

AGENDA

REGULAR CITY COUNCIL MEETING

March 24, 2014

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
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
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 March 10, 2014 Regular City Council Meeting Minutes

CITY OF THE DALLES

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

11. ACTION ITEMS

- A. General Ordinance No. 14-1333 Amending Section 7 of General Ordinance No. 99-1234 Concerning Billing and Lien Procedures for Assessment for the Cost of Abatement of Hazardous Vegetation [**Agenda Staff Report #14-018**]
- B. General Ordinance No. 14-1334 Establishing a Revised Procedure for Liquor License Review and Recommendation from the City to the Oregon Liquor Control Commission, Establishing Fees and Repealing General Ordinance No. 84-1059 [**Agenda Staff Report #14-019**]
- C. Agreement With The Dalles Area Chamber of Commerce to Provide Community Marketing Service and Approval of a Budget and Scope of Work for Service for the 2014-15 Fiscal Year [**Agenda Staff Report #14-021**]

12. DISCUSSION ITEMS

- A. Discussion Regarding Traffic Plan for Intersection of East 10th Street, Old Dufur Road and Thompson Street [**Agenda Staff Report #14-020**]
- B. Discussion Regarding Upcoming Oregon Department of Transportation (ODOT) Project to Reconstruct Interstate 84 Through The Dalles [**Agenda Staff Report #14-022**]

13. ADJOURNMENT

This meeting conducted in a handicap accessible room.

Prepared by/
Julie Krueger, MMC
City Clerk





CITY of THE DALLES

313 COURT STREET
THE DALLES, OR 97058

PH. (541) 296-5481
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AGENDA STAFF REPORT
CITY OF THE DALLES

MEETING DATE	AGENDA LOCATION	AGENDA REPORT #
March 24, 2014	Consent Agenda 10, A	N/A

TO: Honorable Mayor and City Council

FROM: Julie Krueger, MMC, City Clerk

THRU: Nolan K. Young, City Manager

DATE: March 11, 2014

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

A. **ITEM:** Approval of March 10, 2014 Regular City Council Meeting Minutes.

BUDGET IMPLICATIONS: None.

SYNOPSIS: The minutes of the March 10, 2014 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 March 10, 2014 regular City Council meeting.

MINUTES

REGULAR COUNCIL MEETING
OF
MARCH 10, 2014
5:30 P.M.

THE DALLES CITY HALL
313 COURT STREET
THE DALLES, OREGON

PRESIDING: Mayor pro-tem Carolyn Wood

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

COUNCIL ABSENT: Mayor Steve Lawrence

STAFF PRESENT: City Manager Nolan Young, City Attorney Gene Parker, City Clerk Julie Krueger, Public Works Director Dave Anderson, Police Chief Jay Waterbury, Administrative Fellow Jon Chavers

CALL TO ORDER

Mayor pro-tem Wood called the meeting to order at 5:30 p.m.

ROLL CALL

Roll call was conducted by City Clerk Krueger; Mayor Lawrence absent.

PLEDGE OF ALLEGIANCE

Mayor pro-tem Wood invited the audience to join in the Pledge of Allegiance.

APPROVAL OF AGENDA

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

AUDIENCE PARTICIPATION

None.

CITY MANAGER REPORT

City Manager Young recommended postponing the scheduled Urban Renewal Agency meeting to March 24, to allow the Mayor to participate in the discussion regarding prioritization of projects.

It was the consensus of the Council to postpone the Urban Renewal agenda items to the March 24 meeting.

Approval of SEIU Collective Bargaining Agreement

City Manager Young recommended the City Council approve the proposed SEIU collective bargaining agreement. He noted the proposal included a 2% cost of living adjustment for January 1, 2015; July 1, 2015; and January 1, 2016. He said the agreement included an 8% cap on insurance premium increases for each year, and the vacation accruals had been increased to match what other City employees were receiving.

It was moved by Dick and seconded by Spatz to approve the SEIU collective bargaining agreement as presented. The motion carried unanimously.

City Manager Young provided a Memorandum to the City Council, outlining that funds would be available for the Fort Dalles Fourth of July funding request and the Main Street Manager position. He recommended the Council approve a budget amendment for the current fiscal year to allow the \$20,000 for the Fourth of July group to be expended as they received matching funds. Young said if the Council wanted to have additional discussion, the item could be brought as a separate item at a future meeting.

It was the consensus of the Council to have a discussion item, with action at a subsequent meeting.

CITY ATTORNEY REPORT

City Attorney Parker reported the foreclosure proceeding for the nuisance assessments, was moving forward. He said three of the property owners had paid their liens and eight remained unpaid.

Parker said the Legislature was working on Senate Bill 1531 which would allow a safe harbor for cities to regulate medical marijuana dispensaries. He said the Police Chief's Association and the League of Oregon Cities were both working on model ordinances and he would bring something to Council for consideration in the near future.

MINUTES (Continued)
Regular Council Meeting
March 10, 2014
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City Attorney Parker said he had also drafted an updated Liquor License ordinance, noting the current one was 30 years old and outdated. He said the proposed ordinance would give staff authority to endorse routine applications and was updated with current Oregon Liquor Control Commission (OLCC) regulations.

CITY COUNCIL REPORTS

Mayor pro-tem Wood said the Historic Landmarks Commission had approved a plan for facade restoration of the IOOF building in the downtown historic district.

Councilor Spatz said the Oregon Business Council would be holding a meeting in The Dalles on April 2, which included a tour of the Google facility and a round table discussion at the college.

Councilor Miller said she had attended the Mid Columbia Medical Center's Tradition of Compassion Awards, noting that Mayor Lawrence had been nominated for a philanthropy award.

CONSENT AGENDA

It was moved by Dick and seconded by McGlothlin to approve the Consent Agenda as presented. The motion carried unanimously.

Items approved by Consent Agenda were: 1) approval of February 24, 2014 regular City Council meeting minutes; and 2) approval to declare Police Department vehicle as surplus property.

ACTION ITEMS

Special Ordinance No. 14-561 Assessing Properties at 306 East Eighth Place and 1290 West Eighth Street for the Cost of Abatement of Hazardous Vegetation

City Attorney Parker reviewed the staff report.

City Clerk Krueger read Special Ordinance No. 14-561 by title.

It was moved by McGlothlin and seconded by Spatz to adopt Special Ordinance No. 14-561 assessing properties at 306 East Eight Place and 1290 West Eighth Street for the cost of abatement of hazardous vegetation, by title. The motion carried unanimously.

MINUTES (Continued)
Regular Council Meeting
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ADJOURNMENT

Being no further business, the meeting adjourned at 5:54 p.m.

Submitted by/
Julie Krueger, MMC
City Clerk

SIGNED:

Stephen E. Lawrence, Mayor

ATTEST:

Julie Krueger, MMC, City Clerk



CITY OF THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1122
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AGENDA STAFF REPORT

CITY OF THE DALLES

MEETING DATE:	AGENDA LOCATION:	AGENDA REPORT #
March 24, 2014	Action Items 11, A	14-018

TO: Honorable Mayor and City Council

FROM: Gene E. Parker, City Attorney

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

DATE: March 4, 2014

ISSUE: General Ordinance No. 14-1333, Amending Section 7 of General Ordinance No. 99-1234 Concerning Billing and Lien Procedures for Assessment for the Cost of Abatement of Hazardous Vegetation.

RELATED CITY COUNCIL GOAL: None.

PREVIOUS AGENDA REPORT NUMBERS: None.

BACKGROUND: On November 22, 1999, the City Council adopted General Ordinance No. 99-1234 containing provisions regarding the abatement of nuisance conditions involving hazardous vegetation. Section 7 of the ordinance includes provisions for the billing of the costs of abatement of hazardous vegetation and assessment of the property for the abatement costs. Under the ordinance, the owner of the property or person in charge of the property or responsible person has 30 days from the date of the billing to pay the cost of the assessment. If this amount is not paid, the Council has the ability to assess the property for the costs of the abatement following a public hearing, by adoption of an ordinance, which assessment is then entered into the City's electronic lien docket.

The City also has an ordinance, General Ordinance No. 93-1162, which includes provisions related to abatement of public nuisances. Under this ordinance, the owner of the property or

person in charge of the property or responsible person has 15 days from the date of the billing to pay the cost of the assessment for abatement of the nuisance conditions. If this amount is not paid, the Council has the ability to assess the property for the costs of the abatement following a public hearing, by adoption of a resolution, which assessment is then entered into the City's electronic lien docket.

Staff has observed that the difference in procedures for assessment of the costs for abatement of hazardous vegetation and other public nuisances can create confusion. Staff is recommending the City adopt uniform procedures for abatement of nuisances by amending the provisions for assessment of the costs of abatement of hazardous vegetation contained in General Ordinance No. 99-1234 to be the same as the procedures outlined in General Ordinance No. 93-1162. Proposed General Ordinance No. 14-1333 will accomplish that objective.

Notice of adoption of General Ordinance No. 14-1333 has been posted in accordance with the City Charter and the Council can adopt the ordinance by title only.

BUDGET IMPLICATIONS: None.

ALTERNATIVES:

Staff Recommendation. *Move to adopt General Ordinance No. 14-1333 by title only.*

GENERAL ORDINANCE NO. 14-1333

AN ORDINANCE AMENDING SECTION 7 OF GENERAL ORDINANCE NO. 99-1234 CONCERNING BILLING AND LIEN PROCEDURES FOR ASSESSMENT FOR THE COST OF ABATEMENT OF HAZARDOUS VEGETATION

WHEREAS, on November 22, 1999, the City Council adopted General Ordinance No. 99-1234 containing provisions regarding the abatement of nuisance conditions involving hazardous vegetation; and

WHEREAS, Section 7 of General Ordinance No. 99-1234, which contains provisions for the billing of the costs of abatement of hazardous vegetation, which provisions establish a period of 30 days for payment of the costs from the date of billing, and if the amount is not paid, the Council has the ability to assess the property for the costs of the abatement following a public hearing, by adoption of an ordinance, which assessment is then entered into the City's electronic lien docket; and

WHEREAS, on June 21, 1993, the City Council adopted General Ordinance No. 93-1162, containing provisions regarding the abatement of public nuisances; and

WHEREAS, Section 34 of General Ordinance No. 93-1162 includes provisions concerning the assessment of the costs of abatement of public nuisances, which provisions establish a period of 15 days for payment of the costs of assessment from the date of notice of the amount of the assessment, and if this amount is not paid, the City Council has the ability to assess the property for the costs of the abatement following a public hearing, by adoption of a resolution, which assessment is then entered into the City's electronic lien docket; and

WHEREAS, City staff is recommending the City have consistent and uniform procedures for the imposition and collection of assessments for the abatement of public nuisances, including nuisances involving hazardous vegetation, and that the procedures in General Ordinance No. 99-1234 be modified to be consistent with the procedures set forth in General Ordinance No. 93-1162; and

WHEREAS, the City Council has reviewed the recommendation of City staff, and concurs that establishing a uniform and consistent policy for the imposition and collection of assessments for public nuisances, including nuisances involving hazardous vegetation, is in the best interests of the general welfare, health, and safety of the City of The Dalles;

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

Section 1. Section 7 of General Ordinance No. 99-1234 shall be amended to read as follows:

Section 7. Billing and Lien Procedures.

- A. Upon completion of the abatement process, a notice of the assessment shall be forwarded by certified mail, postage prepaid, to the owner or person in charge of the property or the person responsible by the City Clerk. The notice shall contain the following information:

1. The total cost of the abatement.
 2. A statement that the cost as indicated will become a lien against the property unless paid within fifteen (15) days.
 3. A statement that if the owner or person in charge of the property or person responsible objects to the cost of the abatement as indicated, he/she may file a notice of objection with the City Clerk within five (5) days from the date of the notice.
- B. Upon the expiration of five (5) days after the date of the notice, objections to the proposed assessment shall be heard and determined by the City Council in its regular course of business.
- C. An assessment for the cost of abatement as determined by the Council shall be made by resolution of the Council, and shall thereupon be entered in the docket of City liens, and upon such entry being made, it shall constitute a lien upon the property from which the nuisance was abated.
- D. The lien shall be collected and foreclosed in the manner prescribed by State law for enforcement of liens and collection of assessments.
- E. The lien shall bear interest at the rate of ten percent (10%) per annum. The interest shall commence to run from the date of entry of the lien in the lien docket.
- F. An error in the name of the owner or person in charge of the property or person responsible shall not void the assessment, nor will a failure to receive the notice of the proposed assessment render the assessment void, but it shall remain a valid assessment against the property.

PASSED AND ADOPTED THIS 24TH DAY OF MARCH, 2014

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

AND APPROVED BY THE MAYOR THIS 24TH DAY OF MARCH, 2014

 Stephen E. Lawrence, Mayor

ATTEST:

 Julie Krueger, MMC, City Clerk



CITY OF THE DALLES

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AGENDA STAFF REPORT

CITY OF THE DALLES

MEETING DATE:	AGENDA LOCATION:	AGENDA REPORT #
March 24, 2014	Action Items 11, B	14-019

TO: Honorable Mayor and City Council

FROM: Gene E. Parker, City Attorney

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

DATE: March 10, 2014

ISSUE: General Ordinance No. 14-1334, Establishing a Revised Procedure for Liquor License Review and Recommendation from the City to the Oregon Liquor Control Commission, Establishing Fees, and Repealing General Ordinance No. 84-1059.

RELATED CITY COUNCIL GOAL: None.

PREVIOUS AGENDA REPORT NUMBERS: None.

BACKGROUND: On October 1, 1984, the City Council adopted General Ordinance No. 84-1059, establishing a procedure for review of applications for liquor licenses, and for the recommendation by the City Council as the governing body for the City to the Oregon Liquor Control Commission ("OLCC"). Under this ordinance, the Police Chief had the primary responsibility for reviewing applications for temporary OLCC licenses such as special events, special beer licenses, and special wine licenses, and for making a recommendation to the OLCC. The City Clerk has exercised the primary responsibility for reviewing applications for other regular OLCC liquor licenses. The City Clerk would then prepare a list of recommendations for license approval, which would appear on the City Council's agenda for approval under the consent agenda portion of the Council's agenda.

Over the years, the City Clerk has experienced that the process for review of regular OLCC liquor licenses can occasionally create potential hardship for applicants, and create additional administrative work for City staff. In some cases, an applicant requests an expedited process for an approval, and staff has to request the City Council to amend a consent agenda item to add a recommendation for approval of a liquor license, and this request often is presented at a Council meeting after the agenda has already been published.

To address these issues, the City Clerk and Police Chief are recommending to the City Council to adopt a new ordinance which would establish a new procedure for review of liquor license applications and recommendations to the OLCC. Under this new procedure, a majority of the liquor license applications would be reviewed administratively. The Council would be notified of the approval of the applications, but the Council would no longer have to approve these applications as part of the consent agenda process. The Council would retain the ability to allow the Council to review a recommendation by staff for an unfavorable or conditionally favorable recommendation for any specific liquor license application.

The following is a summary of the significant provisions of the new ordinance:

1. Section 1 includes language outlining the purpose of the ordinance, including new language which highlights the necessity to ensure that licensed premises meet community expectations, and are being operated in a lawful manner which does not disrupt the peace and tranquility of the City and its neighborhoods.
2. Section 4 retains the current practice for administrative review by the Police Chief of temporary OLCC licenses for special events, special beer licenses, and special wine licenses.
3. Section 7 establishes new criteria for review of the temporary OLCC licenses by the Police Chief, and for review of regular OLCC licenses by the City Clerk. The review criteria are established by state statute and administrative rules adopted by the OLCC. The section also includes the specific criterion which authorizes the basis for a determination by either the Police Chief or the City Clerk for an unfavorable or conditionally favorable recommendation to the City Council, and the types of evidence which must exist to support such a recommendation.
4. Section 9 provides for notice to the Council of all regular OLCC liquor license original applications and renewals. As noted previously, the Council will no longer have to approve such applications as part of the consent agenda item process.
5. Sections 9, 10, 11, and 12 set forth the procedures to be followed in the event a public hearing needs to be scheduled for the Council to review an unfavorable or conditionally favorable recommendation for a license application.
6. Section 13 represents an alternative that is not currently in our liquor license ordinance. The intent of this section is to allow the Council to have the flexibility to work with an applicant who may not satisfy all of the criteria for approval in Section 7, but who is willing to address any non-compliance issues. The language provides the Council with the ability to monitor the applicant's progress towards addressing any problems. At the time of the next renewal of the license, the applicant has the burden of proof to convince the Council that the applicant should receive a favorable recommendation. If the Council

finds the applicant has not made substantial progress towards correcting the conditions which resulted in a letter of warning, the Council can proceed to make an unfavorable recommendation to the OLCC without having to hold another public hearing.

7. Section 14 includes provisions limiting the ability of an applicant to resubmit an application following an unfavorable recommendation, if there is an administrative or court appeal pending concerning the application.

Notice of adoption of General Ordinance No. 14-1333 has been posted in accordance with the City Charter and the Council can adopt the ordinance by title only.

BUDGET IMPLICATIONS: None. The license fees which the City receives are established by state law, and they are the same as those provided for in the current ordinance.

ALTERNATIVES:

- A. Staff Recommendation. *Move to adopt General Ordinance No. 14-1334 by title only.*

GENERAL ORDINANCE NO. 14-1334

AN ORDINANCE ESTABLISHING A REVISED PROCEDURE FOR LIQUOR LICENSE REVIEW AND RECOMMENDATION FROM THE CITY TO THE OREGON LIQUOR CONTROL COMMISSION, ESTABLISHING FEES, AND REPEALING GENERAL ORDINANCE NO. 84-1059

WHEREAS, the City Council adopted General Ordinance No. 84-1059 on October 1, 1984, establishing a procedure for review of applications for liquor licenses, and for the recommendation by the City Council as the governing body for the City to the Oregon Liquor Control Commission; and

WHEREAS, City staff has recommended that the Council consider modifications to the process outlined in General Ordinance No. 84-1059 to allow for administrative review by City staff of a majority of the liquor license applications, but to retain a procedure which will allow for the City Council to review a recommendation by staff for an unfavorable or conditionally favorable recommendation for any specific liquor license application; and

WHEREAS, the City Council has reviewed the staff's recommendations for modifications to the process of review of liquor license applications, and concurs that adoption of the proposed modifications is in the best interest and welfare of the citizens of The Dalles;

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

Section 1. Purpose. The purpose of this ordinance is to establish criteria for the City's consideration in recommending to the Oregon Liquor Control Commission ("OLCC") that it grant, deny, modify, or renew liquor licenses for premises within the City. The process established is intended to make fair, effective, and efficient recommendations. The sections included in this ordinance are necessary to ensure that premises licensed to sell or dispense liquor meet community expectations, and that such businesses are conducted in a lawful manner which does not unreasonably disturb the peace and tranquility of the City and its neighborhoods.

Section 2. Definitions. For purposes of this ordinance, the following words shall mean:

- A. Administrator - The City Clerk of the City of The Dalles, or the Clerk's authorized designee.
- B. Application - The written request submitted to the Administrator to grant, modify, or renew a liquor license.
- C. Council - The City Council of the City of The Dalles.
- D. Police Chief - The Police Chief of the City of The Dalles, or the Chief's authorized designee.

Section 3. OLCC License Application Required. Applicants for OLCC licenses shall provide the Administrator with the appropriate OLCC license application forms. The

Administrator may require additional information appropriate for conducting the investigations required for recommendations by the Administrator and by the Council.

Section 4. Temporary OLCC License - Authority of Police Chief to Approve. The Police Chief is authorized to approve applications for temporary OLCC licenses such as special events, special beer, and special wine licenses. Such applications may be processed administratively after the fee established by the Council has been paid. The Police Chief may make an unfavorable recommendation to the OLCC if the Police Chief finds that the applicant does not meet the criteria established by Section 7 of this ordinance. Either the applicant or the Police Chief may refer an application to the Council for a public hearing.

Section 5. Application Requirements. The Administrator will accept applications for regular OLCC liquor licenses only when the following conditions are met:

- A. All required forms are properly completed and in order; and
- B. The processing fee established by Council ordinance has been paid. The following processing fees are hereby established:
 - 1. \$100 for any original application.
 - 2. \$75 for any application showing a change in ownership, location, or privilege.
 - 3. \$35 for any renewal or temporary license.

Section 6. Investigation. The Administrator shall coordinate an investigation of each application to determine the appropriate recommendation to the OLCC. The Administrator shall provide a copy of each application to the appropriate City departments for investigation and report. Reports from these departments must be included with each unfavorable or conditionally favorable recommendation made by the Administrator to the Council.

Section 7. Criteria for Recommendation by Administrator to Council. The Administrator may make an unfavorable or conditionally favorable recommendation to the Council on any application if:

- A. The applicant is in the habit of using alcoholic beverages, habit-forming drugs or controlled substances to excess;
- B. The applicant has made false statements to the City or the OLCC in connection with the application;
- C. The applicant is incompetent or physically unable to carry on the management of the establishment proposed to be licensed;

- D. The applicant has been convicted of violating a general or local law of this state or another state, or of violating a federal law, if the conviction is substantially related to the fitness and ability of the applicant to lawfully carry out activities under the license;
- E. The applicant has maintained an unsanitary establishment;
- F. The applicant is not of good repute and moral character;
- G. The applicant does not have a good record of compliance with the alcoholic liquor laws of this state and the rules of the OLCC when previously licensed;
- H. The applicant is not the legitimate owner of the business proposed to be licensed, or other persons have ownership interests in the business which have not been disclosed;
- I. The applicant is not possessed of, nor has the applicant demonstrated financial responsibility sufficient to adequately meet the requirements of the business proposed to be licensed;
- J. The applicant is unable to read or write the English language or understand the laws of Oregon relating to alcohol liquor or the rules of the OLCC;
- K. The applicant seeks licensing of premises not consistent with City land use designations;
- L. There is any other specific reason(s) consistent with the purposes of these provisions that the Administrator concludes warrant an adverse recommendation to the Council based upon public health, safety, welfare, convenience, or necessity; or
- M. The applicant does not comply with the provisions of ORS 471.313(4) and (5), as now constituted, and OAR 845-005-0320, 845-005-0325, 845-005-0326, and 845-005-355.

The Administrator shall also have the authority to make an unfavorable or conditionally favorable recommendation to the Council on any application if there is a history of serious and persistent problems involving disturbances, lewd or unlawful activities or noise either in the premises proposed to be licensed or involving patrons of the establishment in the immediate vicinity of the premises if the activities in the immediate vicinity of the premises are related to the sale or service of alcohol under the exercise of the license privilege. Behavior which is grounds for refusal of a license under this section, where so related to the sale or service of alcohol, includes, but is not limited to obtrusive or excessive noise, music or sound vibrations; public drunkenness; fights; altercations; harassment; unlawful drug sales; alcohol or related litter; trespassing on private property; and public urination. Histories from premises currently or previously operated by the applicant may be considered when reasonable inference may be made that similar activities will occur as to the premises proposed to be licensed. The applicant may overcome the history by showing that the problems are not serious or persistent or that the applicant demonstrates a willingness and ability to control adequately the premises proposed to be licensed and patrons' behavior in the immediate vicinity of the premises which is related to the licensee's sale or service of alcohol under the licensee's exercise of the license privilege.

The Administrator's unfavorable or conditionally favorable recommendation to the Council and any unfavorable recommendation to the OLCC must be supported by reliable and factual information which includes, but is not limited to, personal observations of activities in or around the proposed licensed locations, as opposed to opinion, hearsay, feelings, beliefs, or speculation.

Section 8. Administrator Review. The Administrator is authorized to file a favorable recommendation with the OLCC for all regular OLCC liquor license original applications and renewals which receive a favorable recommendation from the Administrator.

Section 9. Council Review. The Council shall be notified of all regular OLCC liquor license original applications and renewals. If the Administrator makes an unfavorable or conditionally favorable recommendation, a public hearing shall be held to allow all interested parties a reasonable opportunity to be heard before the Council. The Administrator shall request additional time to submit the recommendation if necessary, and the hearing shall be scheduled so that a recommendation can be filed within the time limit of the extension.

Section 10. Contents of Public Hearing Notice. Before the Council recommends denial of a liquor license application, notice of the public hearing must be given to the applicant either personally or by certified mail postmarked no later than ten (10) days prior to the hearing. The notice shall contain the following:

- A. The date, time, and place of the hearing;
- B. A copy of the recommendation of the Administrator together with all supporting reports and documents; and
- C. A statement that information about procedures and rights of parties may be obtained from the Administrator.

Section 11. Publication of Public Hearing Notice. If a public hearing is scheduled, the Administrator shall publish in a newspaper of general circulation in the City, a notice specifying a time, date and location of the hearing, and business name and address of the applicant. The notice shall inform the public that testimony may be given for or against the application.

Section 12. Public Hearing Procedures. When a public hearing comes before the Council, the following procedures shall apply:

- A. The applicant and the Administrator may present written and oral evidence and may rebut opposing evidence;
- B. The hearing shall be limited to production of evidence relevant to the recommendation of the Administrator, unless the Council decides to hear additional evidence; and
- C. After consideration of all relevant evidence, the Council shall make its recommendation. The recommendation shall be based upon substantial evidence relative to the criteria listed in Section 7, and shall be final. In the case of an

adverse recommendation, the Council shall make findings of fact which shall be forwarded to the OLCC along with the Council's recommendation against the application.

Section 13. Favorable Recommendation to OLCC with Letter of Warning. If the Council finds that an applicant does not meet the criteria set forth in Section 7, it may make a favorable recommendation with a letter of warning. The Administrator shall deliver to the applicant in person or by certified mail a summary of the reports relating to the application, and a notice to correct the problems cited. A copy of this notice and summary shall be sent to OLCC. During the following license period, the Administrator shall monitor the progress of the applicant in correcting such problems and report to the Council. At the time of the next license renewal, the Council shall review the application notwithstanding a favorable recommendation from the Administrator. The applicant shall have the burden of proof to establish that the license should receive a favorable recommendation for renewal. If the Council finds that the applicant has not made substantial progress in correcting the conditions which resulted in the letter of warning, then the Council may make an unfavorable recommendation to the OLCC without further public hearing.

Section 14. Unfavorable Recommendation - Resubmittal of Application. If the Council makes an unfavorable recommendation on any license application, the Council shall not consider a new application from the same applicant while an administrative or court appeal relating to such license is pending. The Administrator may resubmit an application to the Council in less than six (6) months from the date of a Council unfavorable recommendation only if the conditions that caused such recommendation have been remedied.

Section 15. Repeal. General Ordinance No. 84-1059, adopted by the Council on October 1, 1984, amended by General Ordinance No. 98-1225, adopted on July 13, 1998, is hereby repealed.

PASSED AND ADOPTED THIS 24th DAY OF MARCH, 2014.

Voting Yes, Councilors: _____

Voting No, Councilors: _____

Absent, Councilors: _____

Abstaining, Councilors: _____

AND APPROVED BY THE MAYOR THIS 24TH DAY OF MARCH, 2014.

Stephen E. Lawrence, Mayor

ATTEST:

Julie Krueger, MMC, City Clerk



AGENDA STAFF REPORT CITY OF THE DALLES

MEETING DATE	AGENDA LOCATION	AGENDA REPORT #
March 24, 2014	Action Items 11, C	14-021

TO: Honorable Mayor and City Council

FROM: Nolan K. Young, City Manager *ny*

DATE: March 13, 2014

ISSUE: Agreement for Personnel Service with The Dalles Area Chamber of Commerce to provide Community Marketing Services and Scope of Work and Budget for those Services for Fiscal Year 2014-15

BACKGROUND: In December 2008, the City of The Dalles and The Dalles Area Chamber of Commerce signed a five year agreement for personal services for the Chamber to provide tourism promotion and Community Marketing for the City for a five year period. To continue this partnership, the City will need to sign a new agreement with the Chamber. Attached is a proposed new five year agreement similar to the current agreement.

In general, the agreement calls for the Chamber to maintain affiliations, conduct promotions, incur advertising and printing expenses, and create and operate a marketing program designed to achieve the goals and objectives set forth in the Scope of Work, and to maintain a full-service visitor center.

Section 3Bi of the agreement calls for the Chamber to submit a Budget Request and corresponding scope of work for each year. The City Council will then consider their request and respond. Attached is the proposed annual budget for the Community Marketing Program and 2014-15 Work Scope proposed by the Chamber of Commerce.

This year we are proposing an increase in the budget from \$230,030 to \$241,530. Funds for our Community Marketing Program come from the City's 6% Transient Room Tax.

The Chamber contract is 43.4% of our anticipated revenue. Each year the budget includes a special project. This year the special includes 1) Update of electronic kiosks and Lewis and Clark Festival Park; 2) Fencing for yard area at the Chamber for safety and benches for tourists and picnic area; and 3) tables for picnic area (\$20,000). Last year the annual special project was the renovation of the visitor center space at the chamber office.

Staff has reviewed this proposed marketing plan and budget and is recommending the City Council approve it as submitted. This year's work plan is similar to last year's program. At the Council meeting the Chamber will make a presentation on current activities and their proposal.

BUDGET IMPLICATION: Attached is the Budget Information Paper for FY 2014-15 showing the use of Transient Room Tax funds.

COUNCIL ALTERNATIVES:

1. **Staff Recommendation:** *Move to approve a new 5-year Services Agreement with The Dalles Area Chamber of Commerce for Community Marketing Services and approve the proposed FY 2014-15 Work Scope and Budget for the Community Marketing Program as presented by the Chamber of Commerce.*
2. Postpone acceptance of the proposed FY 2014-15 Community Marketing Work Scope and Budget to allow for further research.
3. Amend the proposed FY 2014-15 Community Marketing Budget and Work Scope and refer it to the Chamber of Commerce for consideration.

AGREEMENT FOR PERSONAL SERVICES

THIS AGREEMENT is made and entered into this _____ day of _____, 2014, by and between the CITY OF THE DALLES, an Oregon municipal corporation, hereinafter called "CITY", and THE DALLES AREA CHAMBER OF COMMERCE, an Oregon non-profit corporation and independent contractor, hereinafter called "CHAMBER".

In consideration of the mutual covenants and promises set forth herein, CITY and CHAMBER mutually agree as follows:

Section 1. Term; Renewal Provisions. The term of this agreement shall commence on July 1, 2014, and terminate on June 30, 2019. The sum to be paid to CHAMBER for services rendered under this contract shall be the amount determined by the process described in Section 3(B).

Section 2. CHAMBER'S Duties. CHAMBER agrees to provide services to CITY in accordance with the "Community Marketing Scope of Work", which shall be developed and shall be updated and mutually agreed to annually, as spelled out in Section 3(B); and a copy of which Scope of Work is marked Exhibit "A" and by this reference incorporated herein. In general, CHAMBER will maintain affiliations, conduct promotions, incur advertising and printing expenses, and create and operate a marketing program designed to achieve the goals and objectives set forth in the "Scope of Work" and maintain a full-service visitor center, with staffing levels also set forth in the "Scope of Work". CHAMBER shall be responsible for maintenance and stocking of the restrooms at the visitor center facility.

Section 3. Compensation.

A. During the term of this agreement, CITY agrees to pay CHAMBER a sum mutually agreed to as described in Section 3(B). CITY shall make this sum available to the CHAMBER through two methods: (1) Equal monthly payments by the first day of each month, for agreed to administrative services and personnel costs; and (2) the remaining amount as reimbursement of invoices related to the “Scope of Work”, as described in Section 3(B).

B. Annually the CITY and CHAMBER shall mutually agree to a contract amount and “Scope of Work”. The contract amount shall be supported by a detailed budget that shall, at a minimum, identify personnel costs, administrative service fees and expenditures, and a marketing budget. All expenses should be tied to the annual “Scope of Work”.

i. For each annual period from July 1st to June 30th during which this Agreement is in effect, the CHAMBER will submit a budget request with corresponding “Scope of Work” by March 1 of each year. The CHAMBER will also provide a report on results to date of the current work scope to the City Council in March of each year covered by this agreement.

ii. The CITY will consider the request and respond with an approved amount and “Scope of Work” by May 15. The CHAMBER shall have two calendar weeks to reject or accept the CITY’S response.

iii. If the CITY and CHAMBER cannot mutually agree to a payment amount and “Scope of Work” by June 14 of any particular year, the contract will be deemed to terminate on June 30 of that year.

Section 4. Processing Accounts Payables; Financial Audit of Transient Room Tax Collectors. CITY and CHAMBER have agreed CITY shall retain possession of the funds collected from the transient room tax, which will be used to compensate CHAMBER for services provided by CHAMBER to the CITY. CHAMBER shall submit necessary original invoices and vouchers, with appropriate CHAMBER approval and documentation, (e.g. receipt for goods, packing slips, copies of CHAMBER issued purchase orders) to CITY for review and payment. CITY shall disburse payment for approved expenses in the ordinary course of processing its accounts payable. CITY shall continue to conduct the audits of businesses which collect the transient room tax, as required by CITY ordinance.

Section 5. Insurance. Prior to provision of services under this contract, CHAMBER shall provide original certificates of insurance to the City Attorney, evidencing proof that CHAMBER has insurance policies in effect for the type of coverage set forth below, and within the stated limits, with insurance carriers that are satisfactory to the CITY;

<u>Type of Insurance</u>	<u>Limits of Liability</u>
Worker's Compensation	Statutory Worker's Compensation
Comprehensive General Liability - Combined Single Limits	\$ 500,000 (each occurrence) \$1,000,000 (aggregate)
Automobile Liability - Combined Single Limits	\$ 500,000 All vehicles covered Hired and non-owned auto liability

At all times during the term of this agreement, and during the term of any renewal agreement, CHAMBER shall keep such insurance policies in full force and effect, and shall

provide the City Attorney with original certificates of insurance. The certificates shall provide that CITY is named as an additional insured, and shall also provide that the policies shall not be canceled without 30 days notice to the CITY.

Section 6. Books and Records. Upon formal approval of CHAMBER'S Board of Directors or its authorized designee, CHAMBER shall forward all invoices, vouchers, and other documentation to CITY'S Finance Department. CITY shall keep complete and proper books, records, invoices, vouchers, and accounts of all transactions performed as part of this agreement.

Section 7. Assignment. The responsibility for performing CHAMBER'S services under the terms of this agreement shall not be assigned, transferred, delegated or otherwise referred by CHAMBER to a third person without the prior written consent of CITY.

Section 8. Status as an Independent Contractor. In the performance of the work, duties, and obligations required of CHAMBER under this agreement, it is mutually understood and agreed that CHAMBER is at all times acting and performing as an independent contractor. No relationship of employer/employee is created by this agreement. CITY shall neither have nor exercise any control over the methods by which the CHAMBER shall perform its work and functions. The sole interest and responsibility of CITY is to assure the services covered by this agreement shall be performed and rendered in a competent, efficient and satisfactory manner. CHAMBER shall not have claims under this agreement or otherwise against CITY for vacation pay, sick leave, retirement benefits, Social Security benefits, Workmen's Compensation benefits, unemployment or other employee benefits of any kind.

Section 9. Indemnification. Each party shall indemnify, hold harmless, and defend the other, its officials, agents and employees, from and against any and all claims, damages, losses and

expenses, arising in or from its performance of, or failure to perform, this agreement. The extent of the CITY'S obligation under this subsection is limited to the CITY'S obligation under the Oregon Constitution and the provisions of ORS 30.260 through 30.300.

Section 10. Attorney Fees. If any proceeding, action, or appeal thereon is instituted in connection with any controversy arising out of this agreement, performance of this agreement or failure to perform this agreement, the prevailing party shall be entitled to recover, in addition to costs and disbursements, the sum as the adjudicator may adjudge reasonable as attorney fees.

Section 11. Ownership and Use of Documents or Equipment Purchased. In whatever form it may be produced or stored, any documents or publications prepared or equipment and software purchased in performance of this agreement and charged to the Tourist Promotion Fund, and any supporting and investigative information that is gathered in the performance of this agreement, upon completion of the work or upon termination of this agreement, shall be and remain the property of CITY.

Section 12. Notices. Any notice required to be given under this agreement or required by law shall be in writing and delivered to the parties at the following addresses or to any other address provided by the parties:

CITY OF THE DALLES
City Manager
313 Court Street
The Dalles, OR 97058

THE DALLES AREA CHAMBER OF COMMERCE
President/CEO
404 West Second Street
The Dalles, OR 97058

Section 13. Applicable Laws. The law of the State of Oregon shall be used in construing this agreement and enforcing the rights and remedies of the parties.

Section 14. Termination Clause. Except where this agreement expressly allows for an early termination in the event the parties cannot agree upon a payment amount or scope of work for any particular year of this agreement, the CITY may terminate this agreement only for failure of performance on the part of the CHAMBER upon sixty (60) days prior written notice to the CHAMBER. The CHAMBER may terminate within sixty (60) days of prior written notification to the CITY.

Section 15. Termination for Lack of Appropriations. The City's obligation to pay any amounts due for those fiscal years covered by this agreement is contingent upon appropriations and approval of funds for that purpose. This contract shall expire at the end of any applicable fiscal year during the five year period of this Agreement unless the CITY has allocated funds for the following fiscal year and has provided prior written notification to the CHAMBER.

Section 16. Merger. There are no other undertakings, promises or agreements, either oral or in writing, other than that which is contained in this agreement. Any amendments to this agreement shall be in writing and executed by both parties.

CITY OF THE DALLES

THE DALLES AREA
CHAMBER OF COMMERCE

Nolan K. Young, City Manager

Dana Schmidling, Executive Director

Date: _____

Date: _____

Proposed Community Marketing 2014/2015 Work Plan

Visitor Services

1. Fully staff and maintain the official City of The Dalles Visitor Center at the Chamber of Commerce office. Monday thru Friday, October – May; 7 days a week Memorial Day thru Labor Day.
2. Maintain 24-hour visitor information access -- one at Chamber office and kiosks at the Lewis & Clark Festival Park (special project will be to update kiosks at the Festival Park).
3. Provide brochures and other visitor information to the Veteran's Affairs offices located in the transportation center and the visitor center at Seuffert Park.
4. Distribute *The Sun*, *The Gorge*, *The Dalles* brochures to Convention & Visitor Bureaus, state travel information centers, Chambers and other tourism information outlets across the state.
5. Maintain electronic version of brochure on Travel Oregon website.
6. Continually update and distribute visitor information to hotels, restaurants and other businesses. Maintain visitor information binders provided to front desk staff at all hotels.
7. Create and provide a customer/hospitality service training for businesses in The Dalles to ensure a quality customer experience for visitors.
8. Provide map and materials for self-guided historic walking tours and guide to talking murals.
9. Provide step-on guide services for tour groups upon request.
10. Train staff and volunteers to be Ambassadors for The Dalles and meet visitor groups at community gateways including the Marine Terminal at Union Street.
11. Respond to visitor information requests received via phone, email, social media and website.

Community Marketing

1. Continue work with Weinstein PR on strong public relations campaign that includes quarterly tip sheets, story development, and frequent communication with national and regional publication.
2. Maintain contact with travel writers who attended the May 2014 familiarization (Fam) trip along with other mini Fam tours that took place in 2014/2015.
3. Participate as an exhibitor in the Pacific Northwest Travel Writers Tradeshow.
4. Continually work with local photographer to develop a library of images that can be used in all marketing materials.
5. Continue *The Sun. The Gorge. The Dalles.* marketing campaign initiating Phase II (making a personal connection with local characters).
6. Work with Mt. Hood/Columbia River Gorge region (RDMO) and their ad agency (Weiden & Kennedy) to create and publicize three Video Ads this year emphasizing on Cycling, Agriculture and Water Activities. Each DMO in our region will be contributing funds and the RDMO will be matching these funds as to increase our capabilities to create a better video and possibly more than three. These will be used by each DMO this year and then our region will be paying for TV time with Travel Oregon the following year as a campaign to market our entire region. (this was delayed until 14/15 due to other opportunities that arose with the new Travel Oregon Campaign)
7. Expand online advertising with Travel Oregon and other travel sites.
8. Continue to develop tours for passengers of cruise ships and day cruises that make scheduled stops at the new commercial dock in The Dalles.
9. Develop a strategy/plan for creating a festive vendor market in the Lewis & Clark Festival Park when ships arrive at The Dalles commercial dock.
10. Develop a long-term strategy to bring pedi-cabs, bicycle rentals, souvenir shops/kiosks and similar businesses to operate in The Dalles near the dock.
11. Continue to enhance the new website to be even more user friendly and providing advertisement opportunities for a larger exposure for businesses.
12. Research (look for one with more options for the businesses) smartphone applications (like My Chamber App) that allows to search for lodging, dining, wineries, attractions and other visitor amenities in The Dalles on mobile

25. Work with hotels, restaurants and wineries to develop programs suitable for participation in the Travel Oregon Wanderfeast (Oregon Bounty) promotion.
26. Maintain strong alliances with Columbia River Gorge Visitors Association, Oregon Festival & Events Association, Columbia Gorge Arts & Culture Alliance, Oregon Destination Marketing Organizations, Travel Oregon, Travel Portland, the Mt. Hood/Columbia River Gorge Region, Oregon Tour and Travel Alliance, and other regional partners.
27. Work with Chamber to develop, maintain and enhance Sunsational Charm Trail to encourage foot traffic from tourists into our local businesses.
28. Work with community to be a more Bike Friendly Area!!! Continue to work with City, Committees, County, and community to increase Bicycle Tourism, Bike Ready Businesses, and help with overall Bike Plan for The Dalles.

Advertising

1. Advertise The Dalles cycling map on local, regional and national cycling websites and work with new work group in The Dalles for City wide Bike Plan. Feed information to Travel Oregon as things progress to help tell our story!
2. Will be developing an ad campaign promoting Visit The Dalles on Facebook and other social media sites.
3. Place ads in the Gorge Guide, 1859 Magazine, Travel Oregon Trip Planner, Oregon Events Calendar, Visitor Guide, Northwest Travel, True West, The Columbia River Gorge Guide, AAA (VIA), Veterans View, and Kid's Guide.
4. Support national and international marketing strategies of Travel Oregon and Travel Portland with co-op advertising and providing The Dalles brochures as part of their travel trade activities.
5. Provide marketing grants for Cruise the Gorge and other organizations producing events that generate overnight stays.
6. Place ads in online publications in Oregon, Washington, Idaho and northern California publications for spring and summer events.
7. Develop cooperative advertising opportunities with local hospitality and tourism businesses to leverage advertising dollars.

Partnerships

1. Maintain and maximize partnerships with Travel Oregon, Travel Portland, Oregon Tour & Travel Alliance, Oregon Festivals & Events Association, Oregon Travel Information Council, Mt. Hood/Columbia Gorge regional tourism commission, CRGVA, Oregon Film & Video, Mt. Hood Alliance, Wasco County, Columbia Gorge Discovery Center & Museum, The Dalles Dam/Corps of Engineers, Ft. Dalles Rodeo Association, Port of The Dalles, Northern Wasco County Parks & Recreation District, Wasco County Historic Landmarks, Oregon State Chamber of Commerce, Oregon 150, and other Columbia River Gorge Chambers of Commerce along with Northwest Region Chambers.
2. Provide tourism perspective to community initiatives to solicit federal funding as a contributing member of the Community Outreach Team.

Special Projects

1. Electronic Kiosks update for Festival Park
2. Fencing for yard area of Chamber for Tourists picnics
3. Tables & benches for picnic area

Evaluation will be provided by Chamber Board review (includes City Manager), Annual Report to the City in March, and monthly financial reports from the City to the Chamber.

2013-14 Proposed Tourism Marketing Budget				
Personnel				
(01)	Salaries & Benefits		\$97,500	Increase to accommodate our Charm Trail Coordinator and bring her above minimum wage and accommodate our summer staffing (weekends)
Facilities				
(02)	Space Cost		\$7,380	2013-2014 Actual
(03)	Equipment Maintenance & Repair		\$6,000	No Change from 2013-14
Operating				
(04)	Administration		\$23,520	No Change from 2013-14
(05)	Office Supplies		\$2,000	No Change from 2013-14
(06)	Postage		\$3,500	No Change from 2013-14
(07)	Telephone		\$2,800	Increase from 2013-14 (Chamber covers 65%)
(08)	Travel & Mileage		\$5,000	No Change from 2013-14
(09)	Dues & Subscriptions		\$830	No Change from 2013-14
Marketing				
(10)	Printing & Binding		\$5,000	No Change from 2013-14
(11)	Marketing/Event Support		\$53,000	No Change from 2013-14
	Grants for Events (heads in beds)	\$8,000		
	Marketing/Event Support	\$45,000		
(12)	Public Relations		\$15,000	No Change from 2013-14
	Total		\$221,530	
(13)	Special Project		\$20,000	Continued efforts to create VISITOR CENTER for Wasco County
	a. Fencing for safety, looks, & visitor picnic area			(I am not sure of the exact costs for each of these special projects but I will do my best to address each of the projects in the most effective way)
	b. Tables/benches for picnic areas			
	c. Update Electronic Kiosks at Festival Park			
	GRAND TOTAL		\$241,530	



CITY OF THE DALLES
Department of Public Works
1215 West First Street
The Dalles, Oregon 97058

AGENDA STAFF REPORT

CITY OF THE DALLES

MEETING DATE	AGENDA LOCATION	AGENDA REPORT #
March 24, 2014	Discussion Item 12, A	14-020

TO: Honorable Mayor and City Council
FROM: Dave Anderson, Public Works Director
THRU: Nolan K. Young, City Manager *nyf*
DATE: March 11, 2014

ISSUE: Discussion regarding proposed traffic study for East 10th and Thompson Street intersection

RELATED CITY COUNCIL GOALS: Goal 1, Tier 1, B – Develop plan for intersection of East 10th, Thompson and Old Dufur Road

BACKGROUND: The City has heard concerns about the safety and functionality of the intersection at East 10th Street, Thompson Street and Old Dufur Road for several years. City Council had recognized these concerns and identified a goal of developing a plan to improve traffic conditions at that intersection as plans were underway to develop the Thompson Street improvement project through formation of a Local Improvement District (LID). Thompson Street property owners and residents identified concerns about safety of the intersection in its current configuration as one of the reasons they opposed the LID. In response, the current 2013/14 budget includes \$13,000 for the completion of a traffic study as the first step in developing a long-term plan to improve the safety and functionality of the intersection.

Recently, questions have been raised about the need for the traffic study at this time. There has been some thought that the money could be better spent on street maintenance. Following is some background information to help the City Council determine the value, or lack thereof, of proceeding with a traffic study at this time.

Thompson Street LID

The Thompson Street LID was last considered in late 2011. At that time, property owners were surveyed about whether they preferred to proceed with the LID with the City's financial contributions proposed at that time, or delay the project for a period of 2-5 years with uncertain, if any, City financial contributions in the future. The majority of property owners (based on amount of proposed LID assessments) indicated a desire to delay the project 2-5 years. City Council was notified of the survey results in January 2012. January 2014 marked the 2-year anniversary of that notification. Based upon prior direction, the LID would be scheduled to be formed between now and January 2017.

The traffic study and development of associated recommendations will take about 3 months to complete. It could also take another 3-4 months to design the recommended improvements into the existing plans for Thompson Street. Once the initial project design is completed, it takes a minimum of 2 months to form an LID through the following process:

- Staff conducts property owner informational meetings and seeks feedback on project design
- Engineering staff updates the project design based on feedback
- Council directs staff to develop the Preliminary Engineers Report for the LID
- At a second meeting, Council accepts the Preliminary Engineers Report and declares its intent to form an LID
- At a third meeting, Council holds a Public Hearing to receive remonstrances to the proposed formation of an LID.

With this timeline, the traffic study should be initiated a minimum of 9 months prior to the proposed formation of any Thompson Street LID. Doing so earlier may be advisable in case the recommended improvements to the intersection have a significant cost associated with them to allow time for adequate financial planning.

The proposed 2014/15 budget does not include funds for the traffic study. Therefore, if the study is not conducted using funds in the current year, it would not occur until the second half of 2015, with its completion just 12 months ahead of the latest time proposed for formation of the LID. Again, the only real challenge with this timing relates to financial planning for the as-yet-undefined intersection improvements.

Potential Alternative Uses for Funds

The amount budgeted for the traffic study and development of alternatives in the current year is \$13,000. This is not enough money to complete one of the identified street system resurfacing projects, the least expensive of which generally range from \$50,000 to \$85,000 each. There is already enough money in the Street Fund Materials and Supplies budget to purchase asphalt for patching of potholes.

The street maintenance challenge is not related to patching potholes; rather, it is about funding street maintenance at a level that prevents the occurrence of a lot of potholes. The formation of potholes is an indication of a failed street surface, and the desired goal of a street maintenance program is to prevent failure of street surfaces.

There are, however, some maintenance activities that could be undertaken if the traffic study is postponed. Two possible examples are as follows:

- The \$13,000 could be used to purchase more crack seal material. Crack seal material is normally purchased in full or half truck loads to get the best pricing available (the same pricing is available for full or half loads). At current pricing, a full truck load costs \$30,000. We have a full truck load in stock to be used this spring. The proposed 2014/15 budget includes funds for the

purchase of another truck load of material. The funds currently allocated for the traffic study would not quite cover the cost of an additional half-load of crack seal material, but more material could be purchased at a higher unit cost.

- The monies could be used to resurface about 350 feet of West 3rd Place. West 3rd Place from 3rd Street to 4th Street (in front of the Saint Peter's Landmark) is severely deteriorated. The funds budgeted for the traffic study would pay for enough asphalt to resurface about one half of that block and improve its condition until the planned streetscape project is undertaken.

Staff's recommendation will be to complete the traffic study within the current fiscal year so that a plan can be developed for the intersection at East 10th and Thompson Streets and funds can be allocated accordingly while maintaining the current schedule for formation of the Thompson Street LID.

BUDGET IMPLICATIONS: No change in total expenditures is proposed since the issues being discussed assume spending the same amount of money as originally budgeted for 2013/14. If the Council provides direction to delay the traffic study and instead use the funds for street maintenance, expenditures would occur from budget line 005-0500-431.60-87, Street Construction Supplies, rather than 005-0500-431.34-50, Special Studies and Reports.

ALTERNATIVES:

- A. **Staff Recommendation:** *Move to complete the traffic study for East 10th and Thompson Streets in the current fiscal year as budgeted.*
- B. Delay the traffic study and direct staff to utilize the budgeted funds for street maintenance activities.



CITY of THE DALLES

313 COURT STREET
THE DALLES, OR 97058

PH. (541) 296-5481
FAX (541) 296-6906

AGENDA STAFF REPORT
CITY OF THE DALLES

MEETING DATE	AGENDA LOCATION	AGENDA REPORT #
March 24, 2014	Discussion Items 12, B	14-022

TO: Honorable Mayor and City Council
FROM: Dave Anderson, Public Works Director
THROUGH: Nolan Young, City Manager *ny*
DATE: March 13, 2014

ISSUE: Presentation and Discussion Regarding Upcoming Oregon Department of Transportation (ODOT) Project to Reconstruct Interstate 84 through The Dalles.

BACKGROUND: The Oregon Department of Transportation will make a presentation and open the subject for Council discussion. When an information paper regarding the project is completed, it will be forwarded to the City Council prior to the meeting.

BUDGET IMPLICATIONS: None at this time.

ALTERNATIVES:

- A. Discussion item only.