

AGENDA

REGULAR CITY COUNCIL MEETING

February 27, 2017

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. Business Retention and Expansion Program Results – Main Street Director Jerimiah Paulsen
 - B. Tobacco Policy for Lewis and Clark Festival Park – Hayli Eiesland, North Central Public Health District
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. Adopt City Council Goals for Fiscal Year 2017-18

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 6, 2017 Joint Work Session with Planning Commission Meeting Minutes
- B. Approval of February 7, 2017 Special Meeting/Goal Setting Work Session Minutes
- C. Approval of February 13, 2017 Regular City Council Meeting Minutes

11. PUBLIC HEARING

- A. Resolution No. 17-007 Adopting a Supplemental Budget for Fiscal Year 2016/2017, Making Appropriations and Authorizing Expenditures from and within Various Funds of the City of the Dalles Adopted Budget

12. ACTION ITEMS

- A. Resolution No. 17-006 Authorizing Transfers of Funds between Departments of the General Fund of the city of The Dalles Budget, Making Appropriations and Authorizing Expenditures for Fiscal Year Ending June 30, 2017
- B. Acceptance of Downtown Parking Task Force Report
- C. Approve Housing Needs/Buildable Land Needs Contract Amendment

13. DISCUSSION ITEMS

- A. Proposed Changes to the City’s Water Regulations Ordinance No. 91-113, and Sewer Regulations Ordinance No. 97-1213

14. ADJOURNMENT

This meeting conducted in a handicap accessible room.

Prepared by/
Izetta Grossman
City Clerk

CITY COUNCIL WORKPLAN Fiscal Year 2017-18

City of The Dalles MISSION STATEMENT

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

Value Statements:

- A.** Provide City-wide infrastructure to support safe and well maintained streets and reliable utility systems for the citizens of The Dalles.
- B.** Work and partner with governmental agencies and non-profits to improve coordination of services and open communication.
- C.** Promote economic development opportunities which will provide jobs and enhance community livability.
- D.** Maintain a sustainable budget that will support City operations and capital improvements, while assuring an adequate contingency fund.
- E.** Encourage civic responsibility and promote health and public safety through programs, partnerships, plans and policies.
- F.** Provide transparent and efficient administration of City government.

Fiscal Year 2017-18 Prioritized Goals by Vision:

A. Infrastructure:

1. Initiate design work and pursue grant/loan financing for the Dog River waterline replacement and the Crow Creek Dam increasing capacity proposals; and then implement an approved plan.
2. Develop street construction projects and focus resources on prevention maintenance projects (i.e.: patching, crack sealing, chip sealing) through fiscal year 2017-18.
3. Evaluate future funding for infrastructure.
4. Complete enhancement to Lone Pine Well.

B. Work with partners:

1. Continue to participate in the Community Outreach Team requests for State and Federal Legislative assistance.

2. Move toward use of renewable energy technique for city-owned properties.
3. Support Regional Solutions Team, Mid Columbia Housing Authority, and Mid-Columbia Economic Development District to support and promote an attainable housing program.
4. Expand on-going relationship with the four tribes with area interest at Tribunal Council/City Council level, with focus on substandard housing.
5. Support partnership effort to complete development of Mill Creek Greenway project.

C. Economic Development:

1. Develop and maintain programs and activities to strengthen the economic vitality of The Dalles.
2. Support completion of financing for Civic Auditorium's Theatre renovation.
3. Continue pursuit of local Bike Hubs as part of the Columbia Gorge Bike Trail.
4. Explore and promote opportunities for expansion of RV vehicle spaces.
5. Resolve Gitchell Building issue regarding whether it should be demolished, stabilized, or rehabilitated.
6. Develop a plan for open space/park near the Veteran's Office.
7. Explore downtown parking needs.

D. Sustainable Budget:

1. During fiscal year 2017-18 budget process support use of resources to upgrade technological tools and programs in all City departments.
2. Continue to work toward getting Workers Comp experience rating factor down to a .9; develop an incentive based employee safety program.

E. Civic Responsibility and Public Safety:

1. Develop and implement plan to improve the City's image from the freeway, including Cherry Growers, West side and Sunshine Mill.
2. Establish City's position on addressing the homeless issues within the City.

F. Transparent Efficient Government:

1. Continue to use technological advances to keep the website and all forms of communication up to date and transparent.
2. Implement codification program.
3. Develop Performance Management Benchmarks.

DRAFT



AGENDA STAFF REPORT

AGENDA LOCATION: Item #10 A-C

MEETING DATE: February 27, 2017

TO: Honorable Mayor and City Council

FROM: Izetta Grossman, City Clerk

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

- A. **ITEM:** Approval of the February 6, 2016 Joint Work Session with Planning Commission Meeting Minutes.

BUDGET IMPLICATIONS: None.

SYNOPSIS: The minutes of the February 6, 2016 Joint Work Session with Planning Commission meeting minutes have been prepared and are submitted for review and approval.

RECOMMENDATION: That City Council review and approve the minutes of the February 6, 2016 Joint Work Session with Planning Commission.

- B. **ITEM:** Approval of the February 7, 2017 Special Meeting/Goal Setting Work Session Minutes.

BUDGET IMPLICATIONS: None

SYNOPSIS: The minutes of the February 7, 2017 Special Meeting/Goal Setting Work Session have been prepared and are submitted for review and approval.

RECOMMENDATION: That City Council review and approve the minutes of the February 7, 2017 Special Meeting/Goal Setting Work Session Minutes.

- C. **ITEM**: Approval of the February 13, 2017 Regular City Council Meeting Minutes.

BUDGET IMPLICATIONS: None

SYNOPSIS: The minutes of the February 13, 2017 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 13, 2017 Regular City Council Meeting.

MINUTES

JOINT MEETING OF CITY COUNCIL AND PLANNING COMMISSION
OF
February 6, 2017
5:30 p.m.

THE DALLES CITY HALL
313 COURT STREET
THE DALLES, OREGON

PRESIDING: Mayor Stephen Lawrence

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

VIA TELEPHONE: Taner Elliott

COUNCIL ABSENT: None

PLANNING

COMMISSION PRESENT: Mark Poppoff, Chris Zukin, Sherry DuFault, John Nelson, Bruce Lavier, Steve Ross

COMMISSION ABSENT: Jeff Stiles

STAFF PRESENT: City Manager Julie Krueger, City Attorney Gene Parker, City Clerk Izetta Grossman, City Engineer Dale McCabe, Public Works Director Dave Anderson, Planning Director Steve Harris, Police Chief Patrick Ashmore, Assistant to the City Manager Matthew Klebes, Senior Planner Dawn Hert

CALL TO ORDER

The meeting was called to order by Mayor Lawrence at 5:30 p.m.

ROLL CALL

Roll call was conducted by City Clerk Grossman, all Councilors and Commission members present.

APPROVAL OF AGENDA

MINUTES

Regular City Council Meeting

February 6, 2017

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It was moved by Miller and seconded by Lavier to approve the agenda as submitted. The motion carried unanimously. Stiles absent.

DISCUSSION ITEMS

Review of Transportation System Plan (TSP) Draft

City Engineer Dale McCabe introduced Susie Wright and Ashleigh Ludwig of Kittleson & Associates, Inc and Clinton (CJ) Doxsee from Angelo Planning. They reviewed the draft.

McCabe said if the Council or Commission thought of questions later to contact him.

Wright said the process had taken place over 18 months, including meetings with the public and the taskforce. She said the plan was a 20 year plan, which was important to have in place for grant funding. She said the plan was a flexible document that could address changing needs.

In response to a question Jim Bryant from Oregon Department of Transportation (ODOT) said the plan was a tool to present your priorities to ODOT.

Dan Durow asked that the Riverfront Trail completion have a high priority in the plan. He said the Riverfront Trail Master Plan was developed 30 years ago and was still in use.

Bruce Lumper, Mill Creek Trail point person, requested that the Mill Creek Trail also have high priority in the plan. He said Urban Renewal had budgeted the engineering for the trail.

Wright said the research showed that The Dalles could support increased public transit. She said the population and current use would support a loop system.

Jim Bryant from ODOT said the plan only says transit is feasible. He said more work would need to be done to develop a plan.

In response to a question McCabe said the bicycle portion of the TSP replaces the stand alone bicycle plan. He said the Bicycle Task Force had developed recommendations that were incorporated into the TSP.

Doxsee said the Transportation System Plan integrated to coordinate with the Comprehensive Plan and Land Use and Development Ordinances (LUDO). He said most changes would be clarifying.

Doxsee said the LUDO Code recommendations were detailed in the handout (attached):

1. Permit outright transportation improvements that are consistent with the adopted TSP.

2. Require ordinance amendments to be consistent with the TSP.
3. Modify site plan review and conditional use permit evaluation criteria to include multi-modal transportation and safety considerations.
4. Develop clear and objective standards for the Airport Approach Zone.
5. Ensure access management requirements are consistent with the updated TSP.
6. Allow for the redevelopment of existing parking areas for transit-oriented uses.
7. Review traffic study requirements and modify to be consistent with the recommendations of the TSP.
8. Update local street standards to be consistent with the updated TSP.
9. Consider incorporating transit-supportive development requirements.

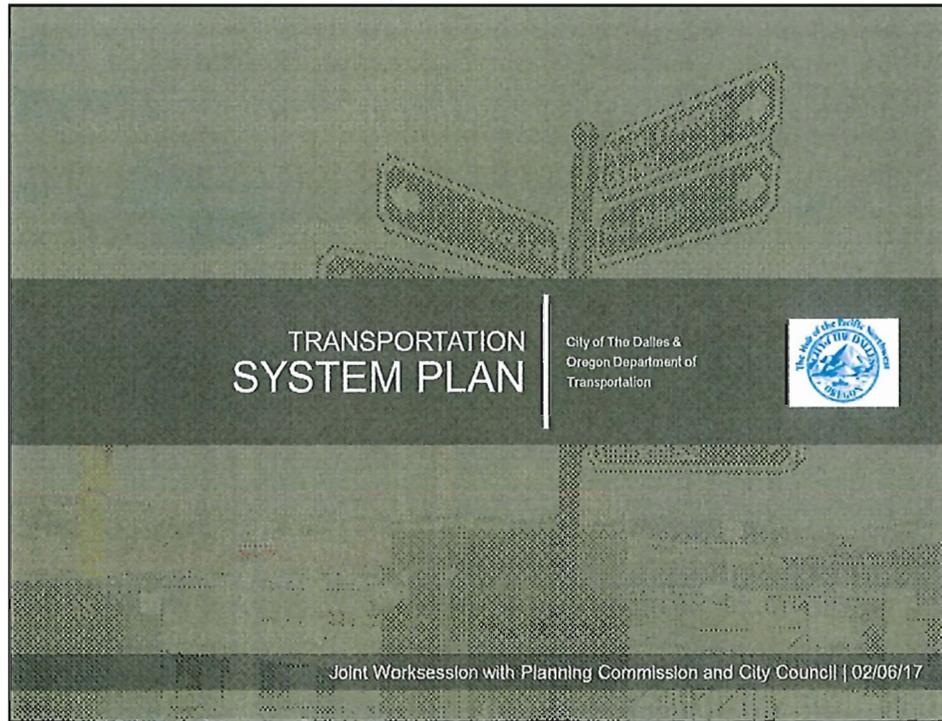
ADJOURNMENT

Being no further business, the meeting adjourned at 7:30 p.m.

Submitted by/
Izetta Grossman
City Clerk

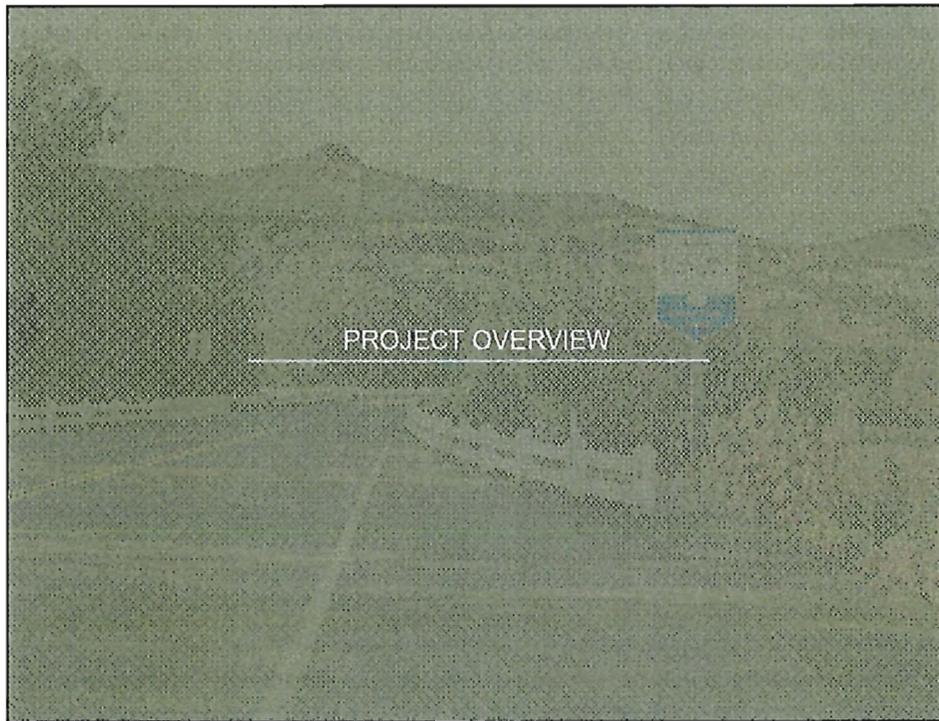
SIGNED: _____
Stephen E. Lawrence, Mayor

ATTEST: _____
Izetta Grossman, City Clerk



Meeting Agenda

- Project Overview
- TSP Outline
- Funding Plan
- Overview of Modal Plans
- Transportation Policy Updates/LUDO Amendments
- Questions



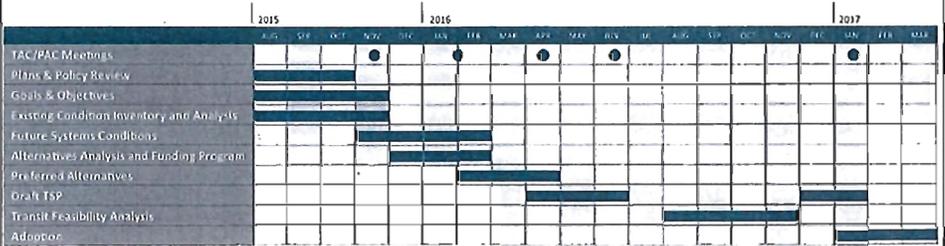
What is a TSP?



- Provides The Dalles with guidance for operating and improving a multimodal transportation system
- Focuses on priority projects, policies, and programs for the next 20 years
- Provides a vision for longer term projects, should funding become available
- Guides development review decisions, CIP programming, and efforts to obtain grant funding
- Intended to be flexible to respond to changing community needs and revenue sources

Project Overview

Project Schedule



TAC/PAC Role

- Provided guidance and direction on:
 - Goals for the TSP
 - Transportation needs
 - Alternatives evaluation
 - Draft Plan and priorities

TAC/PAC Members

TECHNICAL ADVISORY COMMITTEE

Dawn Hert
Arthur Smith
Angie Brewer
Andrea Klaas
Dustin Nilsen

Jay Waterbury
Steve Baska
Bob Palmer
Kelly Howsley-Glover

Scott Edelman
Brad DeHart
Dan Schwanz
Michael Held

PUBLIC ADVISORY COMMITTEE

Russ Brown
Jim Wilcox
Mimi McDonell
Dan Erickson
Matthew Klebes
Dave Peters

Phil Lewis
Dennis Whitehouse
Michele Spatz
Jim Austin
Joe Abbas

Chuck Covert
Sherry Dufault
John Newcomer
Donna Lawrence
Megan Thompson

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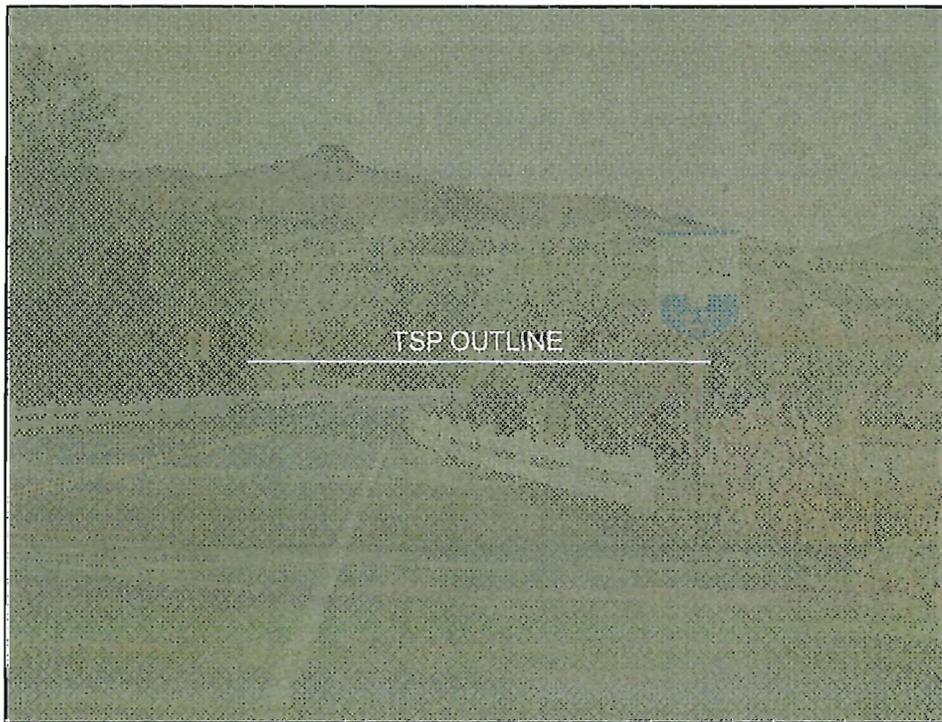
Public Open Houses

- Public Presentation #1
 - February 10, 2016
- Public Presentation #2
 - April 26, 2016

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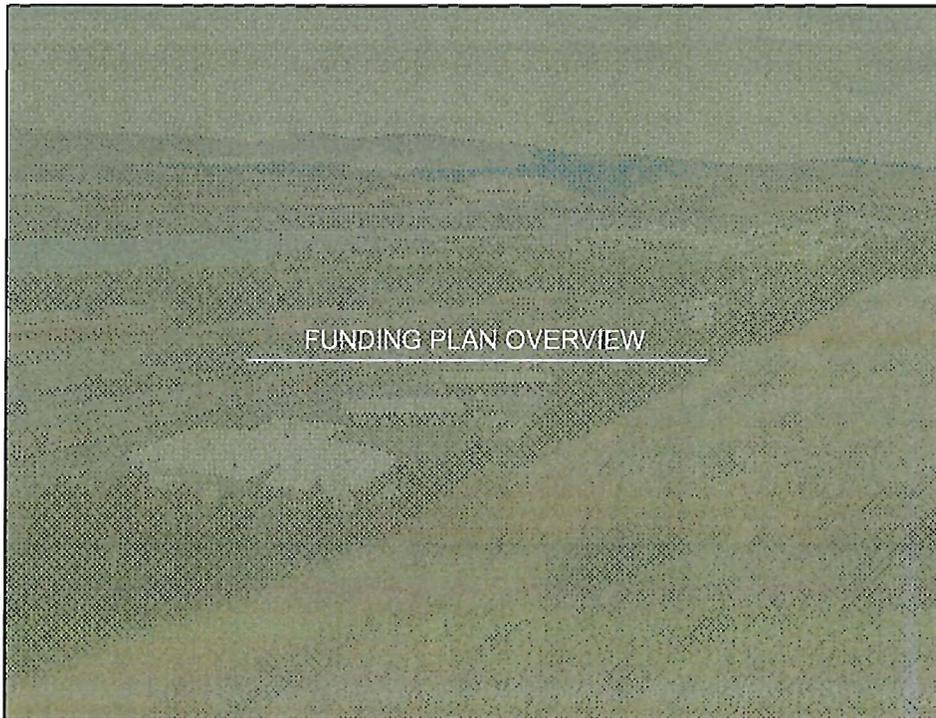
TSP Goals (pg. 19-21)

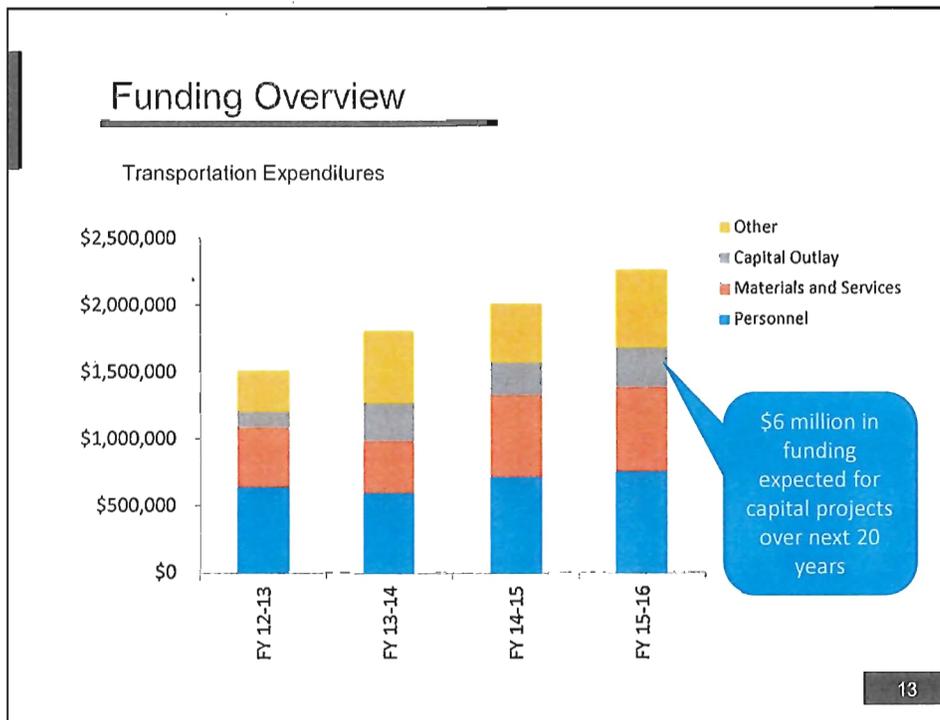
- Goal 1: Safety and Mobility
 - Recognizes the importance of a safe transportation system that is reliable and in a state of good repair
- Goal 2: Accessibility and Connectivity
 - Focuses on providing a transportation system to all users and to improve the local circulation system to reduce reliance on state highways for travel to local destinations
- Goal 3: Integration
 - Ensures compatibility with local and regional land use plans or programs while promoting environmental stewardship and financial responsibility
- Goal 4: Economic Development
 - Seeks to leverage the transportation system as a catalyst for economic vitality in the City



TSP Outline

- Chapter 1: Introduction and Policy Context
- Chapter 2: Goals and Objectives
- Chapter 3: Existing Conditions
- Chapter 4: Future Travel Demand
- Chapter 5: Alternatives Analysis
- Chapter 6: Transportation System Plan
- Chapter 7: Funding Plan





Funding Overview

Planned Transportation System Cost Summary

Project Type	High Priority (Cost Constrained Projects)	Medium Priority	Low Priority/ Development Driven	Total
Roadway	\$900,000	\$1,900,000	\$3,300,000	\$6,100,000
Intersection	\$1,755,000	\$500,000	\$215,000	\$2,500,000
IAMP	--	\$367,500	\$8,045,000	\$8,400,000
Safety	\$325,500	\$34,000	\$6,000	\$370,000
Pedestrian/Trail	\$382,700	\$1,998,000	\$498,000	\$2,900,000
Bicycle	\$1,527,000	\$49,300	\$1,559,000	\$3,100,000
Bridge	\$5,000	\$20,000	--	\$25,000
Total	\$4,900,000	\$4,900,000	\$13,600,000	\$23,400,000

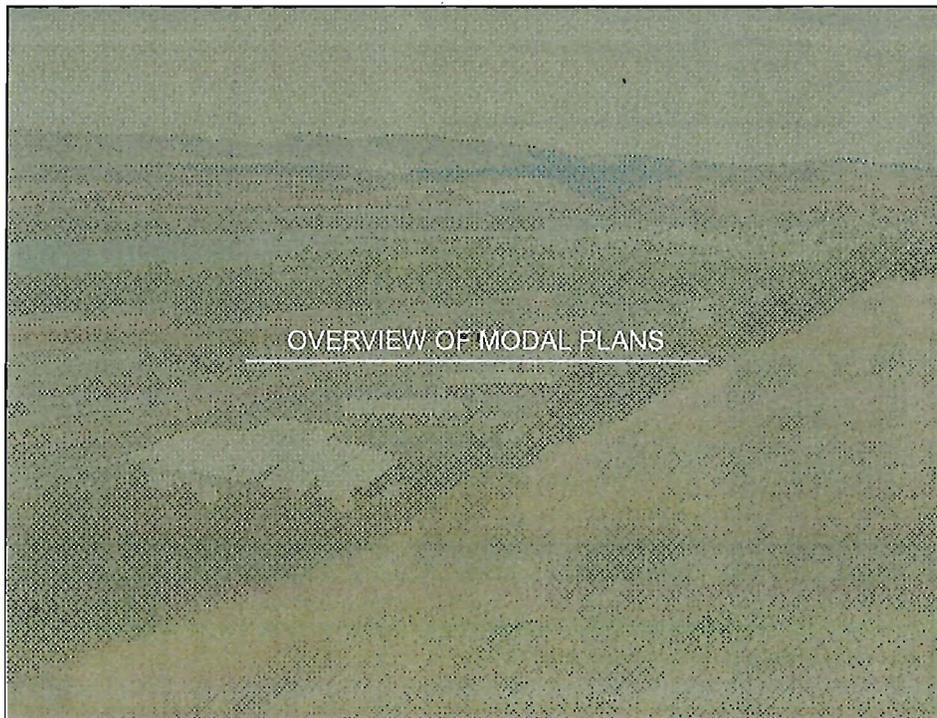
The City's contribution for the overpass is currently assumed to fall within high priority intersection projects.

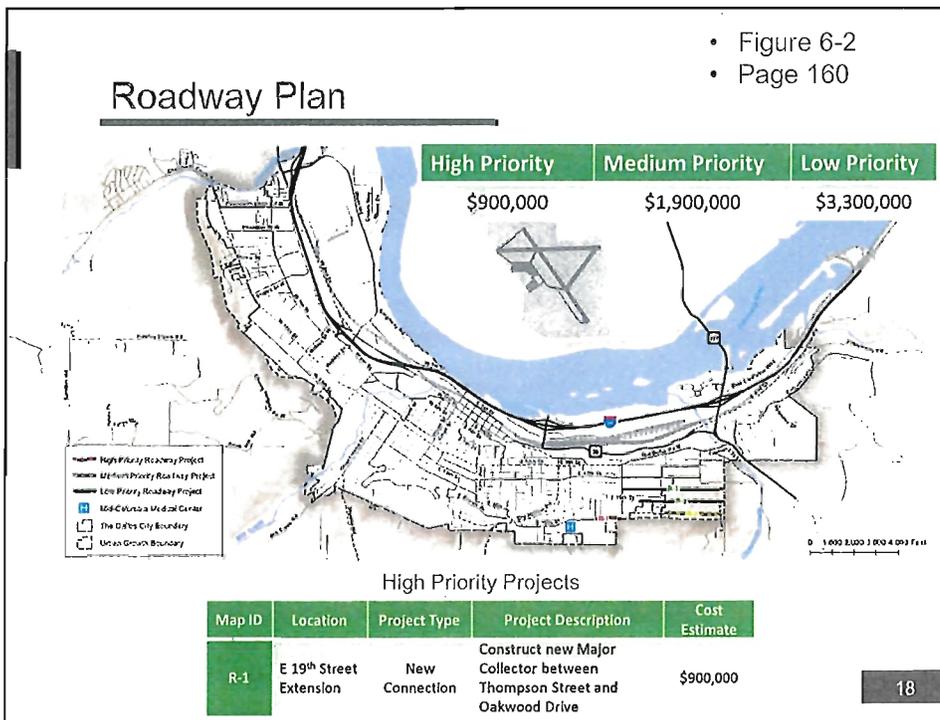
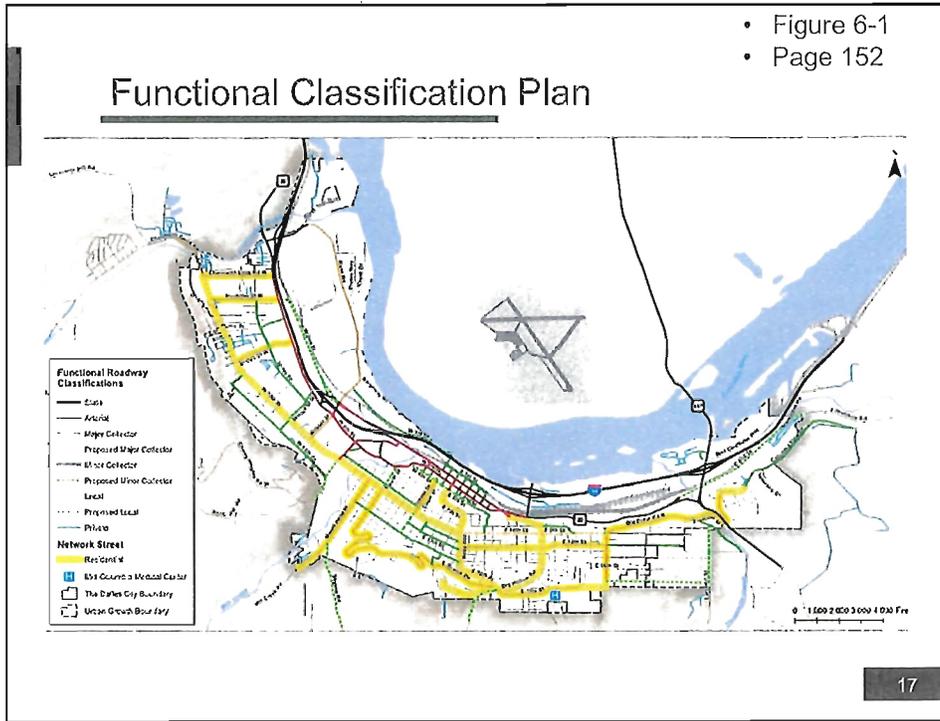
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Potential Funding Mechanisms

- Potential Local Funding Mechanisms
 - User Fee
 - Street Utility/Road Maintenance Fee
 - Stormwater SDCs, Grants, and Loans
 - Optional Tax
 - Public/Private Partnerships
 - Tax Increment Financing (TIF)
 - Local Improvement Districts (LID)
- State and Federal Grant Programs

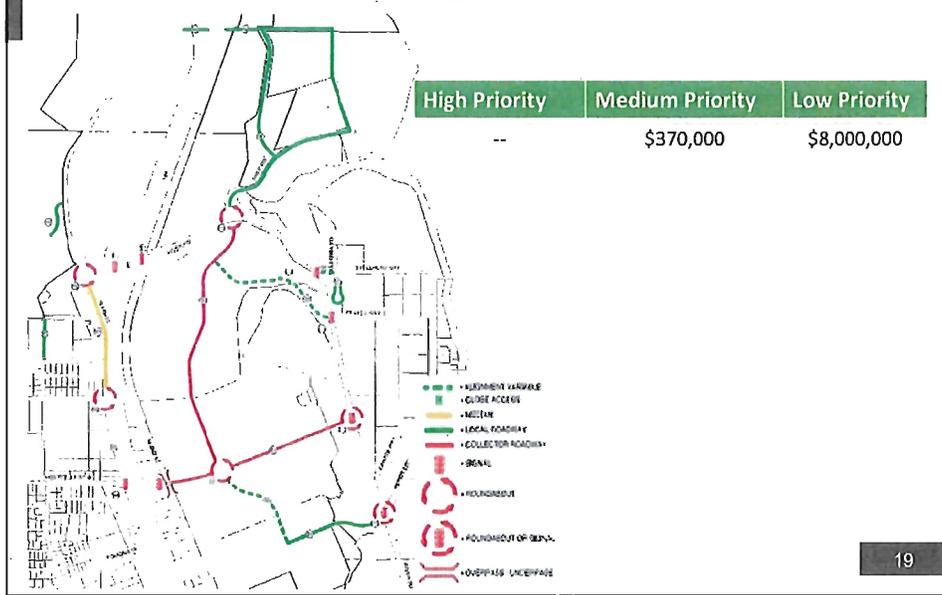
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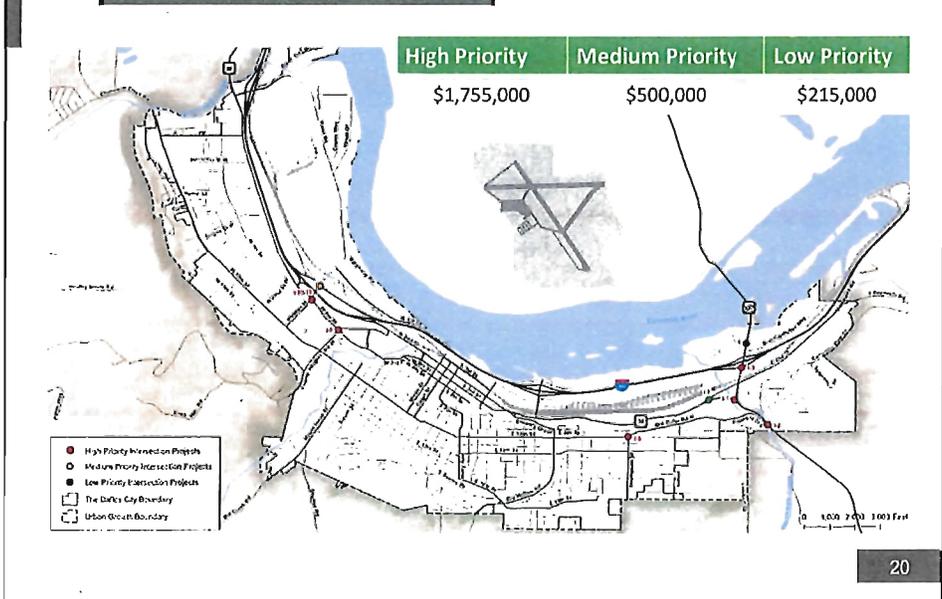
Interchange Area Management Plan (IAMP)

• Figure 6-6
• Page 171



Intersection Plan

• Figure 6-5
• Page 167



Intersection Plan

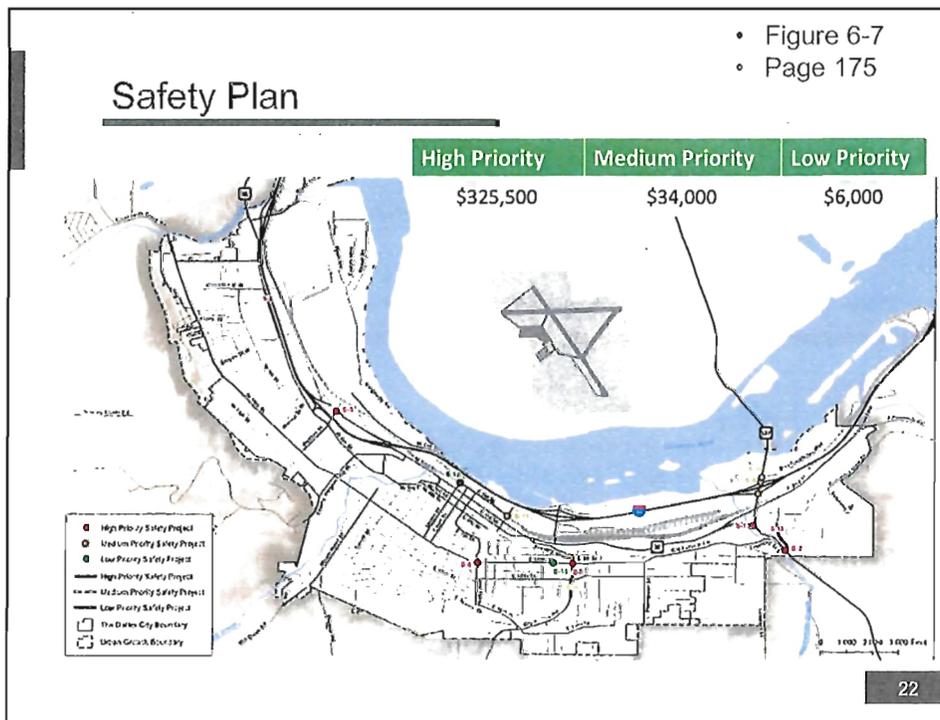
- Table 6-6
- Page 166

High Priority Projects (\$1.8 million)

Map ID	Location	Project Type	Project Description	Cost Estimate	Estimated City Contribution*
I-1	US 197/US 30	Intersection, Operations	Install a roundabout to address both safety and operational issues. The selection and design of the roundabout should consider the truck traffic that currently uses this route to gain momentum when traveling uphill on US 197 towards the landfill. A right-turn bypass lane from the west to south leg may assist trucks in maintaining momentum. (Also shown as project S-1.)	\$2.0 to \$2.5 million	\$250,000
I-2	US 197/Fremont Street/ Columbia View Drive	Intersection, Operations	Install sign upgrades, rumble strips, and dynamic message signage to manage speeds and provide advance warning of the intersection. In the longer term, install an overpass while converting existing intersections to right-in, right-out or maintaining the J-turn. (Also shown as S-2.)	\$20,000	\$5,000
I-3	US 197/ I-84 EB Ramps	Intersection, Operations	Install a traffic signal to increase capacity. (Also related to Safety projects S-8 and S-9.)	\$1.25 to \$1.5 million	\$150,000
I-6	Thompson St/E 10 th St/ Old Dufur Road	Intersection, Realignment	Convert the existing intersection to an off-set "T" and a mini-roundabout.	\$130,000	\$130,000
I-8	Cherry Heights Rd/W 6 th Street	Intersection, Realignment	Convert the southbound approach to a shared left-through lane and an exclusive right-turn lane and modify the signal to provide permitted left-turn phasing. Extend the northbound left-turn lane on Cherry Heights Rd to accommodate future queue lengths.	\$20,000	\$20,000
I-9 & I-10	W 2 nd St / Webber Road and W 6 th St/ Webber Road	Intersection, Realignment	Extend the northbound right-turn lane at the Webber and 2 nd Street intersection and the southbound right-turn lane at the Webber and 6 th Street intersection.	\$100,000	\$100,000

Safety Plan

- Figure 6-7
- Page 175



Safety Plan

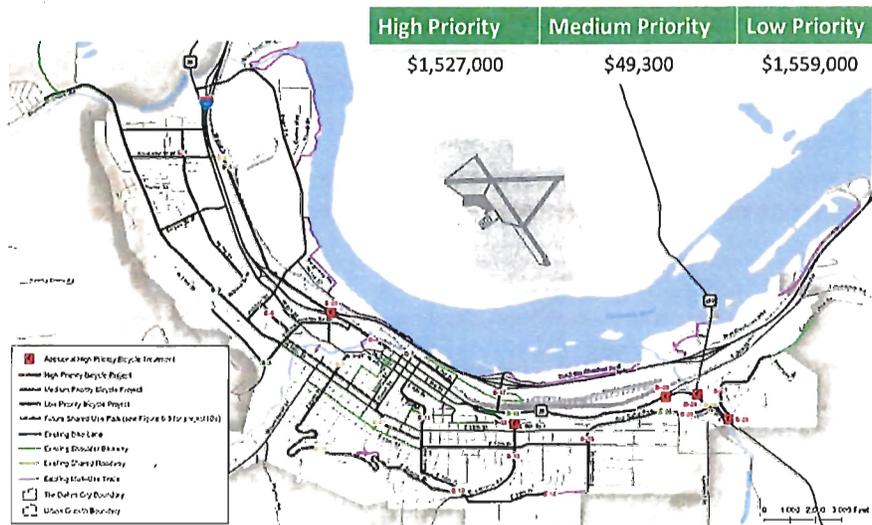
- Table 6-9
- Page 174

High Priority Safety Projects (\$325,000)

Map ID	Location	Project Type	Project Description	Cost Estimate	Estimated City Contribution*
S-1	US 197/US 30	Safety	Install systemic safety improvements (signing and markings), and install a roundabout to address both safety and operational issues. The design of the roundabout should consider that trucks currently use this route to gain momentum when traveling uphill on US 197 towards the landfill.	\$2,000 for Systemic Safety Improvements; See Project S-1 for total cost estimate.	
S-2	US 197/Fremont Street/Columbia View Drive	Safety	Safety Improvements including sign upgrades, rumble strips, and dynamic message signage.	\$20,000	\$5,000
S-3	West 6 th Street from Snipes Street to Hostetler Street	Safety	Restripe roadway and widen, as necessary, to provide a consistent 3-lane section with center two-way, left-turn lane. Further study is needed to determine the preferred solution. Note: this project should be completed in conjunction with P-14.	\$250,000	\$250,000
S-5	Webber Street at W 2 nd Street and W 6 th Street	Safety	Realign approaches to provide protected left-turn phasing to reduce left-turn crashes on the Webber Street approaches.		See Project I-11
S-6	Kelly Avenue/East 10 th Street	Safety	Potential safety improvements include installing Stop Ahead signage (W3-1) on the East 10 th Street approaches, use of a larger stop sign size, use of retroreflective tape on the sign post, and/or addition of Light Emitting Diode (LED) lights on the STOP sign border.	\$5,000	\$5,000
S-7	Dry Hollow Road/East 10 th Street	Safety	Potential safety improvements include the use of a larger stop sign size, use of retroreflective tape on the sign post, or addition of LED lights on the STOP sign border.	\$5,000	\$5,000
S-13	Columbia View Drive Guardrail	Safety	Install guardrail along Columbia View Drive as it ascends the hill east of Highway 197.	\$60,000	\$60,000

Bicycle Plan

- Figure 6-8
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Bicycle Plan

- Table 6-10
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High Priority Bicycle Projects (\$1.5 million)

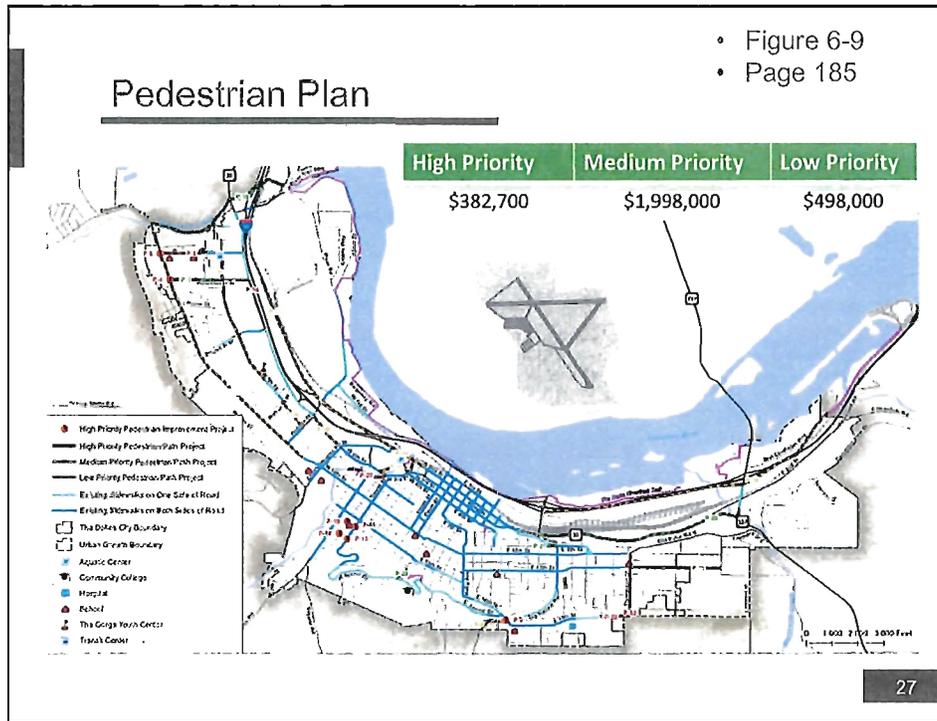
Map ID	Location	Project Description	Project Type	Estimated City Contribution*
B-1	West 7th Street from the new Transit center to Walnut Street	Add a bicycle lane(s) along West 7th Street from Chenoweth Loop Road to Hostetter Street	Bicycle Lane without Pavement Widening	\$2,000
		Install sharrow markings along West 7th Street from Hostetter Street to Pomona Street	Shared Roadway	\$1,000
		Add a bicycle lane(s) along West 7th Street from Pomona Street to Walnut Street	Bicycle Lane without Pavement Widening	\$10,000
B-4	West 2nd Street from Webber Street to Lincoln Street	Conduct a refinement plan for West 2 nd Street from Webber Street to Lincoln Street that develops the preferred streetscape for this gateway section of the corridor and considers treatments at the key intersections, including Cherry Heights Road and W 2 nd Street. Add a bicycle lane(s) along West 2nd Street from Webber Street to Lincoln Street	Bicycle Lane with Pavement Widening	\$1,150,000
B-6	West 8th Street from Webber Street to Cherry Height Road	Install sharrow markings and signage along West 8th Street from Webber Street to Cherry Height Road	Shared Roadway	\$2,000
B-7	East 1st Street from Union Street to Madison Street	Add a bicycle lane(s) along East 1st Street from Union Street to Madison Street. Consider a 2-way bike lane along this route.	Bicycle Lane without Pavement Widening	\$5,000
B-11	Kelly Avenue from East 5th Street to E 16th Place	Add shared roadway signage and striping along Kelly Avenue from East 5th Street to E 7th Street	Shared Roadway	\$4,000
		Add shared roadway signage and striping along Kelly Avenue from East 7th Street to E 10th Street	Shared Roadway	\$1,000
		Add shared roadway signage and striping along Kelly Avenue from E 10th Street to East 14th St	Shared Roadway	\$4,000
		Add shared roadway signage and striping along Kelly Avenue from East 16th Street to East 14th St	Shared Roadway	\$1,000
B-12	E 16th Place from Kelly Avenue to Dry Hollow Road	Add a bicycle lane uphill along East 16th Street from Kelly Avenue to East 17 Street. This project would impact the existing on-street parking and may require a shared-lane treatment or widening the sidewalks to create a shared-use path for a portion of it to minimize impacts to on-street parking.	Uphill Bicycle Lane with Pavement Widening	\$39,000
		Add a bicycle lane along East 16th Street from East 17 Street to Dry Hollow Road	Bicycle Lane without Pavement Widening	\$3,000

Bicycle Plan

- Table 6-10
- Page 178

High Priority Bicycle Projects (\$1.5 million)

Map ID	Location	Project Description	Project Type	Estimated City Contribution*
B-13	Dry Hollow Road from East 14th Street to Brewery Grade	Add shared roadway signage and striping along Dry Hollow Road from East 14th Street to Brewery Grade	Shared Roadway	\$1,000
B-14	East 19th Street from Dry Hollow Road to Oakwood Drive	Install sharrow markings and signage along East 19th Street from Dry Hollow Road to Oakwood Drive	Shared Roadway	\$3,000
B-15	Thompson Street from East 18th Street to East 10th Street	Add a bicycle lane along Thompson Street from East 18th Street to East 10th Street	Bicycle Lane with Pavement Widening	\$140,000
B-17	Brewery Overpass	Add shared roadway signage and markings along Brewery Overpass	Shared Roadway	\$1,000
B-20	Fremont Street	Add shared roadway signage and markings along Fremont Street	Shared Roadway	\$1,000
B-21	Columbia View Drive	Install sharrow markings and signage along Columbia View Drive from US197 to Veterans Drive	Shared Roadway	\$3,000
B-22	Dry Hollow at Brewery Grade	Additional bike treatment to improve bicycle safety	Bicycle	\$3,000
B-23	I-84 and 2nd Street	Additional bike treatment to improve bicycle safety	Bicycle	\$1,000
B-24	US 197 at US 30	Additional bike treatment to improve bicycle safety	Bicycle	\$500
B-25	US 197 at Fremont Street/Columbia View Drive	Additional bike treatment to improve bicycle safety	Bicycle	\$1,000
B-26	US 30 and E 2nd Street	Additional bike treatment to improve bicycle safety	Bicycle	\$500
B-28	Bike Hub	Install bike hub.	Bike Hub	\$18,000

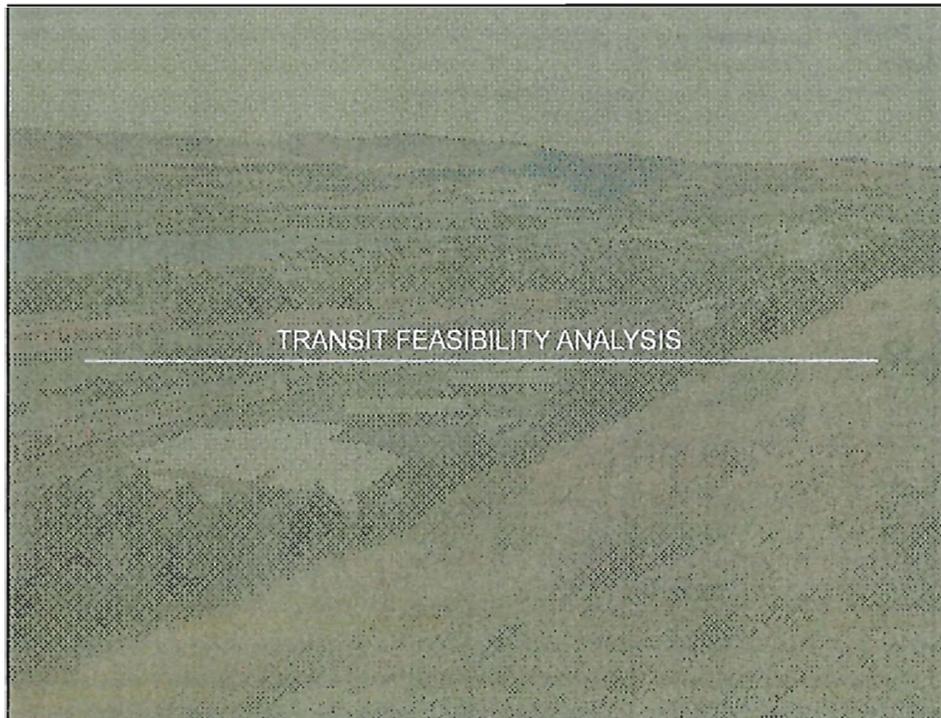


Pedestrian Plan

- Table 6-11
- Page 183

High Priority Pedestrian Projects (\$383,000)

Map ID	Location	Project Description	Project Type	Estimated City Contribution*
P-4	W 10 th Street/Hostetler Street Intersection	Stripe high emphasis crosswalk markings and Install appropriate school crossing signal	Crossing	\$ 2,000
P-5	Chenoweth Loop Road	Add sidewalk on the south side of the street from Chenoweth Elementary School to W 10 th Street	Sidewalk	\$ 46,000
P-6	W 10 th Street/Chenoweth Loop Road	Stripe crosswalk markings and install appropriate school crossing signage	Crossing	\$ 2,400
P-9	E 16 th Place/E 19 th Street/Dry Hollow Road	Stripe crosswalk markings and Install upgraded school crossing signage	Crossing	\$ 2,500
P-10	W 14 th Street/Bridge Street	Stripe crosswalk markings and Install upgraded school crossing signage	Crossing	\$ 2,200
P-11	W 14 th Street/Trevitt Street	Stripe crosswalk markings and Install upgraded school crossing signage	Crossing	\$ 2,200
P-12	W 16 th Street/Bridge Street	Stripe crosswalk markings and Install upgraded school crossing signage	Crossing	\$ 2,200
P-13	W 16 th Street/Trevitt Street	Stripe crosswalk markings and Install upgraded school crossing signage	Crossing	\$ 2,200
P-14	W 6 th Street	Fill gaps between Snipes Street and Hostetler Street. Note: this should be conducted in conjunction with project S-3.	Sidewalk	\$34,000
P-15	The Dalles Riverfront Trail	Complete construction of the Riverfront Trail from The Dalles Marina to The Dalles Dam Visitor Center.	Shared-Use Path	Unknown
P-20	Shared-Use Path along between W 8 th Street and West 6 th Street	Construct a shared-use path between W 8 th Street and West 6 th Street. Pre-engineering for part of this trail has begun. Further plans should be coordinated with The Dalles Watershed Council and the Riverfront Trail Committee.	Shared-Use Path	\$37,000
P-22	Sidewalks and Bicycle Lanes on East 19 th Street and Thompson Street	Install sidewalks and bicycle lanes on the future East 19th Street connection to Thompson Street. This will be accomplished through roadway project R-1 and is included in the cost estimate for that project.	Sidewalk	—
P-29	Pedestrian Access Study	Evaluate the best locations for pedestrian/bicycle connections across the Interstate and railroad to access the river, Riverfront Trail, and Lone pine.	Study	\$20,000
P-32	Thompson Street Sidewalks	Install sidewalks on both sides of Thompson Street between E 19 th Street and E 10 th Street. (Should be completed in conjunction with the E 19 th Street extension)	Sidewalk	\$228,000



Transit Analysis Findings

- Fixed-Route Transit Feasible in The Dalles
 - Current LINK ridership is apx. 19,000 rides per year.
 - 2-bus system on 1-hour headways could provide service to most areas of the City
 - Estimated ridership = 86,000 annual rides
 - Conservative estimate compared to other similar sized cities with dial-a-ride, local circulator, and intercity connection routes (Canby, Sandy)
 - Can be phased – build off-of DAR system, grants
 - Ultimately will need local funding source

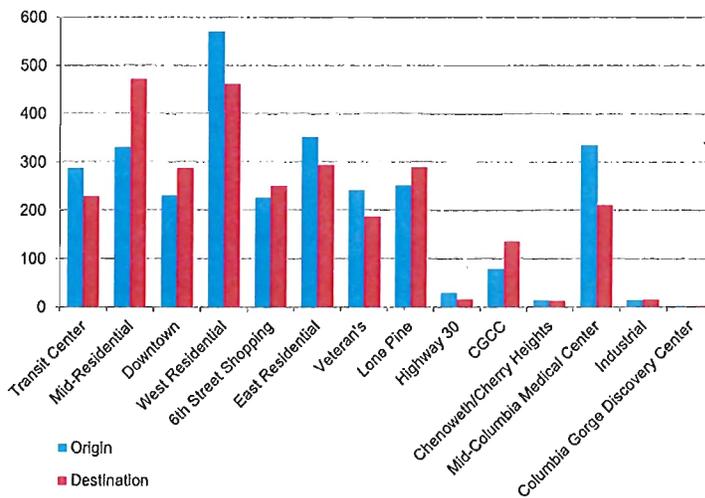
Transit Analysis Overview

- Background report
 - Key Destinations
 - Transit-Supportive Densities
 - Existing transit service, surveys, and ridership data
- Alternatives Analysis
 - Cost assumptions
 - Estimated ridership
 - Routing alternatives
 - Potential funding
- Phasing & Implementation Plan

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Background Findings - LINK

LINK Origins and Destinations



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Background Findings – Key Destinations

- 1) Transit Center
- 2) 6th Street Shopping
 - 1) Cascade Square, Safeway, Fred Meyer, etc.
- 3) Downtown
- 4) Lone Pine Shopping, Residential, Medical, and nearby hotels
- 5) Mid-Columbia Medical Center
- 6) Columbia Gorge Community College – The Dalles (CGCC)
- 7) Veteran’s Drive

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Background Findings – Densities

Transit-Supportive Densities

- population density of 3 households/gross acre or more; or,
- job density of 4 employees/gross acre.

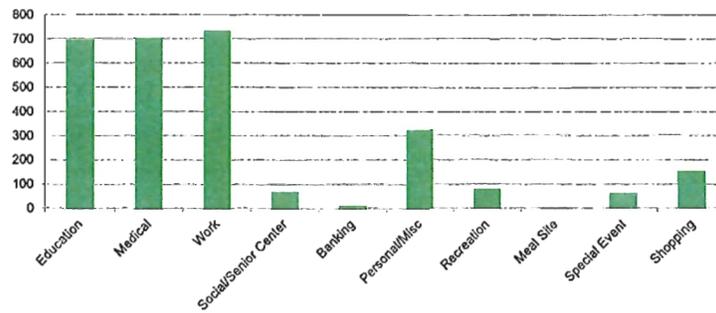


34

Background Findings - LINK

LINK

- 19,000 annual rides on Dial-a-ride, Medicaid, Shopper Shuttle
- Operates Monday through Friday, 8:00 AM to 5:00 PM
- Approx. 3.5 rides/hour (2 rides/hour typical of dial-a-ride)
- Trip Purpose:



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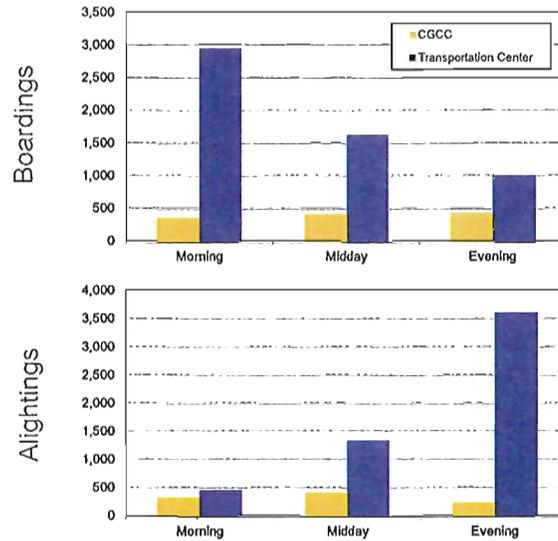
Background Findings - CAT

CAT and LINK – The Dalles to Hood River

- 3 buses/day between The Dalles and Hood River
- 2 buses/week between The Dalles, Hood River, and Portland
- Approx. 3.5 rides/hour on intercity CAT services
- Survey results:
 - Range of trip purpose, age, income status, and employment status
 - Mix of choice and captive riders
 - Potential first-mile last-mile issues

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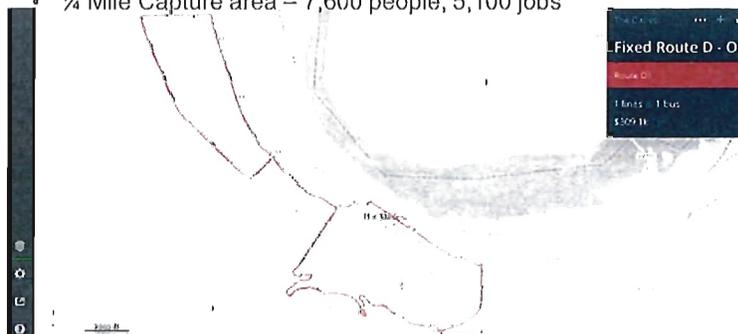
Background Findings - CAT



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Alternatives Analysis – Alternative 1

- Buses Required – 1
- 5/6 Key Destinations
- Revenue Hours – 4,415
- Estimated demand - 41,600 annual rides for 7-day service
- Cost - \$309,100 per year to operate, \$500,000 capital cost
- ¼ Mile Capture area – 7,600 people, 5,100 jobs



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Alternatives Analysis – Alternative 2

- Buses Required – 2
- 6/6 Key Destinations + Veteran's Drive
- Revenue Hours – 8,830
- Estimated demand - 67,100 annual rides for 7-day service
- Cost - \$610,400 per year to operate, \$1,000,000 capital cost
- ¼ Mile Capture area – 9,400 people, 5,700 jobs



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Alternatives Analysis – Alternative 3

- Buses Required – 3
- 6/6 Key Destinations
- Revenue Hours – 13,220
- Estimated demand – 92,400 annual rides for 7-day service
- Cost - \$891,500 per year to operate, \$1,500,000 capital cost
- ¼ Mile Capture area – 8,800 people, 5,500 jobs



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Alternatives Analysis - Ridership

Ridership Estimate Methodology – TCRP 161

- College enrollment, population, and annual revenue-hours
- Example for following service:
 - 6:00 a.m. to 7:00 p.m. on weekdays
 - 8:00 a.m. to 6:00 p.m. on weekends

Alternative	Number of Routes	Headways (minutes)	Days per Week	Annual Revenue-Hours per Route	TCRP 161 Estimated Ridership
1	1	60	5	3,315	35,300
			6	3,865	38,400
			7	4,415	41,600
2	2	60	5	6,630	54,400
			6	7,730	60,700
			7	8,830	67,100
3	3	60	5	9,945	73,500
			6	11,595	83,000
			7	13,220	92,400

Alternatives Analysis - Ridership

Comparison to Small Oregon Cities

City	Population	Revenue Hours	College Enrollment	Method	Ridership
Sandy	10,014	14,682	0	TCRP 161	95,400
				Actual	169,863
The Dalles	13,630	13,983	0	TCRP 161	86,100
				Actual	-
Canby	16,866	17,815	0	TCRP 161	120,800
				Actual	112,648

Alternatives Analysis – Funding

- State and Federal Transit Grant Programs
 - State Special Transportation Funds (STF)
 - FTA Section 5310 – Special Needs for Elderly Individuals and Individuals with Disabilities
 - FTA Section 5311 – Small Cities and Rural Areas
 - FTA Section 5339 – Buses and Bus Facilities
- Local Funding Options
 - Property taxes
 - Business Taxes
 - Tax Increment Financing
 - Tax Incentive Zones
 - Multimodal Impact Fees
 - Advertising/Sponsorship
 - Parking Fines/Fees
 - Farebox revenue
 - Increased fuel tax/diverted flex funds

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Alternatives Analysis – Phasing

- Use of LINK dial-a-ride bus
 - No capital costs and similar operating costs
 - Potential for 9-10 rides/hour (compared to current 3.5 rides/hour)
 - Increase transit ridership, lower strain on dial-a-ride system
- Pursue separate and designated service
 - Initiate one bus route system (Alternative 1)
 - Expand as demand and funding increases (Alternatives 2 and 3)
 - Increase days/week based on ridership trends and community outreach

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Transit Plan

- Phased implementation will increase feasibility of fixed-route transit in The Dalles
- To fund a fixed-route transit system in The Dalles, potential funding sources must be identified
 - Funding from existing programs cannot be relied upon to operate fixed route service
 - New funding sources may include state and federal grants and local funding options

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Transit Policies

Comprehensive Plan Amendments

- Goal 12 Policy 21: Support planning for a fixed-route, inter-city public transit system
- Goal 12 Implementing Measure: Work with the MCCOG to determine optimal transit routes within The Dalles and work collaboratively with agency to explore and pursue funding sources to pay for a fixed-route transit system. Coordinate with CAT to ensure that intercity bus service routes and schedules and the City's planned transit system are mutually exclusive

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Transit Policies

LUDO Amendments

- Parking Standards: Allow for the redevelopment of existing parking areas for transit-oriented uses
- Chapter 10: Consider incorporating transit-supportive development requirements

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Comprehensive Plan Goal #12 Transportation Amendments

- The TSP is intended to be the transportation element of The Dalles' Comprehensive Plan.
- Transportation Policies in the Comprehensive Plan have been reviewed to ensure:
 - They reflect the goals and objectives of the TSP.
 - Support Land Use and Development Ordinance (LUDO) requirements.

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Land Use Development Ordinance (LUDO)

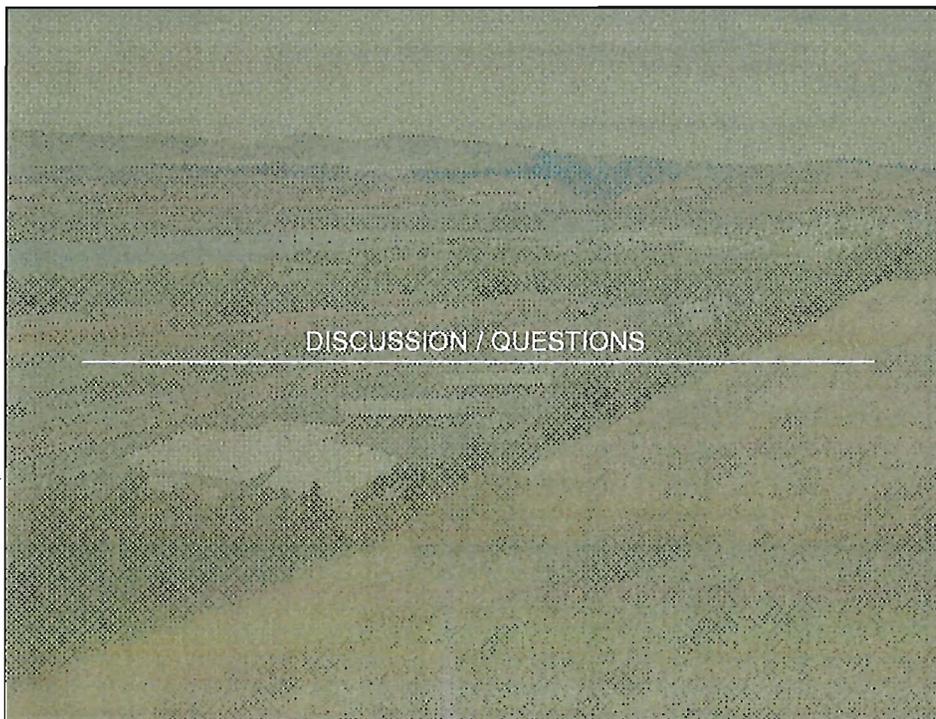
- Elements of the TSP are implemented through the LUDO.
- The LUDO regulates development and implements the long-range vision of the Comprehensive Plan.
- Proposed modifications to
 - Application Review Procedures (LUDO 3.020)
 - Ordinance Amendments (LUDO 3.110)
 - Site Plan Review (LUDO 3.030)
 - Conditional Use Permits (LUDO 3.050)
 - Airport Approach Zone (LUDO 5.120)
 - General Regulations (LUDO 6.050 & LUDO 10.060)
 - Parking Standards (7.020)

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Land Use Development Ordinance (LUDO)

1. Transportation Improvements permitted outright.
2. Require ordinance amendments to be consistent with the TSP.
3. Site plan compliance with transportation related-standards.
4. Airport Overlay zone protection.
5. Update access management requirements and street standards.
6. Transit supportive development requirements.
7. Traffic impact study requirements.
8. Modify partition requirements to reduce risk of serial partitions.

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Memorandum

Date: June 14, 2016, REVISED December 16, 2016

To: The Dalles Technical and Community Advisory Committees

From: Darci Rudzinski and Clinton "CJ" Doxsee, Angelo Planning Group

CC: Susan Wright and Ashleigh Griffin, Kittelson & Associates, Inc.

Re: Development Code Amendments

Land Use Development Ordinance Amendments

Elements of The Dalles' Transportation System Plan (TSP) are implemented in the requirements of the Land Use Development Ordinance (LUDO). The LUDO regulates development within City limits and implements the long-range land use vision embodied in The Dalles' Comprehensive Plan, of which the TSP is a part.

The LUDO has been audited to ensure that City requirements reflect the goals and objectives of the TSP update, as well as address transportation-related issues that have been raised over the course of the project to date. The intent of this exercise is to identify potential consistency issues between local code requirements and the TSP goals and objectives, as well as note any possible Oregon Transportation Planning Rule (TPR) compliance concerns, early in the planning process. Table 1 contains a list of recommendations resulting from this audit. Provided information includes an overview of existing requirements and how these provisions are proposed be modified in order to better implement the City's new TSP. Specific "adoption-ready" amendments to the LUDO follow the table, under numbered headings that correspond with the recommendations in the table.

Table 1: Land Use Development Code Recommendations

Recommendation	LUDO Section	Relevant TSP Goal/Objective
<p>1. Permit outright transportation improvements that are consistent with the adopted TSP. Specific transportation facilities, services, and improvements are commonly not subject to land use regulation due to the minimal impact on land use.¹ These should be listed as permitted outright in individual zones, or made exempt through a provision added to land use regulations in LUDO Chapter 3 (Application Review Procedures) or Chapter 10 (Improvements Required with Development).</p>	<p>Applications Review Procedures 3.020 (Review Procedures) Or General Regulations 10.060 (Street Requirements)</p>	<p>Goal #3: Integration OAR 660-012-0045(1)</p>
<p>2. Require ordinance amendments to be consistent with the TSP. Review criteria for ordinance amendments can be strengthened by directly referencing the TSP as part of required conformance with the Comprehensive Plan. In addition, the City should consider adopting language requiring proposals that “significantly affect” an existing or planned transportation facility (pursuant to the TPR, Section -0060) demonstrate consistency with the identified function, capacity, and performance standards of the facility.</p>	<p>Ordinance Amendments 3.110.030 (Review Criteria)</p>	<p>TSP Goal #3: Integration OAR 660-012-0045(2)(g) OAR 660-012-0060</p>
<p>3. Modify site plan review and conditional use permit evaluation criteria to include multi-modal transportation and safety considerations. Both conditional use review and site plan review (which is a condition of approval for a CUP) approval require consistency with the transportation system. Requirements in both Sections can be improved to include bike and pedestrian access and circulation improvements, as well as reference to TSP access management and spacing standards.</p>	<p>Site Plan Review 3.030.040.B (Public Facilities Capacity) Conditional Use Permits 3.050.040.C (Impact)</p>	<p>TSP Goal #3: Integration Goal #4: Economic Development OAR 660-012-0045(2)(e)</p>

¹ Operation, maintenance, and repair of existing transportation facilities identified in the TSP, such as road, bicycle, pedestrian, port, airport and rail facilities, and major regional pipelines and terminals. Dedication of right-of-way, authorization of construction and the construction of facilities and improvements, where the improvements are consistent with clear and objective dimensional standards. Changes in in the frequency of transit, rail, and airport services.



Recommendation	LUDO Section	Relevant TSP Goal/Objective
<p>4. Develop clear and objective standards for the Airport Approach Zone. Provisions are in place in LUDO 5.120 and 6.090(B) to prevent development that would negatively impact the airport. However, clear and objective standards are not currently included, and the LUDO states that regulations should be developed.</p>	<p>Zone District Regulations 5.120 (Airport Approach Zones)</p>	<p>TSP Goal #4: Economic Development OAR 660-012-0045(2)(c)</p>
<p>5. Ensure access management requirements are consistent with the updated TSP. Where new or modified access management and spacing standards are proposed in the updated TSP, the LUDO will need to be updated to be consistent with the standards</p>	<p>General Regulations 6.050 (Access Management)</p>	<p>Goal #2: Accessibility and Connectivity OAR 660-012-0045(2)(a)</p>
<p>6. Allow for the redevelopment of existing parking areas for transit-oriented uses. The City currently allows existing developments to replace up to 10% of existing parking spaces with landscaping, pedestrian amenities, or bicycle parking. This provision should be expanded to allow for transit amenities, such as bus stops and pullouts, bus shelters, and park and ride stations.</p>	<p>Parking Standards 7.020.040(C) (Reductions for Existing Uses)</p>	<p>Goal #2: Accessibility and Connectivity OAR 660-012-0045(4)(e)</p>
<p>7. Review traffic study requirements and modify to be consistent with the recommendations of the updated TSP. Thresholds for requiring a traffic impact study to be submitted as part of development proposal, as well as the requirements of the analysis, should be evaluated for consistency with TSP findings. Improvements to existing code language could include clarifying the thresholds and requirements of the “limited traffic study” vs. “full traffic study.” Site Plan Review Traffic System Impact requirements (Section 3.030.020 Review Procedures) may also need to be revised for consistency, or to include a cross-reference to Section 10.060.</p>	<p>General Regulations 10.060.A (Traffic Studies)</p>	<p>Goal #1 Safety and Mobility OAR 660-012-0045(2)(b)</p>

Recommendation	LUDO Section	Relevant TSP Goal/Objective
<p>8. Update local street standards to be consistent with the updated TSP. In updating the City’s street requirements, consider the following:</p> <ul style="list-style-type: none"> • Removing street standards from the LUDO and referencing the (updated) table in the TSP. Adopting the TSP standards into the LUDO by reference would eliminate the need to modify standards in both documents in the future. If design standards are to be retained in both the TSP and the LUDO, the LUDO should also include local street standards (not just arterial and collector). • Incorporating the “network streets” from the Residential Street Public Improvement Guidelines in the TSP street classifications. If these streets are addressed in the TSP, the list can be removed from the LUDO. In addition, the City should distinguish “guidelines” from development requirements, eliminating or modifying the resolution language so that the LUDO retains only relevant applicability provisions and development requirements. <p><i>The Residential Street Public Improvement Guidelines will be retained in the LUDO. The guidelines were recently adopted by City Council and city staff advised that these should be retained in Chapter 10. However, staff raised concerns that the application of these guidelines, which exempt street and sidewalk improvements for lots not abutting a network street, partition, and “serial” partitioning could result in de facto subdivisions that are underserved by city roads and sidewalks. APG has drafted alternative code language in Chapter 9, under Partition Application Review, in response to staff’s concerns.</i></p>	<p>Improvements Required with Development 10.060 (Street Requirements)</p>	<p>Goal #1: Safety and Mobility OAR 660-012-0045(7)</p>

Recommendation	LUDO Section	Relevant TSP Goal/Objective
<p>9. Consider incorporating transit-supportive development requirements. The Dalles' currently has fixed-route transit within City limits, with a new transit center planned on Chenoweth Loop near W 6th Street. Transit stops are permitted outright as accessory uses; however, there are no additional transit supportive provisions in the LUDO. Amendments to increase transit supportive language should be discussed and considered given the current transit improvements underway in the City and the enhanced emphasis on multi-modal transportation in the TSP update project.</p>	<p>Chapter 10 Improvements Required with Development (new Section)</p>	<p>Goal #2: Accessibility and Connectivity OAR 660-012- 0045(4)(a)</p>

Recommendation 1

10.060 Street Requirements

[...]

K. Transportation Improvements Permitted Outright. Except where otherwise specifically regulated by this ordinance, the following improvements are permitted outright:

1. Normal operation, maintenance, repair, and preservation activities of existing transportation facilities.
2. Installation of culverts, pathways, medians, fencing, guardrails, lighting, and similar types of improvements within the existing right-of-way.
3. Projects that are consistent with projects identified and planned for in the Transportation System Plan.
4. Landscaping as part of a transportation facility.
5. Emergency measure necessary for the safety and protection of property.
6. Acquisition of right-of-way for public roads, highways, and other transportation improvements designated in the Transportation System Plan.
7. Construction of a street or road as part of an approved subdivision or land partition consistent with the applicable land division ordinance.

Recommendation 2

3.110 Zone Changes

3.100.030 Review Criteria

A Zone Change shall be granted if the following criteria are met:

[...]

- A. Conformance. The proposed Zone Change conforms to the Comprehensive Plan, including the Transportation System Plan, and all other provisions of this Ordinance.

[...]

- C. Streets and Traffic. The site is, or will be, adequately served by streets for the type and volume of traffic generated by uses that may be permitted in the new zone and the planned function, capacity, and performance standards as adopted in the Transportation System Plan. Requirements of the State of the impacted transportation facility or facilities. Requirements of the State Transportation Planning Rule shall apply to those land use actions that significantly affect the transportation system, as defined by OAR 660-012-0060.

3.110 Ordinance Amendments

3.110.030 Review Criteria

Proposed text amendments shall be consistent with the Comprehensive Plan, and State Laws and Administrative Rules, including the State Transportation Planning Rule OAR 660-012-0060. Proposed text amendments shall be consistent with the adopted Transportation System Plan and the planned function, capacity, and performance standards of the impacted facility or facilities. Requirements of the State Transportation Planning Rule shall apply to those land use actions that significantly affect the transportation system, as defined by OAR 660-012-0060.

Recommendation 3

3.030 Site Plan Review

3.030.040 Review Criteria

The following criteria shall be used to approve, approve with conditions, or deny the site plan:

- A. City Ordinance Provisions. All the provisions from the applicable City ordinances have been met or will be met by the proposed development.
- B. Public Facilities Capacity. Adequate capacity of City facilities for water, sanitary sewer, storm sewer, and streets and sidewalks can and will be provided to, and where applicable, through the subject property in order to: 1) meet connectivity standards per the Transportation System Plan and other documents, and ; 2) provide for future development of surrounding property.
- C. Improvements Required of Development. The Proposal complies with all of the applicable LUDO Chapter 10 standards, including, but not limited to:
 - 1. Section 10.040 Bicycle Requirements
 - 2. Section 10.050 Pedestrian Requirements
 - 3. Section 10.060 Street Requirements



3.050 Conditional Use Permits

3.050.040 Review Criteria

A conditional use permit shall be granted if the Commission finds that the proposed use conforms with, or can be made to conform with through added conditions, any related requirements of this and other City Ordinances and all of the following criteria:

[...]

- B. Standards. The proposed use conforms to all applicable standards of the zone district where the use is proposed to be located. The proposed use will also be consistent with the purposes of this ordinance, and any other statutes, ordinances, or policies that may be applicable.
- C. Impact. The proposed structure(s) and use(s) shall be designed and operated in such a way as to meet the standards of this section. Impacts caused by the construction of the conditional use shall not be considered regarding a decision on the validation of the application.

[...]

- 6. The transportation system is capable, or can be made capable, of supporting the additional transportation impacts generated by the use. Evaluation factors shall include, but are not limited:
 - a. Street designations and capacities; and
 - b. On-street parking impacts;
 - c. Bicycle safety and connectivity;
 - d. Pedestrian safety and connectivity; and
 - e. Transit capacity and efficiency.

Recommendation 4

5.120 Airport Approach Overlay Zone

5.120.010 Purpose

The City of The Dalles is a part owner of the Columbia Gorge Regional Airport, located in Klickitat County, Washington. The airport is a valuable asset to the City and the citizens and businesses of Wasco and Klickitat Counties. The topography of the region restricts approaches to the airport and the City desires to protect those approaches as much as possible. When the approaches use airspace over the areas within the zoning jurisdiction of the City of The Dalles, the City will protect that airspace. No development or operational characteristic will be allowed that would hinder the use of the airspace. ~~The city will develop regulations that will delineate the approaches and what will be allowed to develop under those approaches. Until those retailed regulations are in effect, the City has adopted a general regulation set out in~~



Section 5.120 is adopted to implement Oregon Revised Statutes (ORS) 836.600 through 836.630 and policies of the Comprehensive Plan as they relate to private use airports. When applied, it provides for the continued operation and vitality of the Columbia Gorge Regional Airport consistent with state law. It also provides for safety standards to reduce the potential for safety hazards for property and for persons living, working or recreating on lands near the airport. The Airport Approach Overlay Zone shall be applied to the underlying zone.

5.120.020 Protection of Approach Zones-Definitions

No development or operation shall in any way negatively affect the approach zones to the airport or the safe use of the approach zones by aircraft landing or taking off from the airport.

Airport. The strip of land used for taking off and landing aircraft, together with all adjacent land used in connection with the aircraft landing or taking off from the strip of land, including but not limited to land used for existing airport uses.

Airport Direct Impact Area. The area located within 5,000 feet of an airport runway, excluding lands within the runway protection zone and approach surface.

Airport Elevation. The highest point of an airport's usable runway, measured in feet above mean sea level.

Airport Imaginary Surfaces. Imaginary areas in space and on the ground that are established in relation to the airport and its runways. Imaginary areas are defined by the primary surface, runway protection zone, approach surface, horizontal surface, conical surface and transitional surface.

Airport Secondary Impact Area. The area located between 5,000 and 10,000 feet from an airport runway.

Airport Sponsor. The owner, manager, or other person or entity designated to represent the interests of an airport.

Approach Surface. A surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface.

A. The inner edge of the approach surface is the same width as the primary surface and it expands uniformly to a width of:

1. 2,000 feet for a utility runway having a non-precision instrument approach;
2. 3,500 feet for a non-precision instrument runway, other than utility, having visibility minimums greater than three-fourths statute mile;
3. 4,000 feet for a non-precision instrument runway, other than utility, having visibility minimums at or below three-fourths statute mile; and
4. 16,000 feet for precision instrument runways.

B. The approach surface extends for a horizontal distance of:

1. 5,000 feet at a slope of 20 feet outward for each foot upward for all utility runways;
2. 10,000 feet at a slope of 34 feet outward for each foot upward for all non-precision instrument runways, other than utility; and
3. 10,000 feet at a slope of 50 feet outward for each one foot upward, with an additional 40,000 feet at slope of 40 feet outward for each one foot upward, for precision instrument runways.

C. The outer width of an approach surface will be that width prescribed in this subsection for the most precise approach existing or planned for that runway end.

Department of Aviation. The Oregon Department of Aviation, the State agency chiefly responsible for matters relating to the continuing development of aviation as part of the state's transportation system, and the safety of its airways.

FAA. The Federal Aviation Administration.

Height. The highest point of a structure or tree, plant or other object of natural growth, measured from mean sea level.

Horizontal Surface. A horizontal plane 150 feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of specified radii from the center of each end of the primary surface of each runway of each airport and connecting the adjacent arcs by lines tangent to those arcs. The radius of each arc is:

- A. 5,000 feet for all runways designated as utility.
- B. 10,000 feet for all other runways.
- C. The radius of the arc specified for each end of a runway will have the same arithmetical value. That value will be the highest determined for either end of the runway. When a 5,000 foot arc is encompassed by tangents connecting two adjacent 10,000 foot arcs, the 5,000 foot arc shall be disregarded on the construction of the perimeter of the horizontal surface.

Non-precision Instrument Runway. A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in non-precision instrument approach has been approved, or planned, and for which no precision approach facilities are planned or indicated on an FAA- approved airport layout plan or other FAA planning document.

Obstruction. Any structure or tree, plant or other object of natural growth that penetrates an imaginary surface.

Other than Utility Runway. A runway that is constructed for and intended to be used by turbine driven aircraft or by propeller-driven aircraft exceeding 12,500 pounds gross weight.

Precision Instrument Runway. A runway having an existing instrument approach procedure utilizing air navigation facilities that provide both horizontal and vertical guidance, such as an Instrument Landing



System (ILS) or Precision Approach Radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated by an FAA-approved airport layout plan or other FAA planning document.

Public Assembly Facility. A permanent or temporary structure or facility, place or activity where concentrations of people gather in reasonably close quarters for purposes such as deliberation, education, worship, shopping, employment, entertainment, recreation, sporting events, or similar activities. Public assembly facilities include, but are not limited to, schools, churches, conference or convention facilities, employment and shopping centers, arenas, athletic fields, stadiums, clubhouses, museums, and similar facilities and places, but do not include parks, golf courses or similar facilities unless used in a manner where people are concentrated in reasonably close quarters. Public assembly facilities also do not include air shows, structures or uses approved by the FAA in an adopted airport master plan, or places where people congregate for short periods of time such as parking lots or bus stops.

Runway. A defined area on an airport prepared for landing and takeoff of aircraft along its length.

Significant. As it relates to bird strike hazards, "significant" means a level of increased flight activity by birds across an approach surface or runway that is more than incidental or occasional, considering the existing ambient level of flight activity by birds in the vicinity.

Structure. Any constructed or erected object which requires location on the ground or is attached to something located on the ground. Structures include but are not limited to buildings, decks, fences, signs, towers, cranes, flagpoles, antennas, smokestacks, earth formations and overhead transmission lines. Structures do not include paved areas.

Transitional Surface. Those surfaces that extend upward and outward at 90 degree angles to the runway centerline and the runway centerline extended at a slope of seven (7) feet horizontally for each foot vertically from the sides of the primary and approach surfaces to the point of intersection with the horizontal and conical surfaces. Transitional surfaces for those portions of the precision approach surfaces which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at a 90 degree angle to the extended runway centerline.

Utility Runway. A runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight or less.

Visual Runway. A runway intended solely for the operation of aircraft using visual approach procedures, where no straight-in instrument approach procedures or instrument designations have been approved or planned, or are indicated on an FAA-approved airport layout plan or any other FAA planning document.

Water Impoundment. Includes wastewater treatment settling ponds, surface mining ponds, detention and retention ponds, artificial lakes and ponds, and similar water features. A new water impoundment includes an expansion of an existing water impoundment except where such expansion was previously authorized by land use action approved prior to the effective date of this ordinance.



5.120.030 Notice of Land Use and Permit Applications within Overlay Zone Area.

Except as otherwise provided herein, written notice of applications for land use or limited land use decisions, including comprehensive plan or zoning amendments, in an area within this overlay zone, shall be provided to the airport sponsor and the Department of Aviation in the same manner as notice is provided to property owners entitled by law to written notice of land use or limited land use applications in accordance with Section 3.020.

- A. Notice shall be provided to the airport sponsor and the Department of Aviation when the property, or a portion thereof, that is subject to the land use or limited land use application is located within 10,000 feet of the sides or ends of a runway;
- B. Notice of land use and limited land use applications shall be provided within the following timelines.
 - 1. Notice of land use or limited land use applications involving public hearings shall be provided prior to the public hearing at the same time that written notice of such applications is provided to property owners entitled to such notice.
 - 2. Notice of land use or limited land use applications not involving public hearings shall be provided at least 20 days prior to entry of the initial decision on the land use or limited land use application.
- C. Notice of the decision on a land use or limited land use application shall be provided to the airport sponsor and the Department of Aviation within the same timelines that such notice is provided to parties to a land use or limited land use proceeding.
- D. Notices required under Paragraphs A-C of this section need not be provided to the airport sponsor or the Department of Aviation where the land use or limited land use application meets all of the following criteria:
 - 1. Would only allow structures of less than 35 feet in height;
 - 2. Involves property located entirely outside the approach surface;
 - 3. Does not involve industrial, mining or similar uses that emit smoke, dust or steam; sanitary landfills or water impoundments; or radio, radiotelephone, television or similar transmission facilities or electrical transmission lines; and
 - 4. Does not involve wetland mitigation, enhancement, restoration or creation.

5.120.040 Height Limitations on Allowed Uses in Underlying Zones.

All uses permitted by the underlying zone shall comply with the height limitations in this Section. When height limitations of the underlying zone are more restrictive than those of this overlay zone, the underlying zone height limitations shall control.

- A. Except as provided in subsections B and C of this Section, no structure or tree, plant or other object of natural growth shall penetrate an airport imaginary surface.

- B. For areas within airport imaginary surfaces but outside the approach and transition surfaces, where the terrain is at higher elevations than the airport runway surfaces such that existing structures and permitted development penetrate or would penetrate the airport imaginary surfaces, a local government may authorize structures up to 35 feet in height.
- C. Other height exceptions or variances may be permitted when supported in writing by the airport sponsor, the Department of Aviation and the FAA. Applications for height variances shall follow the procedures for other variances and shall be subject to such conditions and terms as recommended by the Department of Aviation and the FAA.

5.120.050 Procedures.

An applicant seeking a land use or limited land use approval in an area within this overlay zone shall provide the following information in addition to any other information required in the permit application:

- A. A map or drawing showing the location of the property in relation to the airport imaginary surfaces. The Planning Department shall provide the applicant with Departure Surface Profile maps in the Columbia Gorge Regional Airport Master Plan upon which to locate the property.
- B. Elevation profiles and a site plan, both drawn to scale, including the location and height of all existing and proposed structures, measured in feet above mean sea level.
- C. If a height variance is requested, letters of support from the airport sponsor, the Department of Aviation and the FAA.

5.120.060 Land Use Compatibility Requirements.

Applications for land use or building permits for properties within the boundaries of this overlay zone shall comply with the requirements of this chapter as provided herein.

- A. Outdoor Lighting. No new or expanded industrial, commercial or recreational use shall project lighting directly onto an existing runway or taxiway or into existing airport approach surfaces except where necessary for safe and convenient air travel. Lighting for these uses shall incorporate shielding in their designs to reflect light away from airport approach surfaces. No use shall imitate airport lighting or impede the ability of pilots to distinguish between airport lighting and other lighting.
- B. Glare. No glare producing material, including but not limited to unpainted metal or reflective glass, shall be used on the exterior of structures located within an approach surface or on nearby lands where glare could impede a pilot's vision.
- C. Industrial Emissions. No new industrial, mining or similar use, or expansion of an existing industrial, mining or similar use, shall, as part of its regular operations, cause emissions of smoke, dust or steam that could obscure visibility within airport approach surfaces, except upon demonstration, supported by substantial evidence, that mitigation measures imposed as approval conditions will reduce the potential for safety risk or incompatibility with airport

operations to an insignificant level. The review authority shall impose such conditions as necessary to ensure that the use does not obscure visibility.

D. Communications Facilities and Electrical Interference. Proposals for the location of new or expanded radio, radiotelephone, and television transmission facilities and electrical transmission lines within this overlay zone shall be coordinated with the Department of Aviation and the FAA prior to approval.

E. Landfills. No new sanitary landfills shall be permitted within 10,000 feet of any airport runway. Expansions of existing landfill facilities within these distances shall be permitted only upon demonstration that the landfills are designed and will operate so as not to increase the likelihood of bird/aircraft collisions. Timely notice of any proposed expansion shall be provided to the airport sponsor, the Department of Aviation and the FAA, and any approval shall be accompanied by such conditions as are necessary to ensure that an increase in bird/aircraft collisions is not likely to result.

5.120.070 Water Impoundments within Approach Surfaces and Airport Direct and Secondary Impact Boundaries.

Any use or activity that would result in the establishment or expansion of a water impoundment shall comply with the requirements of ORS 836.623.

5.120.080 Nonconforming Uses

Section 5.120 shall not be construed to require the removal, lowering, or alteration of any existing structure or vegetation not conforming to Section 5.120. Section 5.120 shall not require any change in the construction, or alteration of the intended use of any structure, the construction or alteration of which was begun or completed prior to the effective date of this safety overlay zone.

Recommendation 5

6.050 Access Management

6.050.030 General Requirements

[...]

I. In addition to the spacing standards in 6.050.040, access shall be taken from lower classification streets whenever possible.

6.050.040 Access Standards

~~(NOTE: Access to lots of record existing at time of adoption of this Ordinance shall not be denied. Table 1 identifies the City's access spacing standards as they relate to new development and redevelopment. Separation requirements between street intersections are listed in Section 9.020.020(B)(2): Size. The following regulations are for non-residential zones.~~

A. Separation Standards. Separation between access points ~~shall conform to the access-is based on the City's preferred~~ spacing standards as specified below in Table 1; however, access separation may be



reduced to accommodate characteristics specific to a proposed site and/or use. In cases where separation is reduced below the preferred spacing standard, the reduction shall not be less than the appropriate stopping sight distance standard listed below in Table 2 for arterial and collector streets, unless the approving authority finds that all of the provisions of Section 6.050.050 below have been met. In no case shall the residential spacing standards for local residential streets listed in Table 3 be reduced.

[...]

Table 1: ~~Preferred Spacing Standards, All Streets Access Spacing Standards for City Roadways~~

[Table 1 to be replaced with TSP Table 6-3.]

Table 2: Stopping Sight Distance, Arterials and Collectors

[...]

Table 3: Residential Minimum Spacing Standards

[...]

6.050.050 Exceptions to Standards

A. The City may allow a reduction in the required minimum separation distance between access points on arterial and collector streets where such separation is impractical due to existing street frontage, topography, natural resources or physical barriers, provided a minimum separation based on safety is maintained and all of the following requirements are met:

- ~~A. 1. Public Safety.~~ A licensed professional engineer specializing in traffic submits proof that a reasonable standard of public safety applies.
- ~~B. 2. Elimination of Replaced Access Points.~~ The property owner enters into an agreement with the City to close and eliminate pre-existing connections on site which are being replaced by the new access point.
- ~~C. 3. Legal Lot(s) of Record.~~ The lot(s) is a legal lot(s) of record.

B. The City may require one or more of the following as a condition of approval of an exception to the minimum access spacing standards:

- 1. The non-conforming access be closed at such time that reasonable access becomes available to a local public street.
- 2. The proposal includes agreement(s) with adjacent land owners to provide either joint access points, front and rear cross-over easements, or a rear access upon future redevelopment.

Recommendation 6

7.020 General Provisions

7.020.040 Allowed Motor Vehicle Parking Reductions, Waivers, and Exemptions.

[...]

C. Reductions for Existing Uses. Property owners of existing nonresidential development may take advantage of incentives to reduce vehicle parking below the minimum off-street vehicular parking standards established in Section 7.060: Minimum and Maximum Off- Street Parking Requirements as provided below:

[...]

3. Even when no expansion or redevelopment of the site is proposed, the property owner may replace up to 10% of existing parking spaces with the following:
 - a) Additional landscaping equal to the square footage of the parking space reduction.
 - b) On-site, publicly accessible pedestrian plazas, seating areas, shelters and/or walkways (in addition to required walkways):
 - c) Bicycle parking in addition to the number of bicycle parking spaces required in Section 7.060: Minimum and Maximum Off-Street Parking Requirements. New bicycle parking shall conform to the design standards contained in Section 7.040: Bicycle Parking Design Standards.
 - d) Bus shelters and other pedestrian and transit amenities located adjacent to streets with existing or planned transit routes.

Recommendation 7

Section 3.030 Site Plan Review

3.030.020 Review Procedures

H. Traffic System Impacts. For developments that are likely to generate more than 400 average daily motor vehicle trips (ADTs), the applicant shall provide a traffic impact study ~~or traffic counts~~ pursuant to the requirements of Section 10.060 to demonstrate the level of impact of the proposed development on the surrounding street system. The determination of impact or effect, and the scope of the impact study, shall be coordinated with the provider of the affected transportation facility. The developer shall be required to mitigate impacts attributable to the project.

10.060 Street Requirements

A. Traffic Impact Studies.

1. Traffic Impact Studies (TIS) studies shall be required of all development proposals that meet one or more of the following:

- a. Development of 16 or more dwelling units;

- ~~b.~~ Any other development proposal that is likely to generate more than 400 average daily motor trips. ~~In addition, a traffic study may be required if the~~
 - c. Any development proposal that is near within [500] feet of an intersection that is already at or below level of service "D".
- 2. Limited Traffic Impact Studies (LTIS).
 - a. Notwithstanding 10.060.A.1 above the previous language, the City may require an initial, limited traffic study for development proposals to determine the level of service at nearby intersections within [500] feet of the proposed development.
 - b. If the limited traffic study finds the level of service to be at or below "D", the City may require a TIS full traffic study.
- 3. The TIS traffic study shall be conducted in accordance with the following:
 - ~~1~~a. A proposal establishing the scope of the traffic study shall be submitted for review to the Director. The study requirements shall reflect the magnitude of the project in accordance with accepted traffic engineering practices. Large Projects should assess all nearby key intersections. b. Once the scope of the traffic study has been approved, the applicant shall present the results with an overall site development proposal. The study shall be sealed and signed by a Licensed Professional Engineer specializing in traffic.
- 4. Approval Criteria
 - a. Location of new arterial streets shall conform to the Transportation System Plan, and traffic signals should generally not be spaced closer than 1,500 feet for reasonable traffic progression.
 - b. The TIS demonstrates that adequate transportation facilities exist to serve the proposed development or identifies mitigation measures that resolve identified traffic safety problems in a manner that is satisfactory to the City and, when state highway facilities are affected, to ODOT
 - c. For affected non-highway facilities, the TIS establishes that level-of-service standards adopted by the City have been met.
- 5. Conditions of Approval
 - a. The City may deny, approve, or approve a proposal with conditions necessary to meet operational and safety standards; provide the necessary right-of-way for improvements; and to require construction of improvements to ensure consistency with the future planned transportation system.
 - b. Construction of off-site improvements may be required to mitigate impacts resulting from development that relate to capacity deficiencies and public safety; and/or to upgrade or construct public facilities to city standards.

- c. Improvements required as a condition of development approval, when not voluntarily provided by the applicant, shall be roughly proportional to the impact of the development on transportation facilities. Findings in the development approval shall indicate how the required improvements directly relate to and are roughly proportional to the impact of development.
- 2. ~~If the traffic study identifies level of service conditions less than the minimum standard established in The Dalles Transportation Master Plan, improvements and funding strategies mitigating the problem shall be considered concurrent with a development proposal.~~
- 3. ~~Location of new arterial streets shall conform to The Dalles Transportation Master Plan, and traffic signals should generally not be spaced closer than 1500 feet for reasonable traffic progression.~~

Recommendation 8

9.030 Partitions, Minor Replats, and Lot Line Adjustments

9.030.040 Partition Application Review

A. Review Procedure. Partition applications shall be processed as administrative actions, per the provisions of *Section 3.020.040: Administrative Actions*. Where the Director determines that continuous partitioning of a tract of land may occur in subsequent years, potentially resulting in the need for new road(s), utilities, or stormwater drainage facilities to be constructed and unmitigated impacts to City services and surrounding property, the application shall be referred to the Planning Commission, pursuant to *Section 3.020.050 Quasi-Judicial Actions* for a determination as to the applicability of the LUDO subdivision requirements.

10.060 Street Requirements

[...]

J. Location, Grades, Alignment and Widths. [...]

[...]

- 5. ~~Except for streets designated in the Transportation System Plan as local and located in residential zones, Street right-of-way and improvement shall conform to the widths and standards in Table 6-1 of the Transportation System Plan shall be as specified in the chart below, or as modified in subsection 6. Streets designated in the Transportation System Plan as local and located in residential zones shall meet development standards as established by City Council resolution. A copy of the latest resolution can be obtained from the Community Development Department Planning Department.~~

Recommendation 9

Chapter 10: Improvements Required with Development

[...]



10.130 Transit Requirements

Improvements at transit stops. A proposed development that is adjacent to or includes an existing or planned transit stop will be required to plan for access to the transit stop and, where determined necessary in consultation with the transit agency, provide for transit improvements. Requirements apply where the subject parcel(s) or portions thereof are within 200 feet of a transit stop. Development requirements and improvements may include the following:

- A) Intersection or mid-block traffic management improvements, as needed and practicable, to allow for pedestrian crossings at transit stops.
- B) Building placement within 20 feet of the transit stop, a transit street or an intersection street, or a pedestrian plaza at the stop or a street intersection.
- C) Transit passenger landing pads accessible to disabled persons to transit agency standards.
- D) An easement or dedication for a passenger shelter and an underground utility connection to a transit stop if requested by the transit agency.

Memorandum

Date: June 14, 2016, REVISED December 16, 2016

To: The Dalles Technical and Community Advisory Committees

From: Darci Rudzinski and Clinton "CJ" Doxsee, Angelo Planning Group

CC: Susan Wright and Ashleigh Griffin, Kittelson & Associates, Inc.

Re: The Dalles Comprehensive Plan Amendments

Overview

An update to The Dalles Transportation System Plan (TSP) is intended to be adopted in 2016 as the transportation element of the City's Comprehensive Plan, replacing the 2007 TSP. Transportation policies currently reside in the Comprehensive Plan document under Goal 12: Transportation. The Comprehensive Plan policies have been reviewed to ensure that they reflect the goals and objectives of the TSP update, as well as address transportation-related issues that have been raised over the course of the project to date. The following pages include proposed amendments to Goal 12 of the Comprehensive Plan. Modifications are shown in underline/~~strikeout~~ formatting to signify new or deleted text.



GOAL # 12: TRANSPORTATION

To provide and encourage a safe, convenient, and economical transportation system.

A transportation plan shall (1) consider all modes of transportation including mass transit, air, water, pipeline, rail, highway, bicycle and pedestrian; (2) be based upon an inventory of local, regional and state transportation needs; (3) consider the differences in social consequences that would result from utilizing differing combinations of transportation modes; (4) avoid principal reliance upon any one mode of transportation; (5) minimize adverse social, economic and environmental impacts and costs; (6) conserve energy; (7) meet the needs of the transportation-disadvantaged by improving transportation services, (8) facilitate the flow of goods and services so as to strengthen the local and regional economy; and (9) conform with local and regional comprehensive land use plans. Each plan shall include a provision for transportation as a key facility.

Background

The Dalles 1982 Comprehensive Plan included a description of highways and streets in The Dalles urban area, including street classification and standards, mass transit, water, rail and air transportation, and bicycle and pedestrian circulation including bike trail and bike lane standards. Also included ~~is~~ was a detailed inventory of existing street capacity and future traffic levels. This data and findings are incorporated into this Plan by reference.

As part of the City of The Dalles periodic review of the 1982 Comprehensive Plan, a Public Facilities Plan was prepared and subsequently adopted as a plan element of The Dalles Comprehensive Plan (Ordinance 93-1163). The Dalles 1991 Public Facilities Plan includes a transportation element, and is incorporated into this Plan by reference.

The City of The Dalles along with Klickitat County, Washington owns The Columbia Gorge Regional Airport, located north of The Dalles in Washington State. While the airport is not located within The Dalles urban growth boundary, it is an important public facility for The Dalles, Klickitat County, and the mid-Columbia Gorge region. ~~A master plan for the airport was prepared in 2004—Columbia Gorge Regional Airport Layout Plan (Century West Engineering, 2004)—which outlines on-airport and off-airport improvements and plans. The Columbia Gorge Regional Airport – Airport Master Plan, completed in 2010, includes plans for new on-airport and off-airport improvements.~~

In 1993, The Dalles began a multi-phased update of The Dalles Transportation Plan in the context of preparing a Transportation System Plan (TSP) for the City. This first phase was completed, providing updated traffic counts and a detailed inventory of existing street and transportation improvements. The City's 1993 Bicycle Master Plan was incorporated into this Plan by reference. The Dalles TSP was completed and adopted in 2007, ~~and is incorporated by reference into this Transportation Element.~~

In 2016, The Dalles completed a comprehensive update of the 2007 TSP to ensure the transportation system supports the economic and community goals of the City. The updated TSP, the transportation element of the Comprehensive Plan, plans for a multi-modal transportation system that will support the planned residential, commercial, and industrial growth in the City. The following goals and policies are reprinted from the acknowledged transportation element of The Dalles 1982 Comprehensive Plan along with amendments based on the TSP have been updated to reflect the objectives and recommendations of the 2016 TSP.

Transportation Goal

To provide a transportation system that supports the safety and mobility needs of local residents, business and industry, affords choice between transportation modes, is convenient and affordable to use, and supports planned land uses.

Goal 12 Policies

1. Mass transit and supporting transportation improvements for The Dalles Urban Area shall be encouraged.
2. Pedestrian, and bicycle routes and horse trails in the Urban Area shall be encouraged.
3. Develop and maintain a transportation system that supports connections to air, rail, marine, or freight transportation, including services provided by the Columbia Gorge Regional Airport, the Port of The Dalles, and The Dalles Marine Terminal.
4. The Columbia Gorge Regional Airport is a transportation facility of regional importance which shall be properly maintained to meet the needs of the Mid-Columbia Area. ~~Adopt the Columbia Gorge Regional Airport Layout Plan.~~ The City shall regulate uses within the Airport Overlay Zone to ensure that physical hazards to air traffic at the Airport are avoided.
5. Encourage the provision of adequate barge handling facilities to meet present and future barge traffic on the Columbia River.
6. Encourage commercial and recreational use of the Commercial Dock Facility, while respecting tribal fishing rights and access to the river.
7. Develop a safe and efficient arterial and collector street system that provides additional north-south and east-west local access routes, thereby relieving traffic congestion on the street system.
8. Provide an adequate integrated system of arterial and collector streets throughout the city to accommodate future growth needs for all users in ~~of the~~ residential, commercial, and industrial areas of the community.
9. Street standards shall be flexible as to street trees, sidewalks, planting strips, and widths.
10. Commercial and industrial developments shall provide adequate ingress and egress, off-street parking, and adequate landscaping.
11. Develop a street system that improves vehicular access to the downtown area and maintains The Dalles as the hub by providing access for development in outlying areas.
12. Provide adequate transit services to make shopping, health and social services accessible to transportation disadvantaged residents as funds are available.

13. Identify recommended truck routes and Prioritize efficient freight movement on identified freight routes and, in particular, required street improvements to safely accommodate the north-south truck movement from the hillside orchards to the downtown processing plants, and access to the commercial and industrial areas.
14. Support the development of alternatives to the automobile including mass transit, and facilities for bicycles and pedestrians. Plan for and maintain a multi-modal transportation system that incorporates safety and operational improvements for bicyclists and pedestrians.
15. Preserve and maintain the existing transportation system in a good state of repair and prioritize transportation projects that provide the most benefit for the cost, consistent with existing standards and policies.
16. Develop and maintain an environmentally sensitive transportation system.
17. Improve safety and operational components of existing transportation facilities not meeting City standards or industry best practices.
18. Incorporate Transportation Demand Management (TDM) strategies to reduce the number of single occupancy vehicles, maximize the use of existing infrastructure, and reduce parking demands.
19. Incorporate new technologies to enhance the transportation system and extend the useful life of existing facilities.
20. Improve the movement of goods and delivery of services throughout the City while balancing the needs of all users with a variety of travel modes.
21. Support planning for a fixed-route, inner-city public transit system, as described in the Transit Element of the adopted Transportation System Plan.

Goal 12 Implementing Measures

- Identify measures to enhance safety along streets and at street intersections in The Dalles urban area. Implement access spacing standards and access management measures, consistent with the strategies in the adopted TSP, through the development process in order to maintain and/or improve traffic operations and safety along the arterial and collector roadways.
- Develop and implement a system for prioritizing pavement maintenance and rehabilitation.
- Street standards, including street trees, sidewalks, planting strips, and widths, shall be made flexible in the Land Use and Development Ordinance based upon local topographic conditions, traffic demands, and citizen input.
- The Improvements at the Columbia Gorge Regional Airport Layout Plan shall be consistent with the adopted Airport Master Plan and implemented as funds are available.
- Maintain sufficient roadway width and turning radii to ensure safe passage of the

motoring public while integrating with pedestrian and bicycle movement.

- The City shall maintain on-street parking, specifically in the downtown area, and review all landscaping and off-street parking site plans to ensure conformance with the Zoning Land Use Development Ordinance and the Comprehensive Plan.
- Provide pedestrian and bicycle access, ~~especially when direct motor vehicle access is not possible.~~ consistent with the roadway design standards for City streets in the Transportation System Plan.
- A convenient and economic system of transportation shall be encouraged to be provided for ~~needy~~, senior citizens and the ~~handicapped~~ disabled and other transportation disadvantaged.
- Work with Mid-Columbia Council of Governments to determine optimal transit routes within The Dalles and work collaboratively with the agency to explore and pursue funding sources to pay for a fixed-route transit system. Coordinate with Columbia Area Transit (CAT) to ensure that intercity bus service routes and schedules and the City's planned transit system are mutually supportive.
- Implement the standards and recommendations in Chapter 6 of The Dalles Transportation System Plan, including:
 - ~~Figure 11 Proposed Street Classification and Traffic Signals;~~
 - ~~Figure 12 Street Design Standards (Arterial and Major/Minor Collectors);~~
 - ~~Figure 13 Street Design Standards (Industrial and Commercial Collector and Local Streets, and Local Residential Streets and Alleys);~~
 - ~~Table 5 Street Design Standards;~~
 - ~~Table 6 General Access Management Guidelines;~~
 - ~~Figure 14 Street Improvement Projects;~~
 - ~~Figure 15 Proposed Bikeway Plan; and~~
 - ~~Figure 16 Truck Route Plan.~~
- ~~Evaluate the need for additional signals in the city, including at the I-84 interchanges.~~
- Improve intersection operations through the downtown by measures including, but not limited to, coordinating traffic signals.
- Identify improvements to existing policies and standards that address street connectivity and spacing.
- Prioritize transportation projects that provide the most benefit for their cost, consistent with existing standards and policies.
- Implementing ordinances shall consider the following community desires:
 - Integrating new arterial and collector routes into the existing city grid system.
 - Pedestrian and bicycle needs should be considered in all public and private development and redevelopment.
 - Intermodal access to neighborhood parks and neighborhood centers is needed.
 - Additional commercial access to the east side of town is needed, either through the creation of business opportunities or by street improvements.
 - Mixed use areas should be promoted to allow employment and shopping opportunities in residential areas, thereby reducing vehicular trips.
 - The public streets in commercial areas should be developed and redeveloped with aesthetics and people in mind, providing street furniture and shade trees wherever feasible.

MINUTES
SPECIAL COUNCIL MEETING
OF
February 7, 2017
Noon

THE DALLES CITY HALL
313 COURT STREET
THE DALLES, OREGON

- PRESIDING:** Mayor Stephen Lawrence
- COUNCIL PRESENT:** Russ Brown, Tim McGlothlin, Linda Miller, Darcy Long-Curtiss
- COUNCIL ABSENT:** Taner Elliott
- STAFF PRESENT:** City Manager Julie Krueger, City Attorney Gene Parker, City Clerk Izetta Grossman, Finance Directors Kate Mast and Angie Wilson, Public Works Director Dave Anderson, Planning Director Steve Harris, Police Chief Patrick Ashmore, Human Resource Director Daniel Hunter, Assistant to the City Manager Matthew Klebes, District Librarian Jeff Wavrunek

CALL TO ORDER

The meeting was called to order by Mayor Lawrence at 12:00 p.m.

ROLL CALL

Roll call was conducted by City Clerk Grossman, Elliott absent.

APPROVAL OF AGENDA

It was moved by Miller and seconded by Brown to approve the agenda as submitted. The motion carried unanimously, Elliott absent.

ACTION ITEMS

Authorization to apply for grant funding from Oregon Department of Energy to support the installation of Co-Gen Systems at the Wastewater Treatment Plant

Public Works Director Dave Anderson reviewed the staff report.

It was moved by Brown and seconded by Miller to authorize the submission of applications for funding from the Oregon Department of Energy, including but not limited to the Combined Heat and Power program and/or the Renewable Energy Development program, to support the development of renewable energy production facilities at the City's Wastewater Treatment Plant. The motion carried unanimously, Elliott absent.

ADJOURNMENT

Being no further business, the meeting continued to the Goal Setting Session.

Submitted by/
Izetta Grossman
City Clerk

SIGNED: _____
Stephen E. Lawrence, Mayor

ATTEST: _____
Izetta Grossman, City Clerk

MINUTES
GOAL SETTING WORKSHOP
OF
February 7, 2017
Immediately following the Special Meeting

THE DALLES CITY HALL
313 COURT STREET
THE DALLES, OREGON

- PRESIDING:** Mayor Stephen Lawrence
- COUNCIL PRESENT:** Russ Brown, Tim McGlothlin, Linda Miller, Darcy Long-Curtiss
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DEPARTMENTAL UPDATES

City Manager Krueger said her focus was on infrastructure, tools and technology for the employees to efficiently do their jobs.

Human Resources Director Hunter reviewed his memo regarding technology needs for his department.

City Clerk Grossman followed up on her staff report. She said that City Attorney Parker was in agreement with the recommendation to implement a codification program.

Police Chief Ashmore reviewed his memo regarding needed upgrades for radios and tasers. Public Works Director Anderson reviewed his memo regarding the Wastewater Treatment Plant Contract Request for Proposals (RFP). He recommended Council postpone the RFP until the

MINUTES

Council Goal Setting Workshop

February 7, 2017

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new plant had been up and running in order to provide the needed statistics on the RFP.

In response to a question Anderson said he had no issues with CH2M.

City Manager Krueger said CH2M had the same culture of safety as the City.

It was the consensus of the Council to negotiate a five year extension of the contract with CH2M for the operation of the Wastewater Treatment Plant.

Finance Director Mast said they were finishing up the implementation of the finance software. She said during the negotiations she added a clause allowing the addition of municipal court and payroll within two years. She said ADP was not working for the City. She would be recommending adding those two components at the February 27 Council meeting.

City Manager Krueger recommended Council remove those goals regarding culture, and ones of a routine nature. She said she thought 10 to 12 big goals that require funding and/or partnerships would be ideal.

Assistant to the City Manager Klebes reviewed the memo on the shuttle program at The Dalles Dam. It was the consensus of the Council to continue the program another year and to search for another entity to take over the operations after that.

Krueger said she would like the Council to consider a policy that set a structure, and dollar amount for social contributions. She said the small community grant program was working well. She said having a policy would assist in budgeting and limit the unanticipated requests for this type of contribution.

Councilor Miller said something along the lines of the Urban Renewal Façade Grant guidelines would be useful.

Mayor Lawrence said he would like to look at three major categories:

- Complete projects underway
- Complete studies to advance the update of the Comprehensive Plan and the Vision Action Plan
- Develop stronger working relationships with Department Heads

Planning Director Harris reviewed his memo. Harris said he had been reviewing forms, processes and staffing needs. He said the image of the department in the community was important.

He said the review of the current plans would take some time and would have costs associated with it.

COUNCIL GOALS

Mayor Lawrence said he would like to:

Review use of Transient Room Tax funds
Keep the safety program with rewards for staff
Focus on development of the west side of town
Maximize partnerships with the Chamber, Mainstreet Program and YouthThink
Increase relationships with Tribal Community

City Manager Krueger drew the Council attention to the list of current use of transient room tax. She said that YouthThink support could be moved to a program line item.

Assistant to the City Manager Klebes reported on his research into Performance Matrix systems.

Airport Manager Chuck Covert reported on the projects at the Airport.

Mayor Lawrence said he would like more conversations with Klickitat County regarding the Airport.

Mayor Lawrence recessed the meeting at 2:30 p.m.

Reconvened at 2:40 p.m.

City Attorney Parker said in light of the housing report indicating a shortage of low income housing resources the Council should consider addressing their position on the homeless issues in the City.

Councilor McGlothlin said the homeless issue is complex. He said increased ongoing communication with all entities providing services would help. He said mental illness and drug abuse was taxing resources.

Mayor Lawrence asked if the City needed a policy. He said he had talked with other mayors and the question is: do you want more services that will attract more homeless.

Chief Ashmore said the City needed to make a decision to support resources or to put ordinances in place that the police could enforce.

District Librarian Jeff Wavrunek said the Library Foundation was looking at building a couple study rooms inside the existing building. He said a supporter had brought landscape drawing to the Board as well.

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February 7, 2017
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See attached draft Council Goals for fiscal year 2017-18.

ADJOURNMENT

Being no further business, the meeting adjourned at 3 p.m.

Submitted by/
Izetta Grossman
City Clerk

SIGNED: _____
Stephen E. Lawrence, Mayor

ATTEST: _____
Izetta Grossman, City Clerk

CITY COUNCIL WORKPLAN Fiscal Year 2017-18

City of The Dalles MISSION STATEMENT

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

Value Statements:

- A.** Provide City-wide infrastructure to support safe and well maintained streets and reliable utility systems for the citizens of The Dalles.
- B.** Work and partner with governmental agencies and non-profits to improve coordination of services and open communication.
- C.** Promote economic development opportunities which will provide jobs and enhance community livability.
- D.** Maintain a sustainable budget that will support City operations and capital improvements, while assuring an adequate contingency fund.
- E.** Encourage civic responsibility and promote health and public safety through programs, partnerships, plans and policies.
- F.** Provide transparent and efficient administration of City government.

Fiscal Year 2017-18 Prioritized Goals by Vision:

A. Infrastructure:

1. Initiate design work and pursue grant/loan financing for the Dog River waterline replacement and the Crow Creek Dam increasing capacity proposals; and then implement an approved plan.
2. Develop street construction projects and focus resources on prevention maintenance projects (i.e.: patching, crack sealing, chip sealing) through fiscal year 2017-18.
3. Evaluate future funding for infrastructure.
4. Complete enhancement to Lone Pine Well.

B. Work with partners:

1. Continue to participate in the Community Outreach Team requests for State and Federal Legislative assistance.

2. Move toward use of renewable energy technique for city-owned properties.
3. Support Regional Solutions Team, Mid Columbia Housing Authority, and Mid-Columbia Economic Development District to support and promote an attainable housing program.
4. Expand on-going relationship with the four tribes with area interest at Tribunal Council/City Council level, with focus on substandard housing.
5. Support partnership effort to complete development of Mill Creek Greenway project.

C. Economic Development:

1. Develop and maintain programs and activities to strengthen the economic vitality of The Dalles.
2. Support completion of financing for Civic Auditorium's Theatre renovation.
3. Continue pursuit of local Bike Hubs as part of the Columbia Gorge Bike Trail.
4. Explore and promote opportunities for expansion of RV vehicle spaces.
5. Resolve Gitchell Building issue regarding whether it should be demolished, stabilized, or rehabilitated.
6. Develop a plan for open space/park near the Veteran's Office.
7. Explore downtown parking needs.

D. Sustainable Budget:

1. During fiscal year 2017-18 budget process support use of resources to upgrade technological tools and programs in all City departments.
2. Continue to work toward getting Workers Comp experience rating factor down to a .9; develop an incentive based employee safety program.

E. Civic Responsibility and Public Safety:

1. Develop and implement plan to improve the City's image from the freeway, including Cherry Growers, West side and Sunshine Mill.
2. Establish City's position on addressing the homeless issues within the City.

F. Transparent Efficient Government:

1. Continue to use technological advances to keep the website and all forms of communication up to date and transparent.
2. Implement codification program.
3. Develop Performance Management Benchmarks.

DRAFT

MINUTES
REGULAR COUNCIL MEETING
OF
February 13, 2017
5:30 p.m.

THE DALLES CITY HALL
313 COURT STREET
THE DALLES, OREGON

PRESIDING: Mayor Stephen Lawrence

COUNCIL PRESENT: Russ Brown, Taner Elliott, Linda Miller, Darcy Long-Curtiss

COUNCIL ABSENT: Tim McGlothlin

STAFF PRESENT: City Manager Julie Krueger, City Attorney Gene Parker, City Clerk Izetta Grossman, Finance Directors Kate Mast and Angie Wilson, Planning Director Steve Harris, Public Works Director Dave Anderson, Police Chief Patrick Ashmore, Human Resources Director Daniel Hunter, Assistant to the City Manager Matthew Klebes

CALL TO ORDER

The meeting was called to order by Mayor Lawrence at 5:30 p.m.

ROLL CALL

Roll call was conducted by City Clerk Grossman, McGlothlin absent

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Mayor Lawrence added Item D) Surplus of Police Vehicles and Item E) Resolution No. 17-005

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Regular City Council Meeting

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Concurring with the Mayor's Appointment to the Urban Renewal Board to the consent agenda, and moved the Executive Session to the end of the meeting. It was moved by Long-Curtiss and seconded by Elliott to approve the agenda as amended. The motion carried unanimously, McGlothlin absent.

PRESENTATIONS/PROCLAMATIONS

Volunteer Recognition – School District 21

Mayor Lawrence presented Certificates of Recognition and City of The Dalles coffee mugs to Marolyn Wilks and Dr. Mimi McDonell for their dedicated service to Northern Wasco County School District 21 through the ASPIRE program. He said the ASPIRE program pairs adult mentors with high school seniors. The mentor helps the student navigate through the steps in preparation for college.

YouthThink Marijuana Report

Deby Jones YouthThink Director gave a presentation regarding the perception of youth that alcohol and marijuana aren't drugs since they are legal. She said this was the social debris results of the decision to legalize marijuana.

She said YouthThink was working on emotional literacy with the youth, teaching them the alternatives to using drugs and alcohol as a coping mechanism.

Mayor Lawrence said he had met with Jones and was encouraged by the broader approach.

Jones said she would like to see some of the alcohol and tobacco funds from the state to go toward education of the youth.

McGlothlin arrived at 5:59 p.m.

AUDIENCE PARTICIPATION

Robert Davis, 2415 East 12th Street said during the snow storm he was out shoveling his driveway when the City snow plow came by just as he finished and buried it again. He said the City worker parked, and came over to him, took his shovel and dug his driveway out. He wanted to thank the worker and the City.

Mildred Keller, 826 Richland Court said she wanted to know how the employees that went home early or came in late during the snow event were making up the time. She asked why they got paid without working.

City Manager Krueger said she had made the early close, late or no opening decisions based on employee

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safety and she stood by that decision. She said the whole community is safer when fewer people are traveling during these types of events.

Finance Director Kate Mast said many employees took work home with them and worked remotely during the closures.

Lisa Farquharson, Chamber CEO reported that the Sportsman's Show in Portland was a success. She said she made some great contacts that would result in more media coverage of The Dalles as a destination location for recreation. She said the handout newspaper had an article on The Dalles in the center of the publication.

CITY MANAGER REPORT

City Manager Krueger said during the Goal Setting Meeting Chief Ashmore had talked about the need to upgrade the radios, receivers and tasers. She said the taser program would cost \$18,126 and the radios and receivers would cost \$75,682. She asked for a motion authorizing the purchase using the safety funds.

It was moved by Miller and seconded by Brown to expend safety funds in the amount of \$18,126 for tasers and \$75,682 for radios and receivers. The motion carried unanimously.

City Manager Krueger introduced the City's workers compensation representative, Mike Courtney to provide a SAIF report.

Courtney said the experience modification rating continued to go down. He said in 2015-16 the City was paying \$280,000 for insurance premiums, with an experience modification rating of 1.69. He said the current year figures were \$238,000 in premiums and experience modification of 1.47. Courtney said the City was on trend for \$130,000 premiums and experience modification of .80 in 2018-19.

Courtney congratulated the Council and staff for the improvement.

CITY ATTORNEY REPORT

City Attorney Parker reported he was working on the EDA Grant documents, and a franchise draft for ZAYO.

Parker said the CenturyLink franchise had expired in 2016, he had reached out to CenturyLink to start that process.

He said he was working the Finance Director Mast and Public Works Director Anderson on suggested revisions to the Water and Sewer Ordinance. He said the original was adopted in

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1991. He said they would have a draft to Council at the next meeting.

CITY COUNCIL REPORTS

Councilor Long-Curtiss reported on attending:

- Governmental Affairs, where they discussed Oregon Food Bank needing a local facility
- QLife meeting discussed future of QLife
- Urban Renewal Agency Board
- Goal Setting
- Broadband Council

She said she would be representing the City on the Community Outreach Team trip to DC in March.

Councilor Elliott reported he had attended meeting for:

- QLife Agency
- Goal Setting
- Urban Renewal Agency

Councilor Miller said she attended meetings for:

- Household Hazardous Waste
- Blue Zone
- Urban Renewal Agency
- Transportation System Plan work session

CONSENT AGENDA

It was moved by Elliott and seconded by Miller to approve the Consent Agenda as amended. The motion carried unanimously.

Items approved by Consent Agenda were: 1) Approval of January 16, 2017 Regular City Council Meeting Minutes; 2) Approval of January 23, 2017 Regular City Council Meeting Minutes; 3) Declare Finance Department i3035 Canon Copier Surplus; 4) Two Police Department vehicles - 2001 Ford Taurus and 2013 Dodge Charger; 5) Approval of Resolution No. 17-005 Concurring with Mayor's Appointment to the Urban Renewal Agency Board.

CONTRACT REVIEW BOARD ACTIONS

Award Columbia Gorge Regional Airport Flex Hangar Contract

Airport Manager Chuck Covert reviewed the staff report. Covert said he would be going before Klickitat County for their approval on February 14.

It was moved by Miller and seconded by Long-Curtiss to approve the award of the contract for construction of Flex Space Hangar Project Lot 3 to Black Rock Construction & Development, LLC, in an amount not to exceed the sum of \$1,871,430, and authorize the City Manager to execute the contract, subject to approval of the award of the contract by Klickitat County, and subject to approval of documentation required by the Economic Development Administration for execution of the contract. The motion carried unanimously. Elliott abstained, saying he was a subcontractor for the project.

ACTION ITEMS

Authorization for Extension of Exclusive Negotiation Agreement with Tokola Properties, Inc. for two additional 120 day periods.

City Attorney Parker reviewed the staff report. He said the Urban Renewal Agency had approved the extension.

Councilor Elliott said the Urban Renewal Agency had asked for an update at the first 120-day mark.

It was moved by Elliott and seconded by Miller to approve the extension for two 120-day periods for the Exclusive Negotiating Agreement between the Columbia Gateway Urban Renewal Agency, the City, and Tokola Properties for a mixed-use development at the old Tony's Town & Country site. The motion carried unanimously.

DISCUSSION ITEMS

Blue Zone Initiative

Assistant to the City Manager Matthew Klebes reviewed the staff report. Klebes said Lauren Kraemer and Paul Lindberg were in attendance to answer any questions.

Mayor Lawrence said he would like a closer look at the business plan and projected results. He asked how the Blue Zone moved things forward without getting in the middle of what the community was already doing.

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Councilor Long-Curtiss said she had written a letter of support and made a personal donation to the project. She said she was hoping to hear from the public on their views on the Blue Zone project.

Kraemer said the process takes into consideration all the current efforts, goals and plans and helps the community work together to accomplish those goals. She said the hires would be all local people, as would the members of the steering committees.

Lindberg said a good example of how the community owns the direction is that based on feedback Wine at 5 had been changed to Socialize at 5. He said socializing was the important piece, not the wine.

Long-Curtiss said she was hoping to hear from the community. She said she felt the Blue Zone was good for families and good for The Dalles to have a blue print moving forward.

In response to a question about funding after the 3 years, Kraemer said other organizations fund the position in part or in cooperation with each other.

Councilor Miller said private enterprise should be funding the project.

Wasco County Commissioner Steve Kramer said this was an opportunity for elected leaders to guide, direct and be engaged. He said had talked to Klamath County commissioners and they were seeing a culture change. He said Blue Zones helps move things forward with collaboration and cooperation.

EXECUTIVE SESSION

Mayor Lawrence recessed the meeting for Executive Session in Accordance ORS 192.660(2)(d) To Conduct Deliberations with Persons Designated by the Governing Body to Carry on Labor Negotiations at 7:02 p.m.

Reconvene to Open Session at 7:21 p.m.

ADJOURNMENT

Being no further business, the meeting adjourned at 7:22 p.m.

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Submitted by/
Izetta Grossman
City Clerk

SIGNED: _____
Stephen E. Lawrence, Mayor

ATTEST: _____
Izetta Grossman, City Clerk



AGENDA STAFF REPORT

AGENDA LOCATION: Public Hearing Item # 11-A

MEETING DATE: February 27, 2017

TO: Honorable Mayor and City Council

FROM: Kate Mast, Finance Director

ISSUE: Public Hearing on Supplemental Budget for Wastewater Fund; and Resolution No. 17-007 Adopting a Supplemental Budget for Fiscal Year 2016/2017, Making Appropriations and Authorizing Expenditures from and within Various Funds of the City of the Dalles Adopted Budget; and Resolution No. 17-006 Authorizing Transfers of Funds between Departments of the General Fund of the city of The Dalles Budget, Making Appropriations and Authorizing Expenditures for Fiscal Year Ending June 30, 2017.

RELATED COUNCIL GOAL: Balanced Budget

BACKGROUND: Oregon Budget Law recognizes that after the beginning of the fiscal year, changes in appropriations in the budget sometimes become necessary and so allows for those changes via supplemental budgets and budget amendments. Supplemental budgets add funds to existing budgets, while budget amendments move already budgeted funds between categories of the same fund without adding to the fund's total budget.

A Public Hearing is required for any supplemental budget that changes a fund by more than 10%. The proposed supplemental budget exceeds the 10% limit only in the Wastewater Fund, so a Public Hearing on the change to that fund is required. A notice of the Supplemental Budget and the Public Hearing on the Wastewater Fund (055) is required to be published, and that notice is scheduled to be printed in The Dalles Chronicle on Friday, February 17, 2017.

The proposed resolutions contain the following items:

Resolution No. 17-006 contains budget amendments that do not increase the budget, but makes transfers between budgeted amounts in the General Fund. The City Manager/Economic Development Department contained a budget of \$7,617 for retirement for the Project Coordinator, but that employee moved after the first of the new fiscal year to the Personnel Department. No retirement had been budgeted in the Personnel Department, and the new Assistant to the City Manager will not have a retirement expense during FY16/17, so the resolution moves that retirement budget from the Economic Development Department to the Personnel Department. Resolution No. 17-006 also transfers \$85,000 from the Contingency line time to cover two items:

- 1) a \$60,000 transfer to the Airport that was inadvertently left out of the adopted budget. This payment was to come from the Enterprise Zone revenue for the Flex Building Project in the Airport Fund (061).
- 2) \$25,000 estimated to cover the conversion of the Court module and the Payroll modules to integrate those with the new Caselle software. When we purchased the other modules, we did not include Court because it was being analyzed by a committee to determine whether to continue to operate it as before or two change it to a traffic court only. Now that it has been determined that operations will remain the same, we need to purchase and convert it to Caselle. Payroll was converted to ADP last year, but has not been as cost-effective or efficient as we hoped and, in fact, has caused much more work and many errors in payroll. We hope to be able to convert both Court and Payroll before the end of FY16/17, but the funds can roll over into FY17/18, if necessary.

Resolution No. 17-007 is for a Supplemental Budget for various Public Works Funds and the Airport Fund.

- 1) The Street Fund (005) is recognizing \$134,103 in additional Beginning Fund Balance, and allocating \$10,000 to Personnel Overtime to cover the additional costs of snow removal this winter. The other \$124,103 is allocated to the Capital Projects line time for additional Street maintenance.
- 2) The Wastewater Fund (055) is recognizing \$64,994 in additional Beginning Fund Balance, and allocating that to Interfund Transfer to the Sewer Special Reserve Fund (056).
- 3) The Sewer Special Reserve Fund (056) is recognizing \$55,744 in additional Beginning Fund Balance and an additional \$64,994 from the Interfund Transfer from the Wastewater Fund, and allocating those funds to the Sewer Lines (\$30,000) and Stormwater Improvements (\$90,739) line items for the 2nd Street Joint Utility Project.
- 4) The Sewer Plant Construction Fund (057) is recognizing \$58,503 in additional Beginning Fund Balance, and allocating that to Capital Projects for the Wastewater Treatment Plant upgrades.
- 5) The Airport Fund is anticipating additional revenue from the General Fund (\$60,000) and from Klickitat County (\$250,000) that was not previously budgeted, and will be allocated to the Buildings – Hanger line item for the Flex Hanger project.

BUDGET IMPLICATIONS: Resolution No. 17-006 is transfers of current budgeted amounts, and does not have any impact on the total budget of the General Fund. Resolution No. 17-007 increases the Street Fund budget by \$134,103; the Wastewater Fund budget by \$64,994; the Sewer Special Reserve Fund by \$120,738; the Sewer Construction Fund budget by \$58,503; and the Airport Fund budget by \$310,000.

COUNCIL ALTERNATIVES:

1. Staff recommendation: *Move to adopt Resolution No. 17-007 Adopting a Supplemental Budget for Fiscal Year 2016/2017, Making Appropriations and Authorizing Expenditures form and within Various Funds of the City of the Dalles Adopted Budget;*

AND

Move to adopt Resolution No. 17-006 Authorizing Transfers of Funds between Departments of the General Fund of the city of The Dalles Budget, Making Appropriations and Authorizing Expenditures for Fiscal Year Ending June 30, 2017

2. Direct staff to make changes to the proposed resolutions and bring the resolutions back to a future Council meeting for consideration.
3. Decline to take action.

RESOLUTION NO. 17-007

A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET FOR FISCAL YEAR 2016/2017, MAKING APPROPRIATIONS AND AUTHORIZING EXPENDITURES FROM AND WITHIN VARIOUS FUNDS OF THE CITY OF THE DALLES ADOPTED BUDGET

WHEREAS, the City’s Street Fund (005) has realized an addition \$134,103 in Beginning Fund Balance, with proposed allocations of \$10,000 to Personnel Overtime due to the extreme snowfall this winter, and \$124,103 allocated to additional Street maintenance; and

WHEREAS, City’s Wastewater Fund (055) has realized an additional \$64,994 in Beginning Fund Balance, with proposed allocation to Interfund Transfer to the Sewer Special Reserve Fund (056); and

WHEREAS, the City’s Sewer Special Reserve Fund (056) has realized additional revenue from additional Beginning Fund Balance (\$55,744) and additional Interfund Transfer in from the Wastewater Fund (\$64,994), proposed to be allocated to Sewer Lines and Stormwater Improvements for the 2nd Street Joint Utility Project, and;

WHEREAS, Sewer Plant Construction Fund (057) has realized an additional Beginning Fund Balance of \$58,503, proposed to be allocated to the Wastewater Treatment Plant Upgrade project, and;

WHEREAS, the City’s Airport Fund should receive an additional \$60,000 from the City and \$250,000 from Klickitat County to be allocated to the Flex Building project;

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

Section 1. The City Council hereby adopts the Supplemental Budget for FY16/17, increasing revenues and making appropriations as follows.

Summary of Supplemental Budget – Line Item Detail				
Fund	Resource	Amount	Requirement	Amount
Street Fund (005)	Additional Beginning Fund Balance	134,103	Public Works Dept Program	134,103
	Total New Street Public Works Program Requirements			2,241,617
	Total New Resources	134,103	Total New Requirements	134,103
	New Total All Fund 005 Resources	2,531,878	New Total All Fund 005 Expenditures	2,531,878

Fund	Resource	Amount	Requirement	Amount
Wastewater Fund (055)	Additional Beginning Fund Balance	64,994	Interfund Transfers	64,994
	Total New Resources	64,994	Total New Requirements	64,994
	New Total Interfund Transfers			3,199,902
	New Total All Fund 055 Resources	6,390,329	New Total All Fund 055 Expenditures	6,390,329
Fund	Resource	Amount	Requirement	Amount
Sewer Special Reserve Fund (056)	Additional Beginning Fund Balance	55,744	Public Works Dept Program	120,738
	Additional Interfund Transfer from WW Fund	64,994		
	Total New Resources	120,738	Total New Requirements	120,738
	New Total Public Works Dept Program			2,757,524
	New Total All Fund 056 Resources	3,764,593	New Total All Fund 056 Expenditures	3,764,593
Fund	Resource	Amount	Requirement	Amount
Sewer Plant Construction Fund (057)	Additional Beginning Fund Balance	58,503	Public Works Dept Program	58,503
	Total New Resources	58,503	Total New Requirements	58,503
	New Total Public Works Department			8,523,190
	New Total All Fund 057 Resources	9,075,035	New Total All Fund 057 Expenditures	9,075,035
Fund	Resource	Amount	Requirement	Amount
Airport Fund (061)	Intergovernmental Revenue – Klickitat County	250,000	Airport Department Program	310,000
	From General Fund from Enterprise Zone money	60,000		
	Total New Resources	310,000	Total New Requirements	310,000
	New Total Airport Department Program			4,547,046
	New Total All Fund 061 Resources	4,931,288	New Total All Fund 057 Expenditures	4,931,288

Section 2. This Resolution shall become effective upon adoption by the City Council and shall remain in effect until receipt and acceptance of the FY16/17 audit report.

PASSED AND ADOPTED THIS 27th DAY OF FEBRUARY, 2017.

Voting Yes, Councilors: _____

Voting No, Councilors: _____

Absent, Councilors: _____

Abstaining, Councilors: _____

AND APPROVED BY THE MAYOR THIS 27th DAY OF FEBRUARY, 2017.

SIGNED:

ATTEST:

Stephen E. Lawrence, Mayor

Izetta Grossman, City Clerk

RESOLUTION NO. 17-006

A RESOLUTION AUTHORIZING TRANSFERS OF FUNDS BETWEEN DEPARTMENTS OF THE GENERAL FUND OF THE CITY OF THE DALLES BUDGET, MAKING APPROPRIATIONS AND AUTHORIZING EXPENDITURES FOR THE FISCAL YEAR ENDING JUNE 30, 2017.

WHEREAS, during the budget year certain funds may experience expenditures above approved category limits; and

WHEREAS, Oregon Budget Law recognizes these events and allows for transferring of funds between approved category limits within and between funds; and

WHEREAS, due to personnel changes adjustments in the amount of \$7,617 to the retirement line items must be made via a reduction in the Economic Development Department and an addition in Personnel Department; and

WHEREAS, due to conversion to the Court and Payroll modules needed in the current fiscal year, a transfer is required from the Contingency line item in the amount of \$25,000; and

WHEREAS, a pledged amount of \$60,000 from the Enterprise Zone revenues to the Airport Flex Building was inadvertently left out of the current budget, requiring a budget transfer from the Contingency to make that payment in FY16/17;

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

Section 1. Authorizing Budget Transfers. The City Council hereby authorizes the following transfer of funds between budgeted departments of the General Fund:

<u>FUND OR DEPT.</u>	<u>BUDGETED</u>	<u>RESOURCES NEEDED</u>	<u>REALLOCATED</u>
<u>GENERAL FUND (001)</u>			
from City Mgr/Eco Dev Department	\$ 452,972	\$ 445,355	- \$ 7,617
to Personnel Department	\$ 120,320	\$ 127,937	+\$ 7,617
from Contingency	\$ 673,506	\$ 588,506	-\$ 85,000
to Technology Department	\$ 259,024	\$ 284,024	+\$ 25,000
to Transfer to Airport Fund 061	\$ 230,111	\$ 290,111	+\$ 60,000

Section 2. Effective Date. This Resolution shall become effective upon adoption by the City Council and shall remain in effect until receipt and acceptance of the FY16/17 audit report.

PASSED AND ADOPTED THIS 27th DAY OF FEBRUARY, 2017.

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

AND APPROVED BY THE MAYOR THIS 27th DAY OF FEBRUARY, 2017.

SIGNED:

ATTEST:

Stephen E. Lawrence, Mayor

Izetta Grossman, City Clerk



AGENDA STAFF REPORT

AGENDA LOCATION: Action Item # 12-B

MEETING DATE: February 27, 2017

TO: Honorable Mayor and City Council

FROM: Dale McCabe, City Engineer

ISSUE: Ad Hoc Downtown Parking Task Force Final Report and
Recommendations to City Council

RELATED CITY COUNCIL GOALS: Goal C:8. Explore downtown parking needs.

BACKGROUND: By resolution at the June 27, 2016 City Council meeting, an Ad Hoc Downtown Parking Task Force was established to review existing City documents, existing parking conditions and parking availability within downtown The Dalles, and develop recommendations related to enhancing parking in the downtown for the City Council's consideration.

As per Resolution No. 16-022, "The task force shall review the downtown parking district ordinance, 2005 downtown parking plan, Transportation System Plan, and current parking availability. The task force will identify additional parking needs, types of parking, such as parking structure or surface parking lots; long term and short term parking, painted parking spaces, parking meters, signage, diagonal or parallel parking; make recommendation regarding the boundaries of the downtown parking ordinance, or whether it should be eliminated; and any other recommendations the task force deems important. The task force will make recommendations to the City Council for considerations."

Over the course of several months, the task force met numerous times to review and discuss the appropriate documents as listed above and develop recommendations to be considered that could possibly enhance or improve parking within the downtown. From those meetings, the following report to City Council was developed for the Council's consideration and acceptance of the report. (see attached report)

BUDGET IMPLICATIONS: Upon acceptance and adoption of the Ad Hoc Downtown Parking Task Force Final Report and Recommendations, the projects that are considered to be “Low Cost” projects (signing and striping projects) will be paid for by funds in the Street Maintenance Budget. Projects that are considered to be “Intermediate Cost” and “High Cost” projects will depend on timing and available funding at time of project development.

COUNCIL ALTERNATIVES:

1. Staff Recommendation: *Move to accept the Ad Hoc Downtown Parking Task Force Final Report and Recommendations.*
2. Decline to accept the Ad Hoc Downtown Parking Task Force Final Report and Recommendations, and provide direction to staff on how to proceed.



Ad Hoc Downtown Parking Task Force Final Report and Recommendations to City Council

The following “Purpose” and “Responsibility” sections are direct quotes as stated in Resolution No. 16-022; A RESOLUTION CONCURRING WITH THE MAYOR’S APPOINTMENT OF AN AD HOC DOWNTOWN PARKING TASK FORCE

Purpose

“The purpose of the task force is to review the current parking district, parking plan, and parking availability and develop recommendations for City Council consideration;”

Responsibility

“The task force shall review the downtown parking district ordinance, 2005 downtown parking plan, Transportation System Plan, and current parking availability. The task force will identify additional parking needs, types of parking, such as parking structure or surface parking lots; long term and short term parking, painted parking spaces, parking meters, signage, diagonal or parallel parking; make recommendation regarding the boundaries of the downtown parking ordinance, or whether it should be eliminated; and any other recommendations the task force deems important. The task force will make recommendations to the City Council for consideration.”

Members

Staff and Agency Members:

Dale McCabe, City Engineer

Daniel Hunter, Project Coordinator (then), Human Resources Director (now)

Donna Lawrence, Traffic Safety Commission

Matthew Klebes, Main Street Program (then), Assistant to the City Manager (now)

Jeremiah Paulsen, new Main Street Program representative

Shelly Gray, Secretary

Citizen Members:

Bill Ford

Barbara Pizzola

Thomas McDonald

Jerry Jeffers

Results/Recommendations

The Downtown Parking Task Force (Task Force) held its initial kickoff meeting on July 19th, 2017. Since that time, the Task Force met on the first and third Tuesdays of every month from 1:30 pm to 3:00 pm for a total of nine meetings. Over the course of those meetings, the Task Force looked at and reviewed the following:

- Aerial photos of the downtown
- The 2005 Downtown Parking Plan
- The Downtown Parking District Ordinance – Ordinance No. 86-1078
- The Downtown Parking District Boundary Map as found in Ordinance No. 86-1078
- The signing and striping plans for the Downtown Urban Renewal Streetscape Project, Phase II
- The Downtown Parking Permit Criteria

The Task Force also held two field trips to walk the entire downtown and evaluate current parking conditions and facilities and look for possible measures that could be taken or enhancements that could be made to improve the parking in the downtown. The first field trip consisted of walking along 1st Street and 2nd Street, while the second field trip consisted of walking along 3rd Street and 4th Street.

As each meeting was held and as discussions progressed, it became clear to the Task Force that the real crux of the problem regarding parking in the downtown was “employee parking”. The problem is that while downtown employees may not park in front of their place of employment, many of the downtown employees frequently do park in front of other businesses in the downtown, therefore eliminating parking spaces that should be left available for consumers.

The Downtown Parking District Ordinance does contain verbiage that restricts employees from parking in certain areas of the downtown that are intended for consumer parking. However, several issues or questions arise regarding employee parking. More specifically:

- Where do downtown employees park?
- Who is responsible for enforcing where employees park?
- How is downtown parking enforced?

For example: It is estimated that there are currently 220 businesses in the downtown, between the west and east gateways and 1st, 2nd, 3rd, and 4th Streets. Let’s just say that the average number of employees per business is two. With those numbers, the required number of parking spaces for just downtown employees could be as high as 440 spaces. Information that was pulled from the 2014 census for the City of The Dalles actually showed that there are approximately as many as 1,177 people (including Cherry Growers employees) that commute into the downtown for work.

So again, the real crux of the problem and the main question is: where do downtown employees park without adversely affecting the available parking spaces within the Downtown Parking District boundary that are designated for consumers and the general public? In order to minimize or alleviate enforcement issues related to employees parking in areas and spaces that are reserved for consumers, designated parking areas and spaces that are available for downtown employees must be made available to the employees and be easily accessible and be safe. We cannot simply tell employees they aren't allowed to park in an area without giving them alternative options and making them aware of those options.

In 2005, "The Dalles Downtown Streetscape and Parking Plan" (the Plan) was prepared for the City of The Dalles by David Evans and Associates. The Plan looked at available on-street and off-street parking located within the Downtown Central Business District (CBD) boundary, existing parking utilization of available parking spaces and facilities within the boundary, future parking demand projections, and possible parking improvement projects. The 2005 Plan stated that with observing both the on-street and off-street parking spaces located within the entire CBD boundary, it was determined that all of the available parking within that boundary was not being fully utilized and there was available capacity to accommodate additional vehicles.

As stated earlier, the Task Force reviewed the 2005 Parking Plan and more specifically looked at the recommended improvement projects as stated in the Plan to determine which projects had been completed to date and what projects remained, and whether they were still feasible or not. The Plan grouped the recommended/proposed projects into three categories: "Near Term", "Medium Term", and "Long Term". The Near Term projects mainly consisted of striping improvements that could be made to enhance and add additional on-street parking. The Medium Term projects mainly consisted of making striping and configuration improvements to off-street surface parking facilities that are located on properties under either public or private control. The Long Term projects mainly consisted of constructing off-street parking structures.

The Task Force felt the first priority of the group should be to focus on exploring or determining inexpensive improvements that could be made in the downtown that would result in additional available parking spaces. From the 2005 Parking Plan, there were two Near Term projects that haven't been completed to date. The Task Force discussed the two projects and unanimously agreed that the Washington Street re-striping project should occur while the 1st Street re-striping project should not be performed at this time because of the uncertainty of what 1st Street will ultimately become.

The Washington Street re-striping project consists of re-striping existing parallel parking to angled parking along one side of Washington Street between 2nd and 6th Streets. The Task Force felt that the best side to convert from parallel parking to angled parking would be the west side of Washington Street, particularly because of the types of businesses located on the that side of Washington Street, as well as the County Courthouse being located on the west side of Washington Street. The Task Force also felt that because of the signals and designated left turn lanes located at the intersections of 2nd and Washington and 3rd and Washington, the re-striping project should occur from 3rd Street to 6th Street and not between 2nd and 3rd Streets as stated in the 2005 Parking Plan. The 2005 Parking Plan estimated that an additional 23 parking spaces could be

gained by performing this project. With the segment between 2nd and 3rd Streets being left as parallel parking as currently exists, the re-stripping project will potentially gain an additional 18 spaces. (See Exhibit 1)

The 1st Street re-stripping project consists of re-stripping the existing parallel parking to angled parking along the south side of 1st Street between Union Street and Washington Street. This proposed project would net an additional 4 on-street parking spaces. The Task Force felt that because of the uncertainty of how 1st Street will ultimately be developed (particularly the thought of having bicycle facilities striped on it), it is probably best to leave the parallel parking as is.

Over the course of the meetings that were held by the Task Force, the group discussed ideas of how to add additional parking and enhance parking facilities throughout the downtown core area. All ideas were considered and discussed. To look at some of the possible ideas first hand and possibly develop additional ideas, field trips were held as stated earlier. From the meetings and the field trips, a list of possible parking solutions was developed. The group decided that rather than prioritizing the projects, we would categorize them as “Low Cost”, “Intermediate Cost”, and “High Cost” projects. The following table was developed as a result:

Low Cost	Intermediate Cost	High Cost
<ul style="list-style-type: none"> ▪ Yellow curbs (re-evaluate) ▪ Consider angled parking ▪ Update Downtown Parking District boundary ▪ Establish an employee parking lot with designated times (M-F, 8-5 employee only) ▪ Signage- improve for RV parking ▪ Possible time limit parking signs ▪ Consistent usage of T's and L's on north side of 1st St 	<ul style="list-style-type: none"> ▪ Get rid of unnecessary curb cuts/drive approaches ▪ Purchase or lease old Urness lot and in conjunction, install walking path between it and Union Street along the Post Office property ▪ Improve lighting and install police call boxes ▪ Law enforcement/safety officer (with a bicycle or other mobility assist) 	<ul style="list-style-type: none"> ▪ Multi-level parking structure ▪ Park & Ride lots outside of downtown with transit service to downtown ▪ Note: 3rd and 4th streets are recommended to be visited more in depth if/when there's a streetscape project for those areas

While the Task Force decided not to prioritize all of the projects or improvement ideas, it identified three projects that could be performed relatively inexpensively and should be considered as a top priority to gain additional parking spaces throughout the downtown. Those top three projects are as follows:

1. Re-evaluate all yellow curbing throughout the downtown and reduce in length or eliminate if at all possible.
2. Convert the parallel parking to angled parking on the west side of Washington Street between 3rd Street and 6th Street as stated in the 2005 Parking Plan.

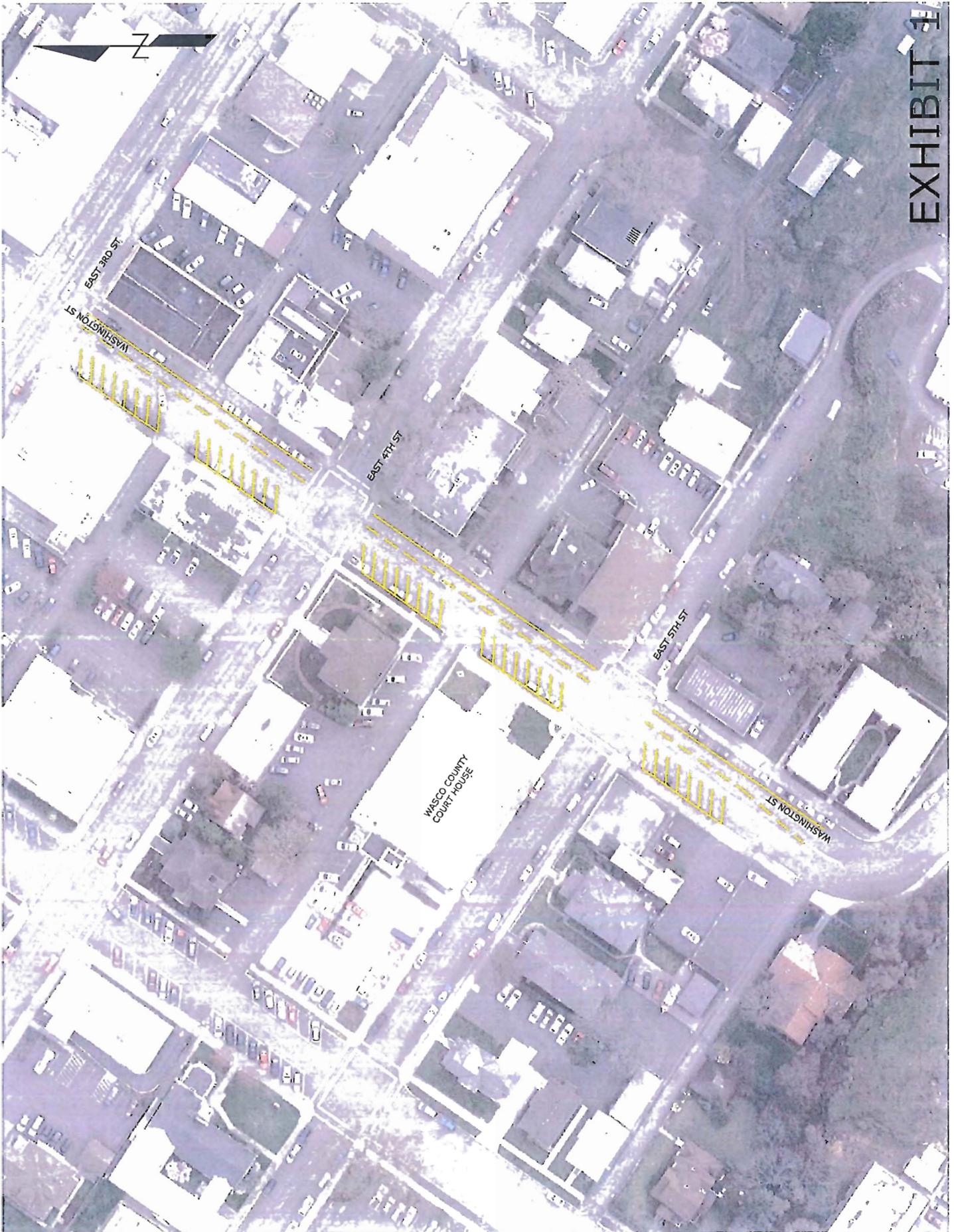


EXHIBIT 1

3. Remove all unused drive approaches and replace with curbs and sidewalks and open back up to on-street parking.

Another project on the chart above that gained a great deal of interest from the Task Force and the group highly recommends pursuing at some point in the future is the project of purchasing or leasing the existing asphalt lot known as the old Urness Motors sales lot that is located just west of the Post Office and across from the Chamber of Commerce. This project was listed under the “Intermediate Cost” section as it will have some substantial costs associated with it because of having to purchase or lease the property.

The Task Force was excited about the possibility of this project because they felt it could not only serve as a designated parking lot for downtown employees to park in but it could also serve and benefit the whole community during some of the popular annual community events such as Cherry Festival, Fourth of July events, City Cruise for Neon Nights, Lighting of the Christmas Tree at the Chamber, Ted Walker Memorial Swim Meet, or even just as overflow parking for the new Aquatic Center at the Natatorium.

The Task Force felt that this lot could possibly be an ideal lot to pursue for a possible future community parking lot not only because of its location for being able to serve multiple community events as mentioned above, but also because it is an existing paved lot that has an adequate storm drainage system installed to serve the lot. The only work that would really be required to convert it from its current use to a parking lot would be painting/stripping the lot and installing the required landscaping. (See Exhibit 2.1 for a possible lot layout)

Another possible aspect of this project that could be explored would be the possibility of constructing a walking path from the north east corner of the lot over to the intersection of Union and 1st Street. The walking path would be adjacent to the improvements installed at the northern boundary of the Post Office property. The biggest question would be whether Right of Way or an access easement could be obtained to construct the walking path within. (See Exhibit 2.2)

The topic that raised the most discussion among the Task Force members was enforcement of the Downtown Parking District Ordinance (Ordinance No. 86-1078) and the current Downtown Parking District boundary. Upon review of the existing Ordinance and boundary map, the Task Force felt that the existing boundary is somewhat confusing because of its irregular shape and it could be hard for employees to know where parking is and is not allowed which in turn can also make the boundary somewhat difficult to enforce.

The Task Force looked at modifying the Downtown Parking District boundary to a regular shaped boundary that would possibly be easier to understand and enforce. The majority of the group felt that the new boundary should be comprised of 2nd and 3rd Streets from Union Street to Monroe Street, including all side streets up to 1st Street and 4th Street. 1st Street and 4th Street would not be included in the boundary which in turn would allow employees to utilize the on street parking on those streets. However, it was suggested that if the new boundary adversely affected the parking in front of businesses on 4th Street, then a 2 hour parking time limit could be placed on the on street parking spaces in front of those businesses.

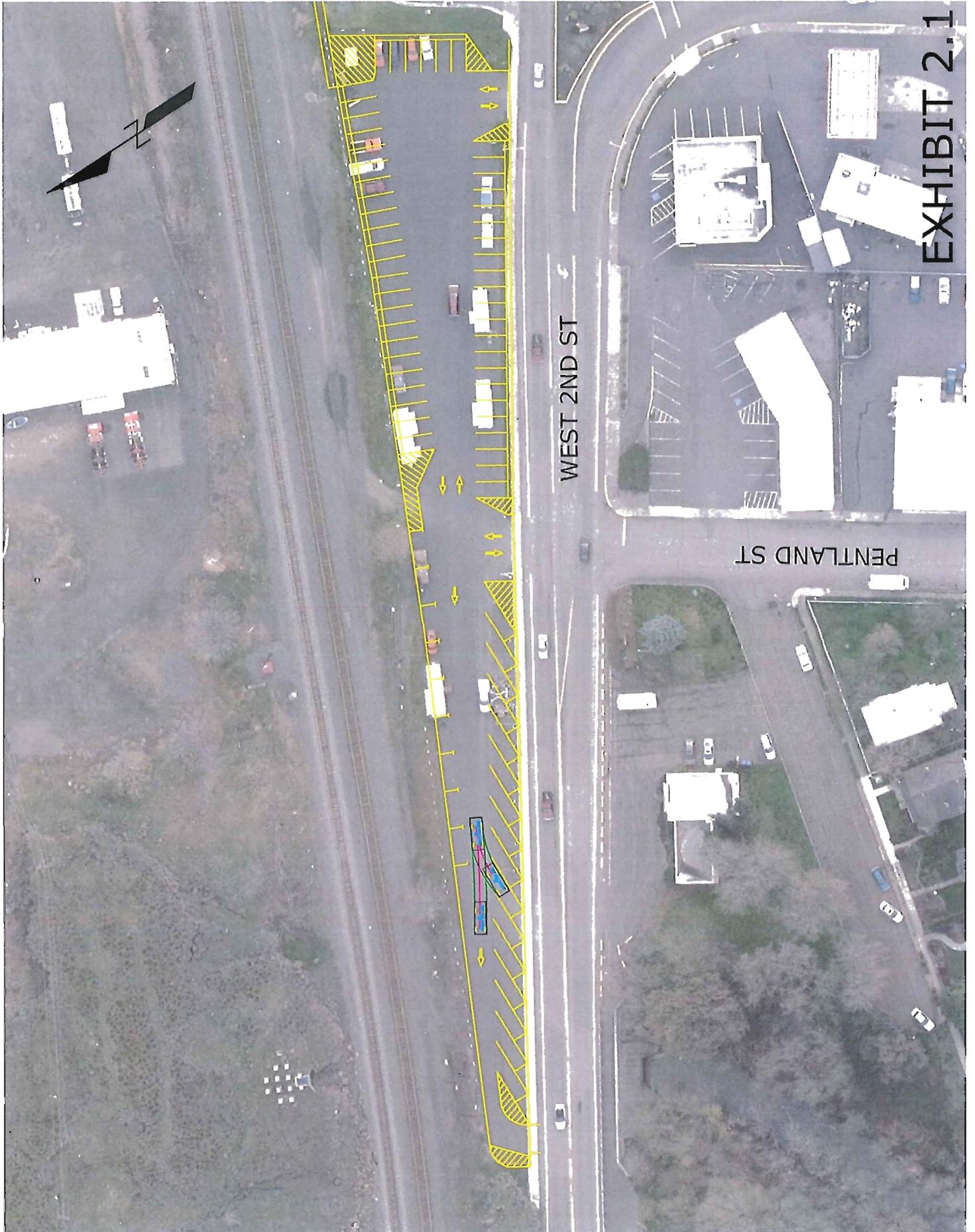


EXHIBIT 2.1

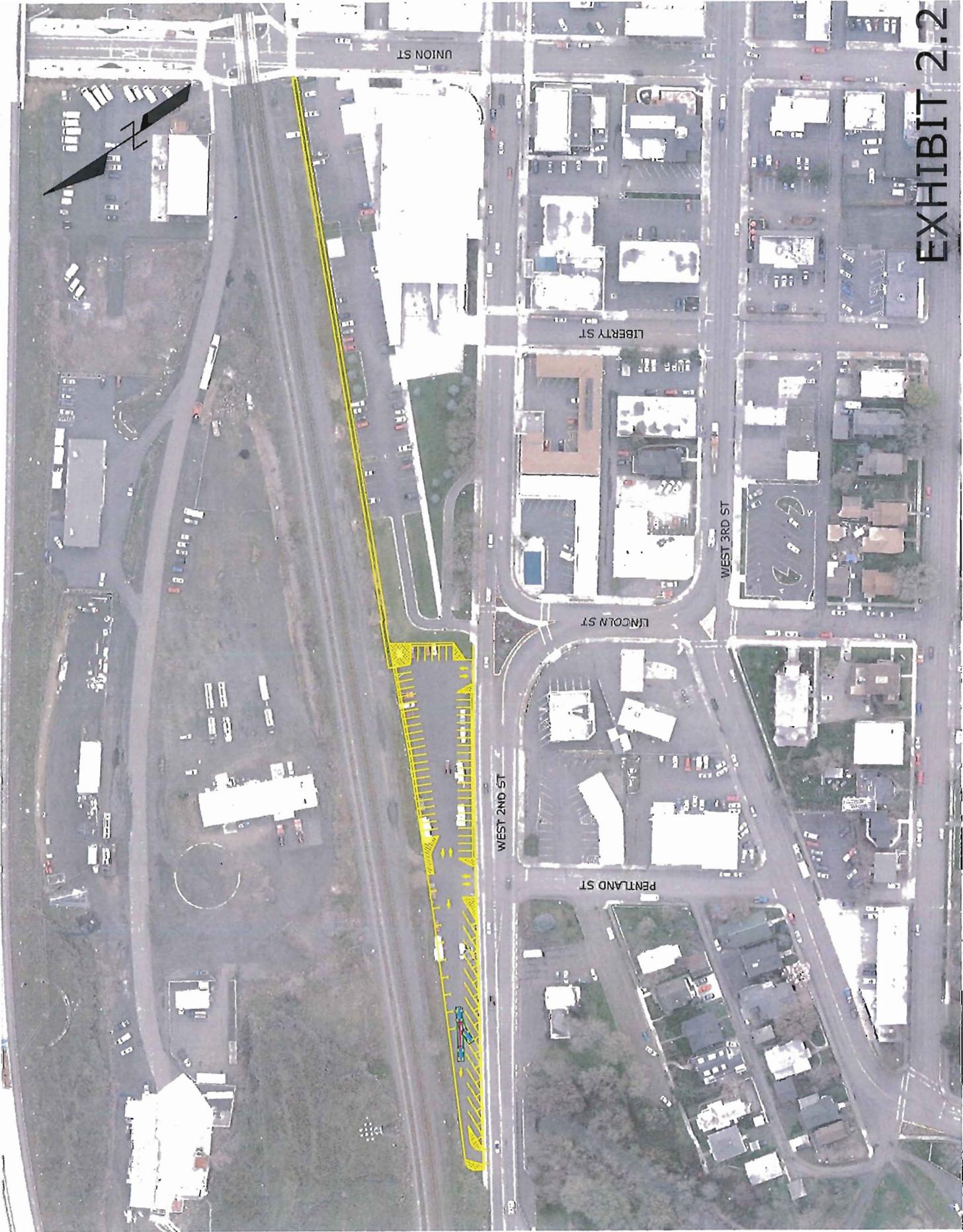


EXHIBIT 2.2

A map showing the new proposed boundary change was prepared by the City's engineering division and was provided for the Task Force to review at a subsequent meeting. Upon review of the proposed boundary change map, the group had mixed feelings about the new boundary. The specific concerns were about losing too many current employee parking spaces that are located on side streets where no businesses currently exist, the lack of adequate lighting and perceived safety concerns along 1st Street and in adjacent off-street parking lots, and the fact that enforcement of the boundary would still be an issue. Because of those concerns, the consensus of the Task Force was to leave the existing Downtown Parking District boundary as is at this time until some future projects occur that would address and alleviate those concerns. Upon completion of those projects, the boundary could be revisited and possibly converted to the new proposed boundary as previously described.

It was the consensus of the Task Force that to better utilize some of the existing off-street surface parking facilities downtown, particularly the lots adjacent to 1st Street, safety improvement projects need to be completed before they will start being utilized. Those safety improvements include providing additional lighting, possibly installing emergency call boxes/stations (similar to what are installed on a college campus), and possibly providing additional police presence or having a safety officer designated to patrol the lots and have a constant presence. The Task Force members agreed that 1st Street and some of the off-street surface parking lots along 1st Street are not being utilized because they are dark, especially during the winter months, and the lack of adequate lighting provided leads to the perception by many that it is not safe.

Also, as part of the boundary discussion, it was discussed whether parking time limits should be implemented for the on-street parking spaces within the boundary or whether or not parking meters should be re-introduced in the downtown. Through the discussions, it was the consensus of the Task Force that parking meters not be re-installed. The topic of parking time limits, however, had varying opinions from the members. Some were adamantly against them and felt they were unnecessary while others felt that they could be an effective method or tool for helping to discourage employees from parking in spaces within the boundary. The main question was: What time limit would be effective for discouraging employee parking while not creating a hardship for consumers that may be shopping, dining out, and doing business in the downtown all in one visit? It was the consensus of the group that just as it was felt that the Downtown Parking District boundary should be left as it currently exists, so too should the on-street parking spaces with no time limits. When the Downtown Parking District boundary is revisited and reevaluated, parking time limits could be reconsidered as well.

For the time being, the enforcement of the existing boundary should remain as a complaint driven process and it should be the employer's responsibility to address any parking issues with their employees. The Task Force also felt that the procedure of having a continual enforcement officer present during the Holiday season as currently exists, should remain.

The Task Force also felt that if a business downtown was going to have an event or a training that was going to last for several hours or more, then the people attending those sessions could possibly be utilizing parking spaces that are intended for consumers/shoppers. Therefore, that business should then be required to inform the

attendees that the on-street parking spaces are reserved for consumers/shoppers and they will need to find alternate parking sites. The businesses could hand out a flyer that illustrates where alternative parking may be available or found.

The topic of an enforcement officer was also discussed. Should there be a full time officer designated strictly for addressing and enforcing the parking downtown? Should there be a part time officer that could make random patrols through the downtown to address and enforce parking, especially if time limits were put into place? Or should it remain as is where law enforcement responds to complaints as they are received and employers should be making sure their employees are parking in appropriate places?

The Task Force invited Police Chief Pat Ashmore to attend a meeting to discuss the topic of enforcement. The Police Chief came to a meeting and introduced himself and the Task Force members introduced each of themselves and what group or interest they were representing on the Task Force. The Task Force also gave the Police Chief an informative breakdown of the group's thoughts and ideas regarding enforcement and what had been discussed to date.

From the discussion, Police Chief Ashmore asked if the group knew or if they had any idea about how many calls the Police Department could receive in a month regarding parking violations. He recommended that the group build a data base and keep track of violations that could be passed on to the Police Department. He stated that the Police Department has a limited amount of officers, and listed their responsibilities and what they have to respond to, and explained that at times, parking issues would not be high on the priority list. He did state that if a call comes in regarding a downtown parking violation and the Police Department can respond, they definitely will but sometimes it may be a while before they can get to it. He stated that he definitely wants to know about the issues and especially if there is a repeat offender so that they can address the issue. If they don't know about a situation, they can't address the problem. He stated that if the department is continually getting calls about downtown parking violations, then at some point they may be able to evaluate the situation and see if a part time officer is warranted for patrolling and addressing downtown parking violations. He recommended that a cost analysis for a position for a parking enforcement officer be performed so that that cost is known. A parking enforcement officer would have to be properly trained the same as all other officers. He also recommended that all monies generated from parking violations would need to go back into the City's General Fund.

As part of the enforcement discussion, it was also mentioned that there is currently a "Parking Permit" for the downtown that can be applied for that allows a person (employers/employees included) to park anywhere or in any space in the downtown at all times. This permit is currently being issued by City Hall. It was the consensus of the group that the criteria for applying for one of these parking permits needs to be re-evaluated and that the task of reviewing and issuing these permits should be transferred to the Police Department from City Hall.

Again, the consensus of the Task Force members is that the real crux of the problem regarding parking in the downtown is adequate designated employee parking or the lack thereof. There are a few projects (particularly striping projects) that would be somewhat low in cost and would result in gaining some additional parking spaces throughout the

downtown and it is the Task Force's recommendation that those projects be completed as soon as possible, as time and funds allow.

It was the consensus of the Task Force, that ultimately, constructing a new multi-level parking structure in the downtown will be required. As development projects in the downtown continue to gain interest and become closer to a reality, parking demands in the downtown will only increase without additional parking spaces possibly being created. For example, 2nd story housing/renovation projects (Vertical Housing Development Zone – Resolution No. 13-027) are gaining a great deal of interest and are being encouraged as development projects in the downtown. Since most of these projects are located in the Central Business Commercial Sub District – 2, which is exempt from requiring parking, they will be exempt from having to provide off-street parking facilities for the newly created residences. Therefore, the group felt that it is very important that the City look at reserving a vacant lot in the downtown (the 1st Street City parking lot for example) for ultimately having a lot available for constructing a multi-level parking structure on its location.

There are several Task Force members that would be willing to participate in future re-evaluations or future committees regarding parking in the downtown.



AGENDA STAFF REPORT

AGENDA LOCATION: Action Item #12-C

MEETING DATE: February 27, 2017

TO: Honorable Mayor and City Council

FROM: Steve Harris, Planning Director

ISSUE: Request for addition TAC Work on Housing Strategies

BACKGROUND: On February 11, 2016 The City of The Dalles entered an agreement with DLCD for the administration of granted funds in the amount of \$30,000 from that agency, which the City matched with \$25,000. On March 25, 2016 The City of The Dalles executed a contract with Johnson Economics to conduct a Housing Needs Assessment and Buildable Land Needs Analysis for \$46,913.

In an attempt to provide the public, the Planning Commission and City Council with information during the contracted work process, two additional meetings were added. These meetings increased the cost of the contract by \$3,768. This is 8% of the original contract award and the total was still under the total funds available of \$55,000.

At its January 23, 2017 meeting City Council expressed an interest in having the Technical Advisory Committee hold another meeting with the Consultant to work through the Housing Strategies Report and refine the recommendations. City staff has worked with the consultant and determined the additional meeting will result in change orders in excess of 10% of the original contract award.

BUDGET IMPLICATIONS: There is \$55,000 currently budgeted for this project. The original contract was for \$46,913; with an additional \$3,768 added since the award. Adding another meeting with the TAC will add additional costs at \$1,884. This equals \$5,652 (12%) in added charges since the contract award. An amendment to the contract authorizing the added expenditure is required. The total new costs for this project will be \$52,565 which is still under the total budgeted for this project.

COUNCIL ALTERNATIVES:

1. **Staff recommendation:** *Move to amend Contract Number 2016-003, authorizing additional expenditures for a total cost not to exceed \$52,565.*
2. Move to direct the City Manager to proceed with the contract as previously approved and eliminate the added TAC meeting from consideration.
3. Direct the City Manager to gather additional information and bring back to a future meeting.



AGENDA STAFF REPORT

AGENDA LOCATION: Discussion Item #13-A

MEETING DATE: February 27, 2017

TO: Honorable Mayor and City Council

FROM: Kate Mast, Finance Director, Dave Anderson, Public Works Director, and Gene Parker, City Attorney

ISSUE: Proposed Changes to the City's Water Regulations Ordinance No. 91-113, and Sewer Regulations Ordinance No. 97-1213

BACKGROUND: The Water Regulations Ordinance is originally from 1991, and although it has been amended over the years, we are proposing to incorporate all of the prior amendments and make some new changes in a new ordinance and repealing the old one. The Sewer Regulations Ordinance is originally from 1997, but has only been amended a few times, so we are proposing another amendment, rather than repealing and replacing it entirely.

The proposed changes to these Ordinances are:

- Updates and corrections to language and terms;
- Updates to reflect current practices, such as removing language regarding taking deposits on new account, which we have not done for over 10 years;
- Proposed changes to increase efficiencies and provide for processes to increase collections of revenues.

The two most significant changes to both of the ordinances are discussed below.

1. We are proposing to require all City utility billing accounts be held in the name of the property owner. The only alternative to that would be if the property owner wishes to have the account in someone else's name, such as a renter or property management company, the property owner would be required to sign an agreement stating that if any account for service at their property becomes delinquent, the property owner will be responsible for any unpaid bills owed by any account holder for that property. Approximately 90% of the accounts we

send to collections are for renter accounts. While we can refuse to connect any property for services when there is an outstanding owner account, we cannot do that when the account was for a renter. Unless that renter tries to open a new account in their name, we probably will never collect that unpaid amount. If the renter that skipped does want to open a new account, we either collect the old unpaid amount prior to opening a new account or make payment arrangements to get it paid off. However, the ones we can't ever collect end up affecting the rates of the current customers, as those revenue losses affect the rate calculations. Absorbing the loss of those water and sewer bills that are not paid by the renters, should be a cost of doing business to the property owners/landlords, not to the City.

This change will be especially important when dealing with the Sewer only accounts. Those accounts that receive City sewer services, but have a well or get water from Chenoweth PUD, have no incentive to tell us when people move in or out of those properties and use the sewer service. It is very time consuming for City personnel to have to go out to see if they can tell if anyone is living on those properties, and then work with Chenoweth to get information on when water usage occurred at those properties. If those sewer only accounts were required to be held in the property owner's name, there would be no need for changes to the account for every renter that forgot to come in to sign up because the service is already there.

2. We are proposing that all utility bills, including water, sewer and stormwater charges, be declared to be a lien on the property at the time it is assessed. The City of Silverton has been doing this for several years and finds it very helpful in reducing the amount of revenue lost because property changes hands before the bills are delinquent. Once the property has been purchased, the City can't go to the new owner and say, "Surprise, we won't turn on your water until you pay the old owner's bill." If utility bills are posted as a lien on the property when they are charged, we would collect that revenue whenever a property changed hands.

BUDGET IMPLICATIONS: While there would be no guaranteed effect on the budget, we believe that by making the property owners responsible for the services provided to their properties, we would see a decrease in the write-offs of revenue due to sending uncollectible accounts to collections.

COUNCIL ALTERNATIVES:

1. *Staff recommendation: Direct staff to prepare the proposed Ordinances to be Action Items at a future City Council meeting.*
2. Direct staff to make further changes to the proposed Ordinances and prepare them to be Action Items at a future City Council meeting.
3. Decline to make the proposed changes to the Ordinances.

ORDINANCE NO. 97-1213

AN ORDINANCE REGULATING SEWAGE DISPOSAL; THE INSTALLATION AND CONNECTION OF BUILDING SEWERS; THE DISCHARGE OF WATERS AND WASTE INTO THE PUBLIC SEWER SYSTEM; SETTING FEES AND CONNECTION CHARGES; PROVIDING FOR THE INSPECTION AND ACCEPTANCE OF BUILDING SEWERS; PROVIDING PENALTIES FOR VIOLATIONS THEREOF; AND REPEALING GENERAL ORDINANCE NO. 888. THIS ORDINANCE WORKS IN CONJUNCTION WITH GENERAL ORDINANCE 96-1205.

THE COUNCIL OF THE CITY OF THE DALLES ORDAINS AS FOLLOWS:

ARTICLE I

Definitions

Section 1. As used in this ordinance, unless the context requires otherwise:

- A. **Applicant.** The person making application for a permit for a sewer connection.
- B. **BOD (Biochemical Oxygen Demand).** The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20 centigrade, usually expressed as a concentration of milligrams per liter (mg/l).
- C. **Building.** Any structure used for human habitation, commercial activity, recreational activity, or any other purpose, containing sanitary facilities.
- D. **City.** The City of The Dalles or the City Council of The Dalles or its authorized representative.
- E. **Cleanout.** A sealed aperture permitting access to a sewer pipe for cleaning purposes.
- F. **Commercial establishment.** Any structure used other than as a dwelling unit, or for manufacturing purposes.
- G. **Connection charge.** An amount of money charged for connecting to the City sanitary sewer system.
- H. **Director.** The duly appointed Director of the Public Works Department of the City or his/her authorized designee.

- I. **Domestic wastewater.** Wastewater discharged from residences and from commercial, institutional, and similar facilities.
- J. **Dwelling unit.** Any building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking and sanitation, as required by the most recent edition of the Uniform Building Code, for not more than one family, or a congregate residence for 10 or less persons.
- K. **Fixture units.** Fixture unit load values for drainage piping as provided for in the most recent edition of the State Plumbing Code and in most recent edition of the administrative rules adopted by the State Building Codes Administrator.
- L. **Improved parking lot.** Any lot used for the purpose of parking vehicles that is hard-surfaced and/or paved to the extent that water drains off into catch basins or onto a public right-of-way.
- M. **Industrial user.** A discharger into the POTW of nondomestic wastewater.
- N. **Industrial wastewater.** Wastewater in which industrial wastes predominate.
- O. **Medical Waste.** Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.
- P. **Natural outlet.** Any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.
- Q. **Non-contact cooling water.** Water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.
- R. **Non-domestic wastewater.** Industrial wastewater.
- S. **Person.** Any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all Federal, State, or local governmental entities.
- T. **Publicly Owned Treatment Works (POTW).** A "treatment works," as defined by Section 212 of the Clean Water Act (33 USC 1292), which is owned by the City. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances which convey wastewater to a treatment plant.
- U. **Septic Tank Waste.** Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

- 1) **Sewer.** The pipes that collect and transport the wastewater away from its sources of generation.
 - 2) **Sanitary Sewer.** A sewer used to collect wastewater from residential, commercial, industrial, and institutional sources.
 - 3) **Storm Sewer.** A sewer used to collect storm water from streets, roofs, and other sources. Sanitary wastewater is excluded totally.
 - 4) **Combined Sewer.** A sewer receiving wastewater from residential, commercial, institutional, and industrial sources, as well as storm water.
 - 5) **Public Sewer.** A sewer that is owned and controlled by the City.
 - 6) **Sewage Works.** All facilities for collecting, pumping, treating, and disposing of sewage.
- V. **Slug.** Any discharge at a flow rate or concentration which could cause a violation of the prohibited discharge standards in this ordinance or any discharge of a nonroutine, episodic nature, including but not limited to, an accidental spill or a noncustomary batch discharge.
- W. **Solid waste.** All putrescible and nonputrescible wastes, including but not limited to garbage, rubbish, refuse, ashes, waste paper and cardboard; sewage sludge, septic tank and cesspool pumpings or other sludge; commercial, industrial, demolition and construction wastes; discarded or abandoned vehicles or parts thereof; discarded home and industrial appliances; manure, vegetable or animal solid and semisolid wastes, dead animals, infectious waste as defined in ORS 459.386 and other wastes; but the term does not include:
- 1) Hazardous wastes as defined in ORS 466.005.
 - 2) Materials used for fertilizer or for other productive purposes or which are salvageable as such materials are used on land in agricultural operations and the growing or harvesting of crops and the raising of animals.
- X. **Suspended Solids.** The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and which is removable by laboratory filtering.
- Y. **Wastewater.** Liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.
- Z. **Watercourse.** A channel in which a flow of water occurs, either continuously or intermittently.

ARTICLE II

Adoption of State Laws and Administrative Rules

Section 1. Pipes of all sizes, for all purposes, laid from the main to the building must be of size and material approved by the most recent edition of the State of Oregon Plumbing Specialty Code. Service pipes shall be so connected and maintained as to provide the ability to locate from within the building to the main in accordance with the specifications of the Director.

ARTICLE III

Use of Public Sewers Required

Section 1. No person shall discharge to any natural outlet within the City of The Dalles, or in any area under the jurisdiction of said city, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance. For such discharge to occur, all relevant discharge regulations must be met and approval must be granted in writing by the Director.

Section 2. Except as hereinafter provided, no person shall construct or maintain any septic tank, cesspool, or other facility intended or used for the treatment and/or disposal of sewage.

ARTICLE IV

Private Sewage Disposal

Section 1. Where a public sanitary or combined sewer is not available, the sewer shall be connected to a private sewage disposal system complying with the provisions of this ordinance.

Section 2. Before commencement of construction of a private wastewater disposal system, the applicant shall first obtain a written permit signed by the Director. The application for such permit shall be made on a form furnished by the City, which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary by the Director. The permit and inspection fee may be adopted by Council by resolution.

Section 3. A permit for a private wastewater disposal system shall not become effective until the installation is completed to the satisfaction of the Director. The Director shall be allowed to inspect the work at any stage of construction. The applicant for the permit shall notify the Director when the work is ready for final inspection and before any underground portions are covered. Failure to notify the Director to allow for timely inspection shall result in the facilities being exposed at the applicant's expense.

Section 4. The type, capacities, location, and layout of a private wastewater disposal system shall comply with the provisions of the most recent edition of the State Plumbing Code. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than 10,000 square feet. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

Section 5.

- A. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public wastewater system, is required at the owner's expense to install suitable facilities, and to connect such facilities directly with the public wastewater system in accordance with the provisions of this ordinance, within 90 days after date of notice to do so, provided that the public wastewater system is within 300 feet of the property line or when a health hazard has been declared by the Director.
- B. The Director shall have the right to waive this requirement in the event an applicant submits proof that the premises are being served by a properly functioning private septic system, as determined by the Wasco County Public Health Department. Pumping of wastewater is not a valid reason for not making a connection. The applicant shall execute a written agreement agreeing to connect to the public wastewater system in the event the private system fails. When the private wastewater system is to be replaced, the applicant shall pay for the costs of abandonment and filling in the system with suitable material, and all costs associated with connection to the public wastewater system. [As amended by Ordinance No. 07-1279, adopted by the City Council February 12, 2007.]

Section 6. The applicant shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the City.

ARTICLE V

Sewer Connections

Section 1. No person shall connect to the public sewer system without first completing an application for sewer connection. The permit application shall include payment of all necessary inspection and connection fees and system development charges, established by City Council resolution, and shall also include any plans, specifications, or other information required by the Director. Each permit shall be valid for a period of 60 days from the date of issuance, after which it must be renewed. If no work is done during the initial 60 day period, or during the duration of any renewal period, the City shall refund to the applicant the amount of any inspection, connection or system development charges paid to the City at the time of issuance of the permit, less any costs incurred by the City in issuing the permit. Approval of plans and specifications, when required by the Director, shall be valid for a period not to exceed one year.

The cost of the review and approval process, as set by City Council resolution, shall be borne by the applicant.

Section 2. All costs and expenses incident to the installation and connection of a new sewer to the public sewer shall be borne by the applicant. However, from the effective date of this ordinance, all sewers installed in public right-of-way, streets, alleys, etc., shall be installed by City crews or a licensed, bonded and insured contractor approved by the Director from the public sewer to the property line. All new construction costs of excavation, installation, materials, backfill, street repair, and overhead and such other costs that may occur shall be charged on a time and material basis to the applicant, as determined by the Director.

Section 3. (A) Each property owner shall install a separate service from the sewer main to the property or other location designated by the City.

- A. Where wastewater is now serviced through one service to more than one residence or business, the Public Works Department shall notify the owner of the necessity to separate the service at the owner's expense. Failure to comply with this section shall result in turn off of water service.
- B. The Director may determine that separate services are not required for integrated systems serving multiple residences, businesses, or planned unit developments.

Section 4. Old building sewers may be used in connection with new buildings only when they are found, on examination and testing by the Director, to meet all requirements of this ordinance. When an existing structure is demolished or removed from the property and a new building is constructed, the applicant shall follow the procedures of this ordinance and must pay the same applicable connection and inspection fees. Provided, however, that where a single-family dwelling is demolished or removed and is replaced by a new one, only the inspection fee is required to be paid. If the replacement structure has more than one dwelling unit, the connection fee prescribed by this ordinance must be paid for each unit other than the first.

Section 5. The size, slope, alignment, materials of construction of a sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, backfilling the trench and the connection to the public sewer shall all conform to the requirements of the most recent edition of the State of Oregon Plumbing Code, and the most recent edition of the Administrative Rules of the State Building Codes Agency, and other applicable rules, regulations and resolutions of the City.

Section 6. Whenever possible, the sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any drain is too low to permit gravity flow to the public sewer, domestic wastewater carried by such drain shall be lifted by means approved by the Director and discharged to the sewer. Private domestic sewer lift stations shall be installed and maintained by the property owner.

Section 7. No person shall make a connection from roof down-spouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a sewer which, in turn, is connected directly or indirectly to a public sanitary sewer or combined sewer.

Section 8. The applicant for a sewer permit shall notify the Director when the sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Director.

Section 9. Applicants who are required by the City to lay sewer pipe larger than that required for their own purposes to provide service for other users will be reimbursed by the City for the difference in cost between the size of line installed and that which would be required for their own use.

Section 10. Under no circumstances shall sanitary sewer service be extended to persons or premises located outside of the City limits of the City of The Dalles without the express permission of the City Council, which may include, but shall not be limited to, a petition for consent to annexation and installation of the necessary improvements to receive sanitary sewer service by the applicant requesting such service, or prepayment by the applicant for the costs of such improvements in accordance with the provisions of Resolution No. 07-007 implementing the policy for residential local improvement districts. [As amended by Ordinance No. 11-1316, adopted by City Council December 12, 2011.]

ARTICLE VI

Prohibited Discharges

Section 1. Storm water and all other unpolluted drainage should be discharged to storm sewers or to a natural outlet as approved by the Director. Industrial users, including but not limited to producers of non-contact cooling water, medical waste, septic tank waste, and process water, shall comply with the provisions of the City's pretreatment ordinance, General Ordinance No. 96-1205.

Section 2. No person shall discharge or cause to be discharged any solid waste, or any non-domestic waste, into the public sanitary sewer system, except in accordance with the provisions of the City's pretreatment ordinance, General Ordinance No. 96-1205, and with the prior written consent of the Director.

Section 3. No person shall cause or permit material other than storm water, unpolluted drainage water or uncontaminated cooling water to be discharged to the storm sewer. This shall include concrete washings and commercial wash water (i.e. from businesses such as carpet cleaners, painting contractors and those falling under DEQ regulations for vehicle washing).

Section 4. No person shall discharge, or cause to be discharged, surface water from a parking lot of 25 cars or more or from fueling facilities, automotive service or repair facilities,

automotive sales facilities, or similar uses, without first passing the discharge through an oil/water separator capable for holding the peak discharge for 30 minutes. All separators shall be of a type and capacity approved by the Director and shall be located as to be easily accessible for cleaning and inspection.

ARTICLE VII

Protection from Damage to System Infrastructure

Section 1. No person shall intentionally break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sanitary sewer system. Any person violating this provision shall be subject to prosecution for violation of this ordinance or for the criminal offense of criminal mischief. Any person causing damage to the sewer system infrastructure, whether intentionally or accidentally, shall immediately notify the Director of such damage.

ARTICLE VIII

Powers and Authority of Inspectors

Section 1. The Director shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this ordinance and General Ordinance 96-1205.

Section 2. While performing the necessary work on private properties referred to in Article VIII, Section 1, the Director shall observe all safety rules applicable to the premises established by the owner.

Section 3. The Director shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement sampling, repair, and maintenance. Such work shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

ARTICLE IX
Sewer Service and Connection Charges

Section 1.

- A. **Requests for residential sewer service for properties that also require City water services** may be made only by the property owner or, if the property owner wishes to rent their property and have the sewer service account held in the renter's name, they must sign a form provided by the City stating that they, as the property owner, will be responsible for the utility bills for their property in the event the renter does not pay those bills. Open residential accounts that are in a renter's name as of [date of ordinance] may remain in the renter's name as long as the account remains in a current status or is closed. If the account is closed or is shut off for non-payment, that account may only be reconnected in the property owner's name or if the property owner signs a form stating they will be responsible for the utility charges for their property as described above. Sewer service charges shall be paid by each customer who requests sewer service.
- B. **Requests for residential sewer service for properties that do not have City water services** may be made only by the property owner. Open residential accounts that are in a renter's name as of [date of ordinance] may remain in the renter's name as long as the account remains in a current status or is closed. If the account is closed, that account may only be reconnected in the property owner's name and the property owner will be responsible for the utility charges for their property. If the renter's account is disconnected for nonpayment, the account must be paid in full, after which it may only be reconnected in the name of the property owner or if the property owner signs a form stating they will be responsible for the utility charges for their property as described in subsection (A) above.
- C. Non-residential customers receiving water service from the Chenoweth PUD, who apply for sewer service from the City, shall be required as part of the application for sewer service, to execute a consent form authorizing the Chenoweth PUD to provide information to the City concerning the amount of water consumed by the customer, which the City needs to calculate charges for sewer service. Charges may be computed based upon a unit system or water consumption, as established by City Council by resolution. In the event of invalidity or lapse of any fee schedule or fee resolution, fees shall be computed according to the charges contained in the prior ordinance or resolution establishing fees. [Amended by 10-1302, passed and adopted February 8, 2010.]
- D. ~~A.~~ **Industrial wastewater dischargers.** Discharge of industrial wastewater is to be paid for at the basic rate plus strength surcharges for Biochemical Oxygen

Demand and Total Suspended Solids, as set by resolution. Industrial dischargers shall also be subject to pretreatment program fees, as set by resolution.

- E. ~~B.~~ Method of payment. All charges for sewer service requested by a customer shall be billed and payable on a monthly basis, in the same manner that is provided for bills for water service charges in General Ordinance No. 91-1133 ~~17-~~ _____. The provisions for delinquent fees in General Ordinance No. 91-1133 ~~17-~~ _____ shall also apply to delinquent sewer accounts.
1. Delinquent charges - Method of collection. Any charge due under this ordinance which is not paid when due, may be recovered in an action at law by the City, **by foreclosure of the lien for services**, or pursuant to the provisions of ORS 454.225, as the same now exists. For customers who are provided both sewer and water service, the City may terminate water service if a delinquent sewer account is not paid in full. In the event water service is terminated for failure to pay sewer service charges, water service will not be turned on again until all outstanding **water and sewer** charges, including deposits, have been paid in full.
- F. ~~C.~~ Errors in Billing. An error resulting in an account being underbilled or overbilled, such as application of incorrect rate schedule or other procedural problems, will be adjusted back to when the error first occurred or for a period of 24 months, whichever is the lesser. Amounts will be calculated as accurately as possible with estimates used when accurate data is not available.
1. Filing a Claim. A customer having a claim against the City for an overpayment due to an error, as set forth in subsection C, shall present the claim, with supporting evidence, to the City Finance Department. The maximum period for which a refund may be made shall be the twenty-four (24) month period as set forth in subsection C.

Section 2. All connection and monthly utility charges become a lien on the premises served from and after the date of billing and entry in the City lien docket. The lien docket shall be made accessible for inspection by anyone interested in ascertaining the amount of the charges against the property. When a bill for sewer service remains unpaid sixty (6) days after billing, the lien thereby created may be foreclosed in the manner provided by ORS 223.610, or in any manner provided by law, this Ordinance, or other City Ordinance.

Section 3. ~~Section 2.~~ Systems Development Charge. Each applicant for sewer connection shall pay a systems development charge in accordance with the provisions of General Ordinance No. 06-1266. [as amended by Ordinance No. 06-1270, adopted July 24, 2006.]

ARTICLE X

Penalties

Section 1. Any person violating any of the terms of this ordinance shall, upon conviction thereof in the Municipal Court, or upon plea of guilty or no contest before the Court, be subject to a fine not to exceed \$1,250.00, and a 30 day jail sentence, or a combination of the two, plus court costs and assessments, plus any costs to reimburse the City for damage or expense incurred by the City.

ARTICLE XI

Severability

Section 1. The sections and subsections of this ordinance are hereby declared severable. The invalidity of any one section or subsection shall not affect the validity of the remaining sections or subsections.

ARTICLE XII

Repeal

Section 1. General Ordinance No. 888 is hereby repealed.

~~Passed by the City Council and approved by the Mayor October 27, 1997.~~

PASSED AND ADOPTED THIS _____ DAY OF _____, 2017.

Voting Yes, Councilors: _____

Voting No, Councilors: _____

Absent, Councilors: _____

Abstaining, Councilors: _____

AND APPROVED BY THE MAYOR THIS _____ DAY OF _____, 2017.

SIGNED:

ATTEST:

Stephen E. Lawrence, Mayor

Izetta Grossman, City Clerk

GENERAL ORDINANCE NO. 91-1133 _____

AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT AND ADMINISTRATION OF THE WATER DEPARTMENT, PROVIDING FOR THE ESTABLISHMENT OF RULES AND REGULATIONS GOVERNING WATER SERVICE, AND REPEALING GENERAL ORDINANCE NO. 84-1054 91-1133, AND DECLARING AN EMERGENCY.

THE PEOPLE OF THE CITY OF THE DALLES DO ORDAIN AS FOLLOWS:

Section 1: Definitions. As used in this ordinance the following words and phrases shall mean: [~~Section 1 amended by Ordinance No. 96-1202 passed by City Council and approved by the Mayor August 12, 1996.~~]

- a. Customer. The person, persons, firm, association, partnership, corporation or entity whose application for service has been approved by the City of The Dalles, who uses the water service provided by the City of The Dalles and agrees to comply with the City's rules and regulations for providing water service.
- b. Department. The Public Works Department of the City of The Dalles.
- c. Director. The Director of the Public Works Department of the City of The Dalles or authorized designee.
- d. City Standard. The quality of materials and standards for sizing and design adopted formally or informally for the construction of improvements to be added to or served from the City water system.
- e. City Manager. The duly appointed City Manager of the City of The Dalles, or authorized designee.
- f. Finance Director. The Director of the Finance Department of the City of The Dalles or authorized designee.

~~Section 2: Creation and Administration. There is hereby created a municipal Water Department for the City of The Dalles. Administration of the Water Department shall be under the management of the Director.~~

Section 2. 3: Rates, Fees, and Charges. All rates, fees and charges shall be set by the City Council by resolution, except as provided in this section. Rates and fees in effect upon the date of passage of this ordinance shall remain in effect until modified, suspended, or repealed by resolution of the City Council. Fees may include, but are not limited to the following:

- a. ~~Deposit for New Accounts.~~ At the time a new account is established upon a customer's request, the customer shall pay a deposit, in an amount determined by the City Council by resolution. The sum shall be deposited in an account that allows for the return of interest at a rate determined by the Finance Director. The deposit, including interest earned, shall be returned to the customer at the end of one year of service, if the customer has maintained a favorable credit history, or upon termination of service, upon a determination that all charges have been paid in full. If all charges have not been paid, the Finance Department may apply the deposit to all sums due and owing to the City. [As amended by Ordinance No. 96-1202, passed by City Council and approved by the Mayor August 12, 1996.]
- b. ~~Deposits for Terminated or Delinquent Accounts.~~ For an account which has been terminated for non payment, or for an account which has an established history of delinquent payments, the Director, in his discretion, may require a customer to pay a deposit which shall be sufficient to ensure that payments are made on a timely basis, if service is to be restored or continued. The deposit shall be returned to the customer at the end of one year of service from the date the deposit is made, if there have been no delinquent charges, or upon termination of service, provided that all charges owing to the City have been paid in full.
- e. a. Water Rate Charges. All customers shall be charged monthly for water service provided by the City of The Dalles in accordance with rates established by the City Council by resolution. The rate structure shall be designed to ensure charges are only imposed upon customers who request water service from the City of The Dalles. [As amended by Ordinance No. 96-1202, passed by City Council and approved by the Mayor August 12, 1996.]
- d. b. System Development Charge. Pursuant to General Ordinance No. 06-1266, a system development charge shall be levied upon each new building, structure, or fixture unit attached to the water system at the time of initial attachment, or upon resizing of a connection to accommodate a new service pipe larger than 3/4" inside diameter. [as amended by General Ordinance No. 06-1270, adopted July 24, 2006.]
- e. Turn On Fee. A non refundable turn on fee shall be charged to turn on service. The turn on fee shall be set by the City Council by resolution. [As amended by Ordinance No. 96-1202, passed by City Council and approved by the Mayor August 12, 1996.]
- c. **Account Set Up Fee. An account set up fee, set by City Council resolution, will be added to the customer's first billing after the account has been opened.**
- f. d. A Bad Check Fee. A bad check fee, **set by City Council resolution**, may be charged for each check or draft not paid upon presentment by the customer's bank or financial institution. The fee shall be in an amount set by the Council by

resolution. The Finance Department shall have the right to waive this fee upon receipt of proof that dishonor by the bank or financial institution was improper.

- ~~g.~~ **e.** Special Service Fees. A special service fee in an amount set by the Council by resolution ~~shall~~ **may** be charged when:
- (1) The Department is requested to turn on or turn off service on a temporary basis. ~~{As amended by Ordinance No. 96-1202, passed by City Council and approved by the Mayor August 12, 1996.}~~
 - (2) The Department provides a lockout service for non-payment of fees or charges or for failure to abide by City ordinances, rules and regulations, or State or Federal laws. ~~{As amended by Ordinance No. 96-1202, passed by City Council and approved by the Mayor August 12, 1996.}~~
 - (3) Under other circumstances designated by the City Council.
 - (4) A customer requests the City to check **the** adequacy of a meter.
- ~~h.~~ **f.** Surcharge. A surcharge is a temporary increase in a service charge imposed on a uniform basis upon all classes of customers to meet emergencies or to vitiate the effects of cash flow problems. The Council shall set surcharges by resolution. The resolution setting a surcharge shall identify the emergency or problem to be corrected, state the total amount to be raised, give the rate of surcharge imposed, and give the beginning and ending dates of the surcharge.
- ~~i.~~ **g.** Construction Fees. The cost of constructing stubs (from a main to the property served) or construction of any appurtenance, which construction is requested by the customer, shall be borne by the customer. If work is to be performed by the City, the City ~~may~~ **shall** require a ~~deposit~~ **advanced payment** sufficient to cover all **estimated** fees and costs ~~in advance of~~ **prior to** performing **the** work. Fees and charges for work performed by City crews shall be set by the Director. The fees shall not exceed the actual cost of construction, including but not limited to material, labor, equipment, design, legal, and administrative expenses. **Upon completion of the work, the customer shall pay any costs over the advanced payment amount, or shall be refunded any of the advanced payment over the actual costs.**
- ~~j.~~ **h.** Delinquent Charge. A delinquent charge, in an amount to be set by Council by resolution, shall be imposed pursuant to Section 9 of this ordinance, for each month in which the customer is delinquent in making payment. ~~{Clerical correction August 21, 1996; subsection was incorrectly labeled as subsection "k", and there was no "j".}~~

Section 3: Utility Charges as Liens. All connection and monthly utility charges become a lien against the premises served from and after the date of billing and entry in the City lien docket. The lien docket shall be made accessible for inspection by anyone interested in ascertaining the amount of the charges against the property. When a bill for water service remains unpaid sixty (6) days after billing, the lien thereby created may be foreclosed in the manner provided for by ORS 223.610, or in any other manner provided by law, this Ordinance, or other City Ordinance.

Section 4: Application for Service. Any person, persons, firm, association, partnership, corporation or entity desiring to be served water from the City system shall submit an application in writing upon a form supplied by the City. **Residential property owners shall maintain the utility accounts in their own names. Property owners who wish to rent their property and have the water service account held in the renter's name, must sign a form provided by the City stating that they, as the property owner, will be responsible for the utility bills for their property in the event the renter does not pay those bills.**

Open residential accounts that are in a renter's name as of [date of ordinance] may remain in the renter's name as long as the account remains in a current status or is closed. If the renter's account is closed, that account may only be reconnected in the name of the property owner or if the property owner signs a form stating they will be responsible for the utility charges for their property as described above. If the renter's account is disconnected for nonpayment, the account must be paid in full, after which it may only be reconnected in the name of the property owner or if the property owner signs a form stating they will be responsible for the utility charges for their property as described above.

The application shall include a service agreement whereby the customer shall agree to comply with all rules and regulations adopted by the City for the provision of water service, including notification to the City of any change in the customer's billing address. Applications shall be accompanied by ~~any fees or deposits required~~ **proof of identity** and shall be signed by the customer. **Proof of identity must be established by providing documentation as required in the City's Identity Theft Program and procedures to comply with Federal Regulations and Laws relating to utility billing.**

Section 5: Processing of Applications; Denial of Applications. Applications shall be processed by the Finance Department. An application may be denied for any of the following reasons:

- a. The application is incomplete, not signed by the customer, or is illegible.
- b. The application requests service to a property location which would be difficult or impossible to provide without obtaining right of way or extending trunk or laterals.
- c. **The application requests service to a property that has a delinquent water or sewer account with the City either in the property owner's name or where**

there is a signed agreement by the property owner to be responsible for utility charges for that property incurred by a renter in the event the renter fails to pay the utility charges.

- d. The application requests service to a customer who has a delinquent water or sewer account with the City.
- e. The property where the water service will be provided is located outside the City limits, **unless authorized by the City Council.**
- f. The City's water system will be unable to supply the demand created by the proposed use without the acquisition of new sources of water, or capital improvements to the existing system.
- g. The customer has been convicted for a violation of water or sewer ordinances or rules, or a violation of water restrictions. ~~{As amended by Ordinance No. 96-1202, passed by City Council and approved by the Mayor August 12, 1996.}~~
- h. The plumbing on the premises where services will be provided does not meet the standards required by City, State, or Federal law.

Persons whose applications are denied shall be notified in writing. The notice shall state the reasons for denial, and explain the applicant's right of appeal. Persons whose application has been denied under Section 5(b) shall be informed of the procedure for creating a local improvement district to extend existing mains or laterals. Notice of denial shall be mailed by the Finance Department to the applicant's address as shown on the application. Notice shall be effective as of the date of mailing, **and the date of mailing shall be noted on the application.**

Section 6: Termination of Service. Service to any customer may be terminated upon any of the following events:

- a. The purity of water in the system cannot be guaranteed.
- b. In case of emergency or damage by casualty to the system.
- c. The Finance Department does not have a current application and service agreement for the premises where water is being furnished to a customer.
- d. ~~The customer has requested termination of service in writing.~~ **Customer has requested termination of service personally, or if a new account is opened for that property for a new owner or renter.**
- e. The customer has failed or refused to allow Department personnel to inspect plumbing, water lines, sewer lines and appurtenances located upon the premises where water is being furnished.

- f. Customer has served water to a premises or persons in a vehicle or upon premises other than ~~his~~ **their** own or has ~~eross~~ connected ~~his~~ **their** water to serve another parcel of property, a mobile home or camper without the written consent of the Director, or that an existing connection has not been removed.
- g. System capacity is no longer sufficient to provide adequate service.
- h. The City has discontinued its water utility or elected to discontinue service to a portion of its service area.
- i. The customer's account is past due as a result of non-payment of any charge due and owing.
- j. The customer owes a past due balance on another **utility** account **with the City** which has not been satisfied.
- k. The customer owes a past due balance for connection charges or SDC fees on any property owned by them currently or when the connection was installed.**
- ~~k l.~~ The customer has been convicted for a violation of water or sewer ordinances or rules, or a violation of water restrictions. ~~{As amended by Ordinance No. 96-1202, passed by City Council and approved by the Mayor August 12, 1996.}~~
- ~~l m.~~ The customer's service lock or meter has been tampered with. ~~{As amended by Ordinance No. 96-1202, passed by City Council and approved by the Mayor August 12, 1996.}~~

Section 7: Notice of Termination. Notice of termination of service shall be provided by the Finance Department as follows:

- a. For termination listed in Section 6 paragraphs a, b, c, **or** d, ~~e, or f~~, no advance notice of termination is required.
- b. For termination listed in Section 6 paragraphs **e, f**, g, h, ~~i~~, j, k, **l**, or ~~l m~~, a written notice of termination shall be ~~mailed to the customer~~ **placed on the property receiving the services** at least 7 days prior to the date of cessation of service. ~~The notice shall be mailed to the customer's last billing address as shown upon the records of the Finance department.~~ Notices shall state the reason for termination, the earliest date upon which termination may occur and the appeal rights of the customer.
- c. For termination listed in Section 6 paragraph i, a written delinquency notice and a notice of termination shall be provided as set forth in Section 9(b).**

I'm still not completely sure what we wanted to say here. Any suggestions?

Notices shall state the reason for termination. These notices are for non-payment only.

- e. **d.** For termination listed in Sections 6 (a) and (b) the Department shall notify customers, by the most practical means possible under the circumstances, of the area of the system affected, the anticipated duration of service interruption and any recommended precautions for in-home treatment of drinking water. A written notice to each individual customer is not required.
- ~~d. For termination listed in Sections 6 (c), (e) and (f), a written notice of termination shall be mailed to the customer within 15 days after termination occurs. The notice shall state the reason for termination, the date of termination, and the customer's appeal rights.~~
- e. Notices provided under this section **of termination which are required to be placed upon the premises served** shall be deemed effective when addressed and deposited in the U. S. Mail **placed on the property receiving the services. Notices of termination sent by U.S. Mail shall be effective as of the date of mailing.** Failure of a customer to receive notice of termination shall in no way invalidate a termination action nor extend any period for appeal. This provision does not prevent the City Manager from entertaining a delayed appeal, provided, his/her sole discretion finds "good cause" for the delay.

Section 8: Appeals. Any person who is aggrieved, by denial of an application for service, by termination of water service, except for a termination pursuant to Section 6 (i), or who disputes the amount of a billing may appeal as follows:

- a.** Informal Appeal (step 1). Within ~~five (5) days of receipt of a disputed billing or~~ five (5) days of notice of an adverse action on an application, or ~~five (5) days of a~~ notice of termination **described in Section 9(b), or the mailing of a notice of delinquency described in Section 9(b)**, a person aggrieved thereby may appeal informally by presenting himself at the service desk of the Finance Department at City Hall and presenting to the Clerk or person in charge at the desk such matters as the customer or applicant believes entitle him to relief, and the relief requested. If the Clerk is satisfied on the basis of the discussion, that the action of the City was in error, the Clerk shall adjust the account accordingly and place a memorandum in the account file explaining the adjustment. If the Clerk does not concur that the department was in error, the Clerk shall ~~issue the aggrieved person an appeal form after endorsing upon the face of the form the clerk's initials, the date and time the appellant appeared and the general nature of the appeal.~~ **inform the aggrieved person of the process to initiate a Formal Appeal as shown in item b. below.**

If the complaint requires more investigation, the following steps will be taken:

1. A review of the consumption history and/or payment history of the customers will be performed.
2. As much detail as possible will be provided, along with any historical information, to the Public Works Department, with an accompanying service order.
3. The customer will receive information that the Public Works Department will be investigating and, while it may take a few days, the City will follow up with the customer to provide information about the results of the investigation.
4. Upon completion of the investigation, if the customer does not concur with the City's findings, the customer shall be informed of the process to initiate a Formal Appeal as shown in item b. below.

- b. Formal Appeal (step 2). Within five (5) calendar days of completion of step 1, an aggrieved person not satisfied with the decision of the Finance Department may appeal to the City Manager in writing. ~~The appeal shall be filed upon the form provided by the Clerk.~~ The appellant may add to ~~the form~~ **their written appeal** as many sheets as may be necessary to fully explain the reasons for the appeal. Appellant shall indicate **in their appeal** ~~upon the form~~ whether a hearing is desired. ~~[As amended by Ordinance No. 96-1202, passed by City Council and approved by the Mayor August 12, 1996.]~~
- c. Conduct of **Formal** Appeal Hearings. Within ten (10) days of the filing of the appeal, the City Manager shall set a time and place for the hearing. Appeal hearings conducted pursuant to Section 8(b) of this ordinance shall be informal by nature. The appellant shall have the right to appear in person or through an advocate, and to present such testimony, evidence or witnesses as ~~he~~ **they** desires. A representative of the Department and/or Finance Department may also be present and present evidence. No particular rules of evidence shall be followed in the hearing. The City Manager may give evidence presented such weight the Manager feels it deserves. Cross examination of any party or witness by a person other than the manager shall not be allowed, unless the manager deems it appropriate and helpful to him/**her** in reaching ~~his~~ **their** decision. Any ground or issue not raised with the ~~clerk~~ **City** in step 1 shall be considered to have been waived. In addition to considering matters raised by the appellant at the hearing, the Manager may examine the records of the ~~Water~~ **Department and/or** Finance Department, question department personnel, and seek the advice of legal counsel before rendering a decision. Such actions need not be taken in the presence of the appellant. ~~[As amended by Ordinance No. 96-1202, passed by City Council and approved by the Mayor August 12, 1996.]~~
- d. Written Decision, Date of Decision. Following the hearing and any investigation conducted under Section 8(c) of this ordinance, the City Manager shall issue a written decision. The written decision shall be issued within 30 days from the

date the appeal is filed. The decision shall be final upon the date that the letter with the decision is deposited in the mail to the appellant at the appellant's address as shown upon the records of the ~~Water~~ **Finance** Department.

Section 9: Billing. **All monthly charges become a lien on the property when billed.** Amounts owed to the ~~Water Department~~ **City** shall be invoiced and paid as follows:

- ~~a. **Deposits.** Deposits for new accounts shall be tendered in full at the time of application for service.~~
- a. **Utility charges are billed at the end of each month in advance for the following month. Any additional consumption used in the month billed for will be added to the bill for the following month. Utility bills are scheduled to be mailed on the last working day of the month, and expected to be received during the first week of the following month. Failure to receive a bill does not relieve the customer from the responsibility of paying the bill on time.**
- b. ~~Water Charges for Metered Accounts.~~ All bills for metered **water** accounts shall be due and payable upon receipt. Accounts which have not been paid in full by the 20th day of the month ~~in~~ **for** which the bill was ~~delivered~~ **sent** to the customer for payment, shall begin to accrue interest at the rate of eighteen percent (~~18~~ **10%**) per annum on the 21st day of the applicable month. **A written delinquency notice shall be sent indicating that a one and one-half percent (1.5%) penalty will be applied to the account, and that if the delinquent account is not paid in full by the end of the month, a “door hanger” will be placed upon the customer’s premises.** ~~A late notice will be sent out on the 22nd day of the applicable month indicating the amount of any interest penalty, the date a “door hanger notice” will be posted, and the date that water service will be terminated if the account is not paid in full. Accounts which have not been paid in full by the end of the current month will be assigned a place on the “door hanger list” created by the City. Delinquent accounts assigned to the “door hanger list”~~ **created by the City** will be assessed a delinquent fee established by a City Council resolution. ~~A~~ **The** termination notice will ~~be placed upon the customer’s premises advising~~ **advise** the customer that water service will be terminated ~~within seven (7) days unless the entire balance due and owing, including interest and delinquent fees, is paid in full within that seven (7) day period~~ **by the date and time stated on the notice.** ~~[As amended by Ordinance No. 96-1202, passed by City Council and approved by the Mayor August 12, 1996 and 00-1237, passed by City Council and approved by the Mayor August 14, 2000.]~~
- ~~[Subsection deleted by Ordinance No. 96-1202, passed by City Council and approved by the Mayor August 12, 1996.]~~

- c. System Development Charges. System development charges shall be tendered in full at the time of application for connection to the City water system, at the time a larger service is requested or at the time units are added to an existing service, in accordance with General Ordinance No. 06-1266, **unless they have received approval for a hardship payment plan**. [~~Renumbered by Ordinance No. 96-1202, passed by City Council and approved by the Mayor August 12, 1996. [amended by Ordinance No. 06-1270 adopted July 24, 2006.]~~]
- d. ~~Turn On Fee. A turn on fee is due and payable at the time an account is opened. [~~Renumbered and amended by Ordinance No. 96-1202, passed by City Council and approved by the Mayor August 12, 1996.]~~~~
- d. Account Set Up Fee. An account set up fee, set by resolution, will be added to the first billing after the account has been opened.**
- e. Bad Check Fee. A bad check fee, **set by resolution**, shall be due and payable upon notice of dishonor of the check or draft to the department. The fee shall be added to any outstanding indebtedness of the customer. [~~Renumbered by Ordinance No. 96-1202, passed by City Council and approved by the Mayor August 12, 1996.]~~]
- f. Special Service Fees. Special service fees, **as estimated**, are due and payable in advance of the date service is performed. [~~Renumbered by Ordinance No. 96-1202, passed by City Council and approved by the Mayor August 12, 1996.]~~]
- g. Surcharge. A surcharge is due and payable in the same manner as service charges for water. [~~Renumbered by Ordinance No. 96-1202, passed by City Council and approved by the Mayor August 12, 1996.]~~]
- h. Construction Fees. Deposits for construction are due and payable upon the request for service. Final payment of construction fees is due 15 days after mailing of an invoice. All work performed shall be invoiced within thirty days of completion. Balances over 30 days shall accrue a late charge at the rate of ~~12~~ **10%** per annum until paid. [~~Renumbered and amended by Ordinance No. 96-1202, passed by City Council and approved by the Mayor August 12, 1996.]~~]
- i. Errors in Billing. An error resulting in an account being underbilled or overbilled, such as application of incorrect rate schedule, meter mix-up, or other procedural problems, will be adjusted back to when the error first occurred or for a period of 24 months, whichever is the lesser. Amounts will be calculated as accurately as possible with estimates used when accurate data is not available.
- (1) Filing a Claim. A customer having a claim against the City for an overpayment due to an error, as set forth in subsection (i), shall present the claim, with supporting evidence, to the City Finance Department, within two (2) years from the date the claim accrues. The maximum period for

which a refund may be made shall be the twenty-four (24) month period as set forth in subsection (i).

~~[Subsection i added by Ordinance No. 91-1138, passed August 5, 1991; and renumbered (from "j" to "i") by Ordinance No. 96-1202, passed by City Council and approved by the Mayor August 12, 1996.]~~

- j. Rate adjustment due to leaks. Whenever a customer has cause to believe a leak may exist between the meter and the customer's premises, it is the customer's responsibility to contact the Water Department to allow the Department to determine the existence of the leak. Where a leak exists on the customer's side of the meter and the same is repaired within ten (10) days after notification to the Department, or within a time schedule approved by the Department, an adjustment in the customer's bill may be made of up to one-half of the total estimated excess consumption over the last thirty (30) days. ~~[Added by Ordinance No. 96-1202, passed by City Council and approved by the Mayor August 12, 1996.]~~

Section 10: System Standards. All parts of the water system and all service pipes, appurtenances, fixtures and devices attached to the system by any means shall be of a size, quality and construction acceptable to the Director. Fixtures and devices shall conform to the Uniform Plumbing Code as adopted by the State of Oregon and the City of The Dalles on the date of connection and such other standards as the Director may, from time to time, impose. When imposing standards, the Director shall be guided by the operating restrictions imposed by system design, good engineering practice, consideration of standardization, and industrial practice. The following guidelines will also be applied:

- a. Size. All mains, laterals, pipes, valves, building connections, devices and appurtenances shall be sized to provide appropriate flows and pressure throughout the system and any foreseeable extensions of it. Mains and pipes connected to hydrants or sprinklers shall be sized to accommodate fire flows. No service pipe or stub shall be less than 3/4 inches in size.
- b. Materials. All materials shall be of types approved by the Director. In making approvals, the Director shall consider the factors set out above, the durability of the item when in actual use under local conditions, and compatibility with system maintenance practices.
- c. Design. All component designs shall be compatible with maintenance, durability and standardization requirements of the system. The Director may refuse any component, the design of which has not been proven through laboratory testing and field use.
- d. Connections. ~~[as amended by Ordinance No. 07-1280, adopted by City Council February 12, 2007.]~~

- (1) All service lines shall be at least 3/4 inches in diameter and shall be sized to accommodate meters approved for use by the City. No electrical ground or device that may channel an electrical current to piping shall be attached to any piping or fixture directly or indirectly attached to the City system. For service connections on the public side which is from the distribution main to the meter, such connections shall be installed a minimum of 30 inches below ground level, and shall have a horizontal separation of not less than 10 feet from any sewer or waste water pipe. For service connections on the private side which is from the meter to the building, such connections shall be installed at a depth and with a horizontal separation from any other sewer or waste water pipe in accordance with applicable state building code requirements.
- (2) The owner of all houses, buildings, or properties used for human occupancy, commercial, recreation, or other purposes, abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public water system operated by the City, is required at the owner's expense to install suitable facilities and to connect such facilities directly with the City's water system in accordance with the provisions of this ordinance, ~~or to make a prepayment for the costs of such improvements in accordance with the provisions of Resolution No. 07-007,~~ implementing the policy for residential local improvement districts, within 90 days after being given notice to do so by the City, provided the City's water system is within 300 feet of the property line.

- e. Backflow Preventers and Pressure Reduction and Enhancement Devices. Pressure reduction valves and backflow preventers shall be installed by customers in new or existing systems when required by the Director. Installation shall be at customer expense. Standards or requirements for materials, installation, and testing of backflow prevention devices shall conform with the applicable provisions of the State plumbing specialty code and **Oregon** Administrative Rules (**OARs**) in effect at the time of connection of the device, and the provisions of General Ordinance No. ~~91-1146~~ **13-1329**. No booster pump or pressure enhancement device shall be attached to the system without the expressed permission of the Director which permission shall be in writing. Customers requesting permission to install pressure enhancement equipment shall bear the cost of the equipment, maintenance of the equipment, and the operating costs of the equipment. Requirements for materials and installation shall at a minimum conform to current State Plumbing code and State Health Department requirements. No expense for such equipment shall be borne by the department or non-benefitted rate payers. ~~{As amended by Ordinance No. 96-1202, passed by City Council and approved by the Mayor August 12, 1996.}~~

Section 11. Meters.

- a. All premises using **City water services** shall be metered. Upon the advance payment of any applicable charges, the City shall install a separate service from the water main to the property or other location designated by the City. Where water is now supplied through one service to more than one residence, business or premises, the Department may notify the owner of the necessity to provide separate installation of services from the water main to the meter or shutoff. If the customer fails to pay the applicable charges within thirty (30) days after notice is delivered, the City shall terminate water service to the property.
- b. For ordinary metered consumption of water, a 3/4 inch by 5/8 inch meter will be furnished by the Department. Where application is made for a meter larger than 3/4 inch by 5/8 inch, the Director shall determine whether a meter of such size ~~is required~~ **can be accommodated**.
- c. The installation of all service connections from the main to the property or other action designated by the City, including the construction of a suitable chamber or box for housing a meter and/or shutoff assembly, shall be made by the Department. Meters shall be placed in an accessible location and set in a manner satisfactory to the Director. No person other than an authorized employee of the Department may change the location of, alter, or interfere in any way with the meter.
- d. The Department will maintain all service connections, **up to and including the meter**, in good order, and will make all necessary repairs and replacements of the City-owned meters and other parts thereof, at the expense of the City. Each customer is required to take all due precautions to protect the connection through which the customer is served.
- e. All water furnished by the City and used on any metered premises must pass through the meter. A by-pass or connection around the meter will be permitted only with the prior written approval of the Director.
- f. All meters of the City water system are the property of the City, **regardless of location**, and any regular maintenance to the meters shall be made by the City. If a meter is damaged by the carelessness or negligence of the owner or occupant of the premises, the Department will repair the meter, and the cost of such repairs shall be charged to the customer. When a meter fails to register accurately, the charge for water used shall either be based on the average quantity of water used in a comparable period as shown by the meter when in **working** order, or if there is no such average consumption, then the minimum rate established by the City shall apply. If conditions make reading of meters impractical, an estimated reading shall be made by the Department during the time such conditions exist. Estimated readings under other conditions affecting reading of a meter shall be made only on approval of the Director.

- g. When any customer makes a complaint that the bill for any particular period is excessive, the Department will, upon request, have such meter re-read and the service inspected for leaks. A customer disputing the accuracy of a meter may have the meter tested by the Department upon submission of a written request to the Director. In the event the test results establish the meter is registering on an accurate basis within guidelines established by the American Water Works Association (from 98.5% to 101.5%), the City and the customer shall equally share all costs associated with the testing of the meter. In the event the test results establish the meter is not reading on an accurate basis, the City shall pay for the costs of testing and shall install another meter at no cost to the customer. Any error in billing shall be handled in accordance with the procedures outlined in Section 9(i).

~~{Section 11 Amended by Ordinance No. 96-1202, passed by City Council and approved by the Mayor August 12, 1996.}~~

Section 12. Ownership of Improvements. All pumps, mains, laterals, valves and other devices and appurtenances located within easements or public rights of way shall be deemed to belong to the City at the time of connection to the City water system, provided, such items meet City standards as to size, construction and quality. Meters shall be considered City property, regardless of location, and shall be maintained in accordance with the provisions in Section 11. All pipes, valves, fixtures, service stubs, and pressure enhancement equipment not located in easements or public rights or way shall be the property of the owner of the premises upon which the improvements are located. The Department shall be responsible for maintenance of City property. The customer shall be responsible for maintenance and repair of private property. ~~{As amended by Ordinance No. 96-1202, passed by City Council and approved by the Mayor August 12, 1996.}~~

Section 13: Tampering with Water Department Property. No person shall trespass upon, mark, destroy, or tamper with any property or equipment of the Department unless authorized by the Director. If the Department discovers that services have been restored, by means of tampering with a meter, to a premises to which service has been terminated, the customer or other person(s) who commits the act of tampering shall be responsible for all costs associated with repairing any damage done to the system improvements. If the Department documents a second incident of tampering which illegally restores service to a premises, the Department has the right to terminate service and excavate the service at the corporation stop. The customer or other person(s) who commits the second act of tampering shall be responsible for all ~~deposits,~~ fees, and labor and material costs required to restore service. ~~{As amended by Ordinance No. 96-1202, passed by City Council and approved by the Mayor August 12, 1996.}~~

Section 14: Initiation or Termination of Service. No person, except an authorized employee of the Department, ~~an~~ emergency service personnel acting in the line of duty, a contractor employed by the City to work on the system, or a licensed plumber with permission of the Director, shall open or close a service lock or operate a meter in such a manner as to

commence or to terminate the flow of water to a premises. Plumbers shall obtain permits from the Director prior to initiating or interrupting service. ~~[As amended by General Ordinance No. 96-1202, passed by City Council and approved by the Mayor August 12, 1996.]~~

Section 15: Right of Inspectors and Meter Personnel to Enter Premises. Department employees and persons assigned to read meters shall be authorized to enter upon customer or applicant premises without prior notice for the purposes of reading **or inspecting** meters, inspecting customer equipment or investigating violations of this ordinance or department rules. Entry shall normally occur during daylight hours, except in the event of an emergency. Failure to grant entry shall be grounds to terminate service under Section 6 (e). Presence of an unrestrained domestic animal, dog, or a vicious animal upon the part of the premises to be inspected shall be deemed refusal of entry.

Section 16: Declaration of Water Emergency - Water Restrictions. The City Manager of the City of The Dalles shall upon receiving reliable information that system function or capacity is about to be impaired or has been impaired, declare a water emergency. Upon declaration of such an emergency the City Manager shall impose such restrictions upon the use of water as is deemed necessary to protect the health, safety, and welfare of the citizens of the affected area. The City Manager shall use reasonable means to notify the public of the restrictions imposed. At the next City Council meeting following imposition of restrictions, the City Manager shall present a report describing the nature of the emergency, the expected duration of the emergency, and the steps taken to alleviate the emergency. The City Council may, at any meeting subsequent to the emergency, confirm, alter, amend or terminate the restrictions imposed by the City Manager by resolution. No person shall violate the terms of any restriction or condition placed upon the use of water by the City Manager or the City Council pursuant to this provision. It shall be no defense to a charge of violation that the person cited had no knowledge of the terms of the restriction.

Section 17: Service Area Limits. Under no circumstances shall water service be extended to persons or premises located outside of the City limits of the City of The Dalles without the express permission of the City Council, which may include, but shall not be limited to, a petition for consent to annexation and installation of the necessary improvements to receive water service by the applicant requesting such service. ~~or prepayment by the applicant for the costs of such improvements in accordance with the provisions of Resolution No. 07-007 implementing the policy for residential local improvement district. [As amended by Ordinance No. 07-1280, adopted by City Council February 12, 2007.]~~

Section 18: Violations. Violation of any provision of this ordinance is punishable by imprisonment for a period not to exceed one year, or a fine not exceeding the sum of \$6,250.00, or a combination of the two penalties. Where applicable, the City shall be entitled to seek restitution for the costs of terminating service and repairing any damage done to the system improvements. ~~[As amended by Ordinance No. 96-1202, passed by City Council and approved by the Mayor August 12, 1996 and Ordinance 05-1264, passed and adopted by City Council November 28, 2005.]~~

Section 19: Severability. Each sentence, paragraph and section of this ordinance shall be deemed severable. A declaration by a competent court that any provision of this ordinance is invalid shall have no effect upon the portions remaining.

Section 20: Repeal. General Ordinance No. 84-1054 **91-1133**, as amended by **General Ordinances 96-1202, 00-1237, 05-1264, 06-1270, and 07-1280**, is hereby repealed.

~~Section 21: Whereas, Article XI, Section 11(b) of the Oregon Constitution requires that certain revisions be made to the City's water ordinance by July 1, 1991; and whereas, the amendments to the ordinance will promote the health and safety of the citizens of The Dalles; 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 _____ DAY OF _____, 2017.

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

AND APPROVED BY THE MAYOR THIS _____ DAY OF _____, 2017.

SIGNED:

ATTEST:

Stephen E. Lawrence, Mayor

Izetta Grossman, City Clerk