

AGENDA

REGULAR CITY COUNCIL MEETING

MARCH 13, 2023

5:30 p.m.

CITY HALL COUNCIL CHAMBER

313 COURT STREET

And

VIA ZOOM

<https://us06web.zoom.us/j/88147760127?pwd=bzF6UVBBS0EvaDIxTEVyRngrbExmQT09>

Meeting ID: 881 4776 0127

Passcode: 007612

1. CALL TO ORDER
2. ROLL CALL OF COUNCIL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF AGENDA
5. PRESENTATIONS/PROCLAMATIONS
 - A. Employee Recognition
 - B. Historic Landmarks 2023 Goals
 - C. Drone Policy Update

6. AUDIENCE PARTICIPATION

During this portion of the meeting, anyone may speak on any subject which does not later appear on the agenda. Up to five minutes per person will be allowed. Citizens are encouraged to ask questions with the understanding that the City can either answer the question tonight or refer that question to the appropriate staff member who will get back to you within a reasonable amount of time. If a response by the City is requested, the speaker will be referred to the City Manager for further action. The issue may appear on a future meeting agenda for City Council consideration.

7. CITY MANAGER REPORT
8. CITY COUNCIL REPORTS

CITY OF THE DALLES

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

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 February 27, 2023 Regular City Council Meeting Minutes**10. CONTRACT REVIEW BOARD ACTIONS****A. Award Contract for East 9th Street Water Main Construction****11. ACTION ITEMS****A. Franchise Agreement The Dalles Disposal**

- i. Special Ordinance No. 23-596 Amending Special Ordinance no. 93-412 to modify the Terms of the Franchise Agreement Granted to Waste Connections of Oregon, Inc. (dba The Dalles Disposal Service, Inc.)

B. Opioid Settlement**12. ADJOURNMENT**

This meeting conducted VIA Zoom

Prepared by/
Izetta Grossman, CMC
City Clerk

City of The Dalles
Historic Landmarks Commission
2023 Goals

Short-Term Goals (1-2 years):

- Encourage preservation and re-use of the Waldron-Gitchell Building.
- Update Historic Ordinance and Design Standards to be clear and objective.
- Provide a historic restoration workshop for local homeowners and contractors.
- Collaborate with Main Street and The Dalles Art Center on further downtown restoration project goals.
- Support the creation of tours of historic properties and the Pioneer Cemetery.
- Encourage the addition of a student representative on the Historic Landmarks Commission.
- Provide landscaping, informational signage, and maintenance of the Pioneer Cemetery.
- Encourage the fabrication and installation of historic plaques throughout the community, including Pulpit Rock and Amotan Field.
- Create a concept design for historic building plaques.
- Apply for a grant to create a Preservation Plan for The Dalles.
- Encourage the restoration and preservation of the Pioneer Cemetery and establish an inventory available on the City of The Dalles website.

Continuous Goals:

- Make historic preservation educational and funding resources available online to assist restorers with assessment and other historic preservation needs.
- Provide annual recognition of historic restorations, including onsite acknowledgement and media coverage.
- Encourage historic restoration for downtown by providing historic background research.
- Encourage the collection and preservation of local history, including irreplaceable oral and written histories.
- Update historic inventories and encourage new nominations to local and national registry districts.
- Maintain Certified Local Government status.
- Support Historic Preservation Month, local historic preservation, and education.

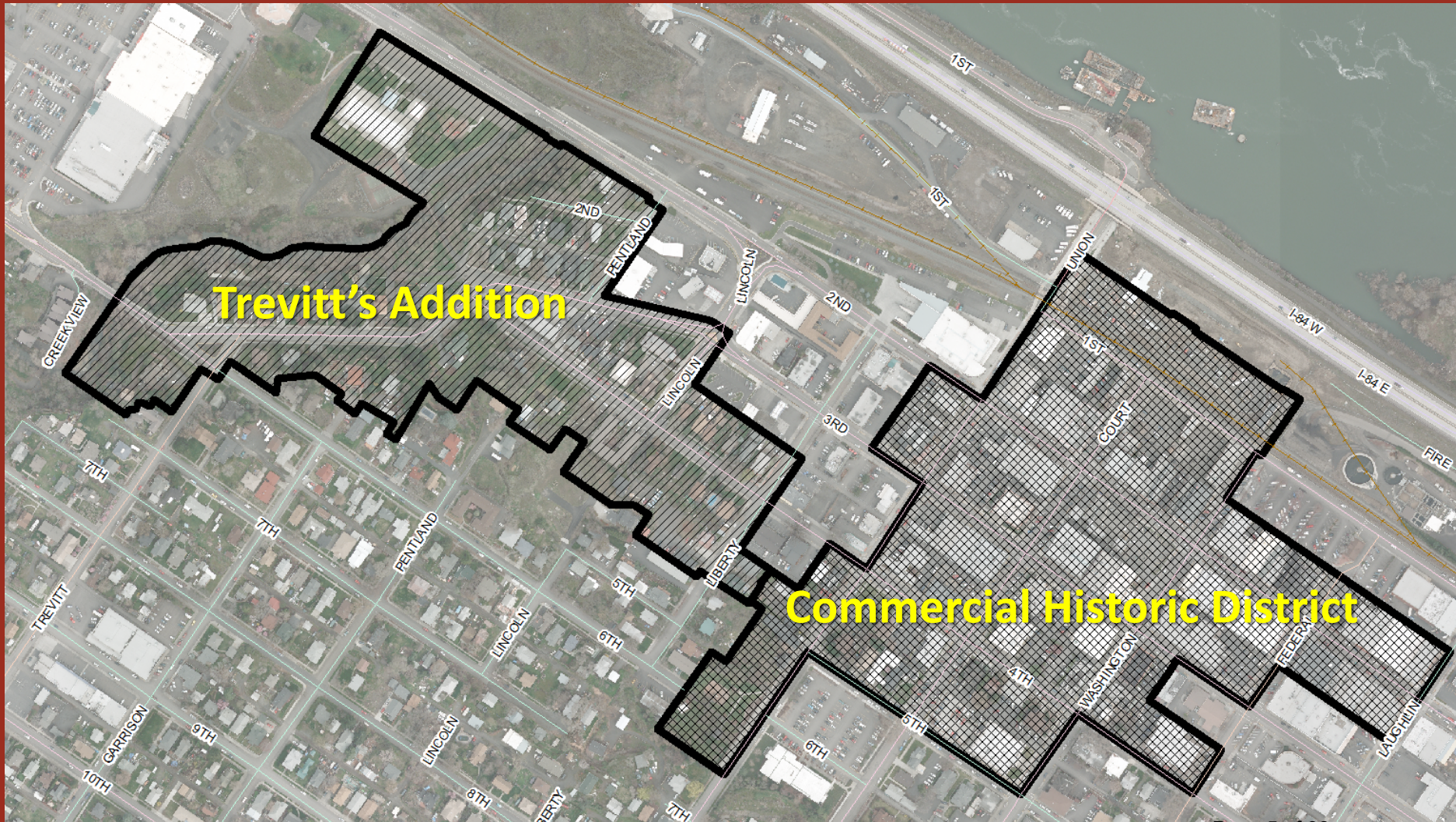
- Assist with historic plaque costs and availability.
- Keep the Historic Walking Tour current in all formats.
- Increase communication on all Urban Renewal and Main Street projects, vision and goals.
- Provide optional historic and procedural commissioner trainings.
- Support the restoration and preservation of the Civic Auditorium and City Hall.
- Support the Fort Dalles Museum and the Vehicle Storage Display Building.
- Support and advocate for the preservation and continued use of The Dalles High School and Colonel Wright Elementary School.
- Encourage continued preservation and compatible infill of Historic Chinatown.
- Encourage preservation and continued use of Rock Fort by using the adopted Preservation and Maintenance Plan.

Historic Landmark Commission Goals 2023

Background



Vicinity Map



Short-Term Goals, 1-2 years

1. Encourage preservation and re-use of the Waldron-Gitchell Building.
2. Update Historic Ordinance and Design Standards to be clear and objective.
3. Provide a historic restoration workshop for local homeowners and contractors.
4. Collaborate with Main Street and The Dalles Art Center on further downtown restoration project goals.
5. Support the creation of tours of historic properties and the Pioneer Cemetery.
6. Encourage the addition of a student representative on the Historic Landmarks Commission.

Short-Term Goals, 1-2 years

7. Provide landscaping, informational signage, and maintenance of the Pioneer Cemetery.
8. Encourage the fabrication and installation of historic plaques throughout the community, including Pulpit Rock and Amotan Field.
9. Create a concept design for historic building plaques.
10. Apply for a grant to create a Preservation Plan for The Dalles.
11. Encourage the restoration and preservation of the Pioneer Cemetery and establish an inventory available on the City of The Dalles website.

Continuous Goals

1. Make historic preservation educational and funding resources available online to assist restorers with assessment and other historic preservation needs.
2. Provide annual recognition of historic restorations, including onsite acknowledgement and media coverage.
3. Encourage historic restoration for downtown by providing historic background research.
4. Encourage the collection and preservation of local history, including irreplaceable oral and written histories.
5. Update historic inventories and encourage new nominations to local and national registry districts.

Continuous Goals

6. Maintain Certified Local Government status.
7. Support Historic Preservation Month, local historic preservation, and education.
8. Assist with historic plaque costs and availability.
9. Keep the Historic Walking Tour current in all formats.
10. Increase communication on all Urban Renewal and Main Street projects, vision and goals.
11. Provide optional historic and procedural commissioner trainings.
12. Support the restoration and preservation of the Civic Auditorium and City Hall.

Continuous Goals

- 13. Provide optional historic and procedural commissioner trainings.
- 14. Support the restoration and preservation of the Civic Auditorium and City Hall.
- 15. Support the Fort Dalles Museum and the Vehicle Storage Display Building.
- 16. Support and advocate for the preservation and continued use of The Dalles High School and Colonel Wright Elementary School.
- 17. Encourage continued preservation and compatible infill of Historic Chinatown.
- 18. Encourage preservation and continued use of Rock Fort by using the adopted Preservation and Maintenance Plan.

Questions?

Police Drone Policy Development Update

By Chief Tom M. Worthy
For City Council
3-13-2023

Partners, Transparency and Process



Policy Structure and Key Elements



City of The Dalles Drone Use Policy Adoption Process

Our Partners:

- Bend Police Department- Draft Policy
- Eugene Police Department- Draft Policy
- Gresham Police Department- Training Overview
- OACP- Best Practices
- US DOJ COPS Office- Best Practices Roadmap
 - "The deliverables will form a body of best practices for agencies using or managing the public's use of drones. I urge any agency considering a drone program to carefully read this Roadmap and contact the resources included within, who stand ready and willing to assist. A critical step in developing a drone program involves transparency and community engagement. The benefits of a drone program to public safety are substantial and a game changer for community safety."
- Sherman County Sheriff's Office- Demonstration
- The Dalles City Council- Oversight
- The Dalles Community- Meaningful Input
- City Attorney- Legal Oversight
- CGCC- Expertise, Equipment, Training

Our Process:

- June 2022- Formulation of Policy Adoption Strategy
- January 2022- Budget Development
- July 2022- Budgeted for Equipment
- September 2022- Equipment Demonstrations
- October 2022- CGCC Collaboration Began
- November 2022- Policy Draft Developed
- December 8, 2022- City Attorney Review Received
- Feb 1, 2023- Second Attorney Review
- Feb 13, 2023- City Council Brief on Draft Policy
- Feb 14, 2023- Draft Policy Published to Community
- Feb 21, 2023- Community Forum Held
- February 2023- Edits Adopted, Draft Complete

Policy Key Components

Policy Structure

- Purpose and Scope
- Policy
- Definitions
 - Small Uncrewed Areas System/Drone
 - Remote Pilot in Command
 - Visual Observer
- Privacy
- Requirements for Use
- Operations
- Safety
- Prohibited Use
- Remote Pilot Certification (Training)
- Drone Team Configuration
- Equipment
- Operational Reporting
- Data Recording
- Retention and Release of Drone Data

Important Policy Elements

- Only to be used Lawfully, Federal, State and Local Laws to be Observed
- Facial Recognition Technology Prohibited
- Pilots will be Trained and Receive FAA Part 107 Pilot Certification
- Flight Permissible Pursuant to:
 - Warrant
 - Probable Cause
 - Consent
 - Search and Rescue
 - Imminent Threat to Life or Safety
 - Governor's Declared Disaster in Support of Recovery
 - Crime Scene Survey, Mapping
 - Training
- Safety is Paramount. Following FAA Part 107 Requirements Ensures Safe Operation
- Random Surveillance is Prohibited
- Harassment, Intimidation or Discrimination is Expressly Prohibited
- Drones will Never be Weaponized
- Video and Photographs will Only be Maintained with Evidentiary Value, or for the Sake of Transparency, and Will be Maintained Unedited
 - Cropping for Length is not Editing

Conclusion:

The draft policy is sound

The process was transparent

A drone can aid in community and officer safety

Policy can be revised if it fails to meet the need

Questions?



AGENDA STAFF REPORT

AGENDA LOCATION: Item #9A

MEETING DATE: March 13, 2023

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 February 27, 2023 Regular City Council Meeting Minutes.

BUDGET IMPLICATIONS: None.

SYNOPSIS: The minutes of the February 27, 2023 Regular City Council meeting have been prepared and are submitted for review and approval.

RECOMMENDATION: That City Council review and approve the minutes of the February 27, 2023 Regular City Council meeting minutes.

MINUTES

CITY COUNCIL MEETING
COUNCIL CHAMBER, CITY HALL
February 27, 2023
5:30 p.m.

VIA ZOOM/ IN PERSON

PRESIDING: Mayor Richard Mays

COUNCIL PRESENT: Darcy Long, Tim McGlothlin, Scott Randall, Dan Richardson

COUNCIL ABSENT: Rod Runyon

STAFF PRESENT: City Manager Matthew Klebes, City Attorney Jonathan Kara, City Clerk Izetta Grossman, Human Resources Daniel Hunter, Public Works Director Dave Anderson, Police Chief Tom Worthy, Columbia Gorge Regional Airport Manager Jeff Renard

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. Richardson, Randall, McGlothlin, Long present; Runyon absent.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

It was moved by Richardson and seconded by Long to approve the agenda as submitted. The motion carried 4 to 0; Richardson, Long, Randall, McGlothlin voting in favor; none opposed; Runyon absent.

PRESENTATIONS PROCLAMATIONS

Cascade Renewable Transmission Project

Carol Loughlin presented the PowerPoint included in the agenda packet.

Councilor Randall asked if the line would be operated by PGE or the BPA. Loughlin said they can run it or lease power.

Mayor Mays asked if they had been in conversations with the Gorge Commission regarding the National Scenic Area. Loughlin said they had, it was only a very small area in a right of way.

AUDIENCE PARTICIPATION

The following citizens/business owners commented on the Turn Key 2.0 project at The Dalles Hotel being turned into transitional housing for the homeless:

Tracy Griffiths, Willow and Bark
Laure Shelquist, 2512 West 13th
Jennifer Gunter
Sierra Wright, The Dalles
Nicole Chaisson, 7250 Mill Creek – written statement attached
Ben Wring

They voiced:

- Frustration at City
- Lack of communication
- Confusion over why City didn't send out notices when application was made
- Businesses in the downtown had worked long and hard to bring life back to the downtown, all for nothing if homeless are at the entry to the downtown
- Should have reached out to the downtown businesses before the sale was final, not after
- Nuisance ordinances were useless – DA won't prosecute
- Appears the location of the project was hidden
- Why is The Dalles housing homeless from Sherman and Hood River Counties
- Fearful The Dalles will become "Little Portland"
- School Bond won't pass
- Disappointed City allowed at entrance to downtown
- Feel City doesn't care – businesses will close
- Already unsafe at night

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- City new about which property in November
- Poorly handled, makes business owners feel there was secrecy around project
- Council complacent – giving MCCAC a seat at the table
- Hope to learn and grow from this experience improve communication/outreach

Community Development Director Joshua Chandler said the application was reviewed in accordance with House Bill 3261 adopted by the State Legislature in 2021. He said the House Bill requires the City to unconditionally approve this type of use as long as it was in the Urban Growth Boundary, not heavily industrial, adequate transportation available and not in a flood plain,

He said the City was restricted from applying Land Use process to the application.

He said the application was in review, currently waiting for site plan.

In response to a question he said MCCAC was allowed to complete hotel improvements that would be done if it remained a hotel, as the permit was being processed.

Mayor Mays referred the citizens to MCCAC for more details. He said it was their project and Mr. LaPointe could address their concerns.

City Attorney Kara said if anyone wanted to receive the agenda packets they could give the City Clerk their emails to be added to the list. He said the packets go out 10 days prior to the meetings.

Councilor Long said she learned of the project location at the same time the public was made aware. She said she appreciated the public coming to the Council. She offered to lead a committee to answer the questions and to work with Mid-Columbia Community Action Council.

She said was a huge supporter of homeless and very supportive of the businesses and community.

Councilor Richardson said he loved our town. He said he found out three weeks ago and since then he learned that approval was outside the Council's say so.

His thoughts:

- Many kinds of homeless – a small number causing problems was not acceptable
- There is not “somewhere” to put those causing issues
- MCCAC pallet shelters was neat and orderly
- Has Hope it will be the same at the Annex
- Need to work on communication

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- Get State Representatives into the conversation
- Committee to discuss, what can be done – good idea

Councilor McGlothlin said he was also recently informed of the project.

His thoughts:

- What is within Councils power?
- State Legislation must be followed
- City can and will communicate better
- Address issue come up with solutions
- Local group does monthly cleanups – how to help
- Local man, Don Lewis collects shopping carts off the street and returns to businesses
- Working with retailers on getting shopping carts that are not easily stolen

Mayor Mays announced a Townhall on Homeless on April 3rd being held by the Wasco County Sherriff's office.

Mayor Mays called for 8 minute break at 6:47 p.m.

Meeting reconvened at 6:55 p.m.

CITY MANAGER REPORT

City Manager Matthew Klebes reported:

- Contract for Safe Routes to School ready for signature
 - Match funds: \$200,000 from School District 21 and \$200,000 City of The Dalles
- Senator Gorsek push to revive Amtrak Pioneer Route
- Shifted Ship Liaison duties back to City; City Clerk and Executive Assistant fulfilling those duties
- American Cruise Lines (ACL) reduction in dockings due to impact of COVID and passenger requests for more river time. Working to set up meet and greet with himself and ACL
- QLife (the 17 miles backbone of fiber to the community), created in partnership with Wasco County and The City of The Dalles to provide cost effective fiber, encourage economic growth. We recently transitioned to a new engineer consultant; as part of budget process discussing the focus and vision for the future of QLife
- Several Congressional Directing Spending (CDS) requests in the works – deadline is Friday Oregon side; Tuesday on the Washington side. Letters of request from partner agencies have been requested.
 - Columbia Gorge Community College Aviation Program– the hope is for the

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program to be located at the Columbia Gorge Regional Airport inside a hangar built by Klickitat County and the City of The Dalles, using in part an EDA grant of \$2.8 million was spearheaded by Klickitat County. City committed \$350,000, Klickitat County committed \$350,000. Estimated costs ballooned in last two years, from \$5.8 million from \$3.5 million. City submitting request to help fill the gap.

- City supporting partners requests for funding through CDS. The City request for funds for the Airport comes from a different bucket (category) than the Gorge bridge requests
- Mid-Columbia Community Action Council multi-family housing project

CITY COUNCIL REPORTS

Councilor Long reported:

- Attending conference call with Senator Gorsek – SB 14 Passenger Rail Service to expand rail service in Oregon and reinstate Amtrak Pioneer Route, which was retired in the ‘70’s. Meeting to solicit testimony, written or in person in May
- Asked City Manager to mention the improvement by St. Vinnies Meal Site when he meets with American Cruise Lines

Councilor McGlothlin reported:

- Fuel sales up at the Airport, future plans for expansion
- Working with Senior Center on replacement of stole LED Display
- Spoke with constituents regarding Turn Key project concerns
 - Requested conversations with him remain positive, no name calling

Councilor Richardson reported:

- Replied to email regarding Turn Key project
- Climate Resiliency Committee – draft report coming in the spring
- Urban Renewal Agency meeting with Councilors Long and McGlothlin

Councilor Randall reported:

- QLife meeting
- Mayor Meeting
- Emails regarding Turn Key Project

Mayor Mays reported:

Lions Club

SafeSpace tour

KODL

CONSENT AGENDA

It was moved by Randall and seconded by McGlothlin to approve the Consent Agenda as presented. The motion carried 4 to 0; Randall, McGlothlin, Long Richardson voting in favor; Runyon absent; none opposed.

Items approved on the consent agenda were: 1) The minutes of the February 13, 2023 Regular City Council Meeting; 2) Surplus BizHub Copier from Community Development.

ACTION ITEMS

Tac Aero Contract Renewal

Columbia Gorge Regional Airport Manager Jeff Renard reviewed the staff report.

City Attorney said the packet was sent out before the Columbia Gorge Regional Airport Board made some recommended changes. He said they weren't substantial, but should be reported to the Council.

He said the three modifications by Board were:

- Revising the definition of premises to remove reference to upstairs of the terminal building, as it was used as the Airport Managers Office
- Removing old language regarding annual audit of fuel, as it no longer applies.
- Update Exhibit A, that referenced an old maintenance hangar

Richardson asked if Mr. Renard had any issues with the amendments. Renard said he did not.

Mayor Mays asked if staff was asking for Council to approve without seeing the changes in writing.

Kara said yes, the changes would be in substance as he indicted for the record.

Mayor Mays said the changes were administrative housekeeping.

It was noted that Klickitat County had already approved the lease.

It was move by Long and seconded by McGlothlin to authorize Staff to renew contract between Hood Tech Corp. Aero Inc. dba Hood Aero and the City of the Dalles and Klickitat County, as

amended by the City Attorney on the record. The motion carried 4 to 0; Long, McGlothlin, Randall, Richardson voting in favor; Runyon absent, none opposed.

AMS Contract Extension

City Manager Matthew Klebes reviewed the staff report.

It was moved by Randall and seconded by Richardson to authorize the City Manager to execute the Third Amendment to Airport Management Agreement with Aviation Management Services, LLC, and its Exhibit "B". The motion carried 4 to 0; Randall, Richardson, Long, McGlothlin voting in favor; Runyon absent; none opposed.

EXECUTIVE SESSION

In accordance with ORS 192.660(2)(d) to conduct deliberations with persons designated to carry on labor negotiations.

Mayor Mays recessed Open Session at 7:23 p.m.

Mayor Mays reconvene Open Session at 8:12 p.m.

ADJOURNMENT

Being no further business, the meeting adjourned at 8:13 p.m.

Submitted by/
Izetta Grossman, CMC
City Clerk

SIGNED:

Richard A. Mays, Mayor

ATTEST:

Izetta Grossman, CMC City Clerk

From: [Nicole Chaisson](#)
To: [Izetta F. Grossman](#); [Rod Runyon](#); [Dan Richardson](#); [Scott Randall](#); [Darcy Long](#); [Richard Mays](#); [Timothy McGlothlin](#)
Cc: Rep.JeffHelfrich@oregonlegislature.gov; Sen.DanielBonham@oregonlegislature.gov; [Scott Hege](#); [Steve Kramer](#); philb@co.wasco.or.us
Subject: Letter regarding the 2/27 The Dalles City Council Meeting - Discussion is the Annex
Date: Wednesday, March 01, 2023 11:08:21 AM

WARNING: Email from external source. Links and attachments could pose security risks. Investigate sender and think before you click.

My name is Nicole Chaisson and I am a parent in the Dalles by zipcode but not in city limit. My family spends about 5 days a week downtown the dalles supporting our small business owners. I have also spent two summers a few days a week in front of the post office registering people to vote and gathering signatures for various initiative petitions. We got to know the local houseless by giving out our personal water bottles in the hot summer heat. I have also volunteered for community clean ups with my family. The downtown and it's current issues are not unknown to me.

I am going to give you a few statistics from Multnomah County themselves. Yes we are not Portland , but judging by how bad things have gotten in the last 3 years per capita we might be pretty close and kudos to that county getting these statistics. Has MCCAC provided such info? Has our own county? Has our city? A point in time count is a federal rule. Multnomah County has a population of 803,377 and their point in time county showed 5228 houseless. Wasco County has a population of 26,670 and the point in time in 2022 our houseless population is 194 (see article #1)

69% of houseless in Portland were homeless when they showed up there. (See article #2) Those are called destination houseless. Will The Annex and Pallet houses be used for destination houseless?

80% of the houseless in Portland are addicted to drugs or have mental health issues. (See article #3) Saying you are dry living does not count if your ask the houseless to leave the site to use drugs (as is the way with the current pallet houses under MCCAC.) Wouldn't it make more sense to invest in detox/drug/mental health counseling?

Do you know with measure 110 having 40 fentanyl pills is not a crime? This is considered personal use. How is MCCAC going to police this? Drug test or room checks? Good luck with that.

How many of The Dalles houseless are couch surfing/ living in cars but still

make it to work? Is that what the Annex is for? There are many stories of employees that cannot get help from MCCAC when leaving a dangerous situation because they make too much or have too many assets. There are even stories of local business owners that stayed open during Covid at the disappointment of the city and state to support employees that were houseless. This is the way. Support those that are productive members of society and just need a hand up not a hand out.

Is the zoning correct for The Annex? According to the house bill the city employee of Josh explained no notification was needed. Why didn't neighboring businesses and residents receive notification from MCCAC which is normal for such things as high density subdivisions and trailer parks. I'm sorry but a an OPB article or CCC online news is not proper notice.

What are the qualifications for being a resident of the Annex? What is the plan if the Annex fails to stay full? Will they be bringing homeless from places like Portland which has thousands of homeless? Will the qualifications change? Will the qualifications be revisited? What will happen if MCCAC cannot afford to run these endeavors? Will this impact our property taxes? Will the city or county take over supervision? What about our own generational citizens of The Dalles that cannot find a place to live in their own hometown due to shortages? Is it fair to settle outsiders here while the working poor or even working middle class cannot have the American Dream.

Why are we taking houseless from Sherman and Hood River County? Do you know the pallet houses in Hood River are closing March 31st and the Annex is opening ? Does that make sense? Basically you have managed to agree to help increase the growth of The Dalles population faster than any other governing council, through accepting peoples from all surrounding counties, without bringing industry or other long term employment.

Thank you for listening to me. I do not expect you to answer these questions now but wanted to make you think. Small business owners have had enough problems. We need to support them. I will be sending this out as an email backed by articles of the statistics I have quoted.

HB3261-must give permission to the land use no matter what.-you could use sanctuary laws to sign a ordinance that you as a city you will not accept this. In fact if you closer at HB3261 it notes MAY not SHALL read for yourself do

not just rely on a lawyer. Ask the tough questions.

You could also set limitations/question/ as elected city mayor and councilors to what MCCAC's plans are.

Nuisance ordinances are a waste as our current DA Matt Ellis will follow the lead of his mentor Portland's DA Mike Schmidt and keep the revolving door going.

Camping on public and private in city limits should be banned. Panhandling should be banned, running down 6th naked while being chased by 3 police officers is not OK, stealing shopping carts is not OK. Hood River Walmart just spent 40 thousand dollars to replace shopping carts. One of the homeless camps in Hood River had shopping carts as far as Richland Washington. That's cost is absorbed by us. I am sure Fred Meyer/Grocery Outlet/Safeway will agree.

Will you expect MCCAC to offer the money to clean the human feces, return shopping carts, clean the watershed of Mill Creek, clean the graffiti. Would they be responsible if these people are their wards? Portland is currently being sued by disabled people.

Our representative and our senator are the minority in Salem in fact our current ones were not in their position. It is because of this HB3261 passed. The blame is not them and Mr. Richardson knows better calling them out. We see you and it was quite disingenuous.

Our county received 5 million dollars of pandemic money to open a navigation center which included space for MCCAC among there wrap around services. MCCAC is saying it is their navigation center according to reports attached. That doesn't sound right.

What was your involvement with that? Rich Mays stated the city gave 500k to support the navigation center. Do you know that the same day the county commissioners signed a emergency resolution regarding homelessness that MCCAC received millions of dollars? I am sure that you are all aware and have signed off our city to be part of the Homeless Industrial Complex (see Article #4). Is this the economic development we want?

I would like to add on with info that I recently saw Marcus Swift post on The

Dalles Facebook pages. His partner is a Director at MCCAC. He stated that the homeless with shopping carts would not be housed at the Annex..hmm ok then who would be? Is it our local houseless working poor or disabled? That I think is not a problem, though when they find housing as the Annex is transitional eventually there will be no need. So what is the exit strategy? What are the plans for an empty motel?

I just hope that you take a close look at priorities. According to the MCCAC crowd everyone knew about this and I am sure that some on the council knew too. A city council meeting 2/13 was full of supporters of the Annex. I wonder why? How are you looking out for your constituents? Many business owners supported all of you in your elections. Why are they now all left in the cold when it will impact their businesses. What will you do to keep MCCAC straight and transparent with their original promises?

I am sorry for any errors in my email. I just want you to know that I work 2 jobs and have a family. I am speaking out for people that fear retribution like our small business owners that are frustrated with the way they have been treated. They keep putting money into this community and keep sliding to the bottom of priorities in this town. Anytime they try to stand up with humility and grace they are attacked by various people that consider themselves progress in this county. They are routinely told to sit down and shut up by the County, City, and State. You can do better by showing some compassion of their pleas. They came here to make The Dalles better.

#1 <https://www.opb.org/article/2022/12/25/wasco-county-oregon-homelessness-the-dalles-shelter-think-out-loud/>

#2 See attachment a screen shot of the Joint Office of Homeless Services Tableau report.

#3 <https://blanchethouse.org/portlands-homelessness-crisis-one-mans-path-out/>

#4 <https://nationalpolice.org/the-homeless-industrial-complex-making-it-tough-for-cops/>



AGENDA STAFF REPORT

AGENDA LOCATION: Contract Review Board Item #10A

MEETING DATE: March 13, 2023

TO: Honorable Mayor and City Council

FROM: Dale McCabe, City Engineer

ISSUE: Award of Contract No. 2023-002 for East 9th Street Water Extension

BACKGROUND: The Public Works Department requested bids for the East 9th Street Water Extension project, Contract No. 2023-002. The scope of work for the project was stated as follow: “The work to be performed shall consist of furnishing all materials, labor and equipment necessary to construct 1200 lineal feet of 6 inch ductile iron water line. All work will be conducted in accordance with the contract documents”.

On October 28th, of 2022, City Public Works crews removed the house that was located within the East 9th Street Right-of-Way. Once the house was removed, the City’s Engineering Division completed the design for the new sanitary sewer main, storm water main, and waterline to be installed within that portion of the East 9th Street Right-of-Way. In looking at work loads and available staff time, it was decided that the City’s Wastewater Collection crews would install the new sanitary sewer main and the new storm water main. The Water Distribution Division determined that the new water main line would need to be contracted out for its installation.

As of the first of the year, the City’s Wastewater Collection Crew has been installing the new sanitary sewer main when weather and working conditions have allowed them to work on the project. The Engineering Division completed the design and Contract Documents for the East 9th Street Water Extension project and advertised for bids for the project on January 9, 2023.

The bid opening for this contract was held on February 14, 2023 at which time three bids were received as follows:

1. James Dean Construction, in the amount of \$224,208.00

2. Crestline Construction, in the amount of \$232,220.00
3. Beam Excavation, in the amount of \$251,405.00

The bids were reviewed by City staff to make sure the proper materials were submitted, and the bids were deemed complete.

BUDGET IMPLICATIONS: At the February 13, 2023 City Council meeting, City Council approved the adoption of the Supplemental Budget that allocated funds in the amount of \$220,000 for this project in Fund 53, line code 053-5300-00-75.10. Over \$4.1 million is allocated within that budget line code and is available to cover the remaining balance portion of \$4,208.00 for this project.

COUNCIL ALTERNATIVES:

1. **Staff Recommendation:** *Move to authorize the City Manager to enter into contract with James Dean Construction in an amount not to exceed \$224,208.00 for Contract No. 2023-002, the East 9th Street Water Extension project.*
2. Deny authorization to award Contract No. 2023-002 and provide direction to staff.



AGENDA STAFF REPORT

AGENDA LOCATION: Action Item #11A

MEETING DATE: March 13, 2023

TO: Honorable Mayor and City Council

FROM: Matthew Klebes, City Manager

ISSUE: Waste Connections of Oregon, Inc. dba The Dalles Disposal Service Franchise Agreement

BACKGROUND: On April 7, 1993, the City Council granted The Dalles Disposal Service, Inc. the business of hauling solid waste materials in The Dalles. Waste Connections of Oregon, Inc. subsequently acquired The Dalles Disposal Service, Inc., which acquisition was consented to by the City. Since then the City has extended the agreement twice.

The latest agreement is set to expire on April 5, 2023, unless the City renews their contract for another ten years as set forth by TDMC 4.04.070(B). If the City extends the contract with Waste Connections of Oregon, Inc. dba The Dalles Disposal Service, the new date to renew their contract would be April 5, 2033.

The included Special Ordinance includes language modify the franchise on the following items; minimum regular hours, providing service to City receptacles in the downtown core, collectible yard waste services, and service during the Annual Community clean up.

Waste Connections of Oregon, Inc. dba The Dalles Disposal Service has an established record of providing quality and cost-efficient solid waste disposal services to the citizens of The Dalles and extending their contract would be in the public interest.

BUDGET IMPLICATIONS: The City will continue to receive a franchise fee payment calculated at three percent (3%) of the franchisee's gross revenue.

COUNCIL ALTERNATIVES:

- 1. Staff recommendation:** *Move to approve Special Ordinance No. 23-596*

amending Special Ordinance No. 93-412 to modify the terms of the franchise granted to Waste Connections of Oregon, Inc. (dba The Dalles Disposal Service).

2. Decline to renew contract and direct staff to look for other alternatives.
3. Decline to renew contract with franchisee.

SPECIAL ORDINANCE NO. 23-596

**A SPECIAL ORDINANCE AMENDING SPECIAL ORDINANCE NO. 93-412
TO MODIFY THE TERMS OF THE FRANCHISE GRANTED TO
WASTE CONNECTIONS OF OREGON, INC. (DBA
THE DALLES DISPOSAL SERVICE)**

WHEREAS, on November 2, 1992, the City Council adopted General Ordinance No. 92-1155 (codified as TDMC Chapter 4.04 – Solid Waste Collection and Disposal) to establish regulations for the collection and disposal of solid waste within the city limits;

WHEREAS, on April 7, 1993, the City Council adopted Special Ordinance No. 93-412 granting a franchise to The Dalles Disposal Service, Inc. (**Franchise**) for the business of collecting and hauling solid waste materials in The Dalles;

WHEREAS, Waste Connections of Oregon, Inc. subsequently acquired The Dalles Disposal Service, Inc., which acquisition was consented to by the City Council;

WHEREAS, pursuant to TDMC 4.04.070(B), any franchise granted by the City shall be valid for a term of 10 years, and the City Council has twice extended the Franchise's term to expire April 5, 2023; and

WHEREAS, Waste Connections of Oregon, Inc. dba The Dalles Disposal Service has an established record of providing quality and cost-efficient solid waste disposal services to the citizens of The Dalles and the City Council believes an amendment to the Franchise extending its term and other modifications as provided herein would be in the public interest.

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

Section 1. Franchise Extended. The term of the Franchise granted to Waste Connections of Oregon, Inc., doing business as The Dalles Disposal Service (initially granted by Special Ordinance No. 93-412 and extended in 10-year increments by Special Ordinance No. 99-466 and Special Ordinance No. 13-577) shall be extended for an additional period of 10 years to now expire April 5, 2033.

Section 2. Franchise Modified. In addition to its existing performance duties under the Franchise, the franchisee shall, at no additional cost to or expense of the City:

- A. maintain minimum regular operating hours each Monday through Saturday from 9:00 a.m. to 5:00 p.m.; and
- B. provide:
 - i. collectible solid waste collection services to the City's receptacles located along 1st Street, 2nd Street, and 3rd Street in the downtown core on a weekly basis;

- ii. collectible yard waste (brush, branches, and roots smaller than 4-inches in diameter, flowers, fruit and vegetable trimmings, grass clippings, leaves, plants, shrubs, and other reasonably related wastes customarily incidental to yard maintenance) services to all residences located within the City of The Dalles twice per year (once each May and once each November) at no additional cost to the City's residents; and
- iii. collectible solid waste and yard waste collection services, at no additional cost to the City's residents, during the Annual Community Clean Up.

Section 3. Franchise Terms Accepted. The Franchise extension and modifications granted or amended by this Special Ordinance shall only be valid upon the franchisee's filing with the City Clerk (within 14 days from this Special Ordinance's adoption) a written acknowledgment and acceptance of all the terms and conditions provided herein, a copy of which is attached to and made part of this Special Ordinance as Exhibit "A".

Section 4. Conditional Effective Date. This Special Ordinance shall be effective 30 days after adoption if and only the franchisee files an executed copy of Exhibit "A" with the City Clerk pursuant to Section 3; otherwise, this Special Ordinance is void as a matter of law and the Franchise shall naturally expire on April 5, 2023.

PASSED AND ADOPTED THIS 13TH DAY OF MARCH 2023,

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

AND APPROVED BY THE MAYOR THIS 13TH DAY OF MARCH 2023.

Richard A. Mays, Mayor

ATTEST:

Izetta Grossman, CMC, City Clerk

Exhibit "A"
Special Ordinance No. 23-596

ACKNOWLEDGMENT AND ACCEPTANCE

I hereby acknowledge I have read the provisions of Special Ordinance No. 23-596 and am duly authorized to act on behalf of the franchisee, **Waste Connections of Oregon, Inc. dba The Dalles Disposal Service**, to hereby accept the modified terms of the Franchise, the existing Franchise, and the provisions of The Dalles Municipal Code Chapter 4.04 (*Solid Waste Collection and Disposal*).

DATED this _____ day of _____, 2023.

**WASTE CONNECTIONS OF OREGON, INC.
DBA THE DALLES DISPOSAL SERVICE**

By: _____

Title: _____

Date: _____



AGENDA STAFF REPORT

AGENDA LOCATION: Action Item #11B

MEETING DATE: March 13, 2023

TO: Honorable Mayor and City Council

FROM: Jonathan Kara, City Attorney

ISSUE: Authorizing the City Manager to execute Participation Forms and all other necessary documentation for the Teva, Allergan, CVS, Walgreens, and Walmart national opioid settlements

BACKGROUND: Proposed nationwide settlement agreements have been reached to resolve opioid litigation brought by states and municipalities against two pharmaceutical manufacturers (Teva and Allergan) and three pharmacies (CVS, Walgreens, and Walmart). The settlement agreements require those manufacturers and pharmacies to pay about \$17 billion to states and municipalities, contain injunctions governing opioid marketing, sale, distribution, and dispensing practices, and release those manufacturers and pharmacies from future claims on this issue.

The more Oregon cities and counties participating in the settlement, the more funds will be allocated to Oregon and its municipalities. The City must take affirmative steps to opt-in to participate in the settlement, including executing Participation Forms for each settlement on or before April 18, 2023.

Based upon the total number of Oregon Participation Forms received by the settlement administrator on that date, the administrator will then determine whether participation for each settlement is sufficient for the deal to move forward and whether Oregon will receive its maximum potential payment under the settlement. If a settlement moves forward, the City's release will become effective; if a settlement does not move forward, the City's release there will not become effective.

I have reviewed the Participation Forms for each settlement and recommend the City take all necessary steps to opt-in to each of the settlement agreements. If the City does not opt-in, it cannot directly share in the settlement funds and it may reduce the amount of money

for programs to remediate the Oregon opioid crisis. Any funds the City receives for its participation in these settlements will be earmarked to be spent on opioid abatement programs and are freely transferable for that purpose to any private or public entity.

BUDGET IMPLICATIONS: The funds potentially available to the City here depend on the level of participation by eligible states and municipalities. Each of the settlements requires the settling defendant to make annual payments over a period of years consisting of base and incentive payments. For context, the City's previous opioid settlements with McKesson Corporation, Cardinal Health, Inc., and AmerisourceBergen Corporation and Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc. resulted in about **\$303,000** in settlement funds allocated to the City after full state and municipality participation.

COUNCIL ALTERNATIVES:

1. **Staff recommendation:** *Move to authorize the City Manager to execute the Participation Forms and all other necessary documentation for the Teva, Allergan, CVS, Walgreens, and Walmart national opioid settlements.*
2. Decline formal action and provide Staff additional direction.