

MINUTES
Regular City Council Meeting
October 28, 2019
Page 1

MINUTES

CITY COUNCIL MEETING
October 28, 2019
5:30 p.m.

THE DALLES CITY HALL
313 COURT STREET
THE DALLES, OREGON

PRESIDING: Mayor Richard Mays

COUNCIL PRESENT: Russ Brown, Linda Miller, Darcy Long-Curtiss, Tim McGlothlin,
Rod Runyon

COUNCIL ABSENT: None

STAFF PRESENT: City Manager Julie Krueger, City Attorney Gene Parker, City
Clerk Izetta Grossman, Finance Director Angie Wilson,
Community Development Director Steve Harris, Public Works
Director Dave Anderson, Police Sargent Kramer, Human
Resources Director Daniel Hunter

Number of people present: 22

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 Brown to lead the Pledge of Allegiance.

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

MINUTES
Regular City Council Meeting
October 28, 2019
Page 2

APPROVAL OF AGENDA

It was moved by Long-Curtiss and seconded by Miller to approve the agenda as submitted. The motion carried, 5 to 0; all Councilors voting in favor.

AUDIENCE PARTICIPATION

Corliss Marsh, The Dalles Sister City Association, introduced the Sister City Delegation from Miyoshi City, Japan:

Motoyuki Matsunoh, Group Leader, MIA President – 16 visits
Kazuya Miyauchi, PIC Director, Schools – 1 visits
Yaemi Furuta, MIA Executive Director – 15 visits
Shihoko Toyonaga, PIC Sister City Delegation, City Hall – 3 visits

Corliss also spoke about the Wasco County Cultural Trust Program. She said the program gave grants to art, culture and history projects. She said that if anyone donated to any arts, heritage or humanities nonprofits in Oregon this year, you could double the impact for free through the Oregon Cultural Trust tax credit. She asked everyone to go to the website for more information and to donate. www.culturaltrust.org

Lorene Hunt, PO BOX 81 read a statement on values to the Council (attached)

Don Warren, Main Street Program President reviewed projects and programs of Main Street.

Spooky Town 2019 – series of events promoting foot traffic downtown
\$3000 donations received from the Ghost Walks
Monsters in the Park at City Park
Best window decoration competition – Chamber providing prizes
Adult Costumer competition – Last Stop and Main Street providing prizes
Partnering with the Chamber – Chamber collecting candy donations for the Downtown Trick or Treat
Santa in the Old Chronicle Building for the Holiday Season
SantaCon – best Mr. and Mrs. Clause costume
Conversation continue on preserving the Waldron Drug Building
15 Wall Dog Murals – September 2021 – donations accepted on Main Street Website

Warren thanked Assistant to the City Manager Matthew Klebes for his assistance with lights on the light poles downtown.

Warren thanked City Manager Krueger for meeting with Main Street Representatives regarding the budget process.

MINUTES

Regular City Council Meeting

October 28, 2019

Page 3

CITY ATTORNEY REPORT

City Attorney Parker reported that the Charter Review process is underway. He said members of the committee were the City Manager, City Attorney, Assistant to the City Manager, City Clerk, Councilors Miller and Runyon.

CITY COUNCIL REPORTS

Councilor Brown said five years ago he read an article from League of Oregon Cities regarding Ontario contracting with CH2M Hill for their Public Works management. He said he called Ontario and they were so pleased that they recently signed a 10 year agreement.

He asked if staff would research the pros and cons of such an agreement. He said he didn't see it as anything that would happen immediately. He thought it would take a couple of years to implement if it was something that would work in The Dalles.

It was the consensus of the Council to ask staff to look into the process for a discussion in the future.

Councilor Long-Curtiss reported attending:

- Main Street Better Together Event – lots of energy
- Conversation with a new resident regarding QLife
- City Attorney interviews
- Main Street Meeting with the City Manager

Councilor Rod Runyon reported:

- City Attorney Interview
- Charter Review Committee
- Reminder: Veteran's Day Parade November 11 at 11am
- Worked with FAA for use of airspace for a Flyover on Veteran's Day
- Airforce reviewed request – depends on availability

Councilor Miller reported:

- Main Street Better Together Event – nice event
- City Attorney Interviews
- Charter Review Committee
- Sister City Meeting – she hosted a student

Councilor McGlothlin reported:

- Main Street Better Together Event
- Lions crossing guards for Downtown Trick or Treat

MINUTES
Regular City Council Meeting
October 28, 2019
Page 4

CONSENT AGENDA

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

Items approved on the consent agenda were: 1) Approval of the October 7, 2019 City Council Work Session Minutes; 2) Approval of the October 14, 2019 Regular City Council Meeting Minutes.

PUBLIC HEARINGS

Public Hearing Supplemental Budget

Mayor Mays reviewed the process of Public Hearings

City Manager Julie Krueger reviewed the staff report.

Long-Curtiss said considering the conversation earlier regarding a contracting option should the City hire an Assistant Public Works Director.

City Manager Krueger said the consideration of contracting would take about two years. She said succession planning was important now.

Councilor Runyon asked if the Assistant Public Works Director would automatically become the new Public Works Director.

City Manager Krueger said the position was developed to become the next Public Works Director.

Hearing no testimony, Mayor Mays closed the Public Hearing.

Resolution No. 19- 027 A Resolution Adopting a Supplemental Budget for Fiscal Year 2019/2020, Making Appropriations and Authorizing Expenditures from and within Various Funds of the City of The Dalles Adopted Budget.

It was moved by Miller and seconded by Brown to approve Resolution No. 19- 027 A Resolution Adopting a Supplemental Budget for Fiscal Year 2019/2020, Making Appropriations and Authorizing Expenditures from and within Various Funds of the City of The Dalles Adopted Budget. The motion carried 4 to 1; Miller, Brown, McGlothlin, Runyon voting in favor; Long-Curtiss opposed.

MINUTES
Regular City Council Meeting
October 28, 2019
Page 5

Long-Curtiss said she was in support of the Police Officer position, but she felt the Assistant Public Works Director was premature. She said the budget was just completed in July; she was not in favor of spending money after the budget was approved.

Public Hearing Code Amendments to Title 10

Mayor Mays reviewed the process for the Public Hearing.

Community Development Director Steve Harris reviewed the process leading up to the proposed Code Amendments.

Planner Riley Marcus reviewed the staff report. (see attached PowerPoint)

Mayor Mays asked for testimony.

Phillip Durick, 914 Court Street asked about the Short Term Rental/Bed and Breakfast ordinance.

Senior Planner Dawn Hert said that was coming up at a future Council Meeting. She said it would be removed from Title 10 and added to the permitting process.

Lorene Hunt, PO Box 81, said other people wanted to attend, but were unable. She said there was new information from Johnathan that was in front of the Council. She said she was presenting again because no action had been taken. She said 3 minutes did not seem like enough time for such a weighty decision.

Bob McNary, 1525 East 9th Street, said an outside area for children in high density areas was missing. He said a single parking space was not enough. He said most household have at least two vehicles.

Don Warren, 214 East 5th Street, asked where the City posted information regarding such decisions.

City Clerk Grossman said the Ordinance notices were posted as part of the on the City's website, City Hall Facebook page, The Dalles Chronicle, Library, Wasco County. She said if anyone wanted to have the agendas emailed to them, send her an email to request being added.

Council agreed with Mr. McNary regarding parking spaces.

Marcus said the one space requirement was for the Cottage Clusters only.

MINUTES
Regular City Council Meeting
October 28, 2019
Page 6

Mayor Mays closed the Public Hearing.

Long-Curtiss asked that developer outreach to neighborhoods be a requirement, instead of a recommendation.

City Manager asked to bring that requirement back with the next set of changes.

Mayor Mays asked if there were any objections to Councilor Long-Curtiss's request. There were none.

General Ordinance No. 19- 1373 An Ordinance Amending Title 10 – Land Use Development Of The Dalles Municipal Code and Updating Goal 10 of the Comprehensive Plan

Mayor Mays asked if any Councilor wanted the Ordinance read in full. There were none.

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 Long-Curtiss and seconded by Brown to adopt General Ordinance No. 19- 1373 An Ordinance Amending Title 10 – Land Use Development Of The Dalles Municipal Code and Updating Goal 10 of the Comprehensive Plan by title only. The motion carried 5 to 0; Long-Curtiss, Brown, Miller, Runyon, McGlothlin voting in favor; none voting opposed.

ACTION ITEMS

Approval of Memorandum of Understanding (MOU) Between the City of The Dalles and Wasco County Youth Authority, Providing Partnership in Regards to Graffiti Removal

Community Development Director Steve Harris and Codes Enforcement Officer Nikki Lesich reviewed the staff report.

Lesich thanked Youth Service Director Molly Rodgers for her work on the MOU.

Lesich thanked Wasco County Administrator Stone and Commissioner Kramer for coming to the meeting.

It was moved by Runyon and seconded by McGlothlin to approve the Memorandum of Understanding Between the City of The Dalles and Wasco County Youth Authority, Providing Partnership in Regards to Graffiti Removal. The motion carried 5 to 0; Runyon, McGlothlin, Miller, Long-Curtiss, Brown voting in favor; none voting opposed.

MINUTES
Regular City Council Meeting
October 28, 2019
Page 7

Second Reading of General Ordinance No. 19-1372 An Ordinance Amending Chapter 5.04 of The Dalles Municipal Code Adding Section 5.04.140 Addressing Graffiti Abatement

Mayor Mays asked the City Clerk to read General Ordinance No. 19-1372.

City Clerk Izetta Grossman read General Ordinance No. 19-1372 in its entirety.

Long-Curtiss said she was opposed to the Ordinance. She said there was already an ordinance in place that wasn't punitive to the victim. She said 5 days was not enough time. She said youth are not properly trained in graffiti removal; it seemed like a liability if not done correctly.

Brown said he understood that the youth work crew had been doing the work for a while.

Lesich said Codes Enforcement works with people. She said the work "may" give flexibility in coming up with solutions that work for all parties.

Mayor Mays said if any issues come up, staff can bring the issue back to Council.

It was moved by Miller and seconded by McGlothlin to adopt General Ordinance No. 19-1372 An Ordinance Amending Chapter 5.04 of The Dalles Municipal Code Adding Section 5.04.140 Addressing Graffiti Abatement. The motion carried 4 to 1 ; Miller, McGlothlin, Runyon, Brown voting in favor; Long-Curtiss voting opposed.

Support of Recycling Facility in Wasco County

City Manager Julie Krueger reviewed the staff report. She said the DEQ had met with her regarding that the City was the only city putting recycling in the landfill.

City Manager Krueger said that Wasco County Administrator Tyler Stone and Commissioner Steve Kramer were in attendance and could answer questions.

Kramer said originally they had looked for property for a bailing facility and were unable to find anything.

Stone and Kramer said there was still work to be done before a final plan could be brought to the partners. They said they had taken the idea to the Tri County Hazardous Waste Steering Committee and were currently talking to all the partners to determine if there was enough interest to work further on the idea.

McGlothlin asked if there were grant opportunities.

Stone said Wasco County had applied for a grant from DEQ because of a deadline to apply. He

MINUTES
Regular City Council Meeting
October 28, 2019
Page 8

said if there wasn't support they would return the grant if awarded.

Stone said there were pros and cons to the concept.

Miller said she worked for the landfill and was embarrassed that they were the last to get onboard.

McGlothlin said the citizens want a recycling program.

Long-Curtiss asked if there was an education component to the concept. She said the reason China had stopped taking US recycling was due to contamination. She said people need to be educated on how to clean recyclables prior to putting them on the curb.

Stone said Waste Connections would handle the education piece. He said it was an important component.

Kramer said Hood River and Cascade Locks had cleaned up their program and contaminants were down. He said it was a long, hard process, but it could be done.

Stone said the Steering Committee would stay in place and would have a say in how it works.

Mayor Mays asked for comments from the audience.

Bruce Lumper, 6377 Oak Creek Road, read a statement in opposition to the concept. (attached)

Pat Bozanich, 1135 Cannon Way, Mosier, Tri County Hazardous Waste Committee Member, said there was concern that the Steering Committee would be removed from governance. She said there were many other options. She said she was concerned that the current program would be put under Waste Connections.

It was the consensus of the Council to ask Stone to move forward with further research of the project and bring back the findings.

Approval of Lease and Building Plan for Pacific Coast Cherry Packers facility at the Columbia Gorge Regional Airport

Airport Manager Aryn Rasmussen reviewed the staff report.

Rasmussen asked if City Attorney had heard any further changes from Klickitat County.

City Attorney Parker said he had not. He said he was confident that Klickitat County agreed with the lease.

MINUTES

Regular City Council Meeting

October 28, 2019

Page 9

It was moved by Brown and seconded by McGlothlin to approve the Lease and Building Plan for Pacific Coast Cherry Packers facility at the Columbia Gorge Regional Airport, contingent on approval by Klickitat County. The motion carried 5 to 0; Brown, McGlothlin, Runyon, Miller, Long-Curtiss voting in favor; none voting opposed.

ADJOURNMENT

Being no further business, the meeting adjourned at 8:03 p.m.

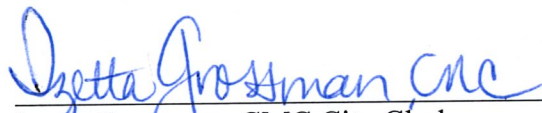
Submitted by/
Izetta Grossman, CMC
City Clerk



SIGNED:

Richard A. Mays, Mayor

ATTEST:


Izetta Grossman, CMC City Clerk

Date: 10/28/19.

TO: The Dalles City Council

From: Bruce Lempert

Member, Steering Committee

TRI-County Hazardous Waste & Recycling Program

RE: Agenda Item No. [#]11-B.

Support of Recycling Facility in Wasco County.

Good evening MR Mayor, AND Members of The Dalles City Council

My name is Bruce Lempert And I reside at

6377 Mill Creek Road, in ~~The Dalles/Wasco County~~

I come before you tonight, ^{speaking} as a member

of the TRI-County Hazardous Waste & Recycling

Program's Steering Committee.

The City of The Dalles is one of the nine local governments in the Mid-Columbia area of Oregon that

are parties to this ^{TRIG.} Program.

And, Gene Parker, the City's legal Counsel, was here working for the City in 2003. At that time, he vetted the draft Intergovernmental Agreement that was to serve as the basic document that would bring the Program to life. Eventually, he, along w/ 8 other City and County Councils' legal Councils, signed this document, as did Mary Ann Davis, standing in for Mayor Robb Van Cleave at that time.

I draw your attention to the City's legal Counsel because the Reciprocity Proposal before you tonight for your consideration has not yet been reviewed by Gene. And, I believe this is of particular importance given that at least 2 representatives

on the Steering Committee believes that the funding mechanism proposed in this document is patently illegal.

So, with that point in mind, I would recommend that the Council select Alternative #2 of the recommended choices in the Staff Report. This Alternative would - "Postpone a Decision since additional information is needed," I believe, before this proposal should even be the subject of discussion.

In addition, I want to draw your attention to

the fact that the developers and proponents of County Commission Chair, Steve Kramer; County

this proposal, have been unable to secure support Administrators, Tyler Stone; and Regional Manager

From the Wasco County Commission for moving for your Solid Waste Franchise, Waste Connections
p. 3 of 6

and
By the way,
this is not
a Wasco Co.
Proposal nor
is it a
TRI-Co. HNTB
Program Steering
Committee
Proposal

then
this proposal forward.

At a Wasco County Commission Work Session held on Oct. 2ND, where this proposal was up for discussion - for the first time, by the full Commission - proponents Steve Kramer and Tuler Stone were peppered with so many questions about the proposal, and so much pushback from myself, that Steve decided to table the discussion for the time being.

So, no
decision
made
as yet.

The essence of the other 2 commissioners' concerns per this proposal ^{were} ~~were~~ as follows:

Commissioner Schwartz - Bring me a number of options that would ^{potentially} address our recycling problem, not just one.

Commissioner Hege: This proposal needs to be presented,
whole cloth, to the TRI-Co. ^{HWT R Program} Steering Committee
for voting and a consensus reached by that
group on this proposal and/or possible other
options, before he could support it.

So, knowing that ^{the} Wasco County Commission has
not yet signed off on this proposal, And may not -

For certain, in its present form, I would

again recommend that The Dallas City Council

postpone a decision on this Action Item until

the Wasco County Commission has reached an

official position on how they wish to proceed, if at all,

or under what conditions.

Without this clear signal from Wasco County, I
P. 5 of 6

believe that any further discussion of this proposal
is a waste of The City Council's time—at this
 juncture, anyway.

Thank you for taking the time to listen

to my remarks. And, I would happily take

any questions you might have per my recommendation.

that the Council choose Alternative #2 of the

~~Council Alternatives on this Action Item.~~ [And]

Postpone a decision until the document has re-

ceived a legal review by City Council, And ^{the} ~~was~~

County Commission has officially decided whether

or not to support ~~this~~ ^{the} proposal. ~~with~~

Memo:

To: Members of City Council, Mayor, and others who care about our City.

This month, I was one of 2 adults providing materials and supervision for children in an event in this town, what children are exposed to and learn from the adults in their surroundings of prime concern to me, a life-long teacher of children from ages 2 ½ to 18 years of age. I suggest we consider what we want our children to bring to their future and our future, too, by looking at what is truly important in our daily and collective lives. This is a Voice for Values.

Today is a very weighty day in this Chamber, **every person in The Dalles impacted by a decision which will be made.** The questions persons ask who care about what happens in this chamber, other chambers of the City government, and in day to day contacts anywhere in The Dalles are related to Values. Among those questions are:

- What is Valued when considering each person in The Dalles?
- Does it matter where they live? Or are they Valued as human beings with intrinsic worth?
- Are their Voices important: in their families? to those they meet? in City chambers?
- Are their experiences living in The Dalles Valued?
- What are the Values of our City government?
- Can we rely on information that describes our Community Planning/Development Dept. as:
 - Responsive, accurate, consistent, helpful and honest (in) service to our citizens...
 - Aggressively pursuing meaningful citizen involvement in all planning endeavors.
 - Helping to foster a climate of cooperation among City personnel, local citizens...
- Are citizens' sincere and honest efforts welcome when addressing matters of Values?
- How can we improve the City – its neighborhoods, its businesses, its regard for human beings?
- Is our Municipal Code treated with the respect it deserves: by citizens? by persons-in-charge?
- How can we work together to make this City one of welcoming each person? each Voice? each human experience?
- Do we really care about/Value each other? In our families? In our neighborhoods? In our City Chambers?
- How do we show that care/ that others are Valued?
- Are "hearings" mere exercises in meeting requirements, or are citizens' Voices really Valued: meaning "**heard**" and taken into consideration when making decisions that impact those Voices?
- Do we support each other and are we encouraged to support each other in efforts to move this City forward/upward according to Values we hold dear?

What are those Values?

- Honesty?
- Fairness?
- Justice?
- Transparency?
- Cooperation?
- Respect?

Lorene Hunt PO Box 81 T.D.

Significant difficulties in general ordinance 19-1373 include the following:

- Page 15, changing the standard for a corner duplex in RL to 2,500 sq. ft. per dwelling unit (noting that 2,500 sq. ft. per dwelling unit corresponds to over 17 units per acre). This standard is inconsistent with Comprehensive Plan goal 10 policy 22a (prescribing 3-6 units/gross acre in RL). This standard also runs counter to policy 2, “encouraging development which achieves [note: not exceeds] the density allowed by the comprehensive plan” and policy 5, “[a]dopt standards to ensure that residential development occurs within planned density ranges within each residential district.” That was true when this standard was introduced for consideration more than a year ago and it is still true today. Specifically regarding state requirements (because HB2001 is cited generally as a reason for these changes), this standard was not required then and it is still not required today. The materials provided give no reasonable justification for this standard. Also noted is that the ordinance includes no standard whatsoever for ‘non-corner’ duplexes and 2-unit condominiums, despite including these building types in the primary uses permitted outright. This is a major oversight, as without such a standard compliance with the policies listed above cannot be ensured.
- Page 8, where 10.3.080.020(B)(6) is being revised to read that adjustments are prohibited “[t]o allow an increase in density above the allowed density of the applicable zone.” This statement is not clear and objective as required by ORS 197.307(4). Recall that density is defined as the “number of dwelling units per acre.” The major issue is that the revision proposes to compare the density with a specific value, however to do this in an objective manner, it must also specify how (over what area) the density is to be calculated. Density will change depending on the area chosen, whether it is a single lot or small set of lots, subdivision, or some much larger area, perhaps even an entire residential zone. In contrast, the current wording of (B)(6), prohibiting adjustments “[t]o allow an increase in density in the RL zone”, is simple to determine. Using this definition, we consider what the adjustment changes to determine if the adjustment increases density over what would otherwise be developed. If the number of dwelling units in a fixed area goes up, then the density has increased, no matter what area is used. Similarly, if the area in which a fixed number of dwelling units lies

goes down, density has decreased, no matter the amount of dwelling units in that area (excluding zero). The current wording, when read plainly and applied properly, is clear and objective, while that cannot be said of the proposed replacement.

There are two other general points worth mention and consideration that continue to be mystifying. First, it's curious that several members of the city council have publicly expressed a preference for maintaining areas of lower density, or that they are not particularly inclined towards higher density. Yet, when given ample opportunity, the city council repeatedly decides against upholding those values despite how easy it would be to do so. The second is that the city council and staff continue to promote such decisions so carelessly and haphazardly as to invite legal challenges and related issues.

Jonathan Hunt
PO Box 81
The Dalles, OR

CRITICAL RECOMMENDATIONS regarding proposed code changes:
(re-submitted at a hearing earlier this year; re-submitted now)

Recommendations regarding RL zone code changes made at the Aug. 2, 2018 "public hearing":
(Angelo Planning Group facilitating)
(re-submitted of necessity; ignored?)

----That minimum s.f. per unit on corner lot duplexes be lowered slightly, if at all, from 4500 s.f. per unit to maybe 4,000 s.f. per unit. Instead, **the proposed code changes lower minimum s.f. per unit from 4500 s.f. to 2500 s.f. - the present construction at 3737 s.f. per unit not accepted by a large majority of persons living nearby in that low density neighborhood (as evidenced by hearings, May 4 petition, and written materials to the Angelo Group). How is it possible that anyone can accept reducing the minimum s.f. per unit by another 150% over the 3737 s.f. already objected to by a large majority of the low density neighborhood? Who at the city can vote for this provision in the proposed changes, referred to at meetings as "low hanging fruit" by city personnel?** NOTE:

(The change to 2500 sf is inconsistent with Comprehensive Plan Goal 10, Policy 22a, Policy 2, and Policy 5 (note submission by J. Hunt today)
Sean Malone submitted info about Policy 22a before Nov. 26 "hearing" last year

----That ADUs retain owner occupancy requirements ONLY IN RL ZONES (a page of reasons submitted, inc. to the Angelo Group)

Recommendation made to the City Council both in writing and at hearings:

---That the following provision be included in the code changes as a protection for citizens in low density neighborhoods, removing the city from responsibility for "recommending" such a meeting (which did not occur in 2 low density neighborhoods where stakes are highest re new development). The developer having stated he depended on the city, a series of hearings and decisions indicate citizens in low density neighborhoods cannot depend on the City "having their backs", including regarding this recommendation. **Making it a "requirement"** instead of a "recommendation" protects citizens from a City which overlooks or ignores important measures.

10.3.020.050 C. 7 "Prior to the public hearing the applicant is required to conduct an outreach meeting with residents and others who may be affected by development proposed in an RL zone. In other zones, such a meeting is recommended but not required."***

*****Why would the city not want this protection for its citizens in RL zones?** (meetings and action twice in the W. 13th area having prevented hearings, appeals, involvement of LUBA, etc.- a huge savings to the City and its citizens. Will the city include such a resource-saving opportunity?(saving not only funds, but human resources and treasured neighborhoods)

IMPORTANT ADDITIONAL RECOMMENDATION
(submitted at an earlier hearing this year)

----**That the clear and objective language of 10.3.080.020 (B) (6) be retained:**
the new language not meeting the criteria of 10.3.080.010 providing "certainty..."
(note "uncertainty" given in submission by J. Hunt today and affirmed by this writer),
clear and objective standards necessary for "certainty and rapid processing for land use applications" per 10.3.080.010, also avoiding long legal challenges which are evidence of
the need for and adherence to very CLEAR AND OBJECTIVE STANDARDS.

L. Hunt, PO Box 81, The Dalles, Or

Presentation for Nov. 26, 2018 hearing on Amendments to the LUDO
(adapted for Oct. 28, 2019 hearing due to cancellation of Nov. 26 hearing and developments)
the Nov. 26 hearing abruptly canceled at the meeting; presenters unable to present materials

Having been involved in 3 cases brought to the Land Use Board of Appeals (the state agency ruling on land use decisions) due to decisions made by the City of The Dalles negatively impacting 2 low density neighborhoods, I was not expecting the City to move on code changes BEFORE those 2 cases are decided, particularly since the code changes directly impact development that has been appealed to the State Board. **Members of the City Council who value the character and citizens of low density neighborhoods, please** ask the city attorney for briefs/objections in the cases on Perkins and 13th, still in litigation after remand from LUBA, evaluate the merits, and **keep the record of this current hearing open without a vote on City Code until this case has been resolved at the state level.** If the Voices from this low density neighborhood are validated by the state's final decision, the City must take those Voices into account before voting on amendments that have already been rejected by a majority of those Voices (details below) A partial account of activities follows in which issues related to City Code were addressed and Objections Voiced by neighborhood citizens when possible:

May 2 – room full of citizens from 2 low density neighborhoods in a hearing lasting more than 3 hours, **all citizens from both neighborhoods unanimously Voice rejecting 2 proposed adjustments reducing minimum lot size as required in present City Code**

(In one neighborhood, a single unit built on W. 13th and Perkins required 4500 S.F., the developer wanting to build 2 units under 4,000 s.f. per unit, not allowed by present city code
RESULT: Room full of citizens from low density neighborhoods Voices Valued? If so, how could a developer's plans contrary to all those Voices be approved?

May 4 – petition reporting May 2 meeting results and plea circulated in both neighborhoods with 44 signatures; decisions of Planning Commission rejected; sent to Councilors, etc.

May 17 – meeting of Planning Commission with Angelo Planning Group (APG) re code changes
Citizens attending meeting not acknowledged, material brought to share related to issues

RESULT: Citizens from low density neighborhoods present – 0 Voices acknowledged

NOTE: At this meeting, Commission members asked repeatedly about proposed changes:
Is this required by the State? The answer from the APG was never “yes”.

Proposed code changes have been “recommendations”, **input from citizens encouraged &/or mandated in Goal #1 of State Guidelines**

June 25 – hearing for adjustment application on W. 13th and Perkins **All Voices**
(except for 2 who did not live in the neighborhood) reject the proposed adjustment

RESULT: Citizens living in low density neighborhoods Voices Valued? If so, how could a developer plans contrary to those Voices be approved?

July 9 - hearing for adjustment application/minor partitions on E. 19th St. **Majority of Voices**
reject plans for this proposed development

RESULT: Citizens living in low density neighborhoods Voices Valued? If so, how could a developer's plans contrary to those Voices be approved?

August 2 – **public “hearing” advertised as occurring in City Hall** (actually held in Auditorium)
Only a handful of public attend – room has as many planning staff and APG as public
Does incorrect advertisement of a site during a vacation month encourage public involvement? NOTE: At this meeting, numerous suggestions were posed to the APG by

residents from a low density area, the city's own planning materials re changes in low density areas were presented

RESULT: ZERO recommendations made by low density residents were supported by city staff/ APG at the meeting or in Code Changes proposed for the Nov. 26, 2018 hearing (or in proposed changes in the LUDO scheduled for hearing Oct. 28, 2019)

(Other hearings after August of 2018 involving land use development in low density zones resulted in similar outcomes)

CONCLUSION: Voices from low density neighborhoods have not been validated by the City. How can citizens believe their Voice is Valued in hearings: (1) that do not validate Unanimous Voices from 2 neighborhoods or a Majority of Voices; (2) that are set at the worst times for public participation (vacation month; Thanksgiving; July 4th); (3) that are not posted as stated (4) that have been repeatedly experienced as token "hearings" to "meet conditions required"?

At every one of the above activities, despite a significant preponderance of citizens expressing their valid reasons for rejection of proposed plans, the City of the Dalles voted to approve developers' plans. Isn't a function of the City one to support its citizens? To support developers (who do not live in low density neighborhoods) at the expense of all other citizens who spoke out from these low density neighborhoods? What gives these citizens any incentive to raise their Voices when those Voices are not recognized in a representative government? Valuing citizens from low density neighborhoods? Where? When? How?

Time after time the City has operated in ways that demonstrate lack of good faith in/to citizens. **(Voices can be accessed in:** hearing May 2; May 4 petition sent to councilors; appeals; June 25 hearing and emails; July 9 hearing and emails; LUBA Cases 2018-090 and 2019-076.)

Re-evaluation of code changes based on so many Voices already having spoken out about the need to honor present City Code in low density areas would give citizens reason to have confidence that their participation was valued, a harbinger of hope for the future of The Dalles.

FINAL STATEMENT

The City of The Dalles (except for a few persons who heard and validated these Voices – THANK YOU) has shown that it does not value the input of citizens and homeowners in low density areas. The only remaining assurance homeowners have for any standard of quality control in their neighborhoods are the provisions of the City Code. Sadly, experience indicates that even provisions of the City Code are overlooked, misapplied, and/or ignored.

Regarding misleading statements in the agenda packet:

On p. 31 of 168, the first paragraph is inaccurate in details, the City Council on Nov. 26, 2018 canceling a hearing on changes to the City Code, ongoing litigation pertaining to related subject matter stated by the city attorney at that meeting as a reason, that litigation still presently in process after remand, deferring City Council review until resolution of the litigation as valid now as then. In addition, there is no "need to bring the development Code into compliance with new state housing legislation" now, towns the size of The Dalles having 2 years to arrive at that point. This reason given is disingenuous, **respect for the processes of law urged/requested.**