

AGENDA

REGULAR CITY COUNCIL MEETING

December 14, 2020

5:30 p.m.

VIA ZOOM

<https://zoom.us/j/97269962568?pwd=R2xJeGNyRW9jRIYyU3JldE5ZSWx5UT09>

Meeting ID: 972 6996 2568

Passcode: 914978

Dial +1 253 215 8782

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

A. Fiscal Year City Audit Presentation by Merina & Company

B. Treaty Oaks Facility Update – Dr. Marta Cronin

6. AUDIENCE PARTICIPATION

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

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

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

CITY OF THE DALLES

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

- A. Approval of the November 23, 2020 Regular City Council Meeting Minutes

11. PUBLIC HEARINGS

- A. Fiscal Year 20-21 Supplemental Budget
 - i. Resolution No. 20-028 A Resolution Adopting a Supplemental Budget for Fiscal Year 2020/2021, Making Appropriations and Authorizing Expenditures from and Within the Airport Fund of the City of The Dalles Adopted Budget

12. CONTRACT REVIEW BOARD ACTIONS

- A. Contract No. 2020-006 Wicks Well Mechanical Maintenance Project

13. ACTION ITEMS

- A. General Ordinance No. 20-1383 An Ordinance Amending Home Inspection Requirements of General Ordinance No. 20-1377 Chapter 8.02 Short Term Rentals of The Dalles Municipal Code

14. ADJOURNMENT

This meeting conducted VIA Zoom.

Prepared by/
Izetta Grossman, CMC
City Clerk

Columbia Gorge Community College

- ▶ Treaty Oak Regional Skills Center
- ▶ Student Residential Hall
 - ▶ April 2020 – 100% Design Development
 - ▶ Groundbreaking: July 2020
 - ▶ Slabs and framing: Oct.-Dec. 2020
 - ▶ Completion: Fall Term 2021

Capital Construction Program 2020-21

▶ **Community Partners:**

- ▶ Wasco County
- ▶ City of The Dalles
- ▶ Port of The Dalles
- ▶ North Wasco County School District
- ▶ Mid-Columbia Fire & Rescue District

▶ **Project Team:**

- ▶ Columbia Gorge Community College
- ▶ PlanB Consultancy – Project Manager and Owner's Representative
- ▶ Opsis LLC - Architect
- ▶ Bremik Construction – Construction Manager / General Contractor
- ▶ Tenneson Engineering – Site surveying, planning

▶ **State and Regional Partners:**

- ▶ Oregon Legislature
- ▶ Higher Education Coordinating Commission
- ▶ Mid-Columbia Economic Development District

CGCC Student Residential Hall

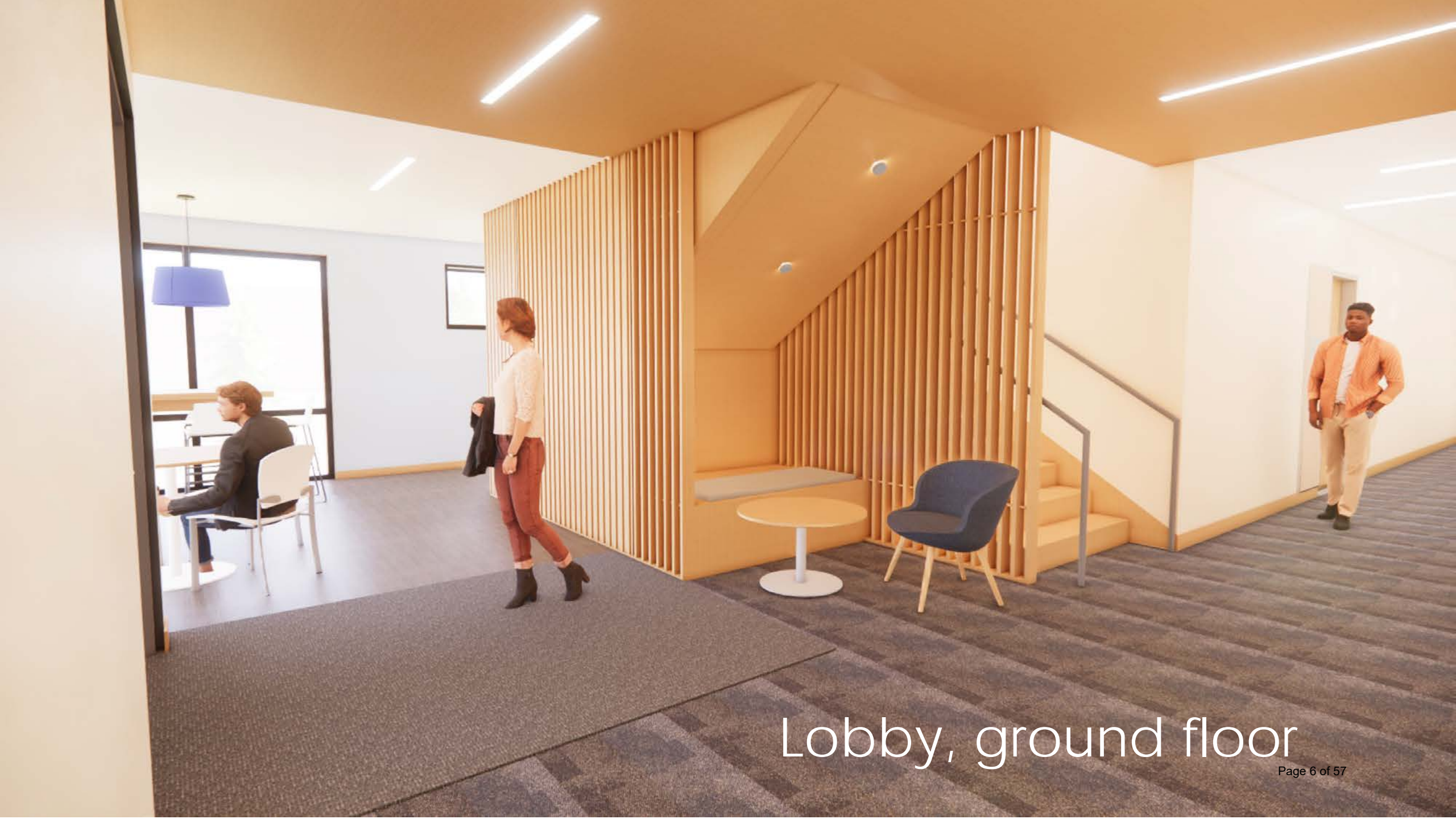


Residential Hall – Ground floor



Residential Hall – Second floor





Lobby, ground floor

Student lounge, second floor



Student lounge, second floor



Kitchen Commons, first floor



Suite kitchenette



Suite study area



Bedroom

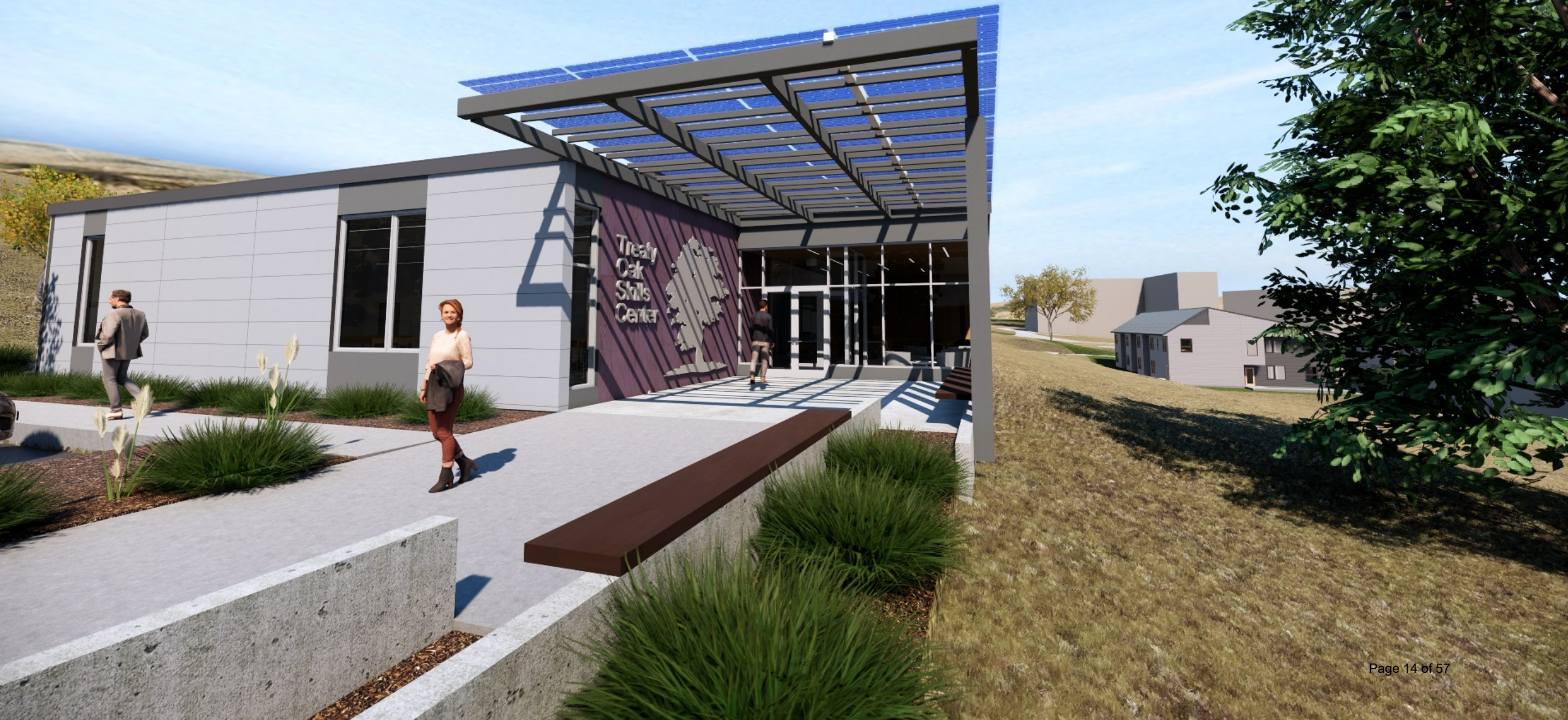


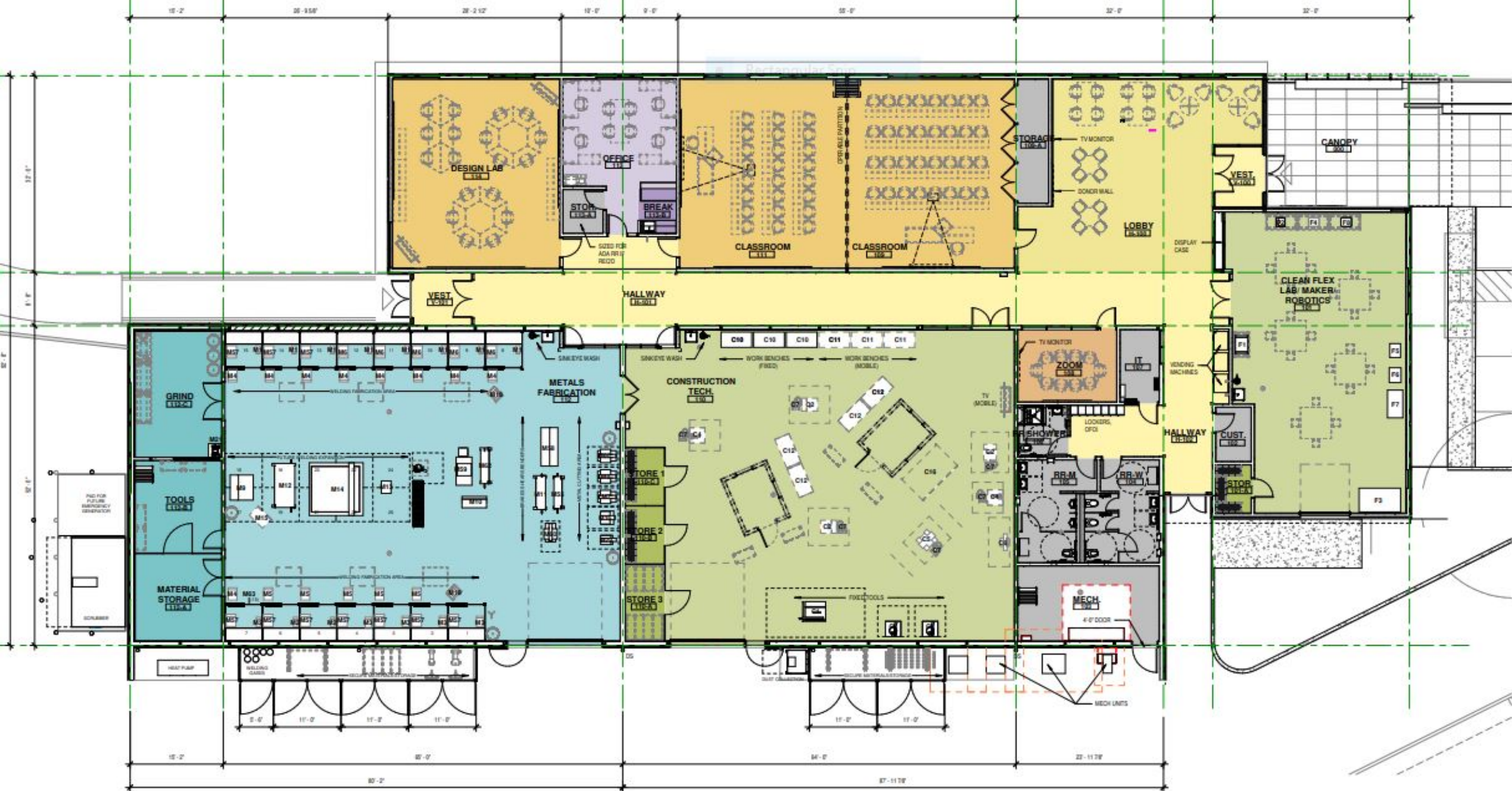
Bedroom, bunk option



Treaty Oak Regional Skills Center

Main entrance





Main classroom

- Can be divided with movable panel
- Secondary use as conference space



Lobby, showing donor wall





Lobby, looking toward entrance

Clean Room / Flex Space





Metals fabrication lab



Construction technologies lab

Design lab





Student
housing
ready for
slab pour
Oct. 28,
2020



Student
housing
ready for
slab pour
Oct. 28,
2020



Skill center
slab pour –
Night work
after the
cold snap in
October
2020



Skill center
slab pour
October 29,
2020



Skill center
slab pour –
night work
October 29,
2020



Skill
Center
slab
poured
Oct. 29,
2020



Student housing framing Nov. 13, 2020



Housing project framing Nov. 13, 2020



Housing
framing;
skill
center
in back-
ground



Skill Center framing Nov. 13, 2020

In appreciation

- ▶ Columbia Gorge Community College extends its appreciation to the Oregon Legislature, City of The Dalles, Wasco County, Port of The Dalles, North Wasco County School District, Mid-Columbia Fire & Rescue, and Mid-Columbia Economic Development District for their support of the 2020-21 Capital Construction Program.
- ▶ We also extend our gratitude for the expertise of our project team: Opsis LLC, PlanB Consultancy and Bremik Construction for their guidance and vital contributions to this construction program.
- ▶ Finally, we are thankful for the guidance provided by public and industry partners, and the students of Columbia Gorge Community College, in helping design these facilities.

Follow the project!

- ▶ <https://www.youtube.com/watch?v=W3Xn3F-MZQw>



AGENDA STAFF REPORT

AGENDA LOCATION: Item #10 A

MEETING DATE: December 14, 2020

TO: Honorable Mayor and City Council

FROM: Izetta Grossman, CMC, City Clerk

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

- A. **ITEM:** Approval of the November 23, 2020 Regular City Council Meeting Minutes.

BUDGET IMPLICATIONS: None.

SYNOPSIS: The minutes of the November 23, 2020 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 November 23, 2020 Regular City Council meeting minutes.

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MINUTES

CITY COUNCIL MEETING
November 23, 2020
5:30 p.m.

VIA ZOOM
LIVESTREAM VIA City website

PRESIDING: Mayor Richard Mays

COUNCIL PRESENT: Linda Miller, Darcy Long-Curtiss, Tim McGlothlin, Rod Runyon, Scott Randall

COUNCIL ABSENT: None

STAFF PRESENT: City Manager Julie Krueger, City Clerk Izetta Grossman, Finance Director Angie Wilson, Interim Community Development Director Alice Cannon, Public Works Director Dave Anderson, Human Resources Director Daniel Hunter

Number of people present:

CALL TO ORDER

The meeting was called to order by Mayor Mays at 5:30 p.m.

ROLL CALL OF COUNCIL

Roll Call was conducted by City Clerk Grossman. All Councilors present.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

It was moved by Miller and seconded by Long-Curtiss to approve the agenda as submitted. The

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November 23, 2020

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motion carried 5 to 0; Miller, Long-Curtiss, Randall, Runyon, McGlothlin voting in favor; none opposed.

PRESENTATIONS PROCLAMATIONS

Proclamation – November 3, 2020 Election Results

Mayor Mays read the proclamation canvassing the vote.

AUDIENCE PARTICIPATION

Russ Brown, 903 East 14th Street said that he felt the virtual meeting was a lousy way to hold a public meeting.

He said asked for public record on the Public Works broom sweeper, specifically the age of the sweeper, when it was purchased and cost, and maintenance costs. He said he got 4 pages, that weren't all full in reply, and a note saying the first three years were on a different system that no longer was available. He said Public Works didn't track labor costs.

Brown said he worked for Bonneville years ago and he tracked his time on specific project electronically. He said the City needed to join the 21st Century.

Public Works Director Dave Anderson said he would follow up with Mr. Brown. He said this year the process for tracking labor in all divisions was being updated.

Phillip Schwartz, 711 East 11th said he had requested information regarding the homeless pods. He said he received some information, but was still looking for a more specific plan.

City Manager Julie Krueger said she has sent an email to Council regarding the specifics and would forward that information to Mr. Schwartz.

CITY MANAGER REPORT

City Manager Julie Krueger said she sent the Council an email.

She said she had been negotiating with Interim Community Development Director Alice Cannon taking a permanent position with the City. She said was requesting a compensation change for Ms. Cannon. She said to make the salary comparable to those who have been on PERS, she was requesting a \$500 deferred compensation as part of the offer.

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Long-Curtiss asked if the \$6000 was in addition to the salary.

City Manager Krueger said it was an off set to not being in the PERS system.

Runyon said he was satisfied with the City Manager's response. He said pay scales should be reviewed in the spring.

McGlothlin asked if the funds were in the budget.

City Manager Krueger said with the difference in salaries in the department she believed the funds were in the budget.

It was moved by Miller and seconded by Randall to approve \$500 monthly deferred compensation for the Community Development Director. The motion carried; Miller, Randall, Long-Curtiss, Runyon, McGlothlin voting in favor; none opposed.

CITY ATTORNEY REPORT

Legal Counsel Jonathan Kara wished the Council a Happy Thanksgiving.

CITY COUNCIL REPORTS

Councilor Long-Curtiss reported:

- Homeless Shelter
- Unhoused Oregonians Meeting
- Ensuring Shelter Providers
- League of Oregon Cities Winter Shelter meeting
- COVID 19 Sub Committee - Shelters

Councilor McGlothlin reported:

- Airport leases being updated and made current
- Water rights issue at Airport moving forward
- Highest gas sales ever at Airport
- No Urban Renewal Meeting
- Kudos to Crystal at Skyride for donating the Wi Fi for the security system at the Homeless Pods; Terry Harkrader and Jerry Johnson from General Services for all their help

Councilor Randall reported:

- Historic Landmarks Commission approved 3 small microwave antennas at Columbia

Gorge Community College

CONSENT AGENDA

It was moved by Randall and seconded by Miller to approve the Consent Agenda as presented. The motion carried unanimously, all Councilors voting in favor.

Items approved on the consent agenda were: 1) November 9, 2020 Regular City Council Meeting Minutes.

PUBLIC HEARINGS

Hearing to accept public comment on close-out of a Community Development Block Grant (CDBG) Project (#H177008) supporting home repair for qualified families

Interim Community Development Director Alice Cannon reviewed the staff report.

Dave Peters provided the report.

Miller thanked Peters for the complete report.

Mayor Mays asked if all the funds were used. Peters said they were, he said there were 60 on the wait list for the next grant.

Mayor Mays asked for public comment. There was none.

ACTION ITEMS

The Dalles Disposal Rate Increase Request

City Manager Julie Krueger reviewed the staff report. She said The Dalles Disposal Manager Jim Winterbottom was in attendance if Council had questions.

Public Input

Mayor Mays asked for public input. There was none.

Miller abstained from voting, stating she worked for the same parent company as The Dalles Disposal.

Resolution No.20- 027 A Resolution Approving a Rate Increase Averaging Approximately 1.45% Resulting from Increased Operational and Disposal Fee Costs Incurred by The Dalles Disposal Service, Effective January 1, 2021

It was moved by McGlothlin and seconded by Randall to adopt Resolution No.20- 027 A Resolution Approving a Rate Increase Averaging Approximately 1.45% Resulting from Increased Operational and Disposal Fee Costs Incurred by The Dalles Disposal Service, Effective January 1, 2021. The motion carried 4 to 0; Miller abstained; McGlothlin, Randall, Long-Curtiss, Runyon voting in favor; none voting opposed.

Resolution No. 20-029 A Resolution Accepting and Appropriating a Grant for the Purpose of Providing COVID-19 Emergency Business Assistance Fund that Provides Grants to Individual Businesses Affected by the COVID-10 Pandemic

Finance Director Angie Wilson reviewed the staff report.

It was moved by Long-Curtiss and seconded by Randall to adopt Resolution No. 20-029 A Resolution Accepting and Appropriating a Grant for the Purpose of Providing COVID-19 Emergency Business Assistance Fund that Provides Grants to Individual Businesses Affected by the COVID-10 Pandemic. The motion carried 5 to 0; Long-Curtiss, Randall, McGlothlin, Runyon, Miller voting in favor; none voting opposed.

Resolution No. 20-030 A Resolution Authorizing Transfers of Budgeted Amounts Between Categories of The General Fund of the City Of The Dalles Adopted Budget, Making Appropriations and Authorizing Expenditures for Fiscal Year Ending June 30, 2021

Finance Director Angie Wilson reviewed the staff report.

McGlothlin asked why 20 applications were denied.

Wilson said the grant was managed by Mid-Columbia Economic Development District, they would have that information.

City Manager Krueger said grants were denied due to the strict criteria of the State.

It was moved by Randall and seconded by McGlothlin to adopt Resolution No, 20-030 A Resolution Authorizing Transfers of Budgeted Amounts Between Categories of The General Fund of the City Of The Dalles Adopted Budget, Making Appropriations and Authorizing Expenditures for Fiscal Year Ending June 30, 2021. The motion carried 5 to 0; Randall,

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McGlothlin, Runyon, Miller, Long-Curtiss voting in favor; none voting opposed.

EXECUTIVE SESSION

Mayor Mays recessed the Open Session to Executive Session in accordance with ORS 192.660(2)(h) to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

Reconvene Open Session at 7:23 p.m.

ADJOURNMENT

Being no further business, the meeting adjourned at 7:24 p.m.

Submitted by/
Izetta Grossman, CMC
City Clerk

SIGNED: _____
Richard A. Mays, Mayor

ATTEST: _____
Izetta Grossman, CMC City Clerk



AGENDA STAFF REPORT

AGENDA LOCATION: Public Hearing Item #11 A

MEETING DATE: December 14, 2020

TO: Honorable Mayor and City Council

FROM: Angie Wilson, Finance Director

ISSUE: Resolution No. 20-028 A Resolution Adopting a Supplemental Budget for Fiscal Year 2020/2021, Making Appropriations and Authorizing Expenditures from and Within the Airport Fund of the City of The Dalles Adopted Budget

RELATED COUNCIL GOAL: Balanced Budget

BACKGROUND: Oregon Budget Law recognizes that after the beginning of the fiscal year, changes in appropriations in the budget sometimes become necessary and so allows for those changes via supplemental budgets and budget amendments. Supplemental budgets add funds to existing budgets, while budget amendments move already budgeted funds between categories of the same fund without adding to the fund's total budget.

The proposed resolution contain the following item:

Resolution No. 20-028 approves to accept the additional grant funding and for the emergency appropriation to for the fiscal year 2020-21 budget.

DISCUSSION: FAA Federal Grant and COAR Grant was approved in last fiscal year budget for the Apron Project. Due to the project not getting started until July, there is a need to move the Grant Money over to the 2020-2021 budget. There was also a new \$30,000 Federal Grant from FAA for COVID Relief. \$10,892 is for an insurance claim for Runway Damage to cover repairs.

BUDGET IMPLICATIONS: Resolution No. 20-028 brings in \$1,086,121 in new revenue, \$1,075,229 in new Capital Outlay Expenses and \$10,892 in new Material and Services Expenses.

COUNCIL ALTERNATIVES:

1. Staff recommendation: ***Move to adopt Resolution No. 20-028 A Resolution Adopting a Supplemental Budget for Fiscal Year 2020/2021, Making Appropriations and Authorizing Expenditures from and Within the Airport Fund of the City of The Dalles Adopted Budget***
2. Direct staff to make changes to the proposed resolutions and bring the resolutions back to a future Council meeting for consideration.
3. Decline to take action.

RESOLUTION NO. 20-028

A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET FOR FISCAL YEAR 2020/2021, MAKING APPROPRIATIONS AND AUTHORIZING EXPENDITURES FROM AND WITHIN THE AIRPORT FUND OF THE CITY OF THE DALLES ADOPTED BUDGET

WHEREAS, the City's Airport Fund (061) has realized an additional \$945,229 in FAA Grant Funding, \$30,0000 in FAA Misc. Grant Funding for COVID Relief and \$100,000 in State Grant Funding to be allocated to the Airport Apron Project;

WHERAS, the City's Airport Fund (061) has realized an additional \$10,892 in Misc. Revenue for an Insurance claim to be allocated to the repair of the Airport runway;

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

Section 1. The City Council hereby adopts the Supplemental Budget for FY 20/21, increasing revenues and making appropriations as follows.

Summary of Supplemental Budget-Line Item Detail				
Fund	Resource	Amount	Requirement	Amount
Airport Fund (061)	Additional Federal Grant-FAA	945,229	Airport Dept. Program	1,086,121
	Additional Federal Grant-MISC	30,000		
	Additional State Grant, Other	100,000		
	Other Misc. Revenues	10,892		
	Total New Resources	1,086,121	Total New Requirements	1,086,121
	New Total Airport Department			2,471,050
	New Total all Fund 061 Resources	2,860,980	New Total All Fund 061 Expenditures	2,860,980

Section 2. This Resolution shall become effective upon adoption by the City Council and shall remain in effect until receipt and acceptance of the FY 20/21 audit report.

PASSED AND ADOPTED THIS 14th DAY OF DECEMBER, 2020.

Voting Yes, Councilors: _____

Voting No, Councilors: _____

Absent, Councilors: _____

Abstaining, Councilors: _____

AND APPROVED BY THE MAYOR THIS 14h DAY OF DECEMBER, 2020.

SIGNED:

ATTEST:

Richard A. Mays, Mayor

Izetta Grossman, CMC, City Clerk



AGENDA STAFF REPORT

AGENDA LOCATION: Contract Review Board Item #12 A

MEETING DATE: December 14, 2020

TO: Honorable Mayor and City Council

FROM: Dave Anderson, Public Works Director

ISSUE: Authorization to award Contract No. 2020-006 - Wicks Well Maintenance Project

BACKGROUND: Included in the City's 2020/21 Budget are funds for a project to perform preventive maintenance on the Wicks Well. The Wicks Well discharges into South Fork Mill Creek about a quarter-mile upstream of the water intake to the Wicks Water Treatment Plant. The well is most often used in the winter during sustained below-freezing conditions when its warmer water is blended with the cold stream water to keep water from freezing in the plant. The well can also be used as an additional emergency water supply although it is of poor quality and needs treatment before use as potable water. The well is capable of producing about 1 million gallons per day.

The equipment in the well has not been pulled for inspection or maintenance in over 50 years. This project will remove the pump, shaft and motor, inspect them, and determine if they warrant maintenance or replacement.

A contract for the project was developed and publicly advertised for bid. The bid schedule for the project identified three categories of work for the project. The first category, Schedule A, included the work to mobilize/demobilize for the project, pull the pump, shaft and motor, inspect the equipment and provide value-based recommendations for maintenance or replacement, and reinstall and test all equipment. Schedule B provided hourly rates for any pump repair work and the mark-up rate on materials for pump maintenance. Schedule C outlined individual replacement costs for the pump, shaft and motor if needed.

Four bids were received from pre-qualified bidders. The bid results are outlined in the table below.

	Schedule A	New Pump	New Motor	New Shaft	Total	Hourly Rate
Schneider Equipment	\$22,400	\$16,500	\$12,000	\$18,500	\$69,400	\$120
Mather and Sons	\$30,100	\$15,267	\$12,288	\$22,800	\$80,455	\$250
Stettler Supply/Constn	\$59,558	\$15,500	\$9,400	\$33,100	\$117,558	\$150
PumpTech	\$74,820	\$14,820	\$20,917.84	\$14,974.50	\$125,532	\$185

The lowest responsible bid was received from Schneider Equipment. That bid provided the lowest Schedule A cost, the lowest hourly rates for inspection, maintenance and reporting work, and the lowest total project cost if it is determined that some or all of the equipment has reached the end of its service life and should be replaced. It is estimated that the highest total cost of a contract with Schneider Equipment would be \$71,800 if it was determined to replace all of the equipment and allowing 20 hours for inspections and reporting of findings.

BUDGET ALLOCATION: The adopted FY2020-21 budget includes \$85,000 in line 051-5000-000.73-30 of the Water Fund, Water Treatment Budget allocated for this project. The total maximum cost of the proposed contract is \$71,800 and is within the amount budgeted for this project.

ALTERNATIVES:

- A. **Staff Recommendation:** *Move to authorize the award of Contract No. 2020-006 for the Wicks Well Maintenance Project to Schneider Equipment in an amount not to exceed \$71,800.*
- B. Deny authorization to award the contract and provide additional direction to staff on how to proceed.



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

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

AGENDA STAFF REPORT

AGENDA LOCATION: Action Item #13 A

MEETING DATE: December 14, 2020

TO: Honorable Mayor and City Council

FROM: Joshua Chandler, Associate Planner
Community Development Department

ISSUE: Adoption of Ordinance No. 20-1383, an Ordinance amending Home Inspection Requirements of General Ordinance No. 20-1377 Chapter 8.02 Short Term Rentals of The Dalles Municipal Code.

BACKGROUND: On September 14, 2020, City Council approved General Ordinance 20-1377 which established a new Short Term Rental License for all properties located within The Dalles City Limits. Following the example of similar programs throughout the State, Community Development Department (CDD) Staff included a requirement that all new short term rentals complete a home inspection to ensure the accommodation is in compliance with current zoning and building standards, as well all relevant fire, health, and safety regulations, completed by a licensed home inspector or a person authorized by the City to perform home inspections, 8.02.040, F.

After additional discussion with Wasco County Building Codes, Mid-Columbia Fire and Rescue, CDD Staff is proposing minor amendments to this process (Gen. Ord. 20-1383) by establishing an annual self-inspection of each accommodation. This self-inspection checklist program is designed to allow hosts to be their own advocates for fire and life safety, as well as allowing the City, County, and the Fire District to make the most efficient use of available resources. A similar program has been adopted and is currently in use in the City of Bend, Oregon. In addition, this process effectively has less of a financial impact on each host, while maintaining routine upkeep and maintenance of each accommodation.

Staff has included Gen. Ord. 20-1383, as well as a copy of Chapter 8.02 highlighting the proposed amendments for reference.

BUDGET IMPLICATIONS: None

COUNCIL ALTERNATIVES:

1. **Staff recommendation:** *Move to approve General Ordinance No. 20-1383, an Ordinance amending Home Inspection Requirements of General Ordinance No. 20-1377 Chapter 8.02 Short Term Rentals of The Dalles Municipal Code, by title only.*
2. Recommend desired changes to General Ordinance No. 20-1383 and direct staff to bring the ordinance back to Council for consideration.
3. Decline to make the recommended amendments to Title 8 of The Dalles Municipal Code and direct staff as appropriate.

ATTACHMENTS:

Exhibit A – General Ordinance No. 20-1383

Exhibit B – Chapter 8.02: Proposed amendments

GENERAL ORDINANCE NO. 20-1383

AN ORDINANCE AMENDING HOME INSPECTION REQUIREMENTS OF GENERAL ORDINANCE NO. 20-1377 CHAPTER 8.02 SHORT TERM RENTALS OF THE DALLES MUNICIPAL CODE

WHEREAS, on September 14, 2020, the City Council adopted General Ordinance No. 20-1377, which adopted new provisions and regulations concerning the operation of short term rentals in the City of The Dalles, including bed and breakfast and vacation rentals; and

WHEREAS, a subsequent review and discussion of the provisions of General Ordinance No. 20-1377 indicated the need to modify professional home inspection service requirements for all short term rental licenses, in order to establish a self-inspection safety checklist designed to allow hosts to be their own advocates for fire and life safety, as well as allowing the City, County, and the Fire District to make the most efficient use of available resources; and

WHEREAS, Staff has prepared General Ordinance No. 20-1383 to amend the original requirements for home inspections in General Ordinance No. 20-1377, and the City Council finds that adoption of General Ordinance No. 20-1383 is necessary to promote a self-inspection safety checklist for the Chapter 8.02 Short Term Rentals;

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

Amendment 1: **Section 8.02.020 Definitions**, shall be revised to remove the definition of “Inspection Checklist”, and to read as follows:

8.02.020 Definitions.

As used in this Chapter, except where the context indicates otherwise, the following terms shall mean:

“Council” means the City Council of the City of The Dalles;

“Department” means the Community Development Department of the City of The Dalles;

“Director” means the Community Development Director of the City of The Dalles;

“License” means Short Term Rental License;

“Operator” means the person who is the proprietor of a Short Term Rental in any capacity;

“Short Term Rental” means all accommodations with duration of 30 consecutive days or less;

“TDMC” means The Dalles Municipal Code; and

“Transient” means the renting of a dwelling unit or rooms for compensation on less than a month-to-month basis.

Amendment 2: **Section 8.02.040 General Requirements**, shall be revised to replace all language regarding home inspections with “safety checklists”, and to read as follows:

8.02.040 General Requirements.

The following general requirements shall apply to all Short Term Rentals:

- A. License. A Short Term Rental License shall be obtained by the operator prior to any transient rental of the property.
- B. Signs.

1. Residential Zones. Signage shall be limited to one (1) four square foot sign. The sign may be a wall sign on the primary building, or a freestanding sign limited to four feet in height (top of sign). If freestanding, the sign area only may be lighted, not to exceed 40 watts. No off-premises signs are permitted.
 2. Nonresidential Zones. All signage normally allowed by the zone district in which the Short Term Rental is located shall be allowed.
- C. Length of Stay. The length of stay for guests is limited to 30 consecutive days.
- D. Room Tax. Each facility shall be subject to payment of the transient room tax per the provisions of Chapter 8.04. Prior to the annual renewal of a license, the operator must provide the Department proof of the past year's paid transient room tax. Failure to submit proof of past payment will result in the denial of the current license; however, an operator can apply for re-licensing upon proof of payment of any delinquent transient room taxes.
- E. Health and Safety.
1. Operator's Responsibilities. It is the operator's responsibility to ensure that the facility remains in compliance with all provisions of this and other City Codes, with Oregon State Health, Safety, Building, and Fire Codes, and Tourist Facilities requirements in the Oregon Revised Statutes.
 2. Safety. Prior to the issuance of a license, a completed safety checklist shall be required.

Amendment 3: **Section 8.02.070 General Requirements**, shall be revised to replace all language regarding home inspections with "safety checklists", and to read as follows:

8.02.070 Review Procedures.

Operator must provide the Department with the following information at the time of application submission:

- A. Completed application.
- B. Proof of residency. For verification of primary residency, at least two of the following items must be provided:
 - a. A copy of the voter registration;
 - b. A copy of an Oregon Driver's License or Identification Card; or
 - c. A copy of federal income tax return from the previous tax year (page 1, only financial data should be redacted).
- C. Site Plan. A site plan drawn to scale indicating the location and number of guest rooms, location of guest entrances and exits, and location of all off-street vehicle parking spaces.
- D. Completed safety checklist.
- E. Completed transient room tax registration form.
- F. Proof of garbage service.
- G. Proof of an approved Food Service License (if applicable).
- H. Completed privacy screening exemption form, signed by all adjoining property owners (if applicable).

- I. Historic resource parking exemption request (if applicable).
- J. Fees.

Upon submission of a completed application and associated materials, the Department shall make a determination concerning issuance of the license within 30 days.

PASSED AND ADOPTED THIS 14TH DAY OF DECEMBER, 2020.

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

AND APPROVED BY THE MAYOR THIS 14TH DAY OF DECEMBER, 2020.

Richard A. Mays, Mayor

Attest:

Izetta Grossman, CMC, City Clerk

Chapter 8.02 SHORT-TERM RENTAL LICENSE (Staff edits in red, 11/24/20)

8.02.010 Purpose.

This article describes standards and requirements governing the use of all permitted residential dwelling units properties for short-term rental use within The Dalles City Limits. These standards and requirements shall be in addition to other City Code requirements and to Federal and State laws and regulations. (Ord. 20-1377)

8.02.020 Definitions.

As used in this chapter, except where the context indicates otherwise, the following terms shall mean:

“Council” means the City Council of the City of The Dalles;

“Department” means the Community Development Department of the City of The Dalles;

“Director” means the Community Development Director of the City of The Dalles;

~~“Inspection checklist” means the document located in the application packet;~~

“License” means short-term rental license;

“Operator” means the person who is the proprietor of a short-term rental in any capacity;

“Short-term rental” means all accommodations with duration of 30 consecutive days or less;

“TDMC” means The Dalles Municipal Code; and

“Transient” means the renting of a dwelling unit or rooms for compensation on less than a month-to-month basis. (Ord. 20-1377)

8.02.030 Licenses.

All short-term rentals shall be required to obtain a license from the department prior to operation. Licenses are valid for one year, beginning January 1 and ending December 31 of each year. Partial year licensing or prorated licensing fees will not be granted at the time of licensing or renewing a license. Licenses shall be non-transferable. Upon transfer of the property the existing license becomes void. The new operator(s) must apply for a new license. (Ord. 20-1377)

8.02.040 General Requirements.

The following general requirements shall apply to all short-term rentals:

- A. License. A short-term rental license shall be obtained by the operator prior to any transient rental of the property.
- B. Signs.
 - 1. Residential Zones. Signage shall be limited to one four square foot sign. The sign may be a wall sign on the primary building, or a freestanding sign limited to four feet in height (top of sign). If freestanding, the sign area only may be lighted, not to exceed 40 watts. No off-premises signs are permitted.
 - 2. Nonresidential Zones. All signage normally allowed by the zone district in which the short-term rental is located shall be allowed.
- C. Length of Stay. The length of stay for guests is limited to 30 consecutive days.
- D. Room Tax. Each facility shall be subject to payment of the transient room tax per the provisions of Chapter 8.04. Prior to the annual renewal of a license, the operator must provide the department proof of the past year’s paid transient room tax. Failure to submit proof of past payment will result in the denial of the

current license; however, an operator can apply for re-licensing upon proof of payment of any delinquent transient room taxes.

~~E. —Operator's Responsibilities. It is the operator's responsibility to ensure that the facility remains in compliance with all provisions of this and other City Codes, with Oregon State Health, Safety, Building, and Fire Codes, and Tourist Facilities requirements in the Oregon Revised Statutes.~~

~~F. —Home Inspection. Prior to the issuance of a license, and every five years following the date of initial short-term rental License issuance, the operator shall provide evidence of a home inspection. Home inspections are required to ensure the property is in compliance with current zoning and building standards, as well all relevant fire, health, and safety regulations. Home inspections may only be completed by a licensed home inspector or a person authorized by the City to perform home inspections. Each inspection must follow the guidelines established in the inspection checklist. (Ord. 20-1377)~~

E. Health and Safety.

1. Operator's Responsibilities. It is the operator's responsibility to ensure that the facility remains in compliance with all provisions of this and other City Codes, with Oregon State Health, Safety, Building, and Fire Codes, and Tourist Facilities requirements in the Oregon Revised Statutes.
2. Safety. Prior to the issuance of a license, a completed safety checklist shall be required.

8.02.050 License Requirements.

Short-term rental licenses shall be issued when the following provisions have been met:

- A. The facility is a dwelling unit as defined by TDMC, Chapter 10.2 *Definitions*.
- B. The structure containing the facility retains the existing characteristics of the dwelling unit. No modifications to the structure will be permitted for the benefit of the accommodation use except those modifications deemed necessary to accommodate current Americans with Disabilities Act requirements. The lot must be landscaped and maintained as a permanent residence with landscaped features similar to the surrounding area.
- C. The operator must take precautions to mitigate impacts to the surrounding neighborhood. All units with shared yards or common areas in the rear or side yards of the property must install or maintain privacy screening pursuant to TDMC, Section 10.6.010.050. This requirement may be waived upon written approval of all adjoining property owners.
- D. For all short-term rentals, the residential off-street parking requirements of TDMC Section 10.7.060.010 must be met where the facility is also a primary residence. All short-term rentals offering more than one guest room must provide at least one off-street parking space for each additional guest room. Properties listed as a historic resource, whether locally, statewide, or federally, or properties eligible for historic designation per TDMC, Chapter 11.12 *Historic Resources* may be granted an exemption from guest room parking requirements. The operator must submit a historic resource parking exemption request, along with documentation regarding the historic significance of the property, to the department at the time of licensing. The department will verify historic significance with the City's Historic Landmarks Coordinator. All properties not currently designated as an historic resource may be eligible for landmark designation following approval by the Historic Landmarks Commission pursuant to TDMC, Chapter 11.12 *Historic Resources*.
- E. All operators must provide the department with current contact information. The contact person must be available to be contacted by a City representative within 24 hours. Licensees shall notify the department

and submit appropriate documentation 10 calendar days prior to any change in operator, whether it be a permanent or temporary change.

F. All short-term rentals must comply with City Codes regarding noise, smoke, dust, litter, and odor.

G. Weekly solid waste disposal is required, and the operator must provide the department with proof of garbage service.

H. No “special events” shall be conducted at any short-term rental during periods of transient rental. “Special events” include, but are not limited to, weddings and wedding receptions, corporate events, commercial functions, and other gatherings that may require separate permits.

I. The maximum number of occupants per facility shall be determined by the International Code Council. The International Code Council is a member-based association, dedicated to developing model codes and standards to be used by U.S. cities and global markets in the design and building process to construct safe, sustainable, affordable, and resilient structures. The maximum number of occupants shall be posted inside near the front door in a conspicuous place. Maximum occupancy is two persons per bedroom. (Ord. 20-1377)

8.02.060 Food Services.

This article pertains to all short-term rentals offering food services. All short-term rentals proposing food services must obtain a food service license with the Oregon Department of Human Services. Operator is encouraged to contact the North Central Public Health District for additional information on the requirements of obtaining a food service license. (Ord. 20-1377)

8.02.070 Review Procedures.

Operator must provide the department with the following information at the time of application submission:

- A. Completed application.
- B. Proof of Residency. For verification of primary residency, at least two of the following items must be provided:
 - 1. A copy of the voter registration;
 - 2. A copy of an Oregon Driver’s License or Identification Card; or
 - 3. A copy of Federal income tax return from the previous tax year (page 1, only financial data should be redacted).
- C. Site Plan. A site plan drawn to scale indicating the location and number of guest rooms, location of guest entrances and exits, and location of all off-street vehicle parking spaces.
- ~~D.—Completed home inspection checklist administered by a licensed home inspector or a person authorized by the City to perform home inspections.~~
- D. Completed safety checklist.
- E. Completed transient room tax registration form.
- F. Proof of garbage service.
- G. Proof of an approved food service license (if applicable).
- H. Completed privacy screening exemption form, signed by all adjoining property owners (if applicable).
- I. Historic resource parking exemption request (if applicable).
- J. Fees.

Upon submission of a completed application and associated materials, the department shall make a determination concerning issuance of the license within 30 days. (Ord. 20-1377)

8.02.080 Fees.

All short-term rental licensing fees shall be adopted by resolution of the Council. Annual licensing or renewal fees are based on a per guest room basis. For all short-term rentals offering four or more guest rooms, the operator will be charged a “whole house rental” fee. Whole house rental fees will be calculated at, and not to exceed, the cost of four guest rooms. (Ord. 20-1377)

8.02.090 Public Notice.

Within 10 days after the receipt of a complete initial application, or any change in operator, the City shall provide notice to all property owners within 100 feet of the subject property. The list of affected property owners shall be compiled from the most recent property tax assessment roll. Information on the notice shall include the following: operator contact information; license number; number of guest rooms; maximum guest occupancy; and contact information for the City’s Code Enforcement Division. The purpose of this notice is to allow adjacent property owners and residents to contact the authorized operator to report and request resolution of problems associated with the operation of the short-term rental. If the authorized operator’s contact information changes during the license period, the new information must be mailed or distributed again. (Ord. 20-1377)

8.02.100 Existing Nonconforming Short-Term Rentals.

For the purposes of this section, an existing nonconforming short-term rental is a dwelling with a previously approved bed and breakfast and vacation rental permit operating within the five-year timeline established at the time of initial land use approval, pursuant to repealed Article 6.040. Existing nonconforming short-term rentals may continue their use until the expiration date established with the associated bed and breakfast and vacation rental permit. Upon expiration, the operator may only operate a short-term rental with a valid approved short-term rental License. (Ord. 20-1377)

8.02.110 Complaints Regarding Operation.

A complaint concerning the operational conduct of a short-term rental shall be in written form and clearly state the nature of the objection(s) to the facility. All complaints must be submitted to the City’s Code Enforcement Division. Upon receipt of a written complaint, the complaint shall be investigated by the Codes Enforcement Officer to determine if any violations have occurred. If the complaint is determined to be meritorious, the Codes Enforcement Officer shall refer the matter to the City Attorney, which will result in the filing of a complaint in the municipal court. (Ord. 20-1377)

8.02.120 Violations.

Violation of any of the provisions of this chapter is an infraction, punishable by a fine not to exceed the sum of \$250.00 for each violation thereof. Each day’s violations of a provision of this chapter shall constitute a separate offense. (Ord. 20-1377)

8.02.130 Revocation.

- A. A license, once issued, may be revoked upon the following grounds:
 - 1. Evidence establishing a violation of any municipal ordinance, including City ordinances which define public nuisances or general offenses, or a violation of State criminal law;
 - 2. Violation of any of the requirements of this chapter;

3. The operation of the business in a manner presenting a danger to the public health, safety, and general welfare;
4. Fraud, misrepresentation, or incorrect statements contained in the application for the license;
5. Fraud or misrepresentation in the course of conduct of the licensed accommodation;
6. Absence or unavailability by operator for 24-hour contact with the City;
7. Failure to register as an operator pursuant to TDMC Section 8.04.070 and pay associated transient room taxes; or
8. The occurrence of three or more violation convictions within a 12-month period resulting in fines pursuant to Section 8.02.120.

B. Notice of Revocation. If the City orders the revocation of an issued license on grounds pursuant to this section, notice of revocation shall be delivered to the licensee or its agent setting forth in writing the grounds thereof by the City Attorney. Notice shall be delivered either personally or by certified mail, return receipt requested, to the current address shown on the City's records. The notice shall advise the operator of their right to file an appeal.

C. Appeal to City Council. Any licensee aggrieved by the City's revocation decision may appeal to the Council by filing a notice of appeal with the City Attorney within 10 calendar days of the delivery of the City's decision. The City Attorney shall transmit the notice of appeal, together with the file of said appealed matter, to the Council which shall fix a time and place for hearing such appeal. The Council shall give the appellant not less than 10 calendar days' written notice of the time and place of hearing of said appealed matter. The appeal shall be treated as a contested case, and the Council shall have the authority to determine the applicable issues to be considered, and what testimony and evidence is relevant. The Council's decision shall be reduced to writing. (Ord. 20-1377)