

**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, JULY 18, 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, July 13, 2016. Copies of the Agenda are available at the City Hall Customer Service Counter and on the city's website at www.ontariooregon.org.

3) **MOTION TO ADOPT THE ENTIRE AGENDA**

- 4) **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.

5) **CONSENT AGENDA: MOTION ACTION APPROVING CONSENT AGENDA ITEMS**

- A) Minutes of Regular Meeting of 07/05/2016 1-13
B) Minutes Action Excerpt from 06/29/2016 Work Session 14-15
C) Approval of the Bills

6) **DEPARTMENT HEAD UPDATES**

- A) Finance: Historical Review of City Revenues - Kari Ott
B) Community Development: SE 5th Sidewalk Project - Dan Cummings (*with hand-out*)
C) Police: Update on Chickens/Geese Complaint on NW 4th Street - Cal Kunz
D) Public Works: Update on Alley Asphalt/Traffic Issues on NW 2nd Street - Cliff Leeper

7) **NEW BUSINESS**

- A) Bid Award: Central Telephone Communication System [Enhanced Telecommunications] 16-17
B) North Regional Sewer System - Cost Allocation Recommendations 18-22
C) Water Treatment Plant Bid Opening 23-25
D) National Pollutant Discharge Elimination System Permit - Phase 1 26-31

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

- A) Brownsfield Community-Wide Assessment Grant Update (*Dan Cummings*)
B) RV Parking - Possible S.O.P. [*Adam Brown*]
C) Minutes: County Court [06/22/16, 06/29/16], Public Works Committee [04/12/16, 05/10/16]; SREDA [07-06-16]
D) SREDA Membership Roster to date; Report Card to date
E) Department Stats: Planning & Building [Apr-Jun 2016]; Fire & Rescue [Jun 2016]
F) Financials

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

10) **EXECUTIVE SESSION: ORS 192.660(2)(i)**

11) **ADJOURN**

ONTARIO CITY COUNCIL MEETING MINUTES
July 5, 2016

The regular meeting of the Ontario City Council was called to order by Mayor Ronald Verini at 7:00 p.m. on Tuesday, July 5, 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 Adam Brown, Tori Barnett, Cal Kunz, Kari Ott, Larry Sullivan, Betsy Roberts, and Anita Zink.

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

Norm Crume led everyone in the Pledge of Allegiance.

AGENDA

Mayor Ron Verini stated following the work session of June 29th, some changes had occurred on the Agenda:

4) Consent Agenda:

4(D) Approval of the Bills – Action taken at 6/29/16 work session

7) New Business:

7(C) Resolution #2016-122: Adopt Supplemental Budget to Recognize Unexpected Revenue and to Appropriate Funds for Unexpected Expenditures – Action taken at 6/29/16 work session

8) Hand-Outs/Discussion Items:

8(F) Additional Bills

Tessa Winebarger moved, seconded by Charlotte Fugate, 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

Councilor Justus asked what the cost was for a liquor license? How many calls came in from a bar for assistance?

Cal Kunz, Police Chief, stated it would depend on the type of business, what they served, the hours, the amount of customers, etc.

Councilor Justus asked how many liquor licenses were in the city currently?

Chief Kunz stated he didn't have that exact number, but when he'd done a print out, it was about three pages.

Adam Brown, City Manager, stated a liquor license was \$50, which he believed was probably the cost of doing the background check.

Chief Kunz stated it was his understanding that the \$50 fee was regulated by the Oregon Liquor Control Commission.

Councilor Justus asked what it cost each time a police officer responded to a call at a bar.

Chief Kunz stated it would be a minimum of two officers, for probably an hour, so approximately \$100-200, without adding in benefits.

Charlotte Fugate moved, seconded by Betty Carter, to **ADOPT CONSENT AGENDA ITEMS A) MINUTES OF REGULAR MEETING OF JUNE 20, 2016; B) LIQUOR LICENSE APPLICATION: NEW OUTLET [QUINS]; AND ITEM C) APPOINTMENT TO PARKS-N-RECREATION BOARD: MARIA TORLAND. APPROVAL OF THE BILLS TOOK PLACE AT THE JUNE 29, 2016 WORK SESSION.** Roll call vote: Crume-yes; Winebarger-yes; Carter-yes; Justus-yes; Tuttle-yes; Fugate-yes; Verini-yes. Motion carried 7/0/0.

PUBLIC COMMENT

Jack Franklin, Ontario: *I have a long list of things I would like to discuss, but see as I'm limited 3 minutes, it's not gonna work, so I'm going to limit it to two. The first is a traffic control on NW 2nd Street, where I live, have lived for a number of years. I reword that – the lack of traffic control, is what I'm gonna...I discussed this problem of speeding traffic up and down NW 2nd Street with the recently retired Chief of Police. Nothing was done. That was a face-to-face talk. Then I talked to the new Chief on the telephone about the same problem, about six months later, or longer, same problem. Up and down, back and forth, same cars. Evidently, there's a, most of these people down there that I'm talking about are apparently unemployed because it's the same cars all day long, back and forth. Last night there was fireworks being shot off right in front of our house. A number of kids in the street, traffic did not slow down. I'm really surprised we didn't have a pedestrian fatality there because it's ridiculous. NW 2nd Street has become part of I-84. It's almost that bad. They actually race up and down the streets. The later the hour, the worse it gets. I realize the police can't patrol the streets all the time, same story, not enough money, not enough personnel. Traffic speed signs, a speed bump, or a dipsy-doodle would do a whole bunch for that street. I noticed exactly those items in front of the Armory. I imagine the Armory's probably got a real speed problem out there. They have two 25 mile an hour signs at the Armory, plus a solar-powered radar sign. Even one of them would better than nothin' down on NW 2nd Street. So far the score is my request about this, and other things, the score is six to nothin' in favor of them. I've gotten nowhere.*

The next thing I want to talk about is the destruction of our alley in NW 2nd Street. That's the alley that we had all the problems with the sewer line or the water line. I'm sure you're all well aware of that. There was 250 feet of asphalt in that alley when they started. Now it's totally gravel, with remnants of asphalt along the edges where the backhoe dug out the asphalt. That alley has been there for a long time. It made the neighborhood look a little better, but it doesn't look good now. It's just pieces of broken asphalt and big rocks out in the alley. Even poorly graded. I'd like to see something done in this alley. I'd like to see the asphalt put back in, but that's not likely. I talked to some of the city people about it – I assume they were city employees, or CH2M, one of the two. Fell on deaf ears. Gave me kind of a faraway look in their eye when I talked about it. Then I talked to the acting City Manager about the same problem, got the same faraway look in her eye. That end of town, I realize, is slum, and it's getting worse all the time. Thank you.

Mayor Verini stated his concerns would be brought to the attention of the City Manager and the Police Chief. They might be able to get something accomplished.

Andrea Howard: *I live on NW 4th Street, not too far from Mr. Franklin. I have called our Ordinance Officers and Chief Kunz. We've gone back and forth for months now. The residence nearest the property where I live, 910 NW 4th Street, has been keeping an excessive number of chickens, ducks, geese, they had a rooster, the roosters now been rehomed, thank goodness, and they've built a structure, no foundation, so it can be moved, they have a shop, plus a chicken cook lean-to attached to the shop. I've explored ordinance, the Municipal Codes for these kinds of things, and these residents are in violation of many. Not only...residents are only allowed to keep six chickens – they have around 20, give or take, yeah. They have ducks, geese, those are not allowed. Rooster was not allowed, but that was the first to go, the noisiest, but these ones are no less noisy en masse, and there's a smell. The smell, the noise, the structure being too close. They codes say that these kinds of structures, outbuildings, should be no closer than 20 feet from the nearest residential building. I have pictures, I took pictures, I'm sorry they're not the best quality, but I'd be glad to hand these around, hand my phone around, if the Council would like to see what I've gathered together as far as evident. We have a lot of families living right there. A lot of people with regular schedules. These birds are noisy and they disrupt children and working adults sleep schedules. The smell is stomach-turning, to put it mildly. Nothing has really gotten accomplished except for the rooster being removed. I emailed our ordinance control officer, Officer Brocket; I've spoken with Officer Carter, we've emailed and visited on the phone several times, and they've, you know, there's been a lot of excuses made. This has been going on since about March. I think that's it time something was done finally, and it shouldn't have gone on this long. In my opinion, and the opinion of other residents in the apartment complex where we live. I have these pictures. Would the Council like to see them to underline anything, you know, the claims that I've made.*

Council agreed to see the pictures.

Ms. Howard: *There is also debris, a great deal of debris in the yard. It blows over the fence. It's a chain link fence that's six feet high, but there's a lot of garbage that blows over it. We've made some nice suggestions so far, I think, but so far, no feedback. Apparently, according to the ordinance officers, the residents are not responsible to notices left on the door or at the residence. And, being that they're scheduled work hours, Offices Brocket and Carter, only are 8-4, Chief Kunz said, I spoke with you on the phone, you've given them flex time. I've only seen them there between the hours of eight and four, visiting to just case the situation and see what happens, but at no time has anyone visited when the residents are actually there. On the week-end, or after five. I believe that these people work a standard, you know. You can see in some of the pictures, they've got a baby pool. I assume that's for the ducks and geese; sometimes the ducks and geese are in coop with the chickens, which is really noisy. I don't know if any of you have ever raised poultry, but they don't tend to mix very well. I don't know if I've exceeded my three minutes, but that's about as much as I...I'm so sorry. I apologize to the other people. Thank you.*

Mayor Verini stated this would be turned over to the City Manager to take point, and to work with the ordinance officers and police chief, and maybe get something done on this.

Ms. Howard: *Thank you, very much. On behalf of the other tenants, we'd like to see something done, weeks ago. The smell is so bad, I can't even...*

Councilor Justus stated to Ms. Howard that if there wasn't a resolution by the next Council meeting, please come back to the Council and give an update.

NEW BUSINESS

Public Utility Easement Right of Way (Previously passed December 7, 1981)

Adam Brown, City Manager, presented.

On June 15, 2016, Dan Cummings, Community Development Director was contacted by Rick Hutchinson, one of the current owners of Ontario Building Supply (previously Stunz Lumber Co., Inc.) in regards to vacating a portion of NE 1st Avenue. The subject portion of said street right of way was enclosed within the fenced area of the yard used by Ontario Building Supply.

On October 5, 1981, the City Council approved an unnumbered resolution to proceed in holding a public hearing for an ordinance for the Vacation of a portion NE 1st Avenue lying east of NE 4th Street and scheduled said hearing for the November 16, 1981, City Council meeting.

On November 16, 1981, the City Council approved Ordinance No. 2085 at a public hearing for the Vacation of a portion NE 1st Avenue lying east of NE 4th Street by a unanimous decision on first reading with a provision that a utility easement be retained in the vacated property.

On December 7, 1981, the second reading of Ordinance No. 2085 for the Vacation of a portion of NE 1st Avenue lying east of NE 4th Street was presented to the Council. The City Attorney's office advised the Council to approve the ordinance on second and final reading, but to require that Stunz Lumber dedicate an easement to the City. Ordinance No. 2085 was unanimously approved, provided an easement be secured from Stunz Lumber before recording the ordinance at the Malheur County Courthouse.

The right-of-way for NE 1th Avenue was dedicated through Wilson's Supplemental Plat to the City of Ontario. This section of right of way has never been developed, and was currently enclosed within the security fenced yard of Ontario Building Supply and had several structures built within the right of way section that was vacated under Ordinance No. 2085; however, said Ordinance was never recorded. Staff and Council in 1981 appeared to consider this portion of the right of way as a section not needed by the City.

In the file regarding this action, staff located a letter dated January 16, 1985, addressed to Stunz Lumber from the Ontario Public Works Director notifying them that if the City did not receive the required easement within 30 days of the date of the letter, staff would have to initiate an action before the Council to rescind their previous action. Upon continued research, staff was unable to locate any record or subsequent documentation for the easement, or anything that rescinded the action.

There was an existing sanitary sewer line and a storm sewer line within the section of NE 1st Avenue that was vacated. Staff contacted the current owners of the property and were able to obtain an easement to cover the existing public utilities, which would fulfill the requirements outlined in the previous approval of Ordinance No. 2085.

Staff's opinion was the vacation did not prejudice the public interest, it should be upheld, and believed the proposed Public Utility Easement fulfilled the requirement as requested as a provision to Ordinance No. 2085.

Tessa Winebarger moved, seconded by Charlotte Fugate, that the City Council **APPROVE AND ACCEPT THE PUBLIC UTILITY EASEMENT FROM RICK & DENNIS PROPERTIES, LLC, BEING RICHARD C. HUTCHINSON & DENNIS R. WHITE AND INSTRUCT STAFF TO CAUSE TO HAVE RECORDED THE EXISTING ORDINANCE NO. 2085 AND SAID PUBLIC UTILITY EASEMENT WITH THE MALHEUR COUNTY RECORDER.** Roll call vote: Crume-yes; Winebarger-yes; Carter-yes; Justus-yes; Tuttle-yes; Fugate-yes; Verini-yes. Motion carried 7/0/0.

Award Insurance Agent of Record

Adam Brown, City Manager, presented.

The City sent out a request for proposal for the insurance agent of record; three proposals were received by the City:

1. Propel
2. Blackaby Insurance Agency, Inc.
3. Field Waldo Insurance Agencies, Inc.

In 2001, the City entered into a contract with Field Waldo Insurance. In 2007, the City did an RFP/RFQ for an Insurance Agent, and Field Waldo was the only respondent.

The three Proposals were reviewed by the City Manager, Director of Finance, and Human Resources, and rated on a scale of 1-10 for each of the following factors:

- Company profile
- Years of experience in the business
- Firm's annual property and casualty insurance business
- Office proximity
- Team or individual assigned to the project
- Service level/frequency
- Level of claims reporting
- Budget assistance
- Experience with other units of government

All three reviewers ranked Field Waldo as the highest and Blackaby as the second highest. The review team recommends awarding the Insurance Agent of Record contract to Field Waldo Insurance Agency.

Both Blackaby and Field Waldo ranked very high in the scoring. Blackaby would be an acceptable alternative.

This was categorized as a professional service, so it was not a bid situation. They were allowed to make their decision based on the merits of a proposal. Both Waldo and Blackaby scored very high. All three ranked the same order, so they didn't need to go further in the process. He had researched the "Local Preference Policy", and the policy currently written only related to bid situations. For under \$5K, the city should look to purchase within the city; between \$5K and \$75K, try to purchase within the city, and if not, the county. But for Professional Services, there was no preference policy. That was something that could be explored, should the Council want to do that, but in the criteria for this action, location was a factor, but it was the level of service and their ability to respond to the city, so someone a block away vs. a mile away, there was not a lot of difference. It was more location, not a resident of the city vs. not a resident.

Mayor Verini provided an opportunity for each company to present comment to the Council.

Mike Blackaby, Blackaby Insurance Agency: *First of all, I want to thank you for giving me the chance to speak. I was concerned about what was going on. We submitted our packet two months ago, and really, then were told that we were going to get to speak, and then were said no we can't. So, and I didn't know if everyone, I mailed a list of concerns to Kari at noon. I don't know if any of the Council members saw that. If not, we'll have to kind of go through them, if I could. No one received those?*

Mr. Brown stated that Ms. Ott had shared them with him.

Mr. Blackaby: *What my concern is, I'll just kind of read through them, if I could. The Agent is, Adam, if I could say Adam, described is very, very important and also very well paid. To me, it's like hiring a person. So I was quite concerned that no one contacted me, Adam, being new, we never spoke, he didn't know who I was, he'd never been in to see where my office is, and I think that's very important. Second, he never met my staff. I have two of them here. Jeremy, I think you might look on how long someone's been employed, and I said this before, but Jeremy's been with me just over a year. I've been in the business since September 1, 1969, and he is my best hire. He really does understand insurance, and I'm really proud to have him. The other, my number three item, was, and I have a copy of the worksheet that I just found about an hour ago, and I don't think any credit was given for the involvement of my employees, which is mainly my wife. And it's listed on the packet. So, Mayor, did any receive the packet that listed our involvement in the community?*

Mayor Verini stated he received...

Mr. Blackaby: *Because my comment would be there's no one in town....*

Mayor Verini continued he received the packet that was sent out to all of us.

Mr. Blackaby: *...who had contributed more than my wife and myself, let alone my other employees, and I don't think I was given any credit for that, and I feel that being involved in the community, you know what's going on, with the marijuana sales, the swimming pool. I was quite concerned with the community was no longer sponsored by the city, which, to me, meant you have no insurance, and I pointed that out. I have a, oh, the other really important thing is, and we were asked, Kari did contact me too, on how much we're being paid. On the basic insurance with CIS, the automobile, the property, we get paid about 15, or 14%, and she asked me, I'm willing to reduce that to 10% because it's a large account, and I'd be well paid for that. The worker's compensation is much less, and I told her I'd accept 30% less on that because, again, it's a large account, and I'd be well paid for that, or my office would be well paid for that. And then I think at the meeting last week, it was asked who was the prior Agent, and it wasn't, to me, what I was told, the report wasn't Blackaby Insurance, it was Ron Reddig, who was my partner, so the Agent was Blackaby Insurance. Since 1969, we've been the Agent quite often, and just a little bit on that. At that time, no one company would write the entire requirement, auto, liability. We had to distribute the insurance with everybody in town, whether it be automobile, glass, crime, and then if there was a claim, maybe four people got to split the claim, and the Agent was responsible. And then after that, I think maybe like 1979, I might say, companies would write everything, so then the Agent would prepare bid specs and say give us a price for this. Well now there's only one company that does it, the basic insurance, CIS, so that isn't, you can't get other bids on that basic insurance, or if you did, it would be quite a bit higher. I supposed those are my main concerns that I sent out, but the other thing, which really made me feel good, was recommendations, and I have a recommendation from my friend Jody Glore, a West Point grad, from Ken Hart, and from the Superintendent of schools, which, again, made me feel very good. I don't know if the Council members saw that. So, I feel that one should be given credit for recommendations, commission that I'm willing to take, and how much time we spend devoting ourselves, because we really do care about Ontario, and I feel that part of the reward would be to get to be the Agent for the City of Ontario. Those are all my comments.*

John Forsyth, Waldo Insurance Agency: *I really wasn't prepared to give a speech tonight. I'll just maybe respond to a couple of Mike's comments. The commission that we do get paid, or the fee that the city pays that we receive, is 10%, and I mentioned that in our proposal. We get the commission that SAIF pays, which I believe is 74%; I don't look at that, but the commission that they pay us, that's our normal rate, that's what we accept. So the fee differences, is no different. I guess the best, maybe just tell you a quick little story, front end of my car is just vibrating like this, so I go in to see the tire dealership, and the fellow comes out and he greets me and he says what's the problem? I told him what the problem was; I got a shimmy up front. I've taken it to several places, and I can't get rid of it. And he looked at me, and he says we'll fix it. He said, this is what we do, and we're good at it, and you'll be happy when you leave here. That story's stuck with me, and I put that right up on my door, so every morning when I walk through, that's what I look at. This is what we do, we're good at it, we'll fix it, and you'll leave here happy. I believe you read the proposals that we put together, and public entity business is what we do. I have mentioned in there the City of Vale, City of Nyssa, Malheur County, we have letters of recommendation from a couple of those, the Ontario School District, I enclosed a letter of recommendation from Erik Norton, and I'm assuming you went through those, so I'm not going to repeat those. I believe we insure roughly 19 school districts and the cities in our local area here. So, this is one thing we do. The other thing that I believe causes our agency to stand out is our people. I believe, if you've looked at our packet, Dave Waldo is our*

principle, Ray Waldo is his brother, Ellen Martinez is Nola Field's, the founder of our agency, daughter, and myself. That's kind of our leadership team. All the four that I just mentioned have been in the business for over 30 years. I was licensed in 1979, Dave was before me, Ray slightly after that, Ellen's been working with her father since she was a child, so we have four people that have over 30 years' experience in dealing with public entity business. So, if something happens to me, you've got a lot of backup behind it. The two key service people on your account has been Scott Bamm, I believe Kari's probably talked to him. Scott's worked for us for over 15 years, and under him is Kim Speelman, who has also been on the City Council in Vale, and she understands public entity business. So we have those two service people. And I mentioned our whole staff; I think there's pictures of our people in there, of who we have to represent you. So I think our experience is excellent. We've worked with City County Insurance for a number of years, and I know a lot of the people we work with personally, if I have questions I can call them up, and I can get answers and I get response. One of the things that we do for you, is we're your advocate. If there's a claim situation that comes up, we have to fight for you to get that claim settled. I can show examples, since we've been your Agent, where we have gone to CIS and we got them to waive the \$25K deductible in a settlement. We have worked on your behalf, like Mike mentioned, we are actually an employee for you. We feel like that, really, we're just a member of your team. We have to respond to what you need, we have to point out risk. I mentioned in our proposal putting together a risk management team so we can talk about issues that come up. I think I've given you lists of examples of things we've worked on, Citizens on Patrol, how does that affect our insurance, how are they covered under worker's comp. We had the airport liability that we worked with you here on the limits for that. If I was going to ask you anything, I'd say talk to the Department Heads. I've worked with the Department Heads for a number of years. Mark Alexander, Chief of Police before you took over, I've worked with Kari, worked with Larry Sullivan, I've worked with Debbie Jeffries, I've worked with all of the Department Heads, so if you want any report on me, I'd ask you to talk to them, and hopefully, I've done as good as I can do. I feel we respond quickly, accurately, and happily. That's our motto. And I want to continue representing the City of Ontario. Thank you very much.

Councilor Winebarger stated she felt a bit uncomfortable with the situation. They gave staff the opportunity to give the Council a recommendation, and we've put everyone in the room in an uncomfortable position in having them speak about why they should be the one chosen. She thought that was what Adam was trying to avoid when he asked Council if they were okay with staff doing it. She believed they had good staff, and the Council should listen to their recommendation, and the Council shouldn't doubt them. Why have staff if the Council was going to do it?

Councilor Carter stated there were two insurance agents represented that night. Both had lived in the area for quite a while. They both had served City Hall. Her recommendation was that they shared it between the two. That would be where she'd like to see this go in the future. It didn't have to be this round, but she wanted it looked into and considered. They had an agency that had been in business for 20 years, and then another company took over. It was a bigger picture that needed to be looked at. Maybe they not recommend the three years, maybe only two, and then look at another agency to share between the two. What would be wrong in doing that?

Larry Sullivan, City Attorney, stated the difficulty with that was this it would assume a business would have static qualifications over a period of time. Essentially, staff would have to do another RFQ. It might be there would be enough continuity over those two years there wouldn't be a change in the qualifications, but that couldn't be assumed. The State of Oregon, when setting rules for hiring people with professional backgrounds, using an RFQ, required public bodies to have a rational process for selecting those people. There would be a scoring system based upon particular qualifications the body identified as being significant, and the weighing of the entity hired, was supposed to be based upon the scoring of the qualifications. It would be difficult to decide that these entities were equal, so they would switch contracts every two years. He wasn't saying they couldn't do it, but it appeared outside of the Oregon statute.

Councilor Carter asked if it would be out of the scope if they did the three years.

Mr. Sullivan stated that was what was happening now. They were going into a three year contract; it would be back for an RFQ at the end of that time.

Councilor Carter stated she was also concerned that they hadn't put this out to bid before. It hadn't been out for bid since 1991.

Mr. Forsyth stated it was 2007. No other agency except Waldo bid on it.

Councilor Justus asked how much the city paid in insurance premiums annually.

Ms. Ott stated it was just over \$200K.

Councilor Justus stated they were making a \$200K decision. The code read that they would favor businesses that were inside the city, and favor businesses that were inside the county.

Mr. Sullivan stated that didn't apply to service contracts; that required professional qualifications. It applied to bidding contract.

Councilor Justus stated the service contract, and the overall premium... the insurance itself was one charge, and the service contract was another, correct? They weren't signing the city's insurance with Waldo that day; they were assigning him as Agent, to acquire the insurance for the city. To him, between the two, he had to fall towards what business was inside the city limits, whose business was paying city taxes. Waldo was in the county, in the area of impact, but Blackaby Insurance was inside the city limits, and they paid city taxes. He felt if they were comparing apples to apples, the city should weigh heavier on businesses that resided within the city limits. Not just the owners, but the business itself.

Mr. Sullivan stated it would be possible for the city in constructing an RFQ to make that a factor, which would rationally bear on the qualifications of the business. Like, ask how far the office was from City Hall.

Councilor Justus stated they should ask if the business was located within the city limits.

Mr. Sullivan stated from a qualification stand point, that was irrelevant. Residing within the city limits wouldn't bear on their qualifications. There had to be a tie in between the qualifications that would allow that business to provide the best service to the city, rather than introduce factors that didn't bear upon the quality of service.

Councilor Justus stated if the scoring was done, and Blackaby was a four, and Waldo was a 10, then it made sense. But, when reviewing the ranking, and they were so close, why wouldn't you put that in to the mix.

Mr. Sullivan stated they could, at some point, but the Council did not have the authority to change the factors that were considered when the RFQ was made.

Mr. Brown stated state law didn't allow the Council or staff to consider that as a factor, or any other extraneous factors, such as serving on a particular committee. It had to be based on logical, factors related to the services provided to the city. Some of the preferential language in the bidding policy could be questionable, with respect to state law.

Mr. Sullivan stated the city had some discretion, when determining the factors and how to give those factors weight in scoring. But, those decisions had to be made at the beginning of the process, when the RFQ went out. However, the Council had the authority to say they wanted factors that dealt with the location of the business, or proximity to City Hall, the speed of service, etc. Those just had to be handled at the beginning.

Mayor Verini stated the RFQ had already gone out, so nothing could be changed at this point.

Mr. Sullivan stated no, not for the purpose of introducing new factors. If there were existing factors, and the Council believed staff didn't give a high enough score for certain factors, the Council had the discretion to override staff's decision, but would have to make findings as to the basis for changing the score.

Councilor Justus stated it was a question of insurance, and the question of adding, or direct the City Manager to add some residency requirements.

Mr. Sullivan stated he didn't believe there was a basis for that, as that had nothing to do with the quality of service.

Councilor Justus stated he meant being located within the city limits.

Mr. Sullivan stated not that either. Inside or outside the city limits, unless it was a unique business which would provide a different quality of service, there had to be a rational basis for determining a difference in quality based upon location.

Mayor Verini stated they needed to focus on what they had before them then, and then make the changes the next time they were up for bid.

Councilor Crume stated sitting up there with two competing businesses, who were both friends, was uncomfortable. He wanted them all to understand that, but he was an agent of the city, and had to do what was right. They needed to follow the procedures established for staff to bring a recommendation to the Council. His only way to disagree with staff would be if he knew, without question, that a mistake was made in the findings. Lacking that, he would follow the recommendation of staff.

Councilor Carter stated she, too, was uncomfortable, as she knew both individuals. She wasn't suggesting it be changed that day, but they needed to look forward, and make some adjustments in the future. Make sure the bids went out to the appropriate people, in a timely manner. There were times that was not being done.

Norm Crume moved, seconded by Tessa Winebarger, the City Council **AWARD THE INSURANCE AGENT OF RECORD TO FIELD WALDO INSURANCE AGENCIES, FOR A PERIOD OF THREE YEARS.** Roll call vote: Crume-yes; Winebarger-yes; Carter-yes; Justus-yes; Tuttle-yes; Fugate-yes; Verini-yes. Motion carried 7/0/0.

Resolution #2016-123: Supporting a Regional Intermodal Transportation Facility

Adam Brown, City Manager, presented.

Before the Council was a resolution that supported the regional Intermodal Transportation Facility. The facility location was not named, but it appeared the Greg Smith, County Economic Development Director, was steering them toward a location in Nyssa. The company did a site visit of all sites. The proposed resolution was in support of a facility in this region, not specifically Ontario.

Mayor Verini stated regardless of the location in the region, Ontario would see a benefit.

Councilor Fugate asked about a letter to accompany the resolution.

Mr. Brown stated the resolution would be transmitted with a letter.

Norm Crume moved, seconded by Charlotte Fugate, the City Council **APPROVE RESOLUTION #2016-123: A RESOLUTION SUPPORTING A REGIONAL INTERMODAL TRANSPORTATION FACILITY.** Roll call vote: Crume-yes; Winebarger-yes; Carter-yes; Justus-yes; Tuttle-yes; Fugate-yes; Verini-yes. Motion carried 7/0/0.

Resolution #2016-124: Supporting Retention of Mineral Exploration Rights in Malheur County

Adam Brown, City Manager, presented.

Mayor Verini stated this was brought up at the Work Session, related to the bill being put forth by Senators Wyden and Merkley, taking 2M acres of Malheur County, and removing from the rolls any future exploration for mineral exploration, along with oil, and gas.

Councilor Justus asked about the Monument. Where they going to address that through a resolution, toot? The mineral rights was just presented, which were vertically the same boundaries as the Monument. The Monument would do just as much damage to the county's economy. Did they need a third resolution?

Mayor Verini stated he was correct – there were three issues here.

Councilor Tuttle stated he thought they had joined with the County already on a resolution for that.

Norm Crume moved, seconded by Betty Carter, the City Council **APPROVE RESOLUTION #2016-124: A RESOLUTION SUPPORTING RETENTION OF MINERAL EXPLORATION RIGHTS IN MALEHUR COUNTY, OREGON.** Roll call vote: Crume-yes; Winebarger-yes; Carter-yes; Justus-yes; Tuttle-yes; Fugate-yes; Verini-yes. Motion carried 7/0/0.

Additional Bills

Kari Ott, Finance, presented.

She thanked the Council for their patience with the fiscal end-of-year process. The dates were very odd this year. She had before them some additional bills that were not included in the previous set of bills, due to some absences within the department. With the receipt of the next set of bills, these would be reflected as "paid" bills. These were in the new fiscal year, and were due. They were mostly annual payments, and some moving expenses.

Councilor Fugate verified the Malheur County on Aging invoice was the bus.

Ms. Ott stated it was.

Councilor Fugate asked if they were now doing an annual payment to Poverty to Prosperity, too?

Ms. Ott stated yes, the \$5K was added in the budget. The other was the payment to SREDA. Those were the three donations approved through the budget.

Councilor Justus stated on the Union Pacific Railroad, that annual lease, and while realizing it was a small amount, but did the entity that leased that property pay equivalent to that? He heard there was a 99 year lease for a buck. The city was subsidizing that group for that \$438 fee.

Ms. Ott stated yes.

Councilor Justus asked if there was any way to amend the lease.

Mr. Sullivan stated the lease was with the Basque Club. They took a building that was deteriorating, and spent a lot of money to....

Councilor Fugate stated the Depot was in perfect condition. The Basque Club remodeled the upstairs.

Councilor Carter stated the Club had done a lot of work in there.

Mr. Sullivan stated the Council discussion at the time was that it was a liability for the city to be responsible for maintaining that. The Basque Club agreed to do that maintenance. The Council – then – believed it was a good trade-off to have a building restored to a more pristine condition in exchange for a modest rent. It was not viewed as profit making.

Councilor Justus stated he wasn't looking at it as profit making, but as the city has made these deals, they end up subsidizing. If it cost \$500 a year, and the Club utilized that property, making income from it, they should pay whatever it cost the city. Even if they remodeled the whole thing, and the city has not charged anything, they, as a city should not be passing that on. Had anyone inspected it? Was it being maintained? They should know that. He would like the Council to review the expenditures, and turn it around. He wasn't asking to charge the Basque Club \$5K a year for the building, but they should pass along the expenses.

Councilor Crume stated he believed the city was using the property, not the building, as a city park.

Mr. Sullivan stated that was correct.

Councilor Crume stated he understood what Councilor Justus was stating, but it was a bit misguided. The building, at \$438, the city was paying for the land around it as a city park. Maybe just look into that.

Councilor Carter added that the Basque Club provided the maintenance there, too. She had been contacted by them, requesting a work crew, and that cost at least \$500 each time, per day.

Councilor Tuttle asked why these bills had to be paid out now.

Ms. Ott stated they were due. For the donation ones, those were not due right now.

Councilor Tuttle stated on the bus system, they were supposed to put up benches, etc., but those benches had never appeared. The people never came before Council anymore. The Council kept being told it would be done next year....

Mayor Verini stated there was one across from the Chamber of Commerce.

Councilor Carter stated there was one by Wal-Mart.

Councilor Winebarger stated there was one across from the Dollar Store.

Ms. Ott stated they could hold off on that payment.

Councilor Tuttle stated he'd like to see a schedule, or at least some benches, some signage, the bus route and schedule.

Mayor Verini verified the Council wanted to remove the payment to Snake River Transit until a report was provided.

Consensus yes.

Charlotte Fugate moved, seconded by Tessa Winebarger, to **APPROVE THE AMENDED LIST OF ADDITIONAL INVOICES OF JULY 1, 16-17**. Roll call vote: Crume-yes; Winebarger-yes; Carter-yes; Justus-yes; Tuttle-yes; Fugate-yes; Verini-yes. Motion carried 7/0/0.

Cable One Franchise Agreement

Larry Sullivan, City Attorney, presented.

At the Council meeting on June 20, 2016, the City Council approved a new draft of the Cable One Franchise Agreement, and directed the City Attorney to impose a deadline of July 15, 2016, for Cable One, Inc. to agree to the deadline. In that Council meeting, there was a discussion about the lawsuit before the Oregon Supreme Court, entitled *City of Eugene v. Comcast of Oregon II, Inc.*, that was examining whether Eugene could impose a separate broadband franchise fee on a cable television service provider. The City Attorney told the Council that the case was finally resolved in May, 2016, when the Court found that Eugene could impose separate franchise fees for broadband and cable television services.

After the June 20, 2016, Council meeting, the City Attorney sent the latest draft of the Franchise Agreement to Cable One. A few days later, a lawyer with Cable One informed the City Attorney that the defendant in the *City of Eugene* case had filed a motion asking the Oregon Supreme Court to reconsider and reverse its decision. The Cable One attorney asked the City Attorney for a postponement of the Franchise Agreement until the motion for reconsideration was resolved. At the next Council work session on June 29, 2016, the City Attorney recommended against granting a postponement and suggested to the Council that he could revise the franchise agreement to deal with the motion for reconsideration. The consensus of the Council was for him to make that revision. The City attorney has revised the agreement by adding the following Section 5.3:

5.3 Outcome of Current Oregon Litigation. A decision by the Oregon Supreme Court was entered on May 26, 2016, in the case of *City of Eugene v. Comcast of Oregon II, Inc.*, 359 Or 528, 2016 WL 3030155 (2016) concerning the authority of the City of Eugene to charge a telecommunications franchise fee to the defendant, a cable service provider. The defendant has filed a motion for reconsideration of that decision. The outcome may affect the legal authority of CITY to impose the franchise fee for PROVIDER's

telecommunications services set forth in Section 2.1(a) of the Agreement. CITY shall deposit that portion of the franchise fee received from PROVIDER in a separate reserve account pending the outcome of the litigation. If the outcome of the litigation is to invalidate the franchise fee collected through Section 2.1(a), CITY shall promptly refund it to PROVIDER, and negotiate in good faith with PROVIDER for an amendment to the Agreement pursuant to Section 5.2.

Councilor Tuttle asked what broadband included? What about telephone?

Mr. Sullivan stated it included internet access for customers, and yes on the telephone, and that was in the new Agreement, too. That might not have ever been included in the fee to the city.

Councilor Justus stated the Franchise Fee was on everyone's Cable One bill. That was just passed on to the consumer.

Councilor Sullivan stated he was not aware of how they calculated the fee. He could ask if they'd ever paid the Franchise Fee on the portion that was earned from broadband. Probably be told no, taking the position they weren't required to pay it. Those were not broken down on the bills.

Councilor Justus stated cable television was going away in the next five years, because everyone would be using broadband. The City would lose money if Cable One didn't remit a Franchise Fee for that portion.

Mr. Sullivan stated it would be difficult for a cable company in this area to phase out cable service. Broadband would be too slow, especially in this area.

Councilor Fugate stated if they'd been charging the 7% this whole time, they needed to pay the city.

Mr. Sullivan agreed it was worth looking into.

Mayor Verini asked if any of the current discussion changed what they were discussing on the motion?

Mr. Sullivan no, it did not.

Charlotte Fugate moved, seconded by Marty Justus, that the City Council **APPROVE REVISING THE CABLE ONE FRANCHISE AGREEMENT TO ADD SECTION 5.3 TO THE AGREEMENT**. Roll call vote: Crume-yes; Winebarger-yes; Carter-yes; Justus-yes; Tuttle-yes; Fugate-yes; Verini-yes. Motion carried 7/0/0.

CORRESPONDENCE, COMMENTS AND EX-OFFICIO REPORTS

**Councilor Justus stated he spoke with Dan Cummings about the mall this last week. He spoke with the owner of the mall that morning, and indicated his displeasure. They talked about the specifications for leasing mall space, he told him he was a City Councilor, and at the end of the conversation, he told him he needed to understand that he was not happy with the condition of the mall, and was going to make sure it was discussed with the Council. He was told that he wanted his Property Manager to contact him. He received a call from the Property Manager, who told him that he didn't have to do anything except maintain it to code. He told him that if he'd maintained it to code, they wouldn't be having the conversation. They went around about 15 minutes. He told him that all he had to say was Councilor Justus, I take your comments under advisement, and we'll get back to you. Then we could terminate the call. He said no, you don't understand. He said I absolutely understand. He said just tell me what you want me to do. He said I want you to take a lawn mower from the corner of SW 4th To Alameda and I want you to mow the lawn. Then I want you turn around and go all the way up to Sunset, and do the same thing. He said they didn't own the KFC. He said then be neighborly, and take care of that property while taking care of yours. Basically, he said whenever Dallas called, he'd take care of the problem. He said that Dallas didn't call him to tell him to mow his lawn. He would appreciate it if he'd put the mall on a bi-weekly maintenance schedule, so they didn't have to have the conversations. The point was, the mall, if they were waiting for the city's Code Enforcement Officers to call them, it was already too late. They should be abating. He wanted the Police Chief to instruct the Code Enforcement Officers to follow the guidelines.

Councilor Fugate asked for some type of outline on how the abatements were handled.

Councilor Crume stated the Wendy's parking lot was looking bad.

Mr. Brown stated they had worked with him for about three weeks, through CH2, Dan Cummings, etc., to make something happen, but it hadn't yet. He spoke with Chief Kunz that day, and asked him to issue a citation. Another option was a civil penalty. The property could be lienied if not collected.

Chief Kunz stated it would require a Hearings Officer, one a month, certain hours, to hear appeals, but it would be an in house process. He had already received some information from Salem.

Mayor Verini stated he had been hearing that many cases before the Justice Court were being dismissed.

**Councilor Winebarger stated the two people who had spoken that evening, needed to be listened to. Did Betsy have any information on that?

Betsy stated the construction packet that went out showed the city standard for alleys as being gravel, so the contractors put it back as gravel. That could have been just a misstep. They'd take a look at it. Second, they'd look at NW 2nd for traffic signals. They'd need to survey it to see what was placed where, if anything was anywhere. They'd look into some traffic calming devices.

Councilor Winebarger stated that was great. She didn't want them shoved aside.

Councilor Carter asked if there was a way to get information back to them?

Ms. Roberts stated yes, they received phone numbers for each and she'd be in contact with them.

Councilor Carter stated even a flyer could provide enough data to help them understand.

Ms. Roberts agreed; they needed to reach a good place for the whole neighborhood.

Councilor Tuttle stated the standard said gravel, but when people used their alleys for access, he thought she'd find that the city required it be paved, and the owners had to pay. If memory served, that alley should have been replaced with asphalt, because those people had paid for it initially. In instances he'd had experiences with, when using the alley, if it was paved, it was paid for by the owners.

Ms. Roberts stated she'd check with Dan Shepard.

Councilor Fugate stated the work done on the bridge on 5th, there was pea gravel all over the bridge and sidewalks. That needed to be cleaned up.

Ms. Roberts stated that was done between the county and ODOT, but she'd get in contact with the right people and get it cleaned up.

Councilor Justus asked that the chicken and geese situation be on the Agenda for review.

Chief Kunz stated he had spoken with Ms. Howard. There was the issue of the owners being outside normal business hours, so he was having Officer Brocket adjust his schedule to be able to work with people after hours. They were working on issues, and would hopefully connect with the homeowner. They'd be following up on it.

**Mr. Sullivan stated he checked on the Basque Club lease. It was a 99-year lease, signed in 2006, for the north half of the Depot. The rest was owned by the city. In 2009, a new agreement was entered into with the Club, continuing the same lease, but also gave them management rights to the whole building. The Club used the money collected for upkeep and utilities. The \$1 a year payment was just for the for the north portion.

Councilor Crume asked about the property, the landscaped area?

Mr. Sullivan stated none of that was included in the lease.

ADJOURN

Norm Crume moved, seconded by Betty Carter, 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 WORK SESSION MINUTES

ITEMS 4D and 7C ONLY

Wednesday, June 29, 2016

The Work Session of the Ontario City Council was called to order by Mayor Ronald Verini at 12:00 p.m. on Wednesday, June 29, 2016, in the Council Chambers of City Hall. Council members present were Ronald Verini, Norm Crume, Tessa Winebarger, Betty Carter, Charlotte Fugate, Marty Justus, and Larry Tuttle.

Members of staff present were Tori Barnett, Al Higinbotham, Cal Kunz, Kari Ott, Cliff Leeper, Betsy Roberts, Dan Cummings, Debbie Jeffries, Larry Sullivan, and Anita Zink. The meeting was recorded, and copies are available at City Hall.

Also present: Hunter Morrow, Argus Observer; John Forsyth, Field-Waldo Insurance; and Kathleen Saldana, Quins.

Due to the timeliness of the request, the Council opted to take action on both Items 8E and 7C at the Work Session.

CONSENT AGENDA

Approval of the Bills

Kari Ott, Finance, requested the approval of the bills currently presented to Council due to the end of the Fiscal Year closing out on June 30th. Approval now would help ensure a cleaner close out of the current Fiscal Year books.

Tessa Winebarger moved, seconded by Charlotte Fugate, to adopt the bills as presented. Roll call vote: Crume-yes; Winebarger-yes; Fugate-yes; Jost-yes; Tuttle-yes; Carter-yes; Verini-yes. Motion carried 7/0/0.

NEW BUSINESS

Resolution #2016-122: Adopt Supplemental Budget to Recognize Unexpected Revenue and to Appropriate Funds for Unexpected Expenditures

Kari Ott, Finance, presented.

Following the June 20, 2016, Council meeting, a few items were noted that would have an effect on the 2015-2016 budget; therefore, budget adjustments were necessary to prevent budget over expenditures.

First, due to the receipt of more motel occupancy tax than expected, the V&C disbursements needed to be increased to account for this increase. Second, Oster Professional Group would be taking responsibility, via contract, for the Finance Department, effective July 1, 2016, resulting in the necessity to pay out the Utility Billing Clerk for her remaining vacation days on the city's books. If not adjusted, the buyout would cause payroll to go over budget in Water, Sewer and Storm Sewer Funds.

Resolution #2016-122 showed the necessary budget changes; a \$10,000 increase in TOT funds received; and a \$177 increase in Wages & Salaries across Water, Sewer, and Storm Sewer Funds.

Councilor Fugate asked Ms. Ott the reason behind the request to take action on this issue that day, as opposed to waiting until the July 5th meeting.

Ms. Ott stated any overages on the books after June 30, 2016, would show as out of compliance, and would be reflected in the upcoming Audit. She was hoping to see the books in balance on July 1st.

Councilor Justus stated when there had been an issue a few weeks back regarding an overspending of \$10K, that hadn't come back before them for Council action to fix, so why was this action necessary on such a small amount?

Ms. Ott stated the issue Councilor Justus was referring to had been taken care of at the last Council meeting, via Resolution #2016-120, and the majority of the overage [\$10K] was due to the retirements of some officers in the Police Department. Payroll was alright in the General Fund, and not every department went over. The issue before them now was due to the Oster Professional Group taking over the Finance Department on July 1st, and the necessity to buy-out the remaining vacation days of the Utility Billing Clerk.

Norm Crume moved, seconded by Tessa Winebarger, that the City Council approve Resolution #2016-122, A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET TO RECOGNIZE UNEXPECTED REVENUES AND TO TRANSFER BUDGETED APPROPRIATIONS FOR UNEXPECTED ITEMS. Roll call vote: Crume-yes; Winebarger-yes; Fugate-yes; Jost-yes; Tuttle-yes; Carter-yes; Verini-yes. Motion carried 7/0/0.

APPROVED:

ATTEST:

Ronald Verini, Mayor

Tori Barnett, MMC, City Recorder

AGENDA REPORT

July 18, 2016

TO: Mayor and City Council

FROM: Sheri Smith, I.T. Supervisor

THROUGH: Adam Brown, City Manager

SUBJECT: **BID AWARD: CENTRAL TELEPHONE COMMUNICATIONS SYSTEM**

DATE: July 11, 2016

SUMMARY:

The City of Ontario currently operates with two separate outdated phone systems. The city has planned and implemented the first phase of expanding its internal data network via wireless backbone using Ubiquity NanoStation M-series technology. Staff is planning to implement a single hybrid (PBX/analog-VoIP) telephone system to serve four main locations with the intent of using the wireless backbone as the phone systems primary connection for two of those locations.

A request for proposal was solicited from five companies. Although two bids were received, only one of the two bids provided the requested phone solution (in house PBX with mix of analog/VoIP capability). The second bid received was for a fully hosted solution which would require a redesign of our current network structure creating a higher cost to implement.

Bids received for the project are as follow:

Enhanced Telecommunications	\$35,913.25
<i>5 year manufacture warranty 1 year hardware & labor included</i>	
InCom Full Lease	
<i>One-Time cost of \$2,384.00</i>	30 month lease: \$63,966.00
<i>Monthly cost of \$2,132.20</i>	60 month lease: \$127,932.00

PREVIOUS COUNCIL ACTION:

06/20/16 Council approved the 2016-17 budget, which includes \$40,000.00 for a telephone system replacement; funds to be divided equally between Public Safety Fund and Administrative Overhead.

DISCUSSION:

During the 2016-17 budget process, the Budget Committee voted to dedicate funds for a new phone system, splitting it between Administrative Overhead and the Public Safety Fund; however, staff delayed bringing the bid award to Council until the beginning of the 2016-17 budget year to ensure funding availability.

The department heads met and went over the proposal details. The decision to recommend Enhanced Telecommunications for the bid award was based on the following:

- 1) Enhanced Telecommunications followed all required instructions lined out in the request for proposal; and
- 2) Enhanced is the City of Ontario's current service provider and already have an established working relationship with this city government as well as a solid understanding of the current network structure and existing telecommunication system; and
- 3) Enhanced Telecommunications provided the requested solution (in house PBX with mix of analog and VoIP) and was still able to come in as low bid for the project.

FINANCIAL IMPLICATIONS:

As stated earlier, the Budget Committee and City Council approved \$40,000.00 to replace the current phone system. Enhanced Telecommunication's full bid estimate of \$36,000.00 would leave a contingency of \$4,000.00 for the project.

InCom provided two different solutions based on their costs. Staff only listed the full lease option as it was the lowest in cost to the City. An InCom engineer would also need to complete a site survey at \$85.00 per hour to map out the City's current infrastructure to determine if additional wiring would need to be completed in order to handle the impact for a hosted solution.

RECOMMENDATION:

Staff recommends the City Council award the telephone bid to Enhanced Telecommunications.

PROPOSED MOTION:

I move the Mayor and City Council award the Telephone Communications System Project to Enhanced Telecommunications for the budgeted cost of \$40,000.00.

AGENDA REPORT

July 18, 2016

TO: Mayor and City Council

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

THROUGH: Adam Brown, City Manager

SUBJECT: **NORTH REGIONAL SEWER SYSTEM – COST ALLOCATION RECOMMENDATION**

DATE: July 11, 2016

SUMMARY:

Attached are the following documents:

- Map of the North Regional Area
- Map of Residences (lot #'s used for examples in table)
- Table of Cost Allocation

The City Engineer was directed to develop several alternative methods for payment of installed sanitary sewer mains and a regional lift station in what is called the North Regional area. See the attached map showing the area.

The City Engineer presented several different payment options to the Public Works Committee. The Committee reviewed these options over several meetings starting approximately a year ago, and selected an option in early spring. This staff report presents the Public Works Committee's recommendation for a path forward for allocating costs to new businesses deciding to locate in the area.

Staff's goal is to get consensus from the Council regarding the cost allocation process developed.

BACKGROUND:

A cost allocation was developed to accommodate the one owner who has developed in the area. The allocation was based on each property owner paying a proportional share for the water main, sewer main, and sewer lift station. During the economic downturn, no development occurred in the area; the Council began considering whether costs were extraordinary, and if so, were there alternative approaches that could be used to pay back the cost of the installation of the infrastructure.

No new development has occurred in the area, though there has been interest over the past several years, and a developer is evaluating the area now.

Based on the situation, the City Engineer and Public Works Committee were looking for alternative payment allocations that might not be considered cost prohibitive but might still repair the City's cost for construction. The attached Cost Allocation Table shows the Public Works Committee's recommendation for cost allocation. The formula presented generally pays back the remaining portion of the City's loan required to construct the Lift Station. There was no loan required to construct the new waterlines in the area. There was no loan required to construct the sanitary sewer lines in the area. The only loan was associated with the Regional Lift Station. Using the philosophy that what has already been paid off by the City is "water under the bridge", the Committee chose to focus on supporting paying back the loan from its current commitment. That snapshot in time could be adjusted as desired, but it is recommended that a time (and remaining loan payment) be established as the baseline and all cost allocation forward be set on that amount.

The Public Works Committee, City Engineer, and City Attorney recognize that to incorporate these costs into the City's current wastewater rate structure will require modification to the City Code. Therefore, the current goal is to get general consensus from the Council on the process developed. If the Council is favorable toward the process, the City Engineer and City Attorney will develop the appropriate modifications to the city ordinance. This would then come before the Council for approval.

FINANCIAL IMPLICATIONS:

See attached table showing comparisons of rates.

RECOMMENDATION:

Staff requests the Council give their consensus regarding the Cost Allocation formula recommended by the Public Works Committee and direct staff to work with the City Attorney to prepare the appropriate resolution for incorporating the changes to the wastewater rates.

PROPOSED MOTION:

None at this time.



N. Regional Lift Station Cost Review - PW Committee
 Table of Cost Allocation
 Updated: July 10, 2016

Original Property Assessment for Comparison

Sewer Line		Lift Station		Total Sewer Assessment	Total Water Assessment		
Parcel No. / Originally Assessed Property	Approx. Area (SF) within 150' of public ROW	Cost/SF* - Sewer Line	Parcel's Total Area (Ac) Cost/Acre**	Cost per Parcel - Lift Station	Sewer Line + Lift Station	Water Line	
42,023		\$0.41	7.5	\$3,081	\$23,108.78	\$40,338.21	\$3,513.00
Assessable Area to a property depth of 150'		Cost/SF	Cost/Acre	Cost of LS	Service Area (ac)	Cost/Acre	
Cost of Bellline		\$925,611.43		\$1,358,983.30	\$441.06	\$3,081.18	
Assessable Area to a property depth of 150'		2,260,131					
		\$0.41					

Water, Sewer Line, & Lift Station Costs based upon Areas and Remaining Loan Balance

Sewer Line Cost		LS Costs		Total Sewer Assessment	Total Water Assessment	
Parcel No. / Originally Assessed Property	Approx. Area (SF) within 150' of public ROW	Cost/SF ¹	Parcel's Total Area (Ac)	Cost per Parcel - Lift Station	Sewer Line + Lift Station	Water Line
42,023		\$0.00	7.5	\$2,602.87	\$19,522	\$0.00
47,000		\$0.00	0.23	\$2,602.87	\$599	\$0.00
300		\$0.00	2.17	\$2,602.87	\$5,648	\$0.00
67,000		\$0.00	8.31	\$2,602.87	\$21,630	\$0.00

Sewer & Water Infrastructure Constructed under Loan		OECCD Remaining Loan Amount	Cost based on 441.06 (total area including Love's acreage) using REMAINING	2015 Bellline Sewer SF Cost based on 2,260,131 SF (total area including Love's 42,023 SF)	2015 Waterline SF Cost based on 50% of \$54,051/LF
Reg. LS for Sewer Service 2007 ¹		\$1,358,983.30	\$2,602.87		
North Bellline Sewer Line 2002 ¹		\$0.00		\$0	
Total Sewer Costs ²		\$1,358,983.30			
Total Water Costs ³		\$0.00			\$0.00
OECCD LOAN INFO					
Original OECCD Loan Amount		\$3,976,600			
% of OECCD loan spent on N. Regional LS		34.17%			
Remaining OECCD Loan Amount 4/2015		\$3,359,294			
Remaining Loan Balance dedicated to N. Regional LS Costs ³		\$1,148,022			

¹ North Bellline Sewer Line 2002
 N. Bellline sewer main was not paid for under a loan; therefore there is no loan amount to repay.

² Water Mainline work
 Water work was not paid for under a loan; therefore there is no loan amount to repay.

³ Water Mainline work
 Water work was not paid for under a loan; therefore there is no loan amount to repay.

AGENDA REPORT
July 18, 2016

TO: Mayor and City Council

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

THROUGH: Adam Brown, City Manager

SUBJECT: **ONTARIO WATER TREATMENT PLANT – BID OPENING**

DATE: July 11, 2016



SUMMARY:

A bid opening for the City's 2016 Water Treatment Plant Chemical Feed Improvements Project was held on June 30, 2016.

One bid was received from RSCI Group out of Boise: \$1,699,200

Staff is seeking direction from the Council regarding accepting or rejecting the bid.

PREVIOUS COUNCIL ACTION:

Council engaged Murray, Smith, and Associates (MSA) to conduct a Water Treatment Plant (WTP) Audit. Audit was completed in August 2014 and recommended over 30 significant improvements needed at the WTP.

Council engaged MSA to develop a set of final construction documents that corrected approximately the top 10 problem areas at the WTP.

BACKGROUND:

This project has been developed over the past 18 months and will provide the City with a new water mixing facility and improved chemical feed system. More specifically, construction includes modified raw water piping and control, variable frequency drive (VFD) controlled surface water pumps, new chemical feed systems, a small CMU mixing building, new chemical tanks, and associated yard piping, earthwork, electrical and controls systems.

CH2M has worked closely with MSA on the development of the final construction plans. This included adding the caustic tank, sodium hypochlorite, and updated eyewash stations. The engineer's estimate on the project was: \$1.56M. The budgeted amount available is \$1.8M, as approved by the Council this past spring for this coming fiscal year.

The original bid opening date was June 13, but was extended until June 30 when the design team became aware of two other even larger projects bidding that same day in the Treasure Valley area. Even with this adjustment, only one bid was received.

Through discussion with several of the potential bidders, after the date of the Bid Opening, the design team gathered the following information regarding the minimal number of bidders:

1. Oregon contracting law provides hurdles/difficulties for local Idaho contractors;
2. There are very few Oregon licensed subcontractors in the area (It is not worth the time/effort for subcontractors to maintain licensure because the work volume is not consistent enough); and
3. If the Treasure Valley is really busy, it is challenging to even get a general contractor to be interested, let alone a subcontractor; the Treasure Valley is extremely busy right now.

FINANCIAL IMPLICATIONS:

The bid amount, \$1,699,200 leaves only \$100,800 to cover the approximate \$30,000 carry over final design fee, Services During Construction (SDC's) by the engineer of record, and for potential change orders. Typically, approximately 10% of the construction cost should be held aside for SDC's and change orders.

If the bid is rejected, a cost would be associated with rebidding the project. This effort will include the design engineer meeting with the Public Works staff to determine which elements can be selected as Additive Alternates, modifying the existing plans to reflect the additive alternates, incorporating addenda from original bid as applicable, preparing a new advertisement for bid, conducting an additional pre-bid meeting, and responding to questions during the bid period. Staff is working to determine the amount of that effort and will try to present the findings by Monday, July 18, 2016.

RECOMMENDATION:

After careful consideration, staff recommends rejecting the one bid and rebidding the project, using the following timetable: project available for the month of September and a bid opening near the end of September. Our goal would be to have a contractor mobilizing by mid to late October, to achieve the following:

1. A more robust bidding environment (fall is often better than spring/summer bid openings as other projects in the valley taper off)
2. It is likely one of the large projects in the region will not be awarded, leaving a competent contractor available to bid on the Ontario project.
3. The design team can revise the contract documents slightly in order to allow for additive alternates within the project.

While it is preferred to award the entire project at one time, staff understands that budget limitations may not allow this. By using the additive alternate bid process, it may be possible to get the majority of the project constructed. And if bids received during the rebidding process are favorable, the additive alternates may be constructed as well. However, items determined to be additive alternates will only be those items that can clearly be carved off of the project whole. It will be staff's goal to ensure those pieces, if not completed, are moved to an upcoming Capital Improvements Program with clearly identified timeframe in which to complete the work.

PROPOSED MOTION:

I move that the City Council reject the current bid and extend MSA's current Purchase Order to include up to \$_____ to be used to modify the existing bid and to rebid later this fall.

AGENDA REPORT

July 18, 2016

TO: Mayor and City Council

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

THROUGH: Adam Brown, City Manager

SUBJECT: PHASE 1 - CITY OF ONTARIO, NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

DATE: July 11, 2016

SUMMARY:

Attached are the following documents:

- Woods Consulting Group scope of work and estimate
- CH2M scope of work and estimate

The City of Ontario's National Pollutant Discharge Elimination System Permit (NPDES) Permit has been extended administratively since 2009 by the Oregon Department of Environmental Quality (DEQ). The DEQ is now ready to engage the City in developing an updated permit. Staff recommends taking a proactive role in helping to direct this process forward.

This proactive approach includes securing the professional services of Paul Woods, Woods Consulting Group, an engineer with a long and recent history working through NPDES permits with the Oregon DEQ. Additionally, CH2M would provide owner representation and technical support for the initial review and meetings.

Phase 2 of the project would be developed after the initial meetings with DEQ and a clearer path forward is developed. This phase should be brief and not labor intensive.

BACKGROUND:

Because the City discharges its treated effluent from the wastewater treatment plant (WWTP) to the Snake River through the fall and winter, they are required to have an NPDES permit. Administrative extension of the permit is very common and is a means for the DEQ to extend an existing permit under its current requirements until the DEQ has time to renegotiate a new permit. Typically, over time, new effluent quality standards will become more restrictive. These new limits are what the DEQ wishes to incorporate into the City's new permit.

In Ontario's case, there are several increased restrictions or limitations on wastewater quality. The most significant limitation is the lowering of the allowable inorganic arsenic level in the effluent stream. This is especially difficult for Ontario and other communities in the area because of the high background levels of inorganic arsenic that occur naturally. For example, the background level of inorganic arsenic in the Snake River at the City's Water Treatment Plant (WTP) intake is approximately 4 ug/l. However, the new allowable limit for discharge is 2.1 ug/l.

Recognizing these challenges, the DEQ has developed a White Paper specifically for Ontario that describes the process the City would take if interested in attaining a Variance for the City's permit from the current constituent limits.

The task orders attached to this Staff Report include the effort to review the validity of the process described, understand the pros, cons, and potential pitfalls, and develop a path forward acceptable to both the City and the DEQ.

Phase 2 Task Orders will be developed and presented to Council once the Phase 1 activities are completed and a path forward is developed.

FINANCIAL IMPLICATIONS:

The City Council approved a \$150,000 budget for this fiscal year to conduct NPDES permit negotiations. This activity will fall under that budget.

Woods Consulting Group - \$4,864

CH2M specialist - \$2,450

Total cost: \$7,314

RECOMMENDATION:

Staff recommends the following:

- Approve CH2M to subcontract with Woods Consulting Group to conduct Phase 1 activities for the development of the City of Ontario NPDES permit.
- Approve CH2M to engage internal specialists on Phase 1 activities for the development of the City of Ontario NPDES permit.

PROPOSED MOTION:

I move that the City Council authorize CH2M to conduct Phase 1 of the City of Ontario NPDES Permit process and to subcontract with Woods Group Consulting for the same Phase 1 effort.



June 27, 2016

Mr. Mark Bowen
Vice President
CH2M
322 East Front St., Suite 200
Boise, Idaho 83702

RE: **Proposal to provide Professional Consulting Services
City of Ontario, Oregon Wastewater Discharge Permit Renewal**

Dear Mark:

Woods Consulting Group is pleased to provide this proposal for professional consulting services to CH2M for assistance in negotiating renewal of the City of Ontario's National Pollutant Discharge Elimination System (NPDES) permit.

Paul Woods will perform all of the work under this proposal. The scope of services will address the following topic areas:

1. Task 1: Review of Oregon DEQ Variance White Paper

This task will consist of reviewing the procedures necessary to obtain a NPDES permit variance from Oregon DEQ. This process will involve review of the DEQ white paper as well as identifying other examples where such an approach has been successful and contacting other industry resources (legal and technical) to gather information on the opportunities and risks associated with this approach. After gathering the information, a summary memorandum will be drafted outlining the opportunities and risks of the variance approach. This document will be completed for use and discussion in Tasks 2 and 3 of the scope of services. The estimated time to complete this task is 14 hours.

2. Task 2: Meet with CH2M Staff to review Variance opportunities and risks for NPDES Permit Compliance

This task will consist of meeting with CH2M staff to review the opportunities and risks associated with pursuing a variance as a path to NPDES compliance. This task will review the summary memorandum under Task 1 and may involve the development of additional documents and figures required for Task 3. The estimated time to complete this task is 8 hours.

3. Task 3: Meet with CH2M Staff and City representatives to discuss strategy

This task will consist of meeting with both CH2M staff and City representatives to discuss the opportunities and risks of pursuing a variance approach for NPDES permit compliance. The goal of this task is to have consensus from the City on the strategic approach appropriate for NPDES permit renewal that accomplishes the goals of City leadership. The estimated time to complete this task is 8 hours.

4. Task 4: Meet with DEQ to develop a mutually acceptable path forward

This task will consist of joining with City and CH2M staff to meet with the Oregon DEQ to share the team's findings and develop a mutually acceptable path forward for the NPDES permit process. The team will use the strategy developed in Task 3 regarding discussion and coordination with the DEQ. The goal of this task is to develop specific next steps and milestones as a part of the path forward. The next meeting time, deliverables and expectations will be developed. The estimated time to complete this task is 8 hours.

The total estimated cost to complete the scope of work in Tasks 1 through 4 as outlined in this proposal is 38 hours @ \$128 per hour for a total of \$4,864 in labor costs. The proposal assumes that all travel will occur with CH2M staff driving. If there is a need for me to drive, travel expenses will be billed at \$0.54 per mile in addition to the hourly rate.

Woods Consulting Group is prepared to begin the project immediately upon authorization and approval of a consulting services agreement.

Thank you for the opportunity to provide this proposal to CH2M and I look forward to hearing from you.

Sincerely,



Paul R. Woods
Woods Consulting Group

Phase 1 – City of Ontario National Pollutant Discharge Elimination Scope of Work

PREPARED FOR: Adam Brown/City Manager
COPY TO: Mike Moon
Mark Bowen
Cliff Leeper
PREPARED BY: Betsy Roberts
DATE: July 11, 2016

Team

The core CH2M team will include: Mike Moon/Operations and Maintenance Regional Manager, Mark Bowen/senior engineer and Area Manager, Amy Scott/compliance specialist, Cliff Leeper/Public Works Director, Betsy Roberts/City Engineer, and Jerry Elliott/Water & Wastewater Supervisor. Not all members will be involved in the project at all times, but will be available as their specific skillset is needed. Certainly other members will be added as necessary.

Subconsulting to the CH2M team will be Paul Woods of Woods Consulting Group.

Introduction – Phase 1

In general, the Phase 1 effort associated with the City of Ontario National Pollutant Discharge Elimination System (NPDES) includes getting to know the Oregon Department of Environmental Quality (DEQ) team, understanding the current DEQ environment, and charting a mutually agreeable path forward for successful permit negotiation.

The Woods Consulting Group scope of work very closely mirrors that of the CH2M scope for this particular Phase of work. After the initial development of the path forward, roles will become more distinct.

Task 1: Review Oregon DEQ White Paper on Variance and Develop Permit Strategy

The Oregon DEQ prepared a white paper discussing the pathway for developing the necessary information to determine if a variance is available for the City for the inorganic arsenic water quality criterion. This task will consist of reviewing that paper, understanding and preliminarily evaluating the merits of the process set forth. The CH2M team will work closely with Paul Woods to identify the opportunities and risks of the variance approach. The Woods Consulting Group will develop the summary memo describing the findings. The group will develop a strategy for meeting with the DEQ. We anticipate this strategy will consist of identifying potential modifications or changes to the path developed through the white paper that will be shared with the DEQ.

Estimated Effort – the majority of the effort required for this task falls under the existing CH2M-City contract. Approximately 12 hours will be required to include specialist and additional resource time.

Assumptions – this effort will include communication with Paul Woods including one meeting in which the developed memo will be reviewed and edited.

Depending on timing and schedules, this meeting may be held in Ontario with the City Manager or a follow up meeting will be held with the City Manager to keep him apprised of the situation and gather his input.

Task 2: City, CH2M and Woods Consulting Group Meet with DEQ to Forge a Mutually Agreeable Path Forward

We will work to have the DEQ meet in person in their Pendleton office to discuss the City's proposed path forward. This path will be based on the white paper and our additional findings. The goal of this task is to achieve a mutually agreeable path forward between the City and the DEQ. This path will generally describe milestone events loosely tied to a timeline. Next activities and meeting times will be set forth.

Estimated Effort – As, above, the majority of the effort required for this task falls under the existing CH2M-City contract. Approximately 12 hours will be required to include specialist and additional resource time. Expenses will include the travel to Pendleton for approximately \$250.

Total Estimated Amount for Labor and Expenses: \$2,450.

Discussion/Information /Hand-Out Items

City Council Meeting
July 18, 2016



City of Ontario
Department of Economic Development
Economic Development Director
444 SW 4th Street
Ontario, OR 97914
Voice (541)881-3222
Fax (541)881-3251
Dan.Cummings@ontariooregon.org

COUNCIL UPDATE MEMO

The City of Ontario and coalition partners Vale and Malheur County submitted an application to the US Environmental Protection Agency (EPA) for a \$600,000 Brownfield Community-Wide Assessment grant in December 2015. Brownfields are properties that are not being used to their best potential, often due to known or assumed contamination issues. Brownfields may include former gas stations, dry cleaners, manufacturing sites, or other uses, which may limit the sale and/or redevelopment of such sites. Brownfields are often abandoned, vacant, tax delinquent and creating unsafe or unsightly blights on a community. The grants provide funding to inventory brownfield sites, conduct environmental assessments, and conduct planning and community involvement activities related to property revitalization, which will spur economic development. No financial match is required from the City or coalition members. The City-led coalition requested grant funding to address brownfields within the Ontario UGB, the City of Vale, and at high-priority sites throughout Malheur County. Carrie Rackey, grant writer with Stantec Consulting Services, helped the City prepare the grant application free of charge.

In May 2016, the EPA notified the City that our application was not selected for funding this year, and strongly encouraged us to resubmit in 2016. On June 23, 2016, The City and our environmental consultant/grant writer held a conference call with the EPA to review strengths and weaknesses in the grant application. The EPA repeatedly stated that the review panel agreed the application was very strong, and that there were few comments to address. The EPA reviewers suggested a more detailed description of brownfield sites that will be addressed using the funding, financial need, ability to leverage other sources of funding such as HUD, DOT, and USDA grants, outreach to the Hispanic community regarding brownfield redevelopment, and more discussion of the coalition's vision for redevelopment.

The EPA is expected to begin accepting brownfield grant applications again in October - December 2016. Carrie Rackey will help us address the EPA comments and prepare the grant application for resubmittal (free of charge). The City of Nyssa has expressed interest in joining the coalition, which will further strengthen our application. We have also applied for an interim \$25,000 grant from Business Oregon to begin working on a brownfield inventory focused on the Ontario city limits. If Business Oregon awards this interim funding, we will discuss it in the EPA grant application to demonstrate strong state partnerships and an ability to leverage funds. We plan to re-submit the grant application to the EPA in December 2016. EPA is expected to announce the grant winners in May/June 2017.

Submitted by
Dan K. Cummings
Community Development Director



AGENDA REPORT

July 18, 2016

TO: Mayor and City Council

FROM: Adam J. Brown, City Manager

SUBJECT: Staff Report on RV Parking

DATE: July 13, 2016

SUMMARY:

This staff report is a follow up to concerns regarding enforcement of parking recreational vehicles (RV's) on city streets.

PREVIOUS COUNCIL ACTION:

The Ontario City Council requested that the City's ordinance on the parking of recreational vehicles be reviewed and that staff make recommendations for revision of the ordinance if staff felt it was insufficiently enforceable.

BACKGROUND:

The enforceability of the city's zoning ordinance against parking recreation vehicles on city streets was questioned when a resident moved his vehicle sporadically throughout the week to avoid it being parked continuously on the street.

Section 10A-57-17 of the City's Zoning Code addresses "On Street parking, Accessory Trailers, Boats, Flotation Devices , or other Similar Devices." It states:

"It shall be unlawful, within the limits of the City, for any person to place or locate any utility trailer, boat, flotation device or other similar devices on any street, alleys or highways except in emergency or temporary stopping or parking is permitted on any street alley or highway for no longer than 72 hours in any seven consecutive days subject to any other and further prohibitions, regulations, limitations imposed by the traffic and parking regulations or ordinances for that street, alley, or highway. No accessory trailer, boats, flotation devices, or other similar devices shall park in such a fashion that they block or obstruct a public sidewalk or street and is subject to Section 10A-57-15."

The question, was does moving the trailer periodically throughout the week or over the weekend satisfy the criteria of this section of the zoning ordinance.

CURRENT SITUATION

The Community Development Director, Chief of Police, Code Enforcement Officer, and the City Manager met to review this ordinance. After a thorough discussion of the ordinance it was determined that the ordinance is enforceable for this particular situation. The clause stating “within any seven consecutive days” allows the city to enforce the regulation on someone who after parking it for 3 days, moves his/her recreational vehicle for two days, but then returns and parks in the same proximity as before. This would still be within the same 7 consecutive days, and the owner therefore could not park in the same place until another 7 days have passed.

The team discussed what the proper procedure should be for working with residents with the primary goal of compliance and came up with the following procedure that can be incorporated into standard operating procedures.

Upon complaint or notice by a code enforcement officer, the resident will receive an education of the zoning ordinance and notify the owner that they are not in compliance.

The owner will have 48 hours to make other arrangements. After 48 hours the ordinance will be enforced by citation based on the ordinance officers’ workload.

If the vehicle is not removed, the city will move the object at the owner’s expense.

It is important to note that these are zoning violations that carry up to a \$500 fine per day.

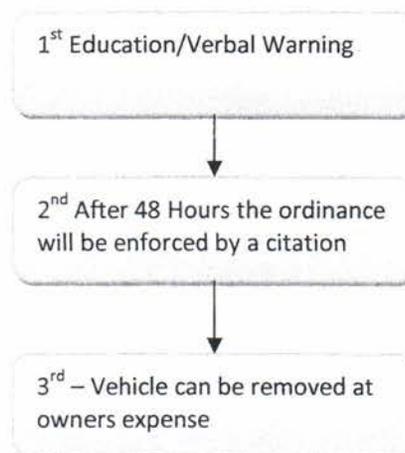
ALTERNATIVE:

The Council could add more specific language regarding the distance the vehicle can be parked from the previous parking, but our team felt the code was sufficient to address the issue.

FINANCIAL IMPLICATIONS:

There are no financial Implications

Enforcement Process



RECOMMENDATION:

The City Manager recommends that no action be taken by the city council, but that internal standard operating procedures are established to provide for the enforcement of parking recreation vehicles on city streets.

PROPOSED MOTION:

No Action requested

MALHEUR COUNTY COURT MINUTES

JUNE 22, 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.

Also present was Larry Meyer of the Argus Observer.

COURT MINUTES

Commissioner Hodge moved to approve Court Minutes of June 8, 2016 as written. Commissioner Wilson seconded and the motion passed unanimously.

WILDLIFE SERVICES WORK & FINANCIAL PLAN

Commissioner Hodge moved to approve USDA APHIS Wildlife Services Work and Financial Plan for July 1, 2016 - June 30, 2017, Agreement NO. 16-73-41-5124. Commissioner Wilson seconded and the motion passed unanimously. The Work Plan sets forth the objectives, activities and budget for the cooperative wildlife services program. Funding from the County to support wildlife services is not to exceed \$49,134.53. A copy will be returned for recording.

RECREATIONAL VEHICLE REVENUE DISTRIBUTION CERTIFICATION

Commissioner Hodge moved to sign the Oregon Parks and Recreation Department County Parks Assistance Program Certification Statement for July 1, 2016- June 30, 2017. Commissioner Wilson seconded and the motion passed unanimously. See instrument # 2016-2086

AMENDMENT - IGA #147797

Commissioner Hodge moved to approve Eleventh Amendment to Oregon Health Authority 2015-2017 Intergovernmental Agreement (IGA) for the Financing of Community Addictions and Mental Health Services Agreement #147797. Commissioner Wilson seconded and the motion passed unanimously. Exhibit B-1, "Service Descriptions" is amendment to add as an Exhibit to MHS 37 Special Projects, "Exhibit MHS 37 - Aid and Assist Client Services". A copy will be returned for recording.

ENGAGEMENT LETTER

Commissioner Wilson moved to sign the Engagement Letter with Bullard Law to provide legal services for general labor and employment issues and union negotiations. Commissioner Hodge seconded and the motion passed unanimously.

MALHEUR WATERSHED COUNCIL

Kelly Weideman, Ken Diebel and Jerry Erstrom from Malheur Watershed Council met with the Court. A video presentation entitled Willow Creek Oregon, A Watershed Restoration was shown to the Court. The presentation was about restoration efforts of the Lower Willowcreek Drainage. Accomplishments of the restoration project from 2003-2015 include: 100+ miles of laterals piped; 17.86 miles of mainlines and delivery systems piped; 15 pumpback systems serving 1,175 acres; installation of 20 off-stream water troughs; 15.26 miles of riparian and wetland protection fencing; 30,000 acres served by piped laterals; and 12,000 acres converted from flood to sprinklers.

As a result of the Willow Creek project, on a normal water year, more than the minimum 3,000 acre feet established for overwintering bull trout in Beulah Reservoir will be achieved.

Energy conservation realized as a result of the project includes: 4.86 million kilowatt hours of electricity saved annually and 36,000 gallons of diesel fuel per year conserved.

Environmental benefits achieved include: 800,000 lbs. CO-2 emissions annually eliminated; 124,320 lbs. of phosphorus annually prevented from leaving the fields; 240,000 tons of soil loss annually ceased; 183.5 billion colonies of *E. coli* bacteria per acre prevented from leaving the fields as runoff; and virtually all evaporation and seepage eliminated.

Economic impacts of the project include: \$20,000,000+ into local economies of Vale and Ontario; 35+ potential jobs created; \$162,000 per year in fuel costs saved; \$229,000 in electrical pumping costs saved annually; at least 23 Oregon businesses involved; and production increases up to 35% on crop ground converted from flood to sprinklers.

Due to time restraints of the meeting, a handout detailing Malheur Watershed Council Accomplishments for 2015-2016 was also left with the Court for their review. That document can be found on instrument # 2016-2085

TREASURE VALLEY PARAMEDICS (TVP) - PUBLIC HEARING RATE INCREASE

Present for the public hearing to consider the request of TVP to increase the fees for various services was Steve Patterson from TVP. Notice of the hearing was published in the Argus Observer and Malheur Enterprise. Judge Joyce opened the hearing. No proponent or opponent comments were received. Mr. Patterson had previously reviewed the request with the Court on May 11, 2016. Judge Joyce closed the hearing. Commissioner Wilson moved to approve the rate increase as requested by TVP. Commissioner Hodge seconded and the motion passed unanimously. Effective date of the new fee schedule will be September 1, 2016. See instrument # 2016-2083

ROAD DEPARTMENT

Road Supervisor Richard Moulton met with the Court. Mr. Moulton presented three crossing permits for the Courts consideration. Commissioner Hodge moved to approve Crossing Permit #16-16 to Wasatch Electric to replace power poles on Locust Avenue #3032 and Gem Avenue #956; Crossing Permit # 18-16 to Century Link/Track Utilities for plowing, trenching, and boring to place new fiber line on Power Road #907/Jacobsen Gulch Road #771; and Crossing Permit #17-16 to Century Link/Track Utilities to place innerduct and pull fiber from end to end on Hyline Road #911. Commissioner Wilson seconded and the motion passed unanimously. Original permits will be kept on file at the Road Department.

Mr. Moulton also presented the 2016 fund exchange agreement with ODOT. Commissioner Wilson moved to approve 2016 Fund Exchange Agreement, Various County Roads, Malheur County, Agreement No. 31399. Commissioner Hodge seconded and the motion passed unanimously. Funding is in the amount of \$411,103.36 which is distributed between the County and all the rural road districts. A copy of the agreement will be returned for recording.

Pat Caldwell of the Malheur Enterprise joined the meeting.

Mr. Moulton also mentioned that the Road Department will partner with BLM on a crushing project at Westfall.

DISTRICT ATTORNEY'S OFFICE

Management Assistant Marilee Aldred and Victims Advocate Director Cindy White met with the Court regarding staffing vacancies. Ms. Aldred requested authorization to advertise and hire for an entry level Deputy DA as there will be a vacancy the end of June. Consensus of the Court was to proceed with the hiring process for an entry level DA position.

Additionally, it is anticipated that one of the Assistant DA's may be leaving employment with the office. Ms. Aldred explained that staff is exploring options for replacing this position to include possibly contracting with Mr. Dugan again as well as proceeding with the hiring process for an experienced attorney. Ms. Aldred requested authorization to advertise and hire for an attorney with up to 14

years experience to fill the potential vacancy. Consensus of the Court was for Ms. Aldred to work with Ms. DuBois to advertise for the vacancy, if needed, to include a salary range of up to 14 years experience.

Ms. White explained to the Court that grant funds will be received for a Volunteer Coordinator/Victims Advocate position. The position will be mostly funded from VOCA grant funds; funds will allow for salary and employee only health insurance. Sick leave will be provided as is required by law. No vacation leave will be funded. The position will terminate in the event grant funds cease. Consensus of the Court was to proceed with advertising for the position.

BURN BAN

Ontario Fire Chief Al Higinbotham met with the Court and explained that the Fire Chief's that have protection areas in Malheur County agreed to implement a Burn Ban starting June 27, 2016. The districts will respond to burn complaints and illegal burning during the ban. It was requested that the ban also include the unincorporated areas of Malheur County located outside of a fire district. Agricultural burns, with restrictions, will be allowed during the ban. Commissioner Hodge moved to approve Order GO-04-16: Order Prohibiting Outdoor Open Burning in Unincorporated Areas of Malheur County Located Outside of a Fire District. Commissioner Wilson seconded and the motion passed unanimously. See instrument # 2016-2084

HEALTH DEPARTMENT - OUTREACH GRANT

Ms. DuBois explained that the Health Department had received a Notice of Award for the Oregon Health Plan Outreach and Enrollment Grant Program. Funding will be used primarily for salaries. The Health Department is requesting authorization to proceed with advertising and hiring for one fulltime health specialist, with employee only health benefits, to be funded by the Outreach Grant funds. The position will terminate in the event grant funds cease. By consensus, the Court authorized the request.

SUPPLEMENTAL BUDGET

Commissioner Wilson moved to approve Supplemental Budget Resolution R16-19: In the Matter of Fiscal Year 2015/2016 Supplemental Budget by Resolution Under Local Budget Law ORS 294.471. Commissioner Hodge seconded and the motion passed unanimously. The purpose of the supplemental budget is allocate the spending of One-Time VOCA grant funds, in the amount of \$500, which were received but not anticipated when the adopted budget was prepared. See instrument # 2016-2082

ADMINISTRATIVE OFFICE - VACANCY

Ms. DuBois requested authorization to advertise and hire for a part-time OA II position (as the current person in the position is leaving). Ms. DuBois explained that the new hire will be eligible for benefits at a prorated rate. Ms. DuBois explained that the current staff member in the position received full benefits; the County policy was later changed and benefits are now prorated for eligible newly hired part-time employees. As such, a significant savings will be realized in the payroll costs for the position. Ms. DuBois requested the position be changed from 18.75 hours per week to 22.5 hours per week; and noted that there will still be an approximate \$8000 savings, mostly in insurance and PERS. By consensus, the Court authorized the requested change in hours for the position along with the filling of the vacancy.

TAX OFFICE - VACANCY

Treasurer/Tax Collector Jennifer Forsyth met with the Court regarding a vacancy in her office. The part-time staff person has accepted employment elsewhere and Ms. Forsyth would like to proceed with filling the vacancy. Ms. Forsyth explained that the part-time position helps to cover the office when staff is on leave and works fulltime for approximately 5 weeks during the tax season (there are two fulltime staff in the tax office). Ms. Forsyth expressed concerns that the budgeted amount for the part-time help (\$7800) may not be sufficient to meet the needs of the office. The total amount budgeted for that position for fiscal year 2016-17 is \$13,555. The entry level costs for a new employee will be \$11,669. The new hire

will need to be fully trained by tax season (October). Ms. DuBois said the position is budgeted for 2 days per week (.4) with no benefits. Ms. DuBois suggested that a person be cross trained between the Assessor's Office and Tax Office. Ms. Forsyth explained she needs the person to work 2 days per week, in addition to the fulltime hours for approximately 5 weeks during the tax season. The Court expressed understanding of Ms. Forsyth's concerns. The Court authorized Ms. Forsyth to proceed with the hiring of a part-time OA II, and acknowledged that the matter may need to be revisited later in the fiscal year.

COMPARISON OF CALENDARS

Commissioner Hodge noted that he had attended the recent Southeast Oregon Resource Advisory Committee (RAC) meeting; the members spent time touring Lake County's wilderness areas.

Commissioner Wilson mentioned that he was recently approached by a citizen who stated concerns that the County's road inventory project was not completed. Commissioner Wilson said he will be meeting with Bureau of Reclamation, Owyhee Irrigation Manager Jay Chamberlin, and others regarding the closure of the County boat ramp at Owyhee Reservoir.

Additionally, meetings will be held June 28 regarding transportation. A meeting is scheduled at 8:00 a.m. at TVCC to discuss the possibility of establishing a Regional Intermodal Transportation "Hub" in the Ontario/Nyssa/Vale area; and members of the Joint Committee on Transportation Preservation & Modernization will meet at 5:00 p.m. at the Cultural Center to hear concerns about Eastern Oregon's transportation systems.

COURT ADJOURNMENT

Court was adjourned.

MALHEUR COUNTY COURT MINUTES

JUNE 29, 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.

SHERIFF'S OFFICE

Sheriff Brian Wolfe met with the Court and provided information on a potential new contract with BLM. Sheriff Wolfe has been in negotiations with BLM for a BLM funded deputy position. The focus of the position will be on the backcountry. Sheriff Wolfe and BLM have arrived at an agreement for the position; BLM will fully fund one deputy position on a 5-year contract (to include wages, benefits, and vehicle costs). Sheriff Wolfe explained that the office does not currently have a vehicle for the position and that one will need to be purchased. The Court and Sheriff Wolfe discussed the proposed contract. BLM is hoping to have the position active beginning August 1, 2016. Sheriff Wolfe explained that the process to procure a new vehicle takes time and requested authorization to begin the process. Funds for the vehicle are not in the 2016/2017 budget; however, ultimately the funds will be received by the County through the BLM contract (the BLM contract will have a financial provision for reimbursement of a daily vehicle rate). This deputy position will be a new position and as such a deputy position will need to be hired. After discussion, the consensus of the Court was to proceed with drafting of the contract and to begin the procurement process for the necessary vehicle.

CHECK REGISTER

Accounting Specialist Judy Bond met with the Court. The Court signed the Accounts Payable register for May 2016.

ASSESSORS OFFICE

Assessor Dave Ingram met with the Court and presented a resolution for their consideration. Mr. Ingram explained that the resolution is in response to Senate Bill 1513 (2016) which provides that the county may provide a property tax exemption for the homesteads of surviving spouses of fire service professionals and police officers that are killed in the line of duty who have not remarried after the death of the fire service professional or police officer. Commissioner Wilson moved to approve Resolution R16-21: Providing a Tax Exemption for the Homesteads of Surviving Spouses of Certain Public Safety Officers. Commissioner Hodge seconded and the motion passed unanimously. See instrument # *****

COURT MINUTES

Commissioner Hodge moved to approve Court Minutes of June 22, 2014 as written. Commissioner Wilson seconded and the motion passed unanimously.

AMENDMENT - IGA #147797

Commissioner Wilson moved to approve Thirteen Amendment to Oregon Health Authority 2015-2017 Intergovernmental Agreement (IGA) for the Financing of Community Addictions and Mental Health Services Agreement #147797. Commissioner Hodge seconded and the motion passed unanimously. The financial and service information in the Financial Assistance Award is amended. A copy will be returned for recording.

COMMITTED FUND BALANCES

Commissioner Hodge moved that the Malheur County Court hereby report the 2015/2016 ending fund balances of the following Special Revenue Funds as "Committed Fund Balances." These committed fund balance amounts can only be used for the specific purposes for which they were imposed unless

the Malheur County Court removes or changes the specified use by taking the same type of action (legislation, resolution, or ordinance) it employed to previously commit those amounts.

The Special Revenue Funds are: Major Bridge, Surveyor Corner Preservation, Community Corrections, Law Library, Boat License, Corrections Assessment, DA Enforcement, Taylor Grazing, Task Force, Ambulance Service District, Special Transportation Fund, Juvenile Crime Prevention, Wolf Depredation Fund, Agricultural Educational Extension Service District, 911 Fund, Traffic Safety, Court Facilities Security, State Drug Court, State Mediation, CVSO Expansion, Search & Rescue, GIS Maintenance, Clerk's Record Fund, Work Release Construction, Economic Development, Federal Forfeitures Fund, and 45 Parallel Fund.

Commissioner Wilson seconded and the motion passed unanimously. This motion is effective as of June 29, 2016.

DEED - KINCADE

Commissioner Wilson moved to approve Statutory Bargain and Sale Deed to Michael Kincade Revocable Trust of 2014 for Ref. #12384. Commissioner Hodge seconded and the motion passed unanimously. See instrument # **

COMMISSIONER WILSON - UPDATE

Commissioner Wilson updated the Court members on his recent meeting with BOR concerning the County boat ramp at Owyhee Reservoir. Commissioner Wilson met with BOR, Owyhee Irrigation Manager Jay Chamberlin and staff, Sheriff Wolfe, construction contractor Brad Holcomb, and cabin owners Ken Poole and Bill Winn. Ideas for repair of the ramp were discussed and BOR has agreed to research the possibility of repairing the ramp as proposed by Mr. Holcomb and Mr. Chamberlin.

COURT ADJOURNMENT

Court was adjourned.



1551 NW 9th Street
Ontario, OR 97914

AGENDA
MEETING OF THE ONTARIO PUBLIC WORKS COMMITTEE
Tuesday, July 12, 2016, 3 P.M., M.T.
**** PUBLIC WORKS HEADQUARTERS ****

1) Call to Order:

This agenda previously published / e-mailed **July 8, 2016.**

ROLL CALL:

___ Scott Wilson ___ Riley Hill ___ Ken Hart
___ Bernie Babcock ___ Pat Woodcock

2) Adoption of Minutes: April 12, 2016 and May 10, 2016

3) Updates

Cliff/Betsy

- WTP Bid Project
- Eastside Tank Status
- NPDES Permit overview
- ODOT Projects: SE 2nd and SE 5th

4) Comments, etc.

5) Adjourn

* Handout attached

PUBLIC WORKS COMMITTEE MEETING MINUTES
Tuesday, April 12, 2016 3 P.M. M.T.
**** PUBLIC WORKS HEADQUARTERS ****

Meeting called to order at 3:00 p.m. by Riley Hill, Public Works Committee Chairman.

Committee members present included Mr. Scott Wilson, Mr. Bernie Babcock, Mr. Ken Hart, Mr. Riley Hill and Mr. Pat Woodcock.

Others present included Cliff Leeper, Suzanne Mulvany, Betsy Roberts, Dan Shepard, Dawn Eden, Dan Cummings, Larry Tuttle and Hunter Marrow, Argus Observer.

The press was notified. This meeting was recorded (the tape is available at the Public Works Headquarters); the minutes are on file at City Hall and on the city's website at www.ontariooregon.org.

ADOPTION OF MINUTES – MARCH 8, 2016

RESOLUTION, ACTION &/OR MOTION:

The motion was made by Mr. Babcock, seconded by Mr. Wilson to adopt the minutes of the previous meeting, March 08, 2016: Motion passed unanimously.

NEW BUSINESS

UNIMPROVED RIGHT OF WAY FOR ACCESS

DAN SH.

CLEARWATER SUPPLY – 2232 SW 4TH AVE

GENERAL DISCUSSION: (HANDOUT)

Clearwater Supply wants to access the back portion of its property by going down SW 24th Street & going on the unimproved SW 6th Ave. The vacant lot to the west of 2232 wants to stop them from using their lot as truck access to 2232 lot. The proposed route is down SW 24th Street, turn east onto the right of way of unimproved SW 6th Avenue to the back portion of their lot. The back part of the lot is outside city limits (in orange), however the north portion of the lot is inside city limits (in blue) (see below).



- Clearwater Supply said they have driven a Semi through there successfully without making any changes; mentioned getting pricing for asphalt for that street ~ \$77,000.
- They also talked about the possibility of coming across the D&B property; seeing if they can get permission to put a culvert in the drain ditch to cross over there.
- The question now is do we really want traffic going down the unimproved SW 6th Ave?
- Only about 1/3rd of the street is improved the rest is not.
- How often will they have Semi's coming thru? Summer time they may have more coming in.
- Can see all kinds of problems with this but don't really have anything in the code book saying "No, you can't access across an unimproved right of way like that". However, planning wise he might.
- Do they have a deferred improvement agreement for Dorian when they built? No, they do not.
- The reality is they do not have enough room to turn around, just past the gravel is all dirt, there is a fence, etc. How do they get out? Problem is putting truck traffic into a residential area.
- With the limited knowledge that we have, and what their proposal is, they should be here to present their case. No one here wants to stop business but we need to know what their plan is before we can act on it.
- The lot next to them is for sale for approximately \$70,000. About the same as what the improvements would cost.

RESOLUTION, ACTION &/OR MOTION:

The motion was made by Mr. Babcock, seconded by Mr. Woodcock that this issue be tabled until the next meeting; invite Clearwater Supply to provide information and clarification: Scott Wilson – Yes; Bernie Babcock – Yes; Ken Hart – Yes; Riley Hill – Yes; Pat Woodcock – Yes: Motion passed 5-0-0.

NEW BUSINESS

MAKE HALF STREET IMPROVEMENT

DAN SH.

GENERAL DISCUSSION: (HANDOUT)

Mr. Poole has requested to be allowed an access to the back part of Lot 20 of Sage Ridge Place, the new subdivision being constructed at the end of Reiter Drive (outlined in orange below). The current plan has NW 8th Avenue improved to the back of the lots at Village Addition Subdivision with the rest of 8th Avenue being improved when further development occurs. There will be a graveled access road along this area, shown in yellow which will serve an irrigation pump on the east boundary of the Sage Ridge.



- They are obligated now to put in the access road to the well; asking to use that road to access the back of the lot because that is where he is wanting to put the garage.
- How would you limit the property owner if there is an easement? Same as if it
- And they are already on the hook for future improvements of the street? Yes.
- Thought that Ralph said he would put curb and gutter in is as far as he wanted to go. Staff level should we do a half Street or a half Street plus a little extra or should be do full thing right this time?
- By code we are not in favor of half streets, however this house is setup for this garage to be there.
- We don't have any other deferred agreements and at some point in time this is going to develop.

RESOLUTION, ACTION &/OR MOTION:

The motion was made by Mr. Babcock, seconded by Mr. Hart that the Public Works Committee recommend to the City Council to allow the Sage Subdivision Development to install a gravel drive for the access to the back of Lot 20 with a deferred improvement agreement: Scott Wilson – Yes; Bernie Babcock – Yes; Ken Hart – Yes; Riley Hill – Yes; Pat Woodcock – Yes: Motion passed 5-0-0.

NEW BUSINESS

SYSTEM DEVELOPMENT CHARGE MORATORIUM

BETSY

GENERAL DISCUSSION: (HANDOUT)

Council passed a moratorium on SDC's in July 2014, suspending it under Resolution #133, with a lapse date of June 30, 2016. It was asked to bring the issue back to the Council in order to make a decision upon whether to extend the moratorium or resume collection of SDC's after July 1.

- What's laid out on the first page is the amount of money that was lost over the last two years because of the moratorium of the SDC's; on the last page is the dollar amount that is currently available.
- Has this spurred any development? It's really hard to answer that question.
- If we were to continue or resume collection we would be out of compliance.
- Nothing was in the ordinance; the Council needs to address it.
- When subway took over the sushi place and put in a drive-through that's what spurred the Council to put it on hold. It didn't change the use of that building at all just the traffic pattern.
- Is the city still functioning okay? And do we have so much development that were happy Ontario is where it wants to be from a development standpoint? NO.
- We need to continue with this moratorium and forgo the revenue for another year.
- The City is already in non-compliance per ODOT. There is a right-hand turn lane that is required to turn in on the Kmart side; a couple years ago they spent the SDC/right-hand turn money on the on the East Lane going into Walmart. There is also a full lane that is required to be paid out of the SDC from the Eastside.
- ODOT has put it off for now. However, the next new development they will require it to be done. Not positive... but possible.
- It was a lapse in the original moratorium that resulted in the request of the PWC to review this? Not some other political circumstance or concern? No, it is just getting ready to expire. Under the ordinance resolution that they put this on hold it was supposed to be done at the first of the year.
- ... Continue the moratorium for one year, the council would address the unintended consequences, and the issue of the Eastside ordinance also needs to be part of it. Continue with the moratorium for one more year and that they deal with the unintended consequences of the original moratorium as well as address the Eastside ordinance issue. And bring into compliance the Eastside issue to match the moratorium with these SDC's.

RESOLUTION, ACTION &/OR MOTION:

The motion was made by Mr. Babcock, seconded by Mr. Hart that the Public Works Committee recommend to the City Council that the moratorium on SDC's be extended for one (1) year, the unintended consequences that showed up from the moratorium, and the Eastside Traffic Impact fees also be suspended to bring into compliance: Scott Wilson – Yes; Bernie Babcock – Yes; Ken Hart – Yes; Riley Hill – Yes; Pat Woodcock – Yes: Motion passed 5-0-0.

UPDATES ONLY – NO MOTIONS

CLIFF & BETSY

• **CIP Review: Highlights** (HANDOUT) *

CEMETERY:

- ~ Utility cart replacement (Gator)

PARKS DEPT:

- ~ Underground Sprinkler system (resolve vandalism)
- ~ Toro Mower
- ~ 4 wheeler

PW FUND:

- ~ City Hall HVAC

CAPITAL PROJECTS FUND - UCF DEPT:

- ~ New Fire Hydrant Inst
- ~ Abandon Wells Properly
- ~ Pneumatic Valve Actuator
- ~ Waterline & sewer line work (80% needs replaced)

SDC FUND: (on hold)

- ~ -

STREET FUND:

- ~ Sweeper (came in on Monday, 5 payments); Grant Match
- ~ Pavement Rehab Evaluation & Training
- ~ Chip Seal Program – Preventive Maintenance (annual program)
- ~ Sign Replacement Program – Phase I
- ~ Half Street Completion - Between 8th/9th Ave on 4th
- ~ Concrete SW & Curb/Gutter – Moore Park
- ~ Replace Vintage Dump Truck – cannot get parts for it anymore.
- ~ Transportation Master Plan (update) – in order to stay in compliance for Grants, etc.
- ~ Front End Loader – Existing loader is a 1997 and parts are hard to come by.

WATER FUND:

- ~ WTP – Phase I Construction
- ~ Baffle Wall Replace – Redwood Baffle Wall inside water tank
- ~ Solids Removal at WTP
- ~ Automatic Transfer Switch
- ~ Microchlor Cell replacement
- ~ Water Master Plan
- ~ Bench Reservoir Evaluation – Design issues
- ~ Phase 2 Security Upgrade

SEWER FUND:

- ~ NPDES Permit – DEQ, required
- ~ Facility Plan
- ~ SRCI LS Study & Design
- ~ Sludge Removal
- ~ SRCI LS Siphon Construction

STORM SEWER FUND:

- ~ Storm Drain Replacement

• **WTP Design/Construction Project:**

• **Well 17 Design/Construction Project:**

- ~ Will provide additional capacity from a well that is already drilled.
- ~ We need to add the pump, the piping, electrical and SCADA.
- ~ Need to integrate the SCADA into our current WTP; this will add approximately 400 gal/min. of ground water.
- ~ Good because if there are issues with the water in the River, i.e. algae bloom, we have another water source.
- ~ Not out for bid yet, modifying specs.
- ~ Both Well & Tank are in the budget

- **Eastside Tank Status:**

- ~ The liner is out, not looking real good on the vertical sides right now. Have uncovered everything vertically, but have not done the soundings on the roof or the floor.
- ~ The concrete for the most part is in good shape. Some degradation were the leak occurred; when they did their sounding said was some issues that seemed odd, and will try to redo & make it right.
- ~ The bottom line is that we have the tank off line and we are at the right window to get it fixed properly.
- ~ We did replace the 16" valve; did take a little longer than anticipated but it is now on the schedule.

COMMENTS

You were going to provide the minimums of the standards to do a rate increase.

ADJOURN

The motion was made by Mr. Babcock seconded by Mr. Woodcock to Adjourn: Motion passed unanimously.

APPROVED:

Signature

(Riley Hill, Chairman / Bernie Babcock, Vice-Chairman)

DRAFT

PUBLIC WORKS COMMITTEE MEETING MINUTES
Tuesday, May 10, 2016 3 P.M. M.T.
**** PUBLIC WORKS HEADQUARTERS ****

Meeting called to order at 3:00 p.m. by Bernie Babcock, Public Works Committee Vice-Chairman.

Committee members present included Mr. Scott Wilson, Mr. Bernie Babcock, and Mr. Pat Woodcock (Mr. Ken Hart and Mr. Riley Hill – excused).

Others present included Cliff Leeper, Suzanne Mulvany, Betsy Roberts, Dan Shepard, Larry Tuttle and Skip Johnson, Clearwater Supply.

The press was notified. This meeting was recorded (the tape is available at the Public Works Headquarters); the minutes are on file at City Hall and on the city's website at www.ontariooregon.org.

ADOPTION OF MINUTES – APRIL 12, 2016

RESOLUTION, ACTION &/OR MOTION:

The motion was made by Mr. Wilson, seconded by Mr. Woodcock to defer the approval of the April 12, 2016 minutes until the next meeting: Mr. Scott Wilson – Yes; Mr. Bernie Babcock – Yes; Mr. Pat Woodcock – Yes: Motion Passed 3-0-2 (Wilson & Hill - excused).

OLD BUSINESS

UNIMPROVED RIGHT OF WAY FOR ACCESS

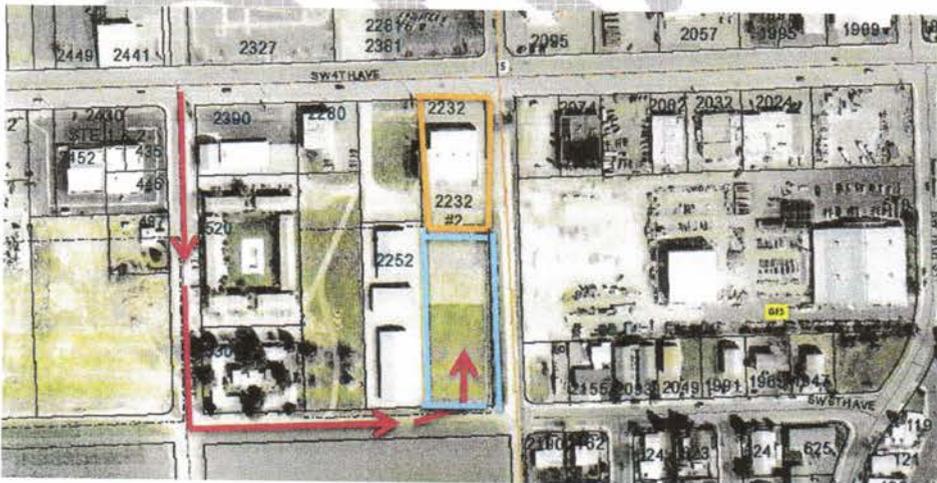
CLEARWATER SUPPLY – 2232 SW 4TH AVE

DAN SH.

GENERAL DISCUSSION:

Clearwater Supply wants to access the back portion of its property by going down SW 24th Street and onto unimproved SW 6th Ave.

The committee requested that we have more information from Clearwater supply, therefore Skip Johnson is available to answer a few questions.



- *How many vehicles would you expect?* Last year - 24 trucks excluding UPS/FedEx; 11 of those come to the loading dock in front. Busy time is between October and March 1st.
- Have had an agreement with those to the west, property has been up for sale for quite a while and one of owners passed away. Now owners want them to rent or purchase the property.
- Trying to figure out what to do without utilizing neighboring lot; go down 24th and then SW. 6th Ave. which is undeveloped.

- One issue is that we do not have a deferred improvement agreement; another question was how do we get those trucks to turn around?
- Will have to make some improvements and move things around to accommodate them turning around.
- 11 of 24 go to the front loading dock, the other 13 are flatbeds that need to be unloaded in the back; 2 to 3 a year come in that are maxed out in weight but the rest are relatively light.
- What is the Long term plan for development of this property? Presently & in the future how are they going to get in/out of their?
- The easiest way would be to open up Dorian. No, because of the City improvements; no driveway cut, drainage ditch issue, "T" intersection with a 3-way signal, etc.
- Are you willing to sign a deferred improvement agreement? It is an agreement between the property owner and the City to defer certain improvements until some other development occurs that causes them to be constructed. Also if sold the new owner would have to honor that as well; it is recorded with the property.
- Would have to ask the ownership.
- What is the definition of what would have to be done for an unimproved street? The reason for the question is that when leaving the pavement on 24th it is all gravel and probably should be bladed and re-graveled every 90 days, but it doesn't. This only happens once or maybe twice per year depending on the ruts and the winter. So then be taking on this expense on a long term basis; where will the reimbursement come from?
- Also utility access for trash if there is no longer access through the lot, there would be some assumed additional expenses.
- What responsibility does the City have in regards to keeping up that road? Keep it dressed up, graded, maintained, etc.
- They are looking into crossing Dorian & into D&B parking Lot; has met with Jim Cunningham. Issue right now is that D&B leases the property.
- Would the City have a problem with them crossing 4' of Dorian? - No.
- Therefore, what is being asked today (on SW 6th Ave.) is going to be a headache, expensive, etc..? - Yes.
- Clearwater Supply to continue discussions with D&B and Owyhee Irrigation for access.
- Table the issue.

RESOLUTION, ACTION &/OR MOTION:

Tabled - No motion.

UPDATES ONLY - NO MOTIONS

CLIFF & BETSY

- **WTP Design/Construction Project:**
 - ~ Went to the Council with \$165,000 increase; had the numbers now attached to the tank, the sodium hypochlorite tanks, the eyewashes, everything associated to complete the package of the Water Treatment Plant that we found as we were going through the final design. The Council said yes, and will be pushed into the budget for this coming year.
 - ~ Contract will go out for bid within the next couple weeks.
 - **Eastside Tank Status:**
 - ~ Moving forward & estimating being done by the 20th of this month, just in time for the irrigation season.
 - ~ Found that the concrete was a little more rough & applying 100 mil coat on the side and an 80 mil coat on the bottom of the tank.
 - ~ That was a cost increase & will be dealt with by not doing the external painting on the tank this year, do some of the work in-house, and we'll still be within our target budget amount.
-

COMMENTS

LARRY TUTTLE – A BIT 'O HISTORY

About a year ago Council moved approximately \$1.4 million out of the Street Fund into the General Fund, and most of it went into a contingency. The reasoning was to take the money and put it into the Aquatic Center, which those motions were depleted at the budget meetings last year, but it still took place. In going forward with the budget this year there's \$500,000 in the Aquatic Center; may have read in the paper that the money has been moved back to General Contingency. The problem was when the budget came through the Street Fund only had a \$9,200 Contingency, and had more expense in the Street Fund than income but it balanced out. Believe we need to be a little more protective of the Public Works funds. There was \$211,063 for the sweeper, a total of \$274,000 in the Street Fund. Would like to see \$250,000 moved out of the General Fund Contingency to the Street Fund Contingency in case something happened.

Clarify –

- Budget cycle 2015 - \$1.4 million transferred from the Street Fund to General Fund Contingency.
- First motion was to transfer \$1 million to the Aquatic Center (from GFC) – Failed due to lack of a second.
- Only \$500,000 is left in the Aquatic Center because that money has been used. The General Fund has less income than expenses at this point in time; will continue unless there is a real tightening of employees, or find a new flow of revenue. Even then it will take time to build.

Any resolutions from the City's standpoint that identify what the Contingency should be for Street Funds? No, there is nothing that establishes it. Maybe need to establish some bench mark for what is needed for a Street Fund. Problem started when part of the TOT Tax (motel tax) was taken away from the Street Fund. Should be at least \$200k in Contingency for Streets.

We are creating a 5 & 10 year look working with Kari; will take a couple months, but in looking forward and seeing that if we want to do the SE 2nd project we are obligated for \$540,000 for the match. Will be talking with ODOT more on this but the City would be obligated to pay it up front, possibly not the full \$540,000. Already have the Grant so don't want to back out of it.

ADIJOURN

The motion was made by Mr. Wilson seconded by Mr. Woodcock to Adjourn: Motion passed unanimously.

APPROVED:

Signature

(Riley Hill, Chairman / Bernie Babcock, Vice-Chairman)

**BOARD OF DIRECTORS**

June 6, 2016 ~ 7 am

Zions Bank, Weiser, Idaho

Members and guests present: Patrick Nauman, Randy Griffin, Sandy Hemenway, Ken Bishop, Jeff Williams, Charlotte Fugate, Brad Holland, Rick LaHuis, Jerry Smith, Layna Hafer, Jeff Hafer, John Breidenbach, Dawn Callahan, Kyle McCauley, Derrell Childers, Torie Ramirez, Dennis Baughman, Carolyn Wesner, and Steven Hale.

Staff: Kit Kamo, Executive Director

1. Call the Meeting to Order: Chairman Patrick Nauman called the meeting to order at 7:05 a.m.
2. Introductions of Attendees: Chairman Nauman then thanked everyone for coming to today's meeting as the turnout was very good with multiple communities represented. We then went around the room and everyone present introduced themselves and the business or entity they were representing.
3. Appointment of Board Member/Member Retiring – Rick LaHuis/Logan Hamilton: Chairman Patrick Nauman explained to the group that Logan Hamilton had resigned from the board but no official action had been taken. In accordance with the SREDA Bylaws, Rick LaHuis has been asked, and has accepted, the appointment on the board to replace Logan Hamilton. After explaining this, Chairman Nauman then asked for a motion to approve the appointment of Rick LaHuis in place of Logan Hamilton. Sandy Hemenway made a motion to approve the appointment of Rick LaHuis to the Board, seconded by Jeff Williams. The motion passed unanimously. An appreciation plaque will be given to Logan for his dedication and support to SREDA.
4. Approval of June 1, 2016 Board Minutes: Patrick asked if everyone had a chance to read and review the June 1, 2016 board minutes that were sent out. Chairman Nauman then asked if anyone had any questions or corrections to the minutes. Hearing none, Chairman Nauman asked for a motion to approve the minutes as printed and presented. Brad Holland made a motion to approve the minutes as printed, seconded by Jeff Williams. The motion passed unanimously.
5. Financial Update: Treasurer Sandy Hemenway provided the treasurer's report for the group. Sandy went over in detail the financial handouts for the month of June discussing balances at the end of the month in both the checking and money market accounts, and then totals for month end. Chairman Nauman then asked if anyone had any questions on the financial report. Sandy stated that Erkhart Oil, Alta Mesa, and Malheur Federal Credit Union were renewing members and Kevin Coats is a new member. Patrick then asked for a motion to approve the treasurer's report as presented. Jeff Williams made a motion to approve the treasurer's report as printed and presented, seconded by Rick LaHuis. The motion passed unanimously.
6. Fund Raising Update – Public and Private: Patrick asked the group if any members had any new information to report here. It was noted that the Malheur Federal Credit Union did renew their membership. Also Jerry Smith announced that DL Evans Bank will double their membership amount this year.
7. Business Highlights – Weiser Memorial Hospital: Steven Hale, MHA, CEO who is the new administrator for Weiser Memorial Hospital along with Layna Hafer presented information and updates on all of the recent changes at the hospital which were numerous. Layna began the presentation by handing out cell phone holders for biking, walking, etc.... and then discussed the importance of each of us investing in good economic health. She provided an overview of Weiser Memorial Hospital reviewing how it operates and showed slides of how the hospital was updated, rooms, exterior, ER access with all aspects covered which included multiple updates and improvements. A very detailed impressive presentation. CEO Steven Hale provided the group

with an update on his personal vita and what he has accomplished and what brought him to Weiser. Mr. Hale likes rural areas. He went on to discuss several new projects the hospital will accomplish in the future. He did state that the community is helping out the hospital as well. The hospital gives back some 2 million annually in bad debt write offs to the community. Mr. Hale concluded stating that he and his family are very happy to be in Weiser.

8. Bylaws Update from Committee: The Bylaw updates were tabled again this month.
9. Economic Breakfast FUTURE of HEALTH CARE – July 26, 7-8 a.m. – Patrick and Kit reminded the group that SREDA will be holding a new Health Care summit and breakfast in July. This will be a very good event and everyone is encouraged to attend. Contact John at the Ontario Area Chamber for RSVP or tickets.
10. City and Community Highlights:

City Highlights:

- a. Fruitland: Mayor Ken Bishop stated the city is working hard on budget preparation and completion. The Mayor went on to say the new park project has had some setbacks but nothing they cannot work through. The Mayor then discussed some problem issues with the Federal grant the City obtained, the time involved in this process, and the end result on the budget which will be increased. At this time the City has decided to act as its own General Contractor and will hire all of the subcontractors. Mayor Bishop did say that other things in Fruitland are going very well and that both housing and new business opportunities look very promising.
- b. Payette: Mayor Jeff Williams discussed the importance of the city's updated strategic plan and recently held work sessions. Mayor Williams said that projects without Federal dollars attached can often cost half as much which is a big deal to small rural communities. Very similar to what Mayor Bishop said above. Mayor Williams did say because of a well-developed and understood long range plan the City of Payette has it makes it much easier for finding local dollars to complete many of these important community projects. The Mayor then said the development along highway 95 is going well with some future plans in the works which can be discussed at a later date.
- c. Ontario: Councilwoman Charlotte Fugate informed the group that the city will be hosting a meet and greet for new city manager and police chief at Four Rivers Cultural Center in Ontario this month. Everyone is encouraged to attend.

John Breidenbach, Ontario Chamber of Commerce Executive Director, provided the group with an update on the Ontario community and the Travel Oregon tour of Malheur County. John stated with all of the local community events happening on both sides of the river all hotels in the Ontario area have been full which is great. John discussed his one-on-one meeting with the new city manager, Adam Brown, which went very well. They had a great discussion regarding SREDA's local economic benefits. John then mentioned the solar eclipse which will be in August 2017. Weiser and the surrounding area will be the best viewing for this important event which it is believed will draw a lot of people to our area. You might consider renting out bedrooms, backyards, etc. as the motels are filling up fast for next year.

- d. Nyssa: Tori Ramirez said the School Board has now selected a contractor for the new school bond issue which is to build a new middle school. The successful contractor is Design West. Tori also mentioned that the new dental office on Main Street is about ready to open and that the city's annual Thunder Egg days will be held beginning this weekend. Please everyone to attend.

- e. Weiser: Council member Layna Hafer stated the city has also been working on their annual budget and that this time the SREDA donation made it into the budget with no problems. She said the local airport now has gasoline on hand which will be a boost to airport activities. Layna then discussed the City's Economic Development Task Force providing updates to the group. She passed Task Force cards around for everyone to see which are very nicely done. She said the annual Fiddle Festival, which recently completed, was again a good event, a huge boost to the Weiser community and very successful. Also the July 4th fireworks display was awesome.

Patrick reported that the city has hosted a couple of site visits and that the old Zions Bank building was just sold to Washington County Title Company. Also, a couple of other local businesses have now quit leasing their respective buildings and will be purchasing them. Land sales are going very well. Also, a new business will be locating across from Hometown Motors on Highway 95. The Mann's Creek Store was just purchased as well and hopes to open soon.

- f. New Plymouth: No city of New Plymouth representatives were present so no report was given for New Plymouth.
- g. Vale: No city of Vale representatives were present so no report was given for Vale.

11. County Highlights:

- a. Payette County: Kit stated that she had met with the new Payette County commissioner, Georgia Hanigan, and that she will be the Payette County commissioner representative to SREDA board meetings in the future beginning in September.
- b. Malheur County: No Malheur County representatives were present so no report was given for Malheur County.
- c. Washington County: No Washington County representatives were present so no report was given for Washington County this month.

12. Executive Director Report:

Project Updates:

Kit began her monthly report to the board discussing the handouts in this month's packet of information beginning with the monthly snap shot financial data, then to the 2016 Renewing Members information (attached) and finally to the Snake River EDA Report Card (attached). Kit also mentioned the meetings in Malheur County regarding a possible major rail hub for local commodities shipping which would be a huge benefit for our region. After explanation and discussion, Kit made the following comments:

Projects worked on in June include: Project Pumpkin, Project RailEx (Greg Smith's), Project Violet (Site visit), Project Babe & Energy (older projects), Project Adam & Eve (Site visit), Project One-1, Project Basket and Project Water Flower.

Kit's SREDA Presentations: Vale Chamber of Commerce, Ontario Area Chamber, Western Idaho Farm Bureau, Fruitland Business Club meeting, Ontario Lions Club, Assoc. of Idaho Cities, and RDI & Ford Family Foundation's Embracing Our Treasurers Symposium. The New Plymouth Kiwanis presentation is scheduled for 7/11.

County/City presentations: Washington and Payette County and Payette City. City of Weiser is scheduled for 7/11.

Meetings & Tours held: Oregon Governor's Regional Solution Team for Eastern Oregon meeting, Idaho Business Review tour with the Editor, Oregon Speaker of the House Tina Kotek, Oregon Joint Transportation hearing, and Transportation hub meeting to discuss local RailEx activities and set up local team to pursue the project.



Site visits: Project Violet – 1.5 days meeting with local, county, and state dignitaries as well as TVCC and BSU Engineering team – pics below:



Project Adam and Eve – met with both company owners, SREDA Chair, realtor, and County Commissioner Kirk Chandler.

The SREDA June Board Meeting was held in Payette:



13. Round Table Discussion: Patrick told the group that the information Kit reviewed on her will be sent to the local press for exposure to SREDA's activities. Carolyn Wesner mentioned that Valley Family Health Care will have a ground breaking ceremony in Payette on July 20th for their new Payette Dental Clinic. They have also expanded their operations in Vale too.
14. Adjourn: Chairman Patrick Nauman adjourned the meeting at 8:04 a.m.
15. The next meeting will be in Ontario on August 3rd at the Malheur County Fairgrounds.

Calendar of Events

July 17-19, 2016	IFT Show – Chicago – Kit Attending
July 26, 2016	Western Treasure Valley Economic Breakfast – The Future of Health Care – SREDA/Ontario Area Chamber of Commerce sponsored event – 7 to 8 a.m. at the Four Rivers Cultural Center, Breakfast buffet
August 3, 2016	SREDA Monthly Board Meeting, 7a.m. – Malheur County Fairgrounds

Minutes prepared by Randy Griffin, SREDA Secretary

2016 Renewing Members (paid as of Jan 1st)

\$5,000 and up donors	Automatic seat on the board
TVCC	Office, computer, internet, phone
St. Luke's	Cash

\$2,000 and up

Saint Alphonsus	Cash
Zion's Bank	Cash
Columbia Bank	Cash
Alta Mesa	Cash

\$1,000 and up

Hanigan Auto	Cash
Red Apple Market Place	Cash
Argus Observer	Cash
Cascade Natural Gas	Cash
Intermountain Gas	Cash
Nichols Accounting	Cash
Weiser Memorial Hospital	Cash
Malheur Federal Credit	Cash
Farmers Mutual Telephone	Visitor Center -in kind

\$500 and up

Teton Machine	Cash
American Staffing	Cash
Two Rivers Medical	Cash
Kohn Foods (Subway)	Cash
Biz Zone	In kind
Three Rivers Insurance	Cash
DL Evans Bank	Cash

\$250 and up

Campo & Poole Dist.	Cash
PC Energy	Cash
Weiser Classic Candy	Cash
Eckhardt Oil	Cash
Body Shop Fitness	In kind

\$100 and up

Patrick Nauman	Cash
Roberta Vanderwall	Cash
Harry & Josette Flock	Cash
Bob & Janet Komoto	Cash
Jerry & Nancy Smith	Cash
Riley Hill	Cash
Kevin Coats	Cash
Patrick Nauman	donated mileage reimbursement

2016 Snake River EDA Report Card



Historical Data

	Total					Historical Data					Grand Total
	1ST QTR	2ND QTR	3RD QTR	4th QTR	2016 YTD	2015	2014	2013	2012	2011	
MARKETING											
NEW LEADS-REQ FOR PROPOSAL	11	7	0	0	18	39	28	33	27	37	164
SITE VISITS	3	5			8	16	7	13	10	9	55
Companies landed (assisted)	2	3			5	6	3	3	2	0	14
2012-15 open projects (still working with)	5	5			10	17	26	9	20	0	72
SITE SELECTORS MET	6	2			8	25	22	27	21	22	117
CONFERENCES/TRADE SHOWS	3	1			4	11	9	9	8	2	39
PAID MAGAZINE PUBLICATIONS	1	1			2	2	2	3	3	5	15
WEBSITE LISTINGS (PAID & FREE)	3				3	4	6	2	5	5	22
MARKETING TRAINING	0	1			1	3	2	2	6	2	15
BUSINESS EXPANSION											
ONGOING COMPANIES MET WITH	3	4			7	7	8	6	11		32
NEW COMPANIES MET WITH	2	0			2	7	7	13	13	18	58
BUSINESS RETENTION											
COMPANIES MET WITH	4	2			6	3	6	7	7		23
NEW BUSINESS START UPS											
COMPANIES MET WITH	1	1			2	3	5	6	4	9	27

	Focus	Project	Focus	Project	Focus	Project	Focus	Project	Focus	Project	Focus
*Projects fwd 2012-2015											
*Project Stanton - Win	Oregon	*Project Energy	Oregon	Project Michelle	Idaho	Project Chipotle	Idaho	Project Chipotle	Oregon		Oregon
*Project Adam & Eve - Win/Win	Idaho	*Project Babe	Oregon	Project Pam	Idaho	Project Cut	Idaho	Project Cut	Idaho		Idaho
*Project Ferdinand/Babe - holding	Oregon	Project Rod	Both	Project Operations	Oregon	Project Wrench	Oregon	Project Wrench	Oregon		Oregon
*Project 78 - holding	Both	Project Bear	Idaho	Project Kelly	Idaho	Project \$15	Oregon	Project \$15	Oregon		Oregon
*Project Seed - lost	Both	Project Brass	Idaho	Project Data	Oregon	Project Pat	Oregon	Project Pat	Oregon		Oregon
*Project Sun - Win	Oregon	Project Manser	Idaho	Project Sir	Oregon	Project Crayola	Idaho	Project Crayola	Idaho		Idaho
*Project Hot - Win	Oregon	Project Kettle	Oregon	Project Rawhide	Oregon	Project Brooklyn	Idaho	Project Brooklyn	Idaho		Idaho
*Project Pumpkin - Win	Both	*Project Kim - Win	Oregon	*Project Energy	Oregon	Project AK	Oregon	Project AK	Oregon		Oregon
*Project Lincoln Logs - Win	Idaho	Project Gary	Both	Project Sunny	Idaho	Project Survival	Both	Project Survival	Both		Both
*Project Mountain - holding	Idaho	Project Juice	Idaho	Project Portion	Idaho	*Project Salsa - Win	Oregon	Project Salsa - Win	Oregon		Both
*Project Martin - holding	Oregon	Project Baa Baa	Idaho	Project Graze	Idaho	Project Violet	Oregon	Project Violet	Oregon		Oregon
*Project Neighbor - Win	Idaho	Project Lyle Lovett	Idaho	*Project K - win (1 of 3)	Oregon	Project Country	Idaho	Project Country	Idaho		Idaho
*Project Fly - Win	Oregon	Project Farm	Both	*Project Basket 2016	Idaho	Project Warehouse	Idaho	Project Warehouse	Idaho		Idaho
*Project Doug - Win	Oregon	Project Greenhouse	Idaho	Project Owyhee	Oregon	Project Paw	Idaho	Project Paw	Idaho		Idaho
*Project Bently - Win	Idaho	Project BAD	Both	Project Dave	Idaho	Project Shave	Idaho	Project Shave	Idaho		Idaho
*Project Friends - Win	Oregon	*Project Jim - Win	Oregon	*Project Sears - Win	Oregon	Project Water Flower	Oregon	Project Water Flower	Oregon		Oregon



Quarterly Building Permit Report

April - June 2016

Mechanical-

40 issued	\$752,274 valuation	\$6,300 in fees
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Structural-

34 issued	\$5,050,211 valuation	\$60,576 in fees
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\$66,876 Total Fees Received

-31,390 City of Fruitland Fees

-4,064 State Surcharge Fees

\$31,422 City of Ontario Revenue



Quarterly Planning Report

April - June 2016

Land Use Actions

3 Site Development Appl

1 Lot Line Adjustment

1 Non-conforming Use Exception

1 Variance

2 Street Vacations

8 Total Land Use Actions

\$335 Total Fees



June 2016 ACTIVITY REPORT

Emergency Medical:

City -134- 1 - Auto accident * (Duty Crew handled)

Rural -17-

(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 -11- RURAL GENERAL ALARMS -7- MUTUAL AID -3-

- 1 – Burning without a permit / after dark * (*From May31st*) (Duty Crew handled)
- 1 – Illegal open burn * **General Alarm**
- 1 – Fire rekindle * **General Alarm**
- 3 – Grass Fire * **General Alarm**
- 1 – Small grass fire next to shed – controlled by unit coming back from Mutual Aid call
- 1 – Burn-Out Operation – prevent rekindle * (Fire staff controlled)
- 1 – Mutual aid to Nyssa (hay stack fire) * **General Alarm**
- 1 – Mutual aid to Vale Rural / grass fire * **General Alarm**
- 1 – Mutual aid to Vale Rural / structure fire * **General Alarm**

The hot dry May weather changed the fire danger dramatically which increased our large fire potential.

City Fire Incidents -17- CITY GENERAL ALARMS = -1- MUTUAL AID -0-

- 1 – Dispatched for power line down / found to be cable TV line * (Duty Crew handled)
- 1 – Alarm System Activation / in construction area – no fire (Duty Crew handled)
- 1 – Fire Alarm system activation / burned food – reset alarm system (Duty Crew handled)
- 4– Alarm system activation – malfunction (Duty Crew handled)
- 1 – Water rescue / **GENERAL Alarm** / cancelled * (Duty Crew handled)
- 1 – Citizen complaint – heavy smoke in area / BBQ smoking (Duty Crew handled)
- 2 – Fire alarm activation / canceled by dispatch prior to arrival (Duty Crew handled)
- 1 – Reported illegal open burn – found smoke coming from chimney / no fire (Duty Crew handled)
- 2 – Dispatched & canceled on scene (Duty Crew handled)
- 1 – Carbon monoxide detector activation / low battery (Duty Crew handled)
- 1 – Chemical spill on park picnic table – cleaned up by Duty Staff

***In narrative section**

5/31/2016 “RURAL” 650 Ontario Heights Road Illegal burn (Duty Crew handled)

Dispatched for a possible fire along the road, upon our arrival found occupant was burning weeds after dark without a permit. We advised occupant of the burning rules and he agreed to put his fire out and get a permit next time he needs to burn, cleared the scene.

6/2/2016 “RURAL” MP 371 I84 Grass fire “GENERAL ALARM” Rescue 1, Tender 155, Brush 156, Brush 157 and Tender 159 responded.

R1 contacted by phone about possible controlled burn going out of control, which had jumped the fence. Dispatch had received numerous 911 calls on this fire due to the proximity to I84. R1 responded to the direction of the north interchange to take the interstate to the area of EB MP 372/371. Upon reaching the north interchange MP 374 it was obvious that the fire was on the west side of the highway next to the EB lanes. There was a large amount of smoke blowing across the highway and R1 called for ODOT and LE for assistance with possibility of visibility issues. R1 also called for a rural general alarm. R1 proceeded to exit 371 and followed the road around to Bellows Dr, and made access to the homes and shops that backed up to the right a way that was involved off of I84. R1 decided to protect the shops at 4412 and 4414 Bellows Dr. 156 responded and was sent to the EB lane below the fire off of the interstate. 155 responded and also staged on the interstate to fight the fire from below. 157 responded to 4412 Bellows Dr. and were able to access the back yard to start fire suppression from the uphill side near the property lines. R1 was staged at 4414 Bellows drive with fire suppression from that property line. 155 supplied water on the interstate and 159 were staged on Bellows Dr. to supply units up top. Crews were able to keep the fire area to approximately 5 acres and kept it out of the private property and the shops that were threatened. Units were able to provide a 20'-25' wide buffer line around the fire, and most of the smokers in the black were extinguished. Information was attained by homeowners where crews were working due to proximity to the fire on the right of way. One by one ORFPD units were filling and clearing the scene. R1 was last on scene, command was terminated, and all ORFPD units were clear.



Tender 155 and Brush 156 staged on I-84 East Bound and started fire suppression from the bottom of the hill.



Fire staff watch fire area for hot spots. Suppression continued on top of the hill around out buildings.

**6/3/2016 “RURAL” 701 Canyon 3 Road Grass, brush & trash fire
“GENERAL ALARM”**

City Brush 102, Brush 156, Brush 157, Tender 159 and Command 105 (chief 100) responded, also received mutual aid from Payette and Nyssa, both sending brush trucks.

We received a phone call initially from the residence stating that her husband needed some assistance with a fire that had gotten out of control and got into some tires, responded non-code with 156 to figure out the situation. Arrived on scene to approximately 150 yd. x 75 yd. of area that was burning with various debris, grass, garbage burning in and around a pit. Called dispatch for a rural General Alarm for assistance. Crews focused initially on putting the east side fire out before it spread down the hill toward Canyon 3 Road. Because of the steep terrain (deep ravine) to get down to the area that was burning contacted 15 to send Brush 102, Brush 157, and a Tender 159 to the scene. 100 arrived on scene and took over command. It was a one track road into the scene of the fire so getting to the fire with enough resources and room to place the responding units around the fire was a task in itself. Continued to provide man power and resources with Brush 102, Brush 156, Brush 157 and mutual aid brush trucks from Nyssa and Payette around the fire. Because of the remoteness staged Tender159 at the road on Canyon 3 and cycled the brush trucks from the fire area to the water supply and back, delivering over 15,000 gallons of water to the fire. After several hours we were able to build a fire line around the perimeter and contain the fire to the pit, dead trees on the sides and at the bottom of the ravine. Notified dispatch that there would be smoke coming from the fire area for a few days however there is a fire line around the perimeter. All units cleared the scene.



Smoke column from responding unit going up Foothill Road.



Brush 157 nears fire area from the west farm access road. Note brush burning on right.



Units arriving on northeast side of fire. 25' fifth wheel travel trailer burning on right and light fire on left.



Fifth wheel trailer continues to burn for several hours while suppression crews worked on the fire perimeter to prevent further spread.



Suppression crews had a difficult time due to the heavy fuel load and steep terrain.

6/4/2016 “RURAL” 701 Canyon 3 Road / rekindle “GENERAL ALARM”

Brush 102, Brush 156, Brush 157, Tender 159 and Command 100

Called back to scene of previous day’s wildland fire. Fire had crept out of containment line. Fire was again contained and perimeter made. Trees and other discarded materials were left to burn in the black because of dangerous conditions. Plans were made to return in daylight hours and strengthen the perimeter. Crews cleared scene after midnight.



Fire had escaped containment lines and spread upslope to the south and to the north.



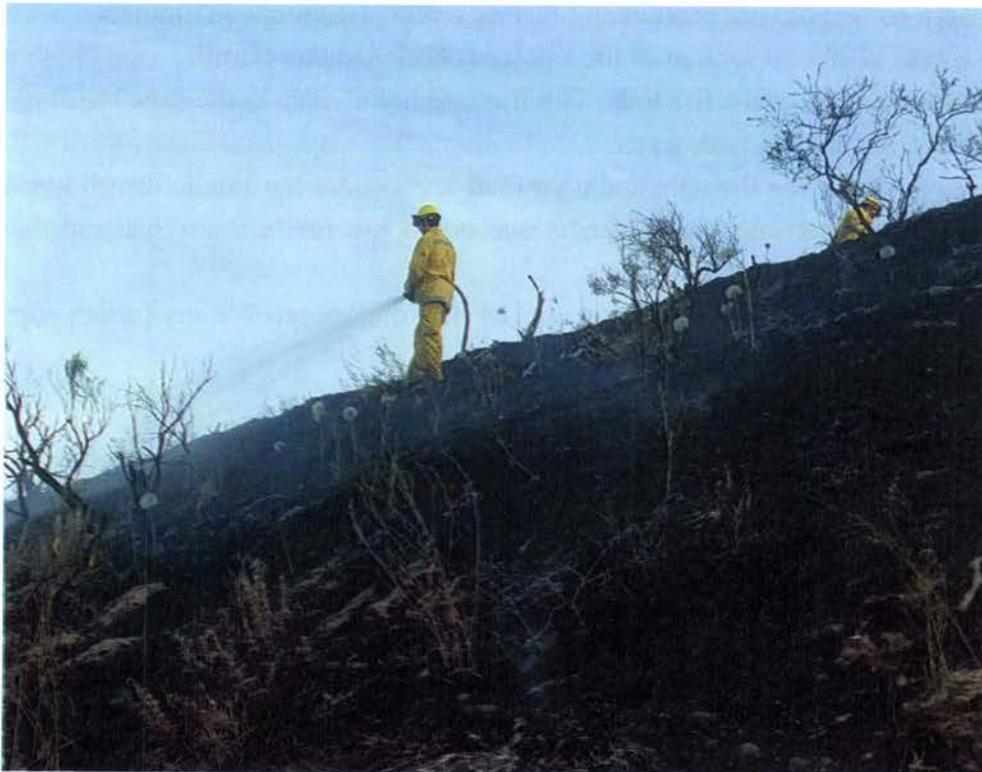
Suppression crews encountered extreme fire behavior and flame lengths. Brush 156 starts fire suppression using spray bar system.



Fire rapidly spread out over a large area making access difficult.



Brush 157 moves into the northeast section where units were actively trying to prevent further spread to the north across farm road. Large flame area in center is a pile of dry tree limbs which was surrounded by dry grass which spread the fire from the bottom of the ravine.



Firefighters encountered extreme slopes on the ravine sides of the fire making operations difficult.

6/5/2016 “RURAL” 701 Canyon 3 Road / Burn-out Operation *Brush 102, Brush 157, Tender 159 and Command 100 took part in the operation.*

A major wildland fire occurred on June 3rd involving grass, sage brush, trees (dead and alive) and all kinds of discarded materials. The terrain included a deep ravine which had slopes that were extremely steep. Fire crews spent 4 hours on suppression of this fire including 2 mutual aid brush trucks. Due to the fuel load and terrain the perimeter was extinguished and the center area was allowed to burn itself out. June 4th crews were again dispatched to the same fire area where the fire had crept out of the containment area and made a run over the top to the south and down the ravine to the east and north. The ravine had heavy fuel including trash, live and dead trees, grass and brush, which was extremely difficult to reach and suppress. Another perimeter fire line was established around the fire area and again left the center fuel load to burn. Due to darkness and danger from falling trees a decision was made to come back during day light hours and do a controlled burn to keep all burning material well inside the black.

June 5th 2 brush trucks, 1 tender and Command went back to the scene to strengthen the fire line. A 10 foot wide section was cleared of all vegetation at the bottom of the ravine and control burned out any dry vegetation left in the area. Fire staff dug a fire line along the northeast slope from the bottom of the ravine up the hillside approximately 25 yards and started a Burn-out operation on the northeast slope along the fire line. The burn-out was controlled and allowed to consume fuels up to the black area to the northwest. All spot fires were extinguished and trees were cut and pulled well back into the black to prevent burning limbs from spreading fire outside of the containment line. Several large dead trees and a rubbish pile continued to burn inside the containment area but should not present any further risk of escaping containment.

The fire line on the southeast section of the fire was checked and a burning sage brush was found near the unburned portion of the fire line. The fire was found deep in the sage brush root system and the area was fully soaked with water.

Due to the remoteness of the fire area and poor road access only the smaller brush trucks (5 total) could reach the fire so the water supply tender was positioned on the main road approximately ½ mile from the fire area.

The burn-out operation appeared to be a success as staff did not receive any further suppression requests.

Fire crew works to clear a fire break at bottom of the ravine and start a backfire burnout on the North Slope.





Brandon Tarvin, Chief Al and Brett Leavitt (with flare) start burn-out operation along the North Slope of the ravine. The ravine was full of heavy brush, dry grass and dead trees that continued to smolder making the fire escaping containment lines highly likely. Burning out the dry vegetation under controlled conditions widened the containment lines by 20 yards and eliminated the fire spread from standing burning trees. Any burning trees near the outer edge were cut down and pulled well back into the black.

6/11/2016 “CITY” 376 SE 3rd Ave. Cable Line Down (Duty Crew handled)

R1 called for possible down power line. Upon arrival R1 found that a cable line lag bolt had worked its way out of an adjoining power pole. The cable was lying on the ground behind some parked cars. MCSO dispatch was notified that they should contact Cable One and make them aware of the down line at above address. Occupant was assured the line should not be a problem and is not a safety issue if left alone. R1 was clear and available.

6/11/2016 “RURAL MEDICAL” Power line down – auto accident (Duty Crew handled)

Crew dispatched to a reported downed power line across the road. Upon arrival found power lines down across Railroad Ave. and an auto accident with two persons injured. The vehicle had hit the power pole guy wire, which cut the vehicle in half, and sheared the power pole off approximately 10’ off the ground causing the power lines to drop.



Front half of auto

Power Pole

Rear half of auto

Auto was cut in half by the power pole guy wire and force sheared off the power pole.

6/16/2016 "RURAL" 3535 Butte Dr. Grass fire "GENERAL ALARM" Brush 156, Brush 157, City Brush 102 and Tender 155 / 12 fire fighters responded – 3 standby at the station. 156 Dispatched for a grass fire threatening a hog barn and machinery. We notified dispatch to activate a general alarm while en route. Arrived on scene to find an approximate one acre of grass actively burning, the grass had already burned around a hog barn but did not involve the structure due to the approximately four foot high concrete stem walls. 156 began extinguishment on the north side of the building with a 1" booster line. After controlling the north side we pulled 156 around to the south side, pulled the 1" booster line and knocked down the south and east boundary of the fire. The west side was bordered by a gravel road. 157 arrived on scene and finished cooling down the fire perimeter. 155 soon arrived on scene and assisted with mop up and water supply. As crews finished mopping up the scene FF Benson and McLean began investigating the cause of the fire. It appeared that a 14 gauge extension cord may have caused ignition near the south end of the hog barn. The cord had several frayed areas and the end of the chord had exposed areas of wire. The owner was out of town. FF Benson interviewed the relative of the property owner, he did not give us his name, only that he was the owner's nephew. When FF Benson showed the nephew the cord and asked him where it was plugged in the nephew said that the interior door was locked and then he yanked the chord out from under the door and stated, "see it was unplugged". We were never given access into the interior room and so were not able to locate an electrical panel. We did confirm that the meter feeding the building was active. FF Benson took several pictures around the scene. A neighbor and bystander, Roger Finley, met with FF Benson and stated that he had seen work being done at the south area of the hog barn and believed they were using electrical power there. Roger also stated that his nephew worked at that location in the spring and that he would try to call him to confirm it. FF Benson gave Roger the Fire Department's phone number. We were unable to find any other sources of ignition. After completing our investigation we notified dispatch and cleared the scene.



156 arriving on scene / fire all around outbuilding and exterior storage.

Fire burned all around the pig building. No damage to the structure.



East side of the pig barn – lots of combustible storage at risk.



Field area to the east of the pig barn / fire had plenty of fuel and distance to burn. Damp weather slowed the fires spread allowing crew to get a handle on the perimeter.

6/17/2016 “RURAL” Mutual Aid to Nyssa / haystack fire “GENERAL ALARM” Tender 159 responded with crew of 2

Dispatched for a Mutual Aid request from Nyssa Rural FD for a haystack fire at Enterprise and Lytle Blvd. Provided water supply with Tender 159 and delivered 3 tanks of water and we were released.

6/18/2016 “CITY” 1775 East Lane (In Snake River behind Wal-Mart) “GENERAL ALARM” Rescue 1, Command 100 and Brush 157 responded

General alarm sounded for a person needing assistance in the middle of the Snake River. Person was trying to swim across the river to avoid police. Ontario PD officers were on scene and advised that the subject was trying to swim back to the Oregon side of the river. Rescue 1 and Command 100 went in-route as well as Brush 157. Prior to arrival dispatch notified Command that police had subject out of water and in custody but needed medical to check individual out. Cancelled 157 and held all other responding personnel at the station. Rescue 1 and Medic 1 crews checked subject’s vitals and wellbeing, subject appeared fine. Rescue 1 and Command 100 cleared the scene.

6/17/2016 “RURAL” Mutual Aid to Nyssa / hay stack fire “GENERAL ALARM” Tender 159 responded with crew of 2

Dispatched for a Mutual Aid request from Nyssa Rural FD for a haystack fire at Enterprise and Lytle Blvd. Provided water supply with Tender 159 and delivered 3 tanks of water and we were released.

6/23/2016 “RURAL” Mutual Aid to Vale Rural / structure fire Hwy 20-26 “GENERAL ALARM” Tender 155 responded with crew of 5

Vale Fire requested Tender with man power for a residential fire. 155 went en route to Vale at 18:17. Upon arrival fire command advised 155 to stage on west side of house and attack fire on west side. 155 crew cut into attic space and extinguished fire and helped mop up fire. Fire command released 155. 155 cleared call at 20:00.

6/23/2016 “RURAL” 2101 SW 4th Street Grass fire 155 responded returning from the Vale Mutual Aid call.

R-1 dispatched to grass fire on SW 4th St near SW 18th Ave., rescue was on a medical call at the time. 155 crew notified dispatch that they were near the area and will go en route. Upon arrival crew found grass and garbage burning near the house and shed. 155 crew extinguished the fire quickly and mopped up. There were two burn barrels and a concrete fire ring in the fire area, however it did not appear that any of these items had been recently used. No one was at home during fire suppression operations so the cause of the fire is undetermined. All units cleared at 20:51.



Tender 155 arrives on scene finding a small grass fire burning around a storage shed. No damage to the shed.



Concrete fire ring did not have any fresh burned material indicating that it had not been in use. The lounge received heavy charring to the frame especially to the lower right corner. The condition of the lounge prior to the fire is not known at this time.

**6/24/2016 “RURAL” Mutual Aid to Vale Rural Butte Drive & Foothill Road
“GENERAL ALARM” Brush 157 responded with crew of 4**

Vale Rural Fire requested a brush truck and man power for brush fire north of Malheur Butte and Foothill Dr. 157 was en route to the fire at 21:52 with crew of 4. Upon arrival Vale Fire Command assigned 157 to the east end of fire, 157 had east end knocked down quickly. 157 assisted Vale fire crew with mop up. Vale Fire Command released 157 and returned to quarters at 22:38.



Brush 157 arrives on the east side of the fire with heavy fire showing.

6/29/2016 "RURAL" 4572 Oak Road Grass & brush fire "GENERAL ALARM"

Brush 156, Brush 157, Tender 159 and Command 100 responded.

Paged for a grass & brush fire reported behind the address along a ditch bank. General alarm requested for rural fire. Brush 156, Brush 157, Tender 159, and Command 105 respond for fire suppression. 156, was set up on south east side, and 157 was able to access the northwest side. 159 staged next to 156 to supply water to 156 due to several forestry hoses laid for suppression over the fence and down the draw. Crews were told somewhat different stories, that there was some burning down along the fence line, and another witness states he was not or did not see any burning previous to the fire breaking out. The fire was controlled and all of the approximately 1 acre area was completely wet down and extinguished. After entire burned area was dead out cold, crews were able to gather equipment and clear scene. The property owners had left and no information was gathered at time of completion. Command was terminated and all units cleared enroute back to city.



Fire scene upon arrival of Brush 156 and Command, fire in heavy fuels.

Crew works to suppress hot spots after fire spread was halted. Temperature at time of fire was 101 degrees.





Fire caused by illegal burn long fence line during burn ban.

**6/30/2016 “CITY” East Idaho Ave. west bound lane Motor Home fire
“GENERAL ALARM” *Rescue 1, Pumper 103 and Command 100 responded.***

Dispatched to a reported motor home on fire, Rescue one responded and we could see the smoke on the horizon. 100 was enroute and as he got on scene he called out for a general alarm for additional resources. R-1 made initial attack with a booster line and was able to almost extinguish the entire motor home fire. 103 arrived on scene shortly and they continued the mop up stage. Owner of the motor home stated that he was attempting to go onto the freeway when his engine backfired, with smoke and flame immediately starting to come out of the engine compartment. He exited the motor home and called 911. The fire spread quickly consuming the motor home interior and all contents.



Command 100 arriving on scene, motor home heavily involved. Photo from dash camera.



Crew continues to monitor interior of motor home for hot spots.

FIREFIGHTER TRAINING:

5/31/2016 Crews continued training on wildland firefighting using live fire on 5 acres of dry vegetation. Engineers practiced using the spray bar system on the two rural brush trucks to attack an advancing grass fire. The spray system can be used to slow down and completely stop the advance of a wildfire without a crew being on the ground. Hand crews also practiced back fire techniques and hand fire line building. The temperature at the time of the burns was at 68 degrees where flame spread should have been slow. Fire spread and flame lengths were a surprise for this time of year, where these conditions are expected in late July or August. Shaping up to be a long fire season.



Crews set fire to field in preparation for brush truck training attack. Note flame length and this is only May.

Jared Gammage uses drip torch to set off fire line for wildland fire suppression training. Fire has already spread to middle of field (arrow) passing the torch line / rapid fire spread!





Field set on fire to provide fire crews training on wildland suppression. Note long flame lengths from short fuels.



Ron Park sets off additional fire line, fire spreading rapidly across field.



Field set on fire to provide fire crews training on wildland suppression. Note long flame lengths from short fuels.



Brush truck takes on fire line using spray bar suppression system.



Mushroom cloud erupts from field burn when fire moved into an area with a large accumulation of tumble weeds.

TRAINING CONTINUED:

6/21/2016 Fire staff from Ontario and Vale spent 3 hours training on auto extrication at North Verde Auto Salvage. Teams used hydraulic power cutters, rams and spreader, an air chisel and electric Sawzall to open vehicles up for patient removal plus learning technics for cribbing. Our thanks to North Verde Auto Salvage for providing three vehicles for the crews to cut apart.



COMMUNITY INVOLVEMENT:

6/11 Water Fest (Friends of Ontario Aquatic Center)

6/17 Bringing Hope Festival (Love INC.)

BURN PERMITS ISSUED:

City Open Burns 4

City Burn Barrels 0

Rural Open Burns 76

Rural Burn Barrels 6