

HERMISTON CITY COUNCIL

180 NE 2nd Street - Hermiston, OR 97838

Regular Meeting

April 27th, 2015

A G E N D A

WORK SESSION – 6:00 PM

COUNCIL/CITY MANAGER – Senior Activity Center

1. CALL MEETING TO ORDER– 7:00 pm
2. DECLARATION OF QUORUM
3. FLAG SALUTE
4. PROCLAMATIONS, PRESENTATIONS & RECOGNITIONS
 - A) Proclamation – Cinco de Mayo
5. CITIZEN INPUT ON NON-AGENDA ITEMS (Anyone wishing to bring anything before the council that is not on the agenda is asked to please do the following: 1. Limit discussion to not more than FIVE minutes; 2. State your name and address; 3. Direct your comments to the Mayor.)
6. CONSENT AGENDA
 - A) Minutes of the April 13th, regular meeting.
 - B) Minutes of the March 25th, Library Board meeting.
 - C) Minutes of the April 7th, Faith Based Advisory Committee meeting.
 - D) Minutes of the April 20th, Hispanic Advisory Committee meeting.
 - E) Recommendation to Planning Commission vacancies for 3-year terms ending March 31st, 2018:
Position #7 – Carleen Flaiz Position #8 – Margaret Saylor Position #9 - Derek Caplinger
 - F) Recommendation to Budget Committee vacancies for 3-year terms ending December 31st, 2017:
Position #4 – Vacant Position #5 – Fred Allen Position #6 – Vacant
 - G) Recommendation to Recreation Projects Fund Advisory Committee for the 3-year term ending December 31st, 2017: Position #3 – Mike Botti Position #4 – Vacant

- H) Recommendation to Hispanic Advisory Committee for 3-year term ending June 30th, 2018:
Position #6 – Hector Ramirez
- I) Recommendation to Eastern Oregon Trade and Event Center for 4-year term ending December 31st, 2018: Position #3 (Rodeo) – David Bothum
- J) Declare certain items of City owned property surplus to the needs of the City.

K) March Expenditures

Bonded Debt	558,290.03	Conference Center	12,924.40
General	963,845.48	Energy Services	1,642,399.90
State Tax Street	186,910.46	Regional Water	52,782.19
Transient Room Tax	734.50	RWTP Construction Fund	0.00
Utility	911,271.71	EOTEC Construction Fund	0.00
Recreation Special Revenue	57,921.59	Law Enforcement Special Revenue	1,500.00
Reserve	178,902.44	Library Special Revenue	756.38
Municipal Court	23,848.96	2014 Water & Sewer Bonds	1,113,904.66
Miscellaneous Special Revenue	1,213.69	TOTAL \$ 5,707,206.39	

Action – Motion to approve consent agenda items.

Roll Call

7. ITEMS REMOVED FROM CONSENT AGENDA

8. PUBLIC HEARINGS

- A) Consider annexation of 2 acres of land on west side of SW 10th St. The property is proposed to be annexed with R2 zoning for construction of a single family subdivision.
- 1) Declaration of potential conflict of interest
 - 2) Hearing Guidelines
 - 3) Open Hearing
 - 4) Public Testimony (people wishing to speak are asked to come to the microphone and state their name and mailing address)
 - a. Proponents
 - b. Opponents
 - 5) Close Hearing
 - 6) Finding of Fact
- Action: Motion to Approve

9. RESOLUTIONS & ORDINANCES

- A) Ordinance No. 2228 – Annex land to City, outlining the new boundaries, describing said property, withdrawing said lands from special districts and designating zoning of 2 acres of land on west side of SW 10th St.
- Action - Mayor requests first reading of the ordinance be read by title only and calls for a roll call. Roll Call
- Action - Mayor requests that the ordinance be put on for final adoption at this meeting and that the second reading be by title only and calls for a roll call. Roll Call
- Action - Motion that ordinance No. 2228 be adopted and become effective 30 days after its passage by the City Council. Roll Call

- B) Ordinance No. 2229 – Amend the “animal” section of the City Code to modernize language and reconcile it with existing practice.
Action - Mayor requests first reading of the ordinance be read by title only and calls for a roll call. Roll Call
Action - Mayor requests that the ordinance be put on for final adoption at this meeting and that the second reading be by title only and calls for a roll call. Roll Call
Action - Motion that ordinance No. 2229 be adopted and become effective 30 days after its passage by the City Council. Roll Call
- C) Resolution No. 1982 – The resolution authorizes the City to update a portion of the city’s existing fee schedule to reflect changes regarding dog licensing.
Action – Motion to approve and lay upon the record.
- D) Resolution No. 1980 – The resolution authorizes the City to accept the recommendation of the Senior Advisory Group and the Hermiston Senior Board to approve the Aspen site as the preferred construction site to the new Senior Activity Center.
Action – Motion to approve and lay upon the record.
- E) Resolution No. 1981 – The resolution authorizes the City to officially name the new Senior Activity Center as the “Harkenrider Center”.
Action – Motion to approve and lay upon the record.

10. OTHER

- A) March Financial Report –Amy Palmer
Action - Motion to approve. Roll Call
- B) Engineering Contract: Approve a master services agreement with Anderson Perry & Associates and designate them as engineers of record for the City of Hermiston.
Action - Motion to approve. Roll Call.
- C) Authorize an agreement between the City of Hermiston and the Umatilla County Special Library District (UCSLD) to provide library services to Umatilla County residents that live within the Hermiston Library Service area.
Action - Motion to approve. Roll Call
- D) Award bid to Intermountain Slurry Seal for the Highland Avenue Resurfacing Project.
Action - Motion to approve. Roll Call
- E) Award bid to C&E Trenching, LLC for the Non-Potable Water Supply Project (OSU and Simplot).
Action - Motion to approve. Roll Call

11. COMMITTEE REPORTS

- A) City Committees and Liaison: Airport Advisory, Budget, Hispanic Advisory, Library Board, Parks & Recreation, Planning Commission, Recreation Projects Fund, Faith-Based Advisory Committee, Community Enhancement Committee, Public Safety Committee.

B) Mayor's Report –

C) Council Report –

D) Manager's Report -

12. ADJOURNMENT

UPCOMING MEETINGS AND EVENTS at City Hall unless otherwise specified

Apr 27	6:00 pm	Work Session
Apr 27	7:00 pm	City Council Meeting
May 05	4:00 pm	Faith Based Advisory Committee Meeting
May 06	4:00 pm	Airport Advisory Committee Meeting
May 07	4:00 pm	Landscaping Ordinance Open House
May 11	7:00 pm	City Council Meeting
May 13	6:00 pm	Budget Committee Meeting
May 14	5:30 pm	Parks & Recreation Meeting
May 14	7:00 pm	Planning Commission Meeting
May 18	7:00 pm	Hispanic Advisory Committee Meeting
May 19	6:30 pm	Community Enhancement Committee Meeting
May 25		Memorial Day Holiday
May 26	6:00 pm	Work Session
May 26	7:00 pm	City Council Meeting
May 27	4:00 pm	Library Board Meeting (Library)

Agenda 04/27/15



PROCLAMATION

Whereas, Cinco de Mayo, or the fifth of May, has historically been a day to commemorate an unlikely victory by the Mexican Army over French forces in 1862; and

Whereas, the day has grown over time to represent a source of pride for many Mexican-Americans and become an opportunity to celebrate and share Mexican culture; and

Whereas, the 2010 Census identified 35% of Hermiston's population as Hispanic or Latino; and

Whereas, many of the community's Hispanic and Latino population is of Mexican descent; and

Whereas, our neighbors in Stanfield, Umatilla, Irrigon, and Boardman also have large Hispanic and Latino populations who come to Hermiston to work, shop, do business and recreate; and

Whereas, the City of Hermiston exists to support and serve all members of our community and strives to support an inclusive and welcoming culture; and

Whereas, the City of Hermiston supports the annual Cinco de Mayo celebration in the downtown area; and

Whereas, in order to ensure the best turnout possible for this cultural celebration, the event will be held on Sunday, May 3rd.

NOW, THEREFORE, BE IT RESOLVED, that I, Mayor David Drotzmann, do hereby proclaim that the City of Hermiston will celebrate Cinco de Mayo on May 3rd as well as May 5th this year, and encourage all area residents to join in the celebration with our friends and neighbors.

SIGNED this 27th day of April, 2015

Dr. David Drotzmann, Mayor

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Regular Meeting

April 13th, 2015

Mayor Dave Drotzmann called the regular meeting to order at 7:00 p.m. Present were Councilors Hardin, Smith, Myers, Kirwan, Gutierrez, Beas-Fitzgerald and Primmer. Mayor Drotzmann announced Councilor Davis would be arriving shortly (arrived at 8:20 pm). Staff members in attendance were City Manager Smith, City Attorney Luisi, Mark Morgan, Bill Schmittle, Chief Edmiston, Larry Fetter, Clint Spencer, Ron Sivey, Nate Rivera and Lilly Alarcon-Strong. News media present were Jade McDowell of the East Oregonian, Sean Hart of the Hermiston Herald and Michael Kane of NE Oregon Now. The pledge of allegiance was given.

Mayor Drotzmann announced this would be the first meeting he held using a new agenda format.

Proclamation/Recognizing Hermiston High School Wrestling Team

Mayor Drotzmann read a Proclamation recognizing the Hermiston High School Wrestling Teams Oregon Class 5A State Wrestling Championship.

Citizen Input On Non-Agenda Items

Jill Hayes, 357 E Beech Ave, stated she is the Vice President of the Umatilla County Peer Support Network and would like to address the Council regarding the lack of transportation available for the residents of Hermiston, especially those residents who are on fixed incomes and low income individuals, as well as, youths. She would like the Council to consider a bus system similar to the one used in Tri-Cities Washington. This system would allow her and others to be social, shop, be involved in recreational activities and volunteer in the community with more ease, as well as, improve the quality of life for those who would utilize the transportation system.

Mayor Drotzmann stated the Council does realize the need for additional transportation and is seeking ways to fund, improve and add to the system currently in place.

Consent Items

Councilor Myers requested the exclusion of Item 6F, Final Plat – Castle Homes Phase 3 – W Highland Ave – 10 lots. Councilor Gutierrez moved and Councilor Kirwan seconded all Consent Agenda items be approved for filing with the exclusion of item 6F, to include:

- 1) Minutes of the March 23rd, regular meeting
- 2) Minutes of the January 28th, Library Board meeting
- 3) Minutes of the March 11th, Planning Commission meeting
- 4) Minutes of the March 16th, Hispanic Advisory Committee meeting
- 5) Final Plat – Desert Sky Phase 4 – S First Street – 14 Lots
- 6) Final Plat – Highland Summit Phase 7 – SE 13th Street – 21 Lots
- 7) Announcements of Standing Committee Vacancies for the Planning Commission, Budget Committee, Recreation Projects Fund Advisory Committee, Hispanic Advisory Committee and EOTEC Board

Motion carried unanimously.

Items Removed From Consent Agenda

Councilor Myers stated she would like to abstain from voting on item 6F, Final Plat – Castle Homes Phase 3 – W Highland Ave – 10 lots, as it was a conflict of interested. Councilor Kirwan moved and Councilor Beas-Fitzgerald seconded approval for Final Plat – Castle Homes Phase 3 – W Highland Ave – 10 lots.

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Councilor Hardin, Smith, Kirwan, Gutierrez, Beas-Fitzgerald and Primmer voted yes. Councilor Myers abstained from voting. Motioned carried 6-1.

Conference Center Operational Contract

City Manager Smith stated this was one of the first items brought to his attention when he started with the City. EOTEC was in the process of being constructed for large meetings and gatherings, simultaneously, the City was meeting with the Chamber of Commerce who operates the Hermiston Conference Center about the same subject. City Manager Smith stated Assistant City Manager Mark Morgan would be presenting the Council with information regarding the Chamber of Commerce and Conference Center operations. Assistant City Manager Morgan stated the Conference Center often schedules events a year in advance and needs some certainty that they are able to schedule these events as EOTEC is scheduled to be operational by Summer of 2016. The City Councils Conference Center sub-committee recommends that the Council commit to extending the contract with the Chamber of Commerce to operate the Hermiston Conference Center through the end of 2016. The City of Hermiston owns the conference center facility that was purchased and renovated in 1994 thanks to \$600,000.00 of community donations, a \$250,000.00 contribution from the City from the sale of other land and a \$300,000.00 loan from the City's General Fund. The City pays the Chamber of Commerce \$64,350.00 annually to operate the facility as a conference center, as well as, covering all of the utilities and insurance costs, these costs total approximately \$90,000.00 per year to the City. Total operational costs to the city per year is about \$180,000.00 taking into considerations all the other expenditures ie; linens, toiletries, staffing for events, etc. From there, the conference center sees revenue from rent for events. Considering the City's Subsidy, event income and expenses, the Conference Center has averaged a net loss of \$49,000.00 over the past five years. The Chamber of Commerce also uses the office space and the facility for various events for free.

Assistant City Manager Morgan stated a percentage of the City's Transient Room Tax is being used to subsidize the Conference Center. This Transient Room Tax has been increasing over the past 10 years due to increased room and occupancy rates. Currently, besides Weddings and Quinceneras, most of the Conference Center events do not have a big impact on the Transient Room Tax. The Chamber of Commerce acts as the City's Contractor to operate the facility and the contract automatically renews every January 1st, but requires a six month notice to terminate. The Conference Center has three different rooms with size capacity from 20 to 600 people, each room is used 2-3 times per week. The Conference Center sits on 2 acres of commercial real estate with direct access onto Highway 395 and was valued for insurance purposes at about \$3 Million, the property will be commercially appraised in May.

Mayor Drotzmann stated the City has had meetings with the Chamber of Commerce regarding this issue. The Chamber of Commerce wanted some reassurance the City would allow them to continue to use the facility, and the sub-committee recommended the Chamber of Commerce continue to use the Conference Center until at least through the end of 2016, until the City knows what the future will hold for the Conference Center once EOTEC comes online. Mayor Drotzmann would like to have the community's input on what they would like to see done with the Community Center.

Councilor Kirwan and Primmer explained the City is and will be making a substantial financial contribution to EOTEC and the City cannot afford to operate these two facilities. Mayor Drotzmann stated the Councils job is to try to do the best it can with the tax payers resources, with that being said,

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no final decision has been made or will be made at this moment regarding the Chamber of Commerce and the Conference Center with the exception of renewing the Chamber of Commerce contract through 2016.

John Spomer, 745 W Quince, stated he appreciated all the information he was able to gather on line from Assistant City Manager Morgan regarding this issue and the fact that the Council wants public input. Mr. Spooner asked the Council if it had ever been released to the public that the Conference Center would be a tradeoff to EOTEC.

City Manager Smith stated from what he understood when EOTEC was planning the facility they estimated the number of events without taking any events that currently take place at the Conference Center. EOTEC was designed to hold larger events that the Conference Center cannot currently accommodate and to attract people from outside the City to hold larger events. Mayor Drotzmann stated EOTEC is much more than an event center, it is also fair and rodeo grounds. Hermiston needs a facility that is larger than the Conference Center, as there are events that cannot be hosted at the Conference Center due to size limitations. There was no deliberate intention of creating EOTEC to close the Conference Center.

Joe Franell, 34010 Beech Shore Drive, Mr. Franell stated he is the Chair of the Chamber of Commerce Board of Directors and he is appreciative that the City is communicating well with the Chamber of Commerce and that the City is willing to extend their contract through 2016. Chairman Franell stated the renewal of the Chamber of Commerce is not just about giving stability to the Chamber but also about giving stability to the Community as there are a number of events that take place at the Conference Center ie; Hermiston Education Foundation, Distinguished Citizens Award Banquet, Parks and Recreations events, etc. The Conference Center is a community asset and not a City Council asset and it is important to engage the community in discussions about what happens with their Conference Center, whether it be keeping it, refurbishing it or selling it. The Chamber of Commerce is excited to be a part of that discussion and publically applaud the Councils efforts to be deliberate about the decisions that will be made regarding the Conference Center.

Mayor Drotzmann apologized for not including the community events that take place in the Conference Center and stated the City is pleased that the Chamber is working very closely regarding this issue and the Council wants to make sure the community knows they will continue to have a facility to host these events, no matter where that may be.

Jill Hayes, 357 E Beech, Mrs. Hayes recommended the City not destroy the Conference Center, instead, the City should allow the Umatilla County Peer Support Network to rent the facility as a drop in center to include the community and continue to rent the facility out to the community. The Conference Center could also be used to target Teens as there are not many outlets in the area for this age group.

Mayor Drotzmann stated the Council has no intention of destroying the Conference Center but is looking at all options presented to the Council.

Tamara Mabbott, 80379 Zimmer Lane, Mrs. Mabbott would like to applaud the Council for being very open with the community regarding its decision with the Conference Center and for supplying all the information online. Mrs. Mabbott stated she looked up the deed to the Conference Center and it was

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purchased for \$400,000.00, the traffic count is between 16,000 to 20,000 and recommends the council expand its current sub-committee.

Liz Marvin, 1725 E Highland Ave, Mrs. Marvin stated she moved to Hermiston in 1999 and one of the first thing she noticed was how welcoming the community was and how many activities you were able to be involved in. One of the things that she was impressed with is how the community had a “we can do anything attitude” and transformed this old grocery store into a Conference Center with the help and backing of the entire community. Mrs. Marvin stated things like this, networking and building relationships is what makes this community strong, this is what makes Hermiston so wonderful. There could be some negativity within the community if the Council decides to sell the Conference Center with all the effort the community placed into making this facility.

Kelly Sanders stated he feels the Conference Center is a wonderful building and has served a great purpose in our community. The Conference Center adds a lot to the community, letting the community host events such as the Festival of Trees. EOTEC can hold these events, but the facility is located further out making it hard to accommodate those lunch time meetings due to traffic. The community has spent a lot of time and effort into the Conference Center and would encourage the Council to keep the building.

Councilor Gutierrez moved and Councilor Kirwan seconded to extend the Chamber of Commerce contract for operation of the Hermiston Conference Center through the end of 2016. Motion carried unanimously.

Anderson Perry and Associates Engineering Contract

City Manager Smith stated the City of Hermiston has not had a City Engineer on staff since 2009. Since that time Kennedy Jenks, an outside consulting firm, has acted at the City engineer for most of the standard needs like development reviews, water & sewer line design, street paving, etc. This relationship has worked well because of the broad scope of engineers they have and the City has had access to. Although there are many benefits with contracting through a consulting firm, the City has had a lack of ability to work with an engineer on a daily basis for smaller issues. Since Kennedy Jenks is based out of Portland the City has had to pay for travel expenses every time they travel to Hermiston and staff has to squeeze in as many routine questions as they can during these visits.

City Manager Smith stated in August the Public Works related staff met to discuss the needs they have for Engineering Services and what would be best for the City in terms of accessibility and cost, as well as, looking into what other cities in the area do for their engineering needs. It was determined that the City would publish a Request for Proposals to seek qualified firms that would be able to provide the City with a dedicated in-person staff time for at least two days per week. The City received five qualified responses and Anderson Perry was the best option. Anderson Perry Engineering services would cost the City approximately \$90,000.00 per year, compared to over \$150,000.00 per year for Kennedy Jenks.

Chas Hutchins, Anderson Perry Engineer, stated he would be the representative for the City of Hermiston. Mr. Hutchins stated an engineer is needed throughout the city for its infrastructure for roads, sewer, water, bridges, transportation, traffic signals, all the things that keep a community running properly an engineer is responsible for. Anderson Perry Engineering work with a lot of the communities

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in the area including La Grande, Echo, Umatilla, etc so they are able to contract the needed services with local contractors who know their work and can also usually negotiate a better price as well.

Mayor Drotzmann was concerned that Kennedy Jenks has been such a big part of the growth in Hermiston that perhaps the City would continue to utilize their services and there would be no savings benefit, therefore, why contract another Engineering service. City Manager Smith stated Kennedy Jenks would still finish out the six projects they are currently working on for the City, as well as, help the City and Anderson Perry with any and all information pertaining to the City. Once the transition period is complete the City would see a financial gain.

There was discussion between the Mayor, Council, City Manager Smith, Assistant City Manager Morgan and Chas Hutchins regarding what days Chas will be in Hermiston, engineering costs, transition time and other specialized engineers from Anderson Perry that will be working on Hermiston projects.

There was discussion between the Mayor Drotzmann, Councilor Hardin, City Manager Smith and City Attorney Luisi regarding the Anderson Perry Engineering contract. City Attorney Luisi stated the contract is owned by the engineers not the City, therefore, the City cannot use the documents as they are instruments of service. The contract is for one year, and is automatically extended for succeeding three-year periods indefinitely. If for some reason the City is dissatisfied with the service of Anderson Perry Engineering the City would have to give Anderson Perry a notice of default and Anderson Perry would have a time frame in which to correct the default or the City would have to wait out the three year term. Attorney Luisi recommended the contract only be for one-year terms. Mayor Drotzmann asked for clarification on how the terms of the contract were established. Assistant City Manager Mark Morgan stated the City's engineering contact with Anderson Perry is very standard as most all engineering contracts have these types of rolling terms. Attorney Luisi stated attorneys for the engineers usually construct the terms of the contracts making them more favorable for the engineers. He has, in the past, recommended the city contract an attorney who specializes in construction contracts to amend these types of contracts for the City. There are items the City should consider changing to include the instruments of service as the engineer would own the drawings and the City will not hold the engineers responsible for drawing defective plans. Attorney Luisi stated EOTEC had a similar contract and experienced problems because they did not have their contract reviewed by an attorney or amended. Mayor Drotzmann stated the City feels Anderson Perry is a very qualified engineering firm and is looking forward to conducting business with them but will table this decision until a new contract is drawn up to include the concerns that Attorney Luisi presented. Mayor Drotzmann thanked Kennedy Jenks for their tremendous service to the community as they have been and will continue to be a great resource to the City.

(Councilor Davis arrived.)

Committee Reports

Faith Based Advisory Committee: Councilor Hardin stated Pastor Craig Frailey will be the new facilitator to replace Dr. Dean Hackett. Pastor Craig Frailey stated he would soon be presenting the council with their recommendations for the implementation of a mentoring program that will be offered to at-risk families in Hermiston.

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Parks and Recreation Committee: Councilor Myers stated the meeting was rescheduled from Thursday April 9th to Thursday April 16th.

Community Enhancement Committee: Councilor Myers stated Assistant City Manager Morgan will be putting together a presentation for community involvement. Assistant City Manager Morgan stated he will be issuing a press release asking for community involvement for ideas and recommendations on projects the City would be able to implement depending on project size, priority and available funds.

Mayor Drotzmann stated the Landscaping Ordinance was a recommendation from the Community Enhancement Committee and recommends the community and council to attend the open house dedicated to the Landscaping Ordinance on May 7th from 4:00 pm to 6:00 pm.

Hispanic Advisory Committee: Councilor Gutierrez stated the Committee will meet Monday April 20th. Cinco de Mayo will be Sunday May 3rd on Main Street and in front of City Hall. Parks and Recreation Director Larry Fetter stated there will be a parade from the Conference Center to 2nd Street and a carnival in the parking lot across from City Hall on Friday, Saturday and Sunday for Cinco de Mayo.

Library Board: Councilor Smith stated they were in the process of finalizing the contract with the County Library District. Councilor Smith stated the library has a program called Library-2-go in which individuals are able to access library books without ever going to the library, this program is available online.

Mayor Drotzmann stated City Manager Smith has recommended adding a Public Infrastructure Committee to meet quarterly. City Manager Smith stated this committee would meet to discuss new ideas and projects that would eventually come to the City Council. Mayor Drotzmann stated he has assigned Councilor Kirwan, Smith and Davis to this committee. Mayor Drotzmann stated Councilor Davis will no longer be on the Faith-Based Advisory Committee and asked that if there was any councilor who was interested in joining the committee to advise him of their intention.

Mayors Report

Mayor Drotzmann stated Hermiston Foods is having a 25 year celebration on Sunday April 26th, from 11:00 am to 2:00 pm at the National Guard Armory in appreciation of their employees, community and city officials. Foods and kid games will be provided.

Mayor Drotzmann stated he was invited to Rocky Heights Elementary school to do a presentation on "What a Mayor does". The kids informed him they felt the City needed a Fred Meyer, Target and Applebees. The kids sent him thank you letters which he is sharing with the Council to view.

Council Report

Councilor Hardin stated he would like Parks and Recreation Director Larry Fetter to present information on the City's 1st Clean Sweep. Mr. Fetter stated Clean Sweep will be held on Saturday April 25th from 9:00 am to 3:00 pm at the UEC parking lot. There will be stations throughout the parking lot taking items like tires, paint, appliances and hard to dispose of items. The event will have volunteers from the Faith-Based Advisory Committee. Mayor Drotzmann stated Clean Sweep was another idea from the Community Enhancement Committee, as well as, partnering with Sanitary Disposal and the Police Department. Community members who have questions regarding this event are encouraged to call City Hall. This event is free.

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Councilor Gutierrez announced and congratulated Sam Colbray who is half Hispanic and half black, for winning the National Wrestling Championship.

Councilor Primmer stated the Governor proclaimed this week National Tele-communicators week. Councilor Primmer stated he feels grateful to have the privilege to be married to a dispatcher and encourages everyone to say thank you to those emergency dispatchers who serve our communities and help us through difficult situations.

City Manger Report

City Manager Smith stated the Police Departments 1st Quarter Crime Report has been released, the Public Safety Committee will be held later this month and the City of Hermiston has received its 23rd Award for Finance Excellence from The Governments Finance Officers Association.

Recess

Mayor Drotzmann recessed the regular meeting at 8:45 p.m. and announced that an executive session will convene in accordance with ORS 192.660 (2)(h) to discuss legal rights and duties pertaining to current litigation, or litigation likely to be filed.

Representatives of the news media and designated staff will be allowed to attend the executive session. All other members of the audience are excluded. Representatives of the news media are specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the session as previously announced. No final decision may be made in executive session. At the end of the executive session, the council will return to open session which the audience may attend.

Reconvened

Mayor Drotzmann reconvened the regular meeting at 9:15 p.m.

Adjournment

There was no other business, and the meeting was adjourned at 9:15 pm.

SIGNED:

/s/ _____
MAYOR

ATTEST:

/s/ _____
ASSISTANT CITY RECORDER

**HERMISTON PUBLIC LIBRARY
LIBRARY BOARD MEETING
March 25, 2015**

Board Chairperson Lori Spencer, called the meeting to order at 4:05. Members present were, Kay Bennett, Anne Doherty, and Nancy Brown. Marie Baldo, Library Director, and City Councilor Douglas Smith were also present.

The minutes of the January 28, 2015 meeting were approved as written.

Under unfinished business

After discussion the board voted to recommend the adoption of the Umatilla County Special Library District (UCSLD) Service agreement to the City Council.

Under New Business the board reviewed the library Code of Conduct and Lanham Room rental policies and discussed areas that needed to be updated, expanded or removed due to changes in laws, usage, and technology. Drafts to reflect the possible changes will be prepared.

After review and discussion the board voted to approve the Privacy and Confidentiality of library records policy.

The Board was also provided with draft budget proposals that will be presented to the City Manager, Council and Budget Committee in the coming weeks.

Finally the board reviewed UCSLD's Priorities for Program and Service Delivery areas and selected Technology, Friends/Volunteer Program, and Community Relations to be the areas of concentration for the 2015/2016 Library Service Plan.

Under the librarian's report

Upcoming events were reviewed.

The meeting was adjourned at 5:40. Next meeting is scheduled for April 23, 2015 at 4:00 p.m. in the Lanham room.



**Marie L. Baldo
Library Director**

Present were Pastors Dr. Dean Hackett, Craig Fraley, Jeff Snell and Rod Hardin. Staff members in attendance were City Manager Byron Smith, Chief Edmiston, Larry Fetter, Lilly Alarcon-Strong and Agape House Director, Dave Hughes. James LaFollette was excused.

Dr. Dean Hackett opened the meeting in prayer at 4:10 pm.

City Manager Smith introduced Executive Assistant Lilly Alarcon-Strong, who will be taking minutes for the Faith-Based Advisory Committee.

Minutes

Jeff moved and Rod seconded approval of the February Minutes. Motion carried unanimously. There were no March minutes as a quorum was not present.

Old Business

Replacement for John Jefferies - Dean stated the committee was still looking for a replacement for Pastor John Jefferies. Rod asked if the replacement requirements had to be a Pastor as there is a community member who is actively involved with the committee but is not a Pastor. Dean asked that the discussion be tabled until it reached New Business.

Clean Sweep – Parks and Recreation Director Larry Fetter stated Clean Sweep will be Saturday April 25th, from 8:30am to 3:30pm at the UEC gravel parking area. Larry presented the committee with a layout of the UEC area, where specific stations would be located and where volunteers would be needed. Those 13 and older are able to volunteer, Pastors will need to contact Larry by 04/17/15 to let him know how many people will be volunteering. A hospitality tent will be set up with water and snacks for volunteers.

Family Promise – Craig stated he would like to introduce Donna Lawson from Family Promise to the City Council at one of the May meetings. City Manager Byron Smith stated he would look into having a Work Session for Family Promise. Craig stated Donna would like to come to Hermiston once a Coordinator has been chosen so she can spend about three hours with the individual.

New Business

Family Promise – Craig introduced the July 1st, 2015 – June 30th, 2016 Proposed Budget for the Family Promise Coordinator. To Include:

1. Coordinator salary	(20 hours per week)	\$15,000.00 to \$18,000.00
2. Staff cost @ 15%		\$2,250.00 to \$2,700.00
3. Laptop Computer		\$600.00
4. Office Space	(Martha’s House or Agape House has office space)	
5. Phone	(cell)	\$250.00
6. Training funds	(3 sessions)	\$750.00
7. Materials		\$1,000.00
8. Child care		<u>\$500.00</u>
	Total	\$23,800.00

Craig stated the budget does not include the costs that will be incurred by having Donna Lawson travel to the area. Craig stated he would like to hire a Coordinator by July 1, 2015, train mentors from October - December 2015, and begin the Mentoring Program January 2016 with 4 to 6 pilot families/mentoring units. The Committee suggested including a Contingency fund of \$1,200.00 for a total of \$25,000.00 as

this would be the first year the program would run and it would be best to prepare for the “what if’s” and have enough in the budget. Jeff stated he would speak with congregations about possibly having Family Promise be a line item on their budgets to help with this cost, as well as, asking the City to contribute. City Manager Smith asked what amount would be contributed from outside sources and if this would be an annual expense to the City. Craig said it would be an annual expense to the City, as if it is solely based on outside grants and contributions the program might not last. The Coordinator will most likely be an employee of Agape House as they have a 501-C3, the program would run in collaboration with the Faith-Based Advisory Committee and the Agape House Board. Craig stated all the figures and information compiled were recommendations from Donna Lawson and she recommended the Coordinator be someone who:

1. Has a social service background
2. Has life experience (not someone fresh out of school)
3. Has experience working with low-income families.

Dean suggested putting together the criteria for advertising the Coordinator position in May or June. Jeff moved and Craig seconded amending Proposed Budget to include a \$1,200.00 Contingency Fund and presenting the budget to the City Council. Motion carried unanimously.

New Facilitator and Committee Members– Dean announce he felt amazingly privileged to have been asked by former Mayor, Bob Severson to form and be a part of this committee. He feels Pastor Craig Fraley, is a great choice to continue the work this committee does. Dean recommended there should be clear guidelines on establishing the Faith-Based Advisory Committee, like there has been for the Hispanic Advisory Committee. New Committee members if not Pastors, should be someone who is involved in church and recommended by their pastor. Dean stated present and future committee members need to be involved and participate in the committee. He has reached out to some of the other Hispanic Pastors as to why they are not involved in the committee, asking them if there is something the committee has done or can do to get their involvement, unfortunately, there has not been any response. Rod recommended having a realistic number of positions, as the Hispanic Advisory Committee had to change from 9 to 7, as they could not fill the seats. Craig stated he felt formalizing the committee and giving it structure will be good for the committee.

Unscheduled Communication

Pain Behind the Badge – Dean recommended all the Pastors attend Pain Behind the Badge on Thursday May 21, 2015 at the Hermiston Conference Center.

Dean stated he would be passing along all the Faith-Based Advisory Committee information he had to Craig and Lilly.

Rod asked City Manager Smith what his expectations were for the committee. City Manager Smith stated he would like to formalize the committee with specifics on size and structure.

Pastor Craig Fraley adjourned the meeting in prayer at 5:15 pm.

Vice Chairperson Bryan Medelez called the meeting to order at 7:00 pm. Committee members present were Hector Ramirez, Manuel Gutierrez, Clara Beas-Fitzgerald and Jesus (Chuy) Rome. Chairperson Eddie De La Cruz was excused and committee member Alejandra Meza was absent. City representatives present were Assistant City Manager Mark Morgan, Officer Erica Sandoval and Executive Assistant Lilly Alarcon-Strong. News media present was David Cortinas from La Voz. The Pledge of Allegiance was given.

Minutes

Manuel moved and Clara seconded approval for March minutes. Motion carried unanimously.

Comments and Presentations from Public

National Day of Prayer - Committee member Hector invited all to attend the National Day of Prayer on May 7th, 2015 from 6:30 pm to 8:00 pm at Hermiston High School. The service will be Bi-lingual and will include all churches from all denominations. Their message is, united we can make a difference in our community.

Highway 207 - Vice Chairperson Bryan apologized to Ken May stating Mr. May had been to the February Hispanic Advisory Meeting asking for help to address the speed limit issue along Highway 207. At that time, Mr. May had asked for help to reduce the speed limit from 55 mph to 40 mph as there are more than 20 bus stops from Mid-Columbia, Head Start and Oregon Child Development Program. Bryan stated he would be looking into this issue as soon as possible.

Old Business

Milagro Theater Group - Clara stated she and Manuel Gutierrez attended the Milagro Theater Group performance on Friday April 17. The play was somewhat politically in nature and very well executed.

Cinco de Mayo – Virginia Rome stated the Cinco de Mayo parade will start at 11:30 am, those participating in the parade will need to meet at 10:00 am. Clara stated there will be a carnival on Friday, Saturday and Sunday, the weekend of Cinco de Mayo, across from City Hall.

New Business

Cinco de Mayo Court – Clara stated there are five Cinco de Mayo court contestants, one will be chosen as queen and four will be princess's. They were all interviewed yesterday on the radio station and all did very well. These young ladies will be role models to their peers and younger generations. Clara announced the contestants and asked them to introduce themselves. Jennifer Garcia, 16, attends Stanfield High School; parents are Ismael and Guadalupe Garcia. In her spare time Jennifer like to spend time with her friends, volunteer in the community and run. Maribel Marin, 16, attends Hermiston High School; parents are Maria and Aurelio Marin. In her spare time Maribel enjoys spending time with her friends. Brisa Gutierrez, 18, Hermiston High School come from Chihuahua Mexico, parents are Guerrero and Angeles Gutierrez. In her spare time Brisa likes to cook, translate for those who do not speak English and volunteer in the community. Hillary Fernandez, 16, is a resident of Stanfield but attends Hermiston High School; parents are Rogelio and Maribel Fernandez. In her spare time Hillary enjoys spending time with her friends. Sara Lomas, 16, Hermiston High School; has two sisters and a brother, mother is Estella Doness and step-father is Thereso Covarrubia. In her spare time Sara enjoys volunteering at school and watching movies with her friends. Clara stated the contestant will be judged this Sunday from 6:00 pm to 8:00 pm at Armand Larive Middle School. The winner will be chosen based on her speech, radio interview, dress appearance, composure, a written essay composed by each of the contestants and answers to questions they will be asked on Sundays event. There are five judges scoring each category with a total of 100 possible points and the winner will be chosen based on the highest points earned. The Queen will receive a \$500.00 scholarship.

Closing Comments

Public

Smarter Balance Testing - Cathy Keeney from the Hermiston School District stated the Smarter Balance Testing is going on now through May and it is very important that kids not miss any days of school.

Reporting Fraud & Sheriff's Department – Clara Santana stated she had been contacted by phone several times from a person claiming to know her family's location in the states as well as in Mexico and if she did not send a certain amount of money to him he would hurt her family. It was recommended to her to report the incident to the Sheriff's Department. While she was telling the Deputy, Mike Smith, the situation he asked her for information that she did not feel was necessary in regards to her situation. After furnishing Deputy Mike Smith with her License the deputy began to ask questions such as: if her and her husband were legally able to work in the United States, if they were US citizens or what the residency status was and asked her for her United States Passport. She left the Sheriff's department feeling the deputy was more interested in her and her husband's legal residency status than the telephonic harassment issue. She also noticed when she left the Sheriff's department the deputy was driving behind her for some time and she felt intimidated. Officer Sandoval stated these types of cases are becoming more frequent and unfortunately some people are falling victim to these crimes and suggested to the public that they take action against these types of crimes, contacting the police department and not giving these people any kind of personal information or money. She suggested Mrs. Santana contact the Credit Bureau. Officer Sandoval stated police officers have the right to ask for different types of identification in order to identify someone if they do not have a picture ID or License. It was clarified to Officer Sandoval that the deputy had asked for her and her husband's citizenship status and Passport after she had furnished him with her Driver's License. Officer Sandoval recommended Mrs. Santana contact the deputies direct supervisor or the Sheriff himself and let them know what the deputy was asking of her as the Hermiston Police Department would never ask questions regarding citizenship status when dealing with a victim of a crime. When someone is a victim, the objective of the police department is to gain enough information from the individual to help them, it differs when dealing with someone who has committed a crime or is a suspect of a crime.

David Cortinas from La Voz stated the police, any police, has no right to ask any sort of immigration status questions for any reason. If they do, you do not have to answer those questions. Officer Sandoval reaffirmed that no officer should be asking questions of that nature, with the exception, if for example, you are pulled over for a driving violation and you do not have a driver's license then you must supply another form of ID which can be a Mexican Consulate card, an employment card with Picture ID, Passport or any type of picture identification. If you do not have any of these items you must answer questions in order to identify who you are and because you are committing a crime by driving without a license, you can also be arrested. Officer Sandoval stated we, as officers, as individuals and as a community must be held accountable for our actions and if that means contacting a supervisor to find out why these types of questions were asked then that's what needs to be done.

Virginia Rome suggested that the committee request the presence of the Sheriff's department at one of the next meetings to answer questions the public may have. Virginia stated the committee had previously reached out to the Sheriff's department asking them to attend one of the meetings but for one reason or another, the Sheriff's department never attended a meeting.

David Cortinas from La Voz stated based on what he understood, he was going to publish an article stating the Hermiston Police Department is now asking for Passports to establish identity; and from what he understands, this is illegal. Officer Sandoval stated this was not true and she never said this specifically. Officer Sandoval

clarified she had said a passport is a form of Identification, not that the police department was specifically asking for passports. David Cortinas suggested the committee contact the Hermiston Police Department and the Sheriff's department to clarify what specific documents they require to identify a person and in this case a victim.

Virginia Rome stated she felt that Officer Sandoval's explanation was either not understood correctly or not communicated well and wanted to clarify what Officer Sandoval stated. Mrs. Rome explained Officer Sandoval stated that a police officer would only ask for a passport or another form of ID if a person did not have a Driver's License while operating a vehicle, etc. Hector and Clara agreed.

Bryan stated he would speak with George Anderson and Eddie De La Cruz regarding this issue and see if they could pull their resources to try to get a member of the Sheriff's office to a meeting. Bryan stated with the media, at times, magnifying everything that happens it's important to know that this is why this committee and Officer Sandoval is here, to boost confidence and build trust in our community.

Cinco de Mayo Contestants - Roque Medrano stated he heard all five Cinco de Mayo contestants on the radio and thinks they all did very well.

Committee

Diana Quesada - Bryan introduced Diana Quesada who is interested in joining the Hispanic Advisory Committee. Bryan stated she has spoken with him, George Anderson and Eddie De La Cruz and they have decided to welcome her into a volunteer role for the committee until it is established this is what she would like to do. Mrs. Quesada stated she is from Pendleton and is a Research Developer and representative for the Oregon Food Bank in Umatilla, Morrow, Wheeler and Gilliam County. Her role is to bring awareness that poverty is an issue and help bring food to those in need within the community. Mrs. Quesada works with individual and corporate donors, as well as, grants to obtain food for the National Food Bank. The goal they work towards is to end child hunger.

Bryan stated he has worked with Mrs. Quesada before; driving to Portland and donating 170,000 pounds of potatoes from OSU Agriculture Research. Mrs. Quesada stated with this donation, Oregon Food Bank was able to serve 5-lb bags over the entire state of Oregon.

Cinco de Mayo – Clara stated next meeting will be at City Hall on Wednesday April 22, 2015 at 5:00 pm.

City Representatives

Assistant City Manager Mark Morgan announced the City is having a recycling event in the parking lot of Umatilla Electric on Saturday April 25th from 9:00 am to 3:00 pm. City Council and Community Enhancement Committee is also having a Landscape Ordinance Open House on May 7th from 4:00 pm to 6:00 pm.

Next Scheduled Meeting

Next scheduled meeting will be Monday May 18th at 7:00 pm.

Meeting Adjourned at 8:10 pm

STAFF REPORT For Meeting of April 27, 2015 MAYOR AND MEMBERS OF THE CITY COUNCIL	Agenda Item # NO. 2015- SUBJECT: Surplus Declaration
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Subject

Declare certain items of City owned property surplus to the needs of the City.

Summary and Background

The City, like all organizations, purchases or otherwise accumulates items of value throughout the course of doing business. However, over time those items can become obsolete, too expensive to maintain, or have simply served their purpose and are no longer needed.

Most often the best way to dispose of items with any value is through a public auction process. However some specialty items, like street sweepers, are un-likely to return their true value to the City by simply going through a local auction. In these cases, City Code allows for other disposal methods like a Fixed-Price Sale. In a Fixed-Price Sale, the City sets a selling price based on industry standards and sells the item to the first buyer meeting the advertised sales terms. Attached is a list of items proposed to be declared surplus and sold.

City Code 33.04 vests the City Manager with “exclusive jurisdiction” in determining whether property is surplus to the needs of the city. However, in the interest of transparency, it has been the practice of the City of Hermiston to submit the list of proposed items to the City Council for approval.

Fiscal Information

Most items included are of nominal value.

Alternatives and Recommendation

Alternatives

1. Declare the list of items surplus.
2. Request the City Manager to re-examine certain items.

Recommendation

Declare the list of items surplus.

Requested Action/Motion

Motion to declare the list of items as surplus to the needs of the City.

Department Head- Mark Morgan, Assistant City Manager



City Manager Approval



City of Hermiston

**2015
City of Hermiston
Surplus Items**

Planning Department:

- | | |
|---------------------------|---------|
| 1. Drafting Table | Auction |
| - Value "new at" \$100.00 | |

Recycled Water Plant:

- | | |
|---|------------------|
| 1. 1978 Case Front End Loader, serial # 9129865 | Fixed Price Sale |
| - Valued at \$7,000.00 | |

Building Department:

- | | |
|--|---------|
| 1. 1999 Ford Crown Vic, VIN# 2FAFP71WSXX134036 | Auction |
| - Valued at \$300.00 | |

Street Department:

- | | |
|---|---------|
| 1. 1986 Ford F-250 Cab and Chassie, VIN# 1FDK3712GNA35655 | Auction |
| - Valued at \$300.00 to \$800.00 | |

Accounting Department:

- | | |
|--|---------|
| 1. Copy Machine, OKI C9300 | Auction |
| - Valued at \$100.00 | |
| 2. All-in-One (copy, fax, scan), HP Officejet 5610 | Auction |

Police Department:

- | | |
|---|---------|
| 1. Office Chair – blue in color, unknown brand | Auction |
| 2. Sound dampening printer cabinet, unknown brand | Auction |
| 3. Desk top Printer, HP Deskjet 5550, serial # MY36G152JZ | Auction |

- | | |
|---|---------|
| 4. 2007 Ford Crown Victoria, 118, 817 miles | Auction |
| - VIN# 2FAFP71W97X115571 | |

Parks and Recreation:

- | | |
|--|---------|
| 1. 1994 Grasshopper Mower, model # 721D, serial # 350146 | Auction |
| - Valued at less than \$200.00 | |
| 2. 1972 Toro Groundsmaster, model # 1891 | Auction |
| - Valued at less than \$200.00 | |
| 3. 1990 John Deere F-935, serial # MOF935x420912 | Auction |
| - Valued at less than \$200.00 | |

Court:

- | | |
|---------------------------------|---------|
| 1. 4 Number labels | Auction |
| 2. Asus Drive | Auction |
| 3. 3 File holders | Auction |
| 4. 8 Toners from old printer | Auction |
| 5. 1 Brother type writer ribbon | Auction |
| 6. 1 Light bulb | Auction |
| 7. 2 Officer chairs | Auction |
| 8. 5 Data Binders | Auction |
| 9. 3 File hangers | Auction |

Staff Report

For the Meeting of

MAYOR AND MEMBERS OF THE CITY COUNCIL

Agenda Item #

NO. 2015 –

**SUBJECT: Gehring
Annexation Request SW 10th
Street**

Subject

Frank Gehring has petitioned the city to annex two lots encompassing two acres on the west side of SW 10th Street at the intersection of W Olive Ave.

Summary and Background

The City of Hermiston has received an annexation application from Frank Gehring for property located on the west side of SW 10th Street at the intersection of W Olive Ave. The property lies within the urban portion of the urban growth boundary and currently has a Low Density Residential comprehensive plan map designation. The applicant proposes to annex the property with a Duplex Residential (R-2) zoning designation which corresponds to the Low Density comprehensive plan designation. The property is described as 4N 28 15CB Tax Lots 301 and 600.

The property is surrounded on all four sides by similarly zoned land. The entire neighborhood is single family housing. Following annexation, the applicant plans to develop the property with a single-family residential subdivision. Municipal water and sewer lines are in place in SW 10th Street to the north boundary of the property. At the time development occurs on the property, the applicant will be responsible for extending these lines to the south boundary.

The city published a notice of public hearing in the Hermiston Herald 20 days prior to the planning commission hearing and a second notice was published 20 days prior to the city council hearing. A notice of proposed land use action was physically posted on the property 20 days prior to the planning commission hearing. Additionally, notice was provided to all property owners within 100 feet of the property.

The planning commission held a public hearing on the proposed annexation on April 8, 2015. Following the conclusion of the hearing, the planning commission made a unanimous recommendation that the annexation be approved.

Annexations to the city are subject to the approval criteria established in 150.05 of the Hermiston Code of Ordinances. These criteria are as follows:

1. The proposal is in conformance with all applicable state annexation requirements.

2. The property is contained within the urban portion of the urban growth boundary as identified on the comprehensive plan.
3. The proposed zoning is consistent with the underlying comprehensive plan designation.
4. Findings of fact are developed in support or denial of the annexation.
5. All city services can be readily extended and the property owner is willing to bear costs associated with sewer, water and roads.

Findings of fact in support of the application are attached to this report. Ordinance 2228 annexing the property is attached as well.

Fiscal Information

The property has an assessed value of \$86,000. Following annexation of the site, the value of the property will increase. The assessment within city limits will be approximately \$590 as undeveloped land. An 8 lot subdivision was approved by the planning commission for the site and 8 developed lots will generate approximately \$12,000 in tax revenue.

Alternatives and Recommendation

The city council may choose to:

1. Adopt the findings of fact and adopt Ordinance 2228 annexing the property
2. Modify the findings of fact and adopt Ordinance 2228 annexing the property
3. Reject the findings of fact and deny Ordinance 2228 leaving the property in the county

Recommendation:

Staff recommends that the council choose option 1 and annex the property

Requested Action/Motion

Motion to approve the findings of fact

Motion to adopt Ordinance 2228

Reviewed by:



Department Head – Clinton Spencer, City Planner

A handwritten signature in black ink, appearing to read "Byron D. Smith". The signature is written in a cursive style with a large initial "B".

City Manager Approval

ORDINANCE NO. 2228

AN ORDINANCE DECLARING CERTAIN LANDS TO BE ANNEXED TO THE CITY, OUTLINING THE NEW BOUNDARIES, DESCRIBING SAID PROPERTY, WITHDRAWING SAID LANDS FROM SPECIAL DISTRICTS, AND DESIGNATING ZONING.

THE CITY OF HERMISTON DOES ORDAIN AS FOLLOWS:

SECTION 1. The following described property be and the same is annexed to the City of Hermiston, withdrawn from the Umatilla County Library District and the Umatilla County Sheriff's Office Law Enforcement District due to annexation, and the City zoning map is expanded to include said property as Duplex Residential (R-2); to-wit:

Beginning at West Quarter corner of Section 15, Township 4 North, Range 28, E.W.M., thence South 0 degree 01' East along West line of said Section 15, a distance of 330 feet; thence South 89 degree 34' East and parallel with East-West centerline of said Section 15, a distance of 330 feet to the TRUE POINT OF BEGINNING of this description; thence continuing South 89 degree 34' East 330 feet; thence South 0 degree 01' East and parallel with West line of said Section 15, a distance of 95 feet; thence South 89 degree 34' East and parallel with East-West centerline of Section 15, a distance of 50 feet; thence South 0 degree 01' East and parallel with West line of said Section 15, a distance of 179 feet; thence North 89 degree 34' West and parallel with East-West centerline of said Section 15, a distance of 380 feet; thence North 0 degree 01' West and parallel with West line of said Section 15, a distance of 274 feet to the Point of Beginning;

All Being East, Willamette Meridian, Umatilla County, Oregon;

SECTION 2. The findings of fact as adopted by the City Council on April 27, 2015 are incorporated herein by reference.

SECTION 3. The city recorder shall promptly transmit a record of annexation proceedings to the Secretary of State and notify the County Assessor of the change in boundary.

SECTION 4. The effective date of this ordinance shall be the thirtieth day after enactment.

SECTION 5. This annexation shall be complete when all necessary documents have been accepted and filed by the Secretary of State.

PASSED by the Common Council this 27th day of April 2015.
SIGNED by the Mayor this 27th day of April 2015.

MAYOR

ATTEST:

CITY RECORDER

FINDINGS OF FACT

Gehring Annexation Request – April 27, 2015

Draft Findings on Annexation

1. The City has received consent to annexation from the property owners for approximately 2 acres of land.
2. Notice of public hearing was published in the local newspaper for two consecutive weeks prior to the planning commission hearing on March 18 and 25, 2015. Notices were also posted in four public places in the city for a like period. No comments or remonstrances have been received at this date as a result of the publication or posting.
3. Notice of public hearing was published in the local newspaper for two consecutive weeks prior to the city council hearing on April 8 and 15, 2015. Notices were also posted in four public places in the city for a like period. No comments or remonstrances have been received at this date as a result of the publication or posting.
4. Notice of public hearing was physically posted on the property on March 18, 2015.
5. Affected agencies were notified. No comments were received from any agency.
6. A public hearing of the planning commission was held on April 8, 2015. Comments received at the hearing are incorporated into the planning commission record.
7. A public hearing of the city council was held on April 27, 2015. Comments received at the hearing are incorporated into the city council record.
8. The proposal is consistent with all applicable state annexation requirements contained in ORS 222.
 - a. The city has received consent from the property owners within the affected area
 - b. An election has been deemed not necessary since consent from more than half the owners has been received
 - c. The property is contiguous with the existing city limits
 - d. All statutorily required notices have been published and posted
9. Since the property is contiguous to the existing city limits, the annexation is in accord with Comprehensive Plan Policy 4 which promotes compact urban development within and adjacent to existing urban areas to insure efficient utilization of land resources and facilitates economic provision of urban facilities and services.
10. The annexation is consistent with the requirements of Comprehensive Plan Policy 5 relating to annexation.
11. The property is located within the urban portion of the urban growth boundary (UGB) as identified on the comprehensive plan map.

12. Sewer is available to service this property in SW 10th Street. When residential development is proposed, the applicant will be responsible for costs associated with extending the sewer to the southern boundary of the property.
13. Water service is available to service this property in SW 10th Street. When residential development is proposed, the applicant will be responsible for costs associated with extending the water to the southern boundary of the property.

Draft Findings on Zoning Designation

1. The property lies within the urban portion of the urban growth boundary and has a comprehensive plan map designation of Low Density Residential.
2. The proposed Duplex Residential zoning designation corresponds with the underlying comprehensive plan map designation.

PROCLAMATION

IT IS HEREBY PROCLAIMED that at the regular meeting of April 27, 2015, the City Council of the City of Hermiston, Umatilla County, Oregon, did by unanimous vote annex the following described property, to-wit:

Beginning at West Quarter corner of Section 15, Township 4 North, Range 28, E.W.M., thence South 0 degree 01' East along West line of said Section 15, a distance of 330 feet; thence South 89 degree 34' East and parallel with East-West centerline of said Section 15, a distance of 330 feet to the TRUE POINT OF BEGINNING of this description; thence continuing South 89 degree 34' East 330 feet; thence South 0 degree 01' East and parallel with West line of said Section 15, a distance of 95 feet; thence South 89 degree 34' East and parallel with East-West centerline of Section 15, a distance of 50 feet; thence South 0 degree 01' East and parallel with West line of said Section 15, a distance of 179 feet; thence North 89 degree 34' West and parallel with East-West centerline of said Section 15, a distance of 380 feet; thence North 0 degree 01' West and parallel with West line of said Section 15, a distance of 274 feet to the Point of Beginning;

All Being East, Willamette Meridian, Umatilla County, Oregon;

EXCEPTING THEREFROM any portion lying within City Right-Of-Way.

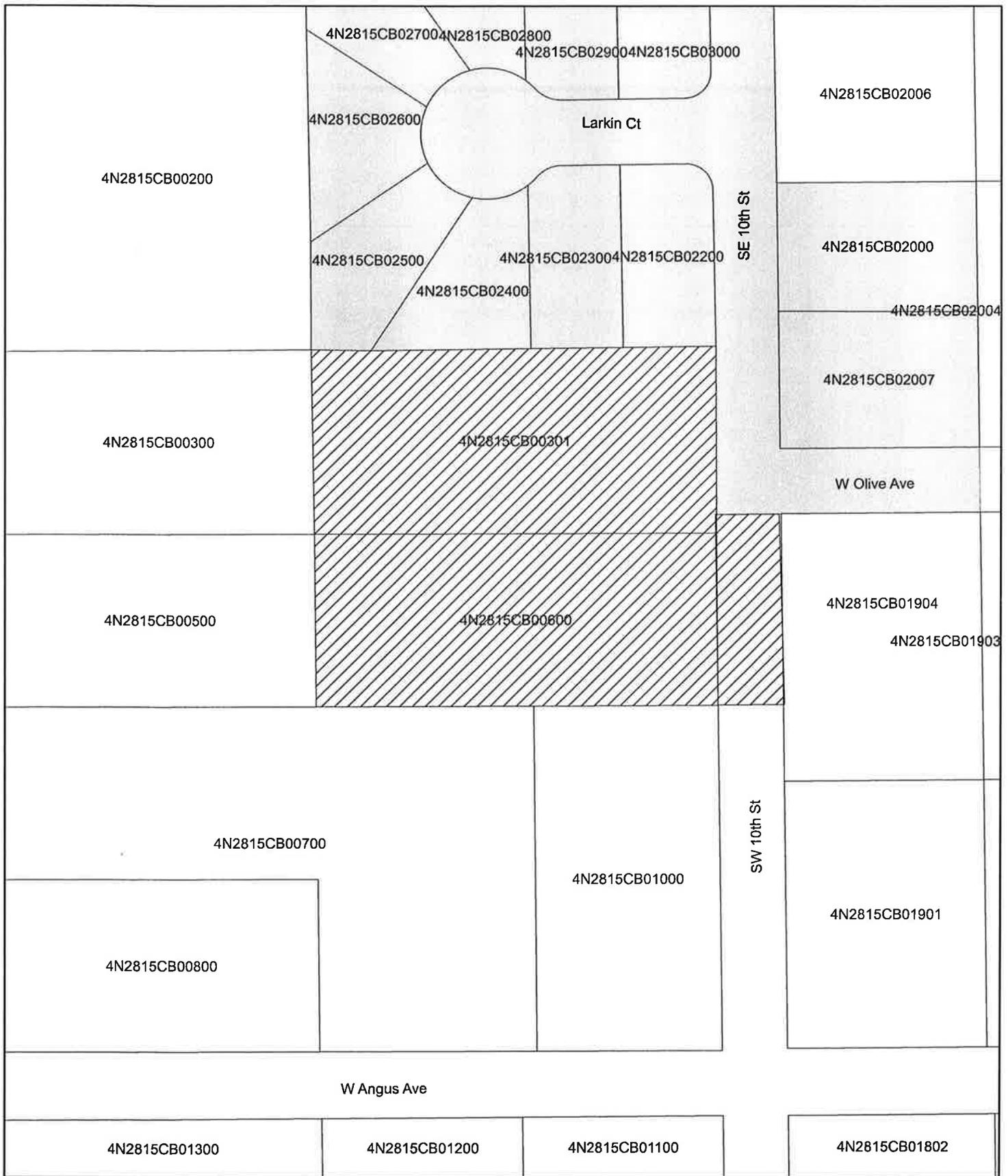
IT IS FURTHER PROCLAIMED that copies of this Proclamation be posted in four places in the City of Hermiston for two weeks.

DATED AT HERMISTON, OREGON, this 28th day of April 2015.

MAYOR

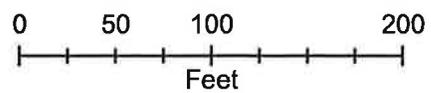
ATTEST:

CITY RECORDER



Legend

-  Area of Proposed Annexation and Subdivision
-  Property Line
-  City Limits

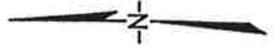


LARKIN COURT SUBDIVISION

SW 10th ST

EDGE OF EXISTING PAVEMENT

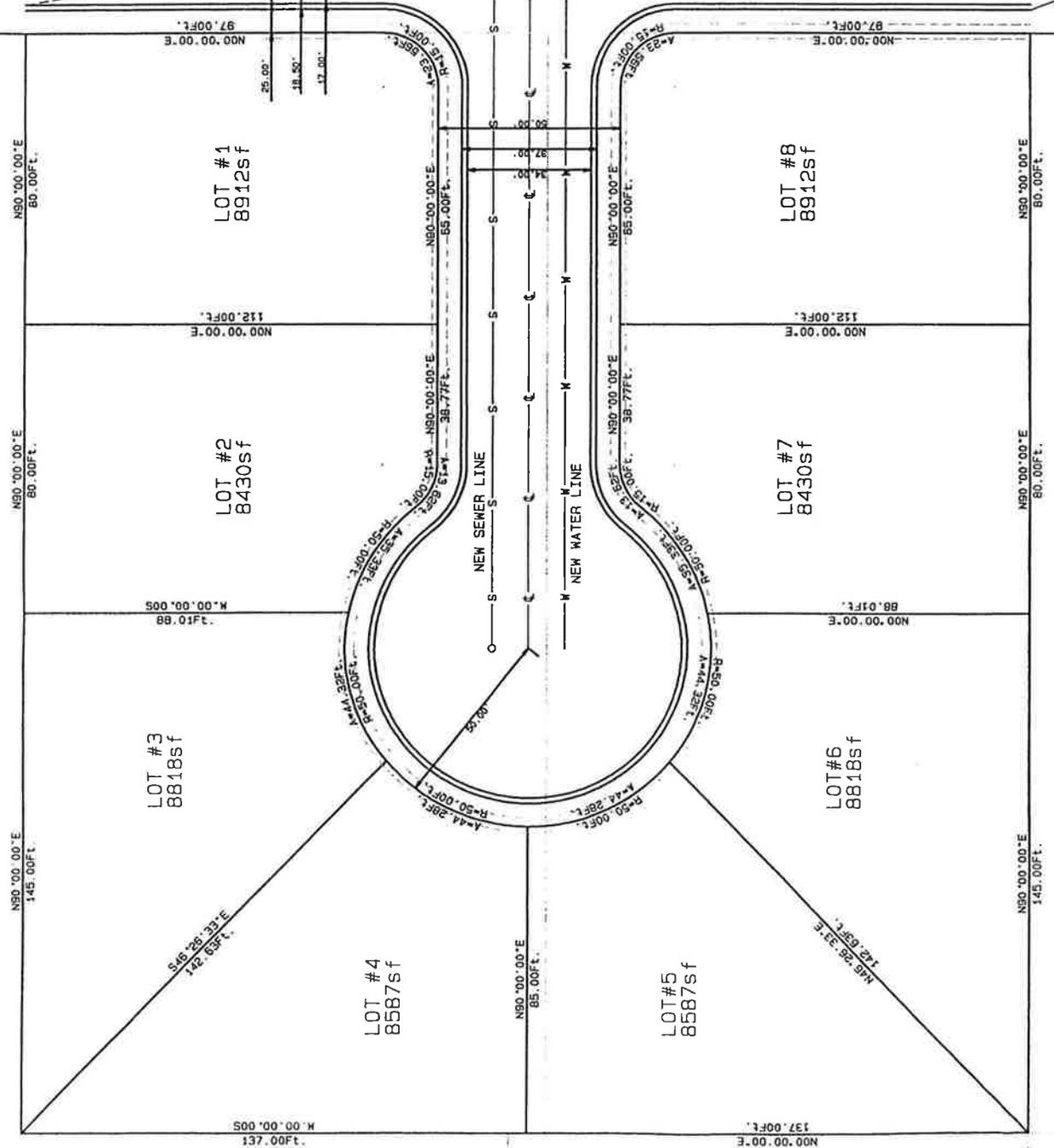
OLIVE AVE.



EXISTING WATER LINE
EXISTING SEWER LINE

NEW SEWER LINE

EDGE OF EXISTING PAVEMENT



CITY OF HERMISTON

APPLICATION FOR ANNEXATION

Pursuant to the provisions of ORS Chapter 222 and Chapter 150 of the Hermiston Code of Ordinances, application is hereby made to annex the following described property:

Name of Applicant: FRANK W. GERING TRUST, INC. REX HEIDT Phone: 541-571-2961

Mailing Address: 79344 PRINDLE LOOP RD. HERMISTON OR. 97838

Contact Person: FRANK GERING Phone: 541-571-2961

Mailing Address: 79344 PRINDLE LOOP RD. HERMISTON OR. 97838

Name of Owner (If Different): _____ Phone: _____

Mailing Address: _____

Legal Description: Assessor's Map No: 4N2815 CB Tax Lot No: 301 E 600

Subdivision (If Applicable): _____

Street Address: _____

Current Comprehensive Plan Designation: PT CREATE SUB-DIVISION Proposed Zoning Designation: R-2

Land Area (In Acres): 2

Existing Use of Property:
Number of Single-Family Units: _____ Number of Multi-Family Units: _____
Number of Commercial Units: _____ Number of Industrial Units: _____
Public Facilities or Other Uses: _____
Population: Owners: _____ Tenants: _____ Voters: _____

Please Include the Names and Ages of All Residents:
[Empty Box]

Surrounding Use of Property:
North: LARKIN COURT (CITY OF HERMISTON SUB-DIVISION)
South: UMATILA COUNTY HOMES

East: S.W. 10th st

West: Umatilla County HOMES

Current Year Taxes: \$587.81

Previous Year Taxes: \$587.81

Total Assessed Valuation: \$90,000.00

Please provide a general description of the property including topography, vegetation, drainage basins, flood plain areas, etc.:

VACANT LEVEL LOTS. CURRENTLY BEING USED FOR HORSE PASTURE.

Please explain why the annexation has been proposed:

SUB-DIVISION DEVELOPMENT OF RESIDENTIAL HOMES

If the property is undeveloped, please describe plans for future development. This description should describe whether the development will be residential, commercial or industrial and include building types, public facilities, number of units, etc.:

DEVELOPING ACREAGE INTO 8 LOTS AND WILL BUILD SINGLE FAMILY DWELLING HOMES

Does the proposed development conform to the uses allowed under the proposed zoning designation?

YES

Please provide the following information regarding services and utilities:

Location and size of the nearest water line:

8" LINE AT INTERSECTION OF S.W. 10th ST AND OLIVE AVE.

Location and size of the nearest sewer line:

8" PVC LINE AT INTERSECTION OF
SW 10th ST AND OLIVE AVE

Proximity of other facilities (storm drains, gas lines, irrigation lines, etc.):

GAS LINE S.E. CORNER OF SW 10th ST & OLIVE AVE

The time at which services can be reasonably provided by the city or other district:

UPON SUB-DIVISION COMPLETION

The estimated cost of extending such facilities and/or services and the method of financing:

ESTIMATED COST \$200,000⁰⁰ TO \$250,000⁰⁰ TO CREATE SUBDIVISION
FINANCED BY FRANK V. GERRARD CONST. INC. AND REX HEIDT.

Availability of the desired service from any other unit of local government (Please indicated which government):

Please indicate the roads that adjoin the parcel or will provide service to the parcel:

S.W. 10th ST. / OLIVE AVE

Please indicate the condition of the roads and any improvements that are projected:

S.W. 10th ST AT ^{NORTH} CORNER OF OLIVE AVE TO BE RE-PAVED
WITH CURB TO END OF SOUTH CORNER OF OLIVE COURT
SUB-DIVISION AND S.W. 10th AVE

Please indicate if any new roads will be created or extended through the property:

CULDESAC FOR ACCESS TO 8 LOTS

If the property is presently included within the boundaries of any of the following types of governmental units, please indicate by stating the name or names of the governmental units involved.

Rural Fire District: _____ Irrigation District: HERMISTON
School District: _____ Drainage District: _____
Library District: _____ Parks and Recreation District: _____
Special Road District: _____

Please indicate which services are presently being received in the territory (For example, are residents receiving municipal water or sewer services?):

ADDITIONAL INFORMATION TO BE FURNISHED AND ATTACHED TO APPLICATION:

1. Evidence that applicant is owner or purchaser of the property or has written permission of such owner to make an application for the proposed use.
2. Two copies (one digital copy) of a site plan (11" x 17") drawn to scale, showing the location of the property concerned, the location of all proposed building(s), highways, streets and alleys.
3. A metes and bounds legal description of the entire property proposed for annexation. A metes and bounds legal description of each individual parcel is not sufficient.

The above statements are true to the best of my beliefs and knowledge. As applicant, I understand that the city council, planning commission and annexation advisory committee request the attendance of me, or my representative, at the meeting(s) where this request is scheduled for consideration and that the city council, planning commission and annexation advisory committee retain the right to approve or deny this request and impose those conditions as may be necessary to lessen probable adverse impacts based upon the testimony provided at the hearing.

I am the owner owner(s) authorized representative.
(If authorized representative, attach letter signed by owner or owners.)

[Signature]
Signature of Applicant

2-13-15
Date

OUT OF POCKET EXPENSES FOR PUBLICATION COSTS WILL BE BILLED LATER

For further information, please feel free to contact the planning department at the Hermiston City Hall, 180 N.E. 2nd Street, Hermiston, Oregon 97838, or telephone (541) 567-5521. The City's fax number is (541) 567-5530.

OFFICE USE ONLY

Date Filed: 2/18/2015 Received By: Walter Labean Meeting Date: 4/8/2015
Fee: \$700.00 Date Paid: 2/18/2015 Receipt No: 12.00728

STAFF REPORT

For Meeting of April 27, 2015

MAYOR AND MEMBERS OF THE CITY COUNCIL

Agenda Item #

NO. 2015-

SUBJECT:
Animal Code

Subject

An ordinance amending the "animal" section of the City Code to modernize language and reconcile it with existing practice.

Summary and Background

Council recently had a lengthy discussion regarding animal issues in the City. The conversation reinforced the fact that it is in the public's interest to minimize the number of animals "running at large," because they can create a hazard and are also a burden on city resources and put a strain on the local animal shelter. Not only do dogs running at large have the potential to end up in the pound, but unaltered dogs have the potential to procreate and generate additional dogs which may end up in the pound and become a further drain on public resources.

One recommendation to solve the problem of locating owners of dogs and holding them accountable is through dog licensing. The proposed ordinance change will make the City's dog license a one-time requirement, rather than an annual requirement. The intention is to make the licensing process less onerous for the owner, and make it easier for the City to ultimately enforce.

The dog licensing changes would also raise the license fee for an unaltered (not spayed or neutered) dog from \$10 to \$25, but leave the fee for an altered dog the same at \$5.

Many of the proposed changes are purely updates to outdated language, and streamlining other portions such as splitting the Impoundment Procedures from the Dogs at Large Section to make it more readable. In the updated Impoundment section, language was added that requires the pound facility to be inspected by the City Manager, which is already current practice through the city's contract with Pet Rescue. Additionally, the current impoundment language says that any animal not claimed within 5 days "shall" be killed, unless deemed safe by the Chief of Police. The proposed change also brings this section in line with current practice by changing the wording to "may" be killed.

Fiscal Information

In 2014 the city only issued 103 licenses for \$715 in revenue (average \$6.94 per license). Although this change will reduce repeat-licensees, this requirement is clearly currently ignored by the majority of dog owners. Increased one-time licensing, combined with an increase to the unaltered dog fee, should make the fiscal impact negligible.

Alternatives and Recommendation

Alternatives

City of Hermiston

1. Approve Ordinance No. 2229
2. Recommend other changes to the code.
3. Deny Ordinance No. 2229

Recommendation

Approve Ordinance No. 2229

Requested Action/Motion

Motion to approve Ordinance No. 2229

Department Head- Mark Morgan, Assistant City Manager



City Attorney Review- Gary Luisi, City Attorney



City Manager Approval- Byron Smith, City Manager

ORDINANCE NO. 2229

AN ORDINANCE AMENDING SECTIONS 90.16, 90.18, 90.19, 90.20, AND 90.21, AND ADDING NEW SECTION 90.22, TO CHAPTER 90 ANIMALS OF TITLE IX GENERAL REGULATIONS.

The City of Hermiston does ordain as follows:

(New matter is underlined and deleted matter has a ~~strike~~ through it.)

SECTION 1. Section 90.16 of Chapter 90 of the Hermiston Code of Ordinances is amended to read:

90.16 DOGS RUNNING AT LARGE ~~;IMPOUNDMENT PROCEDURES.~~

(A) ~~It shall be unlawful~~ is a strict liability offense for a dog to run ~~be~~ at large ~~or to be a public nuisance~~, and the owner of the dog shall be guilty of a violation of this chapter if the dog is found to be in violation.

~~(B) All dogs taken up and impounded under this section shall be held in an adequate and sanitary pound. Any dog so impounded shall be held for at least five days from the date of the impounding before being destroyed or otherwise disposed of. After any dog is impounded, the owner will be notified, or, if the owner of the dog is unknown, written notice shall be posted for three days at three conspicuous places in the city describing the dog and the place and time of taking. If the owner appears and redeems the dog, he shall pay, in amounts as established by resolution of the City Council, an impoundment fee and in addition a sum for each day, or part thereof, the dog was impounded, this fee being the actual cost of boarding the animal at the pound. The boarding fee will not be assessed for the first day of impoundment if the dog is taken after 8:00 pm. If no owner appears and redeems the dog within five days from its impounding or five days from the date the owner was notified or notices were posted, or if the dog was impounded as a public nuisance for killing or seriously injuring a person, it shall be killed in a humane manner; except that if, in the opinion of the Chief of Police, the dog is not dangerous and can be safely kept, the Chief of Police may release the dog to any responsible person upon receiving assurance that the person will properly care for the dog and not allow it to become a nuisance, and upon payment of a sum of money as established by resolution of the City Council, plus the cost of keeping during its impounding. The person shall thereafter be liable as owner of the dog.~~

~~(C) Notwithstanding the provisions of division (B) of this section, any dog impounded for biting a person shall be held for not less than ten days before redemption or destruction to determine if the dog is rabid.~~

SECTION 2. Section 90.18 of Chapter 90 of the Hermiston Code of Ordinances is amended to read:

90.18 PUBLIC NUISANCES.

(A) A dog is a public nuisance if it:

- (1) Bites or attempts to bite a person;
- (2) Chases vehicles or persons;
- (3) Attacks other dogs;
- (4) Damages or destroys property of persons other than the owner of the dog;
- (5) Scatters refuse;
- (6) Habitually trespasses on private property of persons other than the owner of the dog;
- (7) Disturbs any person by frequent or prolonged noises; or
- (8) Is a female in heat and ~~running~~ at large.

(B) It is a strict liability offense for a dog to be a public nuisance, and the owner of the dog shall be guilty of a violation of this chapter if the dog is found to be a public nuisance.

SECTION 3. Section 90.19 of Chapter 90 of the Hermiston Code of Ordinances is amended to read:

90.19 EXCEPTIONS AFFIRMATIVE DEFENSE.

A dog shall not be considered a public nuisance for biting or attempting to bite a person if he it bites or attempts to bite a person wrongfully assaulting the dog or the dog's owner, or if he it bites or attempts to bite a person trespassing upon premises occupied by the dog's owner after being provoked by that person.

SECTION 4. Section 90.20 of Chapter 90 of the Hermiston Code of Ordinances is amended to read:

90.20 LICENSES AND RECORDS.

(A) Every person owning or keeping any dog which has a set of permanent canine teeth ~~shall, not later than March 1 of each year or within 30 days after he becomes~~ becoming an owner or keeper of the dog, shall procure obtain from the Finance Director/Recorder a license for the dog by paying to the Finance Director/Recorder a license fee. The license fee shall be \$5.00 in an amount as established by resolution of the City Council for each dog, except that the fee shall not be greater than a lesser amount as established by resolution of the City Council for each spayed female or neutered male dog for which a veterinarian's certificate of operation for the spaying or neutering of the dog is presented to the Finance Director/Recorder. The license fee shall be \$25.00 for unaltered dogs. If the person fails to ~~procure~~ obtain the license within the time

provided by this section, an additional penalty in a sum established by resolution of the City Council for each dog shall be assessed.

(B) The Finance Director/Recorder shall at the time of issuing the license and as a part thereof supply the licensee, without charge, with a suitable tag having legibly stamped with dies across one side thereof, to wit: year license issued, license No. and to be imprinted with "City of Hermiston, OR." The tag shall be fastened by the licensee to a collar and kept on the dog at all times when not in the immediate possession of the licensee. The license fee shall be the only license or tax required for the ownership or keeping of a dog within the city.

(C) This section does not apply to dogs owned by dealers, breeders or exhibitors where they are kept in kennels exclusively for sale or exhibition purposes, or while the dogs are being transported by dealers, breeders or exhibitors to and from a dog show or fair. No license shall be required for the dogs kept for these purposes until they are sold or otherwise disposed of to another person.

(D) No license shall be required to be paid for any dog owned by a blind person who uses it as a guide. A license shall be issued for the dog upon filing with the Finance Director/Recorder an affidavit by the blind person showing the dog to come within this requirement.

(E) The Finance Director/Recorder shall keep a record of dog licenses in a special book for such purposes.

SECTION 5. Section 90.21 of Chapter 90 of the Hermiston Code of Ordinances is amended to read:

90.21 DESTRUCTION OF CERTAIN DOGS.

(A) When a dog habitually runs at large and is so elusive, or when a dog kills or seriously injures a person or other animal, or when a dog shows obvious symptoms of being rabid, or if a dog cannot be impounded without grave risk, or if the dog is badly injured and suffering, the police officer may destroy the animal in the safest, most humane way available.

(B) When a dog has been found by the judge, in a judicial proceeding, to be of vicious temperament, the judge may order the ~~destruction of the animal~~ dog to be euthanized either by the owner or by the pound authorities should the dog have been impounded. Destruction will be performed in a humane manner and at the expense of the owner of the dog animal.

SECTION 6. Chapter 90 of the Hermiston Code of Ordinances is amended by adding a new section 90.22 to read:

90.22 IMPOUNDMENT PROCEDURES.

(A) All dogs taken up and impounded under this section shall be held in an adequate and sanitary pound which has been inspected by the City Manager or the manager's designee. Any

dog so impounded shall be held for at least five days from the date of the impounding before being placed for adoption, euthanized, or otherwise disposed of.

(B) After any dog is impounded, the owner will be notified, or, if the owner of the dog is unknown, written notice shall be posted for three days on the City's website describing the dog and the place and time of taking. If the owner appears and redeems the dog, the owner he shall pay, in amounts as established by resolution of the City Council, an impoundment fee and in addition a sum for each day, or part thereof, the dog was impounded, this fee being the actual cost of boarding the animal at the pound. The boarding fee will not be assessed for the first day of impoundment if the dog is taken after 8:00 pm.

(C) If no owner appears and or the owner fails to redeem the dog within five days from its impounding or five days from the date the owner was notified or notices were posted, or if the dog was impounded as a public nuisance for biting or attempting to bite a person, it may be euthanized in a humane manner; except that if, in the opinion of the Chief of Police, the dog is not dangerous and can be safely kept, the Chief of Police may release the dog to any responsible person upon receiving assurance that the person will properly care for the dog and not allow it to become a nuisance, and upon payment of a sum of money as established by resolution of the City Council, plus the cost of keeping during its impounding. The person shall thereafter be liable as owner of the dog.

(D) Notwithstanding the provisions of subsections (A) and (C) of this section, any dog impounded for biting a person shall be held for not less than ten days before it is released or euthanized to determine if the dog is rabid.

SECTION 7. This ordinance shall take effect on the 30th day after its enactment.

PASSED by the Council this 27th day of April, 2015.

SIGNED by the Mayor this 27th day of April, 2015.

MAYOR

ATTEST:

ASSISTANT CITY RECORDER

STAFF REPORT

For Meeting of April 27, 2015

MAYOR AND MEMBERS OF THE CITY COUNCIL

Agenda Item #

NO. 2015-

SUBJECT:
Fee Resolution

Subject

A resolution updating a portion of the city's existing fee schedule to reflect changes regarding dog licensing.

Summary and Background

The fee for dog licensing is currently itemized under the city's existing fee schedule at \$5 for each spayed or neutered dog, and \$10 for each unaltered dog.

If the Council approves code changes to the animal ordinance, the fee will be added to the City Code as \$5 for each spayed and neutered dog, and \$25 for each unaltered dog.

This resolution removes the dog license fee from the fee schedule to eliminate discrepancies and redundancies.

Fiscal Information

This change will have no fiscal impact, as it is to clean-up discrepancy between the fee resolution, and a code change expected to be passed.

Alternatives and Recommendation

Alternatives

1. Approve Resolution No. 1982
2. Amend the fee schedule to conform with City Code.

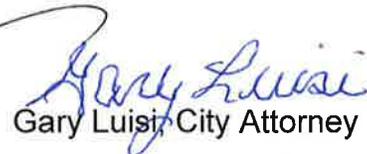
Recommendation

Approve Resolution No. 1982

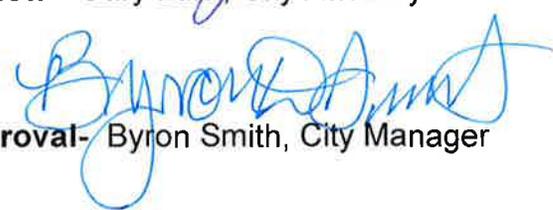
Requested Action/Motion

Motion to approve Resolution No. 1982

Department Head- Mark Morgan, Assistant City Manager

City Attorney Review- Gary Luisi, City Attorney


City Manager Approval- Byron Smith, City Manager

City of Hermiston

RESOLUTION NO. 1982

A RESOLUTION ADOPTING A SCHEDULE OF FEES AND CHARGES FOR VARIOUS SERVICES, LICENSES, AND PERMITS, AND SUPERSEDING RESOLUTION NO. 1862.

WHEREAS, The City Council has adopted the City of Hermiston Code of Ordinances and that Code permits the City Council of the City of Hermiston to adopt by resolution a schedule of fees and charges for various services, licenses and permits.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. This resolution shall become effective immediately upon its passage as of the date and year set out below.
2. The attached schedule of fees shall be adopted as the Fee Schedule for the City of Hermiston beginning May 27, 2015 and continuing indefinitely unless amended, superseded or repealed.
3. All fees and charges in effect as of the date of the adoption of the Code of Ordinances for the City shall remain in effect unless otherwise modified by provisions of this resolution.
4. Resolution No. 1862 is hereby superseded.

PASSED by the Common Council this 27th day of April, 2015.
SIGNED by the Mayor this 27th day of April, 2015.

MAYOR

ATTEST:

ASSISTANT CITY RECORDER

**Fee Schedule for Resolution No. 1982
Effective May 27, 2015**

Code Section	Subject	Fees
§33.39	Jurors' fees	Each juror shall be entitled to an attendance fee of \$10.00 for each day's required attendance.
§52.07(A)	Utility deposit interest rate	The interest rate shall be 5% per annum with the interest to be credited on the first day of January succeeding the deposit and the first day of January thereafter.
§52.08(A)(1)& §52.09(B)	Water service disconnect and reconnect fees	When water service has been terminated for any cause other than temporary discontinuance, the consumer shall be charged \$10.00 to cover the cost of shutting off such water service and in the event the service is reinstated, shall be charged an additional \$10.00 to cover the cost of reinstalling the service.
§52.08(A)(2)	Water meter inspection fees	If a consumer requests inspection and testing of a meter, the sum of \$15.00 as a testing fee shall be paid.
§52.28(E)	Water shortage emergency - penalties and discontinuance of service related to failure to comply with regulations	If water is disconnected for failure to comply with regulations, the consumer shall be charged \$10.00 to cover the cost of shutting off such water service. Service shall be restored only upon payment of an additional \$10.00 to cover the turn-on cost, plus any other costs incurred by the City and any fines imposed.
§70.07(B)(2)	Vehicle impound and storage fees	Prior to reclaiming an impounded vehicle, the owner or the owner's authorized agent must pay a towing bill not to exceed \$100.00, an impound fee of \$50.00 and storage fees of \$10.00 per day commencing on the date of impoundment.
§90.16(B)	Dog impound and boarding fees	The impoundment fee for a spayed female dog or neutered male dog is \$25.00; the impoundment fee for an unaltered dog is \$75.00. The boarding fee is \$5.00 per day excluding the first day.
§92.12(B)	Performance bond amount pertaining to controlling blowing dust	A performance bond for controlling dust, not to exceed fifteen cents per square foot of the area to be disturbed, may be required.
§92.12(F)	Establish fees for use of City water truck and personnel if utilized for dust abatement at private development projects	The charge for the use of a City water truck and operator for the purpose of dust abatement within permitted projects will be \$200.00 per hour. A minimum of four hours will be charged if the City is asked to respond to a complaint of blowing dust.
§93.04(N)	Park reservation fees	A fee of \$25.00 shall be charged for each reservation of any park facility or entire park. This fee may be waived by the City Manager or his or her designee if the reservation is in

		conjunction with a community-wide event.
§94.37(A)	Excavation permit fees	The excavation permit fee is \$25.00 and shall be doubled if the start of construction occurs prior to application of the permit.
§95.04(A)	Burglar, robbery or fire alarm system permit fees	The permit fee is \$60.00 per year or part thereof; residential users over the age of 65 will not be required to pay the \$60.00 but will be required to obtain a permit.
§95.07	False alarm service fees	The fifth false alarm within the one-year period from July 1 through June 30 shall be subject to a service charge of \$20.00 charged to the user of the alarm system. Any additional false alarms within the same one-year period shall be subject to additional fees of \$20.00.
§114.03	Solicitors' license fees	Solicitors' license fees are: \$10.00 for three months, \$15.00 for six months and \$25.00 for the year with a minimum license fee of \$10.00. The fee for each additional solicitor in excess of one employed by any firm is \$10.00 per year or fraction thereof.
§152.26	Fees for moving buildings	A permit fee of \$10.00 shall be paid at the time of the application for each permit to move a building.
§155.25	Sign permit fees	A fee of \$27.50 shall be charged for regulated wall-mounted and building-mounted signs. Free-standing signs are subject to Uniform Building Code requirements with varying fees.
§170.08.030	Telecommunication carriers' registration fee	The registration fee for telecommunication carriers shall be \$50.00.
§170.12.060	Construction permit fee	Unless otherwise provided in a franchise agreement, prior to issuance of a construction permit for construction within the public right-of-way, the applicant must pay a permit fee equal to \$500.00 or 1/4 of one percent (.25%) of the estimated cost of constructing the telecommunications facilities, whichever is greater.
§170.12.070	Permit to utilize Cityright-of-way	(Diminished Pavement Life Fee) For any construction requiring pavement cuts or excavation within a public right-of-way, the franchise applicant shall acquire a City of Hermiston permit {§94.37(A)} to utilize City right-of-way and meet all fee and construction standards as specified.
§170.20.030	Application and review fee	Unless otherwise provided in a franchise agreement, the applicant must pay a review fee of \$350.00.
§170.24.060	Franchise fee	A telecommunications grantee must pay a franchise fee to the City, through the duration of its franchise, as follows: A. For all grantees except as provided in paragraphs B and C, a fee of 5 percent of gross revenues paid quarterly.

		<p>Gross revenue is defined in Section 170.04.050 of the Hermiston Municipal Code.</p> <p>B. The franchise fee for a telecommunication utility shall equal 5% of its gross revenue on exchange access services earned within the boundaries of the City.</p> <p>C. For limited use telecommunications grantees, a minimum annual fee, payable in advance, of \$1,000.00 or \$1.00 per linear foot of right-of-way used, whichever sum is greater. This fee will increase annually in July of each year, by multiplying the fee by a fraction, the numerator of which is the CPI Index Figure for the month of March preceding the July in which the fee is to be increased and the denominator of which is the Base CPI Index Figure. As used in this section, "Index" refers to the All Urban Consumers (CPI-U), U.S. City Average, CPI Index published by the Bureau of Labor Statistics of the United States Department of Labor. "Base CPI Index Figure" will refer to the Index number indicated for the month of March, 1998, and the "CPI Index Figure" for any other month will refer to the Index number for that month.</p> <p><i>Beginning July 1, 2001, the fee will be \$1.00 per linear foot. This fee will increase annually by the CPI Index as set forth above. The base CPI will be January of 2001. A limited use telecommunication grantee is defined as one whose franchise limits the amount of linear feet the grantee may occupy, or one who has a franchise as of October, 1998, for the purpose of long-distance telecommunications.</i></p>
ORS 192.440(3)	Copies of public records	<p>\$0.25 each page for 1 to 10 copies</p> <p>\$0.10 each page for 11 or more copies</p>
OAR160-100-0400	Notary fees	<p>For taking an acknowledgment, a verification upon an oath or affirmation, and witnessing or attesting a signature: \$2.00 per notarized signature on a document.</p> <p>For certifying a copy of a document: \$2.00</p> <p>For administering an oath or affirmation without a signature, for taking a deposition (each page), and for all other notarial acts not specified in this rule: \$1.00</p>

Staff Report

For the Meeting of

MAYOR AND MEMBERS OF THE CITY COUNCIL

Agenda Item #

Res. No. 1980

**SUBJECT: Senior Activity
Center Site Selection**

Subject

Senior Activity Center – Site Selection

Summary and Background

Summary:

The 11 member Senior Advisory Group was established to advise City Council on the final site selection and design of the new Senior Activity Center. The Senior Advisory Group has met several times since January and has formulated a recommended site based on carefully crafted criteria. Their research has included evaluating other senior centers and formulating building requirements to meet current and future program needs.

Background:

On February 24, 2014 Council approved Resolution No. 1952 to execute an agreement between the City and the Hermiston Senior Center Board to apply for a grant to construct a new senior activity center. The grant source is the Community Development and Block Grant (CDBG) – Infrastructure Finance Authority. The City conducted a pre-application public hearing on August 25, 2014 to solicit input regarding the project. The grant application process was completed in September 2014.

The City received notice in December 2014 that the grant application was successful and the amount of \$2 Million dollars has been awarded for the construction of a new facility for senior citizen programs. The City's obligation is to manage the construction process, own the new facility, and provide a cash contribution of \$73,242. The project must be completed in 36 months. However demolition of the current senior center is anticipated on December 31, 2016 to make way for school district expansion plans. On February 26, Council approved Resolution No. 1972 authorizing the City Manager to sign an agreement between the City and the Business of Oregon Infrastructure Finance Authority to accept \$2 Million for the construction of a new Senior Activity Center facility.

The City established the Senior Advisory Group to advise the Council on the final site selection and design of the new facility. As a condition of the grant funding, the new facility will be limited to public uses for citizens 60+ in age for the first five years of operation. However after that period, the City will make the facility available for other programs outside of the time reserved for the Senior Board (Monday through Friday from 8am to 3pm). The City will own and manage the facility as a landlord and

the senior program will provide programming as a tenant under the conditions of the Facility Use Agreement.

The Senior Advisory Group has visited several area Senior Centers to conduct facility, finance, and program research for planning purposes. The group has visited centers in Yakima, Kennewick, Richland and Boardman. City staff has also gathered information from Silverton, The Dalles, McMinnville, Redmond and Bend to share with the group. The site visits have been useful to understand trends in senior services and to evaluate facility designs.

The group established site selection criteria and design elements based on the anticipated uses of the facility. The building program and site selection criteria are as follows:

Building Program:

- Approximately 8,000 sf is ideal
- Dining hall / grand hall
- Entry and lounge
- Commercial kitchen and coffee areas
- Meeting and hobby rooms
- Administration offices and private council rooms
- Stage / Sound System
- Storage
- Restrooms / showers /lockers
- Fitness, wellness and personal care
- Recreation / games
- Gardening
- Landscaping

Building Characteristics:

- Warm, inviting, expansive with natural light
- Very high quality durable materials
- Safe and secure
- Energy efficient / low maintenance
- ADA Compliant

Site Characteristics:

- 1.5 acres minimum, larger is better
- Accommodate future expansion
- Configuration (square or rectangle)
- Flat / buildable
- Safety (secure site, good neighborhood)
- Adequate parking near services (shopping, medical, etc.)
- Near town center

Driving access (not congested)
Near parks or recreation and walkways

Visibility and easy to find
Low noise

Six potential sites were initially considered at the beginning of the process. The list was quickly shortened to three sites as being best suited for the Senior Activity Center. These sites are:

- The Old Goodwill site
- The Ridgeway site behind the Library
- The Aspens site near NE 4th and Aspen Drive

At the conclusion of considerable evaluation and debate over an eight-week period, the group formulated a recommendation for the Aspen site as being the most suited. The Ridgeway Site received some support from two of the participating group members. The Old Goodwill site received minimal support as compared to the other sites.

Site	Size	Ease of Development	Zoning	Future Expansion	Owner	Advisory Votes
Aspen	3.3 acres	Easy - Flat, bare and open	Commercial	Yes	Private	8
Ridgeway	1 acre	Difficult - Moderate slope, distressed lot	Com / Res	Limited	City/School	2
Goodwill	1.5 acres	Existing structure - remodel	Commercial	Limited	Private	1

The strong majority of the group feels that the Aspen site is the best suited for the following reasons:

Aspen site:

Advocates of the Aspen site felt its strengths were:

1. It provides the best access and visibility
2. At 3.3 acres, the Aspen site is over twice the size of the Ridgeway site. This allows for future expansion if needed
3. The Aspen site is "park-like" being adjacent to the irrigation channel and future trail system
4. The Aspen site is near shopping and other services used by senior
5. The Aspen site is flat, buildable, and near planned future retirement housing

Potential downsides of this location:

1. Property acquisition costs will potentially be higher than budgeted amounts
2. Location away from downtown amenities

Ridgeway site:

Advocates of the Ridgeway site felt its strengths were:

1. Proximity to downtown and Urban Renewal District planning
2. Proximity to the Library and other services
3. No property acquisition costs
4. Visibility from highway
5. More potential for projects in conjunction with the Urban Renewal District

Potential Downsides of this site:

1. More complex site development challenges
2. 1 acre size is less than the ideal 1.5 acres
3. Little or no future expansion capability
4. Constrained vehicle access
5. Potential Street reconfiguration
6. Developing shared parking with Hermiston Public Library

In conclusion, the Senior Advisory Group has concluded their initial assignment of identifying their recommended location for the new Senior Activity Center. A strong majority of the Senior Advisory Group recommends that City Council adopt the Aspen site as being the best-suited for the new Senior Activity Center. The Hermiston Senior Center Board of Directors recently has also made a formal motion in favor of the Aspen site.

Fiscal Information

The CDBG Grant allows funding for site acquisition. The Aspen site would need to be acquired from a private party at fair market value to be established by a certified appraisal. The Aspen site has an estimate purchase value of \$150,000 which is within the grant budget estimate of \$157,000.

Alternatives and Recommendation

There are three practical alternatives regarding the selection of the ideal site for the new Senior Activity Center.

1. Accept the recommendation of the Senior Advisory Group and approve the Aspen site as the preferred construction site.
2. Select the Ridgeway site as the preferred construction site.

3. Defer the selection of the preferred site until an architect has been selected to perform a more in-depth analysis of both the Aspen and Ridgeway sites.

Requested Action/Motion

Approve Resolution No. 1980 accepting the recommendation of the Senior Advisory Group and the Hermiston Senior Board and approve the Aspen site as the preferred construction site.

Reviewed by:



Department Head – Larry Fetter, Director of Parks and Recreation.



City Manager Approval

RESOLUTION NO 1980

A RESOLUTION OF THE CITY OF HERMISTON ACCEPTING THE RECOMMENDATION OF THE SENIOR ADVISORY GROUP TO ESTABLISH THE ASPEN SITE AS THE FUTURE LOCATION OF THE SENIOR ACTIVITY CENTER.

WHEREAS, the City recognizes the value of an independent senior center to the citizens of Hermiston and supports the efforts of the Hermiston Senior Board to construct a new facility whose primary use is for senior citizen programming; and

WHEREAS, the City approved Resolution No. 1952 to execute an agreement between the Hermiston Senior Board to apply for funding and jointly manage a new facility, and

WHEREAS, the City approved Resolution No. 1972 accepting \$2 Million from Business of Oregon Infrastructure Finance Authority for the construction of a new Senior Activity Center.

WHEREAS, the City has established an advisory group to research operating and design elements and to recommend a location for the new Senior Activity Center.

WHEREAS, the advisory has determined that of the sites evaluated, the Aspen site meets the current and future site requirements for the center, and

WHEREAS, the Aspen site is owned by a private party who desires to sell the property at fair market value to the City, and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Hermiston, Oregon, as follows:

That the City shall proceed with acquisition, planning and development of a new Senior Activity Center on the Aspen site.

PASSED by the Common Council this 27th day of April, 2015.

Signed by the Mayor this 27th day of April, 2015.

MAYOR

ATTEST:

ASSISTANT CITY RECORDER

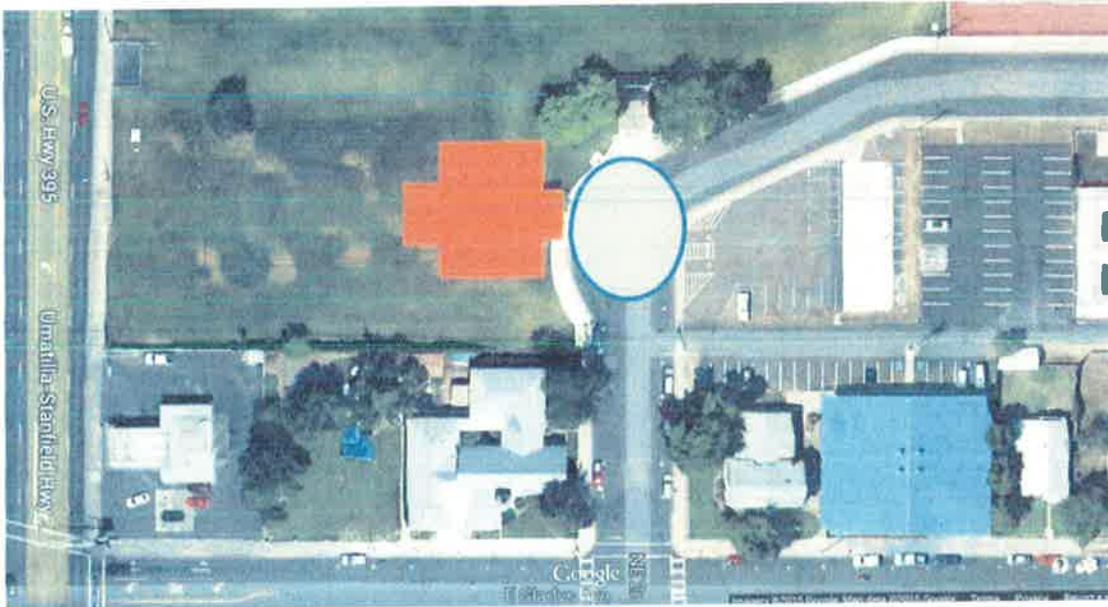
March 25, 2015

Dear Hermiston City Council and Mayor Drotzmann:

Approximately 2500 people in Hermiston are currently 60 years and older. (Suburban stats, 2014) Our current Senior Center serves about 40-50 seniors – two lunch meals a week and has seen those numbers shrinking in recent years. Yet, we will continue to see the number of seniors grow over the coming years as our city matures and adds additional people. We need to focus on the ability to serve a diverse group of seniors in the coming years with changing perspectives and different more active life styles. The Ridgeway Ave and 2nd St site is the site I believe will meet the needs of our entire community and should be selected. It has many desirable attributes:

- It is centrally located to the overall city layout
- Has good visibility from Hwy 395
- Easily accessible, and has other city services nearby
- Good neighbors – ie, church and elementary school, city buildings
- Close to local shopping and services
- Ties into long term plans of the City
 - Downtown Urban Renewal Zone -Festival street on 2nd St and Main Street
 - Downtown Overlay Zoning goals
 - Long range plans of the Downtown Design Committee work
 - Possible future location of a museum in the old Carnegie Library building
 - Library close at hand and could partner with classes and activities
 - Additional city parking – one block away for larger events

Ridgeway and 2nd St site – utilizing the property offered by School District



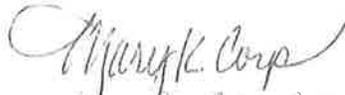
After 5 years of exclusive use by the over 60 population (as per the federal grant) the building will be become a center for events, small concerts, weddings, reunions, classes, and many other things that will serve all ages, and all community members – while still giving the Senior first priority use from 8 am to 3 pm Monday – Friday.

Utilizing this site in the city center, and changing 2nd Street to a cul de sac or roundabout with a reconfigured parking lot would insure ease of access, slow moving traffic, and safety. Additional islands with landscaping would beautify the area, and also slow traffic in the parking lot.

This configuration also leaves room for future expansion, activity areas, gardens and landscaping. The one negative mentioned by seniors is that the site is a "pit." I know that with a thoughtful design by a capable architect – we could make the main floor at street level, and utilize a daylight basement for a classroom or two and much needed storage with access by elevator.

This land is free, and currently bare of any structures. I emphatically believe that the entire \$2 Million should be invested into the structure at this Ridgeway location. This will allowing us to maximizing our building capacity, encourage additional private investment in the downtown core, and serve the needs of our growing community.

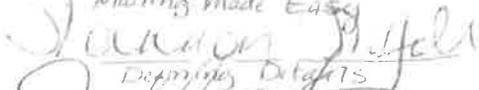
Respectfully,

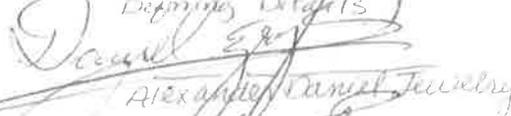

Mary K. Corp
Ray's Art & Collectibles

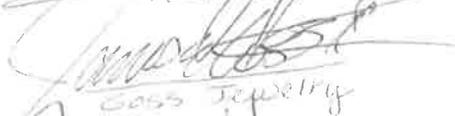
Mary K. Corp

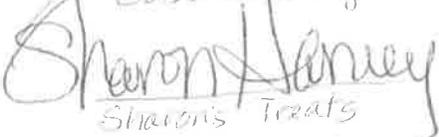

Roe Gardner


Debra & Dewitt
Mailing Made Easy


Shannon Huff
Defining Details

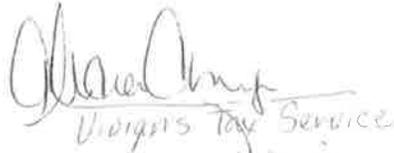

Daniel
Alexander Daniel Jewelry

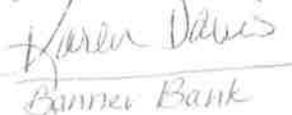

Cass
Cass Jewelry

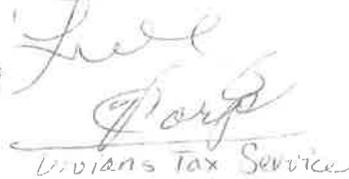

Sharon Hanney
Sharon's Treats


Charles Wilke
Ed Ward Jones


K. Loney


Vivian's Tax Service


Karen Davis
Banner Bank


Live Corp
Vivian's Tax Service

March 25, 2015

Dear Hermiston City Council and Honorable Mayor Drotzmann,

As a responsible downtown business merchant, I am compelled to take necessary action that will bolster the growth and prosperity of our community. I currently look at the recommended site selection for the new Hermiston Senior Center and think of a self-serving fiasco aimed to benefit the few and alienate the majority. I also look at a missed opportunity for a new Community Center that would be a catalyst in reshaping our ailing downtown business core.

At present, I must strongly point out the much needed site selection of the new Community Center to be in the immediate downtown area, namely the area of NE 2nd and Ridgeway Ave site. When I look at the pros/cons aspects of this area, I am overwhelmed by the pros involved and amazed to find only one negative. That the area is thought of as a "pit" which should recognize that the issue can be addressed by the architectural design.

Let us, this very moment, move forward and embrace the positives of the proximity in conjunction to downtown services, the visibility from Hwy 395, the accessibility and adequate parking space, the future expansion of other programs, and of course that low price tag of \$0 to mention a few of the pros. I adamantly suggest that we make the necessary arrangements to make the new Community Center in this central location in our fair downtown area and not in a hidden location.

Please allow my signature to represent my agreement with the above statement.

Mary K. Corp
Kauai CS Art & Collectibles

Debra & Dewitt
Mailing Made Easy

Helen Davis, Banner Bank

Pre. Peterson - Simmons

Defining Details

Alexander Daniel Jewelry

James G. Simmons

John Smith

James North

Butler, G. - Catching Sun Rays

Mary M. Heug, Banner Bank

Heu Barker - Simmons

Wendy Sufferb
Simmons

Laurel Darling - Business

March 25, 2015

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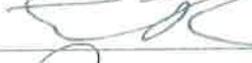
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Please allow my signature to represent my agreement with the above statement.

Cherry
Charles Hight
Carl Hight

Premier Physical Therapy
P4 & more Computers
P4 - More Computers

We support the City Council's choice to locate the new
Hermiston Senior Center at 2nd Street and Ridgeway Avenue.

Printed Name	Signature
Sally Anderson Hansell	
Becky Floyd	
LISA A. HANSEN	
Ed VAN AUKEN	
Cheryl VAN AUKEN	
Beth Anderson	
Michelle Maine	
Sierra webb	
Melisa A Webb	
Dallas Bolen	
Judy Roubury	
WENDY SYDER	
Micelle Surick	
Haylee A. Harper	
Brittney L. Beamer	
DAVID R. FAUX	
Aloras Winters	
Chris Briggs	
ERIC REISE	
Jeremy Larson	
Susan McHenry	

We support the City Council's choice to locate the new
Hermiston Senior Center at 2nd Street and Ridgeway Avenue.

Printed Name

Signature

Jason Gurneed



Richard J. Twardzi



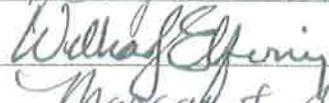
Kurt Brudixsen



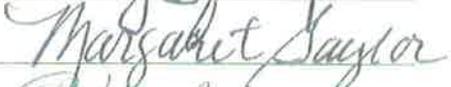
Kelly Sanders



William J. Effering



MARGARET SAYLOR



Tom Wamsley



Loret Crosby



FRANCIE HANSELL



JO FAUX



Michael J. ...



Leo ...



**We support the City Council's choice to locate the new
Hermiston Senior Center at 2nd Street and Ridgeway Avenue.**

Printed Name

Signature

PATRICK HART

Patrick Hart

THOMAS MARTIN

Thomas Martin

Carlisle Harrison

Carlisle Harrison

LARRY CAMPBELL

Larry Campbell

TAMMY SMITH

T. Smith

Tony Garbery

Tony Garbery

STEVE VAUGHAN

Steve Vaughan

MARK SARGENT

Mark Sargent

Staff Report

For the Meeting of

MAYOR AND MEMBERS OF THE CITY COUNCIL

Agenda Item #

Res. NO. 1981

**SUBJECT: Naming the
Senior Activity Center**

Subject

Senior Activity Center – Resolution to name the facility as the “Harkenrider Center.”

Summary and Background

Summary:

City Council has the authority to name publicly owned facilities within Hermiston. The City has been awarded \$2 Million for the purpose of constructing a facility to house the Hermiston Senior Center. City Council has expressed a desire to name the new facility the “Harkenrider Center” in recognition of Frank Harkenrider’s thirty-one years as a City Council Member and two terms as the City’s Mayor.

Background:

On February 24, 2014 Council approved Resolution No. 1952 to execute an agreement between the City and the Hermiston Senior Center Board to apply for a grant to construct a new senior activity center. The grant source is the Community Development and Block Grant (CDBG) – Infrastructure Finance Authority. The City conducted a pre-application public hearing on August 25, 2014 to solicit input regarding the project. The grant application process was completed in September 2014.

The City received notice in December 2014 that the grant application was successful and the amount of \$2 Million dollars has been awarded for the construction of a new facility for senior citizen programs. The City’s obligation is to manage the construction process, own the new facility, and provide a cash contribution of \$73,242. The project must be completed in 36 months. However demolition of the current senior center is anticipated on December 31, 2016 to make way for school district expansion plans. On February 26, Council approved Resolution No. 1972 authorizing the City Manager to sign an agreement between the City and the Business of Oregon Infrastructure Finance Authority to accept \$2 Million for the construction of a new Senior Activity Center facility.

The City established the Senior Advisory Group to advise the Council on the final site selection and design of the new facility. As a condition of the grant funding, the new facility will be limited to public uses for citizens 60+ in age for the first five years of operation. However after that period, the City will make the facility available for other programs outside of the time reserved for the Senior Board (Monday through Friday from 8am to 3pm). The City will own and manage the facility as a landlord and

the senior program will provide programming as a tenant under the conditions of the Facility Use Agreement.

Fiscal Information

None

Alternatives and Recommendation

There are three practical alternatives regarding the selection of the ideal site for the new Senior Activity Center.

1. Approve Resolution No. 1981 to officially name the new Senior Activity Center as the "Harkenrider Center."
2. Reject Resolution No. 1981 to officially name the new Senior Activity Center as the "Harkenrider Center."

Requested Action/Motion

Approve Resolution No. 1981 officially naming the new Senior Activity Center as the "Harkenrider Center."

Reviewed by:



Department Head – Larry Fetter, Director of Parks and Recreation.

City Manager Approval



RESOLUTION NO 1981

A RESOLUTION OF THE CITY OF HERMISTON DECLARING THAT THE NEW SENIOR ACTIVITY CENTER BE NAMED HARKENRIDER CENTER IN RECOGNITION OF FRANK HARKENRIDER.

WHEREAS, the City Council has the authority to name publically owned facilities; and

WHEREAS, the City desires to recognize individuals who demonstrate exceptional leadership and public service for the benefit of its citizens, and

WHEREAS, the City desires to preserve for future generations the leadership examples that are significant to Hermiston by naming public facilities, and

WHEREAS, Frank Harkenrider has provided outstanding leadership and public service as a City Council member for thirty-one years and served as Mayor for two terms, and

WHEREAS, Frank Harkenrider has been an active advocate for the Senior Center and was involved in the agreement to relocate and make available the current building that houses the Senior Center at the Umatilla Fairgrounds, and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Hermiston, Oregon, as follows:

That the new Senior Activity Center shall be named the "Harkenrider Center" upon its completion.

PASSED by the Common Council this 27th day of April, 2015.

Signed by the Mayor this 27th day of April, 2015.

MAYOR

ATTEST:

ASSISTANT CITY RECORDER

Monthly Financial Report



Includes the Hermiston Urban Renewal Agency

Finance Department
March 2015

2014-2015 Monthly Financial Report

Hermiston Urban Renewal Agency (HURA)

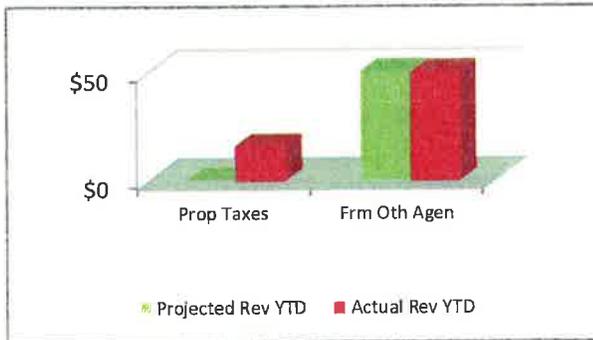
For the Month Ending March 31, 2015

Revenues

Through Mar 31, 2015

by Category

(in \$1,000)



	Annual Proj Rev	Projected Rev YTD	Actual Rev YTD	Var Fav/ (Unfav)	% Var
Prop Taxes	\$ -	\$ -	\$ 16	\$ 16	0%
Frm Oth Agen	50	50	50	-	0%
Total	\$ 50	\$ 50	\$ 66	\$ 16	32%

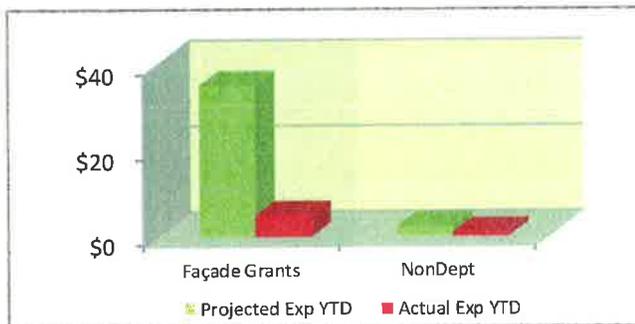
Note: variance is calculated as a percent of the projected revenue YTD.

Expenditures

Through Mar 31, 2015

by Character

(in \$1,000)



	Annual Proj Exp	Projected Exp YTD	Actual Exp YTD	Var Fav/ (Unfav)	% Var
Façade Grants	\$ 47	\$ 35	\$ 5	\$ 30	86%
NonDept	3	2	1	1	56%
Total	\$ 50	\$ 37	\$ 6	\$ 31	84%

Note: variance is calculated as a percent of the projected expenditures YTD.

Because this is the first fiscal year for the HURA no tax increment revenues were included in the budget. The revenue for the Agency was budgeted to come from a loan of \$50,000 from the City of Hermiston, which has been received. There was minimal activity in March. Revenues year-to-date remain at \$66,000 and expenditures at \$6,000.

2014-2015 Monthly Financial Report

City of Hermiston, Oregon

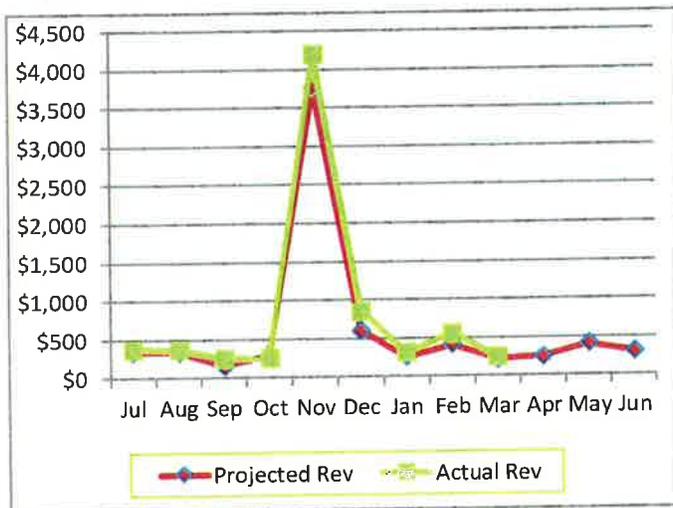
General Fund Revenue

For the Month Ending March 31, 2015

Through Mar 31, 2015

(in \$1,000)

All Revenue Sources



	Projected Rev	Projected Rev YTD	Actual Rev	Var Fav/ (Unfav)	% Var
Jul	\$ 344	\$ 344	\$ 377	\$ 34	10%
Aug	347	347	369	22	6%
Sep	161	161	255	94	59%
Oct	281	281	248	(33)	-12%
Nov	3,751	3,751	4,191	439	12%
Dec	607	607	855	247	41%
Jan	265	265	305	40	15%
Feb	415	415	561	146	35%
Mar	219	219	247	28	13%
Apr	253	-	-	-	-
May	412	-	-	-	-
Jun	316	-	-	-	-
Total	7,370	6,390	7,407	1,017	16%
Cash Fwd	1,676	1,676	1,676	-	0%
Total	\$ 9,047	\$ 8,066	\$ 9,083	\$ 1,017	13%

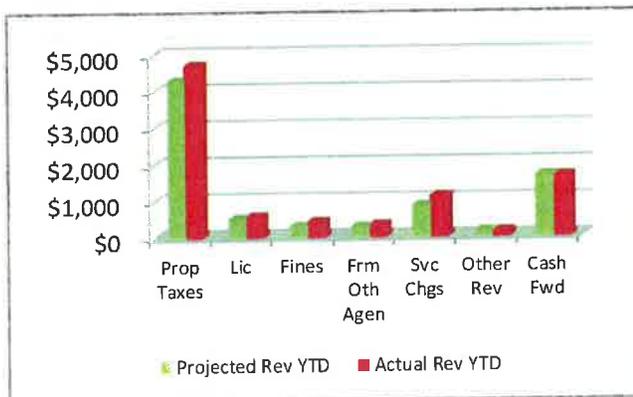
Note: variance is calculated as a percent of the projected revenue YTD.

General Fund revenues are a little over \$1 million higher than projections through the end of March. Consistent with what we have seen in previous months, Property Taxes and Service Charges make up the majority of the variance.

General Fund Revenue by Category

Through Mar 31, 2015

(in \$1,000)



	Projected Rev	Projected Rev YTD	Actual Rev YTD	Var Fav/ (Unfav)	% Var
Prop Taxes	\$ 4,500	\$ 4,288	\$ 4,732	\$ 444	10%
Lic	695	513	584	71	14%
Fines	400	299	437	138	46%
Frm Oth Agen	376	287	354	67	23%
Svc Chgs	1,223	852	1,134	281	33%
Other Rev	177	151	166	15	10%
Cash Fwd	1,676	1,676	1,676	-	0%
Total	\$ 9,047	\$ 8,066	\$ 9,083	\$ 1,017	13%

Note: variance is calculated as a percent of the projected revenue YTD.

2014-2015 Monthly Financial Report

City of Hermiston, Oregon General Fund Expenditures

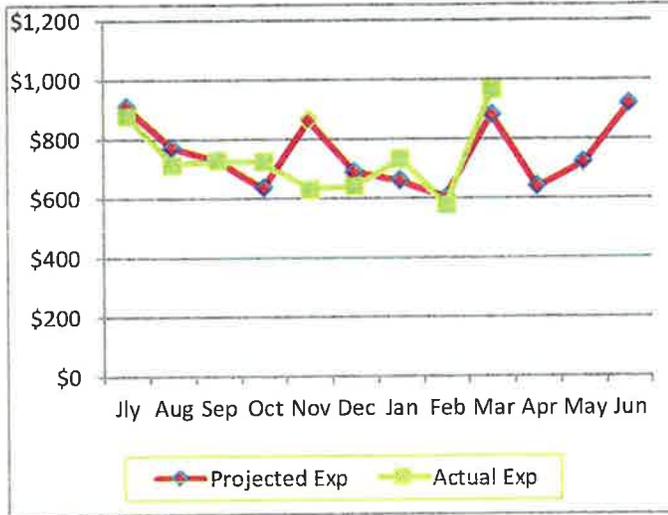
For the Month Ending March 31, 2015

General Fund Expenditure Summary

Through Mar 31, 2015

All Requirements

(in \$1,000)



	Projected Exp	Projected Exp YTD	Actual Exp	Var Fav/ (Unfav)	% Var
Jly	\$ 910	\$ 910	\$ 878	\$ 32	4%
Aug	773	773	712	61	8%
Sep	727	727	725	2	0%
Oct	636	636	721	(85)	(13%)
Nov	861	861	630	231	27%
Dec	691	691	640	51	7%
Jan	659	659	732	(72)	(11%)
Feb	605	605	577	28	5%
Mar	881	881	964	(82)	(9%)
Apr	640	-	-	-	-
May	721	-	-	-	-
Jun	917	-	-	-	-
Total	9,022	6,744	6,578	166	2%
Unapp	25	-	-	-	0%
Total	\$ 9,047	\$ 6,744	\$ 6,578	\$ 166	2%

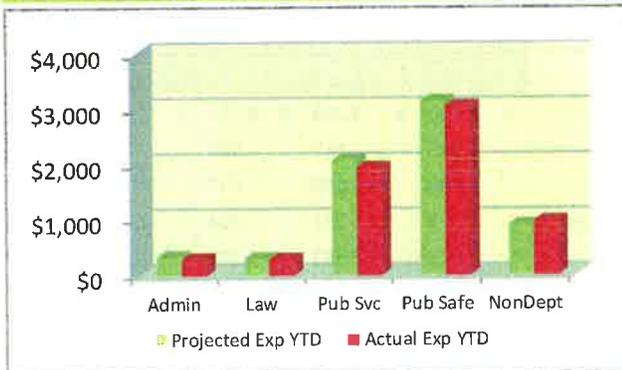
The positive variance in expenditures dropped from \$249,000 in February to \$166,000 in March. The largest savings continue to be in Public Safety and Public Services. Administrative Services also showed savings of \$38,000 while Non Departmental was over projections by \$77,000.

General Fund Expenditures

Through Mar 31, 2015

by Consolidated Department

(in \$1,000)



	Annual Proj Exp	Projected Exp YTD	Actual Exp YTD	Var Fav/ (Unfav)	% Var
Admin	\$ 469	337	299	\$ 38	11%
Law	411	304	299	5	2%
Pub Svc	2,775	2,065	1,946	119	6%
Pub Safe	4,183	3,138	3,056	82	3%
NonDept	1,184	901	978	(77)	(9%)
Unapp	25	-	-	-	0%
Total	\$ 9,047	\$ 6,744	\$ 6,578	\$ 166	2%

Note: variance is calculated as a percent of the projected expenditures YTD.

2014-2015 Monthly Financial Report

General Fund Expenditure Detail
For the Month Ending March 31, 2015

General Fund Expenditures by Department

	Annual Projected Exp	Projected Exp YTD	Actual Exp YTD	Var Fav/ (Unfav)	% Var Fav/ (Unfav)
City Council	\$ 32,400	\$ 25,335	\$ 17,784	\$ 7,552	30%
City Manager/Planning	370,355	261,466	242,382	19,084	7%
Finance	66,650	50,126	38,877	11,250	22%
Total Admin & Finance	469,405	336,927	299,043	37,885	11%
Legal	186,300	135,642	131,173	4,469	3%
Court	224,600	168,509	168,222	287	0%
Total Dept of Law	410,900	304,151	299,395	4,756	2%
Transportation	188,375	141,977	120,333	21,644	15%
Airport	273,300	203,358	199,109	4,249	2%
Bldg Inspection	334,300	248,165	243,081	5,084	2%
Parks	442,300	319,175	294,319	24,856	8%
Pool	375,350	280,134	272,003	8,131	3%
Municipal Buildings	11,400	8,250	9,107	(857)	(10%)
Library	642,800	481,922	445,224	36,698	8%
Recreation	416,500	311,438	298,273	13,165	4%
Conference Center	90,900	70,106	64,822	5,284	8%
Total Public Services	2,775,225	2,064,527	1,946,271	118,256	6%
Public Safety Center	87,500	71,086	61,530	9,556	13%
Police Operations	4,095,290	3,067,149	2,993,972	73,177	2%
Total Public Safety	4,182,790	3,138,235	3,055,502	82,733	3%
Non-Departmental	1,183,473	900,607	977,917	(77,310)	(9%)
Unappropriated	25,000	-	-	-	-
Total Non-Dept	1,208,473	900,607	977,917	(77,310)	(9%)
Total	\$ 9,046,793	\$ 6,744,447	\$ 6,578,128	\$ 166,320	2%

All departments show favorable variances with the exception of Municipal Buildings and Non-Departmental. As previously reported, these variances are related to one-time expenditures, transfers, or attorney costs and are expected to correct themselves by the end of the fiscal year.

2014-2015 Monthly Financial Report

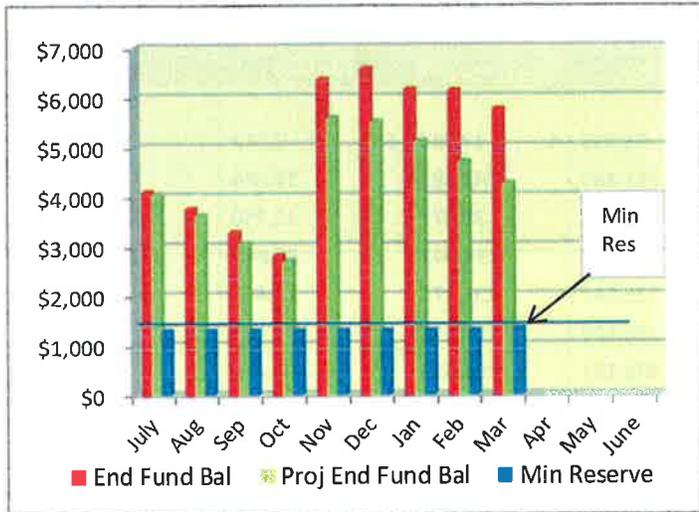
Fund Balance - General Fund
For the Month Ending March 31, 2015

General Fund

Through Mar 31, 2015

Ending Fund Balance

(in \$1,000)



	Begin Fund Bal	Rev	Exp	End Fund Bal	Proj End Fund Bal
July	\$ 4,630	\$ 377	\$ (878)	\$ 4,129	\$ 4,064
Aug	4,129	369	(712)	\$ 3,786	\$ 3,638
Sep	3,786	255	(725)	\$ 3,316	\$ 3,071
Oct	3,316	248	(721)	\$ 2,843	\$ 2,717
Nov	2,843	4,191	(630)	6,404	\$ 5,607
Dec	6,404	855	(640)	6,619	\$ 5,523
Jan	6,619	305	(732)	6,192	\$ 5,128
Feb	6,192	560	(577)	6,175	\$ 4,720
Mar	6,175	584	(964)	5,795	\$ 4,276
Apr					
May					
June					
Total	\$ 4,630	\$ 7,744	\$ (6,578)	\$ 5,795	\$ 4,276

Minimum Reserve = \$1,353,269

* Corrected

The City Council has established a minimum reserve for the General Fund of 15% of budgeted annual operating expenditures. Factoring in the expenditures added through the supplemental budget, the minimum reserve for 2014-15 is \$1,353,269. The fund balance is \$5.8 million at the end of March compared to the projected fund balance of \$4.3 million. Fund balance has increased \$1.2 million since the beginning of the fiscal year.

2014-2015 Monthly Financial Report

Special Revenue Funds Report For the Month Ending March 31, 2015

Special Revenue Funds Revenues and Expenditures

	2014-15		Remaining Budget
	Annual Budget	Actual YTD	
Bonded Debt Fund			
Revenues	2,590,560	1,772,898	817,662
Expenditures	2,590,560	1,690,656	899,904
Transient Room Tax (TRT)			
Revenues	70,000	71,288	(1,288)
Expenditures	70,000	45,565	24,435
Recreation Special Revenue			
Revenues	279,200	287,758	(8,558)
Expenditures	279,200	126,444	152,756
Reserve Fund			
Revenues	6,606,227	5,906,582	699,645
Expenditures	6,606,227	1,086,159	5,520,068
Municipal Court Special Revenue			
Revenues	200,000	156,148	43,852
Expenditures	200,000	151,579	48,421
Miscellaneous Special Revenue			
Revenues	35,000	20,581	14,419
Expenditures	35,000	10,867	24,133
Conference Center			
Revenues	158,350	112,380	45,970
Expenditures	158,350	113,093	45,257
WWTP Construction Fund			
Revenues	4,000,000	4,918,630	(918,630)
Expenditures	4,000,000	1,022,566	2,977,434
EOTEC Grant Fund			
Revenues	6,000,000	6,000,000	-
Expenditures	6,000,000	5,510	5,994,490
Law Enforcement Special Revenue			
Revenues	78,814	72,112	6,702
Expenditures	78,814	38,903	39,911
Library Special Revenue			
Revenues	48,500	43,965	4,535
Expenditures	48,500	20,618	27,882
2014 Water & Sewer Rev Bonds			
Revenues	5,300,000	16,322	5,283,678
Expenditures	5,300,000	2,722,380	2,577,620
Senior Center Const			
Revenues	2,073,360	73,360	2,000,000
Expenditures	2,073,360	-	2,073,360

The City uses multiple Special Revenue funds to account for revenues that are restricted to expenditure for particular purposes. They include funds for debt service, economic development, parks and recreation, capital projects, and grants. Since these funds are not operational and are used for specific purposes from year-to-year, their expenditures do not typically follow a predictable pattern so budget variances are not calculated for them.

The WWTP Construction Fund has received \$918,630 more than was estimated to be received. This is because several reimbursements received this fiscal year from the State Revolving Loan Fund were for expenditures that were made last fiscal year.

The Senior Center Construction Fund was added as part of the Supplemental Budget. Resources include \$2M from a CDBG grant and \$73,360 in matching funds from the City.

2014-2015 Monthly Financial Report

Utility and Street Funds Report

For the Month Ending March 31, 2015

Utility and Street Funds Report

Revenues & Expenditures

	2014-15 Annual			Variance	
	Budget	Budget YTD	Actual YTD	Fav/(Unfav)	% Variance
<u>Street Fund</u>					
Revenues	1,238,000	865,031	890,530	25,499	2.9%
Expenditures	1,238,000	960,646	910,227	50,419	5.2%
	-	(95,615)	(19,697)	75,918	---
<u>Utility Fund</u>					
Revenues	4,965,460	3,859,928	4,050,696	190,768	4.9%
Expenditures	4,965,460	3,369,229	3,302,931	66,298	2.0%
	-	490,699	747,765	257,066	---
<u>HES Fund</u>					
Revenues	9,154,878	7,435,353	7,452,146	16,793	0.2%
Expenditures	9,154,878	7,268,052	6,784,364	483,688	6.7%
	-	167,301	667,782	500,481	---
<u>Regional Water Fund</u>					
Revenues	\$ 593,566	\$ 493,318	\$ 559,736	\$ 66,418	13.5%
Expenditures	593,566	502,425	518,739	(16,315)	(3.2%)
	-	(9,107)	40,997	50,104	---

These funds are used to account for the City's business-type activities. The **Street Fund** accounts for gas tax revenues, which continue to come in higher than projections. As of the end of March the variance is almost 3%. Expenditures also show a positive variance but they are expected to pick up as the spring weather allows for more maintenance work to occur.

In the **Utility Fund** revenues in **Wastewater** remain almost right on target while **Water** revenues continue to come in about 7% higher than projections. Expenditures in both utilities are below projections by about 2%.

Revenues in the **HES Fund** are coming in as planned, while expenditures are 6.7% below projections. As previously reported, remaining power purchases are expected to eliminate most of the variance as they are made.

The positive revenue variance in the **Regional Water Fund** is coming from non-potable receipts. Factoring in an adjustment of \$27,000 for insurance proceeds and \$30,000 for a contribution from Simplot for the water line extension, expenditures are 3.2% above projections.

2014-2015 Monthly Financial Report

Utility and HES Funds Report For the Month Ending March 31, 2015

Utility and HES Funds Report

Reserve Balances

	Beginning Reserve	Ending Reserve	% Ending Reserve	Minimum Reserve Requirement	Difference
Utility Fund	3,244,877	3,654,391	73.6%	612,180	3,042,211
HES Fund	4,329,711	3,414,892	37.3%	1,128,684	2,286,208
Total	7,574,588	7,069,283	-	1,740,864	5,328,419

The City Council has established a minimum working capital (current assets less current liabilities) of forty-five (45) days of annual operating expenses for both the Utility Fund and HES Fund. This equates to approximately \$612,000 for the Utility Fund and \$1.1 million for the HES Fund. Both funds have balances well above their minimum reserve levels for a total reserve of \$7 million. The City has begun the process of reviewing the level of appropriate reserves in the utility and HES funds and expects to bring any recommended changes to Council as part of the 2015-16 budget development process.

2014-2015 Monthly Financial Report

City of Hermiston, Oregon

Capital Projects Report

For the Month Ending March 31, 2015

Capital Projects

	2014-15 Budget	YTD Expenditures	LTD Budget	LTD Expenditures	% Complete
Airport Improvements	\$ 650,000	\$ 73,876	\$ 650,000	\$ 73,876	4%
Eastern OR Trade & Event Ctr (EOTEC) Pipeline	1,800,000	519,795	1,800,000	519,795	30%
EOTEC Construction	6,000,000	5,510	6,400,000	361,836	0%
Recycled Water Treatment Plant (RWTP)	5,100,000	2,695,847	28,200,000	7,188,732	100%
RWTP Outfall	2,500,000	1,021,570	2,500,000	1,021,570	87%
Water Line Extension	1,250,000	27,529	1,250,000	82,029	0%
Total	\$ 17,300,000	\$ 4,344,127	\$ 40,800,000	\$ 9,247,838	---

Major capital projects for the 2014-15 fiscal year include the taxiway realignment at the Airport, extending the water distribution system and sanitary sewer collection system to the new EOTEC facility, continued development and construction of the EOTEC facility, finalization of the upgrades at the Recycled Water Treatment Plant (RWTP), and a major water line extension from the Regional Water Plant to South 1st Street.

Airport Improvements

The lion's share of the design for the Taxiway Relocation has been completed; however, the FAA still needs to respond to requests for clarification and modifications to standards. One request in particular will impact paving costs for the project if not approved.

For FAA funding purposes, this project was broken into two pieces – Design and Construction. The Design portion uses the City's normal Non-Primary Entitlement grant funds. The Construction portion will use FAA discretionary grant funding. Unfortunately, this project has been deemed to be a "Tier 3" project, which means that funding may now be delayed until August. Therefore, the bidding date has been pushed to the end of May, with the construction contract award scheduled for the end of June. The core project is still anticipated to be within budget.

Funding Source	Budgeted Amount	Expended to Date	Percent Complete
FAA NPE Design Grant	\$300,000	\$129,027	43%
Connect Oregon Grant	\$300,000	\$14,336	5%
FAA Discretionary Grant	Contingent upon bids	\$0	0%
City of Hermiston	\$0	\$0	0%

2014-2015 Monthly Financial Report

City of Hermiston, Oregon
Capital Projects Report
For the Month Ending March 31, 2015

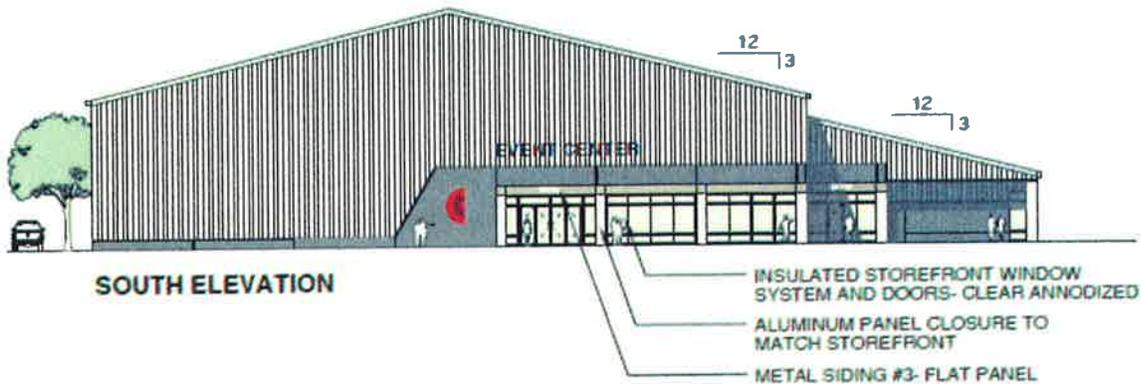
EOTEC Pipeline

This project will extend the water distribution system and sanitary sewer collection system to the new EOTEC facility. It also includes construction of a sanitary sewer pump station and force main on the EOTEC site that will be owned and operated by the City of Hermiston. Construction began in early December, and the new water and sewer lines south of the airport have been constructed and tested. The project was put on hold last month pending finalization of an archaeological pre-clearance. That is now complete and construction is proceeding again. Construction is approximately 50% complete.



EOTEC Facility Design and Construction

The project remains on schedule to be completed by May 2016. As noted with the EOTEC Pipeline project, construction had been put on hold while an environmental assessment was done. That process has been finished and construction is back under way.



2014-2015 Monthly Financial Report

City of Hermiston, Oregon
Capital Projects Report
For the Month Ending March 31, 2015



Recycled Water Treatment Plant

This project includes upgrades, additions and modifications to the City's recycled-water treatment plant, including a new Membrane Biologic Reactor (MBR) Building. The project is now complete with just a few minor items to correct. The ribbon-cutting ceremony for the plant was held April 23rd.

The City's new secondary treatment process MBR went on-line October 2014.

RWTP Outfall

The Outfall, the final piece of the RWTP project, is about 87% complete. Construction began in mid-January 2015. Installation of a majority of the pipeline is complete and has been tested. The West Extension canal outlet structure is also complete. The "in-water" portion of the work will be done in the summer of 2015 and the project is anticipated to be complete in the early fall of 2015.



Future winter outfall location at Three Mile Dam.

Water Line Extension

This project is for construction of a water main from the Regional Water System's treatment plant which will enhance the city's water-delivery capabilities. The project has been put out to bid and construction is expected to begin by June 1, 2015.



2014-15 Monthly Financial Report
City of Hermiston, Oregon
Investments
For the Month Ending March 31, 2015

Investment Report
by Type

Cusip No.	Par Value	Principal Cost	Market Value	Issuer	Rating Moody's/S&P	Days to Maturity	Callable Y/N	Yield to Worst Call	Yield to Maturity (YTM)
3136G1BT5	\$ 2,000,000	\$ 1,960,500	\$ 1,995,896	FNMA	Aaa/AA+	860	Y	1.37	1.37
3134G35P1	\$ 1,000,000	\$ 979,970	\$ 998,974	FHLMC	Aaa/AA+	1,078	Y	1.71	1.71
3135G0QK2	\$ 2,000,000	\$ 1,985,750	\$ 1,987,596	FFCB	Aaa/AA+	1,648	Y	1.71	1.71
313381UZ6	\$ 1,000,000	\$ 985,720	\$ 993,118	FHLB	---	1,031	Y	1.31	1.31
3137EADN6	\$ 1,000,000	\$ 978,757	\$ 994,110	FHLMC	Aaa/AA+	1,018	N	1.29	1.29
31771CCJ2	\$ 1,065,000	\$ 1,042,845	\$ 1,052,972	FICO	---	591	N	0.70	0.70
3135G0GY3	\$ 1,000,000	\$ 1,013,901	\$ 1,010,761	FNMA	Aaa/AA+	671	N	0.78	0.78
US Agencies	\$ 9,065,000	\$ 8,947,443	\$ 9,033,427	---	---	---	---	---	---
LGIP ^{(1) (2)}	\$ 12,373,651	\$ 12,373,651	\$ 12,373,651	Varies	---/AA	1	N	0.50	0.50
LGIP	\$ 12,373,651	\$ 12,373,651	\$ 12,373,651	---	---	---	---	---	---
TOTAL	\$ 21,438,651	\$ 21,321,094	\$ 21,407,078	---	---	---	---	---	---

⁽¹⁾ \$5,046,830 of the balance in the LGIP is held by the City for the Eastern Oregon Trade and Event Center (EOTEC).

⁽²⁾ \$2,016,322 of the balance in the LGIP is invested for the 2014 Sewer & Water Revenue Bonds.

The City of Hermiston has established certain policies for its investments. In order to limit credit and interest rate risk, investments are diversified by security type, maturity, issuer, and call provisions. At least 25% of funds available for investing will be invested in the Local Government Investment Pool (LGIP), with a qualified depository institution, or investments maturing in less than 90 days. 50% or more of the portfolio will be invested in securities maturing in less than three years. The maximum average maturity for the portfolio shall be 3 years and the maximum maturity of individual securities in the portfolio shall be 5 years. No more than 75% of the portfolio may be callable. The minimum weighted average credit rating of the portfolio's investments shall be Aa/AA by Moody's and Standard & Poor's respectively. The breakdown of the City's portfolio is shown below.

Maturity	Par Value	% of Total Portfolio	Type of Inv	Par Value	% of Total Portfolio	Various Investment Parameters	With LGIP	Without LGIP
< 90 Days	\$12,373,651	57.7%	US Agency	\$ 9,065,000	42.3%	WTD Avg Maturity	441 Days	441 Days
90 Days - 3 Yrs	\$ 6,065,000	28.3%	Corporate	\$ -	0.0%	Wtd Avg Yield to Maturity	0.85%	1.32%
3 - 5 Yrs	\$ 3,000,000	14.0%	LGIP	\$12,373,651	57.7%	Percent Callable	28.0%	36.7%
	\$21,438,651	100.0%		\$21,438,651	100.0%	Wtd Avg Credit Rating	Aaa/AA+	Aaa/AA+

STAFF REPORT

For Meeting of April 27, 2015

MAYOR AND MEMBERS OF THE CITY COUNCIL

Agenda Item #

NO. 2015-

SUBJECT:
Engineering Contract

Subject

Approve a master services agreement with Anderson Perry & Associates, Inc. for engineering services.

Summary and Background

This agreement will make Anderson Perry & Associates (AP) the City of Hermiston's new engineer of record.

This agreement is substantively the same as what was considered by Council at its April 13 meeting. Minor changes were made regarding the contract term, payment disputes, and indemnification.

Fiscal Information

The contract establishes the hourly rate for all of the various technicians and engineers who may work on projects for the City. Based on the basic contract, their basic service will cost approximately \$90,000 per year.

Alternatives and Recommendation

Alternatives

1. Approve the master service agreement with Anderson Perry & Associates.
2. Direct staff to renegotiate the MSA.
3. Direct staff to re-issue the RFP.

Recommendation

Approve the Master Service Agreement. Because hiring a part-time engineer would be very difficult to find someone qualified, and the engineer would still need to hire consultants for specialized work, this arrangement appears to be the best mid-point between hiring an in-house engineer and continuing with our current arrangement.

Requested Action/Motion

Motion to approve the master services agreement with Anderson Perry & Associates for engineering services.

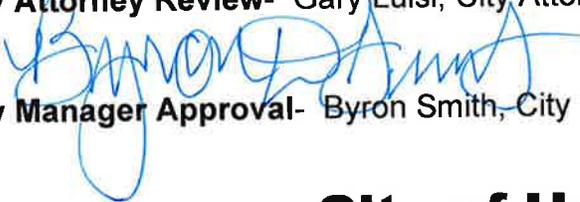
Department Head- Mark Morgan, Assistant City Manager



City Attorney Review- Gary Luisi, City Attorney



City Manager Approval- Byron Smith, City Manager



City of Hermiston

AGREEMENT FOR ENGINEERING SERVICES

THIS AGREEMENT, made this 27th day of April, 2015, by and between the **City of Hermiston, Oregon**, hereinafter referred to as the **OWNER**, and **Anderson Perry & Associates, Inc.**, hereinafter referred to as the **ENGINEER**:

The **OWNER** has need of Engineering Services from time to time for a variety of projects within the City of Hermiston. The **OWNER** hereby designates the **ENGINEER** as "Engineer of Record for the City of Hermiston." The **OWNER** intends to have the **ENGINEER** provide assistance with these projects and intends to contract for these services on a project-by-project basis by authorizing individual Work Orders which will be extensions of this general engineering agreement, subject to all of the provisions contained herein. The scope of work and cost of services for each specific request shall be described in each Work Order outlining the **ENGINEER's** services. The **ENGINEER**, acting as an independent contractor, agrees to provide the necessary engineering services under the terms and conditions as outlined herein and as may be further detailed and described in the respective Work Orders.

In addition to the on-call services described above, the **OWNER** intends to utilize the **ENGINEER** on a consistent basis to perform engineering duties for the **OWNER**. In order to accomplish this, the **ENGINEER** shall dedicate an Oregon Registered Professional Engineer to be in the City of Hermiston to provide engineering services to the **OWNER** for a minimum of 16 hours per week, expected to consist of two agreed-upon days per week.

WITNESSETH:

That for and in consideration of the mutual covenants and promises between the parties hereto, it is hereby agreed:

SECTION A - ENGINEERING SERVICES

WORK ORDERS

The **OWNER** shall request the **ENGINEER** to provide Professional Services whenever the **OWNER** wishes to engage the **ENGINEER**. A Work Order (see general format attached to this Agreement as Exhibit "A") shall be prepared which describes the scope of services to be provided by the **ENGINEER**, any special contractual agreements that are applicable to the Work Order, and the method of compensation for the services to be performed. The **ENGINEER** will provide the services outlined in the Work Order after the Work Order has been approved and authorized by both the **OWNER** and the **ENGINEER's** representatives. Work Orders will be prepared for each specific project or work task to be performed for the **OWNER**.

ENGINEERING SERVICES

When requested by the **OWNER** in a Work Order, the **ENGINEER** may provide engineering services of the general type and scope outlined hereafter. The **OWNER** may provide some of the services outlined hereafter. The detailed scope of the requested **ENGINEER's** services shall be defined in the respective Work Order.

Anticipated work and/or projects that may occur under this Contract includes, but is not limited to:

1. Review and approval of plans for road, sewer, water, storm drainage, geotechnical, grading and other improvements for conformance to City standards and accepted engineering practices for subdivisions and development projects.
2. Coordinating on-site construction inspections of installation of road, sewer, water, storm drainage, and other improvements for conformance to City standards and accepted engineering practices for subdivisions and development projects.
3. Assist in the correct sizing of water meters.
4. Planning, design, and construction management for sewer projects related to the collection system.
5. Planning, design, and construction management for stormwater projects.
6. Provide hydrologic and hydraulic analyses for storm and sewer projects as appropriate.
7. Planning, design, and construction management for street projects.
8. Analysis of traffic impact studies.
9. Planning, design, and construction management for municipal water system projects.
10. Planning, design, and construction management for parks and trail system projects.
11. Consultation on City of Hermiston building projects.
12. Preparing bid packages for smaller and medium-sized public projects.
13. Providing project cost estimates.
14. Performing flow analysis.
15. Using and helping Water Department staff with use of hydrology model.
16. Prepare and monitor Risk Management Plan(s).
17. Provide technical assistance for compliance with local, state, and federal requirements.
18. Design gravel street conversion.
19. Prepare, monitor, and update various plans.
20. Review plans and assist as needed on larger public projects.
21. Assist in developing Capital Improvement Plans for the Water, Sewer, and Street Departments.

22. Assist in developing a Water Master Plan.
23. Assist in developing a Wastewater Master Plan.
24. Provide technical assistance for finding, securing, and administering grant funding.
25. Other services as agreed to between the parties.

SECTION B - COMPENSATION FOR ENGINEERING SERVICES

The OWNER shall compensate the ENGINEER for the various engineering services to be provided on either a Lump Sum Basis or on a Time and Materials Basis as the OWNER and ENGINEER agree. The method(s) of compensation shall be defined in each Work Order and as described herein.

1. Lump Sum Basis

The OWNER shall compensate the ENGINEER on a lump sum amount basis for the tasks defined and at the dollar amounts stated in the respective Work Orders. If during the course of the work, the scope of the work should substantially change, the OWNER and the ENGINEER shall amend the Work Order to cover the revised scope and lump sum cost of services.

2. Time and Materials Basis

The OWNER shall compensate the ENGINEER on a time and materials basis, plus direct reimbursable expenses, for the tasks defined in the respective Work Orders.

The time and materials cost referred to in this Agreement shall be the sum of the "total personnel cost" plus "overhead cost and profit." Total personnel cost includes the base wages paid to employees plus payroll taxes and fringe benefits. Total personnel cost is computed as 1.45 times the base wages paid to employees. This figure shall be adjusted annually to reflect changes in the cost of payroll taxes and fringe benefits. The overhead cost and profit is 1.55 times the total personnel cost. The overhead cost and profit factor may be adjusted annually to reflect the ENGINEER's actual overhead rate.

Direct reimbursable expenses shall include such direct job costs as the cost of travel, subsistence, lodging, special tests and services of special or outside consultants, plus 10 percent to cover handling, overhead, and insurance costs, etc. Mileage shall be charged in accordance with the attached Hourly Fee Schedule. This rate may be adjusted annually to reflect IRS allowances. There shall be no charge for telephone calls, postage, and secretarial services.

3. Hourly Fee Basis

The OWNER shall compensate the ENGINEER on an hourly fee basis, plus direct reimbursable expenses, for the tasks defined in the respective Work Orders. A copy of the current Hourly Fee Schedule is attached to this Agreement. The Hourly Fee Schedule is subject to change on or around April 1 of each year.

4. Payment

The OWNER agrees to pay the ENGINEER for the services outlined in this section on a monthly basis for the actual services provided. The ENGINEER will render to the OWNER an itemized bill at the end of each month, for compensation for such services performed under each separate Work Order during such month, the same to be due and payable by the OWNER to the ENGINEER. Past due amounts owed shall include a service fee charge of 12 percent annual interest beginning the 30th day after the date of billing. The ENGINEER may suspend work under this Agreement until the account is paid in full.

SECTION C - RESPONSIBILITIES OF OWNER

1. The OWNER shall provide the ENGINEER with all criteria and full information as to the OWNER's requirements for the services to be provided, including objectives and constraints, capacity, and performance requirements, and any budgetary limitations.
2. The OWNER shall furnish copies of all design and construction standards that the OWNER will require to be included in the Drawings and Specifications and furnish copies of the OWNER's standard forms, conditions, and related documents for the ENGINEER to include in the Bidding documents, when applicable.
3. The OWNER shall furnish to the ENGINEER all available information pertinent to the work including, if applicable, reports, existing maps, field survey data, rights-of-way, survey information, and known information concerning the existing underground utilities, etc.
4. The OWNER shall provide for full, safe, and free access for the ENGINEER to enter upon all property required for the performance of the ENGINEER's services under this Agreement.
5. The OWNER shall give prompt written notice to the ENGINEER whenever the OWNER observes or otherwise becomes aware of a Hazardous Environmental Condition or of any development that affects the scope or time of performance of the ENGINEER's services, or any defect or nonconformance in the ENGINEER's services or in the work of any Contractor.
6. The OWNER shall pay for any agency plan review fees, advertisements for bids, building or other permits, licenses, etc., as may be required by local, state, or federal authorities. The OWNER shall secure the necessary land easements, rights-of-way, and construction permits needed for improvements. The ENGINEER can assist with these items, if requested.
7. The OWNER shall examine all alternate solutions, studies, reports, sketches, Drawings, Specifications, proposals, and other documents presented by the ENGINEER (including obtaining the advice of an attorney, insurance counselor, and other consultants as the OWNER deems appropriate with respect to such examination) and render timely decisions pertaining thereto.

8. The OWNER shall obtain, with guidance from the ENGINEER, reviews, approvals, and permits from all governmental authorities having jurisdiction to approve all phases of the project designed or specified by the ENGINEER, and such reviews, approvals, and consents from others as may be necessary for completion of each phase of the project.
9. The OWNER shall attend the Pre-bid Conference, Bid opening, Pre-construction Conferences, construction progress, and other job-related meetings and Substantial Completion, final payment, and warranty inspections.
10. In consideration for negotiated "Standard Travel" rates, the OWNER shall provide an office space for the ENGINEER where the ENGINEER can perform the duties and services described in this Agreement. The ENGINEER may make use of this office space for work with other clients, provided that the work does not interfere with work the ENGINEER is doing for the OWNER. The ENGINEER may make use of the OWNER's existing printers, copiers, phone, computer, and e-mail system for the OWNER's projects. Any copies made by the ENGINEER with the OWNER's equipment for another client shall be billed at the City of Hermiston's current rate for public copies.

SECTION D - TERM OF AGREEMENT

This Agreement may be terminated at any time by either the ENGINEER or OWNER by delivery of written notice to the other at least 30 days prior to the date of termination specified in the notice. Any such termination shall not affect obligations that accrued prior to the date of such notice and for which funding is lawfully available. In addition to the above, a Work Order may be terminated upon mutual agreement of the parties in writing or by either party, with or without cause, upon thirty (30) days' prior written notice to the other party.

SECTION E - GENERAL PROVISIONS

1. This Agreement represents the entire and integrated agreement between the OWNER and the ENGINEER. This Agreement may be amended only by written instrument signed by both the OWNER and the ENGINEER.
2. This Agreement is not exclusive to either party. The OWNER may contract with other engineering firms as the OWNER deems appropriate and in the best interest of the OWNER.
3. Approval of a Work Order under this Agreement by the OWNER and the ENGINEER will serve as written authorization for the ENGINEER to proceed with the services called for in this Agreement and as further defined in the respective Work Order. However, the ENGINEER may proceed immediately with the work prior to execution of a Work Order, if requested by the OWNER.
4. Neither party shall hold the other responsible for damages or delays in performance caused by acts of God, strikes, lockouts, accidents, or other events beyond the control of the other or the other's employees and agents.
5. In the event any provisions of this Agreement shall be held to be invalid and unenforceable, the remaining provisions shall be valid and binding upon the parties.

One or more waivers by either party of any provisions, term, condition or covenant shall not be construed by the other party as a waiver of a subsequent breach of the same by the other party.

6. The ENGINEER intends to render his services under this Agreement in accordance with generally accepted professional practices and makes no warranty expressed or implied. The ENGINEER shall be responsible for the professional quality, technical accuracy, timely completion, and coordination of all designs, drawings, specifications, reports, and other services furnished by the ENGINEER under this Agreement. The ENGINEER shall, without additional compensation, correct or revise any errors, omissions, or other deficiencies in his designs, drawings, specifications, reports, and other services.
7. Any opinion of construction costs prepared by the ENGINEER represents his judgment as a design professional and is supplied for the general guidance of the OWNER. Since the ENGINEER has no control over the cost of labor and material, or over competitive bidding or market conditions, the ENGINEER does not guarantee the accuracy of such opinions as compared to contractor bids or actual costs to the OWNER.
8. The ENGINEER shall acquire and maintain statutory Worker's Compensation insurance coverage, employer's liability, and comprehensive general liability insurance coverage.
9. This Agreement is to be binding on the heirs, successors, and assigns of the parties hereto and is not to be assigned by either party without first obtaining the written consent of the other.
10. Original documents, survey notes, tracings and the like, except those furnished to the ENGINEER by the OWNER, are and shall remain the property of the ENGINEER. Documents, including Plans and Specifications, which contain an Engineer's stamp prepared under this Agreement are instruments of service of the ENGINEER. Reuse of any of the Plans and Specifications that may be developed during a project by the OWNER on extensions of the project or on any other project without the written permission of the ENGINEER shall be at the OWNER's risk. The OWNER agrees to defend, indemnify, and hold harmless the ENGINEER from all claims, damages, and expenses including attorneys' fees arising out of any unauthorized reuse of the ENGINEER's instruments of service by the OWNER OR BY OTHER'S AGENTS ACTING THROUGH THE OWNER. The ENGINEER shall make available to the OWNER, when requested, copies of these documents, Plans, photographs, etc., that are prepared as part of the ENGINEER's services under this Agreement. There will be no cost for these documents except for the cost of the labor to compile the documents and the reproduction costs.
11. There are no third party beneficiaries of this Agreement between OWNER and ENGINEER and no third party shall be entitled to rely upon any work performed or reports prepared by the ENGINEER hereunder.
12. Neither the OWNER nor the ENGINEER shall delegate his duties under this Agreement without the written consent of the other.
13. This Agreement may be terminated by either party in the event of default under this contract by the other party. Either party may do so by giving written notice to the other of its intent to terminate this Agreement for substantial failure to perform according to

this Agreement, which written notice shall specify the failure and demand correction or remedy thereof in 20 days. In the event of failure to remedy or correct in 20 days, this Agreement may be terminated in writing at the option of the party giving the prior notice. If this Agreement is terminated, the ENGINEER shall be paid for services based on actual manhours worked to the termination notice date, including reimbursable expenses due, less any amount in dispute.

14. Unless otherwise specified within this Agreement, this Agreement shall be governed by the law of the State of Oregon.
15. The OWNER will require that any contractor or subcontractor performing construction work in connection with drawings and specifications produced under this Agreement to hold harmless, indemnify and defend, the OWNER and the ENGINEER, their consultants, and each of their officers, agents, and employees from any and all liability claims, losses or damage arising out of or alleged to arise from the contractor's (or subcontractor's) negligence in the performance of the work described in the Construction Contract Documents, but not including liability that may be due to the sole negligence of the OWNER, the ENGINEER, their consultants, or their officers, agents and employees.
16. The OWNER and ENGINEER acknowledge that during construction projects, changes may be required as the result of possible omissions, ambiguities, or inconsistencies in the drawing and specifications or changes that are identified during construction which will result in a better overall project for the OWNER, or changes which are necessary due to unusual field conditions, or construction circumstances beyond the control of the OWNER, ENGINEER or Contractor.

As a consequence of the above, the OWNER realizes that the construction contractors may be entitled to additional payment. The OWNER agrees to set up a reserve in the project budget to be used as required to make additional payments to the construction contractors with respect to such changes. When additional payments are due the contractor they will be made in accordance with an approved change order.

17. The ENGINEER shall comply with all applicable provisions of the Regulations of the U.S. Department of Commerce (Part 8 of Subtitle 15 of the Code of Federal Regulations) issued pursuant to the Civil Rights Act of 1964, in regard to nondiscrimination in employment because of race, religion, color, sex, or national origin. The ENGINEER shall comply with Executive Order 11246 (41 CFR 60-1.4), Section 503 of the Rehabilitation Act of 1973 (41 CFR 60-741.5(a)), Section 402 of the Vietnam Era Veterans Readjustment Act of 1974 (41 CFR 60-250.5(a)), the Jobs for Veterans Act of 2003 (41 CFR 60-300.5(a)), and, the organizing and collective bargaining Clauses of Executive Order 13496 (29 CFR 471). The ENGINEER shall comply with applicable federal, state, and local laws, rules, and regulations concerning Equal Employment Opportunity.
18. ENGINEER agrees to indemnify, defend, and hold harmless the OWNER and its officers, agents, and employees against all liability, loss, and costs arising from actions, suits, claims, or demands for the acts or omissions of ENGINEER and ENGINEER'S officers, agents, and employees, in performance of this contract.

In accordance with the Oregon Tort Claims Act and the Oregon Constitution, OWNER agrees to indemnify, defend, and hold harmless the ENGINEER and its officers, agents,

and employees against all liability, loss, and costs arising from actions, suits, claims, or demands for the acts or omissions of OWNER and OWNER'S officers, agents, and employees, in performance of this contract.

19. Any previous agreements for engineering services from other engineering firms for unfinished projects shall remain valid until the completion of that project.

This Agreement is executed in duplicate the day and year written at the beginning of this Agreement.

OWNER:

City of Hermiston, Oregon

By _____

Name Byron Smith

Title City Manager

ENGINEER:

Anderson Perry & Associates, Inc.

By Brad D. Baird

Name Brad D. Baird, P.E.

Title President

(SEAL)

(SEAL)

By _____

Name _____

Title _____

ATTEST

By Brett Moore

Name Brett Moore, P.E.

Title Secretary-Treasurer

EXHIBIT "A"

WORK ORDER - City of Hermiston, Oregon, and Anderson Perry & Associates, Inc.

Work Order No. _____

Job No. _____

Date _____

I. SCOPE OF SERVICES

In accordance with the AGREEMENT FOR ENGINEERING SERVICES dated _____, the OWNER hereby authorizes the ENGINEER to perform the following professional engineering services:

II. SPECIAL CONDITIONS

SPECIAL CONDITIONS related to this WORK ORDER are as follows:

III. BASIS OF PAYMENT

- Time and Materials Basis
- Lump Sum Basis = (Lump Sum Amount: \$ _____)
- Hourly Fee Basis
- Other as described hereafter:

IV. AUTHORIZATION OF WORK ORDER

OWNER: **City of Hermiston, Oregon**

By: _____

Type Name: _____

Acceptance by ENGINEER: **Anderson Perry & Associates, Inc.**

By: _____

Type Name: Brad D. Baird, P.E.

Hourly Fee Schedule

April 1, 2015

TECHNICIANS AND ENGINEERS	HOURLY RATE
Technician	\$ 30.00
Technician I	\$ 45.00
Technician II	\$ 55.00
Technician III	\$ 60.00
Technician IV	\$ 65.00
Technician V	\$ 70.00
Technician VI	\$ 80.00
Senior Technician I	\$ 85.00
Senior Technician II	\$ 90.00
Senior Technician III	\$100.00
Senior Technician IV	\$105.00
Senior Technician V	\$115.00
Senior Technician VI	\$125.00
Senior Technician VII	\$160.00
Staff Engineer I	\$ 85.00
Staff Engineer II	\$ 95.00
Staff Engineer III	\$100.00
Project Engineer I	\$105.00
Project Engineer II	\$115.00
Project Engineer III	\$120.00
Project Engineer IV	\$125.00
Senior Engineer I	\$130.00
Senior Engineer II	\$140.00
Senior Engineer III	\$145.00
Senior Engineer IV	\$150.00
Senior Engineer V	\$165.00
Senior Engineer VI	\$190.00
Project Representative I	\$ 80.00
Project Representative II	\$ 85.00
Project Representative III	\$ 92.00
Project Representative IV	\$ 98.00
Secretary	\$ 65.00
Overtime Surcharge	\$ 35.00

SURVEYORS AND CREWS

HOURLY RATE

Survey Technician I	\$ 55.00
Survey Technician II	\$ 60.00
Survey Technician III	\$ 65.00
Survey Crew Chief IV	\$ 80.00
Survey Crew Chief V	\$ 85.00
Survey Crew Chief VI	\$100.00
Professional Land Surveyor I	\$ 85.00
Professional Land Surveyor II	\$ 95.00
Professional Land Surveyor III	\$105.00
Professional Land Surveyor IV	\$125.00
Professional Land Surveyor V	\$130.00
GPS Total Station	\$ 38.50
Robotic Survey Station.....	\$ 28.50
Total Station	\$ 21.00
ATV (4-hour minimum)	\$ 28.50
Electro-Fisher	\$ 20.00

STANDARD TRAVEL

Standard Travel shall be considered travel between Hermiston and La Grande and during the course of completion of work within the Hermiston area. Mileage for Standard Travel will be charged at one-quarter the applicable IRS rate for vehicles, which is \$0.575 per mile for standard highway vehicles as of January 1, 2015. Mileage for vans and pickup trucks will be billed at \$0.20 per mile for Standard Travel.

OUT OF TOWN WORK

Mileage for out of town work will be charged at the applicable IRS rate for vehicles, which is \$0.575 per mile for standard highway vehicles as of January 1, 2015. Mileage will be charged at \$0.75 per mile for vans and pickup trucks. Subsistence will be charged either per diem or actual cost, per contract. Lodging will be billed at actual cost. Standard Travel shall not be considered out of town work for the purposes of calculating subsistence and lodging.

OTHER

Other miscellaneous, direct, and outside expenses, including special Consultants, will be charged at actual cost plus 10%.

Expert Witness will be charged at two times the standard hourly rate.

All accounts unpaid 30 days after date of invoice will be charged a service fee of 1.0% per month.

STAFF REPORT

For Meeting of April 27, 2015

MAYOR AND MEMBERS OF THE CITY COUNCIL

Agenda Item #

NO. 2015-

SUBJECT: UCSLD
Service Agreement

Subject

An agreement between the City of Hermiston and the Umatilla County Special Library District (UCSLD) to provide library services to Umatilla County residents that live within the Hermiston Library Service area.

Summary and Background

The City of Hermiston and the UCSLD have had agreements, dating back to the Districts founding, for the City library to provide library services to county residents who reside in the area surrounding the City boundaries. The latest of these contracts, dating back to 2004, has recently been withdrawn to allow for the development of a new service agreement. This new agreement accurately reflects changes in how library services are currently being provided.

The major changes to the document are: on-line services (databases) are addressed under resource sharing, new District services are included, updated Oregon Library Association Standards are included, and agreement review is now required every three (3) years.

Fiscal Information

There is no change in the formula used previously to calculate compensation for services provided by the City. Tied to UCSLD tax revenues the City receives approximately \$90,000 a year in payment.

Alternatives and Recommendation

Alternatives

- Not to approve the agreement and provide library services to Hermiston residents only. This is not a cost effective or practical alternative since both parties benefit from the combination of resources this cooperative agreement provides. Hermiston shares District contracted courier, automation service, training and databases services and costs.

Recommendation

After review the library board recommends approving the agreement. Legal review is attached.

Requested Action/Motion

Have the Mayor sign the agreement at the earliest opportunity.

City of Hermiston

Reviewed by: Gary Luisi



Department Head Marie Baldo



City Manager Approval



STAFF REPORT

For Meeting of April 27, 2015

MAYOR AND MEMBERS OF THE CITY COUNCIL

Agenda Item #

NO. 2015-

SUBJECT: Highland Avenue Resurfacing Project

Subject

Highland Avenue Resurfacing Project

Summary and Background

This project was slated for 2014. The bid documents did not get completed in time to do the project while school was out so we pushed it back to 2015. We have completed the bid process and the low bidder was Intermountain Slurry Seal in the amount of \$375,375.00. The project consists of placing a 3/8 Chip seal and followed approximately 2 weeks later placing a Type II Slurry seal over the Chip Seal. The project begins at SW 11th Street and ends at SE 8th Street, excluding HWY 395.

Fiscal Information

\$375,375.00 is budgeted in the 2015-2016 Street Maintenance budget.

Alternatives and Recommendation

Alternatives

The only alternative would be to not do the project.

Recommendation

I recommend that we move ahead with the project by awarding the bid to Intermountain Slurry Seal in the amount of \$375,375.00.

Requested Action/Motion

Motion to award Bid to Intermountain Slurry Seal in the amount of \$375,375.00

Reviewed by:

Department Head

Ron Sivey



City Manager Approval



City of Hermiston

STAFF REPORT

For Meeting of April 27, 2015

MAYOR AND MEMBERS OF THE CITY COUNCIL

Agenda Item #

NO. 2015-

SUBJECT:
OSU/Simplot Water
Line Project

Subject

Approve a construction contract to install the necessary improvements to the Regional Water System to provide non-potable water to the OSU Hermiston Experiment Station (OSU) and to J.R. Simplot Company (Simplot).

Summary and Background

In 2014 discussions were started with both OSU and Simplot about the possibility of getting them non-potable water through the RWS. Those discussions have progressed in a positive way and are now ready to come to fruition.

OSU annexed into the City last year and now we will bring them non-potable water that will allow them to add 2 to 4 new crop circles for research purposes. Simplot in the past was a potable water user from the RWS. They have requested the ability to convert their potable water usage to non-potable and to increase the amount of water needed from approximately 900gpm to their full contractual allocation of 2000gpm.

There have been a number of design issues and timing issues that delayed the design of this project. All of those issues have been resolved and we are ready to construct the water line.

Fiscal Information

The bid amounts are included in the attached letter from MWH, the RWS system engineer.

Alternatives and Recommendation

Alternatives

1. Award the OSU/Simplot RWS project contract to C&E Trenching, LLC.
2. Award the contract to another bidder.
3. Direct staff to re-bid the project.

Recommendation

Approve C&E Trenching, LLC as the contractor for this waterline project.

Requested Action/Motion

Motion to award the OSU/Simplot RWS project contract to C&E Trenching, LLC.


Department Head- Roy Bicknell, Water Superintendent

City Manager Approval 

City of Hermiston



April 23, 2015

Mr. Byron Smith
City of Hermiston
180 NE 2nd Street
Hermiston, OR 97838

Subject: Non-Potable Water Supply Project – Summary of Bid Evaluation

Dear Byron:

This letter summarizes our review of the apparent low bid for the Non-Potable Water Supply Project. This bid evaluation was conducted following bid opening on April 21, 2015. This letter also includes a description of any remaining actions to be taken before the Notice to Proceed may be given.

BID RESULTS

The attached Bid Summary provides a summary of the bid results. A total of five bids were received, publicly opened and read aloud on April 21, 2015. The Engineer's Opinion of Probable Construction Cost was \$1.5 million. The apparent low bid was submitted by Contractors C&E Trenching, LLC (C&E) at \$1,053,399.97, which was \$361,629.99 less than the next lowest bidder, Rotschy, Inc. There was one discrepancy between the extension of one of the bid item totals as written and the actual calculation of that total bid item based on number of units times the unit price. This difference led to an increase of \$130.00 making the total bid amount \$1,053,399.97, which was still well under the second lowest bidder. Please refer to the bid summary for the list and amount for these and the other contractors that bid on this project.

Due to the very large difference between the lowest and next lowest bid values, C&E Trenching was contacted in order to confirm their commitment to their bid amount as indicated in their bid schedule. During this communication, C&E project manager Wayne Richardson indicated that they were comfortable with the bid prices and that they stand behind their bid.

REVIEW OF THE BID

A review of the C&E Trenching, LLC bid forms reveal that all of the forms were signed, notarized where needed and that everything appeared to be complete. Following discussions with Wayne and after review of the subcontractors list, MWH is of the opinion that C&E Trenching will self-perform about 50% of the project work, including the piping work.

Licensing

MWH checked with the State of Oregon Contractors License Bureau to confirm C&E Trenching's current license status. The Contractor's License Bureau confirmed the license number and that the license is current and active. C&E Trenching's bid listed three subcontractors, Extreme Coatings (coatings and mechanical), Granite (paving), Stadeli Boring (jack and bore) and PowerPro (electrical). After searching the Contractor's License Bureau it was confirmed that all listed subcontractors have current active Oregon contractor's licenses.

References

C&E Trenching provided two project references which were completed during the past five years. MWH was able to contact several references, who provided positive feedback, with few issues or complaints. MWH is of the opinion that the size and complexity of the projects C&E Trenching has performed as general contractor is sufficiently adequate and comparable to this project.

Bonding

MWH contacted the local representative of C&E Trenching surety company, Nationwide Insurance. Nationwide Insurance stated that C&E Trenching is eligible to be bonded at their bid price of \$1,053,339.97 and upward to at least \$1.2 million. Therefore, their bonding appears to be adequate for this project.

SUMMARY OF BID EVALUATION

In summary, it appears that C&E Trenching is technically qualified to undertake this project and no significant errors or omissions on the bid documents were identified. Therefore, MWH recommends that the City award the bid to C&E Trenching assuming the City's legal department agrees.

AWARD OF CONTRACT

We have attached a copy of the original bid documentation received from C&E and MWH requests that the City's legal counsel review this documentation. After legal review and approval, the City Council needs to make a resolution for award of the contract.

EXECUTION OF CONTRACT

After the City issues the Notice of Award, the selected Contractor will then provide the necessary bonds, insurance certificates, and other documents as required. Once all the necessary information is submitted, the Agreement can be executed and the Notice to Proceed can be issued.

Please call me if you have any questions concerning the above.

Sincerely,



Nick Smith, P.E.
Project Manager

Attachments: Bid Summary
Copy of Bid Documents for C&E Trenching, LLC

cc: William Lynard, MWH

File: 10504790/8.0