

**AGENDA**  
**ONTARIO CITY COUNCIL - CITY OF ONTARIO, OREGON**  
Tuesday, September 3, 2013, 7:00 p.m., M.T.

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

2) **Pledge of Allegiance**

This Agenda was posted on Wednesday, August 28, 2013, and a study session was held on Thursday, August 29, 2013. Copies of the Agenda are available at the City Hall Customer Service Counter and on the city's website at [www.ontariooregon.org](http://www.ontariooregon.org).

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

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

- A) Minutes of Regular Meeting of August 19, 2013 ..... 1-5  
B) Approval of the Bills

5) **Department Head Updates: Thursday**

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

7) **Mayor Interviews:**

- A) Darin Bell  
B) LeRoy Cammack

8) **Old Business:**

- A) Ordinance #2682-2013: Annex & Rezone City Shop (Final Reading) ..... 6-10  
B) Ordinance #2683-2013: Annex & Rezone Horning Way and Crest Way (Final Reading) ..... 11-16  
C) Ordinance #2684-2013: Amend OMC 9-3 re: Parking in Front Yards (Final Reading) ..... 17-20  
D) Tree Maintenance Agreement w/Meadow Outdoor Advertising ..... 21-23

9) **New Business:**

- A) Bid Award: Police Evidence Room Remodel - Sather Construction \$24,500 ..... 24-34

10) **Discussion Items:**

- A) TOT  
B) Forensic Audit  
C) Credit Card Policy  
D) Aquatic Center Update

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

12) **Adjourn**

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

The City of Ontario does not discriminate in providing access to its programs, services and activities on the basis of race, color, religion, ancestry, national origin, political affiliation, sex, age, marital status, physical or mental disability, or any other inappropriate reason prohibited by law or policy of the state or federal government. Should a person need special accommodations or interpretation services, contact the City at 889-7684 at least one working day prior to the need for services and every reasonable effort to accommodate the need will be made. T.D.D. available by calling 889-7266.

**ONTARIO CITY COUNCIL MEETING MINUTES**

**Monday, August 19, 2013**

The meeting of the Ontario City Council was called to order by Council President Dan Jones at 7:00 p.m. on Monday, August 19, 2013, in the Council Chambers of City Hall. Council members present were Norm Crume, Charlotte Fugate, Dan Jones, Larry Tuttle, and Ron Verini. Jackson Fox was excused.

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

Cathy Yasuda led everyone in the Pledge of Allegiance.

**AGENDA**

Council consensus to add New Business 9(B) - Acceptance of FFA Grant.

Ron Verini moved, seconded by Larry Tuttle, to adopt the Agenda as amended. Roll call vote: Crume-yes; Fox-out; Fugate-yes; Tuttle-yes; Verini-yes; Jones-yes. Motion carried 5/0/1.

**CONSENT AGENDA**

Norm Crume moved, seconded by Ron Verini, to approve Consent Agenda Item A: Minutes of the Regular Meeting of August 1, 2013; and Item B: Approval of the Bills. Roll call vote: Crume-yes; Fox-out; Fugate-yes; Tuttle-yes; Verini-yes; Jones-yes. Motion carried 5/0/1.

**DEPARTMENT HEAD UPDATES**

Mike Long, Finance Director, stated he had been asked to contact the city's audit firm, asking for comments or suggestions with regard to the proposed Credit Card policy. He also asked the Auditors about doing an audit. That request would be reviewed, and he hoped to hear back by the next Work Session.

Alan Daniels, Airport Manager, stated with regard to the State Transportation Improvement Program [STIP], there was \$16M on the books for 2015-2018 road improvements. That had been whittled down to the 2<sup>nd</sup> Street project making the list at approximately \$2.9M for the city. The earliest they could begin construction was three years out, but they were in the queue for funding. If that project hadn't been 90% engineered, they probably wouldn't have received the money. Also, in talking with ODOT, the committee brought up that the larger, more important, projects were not on the list because they were so big. Region 5 put together a needs list, which included finishing 2<sup>nd</sup> Street, both Idaho to 5<sup>th</sup>, and 14<sup>th</sup> through 18<sup>th</sup>, and to rebuild Butler. That was an \$11M project. He didn't know when it would be funded, but it was in the system.

**PUBLIC COMMENT(S)**

[Copied from hand-out]

Ruth Rolland, Ontario, stated *"The residents of Ontario should pay close attention to the attitudes of Ontario's City Council and City Manager about what our Citizens need and care about, in this community that we all consider our home. For example, when it came to funding their share to keep the bus lines in service, which greatly improves the overall opportunity to have a quality life in Ontario, Oregon, the City Council's majority bent was on bowing out of the picture. To the extent certain City Councilors cared about having bus service in the City at all, they preferred somebody else take care of the bill, even though the entire City benefits from having the bus service. It's not only the city's non-drivers, and more senior or disabled residents who benefit. – Ontario's retail businesses, educational*

*and medical services communities, and families also benefit. The buses keep people productive, active as consumers and customers, contributing and engaged with this community they call home. Many of Ontario's business community quickly acknowledge this, and agree that City endeavors such as maintaining bus services, are essential things to support – for the practical benefits, positive image and positive future of the City. Others prefer to deny it and prefer not to recognize that even those who are outside their own circle are important to the overall vitality of the City. A recent example of the City Leadership's narrow attitude concerned a request to replace recliners for the Fire Department. Why is it that the leadership of this City has no interest in treating its citizens, nor the very employees who work for the City, with any degree of respect? Fire Department, Police and Public Works employees keep the public safe and the City services functioning. The City Council reminds me of a neighbor I once had, who kept his dog tied in the yard as a watch dog, and neglected to properly feed it. He had no feelings for the dog. When you get right down to it, you cannot slice and dice, and pick or choose which aspect, or sector or faction of the City of Ontario has more value. The City exists and functions as one entity. If you neglect any of the Ontario's citizens, families and workers, the City cannot thrive. The Future of the City suffers. As you may have noticed, supporters of the Ontario Public Works Employees have been carrying signs again today, outside City Hall, calling on the City Council and City Manager to put an end the unfairness to Ontario's Public Works employees. It is their hope that the City Council will decide it's time to say to these employees that you understand and recognize that they have a good reason to feel discounted and disrespected by the City Council. The Public Works employees want a chance to finish the negotiations that City Council chose to disrupt when they voted to impose the City's Implemented Offer on these workers. The Public Works employees want a chance to reach a fair, respectful mutual conclusion to the negotiation of their labor contract."*

PRESENTATION

Cathy Yasuda, Co-Chair of the Ontario Sister City Program, stated it gave her pleasure to give a presentation and update on the Sister City Program. Six or seven years ago, former Mayor Joe Dominick asked her to be involved in the program, which had waned for a few years, and he wanted to resurrect the program. There was a long-standing relationship with the Sister City of Osakasayama, Japan. Nearly 40 years ago, then Mayor Leonard Cates, along with businessmen George Iseri and Bob Sullivan, created this program and partnership, which had surpassed several decades. It was a pleasure for her to become involved, not only because of her cultural background, but also because she felt strongly about continuation of the program. They resurrected the collaboration and partnership shared with Osakasayama. Over the past several years, Ontario had hosted several exchange students during Spring Break, and the experiences, on both sides of the program, were memorable. Friendships had been forged that would last forever. Another intent of the program was to continue the friendships and ties across the world, and to build a strong program of community within Ontario. Thanks to the Visitors & Conventions Bureau, they had been the recipient of grants through the City of Ontario, and those funds were very much appreciated in continuing this program. They all served on a volunteer basis, and relied heavily on folks in the community who opened their hearts and their homes to our visitors from Japan. This past summer, in celebration of the 40<sup>th</sup> anniversary, we sent an 11 member delegation from Ontario to Japan, and Osakasayama was thrilled to receive such a large contingency coming to visit.

Matt Stringer, Executive Director, Four Rivers Culture Center, one of the delegates who went to Japan, presented a gift to the City of Ontario. Every year, Osakasayama sent a gift to Ontario. Most, if not all, were housed on display at the Cultural Center. The piece being presented was done by a local artist, renowned throughout Japan. It was representing prosperity and gratitude, and would hang at the Cultural Center.

Pam Suyematsu, Ashley Suyematsu, Samantha Mendez, Debbie Tanaka, and Dehlia Mong, all spoke of their interactions with the Sister City organization, whether it be by visiting Osakasayama or hosting a student, and encouraged the Council to be involved with the program.

Ms. Yasuda stated that this was the 40<sup>th</sup> Anniversary of the program, and on October 1<sup>st</sup> and 2<sup>nd</sup>, Osakasayama was sending a large delegation over, including Happy Furakawa. He was a Councilman, and official from Osakasayama, was in his late 70's, and had made numerous trips to Ontario, and it was probably for the last time. The Mayor of Osakasayama was also coming. Everyone was very excited, and hoped that they were able to see many of the

Council members during the visit. It would only be for two days, and was about 20 people. If anyone was interested in hosting, or being a part of the visit, please contact her. They appreciated all the support from the community – people volunteering their homes, businesses making donations, allowing them to self-support, along with grants from the V&C Committee and the community to keep this program alive.

Councilor Jones asked Ms. Yasuda to please relay the city's thanks for the gift. Also, in seeing the enthusiasm from that group, he was sure the program would continue to grow. Congratulations on a successful program.

#### OLD BUSINESS

##### Ordinance #2680-2013: Annexation and Rezone – Portion of Ontario Airport (Final Reading)

No changes since First Reading.

Charlotte Fugate moved, seconded by Norm Crume, that the City Council adopt Ordinance #2680-2013, AN ORDINANCE ANNEXING APPROXIMATELY 48 ACRES OF LAND NORTH OF SW 18<sup>TH</sup> AVENUE AND SOUTH OF THE ONTARIO MUNICIPAL AIRPORT, ASSIGNING CITY ZONING, on Second and Final Reading by Title Only. Roll call vote: Crume-yes; Fox-out; Fugate-yes; Tuttle-yes; Verini-yes; Jones-yes. Motion carried 5/0/1.

#### NEW BUSINESS

##### Ordinance #2684-2013: Amend OMC 9-3 re: Parking in Front Yards (1<sup>st</sup> Reading)

Mark Alexander, Police Chief, stated Ontario Municipal Code Title 9, Chapter 3 defined prohibited parking in the city, which included parking in the front yard of a residence. The definition of a front yard provided for situations where vehicles could still park in a front yard, avoiding the intent of the prohibited parking. The Police Department crafted changes to the definition of a front yard and believed that language would be more effective in enforcing the behavior. Increased enforcement might create complaints taking staff time or more court appearances with those disputing citations. It was the intent of the prohibitions to increase the orderliness of neighborhoods, thus increasing surrounding property values.

Norm Crume moved, seconded by Larry Tuttle, that the Council adopt Ordinance #2684-2013, AN ORDINANCE AMENDING ONTARIO MUNICIPAL CODE TITLE 9, CHAPTER 3, on First Reading by Title Only. Roll call vote: Crume-yes; Fox-out; Fugate-yes; Tuttle-yes; Verini-yes; Jones-yes. Motion carried 5/0/1.

##### Acceptance of FAA Grant AIP #3-41-0044-011-2013

Alan Daniels, Airport Manager, stated the 90% grant was for the rehabilitation of several taxi ways and to replace the rotating beacon. It had just been received that day, and had to be back by Friday. The next step would be sending it back to the FAA, who would issue a Notice to Proceed. Then, at the next Council meeting, he would present the Bid Award and the Notice to Proceed, and they hoped to begin construction on September 4<sup>th</sup>. They had already contacted the contractor, and there was only 44 days for construction time. It was standard language in the Agreement.

Norm Crume moved, seconded by Ron Verini, that the Council accept FFA Grant AIP Project Number 3-41-0044-011-2013, Contract Number DOT-FA13NM-0027, in the amount of \$617,655.00, for the rehabilitation of taxi lanes and the replacement of a rotating beacon, and authorize the City Manager to be signatory on the Grant Agreement. Roll call vote: Crume-yes; Fox-out; Fugate-yes; Tuttle-yes; Verini-yes; Jones-yes. Motion carried 5/0/1.

**PUBLIC HEARING(S)**

**Ordinance #2682-2013: Annex & Rezone City Shop (1<sup>st</sup> Reading)**

It being the date advertised for public hearing on the matter of Ordinance #2682-2013, the Hearing was declared open. There were no objections to the city's jurisdiction to hear the action, no abstentions, ex-parte contact, and no declarations of conflict of interest.

Marcy Skinner, Planning Technician, stated a request was made for Annexation and Rezoning of city owned Tax Lots #3100 and #3400 totaling 7.81 acres. Tax Lot #3100 was five (5) acres currently zoned Urban Growth Area (UGA) I-1, Light Industrial. Tax Lot #3400 was currently zoned City I-1, Light Industrial. Both lots would be rezoned to City PF, Public Facility Zone. This was a Comprehensive Plan and Zoning Map amendment, Map number 17S4733D. On August 12, 2013 the Planning Commission recommended approval of the request for Annexation and Rezoning of city owned tax lots currently zoned UGA and City I-1, Light Industrial to City PF, Public Facility zone.

Larry Sullivan, City Attorney, stated on the annexation of those roads, those were not included in the current ordinance before them for 1<sup>st</sup> reading, but would be in there for the 2<sup>nd</sup> reading.

The Hearing was opened for public testimony.

Opponents: None.

Proponents: None.

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

Ron Verini moved, seconded by Larry Tuttle, that the City Council adopt Ordinance #2682-2013, A CITY ZONING ORDINANCE PROCLAIMING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF ONTARIO; AND WITHDRAWING SAID TERRITORY FROM THE ONTARIO RURAL FIRE PROTECTION DISTRICT; AND WITHDRAWING SAID TERRITORY FROM THE ONTARIO RURAL ROAD ASSESSMENT DISTRICT. THE PROPERTY IS TAX LOT #3100; FIVE ACRES LOCATED AT 1151 NW 9<sup>TH</sup> STREET AND OWNED AND USED BY THE CITY FOR ITS CITY SHOP, ASSIGNING CITY ZONING, AND REZONING TAX LOT #3400, AN ADJOINING 2.81 ACRE PARCEL, BOTH WITHIN THE ASSESSORS MAP 17S4733D, on First Reading by Title Only. Roll call vote: Crume-yes; Fox-out; Fugate-yes; Tuttle-yes; Verini-yes; Jones-yes. Motion carried 5/0/1.

**Ordinance #2683-2013: Annex & Rezone Horning Way and Crest Way (1<sup>st</sup> Reading)**

It being the date advertised for public hearing on the matter of Ordinance #2683-2013, the annexation and rezoning of Horning Way and Crest Way, the Hearing was declared open. There were no objections to the city's jurisdiction to hear the action, no abstentions, ex-parte contact, and no declarations of conflict of interest.

Marcy Skinner, Planning Technician, stated a request was made for the Annexation and Rezoning of tax lots 400, 700, 1700, 1500, 1501, 2100, 1900, 2700, 3100, 500, 600, 1600, 2600, 2000, 800, and 1300 totaling 7.37 acres. The lots were currently zoned Urban Growth Area (UGA) Residential and would be rezoned to City RS-50, Single Family Residential zone. This was a Comprehensive Plan and Zoning Map amendment, Map number 18S4705AA. On August 12, 2013, the Planning Commission recommended the approval of the request for Annexation and Rezoning of City owned tax lots currently zoned UGA Residential to City RS-50, Single Family Residential.

The Hearing was opened for public testimony.

Opponents: None.

Proponents: None.

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

Councilor Verini verified the Reeve family was okay with the modification on the ordinance regarding their animals?

Ms. Skinner stated they were, and had signed the Consent form.

Larry Tuttle moved, seconded by Norm Crume, that the City Council adopt Ordinance #2683-2013, A CITY ZONING ORDINANCE PROCLAIMING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF ONTARIO; AND WITHDRAWING SAID TERRITORY FROM THE ONTARIO RURAL FIRE PROTECTION DISTRICT; AND WITHDRAWING SAID TERRITORY FROM THE ONTARIO RURAL ROAD ASSESSMENT DISTRICT; THE PROPERTY IS KNOWN AS THE VERDE DRIVE, HORNING WAY AND CREST WAY NEIGHBORHOOD, WITHIN THE ASSESSORS MAP 18S4705AA, INCLUDING APPROXIMATELY 7.37 ACRES OF PRIVATE LAND AND THOSE ADJOINING STREETS, AND ASSIGNING CITY SINGLE FAMILY RESIDENCE, RS-50, ZONING, on First Reading by Title Only. Roll call vote: Crume-yes; Fox-out; Fugate-yes; Tuttle-yes; Verini-yes; Jones-yes. Motion carried 5/0/1.

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

- Councilor Fugate stated the Feral Cat Project had received a \$5K grant from PetSmart, so they could continue the trapping, spaying, and neutering of feral cats. They had taken care of close to 8,000 cats.
- Councilor Tuttle stated it had been brought up several times about the bus system, and the Council not funding it, and the Budget Committee didn't fund it, and that was totally false. The people approached the Council, made the request for \$20K, said they could live with \$15K, the Budget Committee and Council voted, and \$15K was given. He was tired of hearing people say the Council didn't fund the bus.

**ADJOURN**

Norm Crume moved, seconded by Ron Verini, that the meeting be adjourned. Roll call vote: Crume-yes; Fox-out; Fugate-yes; Tuttle-yes; Verini-yes; Jones-yes. Motion carried 5/0/1.

**APPROVED:**

**ATTEST:**

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

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

## OLD BUSINESS AGENDA REPORT

September 2, 2013

TO: Mayor and City Council

FROM: Marcy Skinner, Planning & Zoning Technician

THROUGH: Bob Walker, Public Works Director

**SUBJECT: ORDINANCE #2682-2013: AN ORDINANCE ANNEXING INTO THE CITY OF ONTARIO FIVE ACRES LOCATED AT 1151 NW 9<sup>TH</sup> STREET, AND ASSIGNING PUBLIC FACILITY, PF, CITY ZONING TO TAX LOT #3400; AN ADJOINING 2.81 ACRE PARCEL; BOTH OWNED AND USED BY THE CITY FOR ITS CITY SHOP, ASSIGNING CITY ZONING ON SECOND AND FINAL READING**

DATE: August 26, 2013

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### SUMMARY:

Attached are the following documents:

- Ordinance #2682-2013

There have been no changes to the proposed ordinance since first reading.

### PREVIOUS COUNCIL ACTION:

08/19/13 Council passed the 1<sup>st</sup> reading of Ordinance #2682-2013.

### RECOMMENDATION:

Staff recommends the Council adopt Ordinance #2682-2013 on Second and Final Reading

### PROPOSED MOTION:

I move that the City Council adopt Ordinance #2682-2013, A CITY ZONING ORDINANCE PROCLAIMING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF ONTARIO; AND WITHDRAWING SAID TERRITORY FROM THE ONTARIO RURAL FIRE PROTECTION DISTRICT; AND WITHDRAWING SAID TERRITORY FROM THE ONTARIO RURAL ROAD ASSESSMENT DISTRICT. THE PROPERTY IS TAX LOT #3100; FIVE ACRES LOCATED AT 1151 NW 9<sup>TH</sup> STREET AND OWNED AND USED BY THE CITY FOR ITS CITY SHOP, ASSIGNING CITY ZONING, AND REZONING TAX LOT #3400; AN ADJOINING 2.81 ACRE PARCEL; BOTH WITHIN THE ASSESSORS MAP 17S4733D, on Second and Final Reading.

**ORDINANCE #2682-2013**

AN ORDINANCE PROCLAIMING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF ONTARIO; AND WITHDRAWING SAID TERRITORY FROM THE ONTARIO RURAL FIRE PROTECTION DISTRICT; AND WITHDRAWING SAID TERRITORY FROM THE ONTARIO RURAL ROAD ASSESSMENT DISTRICT. THE PROPERTY IS TAX LOT #3100; FIVE ACRES LOCATED AT 1151 NW 9<sup>TH</sup> STREET AND OWNED AND USED BY THE CITY FOR ITS CITY SHOP, ASSIGNING CITY ZONING, AND REZONING TAX LOT #3400; AN ADJOINING 2.81 ACRE PARCEL; BOTH WITHIN THE ASSESSORS MAP 17S4733D

**WHEREAS:** Land Use Action **2013-01-01CPAMD** filed by the City of Ontario is to annex and apply the City Public Facility (PF) zone to a 5-acre industrial site used for the new Ontario City Shop property; rezone the adjoining 2.81-acre parcel from City I-1 to City Public Facility (PF); and amend the City's comprehensive plan and zoning Map; which property is more particularly described as:

Ref #	Map & Tax lot #	Acres	Owner
2104	17S4733D#3100	5.0	City of Ontario
30	17S4733D #3400	2.81	City of Ontario

**WHEREAS:** The City has prepared annexation documentation found in Planning File 2013-01-01CPAMD; and

**WHEREAS:** The City is able to provide necessary sewer and water utilities to the subject properties within a reasonable period following annexation as documented in the Planning Commission Staff Report; and

**WHEREAS:** Hearings were held before the Ontario Planning Commission on August 12, 2013 and before the City Council on August 19, 2013 after legal notice of this hearing was given to affected property owners, affected agencies; and to the local newspaper and electronic media, and otherwise as required by Section 10B-05-05 and Chapters 10B-03 and 10B-45 of the Ontario Municipal Code; and

**WHEREAS:** At the conclusion of the August 19, 2013 public hearing, the City Council, based upon the Planning Commission's favorable recommendation and upon a motion duly made and seconded, voted to approve the request as set forth above based on decision criteria, findings of fact and conclusions of law as set forth in this order and exhibits attached hereto by this reference.

**FINDINGS OF FACT:**

1. The City Council adopts the findings and conclusions in the Planning Staff Report, Planning File 2013-01-01CPAMD, testimony received, and the findings made by the Planning Commission as the basis for this decision; and
2. The City Council accepts the Planning Commission's concluding recommendation on the subject proposal.

**CONCLUSIONS OF LAW**

1. The burden of proof is upon the applicant in proving the proposal fully complies with applicable Code criteria, Oregon State Statutes and Oregon Administrative Rules.
2. The City Council finds that above-mentioned exhibits and evidence and testimony presented at the hearings, address relevant comprehensive plan policies, standards of the Municipal Code, Statewide Planning Goals, Oregon Revised Statute and Oregon Administrative Rules sufficiently to support the burden of proof needed to approve the proposed amendment.

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

1. The five-acre parcel identified as Tax Lot #3100 is hereby annexed to the City of Ontario and is zoned as Public Facility (PF) as described in Chapter 10A-51 of the Ontario City Code.
2. The 2.81- acre identified as Tax Lot #3400 is hereby rezoned from City I-1 to City Public Facility (PF).
3. The Comprehensive Plan and Zoning Map shall be to be amended accordingly.

**EFFECTIVE DATE:** The ordinance shall become effective 30 days from the date of passage.

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

AYES:

NAYS:

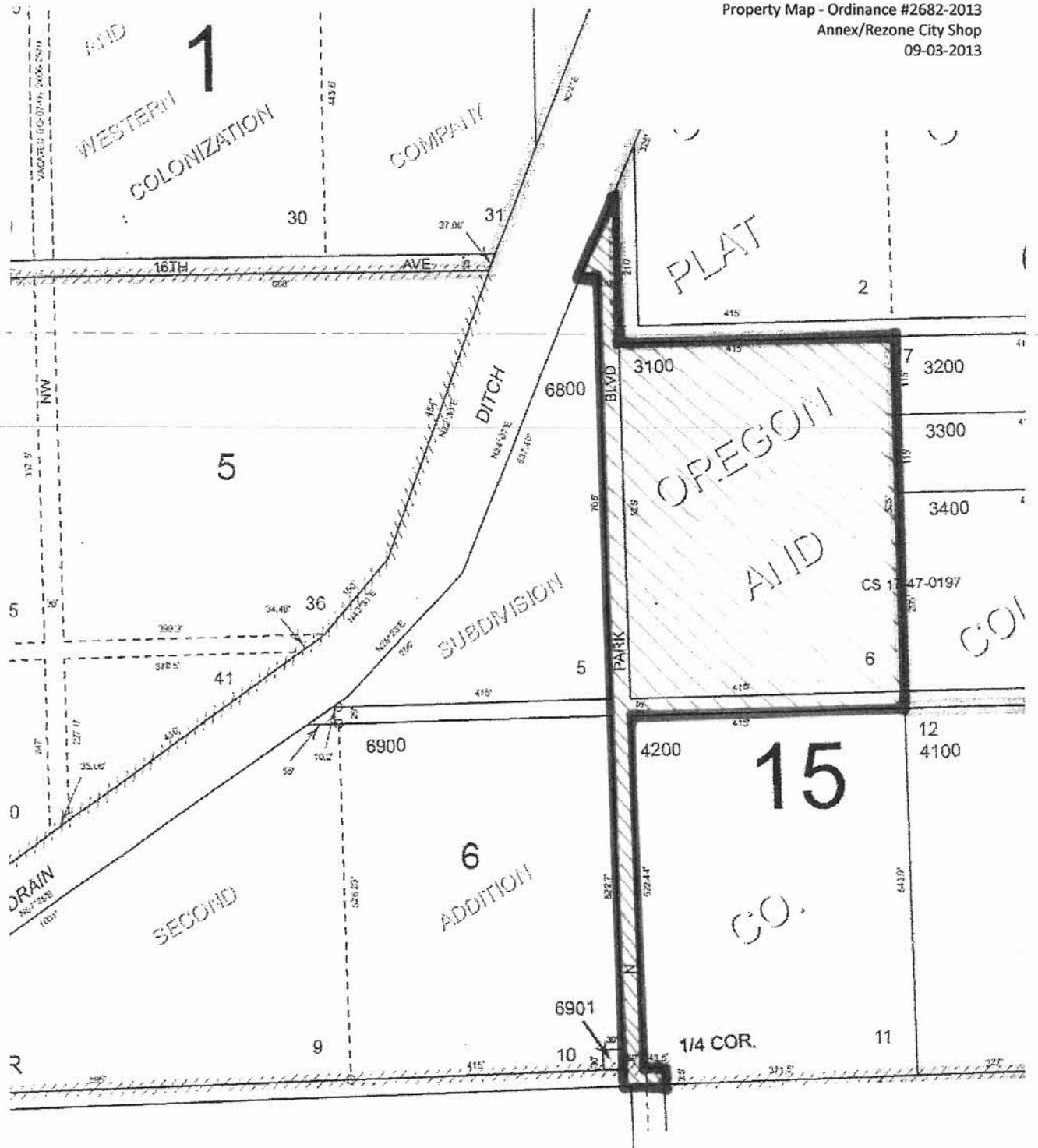
ABSENT:

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

ATTEST:

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

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



Map 174733D - Tax Lot 3100

**Road Rights-of-Way**

Land in Block 6 of the Corrected Plat of Oregon and Western Colonization Second Addition as filed with Malheur County on September 25, 1947 in Cabinet A, Slide 55, in Township 17 S, Range 47 East, W.M., Section 33, Malheur County, Oregon, as follows:

Being all that portion of the right-of-way of North Park Boulevard as shown on said plat from the South boundary of said plat and running North and adjacent to and between Lots 2, 5, 6, 10, and 11 of said Block 6 and lying South and East of the right-of-way of an existing drain ditch (Dork Canal) shown on said plat.

TOGETHER WITH that portion of the right of way deeded under Inst. No. 2012-1392.

ALSO all that portion of Malheur Drive right-of-way in Sec. 33 lying East of North Park Boulevard.

AND ALSO that portion of the 25 foot right-of-way lying between Lots 6 and 11 of Block 6 in said Corrected Plat of Oregon and Western Colonization Second Addition.

The lands being annexed is the road right-of-way described above and does not include any of the adjacent lots or lands.

**Public Works Shop** (Map 174733D - Tax Lot 3100)

Land in the Corrected Plat of Oregon and Western Colonization Second Addition as filed with Malheur County on September 25, 1947 in Cabinet A, Slide 55, in Township 17 S, R. 47 E., W.M., Section 33, as follows:

In Block 6: Lot 6.

## OLD BUSINESS AGENDA REPORT

September 2, 2013

TO: Mayor and City Council  
FROM: Marcy Skinner, Planning & Zoning Technician  
THROUGH: Bob Walker, Public Works Director

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**SUBJECT: ORDINANCE #2683-2013: AN ORDINANCE ANNEXING INTO THE CITY OF ONTARIO VERDE DRIVE, HORNING WAY AND CREST WAY AND APPROXIMATELY 7.37 ACRES OF PRIVATE LAND ADJOINING THOSE STREETS AND ASSIGNING CITY ZONING, ON SECOND AND FINAL READING**

DATE: August 26, 2013

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### **SUMMARY:**

Attached are the following documents:

- Ordinance #2683-2013

There have been no changes to the proposed ordinance since first reading.

### **PREVIOUS COUNCIL ACTION:**

08/19/13 Council passed the 1<sup>st</sup> reading of Ordinance #2683-2013.

### **RECOMMENDATION:**

Staff recommends the Council adopt Ordinance #2683-2013 on Second and Final Reading

### **PROPOSED MOTION:**

I move that the City Council adopt Ordinance #2683-2013, A CITY ZONING ORDINANCE PROCLAIMING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF ONTARIO; AND WITHDRAWING SAID TERRITORY FROM THE ONTARIO RURAL FIRE PROTECTION DISTRICT; AND WITHDRAWING SAID TERRITORY FROM THE ONTARIO RURAL ROAD ASSESSMENT DISTRICT; THE PROPERTY IS KNOWN AS THE VERDE DRIVE, HORNING WAY AND CREST WAY NEIGHBORHOOD; WITHIN THE ASSESSORS MAP 18S4705AA, INCLUDING APPROXIMATELY 7.37 ACRES OF PRIVATE LAND AND THOSE ADJOINING STREETS AND ASSIGNING CITY SINGLE FAMILY RESIDENCE, RS-50, ZONING, on Second and Final Reading.

**ORDINANCE #2683-2013**

AN ORDINANCE PROCLAIMING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF ONTARIO; AND WITHDRAWING SAID TERRITORY FROM THE ONTARIO RURAL FIRE PROTECTION DISTRICT; AND WITHDRAWING SAID TERRITORY FROM THE ONTARIO RURAL ROAD ASSESSMENT DISTRICT; THE PROPERTY IS KNOWN AS THE VERDE DRIVE, HORNING WAY AND CREST WAY NEIGHBORHOOD; WITHIN THE ASSESSORS MAP 18S4705AA, INCLUDING APPROXIMATELY 7.37 ACRES OF PRIVATE LAND AND THOSE ADJOINING STREETS AND ASSIGNING CITY SINGLE FAMILY RESIDENCE, RS-50, ZONING

**WHEREAS:** Land Use Action **2013-02-01CPAMD** filed by the City of Ontario is to annex Horning Way and Crest Way and the lands adjoining those streets into the City limits. The properties to be annexed are generally identified and zoned Urban Growth Area Residential as follows:

<u>Account No.</u>	<u>Map &amp; Tax lot #</u>	<u>Acres</u>	<u>Owner</u>
8023	184705AA #400	.32	Baeza
8026	184705AA #700	.57	Carpenter
8043	184705AA #1700	.27	Cowgill
8040	184705AA #1500	.37	Cowgill
8041	184705AA#1501	.17	Cowgill
8047	184705AA # 2100	.26	English
8045	184705AA #1900	.27	Erlebach, B&T
8051	184705AA #2700	.33	Erlebach Trust
8055	184705AA #3100	1.06	Erlebach, B&H
8024	184705AA #500	.53	Galligar
8025	184705AA #600	.55	Hughes
8042	184705AA #1600	.27	Lane
8050	184705AA #2600	.33	Milburn
8046	184705AA #2000	.52	Navarrete
8027	184705AA #800	.75	Reever
	184705AA #1300	.53	Ayers

**WHEREAS:** The City has prepared annexation documentation found in Planning File 2013-02-01CPAMD; and

**WHEREAS:** The City is able to provide necessary sewer and water utilities to the subject properties within a reasonable period following annexation as documented as an exhibit with the Planning Commission Staff Report; and

**WHEREAS:** Hearings were held before the Ontario Planning Commission on August 12, 2013 and before the City Council on August 19, 2013 after legal notice of this hearing was given to affected property owners, affected agencies; and to the local newspaper and electronic media, and otherwise as required by Section 10B-05-05 and Chapters 10B-03 and 10B-45 of the Ontario Municipal Code; and

**WHEREAS:** The affected property owners and a majority of electors within the affected area have signed consents to annexation by the City of Ontario as found in Planning File 2013-02-01CPAMD; and

**WHEREAS:** At the conclusion of the August 19, 2013 public hearing, the City Council, based upon the Planning Commission's favorable recommendation and upon a motion duly made and seconded, voted to approve the request as set forth above based on decision criteria, findings of fact and conclusions of law as set forth in this order and exhibits attached hereto by this reference.

**FINDINGS OF FACT:**

1. The City Council adopts the findings and conclusions in the Planning Commission Staff Report, testimony received, and the findings made by the Planning Commission as the basis for this decision; and
2. The City Council accepts the Planning Commission's concluding recommendation on the subject proposal.

**CONCLUSIONS OF LAW**

1. The burden of proof is upon the applicant in proving the proposal fully complies with applicable Code criteria, Oregon State Statutes and Oregon Administrative Rules.
2. The City Council finds that above-mentioned exhibits and evidence and testimony presented at the hearings, address relevant comprehensive plan policies, standards of the Municipal Code, Statewide Planning Goals, Oregon Revised Statute and Oregon Administrative Rules sufficiently to support the burden of proof needed to approve the proposed amendment.

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

The properties identified in Exhibit 1 (Map of subject property, attached), and more particularly described in Exhibit 2 (full tax lot description for entire area, attached) are hereby annexed to the City of Ontario and are zoned as Single Family Residential (RS-50) as described in Chapter 10A-11 of the Ontario City Code.

**EFFECTIVE DATE:** The ordinance shall become effective 30 days from the date of passage.

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

AYES:

NAYS:

ABSENT:

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

ATTEST:

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

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



Land in Malheur County, Oregon, as follows:

In Township 18 South, Range 47 East, W.M.:

Sec. 5: A parcel of land in Government Lot 1 (NE1/4 NE1/4) more particularly described as follows:

Commencing at the Northeast corner of said Sec. 5:

thence S. 00° 08' 44" W., 616 feet, coincident with the East section line of said Sec. 5 to the POINT OF BEGINNING;

thence N. 89° 41' 37" W., 156 feet;

thence N. 00° 08' 44" E., 57.42 feet;

thence N. 86° 19' 16" W, 501.02 feet, more or less, to the East boundary of Pheasant Ridge Estates, according to the Official Plat thereof, recorded March 26, 1996, as Instrument No. 96-2136, official records.

thence S. 00° 06' 07" W., 624.40 feet, coincident with said East boundary of Pheasant Ridge Estates, and its extension thereof;

thence N. 89° 41' 37" W., 511.59 feet;

thence N. 00° 08' 44" E., 47.50 feet;

thence N. 89° 41' 37" W., 144.00 feet to a point on the East section line of said Sec. 5;

thence North 490.00 feet to the POINT OF BEGINNING.

Sec. 4: All that portion of the E1/2 of North Verde Drive right-of-way lying South of the following described line:

Commencing at the Northwest corner of Sec. 4:

thence S. 00° 08' 44" W., 616 feet, coincident with the West section line of said Sec. 4 to the POINT OF BEGINNING;

thence East 30 feet, more or less, to the East boundary of said North Verde Drive right-of-way.

AND lying North of the following described line:

Commencing at the North 1/16<sup>th</sup> Corner common to said Sec. 4 and Sec. 5;

thence North coincident with the West section line of said Sec. 4, a distance of 398.84, more or less, to a point where the extension of the North Boundary line of Parcel No. 2 of Partition Plat 95-16, recorded August 7, 1995, as Inst. No. 95-4987 intersects said West section line of Sec. 4, and being the POINT OF BEGINNING;

thence East 30 feet, more or less, to the East boundary of said North Verde Drive right-of-way, and the Point of Terminus.

Map 18475AA

Tax Lots: 400, 500, 600, 700, 800, 1300, 1500, 1501, 1600, 1700, 1800, 1900, 2000, 2100, 2600, 2700, and 3100.

**OLD BUSINESS AGENDA REPORT**  
September 3, 2013

TO: Mayor and City Council  
FROM: Mark Alexander, Chief of Police  
Through: Jay Henry, City Manager

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**SUBJECT: ORDINANCE #2684-2013: AMENDING ONTARIO MUNICIPAL CODE TITLE 9, CHAPTER 3, RELATING TO PROHIBITED PARKING (FINAL READING)**

DATE: August 20, 2013

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**SUMMARY:**

Attached is the following document:

- Ordinance #2684-2013

The Police Department would like to amend Municipal Code Title 9, Chapter 3 relating to Prohibited Parking in order to be more effective.

**PREVIOUS COUNCIL ACTION:**

August 19, 2013 Council passed Ordinance #2684-2013 on first reading.

**BACKGROUND:**

Ontario Municipal Code Title 9, Chapter 3 defines prohibited parking in the City, which includes parking in the front yard of a residence. The definition of a Front Yard provides for situations where vehicles can still park in a front yard, avoiding the intent of the prohibited parking.

The Police Department has crafted changes to the definition of a Front Yard and believes that language will be more effective in enforcing the behavior.

**FINANCIAL IMPLICATIONS:**

Increased enforcement might create complaints taking staff time or more court appearances with those disputing citations. It is the intent of the prohibitions to increase the orderliness of neighborhoods, thus increasing surrounding property values.

**RECOMMENDATION:**

Staff recommends the City Council adopt Ordinance #2684-2013.

**PROPOSED MOTION:**

I move the Council adopt Ordinance #2684-2013, AN ORDINANCE AMENDING ONTARIO MUNICIPAL CODE TITLE 9, CHAPTER 3, SECTION 2, on Second and Final Reading by Title Only.

**ORDINANCE NO. 2684-2013**

**AN ORDINANCE AMENDING ONTARIO MUNICIPAL CODE  
TITLE 9, CHAPTER 3, SECTION 2 RELATING TO PROHIBITED PARKING**

- WHEREAS,** the City Council of Ontario is authorized through its legislative authority to regulate parking within the City of Ontario; and,
- WHEREAS,** Ontario Municipal Code currently prohibits parking of vehicles in front yards of residences; and
- WHEREAS,** changes to Ontario Municipal Code Title 9, Chapter 3, Section 2 are desired to more effectively enforce those regulations.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Ontario, Oregon, as follows:

9-3-2 - Prohibited parking and stopping.

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

- (1) A vehicle in any alley other than for the expeditious loading or unloading of persons or materials, but in no case for a period of more than thirty (30) consecutive minutes,
- (2) A motor truck as defined by ORS 801.355 on a street between the hours of nine o'clock (9:00) P.M. and seven o'clock (7:00) A.M. of the following day in front of or adjacent to a residence, motel, apartment house, hotel, or other sleeping accommodation,
- (3) A vehicle upon a parkway or freeway, except as authorized,
- (4) A vehicle in a manner such that the front of the vehicle is facing the oncoming traffic on that side of the street, avenue, parkway, freeway or highway,
- (5) On a sidewalk,
- (6) Within an intersection,
- (7) Alongside or opposite a street excavation or obstruction when stopping, standing or parking would obstruct traffic,
- (8) Upon a bridge or other elevated structure upon a highway,
- (9) In the area between roadways of a divided highway, including crossovers,
- (10) At any place where traffic control devices prohibit stopping,
- (11) In front of a public or private driveway,
- (12) Within ten feet (10') of a fire hydrant,
- (13) Within twenty feet (20') of a crosswalk at an intersection,

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

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

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

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

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

(19) On a bicycle lane,

(20) On a bicycle path,

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

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

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

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

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

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

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

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

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

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

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

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

**APPROVED AND ADOPTED** by the Common Council of the City of Ontario this \_\_\_\_\_ day of \_\_\_\_\_, 2013, by the following vote.

AYES:

NAYS:

ABSENT:

ABSTAIN:

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

ATTEST:

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

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

**AGENDA REPORT**  
September 2, 2013

TO: Mayor and City Council

FROM: Bob Walker, Public Works Director  
Marcy Skinner, Planning & Zoning Technician

THROUGH: Jay Henry, City Manager

**SUBJECT: EAST IDAHO AVENUE TREE REPLANTING PROJECT**

DATE: August 26, 2013

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**SUMMARY:**

Attached are the following documents:

- Exhibit "A" Summary of Tree Proposals

The City was approached by Meadow Outdoor Advertising with a proposal to eradicate the diseased trees along East Idaho Avenue. This project is estimated to run approximately \$24,150, and Meadow Outdoor Advertising is requesting the City contribute \$10,000 towards the project. The Public Works Director has suggested the City's contribution to be half the cost of the concrete work and the base material installation which would be \$5,000.

The project includes the removal of ten Green Ash street trees in a row on the north side of East Idaho Avenue from the KFC/A&W Restaurant (#1639) to the Verizon store (#1671). These trees were recently evaluated from an Arborist and were found to be in a poor, diseased condition. The Arborist report is on file with the Planning Technician. Since being planted, the trees and shrubs surrounding the diseased trees have been sprayed and maintained by the City of Ontario.

**ALTERNATIVE:**

Continue spraying and maintaining trees and maintaining and collecting garbage from the surrounding shrubs.

**FINANCIAL IMPLICATIONS:**

Costs of the removal of trees, replanting of better species, stamping concrete, and regular maintenance will be saved. It has been calculated that the total maintenance cost per year saved will be \$689 per year.

**RECOMMENDATION:**

Staff recommends that the City Council approve the replanting and maintenance agreement adjacent to East Idaho Avenue with Meadow Outdoor Advertising with a contribution from the City of \$5,000.

**PROPOSED MOTIONS:**

- 1.) I move the City Council contribute \_\_\_\_\_ towards the East Idaho Avenue Street Replanting and Maintenance Agreement with Meadow Outdoor Advertising.
- 2.) I move the City Council approve the Agreement between the City of Ontario and Meadow Outdoor Advertising for the maintenance and replacement of the street trees along East Idaho Avenue in the immediate vicinity of 1657 E Idaho Ave and maintain the eight (8) trees to the east of East Lane N, based upon contract review by the City Attorney.

**SUMMARY**  
**Tree Maintenance Proposals**  
**East Idaho Avenue**

**1. Tree replacement and stamped concrete.**

- Ten (10) Green Ash trees removed from KFC to Sprint building.
- Replace trees with seven (7) climate appropriate trees.
- Install metal tree wells.
- Remove all ground cover and install stamped concrete.
- City contributes \$5000 to \$10,000 towards concrete work.

**2. Tree removal and all stamped concrete.**

- Ten (10) Green Ash trees removed from KFC to Sprint building.
- Remove ground cover and install stamped concrete – no new trees.
- City contributes \$5,000 towards concrete.

**3. Tree replacement only – no concrete**

- Ten (10) Green Ash trees removed from KFC to Sprint building.
- Replace trees with seven (7) climate appropriate trees.
- Ground cover remains in place – no new concrete.
- No City contribution – Meadow and Landowners cover all costs.

**AGENDA REPORT**  
September 3, 2013

TO: Mayor and City Council

FROM: Mark Alexander, Police Chief

THROUGH: Jay Henry, City Manager

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**SUBJECT: BID AWARD: SATHER CONSTRUCTION LLC- EVIDENCE ROOM REMODEL (\$24,500)**

DATE: September 19, 2013

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**SUMMARY:**

Attached is the following document:

- Proposal from Sather Construction LLC
- Evidence Room construction drawings

The Bid Summary is as follows:

CONTRACTOR	TOTAL
SATHER CONSTRUCTION LLC	\$24,500

**BACKGROUND:**

Historically, the Ontario Police Department stored evidence in up to four separate locations, some being off-site. Items such as guns, drugs, cash and valuables were kept in areas exposed to heat/cold and that were susceptible to theft or tampering. The police department seizes evidence that might go to the crime lab, might be held for trial or might be returned to the owner. Evidence relating to assault or sexual assault cases must be kept for extended periods of time. Evidence relating to death cases is kept forever.

Several years ago, the police department obtained an apartment building behind City Hall for a single location for evidence storage and processing. The facility is better secured and is under video surveillance. It is very convenient for officers to locate, transport, deliver or return items of evidence since it is kept in close proximity to the police department.

Very crude measures were taken to remove walls in the building in order to make the space effective for storage. This has worked for the department, but with the knowledge there are safety measures lacking.

There is a location with exposed /substandard flooring, areas of exposed electrical wiring and a lack of ventilation. The storage of drugs and clothing/materials with blood produce harmful airborne spores for those working in the facility. Through the years, storage needs have increased as well.

The Police Department has the ability to utilize a neighboring apartment to help with storage and health/safety issues. Cost estimates were obtained to upgrade and encompass the two units into one facility in the amount of \$34,900. The Budget Committee approved a CIP in the amount of \$17,500 to do half the project (One apartment unit) in the 2013-2014 FY.

Invitations for bids were advertised for the project. The only bidder was Sather Construction LLC in the amount of \$24,500. It has been realized that the project will require more work in the first phase than it will in the second. It is anticipated the entire project will ultimately be within the cost estimate.

A meeting was held with the contractor and staff is comfortable with the proposal and scope of work. Some cost saving solutions have also been identified.

**FINANCIAL IMPLICATIONS:**

\$17,500 has been designated for the project in the FY 2013-14 Police Budget. It is proposed the remaining \$7000 will come from the General Fund Administration Building and Maintenance line item.

By not funding this project, sufficient storage space for evidence continues to decline. The safety of those who work in the facility is jeopardized and the integrity of evidence that is crucial to criminal investigations becomes a negative focus during trial. The facility does not meet best practices and is very likely violating OSHA rules, which could result in fines.

**RECOMMENDATION:**

Staff recommends that the City Council authorize the expenditure of up to \$24,500 to Sather Construction LLC.

**PROPOSED MOTION:**

I move the City Council award the bid to Sather Construction LLC in the amount of \$24,500 for the first phase of the police department evidence room remodel and authorize the City Manager to sign a Large Purchase Order in that amount.

**BID FORM  
DESIGN / CONSTRUCT / REMODEL SERVICES**

**BID MUST BE SUBMITTED ON THIS FORM OR IT WILL BE CONSIDERED NON-RESPONSIVE**

The Bidder, whose legal signature binds the Bidder to the quoted prices indicated on these pages, hereby proposes as follows:

**1. BASE BID ITEMIZATION**

Except as modified within these Contract Documents, the various work items called for in the "Bid Proposal" shall be performed, measured, and paid for as indicated on the "Bid Proposal" and as provided in the 2010 Edition of the IDAHO STANDARDS FOR PUBLIC WORKS CONSTRUCTION (ISPWC), as amended including all supplements and revisions, and the 2008 City of Ontario Supplemental to the ISPWC.

**BID**

Bid Item	Description	Unit	Quantity	Unit Price	Extended Total Amount
1	Design Phase	LS	1	1850 <sup>00</sup>	1850 <sup>-</sup>
2	Demolition	LS	1	050 <sup>00</sup>	050 <sup>-</sup>
3	Structural	LS	1	950 <sup>00</sup>	950
4	Drying Stalls	Ea.	2	1425 <sup>00</sup>	1850
5	Drug Evidence Holding Area	LS.	1	3600 <sup>-</sup>	3600 <sup>-</sup>
6	1 <sup>st</sup> . Floor Treatment	Sq. Ft.	460	1.85	850
7	2 <sup>nd</sup> Floor Treatment	Sq. Ft.	460	4.15	1909
8	Painting / Coating	LS	1	1500 <sup>-</sup>	1500
9	Ceiling Treatment	LS	1	1600 <sup>-</sup>	1600
10	Space Divider	LS	1	1200	1200
11	Electrical	LS	1	3300	3300
2010.4.1.A.1	Mobilization	Set Price	1	\$1,500	\$ 1,500
<b>TOTAL BID AMOUNT</b>					<b>25,159<sup>00</sup></b>

**TOTAL BID AMOUNT**

\$ Twenty five thousand one hundred fifty nine and 00/100 dollars  
(Amount written out in words)

Bidder acknowledges that quantities are not guaranteed and final payment will be based on quantities determined per the Contract Documents. Bid amount shall be made based on Instructions to Bidders, Article 9. In comparison of bids, bids will be evaluated based on the Total Bid Amount.

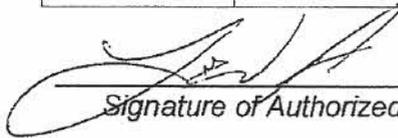
**2 ALTERNATE BID**

There is no alternate bid in this project.

3 BID DESCRIPTIONS

BID ITEM DESCRIPTIONS

Item	Description	Item Description/Method of Payment
1	Design Phase	By the lump sum. Provide design adequate for permit submittal with sufficient detail to guide construction of the facilities identified in these contract documents.
2	Demolition	By the lump sum. Provide all demolition, including asbestos removal services, as required. Includes all removal and legal disposal of demolition elements.
3	Structural	By the lump sum. After removal of the stairway provide floor joist extensions structurally tie 2 <sup>nd</sup> floor joists across to wall. Includes all struts, ties and accessories required to accept full load.
4	Drying Stalls	Payment for each drying stall provided. Payment includes all framing, setting, flooring, handling, plumbing, sealing, placement and all equipment connections required to provide a complete evidence drying stall as described herein.
5	Drug Evidence Holding Area	By the lump sum. Payment for all construction to build an isolated drug holding area that meets the specified criteria. Work includes all carpentry, materials, equipment, parts and labor to provide a complete evidence holding area. Also included in this bid item is the plumbing and installation of a personal sink and hygiene station with hot water heater.
6	Floor Treatment Ground Floor	By the square foot. Payment for all work associated with preparation of the 1 <sup>st</sup> floor for occupancy. Work includes all coatings, attachments and other specified improvements related to the walking surface of the first floor.
7	2 <sup>nd</sup> Floor Treatment	By the square foot. Payment for all work associated with preparation of the 2 <sup>nd</sup> floor for occupancy outside the drying stalls area. Work includes all coatings, attachments, and hinged access or other 2 <sup>nd</sup> floor access and all other specified improvements associated with providing a uniform 2 <sup>nd</sup> floor surface.
8	Painting / Coating	By the lump sum. Payment for providing two coats of approved coating materials to all interior surfaces as specified.
9	Ceiling Treatment	By the lump sum. All work associated with covering of exposed ceiling and installation of new sheet rock ceiling.
10	Space Divider	By the lump sum. Provide chain link or other approved divider with gate on first floor.
11	Electrical	Lump Sum. Payment for all electrical work required to meet the specifications regarding lighting, ventilating fans, water heater, circuit changes, panel relocation and other needed electrical service.
12	Mobilization	Contractor shall be paid the stated mobilization amount upon receipt of contract, evidence of insurance coverage and receipt of permit suitable design drawings for submission to the project manager.

  
 \_\_\_\_\_  
 Signature of Authorized Representative

6/12/15  
 \_\_\_\_\_  
 Date

LARRY SATHER  
 \_\_\_\_\_  
 Printed Name of Authorized Representative

708-230-7634  
 \_\_\_\_\_  
 Telephone

Sather Construction LLC  
 \_\_\_\_\_  
 Company Name

sather.construction@CityOfOntario.com  
 \_\_\_\_\_  
 E-Mail

**SIGNATURE PAGE  
DESIGN / CONSTRUCT / REMODEL SERVICES**

The undersigned agrees to perform all work as listed in the Contract Specifications sections, for the price(s) stated; and that all articles supplied under any resultant contract will conform to the specifications herein,

The undersigned agrees to be bound by all applicable laws and regulations, the accompanying specifications and by City policies and regulations.

The undersigned, by submitting a bid, represents that:

- A) The Bidder has read and understands the specifications.
- B) Failure to comply with the specifications or any terms of the Invitation to Bid may disqualify the Bidder as being non-responsive.

The undersigned certifies that the bid has been arrived at independently and has been submitted without any collusion designed to limit competition.

The undersigned certifies that all addenda to the specifications has been received and duly considered and that all costs associated with all addenda have been included in this bid:

Addenda: No. 0 through No. 0 inclusive.

We therefore submit this bid to furnish services at the price(s) indicated herein in fulfillment of the attached requirements and specifications of the City.

Bidder (Company Name): Sather Construction LLC

Address: 350 S. S 15<sup>th</sup> St  
Ontario, OR 97914

Telephone Number: 208-230-7634 Fax Number: 541-889-3041

By: [Signature] Date: 8/12/13  
(Signature of Authorized Official. If partnership, signature of one partner.)

Typed Name/Title: LARRY SATHER / OWNER

If corporation, attest: \_\_\_\_\_  
(Corporate officer)

Corporation       Partnership       Individual

Federal Tax Identification Number (TIN): 26-2639041

Oregon State Construction Contractor's Board No.: 182350 Exp. Date: 6/6/14

**SUBCONTRACTOR INFORMATION SHEET  
DESIGN / CONSTRUCT / REMODEL SERVICES**

All subcontracting shall be subject to the approval of Owner (see Section B, Item 6).

Name: Fruitland Electric CCB#: 105538

Type of work to be performed under this service agreement: Electrical

Licensed? (please list licenses): Electrician - 37-303C

Name: A. A. I Demolition CCB#: 67417

Type of work to be performed under this service agreement: Asbestos Abatement

Licensed? (please list licenses): Oregon Asbestos # FCS-454

Name: \_\_\_\_\_ CCB#: \_\_\_\_\_

Type of work to be performed under this service agreement: \_\_\_\_\_

Licensed? (please list licenses): \_\_\_\_\_

Name: \_\_\_\_\_ CCB#: \_\_\_\_\_

Type of work to be performed under this service agreement: \_\_\_\_\_

Licensed? (please list licenses): \_\_\_\_\_

REFERENCE SHEET  
DESIGN / CONSTRUCT / REMODEL SERVICES

Provide at least five (5) references.

REFERENCES

GJE Architect (Dion)  
Reference #1

208-866-3457  
Telephone Number

Ontario, OCDC Chimney Removal  
Project Title

Dion  
Contact Individual

Clinton Phillips  
Reference #2

208-739-3564  
Telephone Number

Construct New Home / Design Build  
Project Title

Clinton  
Contact Individual

Bob Quinn (TQ Properties)  
Reference #3

208-284-5811  
Telephone Number

Multiple Projects  
Project Title

Bob  
Contact Individual

Kreizenbeck Constructors  
Reference #4

208-336-9500  
Telephone Number

Walley Family  
Project Title

?  
Contact Individual

Express Cash  
Reference #5

602-321-9357  
Telephone Number

Multiple TI's  
Project Title

Paul  
Contact Individual

Reference #6

Telephone Number

Project Title

Contact Individual

**BIDDER'S CERTIFICATIONS STATEMENTS AS REQUIRED BY CERTAIN OREGON  
REVISED STATUTES (ORS)  
DESIGN / CONSTRUCT / REMODEL SERVICES**

The Bidder, Sather Construction LLC certifies to the following:  
(Company Name)

(1) Bidder understands that pursuant to ORS 279A.110, discrimination in subcontracting is prohibited. Any contractor who contracts with a public contracting agency shall not discriminate against minority, women or emerging small business enterprises in the awarding of contracts.

By signature of the authorized representative of the bidder/proposer, the bidder/proposer hereby certifies to the City of Ontario, Oregon that this bidder/proposer has not discriminated against minority, women, or emerging small business enterprises in obtaining any subcontracts; and, further, that if awarded the contract for which this bid or proposal is submitted, shall not so discriminate.

(2) Bidder is registered with the Oregon Construction Contractors Registration Board in accordance with ORS 701.035 through 701.055. The Bidder certifies that Registration Number 182332 allows his/her company to perform work on Public Works Projects and that this registration is current and valid. The bidder further certifies that, if awarded the contract, all subcontractors performing work will be registered with the Construction Contractors Registration Board in accordance with the referenced ORS before the subcontractors commence work under the contract. (ORS 279C365).

(3) Bidder submitting this bid shall indicate below if the Bidder is a resident or nonresident bidder as defined by ORS 279A.120. A "resident bidder" is defined as a bidder that has paid unemployment taxes or income taxes in Oregon during the twelve (12) calendar months immediately preceding submission of this bid and has a business address in Oregon. (see ORS 279C.365).

- Resident Bidder  
 Non-resident Bidder

(4) Bidder has an employee drug testing program that meets state and federal standards (ORS 279C.505)

(5) Bidder affirms that he/she is in compliance with State of Oregon tax laws in accordance with ORS 305.385.

(6) Bidder and Bidders subcontractors are not on the Oregon Construction Contractors Board list of corporations, partnerships or other business entity of which the Contractor or subcontractor is (or was) an owner, shareholder, or officer of the business and who have been determined not to be qualified to hold or participate in a public contract for a public improvement.

Date: 8/12/13

Signature: [Signature]

Printed Name/Title: Larry Sather / Owner

Name of Firm: Sather Construction LLC

## EXHIBIT A SCHEDULE OF WORK

Basic description: Contractor is to remove interfering portions of the existing structure of apartment 6. Prepare concept design drawings for Owner review and approval and Owner paid building permit. Using appropriate techniques and a licensed asbestos contractor, remove identified asbestos hazards associated with the apartment. (See Exhibit B for asbestos report). Remove stairs, provide continuation of 2<sup>nd</sup> floor joists. Install 2<sup>nd</sup> floor access hatch or alternative 2<sup>nd</sup> floor access to complete construction. Re-plumb and construct as required to provide two evidence drying/washing stalls. Stalls shall have individually controlled water attachments with spray head hose extension. Provide 3<sup>rd</sup> stall/isolation area for holding of drugs and hazardous materials. Provide air circulation, plumbing, mechanical and electrical modifications as required to meet the design requirements.

Provide new ceiling. Finish and paint all surfaces. Provide floor treatments, coatings and accessories all as specified.

### DESIGN SERVICES

City will provide existing layout drawings (See Drawing Schedule) to Contractor, in AUTOCAD format upon contract award.

#### 1. DESIGN PHASE

A. Provide Contractor developed scaled drawing showing demolition of the following elements:

- Demolition ground level and 2<sup>nd</sup> level storage cabinets and cupboards.
- Removal of plumbing fixtures and apparatus except those elements to be retained for drying stalls and/or drug evidence holding area.
- Expose existing plumbing chase for engineer examination.
- Provide an asbestos removal plan by a licensed abatement contractor in accordance with applicable statutes. Show removal of identified asbestos materials.
- Remove closet walls: sheetrock, studs, nails, attachments etc. to provide a fully exposed wall and floor free of debris, coverings and interferences.
- Remove storage bins, shelves, racks as required to open up the space.
- Remove window and associated hardware and framing.
- Remove interfering portions of electrical circuits, heating controls and HVAC facilities.

B. Design: Provide scaled drawing showing work to be completed by contractor. Drawings shall be prepared by engineer, architect or designer. Include:

- Plumbing – Connections to existing and terminations.
- Drying stalls.
- Drug evidence holding area.
- 2<sup>nd</sup> Floor structure (joist ties).
- Electrical changes.
- Call outs, manufacturer, cut sheet or other means of identifying all appliances, fans, switches, plumbing material, etc.
- Note cosmetic or finish requirements.
- Identify window modifications.



**LEGEND**

NOTES:

- 1. REMOVE WALLS, PLUMBING, ELECTRICAL AS REQUIRED TO PREPARE FOR DRYING STALLS AND DRUG STORAGE REMOVAL PLAN
- 2. REMOVE ASBESTOS PER APPROVED REMOVAL PLAN
- 3. REMOVE WINDOW BARS AND FRAME FOR NEW CONSTRUCTION
- 4. EXISTING ELECTRICAL PANEL
- 5. DEMOLITION AREAS
- 6. CUT OUT 3' x 7' 2ND FLOOR DOORWAY
- 7. REMOVE EX. WALL MOUNTED AIR CONDITIONER
- 8. REMOVE CARPET TYP

**KEY MAP**

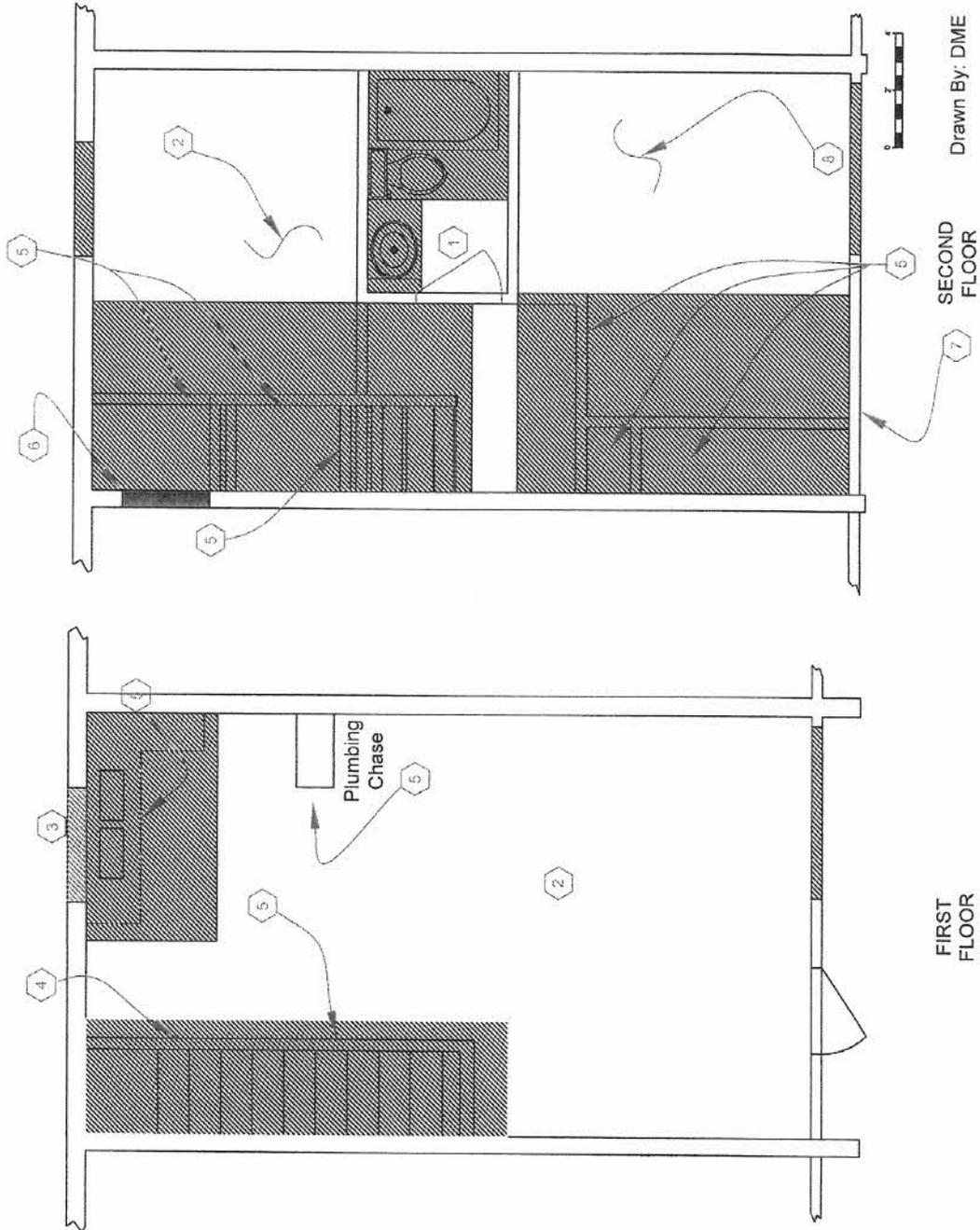
NOTE:  
1. CONTRACTOR DEMOLITION DRAWING REQUIRED



SCALE	SHEET NUMBER
1"=4'	1 of 2
PLOT DATE	
7-27-13	
TITLE	
EVIDENCE ROOM - DEMOLITION	

**Police Apartment #6**

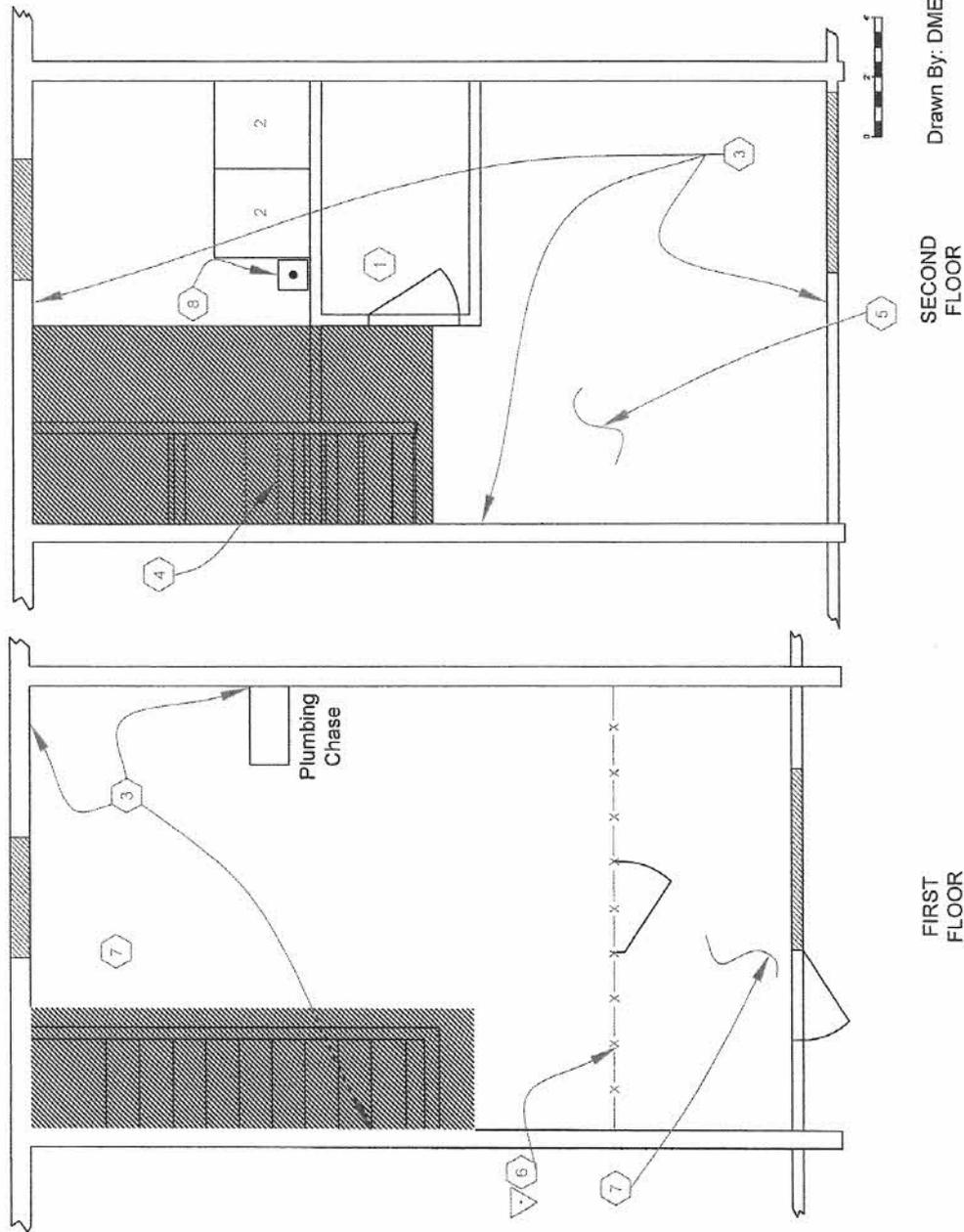
DEMOLITION SCHEDULE



# Police Apartment #6

WORK SCHEDULE

FINAL LOCATION SET IN DESIGN BY CONTRACTOR



CITY OF ONTARIO



## LEGEND

- NOTE: ALL WORK IN EAST UNIT
- 1 DRUG EVIDENCE ▽ 28 SQ FT MIN.
  - 2 DRYING STALL ▽ 2 REOD
  - 3 PAINTING AND COATING (ALL SURFACES)
  - 4 EXTEND FLOOR JOISTS OVER ENTIRE STAIRWAY OPENING (TYP)
  - 5 FLOOR TREATMENT VINYL
  - 6 SPACE DIVIDER WITH LOCKABLE GATE
  - 7 FLOOR TREATMENT EPOXY
  - 8 11" X 12" HYGIENE SINK WITH HEATER
- SEE WK SCHED FOR CEILING TREATMENT

## KEY MAP

NOTE: CONTRACTOR TO PROVIDE PERMIT DRAWINGS AND FINAL LOCATION



SCALE	SHEET NUMBER
1" = 4'	2 of 2
PLOT DATE	
07-27-13	
FILE NAME	
EVIDENCE ROOM IMPROVEMENTS	