

AGENDA

REGULAR CITY COUNCIL MEETING

February 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
  - A. Introduction of The Dalles Partners for Economic Progress (PEP)
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.

## OFFICE OF THE CITY MANAGER

## COUNCIL AGENDA

- A. Approval of January 31, 2011 Regular City Council Meeting Minutes
  - B. Resolution No. 11-005 Concurring With the Mayor's Re-appointment of Dave Griffith to the Airport Board
11. PUBLIC HEARINGS
- A. Public Hearing to Receive Testimony Regarding a Partial Alley Vacation Between West Third and Fourth Streets and Liberty and Lincoln Streets [**Agenda Staff Report #11-009**]
  - B. Public Hearing to Receive Testimony Regarding the 2010 Community Development Block Grant for the Housing Resource Center [**Agenda Staff Report #11-010**]
12. CONTRACT REVIEW BOARD ACTIONS
- A. Award Contract for Auditing Services [**Agenda Staff Report #11-011**]
13. ACTION ITEMS
- A. Resolution No. 11-003 Authorizing Transfers of Budget Funds Between Departments and Categories of the General Fund for the Fiscal Year Ending June 30, 2011 [**Agenda Staff Report #11-012**]
  - B. Resolution No. 11-004 Adopting a Supplemental Budget for the 2010-11 Fiscal Year, Making Appropriations and Authorizing Expenditures From and Within the General Fund and Special Grants Fund [**Agenda Staff Report #11-013**]
  - C. Authorization to Submit a Grant Application for Projects
    - 1. Art Works Grant Application for Festival Area Interpretive Signage [**Agenda Staff Report #11-014**]
    - 2. Grant Application for Lewis and Clark Fountain in Festival Area [**Agenda Staff Report #11-015**]
14. DISCUSSION ITEMS
- A. Discussion Regarding Burn Ban Ordinance [**Agenda Staff Report #11-018**]

15. EXECUTIVE SESSION

- A. Recess to Executive Session in Accordance With ORS 192.660 (2) (d) to Conduct Deliberations With Persons Designated by the Governing Body to Carry on Labor Negotiations
- B. Reconvene to Open Session

16. DECISIONS FOLLOWING EXECUTIVE SESSION

17. ADJOURNMENT

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

Prepared by/  
Julie Krueger, MMC  
City Clerk

\_\_\_\_\_



**CITY of THE DALLES**

313 COURT STREET  
THE DALLES, OREGON 97058

(541) 296-5481

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

MEETING DATE	AGENDA LOCATION	AGENDA REPORT #
February 14, 2011	Consent Agenda 11, A - B	N/A

**TO:** Honorable Mayor and City Council

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

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

**DATE:** February 2, 2011

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

A. **ITEM:** Approval of January 31, 2011 Regular City Council Meeting Minutes.

**BUDGET IMPLICATIONS:** None.

**SYNOPSIS:** The minutes of the January 31, 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 January 31, 2011 regular City Council meeting.

B. **ITEM:** Resolution No. 11-005 Concurring With the Mayor's Re-appointment of David Griffith to the Airport Board.

**BUDGET IMPLICATIONS:** None.

**SYNOPSIS:** The Mayor has selected David Griffith for re-appointment to the Airport Board.

**RECOMMENDATION:** That City Council adopt Resolution No. 11-005 concurring with the Mayor's re-appointment of David Griffith to the Airport Board.

## **MINUTES**

REGULAR COUNCIL MEETING  
OF  
JANUARY 31, 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, Finance Director Kate Mast, Community Development Director Dan Durow, Police Captain Ed Goodman, Public Works Director Dave Anderson, Administrative Intern Daniel Meeks

### **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; all Councilors present.

### **PLEDGE OF ALLEGIANCE**

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

MINUTES (Continued)  
Regular Council Meeting  
January 31, 2011  
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### **APPROVAL OF AGENDA**

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

### **AUDIENCE PARTICIPATION**

Bob McNary, 1525 East Ninth Street, The Dalles, said that building permits were not required for fences unless they were a certain height and when permits were issued, no final inspection was required. McNary said fences should require an inspection to make sure they comply with City ordinances.

### **CITY MANAGER REPORT**

None.

### **CITY ATTORNEY REPORT**

City Attorney Parker reported he was working on a Request for Proposals for towing services and was working with staff on nuisance issues.

### **CITY COUNCIL REPORTS**

Councilor Ahier said the Mid Columbia Council of Governments had met last week and were working on budget issues and the development of a Gorge Sustainability Commission. He said he would provide updates as more information became available.

Councilor Wood said the Historic Landmarks Commission had met last week and reviewed their 2011 goals, which would be presented to City Council at a future meeting.

Councilor McGlothlin said the Traffic Safety Commission had met on January 19<sup>th</sup> and unanimously agreed to recommend the installation of cross walks at the top of Brewery Grade and the intersection of Ninth Street and Dry Hollow Road.

Mayor Wilcox said he had learned the local taxi service was having some issues with how their business had been filed with the State and were in jeopardy of being put out of business. He said people were working with them to resolve the problem, but it was possible the service could be discontinued.

MINUTES (Continued)  
Regular Council Meeting  
January 31, 2011  
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Wilcox said he attended the City's first Vision Action Plan meeting last week, with approximately 80 participants in attendance. Wilcox said he had hosted a past Mayor's breakfast last week and a business summit with a focus being to determine impediments to business development in the community. He said he would be discussing with the Council at Goal Setting the feasibility of establishing a committee to work on the issue. Wilcox said he also attended an open house at the new Veteran's Service Office located in the former Transportation Center building.

### **CONSENT AGENDA**

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

Items approved by Consent Agenda were: 1) approval of January 17, 2011 regular City Council meeting minutes; and 2) approval of January 13, 2011 special City Council meeting minutes.

### **ACTION ITEMS**

#### **Request by Dirt Huggers for Temporary Permit to Collect and Recycle Organic Waste Materials at Commercial Businesses**

City Manager Young reviewed the staff report. He said the permit would be reviewed after six months and if the program was successful, they would work on determining a franchise fee.

It was moved by Ahier and seconded by Wood to authorize the City Manager to sign the temporary permit for Dirt Huggers, as proposed. The motion carried unanimously.

#### **Confirmation of Appointments for Municipal Court Judge and Judge Pro-Tem and Approval of Employment Agreements**

City Attorney Parker reviewed the staff report.

It was moved by Spatz and seconded by Wood to confirm the appointment of Tom Peachey as Municipal Court Judge and Linda Gouge as Municipal Court Judge pro-tem and to approve their employment contracts. The motion carried unanimously.

### **OATH OF OFFICE FOR JUDGE POSITIONS**

City Clerk Krueger administered the Oath of Office for Municipal Court Judge Tom Peachey and Municipal Court Judge pro-tem Linda Gouge.



## **DISCUSSION ITEMS**

### **Discussion Regarding Wasco County Public Hearing on Urban Area Roads**

City Manager Young reviewed the staff report. He said the four primary reasons why the County wanted to declare the roads for local public access were: 1) in order for the roads to transition into City jurisdiction when annexation occurs; 2) urban services impact roads differently and these roads are or will become urban roads; 3) the County is facing significant reduction in road maintenance funds and needs to change how they maintain roads; and 4) the majority of the roads have average traffic flows of less than 50 cars a day.

Young explained that local public roads already annexed to the City did give the City jurisdiction over the rights of way, but did not require the City to maintain the driving surface. He said in order for the City to accept a County road, it had to meet City standards. Young said a study had shown significantly higher traffic counts than described by the County estimated, noting that Mill Creek and Dry Hollow Roads indicated daily trips at 2,484 for Dry Hollow Road and 1,493 for Mill Creek Road. He said an analysis of the road conditions showed that most of the roads proposed to be declared as public access were in fair or poor condition.

Councilor Ahier expressed concern that the financial impact of annexations had been underestimated. He said the City was not as well prepared for the annexations as it should have been and hoped the costs would be re-analyzed.

City Manager Young said while the City didn't maintain public access roads, when development occurred or the residents wanted the street upgraded, a local improvement district could be formed to bring the street up to City standards.

Councilor Ahier said the citizens in the annexed areas would now pay City property taxes and have unmaintained streets. Young noted that property taxes were not used for funding of the Street Fund and said City residents also were paying County taxes and that the County received funding through all vehicles registered in Wasco County.

Young said he understood the County's concern regarding financial challenges but that the City had more financial challenges in the Street Fund, noting that while the County would lose funding from the in lieu of Federal forest receipts, they would receive actual forest receipt funds; they were receiving additional State transportation fund distributions through increases in fees and fuel taxes, while the City's allotment had decreased. He said the County included over \$2 million in a road reserve fund, while the City had no reserve fund for street maintenance.

MINUTES (Continued)  
Regular Council Meeting  
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It was the consensus of the City Council to direct the City Manager to request that Wasco County postpone action on the Road Masters Report for four to six months and request that Wasco County direct the County Administrator and Road Master to negotiate with the City Manager and City Public Works Director to develop a plan for continued maintenance and orderly transition of County roads within the urban growth boundary and city limits into the City's jurisdiction.

There was also consensus that if the County did not postpone action, to request the County reject the Road Masters recommendation to declassify any of the County roads in the urban growth boundary to public local access roads and if the County accepted the Road Masters recommendation, to direct City staff to not pursue acceptance of jurisdiction of any roads within the urban growth boundary until the impact of the Commission's action could be fully analyzed.

#### **ADJOURNMENT**

Being no further business, the meeting adjourned at 6:17 p.m.

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Submitted by/  
Julie Krueger, MMC  
City Clerk

SIGNED: \_\_\_\_\_

James L. Wilcox, Mayor

ATTEST: \_\_\_\_\_

Julie Krueger, MMC, City Clerk

**RESOLUTION NO. 11-005**

**A RESOLUTION CONCURRING WITH THE  
MAYOR'S RE-APPOINTMENT OF DAVID  
GRIFFITH TO THE AIRPORT BOARD**

**WHEREAS**, there is an expired term on the Airport Board; and

**WHEREAS**, Mayor Wilcox has selected David Griffith for re-appointment to the Airport Board;

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

Section 1. The City Council hereby concurs with the re-appointment of David Griffith to the Airport Board, term to expire December 31, 2013.

Section 2. This Resolution shall be effective February 14, 2011.

**PASSED AND ADOPTED THIS 14th DAY OF FEBRUARY, 2011**

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

**AND APPROVED BY THE MAYOR THIS 14th DAY OF FEBRUARY, 2011**

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. 1125  
FAX: (541) 298-5490

# AGENDA STAFF REPORT

MEETING DATE	AGENDA LOCATION	AGENDA REPORT #
February 14, 2011	Public Hearings 11, A	11-009

**TO:** Honorable Mayor and City Council

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

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

**DATE:** February 14, 2011

**ISSUE:** Public Hearing on a Street Vacation for a portion of an Alley

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

**PREVIOUS AGENDA REPORT NUMBERS:** 10-081

**BACKGROUND:** The City of The Dalles is requesting a partial street vacation for a portion of the alley running east and west parallel to West 3<sup>rd</sup> and West 4<sup>th</sup> Streets between Liberty and Lincoln Streets. Public Works has no objection to the requested vacation. An area map and a drawing showing the area of the requested vacation are attached.

At its October 11, 2010 meeting the City Council authorized staff to initiate a partial street vacation for the area as indicated on the drawing.

**NOTICE:** Staff posted the site on January 31, 2011 and published notice in the Chronicle on January 30, 2011 and February 6, 2011. On January 27, 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 99-1230 have been provided. The area to be vacated was posted on January 31, 2011, and notices were published in The Chronicle on January 30, 2011 and February 6, 2011. Individual notices to affected property owners were mailed on January 27, 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. There is sufficient remaining right of way to allow for normal vehicular traffic. No utilities are present in the right of way that is proposed to be vacated. Properties with structures extending into the existing right of way will be significantly benefited.

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 proceedings were initiated by a motion of the City Council at its October 11, 2010 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 abutting properties. Access to the properties 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 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.

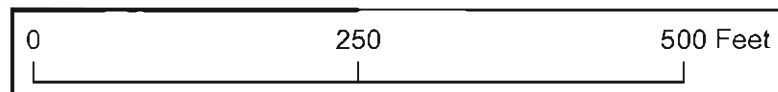
**RECOMMENDATION:** If the evidence presented by staff and gathered at the hearing supports all of the required findings, the City Council should adopt a motion approving a vacation of the public right of way as described, and directing staff to prepare an ordinance for adoption to be presented at a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

**MOTIONS:**

**A. Suggested Motion:** *Move to approve the requested partial street vacation for the alley running parallel to West 3<sup>rd</sup> Street and West 4<sup>th</sup> Street between Liberty and Lincoln Streets based upon 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 request and direct staff to prepare a resolution setting forth the reasons for the denial.

# Properties Within 400 Feet of Vacation 60-10











## AGENDA STAFF REPORT

MEETING DATE	AGENDA LOCATION	AGENDA REPORT #
February 14, 2011	Public Hearings 11, B	11-010

**TO:** Honorable Mayor and City Council

**FROM:** Dave Peters, Mid-Columbia Housing Resource Center  
Dan Durow, Community Development Director

**THRU:** Nolan Young, City Manager *NY*

**DATE:** January 6, 2010

**ISSUE:** This is the City Council's second Public Hearing for the Community Development Block Grant (CDBG) application process for 2010 funds. The purpose of this second hearing is for the City Council to review the results of the project with citizens and to take comments about the local government's performance as part of the grant closeout process. A copy of the 2010 Year End Report for the Mid Columbia Housing Resource Center is attached.

**PROJECT:** The project for the 2010 CDBG funding involves the operation of the Mid-Columbia Housing Resource Center. The Mid-Columbia Housing Resource Center operated under a Community Development Block Grant for calendar year 2010. In addition to CDBG funding, the Mid-Columbia Housing Resource Center has received **\$5,000 from Wells Fargo Bank and \$76,000 from other Oregon and Federal programs.**

The Mid-Columbia Housing Resource Center provided information, education, counseling and referrals to housing and other affordable housing service providers in the Mid-Columbia Region during 2010 under a CDBG. During 2010 the Center has served 222 families in its two locations one at 312 Court Street, The Dalles and in the offices of in Hood River at 1308 12<sup>th</sup> Street. Approximately 96 percent of the families served were of low to moderate income.

In addition to providing information, education, counseling and referrals, the Mid-Columbia Housing Resource Center co-sponsored a Homeownership Forum in Hood River for Realtors, Brokers and other real estate professionals and the center also hosted the region's first ever Bi-Lingual Home Buyer Fair. The Mid Columbia Housing Resource Center is committed to helping families and individuals learn about and access existing housing programs and services and/or become successful homeowners. Beneficiaries of the Mid-Columbia Housing Resource Center have been primarily persons of low and moderate income seeking housing opportunities residing with the region or who are moving into the region. However, information and services is available to anyone who requests it.

**A copy of the Mid Columbia Housing Resource Center's 2010 Year End Report is attached to this document.**

**RELATED CITY COUNCIL GOAL:** Goal 2: Work with partner with governmental agencies to ensure coordination of services and open communication & Objective E: Work with appropriate agencies to foster economic development; Goal 3 Promote and initiate economic development opportunities that will provide job creation and enhance the community's livability Tier 3 Objective 2: Promote housing rehabilitation program

**BACKGROUND:** The CDBG Citizen Participation Plan procedures require that at least one public hearing is held before the City Council prior to submitting the application. The hearing must cover **both** the overall community development and housing needs of the City and the proposed project.

The CDBG Citizen Participation Plan procedures also require that a second public meeting be held before the City Council after first year of the grant. The purpose of this second public meeting is to review the results of the project with citizens and to take public comments about local government's performance as part of the grant close out process.

Notice of this opportunity has been published in The Dalles Chronicle as required.

*Community development or housing needs:*

Regional Housing Resource Centers throughout Oregon have increased access to existing housing programs and services in their area. They have also provided the State with information regarding additional types of housing programs and products that may be needed in their region.

The Mid Columbia Housing Resource Center is one of the newest resource centers in the state. Before the Center became operational in January 2007, the nearest one stop center was in Portland, Bend or LaGrande.

Now, thanks to prior and current CBDG funding, the Mid-Columbia region has its own "one stop" housing resource center. Residents of our region have now have access to new

programs such as: Information and access on first time homebuyer programs; Information and access to owner occupied rehab programs; ABCs of Home buying Workshops; Foreclosure prevention counseling; and Information and referral on rental homelessness and emergency assistance programs.

Through its partnership with the Oregon State Extension Service the Mid Columbia Housing Resource Center can provide Financial Literacy Education. In addition the Mid-Columbia Housing Resource Center provides access to an Individual Development Account Program (IDA) through the Mid Columbia Housing Authority.

Clearly housing, particularly affordable housing, is becoming a greater and greater problem as our regional economy continues to grow. In fact, increasingly economists and business leaders are blaming the lack of affordable housing, and resulting high housing costs, for the slowdown in major regional economies across the United States. The Mid-Columbia Housing Resource Center helps address the affordable housing issue by giving families access to unbiased information, education and referrals to make informed housing decisions.

**BUDGET IMPLICATIONS:** There are no budget implications.

**ALTERNATIVES:** CDBG requires that a second hearing be conducted to review the results of the project with citizens and to take comments about the local government's performance as part of the grant closeout process. No action is needed beyond the hearing.

# **Mid Columbia Housing Resource Center 2010 Year End Narrative Report**

## **Executive Summary:**

During 2010, the Mid Columbia Housing Resource Center provided services and information to 222 individuals. Eight ABC's of Home buying classes were scheduled. The Housing Center sponsored or co-sponsored various homeownership events throughout the year.

Performance Objective 1: Conduct at least 1 orientation session for local lenders and real-estate professionals.

Results: Completed. The Home Buyer Forum was co-sponsored with Craig Nolte with the Federal Reserve Bank and the local Realtors Association. The event took place on October 18<sup>th</sup> from 8:00 am until 10:00 as a breakfast-work session. It was well attended and we had people from USDA RD, the local Realtors Association and

Performance Objective 2: Conduct at least 4 (per year) Orientation Sessions on Center services.

Results: Completed. 7 Orientation Sessions were held by staff and the Housing Authority, plus 88 individuals were introduced to the Housing Center on a one to one basis as they received Section 8 Vouchers during the course of the year.

Performance Objective 4: Conduct at least 6 ABCs of Home buying Classes

Results: Completed. 8 ABC of home buying classes were scheduled for the year. 4 were held and we had a total of . We used PSA's in both newspaper and radio and the class is listed in the Columbia Gorge Community College class schedule as well as color posters posted at realtors, real estate brokers, the college, stores, etc.

Performance Objective 5: Provide information and access to owner – occupied CDBG rehabilitation programs.

Results: Completed. The Center continues to administer the Wasco County Home Repair program. 9 loans have closed for a total amount loaned of over \$213,000. One additional home loan has been approved for an additional \$5,000. Two more homes have are in the process of review. The Housing Resource Center and Hood River County have sent in the required documents for the 1<sup>st</sup> draw and we have received authorization to make the 1<sup>st</sup> Draw for the new Hood River Home Repair Program. We are in the process of evaluating the first applicants.

Performance Objective 6: Provide information and access to USDA Rural Housing Services Programs.

Results: Completed. A number of families have been referred to the USDA Rural Housing services programs in both Oregon and Washington. A USDA representative was present at the Homebuyer Forum. They were able to talk to numerous realtors and real estate brokers about the various USDA programs.

Performance Objective 7: Provide information and access to affordable mortgage products.

Results: Completed. The Center has produced and continues to distribute a pamphlet (In both English and Spanish) *We make homeownership happen, Steps and Programs for Owning Your Own Home* that outlines first mortgage loan and second mortgage loan programs. The brochure is the primary method to disseminate information about these programs.

Performance Objective 8: Maintain a toll free number and WEB site.

Results: Completed. The Center, since its inception in 2007 has maintained both a toll free number and web site ([www.midcolumbiahousingcenter.org](http://www.midcolumbiahousingcenter.org)). During 2010, the web site received 2780 “hits”.

Performance Objective 9: Provide information and access to the following programs: Weatherization, low income energy assistance, foreclosure prevention, rental homelessness and emergency assistance.

Results: Completed. The Center continues to refer individuals needing this type of assistance to the appropriate agency. The Center maintains information on these programs as well. Many homeowners on the Wasco County Rehab program have also received funding from the Local Community Action Program for weatherization.

Performance Objective 10: Provide access to pre-purchase counseling in one-on-one sessions.

Results: Completed. The Center offers this service to interested families.

**Additional Activities**

- Staff has submitted required documentation and test results to receive a Loan Originator's license.
- The Mid Columbia Housing Resource Center co-hosted the 2010 Homebuyer Forum in partnership with the Federal Reserve Bank.
- Housing Resource Center staff has been administering the Mortgage Payment Assistance program for Columbia Cascade Housing Corp
- Staff has been participating in a Washington workforce housing task group to look at housing options for working families in Skamania and Klickitat Counties.



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

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## AGENDA STAFF REPORT CITY OF THE DALLES

MEETING DATE	AGENDA LOCATION	AGENDA REPORT #
February 14, 2011	Contract Review Board 12, A	10-011

**TO:** Honorable Mayor and City Council  
**FROM:** Kate Mast, Finance Director  
**THRU:** Nolan K. Young, City Manager *nyj*  
**DATE:** January 31, 2011

**ISSUE:** Award of Contract for Audit Services.

**BACKGROUND:** We've just completed the final year of a three year contract for audit services with Dickey & Tremper, LLP. They have done our financial reports and audits for the past six years. Our practice is to release a request for proposals (RFP) when each contract ends. This year we advertised in The Dalles Chronicle and on the League of Oregon Cities website, and also sent our RFP's to eight firms that had been recommended by other entities. We received four proposals.

We had asked that the actual bids be sealed in separate envelopes and not included in the actual proposal so that we could review the proposals first without being influenced by the amount of the bids. In addition to myself, the City Attorney, our Accountant and our A/P Clerk, who work closely with the auditors, reviewed the proposals and rated them on the criteria in the RFP. Our top two choices were Dickey & Tremper, LLP, from Pendleton, and Merina & Company, LLP, from West Linn. Then we opened the bids and found the Merina & Company bid, at \$39,000, to be the second lowest bid of the four and \$8,535 less than Dickey & Tremper, LLP.

I called four cities that have been using Merina & Company for the past few years and got very good recommendations from all of them. Part of what I asked about was their style of working with clients and how accessible they were during the year other than during the actual audit. All four references rated them excellent to work with and very helpful and accommodating at all times.

Any time a new auditor comes in, there is a lot of extra work on both sides that first year as they collect historical data they need to properly analyze and audit the new client's books. Regarding that additional time and work, Merina made the following statement in their proposal: "We are prepared to absorb that time to demonstrate our commitment to providing service to the City."

**BUDGET IMPLICATIONS:** Awarding the contract to Merina & Company will increase our total audit costs by only \$280 in FY11/12 over the current year. This includes the City, Urban Renewal, QLife, and the federal Single Audit required because of the ARRA funds we received. Merina's proposal also contained a reasonable 3% increase per year for the subsequent years.

**ALTERNATIVES:**

- A. **Staff Recommendation:** *Move to award a three year contract for audit services to Merina & Company, LLP.*
- B. Award the contract to Dickey & Tremper, LLP, which would increase the total costs in FY11/12 by \$8,815 over the current year.
- C. Direct Staff to reconsider the other two proposals and report back to Council.





**CITY of THE DALLES**  
313 COURT 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>
February 14, 2011	Action Items 13, A	10-012

**TO:** Honorable Mayor and City Council  
**FROM:** Kate Mast, Finance Director  
**THRU:** Nolan K. Young, City Manager *nyf*  
**DATE:** January 28, 2011

**ISSUE:** Resolution No. 11-003 Authorizing Transfers of Budget Funds between Departments and Categories of the General Fund (001) for the Fiscal Year Ending June 30, 2011.

**BACKGROUND:** Oregon Budget Law allows budget amendments to be made during the year to accommodate changes in plans or circumstances. The budget amendments may be made between categories or, in the case of the General Fund, departments within the same fund, as long as the end result does not increase or decrease the total allocations within that fund.

This year, due to a prolonged illness of an employee within the Legal/Judicial Department, contract secretarial services were received from Barrett Temp Services for several weeks. Also, with the new arrangements for a Judge Pro-Tem, we anticipate the need for \$1,987 in additional personnel costs. These unanticipated expenses will cause an over-expenditure of that Department's budget before the end of the year if a budget amendment is not made.

A total of \$7,587 is proposed to be moved from the Finance Department budget to the Legal/Judicial Department budget to cover these unanticipated expenses. The Finance Department had budgeted for a part-time accountant position that has not been needed.

Also, the original General Fund budget included \$240,030 allocated to the Tourism functions performed by the Chamber of Commerce. This amount included \$20,000 that was intended to purchase Shuttles for The Dalles Dam Tour Project. However, the process of the project has changed and the \$20,000 should be redirected to The Dalles Dam Tour Project in the Special Grants Fund 018. In order to get this \$20,000 allocation where it needs to be, this resolution proposes to reduce the allocation to Tourism by \$20,000 and increase a Transfer to the Special Grants line item by the same amount. Once this is completed, a Supplemental Budget Resolution 11-004 which is proposed on the same agenda (February 14, 2011), will provide for receipt of the \$20,000 into the Special Grants Fund and will allocate it to The Dalles Dam Tours Project in that fund.

**BUDGET IMPLICATIONS:** Resolution No. 11-003 does not change the total amount of the budget in the General Fund. It only reallocates \$27,587 of the original budgeted amounts within that fund.

**ALTERNATIVES:**

- A. **Staff Recommendation:** *Move to adopt Resolution No. 11-003 Authorizing Transfers of Budget Funds between Departments and Categories of the General Fund (001) for the Fiscal Year Ending June 30, 2011.*
- B. Decline to adopt the proposed Resolution and leave the original budget allocations as they are. This may cause a violation of budget law at the end of the year and prevent The Dalles Dam Tours Project from being completed this fiscal year.

**RESOLUTION NO. 11-003**

**A RESOLUTION AUTHORIZING TRANSFERS OF BUDGET FUNDS  
BETWEEN DEPARTMENTS AND CATEGORIES OF THE GENERAL FUND  
(001) FOR THE FISCAL YEAR ENDING JUNE 30, 2011**

**WHEREAS**, the City anticipates additional expenses within the Legal/Judicial Department that are likely to cause over-expenditures of that Department's budget before the end of the fiscal year; and

**WHEREAS**, changes in project needs have been identified that require changes to the originally adopted budget; and

**WHEREAS**, budgeted funds are available in other departments and categories of the General Fund that can be reallocated to accommodate these changes; and

**WHEREAS**, Oregon Budget Law allows for such changes as needed during the course of the fiscal year;

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

**Section 1. Authorizing Transfers of Budgeted Amounts to the New Department.**

The City Council hereby authorizes the following transfers of funds between budgeted categories and the new Department categories:

<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>			
transferred from Finance/ Utility Billing Department -	\$ 493,349	\$ 485,762	- \$ 7,587
transferred to Legal/Judicial Department	\$ 438,636	\$ 446,223	+\$ 7,587
transferred from Special Payments (Tourism)	\$ 462,851	\$ 442,851	-\$20,000
transferred to Interfund Transfers (to Special Grants Fund)	\$ 108,231	\$ 128,231	+\$20,000

**Section 2. Effective Date.** This Resolution shall become effective upon adoption and shall remain in effect until receipt and acceptance of the FY10/11 audit report.

**PASSED AND ADOPTED THIS 14th DAY OF FEBRUARY, 2011**

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

**AND APPROVED BY THE MAYOR THIS 14th DAY OF FEBRUARY, 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  
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### AGENDA STAFF REPORT CITY OF THE DALLES

MEETING DATE	AGENDA LOCATION	AGENDA REPORT #
February 14, 2011	Action Items 13, B	10-013

**TO:** Honorable Mayor and City Council

**FROM:** Kate Mast, Finance Director

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

**DATE:** January 28, 2011

**ISSUE:** Resolution No. 11-004 Adopting a Supplemental Budget for Fiscal Year 2010/2011, Making Appropriations and Authorizing Expenditures from and within the General Fund (001), and the Special Grants Fund (018).

**BACKGROUND:** Oregon Budget Law recognizes that such changes in needs and expectations are inevitable and allows for the use of supplemental budgets to make these changes during a fiscal year.

**A. General Fund 001:** During the budget process each year staff estimates conservatively for beginning balances or rollovers for each fund for the next year. When the actual beginning balances are known upon the completion of the audit, it is usual for those to be higher than the estimates. As the current fiscal year progresses, items are identified that were not included in the original budgets that require allocations during the year. The General Fund received \$52,526.19 more as Beginning Balance than anticipated. This supplemental budget proposes to use \$50,310 of those additional funds for the following items:

- Earlier in the year the City Council approved an increase in compensation for the contract Prosecuting Attorney in the amount of \$14,400.

- The City Council recently approved the hiring of an additional police officer in March of 2011. This was not included in the original budget and will increase Personnel costs in the amount of \$23,910.
- The City was required to have an “Equal to or Better Than” study completed on the City’s retirement plan for Public Safety personnel. This study cost \$12,000.

**A. Special Grants Fund 018:**

- The Dalles Dam Shuttle/Tour Project was reflected in the original budget, but the \$20,000 that was to be used to purchase the shuttles was not included. It was budgeted to be transferred from the General Fund to the Tourism Fund, and then paid to the Chamber of Commerce. However, the process that will be used to complete this process has changed, so the budget should be amended to move the \$20,000 out of the funds to be paid to the Tourism Fund, and into a “Transfer to Special Grants Fund.” We hope to accomplish this through proposed Resolution No. 11-003 at the same meeting this resolution will be considered. If that budget amendment is approved, this Supplemental Budget Resolution will provide for that \$20,000 to be received into the Special Grants Fund and allocated to The Dalles Dam Tour Project within that fund.
- The WiFi Project was not sufficiently known at the time the original budget was prepared to be included at that time. Since then a \$130,000 grant has been awarded to the City by Google for this project. An additional \$10,000 will also be received into the Special Grants Fund for this project. This supplemental budget will authorize a new WiFi Project Department to be included in this fund, so that the new \$140,000 can be received and allocated for that project this fiscal year.

**BUDGET IMPLICATIONS:** This supplemental budget adds \$50,310 to the General Fund and \$180,000 to the Special Grants Fund, for a total addition to the City budget of \$230,310.

**PUBLIC NOTICE REQUIRED:** Oregon Budget Law requires that a Public Hearing be held before adopting any supplemental budget that exceeds ten percent (10%) of the receiving fund. A Public Hearing is not required for this proposed supplemental budget as the changes within each fund are less than 10%. However, a Public Notice is required to be published for any Supplemental Budget, and notice for this proposed Supplemental Budget will be published in The Dalles Chronicle on Sunday, February 6, 2011.

**ALTERNATIVES:**

- Staff Recommendation:** *Move to adopt Resolution No. 11-004 Adopting a Supplemental Budget for Fiscal Year 2010/2011, Making Appropriations and Authorizing Expenditures from and within the General Fund (001) and the Special Grants Fund (018).*
- Decline to approve the proposed Resolution.

**RESOLUTION NO. 11-004**

**A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET FOR FISCAL  
YEAR 2010/2011, MAKING APPROPRIATIONS AND AUTHORIZING  
EXPENDITURES FROM AND WITHIN THE GENERAL FUND (001) AND  
THE SPECIAL GRANTS FUND (018)**

**WHEREAS**, the City's General Fund realized a larger beginning balance rollover from the prior year; and

**WHEREAS**, the City wishes to allocate some of those additional beginning balance monies to the following uses:

- 1) increase the compensation for the contract Prosecuting Attorney = \$14,400;
- 2) hire an additional police officer as of March 1, 2011 = \$23,910;
- 3) provide for a required study of the public safety personnel retirement system = Total \$12,000.00; and

**WHEREAS**, the City's Special Grants Fund will realize additional funds for projects during the year and wishes to allocate those funds within that fund for the following uses:

- 1) increase the budget for The Dalles Dam Tour Project = \$20,000;
- 2) add a new Department for a WiFi Project and allocate funds to that project = \$140,000; and

**WHEREAS**, a supplemental budget is required in order for the City to allocate and expend those funds in FY10/11; and

**WHEREAS**, a public hearing is not required by Oregon Budget Law since the totals of this supplemental budget within each fund do not exceed ten percent (10%) of the receiving funds;

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

Section 1. The City Council hereby adopts the following Supplemental Budget for FY10/11, increasing revenues and making appropriations as shown below.

Summary of Supplemental Budget - Detail				
Fund	Resource	Amount	Requirement	Amount
General Fund (001)	Additional Beginning Balance	50,310	Legal/Judicial Dept -- M&S - Prosecuting Attorney	14,400
			Police Dept -- Personnel New Police Officer	23,910
			Police Dept -- M&S Retirement Plan Study	12,000
	<b>Total Resources</b>	<b>50,310</b>	<b>Total Requirements</b>	<b>50,310</b>

Summary of Supplemental Budget - Detail				
Fund	Resource	Amount	Requirement	Amount
Special Grants Fund (018)	Transfer In From General Fund	20,000	The Dam Tour Project – Capital Outlay	20,000
	Grant Award from Google	130,000	WiFi Project - Capital Outlay	130,000
	Contribution from QLife	10,000	WiFi Project - Capital Outlay	10,000
	<b>Total Resources</b>	<b>160,000</b>	<b>Total Requirements</b>	<b>160,000</b>

Summary of Supplemental Budget – Total Changes to Fund Budgets				
Fund	Category	Original Budget	Change	Amended Budget
General Fund (001)	Legal/Judicial Dept	438,636	14,400	453,036
	Police Dept	2,941,921	35,910	2,977,831
	<b>Fund 001 Totals</b>	<b>6,893,608</b>	<b>50,310</b>	<b>6,943,918</b>
Special Grants Fund (018)	Capital Outlay	13,593,872	160,000	13,753,872
	<b>Fund 018 Totals</b>	<b>13,801,722</b>	<b>160,000</b>	<b>13,961,722</b>
	<b>Total All Funds</b>	<b>58,836,888</b>	<b>210,310</b>	<b>59,047,198</b>

Section 2. This Resolution shall become effective upon adoption by the City Council and shall remain in effect until receipt and acceptance of the FY10/11 audit report.

**PASSED AND ADOPTED THIS 14th DAY OF FEBRUARY, 2011**

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

**AND APPROVED BY THE MAYOR THIS 14th DAY OF FEBRUARY, 2011**

SIGNED: \_\_\_\_\_ ATTEST: \_\_\_\_\_

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

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



**CITY of THE DALLES**313 COURT STREET  
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**AGENDA STAFF REPORT  
CITY OF THE DALLES**

MEETING DATE	AGENDA LOCATION	AGENDA REPORT #
February 14, 2011	Action Items 13, C, 1	11-014

**TO:** Honorable Mayor and City Council**FROM:** Daniel Meeks, Administrative Intern**THRU:** Nolan K. Young, City Manager *NKY***DATE:** January 31, 2011**ISSUE:** Riverfront Trail Interpretive Signage NEA Art Works Grant Application.**RELATED CITY COUNCIL GOAL :**Goal 3b. Complete construction of marine terminal  
Construct Festival Area.**BACKGROUND:** NEA Art Works Grant - Art Works: To support the creation of art that meets the highest standards of excellence, public engagement with diverse and excellent art, lifelong learning in the arts, and the strengthening of communities through the arts. Within these areas, innovative projects are strongly encouraged. An organization may request a grant amount from \$10,000 to \$100,000. A dollar for dollar match is requested.

Riverfront Trail Interpretive Signage: The community's new marine terminal and festival area is located on the Columbia River and the historic site of ferry and steamship lines to The Dalles and within ½ mile of the historic Lewis and Clark campsite. The desire is to create four to six interpretative panels telling the story of our rich history, our connection to the river and to direct people to the Lewis and Clark and other historic sites. Panels would depict the Columbia River at The Dalles when it was the gathering place for Native Americans, during the Lewis and Clark expedition, when settler's moved west on the Oregon Trail, construction of the dams and the current river system and the daily commerce that takes place on it. The Chamber of Commerce has \$20,000 in the 2011-12 marketing budget to go toward this project. Estimated costs for the project (interpretation, creation and construction), for four to six signs at \$10,000 each, are \$60,000.

**BUDGET IMPLICATIONS:**

Requested from NEA	\$40,000
Match for project	
Chamber of Commerce	\$20,000
City of The Dalles	\$20,000
Total Cash on Hand	\$40,000
Total Match for Project	\$80,000
Expenditures	
Trail front Signs (6)	-\$60,000
Installation (6)	-\$20,000

**ALTERNATIVES:**

- A. Staff Recommendation: *Authorize staff to submit grant proposal.*
- B. Find funding elsewhere.

## VISUAL ARTS: Art Works

### Introduction

The NEA's guiding principle is embodied in one sentence: "*Art works.*"

"*Art works*" is a *noun*; the creation of works of art by artists. "*Art works*" is a *verb*; art works on and within people to change and inspire them. "*Art works*" is a *statement*; arts jobs are real jobs that are part of the real economy.

*Art Works* encourages and supports the following four outcomes:

- **Creation:** The creation of art that meets the highest standards of excellence,
- **Engagement:** Public engagement with diverse and excellent art,
- **Learning:** Lifelong learning in the arts, and
- **Livability:** The strengthening of communities through the arts.

Applicants will be asked to select the outcome that is most relevant to their projects (they also will be able to select a secondary outcome). When making selections, applicants should identify the outcome(s) that reflect the results expected to be achieved by their project. If a grant is received, grantees also will be asked to provide evidence of those results.

**Creation:** *The portfolio of American art is expanded.*

Support is available for projects to create art that meets the highest standards of excellence across a diverse spectrum of artistic disciplines and geographic locations. Through the creation of art, these projects are intended to replenish and rejuvenate America's enduring cultural legacy. Creation activities may include:

- Commissioning, development, and production of new work.
- Design competitions and design or planning projects for new arts or cultural spaces or landscapes.
- Workshops and residencies for artists where the primary purpose is to create new art.
- Opportunities for writers and translators to create or refine their work.
- Projects that employ innovative forms of art-making and design.

The anticipated results for Creation projects are new works of art. If a grant is received, at the end of the project grantees will need to provide evidence of the new art works created. If the project activities do not lead to the creation of completed works of art within the period of a grant, grantees may demonstrate progress toward the creation of art by describing the artists' participation and work accomplished by the end of the grant.

**Engagement:** *Americans throughout the nation experience art.*

Support is available for projects that provide public engagement with artistic excellence across a diverse spectrum of artistic disciplines and geographic locations. These projects should engage the public directly with the arts, providing Americans with new opportunities to have profound and meaningful arts experiences. Engagement activities may include:

- Exhibitions, performances, concerts, and readings.
- Film screenings.
- Touring and outreach activities.
- Restaging of repertory and master works of historical significance.
- Art fairs and festivals.
- Documentation, preservation, and conservation of art work.
- Public programs that raise awareness of cultural heritage.
- Broadcasts or recordings through Web sites; live streaming, audio- and video-on-demand, podcasts, MP3 files, or other digital applications; television; and radio.
- Design charrettes.
- Publication, production, and promotion of digital, audio, or online publications; books; magazines; catalogues; and searchable information databases.
- Services to artists and arts organizations.
- Projects that extend the arts to underserved populations -- those whose opportunities to experience the arts are limited by geography, ethnicity, economics, or disability.
- Projects that employ innovative forms of art and design delivery.

The anticipated results for Engagement projects are direct experiences with the arts for the public. If a grant is received, at the end of the project grantees will need to describe the participants' experiences as well as the composition of the participant group. If the nature of the project does not allow for the documentation of participants' experiences explicitly, grantees may document the composition of the participant group and numbers of participants and activities, and describe the activities used to engage the public with art.

***Learning:*** *Americans of all ages acquire knowledge or skills in the arts.*

Support is available for projects that provide Americans of all ages with arts learning opportunities across a diverse spectrum of artistic disciplines and geographic locations. These projects should focus on the acquisition of knowledge or skills in the arts, thereby building public capacity for lifelong participation in the arts. Learning activities may include:

- Lifelong learning activities for children, adults, and intergenerational groups.
- Standards-based arts education activities for K-12 students.
- Workshops and demonstrations.
- Mentorships and apprenticeship programs.
- Professional development for artists, teaching artists, teachers, and other educators.

- Assessments and evaluations of arts learning.
- Online courses or training.
- Lectures and symposia.
- Production, publication, and distribution of teachers' guides.
- Innovative practices in arts learning for Americans of all ages.

The anticipated results for Learning projects are increases or improvements in the participants' knowledge or skills in the arts. If a grant is received, at the end of the project grantees will need to describe the participants' learning, the composition of the participant group, and the numbers of participants and activities, as well as the activities used to facilitate the acquisition of knowledge or skills in the arts. Grantees who receive support through the Arts Education discipline for standards-based projects will be required to report on additional measurable results, including identifying specific learning outcomes, describing the assessment method, and reporting on the number of participants who demonstrated learning.

***Livability:** American communities are strengthened through the arts.*

Support is available for projects that incorporate the arts and design into strategies to improve the livability of communities. Livability consists of a variety of factors that contribute to the quality of life in a community such as ample opportunities for social, civic, and cultural participation; education, employment, and safety; sustainability; affordable housing, ease of transportation, and access to public buildings and facilities; and an aesthetically pleasing environment. The arts can enhance livability by providing new avenues for expression and creativity. Arts- and design-related Livability activities may include:

- The development of plans for cultural and/or creative sector growth.
- The enhancement of public spaces through design or new art works.
- Arts or design activities that are intended to foster community interaction in public spaces.
- Cultural sustainability activities that contribute to community identity and sense of place.
- The engagement of artists, designers, and/or arts organizations in plans and processes to improve community livability and enhance the unique characteristics of a community.
- Innovative community-based partnerships that integrate the arts with livability efforts.

Please note that certain types of Livability activities will require applicants to provide information in accordance with the National Environmental Policy Act and/or the National Historic Preservation Act.

The anticipated long-term results for Livability projects are measurable community benefits, such as growth in overall levels of social and civic engagement; arts- or design-focused changes in policies, laws, and/or regulations; job and/or revenue growth for the community; and changes in in-and-out migration patterns.



## AGENDA STAFF REPORT CITY OF THE DALLES

MEETING DATE	AGENDA LOCATION	AGENDA REPORT #
February 14, 2011	Action Items 13, C, 2	11-015

**TO:** Honorable Mayor and City Council

**FROM:** Daniel Meeks, Administrative Intern

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

**DATE:** January 31, 2011

**ISSUE:** Lewis and Clark Memorial Fountain and Statue Our Town Grant Application.

**RELATED CITY COUNCIL GOAL:** Goal 3b. Continue Urban Renewal downtown renaissance projects:

Construct Festival Area, including Lewis & Clark fountain

**BACKGROUND:** Our Town Grant - Art works to improve the lives of America's citizens in many ways. Communities across our nation are using smart design and leveraging the arts to create livable, sustainable neighborhoods with enhanced quality of life, increased creative activity, distinct identities, a sense of place, and vibrant local economies.

Through Our Town, based on the availability of funding, the National Endowment for the Arts will provide a limited number of grants, ranging from \$25,000 to \$250,000, for creative place making projects that contribute toward the livability of communities and help transform them into lively, beautiful, and sustainable places with the arts at their core. Our Town will invest in creative and innovative projects in which communities, together with their arts and design organizations and artists, are looking to increase their livability, and specifically are seeking to:

- Improve their quality of life.
- Encourage creative activity.
- Create community identity and a sense of place.
- Revitalize local economies.

The Lewis and Clark Memorial Fountain and Statue will be the visual focal point for the Community Festival Area. It will be visible from downtown, the entry and exit points of the

Columbia as one traverses the river bordering The Dalles and its' environs, the highway and many other vantage points in higher elevations in the city. This statue will become a common point of identification for the town and provide a communal sense of identity to the residents of the region, saying to them, "Founded by pioneers, Our community has been and continues to be a launching point for success and greatness and will continue to be a focal point in serving the Mid-Columbia region."

**BUDGET IMPLICATIONS:**

Requested from NEA	\$250,000
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Match for project

Columbia Gateway Urban Renewal Agency	\$150,000
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State, Local and non-profit grants	\$214,542
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Total Cash on hand	\$364,542
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In kind services, City of The Dalles	\$40,000
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Total Match for Project	\$404,542
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Total Project Income	\$654, 542
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**ALTERNATIVES:**

A. Staff Recommendation: *Authorize staff to submit grant proposal.*

B. Find funding elsewhere.

## Our Town

Statement of Interest Deadline: March 1, 2011

Invitation to Apply Issued: March 25, 2011

Formal Application Deadline: April 25, 2011

## Grant Program Description

Art works to improve the lives of America's citizens in many ways. Communities across our nation are using smart design and leveraging the arts to create livable, sustainable neighborhoods with enhanced quality of life, increased creative activity, distinct identities, a sense of place, and vibrant local economies. The NEA defines these efforts as *Creative Placemaking*:

"In creative placemaking, partners from public, private, nonprofit, and community sectors strategically shape the physical and social character of a neighborhood, town, city, or region around arts and cultural activities. Creative placemaking animates public and private spaces, rejuvenates structures and streetscapes, improves local business viability and public safety, and brings diverse people together to celebrate, inspire, and be inspired."

Through *Our Town*, based on the availability of funding, the National Endowment for the Arts will provide a limited number of grants, ranging from \$25,000 to \$250,000, for creative placemaking projects that contribute toward the livability of communities and help transform them into lively, beautiful, and sustainable places with the arts at their core. *Our Town* will invest in creative and innovative projects in which communities, together with their arts and design organizations and artists, are looking to increase their livability, and specifically are seeking to:

- Improve their quality of life.
- Encourage creative activity.
- Create community identity and a sense of place.
- Revitalize local economies.

A key to the success of creative placemaking involves the arts in partnership with a committed governmental leadership and the philanthropic sector. All *Our Town* applications must reflect a partnership that will provide leadership for the project. These partnerships must involve at least two organizations: one a nonprofit design or cultural organization, and one a government entity. Additional partners are encouraged and may include an appropriate variety of entities such as foundations, arts organizations and artists, nonprofit organizations, design professionals and design centers, educational institutions, developers, business leaders, and community organizations, as well as public and governmental entities. Federal agencies cannot be monetary partners.

In addition, each *Our Town* project must have:

- A systemic approach to civic development with a persuasive vision for change.



- Clearly defined civic development goals and objectives that recognize and enhance the role the arts play at the center of community life.
- An action plan aligned with the project vision and civic development goals.
- A funding plan that is appropriate, feasible, indicates strong community support, and includes a well-conceived sustainability strategy.

Funding under *Our Town* is **not** available for:

- Projects that do not involve a partnership of at least two organizations (one a nonprofit design or cultural organization, and one a government entity) that are willing to provide leadership for the project.
- Activities that are not tied directly to long-term civic development goals.
- Projects where the arts, design, or cultural activity are not core to the project's plan.
- Capacity building initiatives for artists that are not integral to a broader civic development strategy.
- Construction, purchase, or renovation of facilities. (Predevelopment, design fees, and community planning are eligible; however, no Arts Endowment or matching funds may be directed to the costs of physical construction or renovation or toward the purchase costs of facilities or land.)
- Subgranting or regranting.
- Financial awards to winners of design competitions.

Note: The *Grants for Arts Projects* guidelines provide additional information on what we do not fund; see "Administrative Requirements" for more information.

## Projects

Each project should represent the distinct character and quality of its community.

The Arts Endowment plans to support a variety of diverse projects, across the country in urban and rural communities of all sizes. Projects may include planning, design, and arts engagement activities such as:

### Planning

- The **development of plans for cultural and/or creative sector growth**. This includes activities such as planning for arts/cultural districts and creative industry hubs/districts/clusters, cultural asset mapping, and other cultural planning activities.
- The **engagement of artists and/or arts organizations** in place-based planning such as community engagement activities.

### Design

- The **use of design to enhance/revitalize public spaces**. This includes design activities such as charrettes, competitions, community engagement, and the development of design specifications for streetscapes, pedestrian bridges, sustainable parks, and landscapes, or for the renovation, restoration, or adaptive reuse of existing structures to be used as cultural facilities or for mixed use purposes (e.g., for affordable housing for artists and others, artist studios, or live/work space).

## **Arts Engagement**

- **New arts activities to foster interaction among community members, arts organizations, and artists**, including festivals, outdoor exhibitions, innovative programming, performances in public spaces, and activities that encourage the activation of existing cultural and community assets and facilities.
- The **commissioning and/or installation of new art to improve public spaces**. This includes the commissioning of permanent and/or temporary site-specific public art such as murals and sculptures, sculpture gardens, and waterfront art.

All phases of a project -- planning, development, design, and implementation -- are eligible for support. Applicants generally should limit their projects to a single phase.

Through *Our Town* projects, the Arts Endowment intends to achieve the following outcome:

*Livability: American communities are strengthened through the arts.* Applications should reflect the results expected to be achieved by the project. If a grant is received, grantees also will be asked to provide evidence of those results.

The anticipated long-term results for Livability projects are measurable community benefits, such as growth in overall levels of social and civic engagement; arts- or design-focused changes in policies, laws, and/or regulations; job and/or revenue growth for the community; and changes in in-and-out migration patterns. Given the nature of Livability projects, benefits are likely to emerge over time and may not be fully measureable during the period of a grant. If a grant is received, at the end of the project grantees will need to provide evidence of progress toward achieving improved livability as appropriate to the project.



## CITY of THE DALLES

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### AGENDA STAFF REPORT CITY OF THE DALLES

MEETING DATE	AGENDA LOCATION	AGENDA REPORT #
February 14, 2010	Discussion Items 14, A	11-018

**TO:** Mayor and City Council

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

**DATE:** February 1, 2011

**ISSUE:** Burn Ban

**BACKGROUND:** The City Council received a request from citizen Kathy Heitkemper to prohibit open burning within City limits. On November 15<sup>th</sup>, the City Council at its town hall meeting took citizen comments on the issue from those who felt that open burning was necessary for them to maintain their property and from those who felt there should be some restrictions to protect the health of our citizens. Time has been scheduled for a discussion with the Council regarding this issue at the February 14<sup>th</sup> Council meeting in order for staff to get direction on additional work needed for the Council to be able to make a final decision. To assist the Council staff has identified various levels of activity the City can get involved in on this issue. Some of these activities can be combined with others to create a final policy direction. Under each alternative, we have identified some of the elements that would cause expenses for the City.

1. Education: Education could be the primary focus with no further restriction or the essential element of any new restrictions on burning. The City through its Codes Enforcement Department could organize a volunteer effort to develop and implement an education campaign. Such a campaign could include some of the following elements:
  - a. Identify criteria for recommended no burn days and have volunteers working with Fire Department to alert media of such days.

- b. Create brochures educating the public on the health hazards of open burning, other alternatives, and contact information for implementing those alternatives.
- c. Develop partnerships with The Dalles Disposal and/or Dirt Huggers and the Fire Department for reduced or free composters, classes on alternatives and pick up/drop off dates.
- d. Perhaps classes through Master Gardeners and/or Parks and Rec, and the CGCC with all attendees leaving with the knowledge and tools to implement alternatives.
- e. Canvassing areas where issues have been identified with brochures, composters, etc.
- f. Follow up visits to problem properties with alternatives.
- g. Presentations to schools, service groups, and displays at other appropriate events.
- h. Media coverage to continually update the public on progress being made and education opportunities.

ELEMENTS OF COSTS: Training and supervision of volunteers and education materials.

2. Inversion Notifications: One of the challenges expressed was what the community experiences during air inversions. Through volunteers associated with Codes Enforcement, the City could provide daily information on current or projected inversions to provide either advisory or mandatory direction on no open burning days. For this to be successful, we need to find volunteers who, with minimum supervision, through the winter months would provide this information to the media daily. A similar advisory program was conducted approximately four winters ago. For this option to work it would have to be combined with a strong education program.

ELEMENTS OF COSTS: Training and supervision of volunteers and education materials. Personnel costs when mandatory compliance is used.

3. Mulch Initiative: Become aggressive in creating education and access to mulching options.

ELEMENTS OF COSTS: Personnel time to implement and cost of education materials.

4. Burn Barrel Ban – Yard Debris Only: For this option, burn barrels would be banned and anyone using a burn barrel would be subject to an initial warning and then a fine that would be enforced through Codes Enforcement on primarily a complaint basis. If during the winter months when Codes Enforcement has a smaller workload, they will be able to recognize problem areas and respond. We would adopt ORS standards and work with the Fire Department who will continue to issue the burn permits and assist us in identifying illegal burning in cooperation with Codes Enforcement. Through the existing law, individuals could continue to burn yard debris, but would not be allowed to include any household waste or other banned substances.

ELEMENTS OF COSTS: Personnel to enforce laws.

5. Total ban on outdoor burning: This would be a ban on any outdoor burning except for cooking or certain recreational fires within the City limits. It could be restricted to only winter months.

ELEMENTS OF COSTS: Personnel to enforce ban.

6. Mandatory Solid Waste and debris pick up: Some communities require this. It solves a lot of illegal dumping and garbage storage problems. All would have access to recycle debris through solid waste collector. If the whole community participates, it should provide some reduction in costs through economy of scale.

ELEMENTS OF COSTS: Expense to residents not currently participating.

Attached is a copy of the current Burn Permit requirements from Mid-Columbia Fire and Rescue, and current letters and email the City has received on this issue.

**COUNCIL ALTERNATIVE:**

This is a discussion item for the Council to give staff direction on to be developed further for consideration.

# Mid-Columbia Fire and Rescue

## Burn Permit

Nothing in this permit relieves a person starting a fire from responsibility for providing adequate protection to prevent injury or damage to the person or property of another. If such burning results in the escape of fire and injury or damage to the person or property of another, such escape and damage or injury constitutes prima facie evidence that the burning was not safe. The Fire District shall not assume any responsibility for any damages caused thereby.

### General Burn Permit Regulations

1. No person shall burn waste materials or trash in an unguarded manner without a permit, when a permit is required by the district code or this chapter. (ORS 478.930)
2. All issued permits shall be valid from date issued until the following date of June 30<sup>th</sup>. (Resolution 2008-16)
3. All outdoor burning is prohibited during windy conditions (ORS 478.960)
4. All outdoor burning shall be extinguished by 11:00 A.M., May 15<sup>th</sup> through October 15<sup>th</sup> and at dusk during all other open periods of the year. (ORS 478.960)
5. No waste matter shall be burned, under permit or otherwise, which shall, in burning, cause or create a dense smoke or offensive odor. **OREGON LAW PROHIBITS BURNING OF RUBBER PRODUCTS, TIRES, PLASTIC, WET GARBAGE, PETROLEUM AND PETROLEUM-TREATED MATERIALS, ASPHALT AND INDUSTRIAL WASTE.** (478.960; DEQ Regulations) The burning of many other common items including raw or untreated lumber, is prohibited in many locations and under a variety of circumstances. It is the responsibility of the permit holder to assure that all burning complies with state and local regulations.
6. The Fire Department may prohibit any and all open burning when atmospheric conditions or local circumstances make such fires hazardous. (ORS 478.960)

### Open Burn Regulations

1. Piles shall be limited to 8 foot in diameter and 4 feet in height.
2. All open fires shall be constantly attended by a competent person until each fire is extinguished.
3. Attendant shall have fire extinguishing equipment readily available. (ORS 478.960)
4. The following minimum clearances shall be maintained at all times:
  - a. 50 feet from any structure if over 3 feet in diameter;
  - b. 25 feet from any structure if under 3 feet in diameter;
  - c. 5 feet from any property line.

### Incinerator Regulations

1. The incinerator shall be of substantial non-combustible construction and shall be covered with a heavy-duty screen of not less than 14 gauge and having mesh not larger than ¼ inch openings.
2. A responsible party shall be in attendance on the property at all times during incinerator operations.
3. Fire extinguishing equipment shall be readily available. (ORS 478.960)
4. The following minimum clearances shall be maintained at all times:
  - a. 15 feet from any structure;
  - b. 10 feet from all other combustibles;
  - c. 5 feet from any property line.
5. Incinerators and the equipment thereof, shall be maintained in good condition and repair at all times.
6. No person shall so construct, erect, install, maintain or use any incinerator or barbecue pit, or so burn any combustible material as to constitute or occasion a fire hazard by the use or burning thereof as to endanger the life or property of any person thereby.

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Signature

(Not Valid Unless Signed)

Failure to follow the burning regulations shall be grounds to revoke the burning permit and/or assess any and all costs associated with such enforcement action(s).  
(ORS 478.965; Resolution 2008-16)

## EXCERPTS FROM RESOLUTION 2008-16

### Section 2 – General

- A. Permits required: Permits required by this resolution shall be obtained from the fire code official. Permit fees, if any, shall be paid prior to issuance of the permit. When required by ORS, a permit shall also be obtained from other enforcing agencies. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the fire code official.

Through mutual agreement the Oregon Department of Forestry will recognize all permits issued by Mid-Columbia Fire & Rescue to have the same force and effect and will honor all permits issued by the District as if they were ODF's.

- B. Types of permits:
1. Burn Permit. An annual permit required to conduct burning operations within the jurisdictional boundaries of Mid-Columbia Fire and Rescue.
  2. Exceptions. A burn permit shall not be required for recreational and agricultural fires outside of the urban growth boundary.
- C. Inspections required: An inspection by a fire official shall be conducted prior to the ignition of any burn requiring a Variance Permit.

### Section 3 – Length of Permits

All issued permits shall be valid from date issued until the following date of June 30<sup>th</sup>.

### Section 4 – Cost Recovery Fees

- A. Burn Permit Fee: A cost recovery fee of \$5.00 shall be assessed to each permit.
- B. Negligent and Illegal Burns: Possession of a valid permit does not relieve a person starting a fire from the responsibility for providing adequate protection to prevent injury or damage to the person or property of another. If such burning results in the escape of fire and injury or damage to the person or property of another, such escape and damage or injury, constitutes prima facie evidence that the burning was not safe.
- If fire-fighting apparatus and/or personnel, are required to respond and be used actively or on a standby basis in connection with the extinguishment or control of a fire that has been started or allowed to spread in willful violation of ORS 478.960 (1) to (5), the person responsible therefore shall be liable to the district furnishing such apparatus or personnel, or both, for the actual costs incurred by the district in controlling, extinguishing or patrolling the fire. Such costs shall be consistent with the Oregon State Mobilization Plan.
- C. Incidents resulting from violations of ORS 478.960 for controlling, extinguishing and/or patrolling said fire shall be billed in accordance with MCFR Board Policy, Chapter 7, Section 7.5.
- D. The Fire Chief or his designee is authorized to reduce and/or waive any cost recovery fees.

### Section 5 – Revoking of Permits

Failure to comply with all rules and regulations listed on the permit, Oregon Fire Code, Oregon Revised Statutes and DEQ Rules are grounds for revoking a permit for a period up to one year from date of violation.

### Section 6 – ORS 478.990 Penalties

- (1) Violation of any provision of ORS 478.930 is a Class D violation. Each day's refusal to remove fire hazards after notice by the inspecting officer to the owner of the premises where the hazard exists is a separate offense.
- (2) Burning without a permit required under ORS 478.960 (1) or in violation of a condition thereof is a misdemeanor.
- (3) Violation of ORS 478.960 (4) is a misdemeanor.

Subject to ORS 153.022 and 153.025, violation of any rule or regulation made by a rural fire protection district or other public body, as defined in ORS 174.109, pursuant to ORS 478.300 (2) is a misdemeanor.

## Julie Krueger

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**From:** The Akita's <akitas@embarqmail.com>  
**Sent:** Monday, January 24, 2011 2:35 PM  
**To:** Julie Krueger  
**Subject:** burning ban

Dear Ms. Krueger:

I am writing to you in support of a burning ban in the city limits of The Dalles. My husband and I own our home near CGCC in The Dalles. I have often observed the smoke pollution of backyard burning in the air around our city. I strongly disagree with the concept that a property owner of land has a right to pollute the air that we all breathe! No one should be allowed to endanger anyone else's health, especially not for the sake of saving a couple bucks of transportation cost to the local landfill. Even woodstoves pose a problem in our neighborhood on days when we have inversions. Our neighbors here on Jefferson Street heat their home with wood heat, which is picked up by our heat pump and blown right into our home. We breathe their polluted air inside our own home! Even the expensive air cleaner we installed on our heating system does not filter out all of the smoke from our neighbors. Why does the city we allow that kind of pollution? One of my children had asthma and I can't help but wonder if the years of breathing our neighbor's woodsmoke didn't adversely effect my child.

We have all observed the fires that have started on windy days when the back yard fires around town got out of control, especially on the hillside in the area of Eagle Caves. Those property owners in that area should be very nervous at the prospect of a backyard burning taking out their homes. It seems to me that one property owner should not be allowed to endanger the property of others, especially when recycling options are available. I have often been on the freeway, looking at our city and it's smoke, and wonder why this city allows itself to be polluted in this way. It is an eyesore and a health problem.

I encourage the City Council to adopt laws prohibiting back yard burning in The Dalles.

Thank you,  
Merrie and Byron Akita  
1806 Jefferson St  
541-296-1976



January 13, 2011

To The Dalles City Council Members:

I became aware of the action to establish a burn barrel ban in our community, in The Dalles Chronicle. I read with interest because I have felt for some time that the air quality in The Dalles is quite poor at times, especially when we have our inversions. Since Google moved in, you can easily see when we're having an inversion thanks to their steam stacks; at least I hope steam is all it is!

I have always cared about and tried to be a good steward for our environment. It is painful to see the careless way we treat our natural wonders and basic necessities, namely our planet, polluting our land, water, and air—the basics that every living thing needs to survive and thrive here on Earth.

These things became a more serious threat to me when I was diagnosed with stage 3 B Non-small cell lung cancer (NSCLC) in October 2009. I am a 59 (57 at the time) year old female who has never smoked, led an above average “healthy” lifestyle, who has a teaching endorsement in Health Ed. and I am married to a physician who has practiced here for 30+ years. I know and understand about good health practices.

You can imagine our shock when I got my diagnosis! What could have caused this? I'm a “never smoker,” so we checked for radon, which is another significant source of lung cancer. Our limits were in the safe zone. I don't have a family history of lung cancer either—no one! So what then?

Since 1995, cancer was made a reportable disease in Oregon. There has been a statistically significantly increase in the incidence of lung cancer in Wasco Co. in the last 10 years. How many are aware of this? It is the only county in Oregon where there has been an increase. This information is maintained in the Oregon State Cancer Registry and can be viewed online at <http://oregon.gov/DHS>

Not only is air pollution a problem that can cause cancer, folks who have asthma, COPD, or any chronic upper respiratory disease, know what happens to their breathing capabilities when there is smoke in the air whether it is from burn barrels, wood burning stoves, or burning yard debris. These offenders all make it difficult to breathe and that is a basic right of every person.

We need to clean up the air not just in Wasco Co. but in the world and everyone needs to start right in their own home. It's bad enough that we live on an Interstate with all the noxious fumes\* rising up to meet those of us in The Dalles, so what can we do to clean up the air? We need to start small. Let's put a ban on burn barrels and figure out a way to dispose of yard debris so that we are doing the least amount of damage to our environment.

**\*FYI:**

**Background:** The lungs undergo major growth between the ages of 10 and 18 years. It has been thought that exposure to air pollution during this period may limit lung growth.

**Summary:** Children from communities with greater air pollution were found to have significantly poorer lung function than children from communities with cleaner air. The lungs of children who grow up in communities with polluted air never fully develop.

**Comment:** The specific pollutants associated with these lung deficits include nitrogen dioxide, acid vapor, and elemental carbon. The origin of these pollutants is no mystery. All are products of fuel combustion.

Do we the people care to curb the spewing of air pollution by motor vehicles and power plants? In the end, it is all our problem.

Barbara K. Hecht, Ph.D.  
Frederick Hecht, M.D.  
Medical Editors, MedicineNet.com

Thank you for listening!

Janet Figg

The Dalles, OR

## Julie Krueger

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**From:** Jude <jude@gorge.net>  
**Sent:** Saturday, January 15, 2011 6:39 AM  
**To:** Julie Krueger  
**Subject:** the burn ban proposal

To The Dalles City Council members,

I would like to thank each of you for the time you have provided regarding the burn ban proposal.

I will not be able to attend the meeting on January 24th at which time the burn ban proposal will be discussed, due to my being out of state. I would like to take a moment to express my strong support in banning open burning as I have in previous meetings and previously in 2006 as a member of Wasco County's health department Air Quality Task Force.

I, like each of you, believe and support providing, protecting and maintaining an optimum healthy environment for each member, infants to the elderly, of our community today and in the future. The research which has been presented and provided to you by Kathy Heitkemper and others, indicates the hazards to open burning. In addition, the research lists the alternatives that have effectively been put in place in our community and others to consider implementing.

I strongly hope each of you will support the burn ban proposal and it's implementation this season.

Let's be a model for other communities and be proud of our environment not only for today, yet for future generations and to attract others to create their home in The Dalles.

With Gratitude,

Judy Merrill  
400 West 11th Street  
The Dalles, OR.

## Julie Krueger

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**From:** Bill & Sandra Ihrig <sihrig@charter.net>  
**Sent:** Sunday, December 19, 2010 5:53 PM  
**To:** Julie Krueger; Izetta F. Grossman  
**Subject:** To The Dalles City Council regarding Air Quality

Dear The Dalles City Council members:

I hate it when you can see the air. It just is not suppose to be like that. We are moving from The Dalles because of the air quality. I have become so chemical sensitive the last two years that I have no choice. Before we moved here I had no allergies. Now they rule my life and health.

During air inversion air flow patterns our air, along with the pollution, is trapped and The Dalles citizens are forced to breath this air. **When you add smoke from the wood stoves/fireplaces and back yard burning it is over whelming to anyone near and everyone who health is vulnerable: the elderly, chemically sensitive population, people with allergies and our children who should not be forced to breath in that kind of air.**

Below is a study done by Justin Sharp<sup>1</sup> and Clifford F. Mass, Department of Atmospheric Sciences, University of Washington, Submitted to Weather and Forecasting, 17 December 2003, Revised 4 May 2004, Corresponding author: Justin Sharp, Department of Atmospheric Sciences, Box 351640, University of Washington, Seattle, WA 98195 regarding The Dalles being downwind from these other air polluters.

And I quote:

"I would like to quote from Easterly Gorge flow is most common during the winter season. Cramer (1957) describes four synoptic features that yield winds with an easterly component across the Cascade Range: a continental high building inland, a cyclone approaching the coast, an offshore thermal trough, and a cyclonic storm centered in southern Oregon or northern California. The first two features, which are most prevalent during the cold season, are the most important precursors of enhanced easterly gap flow through the Gorge and other Cascade gaps.

Periods of strongest east flow occur when several of these synoptic scale features occur simultaneously (Graham 1953; Reed 1981; Mass and Albright 1985). Cameron and Carpenter (1936), Graham (1953) and Baker et al. (1978) describe similar synoptic conditions leading to strong wintertime easterly flow through the Columbia River Gorge. Advection of cold, continental air from interior British Columbia and rapid radiational cooling associated with often clear skies east of the mountains results in the formation of a cold pool<sup>2</sup> in the Columbia Basin that is surmounted by subsiding air aloft. An inversion at the interface between these two air masses decouples the flow aloft from the low-level flow entering the Gorge."

End quote. You can Google this study for more technical information on the Gorge Easterly Gap Winds study.

For further information on the gorge wind flows can be found in the DEQ website:  
<http://www.deq.state.or.us/aq/gorgeair/>

The following is taken from:

<http://www.deq.state.or.us/aq/gorgeair/docs/GorgeStrategyDRAFT.pdf>

**“Visibility impairment in the Gorge is typically worse in the winter than it is in the summer, particularly at the eastern end of the Gorge when air stagnation conditions trap and concentrate pollution.**

**Winter haze episodes are dominated by easterly winds with the majority of emissions coming from sources east of the Gorge. Winter haze concentrations are most significant at the east end of the Gorge, less significant at the west end of the Gorge.”** End quote.

In The Dalles we are downwind from Umatilla Army Nerve Gas/Mustard Gas Incinerator site. We have had to tolerate the burning of over 1,000 tons of sarin and 727,000 pounds of VX and now 4.7 million pounds of mustard gas yet to be burned. Especially during the winter months, most all of our wind comes from that direction. I personally have traveled past that area in the winter had my sinuses closed, my chest tightened and my sinuses bled fresh blood from my brief exposure.

We are downwind from Arlington’s 1,288-acre chemical waste disposal site (with a capacity of 2,180,000 cubic yards) operated by Chem-Security Systems, a subsidiary of waste giant WMX Technologies. (one of less than 30 commercial chemical waste sites in the country) We can smell the chemicals in our air when the gorge air lays stagnant during weather inversion patterns.

We are also downwind from Arlington Land Fill (Gilliam County) and Roosevelt Regional Land Fill (Klickitat County, WA), Finley Bio Energy Land Fill, Lamb Weston a potato processing plant and Hermiston Generating Natural Gas (a 480 MW co-generating power plant). All these facilities emit some really nasty stuff and very often exceed our air quality standards.

PGE Boardman Coal Plant have been exceeding air quality standards for years-including mercury and we are downwind of their pollution.

The Union Pacific Tie Superfund cleanup site emits toxic fumes in their operation. And those of us who live on the East side of town are forced to endure that stench. **When you add smoke to the mix I personally have to stay inside and increase my medication to keep breathing.**

There are other options for people to remove their leaves, they could compose them, take the local leaf/yard debris disposal service or simply haul them off.

In other cities there are only certain days that you can burn; when the pollution index is down.

There is absolutely no reason the vulnerable populations have to endure this smoky haze simply because someone does not want to compose their leaves. **We as citizens of The Dalles should set our standards high enough to protect these vulnerable populations with health issues from back yard burning on days of air inversion.** In most cities it is standard procedure for the local fire department to regulate the days burning is allowed.

I have had several life threatening respiratory crisis in the last two years. This year after emergency surgery (in June) I had complete pulmonary collapse in the recovery room. So I know the value of breathing clean air.

I could not attend the public hearing on the back yard burning because I was too ill. Please accept this email as my testimony for the back yard burning ban to be put into law.

Sandra Ihrig

709 East 21<sup>st</sup> Place  
The Dalles, OR 97058  
Phone: 541-296-0644

**Julie Krueger**

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**From:** bonnie shupe <bonnibill@gmail.com>  
**Sent:** Thursday, January 06, 2011 8:44 PM  
**To:** Julie Krueger  
**Subject:** Burn Ban

Dear City Council,

I would like you to know that I totally support Kathy Heitkemper's stand on burning in the city of The Dalles. As an adult with borderline asthma, the burning really affects me. I so look forward to being able to open my windows in good weather to enjoy the fresh air. Trouble is, I have learned that doing so puts me at jeopardy more times than not, because neighbors feel that is their time to burn their extra trash. Please support a burn ban in the city of The Dalles.

Sincerely,

Bonnie Shupe ([bonnibill@gmail.com](mailto:bonnibill@gmail.com))

The Dalles, Oregon

## Julie Krueger

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**From:** Nolan Young  
**Sent:** Wednesday, December 08, 2010 9:13 AM  
**To:** Bill Dick; Brian Ahier; Carolyn Wood; Dan Spatz; Izetta F. Grossman; Jim Wilcox; Julie Krueger; Nolan Young; Tim McGlothlin (mcglothlint@nwasco.k12.or.us); Tim McGlothlin (timothymcglathlin@gmail.com)  
**Cc:** Daniel Durow; Dave Anderson; Gene Parker; Jay Waterbury; Kate Mast; Sheila Dooley  
**Subject:** Open Burning  
**Attachments:** Burn Ban Letter 12 10.pdf

Honorable Mayor and City Council

Attached is a letter from Kathy Heitkemper providing additional information on her request for a burn ban. In response to this letter I would propose that we inform her that the council will be discussing this issue on January 24th. In preparation for this, Staff would prepare several general approaches to the issue that the council could discuss and then give staff direction on next steps desired. We would include this letter with the staff report so all could access it on the web site. We would notify those who talked on this issue at the town hall so they could attend if desire.

Please let me know separately if you have concerns with this approach and desire another direction.

*Nolan Young*

City Manager  
City of The Dalles  
313 Court St  
The Dalles, OR 97058  
(541) 296-5481 ext. 1118  
[nyoung@ci.the-dalles.or.us](mailto:nyoung@ci.the-dalles.or.us)



To: The Dalles City Council Members

From: Kathy Heitkemper  
277 Lone Pine Lane  
The Dalles, OR 97058

Date: December 6, 2010

I appreciated the fact that citizens had an opportunity to express their views about backyard burning at the Town Hall meeting on November 15<sup>th</sup>. While I heard what people said, I think there is a much larger picture here.

I have to admit that as I began writing this letter, my neighbor chose to burn a large, wet yard debris pile. There was an air inversion – right at my roofline. The smoke permeated our home, my heart was racing, and it was difficult to breathe. I shouldn't have to be subject to this health hazard, and I shouldn't have to leave my home until the fire is out. The fire department was called and they determined that because the person burning had a permit, the fire was legal. Nevertheless, the fire was extinguished. However, the owner was not burning on his own property and the property owner did not have the necessary DEQ permit to burn. This was not a legal burn. Smoke from such fires does not stay in the burning neighbor's yard, but affects neighbors in the surrounding area.



Backyard burning, which includes burn barrels *and* yard debris, has proven to be a serious health hazard. There are hundreds of websites (American Lung Association, State and Federal DEQ, EPA, cities, counties and states), which give studies and facts about the health hazards of backyard burning. I included several in my initial July 2010 proposal. One Town Hall letter to the Council questioned whether local hospital reports could be relied upon to give unbiased information about banning backyard burning. It should be noted that there were no local hospital reports used in my original proposal. Burning is a national issue and I used reports from a myriad of resources. A Minnesota Pollution Control Agency flier reads "If you're burning garbage, your making poison" ([www.pca.state.mn.us/burnbarrel](http://www.pca.state.mn.us/burnbarrel)). EPA lists the health effects of pollutants emitted from backyard burning at:

([www.epa.gov/oaqps001/community/details/barrelburn\\_addl\\_info.html](http://www.epa.gov/oaqps001/community/details/barrelburn_addl_info.html)). Oregon DEQ

has a fact sheet that lists the health effects of burning household waste at:  
([www.oregon.gov/deq](http://www.oregon.gov/deq))

Smoke from backyard burns is a nuisance that affects public health. The Dalles General Ordinance No. 93-1162 Chapter 5 Section 2 states:

*"Nuisances Affecting Public Health. No person shall cause or permit a nuisance affecting public health on property owned or controlled by the person."*

Among the odor producing items listed in the section are:

*F. Premises that are in such a state as to cause an offensive odor or is unsanitary*

*H. Cesspools or septic tanks that are in unsanitary condition or cause an offensive odor*

Surely the noxious odor from smoke produced by backyard burns could equal either of these listed items.

No one spoke at the Town Hall meeting in favor of burn barrel burning. When I first began my research, Fire Chief Bob Palmer indicated that if all the burn barrels were emptied and the contents examined, at least 50% of what was being burned would most likely be on the list of things that should not be burned.

The folks that spoke at the Town Hall meeting in opposition to the burn ban did not address any of the health issues. There is an alternative for each issue brought up at the Town Hall Meeting, which protects the health of individuals and the environment.

Concerns brought up at the Town Hall meeting:

### **Burning of confidential papers**

**Health hazard** – chlorine bleached paper and synthetic inks contain heavy metals like lead and cadmium. These metals get carried along with the rest of the smoke and eventually settle onto plants, water, and soil. The absorption of heavy metals by humans has been linked to birth defects, interference with red blood cell production, liver and kidney deterioration and loss of coordination.

**Alternative** - Confidential papers can be shredded and the shred can go in the garbage or recycled at the curb. DEQ is currently investigating a program that may offer confidential shredding as part of its Hazardous Waste program.

### **Yard Debris**

**Health Hazard** – An Oregon DEQ brochure (Burn Smart: Protect your health & air quality) states: "In addition to harmful substances called toxins, smoke from outdoor burning contains tiny particles that are so small the body's natural defenses can't prevent them from lodging deep into our lungs. These tiny particles not only can damage and change the structure of lung tissue but can also carry toxins directly into our bloodstream. Breathing this smoke can lead to serious respiratory problems, asthma attacks, heart problems, and even premature death...During an open burn, pollutants are released into the air close to the ground level, where they are easily inhaled."

### **Alternatives –**

Compost

Use a chipper and use the chips for mulch and compost

Use curbside yard debris service

Take yard debris to the transfer station (free in May and November)

For those with unusual yard debris issues, work with DEQ and Tri-County Hazardous Waste & Recycle on alternatives.

### **Seniors –**

There was mention that seniors could not afford the cost of subscription yard debris service. While Waste Connections does not offer senior discounts, low-income seniors may apply for relief through C-Cap. Composting could be an alternative. Seniors could work with family, friends, neighbors, or church groups in order to take advantage of the free yard debris drop off at the transfer station in May and November.

### **Unusual yard configurations/issues, composting and the transfer station -**

One Town Hall participant was concerned about the slope of his property and the amount of debris that would have to be wheel barrowed up hill. A likely alternative for property owners in similar situations would be on-site composting. In that regard, Tri-County Hazardous Waste & Recycle would be able to work directly with property owners in The Dalles. Either staff or Master Recyclers could make site visits in order to make recommendations. If needed, they could also involve Master Gardeners. Home composters are sold at below cost. Tri-County Hazardous Waste & Recycle can also provide design instructions for very affordable composters that more readily handle larger volumes of yard waste. The most common design would involve the use of free pallets.

Tri County Hazardous Waste & Recycle sold 187 Earth Machine compost bins in Wasco County in 2009 and 73 through November 2010. They have sold over 600 since 2009 in the tri-county area. According to information provided by the bin manufacturer, residents who compost at home can divert a minimum of 650 pounds per year from the solid waste stream. Bottom line – there are a lot of folks composting rather than burning.

In November 2010, the transfer station collected **150 tons** of yard debris for recycling. There are a lot of folks taking yard debris to the transfer station rather than burning.

Another Town Hall participant who was concerned about creek health and dying trees should be working one on one with The Dalles Watershed District and the Wasco County Soil & Water Conservation District to ensure proper creek restoration and disposal of dead or dying trees.



### **Air Inversion/burning days–Yard Debris**

On January 3, 2010 Brian Tuck (OSU Wasco County extension agent), Larry Calkins (Oregon DEQ specialist) and Dan Hammel (MCFR Division chief) collaborated on an article in The

Chronicle (Is smoke getting into your eyes? – When you choose to burn can make a difference in the air you breathe). Among other things, the article discussed inversions, stating, “Folks who are planning to burn should understand that when inversions occur they should not burn.” There were websites listed for the National Weather Service and Weather Underground, which give local weather conditions. The newspaper picture accompanying the article clearly showed that burns occur on inversion days in The Dalles. The article also stated, “One very important part of this issue is managing smoke on...non-agricultural lands (including....leaf and brush piles) in a way that reduces impact on health and safety issues.”

On November 14, 2010 Brian Tuck authored a second Chronicle article (Tired of the Weather? Wait five minutes). Included in the article was a discussion about air inversions, stating again that, “Folks who are planning to burn should understand that when inversions occur they should not burn.” The accompanying newspaper picture showed that burns occur on inversion days. (The picture to the left is not the newspaper picture but one taken on October 13, 2010, which shows the inversion line from more than one burn.)

I would venture to say that most folks who burn yard debris, and who have been working in their yards to get the debris into a burnable pile, would not take the time to check the weather reports. As one person stated at the Town Hall meeting, he works full time and burns as time allows. Assigning specific burn days would not accommodate the folks who want to burn at their convenience. Specifically assigned burn days may prove problematic if the day falls on a no-burn day because of an air inversion. Enforcement may also prove problematic in light of the fact that folks should not burn yet do.

The 2006/2007 Air Quality Task Force implemented a notification system through local media to inform the public about inversion days. The tracking and notification process was meant to be staffed by volunteers. This ended with the disbanding of the Task Force. Without an enforceable inversion policy maintained by a responsible, sustainable provider, this type of program is difficult to administer at best. As evidenced by the above pictures and the pictures in The Chronicle, people burn on air inversion days.

#### **We follow the rules --**

For every household that “follows the rules” there are more who don’t. In Town Hall correspondence one writer indicated that they followed the rules. However, they burn their neighbor’s leaves as well, and that requires a DEQ permit, which they do not have.

### **Other Comments –**

#### **“It’s been common practice for years, what’s the problem?”**

It’s a health hazard. The waste that is burned in barrels is toxic. The untreated paper and products of fifty years ago are different than the treated paper and products of today. When burned they produce chemicals that the old products did not. Mix that with the yard debris and it affects the health of the community.

**Complaints –**

There have been complaints regularly in the newspaper Fire column about people burning without permits; burning illegal material; burns that have started grass or shrub fires; smoke getting into people's homes. Some people will make complaints, but the majority of people will just put up with it. That shouldn't be. I have talked with several people who will complain about their neighbor's burning habits in general conversation, but will not call the fire department. They may have a tenuous relationship with their neighbor that they don't want to aggravate. They may be afraid of retribution. They just don't want to make waves. Putting up with it should not be an alternative.

**Wood burning stoves –**

While the health hazards are similar to backyard burning, this was not intended to be part of the proposed burn ban for The Dalles. Oregon is the first state in the nation to require new certified woodstoves to meet air pollution standards and all new stoves are required to be certified by the EPA. Certified stoves are much less polluting, reducing fine particles by 70%. If one is buying or selling a home that has primary or supplementary wood heat anywhere in the State of Oregon, S.B.109 requires that the seller of the home not only remove the non-certified wood stove or fireplace insert but that the stove must be destroyed. DEQ has a great Wood Stove Burning 101 website:

<http://www.deq.state.or.us/aq/burning/woodstoves/101.htm>

**Recreational fires –**

Recreational fires and ceremonial fires where a fire is appropriate and is not used for disposal purposes would be exempt in the original proposal. Barbecue equipment would be exempt.

The four to six fires one might see in any given day, affect a city of 12,000. We need to take personal responsibility to do the right thing, but when we, as members of the community, have all the evidence and continue not to be swayed, a stand needs to be taken to protect the community. The evidence is in – the big picture is that backyard burning is a health hazard. The big picture is that alternatives are in place. For the few who burn, it may take some creativity to adjust, and yes, it may cost a bit. But the health of our community is worth it.

Following my July, 2010 proposal to the City Council to ban backyard burning, specifically Councilor Spatz agreed it was a problem in the community and urged the City Council to address the issue, asking that staff bring back a proposed ordinance and methods of enforcement for further discussion. Councilor Ahier agreed that City Council should further consider adoption of an ordinance.

I would encourage the City Council to continue to proceed in the direction of a full ban on backyard burning.

Thank you for your commitment to making The Dalles a great place to live.