

AGENDA

REGULAR CITY COUNCIL MEETING

June 27, 2011

5:30 p.m.

CITY HALL COUNCIL CHAMBER  
313 COURT STREET  
THE DALLES, OREGON

1. CALL TO ORDER
2. ROLL CALL OF COUNCIL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF AGENDA
5. PRESENTATIONS/PROCLAMATIONS
6. AUDIENCE PARTICIPATION

During this portion of the meeting, anyone may speak on any subject which does not later appear on the agenda. Five minutes per person will be allowed. If a response by the City is requested, the speaker will be referred to the City Manager for further action. The issue may appear on a future meeting agenda for City Council consideration.

7. CITY MANAGER REPORT
8. CITY ATTORNEY REPORT
9. CITY COUNCIL REPORTS
10. CONSENT AGENDA

Items of a routine and non-controversial nature are placed on the Consent Agenda to allow the City Council to spend its time and energy on the important items and issues. Any Councilor may request an item be "pulled" from the Consent Agenda and be considered separately. Items pulled from the Consent Agenda will be placed on the Agenda at the end of the "Action Items" section.

- A. Approval of June 13, 2011 Regular City Council Meeting Minutes
- B. Approval of June 6, 2011 Town Hall Meeting Minutes
- C. Approval of June 8, 2011 Special City Council Meeting Minutes
- D. Approval of Amendment #4 to Operations Management International (OMI) Agreement to Operate the Wastewater Treatment Plant for Fiscal Year 2011-12

11. PUBLIC HEARINGS

- A. Public Hearing to Receive Testimony Regarding Right of Way Vacation for Portions of East Seventh Street, Washington Street, and Alley East of Court Street **[Agenda Staff Report #11-062]**
- B. Public Hearing to Receive Testimony Regarding the 2011-12 Fiscal Year Budget **[Agenda Staff Report #11-063]**
  - 1. Resolution No. 11-016 Adopting the Fiscal Year 2011-12 Budget for the City of The Dalles, Making Appropriations, Authorizing Expenditures, Levying Taxes, and Authorizing the City Manager to Take Such Action as Necessary to Carry Out the Adopted Budget

12. CONTRACT REVIEW BOARD ACTIONS

- A. Award Professional Services Engineering Contract for Development of the Wastewater Facility Master Plan Update **[Agenda Staff Report #11-056]**

13. ACTION ITEMS


- A. Resolution No. 11-022 Authorizing Transfers of Funds Between Categories of Various Funds, Making Appropriations and Authorizing Expenditures for the Fiscal Year Ending June 30, 2011 **[Agenda Staff Report #11-064]**
- B. Special Ordinance No. 11-541 Assessing Various Properties for the Cost of Noxious Vegetation Assessments **[Agenda Staff Report #11-060]**
- C. Resolution No. 11-021 Assessing Property Located at 1014 Garrison Street for the Cost of Nuisance Abatement Assessment **[Agenda Staff Report #11-061]**

14. ADJOURNMENT

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**This meeting conducted in a handicap accessible room.**


Prepared by/  
Julie Krueger, MMC  
City Clerk

  
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**AGENDA STAFF REPORT**  
**CITY OF THE DALLES**

MEETING DATE	AGENDA LOCATION	AGENDA REPORT #
June 27, 2011	Consent Agenda 10, A - D	N/A

**TO:** Honorable Mayor and City Council

**FROM:** Julie Krueger, MMC, City Clerk 

**THRU:** Nolan K. Young, City Manager

**DATE:** June 15, 2011

**ISSUE:** Approving items on the Consent Agenda and authorizing City staff to sign contract documents.

**A. ITEM:** Approval of June 13, 2011 Regular City Council Meeting Minutes.

**BUDGET IMPLICATIONS:** None.

**SYNOPSIS:** The minutes of the June 13, 2011 regular City Council meeting have been prepared and are submitted for review and approval.

**RECOMMENDATION:** That City Council review and approve the minutes of the June 13, 2011 regular City Council meeting.

**B. ITEM:** Approval of June 6, 2011 Town Hall Meeting Minutes.

**BUDGET IMPLICATIONS:** None.

**SYNOPSIS:** The minutes of the June 6, 2011 Town Hall meeting have been prepared and are submitted for review and approval.

**RECOMMENDATION:** That City Council review and approve the minutes of the June 6, 2011 Town Hall meeting.

C. **ITEM:** Approval of June 8, 2011 Special City Council Meeting Minutes.

**BUDGET IMPLICATIONS:** None.

**SYNOPSIS:** The minutes of the June 8, 2011 special City Council meeting have been prepared and are submitted for review and approval.

**RECOMMENDATION:** That City Council review and approve the minutes of the June 8, 2011 special City Council meeting.

D. **ITEM:** Approval of Amendment No. 4 to Operations Management International (OMI) Agreement to Operate the Wastewater Treatment Plant for Fiscal Year 2011-12.

**BUDGET IMPLICATIONS:** Expenditure for the contract is identified in the approved 2011-12 Wastewater Fund, line code 3110. The total cost of the contract amendment will be \$880,550 and is within the funds available for this purpose.

**SYNOPSIS:** The city entered into a 10 year contract with OMI beginning July 1, 2008 to provide contract operation of the Wastewater Treatment Plant. The approved 2011-12 budget anticipated payment for the fourth year of that contract.

The contract renewal reflects a total annual cost increase of less than 0.01% (\$88) compared to 2010-11. This amendment will pay a management fee of \$119,161 to OMI, an increase of 5.64% over last year. Direct costs of the facility (Labor and benefit, materials and services) are decreasing 01.8% to \$761,389. A philosophy of mutual risk/benefit has been maintained in the amendment as the City and OMI will equally split the costs of any increases in electrical costs above the budgeted amount up to 10%. The City remains liable for any electrical rate increased above the 10%.

**RECOMMENDATION:** That the City Council approve the contract amendment as proposed by OMI and authorize the City Manager to sign Amendment No. 4.

## **MINUTES**

REGULAR COUNCIL MEETING  
OF  
JUNE 13, 2011  
5:30 P.M.  
CITY HALL COUNCIL CHAMBER  
313 COURT STREET  
THE DALLES, OREGON

**PRESIDING:** Mayor Jim Wilcox

**COUNCIL PRESENT:** Bill Dick, Carolyn Wood, Dan Spatz, Brian Ahier, Tim McGlothlin

**COUNCIL ABSENT:** None

**STAFF PRESENT:** City Manager Nolan Young, City Attorney Gene Parker, City Clerk Julie Krueger, Public Works Director Dave Anderson, Community Development Director Dan Durow, Senior Planner Dick Gassman, Police Chief Jay Waterbury, Administrative Intern Will Norris, Librarian Sheila Dooley, Finance Director Kate Mast, RARE Planner Thomas Gilbertson

### **CALL TO ORDER**

Mayor Wilcox called the meeting to order at 5:32 p.m.

### **ROLL CALL**

Roll call was conducted by City Clerk Krueger; Dick and Wood absent.

### **PLEDGE OF ALLEGIANCE**

Mayor Wilcox invited the audience to join in the Pledge of Allegiance.

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Regular Council Meeting  
June 13, 2011  
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**Councilor Dick in attendance at 5:33 p.m.**

### **APPROVAL OF AGENDA**

It was moved by McGlothlin and seconded by Ahier to approve the agenda as amended, by adding approval of an OLCC application and increasing the number of surplus telephones from four to six on the Consent Agenda and adding a Proclamation for National Skateboard Day. The motion carried unanimously, Wood absent.

### **PRESENTATIONS/PROCLAMATIONS**

#### **National Guard Employer Support**

Mayor Wilcox said he had received a Certificate from the National Guard and Reserves, recognizing the City for their support of employing the National Guard and Reserves.

#### **National Skateboarding Day**

Mayor Wilcox read a Proclamation, declaring June 21, 2011 as National Skateboarding Day.

**Councilor Wood in attendance at 5:35 p.m.**

Northern Wasco County Parks and Recreation District Director Scott Green accepted the Proclamation and thanked the City for their support of new skate park. He said they were still working to complete landscaping, signage and parking, but that the park was already being heavily used.

### **AUDIENCE PARTICIPATION**

None.

### **CITY MANAGER REPORT**

None.

### **CITY ATTORNEY REPORT**

City Attorney Parker said he would be in Portland on Friday to conclude depositions in a lawsuit. Parker said he had researched a previous Council decision to direct staff to pick up yard sale signs on Mondays and wanted to reiterate that decision. He said the Planning Commission had

MINUTES (Continued)  
Regular Council Meeting  
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recently discussed the issue of real estate signs in rights of way and they would be recommending that no signs be allowed in rights of way.

### **CITY COUNCIL REPORTS**

Councilor Ahier reported that the Council of Governments Senior Advisors Committee was currently working on some policies and recommendations regarding the continuation of senior programs, including Meals on Wheels, in the event the programs lose their current funding sources.

Mayor Wilcox said he had attended a meeting with several Columbia Gorge Mayors to meet the new CEO of Insitu Corporation. He said while a decision regarding the location of their new facility had not been made, the CEO did say it would be located in the Gorge. Wilcox reported a plane, based at our airport, had crashed over the weekend. He said the Council had conducted performance evaluations for the City Manager, City Attorney and Municipal Judge last week.

Mayor Wilcox congratulated Payroll Clerk Janet Bloom for completion of her Associates degree.

### **CONSENT AGENDA**

It was moved by Wood and seconded by Spatz to approve the Consent Agenda as amended. The motion carried unanimously.

Items approved by Consent Agenda were: 1) approval of May 23, 2011 regular City Council meeting minutes; 2) Resolution No. 11-019 concurring with the Mayor's appointment of Mike Kilkenny to the Traffic Safety Commission; 3) approval to declare library telephones as surplus property and donate to Home at Last Humane Society; 4) approval to declare Police Department equipment as surplus property; 5) Resolution No. 11-017 continuing the use of Public Works Reserve Fund, Street/Bridge Replacement Fund, Unemployment Fund, Water Special reserve Fund, Sewer special Reserve Fund and Sewer Plant Construction Debt Service Reserve Fund; and 6) authorization for City Clerk to endorse an OLCC application for a winery for Maison de Glace.

### **PUBLIC HEARINGS**

#### **Public Hearing to Receive Testimony Regarding Proposed Uses of State Revenue Sharing**

Mayor Wilcox congratulated Finance Director Kate Mast for receiving a Certificate of Achievement for the 2010 Comprehensive Annual Financial Report.



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Regular Council Meeting  
June 13, 2011  
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Mayor Wilcox reviewed the procedures to be followed for the public hearing.

The staff report was reviewed by Finance Director Kate Mast.

Testimony

No testimony was provided.

Resolution No. 11-015 Declaring the City's Intention to Receive State Revenue

It was moved by Ahier and seconded by Wood to adopt Resolution No. 11-015 declaring the City's intention to receive State revenue. The motion carried unanimously.

Public Hearing to Receive Testimony Regarding the Fiscal Year 2011-12 Budget and Changes Proposed by Staff

Mayor Wilcox reviewed the procedures to be followed for the public hearing.

Finance Director Mast reviewed the staff report. She provided some additional proposed changes regarding expectations in the Special Grants and General Funds. Mast noted an additional hearing would be required at the next meeting to address a change to the Street and Bridge Replacement Fund that would exceed the change limit of \$5,000 or 10%.

Testimony

No testimony was presented.

Council Deliberation

Mayor Wilcox said the City was fortunate to have a dedicated staff and Budget Committee and commended them all for their work on the budget.

It was moved by Ahier and seconded by Wood to approve the proposed changes to the budget approved by the Budget Committee that were within the \$5,000 or 10% limit as described in staff reports dated May 27, June 9, and June 13, 2011, to the General Fund, Street Fund, Water Reserve Fund, Wastewater Fund, Sewer Special Reserve Fund, State Office Building Fund, and Capital Projects Fund; and to hold a public hearing on June 27, 2011 on the proposed change to the Street and Bridge Replacement Fund that exceeds that limit.

Wilcox clarified that the City Council budget did not include funding for the Confluence Project or the Tradition in Compassion sponsorship. City Manager Young said the Council could consider the projects at a later time if they wished to, but there had been consensus to not add any additional programs this year.

Wilcox said he did not support the \$25,000 contribution toward the Discovery Center debt service, especially since the City recently had to pay \$28,000 in sewer line repairs for the line that was used by the Discovery Center. He said the City would have additional costs in maintaining that infrastructure and should not have to pay additional money to the County.

The motion to approve the proposed changes to the budget approved by the Budget Committee that were within the \$5,000 or 10% limit as described in staff reports dated May 27, June 9, and June 13, 2011, to the General Fund, Street Fund, Water Reserve Fund, Wastewater Fund, Sewer Special Reserve Fund, State Office Building Fund, and Capital Projects Fund; and to hold a public hearing on June 27, 2011 on the proposed change to the Street and Bridge Replacement Fund that exceeds that limit was voted on and carried unanimously.

Public Hearing to Receive Testimony Regarding Proposed Vacation of a Portion of Terrace Drive and East Terrace Drive

Mayor Wilcox reviewed the procedures to be followed for the hearing.

Senior Planner Dick Gassman reviewed the staff report.

Councilor Dick declared a conflict of interest as a representative of the estate of Mr. Mayfield and said he would not participate in the issue.

Testimony

No testimony was provided.

Council Deliberation

It was moved by Wood and seconded by Spatz to approve the requested partial street vacation for a portion of Terrace Drive and a portion of East Terrace Drive, based on the findings of staff and City Council, and direct staff to prepare an ordinance for adoption at a future meeting, completing the vacation process. The motion carried unanimously, Dick abstaining.

**CONTRACT REVIEW BOARD ACTIONS**

Award Contract for Fire Fuels Reduction Project Within The Dalles Municipal Watershed

Public Works Director Dave Anderson reviewed the staff report.

Councilor Spatz said he was pleased to read the trees would be used in a different manner and not be burned.

In response to a question, Public Works Director Anderson said there were approximately 22,000 acres of land in the watershed, with the City owning about 6,000 acres. He said the City had done a good job over the years of managing its land with a timber management program and it was in better condition with regard to fire fuels than the other acreage. Anderson said the City continued to work with the US Forest Service to reduce the risk of wild fires.

Anderson said this project would be located in areas below Crow Creek Dam.

It was moved by Spatz and seconded by Wood to authorize the City Manager to enter into contract with Dodge Logging, Inc. in the amount of \$193,769 for the Watershed Forest Fire Fuels Reduction Project. The motion carried unanimously.

Authorization for Purchase of a Used Radio Based Drive By Automated Meter Reading (AMR) System for the City's Water Meters

Public Works Director Anderson reviewed the staff report. He said this system would free up a lot of staff time which could be used to address a backlog of projects.

Water Distribution Manager Ray Johnson said the price to purchase a fixed system would be approximately \$1.5 million. He said the batteries for the proposed system had a 20 year warranty and the system would be installed by current staff over a one year period.

Councilor Ahier questioned whether there would be enough money in the budget to paint Sorosis Reservoir if the money was used to purchase the meter system. Public Works Director Anderson he couldn't guarantee there would be enough money for the reservoir painting.

It was moved by Wood and seconded by McGlothlin to authorize the purchase of 4,300 used AMR radios from Roats Water District in the amount of \$103,200; 520 new radios; a mobile reading system; and a maintenance agreement for \$51,850; and wire splice kits for \$9,688. The motion carried unanimously.

### **ACTION ITEMS**

#### **Approval of Renewal of Insurance for Property, Liability and Worker's Compensation for the 2011-12 Fiscal Year**

The staff report was reviewed by Insurance Agent of Record Jerry Frazier. He recommended keeping CCIS for property and liability insurance and SAIF for worker's compensation.

It was moved by Ahier and seconded by Spatz to approve the renewal of the City's insurance coverage as recommended. The motion carried unanimously.

#### **Resolution No. 11-018 Adopting Fiscal Management Policies for the City of The Dalles**

Finance Director Mast reviewed the staff report.

Mayor Wilcox said on page 4, Section 3, F, 1, contained the word "shall" and questioned if it should be changed to "strive" so it matched the language in Section 3, G. He said the purchasing authority levels listed in Section 5, B were in conflict. Finance Director Mast said the purchasing authority listed in Section 5, B, 1, should be from zero to \$1,000, not \$5,000. She said the corrections would be made as proposed.

It was moved by McGlothlin and seconded by Dick to adopt Resolution No. 11-018 adopting fiscal management policies for the City of The Dalles as amended. The motion carried unanimously.

#### **Approval of Agreement with Northern Wasco County PUD for Use of Utility Poles for Downtown WiFi Project**

City Attorney Parker reviewed the staff report. He said the City was waiting to hear back from the PUD regarding the amount of insurance required and said the pole fee was \$30, not the \$75 amount listed. Parker said he expected the actual expenditures would be approximately \$2,240.

Councilor McGlothlin asked when the project would be completed. City Manager Young said it was expected to be completed mid-summer. Young said there would be between 30 and 40 units, with 18 being placed on utility poles.

It was moved by Wood and seconded by Spatz to authorize the City Manager to execute the agreement with the Northern Wasco County PUD for installation of equipment for the downtown high speed wireless system. The motion carried unanimously.

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Approval of Exempt Employee Compensation Package for Fiscal Year 2011-12

City Manager Young reviewed the staff report.

Mayor Wilcox said he would wanted to revisit some of the Department Manager salaries in the near future, saying they should not all be the same because the duties were very different, especially for the Police Chief and Public Works Director.

Councilor Ahier agreed, saying those two position provided vital services to the City. Spatz also agreed with the proposal to review some of the salaries. It was agreed to discuss the matter at a future meeting.

Wilcox said he had researched some salaries in the private sector and found that while they were paid well, they were far below the salaries of public employees and often did not include health benefits and retirement benefits.

Councilor Ahier said he favored alternative 3, to provide a 1% cost of living adjustment effective July 1, for the exempt employees.

City Manager Young discussed the proposal to increase the number of hours employees could transfer to VEBA accounts.

It was moved by Ahier and seconded by Spatz to reclassify the Development Inspector position as recommended. The motion carried unanimously.

It was moved by Dick and seconded by Spatz to continue the current share in the insurance premiums and approve the proposed amendment to the VEBA contributions as recommended. The motion carried unanimously.

It was moved by Dick and seconded by Spatz to continue the current share in the insurance premiums and approve the proposed amendment to the VEBA contributions for the City Manager and City Attorney. The motion carried unanimously.

It was moved by Spatz and seconded by Dick to approve a 1% cost of living adjustment for the exempt employees, effective January 1, 2012.

Councilor Ahier said he favored granting the cost of living adjustment effective July 1, 2011. He said this was a one year proposal, compared to the bargaining unit's three year contract.

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Regular Council Meeting  
June 13, 2011  
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The motion to approve a 1% cost of living adjustment for the exempt employees, effective January 1, 2012 was voted on and carried; Ahier voting no.

Resolution No. 11-020 Implementing GASB 54 by Committing the Ending Fund Balances of the Special Assessments Fund and Capital Improvement Fund to Specific Purposes

Finance Director Mast reviewed the staff report.

It was moved by Ahier and seconded by Spatz to adopt Resolution No. 11-020 implementing GASB 54 by committing the ending fund balances of the Special Assessments Fund and Capital Improvement Fund to specific purposes. The motion carried unanimously.

**DISCUSSION ITEMS**

Discussion Regarding Oregon Main Street Program Participation

City Manager Young reviewed the staff report. He explained the need to provide long term work on the Main Street Program, while continuing to focus on the volunteer efforts needed to carry the program forward. Young said the plan was to have the full-time intern work 50% on Main Street Program, focusing on developing a work plan for the legal and organizational structures, a financial plan, fundraising, and outreach.

Councilor Spatz said he strongly supported the program and said he felt it needed full time attention for the first six months. Young said it was important to continue to be a volunteer driven program and that the City had not been providing full time staff, with the current employee dividing his time between two large projects.

Councilor Ahier said he supported the City Manager's plan.

Mary Merrill, Small Business Development Center, said she had been involved in the Program for two years and expressed concern about bringing a new staff person to the project at this time. She said Thomas Gilbertson had been great to work with and that she feared the program would fall apart without him continuing to work on it.

City Manager Young said the intern tasks were not designed for specific people, though the program was intended to help grow the next generation of municipal administrators, while helping the City at the same time. He said the interns were primarily those who had received a bachelor's degree and were working toward a master's degree in public administration.

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Mike Zingg, Steering Committee member expressed his support for Thomas Gilbertson and said he had done great work for the program. He said the City should be concerned about providing consistency and continuity to support the program.

It was the consensus of the Council to support the City Manager's plan to create a full-time intern position for a one year period, with duties being divided between the Main Street Program and other administrative projects.

**ADJOURNMENT**

Being no further business, the meeting adjourned at 8:10 p.m.

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Submitted by/  
Julie Krueger, MMC  
City Clerk

SIGNED:

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James L. Wilcox, Mayor

ATTEST:

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Julie Krueger, MMC, City Clerk

## **MINUTES**

TOWN HALL MEETING  
OF  
JUNE 6, 2011  
5:30 P.M.  
MID COLUMBIA SENIOR CENTER  
THE DALLES, OREGON

**PRESIDING:** Mayor Jim Wilcox

**COUNCIL PRESENT:** Bill Dick, Carolyn Wood, Dan Spatz, Tim McGlothlin

**COUNCIL ABSENT:** Brian Ahier

**STAFF PRESENT:** City Manager Nolan Young, City Attorney Gene Parker, City Clerk Julie Krueger, Public Works Director Dave Anderson, Police Captain Ed Goodman, Librarian Sheila Dooley, Community Development Director Dan Durow, Finance Director Kate Mast, Administrative Intern Will Norris, RARE Planner Thomas Gilbertson

### **CALL TO ORDER**

Mayor Wilcox called the meeting to order at 5:30 p.m.

### **UPDATE REGARDING GRANADA BLOCK DEVELOPMENT**

An update was provided by City Manager Young. He explained three properties had been purchased by Urban Renewal Agency, including the Granada Theater, Recreation and Blue Building and that the Agency had entered into a Memorandum of Understanding with a Developer to begin working on a commercial development that would include a hotel, conference area, event facility and recreation.

Young said archaeological testing would be done and if significant historical items found, a mitigation plan would be developed. He said the intent was to have any artifacts be curated locally.



MINUTES (Continued)  
Town Hall Meeting  
June 6, 2011  
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In response to a question, Young said an extension of the Memorandum of Understanding had been granted and that once the archaeological concerns had been raised, an additional 90 days was granted to address the issue. City Attorney Parker said it was expected that the disposition and development agreement would be completed in August.

Donna Lawrence, 222 West 12<sup>th</sup> Street, The Dalles, asked how the project got started and whose idea it was.

City Manager Young said urban renewal projects were often opportunity driven and the Agency had previously considered purchasing the Blue Building to have included in the Washington Street development. He said the Agency had been approached by a private developer with the idea to re-develop the entire block. Young said funding to purchase the properties had been from a bond sale and money set aside for other projects. He said the money would have to be repaid to the Agency by the Developer by March, 2012 and if that did not happen, the Agency could work with other prospective developers to re-sell the properties.

Steve Lawrence, 222 West 12<sup>th</sup> Street, The Dalles, asked if the proposed development was dependent on completion of the Washington Street and Festival Area projects. Lawrence said he had heard that the urban renewal program was over committed by \$3 million.

City Manager Young said the Festival Area and Washington Street projects were not tied to the proposed Granada Block Development, though they would complement each other. He said the Festival Area project was scheduled to begin in Fall, 2011 and included funding from Urban Renewal and grants. He said the overall project was approximately \$4 million below what was needed and fundraising for the project continued.

Mr. Lawrence said the Civic Auditorium had once been included in the Urban Renewal Plan and had received urban renewal funding the past. He said it should remain a priority and he hoped the completion of the building would be fully funded before any other projects were undertaken.

#### **PUBLIC COMMENTS REGARDING CONTROL OF DANGEROUS ANIMALS**

City Attorney Parker reviewed the current laws regarding dog control, noting the City used State law to enforce control of dogs and nuisance dogs.

Wasco County Sheriff Rick Eisland said Home at Last Humane Society had taken over operation of the shelter in 2004 and the County had an animal control officer position who was responsible for the control function and related activities. He said that employee was currently on medical leave and if he decided not to return to the position, it was possible it would not be kept in the future.

MINUTES (Continued)  
Town Hall Meeting  
June 6, 2011  
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Police Captain Ed Goodman said City officers did respond to calls related to dogs on a complaint basis.

Mrs. Lawrence said she did have concerns about dogs not being on leashes and was worried that her dog could be attacked while she was out walking with it.

Councilor Dick suggested that citizens could sign citations for nuisance dog issues and they could be taken to Municipal Court. He said he would support a leash law.

Councilor Wood said she believed citizens were not fully aware of the laws and suggested that an educational piece be developed that could be distributed and published in the newspaper.

There was consensus to have staff develop some educational materials and report back to City Council.

#### **ADJOURNMENT**

The meeting adjourned at 7:00 p.m.

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Submitted by/  
Julie Krueger, MMC  
City Clerk

SIGNED:

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James L. Wilcox, Mayor

ATTEST:

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Julie Krueger, MMC, City Clerk

## **MINUTES**

SPECIAL COUNCIL MEETING  
OF  
JUNE 8, 2011  
NOON

SECOND FLOOR CONFERENCE ROOM  
CITY HALL  
313 COURT STREET  
THE DALLES, OREGON

**PRESIDING:** Mayor Jim Wilcox

**COUNCIL PRESENT:** Bill Dick, Carolyn Wood, Tim McGlothlin

**COUNCIL ABSENT:** Brian Ahier, Dan Spatz

**STAFF PRESENT:** City Manager Nolan Young, City Attorney Gene Parker,  
Municipal Judge Tom Peachey

### **CALL TO ORDER**

The meeting was called to order by Mayor Wilcox at 12:10 p.m.

### **APPROVAL OF AGENDA**

It was moved and seconded to approve the agenda as presented. The motion carried unanimously, Ahier and Spatz absent.

### **EXECUTIVE SESSION**

Mayor Wilcox recessed the meeting to Executive Session at 12:11 in accordance with ORS 192.660 (2) (I) to review and evaluate the employment related performance of the City Manager, City Attorney, and Municipal Judge.

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Special Council Meeting  
June 8, 2011  
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Reconvene to Open Session

The meeting reconvened to open session at 2:30 p.m.

**DECISIONS FOLLOWING EXECUTIVE SESSION**

It was moved by Dick and seconded by McGlothlin to authorize the purchase of an iPad for the personal and professional use by the City Manager, to become the personal property of the City Manager. The motion carried unanimously, Ahier and Spatz absent.

**ADJOURNMENT**

Being no further business, the meeting adjourned at 2:32 p.m.

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Submitted by/  
Julie Krueger, MMC  
City Clerk

SIGNED:

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James L. Wilcox, Mayor

ATTEST:

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Julie Krueger, MMC, City Clerk



CH2M HILL  
105 Laughlin  
The Dalles, OR 97058  
Tel 541.298.1779  
Fax 514.298.2458

**AMENDMENT NO. 4  
To the  
OPERATIONS, MAINTENANCE AND MANAGEMENT SERVICES  
For  
THE CITY OF THE DALLES, OREGON**

This Amendment No. 4 to the Agreement for Operations, Maintenance, and Management Services for the City of The Dalles is made effective this 1<sup>st</sup> day of July 2011 by and between the City of The Dalles, Oregon (hereinafter "Owner") whose address for any formal notice is 313 Court Street, The Dalles, Oregon 97058 and Operations Management International, Inc. (hereinafter "CH2M HILL OMI") with offices at 9193 South Jamaica Street, Suite 400, Englewood, Colorado 80112. This is Amendment No. 4 to the Agreement dated July 1, 2008 between the Owner and CH2M HILL OMI ("Agreement").

NOW THEREFORE, Owner and CH2M HILL OMI agree to amend the Agreement as follows:

1. Appendix B, Subsection B.3.14, add the following to the end of this section:

B.3.14.5 AAA Metal Fabrication  
3313 West Second Street, Suite 200  
The Dalles, OR 97058

B.3.14.6 Polehn Farms, Inc  
2121 Dry Hollow Rd  
The Dalles, OR 97058

2. Appendix B.3-1 is deleted in its entirety and replaced with the updated May 2011 version, hereby attached.
3. Appendix C, Subsection C.1.4 is deleted in its entirety and replaced with the following:

C.1.4 The Annual Fee for services under this Agreement is based on the following Project influent characteristics per current information provided by CH2M HILL OMI:

<u>Parameter</u>	<u>Plant</u>
Flow, million gallons/day	2.21
BOD <sub>5</sub> , pounds per day	4,088
TSS, pounds per day	3,334

4. Appendix E, Subsection E.1.1 is deleted in its entirety and replaced with the following:

E.1.1 Owner shall pay to CH2M HILL OMI as compensation for services performed under this Agreement an Annual Fee of Eight Hundred Eighty Thousand, Five Hundred Fifty Dollars (\$880,550) for the contract year commencing July 1, 2011 through June 30 2012. The Annual Fee includes the sum of the estimated Total Direct Cost and Management Fee.

5. Appendix E, Subsection E.1.2 is deleted in its entirety and replaced with the following:

E.1.2 The estimated Total Direct Cost for providing services under this Agreement is Seven Hundred Sixty-one Thousand, Three Hundred Eighty-nine Dollars (\$761,389) for the contract year commencing July 1, 2011.

6. Appendix E, Subsection E.1.3 is deleted in its entirety and replaced with the following:

E.1.3 The Management Fee for providing services under this Agreement is One Hundred Nineteen Thousand, One Hundred Sixty-one Dollars (\$119,161) for the contract year commencing July 1, 2011. Subsequent years' Management Fee shall be adjusted by the Cost Adjustment Formula shown in E.3.

7. Appendix E, Subsection E.3 is deleted in its entirety and replaced with the following:

#### E.3 COST ADJUSTMENT FORMULA

$$ATDC = TDC \times AF$$

$$AMF = MF \times AF$$

Where:

ATDC = Adjusted Total Direct Costs

TDC = Total Direct Costs specified in Article E.1.2

AMF = Adjusted Management Fee

MF = Management Fee specified in Article E.1.3

AF = Adjustment Factor as determined by the formula:  $[(C - C1)/C1] + 1.02$   
(Limited to a maximum of four percent (4.0%))

C1 = CPI for All Urban Consumers (U.S. City Average) as published by U.S. Department of Labor, Bureau of Labor Statistics in the CPI Series Id. CUUR0000SA0 for the month of January that is eighteen (18) months prior to the beginning of the period for which an Adjusted Base Fee is being calculated.

C = CPI for All Urban Consumers (U.S. City Average) as published by U.S. Department of Labor, Bureau of Labor Statistics in the CPI Series Id. CUUR0000SA0 for the month of January that is six (6) months prior to the beginning of the period for which an Adjusted Base Fee is being calculated.

Note: if actual CPI exceeds 7% as calculated by the formula, Owner and CH2M HILL OMI will negotiate a fair and equitable increase to reflect this annual increase. If unable to agree, the increase will equal calculated CPI – 1.5%

This Amendment No. 4 together with the previous amendments and the Agreement constitutes the entire agreement between the Parties and supersedes all prior oral and written understandings with respect to the subject matter set forth herein. Unless specifically stated all other terms and conditions of the Agreement shall remain in full force and effect. Neither this Amendment nor the Agreement may be modified except in writing signed by an authorized representative of the Parties.

The Parties, intending to be legally bound, indicate their approval of the Amendment by their signatures below.

Authorized Signature:

**OPERATIONS MANAGEMENT  
INTERNATIONAL, INC.**  
A California corporation

Authorized Signature:

**CITY OF THE DALLES, OREGON**

\_\_\_\_\_  
Name: Natalie L. Eldredge  
Title: Vice President  
Date: \_\_\_\_\_

\_\_\_\_\_  
Name: Nolan Young  
Title: City Manager  
Date: \_\_\_\_\_

## Appendix B.3-1

## INDUSTRIAL SAMPLING

[illegible]



**CITY of THE DALLES**

313 COURT STREET  
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125  
FAX: (541) 298-5490

## AGENDA STAFF REPORT

MEETING DATE	AGENDA LOCATION	AGENDA REPORT #
June 27, 2011	Public Hearing 11, A	11-062

**TO:** Honorable Mayor and City Council

**FROM:** Dick Gassman, Senior Planner  
Community Development Department

**THRU:** Nolan Young, City Manager

**DATE:** June 27, 2011

**ISSUE:** Public Hearing on a Right-of-Way Vacation for portions of East 7<sup>th</sup> Street, Washington Street, and an alley east of Court Street.

**RELATED CITY COUNCIL GOAL:** N/A

**PREVIOUS AGENDA REPORT NUMBERS:** 11-008- April 25, 2011

**BACKGROUND:** The City of The Dalles is requesting a partial street vacation for East 7<sup>th</sup> Street east of Court Street, a portion of Washington Street east of Court Street and north of East 7<sup>th</sup> Place, and an alley east of Court Street. These portions are on property where the library is located. Public Works has no objection to the requested vacation. A drawing and an area map showing the areas of the requested vacations are attached.

At its April 25, 2011 meeting the City Council authorized staff to initiate a partial street vacation for the areas as indicated on the drawing.

**NOTICE:** Staff posted the site on June 13, 2011 and published notice in the Chronicle on June 12, 2011 and June 19, 2011. On June 15, 2011 staff sent notices to the surrounding property owners.

**COMMENTS:** As of the writing of this staff report, no comments had been received.

**REVIEW:** After closing the public hearing, the City Council shall approve, conditionally approve, modify or deny the proposed vacation. If approved, the Council shall make findings that substantiate all of the following:

1.”...if the vacation proceedings were initiated by motion of the City Council, a finding that owners of a majority of the area affected by the vacation have not objected in writing prior to the hearing;

**Staff Finding 1.** Section 7(A) of General Ordinance No. 99-1230 requires a finding that the owners of a majority of the area affected by the vacation have not objected in writing prior to the hearing. No objections had been received at the time of writing this staff report. The Council will need to determine if the owners of a majority of the area affected by the vacation have not objected to the proposed vacation.

2. Notice has been duly given;

**Staff Finding 2.** All property notices required by General Ordinance No. 99-1230 have been provided. The area to be vacated was posted on June 13, 2011, and notices were published in The Chronicle on June 12, 2011 and June 19, 2011. Individual notices to affected property owners were mailed on June 15, 2011.

3. The proposed vacation does not conflict with the City’s Comprehensive Plan or any other City Ordinance;

**Staff Finding 3.** No existing or potential access to adjoining properties will be affected. Goal 11 – Public Facilities and Services: The timely, orderly, and efficient arrangement of public utilities will not be affected.

4. The public interest will not be prejudiced by the vacation of public way;

**Staff Finding 4.** No public interests in this area will be harmed with the vacation request. None of the proposed vacation areas are in use. No utilities are present in the right of way that is proposed to be vacated.

5. If the vacation proceedings were initiated by motion of the City Council, a finding either that all abutting property owners have consented to the vacation, or that if the evidence shows the vacation will substantially diminish the market value of the abutting owner’s property, the City Council has made provision for paying damages.

**Staff Finding 5.** The vacation proceeding was initiated by a motion of the City Council at its April 25, 2011 session. Abutting property owners have not been asked to consent to the proposed vacation, but there is no evidence that the vacation will substantially diminish the market value of any property. In fact, the vacation will increase the market value of the abutting property. Access to the property will not be affected.

**BUDGET IMPLICATIONS:** The costs associated with the proposed partial street vacation are minimal; public notices and some staff time. If the right of way is ultimately vacated, Section 9 of General Ordinance No. 99-1230 provides “the cost of preparing, filing, and recording the ordinance and any map required to be filed with the ordinance shall be paid for by the petitioner. In this case since the petitioner is the City, the City will need to pay for these costs.

**RECOMMENDATION:** If the evidence presented by staff and gathered at the hearing supports all of the required findings, the City Council should adopt a motion approving a vacation of the public rights-of-way as described, and directing staff to prepare an ordinance for adoption to be presented at a future Council meeting.

**MOTIONS:**

**A. Suggested Motion:** *Move to approve the requested partial right-of-way vacations for East 7<sup>th</sup> Street east of Court Street, a portion of Washington Street east of Court Street and north of East 7<sup>th</sup> Place, and an alley east of Court Street, based on the findings of staff and City Council, and direct staff to prepare an ordinance for adoption at a future meeting, completing the vacation process.*

**B. Alternative Motion:** Move to deny the vacation requests and direct staff to prepare a resolution setting forth the reasons for the denial.









## CITY of THE DALLES

313 COURT STREET  
THE DALLES, OREGON 97058

(541) 296-5481  
FAX (541) 296-6906

### AGENDA STAFF REPORT CITY OF THE DALLES

MEETING DATE	AGENDA LOCATION	AGENDA REPORT #
June 27, 2011	Public Hearings 11, B, 1	11-063

**TO:** Honorable Mayor and City Council

**FROM:** Kate Mast, Finance Director

**THRU:** Nolan K. Young, City Manager *NKY*

**DATE:** June 14, 2011

**ISSUE:** Public Hearing to Receive Testimony Regarding the Approved 2011-2012 Fiscal Budget and Changes Proposed by Staff and Adoption of the City Budget for FY11/12.

**BACKGROUND:** Oregon Budget Law allows a governing body, prior to final adoption, to make changes to a Fund approved by the Budget Committee in amounts up to \$5,000 or 10% of the operating portion of that Fund, whichever is greater. If the changes are greater than the limit allows, another Public Hearing must be held, with the required published notices, prior to adoption.

The City Budget Committee reviewed the proposed budget and approved the budget, with some changes, on May 3, 2011. The City Council held a Public Hearing on that approved budget on June 13<sup>th</sup> and, at that time, approved all of the changes proposed by staff. One of those changes is due to the 10<sup>th</sup> Street Widening Project taking longer than expected, so \$230,000 needs to be rolled over into the Street/Bridge Replacement Fund to allow that project to be completed in the next fiscal year. This change exceeds the \$5,000 or 10% limit, so another Public Hearing must be held on June 27<sup>th</sup> to hear testimony on that change.

The proposed Resolution No. 11-016 includes the change to the Street/Bridge Replacement Fund, as well as all of the changes approved by the Council at the June 13, 2011 Council meeting.

**BUDGET IMPLICATIONS:** The change to the Street/Bridge Replacement Fund will increase that Fund's budget by \$230,000 by adding that amount to both the Beginning Fund Balance (revenue) and Capital Projects (expenditure) line items.

**ALTERNATIVES:**

- A. **Staff Recommendation:** *Move to approve the change to the Street/Bridge Replacement Fund and to adopt Resolution No. 11-016 Adopting the Fiscal Year 2011-2012 Budget for the City of the Dalles, Making Appropriations, Authorizing Expenditures, Levying Taxes, and Authorizing the City Manager to Take Such Action as Necessary to Carry Out the Adopted Budget.*
- B. Council could elect to make more changes to the approved budget and direct staff to include those changes in the adopting resolution.
- C. Council could elect to adopt the budget without approving the proposed change and only include those changes previously approved. However, while Supplemental budgets and budget amendments are to be used during the fiscal year for situations that were unknown at the time the original budget was adopted, any issues known at this time would not be legitimately eligible for such "fixes" later. This would put the 10<sup>th</sup> Street Widening project in jeopardy.

**RESOLUTION NO. 11-016**

**A RESOLUTION ADOPTING THE FISCAL YEAR 2011-2012 BUDGET FOR THE CITY OF THE DALLES, MAKING APPROPRIATIONS, AUTHORIZING EXPENDITURES, LEVYING TAXES, AND AUTHORIZING THE CITY MANAGER TO TAKE SUCH ACTION AS NECESSARY TO CARRY OUT THE ADOPTED BUDGET**

**WHEREAS**, the City Budget Committee has reviewed and acted on the proposed City budget; and

**WHEREAS**, the Budget Committee, on May 3, 2011, approved and recommended a balanced budget to the City Council; and

**WHEREAS**, in accordance with State Law, the City held a Public Hearing on the approved budget on June 13, 2011 and held an additional public hearing on a change to the Street / Bridge Replacement Fund 013 that exceeded the 10% limit on June 27, 2011; and

**WHEREAS**, the City Council has amended the budget previously approved by the Budget Committee, as permitted by ORS 294.435; and

**WHEREAS**, the City Council wishes to adopt the approved budget with amendments and carry out the programs identified in the budget;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL AS FOLLOWS:**

**Section 1. Clerical Changes.** The City Council hereby authorizes City staff to make the necessary clerical changes to the amended budget.

**Section 2. Adoption of the Budget.** The City Council of the City of The Dalles, Oregon, hereby adopts the budget for Fiscal Year 2011-2012 in the total of **\$57,062,693**, now on file in the office of the City Finance Director.

**Section 3. Setting Appropriations.** The amounts for the Fiscal Year beginning July 1, 2011 and for the purposes shown are hereby appropriated as follows:

**GENERAL FUND (001)**

City Council	200,977
City Clerk	135,448
City Manager	304,185
Legal / Judicial	460,804
Finance / Utility Billing	492,062
Personnel	10,100
Community Development	567,319

Police	3,116,166
Technology	217,760
City Hall / Transportation Center	227,741
Code Enforcement	76,277
Special Payments	527,539
Interfund Transfers	128,231
Contingency	596,541
<b>TOTAL GENERAL FUND (001) *</b>	<b>7,061,150</b>
<b>LIBRARY FUND (004)</b>	
Personnel Services	634,204
Materials & Services	293,293
Capital Outlay	22,775
Interfund Transfers	35,566
Contingency	39,701
<b>TOTAL LIBRARY FUND (004)</b>	<b>1,025,539</b>
<b>STREET FUND (005)</b>	
Personnel Services	654,120
Materials & Services	732,513
Capital Outlay	10,503
Interfund Transfers	184,638
Contingency	46,540
<b>TOTAL STREET FUND (005)</b>	<b>1,628,314</b>
<b>PUBLIC WORKS RESERVE FUND (009)</b>	
Capital Outlay	196,011
<b>TOTAL PUBLIC WORKS RESERVE FUND (009)</b>	<b>196,011</b>
<b>UNEMPLOYMENT RESERVE FUND (010)</b>	
Personnel Services	36,795
<b>TOTAL PUBLIC WORKS RESERVE FUND (010)</b>	<b>36,795</b>
<b>COMMUNITY BENEVOLENCE FUND - VIETNAM MEMORIAL (011)</b>	
Materials & Services	11,401
<b>TOTAL PUBLIC WORKS RESERVE FUND (011)</b>	<b>11,401</b>
<b>STREET &amp; BRIDGE REPLACEMENT FUND (013)</b>	
Capital Outlay	717,581
Interfund Transfers	878,573
<b>TOTAL STREET &amp; BRIDGE REPLACEMENT FUND (013)</b>	<b>1,596,154</b>
<b>SPECIAL GRANTS FUND (018)</b>	
Materials & Services	173,000
Capital Outlay	13,651,049
Interfund Transfers	6,500
<b>TOTAL SPECIAL PROJECTS FUND (018)</b>	<b>13,830,549</b>



**STATE OFFICE BUILDING FUND (021)**

Personnel Services	51,757
Materials & Services	132,587
Contingency	4,379
<b>TOTAL STATE OFFICE BUILDING FUND (021)</b>	<b>188,723</b>

**SPECIAL ASSESSMENTS FUND (036)**

Materials & Services	22,500
Capital Outlay	-
Interfund Transfers	901,439
<b>TOTAL SPECIAL ASSESSMENTS FUND (036)</b>	<b>923,939</b>

**CAPITAL PROJECTS FUND (037)**

Materials & Services	5,000
Capital Outlay	2,819,050
Debt Service	79,997
Interfund Transfers	5,000
<b>TOTAL CAPITAL PROJECTS FUND (037)</b>	<b>2,909,047</b>

**WATER REVENUE BOND FUND (041)**

Debt Service	561,405
<b>TOTAL WATER REVENUE BOND FUND (041)</b>	<b>561,405</b>

**FFCO 2008 BOND FUND (043)**

Debt Service	304,731
<b>TOTAL FFCO 2008 BOND FUND (043)</b>	<b>304,731</b>

**2009 FFCO BOND FUND (044)**

Debt Service	945,913
<b>TOTAL 2009 FFCO BOND FUND (044)</b>	<b>945,913</b>

**WATER FUND (51)****WATER TREATMENT**

Personnel Services	760,158
Materials & Services	452,671
<b>TOTAL WATER TREATMENT</b>	<b>1,212,829</b>

**WATER DISTRIBUTION**

Personnel Services	1,093,874
Materials & Services	527,322
<b>TOTAL WATER DISTRIBUTION</b>	<b>1,621,196</b>

Capital Outlay	320,836
Special Payments	-
Interfund Transfers	1,102,587
Contingency	20,926
<b>TOTAL WATER FUND (051)</b>	<b>4,278,374</b>

**WATER CAPITAL RESERVE FUND (053)**

Materials & Services	-
Capital Outlay	786,412
Debt Service	200,894
Interfund Transfers	607,321
Contingency	400,000
<b>TOTAL WATER CAPITAL RESERVE FUND (053)</b>	<b>1,994,627</b>

**WASTEWATER FUND (055)**

Personnel Services	1,055,216
Materials & Services	1,572,193
Capital Outlay	265,626
Interfund Transfers	2,477,744
Contingency	25,943
<b>TOTAL WASTEWATER FUND (055)</b>	<b>5,396,722</b>

**WASTEWATER CAPITAL RESERVE FUND (056)**

Materials & Services	-
Capital Outlay	1,134,791
Interfund Transfers	660,501
<b>TOTAL WASTEWATER CAPITAL RESERVE FUND (056)</b>	<b>1,795,292</b>

**SEWER PLANT CONSTRUCTION FUND (057)**

Materials & Services	400,000
Capital Outlay	3,112,884
Interfund Transfers	553,705
<b>TOTAL SEWER PLAN CONSTRUCTION FUND (057)</b>	<b>4,066,589</b>

**SEWER DEBT SERVICE FUND (058)**

Debt Service	553,705
Contingency	219,865
<b>TOTAL SEWER DEBT SERVICE FUND (058)</b>	<b>773,570</b>

**AIRPORT FUND (061)**

Materials & Services	841,050
Capital Outlay	5,290,000
Contingency	2,750
<b>TOTAL AIRPORT FUND (061)</b>	<b>6,133,800</b>

**AIRPORT DEBT SERVICE FUND (062)**

Debt Service	134,059
<b>TOTAL AIRPORT DEBT SERVICE FUND (062)</b>	<b>134,059</b>

**TOTAL ALL FUNDS** **55,792,704**

**TOTAL ALL FUNDS** **55,792,704**

\* An Unappropriated Ending Fund Balance has been set for the General Fund in the  
amount of: 750,358

\*\* An Unappropriated Ending Fund Balance has been set for the Library Fund in the  
amount of: 519,631

**TOTAL ADOPTED BUDGET** **57,062,693**

**Section 4. Authority of City Manager.** The City Council hereby authorizes the City Manager to take such action as is necessary and consistent with State Statutes and City Ordinances, including, but not limited to, entering into contracts to carry out the programs, projects and services identified in the adopted budget.

**Section 5. Imposing and Categorizing the Tax.** The City Council of the City of The Dalles, Oregon, hereby imposes the taxes provided for in this adopted budget in the General Fund at the rate of \$3.0155 per \$1,000 of assessed value for operations, and that these taxes are hereby imposed and categorized for tax year 2011-2012 upon the assessed value of all taxable property within the City of The Dalles as of 12:01 AM, July 1, 2011.

	<b>Subject to General Government Limitation</b>	<b>Excluded from Limitation</b>
General Fund - Tax Base	\$ 2,709,809	0
Category Total	\$ 2,709,809	0
<b>TOTAL TAX IMPOSED</b>	<b>\$ 3.0155 per 1,000 of assessed value</b>	

**Section 6. Certifying the Tax Levy.** The City Finance Director shall certify to the County Clerk and County Assessor, the tax levy made by this Resolution, and shall file with them and to the State of Oregon, copies of the budget as finally adopted.

**PASSED AND ADOPTED THIS 27th DAY OF JUNE, 2011**

Voting Yes, Councilors: \_\_\_\_\_

Voting No, Councilors: \_\_\_\_\_

Absent, Councilors: \_\_\_\_\_

Abstaining, Councilors: \_\_\_\_\_

**AND APPROVED BY THE MAYOR THIS 27th DAY OF JUNE, 2011**

SIGNED:

ATTEST:

\_\_\_\_\_  
James L. Wilcox, Mayor

\_\_\_\_\_  
Julie Krueger, MMC, City Clerk



**CITY OF THE DALLES**  
Department of Public Works  
1215 West First Street  
The Dalles, Oregon 97058

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## **AGENDA STAFF REPORT**

### **CITY OF THE DALLES**

<b>MEETING DATE</b>	<b>AGENDA LOCATION</b>	<b>AGENDA REPORT #</b>
June 27, 2011	Contract Review Board 12, A	11-056

**TO:** Honorable Mayor and City Council

**FROM:** Dave Anderson, Public Works Director

**THRU:** Nolan K. Young, City Manager *NKY*

**DATE:** June 15, 2011

**ISSUE:** Award of Wastewater Facility Master Plan Update contract

**CITY COUNCIL GOALS:** NA

**BACKGROUND:** The City completed its last 20-year Wastewater Facility Master Plan in 2002 under a contract with CH2M Hill. The Master Plan identifies the capabilities and needs of both the wastewater collection and treatment systems, considers population and industrial growth projections, and provides a Capital Improvement Plan (CIP) and Financial Plan in support of those needs. Since completion of the 2002 Plan, nearly all of the identified Phase 1 improvements to the Wastewater Treatment Plant have been completed as well as the Union Street Underpass which was developed as an associated project from the Master Plan process. The 2002 Plan also identified additional plant improvements, Phases 2 through 7, out to the year 2018, and several collection system projects. Since the completion of the Phase 1 improvements in 2006, the City has been building funds for the design and construction of Phase 2, the cost of those improvements could be in excess of \$6 million and are budgeted to be designed in the 2011-12 fiscal year.

Ten years into the current Master Plan, a number of new issues have been identified and staff believes it is important to update the Master Plan to 2030 before beginning design of the costly Phase 2 expansion. Key among these issues is the desire to add electrical power generation (cogeneration or "cogen") to the plant utilizing the methane gas produced. This waste-to-energy issue has not been identified in any previous Master Plans and needs to be conceptually designed and accounted for so that we don't inadvertently "build past" the opportunity.

A second issue relates to the processing, handling, storage and disposal of biosolids (sludge). The existing plant has limited capacity to process and store biosolids, and these limitations have contributed to some degree to the permit violation in 2010 and recent odor problems downtown.

With nearly 5 years of operational experience since the completion of the Phase 1 expansion, it would be appropriate to identify and address any existing process or operational challenges prior to designing Phase 2.

Two other issues that warrant evaluation, consistent with City Council and community desires, are to address adverse odor issues and improve the visual aesthetics of the plant located in the downtown commercial area and adjacent to the soon-to-be-built Festival Area. These issues, along with biosolids management and cogen, have been identified as special issues of concern in the Request for Proposals (RFP) for the Master Plan Update.

The updated Master Plan will revise population and industrial projections based upon the best information currently available and evaluate collection and treatment system needs. Then, working with City Council, the hired engineering firm will develop an updated Capital Improvement Plan and Financial Plan in support of operations and capital needs.

Lastly, the RFP identifies an optional work task of expanding our computerized hydraulic model for the wastewater collection system. The model that was developed in 2002 only included pipes that were 10 inches in diameter and larger. Nearly 75% of our system is 8-inch diameter pipe so the existing model only provides a “skeleton view” of the piping in our system. Expanding the model to include all pipes 8 inches in diameter and larger will provide a much more useful tool to our City engineers as they design sanitary sewer mains to serve newly developing or re-developing areas.

A very aggressive project schedule was identified for the project so as not to delay the design of the Phase 2 expansion, which is also budgeted to begin in 2011-12, longer than necessary. The RFP identified that the City desired the project to be completed within 6 months with an opportunity for the City to allow an additional 60 days for completion if warranted.

Three proposals were received for the project and all three were determined to be qualified to do the work. A summary of those proposals follows:

<b>Engineering Firm</b>	<b>Base Work Price</b>	<b>Modeling Price</b>	<b>Total Proposal Price</b>
Kennedy/Jenks Consultants	\$339,500	\$37,000	\$376,500
Carollo Engineers	\$361,872	\$34,112	\$395,984
CH2M Hill	\$324,267	\$135,477/\$72,983	\$459,744/\$397,250

Note: CH2M Hill proposed two options for the Modeling task, one with them doing most of the work and a second, lower cost option with City staff providing additional support. The lower cost option had less field work included and was closer in scope to that proposed by other firms – Carollo proposed no field work and Kennedy/Jenks included limited field work.

A team consisting of the Public Works Director, City Engineer, Wastewater Collection Division Manager, and Regulatory Compliance Manager reviewed and evaluated the proposals. The reviewers were unanimous in their individual rankings of the proposals; all four ranked the proposals in the following order:

- #1 Carollo Engineers
- #2 CH2M Hill
- #3 Kennedy/Jenks

While both of the top two proposals presented a thorough scope of work related to the Wastewater Treatment Plant evaluations and co-generation opportunities, the review committee felt that Carollo Engineers proposed a more complete evaluation of the wastewater collection system than did the other firms. Carollo proposed the largest “project team” with separate teams assigned to the plant and collection system evaluations. They also proposed meeting many more times with City staff throughout the project. Finally, Carollo proposed to utilize a software program they developed called Master Plan Manager to evaluate multiple alternatives, adjust timing of improvements based upon actual growth rates and update future pricing. This tool is anticipated to facilitate future updates of the Master Plan. The proposal from Carollo Engineers received the highest scores totaled from all reviewers for 4 of the 7 evaluation criteria categories and the highest total score from each reviewer. Staff is recommending award of the contract to Carollo Engineers.

**BUDGET IMPLICATIONS:** In Fund 57, the Sewer Plant Construction/Debt Service Fund, line 057-5700-550.31-10 of the adopted 2011-12 budget, \$400,000 is identified for this project. The proposed contract amount is within the funds budgeted for the project.

**RECOMMENDATIONS:**

1. Staff Recommendation: Authorize the City Manager to enter into contract with Carollo Engineers in an amount not-to-exceed \$395,984 for the Wastewater Facility Master Plan Update project.
2. Authorize the City Manager to enter into contract with Carollo Engineers that excludes the optional Hydraulic Modeling task in an amount not-to-exceed \$361,872 for the Wastewater Facility Master Plan Update project.
3. Authorize the City Manager to enter into contract with CH2M Hill in an amount not-to-exceed \$397,250 for the Wastewater Facility Master Plan Update project.
4. Authorize the City Manager to enter into contract with CH2M Hill that excludes the optional Hydraulic Modeling task in an amount not-to-exceed \$324,267 for the Wastewater Facility Master Plan Update project.
5. Provide additional direction to staff about how to proceed.



CITY of THE DALLES  
313 COURT STREET  
THE DALLES, OREGON 97058

(541) 296-5481  
FAX (541) 296-6906

## AGENDA STAFF REPORT CITY OF THE DALLES

MEETING DATE	AGENDA LOCATION	AGENDA REPORT #
June 27, 2011	Action Items 13, A	11-064

**TO:** Honorable Mayor and City Council

**FROM:** Kate Mast, Finance Director

**THRU:** Nolan K. Young, City Manager

**DATE:** June 15, 2011

**ISSUE:** Resolution No. 11-022 Authorizing Transfers of Funds Between Categories of Various Funds, Making Appropriations and Authorizing Expenditures for the Fiscal Year Ending June 30, 2011.

**BACKGROUND:** Oregon Budget Law recognizes that annual budgets are estimates of revenues and expenses, and that certain events and circumstances during the fiscal year may cause funds to experience costs above approved category limits. Therefore, Oregon Budget Law allows for transferring of budgeted funds between approved category limits within the same fund to prevent any category from being over-expended at the end of the fiscal year. Categories that are over-expended at the end of the fiscal year are a violation of Oregon Budget Law.

The proposed resolution as prepared today includes the following changes:

**GENERAL FUND:**

- \$9,000 transferred from the Finance Department to the City Council Department to cover a shortage in the Audit Services line item due preliminary work performed by the new audit firm for the FY10/11 audit.
- \$4,000 transferred from the Finance Department to the Technology Department to cover a shortage in the Software Maintenance line item due to costs of server maintenance.

- \$7,000 transferred from the Police Department to the Special Payments Category to cover a possible overage in the Parks and Recreation portion of the Transient Room Taxes in FY10/11.
- \$8,000 transferred from the Community Development Department to Interfund Transfers to send additional funds to the Special Grants Fund to pay for unanticipated additional costs of consultant services for Periodic Review.

#### SPECIAL GRANTS FUND

- \$8,000 added to Transfers in From General Fund revenue line item and to the Materials & Services category for the Other Contractual Services line item in the LCDRC Grants/UGB/NSA Boundary Department of the Special Grants Fund to pay for unanticipated additional costs of consultant services for Periodic Review.
- \$12,000 transferred from the Capital Outlay category to the Materials & Services category for the anticipated quarterly payment pass through for the CDBG Housing Grant. Since the City's fiscal year and the grant year are on different schedules, we receive drawdowns from two grant years during our one fiscal year, which routinely exceeds the amount we budget for a single year. This is a common pass-through issue.

#### SPECIAL ASSESSMENTS FUND

- \$30,000 transferred from the Interfund Transfers category to the Capital Outlay category to cover the unanticipated costs of Gravel Street Policy improvements to "G" Street.

#### WATER RESERVE FUND

- \$60,000 transferred from the Capital Outlay category to the Materials & Services category to cover additional engineering for final design of the Terminal Reservoir.

We will continue to monitor our budget vs. actual reports right up until the Council meeting on June 27<sup>th</sup> in order to make sure that the resolution covers every instance that might require a transfer. We will provide the Council with an updated version of this proposed resolution at that meeting if necessary.

**BUDGET IMPLICATIONS:** Most of these budget transfers or amendments reduce one category and increase another category in the same fund by an equal amount, so there is no impact on any fund's total budget amount. The exception is that \$8,000 is being added to the Special Grants Fund by the additional transfer from the General Fund.

#### **ALTERNATIVES:**

- A. **Staff Recommendation:** *Move to adopt Resolution No. 11-022 Authorizing Transfers of Funds Between Categories of Various Funds, Making Appropriations and Authorizing Expenditures for the Fiscal Year ending June 30, 2011.*
- B. The Council could choose not to adopt the proposed resolution, which would leave the departments and categories described above in an over-expended status as of June 30, 2011. The City would then be in violation of Oregon Budget Law and the audit would disclose those violations, resulting in possible repercussions from the State.



**RESOLUTION NO. 11-022**

**A RESOLUTION AUTHORIZING TRANSFERS OF FUNDS BETWEEN CATEGORIES  
OF VARIOUS FUNDS, MAKING APPROPRIATIONS AND AUTHORIZING  
EXPENDITURES FOR THE FISCAL YEAR ENDING JUNE 30, 2011**

**WHEREAS**, during the budget year certain funds may experience expenditures above approved category limits; and

**WHEREAS**, Oregon Budget Law recognizes these events and allows for transferring of funds between approved category limits; and

**WHEREAS**, for various reasons the following funds and the budgeted limits within various departments and/or categories have been exceeded in the Fiscal Year ending June 30, 2011; and

**WHEREAS**, some reallocation of resources is necessary to correct the FY10/11 Budget;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL AS FOLLOWS:**

**Section 1. Authorizing Budget Transfers.** The City Council hereby authorizes the following transfers of funds between budgeted transfers:

<b><u>FUND OR DEPT.</u></b>	<b><u>BUDGETED</u></b>	<b><u>RESOURCES NEEDED</u></b>	<b><u>REALLOCATED</u></b>
<b><u>GENERAL FUND (001)</u></b>			
from Finance/Utility Billing Dept	\$ 485,762	\$ 472,762	- \$ 13,000
to City Council Dept	\$ 215,957	\$ 224,957	+\$ 9,000
to Technology Dept	\$ 202,192	\$ 206,192	+\$ 4,000
from Police Dept	\$2,977,831	\$2,970,831	-\$ 7,000
to Special Payments	\$ 442,851	\$ 449,851	+\$ 7,000
from Community Development Dept	\$ 599,943	\$ 591,943	- \$ 8,000
to Interfund Transfers	\$ 128,231	\$ 136,231	+\$ 8,000
<b><u>SPECIAL GRANTS FUND (018)</u></b>			
Transfers In from General Fund (Revenue)	\$ 20,000	\$ 28,000	+\$ 8,000
transferred from Capital Outlay	\$13,753,872	\$13,741,872	- \$ 12,000
Special Grants Materials & Services	\$ 213,350	\$ 233,350	+\$ 20,000

<u>FUND OR DEPT.</u>	<u>BUDGETED</u>	<u>RESOURCES NEEDED</u>	<u>REALLOCATED</u>
<b><u>SPECIAL ASSESSMENTS FUND (036)</u></b>			
transferred from Interfund Transfers	\$ 906,369	\$ 876,369	- \$ 30,000
transferred to Capital Outlay	\$ 0	\$ 30,000	+\$ 30,000
<b><u>WATER RESERVE FUND (053)</u></b>			
transferred from Capital Outlay	\$ 5,048,790	\$ 4,988,790	- \$ 60,000
transferred to Materials & Services	\$ 70,000	\$ 130,000	+\$ 60,000

**Section 2. Effective Date.** This Resolution shall be effective upon adoption.

**PASSED AND ADOPTED THIS 27<sup>th</sup> DAY OF JUNE, 2011**

Voting Yes, Councilors: \_\_\_\_\_

Voting No, Councilors: \_\_\_\_\_

Absent, Councilors: \_\_\_\_\_

Abstaining, Councilors: \_\_\_\_\_

**AND APPROVED BY THE MAYOR THIS 27<sup>th</sup> DAY OF JUNE, 2011**

SIGNED:

ATTEST:

\_\_\_\_\_  
James L. Wilcox, Mayor

\_\_\_\_\_  
Julie Krueger, MMC, City Clerk

**CITY of THE DALLES**

313 COURT STREET  
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1122  
FAX: (541) 296-6906

## AGENDA STAFF REPORT

### CITY OF THE DALLES

MEETING DATE:	AGENDA LOCATION:	AGENDA REPORT #
June 27, 2011	Action Items 13, B	11-060

**TO:** Honorable Mayor and City Council

**FROM:** Gene E. Parker, City Attorney

**THRU:** Nolan K. Young, City Manager *ny*

**DATE:** June 7, 2011

**ISSUE:** Adoption of Special Ordinance No. 11-541, assessing the real properties located at 1122 East Tenth Street, 500 East Ninth Street, 1290 West Eight Street, 736 East 20<sup>th</sup> Street, and 900 East 14<sup>th</sup> Street, for the costs of abatement of hazardous vegetation.

**RELATED CITY COUNCIL GOAL:** None.

**PREVIOUS AGENDA REPORT NUMBERS:** None.

**BACKGROUND:** In 2010, The City's Code Enforcement Officer posted a Notice to Abate Nuisance upon several properties in The Dalles requiring the removal of hazardous vegetation. The Notice advised the property owners that if the nuisance conditions were not abated, the City would hire a contractor to remove the hazardous vegetation, and the costs of abatement would be assessed against the properties.

The owners did not abate the nuisance conditions, and the City hired contractors to abate the hazardous vegetation. Pursuant to Section 7 of General Ordinance No. 99-1234, the City Clerk sent a Notice of Assessment by certified mail to each of the property owners on April 4, 2011, advising them of the respective sums that had been incurred for the abatements, and that these sums would become liens upon the respective properties if the amounts listed were not paid by

May 4, 2011. The notices advised the property owners that they had until April 11, 2011 to file any objection to the proposed assessment. None of the owners filed any objections, and none of them have paid the proposed assessments.

Section 7 of General Ordinance No. 99-1234 which governs hazardous vegetation abatements provides that after considering any objections filed to a proposed assessment, the City Council can proceed with the assessment of property by the adoption of a special ordinance. Upon adoption of the special ordinance, the amount of the assessment is entered into the City lien docket. Notice of adoption of Special Ordinance No. 11-541 has been posted in accordance with the City Charter, and the ordinance can be adopted by title only.

**BUDGET IMPLICATIONS:** Upon adoption of Special Ordinance No. 11-021, the properties located at 1122 East Tenth Street, 500 East Ninth Street, 1290 West Eighth Street, 736 East 20<sup>th</sup> Street, and 900 East 14<sup>th</sup> Street, will be assessed for the cost of abatement of hazardous vegetation. The total amount to be assessed for the abatements is \$1,665.00.

**ALTERNATIVES:**

- A. Staff Recommendation. *Move to adopt Special Ordinance No. 11-541 by title only.*

**SPECIAL ORDINANCE NO. 11-541**

**AN ORDINANCE ASSESSING THE REAL PROPERTIES  
LOCATED AT 1122 EAST TENTH STREET, 500 EAST NINTH  
STREET, 1290 WEST EIGHTH STREET, 736 EAST 20<sup>TH</sup> STREET,  
AND 900 EAST 14<sup>TH</sup> STREET, FOR THE COSTS OF ABATEMENT  
OF HAZARDOUS VEGETATION**

**WHEREAS**, the City Code Enforcement Officer posted a Notice to Abate Nuisance for the following listed properties on the dates shown below:

1122 East Tenth Street 1N13E 3DC Tax Lot #900	July 13, 2010
500 East Ninth Street 1N13E 3CA Tax Lot #11900	September 13, 2010
1290 West Eighth Street, 1N13E 4 Tax Lot #103	November 19, 2010
736 East 20 <sup>th</sup> Street, 1N13E 10BD Tax Lot #2400	July 26, 2010
900 East 14 <sup>th</sup> Street, 1N13E 10BA Tax Lot #200;	August 19, 2010;

and

**WHEREAS**, the above listed properties are owned by the following listed persons:

1122 East Tenth Street	Michael Boyd
500 East 9 <sup>th</sup> Street	Howard Clark
1290 East Eighth Street	Rae Ann Clark
736 East 20 <sup>th</sup> Street	Joshua & Patricia Fateley
900 East 14 <sup>th</sup> Street	Nathan Pratt;

and

**WHEREAS**, the Notice to Abate Nuisance posted on each of the properties required the removal of hazardous vegetation from the property pursuant to the provisions of General Ordinance No. 99-1234; and

**WHEREAS**, the Notice to Abate Nuisance further provided that if the nuisance conditions were not abated, the City would hire a contractor to abate the nuisance conditions, and the costs of the abatement would be charged to the owner of the property, and become a lien upon the property; and

**WHEREAS**, as a result of the owners failure to abate the nuisance conditions on their properties, the City hired contractors who abated the nuisance conditions, and the costs of each abatement are set forth below:

1122 East Tenth Street	\$225.00
500 East 9 <sup>th</sup> Street	\$235.00
1290 East Eighth Street	\$680.00
736 East 20 <sup>th</sup> Street	\$305.00
900 East 14 <sup>th</sup> Street	\$220.00;

and

**WHEREAS**, pursuant to Section 7 of General Ordinance No. 99-1234, the City Clerk sent a Notice of Assessment by certified mail on April 4, 2011, to each of the property owners listed above, advising them of the respective sums that had been incurred for the abatements, and the respective sums would become liens upon the respective properties if the amounts listed were not paid by May 4, 2011; and

**WHEREAS**, the April 4, 2011 Notices of Assessment also advised the owners that they had until April 11, 2011 to file any objection to the proposed assessments; and

**WHEREAS**, none of the listed owners have filed any objections to the proposed assessments, and none of the listed owners have paid their respective assessments by the stated deadline, and the City Council finds that the statement of the amount of the proposed assessments is correct, and that no reason exists not to proceed with the imposition of a lien upon the properties for the costs of the assessments;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF THE DALLES  
ORDAINS AS FOLLOWS:**

Section 1. Assessment. The cost of the abatement of the nuisance conditions consisting of the removal of hazardous vegetation for the properties listed below is assessed upon the following properties:

<u>Name/Address</u>	<u>Description</u>	<u>Final Assessment</u>
Michael Boyd 48220 SE Highway 26 Sandy, OR 97055	1N 13E 3DC #900	\$225.00
Howard Clark P.O. Box 185 1604 South Highway 97 Suite #2 Redmond, OR 97756-8420	1N 13E 3CA #11900	\$235.00
Rae Ann Clark 18604 NW 64 <sup>th</sup> Avenue Ridgefield, WA 98642	1N 13E 4 #103	\$680.00
Joshua & Patricia Fateley 6270 Trout Creek Ridge Road Parkdale, OR 97041	1N 13E 10BD #2400	\$305.00
Nathan Pratt 5915 Highway 35 Parkdale, OR 97041	1N 13E 10BA #200	\$220.00

The legal descriptions for the above listed properties are set forth in Exhibit "A".

Section 2. Docket Entry. Upon passage of this Ordinance and its approval by the Mayor, the City Clerk is instructed and directed to enter into the Docket of City Liens the following matters in relation to the assessment:

- a. The foregoing legal description of the property assessed.
- b. The name of the owners or statement that the owners are unknown.
- c. The sum assessed upon each lot or tract of land.
- d. The date of the docket entry.

Section 3. Notices/Collection of Assessment. The City Clerk is directed to proceed with notice and collection of the assessment in accordance with the procedures set forth in Section 9 of General Ordinance No. 91-1127, and to proceed with collection of the assessed amount in the manner provided by law.

**PASSED AND ADOPTED THIS 27th DAY OF JUNE 2011**

Voting Yes, Councilors: \_\_\_\_\_  
Voting No, Councilors: \_\_\_\_\_  
Absent, Councilors: \_\_\_\_\_  
Abstaining, Councilors: \_\_\_\_\_

**AND APPROVED BY THE MAYOR THIS 27th DAY OF JUNE 2011**

SIGNED:

\_\_\_\_\_  
James L. Wilcox, Mayor

ATTEST:

\_\_\_\_\_  
Julie Krueger, MMC, City Clerk

Exhibit "A"

1N 13E 3DC, Tax Lot 900

Lot 6, Block 22, Bigelow's Bluff Addition to Dalles City

1N 13E 3CA, Tax Lot 11900

West 37 feet of the North 76 feet of Lot 1, Block 4, Amended May's  
Addition to Dalles City

1N 13E 4, Tax Lot 103

Parcel 1, Partition Plat 2000-0026, Slide C-143A

1N 13E 10BD, Tax Lot 2400

Lot 1, Block D, Hillcrest Addition to Dalles City

1N 13E 10BA, Tax Lot 200

Lot 3, Hostetler's Second Addition to Dalles City



**CITY of THE DALLES**313 COURT STREET  
THE DALLES, OREGON 97058(541) 296-5481 ext. 1122  
FAX: (541) 296-6906

# AGENDA STAFF REPORT

## CITY OF THE DALLES

MEETING DATE:	AGENDA LOCATION:	AGENDA REPORT #
June 27, 2011	Action Items 13, C	11-061

**TO:** Honorable Mayor and City Council**FROM:** Gene E. Parker, City Attorney**THRU:** Nolan K. Young, City Manager *ny***DATE:** June 7, 2011**ISSUE:** Adoption of Resolution No. 11-021, assessing the real property located at 1014 Garrison Street for the costs of abatement of junk and hazardous vegetation.**RELATED CITY COUNCIL GOAL:** None.**PREVIOUS AGENDA REPORT NUMBERS:** None.

**BACKGROUND:** On September 13, 2010, the City's Code Enforcement Officer posted a Notice to Abate Nuisance upon the property located at 1014 Garrison Street in The Dalles. The property is owned by Jayne Harmon. The notice provided that if junk and hazardous vegetation was not removed from the property, the City would hire a contractor to remove the junk and hazardous vegetation, and the costs of the abatement would be assessed against the property owner.

The owner did not abate the nuisance conditions, and the City hired Luciano Tree & Lawn Service to abate the nuisance conditions at a cost of \$160.00. The City Clerk sent a Notice of Assessment by certified mail to Ms. Harmon on April 4, 2011, advising her of the assessment cost including a \$500 administrative fee. This notice advised Ms. Harmon that she had until April 11, 2011 to file any objection to the proposed assessment. Ms. Harmon did not file any objections.

Section 34 of General Ordinance No. 93-1162 which governs nuisance abatements provides that after considering any objections filed to a proposed assessment, the City Council can proceed with the assessment of property by the adoption of a resolution. Upon adoption of the resolution, the amount of the assessment is entered into the City lien docket.

**BUDGET IMPLICATIONS:** Upon adoption of Resolution No. 11-021, the property located at 1014 Garrison Street will be assessed for the cost of abatement which total \$660.00.

**ALTERNATIVES:**

- A. Staff Recommendation. *Move to adopt Resolution No. 11-021.*

## **RESOLUTION NO. 11-021**

### **A RESOLUTION ASSESSING THE REAL PROPERTY LOCATED AT 1014 GARRISON STREET FOR THE COSTS OF ABATEMENT OF JUNK AND HAZARDOUS VEGETATION**

**WHEREAS**, on September 13, 2010, the City Code Enforcement Officer posted a Notice to Abate Nuisance upon the property located at 1014 Garrison Street, The Dalles, Oregon, which property is also described as Assessor's Map No. 1N 13E 4AD, Tax Lot 14900; and

**WHEREAS**, Jayne Harman is the owner of the above described real property; and

**WHEREAS**, the Notice to Abate Nuisance required the removal of junk and hazardous vegetation from the property pursuant to the provisions of General Ordinance Nos. 93-1162 and 99-1234; and

**WHEREAS**, the Notice to Abate Nuisance further provided that if the nuisance conditions were not abated, the City would hire a contractor to abate the nuisance conditions, and the costs of the abatement would be charged to the owner of the property, and become a lien upon the property; and

**WHEREAS**, as a result of the owner's failure to abate the nuisance conditions on the property, the City hired Luciano Tree & Lawn Service, LLC to remove the junk and hazardous vegetation on October 8, 2010, at a cost of \$160.00; and

**WHEREAS**, pursuant to Section 34 of General Ordinance No. 93-1162 and Section 7 of General Ordinance No. 99-1234, the City Clerk sent a Notice of Assessment by certified mail on April 4, 2011, to Jayne Harmon advising her that the total costs of the assessment was \$660, which included a \$500 administrative fee required by General Ordinance No. 93-1162, and this sum would become a lien upon her property if the amount was not paid by April 18, 2011; and

**WHEREAS**, the April 4, 2011 Notice of Assessment also advised Ms. Harmon that she had until April 11, 2011 to file any objection to the proposed assessment; and

**WHEREAS**, Ms. Harmon did not file any objection by the stated deadline, and she did not pay the sum of \$660.00 by the stated deadline, and the City Council finds that the statement of the amount of the proposed assessment is correct, and that no reason exists not to proceed with the imposition of a lien upon the property for the costs of the assessment;

### **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF THE DALLES RESOLVES AS FOLLOWS:**

Section 1. Assessment. The cost of the abatement of the nuisance conditions consisting of the removal of junk and hazardous vegetation for the property located at 1014 Garrison Street, The Dalles, Oregon, is assessed upon the following property:

<u>Name/Address</u>	<u>Description</u>	<u>Final Assessment</u>
Jayne Harmon P.O. Box 1842 The Dalles, OR 97058	1N 13 4AD #14900 See legal description in Exhibit "A"	\$660.00

Section 2. Docket Entry. Upon passage of this Ordinance and its approval by the Mayor, the City Clerk is instructed and directed to enter into the Docket of City Liens the following matters in relation to the assessment:

- a. The foregoing legal description of the property assessed.
- b. The name of the owners or statement that the owners are unknown.
- c. The sum assessed upon each lot or tract of land.
- d. The date of the docket entry.

Section 3. Notices/Collection of Assessment. The City Clerk is directed to proceed with notice and collection of the assessment in accordance with the procedures prescribed by State law for enforcement of liens and collection of assessments.

**PASSED AND ADOPTED THIS 27th DAY OF JUNE 2011**

Voting Yes, Councilors: \_\_\_\_\_  
Voting No, Councilors: \_\_\_\_\_  
Absent, Councilors: \_\_\_\_\_  
Abstaining, Councilors: \_\_\_\_\_

**AND APPROVED BY THE MAYOR THIS 27th DAY OF JUNE 2011**

SIGNED:

\_\_\_\_\_  
James L. Wilcox, Mayor

ATTEST:

\_\_\_\_\_  
Julie Krueger, MMC, City Clerk

Exhibit "A"

Lot F, Block 29, Fort Dalles Military Reservation to Dalles City