

AGENDA

REGULAR CITY COUNCIL MEETING

February 25, 2013

5:30 p.m.

CITY HALL COUNCIL CHAMBER
313 COURT STREET
THE DALLES, OREGON

1. CALL TO ORDER
2. ROLL CALL OF COUNCIL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF AGENDA
5. PRESENTATIONS/PROCLAMATIONS
 - A. Historic Landmarks Commission Annual Report [**Agenda Staff Report #13-021**]
6. AUDIENCE PARTICIPATION

During this portion of the meeting, anyone may speak on any subject which does not later appear on the agenda. Five minutes per person will be allowed. If a response by the City is requested, the speaker will be referred to the City Manager for further action. The issue may appear on a future meeting agenda for City Council consideration.
7. CITY MANAGER REPORT
8. CITY ATTORNEY REPORT
9. CITY COUNCIL REPORTS
 - A. Adoption of 2013-14 City Council Goals

CITY OF THE DALLES

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

10. CONSENT AGENDA

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

- A. Approval of February 11, 2013 Regular City Council Meeting Minutes
- B. Approval of February 4, 2013 Goal Setting Minutes
- C. Resolution No. 13-008 Concurring With the Mayor's Appointments to Various Committees
- D. Resolution No. 13-009 Amending Section 12.2.1 of the Revised Exempt Employee Handbook

11. PUBLIC HEARINGS

- A. Public Hearing to Receive Testimony Regarding the Community Development Block Grant (CDBG) for Implementation of the Mid Columbia Regional Home Repair Program for Wasco, Hood River and Sherman Counties [**Agenda Staff Report #13-019**]

12. ACTION ITEMS

- A. General Ordinance No. 13-1328 Amending General Ordinance No. 12-1327 Regulating Dogs, Establishing a Penalty for Failure to License Dogs and Declaring an Emergency [**Agenda Staff Report #13-018**]
- B. Special Ordinance No. 13-555 Amending Special Ordinance No. 13-533 to Correct Clerical Errors [**Agenda Staff Report #13-020**]

13. ADJOURNMENT

This meeting conducted in a handicap accessible room.

Prepared by/
Julie Krueger, MMC
City Clerk





CITY of THE DALLES

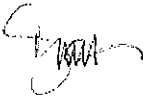
313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125
FAX: (541) 298-5490
Planning Department

AGENDA STAFF REPORT

MEETING DATE	AGENDA LOCATION	AGENDA REPORT #
February 25, 2013	Presentations 5, A	13-021

TO: Honorable Mayor and City Council

FROM: Dawn Marie Hert, Senior Planner &
Historic Landmarks Commission Coordinator,
Planning Department 

THRU: Nolan Young, City Manager

DATE: February 13, 2013

ISSUE: 2012 Annual Report of the Historic Landmarks Commission.

PREVIOUS AGENDA ITEMS: None.

SYNOPSIS: The Dalles Historical Landmark Commission is pleased to present its annual report to City Council. The year 2012 was the City's nineteenth year as a Certified Local Government. Attached is a copy of the Historic Landmarks Commission 2012 Annual Report to City Council.

BUDGET IMPLICATIONS: Yet to be determined. Many of the Historic Landmarks Commission goals will require budgeted monies. Staff will be making suggestions in the current fiscal year budget process. Grant monies that can be applied for to meet these goals generally require a 50% match. The goals that do not qualify for grants will require full funding from the City's budget.

RECOMMENDATION: Accept the 2012 annual report of the Historic Landmarks Commission.

City of The Dalles Historic Landmarks Commission 2012 Annual Report To City Council

The following activities and accomplishments of The Dalles Historic Landmarks Commission are presented for the City Council's review as required annually by General Ordinance No. 94-1194.

2012-2013 Historic Preservation Funds The City of The Dalles received two separate grants from the State Historic Preservation Office (SHPO) for the 2012-13 fiscal years. The grants run for 18 months and overlap the City's fiscal years:

A grant in the amount of \$3,000 was received and used to help fund our Certified Local Government Program, which includes staff time and assistance to The Dalles Historic Landmarks Commission. The administration of this program is vital to the continued success of this Certified Local Government. Additionally, staff provides assistance to the general public by answering questions about our ordinances as well as providing assistance for people making application to the Historic Landmarks Commission.

A grant in the amount of \$11,500 was received to be used to fund the design, fabrication and installation of three Interpretive Panels. Currently staff has a Request for Proposal out with a few parties that have made contact and shown interest in our project.

2012 Commission Goals Due to limited funding, a majority of the short-term and long-term goals for the HLC were not met. Monies were only budgeted as match this past fiscal year for a few goals.

The short-term goals that were met, or are in the process of being met, are as follows:

- Encourage Historic Designs for Downtown to aid in historic background research and support Main Street programs.

The Commission and staff continue to assist property owners that are researching historic building types and designs. Our community is very fortunate to have a number of historic groups that have access to historic photos and information. The Commission hopes to expand this program in the future to provide for additional design assistance.

- Encourage restoration of the Pioneer Cemetery and establish an inventory link/listing on the City's website.

This goal is in the process of being met with our Pioneer Cemetery Preservation Plan being implemented. With continued grant assistance from the OCHC and SHPO, we hope to continue with the projects at the cemetery. The Commission plans to keep the goal for the years to come for the continued maintenance and preservation of our historic Pioneer Cemetery. Budgeted monies and support from the City Council has continued to help with preservation and maintenance of this local landmark. This coming year the HLC will be applying for an Oregon Commission on Historic Cemeteries Public Education grant for re-enactments of some of the locally famous people that are buried in our historic cemetery.

- Establish a Historic Resource Center/Site i.e.: Historic Links on City Webpage.

This goal is continually in the process of being met. Links have been provided on various websites and other agencies. Staff will continue working with other agencies that work with historic resources and information.

- Actively support Historic The Dalles Days.

This goal has been, and will continue to be, added as a goal for the Historic Landmarks Commission. Combining of the Historic Days and Fort Dalles Rodeo seems to be a great fit for our community. The City Hall Fire Bay Museum is open during all major festivities in our downtown.

- Encourage the restoration of the Waldron Drug/Gitchell Building.

This goal is on target with the continued work on the First Street Pedestrian Underpass and Plaza project. Staff has met/talked recently with individuals that were looking at the building for a commercial use.

- Assist in saving and completing the Lewis and Clark Memorial and pursue a local landmark status.

This goal is in process. Staff and Commissioners have met with an interested Lions Club member on possible relocations and completion of the Memorial. Staff anticipates the project to show movement in the 2013-14 years.

- Encourage the City pursuing ownership of the Lewis and Clark Rock Fort and its preservation through maintenance.

This goal is also in process. The City Fellow, Garrett Chrostek, has submitted a preliminary budget report to the City Manager that will in turn be provided to the City Council for maintenance options of the National Register site. Wasco County still remains as the property owner at this time.

The long-term goals that were met, or are in the process of being met, are as follows:

- Encourage preservation and restoration of City Hall.

This long-term goal has continued over the years.

- Maintaining CLG status.

This long-term goal has continued to be met. Assistance for the CLG is made possible with the semi-annual matching grant from the SHPO for operating funds.

- Continue to supply information on Historic Open Houses and encourage Open House visits during Historic Fort Dalles Days.

This long-term goal has continued to be met. Changes to the Special Assessment program at the State level have eliminated the Open House requirements. Owners of landmarks have been positive about continuing the Open Houses during Fort Dalles Days.

- Support and encourage the Fort Dalles Museum and Historic Vehicle Storage Display Building.

This long-term goal has continued over the years.

2013 Commission Goals The Historic Landmarks Commission adopted new goals for 2013 at the last meeting of the 2012 year. The following are the new 2013 Historic Landmarks Commission goals:

Short Term Goals

- Assist in saving and completing the Lewis and Clark Memorial and pursue a local landmark status.
- Encourage Historic Designs for Downtown to aid in historic background research and support Main Street programs.
- Encourage continued restoration and preservation of the Pioneer Cemetery and establish an inventory link/listing on the City's website.
- Provide educational assistance to help individual restorers by setting up a SHPO special assessment and other historic preservation workshops.
- Update and maintain a Historic Resource Center/Site i.e.: historic group links on the City website.
- Pursue a SHPO grant to expand City's historic resources such as designating other qualified areas as National Historic Districts; specifically the East Gateway, The Dalles Bluff, 4th Street, and E. 8th Street.
- Actively support historic Fort Dalles Days.
- Support, encourage and advocate the preservation and continued use of The Dalles High School and Colonel Wright Elementary School.
- Encourage restoration and use of the Waldron Drug/Gitchell Building.
- Encourage the City pursuing ownership of the Lewis and Clark Rock Fort and its preservation through maintenance.
- Encourage the collection and preservation of oral history of the local area.

Long Term Goals

- Encourage preservation and restoration of City Hall.
- Maintain Certified Local Government status.
- Support Civic Building restoration.
- Continue to encourage Open House visits during historic Fort Dalles Days.
- Continue to assist with historic plaque costs and availability.
- Support and encourage the Fort Dalles Museum and Historic Vehicle Storage Display Building.
- Update Historic Inventories and encourage new nominations to local and national registry districts.
- Update Historic Ordinance.

Administration and Public Assistance Both administration and public assistance continued to be vital activities during 2012. Three Historic Landmarks Commission meetings held in the year 2012. Only two applications were reviewed: The City's two demolition requests for the Recreation and Bloch-Miller & Company Buildings. There were also several requests for minor alterations to historic structures that were reviewed at the staff level. Minor alterations include the addition and placement of signs, repainting historic structures and emergency-type repairs.

**CITY of THE DALLES**313 COURT STREET
THE DALLES, OR 97058PH. (541) 296-5481
FAX (541) 296-6906**AGENDA STAFF REPORT
CITY OF THE DALLES**

MEETING DATE	AGENDA LOCATION	AGENDA REPORT #
February 25, 2013	City Council Reports	N/A

TO: Honorable Mayor and City Council**FROM:** Nolan K. Young, City Manager *nyj***DATE:** February 13, 2013**ISSUE:** Approval of 2013 City Council Goals.**BACKGROUND:** The City Council met on February 4, 2013 to develop their goals for the 2013-14 fiscal year. The 2013 Goals and Objectives are attached for review and approval by City Council.

Please review the goals and objectives and be prepared to discuss any changes you may wish to make as to the priority of the Tier I Objectives and placement of objectives in Tier II and III.

BUDGET IMPLICATIONS: None.**ALTERNATIVES:**

- A. Staff Recommendation: *Move to adopt the 2013-14 City Council Goals.*
- B. Make revisions to the goals and objectives and direct staff to bring back for adoption at a future meeting.
- C. Place the item for additional discussion at a later Council meeting.

2013-14 CITY COUNCIL GOALS
(with all objectives)

GOAL 1. Provide Public Works infrastructure that will ensure safe and well maintained streets and reliable utility systems for the citizens of The Dalles.

OBJECTIVES

TIER I: Top Priorities, to be significantly completed by June, 2014

- A. Continue environmental work for increasing capacity of Crow Creek Dam and Dog River water line replacement in two to three years.
- B. Develop plan for intersection of East 10th, Thompson and Old Dufur Road.
- C. Complete Design of Phase I improvements under the Wastewater Master Plan.
- D. Pursue West Sixth Street improvements, including widening of West Sixth Street from Hostetler Street to Snipes Street to allow for turn lane and future signalization at Hostetler Street.
- E. Obtain funding and update the Transportation Plan and its associated SDC projects and fees.
- F. Complete Webber Street Interchange Area Management Plan (IAMP).

TIER II: Other Priorities to be pursued in Fiscal Year 2013-14
As time, resources and opportunities permit

- A. Investigate need for 10th Street and Cherry Heights Road signalization.
- B. Pursue completion of Thompson Street LID
- C. Pursue expansion of Lone Pine Well.
- D. Continue work to connect vital corridors with ADA improvements.
- E. Investigate integration of traffic calming policy into LUDO.

TIER III: Long term objectives (within 5 years)

- A. Develop city-wide intersection signalization plan.

GOAL 2. Work and partner with governmental agencies and non-profits to ensure coordination of services and open communication.

OBJECTIVES

TIER I: Top Priorities, to be significantly completed by June, 2014

- A. Complete Phase II of the Urban Growth Boundary expansion with an application to the Gorge Commission by July, 2014.
- B. Work with Discovery Center Director to identify continuing partnership opportunities.
- C. Support Library Foundation's fund raising efforts for Library expansion project.
- D. Work with National Scenic Area stakeholders to obtain balance regarding issues of economic vitality and scenic preservation as defined by applicable law.
- E. Prepare updated analysis for downtown flood mitigation.
- F. Provide annual report to Council regarding coordination among schools, special districts, public and private partners to identify and implement potential needs for community facilities and programs.
- G. Participate in efforts to continue YouthThink programs beyond their current budget cycle.
- H. Complete lease with Wasco County for use of Veteran's Office.
- I. Support Mid-Columbia Fire and Rescue efforts to improve community ISO rating.
- J. Assist Parks & Recreation District in efforts to construct a swimming pool.
- K. Investigate city-wide renewable energy projects in cooperation with Northern Wasco county PUD and other agencies, including the college renewable energy program.
- L. Develop a maintenance and operation plan for the Lewis and Clark rock Fort site for potential transfer of ownership from County to City.

TIER II: Other Priorities to be pursued in Fiscal Year 2013-14
As time, resources and opportunities permit

- A. Work with local utilities to develop underground service when opportunities are presented, including consideration of safety, view shed, aesthetics and property values.
- B. Partner with School District and Parks & Recreation District regarding maintaining open/green space such as Thompson Track and Mill Creek Greenway.

C. Look for opportunities to retain or maintain property on tax roll.

TIER III: Long term objectives (within 5 years)

None at this time.

GOAL 3. Promote economic development opportunities that will provide job creation and retention and enhance livability.

TIER I: Top Priorities, to be significantly completed by June, 2014

A. Continue Urban Renewal Downtown Renaissance Projects:

- First Street Urban Renewal treatment
- Washington Street Railroad Undercrossing
- Redevelop Granada Block, including parking structure
- Engineering and architectural design for Civic Auditorium
- Lewis and Clark Fountain

B. Work with Port to address infrastructure in support of development of industrial properties.

C. Convene a task force to develop and implement a plan to fill downtown businesses.

D. Identify opportunities to support the Port's efforts to develop a Regional Wetlands Permit.

E. Complete public-private partnership to redevelop Wasco Warehouse and East Gateway.

F. Proceed with Airport golf course development.

G. Develop organizational structure and stable funding for Main Street program.

H. Reconvene Economic Development Barriers Committee to develop an action plan.

I. Strengthen downtown activities and events.

TIER II: Other Priorities to be pursued in Fiscal Year 2013-14
As time, resources and opportunities permit

A. Assist in construction of Civic Auditorium renovations.

- B. Pursue construction of Third Street urban renewal treatment.
- C. Pursue urban renewal funding for design of West Third Place streetscape.
- D. Support Urban Renewal Plan through opportunity driven projects.

TIER III: Long term objectives (within 5 years)

- A. Enhance national historic districts.
- B. Assist in development of family based recreation center.

GOAL 4. Maintain a balanced budget that will provide for sustained City operations and capital improvements, while assuring an adequate contingency fund.

TIER I: Top Priorities, to be significantly completed by June, 2014

- A. Investigate funding options for street projects.
- B. Investigate transition of franchise to right of way agreements, including potential franchise agreements with PUD, Chenoweth Water PUD and wireless telecommunications.
- C. Investigate opportunities to renovate second floor of City Hall.

**TIER II: Other Priorities to be pursued in Fiscal Year 2013-14
As time, resources and opportunities permit**

- A. Investigate whether current financial software is sufficient.

TIER III: Long term objectives (within 5 years)

None identified at this time.

GOAL 5. Encourage civic responsibility and promote public safety through programs, plans and policies.

TIER I: Top Priorities, to be significantly completed by June, 2014

- A. Work with Sign Ordinance Committee to review and update the City's Sign Ordinance.
- B. Develop partnerships and financial plan to place Christmas lighting in the downtown corridor by November, 2013 (Starlight Parade).

- C. Develop plan to support community special events.

TIER II: Other Priorities to be pursued in Fiscal Year 2013-14
As time, resources and opportunities permit

- A. Investigate program to increase civic pride in neighborhoods.
- B. Work with partners, such as Soil and Water Conservation District and Master Gardeners to develop a plan for natural vegetation plantings to screen industrial treatment operations.
- C. Maintain role with other public safety agencies in addressing local emergencies.
- D. Create partnerships and financing plan to replace downtown Christmas lights by 2014 holiday season.
- E. Develop plan for sidewalk repair, in partnership with property owners.
- F. Investigate opportunities to make improvements to landscape, eliminate planting strips, with a focus on Dry Hollow, downtown, and historic walking district neighborhoods.

TIER III: Long term objectives (within 5 years)

None identified at this time.

GOAL 6. Provide transparent and efficient administration of City government.

TIER I: Top Priorities, to be significantly completed by June, 2014

- A. Develop a tool and procedure to keep City Council informed regarding progress, tracking and reviewing items that have been approved by City Council.

TIER II: Other Priorities to be pursued in Fiscal Year 2013-14
As time, resources and opportunities permit

- A. Investigate need for development of an Information Technology Program to update and standardize data processing software city-wide.

TIER III: Long term objectives (within 5 years)

None identified at this time.

**CITY of THE DALLES**313 COURT STREET
THE DALLES, OR 97058PH. (541) 296-5481
FAX (541) 296-6906**AGENDA STAFF REPORT**
CITY OF THE DALLES

MEETING DATE	AGENDA LOCATION	AGENDA REPORT #
February 25, 2013	Consent Agenda 10, A - D	N/A

TO: Honorable Mayor and City Council**FROM:** Julie Krueger, MMC, City Clerk**THRU:** Nolan K. Young, City Manager**DATE:** February 13, 2013

ISSUE: Approving items on the Consent Agenda and authorizing City staff to sign contract documents.

A. **ITEM:** Approval of February 11, 2013 Regular City Council Meeting Minutes.

BUDGET IMPLICATIONS: None.

SYNOPSIS: The minutes of the February 11, 2013 regular City Council meeting have been prepared and are submitted for review and approval.

RECOMMENDATION: That City Council review and approve the minutes of the February 11, 2013 regular City Council meeting.

B. **ITEM:** Approval of February 4, 2013 City Council Goal Setting Minutes.

BUDGET IMPLICATIONS: None.

SYNOPSIS: The minutes of the February 4, 2013 goal setting meeting have been prepared and are submitted for review and approval.

RECOMMENDATION: That the City Council review and approve the minutes of the February 4, 2013 goal setting meeting.

- C. **ITEM:** Resolution No. 13-008 Concurring With the Mayor's Appointments to Various Committees.

BUDGET IMPLICATIONS: None.

SYNOPSIS: Mayor Lawrence has made the following appointments: Barbara Pashek and John Layson to the Budget Committee; Chris Zukin re-appointed to Planning Commission; Richard Elkins re-appointed to the Urban Renewal Advisory Committee; and Chere Jones appointed to the Urban Renewal Budget Committee.

RECOMMENDATION: Adopt Resolution No. 13-008 Concurring With the Mayor's Appointments to Various Committees.

- D. **ITEM:** Resolution No. 13-009 Amending Section 12.2.1 of the Revised Exempt Employee Handbook.

BUDGET IMPLICATIONS: None.

SYNOPSIS: On May 5, 2005, the City Council adopted Resolution No. 05-018 adopting a revised Exempt Employee Handbook. Section 12.2.1 of the handbook provides that all job openings, except for temporary positions and positions of less than 20 hours per week, whether for existing or newly created positions covered by the handbook, will be advertised in-house to give any qualified City employee an opportunity to apply for the position. In response to an issue which recently arose as to whether a temporary employee fit the definition of a "qualified employee", the City Manager has proposed a policy to clarify that the term "qualified employee" includes any City employee, including a temporary employee. Adoption of Resolution No. 13-009 wil incorporate this policy into the revised Exempt Employee Handbook.

RECOMMENDATION: Adopt Resolution No. 13-009 amending Section 12.2.1 of the Revised Exempt Employee Handbook.

MINUTES

REGULAR COUNCIL MEETING
OF
FEBRUARY 11, 2013
5:30 P.M.
THE DALLES CITY HALL
313 COURT STREET
THE DALLES, OREGON

PRESIDING: Mayor Steve Lawrence

COUNCIL PRESENT: Bill Dick, Carolyn Wood, Dan Spatz, Tim McGlothlin, Linda Miller

COUNCIL ABSENT: None

STAFF PRESENT: City Manager Nolan Young, City Attorney Gene Parker, City Clerk Julie Krueger, Public Works Director Dave Anderson, Administrative Fellow Garrett Chrostek, Finance Director Kate Mast, Police Chief Jay Waterbury, Planning Director Dick Gassman, Engineer Dale McCabe, Transportation Manager Bill Barrier

CALL TO ORDER

Mayor Lawrence called the meeting to order at 5:30 p.m.

ROLL CALL

Roll call was conducted by City Clerk Krueger; all Councilors present.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

It was moved by Wood and seconded by McGlothlin to approve the agenda as presented. The motion carried unanimously.

MINUTES (Continued)
Regular Council Meeting
February 11, 2013
Page 2

AUDIENCE PARTICIPATION

Robert Boyett, First Street, The Dalles, addressed the City Council regarding concerns about fluoride in the City's water supply. He proposed it be removed because it was not necessary and said people who needed fluoride could get it from other sources. He said it was an unnecessary expense to the City and the levels used, four parts per million, was in violation of pharmaceutical regulations.

Public Works Director Anderson said the four parts per million was the amount allowed by law, but that the City used 0.7 parts per million in the water supply. He said the fluoride was added in the 1950's. Anderson said it was a controversial issue and was frequently raised as an issue at the State legislature, though no action had been taken by them.

CITY MANAGER REPORT

City Manager Young said he had met with the Corps of Engineers regarding the Dam tours. He said they would begin in May and the Corps was planning an open house event in June.

Young reminded the Council of the ribbon cutting ceremony on February 23 at 10:00 a.m., at the Discovery Center to celebrate the Wi Fi upgrades.

CITY ATTORNEY REPORT

City Attorney Parker said the deed had been recorded and lease sent to the Girl Scouts, as approved by the Council. He said he was also working to complete the lease at the Airport for MASI Air. Parker said bids would be opened on February 12 for the demolition of the structure at 600 East 12th Street. Parker reported he would be attending the government law seminar in February.

CITY COUNCIL REPORTS

Councilor Spatz said the Sister City was planning to send a delegation of City Councilors for a visit to The Dalles this year. He said a letter of invitation was being prepared for the Mayor's signature.

Mayor Lawrence reported on his recent activities, including participation in the Go Red for Women's Health Heart Walk. He said a wheelchair ramp at the Civic Auditorium had come loose and was immediately repaired by Public Works crews. Lawrence said he had recently met with the National Guard and was working with them to bring their band to The Dalles for a performance at the Civic Auditorium. Mayor Lawrence said he had been interviewed by a

student at St. Mary's Academy and was pleased with the questions she asked. He said the first question she had asked was what would make people want to stop in our town as they were driving on the highway.

Councilor McGlothlin said the Lions Club would be visiting local schools on February 19 to teach students about the US flag.

Mayor Lawrence noted he was working with School District Superintendent Candy Armstrong to promote the "If I Were Mayor" contest, sponsored by the League of Oregon Cities.

CONSENT AGENDA

Mayor Lawrence asked the words "if they" be inserted into the minutes of January 28th, page 6, eighth paragraph, after the word time in the first sentence. It was moved by Wood and seconded by Spatz to approve the Consent Agenda as corrected. The motion carried unanimously. The item approved by Consent Agenda was approval of the January 28, 2013 regular City Council meeting minutes.

PUBLIC HEARINGS

Public Hearing to Receive Testimony Regarding Supplemental Budget for Fiscal Year 2012-13

Mayor Lawrence reviewed the procedure to be followed for the public hearing.

Finance Director Mast reviewed the staff report. In response to a question, Mast said the Special Assessment was funded through prepaid assessments for improvements. She said only the exact amount needed would be transferred to the Capital Projects fund.

Councilor Miller asked if staff had been unaware of the project during the budget process. Finance Director Mast said they were not sure the project would be completed during the current fiscal year.

Miller asked why funds in the reserve accounts couldn't be used to offset utility rate increases. Public Works Director Anderson said the funds were set aside to complete large sewer and storm water projects.

Mayor Lawrence asked if staff had addressed the question raised by the property owner in the First Street local improvement district project, who claimed to have installed a storm system on

MINUTES (Continued)
Regular Council Meeting
February 11, 2013
Page 4

his property. Public Works Director Anderson said when the street work was started, staff would investigate and if he did have a connection, the property owner would be credited for that work.

Testimony

No testimony was offered. Mayor Lawrence closed the public hearing.

Resolution No. 13-006 Authorizing Transfers of Funds Between Categories of Various Funds, Making Appropriations and Authorizing Expenditures for Fiscal Year Ending June 30, 2013

It was moved by McGlothlin and seconded by Miller to adopt Resolution No. 13-006 authorizing transfers of funds between categories of various funds, making appropriations and authorizing expenditures for fiscal year ending June 30, 2013. The motion carried unanimously.

Resolution No. 13-007 Adopting a Supplemental Budget for Fiscal Year 2012-13, Making Appropriations and Authorizing Expenditures From and Within the Capital Projects Fund of the City of The Dalles Adopted Budget

It was moved by Wood and seconded by Spatz to adopt Resolution No. 13-007 adopting a supplemental budget for the fiscal year 2012-13, making appropriations and authorizing expenditures from and within the Capital Projects Fund of the City of The Dalles adopted budget. The motion carried unanimously.

DISCUSSION ITEMS

Discussion Regarding Proposed Changes to Infill Development Policies and Procedures

Administrative Fellow Garrett Chrostek reviewed the staff report. He recommended the City Council include the sale of property as a trigger for a payment due so the City didn't have to rely so heavily on the use of non-remonstrance agreements.

It was the consensus of the City Council to approve the original recommendation and not to include the sale of property as a trigger for payments. The Council was in agreement that development was more likely to occur if people were allowed to pay for the improvements at a later time.

It was moved by Wood and seconded by Spatz to direct staff to prepare the ordinance for adoption at a future meeting, using alternative number one. The motion carried unanimously.

MINUTES (Continued)
Regular Council Meeting
February 11, 2013
Page 5

City Manager Young said there were several other items involved in the overall infill development process and asked if the City Council wished to address those at a town hall meeting. The City Council agreed to use the Spring town hall meeting to discuss the remaining issues.

Mayor Lawrence asked if the street maintenance funding would be discussed during the budget process. City Manager Young said the Council would have an opportunity to discuss the issue at a City Council meeting and during budget meetings.

ADJOURNMENT

Being no further business, the meeting adjourned at 6:27 p.m.

Submitted by/
Julie Krueger, MMC
City Clerk

SIGNED:

Stephen E. Lawrence, Mayor

ATTEST:

Julie Krueger, MMC, City Clerk

COUNCIL GOAL SETTING
OF
FEBRUARY 4, 2013
12:00 P.M.
CITY HALL COUNCIL CHAMBER

PRESIDING: Mayor Steve Lawrence

COUNCIL PRESENT: Bill Dick, Dan Spatz, Carolyn Wood, Tim McGlothlin, Linda Miller

COUNCIL ABSENT: None

STAFF PRESENT: City Manager Nolan Young, City Attorney Gene Parker, City Clerk Julie Krueger, Finance Director Kate Mast, Police Chief Jay Waterbury, Librarian Sheila Dooley, Administrative Fellow Garrett Chrostek, Planning Director Dick Gassman

CALL TO ORDER

The meeting was called to order at 12:10 p.m.

GOALS AND OBJECTIVES DISCUSSION

The City Council reviewed the goals and objectives, removing those completed, modifying and re-prioritizing the objectives, and adding new ones. The new list of goals is attached to the minutes.

FISCAL YEAR 2013-14 PRE-BUDGET DISCUSSION

City Manager Young noted that the budget would not include any new programs and that the current budget had a lower beginning fund balance than had been anticipated. He said property tax revenue was lower than projected. Young recommended the Council look closely at their contributions and make adjustments to reduce the total.

Following review of the City Council departmental budget, line item 31-10, the Council agreed to remove contributions to Port of The Dalles for the business recruitment, Celilo Confluence Project, and to reduce the YouthThink contribution to \$5,000. The City Council agreed to include a \$25,000 contribution to Wasco County to assist in paying the bond for infrastructure at the Discovery Center.

There was consensus to increase line item 58-60 (workshops) to \$1,000.

There was consensus to direct staff to purchase lapel microphones for the City Council to improve the audience's ability to hear proceedings.

There was discussion regarding proceeding with a study for the next phase of the City Hall remodel and consensus to allow the study to proceed in the upcoming fiscal year.

MINUTES (Continued)
Council Goal Setting
February 4, 2013
Page 2

There was discussion regarding a backup plan for the location of the QLife equipment. Councilor Spatz expressed concern regarding potential of flooding of the basement of City Hall.

There was a discussion regarding the proposed public parking structure. Mayor Lawrence said he believed there was agreement that the structure would not be constructed unless the Granada redevelopment occurred. City Manager Young said the design work needed to be completed because the parking structure would be a key piece of the development regardless of who the developer would be. He said it was expected the RFP for the design of the parking structure would be out for bid in 30 to 45 days. Young said part of the proposed agreement included the developer providing their business and financial plans to the City Council.

Councilor Miller said citizens had related to her that they would prefer to see urban renewal money being spent to pay for needed infrastructure improvements, not to pay for projects such as the Granada Block redevelopment.

Councilor Spatz said the redevelopment of the Granada Block was exactly the type of project that urban renewal funds should be used for. He said infrastructure should be maintained with the revenues generated by providing their service.

Mayor Lawrence said projects receiving urban renewal assistance should be returning money to urban renewal but that did not seem to be how it was working. Spatz said improvements to buildings would increase the tax base.

Councilor Dick said the Granada block was in terrible condition currently and needed to be brought back to a viable part of the downtown. He said he would continue to support the project and believed it would be a great asset to the community.

Councilor Wood said she also was in support of the project and said the community had worked hard to get the program in place many years ago. She said she was pleased with all the good projects that had been completed because of the program.

Councilor McGlothlin said he had been concerned about the Granada Block project, but had researched the developers and was confident they would put together a good project. He said he would share his research with the Mayor. McGlothlin asked about the status of the Urban Renewal loan/grant program.

City Manager Young said staff would be providing a report to the Council regarding the loan program.

There was a discussion regarding funds received from Google as a result of their participation in the Enterprise Zone. City Manager Young said the funds were paid to Wasco County, who then distributed them. He said it was discretionary and the QLife program received a portion of the funds, but the City did not receive any of them.

There was discussion regarding projects in the Street Fund. It was noted that the crack seal program had not been done for the past two years due to weather, but a large project was planned for the Spring. It was also explained that some projects were included in the Capital Improvement Plan, while others were

MINUTES (Continued)
Council Goal Setting
February 4, 2013
Page 3

included in the budget for Fund 13 within the Street Department budget. City Manager explained that areas annexed into the City were still subject to County road maintenance until streets were brought up to standards and accepted by the City. He said the County and City didn't agree on who was responsible for that maintenance. It was suggested a meeting be set up to discuss the matter.

City Manager Young asked if the City Council wanted staff to schedule a pre-budget workshop. Following discussion, it was agreed that an informal meeting could be scheduled for those who would be new to the budget process.

ADJOURNMENT

Being no further business, the meeting adjourned at 4:40 p.m.

Submitted by/
Julie Krueger, MMC
City Clerk

SIGNED:

Stephen E. Lawrence, Mayor

ATTEST:

Julie Krueger, MMC, City Clerk

2013-14 CITY COUNCIL GOALS
(with all objectives)

GOAL 1. Provide Public Works infrastructure that will ensure safe and well maintained streets and reliable utility systems for the citizens of The Dalles.

OBJECTIVES

TIER I: Top Priorities, to be significantly completed by June, 2013

- A. Continue environmental work for increasing capacity of Crow Creek Dam and Dog River water line replacement in two to three years.
- B. Develop plan for intersection of East 10th, Thompson and Old Dufur Road.
- C. Complete Design of Phase I improvements under the Wastewater Master Plan.
- D. Pursue West Sixth Street improvements, including widening of West Sixth Street from Hostetler Street to Snipes Street to allow for turn lane and future signalization at Hostetler Street.
- E. Obtain funding and update the Transportation Plan and its associated SDC projects and fees.
- F. Complete Webber Street Interchange Area Management Plan (IAMP).

TIER II: Other Priorities to be pursued in Fiscal Year 2012-13
As time, resources and opportunities permit

- A. Investigate need for 10th Street and Cherry Heights Road signalization.
- B. Pursue completion of Thompson Street LID
- C. Pursue expansion of Lone Pine Well.
- D. Continue work to connect vital corridors with ADA improvements.
- E. Investigate integration of traffic calming policy into LUDO.

TIER III: Long term objectives (within 5 years)

- A. Develop city-wide intersection signalization plan.

GOAL 2. Work and partner with governmental agencies and non-profits to ensure coordination of services and open communication.

OBJECTIVES

TIER I: Top Priorities, to be significantly completed by June, 2013

- A. Complete Phase II of the Urban Growth Boundary expansion with an application to the Gorge Commission by July, 2014.
- B. Work with Discovery Center Director to identify continuing partnership opportunities.
- C. Support Library Foundation's fund raising efforts for Library expansion project.
- D. Work with National Scenic Area stakeholders to obtain balance regarding issues of economic vitality and scenic preservation as defined by applicable law.
- E. Prepare updated analysis for downtown flood mitigation.
- F. Provide annual report to Council regarding coordination among schools, special districts, public and private partners to identify and implement potential needs for community facilities and programs.
- G. Participate in efforts to continue YouthThink programs beyond their current budget cycle.
- H. Complete lease with Wasco County for use of Veteran's Office.
- I. Support Mid-Columbia Fire and Rescue efforts to improve community ISO rating.
- J. Assist Parks & Recreation District in efforts to construct a swimming pool.
- K. Investigate city-wide renewable energy projects in cooperation with Northern Wasco county PUD and other agencies, including the college renewable energy program.
- L. Develop a maintenance and operation plan for the Lewis and Clark rock Fort site for potential transfer of ownership from County to City.

TIER II: Other Priorities to be pursued in Fiscal Year 2012-13
As time, resources and opportunities permit

- A. Work with local utilities to develop underground service when opportunities are presented, including consideration of safety, view shed, aesthetics and property values.
- B. Partner with School District and Parks & Recreation District regarding maintaining open/green space such as Thompson Track and Mill Creek Greenway.

C. Look for opportunities to retain or maintain property on tax roll.

TIER III: Long term objectives (within 5 years)

None at this time.

GOAL 3. Promote economic development opportunities that will provide job creation and retention and enhance livability.

TIER I: Top Priorities, to be significantly completed by June, 2013

A. Continue Urban Renewal Downtown Renaissance Projects:

- First Street Urban Renewal treatment
- Washington Street Railroad Undercrossing
- Redevelop Granada Block, including parking structure
- Engineering and architectural design for Civic Auditorium
- Lewis and Clark Fountain

B. Work with Port to address infrastructure in support of development of industrial properties.

C. Convene a task force to develop and implement a plan to fill downtown businesses.

D. Identify opportunities to support the Port's efforts to develop a Regional Wetlands Permit.

E. Complete public-private partnership to redevelop Wasco Warehouse and East Gateway.

F. Proceed with Airport golf course development.

G. Develop organizational structure and stable funding for Main Street program.

H. Reconvene Economic Development Barriers Committee to develop an action plan.

I. Strengthen downtown activities and events.

**TIER II: Other Priorities to be pursued in Fiscal Year 2012-13
As time, resources and opportunities permit**

A. Assist in construction of Civic Auditorium renovations.

- B. Pursue construction of Third Street urban renewal treatment.
- C. Pursue urban renewal funding for design of West Third Place streetscape.
- D. Support Urban Renewal Plan through opportunity driven projects.

TIER III: Long term objectives (within 5 years)

- A. Enhance national historic districts.
- B. Assist in development of family based recreation center.

GOAL 4. Maintain a balanced budget that will provide for sustained City operations and capital improvements, while assuring an adequate contingency fund.

TIER I: Top Priorities, to be significantly completed by June, 2013

- A. Investigate funding options for street projects.
- B. Investigate transition of franchise to right of way agreements, including potential franchise agreements with PUD, Chenoweth Water PUD and wireless telecommunications.
- C. Investigate opportunities to renovate second floor of City Hall.

**TIER II: Other Priorities to be pursued in Fiscal Year 2012-13
As time, resources and opportunities permit**

- A. Investigate whether current financial software is sufficient.

TIER III: Long term objectives (within 5 years)

None identified at this time.

GOAL 5. Encourage civic responsibility and promote public safety through programs, plans and policies.

TIER I: Top Priorities, to be significantly completed by June, 2013

- A. Work with Sign Ordinance Committee to review and update the City's Sign Ordinance.

- B. Develop partnerships and financial plan to place Christmas lighting in the downtown corridor by November, 2013 (Starlight Parade).
- C. Develop plan to support community special events.

TIER II: Other Priorities to be pursued in Fiscal Year 2012-13
As time, resources and opportunities permit

- A. Investigate program to increase civic pride in neighborhoods.
- B. Work with partners, such as Soil and Water Conservation District and Master Gardeners to develop a plan for natural vegetation plantings to screen industrial treatment operations.
- C. Maintain role with other public safety agencies in addressing local emergencies.
- D. Create partnerships and financing plan to replace downtown Christmas lights by 2014 holiday season.
- E. Develop plan for sidewalk repair, in partnership with property owners.
- F. Investigate opportunities to make improvements to landscape, eliminate planting strips, with a focus on Dry Hollow, downtown, and historic walking district neighborhoods.

TIER III: Long term objectives (within 5 years)

None identified at this time.

GOAL 6. Provide transparent and efficient administration of City government.

- A. Develop a tool and procedure to keep City Council informed regarding progress, tracking and reviewing items that have been approved by City Council.

TIER II: Other Priorities to be pursued in Fiscal Year 2012-13
As time, resources and opportunities permit

- A. Investigate need for development of an Information Technology Program to update and standardize data processing software city-wide.

TIER III: Long term objectives (within 5 years)

None identified at this time.

RESOLUTION NO. 13-008

**A RESOLUTION CONCURRING WITH THE MAYOR'S
APPOINTMENT TO VARIOUS COMMISSIONS**

WHEREAS, there are vacancies on several Committees; and

WHEREAS, the Mayor has selected Barbara Pashek and John Layson for appointment to the Budget Committee; and

WHEREAS, the Mayor has selected Chris Zukin for re-appointment to the Planning Commission; and

WHEREAS, the Mayor has selected Richard Elkins for re-appointment to the Urban Renewal Advisory Committee; and

WHEREAS, Mayor Lawrence has selected Chere Jones for appointment to the Urban Renewal Budget Committee;

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

Section 1. The City Council concurs with the appointment of Barbara Pashek (term to expire June 30, 2015) and John Layson (term to expire June 30, 2016) to the Budget Committee.

Section 2. The City Council concurs with the re-appointment of Chris Zukin to the Planning Commission, term to expire April 30, 2016.

Section 3. The City Council concurs with the re-appointment of Richard Elkins to the Urban Renewal Advisory Committee, term to expire December 31, 2015.

Section 4. The City Council concurs with the appointment of Chere Jones to the Urban Renewal Budget Committee, term to expire December 31, 2015.

Section 5. This Resolution shall be effective February 25, 2013.

PASSED AND ADOPTED THIS 25th DAY OF FEBRUARY, 2013

Voting Yes, Councilors: _____

Voting No, Councilors: _____

Absent, Councilors: _____

Abstaining, Councilors: _____

AND APPROVED BY THE MAYOR THIS 25th DAY OF FEBRUARY, 2013

SIGNED:

Stephen E. Lawrence, Mayor

ATTEST:

Julie Krueger, MMC, City Clerk

RESOLUTION NO. 13-009

**A RESOLUTION AMENDING SECTION 12.2.1 OF
THE REVISED EXEMPT EMPLOYEE HANDBOOK**

WHEREAS, on May 5, 2005, the City Council adopted Resolution No. 05-018 adopting a Revised Exempt Employee Handbook (“Handbook”); and

WHEREAS, Section 12.2.1 of the Handbook provides that all job openings, except for temporary positions and positions of less than 20 hours per week, whether for existing or newly created positions covered by the Handbook, will be advertised in-house to give any qualified employee an opportunity to apply for the position; and

WHEREAS, a question has recently arisen as to whether the term “qualified employee” was intended to include temporary employees; and

WHEREAS, the City Manager has proposed a policy to define the term “qualified employee” to apply to any City employee, including a temporary employee, and the City Manager desires to have the policy be incorporated into the Handbook; and

WHEREAS, the City Council has reviewed the proposed revision to Section 12.2.1 of the Handbook, and has approved the proposed revision;

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

Section 1. Revision Approved. Section 12.2.1 of the Revised Exempt Employee Handbook shall be revised to read as follows:

12.2.1 All job openings, except for temporary positions and positions of less than 20 hours per week, whether for existing or newly created positions covered by this manual, will be advertised in-house to give any qualified employee opportunity to apply. For purposes of an in-house posting, a qualified employee includes any current employee of the City, including a full-time, part-time, permanent, or temporary employee regardless of whether the employee is a member of a collective bargaining unit or is exempt. At the discretion of the Department Head, with the approval of the City Manager, outside advertisement for a position may be done at the same time to allow for a broader cross section of applicants. Advertisements will state the closing date for applications to be received for consideration. In house advertising may be waived for technical and professional positions, where no inside employee appears to be qualified.

Section 2. Effective Date. This Resolution shall be effective as of February 25, 2013.

PASSED AND ADOPTED THIS 25TH DAY OF FEBRUARY, 2013

Voting Yes, Councilor: _____

Voting No, Councilor: _____

Absent, Councilor: _____

Abstaining, Councilor: _____

AND APPROVED BY THE MAYOR THIS 25TH DAY OF FEBRUARY, 2013

Stephen E. Lawrence, Mayor

ATTEST:

Julie Krueger, MMC, City Clerk



AGENDA STAFF REPORT
CITY OF THE DALLES

MEETING DATE	AGENDA LOCATION	AGENDA REPORT #
February 25, 2013	Public Hearings 11, A	13-019

TO: Mayor and City Council

FROM: David Peters

THROUGH: Nolan K. Young, City Manager

DATE: January 28, 2013

ISSUE: The City's Council decides whether to proceed with the Community Development Block Grant (CDBG) for the implementation of the Mid-Columbia Regional Home Repair Program for Wasco, Hood River and Sherman Counties.

BACKGROUND: Oregon Housing and Community Services provides grants (available through a competitive process) to local government applicants (cities or counties) that will provide funds to for the purpose of creating or maintaining Home Repair Programs.

In 2007, Columbia Cascade Housing Corporation, acting as a Sub grantee, and Sherman County, acting as the applicant and Grantee received CDBG funds to develop a "Home Repair Program for Sherman County. The payoffs from these loans are to go into a Regional Home Repair Program.

In 2009, we received another grant for Wasco County with Wasco County being the applicant and Grantee. In 2010, Hood River was our partner. All of these programs have the funds paid back go into a regional program. Because of restrictions, none of these original applicants will be available to apply for additional funds at this time. The City of The Dalles is an allowable applicant so we are asking that the city participate in this program as the applicant and Grantee.

The application is due by March 31st, 2013 so a decision is needed for CCHC and the Housing Resource Center to proceed with the application process.

- CCHC is now accepting pre-applications to assess the need for a regional Home Repair Program in Sherman, Wasco and Hood River Counties.
- Under this program, low and moderate-income homeowners may be GRANTED up to \$15,000 for repairs and upgrades to their homes using local contractors.
- Unlike previous programs, homeowners in mobile home parks will be potentially eligible for the program.
- Per CDBG guidelines, other municipalities must sign an Intergovernmental Agreement if they wish to have any residents in their jurisdiction be eligible to participate in the program.

BUDGET IMPLICATIONS: The grant is a 2 year grant with a maximum total of \$400,000. \$310,000 of this funding would go directly into home repairs in Wasco, Hood River and Sherman Counties and the remaining funds covers administration and program costs for the Housing Resource Center. The city is not allowed to receive funding for their administrative costs, which should be minimal. If the grant is approved, the funds will pass through the City budget so the revenue will equal the expenditure. At no time would the city release funds without prior funding from the State of Oregon.

Please see the attached public Notice for further information.

COUNCIL ALTERNATIVES:

- A. Staff Recommendation: *Direct staff to execute contracts between The City of The Dalles and Oregon Housing and Community Services and between The City of The Dalles and Columbia Cascade Housing Corporation.*
- B. Do not execute the contract between the City of The Dalles and Oregon Housing and Community Services.

Public Notice and Notice of Public Hearing

The City of The Dalles is eligible to apply for a 2013 Community Development Block Grant from the Oregon Business Development Department. Community Development Block Grant funds come from the U.S. Department of Housing and Urban Development. The grants can be used for public facilities and housing improvements, primarily for persons with low and moderate incomes.

Approximately \$12 million will be awarded to Oregon non-metropolitan cities and counties in 2013. The maximum grant that a city or county can receive is \$2,000,000.

The City of The Dalles is preparing an application for a 2013 Community Development Block Grant from the Oregon Business Development Department for the Mid-Columbia Regional Home Repair Program for the purpose of providing eligible homeowners the opportunity to apply for zero interest, deferred payments loans or grants to make eligible repairs on their homes. The proposed project area may include properties in Wasco, Sherman and Hood River Counties and the incorporated cities of The Dalles, Cascade Locks, Hood River, Dufur, Maupin, Mosier, Shaniko, Antelope, Moro, Rufus, Wasco, and Grass Valley, It is estimated that the proposed project will benefit at least 30 persons, of whom 100% will be low or moderate income.

A public hearing will be held by the City of The Dalles City Council at 5:30 p.m. on Monday, February 25, 2013 at The Dalles City Hall at 313 Court Street, The Dalles, OR 97058. The purpose of this hearing is for the city council to obtain citizen views and to respond to questions and comments about: community development and housing needs, especially the needs of low- and moderate-income persons, as well as other needs in the community that might be assisted with a Community Development Block Grant project; and the proposed project.

Written comments are also welcome and must be received by the City Clerk at the City Council office at 313 Court Street, The Dalles, OR 97058 by February XXXX. Both oral and written comments will be considered by the city council in deciding whether to apply.

The location of the hearing is accessible to the disabled. Please contact the Administrative Secretary at 541.296.5481 extension 1119 if you will need any special accommodations to attend or participate in the meeting.

More information about Oregon Community Development Block Grants, the proposed project, and records about the City of The Dalles past use of Community Development Block Grant funds is available for public review at 313 Court Street, The Dalles, OR 97058 on) during regular office hours. Advance notice is requested. If special accommodations are needed, please notify Administrative Secretary at 541.296.5481 extension 1119 so that appropriate assistance can be provided.

Permanent involuntary displacement of persons or businesses is not anticipated as a result from the proposed project. If displacement becomes necessary, alternatives will be examined to minimize the displacement and provide required/reasonable benefits to those displaced. Any low- and moderate income housing which is demolished or converted to another use will be replaced.



CITY OF THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1122
FAX (541) 296-6906

AGENDA STAFF REPORT

CITY OF THE DALLES

MEETING DATE:	AGENDA LOCATION:	AGENDA REPORT #
February 25, 2013	Action Items 12, A	13-018

TO: Honorable Mayor and City Council

FROM: Gene E. Parker, City Attorney

THRU: Nolan K. Young, City Manager *NKY*

DATE: February 6, 2013

ISSUE: General Ordinance No. 13-1328, amending General Ordinance No. 13-1327, regulating dogs, and establishing a penalty for failure to license dogs, and declaring an emergency.

RELATED CITY COUNCIL GOAL: None.

PREVIOUS AGENDA REPORT NUMBERS: #12-069.

BACKGROUND: On October 22, 2012, the City Council adopted General Ordinance No. 13-1327 establishing provisions to regulate dogs within the city limits of The Dalles. Section of General Ordinance No. 13-1327 requires persons who keep dogs to obtain a license from Home at Last by paying the applicable license fee established by Wasco County and furnishing a current certificate of rabies inoculation for the dog.

The City's Dog Control Officer has been responding to incident reports involving unlicensed dogs. City staff discovered that due to an oversight, General Ordinance No. 13-1327 did not include a specific penalty to address this type of violation. Staff consulted with representatives of Home at Last, and the Municipal Judge, and has prepared an amendment to the ordinance to

establish a penalty of a fine of \$50 for the violation of keeping an unlicensed dog. Home at Last representatives indicated that the fine should not be established at a significant amount, as some owners would choose to surrender their dogs to Home at Last rather than incur the expense of obtaining a license and a rabies certificate. Home at Last representatives also recommended that the City consider adopting a policy that would allow owners who have been cited for the first offense of failure to license their dog, that if the owner obtained the required license prior to their appearance in the Municipal Court, and provided proof of the license to the Court, the Court would agree to dismiss the citation. The Municipal Court Judge has agreed with this recommended policy, as it provides an one-time incentive to owners to get a license for their dog.

The proposed ordinance has an emergency clause, which would mean that if the ordinance is adopted by the Council, it would take effect immediately upon its passage. The reason for the emergency clause is that the City's Dog Control Officer has been responding to reports of unlicensed dogs, and has lacked the ability to enforce the provisions of the ordinance which require dogs to be licensed. Notice of the adoption of the proposed ordinance has been posted in accordance with the provisions of the City Charter, and the ordinance can be adopted by title only.

BUDGET IMPLICATIONS: The Municipal Court may receive some increase in fine revenue as a result of the adoption of the ordinance, but the increase is not anticipated to be a significant amount.

ALTERNATIVES:

- A. Staff Recommendation. *Move to adopt General Ordinance No. 13-1328 by title only.*

GENERAL ORDINANCE NO. 13-1328

AN ORDINANCE AMENDING GENERAL ORDINANCE NO. 12-1327 REGULATING DOGS, ESTABLISHING A PENALTY FOR FAILURE TO LICENCE DOGS, AND DECLARING AN EMERGENCY

WHEREAS, on October 22, 2012, the City Council adopted General Ordinance No. 12-1327 establishing provisions to regulate dogs within the city limits of The Dalles; and

WHEREAS, Section 3 of General Ordinance No. 12-1327 contains provisions concerning the licensing of dogs, requiring persons who keep dogs to obtain a license from Home at Last by paying the applicable license fee established by Wasco County and furnishing a current certificate of rabies inoculation for the dog; and

WHEREAS, City staff recently learned that due to an oversight, General Ordinance No. 12-1317 did not include any specific penalties for violating the provisions of Section 3 concerning the licensing requirements; and

WHEREAS, the City's Dog Control Officer has been responding to incidents involving persons keeping dogs without the required licenses, and the Dog Control Officer has not been able to pursue any enforcement action against such persons; and

WHEREAS, after consulting with representatives of Home at Last, City staff is recommending the Council consider an amendment to General Ordinance No. 12-1327 to establish a penalty of a \$50 fine for a violation of Section 3; and

WHEREAS, the City Council has reviewed the staff's recommendation, and finds that amendment of General Ordinance No. 12-1327 to establish a specific fine for violation of the provisions regarding the licensing of dogs is in the best interest of the health, safety and welfare of the community;

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

Section 1. Section 10, Penalties, of General Ordinance No. 12-1327 shall be amended by adding a new subsection E which shall read as follows:

E. Any person who is convicted of a violation of Section 3 shall be subject to a fine not to exceed the sum of \$50.00.

Section 2. Emergency Declared. **WHEREAS**, the City's Dog Control Officer has been responding to incidents involving persons who have been keeping dogs without obtaining the license required by Section 3 of General Ordinance No. 12-1327; and **WHEREAS**, it is in the

best interests of the public health, safety and welfare to provide the City's Dog Control Officer with the tools to effectively enforce the provisions of the City's ordinance regulating the keeping of dogs within the City limits; NOW, THEREFORE, the City Council declares that an emergency exists, and this ordinance shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS 25TH DAY OF FEBRUARY, 2012

Voting Yes. Councilors: _____

Voting No. Councilors: _____

Absent, Councilors: _____

Abstaining, Councilors: _____

AND APPROVED BY THE MAYOR THIS 25TH DAY OF FEBRUARY, 2012

Stephen E. Lawrence, Mayor

ATTEST:

Julie Krueger, MMC, City Clerk



CITY OF THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1122
FAX (541) 296-6906

AGENDA STAFF REPORT

CITY OF THE DALLES

MEETING DATE:	AGENDA LOCATION:	AGENDA REPORT #
February 25, 2013	Action Items 12, B	13-020

TO: Honorable Mayor and City Council

FROM: Gene E. Parker, City Attorney

THRU: Nolan K. Young, City Manager 

DATE: February 11, 2013

ISSUE: Special Ordinance No. 13-555, amending Exhibit "C" of Special Ordinance No. 12-553, to correct clerical errors in certain legal descriptions, and declaring an emergency.

RELATED CITY COUNCIL GOAL: None.

PREVIOUS AGENDA REPORT NUMBERS: #12-076 & #13-014.

BACKGROUND: On January 28, 2013, the City Council adopted Special Ordinance No. 12-553, annexing a parcel of property identified as 3821 West 10th Street and three parcels of property owned by the Port of The Dalles. The legal descriptions for these properties were contained in Exhibit "C" attached to Special Ordinance No. 12-553. The information in Exhibit "C" was based upon a preliminary approval issued by the Department of Revenue on December 11, 2012. The Department of Revenue is responsible for preparing revisions to the maps used by County Assessors which reflect changes in boundary lines as a result of an annexation. Upon a further review of the legal descriptions included in Exhibit "C" for two of the properties owned by the Port, the Department of Revenue issued a notice on February 4, 2013 that the descriptions contained certain clerical errors, and that the errors needed to be corrected in order for the annexation to receive final approval from the Department of Revenue. On February 6, 2013, staff submitted a revised version of Exhibit "C" to the Department of Revenue. The Department of Revenue issued a notice on February 11th, approving the revised legal descriptions for the two Port properties.

In order for the properties to be placed upon the tax rolls for the tax year which begins on July 1, 2013, all of the documentation for the annexation must be sent to the Secretary of State's office by March 31st. Placement of the properties upon the upcoming tax roll will mean the City will begin to receive tax revenue for payments that will be due November 15, 2013. Staff has included an emergency clause in the ordinance so that it would become effective immediately upon its passage, and allow staff to file the necessary paperwork by the March 31st deadline.

Notice of the adoption of Special Ordinance No. 13-555 assessing the property has been posted in accordance with the provisions of the City's charter, and the ordinance can be adopted by title only.

BUDGET IMPLICATIONS: Completion of the annexations will result in additional property taxes being paid to the City on private property. If the annexations are completed by March 31, 2013, the City will begin receiving its share of property taxes from the properties obligated to pay taxes in November, 2013. The City will begin receiving additional revenue from the utilities that have franchises that will apply to the newly annexed properties and who will begin collecting franchise fees from these properties upon annexation.

There will be an increased workload for City staff from additional utility accounts and additional areas to provide law enforcement services.

ALTERNATIVES:

A. Staff Recommendation. *Move to adopt Special Ordinance No. 13-555 by title only.*

SPECIAL ORDINANCE NO. 13-555

**AN ORDINANCE AMENDING EXHIBIT "C" OF SPECIAL
ORDINANCE NO. 12-553, TO CORRECT CLERICAL ERRORS
IN CERTAIN LEGAL DESCRIPTIONS, AND DECLARING AN EMERGENCY**

WHEREAS, on January 28, 2013, the City Council adopted Special Ordinance No. 12-553, annexing a parcel of property identified as 3821 West 10th Street, and three parcels of property owned by the Port of The Dalles, located in the Urban Growth Boundary, in accordance with the provisions of ORS 222.125; and

WHEREAS, the Ordinance included an attached Exhibit "C" which included legal descriptions for two of the parcels owned by the Port of The Dalles, identified as Property #2 (Assessor's Map No. 2N 13E 21 700) and Property #3 (Assessor's Map No. 2N 13E 21 800); and

WHEREAS, the information in the legal description for the two identified properties was submitted for a preliminary review to the Department of Revenue, and the Department of Revenue issued a notice on December 11, 2012 indicating their preliminary approval of the proposed descriptions; and

WHEREAS, upon further review of the legal descriptions of the two identified properties, the Department of Revenue issued a notice on February 4, 2013 that the descriptions contained certain clerical errors, and that the errors needed to be corrected in order for the annexation to receive final approval from the Department of Revenue;

WHEREAS, on February 6, 2013, staff submitted a revised version of Exhibit "C" to the Department of Revenue to correct the clerical errors, and the Department of Revenue approved the revised version of Exhibit "C" on February 11, 2013; and

WHEREAS, the City Council desires to adopt an ordinance incorporating the revised version of Exhibit "C" as part of the annexation process;

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

Section 1. Ordinance Amended. Exhibit "C" included in Special Ordinance No. 12-553 shall be amended as set forth in the revised Exhibit "C" attached hereto and incorporated herein by this reference.

Section 2. Emergency. Whereas, in order for the properties listed in Exhibit C of Special Ordinance No. 12-553 to be listed on the property tax roll beginning on July 1, 2013, all documents related to Special Ordinance No. 12-553 must be submitted to the Department of Revenue by March 31, 2013; and whereas, it is in the best interest of the health, safety, and welfare of the community to be able to begin to have the annexation complete so that the properties will begin paying real property taxes in November, 2013; Now, therefore, an

emergency is declared to exist, and this ordinance shall go into effect immediately upon its passage and approval.

PASSED AND ADOPTED THIS 25TH DAY OF FEBRUARY, 2013

Voting Yes, Councilors: _____

Voting, Councilors: _____

Absent, Councilors: _____

Abstaining, Councilors: _____

AND APPROVED BY THE MAYOR THIS 25TH DAY OF FEBRUARY, 2013

SIGNED: _____
Stephen E. Lawrence, Mayor

ATTEST: _____
Julie Krueger, MMC, City Clerk

EXHIBIT "C"
(Revised 02-06-13)

1. 3821 West 10th Street

2N 13E 29CA Tax Lot 1600

Beginning at the Northwest corner of Irvine Donation Land Claim #39; thence East along the North line of said Donation Land Claim 12 feet more or less; thence Southeasterly 264 feet more or less; thence South 79°37' West 150 feet more or less to the West boundary line of Chenowith Road; thence North along the West boundary line of Chenowith Road 286 feet; thence East 140 feet to the point of beginning.

2. 4250 River Trail Way

2N 13E 21 700

Lots 1 and 2 of Section 21, Township 2 North, Range 13 East of the Willamette Meridian.

Also, that part of the Southwest quarter of the Southwest quarter of said Section 21, described as follows: Beginning on the line between Sections 21 and 28, Township 2 North, Range 13 East of the Willamette Meridian, at a point East a distance of 976.6 feet, from the corner common to Sections 20, 21, 28, and 29. Running thence North 5°30' West, a distance of 114.1 feet; thence North 59° 16' East 180 feet; thence North 21°21' East 124.3 feet; thence North 7°23' East 637.6 feet; thence North 1°20' East 84.1 feet; thence North 11°35' West 61.6 feet; thence North 29°49' West 260 feet to the North line of said Southwest 1/4 of the Southwest 1/4; thence East along said line 209 feet to the Northeast corner of said subdivision; thence South 1,323.4 feet to the Southeast corner thereof; thence West along the section line 340.3 feet to the point of beginning.

Also, that part of Section 28, Township 2 North, Range 13 East of the Willamette Meridian, described as follows: Beginning on the line between Sections 21 and 28, Township 2 North Range 13 East of the Willamette Meridian, at a point East a distance of 976.6 feet from the corner common to Sections 20, 21, 28, and 29. Running thence South 5°30' East a distance of 339.9 feet; thence South 19°40' West 400 feet more or less, to the channel of Chenowith Creek; thence along said channel Easterly and downstream 2,163 feet, to its confluence with the Columbia River; thence Northerly and downstream along the low water line of the Columbia River 460 feet, to the line between Sections 21 and 28; thence West along said line 2,110 feet to the point of beginning.

Also, Beginning on the line between Sections 21 and 28, Township 2 North, Range 13 East of the Willamette Meridian, at a point East a distance of 976.6 feet from the corner common to Sections 20, 21, 28, and 29; thence East along the section line 340.3 feet; thence North approximately 1,280 feet to the point of beginning of this description; thence North 642 feet; thence West a distance of 1,120 feet more or less to the Southeast corner of Edward Crate Donation Land Claim No. 38; thence Southerly tracing the west bank of the Columbia River to its intersection with a line parallel with and 625 feet South

of the South line of the Edward Crate Donation Land Claim #38; thence West along said parallel line approximately 1,560 feet to the point of beginning.

3. 4350 River Trail Way

2N 13E 21 800

Two tracts of land in government Lots 1 and 2, Section 21 and in Section 28, Township 2 North, Range 13 East of the Willamette Meridian, County of Wasco, State of Oregon, more particularly described as follows:

Parcel 1

Beginning at the 1/4 corner common to Section 21 and 28, Township 2 North Range 13 East of the Willamette Meridian; thence North 89°28'50" West 648.6 feet; thence North 72°47'30" East 361.4 feet to the point of beginning of this description, which point is also the Southeast corner of the Bonneville Substation Tract as described on page 215, Book 135, Wasco County Deed Records dated June 24, 1957; thence South 17°12'30" East 850 feet to the present centerline of Chenowith Creek; thence Easterly along the centerline of Chenowith Creek to the west bank of the Columbia River; thence Northerly tracing the west bank of the Columbia River to its intersection with a line parallel with and 625 feet South of the South line of Edward Crate's Donation Land Claim #38; thence West along said parallel line approximately 1,560 feet to a line parallel with and 80 feet Easterly of the Westerly line of the Port of The Dalles tract as described in Microfilm Book #147 pages 184-205 of the Wasco County Deed Records dated August 20, 1962; thence South approximately 750 feet to the Westerly extension of the Northerly line of said Bonneville Substation tract; thence North 72°47'30" East along said extension and Northerly line of the Substation tract to the Northeasterly corner thereof; thence South 17°12'30" East along the Easterly line of the Bonneville Substation tract 650 feet to the point of beginning.

Parcel 2

Beginning at the Easterly Southeast corner of said substation site, the location of which is described in an instrument dated June 24, 1957, and recorded June 28, 1957 in Book 135 of deeds, page 215; thence North 17°12'30" West along the Easterly boundary of said substation site 650 feet to the Northerly corner of the substation site; thence South 72°47'30" West 80 feet; thence South 17°12'30" East parallel with the Easterly boundary of the substation site 650 feet to the Southerly boundary of said substation site; thence South 72°47'30" West along the Southerly boundary of said substation site 120 feet to a point; thence South 17°12'30" East 310 feet more or less to the present centerline of Chenowith Creek; thence Easterly along the centerline of Chenowith Creek to a point which bears South 17°12'30" West 450 feet more or less from the point of beginning; thence North 17° 12' 30" West 450 feet more or less to the point of beginning.

Save and except the portion thereof previously granted to Wasco County for County road purposes.

4. No site address

2N 13E 28 102

That portion of the following description lying Northerly on the centerline of Chenowith Creek, Easterly of a line which is described as: Beginning at a point 450 feet Westerly of the North 1/4 corner of said Section 28 and running South parallel to the North-South centerline of said Section 28 and Southwesterly of a line which is described as follows:

Beginning at a point which point is North 89°28'50" West 648.6 feet from the North 1/4 corner of said Section 28; thence North 72°47'30" East 200 feet; thence South 17°21'30" East 120 feet more or less to the point of beginning; thence a distance of approximately 240 feet to the center of Chenowith Creek; thence along the channel of Chenowith Creek a distance of approximately 80 feet; thence North 17°12'30" West 200 feet more or less to the point of beginning.