



HERMISTON CITY COUNCIL

180 NE 2nd Street – Hermiston, OR 97838

Regular Meeting

December 12th, 2016

A G E N D A

Where Life is Sweet

1. **CALL MEETING TO ORDER**– 7:00 pm
2. **DECLARATION OF QUORUM**
3. **FLAG SALUTE**
4. **PROCLAMATIONS, PRESENTATIONS & RECOGNITIONS**
 - A) Recognition- Chaplain Greg Griffiths
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 November 28th, regular City Council meeting.
 - B) Minutes of the November 1st, Faith-Based Advisory Committee meeting.
 - C) Minutes of the September 28th, and October 26th, Library Board meeting.
 - D) Final plat – Desert Sky Estates Phase 5.
 - E) Final plat – NW Housing Alternatives Replat.
 - F) Announcement of standing committee vacancies for the unexpired portion of a:
 - i. 3-year term beginning February 2017 and ending December 31st, 2019
Budget Committee- positions #1, #2, and #3.
Recreation Projects Fund Advisory Committee- positions #2.
 - ii. Remainder of a 3-year term beginning February 2017 and ending June 30th, 2017
Hispanic Advisory Committee- position #3.
(Deadline for submitting applications is January 10th, 2017.)

AMERICANS WITH DISABILITIES ACT NOTICE

Please contact Hermiston City Hall, 180 NE 2nd St, Hermiston, OR 97838 (Phone No. 541-567-5521) at least 48 hours prior to the scheduled meeting time if you need an accommodation.

TTY and TDD users please call Oregon Telecommunications Relay Service at 1-800-735-2900 or 711.

- G) Recommendation of standing committee appointments for the unexpired portion of a :
- i. 4-year term beginning January 9th, 2017 and ending December 31st, 2020
Eastern Oregon Trade and Event Center Board- Combined (City/County) Motel Position- Vijay Patel.
 - ii. 3-year term beginning January 9th, 2017 and ending December 31st, 2019
Recreation Projects Fund Advisory Committee- positions #1- Don Rankin.

Action – Motion to approve consent agenda items. Roll Call

7. ITEMS REMOVED FROM CONSENT AGENDA

8. PUBLIC HEARINGS

9. RESOLUTIONS & ORDINANCES

- A) Resolution 2047- A Resolution amending Chapter 32 of the Rules of Order and Procedure for the City Council.

Action- Motion to approve and lay upon the record. Roll Call

- B) Ordinance No. 2242 – An ordinance repealing Chapter 32 of the Hermiston Code of Ordinances and adopting a new Chapter 32 entitled Boards, Committees, Commissions in its place to adopt new Boards, Committees and Commissions and rules.

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. 2242 be adopted and become effective 30 days after its enactment. Roll Call

10. OTHER

- A) Consider accepting and certifying the November 8th, 2016 Council At-Large Election Results.

Action- Motion to accept and certify. Roll Call

- B) Consider accepting and certifying the November 8th, 2016 Measure Election Results.

Action- Motion to accept and certify. Roll Call

- C) Consider a motion to cancel the City Council Meeting on Tuesday, December 27th, 2016.

Action- Motion to cancel meeting. Roll Call

- D) EOTEC Report.

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, Community Enhancement, Public Safety, Public Infrastructure, Transit Planning, Festival Street Design.

- B) Mayor's Report –

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HERMISTON CITY COUNCIL

Regular Meeting

November 28th, 2016

Mayor Drotzmann called the regular meeting to order at 7:00pm. Present were Councilors Myers, Primmer, Gutierrez, Hardin, Kirwan, Beas-Fitzgerald, and Smith. Councilors Gutierrez and Davis were absent. Staff members in attendance were City Manager Smith, City Attorney Gary Luisi, Assistant City Manager Mark Morgan, Sergeant Kelly Parsons, Chief Edmiston, Clint Spencer, Bill Schmittle, Roy Bicknell, Ron Sivey, Larry Fetter, Amy Palmer, Judge Creasing, and Lilly Alarcon-Strong. News media present were Jade McDowell of the East Oregonian and Michael Cane of the East Oregonian. The pledge of allegiance was given.

Citizen Input

Louis Hansen 2110 S Highway 395, invited the Council and public to attend the Journey to Bethlehem tour on December 2, 3, & 4, from 5:00pm to 8:00pm at the Seventh-day Adventist Church located at 855 W Highland Ave. Mr. Hansen stated there are usually about 2,500 people who attend the free event.

Councilor Myers stated it is always a great event.

Marlena Avila 325 NE 6th St, Irrigon, stated she has recently been elected as an Irrigon City Councilor and came to introduce herself and see a City Council Session at work.

Mayor Drotzmann stated Miss. Avila spoke at the Hispanic Advisory Committee and presented herself eloquently, had a great life story to share, and is an 18 year old High School Senior. Mayor Drotzmann thanked Miss. Avila for her effort in participating in her City Council and wished her well.

The Council congratulated Miss. Avila on her new City Council position.

Consent Items

Councilor Beas-Fitzgerald moved and Councilor Hardin seconded to approve all Consent Agenda items, with the exception on item E, pulled by Mayor Drotzmann, to include:

- A) Minutes of the November 14th, work session and regular City Council meeting.
- B) Minutes of the October 13th, Parks and Recreation Committee meeting.
- C) Minutes of the September 7th, and November 2nd, Airport Advisory Committee meeting.
- D) Liquor License Application - "Limited On-Premises Sales, New Outlet" for Holiday Inn Express & Suites located at 245 N. 1st Street.

(Deadline for submitting applications is November 29th, 2016.)

Motion carried unanimously.

Items Removed from the Consent Agenda

Mayor Drotzmann asked if the Eastern Oregon Trade and Event Center Board were losing a member as there is a vacancy announcement listed on item E, iii.

City Manager Smith stated no, the term has expired and as is custom, the position needs to be opened to the public. This appointment is a joint-appointment from City and County.

Mayor Drotzmann encouraged the public to apply and participate in any open committee position.

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Councilor Hardin stated the Budget Committee only meets once to twice a year, but is a very important committee.

Councilor Primmer moved and Councilor Beas-Fitzgerald seconded to approve Consent Agenda item:

- E) Announcement of standing committee vacancies for the unexpired portion of a:
- i. 1-year term beginning November 28th, 2016 and ending October 31st, 2017
Parks and Recreation Committee- position #6.
 - ii. 3-year term beginning January 1st, 2017 and ending December 31st, 2019
Budget Committee- positions #1, #2, and #3.
Recreation Projects Fund Advisory Committee- positions #1 and #2.
 - iii. 4-year term beginning January 1st, 2017 and ending December 31st, 2020
Eastern Oregon Trade and Event Center Board- Combined (City/County) Motel Position.
 - iv. Remainder of a 3-year term beginning December 28th, 2016 and ending June 30th, 2017
Hispanic Advisory Committee- position #3.

Motion carried unanimously.

Public Hearing-Surplus Real Property

At 7:10 pm Mayor Drotzmann opened the hearing to consider declaring City property surplus real property.

City Manager Smith gave a brief presentation regarding declaring surplus real property located at the City's Well #6 property, approximately 950 feet west of Highway 395 S and 1,100 feet east of SE Kelli Blvd. The proposed use for the property is commercial retail development and the City proposes to sell this real property to George Dress for \$6,565 for the development of Ranch and Home.

Proponents: Jeff Dress stated he is in favor of the proposed as they have been working with City staff on this project for a long time.

No others in the audience wished to comment and the hearing was closed at 7:13 pm.

Mayor Drotzmann read the four findings of fact.

City Attorney Gary Luisi stated a fifth finding of fact should be included to read: The City has no current or future use for the property.

Councilor Myers moved and Councilor Hardin seconded to accept the five findings of fact. Motion carried unanimously.

Resolution No. 2045- Declaring surplus real property and agreeing to sell property to Ranch & Home.

City Manager Smith gave a brief presentation stating this resolution would allow the sale of the property per the terms presented in the public hearing.

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Randy Smith Highway 395, asked if ingress and egress issues had been addressed regarding this proposed property.

City Manager Smith stated this property is not adjacent to the Highway so there would be no changes to the ingress or egress. Before building, the property owners would need to have permits from ODOT for proper access. The City has also been working with adjoining property owner, Hermiston Foods, to make sure any concerns they have are addressed.

Councilor Primmer moved and Councilor Myers seconded to approve Resolution No. 2045 and lay upon the record. Motion carried unanimously.

Resolution No. 2046- Waive six months of utility charges for the former Umatilla County Fairgrounds.

City Manager Smith gave a brief presentation regarding waiving water, sewer, and electric charges and fees for the former Umatilla County Fairgrounds for six months, from December 1, 2016 to May 31, 2017. Mr. Smith stated the City has been working with the County and the School District to move all Fair and Rodeo events to the new EOTEC site. Some events that have been held annually in Hermiston will need to be housed at the old Fair Grounds until the Fair and Rodeo Facilities at EOTEC are completed. In order to continue to allow these events to take place and remain in Hermiston, the School District will allow these events to continue at the old Fairgrounds after January 1st, 2017 but is asking that the City waive the utilities in return. The City does not expect to forgo more than \$2,000 in combined utilities for the proposed time frames.

Mayor Drotzmann stated it is important that these events stay in Hermiston and thanked the School District for their willingness to temporarily house these events until EOTEC is complete.

The Council agreed and Councilor Smith moved and Councilor Primmer seconded to approve Resolution No. 2046 and lay upon the record. Motion carried unanimously.

Select a name for the new intra-city fixed-route bus system.

Assistant City Manager Morgan stated the Council has approved the new intra-city fixed-route bus system, but it still needs a name so KAYAK can begin to publish materials regarding the new bus route. Based on the online survey results of the names suggested by the Public Transportation Committee, HART (Hermiston Area Regional Transit) and Watermelon Express were the two highest rated names.

Councilor Primmer moved and Councilor Myers seconded to name the fixed-route intra-city bus route HART for Hermiston Area Regional Transit. Motion carried unanimously.

Mayor Drotzmann thanked the Public Transit Committee for all the time and effort they placed in this process.

October Financial Report

Councilor Kirwan moved and Councilor Smith seconded to approve the October Financial Report as prepared and presented by Finance Director Amy Palmer. Motion Carried Unanimously.

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Committee Report

Hispanic Advisory Committee: Councilor Beas-Fitzgerald stated the Committee elected a new Chairman Jose Garcia, as Eddie De La Cruz recently resigned. Miss. Marlena Avila the new Irrigon City Councilor also introduced herself to the Committee. Councilor Beas-Fitzgerald stated she will also be taking over Saturday's Radio talk show La Voz del Pueblo to give information to the Hispanic community regarding current issues, new, services, and anything else that can help them live a better life.

Mayor Drotzmann encouraged the public to apply for the open Hispanic Advisory Committee Position, the deadline to apply is tomorrow, November 29th, 2016, and stated this Committee has received not only local, but national recognition for its meaningfulness to our community. Mayor Drotzmann stated he attended the most recent meeting and it gives a lot of good information that is spoken in both English and Spanish.

Public Infrastructure Committee: Councilor Kirwan stated the Committee met prior to the City Council meeting and plan to present the Council with recommendations in January. Councilor Kirwan stated it is obvious that Assistant City Manager Morgan and City Engineer Chas Hutchins put a lot of work focusing on items the City needs to work on and prioritizing these items for the betterment of the City and its citizens.

Mayor Drotzmann thanked the City for going forward with this Committee as it helps address infrastructure issues before they become problems and helps to understand the outcome that lack of action can cause.

Parks and Recreation Committee: Councilor Myers stated the Committee reviewed the Park Program for 2017, to include completion on the: Harkenrider Center, Victory Square Park, Sunset Park, Belt Park, Highland Trail, Greenwood Park, Skate Park, Disc Golf setup, and more.

Mayor Drotzmann thanked Parks and Recreation Director Larry Fetter and the Park Department for their work in addressing the Parks that needed it most in our community.

Councilor Primmer stated the Committee is also working on making all parks Smoke Free Zones. Councilor Primmer stated Mr. Fetter has done a tremendous job on all of these projects.

Mayor's Report

Mayor Drotzmann stated the Council has been invited to the Simmons Agency for their ribbon cutting event, tomorrow from 12:00pm to 12:30pm.

Mayor Drotzmann asked City Manager Smith to share information regarding the Tree Lighting event.

City Manager Smith stated the City will have its Tree Lighting Ceremony on Thursday, December 1st on NE 2nd St. and Main St. in front of City Hall. Entertainment starts at 5:30pm with the Tree Lighting at 6:00pm.

Mr. Fetter stated this year, there will be over 5,000 LED lights that will be decorating the Christmas tree; more than double from the year before.

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Chamber Director Debbie Pedro stated this Thursday, and every first Thursday of the month, downtown businesses stay open later and have special discounts as well.

Councilor Primmer stated Santa will also be arriving on a fire truck to participate in the Tree Lighting Ceremony.

Mayor Drotzmann stated he participated in the School Districts Bond Campaign meeting and encourages everyone to get involved and learn more about what this entails. The School District is growing faster than Portland State projections and will have 34 modular buildings in our district to house students, these modular buildings are expensive and take away from resources that can be used in the classroom for students.

Council Report

Councilor Beas-Fitzgerald stated she and Councilor Smith attended the NLC Conference in Pittsburgh. Councilor Beas-Fitzgerald stated she was pleasantly surprised by everything that Pittsburgh had to offer and sites to see, especially in the Art District. She also learned a tremendous amount of information regarding the opiate epidemic that is sweeping the nation, how to address citizen complaints, and more.

Councilor Smith stated although Pittsburgh is a very large city, everything is within walking distance and has pleasant scenery to view while you walk. There was a lot of good information and is looking forward to sharing this information with city staff.

City Managers Report

City Manager Smith stated he has heard back from most of the Council on whether or not to hold a second City Council meeting at the end of month in December, but will address the issue at the next meeting to give the Council an update on any items that may need immediate review.

Adjournment

There was no other business, and Mayor Drotzmann adjourned the regular meeting at 8:02pm.

SIGNED:

/s/Dave Drotzmann

MAYOR

ATTEST:

/s/Lilly Alarcon-Strong

ASSISTANT CITY RECORDER

Present were Pastors James Lafolette, Jeff Snell, Terry Cummings, and Rod Hardin. Dean Hackett was excused and Daniel Maxwell was absent. Staff in attendance was Lilly Alarcon-Strong.

James opened the meeting in prayer at 4:43 pm.

Jeff stated on November 13th, 2016 he will no longer be the LDS President, but would like to continue as a FBAC member if allowed by the rest of the Committee.

The Committee unanimously agreed that Jeff should continue as a member and are very happy he wants to continue to be involved. Terry reminded Jeff and the Committee that anyone with a strong faith in a higher power can be involved in the Committee.

Minutes- Jeff moved and Terry seconded to approve the meeting minutes of the October 4th meeting. Motion carried unanimously.

Family Promise Update- James stated Family Promise now has a federal identification number and a bank account has been opened.

James met with Kris Dammeyer to review the employment contract. TJ, a Family Promise Trainer from Salem will be training Kris for the Family Promise Director position on November 9th and 10th. James encouraged the Committee to attend the first day of the training if possible. Kris will brief the Committee on the training she received at the next meeting. Training will be held at either Oasis or New Hope and will cost \$300.00 plus expenses to include: lodging and meals.

James stated last month, he presented the City Council with a brief presentation regarding the Family Promise Initiative. Immediately after, the EO gave a great article about Family Promise and James has received great feedback and people who are interested in helping with anything they can. James stated Dave Hughes from Agape House will help with grant writing for future funding of Family Promise, as it is crucial to have funding going forward.

Kris believes she has 10 families who could be mentored if the committee can locate 10 mentor families. Jenny Galloway and Kris have been working together to move this program forward.

The Committee said it was great to have this move along and it is exciting to see the progress. The Committee thanked James for all the work he has done.

Pilot Rock FBAC- James stated he has reached out to Mrs. Helen Doherty from Pilot Rock but has not heard back. He will continue to reach out to her.

Butte Cross- James stated his congregation pays less than \$50.00 per year in property taxes for the Butte Cross and does not feel it is a priority at this time to continue with a 501c3. James stated he did not get any information about lighting, but will work on this at a later time.

There was no other business and Jeff adjourned the meeting in prayer at 5:10pm.

HERMISTON PUBLIC LIBRARY

LIBRARY BOARD MEETING MINUTES

WEDNESDAY, September 28, 2016

Board Chairperson Lori Spencer, called the meeting to order at 4:04. Members present were, John Douglass and Nancy Brown. Mark Rose, Library Director was also present.

The minutes of the May 25, 2016 and August 24, 2016 meetings were approved.

Under Unfinished Business: Because no board meeting was held in July, new officers could not be elected as stipulated in the By-Laws. The election was tabled until all board members can be present.

Under New Business: Nancy Brown reported that the Friends book sale had earned approximately \$1,000. Of that \$500 goes to scholarships for High School Students that provide labor for the sale. The Friends will have a more complete report at their November meeting.

Under Librarian's Report: Program events past and future were discussed. Staff development opportunities, a book repair class to be taught by Kapco at our library, and the UCSLD in-service at the Umatilla Library were discussed. Library policies and by-laws were discussed. City Legal Council will weigh in on updating the by laws. Policy review will begin upon completion of any work on the by-laws.

Other Matters to Come Before the Board: None

The meeting was adjourned at 4:42. The next meeting is scheduled for October 26 at 4:00 pm. in the Lanham room.



Mark A Rose
Library Director

HERMISTON PUBLIC LIBRARY

LIBRARY BOARD MEETING MINUTES

WEDNESDAY, October 26, 2016

Board Chairperson Lori Spencer, called the meeting to order at 4:05. Members present were, Kay Bennett, Nancy Brown, Anne Doherty, John Douglass. Mark Rose, Library Director was also present.

The minutes of the September 28, 2016 meetings were approved as corrected.

Under Unfinished Business: Election of Officers – Lori Spencer was nominated to serve as board Chair by Ann Doherty, seconded by John Douglas, voting was unanimous. John Douglas was nominated to serve as board Vice Chair by Nancy Brown. Seconded by Kay Bennett, voting was unanimous.

Under New Business: Updating Library Board By-Laws has been postponed due to the absence of City Legal Counsel. Term limits and City Council Liaison were discussed.

Under Librarian's Report:

Budget – The expenditures report for the 1st quarter shows the library at 19.5% spent, accident insurance and contractual issues were discussed as these line were above 25% spent.

LSSI Report – Byron Smith, City Manager, provided a report assembled by LSSI on the activity of the Library as extracted from 2014 state library statistics. Individual board members will review this as they can. The cost percentage was noted 88% on personnel, 7% on operating costs, and 5% on books.

Professional Development - The Kapco Book Repair workshop held in the Lanham room October 24th was attended by Tami and Angie, HPL staffers, and 11 other area library representatives. Staff member Kelly will attend a 2017 SRP workshop this Saturday.

Under Other Matters to Come Before the Board: As the next Board meeting was scheduled for the day before Thanksgiving a motion was made by Kay Bennett, seconded by Ann Doherty, to move the meeting to Wednesday, November 30, voting was unanimous.

The meeting was adjourned at 4:55. The next meeting will be held November 30 at 4:00 pm. in the Lanham room.



Mark A Rose
Library Director

Staff Report

For the Meeting of December 12, 2016

MAYOR AND MEMBERS OF THE CITY COUNCIL

Agenda Item #

NO. 2016 –

**SUBJECT: Final Plat for
Desert Sky Phase 5**

Subject

The final plat for phase 5 of the Desert Sky Estates subdivision containing 16 R-1 lots is ready for city council approval.

Summary and Background

Greg Flowers has submitted a final plat for Desert Sky Estates subdivision Phase 5. The proposed subdivision is located on approximately 12 acres of land west of the existing Desert Sky Estates development along SW Cottonwood Drive and SW Desert Sky Drive. The property is described as Lot 45, Desert Sky Estates Phase 4. The applicant proposes to create 15 lots of approximately 9,000 square feet and one lot of 9.35 acres to be reserved for future development. The property is zoned Single-Family Residential (R-1).

The criteria that are applicable to the decision to accept the final plat are contained in §154.46 of the Hermiston Code of Ordinances. All 15 plat requirements in the code are properly completed on the plat.

The planning commission's approval of the preliminary plat for the development was subject to nine conditions of approval. Eight of the nine approval conditions have been satisfied. On November 9, 2016 the planning commission approved the final plat with one approval condition.

1. Applicant shall work with and receive certification from the Hermiston Irrigation District prior to final plat approval. Applicant should be aware that the City of Hermiston will not sign the final plat until the irrigation district has been satisfied and signs the final plat.

Fiscal Information

The completed development will contain 15 single family homes; each valued around \$150,000 for a total of \$2.25 million in assessed value. At \$6.87 per assessed \$1,000, this contributes just over \$15,450 to the city's tax base.

Alternatives and Recommendation

The final plat is prepared in accordance with the city's requirements for final plat preparation. Staff recommends that the city council approve the format of the plat. Signatures on the plat will be withheld until the public improvements are completed and accepted by the city.

Requested Action/Motion

Motion to accept the final plat.

Reviewed by:

A handwritten signature in black ink, appearing to read 'C. Spencer', with a long horizontal flourish extending to the right.

Department Head – Clinton Spencer, City Planner

A handwritten signature in black ink, appearing to read 'Byron Davis', written in a cursive style.

City Manager Approval

FINAL PLAT
DESERT SKY ESTATES PHASE 5

A REPLAT OF LOT 45 OF DESERT SKY ESTATES PHASE 4 ACCORDING TO THE OFFICIAL PLAT THEREOF RECORDED IN BOOK 16 AT PAGE 11 OF TOWN PLATS OF UMATILLA COUNTY, OREGON. LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 4 NORTH, RANGE 28, EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

LAIRD ADDITION

O.W.R. & N. CO.

FD. 2 1/2" BRASS CAP IN MON. CASE SET BY KRUMBEIN, PLS 933, 1981

FD. 5/8" REBAR W/ YELLOW CAP MARK, CSW W/3044 OR2817 LS (UNKNOWN ORIGIN). POINT FALLS S55°55'37"W 1.21' FROM NE CORNER LOT 46.

ST. JOHN'S ESTATES PHASE 1, 2, 3, 4, & 5

SURVEY REFERENCES

DESERT SKY ESTATES PHASE 1, BK. 15, PG. 49
DESERT SKY ESTATES PHASE 2, BK. 15, PG. 54
DESERT SKY ESTATES PHASE 3, BK. 15, PG. 54
DESERT SKY ESTATES PHASE 4, BK. 16, PG. 11
PARTITION PLAT 2000-14
COUNTY SURVEY 00-197-B

O.W.R. & N. CO.

O.W.R. & N. CO.

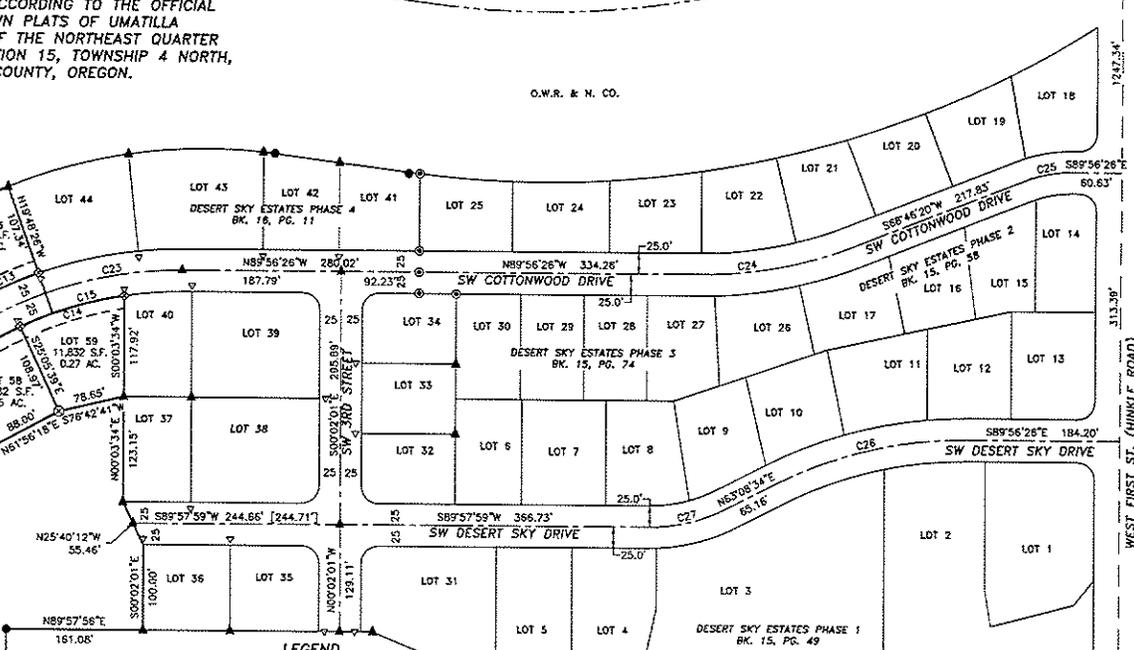
O.W.R. & N. CO.

UNIT CONVERSION INSTANCES

L1	S78°34'02"E	125.00
L2	S78°34'02"E	125.00
L3	S78°34'02"E	125.00
L4	S78°34'02"E	125.00
L5	S78°34'02"E	125.00
L6	S78°34'02"E	125.00

CURVE	ARC	LENGTH	CHORDS	DELTA	ANGLE	BEARING	CHORD	LENGTH
C1	364.15	1204.88	1074.23	N16°37'13"E	583.86			
C2	109.78	618.68	574.48	N16°19'52"E	105.65			
C3	93.84	500.00	1074.42	N16°54'51"E	93.50			
C4	106.41	618.68	1250.10	S26°09'50"W	105.68			
C5	89.64	500.00	1071.18	N27°17'54"E	89.52			
C6	103.68	618.68	1250.10	S30°51'58"W	103.58			
C7	87.12	500.00	1071.18	N28°25'33"E	87.00			
C8	100.69	618.68	1250.10	S42°19'48"W	100.58			
C9	84.15	500.00	1071.18	N47°14'20"E	84.05			
C10	107.08	618.68	1250.10	S54°29'14"W	106.98			
C11	90.68	500.00	1071.18	N57°40'59"E	90.58			
C12	94.02	618.68	1250.10	S63°20'11"W	93.92			
C13	77.59	500.00	1071.18	N68°42'51"E	77.51			
C14	106.88	618.68	1250.10	S73°08'34"W	106.82			
C15	81.44	450.00	1114.17	N83°45'10"E	81.30			
C16	114.97	450.00	1423.37	N57°35'17"E	114.85			
C17	113.05	450.00	1423.37	N43°04'16"E	112.75			
C18	118.35	450.00	1423.37	N28°27'58"E	118.04			
C19	75.80	450.00	1372.33	N16°14'45"E	75.51			
C20	31.42	20.00	90.0000	N33°34'07"E	28.28			
C21	38.14	20.00	90.0000	N56°22'58"E	28.28			
C22	118.35	450.00	1423.37	N40°48'48"E	118.04			
C23	184.70	475.00	1923.00	S80°07'34"W	183.86			
C24	112.95	500.00	1251.43	N83°37'40"E	112.02			
C25	155.12	150.00	150.0000	N78°34'02"E	155.12			
C26	154.89	150.00	150.0000	S78°34'02"E	154.89			
C27	93.83	300.00	2649.25	S76°33'17"W	92.78			

S89°36'42"E 589.27'
(N89°36'13"W 589.92')

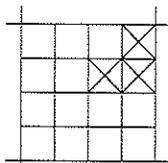


LEGEND

- NEW LOT LINE
- EXISTING LOT LINE
- SECTION OR SECTION SUBDIVISION LINE
- ROADWAY CENTERLINE
- RIGHT OF WAY LINE
- EASEMENT LINE
- FOUND SURVEY MONUMENT AS NOTED
- FOUND 5/8" IRON REBAR (PARTITION PLAT NO. 2000-14)
- FOUND 5/8" IRON REBAR WITH YELLOW PLASTIC CAP "USKH OR 02820" ATTACHED PER THE PLAT OF DESERT SKY ESTATES PHASE 3.
- FOUND 5/8" X 30" IRON REBAR WITH YELLOW PLASTIC CAP "USKH OR 02820" ATTACHED PER THE PLAT OF DESERT SKY ESTATES PHASE 1.
- FOUND 5/8" REBAR WITH PLASTIC CAP PER THE PLAT OF DESERT SKY ESTATES PHASE 4.
- FOUND OR SET CONC. NAIL IN CURB WITH BRASS WASHER STAMPED "OR 02820" AT 7.25" OFFSET TO LOT CORNER.
- SET A 5/8" X 30" REBAR WITH PLASTIC CAP STAMPED "HDJ DESIGN GROUP"
- COMPUTED POSITION - NOT FOUND OR SET
- RECORD DIMENSION PER DESERT SKY PHASE 4 (BOOK 16 OF TOWN PLATS, PAGE 11)
- RECORD DIMENSION PER PARTITION PLAT 2000-14



SECTION DIAGRAM



SECTION 15
TWP 4N RGE 28E WM

I HEREBY CERTIFY THAT THIS IS A TRUE AND EXACT COPY OF THE ORIGINAL.

GREG E. FLOWERS, PLS

BASIS OF BEARINGS

N00°03'34"E ALONG THE EAST LINE OF THE NE 1/4 OF SECTION 15, TOWNSHIP 4 NORTH, RANGE 28, EAST OF THE WILLAMETTE MERIDIAN, CITY OF HERMISTON, UMATILLA COUNTY WASHINGTON, AS SHOWN ON THE PLAT OF DESERT SKY ESTATES PHASE 4.

SURVEYOR'S CERTIFICATE

I, GREG E. FLOWERS, HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH SURVEY MONUMENTS THE LANDS REPRESENTED ON THE SUBDIVISION PLAT OF "DESERT SKY ESTATE PHASE 5" BEING A RE-PLAT OF LOT 45 OF DESERT SKY ESTATES PHASE 4 ACCORDING TO THE OFFICIAL PLAT THEREOF RECORDED IN BOOK 16 AT PAGE 11 OF TOWN PLATS OF UMATILLA COUNTY, OREGON. THE INITIAL POINT OF SAID "DESERT SKY ESTATES PHASE 5" BEING A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP INScribed "PLS-151" MARKING THE SW CORNER OF LOT 36 OF DESERT SKY ESTATES PHASE 4 ACCORDING TO THE OFFICIAL PLAT THEREOF RECORDED IN BOOK 16 AT PAGE 11 OF TOWN PLATS OF UMATILLA COUNTY, OREGON.

GREG E. FLOWERS, OREGON PLS NO. 02820LS

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JUNE 30, 1997
GREG E. FLOWERS
02820LS
RENEWS 12/31/17

NARRATIVE

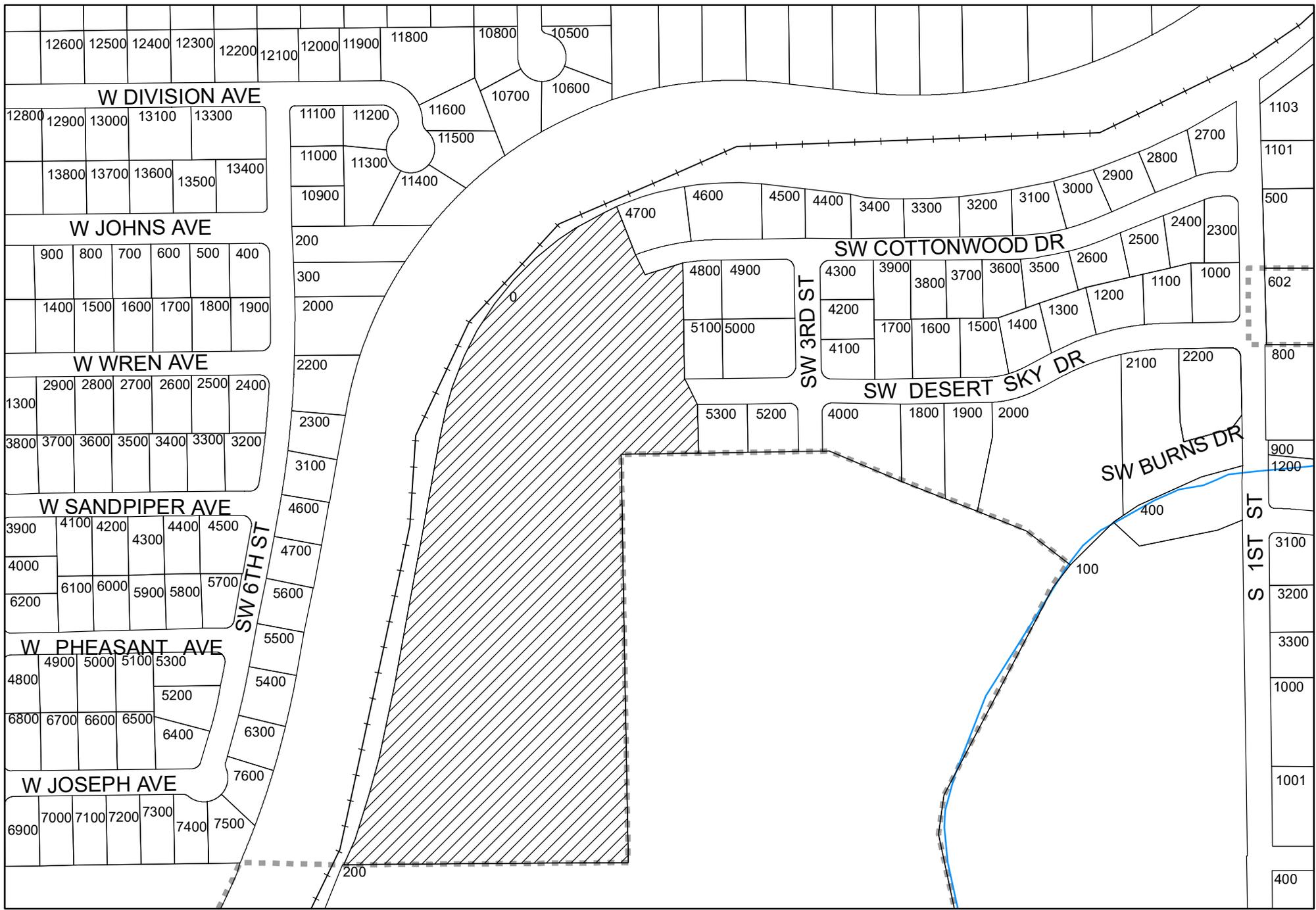
THIS SURVEY WAS PERFORMED AT THE REQUEST OF PAUL BURNS TO SURVEY AND SUBDIVIDE THE LANDS AS SHOWN, RECOVERED PROPERTY CORNERS WERE HELD AS SHOWN, CORNERS NOT FOUND WERE SET USING PROPORTIONATE DEED MEASURE. THIS SURVEY WAS PERFORMED AS A RADIAL REAL-TIME KINEMATIC GPS SURVEY USING TRIMBLE DUAL FREQUENCY GEODETIC GPS RECEIVERS HAVING STANDARD ERRORS OF 8 MM + 1 PPM TIMES BASELINE LENGTH AND A RADIAL SURVEY USING A TRIMBLE SS ROBOTIC TOTAL STATION HAVING STANDARD ERRORS OF 0.00001" ANGULAR AND 3 MM + 3 PPM TIMES DISTANCE. CONTROLLING MONUMENTS SHOWN WERE VISITED AT THE TIME OF THIS SURVEY IN AUGUST, 2016.



5 N. Colville St., Suite 200
Walla Walla, WA 99362-1913
509/895-3026
509/895-3488
509/547-5129 fax
www.hdjg.com

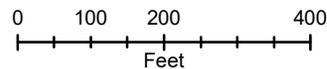
CLIENT: PAUL BURNS		PROJECT NO.: 4533-00	
SURVEYOR: GREG E. FLOWERS		DATE: 11/01/2016	
CALC BY: MFW	DRAWN BY: MFW	SCALE: 1" = 100'	
SECTION: 15	TOWNSHIP: 4 NORTH	RANGE: 28 EAST	
CITY: HERMISTON	COUNTY: UMATILLA	SHEET 1 OF 2	

FD. 2 1/2" BRASS CAP IN MON. BOX SET BY KRUMBEIN, PLS 933, 1981



Legend

-  Area of Proposed Final Plat
-  Property Line
-  City Limits



Staff Report

For the Meeting of December 12, 2016

MAYOR AND MEMBERS OF THE CITY COUNCIL

Agenda Item #

NO. 2016 –

**SUBJECT: Final Plat for NW
Housing Alternatives**

Subject

The final plat for Northwest Housing Alternatives Replat containing five R-3 lots is ready for city council approval.

Summary and Background

The City of Hermiston has received an application for a replat of property located at 605 SE Fifth Street. The property is approximately 1.58 acres and is vacant. The proposal will replat five existing lots into one new lot. The property is zoned Multiple-Family Residential (R-3) and is described as a 4N 28 11CD Tax Lots 1800, 25100, 25200, 25300, and 25400. The property is owned by Northwest Housing Alternatives.

The intent of the replat is to simplify future redevelopment of the parcel through the elimination of existing lot lines.

The planning commission considered the replat for this property at the November 9, 2016, regular meeting. The replat was approved by the planning commission.

The criteria that are applicable to the decision to accept the final replat are contained in §154.46 of the Hermiston Code of Ordinances.

Fiscal Information

There is no financial impact as a result of the reconfiguration of lots.

Alternatives and Recommendation

The final plat is prepared in accordance with the city's requirements for final plat preparation. Staff recommends that the city council approve the final plat.

Requested Action/Motion

Motion to accept the final plat.

Reviewed by:

A handwritten signature in black ink, appearing to read 'C. Spencer', with a long horizontal flourish extending to the right.

Department Head – Clinton Spencer, City Planner

A handwritten signature in black ink, appearing to read 'Bryan Hunt', with a stylized, cursive script.

City Manager Approval

OWNERS DECLARATION

NORTHWEST HOUSING ALTERNATIVES, INC. OWNER OF LOTS 1-4, FIVE PINES SUBDIVISION AND LOT 16, BLOCK 14, NEWPORT ADDITION TO THE TOWN, NOW CITY OF HERMISTON, DOES HEREBY ESTABLISH AND ACKNOWLEDGE THIS REPLAT AS THE OFFICIAL MAP AND PLAT OF "5th STREET REPLAT", A REPLAT OF SAID LOTS 1-4, FIVE PINES ADDITION SUBDIVISIONS AND LOT 16, BLOCK 14, NEWPORT ADDITION TO THE TOWN, NOW CITY OF HERMISTON, UMATILLA COUNTY, OREGON, PREPARED IN ACCORDANCE WITH THE PROVISIONS OF ORS CHAPTER 92 AND THE CITY OF HERMISTON AND UMATILLA COUNTY ORDINANCES.

AUTHORIZED AGENT _____ TITLE _____

ACKNOWLEDGMENT

STATE OF OREGON } SS

COUNTY OF _____ }

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE

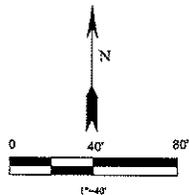
ME THIS _____ DAY OF _____ 2016.

BY: _____

NOTARY PUBLIC FOR THE STATE OF OREGON

COMMISSION NUMBER: _____

COMMISSION EXPIRES: _____



LEGEND
 ○ FOUND MONUMENT AS NOTED
 --- FENCE

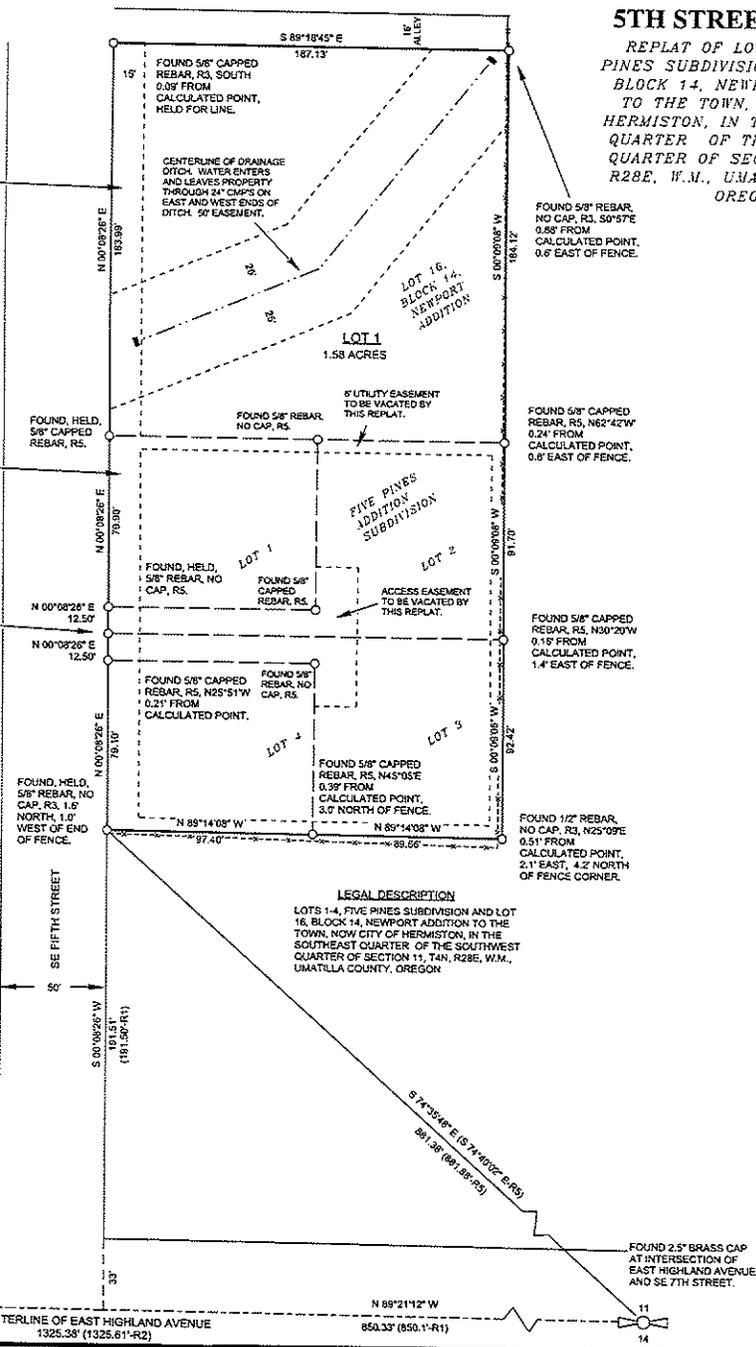
BASIS OF BEARINGS
 THE SOUTH LINE OF THE SE1/4 OF THE SW1/4, SEC. 11, R2.

- REFERENCES**
- R1) NEWPORT ADDITION TO HERMISTON, RECORDED MARCH 21, 1903.
 - R2) SURVEY 91-24-A, RECORDED MARCH, 1991.
 - R3) SURVEY 98-86-A, RECORDED MAY, 1998.
 - R4) PARTITION PLAT 2002-18, RECORDED APRIL 29, 2002.
 - R5) FIVE PINES SUBDIVISION, BOOK 14, PAGE 75, RECORDED JUNE 10, 2004.

SURVEYOR'S CERTIFICATE AND NARRATIVE

I, STUART A. CHISHOLM, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON HEREBY CERTIFIES THAT THE REPLAT AS SHOWN HEREON CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION IN CONFORMANCE WITH ORS CHAPTER 92. NO MONUMENTS WERE SET FOR THIS SURVEY AS ALL CONTROLLING CORNERS WERE FOUND. THE PURPOSE OF THIS SURVEY IS TO COMBINE THE FOUR LOTS IN FIVE PINES SUBDIVISION AND LOT 16, BLOCK 14, NEWPORT ADDITION TO THE TOWN, NOW CITY OF HERMISTON, INTO ONE LOT. THE CORNERS OF THE FIVE ORIGINAL LOTS WERE ALL FOUND FOR THIS SURVEY. CORNER POSITIONS WERE CALCULATED BASED ON FIVE PINES SUBDIVISION. THE CALCULATED POINTS WERE ROTATED TO FIT THE FOUND POINTS HOLDING THE INITIAL POINT OF FIVE PINES SUBDIVISION, BEING THE SW CORNER OF LOT 4, AS THE ROTATION POINT AND THREE OF THE WESTERLY REBAR CORNERS OF THE LOTS FOR BEARING. DIFFERENCES BETWEEN THE OTHER FOUND CORNERS AND CALCULATED CORNERS ARE SHOWN ON THIS MAP. THIS SURVEY WAS PERFORMED WITH A TRIMBLE R5 BASE AND R8 ROVER IN CONJUNCTION WITH A TRIMBLE S5 TOTAL STATION.

FOUND 5/8" ROD IN MONUMENT AT INTERSECTION OF EAST HIGHLAND AVENUE AND SE 4TH STREET.



5TH STREET REPLAT

REPLAT OF LOTS 1-4, FIVE PINES SUBDIVISION AND LOT 16, BLOCK 14, NEWPORT ADDITION TO THE TOWN, NOW CITY OF HERMISTON, IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 11, T4N, R28E, W.M., UMATILLA COUNTY, OREGON

CITY OF HERMISTON PLANNING COMMISSION	
THE ACCOMPANYING PLAT IS HEREBY APPROVED AND ADOPTED ON THIS _____ DAY OF _____, 2016.	
CHAIR _____	
HERMISTON CITY COUNCIL	
THE ACCOMPANYING PLAT IS HEREBY APPROVED AND ADOPTED ON THIS _____ DAY OF _____, 2016.	
MAYOR _____	
HERMISTON IRRIGATION DISTRICT	
THE ACCOMPANYING PLAT IS HEREBY APPROVED	
THIS _____ DAY OF _____, 2016.	
BY: _____	TITLE _____
UMATILLA COUNTY SURVEYOR	
I CERTIFY I HAVE EXAMINED THE ACCOMPANYING PLAT, THAT IT COMPLIES WITH THE LAWS OF THE STATE OF OREGON WITH REFERENCE TO THE FILING AND RECORDING OF SUCH PLATS, AND I THEREFORE APPROVE SAID PLAT FOR THE SIGNATURE BY THE COUNTY COMMISSIONERS OF UMATILLA COUNTY, OREGON.	
DATED THIS _____ DAY OF _____, 2016.	
UMATILLA COUNTY SURVEYOR _____	
UMATILLA COUNTY COMMISSIONERS	
THE ACCOMPANYING PLAT IS HEREBY APPROVED FOR FILING AND RECORDING IN THE RECORD OF PLATS OF UMATILLA COUNTY, OREGON, BY THE UNDERSIGNED, BY ITS ORDER.	
DATED THIS _____ DAY OF _____, 2016.	
CHAIRMAN _____	COMMISSIONER _____
COMMISSIONER _____	
ASSESSOR AND TAX COLLECTOR	
WE, ASSESSOR AND THE TAX COLLECTOR OF UMATILLA COUNTY, OREGON, DO HEREBY CERTIFY THAT WE HAVE EXAMINED THE TAX RECORDS RELATIVE TO THE LAND CONTAINED IN THE ACCOMPANYING PLAT AND THAT ALL ADDITIONAL AND SPECIAL ASSESSMENTS DUE PURSUANT TO LAW HAVE BEEN ASSESSED AND COLLECTED.	
DATED THIS _____ DAY OF _____, 2016.	
ASSESSOR _____	TAX COLLECTOR _____
5th STREET REPLAT	
REPLAT OF LOTS 1-4, FIVE PINES SUBDIVISION AND LOT 16, BLOCK 14, NEWPORT ADDITION TO THE TOWN, NOW CITY OF HERMISTON.	
SCALE: H: 1"=40'	JOB: 115-044-02
V: N/A	CADD/DWG/HEM-5TH-6P-DWG
220 N. 20TH AVENUE PASCO, WA 99301 PHONE 509.547.0200 FAX 509.547.8292	
SURVEY BY: MHR/CGB	DRAWN BY: CDP/DCP/SAC
CHECKED BY: SAC	DATE: SEPT. 12, 2016



STAFF REPORT

For Meeting of December 12, 2016

MAYOR AND MEMBERS OF THE CITY COUNCIL

Agenda Item #

NO. 2016-

SUBJECT:

Committee
ordinance changes

Subject

Adopt new committee and commission rules

Summary and Background

On November 14, 2016 in a council work session, the council reviewed some proposed changes to Chapter 32 of the Code of Hermiston and to council policies related to committees. The relatively newly formed committees (Hispanic Advisory and Faith Based Advisory) had not been added to the ordinance. As the ordinance was reviewed a number of other changes were recommended.

Most of the proposed changes are to bring the current practices of the new and existing committees into the ordinance and policy. It also introduces some more flexibility into the ordinance so that meeting dates can be adjusted more easily. It also establishes the membership of the Hispanic Advisory Committee and the Faith-Based Advisory Committee at five members. That is slightly smaller than the current practice at the Hispanic Advisory Committee.

Fiscal Information

The changes proposed do not introduce any cost changes.

Alternatives and Recommendation

There are really two alternatives:

1. Continue working as is and allow the committees to function without an official ordinance.
2. Approve the ordinance as presented to give more structure and endorsement to the committees.

Recommendation

I recommend approval of the proposed new committee ordinance.

Requested Action/Motion

Approve the ordinance and resolution as presented.



City Manager

City of Hermiston

RESOLUTION NO. 2047

A RESOLUTION AMENDING THE RULES OF ORDER AND
PROCEDURE FOR THE CITY COUNCIL

WHEREAS, on November 14, 2016, in a council work session, the council reviewed some proposed changes to Chapter 32 of the Code of Hermiston and to council policies related to committees, now, therefore,

The City of Hermiston resolves as follows:

(New language is underlined.)

Section 1. That Article VII COMMITTEES, Section 36 is amended to read:

“36. GENERALLY

The City Council may create standing citizen advisory boards, committees or commissions to aid the Council in the conduct of public affairs. The City Council may also create ad hoc citizen committees to accomplish a specific task or project. All standing citizen advisory boards, committees and commissions shall be governed by COH Chapter 32, except that if application of a provision of COH Chapter 32 conflicts with an applicable state statute, the state statute shall prevail.”

Section 2. That Article VII COMMITTEES, Section 38 “Appointments to Municipal Boards and Commissions” is amended to read:

“38. APPOINTMENTS TO MUNICIPAL BOARDS AND COMMISSIONS

All appointments to city boards and commissions shall be made in accordance with the ordinances and city charter. Appointees shall not be full-time employees of the city, shall not be elected officials of the city, shall not be appointed to more than two boards or commissions at a time, and shall not sell to the city or its boards and commissions over which the council has appointive powers and budget control either directly as a prime contractor or supplier, or indirectly as a first tier subcontractor or supplier. Sales shall be construed to mean sales, services or fees aggregating \$7,500 (*revised 02/28/94*) or more in any one calendar year. Preference for appointees shall be given to city residents.”

Section 3. That Article VII COMMITTEES, Section 41 “APPLICATION” is amended to read:

“41. APPLICATION

“All applications for standing committees must be in writing, on a form provided by the City, addressed to the mayor and delivered before the expiration date established by the council. A

basic volunteer background check will be performed on all potential committee members and results will be delivered to the selection committee. A selection committee composed of the mayor and two councilors will review the applications and make recommendations to the council. The two councilors serving on the committee may be rotated annually.

Section 4. Effective date. Resolution 2047 is effective on the thirtieth day after its enactment.

DATED: December 12, 2016

CITY OF HERMISTON

MAYOR

ATTEST:

ASSISTANT CITY RECORDER

ORDINANCE NO. 2242

AN ORDINANCE REPEALING CHAPTER 32 OF THE HERMISTON CODE OF ORDINANCES AND ADOPTING A NEW CHAPTER 32 ENTITLED BOARDS, COMMITTEES, COMMISSIONS IN ITS PLACE TO ADOPT NEW BOARDS, COMMITTEES AND COMMISSIONS AND RULES.

WHEREAS, the Hispanic Advisory Committee and the Faith Based Advisory Committee have not been recognized as a standing committee of the City in Chapter 32 of the Hermiston Code of Ordinances;

WHEREAS, in an effort to consolidate the different committees, boards, and commissions of the city into one chapter of the Hermiston Code of Ordinances and provide one place of reference for rules of procedure for the different committees, boards, and commissions of the city; now, therefore,

THE CITY OF HERMISTON DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 32 of the Hermiston Code of Ordinance, entitled “Boards, Committees Commissions, and Department” be, and the same is hereby, repealed.

SECTIOIN 2. A new Chapter 32, entitled “Boards, Committees, Commissions,” containing the desired amendment, is substituted in place of the repealed chapter as Chapter 32 of the Hermiston Code of Ordinances, to read as follows:

Chapter 32
Boards, Committees, Commissions

Section

Creation of Boards, Committees, Commissions

- 32.01 General Provisions
- 32.02 Types of Advisory Boards, Committees and Commissions
- 32.03 Appointment, Term, Removal of Members
- 32.04 Compliance with State Law Required
- 32.05 Officers
- 32.06 Quorum, Meetings, Rules and Voting
- 32.07 Relationship to City Council

Library Board

- 32.08 Library Board established
- 32.09 Membership and Term

- 32.10 Powers and Duties
- 32.11 Meetings

Airport Advisory Committee

- 32.12 Airport Advisory Committee established
- 32.13 Membership and Term
- 32.14 Powers and Duties
- 32.15 Meetings and Voting

Planning Commission

- 32.16 Planning Commission established
- 32.17 Membership and Term
- 32.18 Powers and Duties
- 32.19 Meetings

Hispanic Advisory Committee

- 32.20 Hispanic Advisory Committee established
- 32.21 Membership and Term
- 32.22 Powers and Duties
- 32.23 Meetings and Voting

Faith Based Advisory Committee

- 32.24 Faith Based Advisory Committee established
- 32.25 Membership and Term
- 32.26 Powers and Duties
- 32.27 Meetings and Voting

Budget Committee

- 32.28 Budget Committee established
- 32.29 Membership, Qualification and Term
- 32.30 Powers and Duties

Parks and Recreation Committee

- 32.31 Parks and Recreation Committee established
- 32.32 Membership and Term
- 32.33 Powers and Duties
- 32.34 Meetings and Voting

Recreation Projects Fund Advisory Committee

- 32.35 Recreation Projects Fund Advisory Committee established
- 32.36 Membership and Term
- 32.37 Powers and Duties
- 32.38 Meetings and Voting

Creation of Boards, Committees, Commissions

32.01 General Provisions.

The City Council may create standing citizen advisory boards, committees or commissions to aid the Council in the conduct of public affairs. The City Council may also create ad hoc citizen committees to accomplish a specific task or project. All standing citizen advisory boards, committees and commissions shall be governed by Chapter 32 of this code, except that if application of a provision of Chapter 32 conflicts with an applicable state statute, the state statute shall prevail. The specific enabling provisions for each standing advisory board, committee and commission are contained in Chapter 32 of this code.

32.02 Types of Advisory Boards, Committees and Commissions.

- A. "Ad Hoc Committee" means a temporary committee appointed for a specific term to accomplish a specific task or project. Ad hoc citizen committees shall be established by resolution of the Council. The resolution shall set forth the term of the committee, the task or project to be accomplished, the time line for completion of the task or the project, and such other direction as the Council deems appropriate.
- B. "Advisory Board" means a standing committee that is not required by state law, appointed by the Council to advise and make recommendations to the Council regarding topics as specified in the Committee's enabling provision. Advisory Boards shall be created by general ordinance amending Chapter 32 of this code.
- C. "Commission" means a standing committee that is required by state law or to which the Council has delegated final decision making authority. Commissions shall be created by a general ordinance amending Chapter 32 of this code, except where a commission is appointed pursuant to an independent state mandate.
- D. State statutory committees: Where state law requires a committee to have a specific name, such as in the case of the Budget Committee, that name shall supersede the distinctions created by this section.

32.03 Appointment, Term, Removal of Members.

- A. The City Council shall appoint persons to positions or vacancies on advisory boards, committees or commissions upon the Mayor's recommendation by motion. The Council may interview or otherwise screen applicants for such positions as it deems appropriate.

- B. Qualifications for appointment and term of office for a position on a City advisory board, committee or commission shall be as provided in the enabling provision for such board, committee or commission in Chapter 32 of this code. If a position becomes vacant before the expiration of the term, the Council shall appoint a person to fill the vacancy for the remainder of the term. Initial terms for a newly created advisory board, committee or commission shall be staggered in the resolution of appointment so that a majority of the positions do not become vacant in the same year and so that an equal or approximately equal number of positions become vacant each year. The term of office for positions on an ad hoc committee shall be established in the resolution creating the committee. If a member of an advisory board, committee or commission is qualified pursuant to the enabling provision at the time of appointment but later ceases to be qualified, he or she may nonetheless complete the appointed term. If the Council fails to appoint a successor prior to the expiration of a term of office, the predecessor shall continue in office until a successor is duly appointed.
- C. No person shall be appointed to serve simultaneously on more than two of the standing boards, committees or commissions established under Chapter 32 of this code, without a specific waiver granted by the Council.
- D. When making appointments, the Mayor and Council shall consider the diversity of the membership of boards, committees and commissions including but not exclusively geographic and ethnic diversity.
- E. Members of boards, committees and commissions shall not receive compensation for their services but may receive actual and necessary travel or other expenses incurred in the performance of their official duties as members of the board committee or commission, but only with the prior approval of the City Manager.
- F. Except as otherwise provided in Chapter 32 of this code, members of all city advisory boards, committees and commissions shall serve at the pleasure of the Council. An advisory board, committee or commission may recommend removal of one of its members to the City Council for misconduct or nonperformance of duty. "Misconduct" includes failure to declare a conflict of interest and failure to comply with any applicable requirement of the Hermiston Code. "Non-performance of duty" includes unexcused absence from three or more consecutive meetings, or unexcused absence from four or more meetings within a single calendar year.

32.04 Compliance with State Law Required.

All advisory boards, committees and commissions, and any subcommittees thereof, shall comply with the State of Oregon Public Records Law, Public Meetings Law, Code of Ethics, laws regarding conflicts of interest, and any other applicable state laws. Each committee, advisory board, committee or commission shall be responsible for ensuring that its subcommittees comply with these laws.

32.05 Officers.

- A. Each advisory board, committee and commission shall elect a Chair and a Vice-Chair from its membership at its first regular meeting of each fiscal year. Nothing in this sub-section shall prevent appointment of Co-Chairs, as the advisory board, committee or commission deems appropriate. Co-Chairs shall divide or share the powers and duties of the Chair as the advisory board, committee or commission deems appropriate.
- B. The Chair shall:
 - 1. Set the agenda. Any member of the committee, advisory board, committee or commission may request that an item of business appear on the agenda. The advisory board, committee or commission may by majority vote compel that item be placed on the agenda.
 - 2. Preside at all meetings.
 - 3. Be responsible for maintaining communication with the Council liaison and City staff assigned to the Committee.
 - 4. Call special meetings. A majority of the members of the advisory board, committee or commission may also call a special meeting.
 - 5. Be responsible for attendance of members and report to the Council if and when repeated absences impair a member's ability to serve on the advisory board, committee or commission.
- C. The Vice-Chair shall exercise the duties of the Chair in the Chair's absence.
- D. City staff shall serve as secretary to the committee. The City Manager shall determine which Department or staff person shall staff an advisory board, committee or commission.

32.06 Quorum, Meetings, Rules and Voting.

- A. Quorum: A majority of the members of an advisory board, committee or commission shall constitute a quorum for the conduct of business.
- B. Vote: Except as otherwise expressly provided by the City Code or other applicable law or regulation, the concurrence of a majority of all members eligible to vote shall be necessary to decide any question. [*Oregon Attorney General's Public Records and Meeting Manual*, Appendix L-3, page 438 (2014)] An abstention does not count as either an affirmative or a negative vote. Nevertheless, a member who is present but abstains may be counted toward making up a quorum.
- C. Meetings: An advisory board, committee or commission, in consultation with staff, shall establish a regular meeting at such time, interval, and place as the advisory

board, committee or commission deems necessary. Special meetings may be called as provided in subsection 32.05.

- D. Rules of Procedure: An advisory board, committee or commission may from time to time adopt and amend rules of procedure consistent with the laws of the state, the City Charter, and any other applicable provisions of the City Code.
- E. Recommendations: All recommendations to the Council shall be made in writing.
- F. Subcommittees: No advisory board, committee or commission shall appoint a standing subcommittee, an outside advisory committee or an ad hoc subcommittee without first obtaining approval of the City Council. The City Council may approve, deny or modify the request to create a subcommittee. Prior to voting to request the Council to approve creation of a subcommittee, the advisory board, committee or commission shall first request and consider a report from staff regarding the costs and time involved in staffing such a subcommittee. Any request to form such subcommittees shall be submitted to the City Council in writing and shall contain:
 - 1. An explanation of the function of and need for the subcommittee;
 - 2. The number and any qualifications of its members;
 - 3. The staff analysis of the cost and time involved in staffing the subcommittee; and
 - 4. If the subcommittee is an ad hoc subcommittee, a deadline for completion of the ad hoc subcommittee's responsibilities.

32.07 Relationship to City Council.

- A. Council Authority. The City Council is the elected legislative and policy making body of the City. Unless governed by a specific state mandate, advisory boards, committees and commissions are appointed pursuant to the Council's authority and shall have only those powers and functions as expressly delegated by the Council. Generally, advisory boards, committees and commissions are expected to provide advice and recommendations to the Council and help the Council implement the Council goals. Council members may attend meetings of the affected advisory board, committee or commission. A councilor may not speak on behalf of the City Council at a board, committee or commission meeting unless authorized to do so by the Council.
- B. Annual Meeting. The City Council may hold an annual meeting with each standing advisory board, committee and commission except the Budget Committee. The purpose of such meeting will be to note accomplishments, to address concerns and to discuss issues related to the duties and activities of the advisory board, committee or commission. Annual meetings of related advisory boards, committees or commissions may be held jointly, as the Council deems appropriate.

- C. Council Liaison. Each year the Mayor appoints a liaison or liaisons from the City Council to each advisory board, committee and commission. The purpose of a Council liaison is to provide a direct line of communication between the advisory board, committee or commission and the City Council. Council liaisons and the chair of the affected advisory board, committee or commission shall have joint obligation to keep the Council and the advisory board, committee or commission informed of relevant City or advisory board, committee or commission information. Council liaisons to each advisory board, committee and commission may be rotated annually.
- D. Expenditure of Funds. No advisory board, committee or commission shall have the authority to expend City funds, or to obligate the City for payment of any sum of money, except as expressly delegated or authorized by prior approval by the City Council.
- E. Additional Duties and Projects. In addition to the duties established for each advisory board, committee or commission in its enabling provision contained in COH Chapter 32, the City Council may from time to time assign an advisory board, committee or commission such other duties or projects as the Council deems appropriate.

LIBRARY BOARD

32.08 Library Board Established

A public library called the Hermiston Public Library was established in 1915 with a Library Board having been appointed under the provisions of state law, ORS 357.456.

32.09 Membership and Term.

- A. The Hermiston Public Library Board is composed of five members.
- B. Public Library Board members shall serve four year staggered terms running from July 1st through June 30th. One member shall initially hold office for one year, one for two years, one for three years, and two for four years from July 1 in the year of their appointment. Board members may serve two consecutive full terms. Appointment to fill an unexpired term does not apply to this limitation. Any person may be appointed again to the board after an interval of one year.

32.10 Powers and Duties.

The Board will oversee and advise the Librarian, Mayor and Council on the following topics:

- rules and policies for the governance of the library;
- preparation and submission of an annual budget request;

expenditures from the library fund;

the acceptance, use or expenditure of any real or personal property or funds donated to the library;

working with the Umatilla County Library District; and

such other activities as the Librarian, Mayor and Council may request.

32.11 Meetings.

The Library Board's regular meetings will be held at least quarterly at a time and date decided by the Board.

AIRPORT ADVISORY COMMITTEE

32.12 Airport Advisory Committee established.

There is hereby created the Hermiston Airport Advisory Committee to advise the Mayor, Council and City Manager on all airport matters.

32.13 Membership and Term.

- A. The Hermiston Airport Advisory Committee is composed of five members.
- B. Airport Advisory Committee members shall serve three year staggered terms from November 1st to October 31st.

32.14 Powers and Duties

- G. The Committee shall promulgate rules governing the commercial and noncommercial aeronautical activities on the Hermiston Airport, which rules shall not abridge, enlarge, or modify the rules and standards of the Federal Aviation Administration. The rules thus adopted and any amendments which may be adopted from time to time shall be submitted to the Council and shall go into effect the first day of the month following the close of the City Council meeting at which the rules were considered, unless the Council shall provide an earlier effective date. The Council may, by resolution, amend, repeal or supplement any of the rules.
- H. In addition to the requirements imposed by state law, with respect to any meeting at which final action will be taken on the promulgation, modification or repeal of a rule under division (A), the Committee shall cause to be posted at the Hermiston Airport a notice which shall include the time and place and a description of the substance of the agenda of the hearing or meeting at least two weeks before such hearing or meeting.
- I. The Committee or City Recorder shall make available upon request by anyone a copy of any rule which the Committee proposes to promulgate, modify or repeal.

- J. The Recorder shall cause the rules which have become effective under (A), as they may be amended, repealed or supplemented by the Council, to be arranged, indexed, printed, published and annotated.

32.15 Meetings and Voting.

The Airport Advisory Committee's regular meetings will be held at least quarterly at a time and date decided by the Committee. The concurrence of a majority of members present and eligible to vote shall be necessary to decide any question.

PLANNING COMMISSION

32.16. Planning Commission established.

Pursuant to the authority contained in the Charter and ORS 227.020, there is hereby created a city Planning Commission.

32.17 Membership and Term.

- A. The Hermiston Planning Commission is composed of nine members.
- B. Planning Commission members shall serve three year staggered terms running from April 1st to March 31st.

32.18 Powers and Duties.

The Commission shall have all the powers which are now or hereafter granted to it by this code, other ordinances and resolutions of the city, and by general laws of the state.

32.19 Meetings.

The Planning Commission's regular meetings will be held at least quarterly at a time and date decided by the Commission.

HISPANIC ADVISORY COMMITTEE

32.20 Hispanic Advisory Committee

The City of Hermiston Hispanic Advisory Committee is established to advise the Mayor, City Council and City Manager on Hispanic affairs as they relate to the City of Hermiston.

32.21 Membership and Term.

- A. The Hermiston Hispanic Advisory Committee is composed of five members with ties to Hermiston's Hispanic community.
- B. Hispanic Advisory Committee members shall serve three year staggered terms running from July 1st to June 30th.

32.22 Powers and Duties

The Hispanic Advisory Committee provides a means of communication between the City's Hispanic community and the City's elected and appointed officials. The Committee also provides representatives that the City's Hispanic community can contact with issues, concerns, and problems which relate to the City of Hermiston. This enhanced communication will assist in the development of a stronger community that is respectful of all nationalities, races, ethnic groups and cultures.

32.23 Meetings and Voting.

The Hispanic Advisory Committee's regular meetings will be held at least quarterly at a time and date decided by the Commission. The concurrence of a majority of members present and eligible to vote shall be necessary to decide any question.

FAITH-BASED ADVISORY COMMITTEE

32.24 Faith Based Advisory Committee established.

The City of Hermiston Faith-Based Advisory Committee is established to advise and assist the Mayor, City Council and City Manager on policy issues where faith-based leaders can be effective working in conjunction with the City of Hermiston.

32.25 Membership and Term.

- A. The Hermiston Faith-Based Advisory Committee is composed of five members with a connection to Hermiston's faith based community.
- B. Faith-Based Advisory Committee members shall serve three year staggered terms running from January 1st to December 31st.

32.26 Powers and Duties.

The Faith-Based Advisory Committee provides a means of communication between the City's Religious community and the City's elected and appointed officials. The Committee can help determine where the City can have a positive impact on the quality of life of the residents of the City of Hermiston.

32.27 Meetings and Voting.

The Faith-Based Advisory Committee's regular meetings will be held at least quarterly at a time and date decided by the Committee. The concurrence of a majority of members present and eligible to vote shall be necessary to decide any question.

BUDGET COMMITTEE

32.28 Budget Committee established.

Pursuant to ORS 294.414, the City of Hermiston Budget Committee is hereby created.

32.29 Membership, Qualifications and Term.

- A. The committee is made up of the city council and an equal number of appointed citizen members.
- B. Appointed members:
 - 1. Must reside inside the city limits;
 - 2. May not be officers or employees of the city; and
 - 3. Must be qualified voters of the city.
- C. Budget Committee members serve 3-year staggered terms running from January 1st to December 31st, such that approximately one-third of the terms of appointed members end each year. Members may apply for reappointment.

32.30 Powers and Duties.

The Budget committee shall be responsible for reviewing the budget message and the budget document. The committee may request and receive any information it requires for the revision and preparation of the budget document and may compel the attendance of any such officer or employee at its meetings. Once satisfied with the budget document, the committee will approve the document and forward it to the city council for public hearing and adoption.

PARKS AND RECREATION COMMITTEE

32.31 Parks and Recreation Committee established.

The City of Hermiston's Parks and Recreation Committee is hereby created and established to advise the Mayor, Council and City Manager on items related to the Parks system and the Recreation programs of the City of Hermiston.

32.32 Membership and Term.

- A. The Hermiston Parks and Recreation Committee is composed of seven members.

- B. Parks and Recreation Committee members shall serve three year staggered terms running from November 1st to October 31st.
- C. Applicants who reside within the Hermiston city limits shall be given preference for appointment to the Parks and Recreation Committee.

32.33 Powers and Duties.

The Parks and Recreation Committee shall act in an advisory capacity to the City Council on all park and recreation matters and act as the community tree board.

32.34 Meetings and Voting.

The Parks and Recreation Committee's regular meetings will be held at least quarterly at a time and date decided by the Committee. The concurrence of a majority of members present and eligible to vote shall be necessary to decide any question.

RECREATION PROJECTS FUND ADVISORY COMMITTEE

32.35 Recreation Projects Fund Advisory Committee established.

The City of Hermiston's Recreation Projects Fund Advisory Committee is hereby created and established to advise the Mayor, Council and City Manager on items related to allocation of transient lodging funds to recreation related projects.

32.36 Membership and Term.

- A. The Hermiston Recreation Projects Fund Advisory Committee is composed of five members as set out in Section 112.27 of this code.
- B. Recreation Projects Fund Advisory Committee members shall serve three year staggered terms running from January 1st to December 31st.
- C. Members of this committee shall live within the boundaries of the Hermiston School District.

32.37 Powers and Duties.

The City of Hermiston's Recreation Projects Fund Advisory Committee solicits applications for and then makes recommendations to the Mayor, Council and City Manager on items related to allocation of transient lodging funds to recreation related projects pursuant to Section 112.27 of this code.

32.38 Meetings and Voting.

The Recreation Projects Fund Advisory Committee's regular meetings will be held at least annually at a time and date decided by the Committee. The concurrence of a majority of members present and eligible to vote shall be necessary to decide any question.

SECTION 13. EFFECTIVE DATE. This ordinance shall take effect on the thirtieth day after its enactment.

PASSED by the Common Council the 12th day of December 2016.

SIGNED by the Mayor this 12th day of December 2016.

DAVID DROTZMANN, MAYOR

ATTEST:

ASSISTANT CITY RECORDER

STAFF REPORT

For Meeting of December 12th, 2016

MAYOR AND MEMBERS OF THE CITY COUNCIL

Agenda Item #
NO. 2016-

SUBJECT:
November 2016
Council At-Large
Election Results.

Subject

Consider a motion to accept and certify the November 8th, 2016 Council At-Large Election Results.

Summary and Background

In accordance with ORS 254.548 the City Council is required to accept election results and certify that the candidates elected are qualified to hold office.

Attached are the election results provided by the County Election Manager along with a summarized table below. The results of all elections must be made a matter of record of the Council and such record needs to contain the name of each person elected to office, the office to which they were elected, the total number of votes cast, and the votes cast for each person.

<u>Councilor (At-Large)</u>	<u>Votes</u>	<u>Percent</u>
Doug Primmer	3,101	22.31
Rod S. Hardin	3,052	21.96
Manuel Gutierrez	2,601	18.71
John F. Kirwan	2,531	18.21
Mark Gomolski	2,495	17.95
Write-In	121	.87

Fiscal Information

None.

Requested Action/Motion

Accept and certify the results of the November 8th, 2016 Council At-Large election results.

Submitted by:



City Manager Approval

Umatilla County

Department of Administrative Services

Elections Division



Director of
Administrative
Services
Dan Lonai

Elections
Manager
Kim Lindell

Please provide the elections office with a letter of acceptance as soon as possible. Upon receipt of your response, your election certification will be mailed.

*ORS 255.295 Preparing abstract; notification of results. (1) Not later than the 20th day after the date of an election, the county clerk shall prepare an **ABSTRACT** of the votes and deliver it to the district elections authority. Not later than the **40th day** after receiving the abstract the district elections authority shall determine from it the result of the election.*

(2) Subject to ORS 254.548 the county clerk may issue a certificate of election only after the district elections authority has notified the county clerk in writing of the result of the election. Your letter of acceptance need only state that you have accepted the election results, a statement indicating whether any candidate elected to district office is qualified to hold the office, the date of the election, your districts address and the signature of the district official sending the letter.

If you should have any questions, please feel free to call our office. Your prompt attention to this matter is very much appreciated.

Thank-you

Kim Lindell, Elections Manager

NUMBERED KEY CANVASS

Umatilla County, Oregon
General Election
November 8, 2016

OFFICIAL FINAL RESULTS

RUN DATE:11/23/16 12:51 PM

REPORT-EL52 PAGE 0028

Council, At Large CITY OF HERMISTON

Vote for 4

- 01 = Rod S Hardin
- 02 = Manuel Gutierrez
- 03 = Mark Gomołski
- 04 = John F Kirwan

VOTES PERCENT

VOTES PERCENT

3,052	21.96	05 = Doug Primmer
2,601	18.71	06 = WRITE-IN
2,495	17.95	07 = OVER VOTES
2,531	18.21	08 = UNDER VOTES

3,101	22.31
121	.87
32	
7,259	

	01	02	03	04	05	06	07	08
0131 126	592	508	492	511	607	23	4	1359
0132 127	280	265	249	205	289	11	4	733
0133 128	883	694	700	685	869	26	4	1931
0134 129	508	418	390	442	513	12	16	1369
0135 130	789	716	664	688	823	49	4	1867

December 13, 2016

Kim Lindell
County Elections Manager
216 SE 4th St., Suite 18
Pendleton, OR 97801
Via e-mail



Re: Election of Hermiston City Officials

Dear Kim,

At the regular council meeting on December 12, 2016, the City Council voted unanimously to accept the Umatilla County abstract of votes counted at the November 8, 2016 General Election, certifying that the following named persons were elected to the offices as indicated, and are qualified to that office:

Councilor (At-Large)

Doug Primmer
Rod S. Hardin
Manuel Gutierrez
John F. Kirwan

Sincerely,

A handwritten signature in blue ink, consisting of several loops and flourishes, representing Lilly Alarcon-Strong.

Lilly Alarcon-Strong
Assistant City Recorder

STAFF REPORT

For Meeting of December 12th, 2016

MAYOR AND MEMBERS OF THE CITY COUNCIL

Agenda Item #
NO. 2016-

SUBJECT:
November 2016
Measure Election
Results.

Subject

Consider a motion to accept and certify the November 8th, 2016 Measure Election Results.

Summary and Background

In accordance with the Hermiston City Charter, the City Council is required to accept and certify the results of city elections.

Attached are the election results provided by County Election Manager along with a summarized table below. The results of all elections must be made a matter of record of the Council and such record needs to contain the number of each measure, what the measure represented, the total number of votes cast, and the percentage of each vote.

<u>Measure 30-119</u>		<u>Votes</u>	<u>Percent</u>
Prohibit the sale, manufacturing, warehousing, and distribution of marijuana in city.	Yes	2,786	54.31
	No	2,344	45.69

Fiscal Information

None.

Requested Action/Motion

Accept and certify the results of the November 8th, 2016 measure election results.

Submitted by:



City Manager Approval

Umatilla County

Department of Administrative Services

Elections Division



Director of
Administrative
Services
Dan Lonai

Elections
Manager
Kim Lindell

Please provide the elections office with a letter of acceptance as soon as possible. Upon receipt of your response, your election certification will be mailed.

*ORS 255.295 Preparing abstract; notification of results. (1) Not later than the 20th day after the date of an election, the county clerk shall prepare an **ABSTRACT** of the votes and deliver it to the district elections authority. Not later than the **40th day** after receiving the abstract the district elections authority shall determine from it the result of the election.*

(2) Subject to ORS 254.548 the county clerk may issue a certificate of election only after the district elections authority has notified the county clerk in writing of the result of the election. Your letter of acceptance need only state that you have accepted the election results, a statement indicating whether any candidate elected to district office is qualified to hold the office, the date of the election, your districts address and the signature of the district official sending the letter.

If you should have any questions, please feel free to call our office. Your prompt attention to this matter is very much appreciated.

Thank-you

Kim Lindell, Elections Manager

NUMBERED KEY CANVASS

RUN DATE:11/23/16 12:51 PM

Umatilla County, Oregon
General Election
November 8, 2016

OFFICIAL FINAL RESULTS

REPORT-EL52 PAGE 0057

30-119 City of Hermiston

Vote for 1

01 = Yes

02 = No

VOTES PERCENT

2,786 54.31

2,344 45.69

03 = OVER VOTES

04 = UNDER VOTES

VOTES PERCENT

3

165

	01	02	03	04
0131 126	546	450	0	28
0132 127	267	228	0	14
0133 128	755	642	1	50
0134 129	467	411	1	38
0135 130	751	613	1	35

December 13, 2016

Kim Lindell
County Elections Manager
216 SE 4th St., Suite 18
Pendleton, OR 97801
Via e-mail



Re: Measure Election of November 8, 2016

Dear Kim,

At the regular council meeting on December 12, 2016, the City Council voted unanimously to accept the Umatilla County abstract of votes counted at the November 8, 2016 General Election, certifying that the following measure was accepted:

Measure 30-119	Prohibit the sale, manufacturing, warehousing, and distribution of marijuana in city.
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Sincerely,

A handwritten signature in blue ink, consisting of several loops and flourishes, representing Lilly Alarcon-Strong.

Lilly Alarcon-Strong
Assistant City Recorder

Staff Report

For the Meeting of December 12, 2016

HERMISTON URBAN RENEWAL AGENCY BOARD

Agenda Item #

NO. 2016 – 3

**SUBJECT: Façade Grant
Application – Julissa’s Meat
Market**

Subject

Jose Valle has submitted a façade grant application for remodeling activities at 292 W Hermiston Ave.

Summary and Background

The Façade Grant Review Committee met to review a façade grant application Jose Valle. The request is for exterior remodeling of the NAPA Auto Parts building at 292 W Hermiston Ave. the property is undergoing conversion to a retail meat market. The request will eliminate one window and replace window with brick and install a new parapet along the roof line. The proposed budget for the enhancement is \$8,768. Under the terms of the grant program, the district may provide a match of up to 50% of the project budget up to a maximum of \$10,000. After scoring the grant application and considering how the project fits with the overall goals of the urban renewal district, the committee decided that 40% match is appropriate for the project and voted to approve a grant of \$3,507. The committee therefore recommends to the urban renewal board of directors that a grant of up to 40% be made for façade improvements to this building.

This project will encounter one issue which previously has not arisen in the grant award process. The urban renewal district awards grants on first come/first served basis and when the annual budget is exhausted during the fiscal year, no further grants may be awarded. For the 16/17 fiscal year, the district has committed \$46,400 in grants. The proposed grant award of \$3,507 leaves \$93 in façade grants available for the remainder of the fiscal year. This reflects an increased interest in the façade grant program and increased visibility of the availability of funds. Since the remaining budget is very tight, should the final cost of construction exceed \$8,768, the 40% match will be monitored to insure that the grant award does not exceed the available funds.

Under the guidelines of the program, grant payments are made on a reimbursement basis once the project is completed and invoices have been submitted for review.

Fiscal Information

The grant award is 0.7% of the total budget of \$500,000 for façade grants over the life of the urban renewal district and 7% of the budget of \$50,000 for façade grants for the 2016-17 fiscal year.

Alternatives and Recommendation

The urban renewal board may choose to:

- Accept the committee recommendation and award a match of 40% (not to exceed \$3,600) for the façade improvements.
- Reject the committee recommendation and modify the grant amount.

Staff recommends that the urban renewal board accept the committee’s recommended grant amount.

Requested Action/Motion

Staff requests that the urban renewal board make a motion to approve the committee recommendation and award 40% (not to exceed \$3,600) in matching funds to Julissa’s Meat Market for façade improvements.

Reviewed by:



Department Head – Clinton Spencer, City Planner



City Manager Approval

