

AGENDA

REGULAR CITY COUNCIL MEETING

September 28, 2020

5:30 p.m.

VIA ZOOM

<https://zoom.us/j/99430554505?pwd=Q25PTDRpcVVpMGovd1AzZUhZd0o4UT09>

Meeting ID: 994 3055 4505

Passcode: 001552

Or Dial:

1 253 215 8782

1 669 900 6833

1. CALL TO ORDER
2. ROLL CALL OF COUNCIL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF AGENDA
5. AUDIENCE PARTICIPATION – **Please raise your hand to be recognized by Mayor**

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.

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

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

- A. Approval of the August 24, 2020 and August 31, 2020 Special City Council Meeting Minutes

CITY OF THE DALLES

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

- B. September 14, 2020 Regular City Council Meeting Minutes
- C. Approval of Resolution No. 20-024 Abatement Lien 402 West 4th Street

10. PUBLIC HEARINGS

- A. Acceptance of Northern Wasco County Parks & Recreation Master Plan – Scott Baker, NWCPR Director
- B. Amendments to Policy No. 10 of Goal No. 8 - Recreational Needs of The Dalles Comprehensive Land Use Plan
 - i. General Ordinance No. 20-1382 An Ordinance Amending Policy #10 of Goals #8: Recreation Needs of The Dalles Comprehensive Land Use Plan

11. CONTRACT REVIEW BOARD ACTIONS

- A. Approval of Sanitary Sewer CIPP Lining Contract No. 20-005

12. ACTION ITEMS

- A. Approval of Police Sergeant position
- B. Resolution No. 20-021 A Resolution Authorizing Transfers of Funds Between Various Departments of General Fund
- C. Authorization to Execute CDBG Application and Contracts Between the City and Business Oregon, and Between the City and Columbia Cascade Housing Corporation for a Mid-Columbia Regional Home Repair Program

13. ADJOURNMENT

This meeting conducted VIA Zoom.

Prepared by/
Izetta Grossman, CMC
City Clerk



AGENDA STAFF REPORT

AGENDA LOCATION: Item #9 A-C

MEETING DATE: September 28, 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 August 24 and August 31, 2020 Special City Council Meeting Minutes.

BUDGET IMPLICATIONS: None.

SYNOPSIS: The minutes of the August 24 and August 31, 2020 Special City Council meetings have been prepared and are submitted for review and approval.

RECOMMENDATION: That City Council review and approve the minutes of the August 24 and August 31, 2020 Special City Council meeting minutes

- B. **ITEM:** Approval of the September 14, 2020 Regular City Council Meeting Minutes.

BUDGET IMPLICATIONS: None

SYNOPSIS: The minutes of the September 14, 2020 Regular City Council meeting have been prepared and are submitted for review and approval

RECOMMENDATION: The City Council review and approve the minutes of the August 24 and 31, 2020 Special City Council meeting.

C. **ITEM:** Resolution No. 20-024 Assessing property at 402 West 4th Street for abatement of junk and hazardous vegetation

BUDGET IMPLICATIONS: Assessment fees will be entered on the City's Lien Docket for collection

SYNOPSIS: A notice to Abate Nuisance Conditions was posted; when owner did not remove the nuisance conditions, the City hired F.L.I. to abate the public nuisance. The cost of removal was \$1,200.00, including an administrative fee of \$500 as required by General Ordinance No. 93-1162.

A notice of proposed costs of the abatement was sent to the owner. No objections were filed and no payment has been made.

RECOMMENDATION: That the City Council adopt Resolution No. 20-024 Assessing property at 402 West 4th Street for abatement of junk and hazardous vegetation.

MINUTES

CITY COUNCIL MEETING

August 24, 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, Community Development Director Steve Harris, Interim Community Development Director Alice Cannon, Planner Joshua Chandler, Public Works Director Dave Anderson, Senior Planner Dawn Hert, Finance Director Angie Wilson, 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 asked Councilor Runyon to lead the Pledge of Allegiance.

Councilor Runyon invited everyone to join in the Pledge of Allegiance.

MINUTES
Regular City Council Meeting
August 24, 2020
Page 2

APPROVAL OF AGENDA

It was moved by Miller and seconded by Runyon to approve the agenda as submitted. The motion carried; all Councilors voting in favor.

PUBLIC HEARINGS

APPEAL HEARING:

APL 031-20: Robert Bokum, Denise Dietrich-Bokum, Gary Gingrich, Terri Jo Jester Gingrich, Damon Hulit and Roberta Wymore-Hulit

REQUEST: Appeal of the July 16, 2020 Planning Commission decision denying Appeal030-20 of Administrative Decision dated March 9, 2019, approving Subdivision 74-19, Legacy Development Group, to divide one 6.92-acre parcel into 72 lots of varying size with a proposed community park.

Mayor Mays reviewed the rules of the meeting, and opened the hearing.

Mayor Mays asked if there was any ex-parte communications.

The Councilors each replied with who they had been approached by and their responses were that they could not have a conversation.

Mayor Mays said that some of his initial questions were for background purposes and were not at all related to the applicable criteria so he would better understand those issues which were related to the criteria.

Mayor Mays asked if anyone wished to challenge the qualifications of the Council.

Hearing none, Mayor Mays asked for the staff report.

Steve Harris, Community Development Director said Joshua Chandler, Associate Planner would review the staff report. He said Public Works Director Dave Anderson was also in attendance to answer any questions.

Chandler reviewed the staff report. He noted the following appendix numbers were not accurate in the staff report.

Appendix 1 should be Appendix 25

MINUTES

Regular City Council Meeting

August 24, 2020

Page 3

Appendix 7 was also listed at Appendix 1
Engineers Appendix was #2, not #24

Councilor Runyon asked if lots and parcels were the same thing.

Chandler said they were. He said initially the development was 73 parcels with one of those designated as a park. He said that had been changed to 70 parcels with one as a park. Chandler said in the site plan there were 69 parcels with 80 units.

Councilor Miller asked if the size of the park had been changed.

Chandler said it had; to 78 x 112 as was on page 141 of the packet.

Councilor Long-Curtiss asked why the school district wasn't consulted during site review.

Senior Planner Dawn Hert said the school district wasn't on the standard list of public agencies to notify in the site review meetings.

Councilor McGlothlin asked if the storm water system was adequate to serve the new development.

Public Works Director Dave Anderson said storm water improvements had been identified and the developer would make those improvements. He said the trunk is in place at Old Dufur and Freemont area.

Councilor Randall asked regarding Argument A; 197 and Freemont, was 10th Street and Thompson were considered.

Chandler said they were not; the service standards were met. He said traffic could increase and still meet those standards. Chandler said increased by 82 trips still met the standards.

Mayor Mays asked about horizontal vs vertical curbs. Anderson said horizontal was what generally is thought of as curb. He said a bump or change in elevation would be a vertical curb,

Mayor Mays asked Anderson about the cost of adding sidewalks to 12th and Thompson Streets.

Anderson said without engineering, just estimates including tree removal and driveway approaches Thompson Street \$570,000 and \$435,000 for 12th Street.

In response to a question Anderson said 12th is considered a minor connector street. He said new

MINUTES

Regular City Council Meeting

August 24, 2020

Page 4

destination like a school might reclassify a street as a major. He said development like the one proposed could cause a change.

Anderson said the Transportation Plan estimated 350 new houses in the area.

McGlothlin asked who was responsible for storm water improvements.

Anderson said the City could use Storm Water funds and/or System Development Charges.

Long-Curtiss asked if residents signed remonstrances on Thompson like they did on 10th Street.

Anderson said years ago the City had worked on a Local Improvement District with cost sharing between the City and residents. He said there was a lot of opposition to the project, therefore it didn't move forward.

Anderson said he hadn't talked to the residents of 12th Street. He said back in the day, sidewalks were not a condition of development.

Mayor Mays asked Chandler if all conditions reference in the staff report (paragraph 5) had been addressed.

Chandler said the appellant had been asked for clarification/additional information regarding sidewalk request. He said nothing had been received.

Mayor Mays asked City Legal Counsel Chris Crean if two or more Councilors wanted to change zoning, could they do that.

Crean said they could only address current zoning.

Runyon said when zoning was changed to high density in 1998 he imagined the City was looking for land to meet State requirements. He said Housing Goal #10 says promote housing sensitive to existing neighborhood, compatibility in the area.

Crean said the Comprehensive Plan doesn't apply completely/directly. He said the Municipal Code applies to specifics. He said recently statutes had changed to clear and objective instead of compatibility. He said cities could no longer look at compatibility due to State law.

Anderson said the Transportation System Plan makes a best guess for 20 years. He said it was not intended to predict how every parcel would develop. He said the Grove study done in January during decent weather saw more traffic than the City saw in the Spring.

MINUTES

Regular City Council Meeting

August 24, 2020

Page 5

Mayor asked for Applicant testimony.

Applicant attorney Jamie Howsley introduced the developer Cameron Curtis.

Curtis thanked the Council for their time and consideration.

Howsley reviewed the PowerPoint (attached).

He said the park would be maintained and owned by the home owner's association. He said the increased size of the park came about due to conversations with neighbors stating a need.

Mayor Mays asked about market price of the homes. Curtis said he had not prepared the pricing. He said they would be mid-level homes to meet the needs of the community. Curtis said he had not established if the homes would be for sale or rent.

Mayor Mays said it was a unique situation. He said sidewalks would likely never be built unless the City built them.

Howsley said LIDs were effective tools to address gaps in funding.

Runyon asked if two parking spaces per unit would be six spaces for a triplex (3 units x 2).

Curtis said there would be adequate parking. He said two spaces would equal one space in garage, one in driveway per unit. He said the garages would have alley access.

Mayor Mays asked Howsley if he would concede that cost of sidewalks on 10th and 12th Street pale in comparison.

Howsley said he would not. He said the clear criteria had been met.

Mayor Mays ask what was being done to serve the community.

Howsley said the extension of the water, sewer, and storm lines to the development would be available for other to connect to. He said in addition, expanding the park, vertical curbs on Bradley and meeting the need of the City for affordable housing.

Mayor Mays asked if Howsley would concede in the appeal that "development causing need for offsite sidewalks" is significant. Howsley said no, how about moderately. He said he would have to think about it.

MINUTES

Regular City Council Meeting

August 24, 2020

Page 6

Mayor Mays said looking at an aerial view there were approximately 100 homes currently using 10th and 12th Streets, and increasing only one tripper household during peak hours, does it stand to reason that you would be increasing traffic by 82%. Howsley said yes.

At 7:50 p.m. Mayor Mays recessed the meeting for 10 minutes.

Mayor Mays reconvened the Public Hearing at 8:00 p.m.

Mayor Mays invited the appellant's attorney, Steve Morasch to speak on behalf of his clients.

Mr. Morasch said he received additional information at 4 p.m. and requested seven days to respond to any new information that comes in.

He said the appellants were concerned about traffic safety and pedestrian safety considering the increased traffic the development would produce on undermaintained road with no sidewalks.

He said the City hadn't identified safety standards. He said Section 10.10.060.85 (A) of The Dalles Municipal Code says in part the City "may" deny/approve a proposal based on "safety standards"; and (B) offsite improvements may be required for public safety – city utilities.

Mr. Morasch pointed out the Code requires sidewalks for safety.

Runyon asked if Morasch was referring to sidewalks in the development.

Morasch said he was referring to 12th Street sidewalks.

Mayor Mays asked in reference to page 61 of the appeal regarding "proportionality of housed" what proportionate referred to. Morasch said sidewalks between the development to the downtown, and impacts to pedestrian and vehicular safety.

Mayor Mays asked on page 62 if appellant was not satisfied with owner density.

Morasch said he would have to confirm with his client. He said he recommended the Council deny the application until a safety study could be done. He said they needed to see a more detailed site plan with dimensions.

Morasch agreed that caused "significantly" more traffic would be better than "primarily".

Mayor Mays asked Council if they wanted to continue tonight.

MINUTES

Regular City Council Meeting

August 24, 2020

Page 7

Attorney for the City, Chris Crean said the Council would need to agree to continuing the meeting at a date and time certain.

After some discussion the Council all agreed to continue the meeting on August 31, 2020 at 5:30 p.m.

AJOURNMENT

The meeting recessed at 8:30 p.m. to reconvene Monday, August 31, 2020 at 5:30 p.m.

Submitted by/
Izetta Grossman, CMC
City Clerk

SIGNED:

Richard A. Mays, Mayor

ATTEST:

Izetta Grossman, CMC City Clerk



City of The Dalles City Council

MONDAY, AUGUST 24, 2020 | 5:30 PM

Appeal No. 031-20

Appeal of Planning Commission Resolution No. P.C. 593-20, denying Appeal #030-20 of Administrative Decision dated March 9, 2020, approving Subdivision 74-19, Legacy Development Group, to divide one 6.92 acre parcel into 72 lots of varying size with a proposed community park.

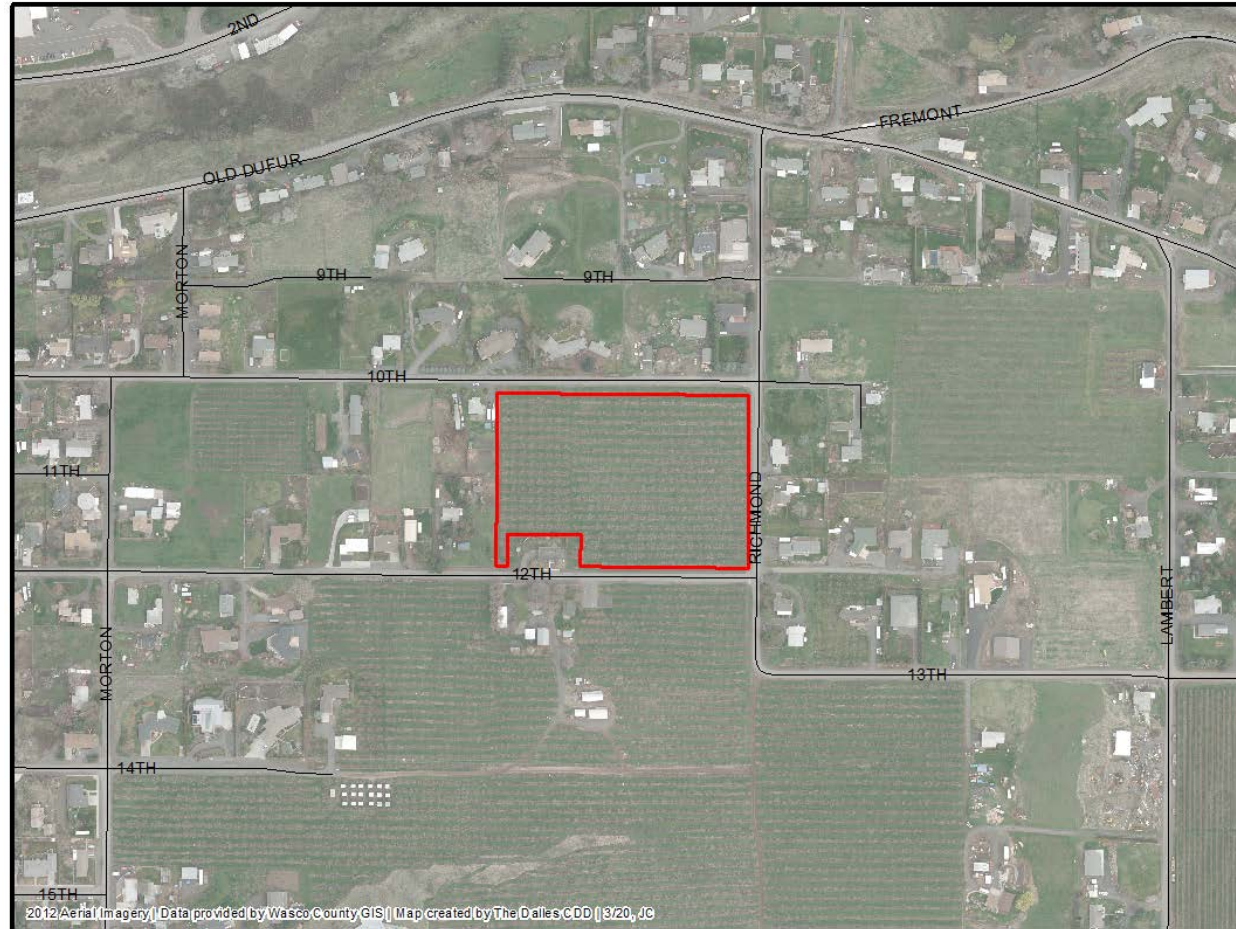
Appellants: Robert Bokum, Denise Dietrich-Bokum, Gary Gingrich, Terri Jo Jester Gingrich, Damon Hult, Roberta Kay Wymore-Hult | Steve C. Morasch

Address: No Address Assignment

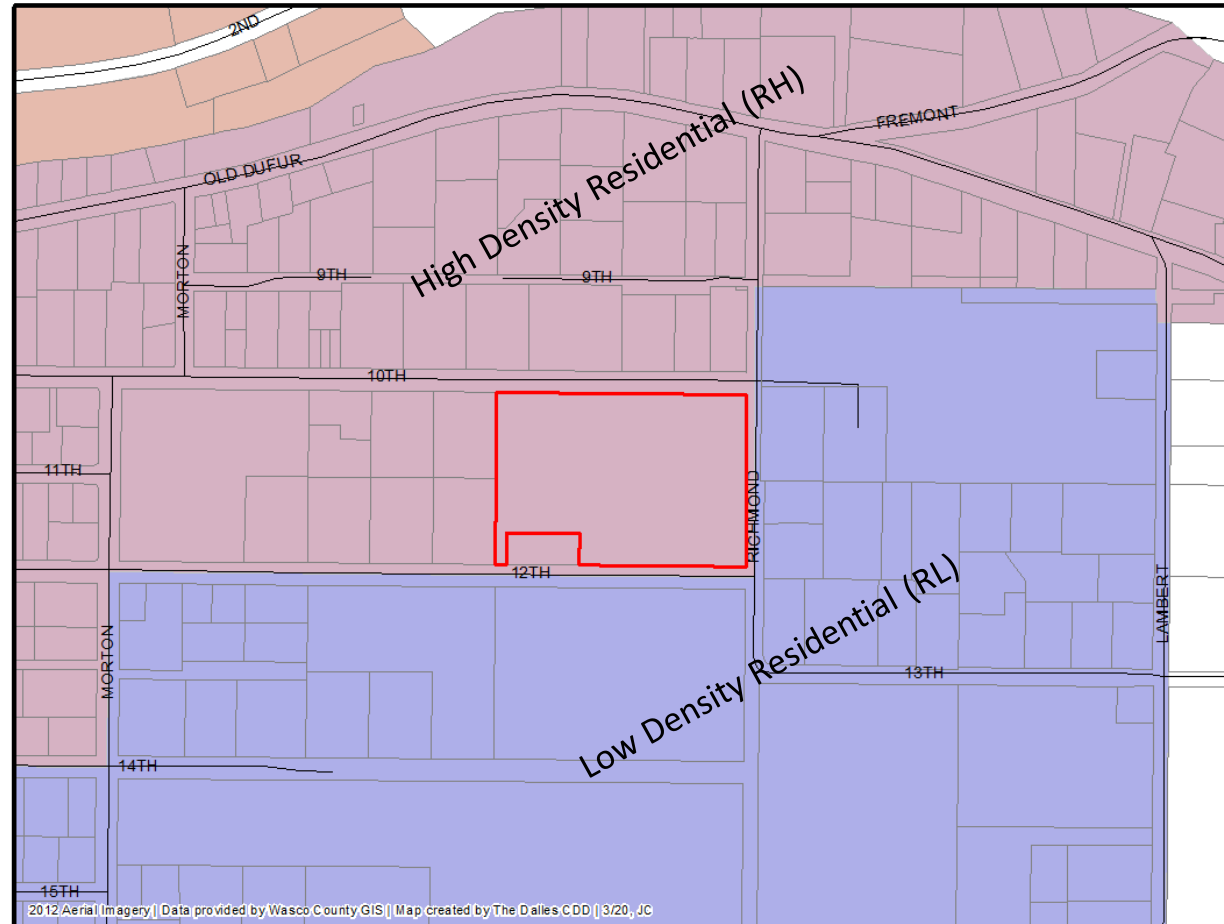
Assessor's Map and Tax Lot: 1N 13E 1 C 201

Zoning District: High Density Residential "RH"

Subject Property



Subject Property



Project Timeline

Subdivision No. 74-19:

- Submitted: January 10, 2020
- Notice of Administrative Action (NOAA): January 24, 2020
- Re-Notice NOAA: January 31, 2020
- Approved: March 9, 2020

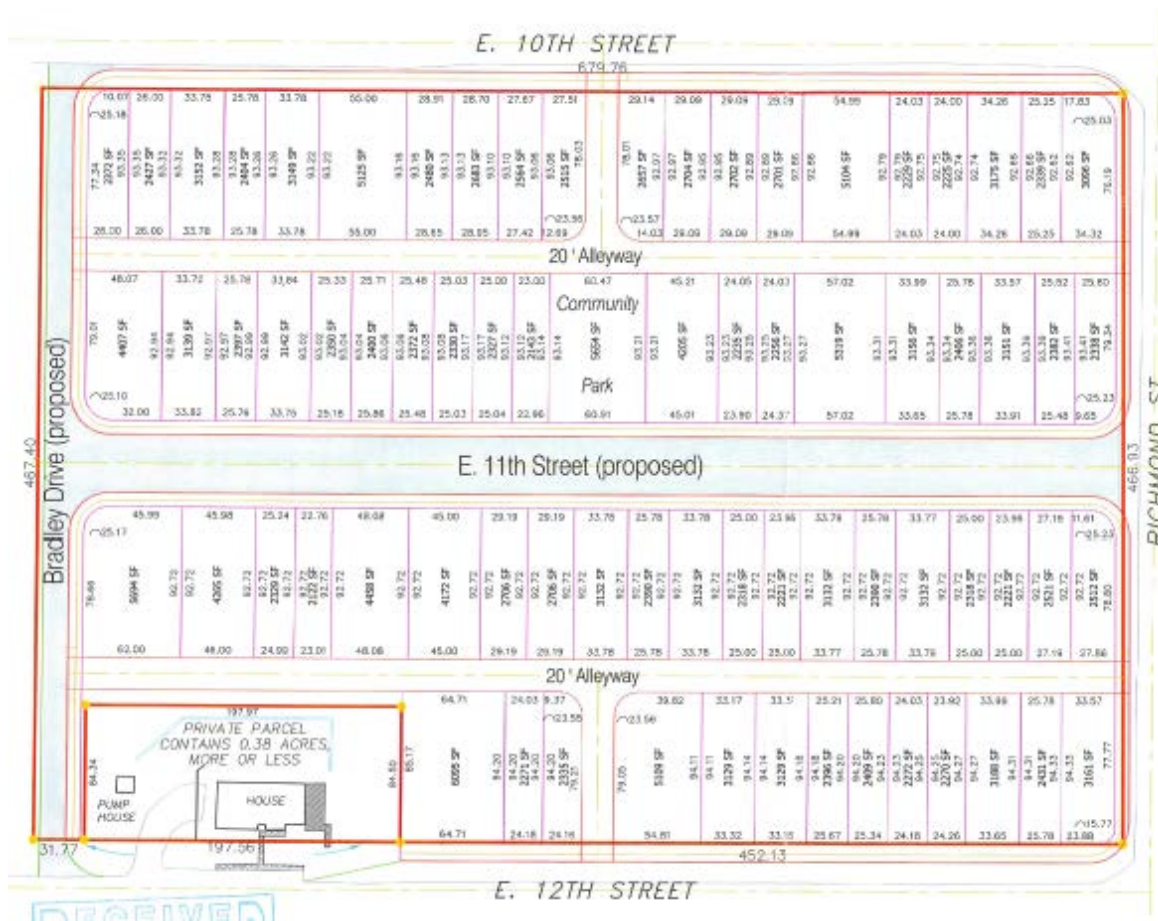
Appeal No. 030-20

- Appeal Filed: March 19, 2020
- Staff Report, Version 1: May 11, 2020
- Planning Commission Public Hearing: May 21, 2020 (*continued to June 18, 2020*)
- Staff Report, Version 2: June 5, 2020
- Planning Commission Public Hearing: June 18, 2020 and July 2, 2020
- Resolution 593-20 Approved: July 16, 2020

Appeal No. 031-20

- Appeal Filed: July 24, 2020
- Staff Report published: August 12, 2020
- City Council Public Hearing: August 24, 2020

SUB 74-19: Project Scope



6.92 acres

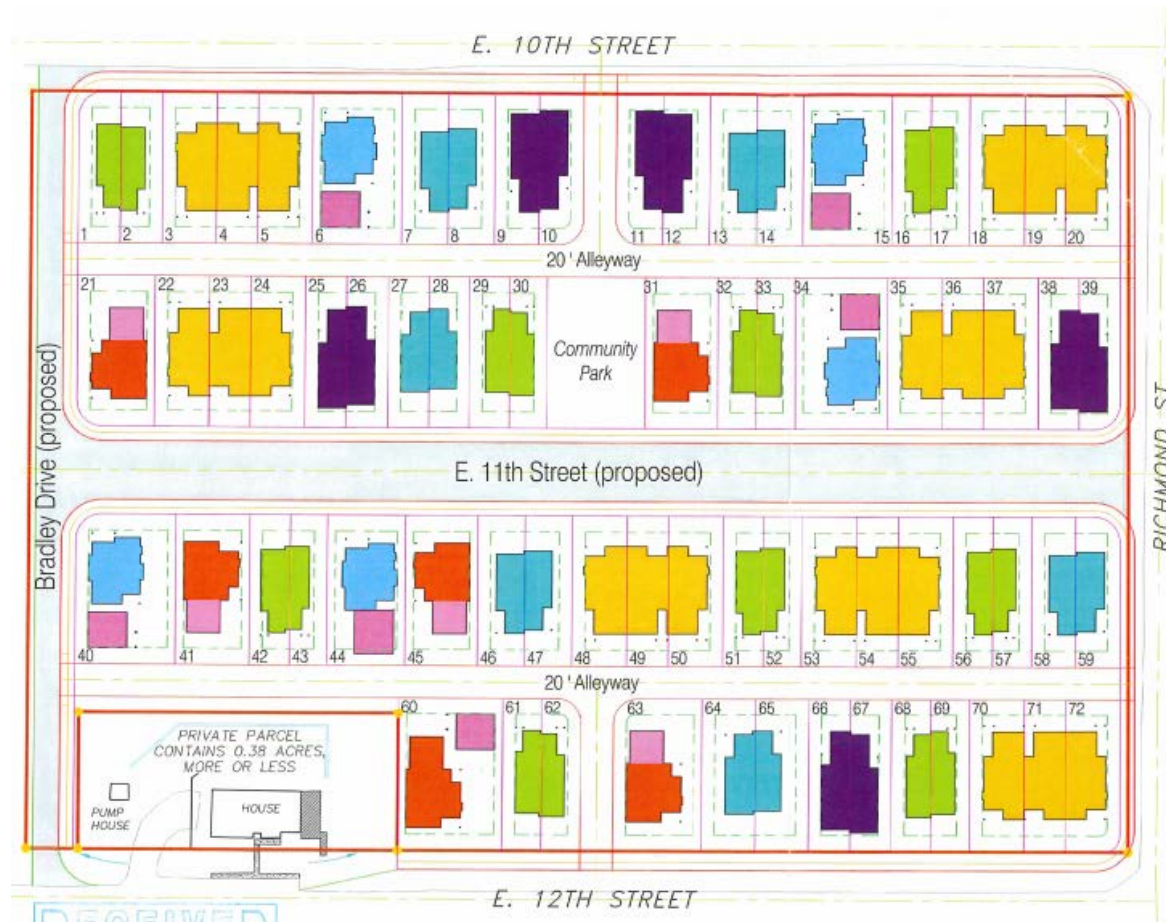
73 parcels (72 dwelling parcels; 1 parcel dedicated as a “community park”)

Dwelling parcels: 2,122 sf to 6,095 sf
Community park: 5,654 sf

New Streets: E. 11th Street (full-street dedication) and Bradley Drive (1/2 street dedication)

Alleyway access: driveways and garages in the rear of all lots

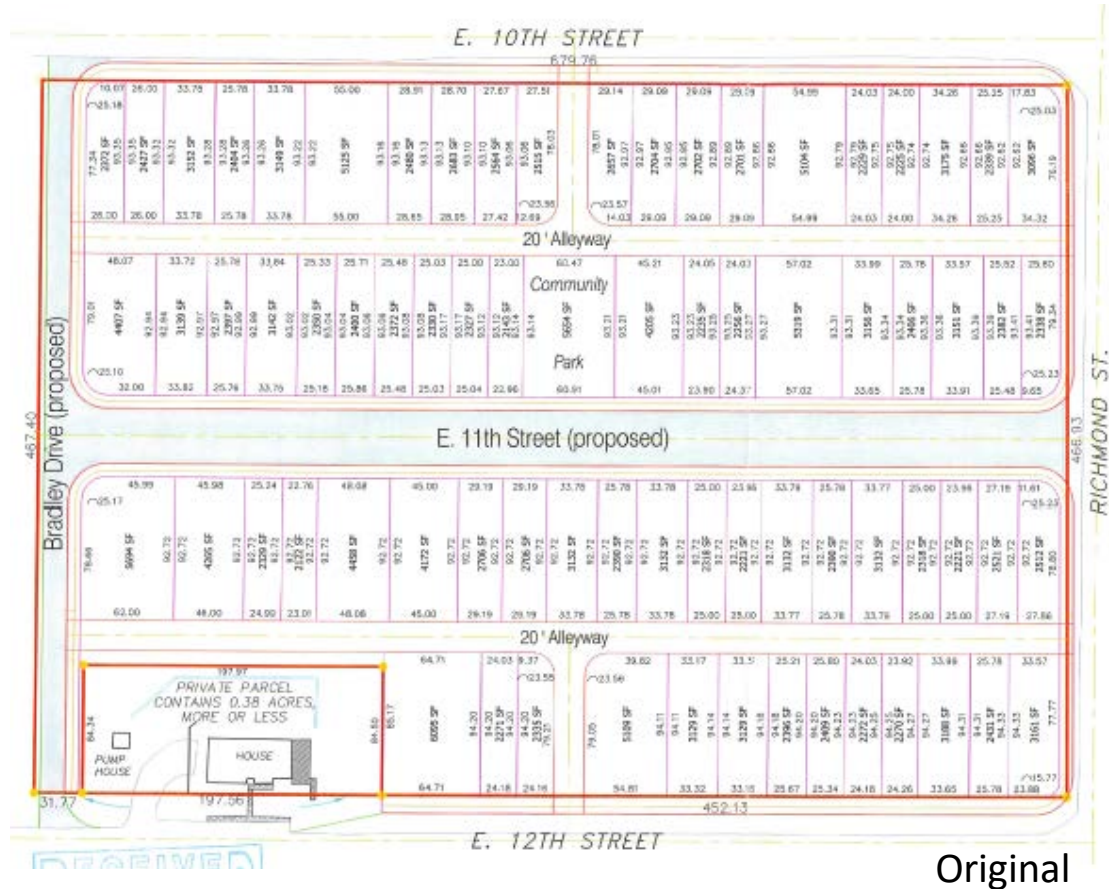
SUB 74-19: Project Scope



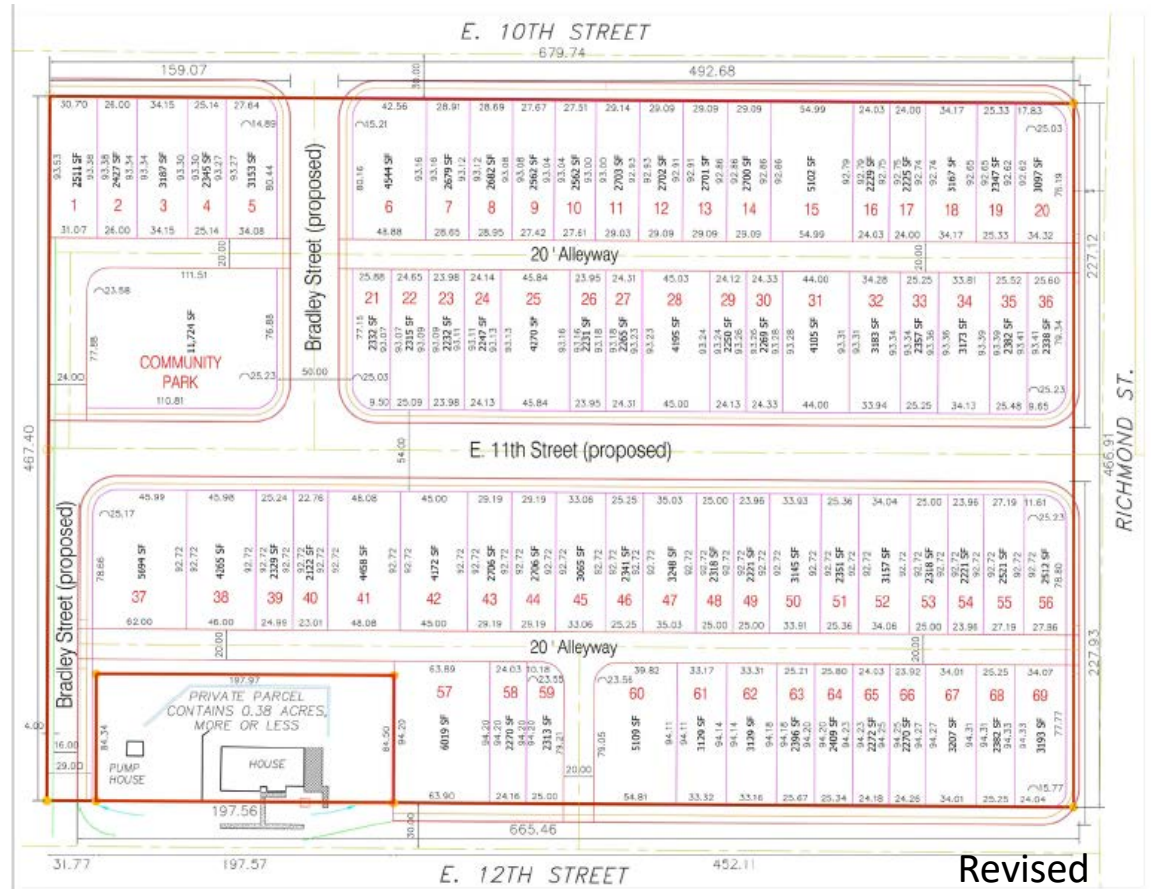
Proposed Dwelling Types:

	Single Family (1 LVL 1200SF)
	Single Family (2 LVL 1800SF)
	Duplex (2 LVL 1100SF)
	Duplex (2 LVL 1200SF)
	Duplex (2 LVL 1500SF)
	Triplex (2 LVL 1600SF?)
	ADU (1 or 2 LVL 529SF)

Site Plan Revisions

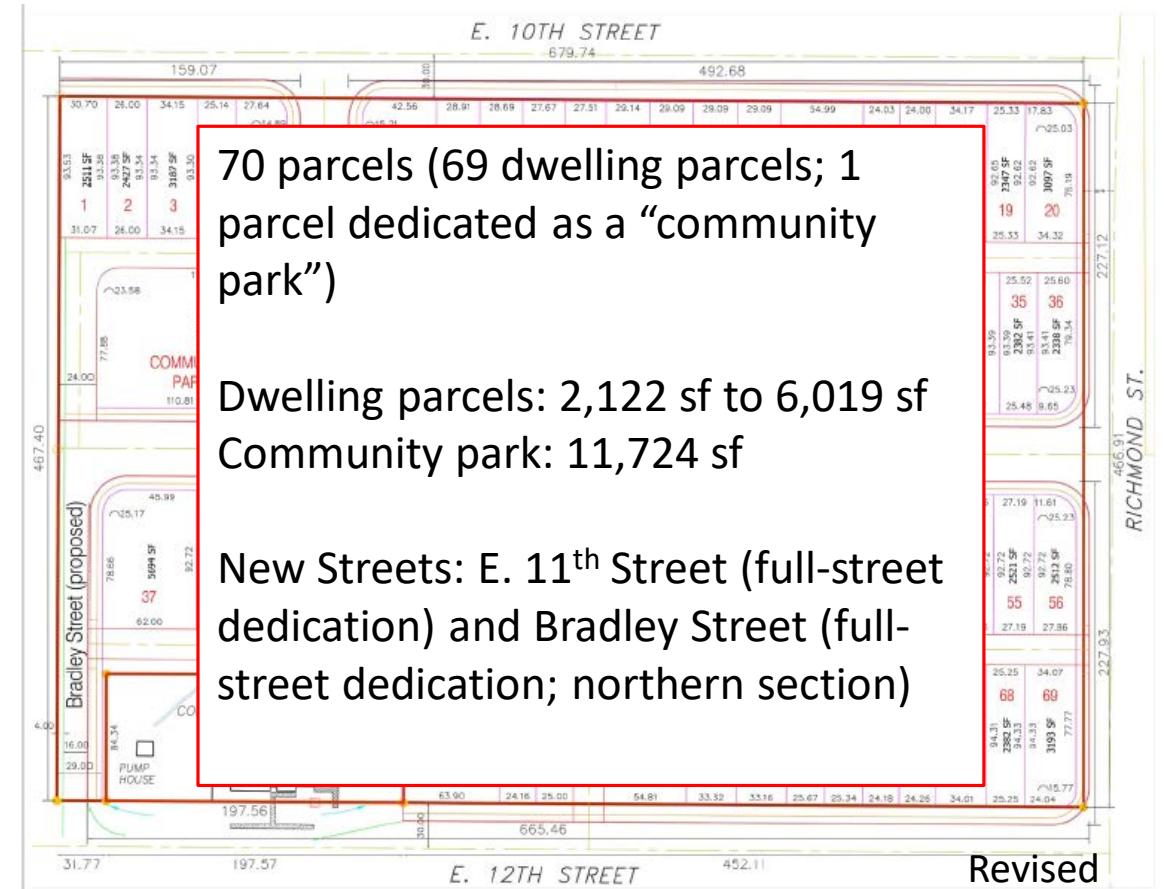
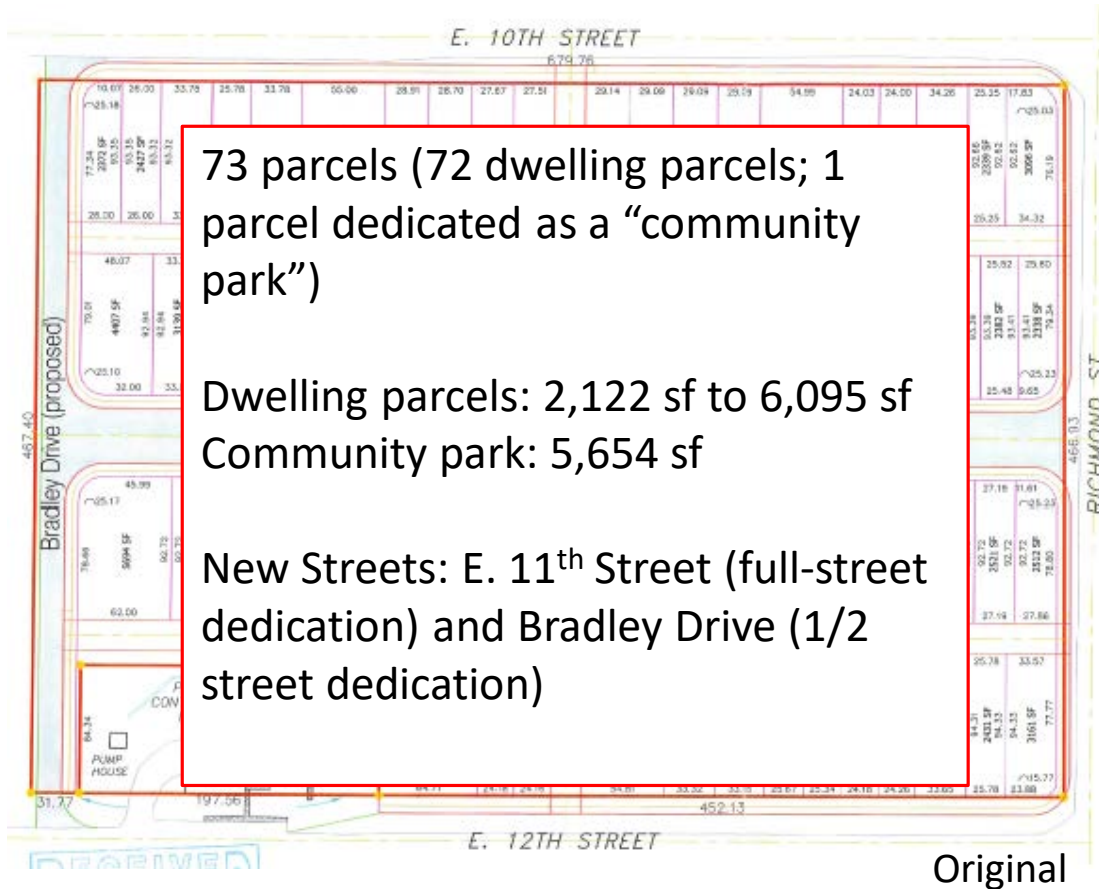


Original

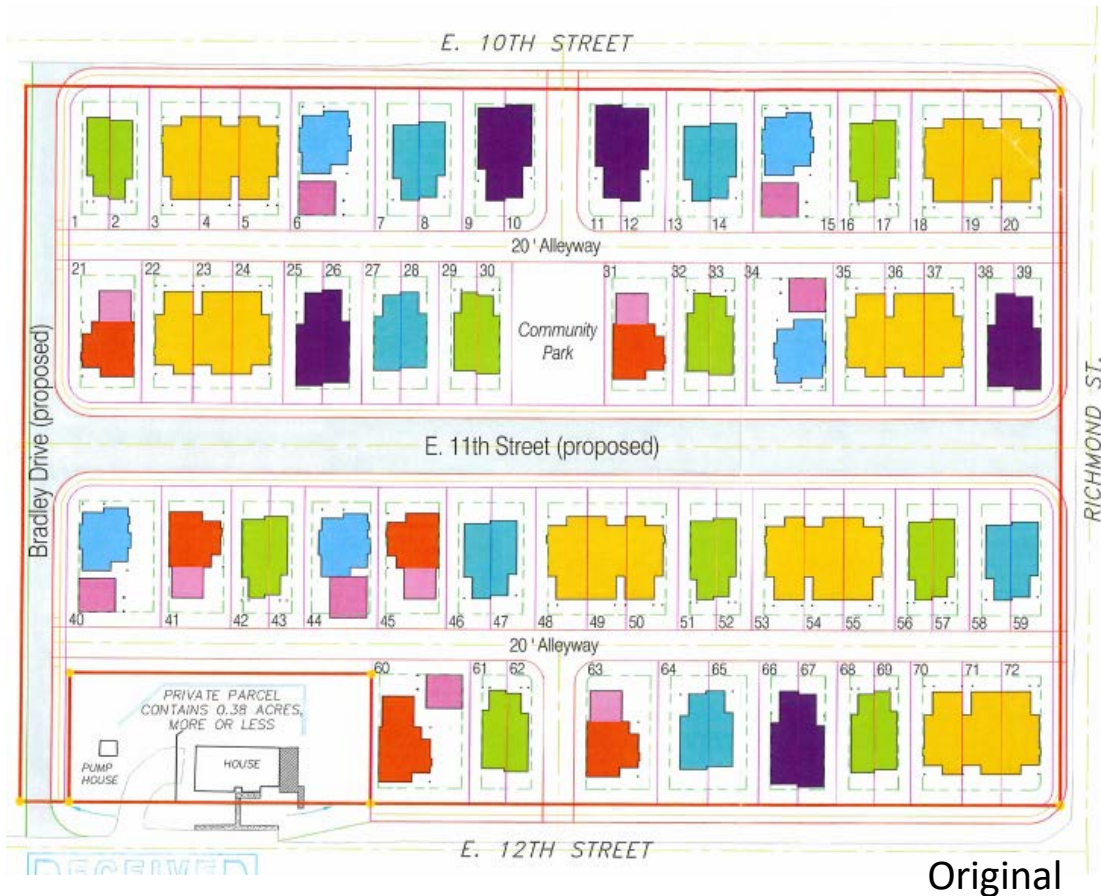


Revised

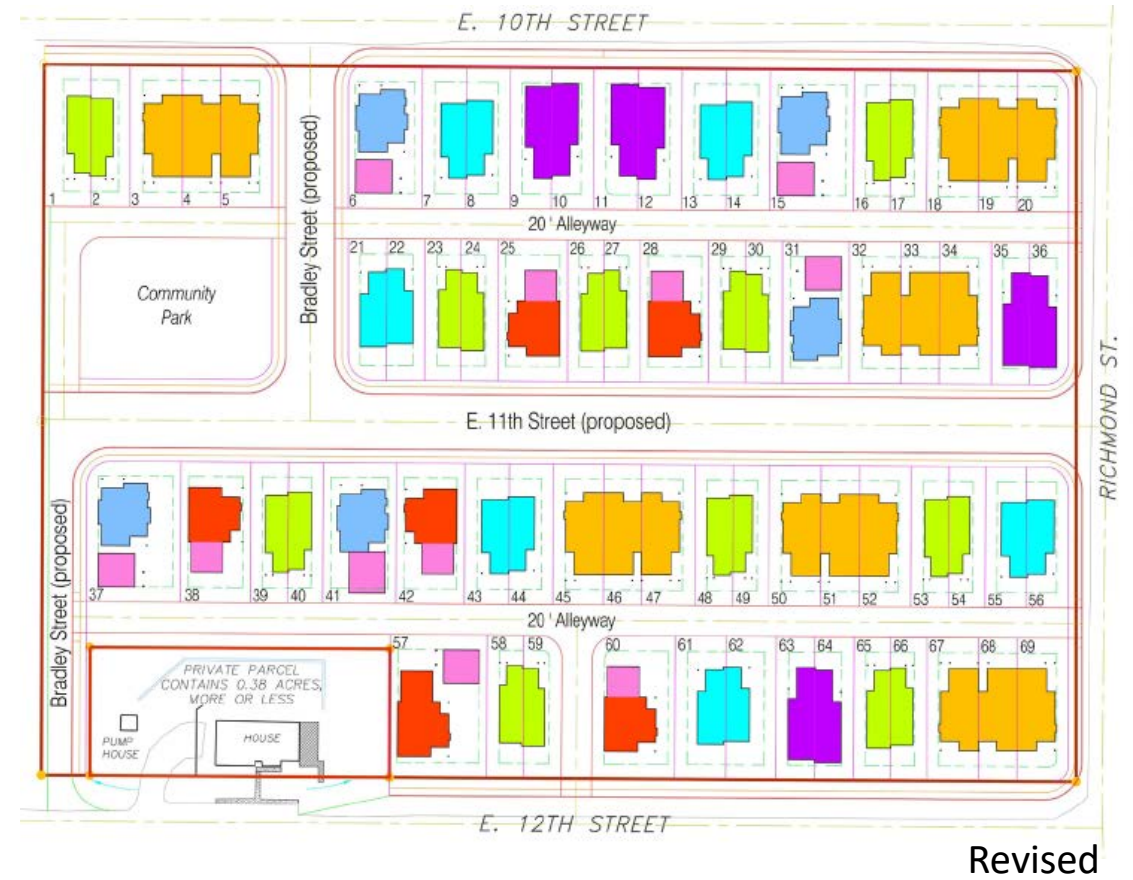
Site Plan Revisions



Site Plan Revisions



Original



Revised

Appellants' Arguments

As stated by the Appellants' Attorney in the July 24, 2020 memo to City Council: *"Until the following mandatory code criteria are adequately addressed through the public tentative plan review, the application must be denied."* (TDMC criteria included in subsequent slides)

- Argument A
- Argument B
- Argument C
- Argument D
- Argument E
- Argument F
- Argument G

Appellants' Arguments

- Argument A

“Sections 10.10.060.A.5.a and 10.10.060.A.5.b requires denial until all off site safety issues (including but not limited to the US 197/Freemont Street/Columbia View Drive intersection and other intersections identified in the Hann Lee memo and public testimony) have been addressed, which may require construction of off-site improvements to mitigate impacts resulting from development that relate to capacity deficiencies and public safety; and/or to upgrade or construct public facilities to City standards.”

- Argument B
- Argument C
- Argument D
- Argument E
- Argument F
- Argument G

Appellants' Arguments

- Argument A

- Argument B

“Section 10.6.050.040.B requires off-site roads, which are substandard and unsafe due to grades and narrow roadways and documented excessive crash rates at intersections to be made safe.”

- Argument C

- Argument D

- Argument E

- Argument F

- Argument G

Appellants' Arguments

- Argument A
- Argument B
- Argument C

“Sections 10.10.040.B.1 and 2 require sidewalks meeting the standards of Section 10.10.040.A to serve off-site pedestrian circulation. Further, 10.10.040.E specifically requires off-site improvements when necessary for safe and efficient pedestrian circulation. For pedestrian safety and circulation, infrastructure improvements, including sidewalks, are required along 10th or 12th connecting with downtown and the unsafe intersection of Thompson Street/E 10th Street/Old Dufur Rd must be addressed. It is unfair to shift the burden to existing residents when the need for sidewalks and other infrastructure is being driven primarily by a single high density development.”

- Argument D
- Argument E
- Argument F
- Argument G

Appellants' Arguments

- Argument A
- Argument B
- Argument C
- **Argument D**

*“Section **10.6.060.030**, the Americans With Disabilities Act (ADA), ORS 801.220, ORS 447.310 and the Department of Justice 2010 ADA Standards for Accessible Design) require sidewalk, cross walk and curb ramp grade requirements to be met.”*

- Argument E
- Argument F
- Argument G

Appellants' Arguments

- Argument A
- Argument B
- Argument C
- Argument D
- **Argument E**

“The applicant must provide tentative plans showing that the lot sizes and configurations are adequate to meet the 60% maximum lot coverage standard (Section [10.05.020.060](#)), with the proposed dwellings and ADUs, all required onsite parking spaces (Section [10.7.060.010](#)), driveways (Sections [10.6.060.020](#) and [10.6.050.040](#)), setbacks and landscaping (Section [10.6.010.030.B](#)).”

- Argument F
- Argument G

Appellants' Arguments

- Argument A
- Argument B
- Argument C
- Argument D
- Argument E
- **Argument F**

*“Section **10.8.020.010.A** requires a Physical Constraints Permit for all development involving more than 50 cubic yards of grading, including the proposed 69 lot subdivision. Section **10.8.020.060.B** requires the Physical Constraints Permit to be reviewed through the same process public notice and comment process as the subdivision.”*

- Argument G

Appellants' Arguments

- Argument A
- Argument B
- Argument C
- Argument D
- Argument E
- Argument F
- **Argument G**

*“Sections **10.10.070** and **10.10.100.A.1** require findings based on substantial evidence that the public facilities (including stormwater) can be made adequate to serve the proposed subdivision. While the applicant submitted as simple utilities plan that showed locations of pipes, there were no calculations or demonstrations of overall system capacity in the record, apart from verbal statements of City staff - statements that City staff has publically contradicted in a recent newspaper article.”*

Commission Alternatives

1. **Staff recommendation:** Based upon the findings and fact and conclusions of law set forth in the agenda staff report, move to direct staff to prepare a resolution denying the appeal and affirming the Administrative approval of Subdivision No. 74-19 as set forth in Planning Commission Resolution No. P.C. 593-20, with the conditions of approval recommended by the Planning Commission.
2. If the Council desires to affirm the Planning Commission's decision based upon additional findings and conclusions, or with different conditions of approval, move to direct staff to prepare a resolution denying the appeal and affirming the Planning Commission's approval of Subdivision 74-19 as set forth in Resolution No. P.C. 593-20, with modifications to the conditions of approval recommended by the Planning Commission, based upon the findings and fact and conclusions of law set forth in the agenda staff report, as modified by the Council.
3. If the Council desires to grant the appeal, move to direct staff to prepare a resolution granting the appeal, reversing the Planning Commission's decision, and denying the application. The Council will need to identify the specific criteria which the application failed to meet, and the reasons why the criteria were not satisfied.

The Grove

City of The Dalles Appeal Hearing ~ August 24, 2020



Jamie.Howsley@jordanramis.com | (503) 598-7070

City Council's Role

- Decide whether the subdivision satisfies the clear and objective development standards.
- It is NOT to decide if this should remain a low density, single family neighborhood. That decision was made years ago and cannot be altered in this proceeding.

March 9, 2020 Staff Report

Review of Criteria

Section 10.3 Procedures

- Requirement: Application Submittal and Fee
 - **FINDING #1: Criterion met.**
- Requirement: Complete Application
 - **FINDING #2: Criterion met.**
- Requirement: Quasi-Judicial Decision
 - **FINDING #3: Criterion met.**
- Requirement: Public Notice
 - **FINDING #4: Criterion met.**
- Requirement: Time Limits
 - **FINDING #5: Criterion met.**
- Requirement: Staff Report
 - **FINDING #6: Criterion met.**

March 9, 2020 Staff Report

Review of Criteria

Section 10.5.020.020 Permitted Uses

- Requirement:
 - **FINDING #7:** Proposed housing types are permitted outright. **Criterion met.**
- Requirement: Accessory Uses
 - **FINDING #8:** ADUs are permitted. **Criterion met.**

Section 10.5.020.060 Development Standards

- Lot Area – Lot Width – Lot Depth
 - **FINDING #9:** Lot standards are met. **Criterion met with conditions.**

March 9, 2020 Staff Report

Review of Criteria

Article 6.010 Landscaping

- Requirement:
 - **FINDING #10:** Landscaping is addressed with building permits. **Criterion not applicable.**

Article 6.030 Accessory Development

- Requirement:
 - **FINDING #11:** ADU standards are reviewed with building permits. **Criterion not applicable.**

March 9, 2020 Staff Report

Review of Criteria

Article 6 Streets

- Requirement: Corner Clearance
 - **FINDING #12:** Driveways will be 75' from intersections. **Criterion met with conditions.**
- Requirement: Emergency Access
 - **FINDING #13:** Adequate ROW will be dedicated. **Criterion met with conditions.**
- Requirement: Driveway and Entrance Standards
 - **FINDING #14:** Lots are alley loaded. **Criterion met.**

March 9, 2020 Staff Report

Review of Criteria

Title 10

- Requirement: Parking
 - **FINDING #15:** Off-street parking shown with building permits. **Criterion not applicable.**
- Requirement: Physical and Environmental Constraints
 - **FINDING #16:** Physical Constraints Permit for grading. **Criterion met with conditions.**
- Requirement: General Provisions
 - Applicability
 - **FINDING #17:** No modifications required. **Criterion met.**
 - Annexation
 - **FINDING #18:** Consent to annexation is recorded. **Criterion met.**
 - Blocks
 - **FINDING #19:** Southern half of E. 11th Street will be approved as an exception. **Criterion met with conditions.**
 - Lot Size and Shape
 - **FINDING #20:** Lot standards are met. **Criterion met with conditions.**

March 9, 2020 Staff Report

Review of Criteria

Title 10 continued

- Requirement: General Provisions continued

Access

- **FINDING #21:** Several street frontages. **Criterion met.**

Access Points

- **FINDING #22:** Alley access. **Criterion met with conditions.**

Through Lots

- **FINDING #23:** None proposed. **Criterion not applicable.**

Lot Side Lines

- **FINDING #24:** Lot lines are at right angles. **Criterion met**

Lot Grading

- **FINDING #25:** Physical Constraints Permit for grading. **Criterion met with conditions.**

Redevelopment Plans

- **FINDING #26:** Proposing minimum density. **Criterion met.**

March 9, 2020 Staff Report

Review of Criteria

Title 10 continued

- Requirement: General Provisions continued
 - Construction Drawings and Specifications
 - **FINDING #27:** Preliminary civil plans submitted. **Criterion met with conditions.**
 - Final Subdivision Plat Review
 - **FINDING #28:** Preliminary civil plans submitted. **Criterion met with conditions.**
 - Pedestrian Requirements
 - **FINDING #29:** Sidewalk details shown on civil plans. **Criterion met with conditions.**
 - Bike Lanes
 - **FINDING #30:** No arterial or major collectors. **Criterion not applicable.**
 - Traffic Impact Studies
 - **FINDING #31:** Traffic Impact Study provided and approved by City's traffic engineer and ODOT. **Criterion met with conditions.**
 - Pass Through Traffic
 - **FINDING #33:** No pass-through streets proposed. **Criterion not applicable.**

March 9, 2020 Staff Report

Review of Criteria

Title 10 continued

- Requirement: General Provisions continued

Improved to Standards

- **FINDING #34:** Frontage and interior street improvements. **Criterion met with conditions.**

Orderly Development

- **FINDING #35:** Frontage and interior street improvements. **Criterion met with conditions.**

Connectivity

- **FINDING #36:** East 11th Street provided. **Criterion met.**

Street Names

- **FINDING #37:** Postmaster verified. **Criterion met with conditions.**

Alleys

- **FINDING #38:** Lots are alley loaded. **Criterion met.**

Unusual Situations

- **FINDING #39:** None Noted. **Criterion not applicable.**

March 9, 2020 Staff Report

Review of Criteria

Title 10 continued

- Requirement: General Provisions continued
 - Location, Grades, Alignment and Widths
 - **FINDING #40:** Streets Aligned. **Criterion met.**
 - Public Utility Extensions
 - **FINDING #41:** Public water, sanitary sewer and storm drainage will be extended. **Criterion met with conditions.**
 - Public Improvement Procedures
 - **FINDING #42:** Warranty bond will be provided. **Criterion met with conditions.**
 - Franchise Utility Installations
 - **FINDING #43:** Will be installed with providers. **Criterion met with conditions.**
 - Street Lighting
 - **FINDING #44:** Will be installed on public streets. **Criterion met with conditions.**
 - Dedication of Right-of-Way and Easements
 - **FINDING #45:** New streets and easements dedicated. **Criterion met with conditions.**

March 9, 2020 Staff Report

Review of Criteria

Title 10 continued

- Requirement: General Provisions continued
 - Recording Dedications
 - **FINDING #46:** ROW deeds will be recorded. **Criterion met with conditions.**
 - Section 10.10.120 Mail Facility Services
 - **FINDING #48:** Centralized mail boxes. **Criterion met with conditions.**

Recommendation:

Approval with conditions.

Opponent Arguments

- *Section 10.10.060.A.5.a and b require denial until all off site streets improved.*

— RESPONSE

- The code does not mandate denial.
- “a. The City **may** deny, approve, or approve a proposal with conditions necessary to meet operational and safety standards.”
- “b. Construction of off-site improvements **may** be required to mitigate impacts resulting from development.”
- Developer cannot be compelled to reconstruct block after block of City streets.

Opponent Arguments

- *Section 10.6.050.040.B requires off site streets to be reconstructed.*

— RESPONSE

- Code requires elimination of vertical curves where feasible, and Bradley Street was moved to meet this criterion.
- The Transportation System Plan is not a criterion.
- The Fremont & Hwy 197 intersection serves the entire area south of Dufur Rd. This will be an ODOT project and the City is encouraged to allocate this project's Transportation SDC's to that intersection.

Opponent Arguments

- *Off site sidewalks must be constructed.*

- **RESPONSE**

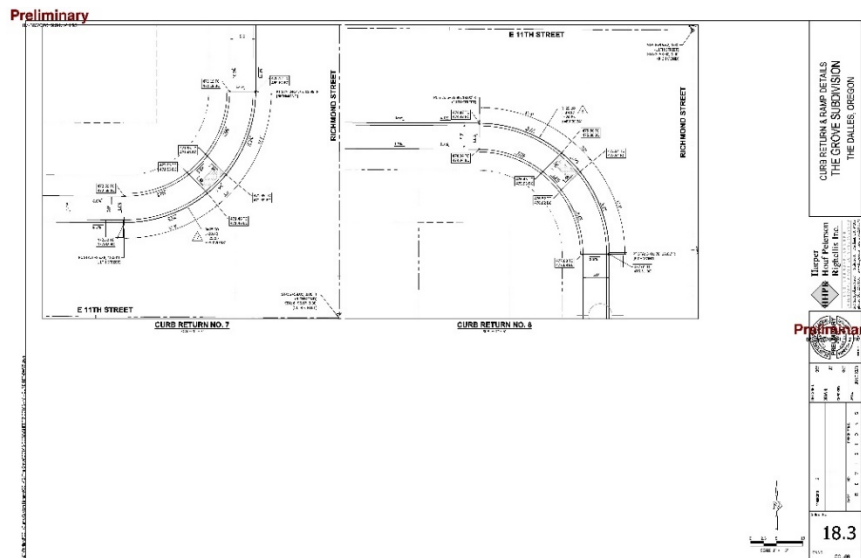
- Staff is correct that sidewalks can no longer be required for partitions, which created the gaps that preceded this application.
- This applicant is not responsible for those existing gaps.

Opponent Arguments

- *ADA Standards are not met.*

— RESPONSE

- The ADA details are shown on Sheets 18, 18.1, 18.2, 18.3, 18.4, 18.5, 18.6, 27, and 29.



Opponent Arguments

- *60% lot coverage standard is not met.*
 - **RESPONSE**
 - This is not required for subdivision approval and will be addressed when building permits are submitted.

Opponent Arguments

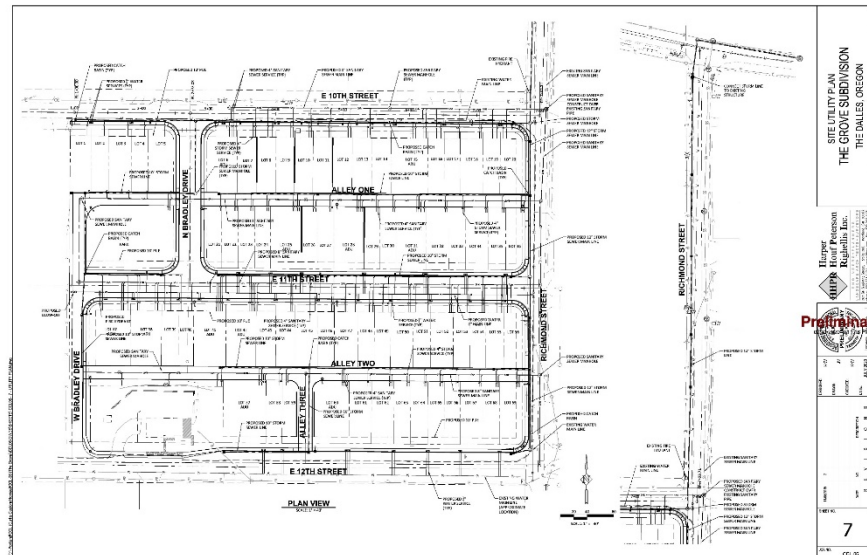
- *Physical Constraints Permit required.*
 - **RESPONSE**
 - “The physical constraints permit **may**, at the request of the applicant, be processed simultaneously.” Section 10.8.020.010.A.

Opponent Arguments

- *City utilities lack capacity.*

— RESPONSE

- City Engineer's memo and the Master Plans are substantial evidence there is adequate capacity.



City Engineer's Memo

- City Water System
 - “As can be seen in the table at the bottom of the attached Water Model Results map for The Grove Subdivision, both the ADD and MDD demands of the development can be met while still providing 1647 gpm and 1413 gpm of available fire flow for the area.”
- City Sanitary Sewer System
 - “As can be seen on the table at the bottom of the attached Sewer Model Results map for The Grove Subdivision, the downstream piping network has adequate capacity to handle the additional flows contributed to the City's sanitary sewer system by the proposed development.”
- City Storm Water System
 - “With the installation and completion of those storm water main lines, the storm water collection system has adequate capacity to support and serve the proposed development.”



MINUTES

CITY COUNCIL MEETING

August 31, 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, Community Development Director Steve Harris, Interim Community Development Director Alice Cannon, Planner Joshua Chandler, Public Works Director Dave Anderson, Senior Planner Dawn Hert, Finance Director Angie Wilson, Human Resources Director Daniel Hunter

Number of people present: 89

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 asked Councilor Miller to lead the Pledge of Allegiance.

Councilor Miller invited everyone to join in the Pledge of Allegiance.

MINUTES

Regular City Council Meeting

August 31, 2020

Page 2

PUBLIC HEARINGS - continued

APPEAL HEARING:

APL 031-20: Robert Bokum, Denise Dietrich-Bokum, Gary Gingrich, Terri Jo Jester Gingrich, Damon Hulit and Roberta Wymore-Hulit

REQUEST: Appeal of the July 16, 2020 Planning Commission decision denying Appeal030-20 of Administrative Decision dated March 9, 2019, approving Subdivision 74-19, Legacy Development Group, to divide one 6.92-acre parcel into 72 lots of varying size with a proposed community park.

Mayor Mays reviewed the rules of the meeting, and reconvened the hearing.

Mayor Mays asked if there was any ex-parte communications since the last meeting.

Councilor Miller said she had conversations with three truck drivers about the intersection at Freemont and 197.

Councilor Runyon said he and Councilor McGlothlin had talked about the process;

Who would speak

Approving/denying the appeal was the only action before Council

Councilor Randall said he had a conversation with Timothy Sipe. He had to sign off early last meeting and wanted to know what happened.

Councilor Long-Curtiss said she had received emails from people asking questions. She said she had replied she could not discuss the appeal at that time.

Councilor McGlothlin said he had called Councilor Runyon as stated.

Mayor Mays said he had several conversations with Council members, individually, regarding order of process.

Mayor Mays asked if anyone questioned the Council's qualifications. Hearing none he asked for the staff report.

Planner Joshua Chandler reviewed the three staff memos. He noted that there was not a CARES Grant, the reference was to the ODOT Arts program. Staff is adding one condition: Condition #27 states City Council had to approve annexing the property into the boundaries of the City before final plat could be approved.

Councilor Miller asked what was the maximum number of homes per acre. Chandler said yes, 25

MINUTES

Regular City Council Meeting

August 31, 2020

Page 3

per acre.

Miller asked if there was a minimum.

Chandler said the minimum according to Code was 7 per acre; the minimum according to the Comprehensive Plan was 10 per acre. He said a single-family home could be built on one lot.

Runyon said minimum number of housing units on this land would be 42-43 to qualify as high density, but last week he thought he heard 58 last week. Chandler said 58 based on calculations done by staff. Chandler looked through notes for specifics.

Mayor Mays asked Public Works Director Dave Anderson to summarize what Intergovernmental Agreement between Oregon Department of Transportation (ODOT) and the City to explain those improvements and timeline in regard to the Freemont/197 intersection.

Anderson said the Multi-Jurisdictional Agreement with a number of communities. He said for us they were looking at signage and striping improvements (horizontal hashes that work as traffic slowing) and radar signs. He said the timing was September 2021. He clarified that it was anticipated that ODOT was funding the striping and the City would have a match for the radar signage.

Mayor Mays called on the applicant's attorney.

Mr. Howsley, applicant's attorney said he received a phone call from the City Legal Counsel Mr. Crean regarding the annexation condition, he said his client was ok with that.

Howsley said the letter sent today regarding detail of infrastructure being extended to the site, along with engineers' materials.

Mr. Morasch said he just got Mr. Howsley's letter at 4:30 today. He read it, not had chance to research it. He said it felt a bit like Howsley was threatening the City with litigation.

Morasch said Howsley said the neighbor's responsibility for takings study. He said the applicant needs to do the safety analysis is done. He said the study falls on the applicant not the neighbors.

Mr. Howsley rebuttal was that the letter was not threatening, but more of a warning. Morasch asking for study is proof that there are no clear and objective criteria.

Mayor Mays opened Public Testimony, allowing 5 minutes per person.

Those opposed to the development:

Gary Gingrich – road safety – 10th Street/Thompson/Old Dufur Road

MINUTES

Regular City Council Meeting

August 31, 2020

Page 4

Steve Lawrence – prefers infill – Vision Statements – use of 2nd stories downtown – clear mistake to have the property designated as high density residential

Randy Hager – mishandled by City Planning – safety issues – no community input – City failed to plan for future development

Steve Murray – developer couldn't address price ranges of the proposed home - future properties will add to the traffic – when will the roads be fixed

Karen Murray – questioned if code was changed specifically for the project – who would own the homes, investors – dangerous intersections

Linda Quackenbush – zoning needs to be changed

Anna Gatton – why was approved when there were objections raised – where will kids go to school – unsafe, no sidewalks

Steve Hudson – 2727 East 10th – safety – 197/Freemont – overpass discussed in the past – no school input

Shelly Anslinger – 2012 East 14th – safety for children – infrastructure costs outside of development

Randy Kaatz – 2724 East 12th – when was compatibility taken out of the code (Chandler said October 2019) – did Council realize it would impact this development went removing compatibility – sizes of homes on lots – 10th Street estimate for sidewalks \$500,000, without storm sewer (Anderson said the sidewalk improvement would trigger storm water improvements)

Jozette Schultens – houses are below street level in some areas – why are improvements needed how – Blind hill on Bradley Street

Steve Stroud – 3004 East 10th – safety issue, no sidewalks, winter on Richmond is terrible, steep, unsafe

Fuko Christensen – 2850 Old Dufur Road – why are some required 5% grade and others do not (Anderson said arterial street triggers grade)

Ashley Dodson – 3115 Old Dufur Road – honesty of developer – rentals or owner occupied – children safety – need proper housing and infrastructure

Laura Klement – 6328 Cherry Hts – Affordable, energy efficient – new construction

MINUTES

Regular City Council Meeting

August 31, 2020

Page 5

Denise Lacome– 2735 East 12th – overcrowded school – school district should have been notified – FAA flight plan – need dimensional drawings – City failed to prepare with needed infrastructure

Taner Elliott – Summit Ridge – at the October compatibility code change, how many Councilors thought it referred to only low or medium density, or minor partitions. (McGlothlin, Runyon and Miller said they weren't aware it referred to high density)

In favor:

Nate Stice – 1010 G Street – The Dalles has thinking, welcoming Code, ahead of the rest of the State – House Bills 2001 and 20003 keep the town affordable – denial would be based outside the criteria – mixed density is very forward thinking – safety outside the bounds of criteria – housing affordability needed

Applicant rebuttal:

Mr. Howsley said developer would be extending storm, sewer up to the property.

Howsley said the appellant's substantial demands for side walk improvements is not required.

He said the Code is clear and objective. He reminded everyone the City needs housing and the area is zoned for it.

Appellant attorney Mr. Morasch said it is not the neighbor's job to provide detailed analysis of sidewalk needs. He said clear and objective was created to keep cities from enforcing design, not safety.

Morasch said Section 10.10.04(b) of Code addresses pedestrian safety.

Appellant rebuttal:

Howsley said ODOT/City/Developer believe it meets the safety warrants. He said the developer was not compelled to fix existing issues.

Mayor Mays closed the hearing at 7:32 p.m.

Council Comments:

Runyon asked for clarification on previous question regarding minimum number of homes.

Chandler said it was calculated on gross acreage, half way into right of way. He said the correct number is 55. He said a triplex is considered 3 units.

MINUTES

Regular City Council Meeting

August 31, 2020

Page 6

Long-Curtiss asked the developer for the estimated timeline for development.

Mr. Curtis said he was not sure. He said they are in the middle of another project. He said it would probably be developed in three phases; 1 year per phase.

He said it would be developed much like current project on Park Place, 5 to 7 units at a time.

Long-Curtiss said perhaps the Council should look at sidewalks in the area regardless on the decision on this appeal.

McGlothlin said there would be an impact on the schools, why wasn't the school district part of discussion.

Chandler said notice was given to any agency, district within 100-300 square foot radius. He said Council can look at adding the School District 21 to the list.

Mayor Mays thanked staff for a professional presentation. He said it was a complicated issue. He said he appreciates the Developer's interest in The Dalles. Mayor Mays said the city needs housing. He acknowledged the appellant indulging the process of four Planning Commission meetings and two City Council meetings.

He said it was clear there were many against the development, zoning and not having compatibility as criteria. He said why the parcel was zoned high density was not criteria.

Mayor Mays he felt parks should be city owned to assure maintenance. He said home owners' associations are not generally long term, and parks deteriorate.

He said he was concerned about public safety. He said he lived on Columbia View, and 197/Freemont intersection was a safety issue. He said he was concerned about no sidewalks on 10th Street, 12th Street and Richmond. He said 238 new people in the area was a recipe for disaster.

He said he didn't have a vote, but he would uphold the appeal.

Miller said 197/Freemont was dangerous already; Old Dufur/Richmond/10th & Thompson safety issues. She said she felt the City was lax in not including the School District in the site team meetings

Runyon said he didn't recall that compatibility clause had been taken out of every zone. He asked why safety infrastructure wasn't addressed when the zoning changed to high density in 1995. He said he imagined that the change in zoning was due to the State pushing for a set number of spaces for homes/growth.

MINUTES

Regular City Council Meeting

August 31, 2020

Page 7

He said children's safety was not addressed in a comprehensive way. He said he was concerned about the airport flight pattern and he would have a hard time approving the development.

Randall said this was a moment 30 years in the making. He agreed safety was an issue.

Long-Curtiss said she was struggling with a decision. She said the land had sat there many years and there is no indication when the next big development would be coming. She said the Gorge Commission was limiting the options for growth.

She encouraged Council to think about forever. She said there is a big need for affordable housing in The Dalles. She said in The Dalles \$51,000 is low income, the need for housing is great.

She said the safety issues need to be addressed and would probably fall on the City to fund. She said something had to be done about the safety issues. She said Council didn't sit down and talk to developer and neighborhood.

She agreed the school district should have been included in the site team meetings.

She said some of the letters were very attacking to staff and the Council.

McGlothlin said it was a complex issue with unintended consequences. He said he was in favor of approving the appeal. He said the issues of pedestrian and traffic safety and infrastructure (sidewalks and stormwater) needed to go back to the Planning Commission for them to address.

City Legal Counsel, Spencer Parsons said school not being included in site team was not a reason for upholding the appeal. He said the concerns on safety, sidewalks and stormwater could be a reason, but had to site specific code.

He said Sections 10.10.040 Pedestrian safety and 10.10.060 Traffic safety could apply, but need to look further into the code.

Long-Curtiss said Planning Commission did the right thing, they followed the letter of the law.

She said they couldn't expect the developer to put sidewalks down 10th and 12th Streets.

Mayor Mays said it wasn't up to the residents to put in sidewalks.

Miller said less development could still be high density with affordable housing.

Long-Curtiss said the safety concerns would remain with less density. She said staff did a professional job, she didn't see a way to deny the application as it met the criteria.

MINUTES

Regular City Council Meeting

August 31, 2020

Page 8

Mayor Mays said he didn't fault the staff.

McGlothlin said yes, staff followed the letter of the law, however, didn't consider the impact on whole city. He said he is concerned about 197/Freemont intersection. He said the size of the development was too extreme. He said Council had to be human and include safety in the decision.

Runyon said the traffic study was insignificant, incomplete. He asked if the developer could reduce the development to 55 units.

Public Works Director Anderson said there were narrow or no shoulders on 10th and 12th Streets, and no on street parking. He said the travel lines were 11 to 12 feet wide per lane, which was big.

At 8:30 Mayor Mays asked if Council wished to continue the meeting.

Miller said take a break then finish up.

Mayor Mays recessed for 10 minutes.

Mayor Mays reconvened at 8:40 p.m.

Runyon said ADA requirements could be part of Phase 2.

Randall agreed with Long-Curtiss approval of the appeal needed to be tied to specific criteria.

It was moved by Runyon and seconded by McGlothlin to tentatively uphold the appeal APL 031-020, reversing the Planning Commission's decision approving SUB 74-19, direct staff to prepare an appropriate Order with findings consistent with the Council's decision, and continue the hearing to September 14, at 5:30 pm for final adoption of the Order. The motion carried, Runyon, McGlothlin, Randall, Miller, and Long-Curtiss voting in favor. None opposed.

Long-Curtiss said the criteria had been met, however, she would vote in favor to give time to process the information Council received at the meeting.

MINUTES
Regular City Council Meeting
August 31, 2020
Page 9

ADJOURNMENT

Being no further business, the meeting was continued at 9:00 p.m. to September 14, 2020 at 5:30 p.m.

Submitted by/
Izetta Grossman, CMC
City Clerk

SIGNED:

Richard A. Mays, Mayor

ATTEST:

Izetta Grossman, CMC City Clerk

From: [Steve C. Morasch](#)
To: [Izetta F. Grossman](#); ["Christopher Crean"](#)
Cc: [Paula Webb](#)
Subject: RE: Additional Information - August 31 Appeal
Date: Monday, August 31, 2020 5:34:14 PM

Please include the following in the record in response:

I have only had a few minutes to digest this, so I request the statutory seven days to respond.

It is disappointing that instead of doing a safety analysis of the intersection or the lack of sidewalks, the applicant's attorney has resorted to threats of litigation.

I am flattered that the applicant's attorney recognizes me as a "leading expert on takings." However, as a leading expert, I can tell you that it is not the neighbors' burden to do the analysis needed to determine what is needed to make the sidewalks or intersection safe. That burden lies with the applicant.

Only after such a safety analysis has been completed can a *Dolan* analysis be started. So the application could be denied consistent with *Koontz* because the applicant has provided insufficient evidence that the basic safety criteria (previously discussed in my prior letter and at the hearing last week) have been met.

Finally, there is nothing in the state's housing law that requires the City to approve an unsafe development. The Walter case is distinguishable as it involved a provision of the local code that was acknowledged by the City to be ambiguous. The City's criteria on safety and safe and convenient pedestrian connections is not ambiguous and are in fact required by different provisions of state law. The arguments about the state housing law are a red herring.

Steve C. Morasch | Attorney at Law



805 Broadway Street, Suite 1000

P.O. Box 1086

Vancouver, WA 98666-1086

T: 360-558-5912 | T: 503-283-3393 | F: 360-558-5913

<https://smex-ctp.trendmicro.com:443/wis/clicktime/v1/query?url=www.landerholm.com&umid=f227a308-bb6b-4bce-91e2-2256a9578e83&auth=61b7c891c3cd3cb7b52d542b76699872203f47bc-b2278f293a3ffc9c16e933fc2afe0c5a47e5d6f3>

Landerholm, P.S. is committed to following the recommendations and requirements regarding COVID-19 as outlined by various government agencies.

We are working and available to assist you by phone, video conferencing and through email. For the time being we've modified our daily operations but closed our office to the

public.

From: Izetta F. Grossman <igrossman@ci.the-dalles.or.us>
Sent: Monday, August 31, 2020 4:33 PM
To: 'Christopher Crean' <chris@gov-law.com>; Steve C. Morasch <stevem@landerholm.com>
Cc: Paula Webb <pwebb@ci.the-dalles.or.us>
Subject: FW: Additional Information - August 31 Appeal
Importance: High

From: Izetta F. Grossman
Sent: Monday, August 31, 2020 3:59 PM
To: Ayrn Rasmussen - Columbia Gorge Regional Airport (manager@flycgra.com)
<manager@flycgra.com>; Carrie Pipinich <carrie@mcedd.org>; Jennifer T
<admin@portofthedalles.com>; Jonathan M Kara <jkara@campbellphillipslaw.com>; Judy Merrill
<jude@gorge.net>; Managers Distribution List <ManagersDistributionList@ci.the-dalles.or.us>;
'Tyler Stone' <tylers@co.wasco.or.us>; Widge Johnson <widgej@gmail.com>; Darcy Long - Curtiss
<dlong-curtiss@ci.the-dalles.or.us>; Diana McDougale <dmcdougale@campbellphillipslaw.com>; Izetta
F. Grossman <igrossman@ci.the-dalles.or.us>; Julie Krueger <jkrueger@ci.the-dalles.or.us>; Linda
Miller <caelmillercc@yahoo.com>; Richard Mays <rmays@ci.the-dalles.or.us>; Rod Runyon
<rrunyon@ci.the-dalles.or.us>; Scott Randall <srandall@ci.the-dalles.or.us>; Timothy McGlothlin
<TMcGlothlin@ci.the-dalles.or.us>; Al Wynn <al_wynn@kodl.com>; Bailey, Mark
([mbailey@bicoastal.media](mailto:m Bailey@bicoastal.media)) <[mbailey@bicoastal.media](mailto:m Bailey@bicoastal.media)>; Emily Fitzgerald (Emilyf@gorgenews.com)
<Emilyf@gorgenews.com>; Haines, Randy (rhaines@bicoastal.media) <rhaines@bicoastal.media>;
KODL <newsroom@kodl.com>; Lisa Farquharson <lisa@thedalleschamber.com>; Mark Gibson
<markg@gorgenews.com>; Rodger Nichols <news@gorgecountry.media>; The Dalles Chronicle
<ornews@gorgenews.com>
Subject: Additional Information - August 31 Appeal
Importance: High

Honorable Mayor and City Council,

Attached find some additional information for the meeting this evening.

I have printed this for your review prior to the meeting.

Thank you

Izetta Grossman, CMC
City Clerk

City of The Dalles
313 Court Street
The Dalles, OR 97058
541-296-5481 x 1119
igrossman@ci.the-dalles.or.us
www.thedalles.org

Listen with your eyes - your ears will follow.

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STATEMENT BY STEPHEN LAWRENCE
MAYOR, 2013-2019
2017 View Court, The Dalles
503-807-0724

The proposed development would be a community disaster.

During 2018-19, when city council discussed a new zoning ordinance with planning, we emphasized infill; using vacant lots and allowing for smaller houses on existing properties, all within the city limits.

We were guided by past Vision statements.
The 2002 Vision emphasized:

new neighborhoods where developers would create residential with commercial areas, homes close to jobs and services.

. We were also guided by the 2011 Vision Statement which described consistent annual meetings allowing for constructive dialogue. That has not been occurring, the planning department had that responsibility.

Key goals were to develop upper floor housing downtown and compatible neighborhoods. The plan looked at the west side where “additional urban lands have been established and set aside for affordable housing.

There are two Major Issues with this application.

First: The planning department relies on a zoning ordinance it based on House Bills 2001 and 2003, which addressed housing throughout the state but hasn't yet been implemented.

Under House Bill 2001 medium cities are not required to comply until 6/30/21, so administrative rules can be developed.

Cities will be required to set reasonable siting and design requirements on houses, including adequate infrastructure. The law directs the state to help cities figure out their infrastructure gaps. The state is to conduct rule making to provide a model code. That is only now in process, the last meeting held August 18, 2020

The charge to the Housing Rule making Advisory Committee is to develop rules that - provide affordable living choices and allow for a phased development consistent with infrastructure supply.

I can tell you from reading the written submissions for this last hearing, many cities and the League of Cities are requesting additional considerations and amendments to what is now being proposed. Our planning department is going forward without knowing if they are in compliance.

It is very apparent a **colossal mistake** was made to designate the area of this application, high density in the 90's.

Even the Transportation System Plan documents why it should not have been. It cites the population in 1995 as 14,776 projected to be 18,630 by 2015.

It projected in 1995 that peak hour traffic on Old Dufur Rd would grow from 180-400 by 2015 and that 197 & Fremont already had a slightly higher than average crash rate with four crashes from 1/90 to 12/92

It projected growth in Columbia View Drive, at peak hour, to go from 60-260.

All this was part of the rationale for designating this area high density.

HERE IS THE TRUTH:

Portland State University Population Center, the official population determinate for all cities and counties in Oregon states as follows:

This last March, 2020, The Dalles was 16,148

Only by 2045 is it projected to reach 18,823.

In 1996, their projected growth was inflated, 30 years off.

Second: Our planning department did not require developer to do a thorough traffic study and detail infrastructure. Testimony of the planning department was basically, "we'll figure it out as we go."

The reality is, this development would impose a huge volume of traffic and burden on rural roads and intersections that, in reality, have truly not been adequately measured.

Because of the **colossal mistake** in originally designating this area high density, you should give this and any other application in this area, strict scrutiny and set realistic, mandatory requirements for safety, density and infrastructure.

Don't be fooled by planners who tell you, you have no choice, This town belongs to the citizens, not planners or developers. You represent the citizens. Deny this application, affirm the appeal.

MINUTES
Regular City Council Meeting
September 14, 2020
Page 1

MINUTES

CITY COUNCIL MEETING
September 14, 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, Planner Joshua Chandler, Senior Planner Dawn Hert, Human Resources Director Daniel Hunter, City Counsel Chris Crean

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 asked Councilor Miller to lead the Pledge of Allegiance.

Councilor Miller invited the audience to join in the Pledge of Allegiance.

MINUTES

Regular City Council Meeting

September 14, 2020

Page 2

APPROVAL OF AGENDA

Mayor Mays noted an item had been added to the agenda, Action Item #12 Resolution authorizing City Manager to sign IGA regarding EDA grant.

It was moved by Runyon and seconded by Miller to approve the agenda as amended. The motion carried 5 to 0; Runyon, Miller, McGlothlin, Long-Curtiss, Randall voting in favor; none opposed.

PRESENTATIONS PROCLAMATIONS

Dr. Mimi McDonnel, NCPHD gave Council an presented a PowerPoint update on COVID-19 Pandemic. (see attached)

Dr. McDonnel said Wasco County did a great job getting ready for the cherry harvest and controlling outbreaks.

She said contact tracing was key to keeping the virus from getting out of hand.

She explained contact tracing identifies who has COVID-19, interviews those people to create a list of who they had been in contact within the past 14 days, then contact those people and educate them on the importance of self-isolation for 14 days since their last contact with the person who had COVID-19.

Dr. McDonnel said there was a big push for education and people getting the flu vaccine.

Dr. McDonnel introduced Shelly Campbell the Interim Director for North Central Public Health Department. Ms. Campbell said Wasco County and The Dalles had done a marvelous job identifying and moving on the needs of the community.

CITY MANAGER REPORT

City Manager Julie Krueger offered her appreciation to Wasco County Emergency Operations, specifically Sheridan McClellan for the expedient and efficient coordination of the KN95 Masks throughout Wasco County last weekend. She said the effort was well received by the community.

CITY COUNCIL REPORTS

Councilor Runyon reported:

- 8/21 Organized Local Government and Community leaders from the Port, Chamber, City and College on the Chamber lawn to discuss Congressional issues.

MINUTES

Regular City Council Meeting

September 14, 2020

Page 3

- 8/27 Q-Life Internet provider
- 9/3 Buildable lands Inventory Report joint meeting with County and City
- 9/9 at the Oregon Veterans Home for the 100th Birthday of Phillip William Chaperone. A Gunner on a Heavy Bomber in WWII who flew on 21 Combat Missions. Eventually his plane was shot down and he spent the rest of the war in a POW Camp in Austria.

Councilor McGlothlin reported:

- Kudos to City Manager Krueger for distributing masks on Saturday

Councilor Long-Curtiss reported:

- QLife Board meeting – expanding at City Hall, to Curtiss Home site on Park Place
- Received masks from the City Manager and distributed to Community Action Program and the homeless
- Working on eviction prevention when the moratorium ends – ways to assist renters and property owners
- Continues on the Health Services sub-committee
- Met with City Manager on non-congregate winter shelter for the homeless in a safe way
- Received a \$45,000 grant for Mid Community Action to assist with homelessness

Councilor Miller reported:

- Meeting with potential councilor
- Appeal meetings
- Household Hazardous Waste subcommittee – regarding consultant to help plan recycling
- Buildable Lands Report Joint meeting

Mayor Mays reported:

- Radio shows: KODL, KIHR
- Beautification Committee Yard Beautification Awards with Columbia Gorge Realty
- Community Outreach Team
- Gorge Commission
- 100th Birthday of Phillip William Chaperone

CONSENT AGENDA

It was moved by Runyon and seconded by Miller to approve the Consent Agenda as presented. The motion carried 5 to 0; Runyon, Miller, Randall, Long-Curtiss, McGlothlin voting in favor;

MINUTES

Regular City Council Meeting

September 14, 2020

Page 4

none opposed.

Items approved on the consent agenda were: 1) Approval of the July 27, 2020 Regular City Council Meeting Minutes; 2) Approval of surplus of Public Works Vehicle.

PUBLIC HEARINGS

Consideration of Resolution No. 20-022 Approving Appeal 030-20 and denying Subdivision 74-19, located at the southwest Corner of Tenth Street and Richmond Street

Mayor Mays opened the Public Hearing

Council Discussion:

Long-Curtiss said she felt the staff report identified clear criteria to deny the appeal. She said the additional criteria provided for this meeting did not meet criteria and would lead to Land Use Board of Appeals appeal.

She said Council could resend the previous motion, add conditions or the City could take care of the safety issues.

Mayor Mays said there were dangerous conditions at 10th/12th/Freemont Streets.

Long-Curtiss said recent State legislation states only clear and objective criteria could be considered.

She said the City should find a way to make it safe. She said there was not a strong stand to deny the application.

Mayor Mays said he didn't have a vote; however, the developer increased the danger of the area by adding substantial traffic to an already dangerous area.

Mayor Mays asked Crean if appeal was upheld was there anything to keep the developer from coming up with another plan.

Crean said there was a time limit on the same application, but developer could reapply.

Runyon said he was pleased with report staff provided for the meeting. Miller and McGlothlin agreed.

Miller asked if modify the resolution and revise the resolution mean the same thing.

Crean said yes.

It was moved by Runyon and seconded by Miller to approve Resolution No. 20-022 approving Appeal 031-20 and denying Subdivision 74-19 to divide a 6.92-acre parcel into seventy-three (73) parcels of varying sizes (72 dwelling parcels and 1 parcel dedicated as a “community park” for the development), located at the southwest corner of 10th/Richmond. The motion carried 4 to 1; Runyon, Miller, McGlothlin, Randall voted in favor; Long-Curtiss opposed.

City Clerk Grossman noted that the title of the resolution in the packet had a clerical error, the correct number of parcels had been corrected to 73.

Short Term Rental Ordinance

Mayor Mays opened the Public Hearing.

Mayor Mays asked for the staff report.

Joshua Chandler reviewed the staff report. He noted that the ordinance would provide existing bed and breakfast locations to complete their current permit timeframe before having to change over to the Short-Term Rental License and renewal periods.

Long-Curtiss asked if any current bed and breakfast were in the Urban Growth Boundary.

Chandler said there was one, Wasco County would be handling short term rentals in the future. He said he believed Wasco County would be addressing a short-term rental ordinance in the future.

He said that one person would not be able to renew until Wasco County had a program in place or she annexed into the City.

Miller asked if today she went to get a permit it would be a five-year license.

Chandler said the Short-Term Rental license was renewed annually, with inspection every 5 years. He said there were currently 22 Bed and Breakfast permits, he said due to the timelines on the current permits it would be a few years before the City would collect license fees.

Miller said she didn't see the need for this in The Dalles.

MINUTES

Regular City Council Meeting

September 14, 2020

Page 6

Mayor Mays asked if anyone wanted to address Council on the issue. Hearing none closed the hearing.

Mayor Mays asked if any of the Councilors wanted the Ordinance read in full, none did.

Mayor Mays asked the City Clerk to read the Ordinance by title only.

City Clerk Grossman read the ordinance by title only.

It was moved by Runyon and seconded by McGlothlin to adopt General Ordinance No. 20-1377 An Ordinance Amending Title 10 of The Dalles Municipal Code by adding Chapter 8.02 Short Term Rental License by title only. The motion carried 4 to 1: Runyon, McGlothlin, Miller, Randall voting in favor; Long-Curtiss voting opposed.

Chandler reviewed the staff report.

It was moved by McGlothlin and seconded by Randall adopt General Ordinance No. 20-1378 An Ordinance Amending Title 10 of The Dalles Municipal Code by Repealing Article 6.040 Bed and Breakfast and Vacation Rental. The motion carried 5 to 0: McGlothlin, Randall, Miller, Long-Curtiss, McGlothlin voting in favor; none voting opposed.

ACTION ITEMS

Consideration of A Resolution No.20-023 Authorizing the City Manager to Sign IGA with Klickitat County

Airport Manager Aryn Rasmussen reviewed the staff report.

She said the hangar would be used half for Columbia Gorge Community College aviation training and half for a long-term lease, or short-term lease for corporate jets. She said the grant would also extend utilities up the side of the runway to life fight lot opening up four additional lots.

It was moved by Miller and seconded by McGlothlin to approve Resolution No. 20-023 Authorizing the City Manager to sign the Intergovernmental Agreement with Klickitat County as part of the EDA grant. The motion carried 5 to 0: Miller, McGlothlin, Randall, Long-Curtiss, Runyon voting in favor; none voting opposed.

ADJOURNMENT

MINUTES
Regular City Council Meeting
September 14, 2020
Page 7

Being no further business, the meeting adjourned at 6:58 p.m.

Submitted by/
Izetta Grossman, CMC
City Clerk

SIGNED: _____
Richard A. Mays, Mayor

ATTEST: _____
Izetta Grossman, CMC City Clerk

RESOLUTION NO. 20-024

**A RESOLUTION ASSESSING THE REAL PROPERTY LOCATED AT
402 WEST FOURTH STREET FOR THE COSTS OF ABATEMENT OF JUNK**

WHEREAS, the City Code Enforcement Officer, posted a Notice to Abate Nuisance upon the following listed property on the date shown below;

<u>Property</u>	<u>Assessor's Map No.</u>	<u>Date of Posting</u>
402 West 2 nd Street	1N 13E 3 AA 3200	06/23/2020

and

WHEREAS, the following persons are the owner of the following listed property;

<u>Property</u>	<u>Owner</u>
402 West 4 th Street	Michiel Haley

and

WHEREAS, the Notice to Abate Nuisance required the removal of junk from the listed property pursuant to the provisions of Section 5.04.110 of The Dalles Municipal Code; and

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

WHEREAS, as a result of the owner's failure to abate the nuisance conditions on the property, the City hired the following listed contractor, who abated the nuisance conditions on the date listed below, for the cost listed below;

<u>Property</u>	<u>Contractor</u>	<u>Date of Abatement</u>	<u>Cost</u>
402 West 2 nd Street	F.L.I Landscape	7/30/20	\$700.00

and

WHEREAS, pursuant to Section 5.04.170 of The Dalles Municipal Code, on August 7, 2020 the City Clerk sent a Notice of Assessment by certified mail to Michiel Haley advising them that the total cost of the assessment for the property was \$1,200.00, which included a

\$500.00 administrative fee required by Section 5.04.160(C) of The Dalles Municipal Code, and that the listed sum would become a lien upon the property if the amount was not paid by August 28, 2020 by Michiel Haley; and

WHEREAS, the Notice of Assessment to Michiel Haley advised them they had until August 13, 2020 to file any objections to the proposed assessment; and

WHEREAS, Michiel Haley failed to file any objection by the stated deadline, and they failed to pay the balance of the assessment by the deadline listed in the Notice of Assessment, and the City Council finds that the statement of the amount of the proposed assessment is correct, and that no reason exists to justify any delay in proceeding with the imposition of a lien upon the property for the cost of the assessment;

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

Section 1. Assessment. The cost of the abatement of the nuisance conditions consisting of the removal of junk for the property located at 402 West 4th Street, is assessed upon the following property:

<u>Name/Address</u>	<u>Description</u>	<u>Final Assessment</u>
Michiel Haley	1N 13E AA 3200	\$1,200.00

The legal description for the property is shown in the attached Exhibit "A".

Section 2. Docket Entry. Upon passage of this Resolution and its approval by the Mayor, the following information shall be entered into the City Electronic Lien Docket:

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

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

Section 4. Effective Date. This Resolution shall be effective as of September 28, 2020.

PASSED AND ADOPTED THIS 28th DAY OF SEPTEMBER, 2020.

Voting Yes, Councilors: _____

Voting No, Councilors: _____

Absent, Councilors: _____

Abstaining, Councilors: _____

AND APPROVED BY THE MAYOR THIS 28th DAY OF SEPTEMBER, 2020.

Richard A. Mays, Mayor

Attest:

Izetta Grossman, CMC, City Clerk

EXHIBIT A

Legal Description

Commencing at the NE corner of block 9 of Extension of TREVITT'S ADDITION;
Thence westerly along the South line of Fourth Street; 109 feet;
Thence southerly at a right angle with street 150 feet;
Thence southerly at a right angle parallel with the street 109 feet to Pentland Street;
Thence northerly 150 feet to the point of beginning, all in the TREVITT'S ADDITION TO
DALLES CITY, in the City of The Dalles, County of Wasco and State of Oregon

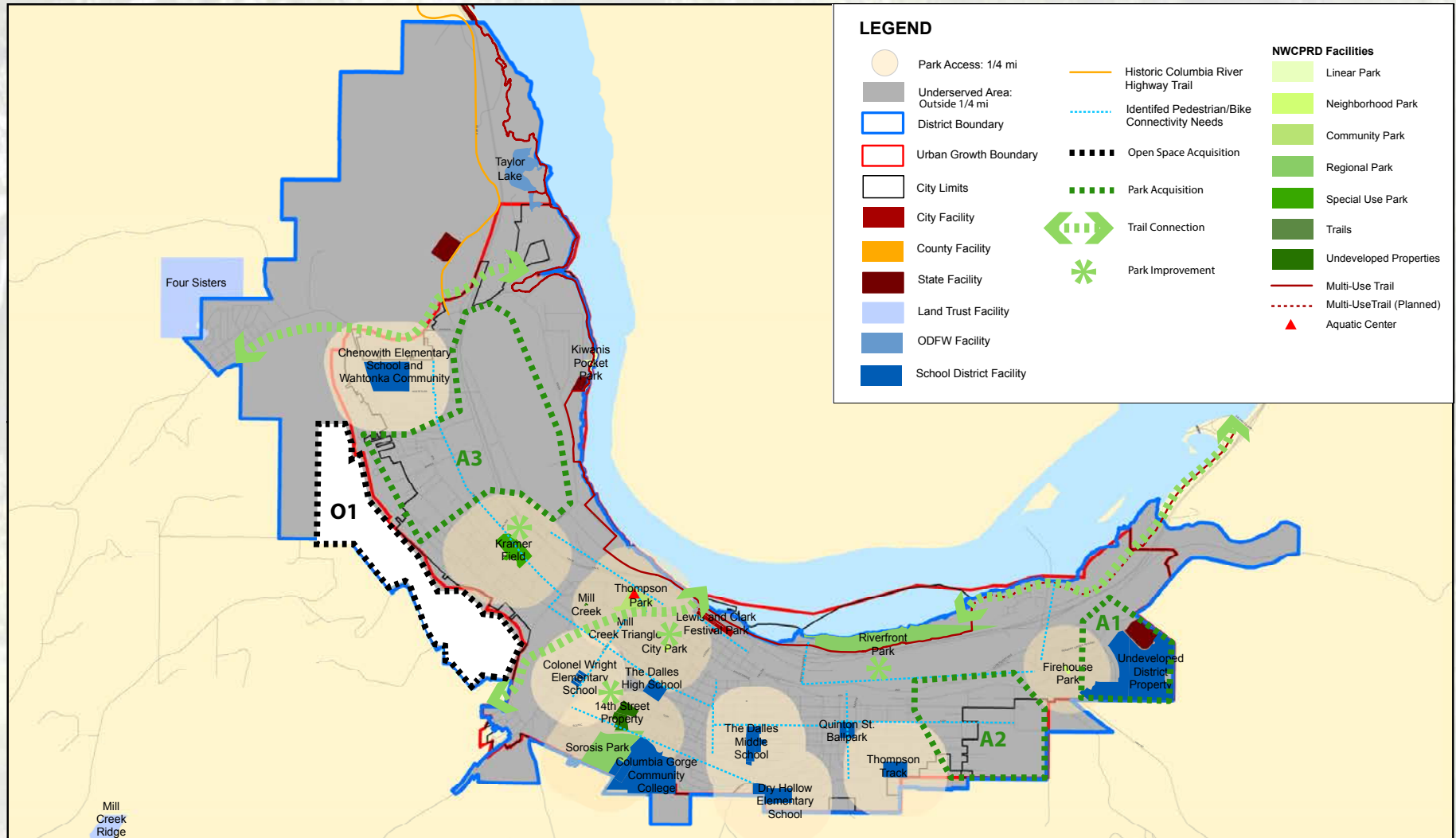
Northern Wasco County Parks and Recreation Master Plan

**TD City Council Adoption
September 28, 2020**

Goals

- 1. Identity:** Create a unique parks system with a strong identity that encourages resident involvement and is safe and accessible for all.
- 2. Distribution and Connectivity:** Improve physical connections between and to facilities and promote an equitable distribution of facilities within the community.
- 3. Funding and Partnerships:** Evaluate and establish new mechanisms for funding existing and future park and recreation facilities and programs, while strengthening relationships between NWCPRD and other partners.
- 4. Maintenance and Operations:** Manage and operate all facilities in a manner that promotes a safe, quality, and efficient parks system.
- 5. Sustainability:** Incorporate sustainable practices in park facility design, maintenance, and operations, and increase resident awareness of NWCPRD actions.
- 6. Community Resiliency:** Promote a social structure within the District's programming that encourages participation and diversity of activities and events.

Proposed Park System



14th Street Park



LEGEND	
PRECEDENT	SITE PLAN
	1 LAWN
	2 PARKING IMPROVEMENTS
	3 RESTROOM
	4 PICKLEBALL COURT
	5 DOG PARK

City Park



LEGEND		
PRECEDENT	SITE PLAN	
		1 TRADITIONAL PLAY AREA
		2 GREAT LAWN
		3 PARKING IMPROVEMENTS
		4 RESTROOM 20' X 25'
		5 FARMER'S MARKET SHELTER 20' X 92'
		6 PICNIC SHELTER 30' X 37'
		7 STAGE 15' X 25'

Riverfront Park



LEGEND

PRECEDENT



SITE PLAN

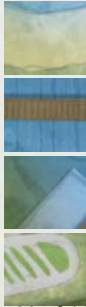


- 1 TRADITIONAL PLAY AREA
- 2 PICNIC SHELTER
- 3 RESTROOM
- 4 AMPHITHEATER

PRECEDENT



SITE PLAN



- 5 SANDY BEACH
- 6 BOARDWALK
- 7 PADDLERAFT LAUNCH
- 8 RV PARK

Kramer Field



LEGEND

PRECEDENT



SITE PLAN



- 1 TRADITIONAL PLAY AREA
- 2 LAWN
- 3 PARKING IMPROVEMENTS
- 4 RESTROOM AND CONCESSIONS
- 5 FIELD HOUSE
Press Box
Concessions
Restrooms
- 6 BASEBALL/SOFTBALL/
LITTLE LEAGUE
- 7 SOCCER FIELD
210' x 345'
215' x 300'
- 8 NATURAL TURF
- 9 SYNTHETIC TURF

KRAMER FIELD



Thompson Park



Total Master Plan Projects Summary

SUM PRIORITY LEVEL	COST
High Priority Projects	\$5,675,275
Medium Priority Projects	\$7,983,700
Low Priority Projects	\$27,385,100
TOTAL	\$41,044,075

Funding Strategy

- System Development Charges
- Grants
- Donations
- Local Improvement District (LID)
- General Obligation Bond
- Partnerships
- Relationships
- Performance Measures



AGENDA STAFF REPORT

AGENDA LOCATION: Public Hearing Item #10 Bi

MEETING DATE: September 28, 2020

TO: Honorable Mayor and City Council

FROM: Dawn Marie Hert, Senior Planner,
Community Development Department

ISSUE: Public Hearing to consider General Ordinance No. 20-1382 amending the Comprehensive Plan Goal 8, Policy 10: *Recreational Needs of The Dalles Comprehensive Land Use Plan*, and adopting the Northern Wasco County Parks and Recreation District Master Plan as a background document in Volume III of The Dalles Comprehensive Plan, to serve as the City's long range recreation plan for The Dalles Urban Growth Boundary Area.

BACKGROUND: The proposed comprehensive plan amendment updates Goal 8, Policy 10: Recreational Needs of The Dalles Comprehensive Land Use Plan, and acknowledges the Northern Wasco County Parks and Recreation District's Parks and Recreation Master Plan.

The Northern Wasco County Parks and Recreation District Board adopted the Parks and Recreation Master Plan in April 2019. The Master Plan is the District's first adopted comprehensive system plan. Policy 10 of Goal 8: Recreational Needs of The Dalles Comprehensive Land Use Plan, requires acknowledgement of the District's Park and Recreation Master Plan as a background document in Volume III of The Dalles Comprehensive Plan, in order to serve as the City's long range recreation plan for The Dalles Urban Growth Boundary Area.

This application is a legislative action under the provisions of Article 10.3.110 Ordinance Amendments, 10.3.110.020 Review Procedure and 10.3.020.060(A) (2) Legislative Actions.

The proposed additions to The Dalles Comprehensive Plan are shown in **bold and underlined** text and proposed deletions are shown in ~~striketrough~~ text as follows:

Goal 8 Policies

10. The Northern Wasco County Parks and Recreation District's Parks **and Recreation** Master Plan shall be acknowledged as a background document in Volume H **III** of The Dalles Comprehensive Plan, to serve as the City's long range recreation plan for The Dalles Urban **Growth Boundary Area along with facility plans for the City of The Dalles and North Wasco County School District 21.** A parks and open space standard of ten acres per 1,000 population should be adopted as part of the Parks Master Plan **achieved within the urban area.** **The Parks and Recreation Master Plan shall include improvement, acquisition, and development goals and recommendations that directed toward maintain maintaining the ratio of acres of park land per 1,000 residents at the current level of service and ensuring that parks and open space areas are equitably distributed throughout the community.**

On February 20, 2020 and July 2, 2020, the City Planning Commission conducted a public hearing upon proposed amendments to Policy #10 of Goal #8: Recreational Needs of The Dalles Comprehensive Plan and voted to adopt Resolution No. P.C. 589-20 recommending City Council to approve Comprehensive Plan Amendment #46-20. The Planning Commission staff report, with findings, is attached for reference.

BUDGET IMPLICATIONS: None.

COUNCIL ALTERNATIVES:

1. **Staff recommendation:** *Move to adopt General Ordinance No. 20-1382 amending Policy #10 of Goal #8: Recreational Needs of The Dalles Comprehensive Land Use Plan and acknowledging the Northern Wasco County Parks and Recreation District's Parks and Recreation Master Plan as a background document in Volume III of The Dalles Comprehensive Plan, to serve as the City's long range recreation plan for The Dalles Urban Growth Boundary Area.*
2. Decline adoption of General Ordinance No. 20-1382.



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125
COMMUNITY DEVELOPMENT DEPARTMENT

***UPDATED* STAFF REPORT** **Comprehensive Plan Amendment 46-20**

Procedure Type: Legislative

Public Hearing Date: February 20, 2020, continued to July 2, 2020

Applicant: City of The Dalles

Request: The proposed Comprehensive Plan Amendment updates Policy #10 of Goal #8: Recreational Needs of The Dalles Comprehensive Land Use Plan to be consistent with the Northern Wasco County Parks and Recreation District's Parks and Recreation Master Plan.

Properties: All properties within the City of The Dalles Urban Growth Boundary

Prepared by: Dawn Marie Hert, Senior Planner

BACKGROUND INFORMATION:

The proposed comprehensive plan amendment updates Policy #10 of Goal #8: Recreational Needs of The Dalles Comprehensive Land Use Plan to be consistent with the Northern Wasco County Parks and Recreation District's Parks and Recreation Master Plan.

The Northern Wasco County Parks and Recreation District Board adopted the Parks and Recreation Master Plan in April 2019. The Master Plan is the District's first adopted comprehensive system plan. Policy #10 of Goal #8: Recreational Needs of The Dalles Comprehensive Land Use Plan requires the acknowledgement of the District's Park and Recreation Master Plan as a background document in Volume III of The Dalles Comprehensive Plan, in order to serve as the City's long range recreation plan for The Dalles Urban Growth Boundary Area.

The original proposed additions to The Dalles Comprehensive Plan are shown in **bold** text, the amended additions are shown in **bold and underlined** text and proposed deletions are shown in ~~strikethrough~~ text as follows:

Goal 8 Policies

10. The Northern Wasco County Parks and Recreation District's Parks and Recreation Master Plan shall be acknowledged as a background document in Volume II of The Dalles Comprehensive Plan, to serve as the City's long range recreation plan for The Dalles Urban Growth Boundary Area along with facility plans for the City of The Dalles and North Wasco County School District 21. A parks and open space standard of ten acres per 1,000 population should be adopted as part of the Parks Master Plan achieved within the urban area. The Parks and Recreation Master Plan shall include improvement, acquisition, and development goals and recommendations that directed toward maintain maintaining the ratio of acres of park land per 1,000 residents at the current level of service and ensuring that parks and open space areas are equitably distributed throughout the community.

Staff is recommending that the Planning Commission recommend the above changes of The Dalles Comprehensive Plan to the City Council.

COMMENTS:

As of the date of the staff report, no formal comments have been received by the Community Development Department.

A. CITY OF THE DALLES MUNICIPAL CODE – TITLE 10- LAND USE AND DEVELOPMENT

Article 10.3.010.040 Applications:

FINDING #1: This application is initiated by the Director pursuant to the provisions of Section 10.3.010.040 F. The application was deemed complete on January 16, 2020. Criterion met.

Article 10.3.020 Review Procedures, Article 10.3.020.060 Legislative Actions:

Section A. Decision types. 4. Amendments to the Comprehensive Plan:

FINDING #2: This application is for Amendments to the Comprehensive Plan. Criterion met.

Section B. Public Hearings. The Commission shall hold at least one legislative public hearing to review applications for legislative actions and, by duly adopted resolution, make a recommendation to the Council to approve, approve with conditions, or deny the request.

FINDING #3: The public hearing has been set for February 20, 2020 and continued to the March 19, 2020 meeting. Criterion met.

Article 10.3.020.060 Legislative Actions:

Section C. Notice of Hearing. At least 10 days before the legislative hearings, notice of the hearing shall be published in a newspaper of general circulation.

FINDING #4: A notice of hearing containing the information required was published in The Dalles Chronicle on February 8, 2020 and again on March 7, 2020. Criterion met.

Notice of Amendments as required by the State of Oregon, Department of Land Conservation and Development.

The Department of Land Conservation and Development requires a 35 day advance notice of any proposed amendments.

FINDING #5: The required notice was sent on January 16, 2020, which is 35 days prior to the first hearing on the text amendment to the Comprehensive Plan. Criterion met.

Section 10.3.020.070(A)(3) Staff Report.

A staff report shall be presented which identifies the criteria and standards applying to the application and summarizes the basic findings of fact. The staff report may also include a recommendation for approval, approval with conditions, or denial.

FINDING #6: The staff report has identified the criteria and standards as they relate to this application and has summarized the basic findings of fact. The staff report does include a recommendation for approval. Criterion met.

Section 10.3.110.030 Review Criteria

Proposed text amendments shall be consistent with the Comprehensive Plan, and State Laws and Administrative Rules.

FINDING #7: The proposed amendments are consistent with the Comprehensive Plan, State Laws, and Administrative Rules. Criterion met.

B. COMPREHENSIVE PLAN

1. Explain the justification for the proposed Comprehensive Plan Amendment.

FINDING #8: The reference in Policy #10 of Goal 8 to the Parks and Recreation Master Plan be adopted as part of the background documents for Volume II of the Comprehensive Plan is an error, as the Plan is clearly listed as part of the documents in Volume III on page 4. The proposed amendments update the policy to correct the error and reference Volume III.

Policy 10 also includes a recommendation to adopt a parks and open space standard of ten acres per 1,000 population. Within The Dalles Urban Growth Boundary, parks and recreation facilities are provided by NWCPRD, the City of The Dalles, and North Wasco County School District 21. The proposed amendments update the policy to recognize agency efforts and collaboration toward meeting the recommended standard. In addition, the proposed amendments modify the policy to accurately reflect the vision and intent of the Parks and Recreation Master Plan.

The National Recreation and Park Association (NRPA) curates an annual report that summarizes key findings generated by the NRPA Park Metrics, a benchmarking tool that evaluates an agency's performance. Two benchmarks

analyzed in the 2018 NRPA Performance Review report are the ratio of residents per park, and the acres of park land per 1,000 residents as a means of gauging appropriate level of service. The ratio of acres of park land per 1,000 residents is calculated based on the current acreage of park land (127.44 acres) and the current population estimate divided by 1,000 (12.744).

Based on this equation, the acres of park land per 1,000 residents in The Dalles is 8.71 acres per 1,000 residents.

The newly adopted Parks and Recreation Master Plan does not include a specific level of service standard. The District has a robust inventory of community resources: linear parks, neighborhood parks, community parks, regional parks, special use parks, trails, and open spaces. These resources are also accompanied by school district facilities, city facilities, college facilities, private facilities, and facilities owned by the Columbia Land Trust, and other organizations. Overall, the District is performing well above the median in terms of overall operating expenditure, and expenditure per capita, and per park sites.

The Dalles can expect a population increase within the next 20 years. This growth prompts the need to consider how the existing levels of service benchmarks measured both as the ratio of residents per park, and the acres of park land per 1,000 residents, can continue to at least be maintained at their current level, if not improved. In order to maintain the ratio of residents per park at an appropriate service level, NWCPRD will need to increase the number of parks in its ownership by approximately one park (0.6 parks) every five years. In order to maintain the ratio of acres of park land per 1,000 residents at an appropriate service level, NWCPRD will need to increase the amount of park acreage in its ownership by approximately 7.7 acres every five years.

The Parks and Recreation Master Plan contains park improvement, acquisition, and development recommendations that are directed at maintaining the current level of service over the next 20 years, or through 2040. The proposed amendments to Policy #8 modify the policy to be consistent with the Plan. Therefore, this criterion is satisfied.

2. Describe how the proposed amendment is compatible with or will further the goals established by the Community for the subject area. The goals are listed in the Comprehensive Plan.

FINDING #9: The proposed amendment is compatible with Goal #8 as follows:
GOAL #8: RECREATIONAL NEEDS

To satisfy the recreational needs of the citizens of the state and visitors.

The goal includes several references to the District and the District Board:

- The “Parks and Recreation Needs” section of the goal discusses the Districts’ role in recreation planning and implementation and assistance is promoting and coordinating trail and park development.
- Policy #1 requires that the City “work with residents, community groups

and the Northern Wasco County Park & Recreation District Board to identify and provide for park and recreation needs, to maintain and develop neighborhood and community parks, and to identify uses for underdeveloped park lands.”

- Policy #10 requires that the City adopt the District’s Park and Recreation Master Plan as a background document to The Dalles Comprehensive Plan.
- Policy #11 states that the [Park and Recreation Master Plan] “shall strive to provide neighborhood parks within a 5 minute walk or 1,500 feet of all residential areas” and that it “shall consider funding mechanisms for acquisition, development and maintenance of park and recreation facilities.”
- Policy #12 states that the Plan should “encourage a connected park and open space system in order to provide for small private open space areas.” The policy further identifies potential pedestrian and bicycle and landscape improvements.

The community needs assessment component of the Park and Recreation Master Plan included focus group meetings, and online survey, stakeholder interviews, open house events, and an analysis of national, regional, and state recreation trends. The Plan’s vision statement is as follows:

“The Northern Wasco County Parks and Recreation District system is comprised of distinctive and accessible parks that promote healthy lifestyles, showcase social, cultural, educational, and recreational opportunities, and meet the needs of a diverse community.”

The vision is further articulated and defined by a series of goals and actions addressing identify, distribution and connectivity, funding and partnerships, maintenance and operations, sustainability, and community resiliency. The process that led to the preparation of the Plan, and subsequent adoption by the District Board, is demonstration of a concerted effort to meet the recreational needs of the citizens of the state and visitors, consistent with Goal #8. The proposed amendment does not affect any other goals in the Comprehensive Plan or create any inconsistency within the Comprehensive Plan. Therefore, this criterion is satisfied.

3. Describe how the proposed Comprehensive Plan Amendment will further the interests of public health, safety, and general welfare.

FINDING #10: The Parks and Recreation Master Plan contains specific goals that address public health, safety, and general welfare, as follows:

1. Identity

Create a unique parks system with a strong identity that encourages resident involvement and is safe and accessible for all.

2. Distribution and Connectivity

Improve physical connections between and to facilities and promote an equitable distribution of facilities within the community.

3. *Funding and Partnerships*

Evaluate and establish new mechanisms for funding existing and future park and recreation facilities and programs, while strengthening relationships between NWCPRD and other partners.

4. *Maintenance and Operations*

Manage and operate all facilities in a manner that promotes a safe, quality, and efficient parks system.

5. *Sustainability*

Incorporate sustainable practices in park facility design, maintenance, and operations, and increase resident awareness of NWCPRD actions.

6. *Community Resiliency*

Promote a social structure within the District's programming that encourages participation and diversity of activities and events.

The proposed amendments enable adoption of the Parks and Recreation Master Plan, as previously adopted by the District board, as a background document to the Comprehensive Plan. The inclusion of the Plan and its supporting goal and policy direction in the Comprehensive Plan framework will further public health, safety, and welfare interests consistent with the above criterion.

4. Describe the effect the proposed amendment would have on surrounding properties.

FINDING #11: The proposed amendments correct an inconsistency in the text of Policy #10 and update the Policy to reflect a new Plan adopted by the NWCPRD Board. As the proposed amendments affect a District-wide plan, they are not site-specific and will not have an effect on individual or surrounding properties. Therefore, this criterion is satisfied.

C. DISCUSSION

The proposed amendments are subject to revision or deletion. The Commission will forward a recommendation on the amendments to the City Council. The final decision on all the proposed amendments will be made by the City Council.

STAFF RECOMMENDATION:

Staff recommends the following:

Motions:

1. Move to recommend that the City Council accept the Parks and Recreation Master Plan as a background document to Volume III of City's Comprehensive Plan; and

2. Move to recommend to the City Council Goal 8, Policy 10 be amended to read as follows:

Goal 8 Policies

10. The Northern Wasco County Parks and Recreation District's Parks and Recreation Master Plan shall be acknowledged as a background document in Volume III of The Dalles Comprehensive Plan, to serve as the City's long range recreation plan for The Dalles Urban Growth Boundary Area along with facility plans for the City of The Dalles and North Wasco County School District 21. A parks and open space standard of ten acres per 1,000 population should be adopted as part of the Parks Master Plan achieved within the urban area. The Parks and Recreation Master Plan shall include goals and recommendations directed toward maintaining the ratio of acres of park land per 1,000 residents at the current level of service and ensuring that parks and open space areas are equitably distributed throughout the community.

GENERAL ORDINANCE NO. 20-1382

AN ORDINANCE AMENDING POLICY #10 OF GOAL #8: RECREATIONAL NEEDS OF THE DALLES COMPREHENSIVE LAND USE PLAN

WHEREAS, on February 20, 2020 and July 2, 2020, the City Planning Commission conducted a public hearing upon proposed amendments to Policy #10 of Goal #8: Recreational Needs of The Dalles Comprehensive Plan and voted to adopt Resolution No. P.C. 589-20 recommending City Council to approve Comprehensive Plan Amendment #46-20; and

WHEREAS, the City Council conducted a public hearing on September 28, 2020, to consider the Planning Commission's recommendations, and following the close of the public hearing, the City Council conducted deliberations, and the Council members voted to accept the text amendments set forth below, based upon the following findings:

1. Goal #1 of the City's Comprehensive Plan concerning citizen involvement seeks to develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process. Policy #3 states that the land-use planning process and policy framework shall include opportunity for citizen input as a part of the basis for all decisions and actions related to the use of land. This proposal is consistent with goals and policies of the Comprehensive Plan. A notice of the public hearing held by the Planning Commission was published and the public had an opportunity to provide testimony on the proposed changes to the Planning Commission. The Planning Commission made alterations to the proposed amendments based on testimony at the first hearing. Notice of the public hearing before the City Council was also advertised, and the public was provided an additional opportunity to comment upon the proposed text amendments.

2. Goal #8 of the City's Comprehensive Plan regarding Recreational Needs seeks to satisfy the recreational needs of the citizens of the state and visitors. The goal includes several references to the District and the District Board:

- The "Parks and Recreation Needs" section of the goal discusses the Districts' role in recreation planning and implementation and assistance is promoting and coordinating trail and park development.
- Policy #1 requires that the City "work with residents, community groups and the Northern Wasco County Park & Recreation District Board to identify and provide for park and recreation needs, to maintain and develop neighborhood and community parks, and to identify uses for underdeveloped park lands."
- Policy #10 requires that the City adopt the District's Park and Recreation Master Plan as a background document to The Dalles Comprehensive Plan.
- Policy #11 states that the [Park and Recreation Master Plan] "shall strive to provide neighborhood parks within a 5 minute walk or 1,500 feet of all residential areas" and that it "shall consider funding mechanisms for acquisition, development and maintenance of park and recreation facilities."
- Policy #12 states that the Plan should "encourage a connected park and open space system in order to provide for small private open space areas." The policy further identifies potential pedestrian and bicycle and landscape improvements.

The community needs assessment component of the Park and Recreation Master Plan included focus group meetings, and online survey, stakeholder interviews, open house events, and an

analysis of national, regional, and state recreation trends. The Plan’s vision statement is as follows:

“The Northern Wasco County Parks and Recreation District system is comprised of distinctive and accessible parks that promote healthy lifestyles, showcase social, cultural, educational, and recreational opportunities, and meet the needs of a diverse community.”

The vision is further articulated and defined by a series of goals and actions addressing identify, distribution and connectivity, funding and partnerships, maintenance and operations, sustainability, and community resiliency. The process that led to the preparation of the Plan, and subsequent adoption by the District Board, is demonstration of a concerted effort to meet the recreational needs of the citizens of the state and visitors, consistent with Goal #8. The proposed amendment does not affect any other goals in the Comprehensive Plan or create any inconsistency within the Comprehensive Plan.

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

Section 1. Goal 8, Policy 10 be amended to read as follows:

Goal 8 Policies

10. The Northern Wasco County Parks and Recreation District’s Parks and Recreation Master Plan shall be acknowledged as a background document in Volume III of The Dalles Comprehensive Plan, to serve as the City’s long range recreation plan for The Dalles Urban Growth Boundary Area along with facility plans for the City of The Dalles and North Wasco County School District 21. A parks and open space standard of ten acres per 1,000 population should be adopted as part of the Parks Master Plan achieved within the urban area. The Parks and Recreation Master Plan shall include goals and recommendations directed toward maintaining the ratio of acres of park land per 1,000 residents at the current level of service and ensuring that parks and open space areas are equitably distributed throughout the community.

PASSED AND ADOPTED THIS 28TH DAY OF SEPTEMBER, 2020.

Voting Yes, Councilors: _____

Voting No, Councilors: _____

Abstaining, Councilors: _____

Absent, Councilors: _____

AND ADOPTED THIS 28TH DAY OF SEPTEMBER, 2020.

Richard A. Mays, Mayor

Attest:

Izetta Grossman, CMC, City Clerk



AGENDA STAFF REPORT

AGENDA LOCATION: Contract Review Board Item# 11 A

MEETING DATE: September 28, 2020

TO: Honorable Mayor and City Council

FROM: Dale McCabe, PE, City Engineer

ISSUE: Recommendation for award of 2020 Sanitary Sewer CIPP Lining,
Contract No. 2020-005

BACKGROUND: The City of The Dalles Public Works Department advertised for bids for the 2020 Sanitary Sewer CIPP Lining Project, Contract No. 2020-005. The scope of work for the project was stated as follows: “The work to be performed shall consist of furnishing all materials, labor and equipment necessary in the installation of approximately 6,600 feet of sanitary sewer cured in place pipe liner, along with testing and chemical grouting of the service connections. All work will be conducted in accordance with the contract documents.”

The City currently has about 47,890 feet of clay sanitary sewer pipe in its system that is 50-100 years old, and over 280,775 feet of concrete pipe that is approximately 30-50 years old. Both of these types of pipe can experience cracking, breaks or joint separation that allow roots to intrude into the pipe and cause blockages, or allow sewage to leak out. Breaks in the pipes can also allow ground and/or stormwater to enter the sanitary sewer system thereby increasing flows to the wastewater treatment plant. The Public Works Department has developed a program of annually inspecting, prioritizing, and repairing deteriorated and high maintenance sections of the sanitary sewer or storm sewer systems. The goal of the inspection program is to complete about 15% of the system per year. To date, about 90% of the system has been video inspected. Nearly all of the clay pipe and much of the concrete pipe needs to be rehabilitated or replaced.

Based on the City’s experiences over the last several years, it has been demonstrated that slip-lining old sanitary sewer pipes with cured in place pipe (CIPP) is a very cost effective and expedient way to repair the lines without

having to excavate and completely replace them. Given the backlog of needed sanitary sewer pipeline rehabilitation, the Public Works Department has tried to complete \$300,000-\$500,000 of contracted slip-lining annually. This fiscal year, \$400,000 was budgeted for this project.

The bid opening for this contract was held on September 10, 2020 at 2:00 pm for which we received three responsive bids. The bids received were as follows:

1. Insituform Technologies, LLC., in the amount of \$317,425.20
2. Michels Corporation, in the amount of \$393,180.90
3. Planned and Engineered Construction, in the amount of \$425,000.00

The Engineer's Estimate for this project was \$373,021.00.

The bids were reviewed by City staff to make sure that the proper material was submitted and the bids were deemed complete.

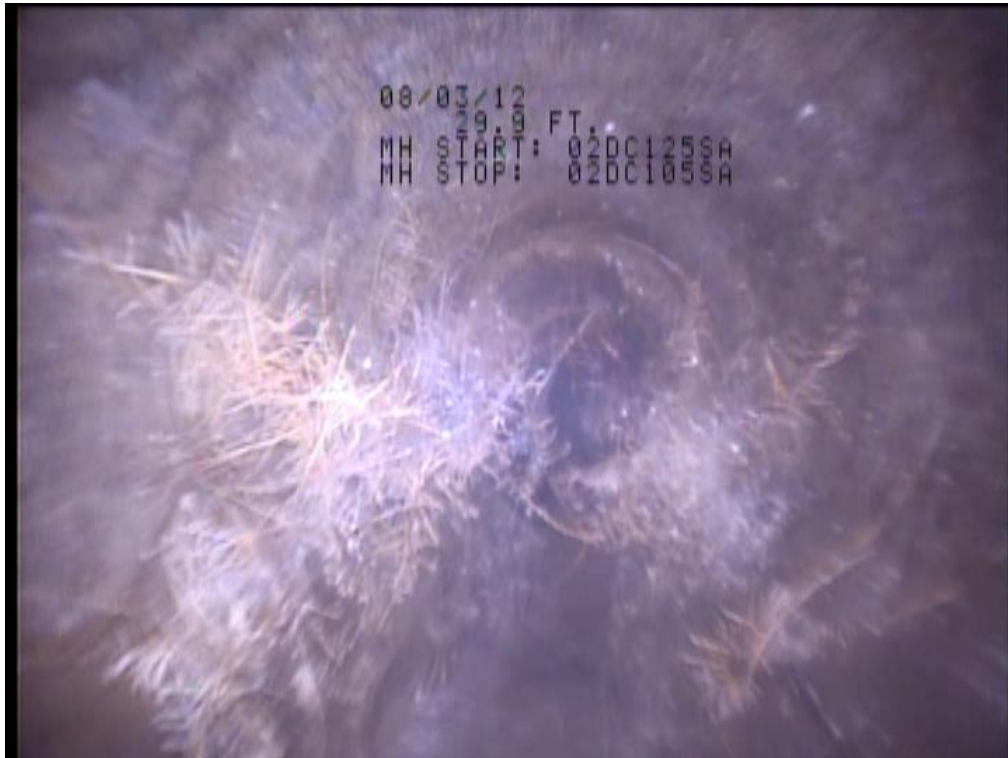
(Included with this staff report are some before and after photos of sanitary sewer lines that have been treated with CIPP lining in recent years because of cracks in the existing line, segments of missing pipe, and root intrusion into the line.)

BUDGET IMPLICATIONS: A total of \$400,000 is budgeted for this project in the Sewer Special Reserve Fund 56, Line Code 7630. The low bid for the project falls well below the Engineer's Estimate and the amount that was budgeted and is available for this project.

COUNCIL ALTERNATIVES:

1. **Staff Recommendation:** *Authorize the City Manager to enter into contract with Insituform for the 2020 Sanitary Sewer CIPP Lining, Contract No. 2020-005, in an amount not to exceed \$317,425.20.*
2. Request that staff provide additional information in response to questions raised by City Council.
3. Deny authorization to proceed with the contract.

Root Intrusion

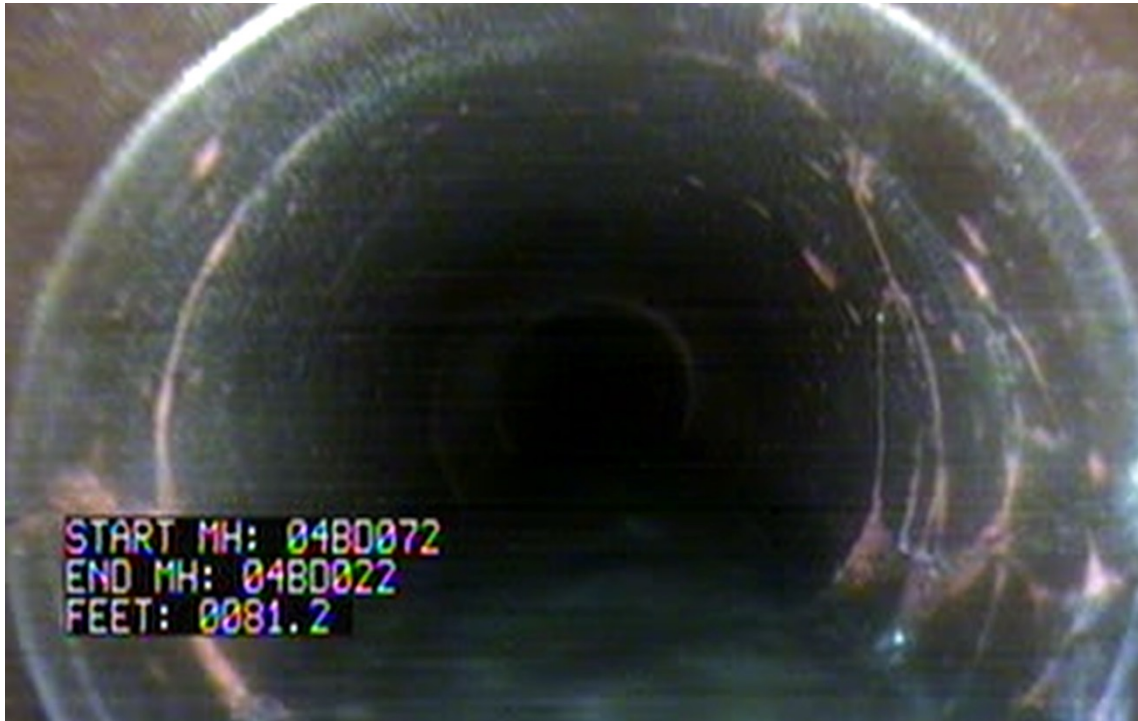


Roots at pipe joints



Same location after pipe lining

Cracks and Fractures

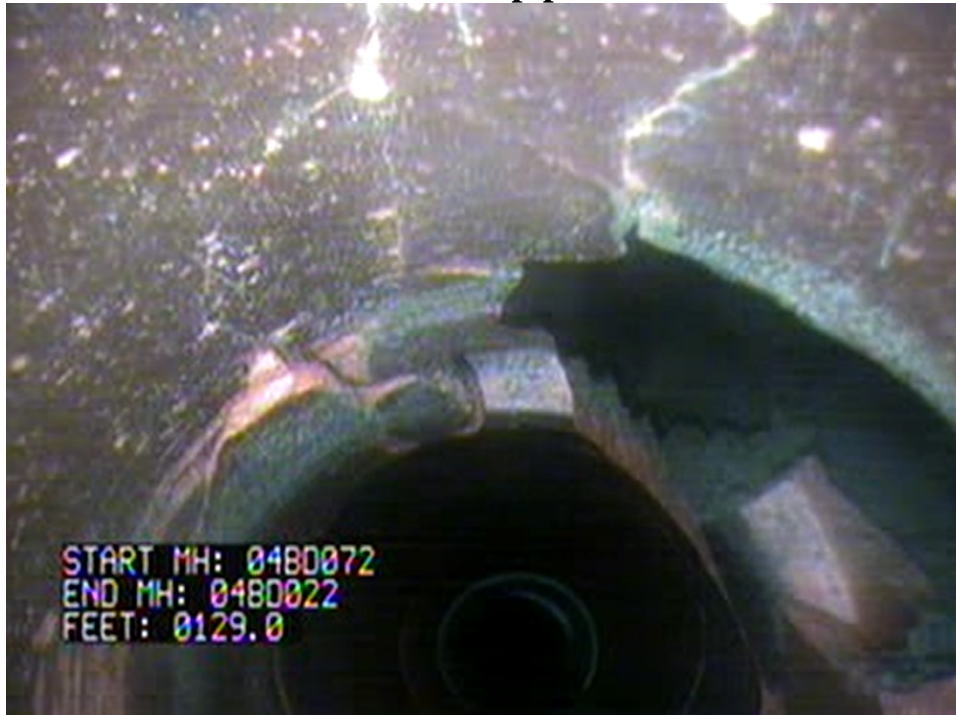


Cracks and fractures forming at the sides



Same location after pipe lining

Hole in pipe



Hole at top right of 8" clay pipe



Same location after pipe lining



SHEETS:

VICINITY MAP - 1

NOTES SHEET - 2

SEWER MAINS TO BE LINED - 3 TO 12

TRAFFIC CONTROL DETAILS - 13



City of The Dalles
Public Works Department
1215 West 1st Street
The Dalles, OR 97058

VICINITY MAP FOR:
CONTRACT NO. 2020 - 005
2020 SANITARY SEWER CIPP LINING

SCALE:

NTS

SHEET #

1

CONTRACT #

2020-005



AGENDA STAFF REPORT

AGENDA LOCATION: Action Item #12 A

MEETING DATE: September 28, 2020

TO: Honorable Mayor and City Council

FROM: City Manager Julie Krueger

ISSUE: New Sergeant Position in Police Department and Adjusting Salary Range of Codes Enforcement Officer Position.

BACKGROUND: From 2017 through 2019 the Patrol Division realized an increase of 2722 calls to service, an increase of 15.5%. From 2017 through 2019 the Criminal Division (detectives) realized an increase of 419 criminal calls to service for an increase of 14%.

The negative impact on our community due to the increased call to service is the police department's inability to provide service levels that keep our community safe and meet the community's expectations.

Typically, there is one Detective Sergeant that supervises (3) Detectives, and (1) NEAT officer. It is critical to have a direct line supervisor overseeing all criminal investigations. The Detective Sergeant not only reviews and supervises criminal investigations, he/she also reviews (daily) criminal reports (average of 15 reports daily) generated from the patrol officers to ensure all the elements of a crime are included and ensure the reports are properly prepared for prosecution.

There are three Patrol Sergeants who supervise 15 patrol officers 24 hours, seven days a week. With the increased volume of work, and the nature of the complex calls in today's policing, it is more important than ever to have accessible, direct line supervision for officers working the street.

Currently the primary duties Captain Carrico and Chief Ashmore have been administration based. Typically, law enforcement administrators run the business side of the police department, as well as oversee operations. The past two and a half years both have covered patrol shifts to maintain mandatory patrol coverage minimums due to the

consistent personnel vacancies.

The last two and a half months the police department has seen an increase of citizens' complaints and body camera video requests. Staff has been overwhelmed with video redaction work. Just last month over 60 hours were spent in redacting and reviewing videos. With the current state police reform agenda, citizen complaints will continue which will require the attention of our administration. The Chief is comfortable with the police department's current ability to be transparent and meet the State's reform agenda legislative bills that are coming, but also feel it is imperative that we are doing everything in our scope of responsibility to ensure we are "running a tight ship."

With the addition of Code Enforcement to the police department, there is going to be additional administrative work incorporating the program, establishing roles and responsibilities, developing policies that will meet the police department's expectations, and supervising the Code Enforcement Officer.

With the added administrative challenges, we will have an administrative short fall in day to day administration, slowing important processes that include citizens' complaints, discipline, and over all day to day processes.

It is important to have direct line supervisors for our police officers, but it's becoming just as important to have more oversight of police department policies, training, discipline, and supervision of our non-sworn personnel.

The proposal to add a Sergeant position would involve promoting a Sergeant from within our existing ranks, and hiring a new police officer to backfill the newly promoted Sergeant. The Sergeant would be an administrative Sergeant who would be responsible for supervising the Code Enforcement Officer, Evidence Officer, Animal Control Officer, and the NEAT Officer. The administrative Sergeant would also be in charge of discipline oversight, policy overview, and agency training coordination.

Having a Sergeant overseeing the above areas would free up other supervisors and enable them to focus on their subordinate officers and not have to be as involved in other administration that often takes them off the street. With five police officers with less than three years of experience working in patrol, it is important to have more daily/nightly supervision. Line supervisors need to be readily available to, mentor, manage day to operations, review reports and investigations, and manage critical incidents

The administrative Sergeant would also be available to cover patrol shifts in those circumstances the patrol schedule had gaps in mandatory coverage.

The wage difference between a step one police officer and a step one Sergeant is approximately \$9,456.00 a year or approximately a 15%. That increase reflects all incentives received by both officers and sergeants.

Adding a Sergeant to the police department will bring our staffing level to 25 sworn police officers, an increase of 8.7% of sworn officers available to respond to calls. That will greatly help address the 15% increased call volume in patrol, and the 14% increased call volume in criminal.

This request includes all cost to include shared equipment for a new officer.

BUDGET IMPLICATIONS: Total annual cost to add this position is \$120,408. This position will start in January 2021. This would be a budget adjustment of \$60,205 and reduce our contingency by 7.73% for the fiscal year 2020/21. In addition, the Human Resources Director has conducted a salary survey for the Codes Enforcement position. We have added to responsibility and duties with this change. The salary should be moved to Step “W” on the exempt pay scale. The position would start at step 3 on the new scale so as not to reduce the current salary.

COUNCIL ALTERNATIVES:

1. Staff recommendation: *Move to authorize an administrative Sergeant position to the Police Department, effective January 1, 2021 and move the Codes Enforcement Position from salary schedule AA to W, effective January 1, 2021.*
2. The Council could choose to keep the codes enforcement position at its current salary level.
3. The City Council could choose to not add the Sergeant position at this time. If so, it would not be possible to implement the more robust Codes Enforcement Program without needed supervision.



AGENDA STAFF REPORT

AGENDA LOCATION: Action Item #12 B

MEETING DATE: September 28, 2020

TO: Honorable Mayor and City Council

FROM: Angie Wilson, Finance Director

ISSUE: Resolution No. 20-021 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

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 resolutions contain the following items:

Resolution No. 20-021 transfers \$124,025 from the Contingency line item to cover the following items:

- 1) \$2,400 is needed from the General Fund Contingency to compensate the Judicial Department for the Contract with Wasco County. This contract is to provide functions associated with misdemeanor criminal cases in the Municipal Court. In the contract, it states that we will increase the contract by three percent (3%) during each renewal term. This was inadvertently left out of the budget.
- 2) \$2,900 is needed from the General Fund Contingency to add a Body worn Camera and additional storage for the Codes Department.
- 3) \$10,084 is needed from the General Fund Contingency to compensate for the Police Department. This will cover \$2,584 for the EIS Computer Aided Dispatch that was inadvertently left out of the budget, \$3,000 for additional clothing allowance that will be

needed for the one new officer. The police department has budgeted to replace an all-wheel drive Dodge Charger this year. Dodge is no longer making all wheel drive Charger in the V-8 platform, which enables us to maintain the same vehicle platform. The alternative to this would be to purchase a Ford Explorer. This will increase the cost to purchase by \$4,500 that is currently not in the budget.

4) \$60,205 is needed from the General Fund Contingency for the Police Department to add the additional police officer position that is included in the City Manager Departmental report.

5) \$48,436 is needed from the General Fund Contingency for the Human Resource Department to add temporary/parttime salaries for Tutors. Due to Covid 19, The City Manager would like to authorize this service to help families with School Services at the Library.

BUDGET IMPLICATIONS: Resolution No. 20-021 transfers currently budgeted amounts, and does not have any impact on the total budget of the General Fund.

COUNCIL ALTERNATIVES:

1. Staff recommendation: *Move to adopt Resolution No. 20-021 Authorizing Transfers of Funds between Departments of the General Fund of the City of The Dalles Budget, Making Appropriations and Authorizing Expenditures for Fiscal Year Ending June 30, 2021.*
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. 20-021

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 THE FISCAL YEAR ENDING JUNE 30, 2021.

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

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

WHEREAS, \$60,205 is needed in the Police Department to cover a new police officer position that was not budgeted; and

WHEREAS, \$10,084 is needed from the General Fund Contingency to compensate for the Police Department. This will cover \$2,584 for the EIS Computer Aided Dispatch that was inadvertently left out of the budget, \$3,000 for additional clothing allowance that will be needed for the one new officer. The police department has budgeted to replace an all-wheel drive Dodge Charger this year. Dodge is no longer making all wheel drive Charger in the V-8 platform, which enables us to maintain the same vehicle platform. The alternative to this would be to purchase a Ford Explorer. This will increase the cost to purchase by \$4,500 that is currently not in the budget; and

WHEREAS, \$2,400 is needed from the General Fund Contingency to compensate the Judicial Department for the Contract with Wasco County. This contract is to provide functions associated with misdemeanor criminal cases in the Municipal Court. In the contract, it states that we will increase the contract by three percent (3%) during each renewal term. This was inadvertently left out of the budget; and

WHEREAS, \$2,900 is needed from the General Fund Contingency to add a Body worn Camera and additional storage for the Codes Department; and

WHEREAS, \$48,436 is needed from the General Fund Contingency for the Human Resource Department to add temporary/part-time salaries for Tutors. Due to Covid 19, The City Manager would like to authorize this service to help families with School Services at the Library; and

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

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

<u>FUND OR DEPT.</u>	<u>BUDGETED</u>	<u>RESOURCES NEEDED</u>	<u>REALLOCATED</u>
<u>GENERAL FUND (001)</u>			
from General Fund Contingency	\$ 778,850	\$ 654,825	- \$ 124,025
to Police Department	\$ 4,263,798	\$ 4,334,087	+ \$ 70,289
to Human Resource Department	\$ 273,698	\$ 313,684	+ \$ 48,436
to Codes Department	\$ 848,193	\$ 851,093	+ \$ 2,900
to Judicial Department	\$ 168,697	\$ 608,406	+ \$ 2,400

Section 2. Effective Date. This Resolution shall become effective upon adoption by the City Council and shall remain in effect until receipt and acceptance of the FY20/21 audit report.

PASSED AND ADOPTED THIS 28th DAY OF SEPTEMBER, 2020.

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

AND APPROVED BY THE MAYOR THIS 28th DAY OF SEPTEMBER, 2020.

SIGNED:

ATTEST:

Richard A. Mays, Mayor

Izetta Grossman, CMC, City Clerk



AGENDA STAFF REPORT

AGENDA LOCATION: Action Item #12 C

MEETING DATE: September 28, 2020

TO: Honorable Mayor and City Council

FROM: Alice Cannon, Interim Community Development Director

ISSUE: Correction to May 11, 2020 Authorization to execute a CDBG Application and Contracts in Support of the Mid-Columbia Regional Home Repair Grant Program for Wasco and Hood River Counties

BACKGROUND: At the May 11, 2020 meeting, the City Council voted to authorize the City to execute CDBG application and contracts between the City and **Oregon Department of Housing and Community Services** and between the City and Columbia Cascade Housing Corporation for a Mid-Columbia Regional Home Repair Program. The State has informed the City that the City must vote on a corrected motion because the CDBG application will actually be between the City and **Business Oregon**, who administers the CDBG program in rural Oregon.

Here is some background information about the CDBG grant program the Council supported at their May 11, 2020 meeting:

Business Oregon provides funding assistance through the federal Community Development Block Grant ("CDBG") program to local governments for the purpose of creating or maintaining home repair programs for qualified households. Since 2006, Columbia Cascade Housing Corporation ("CCHC") has acted as a Sub-grantee, with the City and Wasco and Hood River Counties acting as applicants for CDBG funded home repair programs ("Mid-Columbia Regional Home Repair Program"). CCHC and the City are winding down the current home repair program which began in 2017, with CDBG funding approval of \$400,000. This program, administered by CCHC provides funds for needed home repairs including heating/cooling systems, roofs, plumbing, weatherization and other eligible activities. Depending upon applicant income levels, financial resources and housing type, the funds are made available through either loans or grants. Program guidelines extend eligibility to owners of both traditional ("stick built") and

manufactured homes (grant funding only). The new CDBG home repair program would be similar to previous programs, with the City acting as the applicant and CCHC acting as the Sub-grantee. Loans would be secured by property deeds (for traditionally built homes) which are paid back to CCHC and then used to fund future loans for the program. Owners of manufactured homes would be eligible for grants, per CDBG program guidelines. The application is due by September 31, 2020; City Council action is needed for CCHC to proceed with the application process.

BUDGET IMPLICATIONS: The grant is a 2-year grant with a maximum total of \$400,000. An additional \$100,000 in grant funding is also being sought that would allow the program to serve applicants residing in mobile home parks. If successful, approximately \$450,000 of the requested funding would go directly into home repairs in Wasco and Hood River Counties, with the remaining funds covering administration and program costs for the Housing Resource Center. CDBG program guidelines do not allow the City to receive funding for administrative costs, which should be minimal. If the grant application is approved funds will pass through the City budget so that the revenue will equal the expenditure. At no time would the City release funds without prior funding from the State of Oregon.

COUNCIL ALTERNATIVES:

1. **Staff recommendation:** *Move to authorize the City Manager to execute CDBG application and contracts between the City of The Dalles and Business Oregon, and between the City of The Dalles and Columbia Cascade Housing Corporation for a Mid-Columbia Regional Home Repair Program*
2. Decline to authorize the City Manager to execute this CDBG application