

AGENDA

REGULAR CITY COUNCIL MEETING

November 14, 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.

CITY OF THE DALLES

"By working together, we will provide services that enhance the vitality of The Dalles"

- A. Approval of October 10, 2011 Regular City Council Meeting Minutes
- B. Approval of October 24, 2011 Regular City Council Meeting Minutes
- C. Approval to Declare Vehicle as Surplus Property

11. PUBLIC HEARINGS

- A. Public Hearing to Receive Testimony Regarding the Sale of the 19th Street Reservoir Property [**Agenda Staff Report #11-096**]
 - 1. Resolution Accepting an Offer from the Mid-Columbia Medical Center to Purchase a Surplus Parcel of Real Property Commonly Known as the Nineteenth street Reservoir Property

12. CONTRACT REVIEW BOARD ACTIONS

- A. Approval to Purchase Police Patrol Vehicles [**Agenda Staff Report #11-097**]

13. ACTION ITEMS

- A. Special Ordinance No. 11-544 Assessing the Properties Located at 414 West Sixth Street and 1290 West Eighth Street for the Cost of Abatement of Hazardous Vegetation [**Agenda Staff Report #11-098**]
- B. Resolution No. 11-029 Assessing the Property Located at 1914 Dry Hollow Road for the Cost of Abatement of Junk and Hazardous Vegetation [**Agenda Staff Report #11-099**]
- C. Consideration of Department Manager's Salaries [**Agenda Staff Report #11-100**]

14. DISCUSSION ITEMS

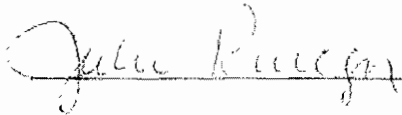
- A. Review of Chenoweth Interchange Area Management Plan (IAMP) Supplemental Transportation Systems Development Charges [**Agenda Staff Report #11-101**]

B. Review of Proposed Tree Plan [Agenda Staff Report #11-102]

15. ADJOURNMENT

This meeting conducted in a handicap accessible room.

Prepared by/
Julie Krueger, MMC
City Clerk

_____



AGENDA STAFF REPORT CITY OF THE DALLES

MEETING DATE	AGENDA LOCATION	AGENDA REPORT #
October 24, 2011	Consent Agenda 10, A - C	N/A

TO: Honorable Mayor and City Council

FROM: Julie Krueger, MMC, City Clerk

THRU: Nolan K. Young, City Manager

DATE: September 27, 2011

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

A. **ITEM:** Approval of October 10, 2011 Regular City Council Meeting Minutes.

BUDGET IMPLICATIONS: None.

SYNOPSIS: The minutes of the October 10, 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 October 10, 2011 regular City Council meeting.

B. **ITEM:** Approval of October 24, 2011 Regular City Council Meeting Minutes.

BUDGET IMPLICATIONS: None.

SYNOPSIS: The minutes of the October 24, 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 October 24, 2011 regular City Council meeting.

C. **ITEM:** Approval to Declare Vehicle Surplus Property.

BUDGET IMPLICATIONS: Any revenue generated by the disposal of the vehicle will be credited to the General Fund.

SYNOPSIS: The vehicle proposed to be surplussed is a 1997 Chevrolet Lumina; VIN number 2G1WL52M5V9273004. This vehicle was originally used as a Police Department vehicle and has been used by the Community Development Department Codes Enforcement for the past several years. The vehicle has been evaluated by the City's mechanic and determined to be at the end of its useful life.

The Community Development Department has recently purchased a used 2006 Ford Escape 4WD to replace this aging vehicle and no longer has a need to keep the Lumina.

RECOMMENDATION: Declare the 1997 Chevrolet Lumina as surplus property and direct staff to dispose of the vehicle in the manner determined to be most appropriate.

MINUTES

REGULAR COUNCIL MEETING
OF
OCTOBER 10, 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 Attorney Gene Parker, City Clerk Julie Krueger, Community Development Director Dan Durow, Public Works Director Dave Anderson, Finance Director Kate Mast, Administrative Fellow Cooper Whitman, Police Chief Jay Waterbury

CALL TO ORDER

Mayor Wilcox called the meeting to order at 5:33 p.m.

ROLL CALL

Roll call was conducted by City Clerk Krueger; all Councilors present.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

It was moved by Ahier and seconded by Wood to approve the agenda as amended, by adding a Breast Cancer Awareness Proclamation. The motion carried unanimously.

MINUTES (Continued)
Regular Council Meeting
October 10, 2011
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PRESENTATIONS/PROCLAMATIONS

Presentation by YouthThink Regarding Search Institute Asset Survey

Debby Jones, 4575 Basalt Road, The Dalles and Nikki Lesich, PO Box 643, The Dalles, provided an overview of a recent Search Institute Asset Survey completed for the YouthThink program. It was noted the results of the survey were very similar to the same survey taken ten years ago. Jones explained the survey included sixth through 12th grade students and asked questions regarding substance use and risk taking behaviors. She said the results were measured against the number of developmental assets of each student.

Nikki Lesich thanked the City Council for their support of YouthThink programs and for keeping youth issues in the Vision Plan.

Breast Cancer Awareness Proclamation

Mayor Wilcox read a Proclamation, declaring the month of October, 2011, as Breast Cancer Awareness Month.

AUDIENCE PARTICIPATION

Scott Green, Northern Wasco County Parks and Recreation District Director, thanked the City Council for their support of the newly constructed skate park. He said the park was well used by the community and noted Fall plantings and irrigation would be installed as the next step. Mr. Green presented the Mayor with a framed photograph of the ribbon cutting ceremony.

CITY ATTORNEY REPORT

City Attorney Parker reported he had attended the City Attorney's meeting at the League of Oregon Cities conference and there was a good session about codes enforcement issues. Parker said he was working on the yard sale ordinance updates and second hand dealer ordinance and hoped to have them ready for Council review in November.

CITY COUNCIL REPORTS

Councilor Wood reported on a recent tour of watershed lands with the Wasco County Commission and US Forest Services. She said the upper portion of the lands was much improved from one year ago.

MINUTES (Continued)
Regular Council Meeting
October 10, 2011
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Councilor Spatz said the Mid Columbia Economic Development District Board had met last month. He said the Regional Strategies Team would be having its first meeting on October 14th.

Mayor Wilcox announced that the City Manager was doing well and was mostly working from home this week. He said a City employee's daughter had a serious accident and asked that everyone keep them in their prayers.

Wilcox commended community members for taking such great care of their properties and especially thanked Sam and Anne Marie Woolsey and Tom and Debbie Conklin for the extra care they took in maintaining their properties.

Wilcox asked the City Council to let the City Clerk know if they had any particular topics they wanted to discuss at a future Town Hall meeting.

Mayor Wilcox provided a report about his experiences at the recent League of Oregon Cities Conference, noting the City of Ontario's current problems in regulating medical marijuana dispensaries; an opportunity to host a future Oregon Mayor's Conference in The Dalles; a report from Senator Ron Wyden about County timber payments being restored and re-authorization of transportation programs; availability to research topics on the League's website through their A to Z index; and economic development presentation by Columbia County regarding how they help citizens to get the assistance they need. He complimented Executive Secretary Izetta Grossman for her willingness to always help citizens in this manner. Wilcox said he had been impressed with the City of Sandy's social media/Facebook presentation and noted that Izetta Grossman also did a great job for the City in managing the City's Facebook page. Wilcox said he had nominated Representative Greg Walden for an award, which he did receive. He recommended all City Councilors attend at least one League conference.

CONSENT AGENDA

Councilor Ahier noted for the record that the September 26th meeting minutes had indicated that he was unsure whether the transportation systems development charge credits had spurred new development but that his intention was to say he did believe it had spurred development. Ahier said he wanted to clarify his comments.

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

The item approved by Consent Agenda was approval of the September 26, 2011 regular City Council meeting minutes.

PUBLIC HEARINGS

Public Hearing to Receive Testimony Regarding Water Rate Options

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

Public Works Director Anderson reviewed the staff report. He specifically reviewed the four proposed alternative residential rates and said all the proposals would generate the same amount of revenue, which was needed to accomplish the projects identified in the previously accepted Option 2B schedule. Anderson noted there was no proposal to change the proposed four percent increase for the commercial rates, which was approximately 38% of the water rate revenues. He recommended the selected rate schedule be re-evaluated in about one year to confirm the anticipated revenues were being realized, allowing for adjustments if necessary. Anderson further recommended the schedule outlined in Option 2B be implemented as originally proposed with 10% increases on September 1 of each year 2012 through 2014; 8% increases years 2015 through 2017; and 10% increases in years 2018 through 2020.

Testimony

Bruce Harris, 812 West 13th Street, The Dalles, said he owned a business installing sprinkler systems. He said many of his customers told him they could not continue to water their lawns if the water rates continued to increase and some of them were paying \$250 per month for water currently. Harris said the City had an abundant supply of water and said it was less expensive to provide water from the City wells than from the water treatment plant. He said if the City reduced water rates, they would sell more water and people would use more water.

Mayor Wilcox asked what the irrigation consumption might be on a standard lot if a person had a sprinkler system. Harris said an average person would use approximately 15,000 gallons per month for irrigation.

Councilor Dick asked if Mr. Harris was advocating that the City not lower the base gallons. Mr. Harris said that was correct. He said he would support increasing the base gallons.

Councilor Ahier said he didn't think increasing the number of gallons for the base rate would help increase revenue which was needed to complete the needed projects.

Michael Leash, 206 Court Street, The Dalles, expressed concern regarding commercial rates. He said his establishment was charged approximately \$800 per month for water and sewer and that basing the sewer rates on available seating, when it was seldom at capacity seemed unfair. He asked the City to review the methodology for setting commercial sewer rates.

Public Works Director Anderson said the charges for commercial water rates were based on the size of the water line. He explained that the sewer charges were not solely based on seating, but other factors such as kitchen and bar waste.

Hearing no further testimony, the public hearing was closed.

Council Deliberation

Councilor Spatz asked if there was a cost of service analysis. Public Works Director Anderson said one had been included in the 2006 Water Master Plan. He said initially, there had been a 15,000 gallon base for residential and 7,000 gallon base for commercial customers.

Anderson said consumption had been very constant and increasing the base gallons could result in the delay of some water source development projects, which were needed for the future growth and economic development of the community.

Public Works Director Anderson responded to a comment from Mr. Harris regarding the high cost of water, noting that if a person used between 15,000 and 20,000 gallons of water, their monthly bill would be approximately \$42 to \$52 per month. He said if a person had a \$250 monthly water bill, they would be using about 250,000 gallons of water.

Councilor Spatz asked the average consumption during the winter months. Public Works Director Anderson estimated it was between 3,000 and 4,000 gallons per month. Spatz asked if staff had considered a seasonal rate structure. Anderson said that had not been considered, but said people did have the ability to participate in the average billing program.

Councilor Wood reminded the City Council that they had previously selected Option 2B for the water rate increases because it was the least amount of increase for the highest amount of projects to be completed. She said the City had a responsibility to pay for the improvements, operations and to repay bonds. She recommended the base gallon amount be left at 10,000 so as not to cause families an extra financial burden.

Councilor Dick said he supported maintaining the 10,000 gallon base or even increasing it. He said he could support proposed Alternative 1 with a 2% increase to the base rate, a 10,000 gallon base, and a 29.7% increase on the volume charge.

Mayor Wilcox said he also supported Alternative 1.

Councilor Ahier said he thought it was important to pay for what you use and was not opposed to reducing the base gallons, but felt Alternative 1 was a modest increase. He said it was important that the City Council adopt a reasonable and responsible rate structure.

Councilor Spatz questioned how many rate payers used the average bill pay program. Finance Director Mast said she did not know the number, but not very many people currently used the program. Spatz suggested the program be publicized to ensure the citizens were aware of the option.

Spatz said he understood the need to be responsible and believed it was wise to review the rates in a year, but was opposed to increasing the rates during the poor economic times.

It was moved by Wood and seconded by Dick to direct staff to prepare a water utility rate resolution using Option 2B, Alternative 1; to re-evaluate within one year to confirm revenues were being realized and to be implemented as originally proposed with 10% increases on September 1 of each year 2012 through 2014; 8% increases years 2015 through 2017; and 10% increases in years 2018 through 2020.

Mayor Wilcox asked staff to provide information regarding the number of customers who use more than 10,000 gallons and more than 15,000 gallons of water.

Councilor Ahier said he could support the motion.

Councilor McGlothlin said no one wanted to raise rates, but felt it was the Council's job to do the responsible thing. He said the increase was minimal and hoped the public could be educated as to the impact of the increase to take away people's fears about high water rates.

Councilor Wood said people were more understanding of the need to raise water rates when it was explained to them that the water infrastructure was 150 years old.

The motion to direct staff to prepare a water utility rate resolution using Option 2B, Alternative 1; to re-evaluate within one year to confirm revenues were being realized and to be implemented as originally proposed with 10% increases on September 1 of each year 2012 through 2014; 8% increases years 2015 through 2017; and 10% increases in years 2018 through 2020 was voted on and carried; Spatz voting no.

MINUTES (Continued)
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ACTION ITEMS

Special Ordinance No. 11-543 Annexing a Portion of the Property Identified as 2505 Wright Street (Honald Consent Annexation)

City Attorney Parker reviewed the staff report and noted the ordinance had been posted according to the City's requirements for adopting by title.

City Clerk Krueger read Special Ordinance No. 11-543 by title.

It was moved by Wood and seconded by Spatz to adopt Special Ordinance No. 11-543 by title. The motion carried unanimously.

Approval to Apply for an Oregon Department of Transportation (ODOT) Flexible Funds Grant for the Washington Street Connection Project

Administrative Fellow Cooper Whitman reviewed the staff report.

It was moved by Ahier and seconded by Wood to authorize staff to apply for an Oregon Department of Transportation (ODOT) Flexible Funds Grant for the Washington Street Connection Project. The motion carried unanimously.

DISCUSSION ITEMS

Discussion Regarding Potential Land Exchange Near the Intermediate Reservoir

Public Works Director Anderson reviewed the staff report.

It was the consensus of the City Council to proceed with the proposed land exchange, correcting easement and right of way issues through the exchange.

EXECUTIVE SESSION

Mayor Wilcox recessed the meeting to Executive Session at 7:37 p.m. in accordance with ORS 192.660 (2) (e) to conduct deliberations with persons designated by the governing body to negotiate real property transactions.

Reconvene to Open Session

The meeting reconvened to open session at 7:50 p.m.

MINUTES (Continued)
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DECISIONS FOLLOWING EXECUTIVE SESSION

None.

ADJOURNMENT

Being no further business, the meeting adjourned at 7:50 p.m.

Submitted by/
Julie Krueger, MMC,
City Clerk

SIGNED:

James L. Wilcox, Mayor

ATTEST:

Julie Krueger, MMC, City Clerk

MINUTES

REGULAR COUNCIL MEETING
OF
OCTOBER 24, 2011
12:00 P.M.
THE DALLES WAHTONKA HIGH SCHOOL
220 EAST TENTH STREET
THE DALLES, OREGON

PRESIDING: Mayor Jim Wilcox

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

COUNCIL ABSENT: Bill Dick

STAFF PRESENT: City Manager Nolan Young, City Attorney Gene Parker, City Clerk Julie Krueger, Community Development Director Dan Durow, Public Works Director Dave Anderson, Finance Director Kate Mast, Administrative Fellow Cooper Whitman, Engineer Dale McCabe, Librarian Sheila Dooley

CALL TO ORDER

Mayor Wilcox called the meeting to order at 12:03 p.m.

ROLL CALL

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

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

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

CONTRACT REVIEW BOARD ACTIONS (Taken out of order)

Award Contract for Marine Terminal/Commercial Dock Project

City Manager Young reviewed the staff report. He noted the project was over budget approximately \$509,000, which included \$89,000 to have KPFF perform the on-site inspections for the project. Young said if there was consensus, he would use Urban Renewal funds previously planned for a different project to make up the difference. He said the Washington Street Crossing Project was currently deficient in funding, so as staff worked to secure additional funding for that project, the amount needed would increase by the amount used to complete the Commercial Dock Facility Project.

It was the consensus of the City Council to use a portion of Urban Renewal funding from the Washington Street Crossing project to completely fund the Commercial Dock Facility project.

It was moved by Wood and seconded by Spatz to award the Commercial Dock Facility contract to Bergerson Construction in an amount not to exceed \$2,949,409. The motion carried unanimously, Dick absent.

Award Contract for Lewis and Clark Festival Area Project

City Manager Young reviewed the staff report, reviewing the list of project deductions. Young recommended approving the project to include the landscaping, but deducting the other items, including 50% of vendor power; sanitary sewer work, with Public Works assisting in that portion of the project; barbeques; benches; and upgraded tile work for the restrooms.

It was moved by Spatz and seconded by Ahier to award the Lewis and Clark Festival Area project contract to Kirby Negelhout Construction in an amount of \$2,564,464.25 with the exclusion of deduct items number one through five. The motion carried unanimously, Dick absent.

PRESENTATIONS/PROCLAMATIONS

Certificate of Recognition to Harold Haake

Mayor Wilcox read a Certificate of Recognition to Harold Haake for his service to the community by encouraging economic development and growth. He thanked Mr. Haake for his volunteerism and talked about the work Mr. Haake had accomplished over the past years to help develop industry on Port property.

MINUTES (Continued)
Regular Council Meeting
October 24, 2011
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AUDIENCE PARTICIPATION

Mayor Wilcox introduced the City Council and staff to the audience members.

David Munez asked if a parks department representative was in attendance. Mayor Wilcox explained that the Parks and Recreation District was not a part of the City, but was a separate taxing district.

Brian Jones asked how someone became a City Councilor. Mayor Wilcox explained the process for appointment or election to office. City Clerk Julie Krueger explained the positions, district, qualifications to run for an office, and the election procedure.

Mayor Wilcox noted other volunteer positions for the City, including serving on the Planning Commission, Traffic Safety Commission, Historic Landmarks Commission, Airport Board, and various task forces.

ACTION ITEMS

Approval of Implementation of an Electronic Lien Docket System

Finance Director Mast reviewed the staff report.

Public Comment

Sheila Weed, Amerititle, spoke in support of the implementation of an electronic lien docket, saying it would provide for a more efficient process for title companies.

Mayor Wilcox said he was in support of the proposal.

Councilor Ahier clarified that the City would charge a \$25 fee, but the City would be charged \$10 per use by the lien docket company. Finance Director Mast said that was correct.

Resolution No. 11-027 Amending the City Fee Schedule, Authorizing Lien Search Fee for Disclosure of Information Pertaining to City of The Dalles' Liens on Property

It was moved by Wood and seconded by McGlothlin to adopt Resolution No. 11-027 amending the City fee schedule, authorizing lien search fee for disclosure of information pertaining to City of The Dalles' liens on property. The motion carried unanimously, Dick absent.

MINUTES (Continued)
Regular Council Meeting
October 24, 2011
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Resolution No. 11-028 Authorizing the City of The Dalles to Use an Electronic Lien Docket as Allowed by Oregon Revised Statute 93.643

It was moved by Ahier and seconded by Spatz to adopt Resolution No. 11-028 authorizing the City of The Dalles to use an electronic lien docket as allowed by Oregon Revised Statute 93.643. The motion carried unanimously, Dick absent.

Resolution No. 11-026 Amending Resolution No. 06-028, Establishing Metered Water Rates and Sanitary Sewer Fees and System Development Charges for the City of The Dalles

Public Works Director Dave Anderson reviewed the staff report. He reminded the Council the resolution included a two percent residential base rate increase and a 29.7% consumptive volume charge, as well as a four percent increase for commercial customers. He said the Resolution included a schedule for future rate adjustments to support the capital project schedule.

Councilor Ahier expressed concern that the Resolution did not include a provision for an annual review of proposed rate adjustments. He said it had been agreed at the last meeting that Council would review the rates prior to the next proposed increase in September, 2012.

City Manager Young said the Council could make a motion to require a review or the Resolution could be amended to include that language.

Councilor Spatz said he remained in opposition of any rate increase. He said he would prefer that the City ask the voters to approve a bond measure to accomplish the projects.

Councilor Wood disagreed with Spatz, saying this proposed rate increase was based on an extension of the 2006 Water master Plan projects that had been approved by Council. She said a small rate increase was much more acceptable than an expensive bond measure. She said it was the City's responsibility to provide infrastructure maintenance and upgrade aging water lines.

Ahier said he did believe the two percent base rate increase was acceptable for now, but wanted the City Council to revisit annually before approving additional increases. He asked that staff provide other options for making the improvements aside from rate increases.

Mayor Wilcox said he did not think the City should compete with other taxing entities for bond measures, rather the City should use its rate structure to complete infrastructure improvements.

It was moved by Wood and seconded by Spatz to adopt Resolution No. 11-026 amending Resolution No. 06-028, establishing metered water rates and sanitary sewer fees and system development charges for the City of The Dalles, with a rate review to be completed within a year.

Wood said it was the City's responsibility to maintain the water system and this rate increase was needed to continue to take care of the delivery of water to the citizens.

Spatz said he could support the Resolution with the condition of reviewing the rates next year, but asked that the City Council at least consider bonds and other options aside from rate increases.

McGlothlin said the City was required by law to maintain its water system and would support adoption of the Resolution with the condition that the rates be reviewed next year.

Ahier said he thought it would be helpful to have citizen involvement in the process.

Wilcox suggested water rates as a topic for a Town Hall meeting.

City Manager Young said staff would prepare information next year for review and then once the information was developed, it could be a topic for a Town Hall meeting.

The motion to adopt Resolution No. 11-026 amending Resolution No. 06-028, establishing metered water rates and sanitary sewer fees and system development charges for the City of The Dalles, with a rate review to be completed within a year was voted on and carried unanimously, Dick absent.

ADJOURNMENT

Mr. Jupe thanked the City Council for conducting their meeting at the High School, said he believed the students were genuinely interested and hoped it could be an annual event. Being no further business, the meeting adjourned at 1:35 p.m.

Submitted by/
Julie Krueger, MMC
City Clerk

SIGNED:

James L. Wilcox, Mayor

ATTEST:

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 #
November 14, 2011	Public Hearings 11, A, 1	11-096

TO: Honorable Mayor and City Council

FROM: Gene E. Parker, City Attorney

THRU: Nolan K. Young, City Manager

DATE: November 1, 2011

ISSUE: Public Hearing for Proposed Sale of 19th Street Reservoir Property to Mid-Columbia Medical Center, and adoption of Resolution No. 11-030 accepting the offer of Mid-Columbia Medical Center to purchase the property.

RELATED CITY COUNCIL GOAL: Goal 1, Provide Public Works infrastructure that will ensure safe and well maintained streets and reliable utility systems for the citizens of The Dalles; Tier 1(F) Complete abandonment of 19th Street Reservoir and declare as surplus property.

PREVIOUS AGENDA REPORT NUMBERS: #11-042.

BACKGROUND: The City owns a parcel of property commonly known as the 19th Street Reservoir property. On May 23, 2011, the City Council adopted Resolution No. 11-014, declaring this parcel of property to be surplus property, not needed for any public use. The City has removed the reservoir tank which had been located upon the property.

Mid-Columbia Medical Center operates a hospital facility and several other facilities adjacent to the site of the surplus property. MCMC is currently undergoing the process of developing a master plan for the future expansion or replacement of its hospital facility. MCMC has indicated a strong desire to have the opportunity to incorporate the surplus property as part of its master

planning process. MCMC has offered to purchase the property for the sum of \$350,000.00, as set forth in the enclosed letter from Duane Francis, CEO of Mid-Columbia Medical Center.

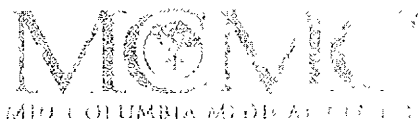
ORS 221.725 sets forth the process whenever a local government desires to sell surplus real property. The City is required to schedule a public hearing, and allow for any interested person to comment upon the proposed sale. State law requires that the nature of the proposed sale and the general terms of the sale, include an appraisal or other evidence of the market value, be provided during the public hearing. Enclosed with this staff report is a summary portion from an appraisal of the property conducted by the firm of Cassinelli Jackson, LLC, which states the property has an appraised value of \$350,000.00

Enclosed with this staff report is a copy of Resolution No. 11-030, which would accept the offer of MCMC to purchase the surplus property. Following any testimony presented during the public hearing, City staff recommends that the Council adopt Resolution No. 11-030.

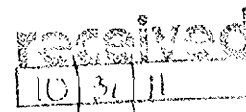
BUDGET IMPLICATIONS: The \$350,000 from the proceeds of the sale of the property are anticipated to be placed initially in a Sale of Fixed Assets line item in the Water Utility Fund #051, and then included in a supplemental budget which would transfer the proceeds to the Water Reserve Fund #053.

ALTERNATIVES:

- A. Staff Recommendation. *Move to adopt Resolution No. 11-030.*



Mid-Columbia Medical Center



October 27, 2011

1700 E 19th St.
The Dalles, OR 97058

tel. 541-296-1111
Fax 541-296-1600
www.mcmc.net

Nolan Young
City Manager
City of The Dalles
313 Court Street
The Dalles, OR 97058

Dear Nolan,

I am in receipt of your recent letter following the City Council meeting on September 12, 2011 where I formally made a request to purchase the city surplus 19th street reservoir property. To review the history of our request to date, you will recall that we offered \$320,000 and your letter in response provided a counter offer to MCMC of \$350,000 representing full appraised value of the property.

Please consider this letter as our acceptance of your counter-offer to purchase the 19th Street reservoir property for \$350,000 in cash payable upon closing. As stated in our original offer to the City, we stand ready to move forward with this purchase once the demolition of the water tower is complete inclusive of any foundation or support structure related to the water tower being completely removed and the property being returned to its original condition before the water tower was built.

I want to personally thank you, the Mayor and the City Council on behalf of the Board of Trustees of Mid-Columbia Medical Center for the professional manner in which these negotiations were conducted. The completion of this transaction will truly represent a classic win-win in the form of a substantial benefit to both MCMC and the City of The Dalles by helping to facilitate our plans for future development projects.

Please contact me once the demolition of the water tank is complete and the city desires to move forward with closing the sale of this property.

Sincerely,

Duane W. Francis
President/CEO

cc: Mayor Jim Wilcox
Carina Schmidt, Chair, MCMC Board of Directors
Bob Bailey, Chair, Healthcare for the Mid-Columbia Region Board

**SUMMARY APPRAISAL
REPORT**

19TH STREET RESERVOIR
1802 E 19th Street
The Dalles, OR 97058

PREPARED FOR:

Duane Francis, CEO
MID-COLUMBIA MEDICAL CENTER
1700 E 19th St.
The Dalles, OR 97058

PREPARED BY:

Joseph B. Skilton
W. Paul Jackson, MAI
CASSINELLI JACKSON LLC
11720 SW 72nd Ave.,
Tigard, OR 97223
Telephone: (503) 552-9100
www.cassjack.com

July 25, 2011

Duane Francis, CEO
MID COLUMBIA MEDICAL CENTER
1700 E. 19th St.,
The Dalles, OR 97058

RE: 19th St Reservoir
1802 E 19th St.
The Dalles, OR 97058

Dear Mr. Francis,

At your request, we have completed an appraisal of the property specified above, which is presented in the following summary report. The subject property is 1.79 acres of residential-zoned land, currently improved with a metal water tank. The following appraisal assumes that the improvements have been removed and the site is build-ready. We have appraised the property using generally accepted appraisal principles and practices. The following appraisal is intended to comply with:

- ♦ The Uniform Standards of Professional Appraisal Practice (USPAP) of the Appraisal Foundation, and
- ♦ The Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute, and
- ♦ Title XI of the Federal Financial Institutional Reform Act (FFIRREA) of 1989, and
- ♦ Regulation 12 CFR Part 34 of the Office of the Comptroller of the Currency titled Real Estate Appraisals, as revised in Federal Register Vol. 59, No. 58, dated June 15, 1994.

This appraisal uses standard recognized appraisal methodology to develop our opinion of as is market value of the subject property. This appraisal is presented in a summary report format [USPAP Standard 2-2(b)]. As such, it summarizes the data, reasoning, and analyses used to develop our opinion(s) of value. Supporting documentation concerning the data, reasoning, and analysis is retained in our files. The depth of discussion contained in this report is specific to the needs of the client.

The client and intended user(s), intended use, type and definition of value, effective date, subject property, and assignment conditions of this appraisal are stated &/or described in the report. These factors limit the context of the appraisal, and the legitimate use(s) of this report. We are not responsible for any other use of this report, or any use by any party other than the intended user(s). Please refer to the Scope of Work, and Assumptions and Limiting Conditions sections for important information.

The appraisal assignment is to develop and report in summary format our opinion of the As Is Fee Simple Value of the subject property. The property is 100% owner-occupied. Leased Fee / Leasehold analysis is not applicable. The As Is Value is a stabilized value.

Based on our investigation and analysis of available information, our final opinion of market value of the subject property is:

TYPE OF VALUE	DATE OF VALUE	OPINION OF VALUE
As Is Fee Simple Value	July 20, 2011	\$ 350,000

The value opinion(s) concluded in this appraisal do not include furnishings, fixtures, equipment, personal property, or intangible items. The valuation is subject to the Assumptions and Limiting Conditions section of the following report, as well as the explanatory comments within the report, which should be referenced for a complete understanding of the value conclusions.

Furthermore, opinions of value reported herein are contingent upon extraordinary assumptions and/or hypothetical conditions ("EA/HC"). EA/HC not met could have a negative impact on the value conclusions and could invalidate the entire appraisal. The appraisal report is subject to the following EA/HC:


- No investigation of title was provided. This appraisal assumes that the subject property is correctly identified, and that title to the subject is clear and market-able, free of adverse easements, encroachments, and encumbrances.
- No environmental investigation / assessment report was provided. This appraisal assumes that the site and improvements are and will remain free of adverse environmental conditions
- This appraisal assumes that the existing improvements are removed, and the site is clean, graded and build-ready.

Sincerely,

CASSINELLI JACKSON, LLC



Joseph B. Skilton
Oregon Certified General Appraiser C000755
Washington Certified General Appraiser 1101924



W. Paul Jackson, MAI
Oregon Certified General Appraiser C000548
Washington Certified General Appraiser 1100337

RESOLUTION NO. 11-030

A RESOLUTION ACCEPTING AN OFFER FROM THE MID-COLUMBIA MEDICAL CENTER TO PURCHASE A SURPLUS PARCEL OF REAL PROPERTY COMMONLY KNOWN AS THE NINETEENTH STREET RESERVOIR PROPERTY

WHEREAS, the City of The Dalles owns a parcel of property, which is identified as Township 1 North, Range 13 East, Section 11BA of the Willamette Meridian, Tax Lot 5200, which property is shown on the map attached as Exhibit "A", and which property is further described in the legal description attached as Exhibit "B"; and

WHEREAS, the above described property is surplus real property, and is not needed for a public purpose, and a transfer of the property may further the public interest, for the reasons set forth in Resolution No. 11-014, adopted on May 23, 2011; and

WHEREAS, a public hearing was held on November 14, 2011, to consider the sale of said property to the Mid-Columbia Medical Center for the sum of \$350,000.00; and

WHEREAS, notice of the public hearing was published in accordance with the requirements of ORS 221.725; and

WHEREAS, the City Council finds that the sale of the property will benefit the public interest. The subject parcel is adjacent to the property upon which MCMC's hospital is located. MCMC is currently in the process of developing a master plan for the future expansion or replacement of its hospital facility. MCMC has advised the City that they consider the subject parcel to be an integral part of their master planning effort for the hospital, and the City Council finds that conveyance of the property to MCMC will facilitate the planning efforts of MCMC, which is a significant health care provider for the citizens of The Dalles and other residents of the Columbia River Gorge; and

WHEREAS, ORS 271.310 provides that a political subdivision may sell, exchange, convey or lease for any period not exceeding 99 years all or any part of its interest in real property, when that property is not needed for public use, or whenever transfer of the property may further the public interest;

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

Section 1. The offer of \$350,000.00 by Mid-Columbia Medical Center to purchase the parcel of property commonly known as the 19th Street Reservoir Property, which property is further described in Exhibit "B" attached hereto, is hereby accepted.

Section 2. The City Manager, City Clerk, and other officers and employees of the City of The Dalles are hereby authorized to execute a deed on behalf of the City transferring ownership of the above-reference parcel to Mid-Columbia Medical Center for the sum of \$350,000.00 and to do such other acts as are necessary and proper.

Section 3. This Resolution shall be effective as of November 14, 2011.

PASSED AND ADOPTED THIS 14TH DAY OF NOVEMBER, 2011

Voting Yes, Councilors: _____

Voting No, Councilors: _____

Absent, Councilors: _____

Abstaining, Councilors: _____

AND APPROVED BY THE MAYOR THIS 14TH DAY OF NOVEMBER, 2011

SIGNED:

James L. Wilcox, Mayor

ATTEST:

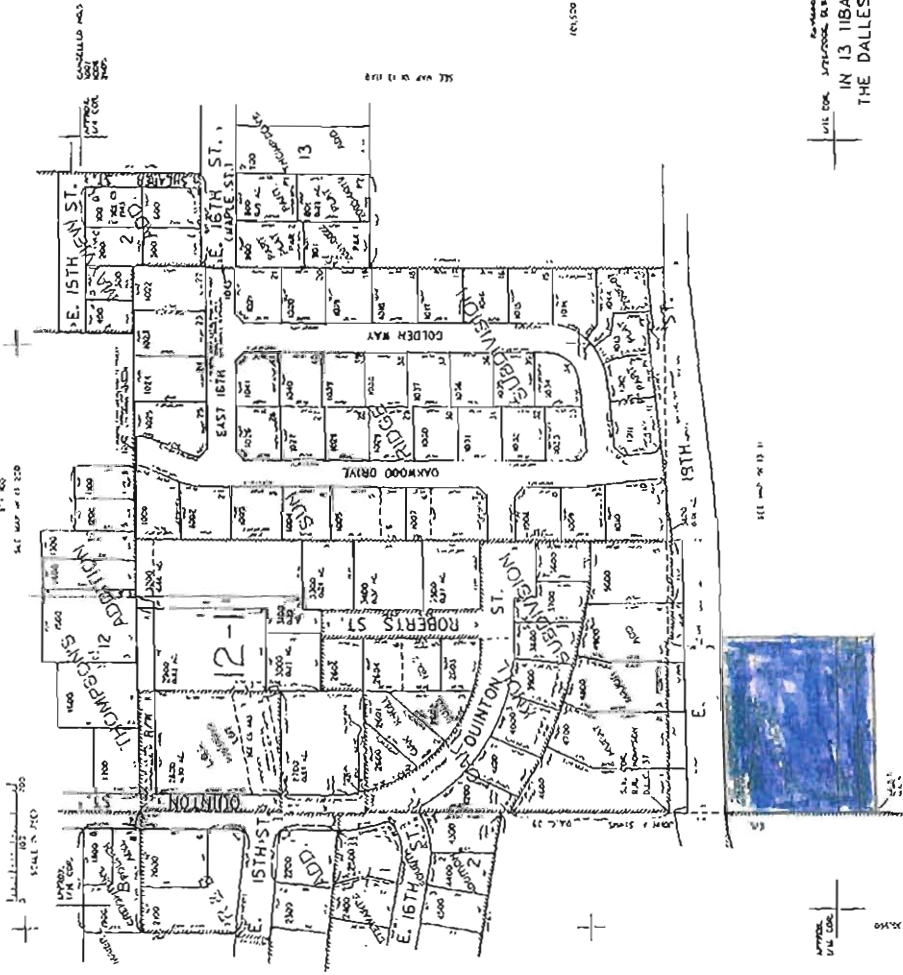
Julie Krueger, MMC, City Clerk

EXHIBIT A

IN 13 118A
THE DALLES

NE 1/4 NW 1/4 SEC. 11 T.1N. R.13E. W.M.
WASCO COUNTY

THIS MAP WAS PREPARED FOR
COURT PURPOSES ONLY



IN 13 118A
THE DALLES

THIS MAP WAS PREPARED FOR
COURT PURPOSES ONLY

EXHIBIT "B"

A tract of land in the Northwest 1/4 of Section 11, Township 1 North, Range 13 East, Willamette Meridian, more particularly described as follows:

Beginning at the Southeast corner of the Simms Donation Land Claim No. 39; thence North along the East line of said Simms Donation Land Claim a distance of 835 feet to the true point of beginning; thence continuing North along said Easterly line of the Simms Donation Land Claim 357.62 feet more or less to the Southwest corner of the R.R. Thompson Donation Land Claim No. 37; thence East 296 feet more or less; thence South 357.62 feet more or less to a point East of the point of beginning; thence West 297 feet more or less to the point of beginning.

EXCEPTING THEREFROM

A tract of land in Government Lot 2, Section 11, Township 1 North, Range 13 East, Willamette Meridian, Wasco County, Oregon, more particularly described as follows:

Beginning at the Southwest corner of the R.R. Thompson Donation Land Claim No. 37 in said township and range; thence East along the south line of said DLC No. 37 a distance of 297.00 feet; thence South 90.00 feet; thence in a straight line to the Northeast corner of the plat of The Dailes General Hospital, Tract A, said point being on the East line of the John A. Simms Donation Land Claim No. 39, said township and range; thence North along the East line of said Simms DLC 100 feet, more or less, to the true point of beginning of this description.



CITY OF THE DALLES
313 Court Street
The Dalles, Oregon 97058

AGENDA STAFF REPORT

CITY OF THE DALLES

MEETING DATE	AGENDA LOCATION	AGENDA REPORT #
November 14, 2011	Contract Review Board 12, A	11-097

TO: Honorable Mayor and City Council

FROM: Jay Waterbury, Police Chief

THRU: Nolan K. Young, City Manager

DATE: October 26, 2011

ISSUE: Authorization to Purchase Replacement Patrol Vehicles.

BACKGROUND: The Police Department regularly rotates in new patrol vehicles as the older ones become worn out, have increasing maintenance costs, and develop safety issues. There are currently three vehicles that are approaching the end of their useful life as a police patrol vehicle. They are two 2009 Dodge Chargers and one 2008 Dodge Charger. The 2008 vehicle was put into service in March, 2008. The 2009 Chargers were put into service in April, 2009. The new vehicles are estimated to arrive in March or April, 2012. By the time the new vehicles are in service, the old ones will have excess of 100,000 miles on them.

The vehicles will be replaced with 2012 Dodge Chargers. Current bid prices are: Federal Bid, \$24,576.33; State Bid (Withnell Dodge), \$22,114.00; State Bid (Wilsonville Dodge), \$22,080.00. The prices do not include vehicle set up

BUDGET IMPLICATIONS: The replacement cost and set up charges are included in the current year's Police Department budget in line item 011-300-421.7420.

RECOMMENDATIONS:

1. Staff Recommendation: *Move to authorize the purchase of three vehicles from Wilsonville Dodge in the amount of \$66,240.00.*
2. Instruct staff to seek additional bids.
3. Decline to purchase patrol vehicles at this time.



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 #
November 14, 2011	Action Items 13, A	11-098

TO: Honorable Mayor and City Council

FROM: Gene E. Parker, City Attorney

THRU: Nolan K. Young, City Manager 

DATE: October 26, 2011

ISSUE: Adoption of Special Ordinance No. 11-544, assessing the real properties located at 1290 West Eighth Street and 414 West Sixth Street, for the costs of abatement of hazardous vegetation.

RELATED CITY COUNCIL GOAL: None.

PREVIOUS AGENDA REPORT NUMBERS: None.

BACKGROUND: On June 14, 2011 and July 8, 2011, notices were posted on two properties located at 1290 West Eighth Street and 414 West Sixth Street, 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 FLI Landscape, a local contractor, 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 September 9, 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 October 10, 2011. The notices advised the property owners that

they had until September 15, 2011 to file any objection to the proposed assessment. Neither owner filed any objections, nor did either of them pay the proposed assessment for their property.

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. 11-544 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. 11-544, the properties located at 1290 West Eighth Street and 414 West Sixth Street, will be assessed for the cost of abatement of hazardous vegetation.

ALTERNATIVES:

- A. Staff Recommendation. *Move to adopt Special Ordinance No. 11-544 by title .*

SPECIAL ORDINANCE NO. 11-544

**AN ORDINANCE ASSESSING THE REAL PROPERTIES
LOCATED AT 1290 WEST EIGHTH STREET AND 414
WEST SIXTH STREET, FOR THE COSTS OF ABATEMENT
OF HAZARDOUS VEGETATION**

WHEREAS, a Notice to Abate Nuisance for the following listed properties was posted on the dates shown below:

1290 West Eighth Street 1N13E 4 #103	June 14, 2011
414 West Sixth Street 1N13E 4AD #1400	July 8, 2011

and

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

1290 West Eighth Street	Rae Ann Clark
414 West Sixth Street	Norman A. Nelson, Norman D. Nelson, Jr. & Laurie E. Nelson

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 FLI Landscape who abated the nuisance conditions on the dates shown below, for the following costs:

1290 West Eighth Street	\$790.00	June 30, 2011
414 West Sixth Street	\$164.00	July 29, 2011

and

WHEREAS, pursuant to Section 7 of General Ordinance No. 99-1234, the City Clerk sent a Notice of Assessment by certified mail on September 9, 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 October 10, 2011; and

WHEREAS, the September 9, 2011 Notices of Assessment also advised the owners that they had until September 15, 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>
Rae Ann Clark 18604 NW 64 th Avenue Ridgefield, WA 98642	1N 13E 4 #103	\$790.00
Norman A. Nelson Norman D Nelson Jr. Laurie E. Nelson 414 West 6 th Street The Dalles, OR 97058	1N 13E 4AD #1400	\$164.00

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 14th DAY OF NOVEMBER 2011.

Voting Yes, Councilors: _____
Voting No, Councilors: _____
Absent, Councilors: _____
Abstaining, Councilors: _____

AND APPROVED BY THE MAYOR THIS 14th DAY OF NOVEMBER 2011.

SIGNED:

James L. Wilcox, Mayor

ATTEST:

Julie Krueger, MMC, City Clerk

Exhibit “A” for Special Ordinance No. 11-544

Assessors’ Map No. 1N 13E 4AD Tax Lot 1400

Lot I (eye), Block 26, FORT DALLES MILITARY RESERVATION TO DALLES CITY, in the City of The Dalles, County of Wasco and State of Oregon

Assessor’s Map No. 1N 13 E 4 A Tax Lot 103

Parcel 1, Partition Plat #2000-026, Slide C-143A, Microfilm No. 2007-005136



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 #
November 14 , 2011	Action Items 13, B	11-099

TO: Honorable Mayor and City Council

FROM: Gene E. Parker, City Attorney

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

DATE: October 26, 2011

ISSUE: Adoption of Resolution No. 11-029, assessing the real property located at 1914 Dry Hollow Road for the costs of abatement of junk and hazardous vegetation.

RELATED CITY COUNCIL GOAL: None.

PREVIOUS AGENDA REPORT NUMBERS: None.

BACKGROUND: On June 19, 2011, a Notice to Abate Nuisance was posted on the property located at 1914 Dry Hollow Road in The Dalles. The property is owned by Francisco Javier Ortega Rivas and Alejandro Guterrez. 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 owners did not abate the nuisance conditions, and the City hired FLI Landscape to abate the nuisance conditions at a cost of \$215.00. The City Clerk sent a Notice of Assessment by certified mail to Mr. Guterrez on September 9, 2011, advising him of the assessment cost including a \$500 administrative fee and that if the assessment was not paid by September 26, 2011, the sum would become a lien upon the property. This notice advised Mr. Guterrez that he

had until September 15, 2011 to file any objection to the proposed assessment. Mr. Guterrez 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. 11-029, the property located at 1914 Dry Hollow Road will be assessed for the cost of abatement which total \$715.00.

ALTERNATIVES:

- A. Staff Recommendation. *Move to adopt Resolution No. 11-029.*

RESOLUTION NO. 11-029

A RESOLUTION ASSESSING THE REAL PROPERTY LOCATED AT 1914 DRY HOLLOW ROAD FOR THE COSTS OF ABATEMENT OF JUNK AND HAZARDOUS VEGETATION

WHEREAS, on June 19, 2011, a notice was posted to abate a nuisance on the property located at 1914 Dry Hollow Road, The Dalles, Oregon, which property is also described as Assessor's Map No. 1N 13E 10AA, Tax Lot 8300; and

WHEREAS, Francisco Javier Ortega Rivas and Alejandro Guterrez are the owners 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 FLJ Landscape to remove the junk and hazardous vegetation on June 29, 2011, at a cost of \$215.00; 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 September 9, 2011, to Alejandro Guterrez advising him that the total costs of the assessment was \$715.00, which included a \$500 administrative fee required by General Ordinance No. 93-1162, and this sum would become a lien upon the property if the amount was not paid by September 26, 2011; and

WHEREAS, the September 9, 2011 Notice of Assessment also advised Mr. Guterrez that he had until September 15, 2011 to file any objection to the proposed assessment; and

WHEREAS, Mr. Guterrez did not file any objection by the stated deadline, and he did not pay the sum of \$715.00 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 1914 Dry Hollow Road, The Dalles, Oregon, is assessed upon the following property:

<u>Name/Address</u>	<u>Description</u>	<u>Final Assessment</u>
Francisco Javier Ortega Rivas Alejandro Guterrez 1914 Dry Hollow Road P.O. Box 1641 The Dalles, OR 97058	1N 13E 10AA #8300 See legal description in Exhibit "A"	\$715.00

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 14th DAY OF NOVEMBER 2011

Voting Yes, Councilors: _____
Voting No, Councilors: _____
Absent, Councilors: _____
Abstaining, Councilors: _____

AND APPROVED BY THE MAYOR THIS 14th DAY OF NOVEMBER 2011

SIGNED:

ATTEST:

James L. Wilcox, Mayor

Julie Krueger, MMC, City Clerk

Exhibit "A" for Resolution No. 11-029

Lot 7, KARGL'S FIRST ADDITION TO DALLES CITY,
in the City of The Dalles, County of Wasco and State of Oregon

Subject to and excepting the following:

1. Public utility and access easement in respective widths of 5 and 15 feet over the Southerly portion of said Lot 7, as shown upon the recorded plat, and which said access area is now dedicated and accepted as a public street.
2. Protective and restrictive covenants, including the terms and provisions thereof, as contained in instrument recorded on October 6, 1960, Book 142, Page 301, Wasco County Records.



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 #
November 14, 2011	Action 13, C	11-100

TO: Mayor and City Council

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

DATE: October 31, 2011

ISSUE: Department Managers Salaries

PREVIOUS ASR: July 25, 2011 #11-081

BACKGROUND: At the July 25th City Council Meeting the Council reviewed the Department Managers salaries. Attached is a copy of the minutes for that meeting along with the staff report and attachments that were sent to the City Council. At the meeting, there were a variety of opinions and options on where to go from here. The Council specifically asked for additional information on the education and skill qualifications for the various managers. Attached is a new chart that summarizes that information.

To assist the City Council we have identified four options for consideration.

1. Maintain current salary equity for all six Department Managers and on July 1, 2012 in addition to any cost of living (COLA) adjustment move all Department Managers to a new A+ grade 3% higher than the current salary in Grade A.
2. Maintain the current equity with all six department managers and provide them with a 1.4% cost of living adjustment (COLA) effective November 1, 2011, in addition to the 1% COLA that all exempt employees receive January 1, 2012. The total cost of this option would be \$6,768.

3. For the four positions of Public Works Director, Community Development Director, Finance Director and Police Chief in addition to the 1% COLA in January 2012 increase their salaries by 1.25% on November 1, 2011 to bring their salaries in line with the City of Pendleton. This option will cost the City \$4,052.
4. On November 1, 2011 create a new A+ Grade 3% higher than the current Department Manager salary in Grade A. Move the positions of Police Chief, Public Works Director, and Community Development Director into this new A+ Grade. This will cost the city \$9,725.

COUNCIL ALTERNATIVES

1. Give the City Manager further direction on department manager salaries.

MINUTES (Continued)
Regular Council Meeting
July 25, 2011
Page 9

Discussion Regarding Department Managers Salaries

City Manager Young reviewed the staff report.

Mayor Wilcox said he didn't believe Department Managers were all equal and said Police and Public Works were the most vital departments of the City. He said the Police Chief and Public Works Director had more responsibilities and were more vital and should be paid a higher salary.

Councilor Wood said she had spoken with a Human Resources person who told her the City should hire an outside agency to set criteria for the salaries. She said the City implemented the equal pay for Department Managers to have internal consistency and that she believed prior to that, there had been gender issues with female Department managers being lower paid.

Wilcox said he had spoken with former Councilors who told him the current plan was the easy way out, not the right way.

Councilor Ahier said other cities did not pay all their Managers the same salary and said the City was de-valuing the Police Chief by underpaying him.

Councilor Dick said the Council should not discuss particular employees, rather positions. He said if changes were to be made, criteria should first be developed to determine the salary levels.

City Manager Young said he would look at the positions and develop common criteria for the positions and consider external and internal equity. He said as a group, the Department Managers were the lowest paid compared to others and suggested comparing with Pendleton salaries. He said providing a 1.4% cost of living adjustment and an 1.25% increase would bring the City's salaries more in line with the pay scale for Pendleton Managers.

Extend Time of Meeting

It was moved by Dick and seconded by Ahier to extend the meeting to 9:00 p.m. The motion carried unanimously, Spatz absent.

EXECUTIVE SESSION

Mayor Wilcox recessed the meeting to Executive Session at 8:34 p.m. in accordance with ORS 192.660 (2) (d) to conduct deliberations with persons designated by the governing body to carry on labor negotiations.



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 #
July 25, 2011	Discussion Items 14, B	11-081

TO: Mayor and City Council

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

DATE: July 13, 2011

ISSUE: Discussion of Department Manager's Compensation.

BACKGROUND: At the June 13th Council meeting when the Council was considering the compensation package for exempt employees the Council requested that the City Manager provide additional information on the Department Manager's salaries and bring this information back to the Council for discussion. Attached to this report there are three charts:

Chart #1: Salary Survey Comparison for Department Managers, this survey looks at the differences in the 2008 and 2010 surveys as well as identifying from the 2010 survey starting and top salaries and average number of employees supervised.

Chart #2: Department Managers Responsibilities and Comparison, this chart looks at the employees supervised, budgets managers are responsible for and the primary areas of responsibility.

Chart #3: Salary Survey details, this identifies the salaries by city that participated in the survey to determine the average. We have also identified some general observations regarding this information at the bottom of this chart.

BUDGET IMPLICATIONS: If the Council wishes to adjust the salary of one or more of the department managers, the additional cost for each 1% for each non public safety manager is \$1,062, and the public safety manager (one) is \$1,136 (public safety retirement is higher).

COUNCIL ALTERNATIVES:

1. Give the City Manager further direction on this issue.

Chart #1

Salary Survey Comparison

Position	% Difference Top Step 2008	% Difference Top Step 2010	Average Top Salary	The Dalles Top Salary	Survey Average Starting	City Salary Starting	Average # Supervised	The Dalles Supervised
Department Managers								
Public Works Director	-11.2%	-5.2%	\$7,481.78	\$7,248.77	\$5,651.00	\$5,702.00	23.8	41.0
Comm. Devel. Director	-12.0%	-2.1%	\$7,402.17	\$7,248.77	\$5,512.00	\$5,894.00	4.2	4.5
Finance Director	-12.9%	-7.5%	\$7,790.88	\$7,248.77	\$5,889.00	\$5,894.00	5.2	4.0
Police Chief	-12.8%	-10.9%	\$8,037.00	\$7,248.77	\$6,148.00	\$5,894.00	28.2	25.0
City Clerk /Recorder	11.2%	4.6%	\$6,917.83	\$7,248.77	\$4,616.00	\$5,894.00	2.3	3.0
Library Director	8.2%	7.3%	\$6,721.29	\$7,248.77	\$5,097.00	\$5,894.00	10.0	12.0

Observation:

- 1 The drop in the deficit percent for the Public Works Director and Community Development was more a product of the cities who did or did not respond this time than an improvement in salary. (see Chart #3)
- 2 The change in City Clerk is because of an effort to more closely compare to positions that have managerial responsibilities similar to our clerk. See Observations on Chart #3.

Chart #2

Department Manager's Responsibility Comparison

Position	Employees Supervised	Operation Funds	Capital/Debt Funds	Primary Areas of Responsibility
Public Works Director	41	\$ 7,386,166	\$ 8,915,508	Streets, Water Utility, Sanitary Sewer Utility, Storm Water
Comm. Devel. Director	4.5	\$ 567,319	\$ 13,317,237	Planning, Urban Renewal, Economic Development
Finance Director	4	\$ 492,062	\$ 2,700,707	Finance, Debt
Police Chief	25	\$ 3,116,166	\$ -	Police
General Services/City Clerk	3	\$ 562,012	\$ 256,221	City Clerk/Recorder, Human Resources, General Buildings, State Office Building
Library Director	12	\$ 950,272	\$ -	County Library System

Chart #3

2010 Salary Survey: Department Managers

(Top Salary)

Position	Canby	Central Point	Coos Bay	Dallas	Gladstone	La Grande	Pendleton	Prineville	The Dalles	Average	\$ Difference	% Difference
Public Works Director	8,366	8,500	8,675	7,749	n/a	6,809	7,340	6,297	7,249	7,623.13	(374.13)	-5.2%
Comm. Devel. Director		8,500	7,064	7,451		6,809	7,340		7,249	7,402.17	(153.17)	-2.1%
Finance Director	8,836	8,500	8,675	7,451		6,809	7,340	7,467	7,249	7,790.88	(541.88)	-7.5%
Police Chief	9,366	8,500	8,675	7,749	8,312	6,809	7,340	8,333	7,249	8,037.00	(788.00)	-10.9%
General Services/City Clerk	8,336	8,000			6,833	5,583	5,506		7,249	6,917.83	331.17	4.6%
Library Director	7,791		7,126	6,441	6,833	6,103	5,506		7,249	6,721.29	527.71	7.3%

Observation:

- 1 City Clerk: When the City Clerk was not the Human Resources Director (HR Director) in a city we used the HR salary because that reflects the management nature of our position, not the clerical emphasis in some cities. (Canby, Central Point, La Grande)
- 2 Police Chief: The Canby salary causes a lot of the gap between other department manager. The Gladstone salary adds to that gap.
- 3 Community Development Director: The average falls a little because of Canby, who is one of the high paying cities, but does not have this position.

Chart #2

Department Manager's Responsibility Comparison

Position	Employees Supervised	Operation Funds	Capital/Debt Funds	Primary Areas of Responsibility
Public Works Director	41	\$ 7,386,166	\$ 8,915,508	Streets, Water Utility, Sanitary Sewer Utility, Storm Water
Comm. Devel. Director	4.5	\$ 567,319	\$ 13,317,237	Planning, Urban Renewal, Economic Development
Finance Director	4	\$ 492,062	\$ 2,700,707	Finance, Debt
Police Chief	25	\$ 3,116,166	\$ -	Police
General Services/City Clerk	3	\$ 562,012	\$ 256,221	City Clerk/Recorder, Human Resources, General Buildings, State Office Building
Library Director	12	\$ 950,272	\$ -	County Library System

Position	The Dalles Education Requirements	Other Cities	The Dalles Yrs Experience Required	Other Cities A
Public Works Director	Bachelors Related	Bachelors Related	10 years	5-16 years
Comm. Devel. Director	Bachelors Related	Bachelors Related	5 years	4-16 years
Finance Director	Bachelors Related or CPA	Bachelors Related	4 years	4-16 years
Police Chief	Bachelors Related	Bachelors Related	10 Years + DPSST	10-16 years
General Services/City Clerk	HS/GED	HS/GED	5 years	none
Library Director	MLS	MLS	5 years	none -16 years



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 #
November 14, 2011	Discussion Items 14, A	11-101

TO: Honorable Mayor and City Council

FROM: Dick Gassman, Senior Planner
Community Development Department

THRU: Nolan Young, City Manager *ny*

DATE: November 14, 2011

ISSUE: Chenoweth IAMP Supplemental Transportation SDC

RELATED CITY COUNCIL GOAL: N/A

PREVIOUS AGENDA REPORT NUMBERS: 09-081, October 26, 2009; 09-086, November 9, 2009; 10-012, February 8, 2010; 10-019, March 15, 2010; 10-053, July 12, 2010;

BACKGROUND: On July 12, 2010, the City Council passed General Ordinance No. 10-1306, adopting the Chenoweth Interchange Area Management Plan (IAMP). At the conclusion of the review and approval process for the IAMP one issue that was not decided was whether to adopt a supplemental transportation system development charge (STSDC) to help pay for the improvements that may be necessary to provide adequate access to the area within the IAMP.

The IAMP anticipates that the City will adopt a STSDC. In the Implementation Section, on page 169, the IAMP includes the following language: *"To provide the necessary funding to develop and construct the first three phases of the Circulation and Access Plan as illustrated in Figure 7-1 and listed in Table 7-1 and Table 7-2, the City of The Dalles should modify the existing system development charge ordinance to include a STSDC, which is assessed on trips generated by new development or redevelopment on property*

within the IMAP Overlay District, as shown on the amended Comprehensive Plan Map and Zoning Map and defined through a new Development Code Overlay District chapter”.

PROCESS: If the Council directs Staff to bring back a proposed STSDC, the issue would be scheduled for a public hearing. If an STSDC is adopted, it would be by ordinance. If no STSDC is proposed, then no further action is required.

DISCUSSION: The IAMP study was conducted to assess the potential traffic effects of full development of the study area. The IAMP identified a series of potentially necessary public improvements costing approximately 40 million dollars, including a future railroad underpass for Hostetler Street. The costs of these improvements were to be paid partially by the State and partially by the City, but a significant portion of the costs were projected to be paid by private developers when land within the study area was developed.

There are at least two potential ways for private development to pay for these costs. One is to require that individual developments pay directly for those costs that are needed by that particular development. If this is the path chosen, then the STSDC would not be required as the costs would be tied to development. The disadvantage of this approach is that if it is necessary at a future time for the construction of a railroad underpass for Hostetler, it would take a special situation for any one developer to be able to afford to pay for the cost of that improvement, estimated in the area of 12 million dollars.

The other way to pay for the identified improvements is to establish a methodology for all development within the identified area to pay into a fund. This is the IAMP recommendation. This would be accomplished by the establishment of a new and separate transportation SDC that would be paid only by development within the identified area, and would be used to pay for the improvements that are spelled out in the IAMP.

If the Council directs staff to bring back a proposal for a STSDC, staff asks for guidance on whether the current provisions for transportation SDCs that allow for a partial reduction for businesses that expand or for local businesses that relocate should also apply to this STSDC.

BUDGET IMPLICATIONS: None at this point.

OPTIONS:

1. Direct Staff to prepare a methodology for a STSDC for the IAMP study area and bring the proposal back to the City Council for a public hearing at a later date.
2. Defer any action on an STSDC at this time.



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AGENDA STAFF REPORT

MEETING DATE	AGENDA LOCATION	AGENDA REPORT #
November 14, 2011	Discussion Items 14, B	11-102

TO: Honorable Mayor and City Council

FROM: Dick Gassman, Senior Planner
Community Development Department

THRU: Nolan Young, City Manager *ny*

DATE: November 14, 2011

ISSUE: Tree Committee

RELATED CITY COUNCIL GOAL: N/A

PREVIOUS AGENDA REPORT NUMBERS: N/A

BACKGROUND: On June 14, 2010 the City Council established a committee of six members to provide recommendations to the Council regarding the development of street tree policies. The authorizing resolution charged the committee to: "review current policies and provide recommendations based on information provided by City staff. The recommendations will be included in a report to the City Council." On May 23, 2011 the committee presented a series of recommendations to the Council. A copy of the report of the Tree Committee is attached for your information. The Council directed staff to review the recommendations, propose a work plan for an ad hoc tree committee, and bring the work plan to the Council.

WORK PLAN: Staff have reviewed the tree committee's recommendations and propose a series of topics for further study for trees on City owned property and in the

right of way, outside the area of the downtown tree program managed by the Urban Renewal Agency.

1. Prepare an inventory of trees in the right of way and on City owned property. The inventory to include the type, age, health, location, size, and other notable features.

2. Prepare a proposal for a heritage tree program.

3. Update the City's recommended tree list.

4. Review the tree removal process and guidelines.

5. Prepare a list of educational materials for tree planting and maintenance.

6. Consider possible incentives for home owners to plant and maintain trees in the right of way.

COMMITTEE: Staff suggests that the members of the previous tree committee be given the opportunity to continue their work by being appointed to this committee, and authorize the Mayor to appoint such additional members as is determined to be appropriate.

BUDGET IMPLICATIONS: None.

OPTIONS:

1. Staff Recommendation:

a. *Move to adopt the work plan as presented, or as amended by the Council.*

b. Direct staff to invite the previous committee members to reapply.

c. Authorize the Mayor to appoint additional members as appropriate.

d. Direct the committee to report its findings and recommendations to the Council at a future date.

2. Alternative: Do not accept the work plan, and provide additional direction to staff.

Report of the Tree Committee

A. SUMMARY:

The City Council adopted Resolution No 10-013 on June 14, 2010 establishing a citizen committee to provide recommendations regarding the development of street tree policies. A copy of the Resolution is attached.

On the committee were Jeff Stiles, John Rockwell, Karen Broehl, Kraig Batty, Donald Cowne, Dan Richardson (appointed later) and Mark Poppoff representing the Planning Commission. Dave Anderson, Director of Public Works, attended as an ex officio member. Richard Gassman, Senior Planner, was the staff contact for the Committee. The Committee first met on July 27, 2010, and met periodically thereafter.

The Committee has reviewed City Ordinances and policies for both the street trees in the downtown area, and street trees City wide. The Committee has looked at and discussed such issues as tree selection, tree planting and removal, responsibility for tree maintenance, enforcement, and dangerous trees.

The Committee has adopted a series of findings and recommendations as contained in this report.

For your information copies of Ordinance No. 1067, adopted in 1985, and Land Use and Development Ordinance (LUDO) Section 6.010.060 are attached.

B. FINDINGS:

1. Most of the City's policies related to trees in the public right of way are located in General Ordinance No. 1067. The authority to administer Ordinance No. 1067 is delegated to the Director of Public Works. Other provisions relating to trees in the public right of way are found in Section 6.010.060 of the LU DO.
2. Ordinance No. 1067 requires property owners to maintain the right of way adjacent to their property. Part of this responsibility is to maintain trees that are located in the adjacent right of way.
3. The City has a requirement that prior to planting a tree in the right of way, or removing a tree from the right of way, approval from the Public Works Director must first be obtained.
4. Ordinance No. 1067 provides no guidance to the Public Works Director on when approval should be granted for removal of a tree in the right-of-way, or when trees should be planted in the right-of-way.

5. Section 6.010.060 of the LUDO contains requirements for planting of street trees in certain situations.
6. The City provides no maintenance for trees in the right-of-way except for those in the downtown central business district. In that district as part of the streetscape improvements, the Urban Renewal Agency (URA) has paid for the planting of street trees on 2nd Street. The City has contracted with the Northern Wasco County Park District to maintain the trees. The URA has recently contracted with an arborist to examine the street trees.
7. In the future the arrangement for street tree maintenance on 2nd Street will likely be extended to the streetscape for 3rd Street and other Streets in the downtown area as part of planned improvements to those streets.
8. In addition to the City and adjacent property owners, the Northern Wasco PUD has an interest in street trees to assure the trees do not interfere with power lines.
9. The City has a recommended tree list for planting in the right of way that was prepared in 1991.
10. Except for those trees planted as part of the downtown streetscape, the City has no current policy on replacement of street trees if they are removed, with or without approval.
11. The City does not currently enforce provisions of its tree ordinance except for dangerous trees, and clearance standards as contained in the LUDO Section 6.010.060 G. The costs of removal of dangerous trees and maintaining clearances are borne by the adjacent property owner.
12. The City has no designated community trees, although the 4th Street Elm comes close to that status.
13. Street trees require careful planting and maintenance.
14. Street trees contribute significantly to a city's quality of life, reduce local air pollution, provide wildlife habitat, improve aesthetics and increase property values.
15. There is no inventory of existing street trees.

RECOMMENDATIONS:

1. The existing arrangement of tree maintenance by the Park District in the downtown business zone be continued.
2. The City consider updating its recommended tree list every 10 years by use of existing

information and resources, with the idea of providing additional information such as how much area a tree needs to properly grow, and looking at new species.

3. Consider establishing policies or incentives for citizens to properly maintain street trees.
4. Consider using a RARE planner, or other city resource, to catalog and map existing street trees.
5. Continue policy requiring the adjacent property owner to maintain trees in the right of way.
6. Continue the existing enforcement policy for dangerous trees and required tree trimming, which means the adjacent owners are responsible for these costs.
7. The City should determine whether or not to require a planting strip adjacent to the right of way. This is not specifically a tree issue, but the resolution of this issue is important in determining where street trees can be planted.
8. The City should consider appointing a standing Tree Committee to advise Public Works on tree issues. Other recommendations contained in this report could be referred to such a Tree Committee for further review. A Tree Committee would be more effective if first an inventory was made of the existing street trees.
9. Provide low cost educational material to citizens for information on street tree selection and maintenance. As part of this recommendation, a small annual amount of money should be provided.
10. Consider establishing a heritage tree program based on species, age, and size. Certain large mature trees are especially valuable for their historic and aesthetic traits. These traits are irreplaceable and ought to be afforded special protection. A Tree Committee could put together a detailed program and review the existing trees that might qualify.