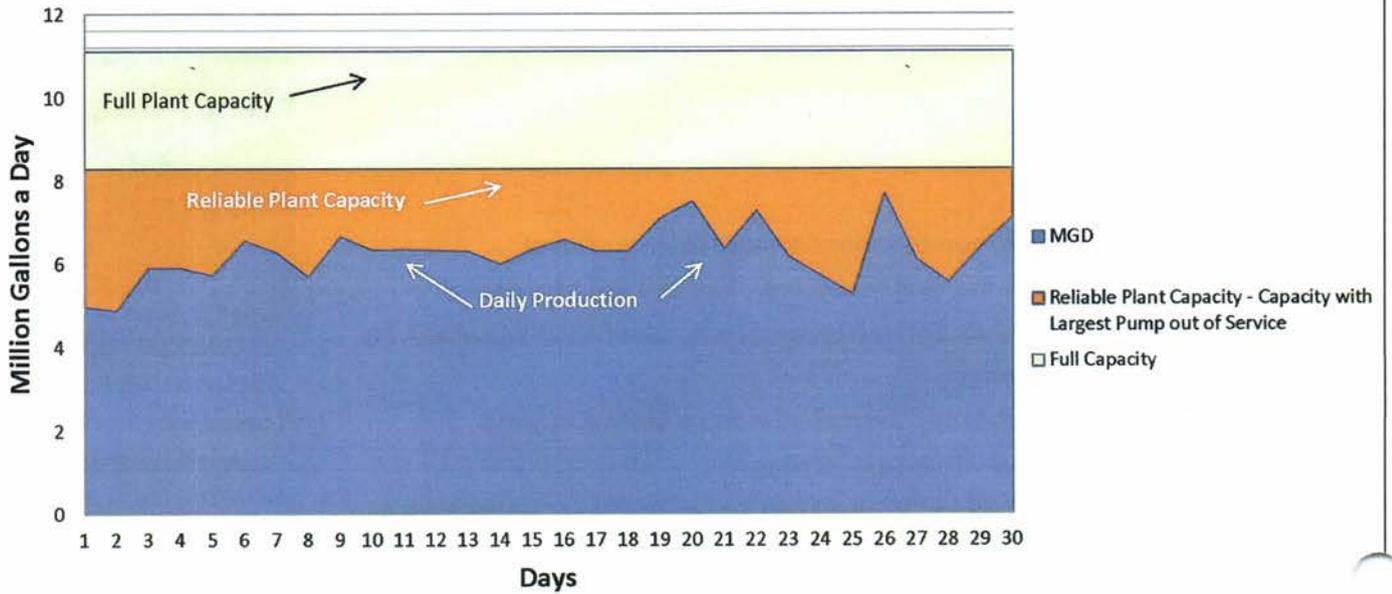
- Filters 1 and 2 in the old plant are now fully functional.
- Filters 1 and 2 in the new treatment plant are fully functional.
- Clarifiers 1 and 2 in the new plant were drained and inspected. No repairs were needed.
- Well 14 returned to service with a modest uptake in yield.
- Eastside Reservoir 3B repairs in progress.
- Met with State Drinking Water Program regional representative to incorporate Wells 15 and 16 into the water program assessment.
- Completed annual maintenance activity for the chlorine generation facilities.
- Water Treatment staff attended training at Treasure Valley Community College sponsored by the regional American Water Works Association.
- Completed annual service on the forklift at the plant.
- Reinstalled Canyon Booster Pump No. 1 and placed the pump into service. Repairs included impeller and motor.
- Inline turbidity meter calibration and maintenance.
- Submitted monthly report to Oregon Health Authority.



**McLaren Well drilling preparing to clean and service Well 14.**

# WATER TREATMENT PLANT SUMMARY CONTINUED

## Water Treatment Plant Demand vs. Availability April 2016



## WATER TREATMENT PLANT SUMMARY CONTINUED

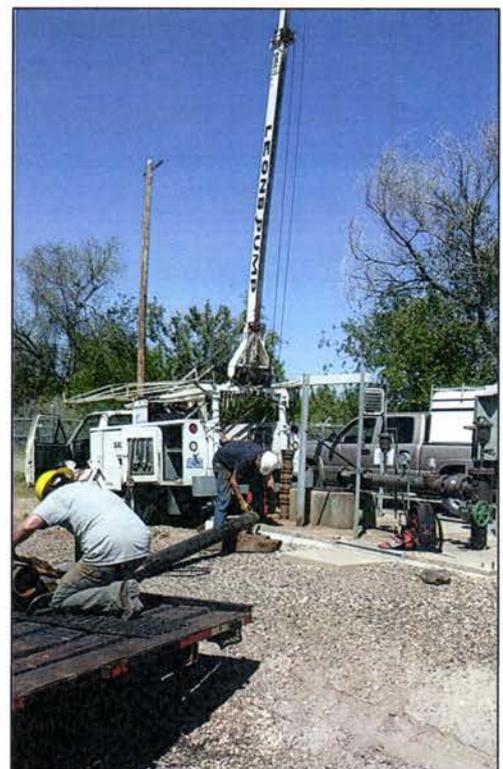


**Leon Griffin of Leon's Pumps, Ontario, gets ready to align a pipe before installing the pump for Well No. 14.**

**Left photo: Rig at Well No. 14.**



**Right photo: Leon's Pumps crew assembling and reinstalling the well column and pump for Well No. 14.**

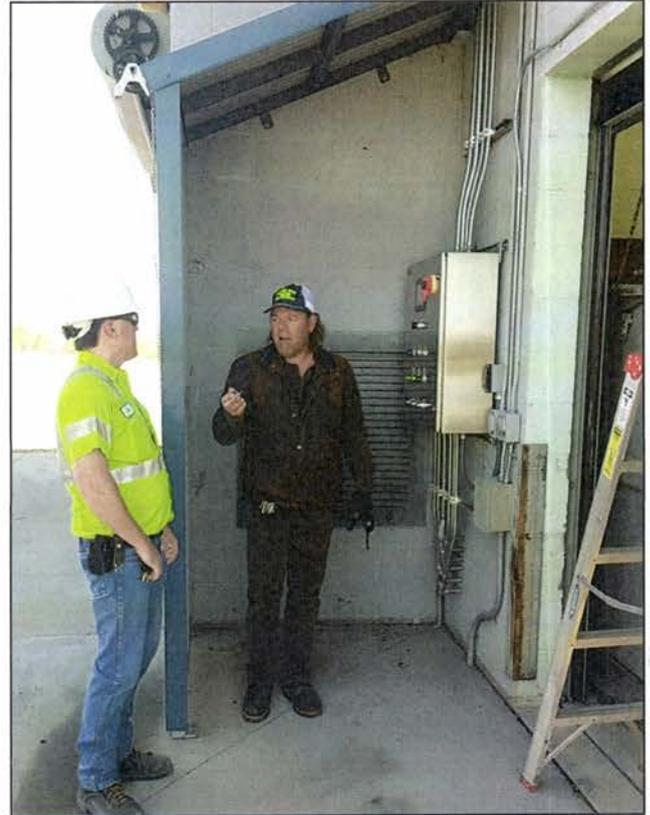


## WASTEWATER TREATMENT PLANT SUMMARY

Flow and pollutant loads at the Wastewater Treatment Plant were typical for this time of year. The effluent Biochemical Oxygen Demand (BOD) values rose slightly, and Total Suspended Solids (TSS) decreased. We had no violations or incidents of significance this month.

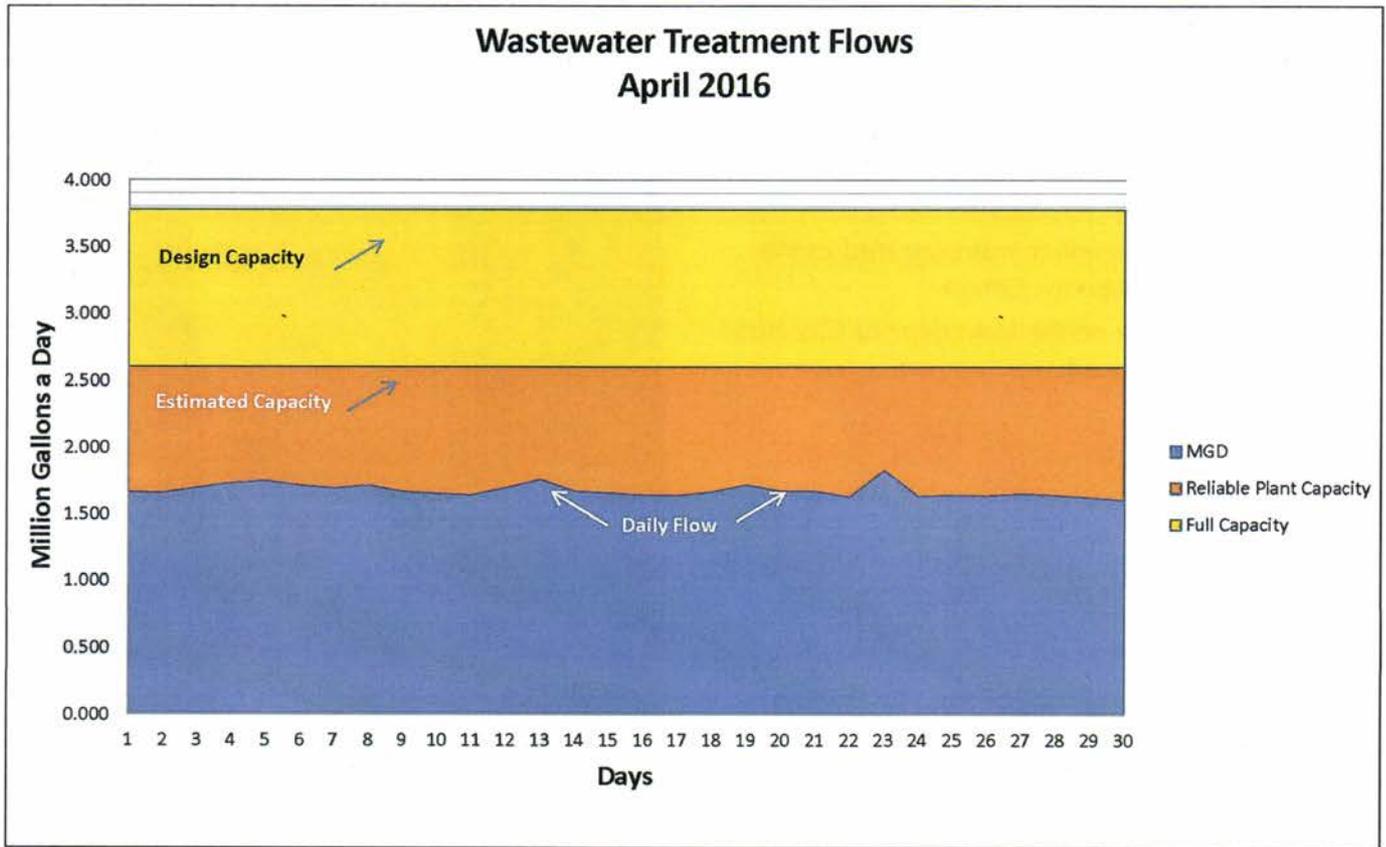
### April activities:

- Completed monitoring well data acquisition.
- Reviewed Malheur Farm proposals for operation. Held farmer interviews and submitted recommendation to council.
- Renewed application for participation in Idaho Power's "Flexpeak" program.
- Met with third party vendor for review and cost estimate for management of accumulated pond solids.
- Met with Oregon Department of Fish and Wildlife regarding the Pheasants Forever project.
- Continued to receive septage at the plant. Prepared material for invoicing septage haulers.
- Completed comprehensive vendor service of the chlorine generation system. The vendor's recommendation encouraged a change to our salt source – which has been implemented.
- Began training of new intermediate supervisor.
- Prepared Daily Monitoring Report (DMR) for Oregon Department of Environmental Quality (ODEQ) submission.



**Andy King reviews septage off-loading procedures with Anytime Septic.**

# WASTEWATER TREATMENT PLANT SUMMARY CONTINUED



Andy King inspecting and maintaining equipment at Skyline Farms irrigation water filter.



## FACILITY MAINTENANCE SUMMARY

### April activities:

- CH2M is still working on the Heating, Ventilation and Air Conditioning unit at City Hall.
- The pool's boiler was inspected at the Ontario Aquatic Center.
- A window on the front door at City Hall was replaced.

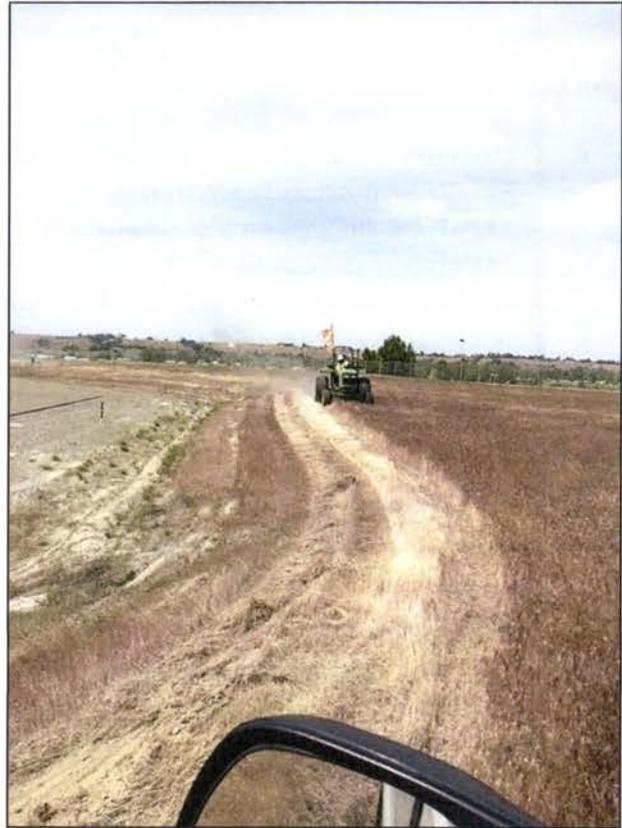


**Front door window at Ontario City Hall replaced in April.**

## PARKS AND CEMETERY SUMMARY

### April activities:

- There were four burials this month at Evergreen Cemetery and one at Sunset Cemetery.
- The crew logged a total of 66.5 mowing hours in the parks this month.
- The crew logged a total of 57 mowing hours in the cemeteries.
- Weeds were sprayed with 2,4-D at the Ontario Municipal Airport Airport and old section of the Ontario Golf Course, and mowing has begun.
- Four seasonal employees were hired this month.
- The volunteers on Serve Day painted playground equipment in the parks.



**Mowing at the Ontario Municipal Airport.**

## ENGINEERING SUMMARY

### April activities:

- Preliminary Development Advisory Committee Meetings:
  - New Business Downtown
  - New Business on SW 4<sup>th</sup> Avenue
  - Potential Ontario Golf Course future development opportunities
- Worked with Malheur County District Attorney for restitution on street tree destruction.
- Pine Ridge Place Subdivision – walk through inspection for final acceptance.
- Right of way permits issued: 8
- Right of way inspections: 19
- Maps printed: 16
- City Hall Heating, Ventilation and Air Conditioning (HVAC) – Continued monitoring system after minor modifications were made to system. Began coordination with Clima-Tech, the maintenance firm contracted to the City to conduct software upgrades to the HVAC control system.
- WTP Design – Presented proposed modifications to design and construction to Council for approval to add to final design and bid package. Changes approved.
- Well 17 – Contacted potential vendors for well pump and electrical/controls effort for project. Planning to invite vendors in early May.
- Capital Improvements Plan (CIP) – Met with interim City Manager and Finance Director to go over budget planning for Budget Hearings.
- ODOT – Continued communication with ODOT regarding remaining JTA funds for N. Park, progress on SE 2<sup>nd</sup> St. grant, and SE 5<sup>th</sup> St application process.
- Public Works Committee Meeting - Participated in Public Works Committee meeting and prepared update for committee members.

## APPENDIX

### FIELD SERVICES

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

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

---

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

---

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

---

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

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

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



# ONTARIO FIRE & RESCUE



## *MAY 2016 ACTIVITY REPORT*

### **Emergency Medical:**

**City -151-**

**Rural -6-**

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

**Hazmat Team Calls:** -- Outside district

**Fire Related Emergency Calls:**

**Rural Fire -10- RURAL GENERAL ALARMS -2- MUTUAL AID -0-**

- 1 – Burning without a permit / fire escaped containment \* (Duty Crew handled)
- 1 – Passenger car fire – investigate cause (Duty Crew handled)
- 1 – Natural gas odor – located source in gas range / shut gas off \* (Duty Crew handled)
- 1 – Unattended open burn / lacked permit \* (Duty Crew handled)
- 1 – Open burn spread to structure \* (Duty Crew handled)
- 1 – Illegal open burn \* **General Alarm**
- 1 – Fire rekindle (Duty Crew handled)
- 1 – Grass Fire \* **General Alarm**
- 1 – Co detector activation – nothing found \* (Duty Crew handled)
- 1 – Permitted open burn spread to shed \* (Duty Crew handled)

**City Fire Incidents -12- CITY GENERAL ALARMS = -0- MUTUAL AID -0-**

- 1 – Animal rescue \* (Duty Crew handled)
- 1 – Animal problem \* (Duty Crew handled)
- 1 – Fire Alarm system activation / malfunction during lightning storm (Duty Crew handled)
- 1 – Alarm system activation – malfunction (Duty Crew handled)
- 1 – Illegal open burn / unattended \* (Duty Crew handled)
- 2 – Illegal burn – lacked proper permit (Duty Crew handled)
- 2 – Fire alarm activation / canceled by dispatch prior to arrival (Duty Crew handled)
- 1 – Reported gas odor – unable to locate (Duty Crew handled)
- 1 – Dispatched & canceled (Duty Crew handled)
- 1 – Carbon monoxide detector activation / nothing found (Duty Crew handled)

**\*In narrative section**

**5/4/2016 “RURAL” 3076 SW 12<sup>th</sup> Ave CO detector activation** (Duty Crew handled)

R1 called to the scene of residence with CO detector that had alerted. Residence has no gas heat had all electric heat. The occupant had removed bread from her oven and the alarm went off for a short time. R1 used 4 gas monitor to check the entire residence. After entire residence was monitored with the monitor for several minutes in each area, the monitor still never showed a change on any of the readings. The occupant then opened windows and was told to call back if any more activation of the alarm took place. R1 was able to clear.

**5/4/2016 “RURAL” 686 Sugar Ave. Fire escaped containment – lacked permit**  
(Duty Crew handled)

156 Dispatched to burn barrel fire out of control and burning weeds and garbage around it. Upon arrival, occupant and neighbor nearly had the fire put out. 156 extinguished the remaining fire and mopped up hot spots. Occupant did not have a burn permit. 156 cleared call at 14:13.

**5/8/2016 "CITY" NW 8<sup>th</sup> Ave & NW 8<sup>th</sup> St. Baby ducklings in storm drain**

(Duty Crew handled)

Called to scene where some ducklings had fallen into a storm grate and could not get out. Manhole cover was removed and three ducklings were picked up out of hole. Caller was on scene and took ducklings over to pond to release them.

**5/10/2016 "RURAL" 3505 NW 10<sup>th</sup> Ave. Illegal open burn** (Duty Crew handled)

Staff paged to investigate a possible illegal burn. The occupant at 3496 NW 10th Ave complained that her neighbor across the street was burning illegal materials. Upon our arrival we found the occupant at 3505 NW 10th Ave burning lumber. Occupant was outside tending his fire, he didn't have a permit and stated he wasn't aware he needed one. Crew advised him of the burning rules and told him to make sure and get a permit in the future and that he could finish burning what material that was left in his fire but not to add anymore until he had his permit. Crew cleared the scene.

**5/12/2016 "CITY" 705 NW 3<sup>rd</sup> Street - Illegal open burn** (Duty Crew handled)

R1 called to the scene of possible illegal burn. It was noted by 100 that there was no burn permits in that area. Upon arrival R1 found no occupants were home at the time. The fire was burning in some bark in the back yard, that may have been left over from a fire earlier in the morning or possibly yesterday. There were small burn areas in the lawn and around the fence, and the neighbor had stated he had seen the occupant burning weeds with a weed burner. R1 extinguished remaining smoldering bark. R1 had no contact with occupant and notified MCSO dispatch that this was illegal burn. R1 clear scene.

**5/17/2016 "RURAL" 950 NW 36<sup>th</sup> Street Open burn spread to structure** (Duty Crew handled)

Department dispatched to a reported structure fire involving a garage or house. On scene, fire had been extinguished by resident. Occupant was legally burning weeds which accidentally spread to side of a shed. Occupant was able to extinguish the flame with a garden hose and the help from a passerby. Occupant requested OFD look at shed to make sure fire was out. Occupant will continue to monitor fire area.

**5/17/2016 "CITY" 1371 SW 8<sup>th</sup> Ave. Animal issue**

Called to rescue a duck stuck in the storm drain. On scene creature sounded like a frog. After looking in drain creature looked like a frog. Creature was a frog. No action taken. R-1 cleared.

**5/25/2016 1174 Falcon Drive Open burn out of control GENERAL ALARM**  
*Rescue 1, City Brush 102, Tender 155, Tender 159, Rural Brush 156, Rural Brush 157 and City Rehab 125 responded.*

Occupant's father was burning weeds when it got away from him and started some piles of junk on fire, and kept spreading into the adjacent field which contained more junk, several old cars, old tires, piles of wood and other household items. The fire did spread to an old motor home that appeared to be used as storage and was full of old clothes, the motor home was a total loss.



**Firefighters attack massive debris fire in field. Fire consumed old tires, old cars, trash debris, motor home, etc.**



**Crew starts fire attack on motor home.**



**Motor home became heavily involved with fire, was a total loss.**

**5/26/2016 "RURAL" 851 Onion Ave Grass fire GENERAL ALARM 156 & 157 responded**

Called to scene of a grass fire in a corral. On scene fire was almost out. 156 finished extinguishing fire and mopped up edges. Occupant had attempted to extinguish fire for some time before calling 911. Occupant stated he was cutting some metal with a cutting torch and started some cheat grass on fire.



**156 Arrives on scene, fire slowed down by owner.**

**FIREFIGHTER TRAINING:**

**5/10/2016** Fire crews conducted a wildland training exercise at the Ontario Police Departments gun range Tuesday evening. The rural district's two brush trucks, two pumper tenders and the city brush truck took part in the training with a crew of seventeen. The training gave the fire staff live wildfire suppression experience using brush fire apparatus, establishing and constructing hand fire lines, and back fire technics. Not only did the department receive a great training opportunity, but the burn also reduced the wildfire risk for the hot summer months.



**Fire front moved across open field surprisingly fast for May conditions.**



**Fire crews experienced extreme flame lengths during the training.**



**Fire front moves across the field with speed and extreme flame lengths for the ground cover present.**



**Fire fighter sets off another burn front. Note fuel height, burned well for the fuel length.**



**Field burned off very fast and clean.**

**TRAINING CONTINUED:**

**5/3 Review of Mass Casualty Drill**

**5/17 Public Education Wildland Prefire Planning**

**5/24 Campo Poole Transport Tour**

**COMMUNITY INVOLVEMENT:**

**5/2 – 5/6 Fire Prevention School visits with BLM- 6 schools visited / 261 second grade students**

**5/21/16 MDA Fill the Boot**

**STATION TOURS:**

**(4) station tours with a total 190 students attending**

**BURN PERMITS ISSUED:**

**City Open Burns      5**

**City Barrel Permits    3**

**Rural Open Burns      77**

**Rural Barrel Permits   12**

**FIRE PREVENTION / INSPECTIONS: 3**

# MALHEUR COUNTY COURT MINUTES

**MAY 18, 2016**

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

## **HEALTH DEPARTMENT - CIVIL RIGHTS**

Health Department Director Angie Gerrard met with the Court and provided information on civil rights compliance responsibilities. As part of the Health Department's triennial review process it is necessary to ensure that staff, including the governing board members, are familiar with the civil rights compliance responsibilities. Ms. Gerrard explained that a public entity and local public health authority, must be able and prepared to accommodate members of the public regardless of their abilities or preferred language, or any legally protected status, in a safe and respectful way at no cost to them. Some areas of consideration the Health Department currently ensures include:

- Service and hiring considerations may not be influenced by a person's having any federal or state protected status
- Accessible entrance, corridors, doorways, reception window, restroom, etc.
- Key signage (e.g. restroom) in braille
- TTY line to communicate by phone with the deaf or hearing impaired
- Staff with language interpreter certification in Spanish/English
- Interpreter phone service for clients who speak a language other than English or Spanish
- Written materials and signage in predominant languages and translatable into others as needed
- Civil rights notices publicly posted, including information on grievance procedures
- Reasonable accommodations to current or potential staff to do work for which they are qualified
- Ensuring facility updates or changes comply with ADA requirements
- Annual staff training in Civil Rights and Cultural Competency
- Policies on Non-Discrimination, Grievance Procedure, Language Proficiency, Auxiliary Aids and Services for Persons with Disabilities

Ms. Gerrard also provided the Court members handouts of the most recent staff training power point and a Summary of Protected Classifications handout.

Pat Caldwell of the Malheur Enterprise joined the meeting.

## **COURT MINUTES**

Commissioner Hodge moved to approve Court Minutes of May 11, 2016 as written. Commissioner Wilson seconded and the motion passed unanimously.

### **CROSSING PERMIT**

Commissioner Wilson moved to approve Crossing Permit #15-16 to Romans Precision Irrigation to disc, install, and backfill an electrical crossing for irrigation on 2nd Ave W #950. Commissioner Hodge seconded and the motion passed unanimously. The original permit will be kept on file at the Road Department.

### **PUBLIC HEARING - SUPPLEMENTAL BUDGET**

Judge Joyce opened the public hearing for consideration of Supplemental Budget Resolution R16-12. Notice of the hearing was published in the Argus Observer. Ms. DuBois explained the purpose of the supplemental budget is to allocate the spending of 5310 Department of Transportation funds which were received but not anticipated when the adopted budget was prepared. This increases the Special Transportation Fund appropriations by \$112,298. No public comments were received. Judge Joyce closed the public hearing. Commissioner Hodge moved to approve Resolution R16-12: In the Matter of Fiscal Year 2015/2016 Supplemental Budget by Resolution Under Local Budget Law ORS 294.471. Commissioner Wilson seconded and the motion passed unanimously. See instrument # \*\*\*

### **PROCLAMATION - OLDER AMERICANS MONTH**

Crystal Wallace and Loni Debban from MCOA&CS met with the Court and presented a proclamation declaring May 2016 as Older Americans Month. Ms. Wallace read the proclamation:

#### OLDER AMERICANS MONTH PROCLAMATION

#### BLAZE A TRAIL, MAY 2016

Whereas, Malheur County includes a community of older Americans who deserve recognition for their contributions to our nation; and

Whereas, Malheur County recognizes that older adults are trailblazers - advocating for themselves, their peers, and their communities - paving the way for future generations; and

Whereas, Malheur County is committed to raising awareness about issues facing older Americans and helping all individuals to thrive in communities of their choice for as long as possible; and

Whereas, we appreciate the value of inclusion and support in helping older adults successfully contribute to and benefit from their communities; and

Whereas, our community can provide opportunities to enrich the lives of individuals of all ages by:

- Promoting and engaging in activity, wellness, and social involvement.
- Emphasizing home - and community-based services that support independent living.
- Ensuring community members can benefit from the contributions and experience of older adults.

Now, therefore, We of Malheur County do hereby proclaim May 2016 to be Older Americans Month. We urge every resident to take time this month to acknowledge older adults and the people who serve them as powerful and vital individuals who greatly contribute to our community.

The Court signed the proclamation.

Ms. Wallace and Ms. Debban also provided information on an upcoming Baked Potato Bar Caregiver Fundraiser to benefit the 2016 "A Gift of Time" family caretaker retreat.

### **EXECUTIVE SESSION**

Executive Session was called in accordance with ORS 192.660 (2)(h) Legal Counsel with Judge Joyce presiding and Commissioner Hodge and Commissioner Wilson present. Also present was County Counsel Stephanie Williams, Administrative Officer Lorinda DuBois, and Pat Caldwell of the Malheur Enterprise. No decisions were made during the session.

### **LITIGATION AGREEMENT WITH LINN COUNTY**

Commissioner Hodge moved to sign the Unfunded Mandate Litigation Agreement, SB 454 (2015), with Linn County, with the understanding that the agreement be submitted to Linn County by the deadline of May 23, subject to Ms. Williams clarifying some provisions with Linn County. Commissioner Wilson seconded and the motion passed unanimously.

### **COURT ADJOURNMENT**

Commissioner Wilson moved to adjourn the meeting. Commissioner Hodge seconded and the motion passed unanimously.