

AGENDA

REGULAR CITY COUNCIL MEETING

November 10, 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
  - A. Presentation by Alexis Keilman Regarding Long Board Regulations
6. AUDIENCE PARTICIPATION
7. CITY MANAGER REPORT
8. CITY ATTORNEY REPORT
9. CITY COUNCIL REPORTS
10. CONSENT AGENDA

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.

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.

**CITY OF THE DALLES**

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

- A. Approval of October 27, 2014 Regular City Council Meeting Minutes
  - B. Resolution No. 14-034 Assessing Properties at 406 West Second Place and 1415 Union street for the Cost of Abatement of Junk and Hazardous Vegetation
  - C. Resolution No. 14-036 Accepting the Report of the City Engineer and Announcing the Formation of a Local Improvement District for West Seventh Street Improvements
11. PUBLIC HEARINGS
- A. Public Hearing to Receive Testimony Regarding Proposed Alley Vacation for Granada Block Development [**Agenda Staff Report #14-078**]
12. ACTION ITEMS
- A. Resolution No. 14-035 Amending Resolution No. 11-026, Establishing Metered Water Rates and Sanitary Sewer Fees and System Development Charges for the City of The Dalles [**Agenda Staff Report #14-080**]
13. DISCUSSION ITEMS
- A. Annual Update Regarding Transportation Systems Development Charge Credits [**Agenda Staff Report #14-079**]
14. ADJOURNMENT

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This meeting conducted in a handicap accessible room.

Prepared by/  
Julie Krueger, MMC  
City Clerk

  
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## AGENDA STAFF REPORT CITY OF THE DALLES

MEETING DATE	AGENDA LOCATION	AGENDA REPORT #
November 10, 2014	Consent Agenda 10, A - C	N/A

**TO:** Honorable Mayor and City Council

**FROM:** Julie Krueger, MMC, City Clerk

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

**DATE:** October 30, 2014

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

A. **ITEM:** Approval of October 27, 2014 City Council Meeting Minutes.

**BUDGET IMPLICATIONS:** None.

**SYNOPSIS:** The minutes of the October 27, 2014 City Council meeting have been prepared and are submitted for review and approval.

**RECOMMENDATION:** That City Council review and approve the minutes of the October 27, 2014 City Council meeting.

B. **ITEM:** Resolution No. 14-034 Assessing Properties at 406 West Second Place and 1415 Union Street for Abatement of Junk and Hazardous Vegetation.

**BUDGET IMPLICATIONS:** Assessment fees will be entered on the City's Lien Docket for collection.

**SYNOPSIS:** A Notice to Abate Nuisance Conditions was posted by Nikki Lesich, the City's Code Enforcement Officer, upon the properties located at 406 West Second Place and 1415 Union Street on June 4, 2014 and July 25, 2014, respectively. The Notice to Abate Nuisance Conditions advised the property owners of nuisance conditions existing upon the properties, consisting of the presence of junk and hazardous vegetation. When the property owners did not remove the nuisance conditions, the City hired FLI Landscaping, LLC and Steelhead Enterprises, LLC to abate the public nuisances. The cost for removal of the nuisance conditions was \$1,065.00 for the property located at 406 West Second Place, and \$1,145.00 for the property located at 1415 Union Street. These costs include an administrative fee of \$500 required by General Ordinance No. 93-1162.

On September 29, 2014, a notice of the proposed assessment for the costs of the abatements was sent to Robert and Karen Greb, and Troy Greb, the owners of the property located at 406 West Second Place, and to Thomas Turner, Jr. and Priscilla Turner, the owners of the property at 1415 Union Street. Copies of the notices are enclosed with this staff report. The notices advised the owners they had until October 6, 2014 to file any objections to the proposed assessments, and that if the assessments were not paid by October 14, 2014, the amount of the assessments would be imposed as a lien upon the properties. No objections to the assessments were filed by October 6, 2014, and no payment has been made toward the proposed assessments by any of the property owners.

**RECOMMENDATION:** Adopt Resolution No. 14-034 assessing the properties at 406 West Second Place and 1415 Union Street for abatement of junk and hazardous vegetation.

- C. **ITEM:** Resolution No. 14-036 Accepting the report of the City Engineer and Announcing the Formation of a Local Improvement District for West Seventh Street Improvements.

**BUDGET IMPLICATIONS:** None at this time. Upon completion of the improvements, final assessments will be entered on the City's Lien Docket for collection.

**SYNOPSIS:** On October 27, 2014, the City council held a public hearing to consider remonstrances to the proposed local improvement district for West Seventh Street improvements. No objections were received. The City Council directed staff to prepare a resolution to accept the City Engineer's Report and to move forward with the project.

**RECOMMENDATION:** That City Council adopt Resolution No. 14-034 accepting the report of the City Engineer and announcing the formation of a local improvement district for West Seventh Street improvements.

## MINUTES

REGULAR COUNCIL MEETING  
OF  
OCTOBER 27, 2014  
5:30 P.M.

THE DALLES CITY HALL  
313 COURT STREET  
THE DALLES, OREGON

**PRESIDING:** Mayor Steve Lawrence

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

**COUNCIL ABSENT:** None

**STAFF PRESENT:** City Manager Nolan Young, City Attorney Gene Parker, City Clerk Julie Krueger, Administrative Fellow Daniel Hunter, Planning Director Dick Gassman, Finance Director Kate Mast, Engineer Dale McCabe, Public Works Director Dave Anderson, Police Sergeant Doug Kramer

### CALL TO ORDER

Mayor Lawrence called the meeting to order at 5:33 p.m.

### ROLL CALL

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

### PLEDGE OF ALLEGIANCE

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

### APPROVAL OF AGENDA

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

## **PRESENTATIONS/PROCLAMATIONS**

Bob McFadden introduced several members of the Sister City delegation from Miyoshi City. Mayor Lawrence welcomed the visitors to The Dalles.

### **2013-14 Audit Presentation**

Tonya Moffitt, Merina and Company, provided a review of the audit. She said a clean opinion had been issued, there were no material problems and congratulated the City for the Certificate of Financial Achievement they received, noting it was the highest honor a City could receive for financial reporting. Moffitt noted one governmental standard principal change (known as GASB 65), saying this would change how bond issue costs were allocated throughout the report.

Moffitt mentioned one finding, an error by The Dalles Chronicle in printing of a report; and noted one deficit fund balance of \$2,166 in the State Office Building Fund.

It was moved by Wood and seconded by McGlothlin to accept the 2013-14 fiscal year audit, as presented. The motion carried unanimously.

## **RECESS TO URBAN RENEWAL AGENCY MEETING**

Mayor Lawrence recessed the meeting at 5:45 p.m.

## **RECONVENE CITY COUNCIL MEETING**

The meeting reconvened at 5:50 p.m.

## **AUDIENCE PARTICIPATION**

Damon Hulit, 2830 East 10<sup>th</sup> Street, The Dalles, spoke on behalf of the Fort Dalles Rodeo Association, requesting financial assistance to provide their 50<sup>th</sup> Anniversary celebration. Mr. Hulit noted that the Association donated proceeds from their ticket sales to the Mid Columbia Health Foundation and to the Fire Department each year.

Mayor Lawrence asked if the Association had requested funding from the Chamber of Commerce grant program. Hulit said the Chamber was considering their request.

Taner Elliott, 397 Summit Drive, The Dalles, asked the City Council to clarify their intent that waivers of remonstrance be eliminated as a residential infill requirement. He said the Planning Director seemed to be trading the waivers for delayed development agreements and he didn't believe that was the Council's intention.

City Attorney Parker said the Planning Commission had been working on recommendations regarding residential infill, but he believed they were taking no position regarding waivers of remonstrance. Parker said he was working to identify existing waivers and if the City Council decided to eliminate them, staff would work to accomplish that.

City Manager Young said the Planning Commission would be conducting a public hearing on November 6, then recommendations would be forwarded to the City Council for consideration.

#### **CITY MANAGER REPORT**

City Manager Young announced that Police Captain Ed Goodman would be retiring December 1. Young said the Department was in the process of an internal promotion for the Captain position, which would then create a position for promotion to Sergeant. Young said once that promotion was completed, there would be a position of police officer to fill.

Young said a proposal was being developed to improve the public Wi Fi system, through a grant from Google. He said strength and coverage would be added in the downtown area; a usability study would be completed; and the system would be expanded to include the Wahtonka sports field; The Dalles Middle School and Fire House Park.

#### **CITY ATTORNEY REPORT**

City Attorney Parker said he had been working with property owners for a final resolution to a right of way issue on Cliff Street. Parker said a formal agreement would be developed for the property owners and City to sign.

#### **CITY COUNCIL REPORTS**

Councilor Wood said there had been no Historic Landmarks Commission in October. She said the QLife Board meeting was scheduled for November 13 and said the Council of Governments was currently working on work force training issues.

Councilor McGlothlin reported on his attendance at the Traffic Safety Commission meeting. He said the Airport Board had met on October 18, noting there had been some inquiries on a parcel of property along the river, for a possible RV park; and said the Port of Klickitat was working on

application to build a shooting range. McGlothlin said a Fly In was planned for summer of 2015, as a fund raiser for the relocation of Dallesport Fire Department onto Airport property.

Councilor Spatz announced the Mid Columbia Economic Development District was planning to host a speaker regarding the cider industry. He said the November 7 bi-state legislative summit had been postponed to 2015.

Spatz noted the Miyoshi City delegation was currently enjoying their visit in The Dalles. He invited the City Council to attend the farewell party on Tuesday, 5:30 p.m. at the United Church of Christ Congregational.

Spatz provided a written summary of the Columbia Gorge Tourism Summit, highlighting the fact that the tourism industry helped the economy in many ways, including visitors choosing to move businesses to Oregon. He asked that the Council consider membership in the Washington Tourism Alliance to promote regional value of tourism as business recruitment and to emphasize the importance of the Columbia Gorge Visitor's Association.

Councilor Miller said the Urban Renewal Advisory Committee meeting had been cancelled, but there was an Agency meeting scheduled to follow the Council meeting.

Mayor Lawrence said he had attended the Portland Trailblazers rally and a meeting of the Gorge Hubs group. Lawrence said he attended the ground breaking ceremony for the swimming pool.

### **CONSENT AGENDA**

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

Items approved by Consent Agenda were: 1) approval of October 13, 2014 regular City Council meeting minutes; and 2) Resolution No. 14-032 adopting a corrected fee schedule, effective October 27, 2014.

### **PUBLIC HEARINGS**

#### **Public Hearing to Receive Remonstrances Concerning the West Seventh Street Improvements Local Improvement District**

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

Engineer Dale McCabe reviewed the staff report. In response to a question, McCabe said the mobile home park property owners had declined to be included in the proposed local improvement district (LID), saying they currently had a curb line and asphalt, which the LID would tie into, to create a two traffic lanes, a future bike lane and sidewalk.

Mayor Lawrence said he was concerned about the safety of children at Hostetler Street.

#### Remonstrances/Testimony

No remonstrances were received.

#### Council Deliberation

It was moved by Wood and seconded by McGlothlin to direct staff to prepare a resolution accepting the engineer's report and announce the formation of the local improvement district for West Seventh Street extension.

Councilor Miller said she was concerned about pedestrian safety for the residents of the mobile home park. She questioned why the bus traffic couldn't have a different route. Engineer McCabe said the original route had been along Tenth Street, with bus unloading on Hostetler Street, but the Traffic Safety Commission had agreed using Seventh Street was the best route for the buses. He said the site plan review team and Planning Commission had agreed that the proposed configuration was the best option.

The motion to direct staff to prepare a resolution accepting the engineer's report and announce the formation of the local improvement district for West Seventh Street extension was voted on and carried, Miller voting no.

#### **ACTION ITEMS**

##### Resolution No. 14-033 Granting an Appeal by Taner Elliott of Minor Partition Conditions of Approval

City Attorney Parker reviewed the staff report.

It was moved by Spatz and seconded by Miller to adopt Resolution No. 14-033 granting an appeal by Taner Elliott of minor partition conditions of approval. The motion carried unanimously.

Approval to Submit Local Oregon Assets Program Application for Full Faith and Credit Bond for Flex Space and Hangars at the Airport

City Manager Young reviewed the staff report.

It was moved by Wood and seconded McGlothlin to direct staff to submit an application for a loan under the Local Oregon Assets Program for an amount not to exceed \$2 million for construction and/or purchase of flex space and hangars at the Columbia Gorge Regional Airport. The motion carried unanimously.

General Ordinance No. 14-1337 Establishing a Tax on the Sale of Marijuana and Marijuana Infused Products in the City of The Dalles

City Attorney Parker reviewed the staff report.

Mayor Lawrence said it was important to adopt the Ordinance so the City had an opportunity to receive a tax in the event the State ballot measure passed in November.

City Attorney Parker said if the ballot measure did pass, there was a potential for litigation to settle the issue of whether local governments would have taxing authority, but he believed the League of Oregon Cities would defend the rights of cities and intervene if there was litigation by the State.

Public Comment

Debby Jones, 4575 Basalt Street, The Dalles, commended the City Council for their forward thinking and said she appreciated that the City would be prepared. Jones said it would be important to set aside local funding for prevention purposes.

City Clerk Krueger read General Ordinance No. 14-1337 by title.

It was moved by Wood and seconded by McGlothlin to adopt General Ordinance No. 14-1337 establishing a tax on the sale of marijuana and marijuana infused products in the City of The Dalles, by title.

Councilor Spatz said he would oppose the ordinance because he believed the federal government should address legalization before States decided. He said it was not right for States to authorize something that was federally illegal.

The motion to adopt General Ordinance No. 14-1337 establishing a tax on the sale of marijuana and marijuana infused products in the City of The Dalles, by title carried, Spatz opposed.

### **DISCUSSION ITEMS**

#### **Discussion Regarding Amendment to the City's Water Rate Schedule**

The staff report was reviewed by City Manager Young. He said staff performed their annual rate review and identified that the rate increase had exceeded revenue projections, so wanted to ask the Council for direction as to whether the September rate increase should be reduced. He said staff had provided several options for Council consideration.

Mayor Lawrence noted he had asked that this item be removed from a previous agenda for a couple reasons. He said he felt the timing had been political and also felt it was premature to decrease the rates, without more data.

Councilor Wood said the Council reviewed the water rates every year and that it was good news this year. She said projections were being reached to accomplish the Water Master Plan projects and said she would support Option #3, to roll back half of the September increase of 10%.

Councilor McGlothlin asked what projects were being funded through the rate increases. Public Works Director Anderson noted the projects were included in Table 1 of the staff report, including the costs of each project and the year they were proposed to be constructed.

City Manager Young said the City had an aging system and that unlike many cities, The Dalles had a surface water source, as compared to a ground source, so the needs were very different for our community.

Councilor Spatz asked if the City had enough capacity to use only wells. Public Works Director Anderson said the wells provided only a small portion of overall capacity and no new water rights could be obtained for ground sources.

Councilor Miller asked if the wells were used for supplementing the surface water. Anderson said that was correct. He said the wells were used during the summer months and for catastrophic events, such as the watershed fire event. He said Wicks provided approximately 90% of the water to the community, with the wells providing 10%.

Mayor Lawrence noted that Table 2 of the staff reported revenue shortfalls in 2010 through 2013. He said it may be wiser to leave the rates in place and see if the revenues averaged out over the period of the Plan.

Public Works Director Anderson noted there had been growth in industrial usage and believed the revenues would remain consistent.

Councilor Spatz said he believed the rate should be balanced and would prefer to approve Option #2 or Option #3. He said many citizens were distressed about the high water rates.

In response to a question regarding the reservoir improvements, Public Works Director Anderson explained the inspections had been completed on the reservoirs and it had been determined the need for re-painting. He said staff was also working to do seismic evaluations, so any needed work could be completed prior to the painting.

Mayor Lawrence asked staff to provide copies of the reservoir condition reports.

It was moved by Dick and seconded by Spatz to roll back half of the September 2014 10% rate increase to 5% effective December 1, 2014, then implement 5% rate increases annually on October 1 from 2015 through 2020. The motion carried, Miller voting no.

**ADJOURNMENT**

Being no further business, the meeting adjourned at 7:16 p.m.

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Submitted by/  
Julie Krueger, MMC  
City Clerk

SIGNED:

\_\_\_\_\_  
Stephen E. Lawrence, Mayor

ATTEST:

\_\_\_\_\_  
Julie Krueger, MMC, City Clerk

**RESOLUTION NO. 14-034**

**A RESOLUTION ASSESSING THE REAL PROPERTIES LOCATED  
AT 406 WEST SECOND PLACE AND 1415 UNION STREET FOR THE  
COSTS OF ABATEMENT OF JUNK AND HAZARDOUS VEGETATION**

**WHEREAS**, the City Code Enforcement Officer posted a Notice to Abate Nuisance upon the following listed properties on the dates shown below;

<u>Property</u>	<u>Assessor's Map No.</u>	<u>Date of Posting</u>
406 West Second Place	1N 13E 3BB #1400	June 4, 2014
1415 Union Street	1N 13E 4DA #12800	July 25, 2014

and

**WHEREAS**, the following persons are the owners of the following listed properties;

<u>Property</u>	<u>Owner</u>
406 West Second Place	Robert & Karen Greb, and Troy Greb
1415 Union Street	Thomas Turner, Jr. & Priscilla Turner

and

**WHEREAS**, the Notice to Abate Nuisance required the removal of junk and hazardous vegetation from the listed properties pursuant to the provisions of General Ordinance Nos. 93-1162 and 99-1234; and

**WHEREAS**, the Notice to Abate Nuisance further provided that if the nuisance conditions were not abated, the City would hire a contractor to abate the nuisance conditions, and the costs of the abatement would be charged to the owner of the property, and become a lien upon the property; and

**WHEREAS**, as a result of the owner's failure to abate the nuisance conditions on the properties, the City hired the following listed contractors, who abated the nuisance conditions on the dates listed below, for the costs listed below;

<u>Property</u>	<u>Contractor</u>	<u>Date of Abatement</u>	<u>Cost</u>
406 West 2 <sup>nd</sup> Place	FLI Landscaping, Inc.	July 11, 2014	\$645.00
1415 Union St.	Steelhead Enterprises, Inc.	September 17, 2014	\$565.00

and

**WHEREAS**, pursuant to Section 34 of General Ordinance No. 93-1162 and Section 7 of General Ordinance No. 99-1234, the City Clerk sent a Notice of Assessment by certified mail on September 29, 2014 to Robert & Karen Greb and Troy Greb, and to Thomas Turner Jr. and Priscilla Turner, advising them that the total costs of the assessment for each property was \$1,145.00 and \$1,065.00 respectively, which sums included a \$500 administrative fee required by General Ordinance No. 93-1162, and that the listed sums would become a lien upon the respective properties if the amount was not paid by October 14, 2014; and

**WHEREAS**, the September 29, 2014 Notice of Assessment also advised the respective property owners that they had until October 6, 2014 to file any objection to the proposed assessments; and

**WHEREAS**, none of the affected property owners filed any objection by the stated deadline, and none of them paid the listed amounts by the stated deadline, and the City Council finds that the statement of the amount of the proposed assessments is correct, and that no reason exists to justify any delay in proceeding with the imposition of a lien upon the properties for the costs of the assessments;

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

Section 1. Assessment. The cost of the abatement of the nuisance conditions consisting of the removal of junk and hazardous vegetation for the properties located at 406 West Second Place and 1415 Union Street, in The Dalles, Oregon, is assessed upon the following properties:

<u>Name/Address</u>	<u>Description</u>	<u>Final Assessment</u>
Robert and Karen Greb 514 Liberty Street The Dalles, OR 97058	1N 13E 3BB #1400	\$1,145.00
Troy Greb 19725 River Road #61 Gladstone, OR 97027		
Thomas Turner, Jr. Priscilla Turner 1415 Union Street The Dalles, OR 97058	1N 13E 4DA #12800	\$1,065.00

The legal description for the properties is shown in the attached Exhibit "A".

Section 2. Docket Entry. Upon passage of this Resolution and its approval by the Mayor, the City Clerk is instructed and directed to enter into the Docket of City Liens the following matters in relation to the assessment:

- a. The foregoing legal description of the property assessed.
- b. The name of the owners or statement that the owners are unknown.
- c. The sum assessed upon each lot or tract of land.
- d. The date of the docket entry.

Section 3. Notices/Collection of Assessment. The City Clerk is directed to proceed with notice and collection of the assessment in accordance with the procedures prescribed by State law for enforcement of liens and collection of assessments.

Section 4. Effective Date. This Resolution shall be effective as of November 10, 2014.

**PASSED AND ADOPTED THIS 10<sup>th</sup> DAY OF NOVEMBER, 2014**

Voting Yes, Councilors: \_\_\_\_\_  
Voting No, Councilors: \_\_\_\_\_  
Absent, Councilors: \_\_\_\_\_  
Abstaining, Councilors: \_\_\_\_\_

**AND APPROVED BY THE MAYOR THIS 10<sup>th</sup> DAY OF NOVEMBER, 2014**

\_\_\_\_\_  
Stephen E. Lawrence, Mayor

ATTEST:

\_\_\_\_\_  
Julie Krueger, MMC, City Clerk

**EXHIBIT "A" FOR RESOLUTION NO. 14-034**

Assessor's Map No. 1N 13E 4DA #12800

Lot 12, Block 43, GATES ADDITION TO DALLES CITY

Assessor's Map No. 1N 13E 3BB #1400

Lots 8 & 9, Block 6 ½, TREVITT'S ADDITION TO DALLES CITY

**RESOLUTION NO. 14-036**

**ACCEPTING THE REPORT OF THE CITY ENGINEER AND  
ANNOUNCING THE FORMATION OF A LOCAL IMPROVEMENT  
DISTRICT FOR WEST SEVENTH STREET IMPROVEMENTS**

**WHEREAS**, the City Council has called for an engineer's report, announced its intention to improve, called for remonstrances and held a hearing to consider remonstrances and objections relating to the West Seventh Street improvements; and

**WHEREAS**, the City Council held a hearing and considered the engineer's report and any remonstrances and objections at its meeting at 5:30 p.m. on October 27, 2014; and

**WHEREAS**, the City Council has considered the report and any objections; **NOW, THEREFORE**,

**BE IT RESOLVED BY THE CITY COUNCIL AS FOLLOWS:**

Section 1. Remonstrances. The City Council finds that the period for remonstrances has expired. There are three property owners listed in the proposed assessment roll. No property owners filed a remonstrance and the City Council finds there were not sufficient remonstrances to defeat the proposed improvement project.

Section 2. Acceptance of Engineer's Report. The Study and Report of the City Engineer, dated July 28, 2014, a copy of which is attached is hereby approved.

Section 3. Creation of Improvement District. A local improvement district comprised of the properties to be benefitted, as identified in the attached Engineer's Study and Report, is hereby created.

Section 4. Intention to Proceed. The City Council hereby announces its intention to proceed with the West Seventh Street Improvements.

Section 5. Effective Date. This Resolution shall be effective November 10, 2014.

**PASSED AND ADOPTED THIS 10<sup>TH</sup> DAY OF NOVEMBER, 2014**

Voting Yes, Councilors: \_\_\_\_\_  
Voting No, Councilors: \_\_\_\_\_  
Absent, Councilors: \_\_\_\_\_  
Abstaining, Councilors: \_\_\_\_\_

**AND APPROVED BY THE MAYOR THIS 10<sup>TH</sup> DAY OF NOVEMBER, 2014**

SIGNED: \_\_\_\_\_  
Stephen E. Lawrence, Mayor

ATTEST: \_\_\_\_\_  
Julie Krueger, MMC, City Clerk

# Preliminary Engineer's Study and Report

## WEST SEVENTH STREET EXTENSION

July 28, 2014

Honorable Mayor and Council Members;

The following is a study and report to provide for the Assessment District, Basis for the Assessments, and Estimated costs for the West Seventh Street Extension. The project encompasses Seventh Street from the north right of way line of Hostetler Road north to the south right of way line of Chenowith Loop Road, for a total assessable frontage of **1413 feet**.

**This study and report addresses matters relating to the proposed construction of the project, including the following seven (7) items:**

- 1. A map showing the general nature, location, and extent of the proposed project and the lands to be assessed to pay any part of the costs thereof;*

The map of the proposed district is attached as "**Exhibit A**".

- 2. A description of the type of proposed improvement and an estimate as to the length of its useful life;*

West Seventh Street is currently classified as a Local Street. After the completion of this project, West Seventh Street will be a Minor Collector Street between Hostetler and Chenowith Loop Roads. The existing pavement is an approximately 19' wide half street that terminates about 580' north of Hostetler Road. There are no sidewalks on West Seventh Street. With the completion of the proposed The Dalles Transit Center at West Seventh Street and Chenowith Loop Road, West Seventh Street will become a primary route for buses serving The Dalles and the surrounding area.

The proposed project will greatly enhance the appearance and functionality of the project area. The community as a whole will benefit from the increased pedestrian safety and accessibility in the area and to and from the proposed Transit Center. Project elements include:

\*Construction of the street will include grading and compaction of the sub-base, nine inches of base rock, and four inches of asphalt. The project would create a street that is 41' wide that could accommodate parking and bicycles lanes.

\*Construction of a 5' wide concrete sidewalk on west side of West Seventh Street from the north boundary of the project to the south property line of 2N 13E 29DB tax lot 7500.

\*Construction of city standard curb and gutter with concrete drive approaches.

\*Construction of ADA ramps at the intersection of West Seventh Street and Chenowith Loop Road and ADA bypasses at all drive approaches along the sidewalk.

\*Construction of a storm drain collection system to carry storm water from the new street and adjacent Transit Center to the existing collection systems in Hostetler Road and Chenowith Loop Road.

The design life of the street construction is 40 years. The other project elements, such as sidewalks and storm drain system improvements, have a longer useful life.

3. *A description of the location and use of each lot or parcel of land or portion thereof that will be specifically benefited by the improvement, together with the name of the owner thereof;*

See "Table 1" attached to this report.

4. *A description of the boundaries of the district benefited by and to be assessed for the improvements;*

See "Table 1" attached to this report for a listing of the assessable properties, and the attached map that highlights the area to be assessed.

The boundaries of the proposed assessment district include all of the properties that front the east right of way line of West Seventh Street from Hostetler Road north to the south right of way line of Chenowith Loop Road and all properties that front the west right of way line of West Seventh Street from the south property line of 2N 13E 29DB Tax Lot 7500 north to the south right of way line of Chenowith Loop Road.

5. *The percentage of the land within the district that is vacant and unused for urban purposes;*

The percentage of vacant land, by area, unused for urban purposes is zero (0).

6. *The assessed valuation of each lot or parcel of land within the district according to the last assessment roll, the amount of the delinquent taxes and assessments, and the amount of taxes and assessments levied but not delinquent for each lot or parcel of land within the district;*

See "Table 1" attached to this report.

The total amount of delinquent taxes within the proposed improvement district is \$0.00.

The total amount of outstanding assessments (not necessarily delinquent) within the proposed district is \$0.00.

The purpose for these numbers is to give the City Council some indication of the amount of risk of non-payment in assessing the involved properties. The City's Special Improvement Fund will up-front the property owners' contributions.

7. *An estimate of the probable costs of the project, including legal, administrative, engineering, and construction costs attributable thereto, and a recommendation as to a fair apportionment of the whole or any portion of the cost of the project to the property specially benefited.*

See the Engineer's Estimate (Exhibit B) attached to this report for cost estimate details. See "Table 2" attached to this report for an estimated breakdown of costs per assessed property.

**Cost**

Attached is the current engineer's report of the estimated costs (Exhibit B). The estimates break out the cost of street improvements, water improvements, and storm drain improvements.

The construction cost is now estimated to be \$311,042.05. This would include the construction of the streets and the utility. The estimated non-construction cost for right of way acquisition is \$540.00. The total estimated cost is **\$311,582.05**. The breakdown of estimated total costs including a 10% contingency on construction costs is in the following table:

Type Of Work	Estimated Cost
Street System Improvements	\$221,975.05
Water System Improvements	\$2,200.00
Storm Water System Improvements	\$86,867.00
Right of Way Acquisition	\$540.00
<b>Total</b>	<b>\$311,582.05</b>

The existing water system in West Seventh Street is owned by Chenowith Water PUD. The improvements to that system will be paid for by Chenowith Water PUD. The following table shows the estimated contribution by Chenowith Water PUD:

Project Element	Funding Source	Amount
Water System Improvements	Chenowith Water PUD	\$2,200.00
<b>Total</b>		<b>\$2,200.00</b>

Proposed property owner assessments will fund approximately \$309,382.05 of the total estimated project cost. This amount is equal to the total estimated project cost minus the contribution listed above.

The assessment would be based upon frontage length. The estimated cost for improvements to be funded by the property owner assessments is \$309,382.05. The estimated proposed assessment would then be \$218.96 per front foot based on an assessable frontage of 1413 feet.

The assessment for property 2N 13E 29DC tax lot 200 will be paid by the City in exchange for a 5' wide right of way dedication from the property required for the completion of the project. The proposed assessment for this property is estimated at \$29,285.93.

The money to up-front the cost of the property owners' share will come from the City's Special Improvement Fund.

Payment of the assessment is flexible and property owners can take up to ten years to make full payment with an interest rate of 10%. The assessment will not be made until the project is totally completed, early to mid-2015.

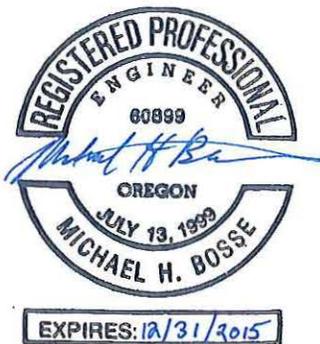


Prepared By,

  
Michael H. Bosse, P.E.  
Project Engineer

Respectfully submitted,

Dale S. McCabe, P.E.  
City Engineer





**Legend**

-  Taxlots
-  W 7th Street LID Properties
- 1** Table Reference Number

West 7th Street Local Improvement District  
City Council July 28, 2014  
Preliminary Engineer's Report



## EXHIBIT B

### Street Work

<u>Item</u>	<u>Description</u>	<u>Units</u>	<u>Unit Price</u>	<u>Quantity</u>	<u>Engr. Est.</u>
1	Mobilization	LS	\$ 10,000.00	1	\$ 10,000.00
2	Traffic Control	LS	\$ 7,500.00	1	\$ 7,500.00
3	Erosion Control	LS	\$ 5,000.00	1	\$ 5,000.00
4	Base Excavation/Grading	CY	\$ 20.00	1325	\$ 26,500.00
5	Import Fill	CY	\$ 30.00	0	\$ -
6	Construction Surveying	LS	\$ 5,000.00	1	\$ 5,000.00
7	Asphalt/Concrete Excavation	CY	\$ 30.00	36	\$ 1,080.00
8	Rock Excavation	CY	\$ 110.00	0	\$ -
9	Remove Fence	LF	\$ 5.00	181	\$ 905.00
10	Remove Trees	EA	\$ 500.00	21	\$ 10,500.00
11	Const. 24" Curb and Gutter Section	LF	\$ 11.00	1680	\$ 18,280.00
12	Const. ADA Ramps	EA	\$ 1,250.00	6	\$ 7,500.00
13	Remove Curb	LF	\$ 5.00	77	\$ 385.00
14	Remove Catch Basin	EA	\$ 250.00	1	\$ 250.00
15	Construct Catch Basin (G-1)	EA	\$ 1,500.00	5	\$ 7,500.00
16	Construct Catch Basin (CG-3)	EA	\$ 2,000.00	0	\$ -
17	Const. Concrete Sidewalk	SY	\$ 36.00	196	\$ 7,056.00
18	3/4" Minus Base Aggregate (Sidewalk)	CY	\$ 42.00	45	\$ 1,890.00
19	Const. Drive Approaches	SY	\$ 50.00	109	\$ 5,450.00
20	8" Thick Concrete (Street)	SY	\$ 40.00	115	\$ 4,600.00
21	Class C Asphalt (Street)	TON	\$ 75.00	667	\$ 50,025.00
22	1 1/2" Minus Base Aggregate (Street)	CY	\$ 28.00	576	\$ 16,128.00
23	3/4" Minus Base Aggregate (Street)	CY	\$ 38.00	177	\$ 6,726.00
24	Valve Adjustment	EA	\$ 430.00	2	\$ 860.00
25	Manhole Adjustment	EA	\$ 540.00	0	\$ -
26	Paint Curb Yellow	LF	\$ 3.00	255	\$ 765.00
27	Pavement Striping (4")	LF	\$ 0.50	988	\$ 494.00
28	Pavement Striping (12")	LF	\$ 7.50	149	\$ 1,117.50
29	Install Signs	EA	\$ 250.00	9	\$ 2,250.00
30	Landscaping	SY	\$ 17.00	62	\$ 1,054.00
31	Re-Set Property Corners	EA	\$ 1,500.00	2	\$ 3,000.00
<b>Street Work Item Total</b>					<b>\$ 201,795.50</b>

### Storm Drain Work

<u>Item</u>	<u>Description</u>	<u>Units</u>	<u>Unit Price</u>	<u>Quantity</u>	<u>Engr. Est.</u>
1	Connect To Exist. Storm Drain	EA	\$ 1,250.00	3	\$ 3,750.00
2	Construct Storm Drain Cleanout	EA	\$ 1,200.00	2	\$ 2,400.00
3	Install 8"X12" Wye	EA	\$ 200.00	1	\$ 200.00
4	Rock Excavation	CY	\$ 110.00	0	\$ -
5	8" Storm Drain Pipe	LF	\$ 38.00	70	\$ 2,660.00
6	12" Storm Drain Pipe	LF	\$ 40.00	1059	\$ 42,360.00
7	Construct Storm Drain Manhole	EA	\$ 3,000.00	7	\$ 21,000.00
8	Class 'E' Backfill (CLSM)	CY	\$ 75.00	88	\$ 6,600.00
<b>Storm Drain Work Item Total</b>					<b>\$ 78,970.00</b>

### Water Work

<u>Item</u>	<u>Description</u>	<u>Units</u>	<u>Unit Price</u>	<u>Quantity</u>	<u>Engr. Est.</u>
1	Relocate Water Service	EA	\$ 1,000.00	2	\$ 2,000.00
<b>Water Work Item Total</b>					<b>\$ 2,000.00</b>

Estimated Project Item Total	\$ 282,765.50
Project Contingency (10%)	\$ 28,276.55
<b>Estimated Project Construction Total</b>	<b>\$ 311,042.05</b>

This estimate was prepared using the following assumptions:

- 1 Because of the changing nature of construction cost, this estimate represents the engineer's opinion of probable construction costs and quantities and in no way implies a guarantee of actual construction costs or quantities.
- 2 Estimate does not include the cost to address and/or mitigate for hazardous material issues.
- 3 Estimate is subject to change based on final construction plan approval.
- 4 Estimate reflects costs which are current as of the date of this estimate. No inflation factors are included in these costs.
- 5 All quantities have in-place measurements.

**TABLE 1**  
PROPERTY OWNERSHIP - WEST 7TH STREET LID

Map #	Map & Tax Lot	County Acct #	Site Address	Owner	Mailing Address	Improved/ Non-Improved	Assessed Frontage	Legal Acres	2013 Land Market Value	2013 Improvement Market Value	Real Market Value	Assessed Value	PAID 2013 Taxes	Unpaid 2013 Taxes w/interest	Total Outstanding
1	2N 13E 29 DB 7500	2065	802 Chenoweth Loop Rd.	MID COL COUNCIL OF GOVERNMENTS	4040 FAIRVIEW INDUSTRIAL DR SE MS#2 Salem, OR 97302-1142	Improved	408.0	1.70	\$ 151,660.00	\$ -	\$ 151,660.00	\$ 118,568	\$ 2,168.01	\$ -	\$ -
2	2N 13E 29 DA 1400	2018	3600 West 6th Street	HOME DEPOT USA INC	PO BOX 105842, Atlanta, GA 30348-5842	Improved	737.3	9.31	3,127,370.00	5,534,950.00	8,662,320.00	8,662,320.00	164,040.08	-	\$ -
3	2N 13E 29 DD 2000	2159	Not Addressed	HOME DEPOT USA INC	PO BOX 105842, Atlanta, GA 30348-5842	Improved	133.9	1.98	664,170.00	865,580.00	1,529,720.00	1,221,403.00	164,040.08	-	\$ -
4	2N 13E 29 DC 200	2160	777 Hosteler	MATHIE MONTY L	PO BOX 1585, Lake Oswego, OR 97035	Improved	133.8	0.29	59,060.00	22,250.00	81,850.00	60,706.00	1,100.23	-	\$ -

Totals: 1413.0 13.28 \$ 4,002,260.00 \$ 6,422,750.00 \$ 10,425,550.00 \$ 10,062,997.00 \$ 331,348.40 \$ - \$ -

Improved acres: 13.28                      % Cal'd Acreage Improved: 100.0%  
 Non-improved acres: 0.00                      % Cal'd Acreage Non-improved: 0.0%  
 Improved property's frontage: 1,413.0                      % Frontage of Improved property: 100.0%  
 Non-improved property's frontage: 0.0                      % Frontage Non-improved property: 0.0%

**TABLE 2**  
**PROPERTY OWNERSHIP - WEST 7TH STREET LID**

Map #	Map & Tax Lot	County Acct #	Site Address	Owner	Mailing Address	Improved/ Non-Improved	Assessed Frontage	Legal Acres	2013 Land Market Value	2013 Improvement Market Value	Real Market Value	Assessed Value	Assessment at \$ 218.96 per l. ft.
1	2N 13E 29 DB 7500	2065	802 Chenoweth Loop Rd.	MID COL COUNCIL OF GOVERNMENTS	4040 FAIRVIEW INDUSTRIAL DR SE MS#2 Salem, OR 97302-1142	Improved	408.0	1.70	\$ 151,660.00	\$ -	\$ 151,660.00	\$ 118,568	\$ 89,342.34
2	2N 13E 29 DA 1400	2018	3600 West 6th Street	HOME DEPOT USA INC	PO BOX 105842, Atlanta, GA 30348-5842	Improved	737.3	9.31	3,127,370.00	5,534,950.00	8,662,320.00	8,662,320.00	\$ 161,441.87
3	2N 13E 29 DD 2000	2159	Not Addressed	HOME DEPOT USA INC	PO BOX 105842, Atlanta, GA 30348-5842	Improved	133.9	1.98	664,170.00	865,550.00	1,529,720.00	1,221,403.00	\$ 29,312.21
4	2N 13E 29 DC 200	2160	777 Hosteler	MATHIE MONTY L	PO BOX 1585, Lake Oswego, OR 97035	Improved	133.8	0.29	59,060.00	22,250.00	81,310.00	60,706.00	\$ 29,288.93

Totals: 1413.0 13.28 \$ 4,002,260.00 \$ 6,422,750.00 \$ 10,425,550.00 \$ 10,062,997.00 \$ 309,382.05



## CITY of THE DALLES

313 COURT STREET  
THE DALLES, OREGON 97058

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

# AGENDA STAFF REPORT

MEETING DATE	AGENDA LOCATION	AGENDA REPORT #
November 10, 2014	Public Hearings 11, A	14-078

**TO:** Honorable Mayor and City Council

**FROM:** Dan Durow, Economic Development Specialist

**THRU:** Nolan Young, City Manager

**DATE:** October 24, 2014

**ISSUE:** Public Hearing on a City Council Initiated Street Vacation Process for a Portion of the Alley between E. 1<sup>st</sup> and E. 2<sup>nd</sup> Streets for the Granada Block Redevelopment Project.

**BACKGROUND:** The Council initiated this partial street vacation process for the portion of alley described as:

“A tract of land lying in Block 3, Dalles City Original Addition and in the Southeast ¼ of the Northwest ¼ of Section 3, Township 1 North, Range 13 East, Willamette Meridian, City of The Dalles, Wasco County, Oregon.” The portion of the alley is 16 feet wide by approximately 116 feet long and is located between 1<sup>st</sup> and 2<sup>nd</sup> Streets and between Union and Court Streets. (See attached map of the specific area.)

This action is intended to implement part of the Disposition and Development Agreement between the City of The Dalles and Rapoza Development Group as part of the Granada Block Redevelopment project.

After closing the public hearing, the City Council shall approve, conditionally approve, modify or deny the proposed vacation. If approved, the Council shall make findings that

substantiate all of the following:

1. If the vacation proceedings were initiated by motion of the City Council, a finding that owners of a majority of the affected properties have not objected in writing. **Staff Finding 1.** *The Council will need to determine at the hearing whether the owners of a majority of the area affected by the vacation have not objected to the proposed vacation prior to the hearing.*
2. Notice has been duly given; **Staff Finding 2.** *All proper notices required by City Ordinance 99-1230 have been completed. The area to be vacated was posted on October 24, 2014, and notices were published in ~~the~~ The Dalles Chronicle on October 26, and again on November 2. Individual notices to affected property owners were sent out on October 21, 2014.*
3. The proposed vacation does not conflict with the City's Comprehensive Plan or any other City ordinance; **Staff Finding 3.** *The applicable goals include: Goal 9 – Economic Development: The proposed alley vacation adds to the City's commercial buildable land supply, a need identified in the plan for future development. Goal 10 – Housing: This partial street vacation will not reduce the amount of vacant and buildable residential land supply. Goal 11 – Public Facilities and Services: The timely, orderly, and efficient arrangement of public utilities will need to be addressed in the proposed re-use of the alley. All utilities necessary to serve the adjoining properties will need to be considered when plans for the re-use of the alley are developed. Goal 12 – Transportation: Closure of the alley to through traffic will require the need to make the remainder of the alley a two-way alley to allow for access to affected properties. This needs to be addressed when plans for re-use of the alley are developed.*
4. The public interest will not be prejudiced by the vacation of public way; **Staff Finding 4.** *Access to affected properties will be maintained for all affected properties and any affected property utility needs, with relocation of utilities that are now in the alley, will be addressed when redevelopment plans are completed.*
5. Site Team Review; **Staff Finding 5.** *The City Site Team reviewed the proposed alley vacation on October 16; they found no issues, and support the partial alley vacation.*
6. If the vacation proceeding was initiated by motion of the City Council, a finding either that all abutting property owners have consented to the vacation, or that if the evidence shows the vacation will substantially diminish the market value of the abutting owner's property, the City Council has made provision for paying damages. **Staff Finding 6.** *The Urban Renewal Agency owns all of the abutting property. Since the alley vacation is adding to the buildable land for the redevelopment project, no reduction in value will result.*

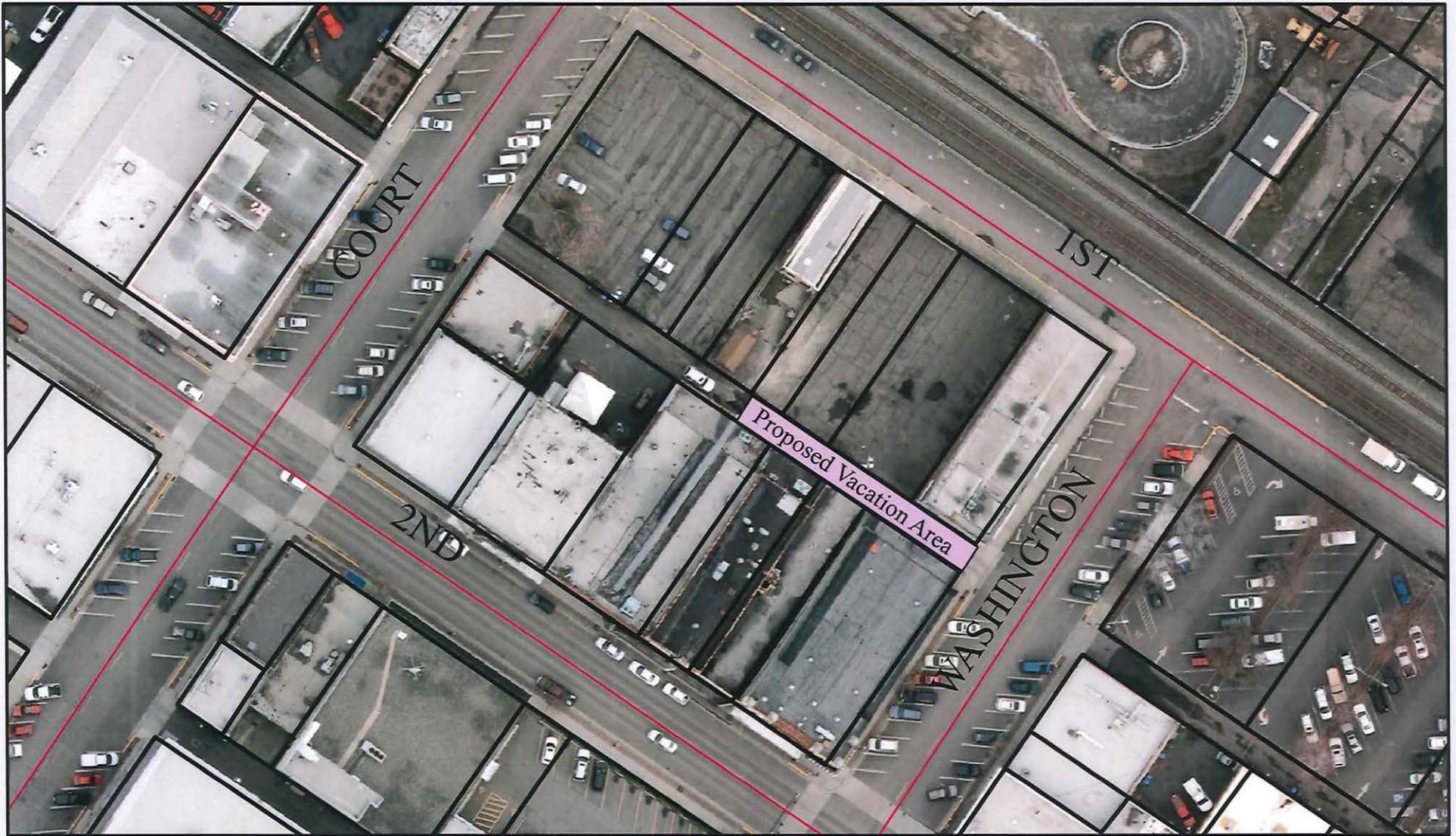
*The City Manager has signed, on behalf of the Urban Renewal Agency, the petition consenting to the partial alley vacation.*

7. Conditions for the partial alley vacation. **Staff Finding 7.** The removal or construction of public utilities in the partial alley vacation is addressed in the DDA. No other specific conditions regarding utilities needs to be made in the vacation ordinance. The vacation of public right-of-way as described in this ordinance shall be subject to completion of the redevelopment project identified as a hotel, conference and activity space, event space, and supportive parking for the Phase 1 Parcels in the Disposition and Development Agreement (“DDA”) dated April 30, 2013, between the Columbia Gateway Urban Renewal Agency and Rapoza Development Group, LLC, including any extension of the timeline for completion of the project as provided for in Exhibit “C” of the DDA. In the event the redevelopment project is not completed in accordance with the provisions of the DDA, the Columbia Gateway Urban Renewal Agency shall execute a deed re-dedicating the portion of public right-of-way vacated by this ordinance, to the City of The Dalles.
  
8. Liens and taxes. **Staff Finding 8.** *All liens and taxes must be paid on all lands abutting the proposed vacation prior to the ordinance being passed.*

**BUDGET IMPLICATIONS:** The costs associated with this proposed alley vacation to the City is minimal, public notices and some staff time. If the right-of-way is ultimately vacated, ORS 271.150 requires that “The petitioner (City) for such vacation shall bear the recording cost and the cost of preparing and filing the certified copy of the ordinance and map.” It is estimated that the cost of such filings will be about \$700.00 along with some minor additional costs to prepare the final map and legal description for filing. The costs of the relocation of the City utilities will be borne by the Urban Renewal Agency.

**ALTERNATIVES:**

- A. **Staff Recommendation:** If the evidence presented by staff and gathered at the hearing supports all of the required findings, the City Council should adopt a motion approving the requested vacation and directing staff to prepare an ordinance for adoption to be presented at a future Council meeting. **Suggested Motion:** *Move to approve the requested partial street vacation for an alley off Union Street based upon the findings of staff and City Council, and direct staff to prepare an ordinance for adoption at a future meeting, completing the vacation process.*
  
- B. If the evidence presented by staff and gathered at the hearing does not support the requested vacation, pass a motion denying the vacation request and direct staff to prepare a resolution setting forth the reasons for the denial.



**Legend**

-  **Parcels**
-  **Roads**
-  **Proposed Vacation**

City of The Dalles  
Granada Block - Alley Vacation  
Application VAC 64-14

0 15 30 60 90 120  
Feet



Planning Department  
October 27, 2012 ~ DMH



## AGENDA STAFF REPORT CITY OF THE DALLES

MEETING DATE	AGENDA LOCATION	AGENDA REPORT #
November 10, 2014	Action Item 12, A	14-080

**TO:** Mayor and City Council

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

**DATE:** October 30, 2014

**ISSUE:** Resolution No. 14-035 A Resolution Amending Resolution 11-026, Establishing Metered Water Rates and Sanitary Sewer Fees and System Development Charges for The City of The Dalles

**Previous Agenda Staff Report:** #14-071 at the October 27, 2014 meeting

**BACKGROUND:** At the October 27 City Council meeting the Council directed staff to prepare a resolution adjusting the water utility rates schedule. We currently have a schedule that goes through 2020. The Council directed that the resolution should roll back the 10% water rate increase that was effective September 1, 2014 to 5% effective December 1, 2014 and to amend the current schedule for future rate increases to 5% per year effective November 1 each year, beginning in 2015 through 2020. This adjustment in the rate schedule is in response to better than projected revenue trends. Attached is Resolution No. 14-035 for Council consideration.

**BUDGET IMPLICATIONS:** The proposed rate adjustment still allows the City to meet the revenue projections needed to satisfy water utility operations, current debt retirement and future capital improvement plan.

### **COUNCIL ALTERNATIVES:**

1. Staff recommendation: *Adopt Resolution No. 14-035 A Resolution Amending Resolution 11-026, Establishing Metered Water Rates and Sanitary Sewer Fees and System Development Charges for The City of The Dalles.*

2. Amend and then adopt Resolution No. 14-035 Resolution No. 14-035 A  
Resolution Amending Resolution 11-026, Establishing Metered Water Rates and  
Sanitary Sewer Fees and System Development Charges for The City of The  
Dalles
3. Table this issue to allow for further research and consideration,

**RESOLUTION NO. 14-035**

**AMENDING RESOLUTION NO. 11-026, ESTABLISHING  
METERED WATER RATES AND SANITARY SEWER FEES AND SYSTEM  
DEVELOPMENT CHARGES FOR THE CITY OF THE DALLES**

**WHEREAS**, on October 24, 2011, the Council adopted Resolution No. 11-026 establishing metered water rates; and

**WHEREAS**, a review of water utility rate revenues has indicated that revenue targets were exceeded for the 2013-14 fiscal year and current water utility rates are anticipated to exceed current revenue targets as established by Council with adoption of the Water Utility Capital Improvement Plan schedule Option 2B; and

**WHEREAS**, on September 1, 2014, a water utility rate increase of 10% became effective as authorized by Resolution No. 11-026; and

**WHEREAS**, the Council wishes to amend the current water rate schedule provided in Resolution No. 11-026 and adopt a residential water rate adjustment effective December 1, 2014 that reduces the September 1, 2014 water utility rate increase from 10% to 5%; and

**WHEREAS**, the Council wishes to amend the future scheduled water utility rate increases provided in Resolution No. 11-026;

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

Section 1. Resolution Amended. Resolution No. 11-026 passed and adopted by City Council on October 24, 2011 is hereby amended. Resolution No. 11-026 shall remain in force to authorize the rates which are in effect until Resolution No. 14-035 becomes effective, and continue to authorize rates not amended by Resolution No. 14-035.

Section 2. Water Fees for Residential and Commercial Accounts. Effective December 1, 2014, the monthly fees charged to City of The Dalles water system users shall be set as follows:

A. **Residential.** Residential water rates are established based upon meter sizes with a fixed charge which includes a 10,000 gallon monthly volume use and an additional charge per thousand gallons of consumption above 10,000 gallons per month. The residential rate shall apply to accounts which serve duplex and residential account customers.

Inside City Limit

<u>Meter Size</u>	<u>Fixed Charge</u>	<u>Volume Charge</u>
3/4"	\$55.30	\$1.68 per 1,000 gallons over 10,000 gallons per month
1"	55.30	1.68 per 1,000 gallons over 10,000 gallons per month
1.5"	66.36	1.68 per 1,000 gallons over 10,000 gallons per month
2"	84.06	1.68 per 1,000 gallons over 10,000 gallons per month
3"	121.68	1.68 per 1,000 gallons over 10,000 gallons per month

Outside City Limit

<u>Meter Size</u>	<u>Fixed Charge</u>	<u>Volume Charge</u>
3/4"	\$82.95	\$2.52 per 1,000 gallons over 10,000 gallons per month
1"	82.95	2.52 per 1,000 gallons over 10,000 gallons per month
1.5"	99.54	2.52 per 1,000 gallons over 10,000 gallons per month
2"	126.09	2.52 per 1,000 gallons over 10,000 gallons per month
3"	182.52	2.52 per 1,000 gallons over 10,000 gallons per month

B. **Commercial.** Commercial water rates are established based upon meter sizes, with standard volume charge for monthly usage in excess of 5,000 gallons. The commercial rate shall apply to accounts which serve commercial, triplex, four-plex, five-plex, and government account customers.

Inside City Limit

<u>Meter Size</u>	<u>Fixed Charge</u>	<u>Volume Charge</u>
3/4"	\$44.56	\$3.61 per 1,000 gallons over 5,000 gallons per month
1"	50.30	3.61 per 1,000 gallons over 5,000 gallons per month
1.5"	61.56	3.61 per 1,000 gallons over 5,000 gallons per month
2"	78.95	3.61 per 1,000 gallons over 5,000 gallons per month
2.5"	101.85	3.61 per 1,000 gallons over 5,000 gallons per month
3"	119.00	3.61 per 1,000 gallons over 5,000 gallons per month
4"	181.93	3.61 per 1,000 gallons over 5,000 gallons per month
6"	325.06	3.61 per 1,000 gallons over 5,000 gallons per month
8"	518.67	3.61 per 1,000 gallons over 5,000 gallons per month
10"	763.17	3.61 per 1,000 gallons over 5,000 gallons per month
12"	1,056.71	3.61 per 1,000 gallons over 5,000 gallons per month

Outside City Limit

<u>Meter Size</u>	<u>Fixed Charge</u>	<u>Volume Charge</u>
3/4"	\$66.84	\$5.42 per 1,000 gallons over 5,000 gallons per month
1"	75.45	5.42 per 1,000 gallons over 5,000 gallons per month
1.5"	92.34	5.42 per 1,000 gallons over 5,000 gallons per month
2"	118.43	5.42 per 1,000 gallons over 5,000 gallons per month
2.5"	152.78	5.42 per 1,000 gallons over 5,000 gallons per month
3"	178.50	5.42 per 1,000 gallons over 5,000 gallons per month
4"	272.90	5.42 per 1,000 gallons over 5,000 gallons per month
6"	487.59	5.42 per 1,000 gallons over 5,000 gallons per month
8"	778.01	5.42 per 1,000 gallons over 5,000 gallons per month
10"	1,144.76	5.42 per 1,000 gallons over 5,000 gallons per month
12"	1,585.07	5.42 per 1,000 gallons over 5,000 gallons per month

Section 3. Future Water Fee Adjustments. Water rates shall be adjusted under the following schedule. Rates will become effective on the dates listed.

<u>Effective date</u>	<u>Base and Volume Charge Increase</u>
FY 2015-2016: November 1, 2015	5% Residential/commercial base/volume charges
FY 2016-2017: November 1, 2016	5% Residential/commercial base/volume charges
FY 2017-2018: November 1, 2017	5% Residential/commercial base/volume charges
FY 2018-2019: November 1, 2018	5% Residential/commercial base/volume charges

FY 2019-2020: November 1, 2019 5% Residential/commercial base/volume charges  
FY 2020-2021: November 1, 2020 5% Residential/commercial base/volume charges

Section 4. Classification of Fees. Pursuant to ORS 310.145, the City Council declares the fees and charges imposed by this Resolution as being not subject to the provisions of Article XI, Section 11b of the Oregon Constitution.

Section 5. Effective Date of Resolution. The effective date of this Resolution is December 1, 2014.

**PASSED AND ADOPTED THIS 10<sup>th</sup> DAY OF NOVEMBER, 2014**

Voting Yes, Councilors: \_\_\_\_\_  
Voting No, Councilors: \_\_\_\_\_  
Absent, Councilors: \_\_\_\_\_  
Abstaining, Councilors: \_\_\_\_\_

**AND APPROVED BY THE MAYOR THIS 10<sup>th</sup> DAY OF NOVEMBER, 2014**

SIGNED: \_\_\_\_\_  
Stephen E. Lawrence, Mayor

ATTEST: \_\_\_\_\_  
Julie Krueger, MMC, City Clerk



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

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## **AGENDA STAFF REPORT**

### **CITY OF THE DALLES**

<b>MEETING DATE</b>	<b>AGENDA LOCATION</b>	<b>AGENDA REPORT #</b>
November 10, 2014	Discussion Items 13, A	14-079

**TO:** Honorable Mayor and City Council

**FROM:** Dave Anderson, Public Works Director

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

**DATE:** October 29, 2014

**ISSUE:** Fourth Annual Review of 2010 Transportation System Development Charge Credits.

**RELATED CITY COUNCIL GOALS:** NA

**PREVIOUS AGENDA REPORT NUMBERS:** 10-038; 10-055; 11-086; 12-065; 13-075

**BACKGROUND:** The City Council adopted General Ordinance No. 10-1305 (copy attached) on July 12, 2010. That General Ordinance provided additional credits towards Transportation System Development Charges (TSDCs) in an effort to encourage economic development within the City consistent with recommendations from the Transportation SDC Work Group formed to study the issue. The General Ordinance also required that the City Council evaluate the implementation of the new credits within one year, and that any changes to the SDC credits authorized in the General Ordinance be enacted by ordinance adopted by City Council. Reports were provided to Council in September 2011, October 2012, and November 2013 summarizing information from each year of implementation. Following each of those prior reports, Council decided to keep the additional credits in effect for another year. This report provides information from the fourth year of implementation related to new non-residential development or re-development applications received since the adoption of General Ordinance No. 10-1305 and associated Transportation SDCs.

Between November 1, 2013 and October 31, 2014, eight non-residential building permit applications were received by the City's Planning Department for developments totaling \$56,503,303 in value. Seven of those eight non-residential developments were eligible to be assessed TSDCs; the eighth development was exempt as it did not create additional traffic. One eligible development received a full waiver of TSDs due to credits applied to the property from the previous use. Three of the eligible developments received a 50% reduction as they were expansions or relocations of existing businesses in the City; these were the only credits utilized in this evaluation period that resulted from the adoption of General Ordinance No. 10-1305. The last two developments received 8% credits for job creation as allowed in the City's SDC Ordinance.

The total amount of Transportation SDCs collected over this last year after credits were applied was \$75,186.47; the credits provided under General Ordinance No. 10-1305 in this 12-month period totaled \$46,450.12. The total amount of Transportation SDC credits provided under the General Ordinance since it was adopted in 2010 has been \$242,694.20.

Staff is not aware of any potential applicants that expressed interest in initiating a development during this period of time but decided not to proceed due to SDC charges.

**BUDGET IMPLICATIONS:** None at this time – Discussion Item only.

**ALTERNATIVES:** Provide direction to staff regarding any desired revisions to the Transportation SDC credits.

AN ORDINANCE AMENDING SECTION 6 OF GENERAL ORDINANCE NO. 07-1286 TO ESTABLISH ADDITIONAL CREDITS TOWARDS THE TRANSPORTATION SYSTEM DEVELOPMENT CHARGES APPLICABLE AT THE TIME OF APPLICATION FOR A BUILDING PERMIT

WHEREAS, on November 13, 2007, the City Council adopted General Ordinance No. 07-1286, imposing Transportation System Development Charges on new development applicable at the time of application for a building permit; and

WHEREAS, on April 26, 2010, the City Council directed staff to form a Work Group to evaluate the potential impacts of the City's current Transportation System Development Charges on growth and development in the community, particularly any impact related to local businesses which desired to expand or relocate; and

WHEREAS, on June 14, 2010, the Transportation SDC Work Group presented a report to the City Council, including six specific recommendations related to the City's Transportation SDC's; and

WHEREAS, the rationale for the Work Group's recommendations included the following reasons: to provide incentives for businesses to relocate and/or expand within the City and facilitate the filling of existing vacant buildings within the City, with an emphasis on the Downtown Commercial District (CBC Zone); to reduce the costs of expansion for existing businesses which have been in the City for a minimum of two years, including businesses who seek to relocate to a new site involving the construction of new facilities; and to provide incentives to encourage new small scale developments, primarily by small businesses, to locate within The Dalles; and

WHEREAS, following the presentation of the report by the Transportation SDC Work Group to the City Council on June 14, 2010, the Council directed staff to prepare an ordinance implementing the Work Group's recommendations, for the Council's consideration at the July 12, 2010, Council meeting; and

WHEREAS, the City Council provided an opportunity for additional public testimony at the July 12, 2010, Council meeting, concerning the proposed ordinance to implement the recommendations submitted by the Transportation SDC Work Group; and

WHEREAS, based upon the comments and testimony provided by the Transportation SDC Work Group during the presentation of its report on June 14, 2010, and additional public testimony and comment received during the July 12, 2010 Council meeting, the City Council finds that adoption of the recommendations submitted by the Transportation SDC Work Group will have a positive and stimulating effect upon growth and development in the community, particularly for local businesses which desire to expand or relocate in The Dalles, and that adoption of General Ordinance No. 10-1035 is in the best interest of the health and welfare of the community;

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

Section 1. Section 6 of General Ordinance No. 07-1286, shall be amended by adding new subsections, 6(A), 6(A)(1), 6(A)(2), and 6(A)(3), which new subsections shall read as follows:

Section 6(A). Additional SDC Credits. In addition to the credits provided for in Section 6 of this Ordinance, the City shall grant the following additional credits against the City's SDC which is otherwise assessed for the following types of New Development:

- A. For New Development involving the re-use or redevelopment of an existing building, including an expansion of an existing vacant building, upon a parcel of property located within the Downtown Commercial District (CBC Zone). For an expansion to qualify for this credit, it cannot exceed fifty percent (50%) of the size of the existing footprint of the building, and the size of the expansion cannot exceed 5,000 square feet. Verification that the proposed expansion qualifies with the size restrictions set forth in this subsection shall occur at the time the applicant submits an application for a building permit. The amount of the credit shall be equivalent to one hundred percent (100%) of the proposed Transportation SDC.
- B. For New Development involving the re-use or redevelopment of an existing building, including an expansion of an existing vacant building, upon a parcel of property located within any zoning district within the City limits other than the Downtown Commercial District (CBC Zone). For an expansion to qualify for this credit, it cannot exceed fifty percent (50%) of the size of the existing footprint of the building, and the size of the expansion cannot exceed 5,000 square feet. Verification that the proposed expansion qualifies with the size restrictions set forth in this subsection shall occur at the time the applicant submits an application for a building permit. The amount of the credit shall be equivalent to seventy-five percent (75%) of the net amount of the proposed Transportation SDC, which net amount is determined by applying any other credits against the Transportation SDC to which the applicant would be entitled .
- C. For New Development involving expansion of an existing business through new construction on the current site of the business, upon a parcel of property located within any zoning district within the City limits. To qualify for this credit, the existing business must have been in operation in The Dalles for a minimum of two years. Verification that the existing business complies with the minimum requirement for years of operation shall occur at the time the applicant submits an application for a building permit. The amount of the credit shall be equivalent to fifty percent (50%) of the net amount of the proposed Transportation SDC, which net amount is determined by applying any other credits against the Transportation SDC to which the applicant would be entitled.

- D. For New Development involving the relocation of an existing business in the City to a new site with construction of new facilities, upon a parcel of property located within any zoning district within the City limits. To qualify for this credit, the existing business must have been in operation in The Dalles for a minimum of two years. Verification that the existing business complies with the minimum requirement for years of operation shall occur at the time the applicant submits an application for a building permit. The amount of the credit shall be equivalent to fifty percent (50%) of the net amount of the proposed Transportation SDC, which net amount is determined by applying any other credits against the Transportation SDC to which the applicant would be entitled.
- E. For New Development involving construction of a development which creates employment for ten (10) persons or less, and involves construction of a new facility which is limited in size to 5,000 square feet or less, upon a parcel of property located within any zoning district within the City limits. Verification that the New Development has complied with the eligibility requirements for the number of employees set forth in this subsection shall occur six (6) months after the date when the New Development opened for business. The amount of the credit shall be equivalent to seventy-five percent (75%) of the net amount of the proposed Transportation SDC, which net amount is determined by applying any other credits against the Transportation SDC to which the applicant would be entitled.
- F. For New Development involving construction of a development which creates employment for twenty (20) persons or less, and involves construction of a new facility which is limited in size to 10,000 square feet or less, upon a parcel of property located within any zoning district within the City limits. Verification that the New Development has complied with the eligibility requirements for the number of employees set forth in this subsection shall occur six (6) months after the date when the New Development opened for business. The amount of the credit shall be equivalent to fifty percent (50%) of the net amount of the proposed Transportation SDC, which net amount is determined by applying any other credits against the Transportation SDC to which the applicant would be entitled.

Section 6(A)(1). Relationship to Transportation System Development Charge for Chenowith IAMP. The credits established under Section 6(A) of this Ordinance shall not be applicable to reduce the amount of the Transportation System Development Charges imposed for the Chenowith Interchange Area Management Plan.

Section 6(A)(2). Appeal of Adverse Decision Concerning Credit Eligibility. Any applicant who desires to appeal an adverse determination of the Administrator or the City Manager concerning the applicant's eligibility for any of the credits listed in Section 6(A) of this ordinance, may appeal that decision to the City Council under the process set forth in Section 11(C) of this ordinance.

Section 6(A)(3). Review of Credits; Modification. Within one year from adoption of this Ordinance, the City Council shall evaluate the implementation of the credits established by this Ordinance. Any increase, decrease, or termination of any of the credits at the time of this one year review, or at any future time, shall be enacted by an ordinance adopted by the City Council.

Section 2. Section 11(C)(2) of General Ordinance No. 07-1286 shall be amended by revising the last sentence in this Section to read as follows:

Such hearing shall be held within twenty-one (21) days of the date the appeal was filed, provided that the hearing date falls within a time period when the City Council is regularly scheduled to meet.

Section 3. Emergency. WHEREAS, in order to stimulate local economic growth and assist local businesses who desire to expand or relocate their businesses within the City, it is necessary and appropriate for the proposed credits against the Transportation System Development Charges to become effective as soon as possible, to benefit the economic welfare of the local community; 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 12<sup>TH</sup> DAY OF JULY, 2010.

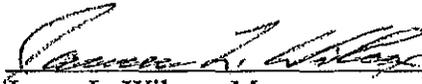
Voting Yes, Councilor: Wood, Spatz, Ahier, Dick, McGlothlin

Voting No, Councilor: None

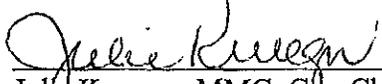
Absent, Councilor: None

Abstaining, Councilor: None

AND APPROVED BY THE MAYOR THIS 12<sup>TH</sup> DAY OF JULY, 2010.

  
James L. Wilcox, Mayor

Attest:

  
Julie Krueger, MMC, City Clerk