

AGENDA**REGULAR CITY COUNCIL MEETING****DECEMBER 13, 2021****5:30 p.m.****VIA ZOOM**<https://us06web.zoom.us/j/88147760127?pwd=bzF6UVBBS0EvaDIxTEVyRngrbExmQT09>

Meeting ID: 881 4776 0127

Passcode: 007612

1. CALL TO ORDER
2. ROLL CALL OF COUNCIL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF AGENDA
5. PRESENTATIONS/PROCLAMATIONS

A. The Dalles Area Chamber of Commerce Tourism Report

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 COUNCIL REPORTS
9. 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 the November 8, 2021 Regular City Council Meeting Minutes

CITY OF THE DALLES

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

- B. Approval of the November 22, 2021 Regular City Council Meeting Minutes
- C. Police Surplus 8 Watchguard Vista Body cameras and 8 bay doc
- D. Approve Surplus Two 2017 (2) Ford explorer SUV police cars (VIN: 1FM5K8AR5HGE15714 AND 1FM5K8AR5HGE15715) for use as trade in on new vehicles
- E. Approval of Issuance of Enterprise Zone funds to CGCC
- F. Approval of Amendment No. 14 to Operations Management International (OMI) Agreement to operate the Wastewater Treatment Plant for Fiscal Year 2021-2022

10. PUBLIC HEARINGS

- A. General Ordinance No. 21-1388, an Ordinance Amending Sections 10.2.030, 10.5.060.030 and 10.5.070.020 of The Dalles Municipal Code, Title 10 - Land Use and Development

11. CONTRACT REVIEW BOARD ACTIONS

- A. Utility Underground Feasibility Study Contract, proposal cost at \$72,177 with Stoddard Power Systems

12. ACTION ITEMS

- A. Resolution No. 21-031 Approving a Rate Increase Averaging Approximately 5.05% Resulting from Increased Operational and Disposal Fee Costs Incurred by The Dalles Disposal Service, Effective January 1, 2022
- B. Resolution No. 21-032 Authorizing Transfers of Budgeted Amounts Between Categories of The General Fund of the City Of The Dalles Adopted Budget, Making Appropriations and Authorizing Expenditures for Fiscal Year Ending June 30, 2022
- C. Authority to Increase Police Department Evidence Officer to ¾ time

13. DISCUSSION ITEMS

- A. Gitchel/Waldron Drug Building

CITY OF THE DALLES

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

14. EXECUTIVE SESSION

In accordance with ORS 192.660(2)(h) to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

- A. Recess Open Session **Executive Session Login sent to Council**
- B. Reconvene Open Session **Same Login and Password as Above**
- C. Decision, if any

15. ADJOURNMENT

This meeting conducted VIA Zoom

Prepared by/
Izetta Grossman, CMC, City Clerk



“Explore The Dalles”

The Dalles Area Chamber of Commerce

Quarterly Report

Q1: July Through Sept 2021

Key Objectives and Goals for 2021/2022

Objective: Increase Occupancy Rate for Wasco County

Goal: Maintain lead over regional and national average and further increase occupancy rate

Occupancy is slightly higher than pre covid levels for The Dalles and we are continuing our efforts to increase those numbers.

Occupancy Rate for July 2019: 86.4%

Occupancy Rate for July 2021: 86.8%

					Lodging Occupancy Report				
Wasco County / Percentage of Occupancy					Mt Hood / Gorge Region	Pacific NW	United States		
Month	2021 /2022	2020 /2021	2019 /2020	% of change/Year over Year 2020-2021	2021/2022	% of change/Year over year	2021/2022	2021/2022	2021/2022
July	86.8	66.1	86.4	31.0	84.4	40.6	74.5	69.6	
August	80.3	67.6	86.1	19.0	77.1	20.9	68.9	63.2	
September	78.5	63.4	77.0	24.0	72.9	19.1	64.5	61.6	

The above average occupancy rate reflects the extra effort of promotion through focused campaigns directly to the Portland area through advertising.

Objective: Focus on Increasing Awareness of Explore The Dalles brand through multiple mediums of online awareness to include but not limited to the following major platforms of an online presence:

Goal: Increase Website Traffic of Explore The Dalles. Increase traffic by regular posted content such as articles, media, photos, videos and regularly update the website and posting high quality articles with carefully researched keywords to increase traffic to the website.

Website: <https://exploredalles.com>

Website: <https://thedalleschamber.com>

Web Stats: July 1, 2021-Sept 30, 2021

Report as of September 30, 2021					
Month	Users	Page Views	Most Viewed Pages	New Visitor %	Returning %
July	4,294	12,756	home page, events, directory, jobs, newsletter	82.9	17.1
August	3,411	8,506	Little Royals, Main Page, All About the Cherry, Events, Calendar	81.6	18.4
September	2,353	6,122	Main Page, Events, All About The Cherry, Community Calendar, Events	81.8	18.2
	10,058	27,384			

July 1, 2021 – Sep 30, 2021

Top Cities		Users	%		
The Dalles		1,737	17.23		
Portland		1,277	12.67		
Hood River		681	6.76		
Seattle		361	3.58		
*Not Set By Google					
Top Ages		%	Gender		%
18-24		9.14	F	55.7	
25-34		22.95	M	44.3	
35-44		17.14			
45-54		19.09			
55-64		18.11			
65+		13.58			

Social Media

Increase Presence on Social Media: Utilize technology and social media to post quality content to gain followers and share new articles posted to the website. Social media is also great to connect on a more personal level with both local businesses, tourists, local residents and acts as an online presence and focal point of information.

Main Social Media Platforms:

[Facebook Page](#)

[Instagram](#)

[Youtube Channel](#)

Media Coverage:

Video Spots:

JULY

[Frontier Unlimited - Season 10 - Episode 2 - Sturgeon School on Vimeo \(VIMEO\)](#)

[Things 2 Do: From the Rose Cup Races to the Lavender and Vintage Festival | KATU](#)

[The Dalles Cherry Fun In The Sun! | KATU \(KATU\)](#)

[The Dalles: Cherry Fun in The Sun! | KATU \(KATU\)](#)

[Things 2 Do: From the Rose Cup Races to the Lavender and Vintage Festival | KATU](#)

[Explore the Dalles & Pacific Coast Producers: All About the Cherry! | KATU](#)

AUGUST

[Foodie Friday: Baldwin Saloon | KOIN.com \(Combination print/video\)](#)

[\(1\) Watch | Facebook \(Harrold Outdoor LLC\)](#)

SEPTEMBER

[Sneak Peek — Columbia Gorge Discovery Center and Museum - YouTube \(KOIN6\)](#)

[Last Stop Saloon is a Gathering Place - YouTube \(KOIN6\)](#)

[Sip at Freebridge Brewing in The Dalles - YouTube \(KOIN6\)](#)

[Sneak Peek — Columbia Gorge Discovery Center and Museum - YouTube \(KOIN6\)](#)

[Sneak Peek — Freebridge Brewing - YouTube \(KOIN6\)](#)

[Visit the Columbia Gorge Discovery Center and Museum - YouTube \(KOIN6\)](#)

[Stay at Balch Hotel near The Dalles - YouTube \(KOIN6\)](#)

[Explore The Dalles - YouTube \(KOIN6\)](#)

Online Articles:

JULY

[The Dalles Riverfront Hike - Hiking in Portland, Oregon and Washington \(oregonhikers.org\)](#)

AUGUST

<https://www.obbg.org/blog/2021/08/oregon-food-trails> (AUG2)

[5 Best Columbia River Gorge Wildflower Hikes - The National Parks Experience \(travel-experience-live.com\)](#) AUG 8

SEPTEMBER

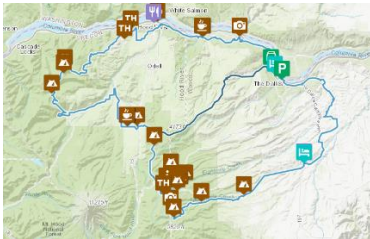
[Popular Hikes - Columbia River Gorge \(columbiagorgetomthood.com\)](#) SEP 13

[The Dalles | The Official Guide to Portland \(travelportland.com\)](#) SEP 14

[Order an Oregon Trail Activity Book \(mthoodterritory.com\)](#)

Regional Mentions

Gorge Loop To Include The Dalles: The Stiletsi and White Crain Hood Tier Loop of the Timber Trail launched. The region funded the development of the project. <https://oregontimbertrail.org/stiletsi-and-the-white-crane-hood-tier-gorge-loop>



TOP CHEF PORTLAND:

The region was highlighted in 2 episodes of Top Chef Portland. Region was pitched to the show and helped sponsor one of the episodes.



Upcoming Media Coverage:

We hosted Discovery Channel this summer for a feature to be aired on Animal Planet early in 2022. We hosted the entire team for meals and excursions and had a special welcome bag waiting for each of them in their hotel rooms. They were so excited and grateful as no other community had ever welcomed them while they filmed an episode. We will keep you posted as to when the episode will air.





AGENDA STAFF REPORT

AGENDA LOCATION: Item #9 A-F

MEETING DATE: December 13, 2021

TO: Honorable Mayor and City Council

FROM: Izetta Grossman, CMC, City Clerk

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

- A. **ITEM:** Approval of the November 8, 2021 Regular City Council Meeting Minutes.

BUDGET IMPLICATIONS: None.

SYNOPSIS: The minutes of the November 8, 2021 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 November 8, 2021 Regular City Council meeting minutes.

- B. **ITEM:** Approval of the November 22, 2021 Regular City Council Meeting Minutes.

BUDGET IMPLICATIONS: None.

SYNOPSIS: The minutes of the November 22, 2021 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 November 22, 2021 Regular City Council meeting minutes.

C. **ITEM:** Surplus 8 Watchguard Vista Body cameras and 8 bay dock

BUDGET IMPLICATIONS: None

SYNOPSIS: The department has recently upgraded body cameras and have 8 older model cameras and a docking station that we could donate to another Oregon agency.

RECOMMENDATION: Approve surplus of 8 Watchguard Vista Body cameras and 8 bay doc and listing of donations on Oregon Chiefs of Police message board.

D. **ITEM:** Approve Surplus Two 2017 (2) Ford explorer SUV police cars (VIN: 1FM5K8AR5HGE15714 AND 1FM5K8AR5HGE15715)

BUDGET IMPLICATIONS: The police department will save a total of \$28,000 on the purchase of two new 2021 Ford Explorer SUV patrol vehicles.

SYNOPSIS: The Police department currently has two 2017 Ford Explorer SUVs used for patrol duties. The police department was budgeted \$79,000 for the purchase of two Ford Explorers to replace these aging explorers. The ford dealership will give the police department \$28,000 in trade in value for both; which will lower the cost of the new 2021 Ford Explorers by \$28,000.

RECOMMENDATION:

E. **ITEM:** Approval of Issuance of Enterprise Zone funds to CGCC

BUDGET IMPLICATIONS: Sufficient funds are budgeted in the Enterprise Zone Fund

SYNOPSIS: The City has an IGA with Columbia Gorge Community College to provide funding assistance through the Enterprise Zone revenue previously approved by City Council. Under the IGA the City and County agreed to pay up to \$3.5 million in “Sponsor financing” of which the City has been invoiced \$1 million.

RECOMMENDATION: Approve the distribution of \$1,000,000.00 to Columba Gorge Community College for the Treaty Oaks Skill Center.

F. **ITEM:** Approval of Amendment No. 14 to Operations Management International (OMI) Agreement to operate the Wastewater Treatment Plant for Fiscal Year 2021-2022

BUDGET IMPLICATIONS: The adopted FY2021-22 budget includes \$1,145,829 in line 055-5500-000.31-10 of the Wastewater Fund for the contracted operation of the wastewater treatment plant. The total cost of the proposed contract amendment will be \$1,183,406 which is \$37,577 more than was budgeted; the increase reflects a combination of higher-than-expected inflation

and projected repair costs since the budget number was developed. The additional costs can be covered by adjusting this year's capital project schedule and thereby making adequate funds available for this priority contract.

SYNOPSIS: Beginning July 1, 2018 the City extended its current contract with Operations Management International Inc (OMI), a subsidiary of Jacobs Engineering, for another five years to provide contract operation of the City's Wastewater Treatment Plant (WWTP). The contract cost is updated annually and authorized each year by City Council through approval of a contract amendment.

The contract includes two categories of costs – Direct Costs and a Management Fee. This year, the requested contract amount for Direct Costs is based upon a combination of updated operational costs related to projected increased plant flows coupled with a CPI formula. The CPI for All Urban Consumers was 6.2% over the most recent 12-month period. At the same time that inflation and supply chain challenges are affecting operating costs, maintenance costs are also increasing in recent years on the older portions of the plant. In addition, the average wastewater flows to be treated by the plant in FY2021/22 are expected to increase over the average flow identified in the last contract amendment; there are greater costs associated with treating higher flows. The proposed contract renewal reflects an increase in Direct Costs of 8% compared to the 2020-21 fiscal year

The contract amendment also proposes an increase in the Management Fee of 4%. The calculation of the requested Management Fee is based upon a formula provided in the contract that utilizes the 12-month average CPI for All Urban Consumers plus 2%, but capped at 4%. This amendment will pay a management fee of \$169,829 to OMI, and Direct Costs which include labor and benefits, materials and services of \$1,013,577; the total cost of the contract amendment will be \$1,183,406, a total increase of 7.4%. A philosophy of mutual risk/benefit has been maintained in the amendment as the City and OMI will equally split the costs of any increases in electrical costs above the budgeted amount up to 10%. The City remains liable for any electrical rate increased above 10%.

Some of the most significant items of the contract that outline OMI's scope of work are:

- OMI is responsible to pay any fines or civil penalties which may be levied by a regulatory agency for violations of the plant's permit.
- OMI must provide a response time of personnel to the plant within ½ hour in emergencies, the same as the City requires for its Water and Sewer systems On-Call Operators.
- OMI provides all preventive maintenance on the plant.
- OMI and the City jointly maintain the City's Industrial Pretreatment Program, OMI surveys the industrial users at least once every 3 years, assists in the evaluation of new industrial dischargers, and inspects and monitors permitted dischargers.
- OMI performs quarterly inspections of all facilities that are required to have grease traps (facilities with commercial-size kitchens, currently there are about 50 of them) and provides a report to the City summarizing the findings.

RECOMMENDATION: Authorize the City Manager to sign Amendment No. 14 to the OMI agreement in an amount not to exceed \$1,183,406.

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MINUTES

CITY COUNCIL MEETING
NOVEMBER 8, 2021
5:30 p.m.

VIA ZOOM
LIVESTREAM VIA City website

PRESIDING: Mayor Richard Mays

COUNCIL PRESENT: Darcy Long, Tim McGlothlin, Rod Runyon, Scott Randall, Dan Richardson

COUNCIL ABSENT: None

STAFF PRESENT: City Manager Pro Tem Daniel Hunter, Legal Counsel Jonathan Kara, City Clerk Izetta Grossman, Finance Director Angie Wilson, Community Development Director Alice Cannon, Public Works Director Dave Anderson, Police Chief Tom Worthy

CALL TO ORDER

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

ROLL CALL OF COUNCIL

Roll Call was conducted by City Clerk Grossman. All Councilors present.

PLEDGE OF ALLEGIANCE

Mayor Mays asked Councilor Long to lead the Pledge of Allegiance.

Councilor Long invited the audience to join in the Pledge of Allegiance.

APPROVAL OF AGENDA

It was moved by Runyon and seconded by Long to approve the agenda as submitted. The motion carried 5 to 0; Runyon, Long, Randall, Richardson, McGlothlin voting in favor; none opposed.

CITY MANAGER REPORT

City Manager Pro Tem Daniel Hunter reported the seasonal janitor for Lewis and Clark Park would be laid off November 15, once the cruise ship season was over.

Hunter said he attended The Dalles Unhoused Task Force meeting where St. Vincent DePaul presented a budget for hiring seasonal employees to man the Warming Shelter. He said St. Vincent's had been unable to secure volunteers, as they had in the past.

Hunter said he intended to provide \$20,000 to St. Vincent DePaul from the Economic Recovery Fund, if Council had no objections. He said the budget had been sent to Council (attached).

Councilor Long said she would like the amount to be up to \$20,000, as the third source of funding for the Warming Shelter. She said she was recommending the wording due to Covid 19 funding they had received. She said she was in favor of having the Warming Shelter open.

CITY COUNCIL REPORTS

Councilor Runyon reported:

- Veterans Day Parade November 11, at 11 am – applications due to Chamber November 9th.

Councilor Runyon reported:

- Attending QLife meeting

Councilor Long reported:

- Executive Session with City Attorney
- Conversations with constituents regarding Design LLC infrastructure agreement

Councilor McGlothlin reported:

- Halloween event put on by Main Street with Lions Club assisting with traffic control was a great event

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CONSENT AGENDA

It was moved by Long and seconded by McGlothlin to approve the Consent Agenda as presented. The motion carried 5 to 0; Long, McGlothlin, Randall, Richardson, Runyon voting in favor; none opposed.

Items approved on the consent agenda were: 1) The minutes of the October 25, 2021 Regular City Council Meeting; 2) Resolution No. 21-025 Concurring with Mayor's Appointments to Various Commissions and Committees; 3) Surplus of 8 Apple iPhones from Police Department Returned to Service Provider for \$1,430.00 credit to Account; 4) Resolution No. 21-026 Amending Resolution 13-032 Which Set Forth The City's Policy Of Nondiscrimination On The Basis Of Disability Status; 5) Resolution No. 21-027 Amending Resolution 20-019 Which Supports The Fair Housing Amendments Act Of 1988 And Implemented A Fair Housing Program For The City Of The Dalles.

PUBLIC HEARING

General Ordinance No. 21-1387, an Ordinance Amending Title 5, by Adding Chapter 5.01 Legislative Subpoenas to The Dalles Municipal Code

Mayor Mays reviewed the process of the Public Hearing.

City Legal Counsel Jonathan Kara reviewed the staff report.

Mayor Mays asked for comments from the audience.

Debi Ferrer, 900 West 18th said she was in favor of the Ordinance. She said she had an Air BnB and was glad to see a compliance tool in place.

Mayor Mays asked if any Councilor wanted the Ordinance read in full, no one did.

Mayor Mays asked the City Clerk to read the Ordinance by title only.

City Clerk Grossman read the Ordinance by title only.

It was moved by Runyon and seconded by Long to adopt General Ordinance No. 21-1387, an Ordinance Amending Title 5, by Adding Chapter 5.01 Legislative Subpoenas to The Dalles Municipal Code by title only. The motion carried 5 to 0; Runyon, Long, McGlothlin, Randall, Richardson voting in favor; none opposed.

ACTION ITEMS

Resolution No. 21-028 Authorizing the City Manager to Execute an Infrastructure Agreement with Moraine Industries, LLC and Design, LLC Related to Utilities for Future Development

Mayor Mays reviewed the order of comments for the item.

City Legal Counsel Jonathan Kara reviewed the Public Records Law Suit with the Oregonian. He told the Council that though the City did file a lawsuit, that is simply the mechanism for appeal to the circuit court. Kara explained the City is not suing the reporter that requested the records for any damages.

Kara said that when the City entered an agreement with Google in 2015 for existing developments, the parties agreed to cooperate in preserving confidentiality with no additional cost to the city. As a result, any fees associated with the appeal will be covered by Google.

Public Works Director Dave Anderson reviewed the staff report. He noted that there was an error on page 24 of the agenda packet, he said the correct numbers for water storage was 95% and 5% remaining in storage.

There were questions from citizens regarding why Google would give the water rights to the City. Anderson said running and maintaining a water system was not something Google had expertise in, while the City was well versed in running water systems.

Citizens also expressed concerns about Google getting first use of water. Anderson said public health and safety always comes first. Anderson said through the agreement Google was providing an additional 3.8 million gallons per day to the City of The Dalles water system.

In response to citizen requests for water discharge temperatures and copies of the three studies done, Mayor Mays referred citizens complete a Public Records Request through the City Clerk's Office.

In response to a question regarding who paid for the three studies, Anderson said Google paid for the studies. He said the City was at the table throughout the process and had worked with two of the firms previously.

Mayor Mays said several emails were received by Council members. (attached) He ask Anderson to answer true or false to the following issues that were raised by interested parties:

1) Water levels within the Ground Water Reservoir area have not gone down in recent years. In

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fact, they have increased.

- 2) As a result of this agreement, rural water users will not have any less water than they have now.
- 3) The improvements as described (new water lines, new water pump station, new wells, new sewer lines, new sewer lift station, new storage reservoir, new utility corridors, etc.) will cost approximately \$28.5 million and the entire cost will be paid for by Google.
- 4) These improvements will increase water capacity that will improve water services to not only Google, but to the rest of the City of The Dalles.
- 5) Google is currently paying and will continue to pay under this agreement the same water rates as all other commercial and industrial users.
- 6) Water that Google uses will be treated at the City's wastewater treatment plant, then discharged into the Columbia River and subjected to State of Oregon cleanliness and temperature standards.
- 7) Google is transferring water rights that they purchased from the old aluminum plant property to the City, not the other way around.
- 8) The fact that Google is transferring those water rights to the City makes it less likely that a drought would negatively affect the rest of the City because, theoretically, Google could use that 3.9 million gallons per day for themselves, for their own use.
- 9) The amount of water requested by Google is less than the amount of unused capacity in the aquifer.
- 10) Through the Aquifer Storage and Recovery program, the City will be adding water to the aquifer as opposed to drawing it down.
- 11) In case of a major drought or other water related emergency, the new water rights transferred to the City and the ASR program will help improve water supply for the community.

Anderson replied true to all of the questions.

Wasco County Commission Chair Scott Hege spoke in favor of the agreement saying the Commission had sent a letter of support.

Hege said Google had a commitment to water stewardship replenish more water than they consume by 2030 and support water security in communities where we operate. He said the Google target was to replenish 120% of the water they consume. He said more information was available at <https://blog.google/outreach-initiatives/sustainability/replenishing-water/>.

Fire Chief Bob Palmer read a letter of support from Mid-Columbia Fire and Rescue.

All Councilors said while they understood the concerns of the citizens, they had reviewed all information provided to them, and as the elected officials charged with making decisions based on the good of whole, they believed the infrastructure agreement with Google was in the overall best interest of the City of The Dalles. They Thanked Anderson and his Team for all the hard work put into the project.

It was moved by Randall and seconded by McGlothlin to adopt Resolution No. 21-028, a Resolution Authorizing the City Manager to Execute an Infrastructure Agreement with Moraine Industries LLC and Design, LLC. The motion carried 5 to 0; Randall, McGlothlin, Long, Richardson, Runyon voting in favor; none opposed.

ADJOURNMENT

Being no further business, the meeting adjourned at 7:35 p.m.

Submitted by/
Izetta Grossman, CMC
City Clerk

SIGNED: _____
Richard A. Mays, Mayor

ATTEST: _____
Izetta Grossman, CMC City Clerk

From: [Darcy Long](#)
To: [Izetta F. Grossman](#)
Cc: kryszka2@gmail.com
Subject: Fwd: Google Water Issue
Date: Monday, November 01, 2021 9:01:50 PM

Izetta,

Per the author's request, please add this email to the public record.

Thank you,
Darcy

----- Forwarded message -----

From: Christine Psyk <kryszka2@gmail.com>
Date: Nov 1, 2021 3:10 PM
Subject: Google Water Issue
To: Richard Mays <rmays@ci.the-dalles.or.us>, Timothy McGlothlin <TMcGlothlin@ci.the-dalles.or.us>, Darcy Long <dlong@ci.the-dalles.or.us>, Scott Randall <srandall@ci.the-dalles.or.us>, Dan Richardson <drichardson@ci.the-dalles.or.us>, Rod Runyon <rrunyon@ci.the-dalles.or.us>
Cc:

Dear Mayor Mays and City Councilmembers: I've been following the coverage about the upcoming vote on the water issue for the additional Google plants. As a homeowner in The Dalles and as a voter in a democracy, it seems incredible to me that you would have entered into a special agreement with Google to withhold their water usage because they want it held as a trade secret.

It's extremely condescending and patronizing to take the stance that voters don't have a right to know how a big company in their own town intends to use a public resource. That's pretty unbelievable. Furthermore, it's quite astonishing that you would then sue the news media in state court to keep Google's water use a trade secret.

I hope you reverse that decision and reveal the water usage information to the public before you vote on Google's water deal on November 8. The idea that you are asking the public to simply go on trust is ridiculous. The public has a right to know based on actual data how this decision to give additional water rights to Google might play out in the future.

We live in a desert. Last summer had some of the highest temperatures on record for a prolonged period of time that caused severe drought. Climate change is real. Water resources will be affected by climate change and growth. Google is a major player who wants more water. I would think it would be pretty obvious that people in this town have a right to this information.

Please include this email in the public record. Thank you,

Christine Psyk
206-406-8712



BOARD OF COUNTY COMMISSIONERS

511 Washington St, Ste. 101 • The Dalles, OR 97058
p: [541] 506-2520 • f: [541] 506-2551 • www.co.wasco.or.us

Pioneering pathways to prosperity.

The Dalles City Council
The Dalles City Manager
The Dalles City Hall
313 Court Street
The Dalles, OR 97058
Sent via email: jkrueger@ci.the-dalles.or.us

November 3, 2021

Re: City of The Dalles Water System Agreement with Google

The Wasco County Board of Commissioners would like to express our support for the water system agreement coming before The Dalles City Council at their November 8, 2021 City Council Meeting. We believe this agreement will be of benefit to all of the citizens of The Dalles in that:

- The Agreement provides the City with control of millions of gallons of water daily.
- Google will be investing millions of dollars for added water infrastructure
- The result of the agreement will be an improved water system for the City of The Dalles

We support this agreement that will not only benefit thousands of residents for years to come; it will also bolster water conservation efforts by significantly contributing to the public aquifer.

Sincerely,
Wasco County Board of Commissioners

Scott C. Hege, Chair

Kathleen B. Schwartz, Vice-Chair

Steven D. Kramer, County Commissioner

From: [warren waters](#)
To: [Izetta F. Grossman](#)
Subject: Water for the Google company
Date: Monday, November 08, 2021 1:10:55 PM

Is there a way to create a secondary self-contained water holding tank per se in or on some of the cliffs or empty fields surrounding The Dalles so that at least a million gallon's of water can be stored in it for future needs in case of a drought? You could ask Google to pay for the construction of the tank itself-(as I am very sure they can afford to do so) and The Dalles can foot the bill of blowing up the ground needed for the placement of the water holding tank. So why do this? First off all it is a great form of conservation for future needs. Secondly, this would be a great way for Google to give back to the community in exchange for being able to use more of the community water. But best of all it would give The Dalles a way to avoid any future water disasters. If anyone would have told the world in the 1980's that a disease was going to shut the world down literally I guarantee you no one would have believed them. But yet, here we are today experiencing a world pandemic of epic proportions. So why not be an informed community that believes that yes bad things can indeed happen in the future and let's plan for them as best as we can now. And with Google wanting more water at this moment in time; well it creates a great opportunity to prepare for any future water needs. And The Wise sees trouble and hides. Let this become an opportunity to exalt wisdom and not just play the get by game. M. Fanger

Sent from [Mail](#) for Windows

From: mradabaugh051@gorge.net
To: [Izetta F. Grossman](#)
Subject: The Dalles City Council meeting Nov. 8, 2021 / Item 10A
Date: Monday, November 08, 2021 3:48:17 PM

Dear Coucilmembers:

The city council's rush to provide Approval of Resolution 21-028 runs several risks, as follows:

1. An infrastructure agreement that is inconsistent with the adopted and state acknowledge public facility plan is inconsistent with state planning law, and needs to be delayed until the public facility plan is updated and state acknowledged. Specifically, the city needs to update and have acknowledgement of the water portions of its plan.
2. There is considerable legal risk for the city in its challenge to the Wasco County District Attorney's ruling regarding the non-disclosure aspects of Google's water use.
3. The new demand for electricity created by successive Google expansions is unknown due to the city's non-disclosure position. The local public utility district is without a plan for large scale additional demand. Without such a plan, the impact on future supply and rate payer cost is not understood for any class of user, and it is impossible to estimate based on the city's non-disclosure position. The city's public utility plan amendments should also be amended to adequately address future energy use and demand. Energy use evaluation is a requirement of state planning law.
4. What evidence is there that a project-related water injection system will not adversely impact or mobilized any superfund site at or near the proposed area?

The city must address and flesh out each of the above issues before proceeding any further. It must complete its periodic review of these issues prior to any further approvals. The adverse cumulative impacts of the proposed are unknawn.

Proposed Budget for Warming Place

Estimated 90 Nights of Operation without any Volunteers

PM Hosts (2ppl) 2hrs@\$20	\$ 80.00
Overnight Staff (2ppl) 23hrs @\$20	\$460.00
Janitorial 2hrs@\$20	\$ 40.00
TOTAL	\$580.00
Taxes,AcCnt @18%	\$104.40
Cost per night	\$684.40
90 nights @\$684.40	\$61,596.
Project Manager 20hrs week@\$25.	\$500.00
20 weeks @\$500.	\$10,000.00
Taxes,AcCnt @18%	\$ 1500.00
Total	\$11,500.00
Utilities, snacks, damage, etc	\$4000.00
Overflow Housing 90nights @ \$225.	\$20,250.00
Total	\$97,346.00

MINUTES

CITY COUNCIL MEETING
NOVEMBER 22, 2021
5:30 p.m.

VIA ZOOM
LIVESTREAM VIA CITY WEBSITE

PRESIDING: Mayor Richard Mays

COUNCIL PRESENT: Darcy Long, Tim McGlothlin, Rod Runyon, Scott Randall, Dan Richardson

COUNCIL ABSENT: None

STAFF PRESENT: City Manager Pro Tem Daniel Hunter, Legal Counsel Jonathan Kara, City Clerk Izetta Grossman, Finance Director Angie Wilson, Community Development Director Alice Cannon, Public Works Director Dave Anderson, Police Chief Tom Worthy, Senior Planner Dawn Hert

CALL TO ORDER

The meeting was called to order by Mayor Mays at 5:33 p.m.

ROLL CALL OF COUNCIL

Roll Call was conducted by City Clerk Grossman. All Councilors present.

PLEDGE OF ALLEGIANCE

Mayor Mays asked Councilor Richardson to lead the Pledge of Allegiance.

Councilor Richardson invited the audience to join in the Pledge of Allegiance.

APPROVAL OF AGENDA

Mayor Mays noted an item had been added; Discussion Item, Schedule for City Manager recruitment. It was moved by Runyon and seconded by Randall to approve the agenda as amended. The motion carried 5 to 0; Runyon, Randall, Richardson, McGlothlin, Long voting in favor; none opposed.

PRESENTATIONS PROCLAMATIONS

Live Stream began

Preparing Our Community for a Changing Climate: An Opportunity

Debi Ferrer presented the PowerPoint Presentation. (statement attached)

Ferrer presented three steps they would like to see Council take:

- Form a Task Force to create Climate Action Plan with other agencies
- Provide a Staff person, perhaps a RARE Planner to lead the Task Force
- Include Climate Change Action in the Vision Action Plan 2040 currently being worked on

Councilor Richardson said he was in support of staff beginning the process of creating a Climate Change Task Force.

Mayor Mays said he agree with the recommendation.

Councilor Long said while attending League of Oregon Cities (LOC) Conference she found that LOC was working on this issue. She said LOC could be a resource, instead of recreating the wheel. She suggested having the task force do the leg work and staff could support them.

Councilor Runyon said he would like to refer the item to the City Manager Pro Tem. He said the Pro Tem could bring a recommendation to Council at a future meeting.

Mayor Arlene Burns of Mosier said they had a consultant help them. She said with ARP funding there are a lot of resources available.

John Nelson thanked the City Council for all the hard work they had been doing. He suggested a process of a cohesive climate strategy:

- Assess all the progress underway or done on the issue
- Where are place to build on existing efforts or create new ones

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- Stakeholders, partner agencies on task force with a relational focus (what can we do together)

Shellie Campbell, North Central Public Health Department said she would interested in serving on the task force.

AUDIENCE PARTICIPATION

John Fredrick, 614 West 7th voiced his thoughts on freedom of speech. He said government was out of control and not really listening. He said government was only interested in hearing what they wanted. Fredrick said it needed to change.

CITY MANAGER REPORT

City Manager Pro Tem, Daniel Hunter said he talked to the Mayor and cleared up confusion over ARP funding.

Hunter requested Council approval to provide Main Street The Dalles \$20,000 in Economic Recovery Funds. He said they had a new Executive Director who would be giving a presentation at the January 10, 2022 City Council meeting.

Long said she needed more information regarding the need for additional funds. She said the Economic Recovery Funds were to benefit the whole community, not just downtown. She said the Ship funds couldn't be used for anything but the Shore Agent activities. Long said she would like to see more detail about how the funds were to be used.

Hunter said non-profits didn't qualify for federal funds. He said the requested funds were partially to help with costs of fund-raising events.

It was the consensus of the Council to wait until the January 10th meeting to hear the report from the Main Street Executive Director.

CITY COUNCIL REPORTS

Councilor Runyon thanked the community and The Dalles Area Chamber of Commerce for a successful Veteran's Day Parade.

Councilor Richardson said good job on the parade.

Councilor McGlothlin reported gas sales at the Columbia Gorge Regional Airport were at

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\$250,000. He said he did a ride along with Officer Simonds. McGlothlin said he was working with Legal Counsel Kara and Officer Simonds regarding a strategy to reduce shopping cart theft. He said he visited Dirt Huggers who were working on a food waste disposal program working with The Dalles Disposal.

Councilor Long said she met with City Manager Pro Tem Hunter. She said Jorge Barrage worked on the Spanish video for the survey. Long said it was time to hire someone for our translation.

PUBLIC HEARING

General Ordinance No. 21-1386, an Ordinance Adding the Total Maximum Daily Load Implementation Plan to Volume II: Background Documents of The Dalles Comprehensive Land Use Plan

Mayor Mays reviewed the Public Hearing process and opened the public hearing.

Senior Planner Dawn Hert reviewed the staff report.

Mayor Mays asked for public comment; hearing none he closed the public hearing.

Mayor Mays asked if any councilor wanted the Ordinance read in full, no one did.

Mayor Mays asked the City Clerk to read the Ordinance by title only.

City Clerk Grossman read the Ordinance by title only.

It was moved by Long and seconded by McGlothlin to adopt General Ordinance No. 21-1386, an Ordinance Adding the Total Maximum Daily Load Implementation Plan to Volume II: Background Documents of The Dalles Comprehensive Land Use Plan by title only. The motion carried 5 to 0 ; voting in favor; opposed.

ACTION ITEMS

Resolution No. 21-029 Adopting a Supplemental Budget for Fiscal Year 2021-22, Making Appropriations and Authorizing Expenditures From and Within the General Fund of The City of The Dalles Adopted Budget

City Manager Pro Tem Hunter reviewed the staff report.

Long said getting the grant for accreditation was great. She said it would be good for the community.

It was moved by Runyon and seconded by Richardson to approve Resolution No. 21-029 Adopting a Supplemental Budget for Fiscal Year 2021-22, Making Appropriations and Authorizing Expenditures From and Within the General Fund of The City of The Dalles Adopted Budget. The motion carried 5 to 0; Runyon, Richardson, Randall, Long, McGlothlin voting in favor; none opposed.

Resolution No. 21-030 Authorizing a Loan from the Safe Drinking Water Revolving Loan Fund

Public Works Director Dave Anderson reviewed the staff report.

In response to a question Anderson said the City couldn't receive the loan without demonstrating ability to pay.

Richardson asked if there was a penalty for early repayment. Anderson said there was not. He said the terms were better than other existing debt. He said therefore, it would make sense to pay other debt first.

It was moved by McGlothlin and seconded by Runyon to approve Resolution No. 21-030 Authorizing a Loan from the Safe Drinking Water Revolving Loan Fund. The motion carried 5 to 0; McGlothlin, Runyon, Long, Randall, Richardson voting in favor; none opposed.

Request to hire Police Officers to Fill Vacancies

City Manager Pro Tem Hunter reviewed the staff report.

He said the department was down 5 officers.

Police Chief Tom Worthy said the ability to move quickly was imperative to hiring quality candidates.

In response to a question Worthy said there were 18 sworn officers, with five vacancies.

Randall asked if the incentives were helping attract candidates, and what the timeline was on the accreditation.

Worthy said it would take a minimum of 6 months to complete the accreditation.

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Long asked why such a large number of officers were leaving the department.

Worthy said moving to a large department, and spouse's employment were the main factors. He said none had indicated dissatisfaction with the department or the City.

Long confirmed that all background checks were complete before hiring.

Hunter said the process was tentative offers, contingent on passing all background checks, then a final offer was made.

McGlothlin said he appreciated Worthy holding to a standard.

Runyon asked if there were funds available to offer incentives for lateral hires.

Worthy said there were funds available.

Mayor Mays asked Worthy to convey Council appreciation to the Department.

It was moved by Richardson and seconded by Long to approve the City Manager Pro Tem's request to hire Police Officer candidates to fill current vacancies. The motion carried 5 to 0; Richardson, Long, McGlothlin, Randall, Runyon voting in favor; none opposed.

City Manager Recruitment Schedule

Mayor Mays reviewed the schedule.

Long said she was in favor of the accelerated schedule. She asked if the "stake holders meeting" would be Council discussion regarding the needs and desires. She asked if all Councilors would be doing the interviews.

Richardson agreed with Long, and suggested a December work session to discuss needs/desires in a City Manager.

Mayor Mays said that a Work Session would need to be scheduled the week of December 6-10 with Prothman. He said the City Clerk would send out an email checking availability.

It was the consensus of the Council to proceed with the schedule as presented.

Runyon noted there was no Consent Agenda or City Attorney report on the agenda.

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City Clerk Grossman explained the minutes of the last meeting were not read in time for the agenda. She said the City's Legal Counsel had requested his report only be on the agenda when he had items of substance to report.

ADJOURNMENT

Being no further business, the meeting adjourned at 7:02 p.m.

Submitted by/
Izetta Grossman, CMC
City Clerk

SIGNED: _____
Richard A. Mays, Mayor

ATTEST: _____
Izetta Grossman, CMC City Clerk

**Preparing Our Community For Climate Change: An Opportunity
Presented by Protect Oregon's Progress for The Dalles City Council November 22, 2021**

Good evening Mr Mayor, Councilors. Thank you for the work you do for this community, and thank you for giving us some of your time tonight for a matter that is very important to many folks.

Protect Oregon's Progress is a group of local citizens engaged in local, state and national issues. Climate Change Action is one of our top priorities.

Back in September we presented a statement, encouraging the Council to take seriously the threat that climate change poses to our community, and to consider future decisions through a lens of climate change.

We're back tonight to continue that discussion with some specific requests.

Ten minutes won't even begin to scratch the surface on such a broad topic as climate change. We're not here to lecture you about the doom and gloom scenarios. We think these ten words say all that needs to be said: It's real. It's us. It's bad. Experts agree. There's hope.

Here's what we **HOPE** to convince you about tonight:

FIRST - Taking action on climate change is not only **necessary**, but also **beneficial** to our community.

SECOND - We don't have to re-invent the wheel – many of our neighboring communities are already benefitting from climate change action.

And finally, **NOW** is the time to take that most important first step.

The presentation in your packet has quite a few more details than our presentation tonight, in the interest of time. For example, we're not going to take your time tonight talking about the global consequences of climate change. We trust you're familiar with the science on that, and we've provided some good resources in your packet. But we do want to share with you some of the anticipated consequences on a more local level.

Last year, a northwest news agency, Investigate West, contracted with a northwest planning firm, Headwaters Economics, to conduct a study on the vulnerability of Oregon and Washington cities and towns to climate change. They defined vulnerability as

the risk of experiencing wildfire, flooding, or extreme heat PLUS the prevalence of poverty, rental housing, racial minorities and elderly.

According to that study released in February of this year, residents of 152 cities and towns in the Pacific Northwest are particularly vulnerable to climate-fueled wildfires. Residents of 60 other communities are most susceptible to floods. And people living in 75 towns are most likely to suffer — maybe even die — because of heat waves.

Many of these cities and towns are at risk for two of the three climate change disasters, and two communities are at risk for all three.....

Grand Coulee, WA and The Dalles, OR

In addition, The Dalles also has a higher than average prevalence of the compounding socioeconomic factors.

Whether we, as a community, take action on climate change, or whether we ignore it, there will be costs. Some of the costs of taking action will include: Research and Development, Implementation and subsidizing new technologies, and additional staff.

But **NOT** taking action may have even greater costs, both economic and human well-being costs.

We hope you will notice an important difference between these two columns.

The cost of taking Action is much more of an **INVESTMENT** in our community's future.

These investments have the potential to make our community more resilient to the impacts of climate change AND.....save us money! **Who doesn't like to save money!**

Here's just one example.....Electric cars are now almost the same cost as comparable gas-powered cars. Electric trucks in 2022 are expected to be essentially the same price as gas- or diesel-powered trucks. But the cost of the vehicle itself is only part of the picture.

Having served on the city's budget committee this past year, I went back to the big budget book and added up the various departments' line item for "Gas, oil, diesel, lubricants." Our total budget for running a gas-powered fleet of vehicles is over \$70,000 per year.

In addition to saving money on fuel, oil changes, and other maintenance costs associated with gas-powered vehicles, there are other economic benefits.

Powering our vehicles with electricity from solar and wind generation right here in Oregon and Washington, will keep energy spending in the region, and provide great family wage jobs to folks who may very well choose to live on our community.

More local solar and wind projects will make us more resilient to climate disasters that could impact the grid.

We encourage you to take a look at the presentation in your packet, where we've included more details about how communities can save money by taking climate change action.

While this may seem like an overwhelming task, I'd like to recognize that the City has, very recently, shown that you can lead our community with some big and forward-thinking, like the recent water agreement. We're asking you to think big like that for our community's future with respect to climate change.

And we have some great things going on around us that we can use as inspiration to get started.

Hood River city and county collaborated on their Hood River Energy Plan, adopted in 2018, with the goals of reducing fossil fuel use, producing more local energy, and creating a \$25 million dollar revolving loan fund to help finance renewable energy projects.

Mosier has a slew of things going on, including 60% funding for their Mosier Center, which will be a triple net zero building meeting the highest energy standards, full funding for two electric vehicle charging stations, a pedestrian plaza, and a bike hub.

White Salmon passed a Climate Emergency Resolution in March of this year to guide their planning going forward.

And the community of Lyle will be voting on a similar resolution at their December meeting.

There are so many projects possible, some that will save us money, some that will make us more resilient to climate change, some that will make our community healthier and more livable, and some that will provide new jobs.

The inaction of governments around the world and the recent COP 26 global climate change summit demonstrate that it's really hard for big governments to make meaningful changes, and we can't wait for them to come to our rescue.

Imagine if, instead, local governments took the lead on this, by finding ways to save money as they move away from fossil fuels; and what if those changes benefitted their communities in a variety of other ways; and what if corporations also took responsibility, like many are doing? This is now a much more hopeful picture. And it's within our reach.

And one more thing. Earlier I mentioned that NOW is the time to take those most important first steps. The Bipartisan Infrastructure Bill which was recently signed into law includes billions of dollars for clean

energy-related projects. Those dollars are most likely to go to communities that know what they want and have plans in the works. We could be one of those communities.

So, we now come to the main point of our presentation – what we are asking from you.

Our recommendation is based on what other communities with successful climate action plans have done.

First, we recommend that you direct staff to come up with a proposal for convening a task force or community climate action committee. Ideally, this would happen in collaboration with other community stakeholders. The goal of the task force would be to develop a **Community Climate Action Plan** that will

- **MITIGATE** the impacts of Climate Change
- Help the community **ADAPT** to the impacts of Climate Change
- **REDUCE** our reliance on fossil fuel energy

Second, we recommend the hiring of a staff person, possibly shared by other stakeholders, to coordinate and help lead this task force. In 2016 Hood River hired a RARE Americorps Intern to work with their community task force in the creation of the Hood River Energy Plan. That was Marla Harvey, who now serves as MCEEDD's Energy Coordinator. In other communities, such a position has more than paid for itself with energy savings.

Third, we ask that, as you work on your 2040 Visioning Process, please prioritize a vision that includes moving our community to one that is actively addressing climate change as an opportunity to build a healthier, more vibrant, and more resilient community for us all.

Thank you for the opportunity to present a proposal to address climate change in our community. We are eager to hear your response, and to join forces in moving our community forward. And now we ask that you share with us comments and questions you may have. Thank you!



Commercial

Certificate of Occupancy

Web Address:

Email Address: buildingcodes@co.wasco.or.us

This structure has been inspected and, at the time of certificate issuance, was in compliance with all applicable codes and regulations for the occupancy, division of occupancy and use for which the occupancy is classified.

Structural Specialty Code Edition: 2019

Permit Number: 921-20-000889-STR

Final Inspection Date: 8/17/21

Property Address: 400 E SCENIC DR, THE DALLES, OR 97058

Parcel Number: 1N 13E 9 100

Owner: COLUMBIA GORGE COMMUNITY COLLEGE, 400 E SCENIC DR, THE DALLES, OR 97058

Description of Work: CONSTRUCTION OF NEW 18,703 SF ACADEMIC BUILDING FOR TECHNICAL/TRADE INSTRUCTION

Category of Construction: Commercial

Type of Work: New

Existing Sprinklers: No

Sprinklers Included in Project: Yes

Occupant Load: 321

Portion of Building: 18,703SF B OCCUPANCY SKILLS CENTER ACADEMIC BUILDING

Special Conditions: None Specified

<u>Occupancy Classification</u>	<u>Type of Construction</u>	<u>Sq. Ft.</u>
B Business	VB	18,703

<u>Related Permits</u>	<u>Permits Status</u>
921-20-000889-MECH-01	Finalized
921-20-000889-PLM-01	Finalized
921-20-000889-ELEC-01	Finalized
921-20-000889-STR-REV-01	Revision Complete
921-20-001466-FIRE	Finalized
921-20-000889-STR-REV-02	Revision Complete
921-21-000109-FIRE	Finalized
921-21-000107-ELEC	Finalized
921-20-001625-STR	Finalized
921-21-000276-ELEC	Finalized
921-20-000889-STR-TCO-01	TCO Complete

Related Permits

Permits Status

Mark VanVoast

Building Official

Effective Date: August 18, 2021

Contact and license information for the general, electrical, plumbing and mechanical contractors is on file and can be obtained upon request.



Tax ID: 93-0700843

Invoice

Columbia Gorge Community College
400 East Scenic Drive
The Dalles, OR 97058

INVOICE NUMBER
16882

IMPORTANT
REFER TO THIS INVOICE NUMBER
ON ALL REMITTANCES.

Customer: CITY OF THE DALLES
313 COURT STREET
THE DALLES, OR 97058

Invoice Date
11/19/2021

Terms
Due on receipt

Description	Reference Number	Amount
GOOGLE FUNDS TO SUPPORT SKILL CENTER PROJECT	100-00-000-00-4655	\$1,000,000.00

FOR FY 2021-22

PREPARED BY: S SPAULDING

Payment due upon receipt. Additional charges will require a new voucher. Please direct questions regarding this invoice to the Business office at (541) 506-6057.

AMENDMENT NO. 14
To the
OPERATIONS, MAINTENANCE AND MANAGEMENT
SERVICES
For
THE CITY OF THE DALLES, OREGON

This Amendment No. 14 to the Agreement for Operations, Maintenance, and Management Services for the City of The Dalles (the "Amendment") is made effective this ____ day of June 2021 by and between the City of The Dalles, Oregon (hereinafter "Owner") whose address for any formal notice is 313 Court Street, The Dalles, Oregon 97058 and Operations Management International, Inc. (hereinafter "CH2M HILL OMI") with offices at 9191 South Jamaica Street, Englewood, Colorado 80112. This is Amendment No. 14 to the Agreement dated July 1, 2008 between the Owner and CH2M HILL OMI ("Agreement").

NOW THEREFORE, Owner and CH2M HILL OMI agree to amend the Agreement as follows:

1. Appendix E, Subsection E.1.1 is deleted in its entirety and replaced with the following:

E.1.1 Owner shall pay to CH2M HILL OMI as compensation for services performed under this Agreement an Annual Fee of One Million One Hundred Eighty-Three Thousand Four Hundred Six Dollars (\$1,183,406.00) for the contract year commencing July 1, 2021 and ending June 30, 2022. The Annual Fee is the sum of the estimated Total Direct Cost and Management Fee.

2. Appendix E, Subsection E.1.2 is deleted in its entirety and replaced with the following:

E.1.2 The estimated Total Direct Cost for providing services under this Agreement is One Million Thirteen Thousand Five Hundred Seventy-Seven Dollars (\$1,013,577.00) for the contract year set forth in Appendix E.1.1. This amount shall not include any Costs which would ordinarily be Total Direct Costs but are incurred as result of construction activities at the Project. Such costs shall be billed to and paid by Owner on a monthly basis, and shall not be considered Total Direct Costs for purposes of Subsections E.1.4 and E.1.5 of this Appendix E.

3. Appendix E, Subsection E.1.3 deleted in its entirety and replaced with the following:

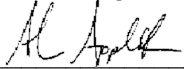
E.1.3 The Management Fee for providing services under this Agreement is One Hundred Sixty Nine Thousand Eight Hundred Twenty-Nine Dollars (\$169,829.00) for the contract year set forth in Appendix E.1.1. Subsequent years' Management Fee shall be adjusted by the Cost Adjustment Formula shown in E.3.

This Amendment together with the previous Amendments and the Agreement constitutes the entire agreement between the Parties and supersedes all prior oral and written understandings with respect to the subject matter set forth herein. Unless specifically stated all other terms and conditions of the Agreement shall remain in full force and effect. Neither this Amendment nor the Agreement may

be modified except in writing signed by an authorized representative of the Parties.

The Parties, intending to be legally bound, indicate their approval of the Amendment by their signatures below.

Authorized Signature



Name: Andy Appleton

Title: Vice President

Date: November 29, 2021

Authorized Signature

Name:

Title:

Date:



AGENDA STAFF REPORT

AGENDA LOCATION: Public Hearing Item #10A

MEETING DATE: December 13, 2021

TO: Honorable Mayor and City Council

FROM: Dawn Marie Hert, Senior Planner,
Community Development Department

ISSUE: General Ordinance No. 21-1388, an Ordinance Amending Sections 10.2.030, 10.5.060.030 and 10.5.070.020 of The Dalles Municipal Code, Title 10 - Land Use and Development

BACKGROUND: The State of Oregon has the second-highest level of unsheltered houseless people in the country and leads the nation in its number of unsheltered houseless families. In response to these statistics, the City Council enacted Emergency Resolution No. 20-025 and resolved to address the unhoused public health crisis and temporary shelter emergency by permitting temporary shelter for its unhoused population at a City-owned site, funded largely with grants from community partners. The City has been committed to providing safe shelter to its entire population.

In the 2021 Regular Session of the Oregon Legislative Assembly, House Bill 2006 (HB 2006) requires cities to approve proposed shelter housing if they meet certain criteria, meet building codes and pose no health or safety threat. This bill is set to expire on July 1, 2022, though shelters established under the bill will be allowed to remain open after that date. To date, the Community Development Department has not processed any applications for shelters under these regulations.

In January 2021, prior to the passage of HB 2006, staff was directed by City Council at its Annual Goal-Setting Retreat to review the land use code and make recommendations that would include shelter housing as a permitted use. These proposed amendments were presented as a discussion item of the City Council on July 26, 2021; staff shared them with The Dalles Unhoused Task Force on August 17, 2021. Comments from these sessions were reviewed and incorporated in the amendments where appropriate.

In addition, these proposed amendments were presented at a work session of the Planning Commission on October 13, 2021.

At the November 18, 2021 Planning Commission public hearing, the Commission agreed with staff's recommendation. The Commission made three modifications to the proposed code amendment:

- 1) For established and seasonal shelters in the CG – General Commercial zone, seasonal shelters were removed from the list of permitted uses in the CG – General Commercial zone to uses that are allowed only after obtaining Conditional Use permit approval at a hearing before the Planning Commission. Established and seasonal shelters remain listed as permitted uses in the CLI – Commercial/Light Industrial zone.
- 2) Bathing facilities are now required for both established and seasonal shelters.
- 3) Shade trees are now listed as a required element in landscaping provided for established shelters.

These modifications were incorporated in attached General Ordinance 21-1388.

The City of The Dalles Municipal Code, Title 10 – Land Use and Development, is the City's regulatory code for all land use located within The Dalles Urban Growth Boundary. This zoning ordinance amendment application is considered a legislative action under the provisions of Article 10.3.110 – Ordinance Amendments, Section 10.3.110.020 Review Procedures, and Section 10.3.020.060 (A) (2) Ordinance Amendments.

NOTIFICATION

Notice of this public hearing was published in the local newspaper, sent to all local news media, sent to Wasco County Planning, and posted on the City's website and social media accounts.

COMMENTS

Prior to the Planning Commission hearing, one comment was received via email from Kelly Howsley-Glover, Wasco County Planning Director. The email stated the proposed code amendments looked consistent with updates to state law and the County did not have any comment at this time.

No additional comments were provided at the Planning Commission's public hearing on November 18, 2021.

REVIEW CRITERIA:

CITY OF THE DALLES MUNICIPAL CODE – TITLE 10 – LAND USE AND DEVELOPMENT

I. PROCEDURE:

Chapter 10.3 – Application Review Procedures, Section 10.3.010.040 Applications. F. Applications for Legislative Actions. A legislative action may be initiated by the Director, the Historic Landmarks Commission, the Planning Commission, the Council, or at the request of an applicant or resident of the City.

FINDING #1: This application is initiated by the City Council pursuant to the provisions of Section 10.3.010.040 F.

Article 10.3.020.060 Legislative Actions:

Section A. Decision types.

2. Ordinance Amendments; and

4. Amendments to the Comprehensive Plan:

FINDING #2: This application is for Ordinance Amendments and Amendments to the Comprehensive Plan per Article 10.3.110.

Section B. Public Hearings.

1. *The Commission shall hold at least one legislative public hearing to review applications for legislative actions and, by duly adopted resolution, make a recommendation to the Council to approve, approve with conditions, or deny the request.*

FINDING #3: The Planning Commission’s public hearing was held on Thursday, November 18, 2021. The Planning Commission voted unanimously to recommend the code amendments to the City Council. The public hearing for City Council is set for December 13, 2021.

Notice of Hearing as required by ORS 227.186.

ORS 227.186 requires that all property owners whose property is rezoned must be provided notice at least 20 days, but no more than 40 days, prior to the date of the first hearing. For purposes of this provision, rezone includes any change that limits or prohibits uses previously allowed in a zone.

FINDING #4: This request increases the conditional uses in the CG – General Commercial zone and permitted uses for the CLI – Commercial/Light Industrial Zoning Districts. Staff determined that the notice of hearing detailed in *ORS 227.186* is not required because this proposed amendment is not considered a “rezone,” nor does it limit or prohibit uses previously allowed in the CG zone or CLI zone proposal.

Notice of Amendments as required by the State of Oregon, Department of Land Conservation and Development.

The Department of Land Conservation and Development requires a 35 day advance notice of any proposed amendments.

FINDING #5: The required notice was sent and accepted by the Department of Land Conservation and Development on October 13, 2021, which is 36 days prior to the first public hearing.

Section 10.3.020.070(A) (3) Staff Report.

A staff report shall be presented which identifies the criteria and standards applying to the application and summarizes the basic findings of fact. The staff report may also include a recommendation for approval, approval with conditions, or denial.

FINDING #6: The staff report has identified the criteria and standards as they relate to this application and has summarized the basic findings of fact. The staff report includes a recommendation for approval.

II. REVIEW:

Section 10.3.110.030 Review Criteria

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

FINDING #7: The City of The Dalles has broad discretion to adopt zoning textual changes. Each of the proposed amendments is consistent with the Comprehensive Plan, State Laws, and Administrative Rules.

COMPREHENSIVE PLAN

Goal #1. Citizen Involvement. *To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.*

Policy 3. *The land-use planning process and policy framework shall include opportunity for citizen input as a part of the basis for all decisions and actions related to the use of land.*

Goal #2. Land Use Planning. *To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

Policy 6. *Implement this Plan through appropriate ordinances and action. Implementing measures shall be developed to allow administrative review and approval authority.*

Goal #10. Housing. *To provide for the housing needs of citizens of the state.*

Policy 8. *Flexibility in implementing ordinances is needed to accommodate infill and to foster a variety of development scenarios and housing options.*

Policy 21. *The City will support programs that would enable low and middle income people to obtain safe and sanitary housing through public and private for profit or non-profit efforts.*

FINDING #8: This proposal is consistent with goals and policies of the Comprehensive Plan. Detailed findings are included in the attached General Ordinance No. 21-1388 document.

BUDGET IMPLICATIONS: None.

COUNCIL ALTERNATIVES:

1. **Staff recommendation:** *Move to adopt General Ordinance No. 21-1388, an Ordinance Amending Sections 10.2.030, 10.5.060.030 and 10.5.070.020 of The Dalles Municipal Code, Title 10 - Land Use and Development*
2. Decline adoption of General Ordinance No. 21-1388.

ATTACHMENT

- General Ordinance 21-1388

GENERAL ORDINANCE NO. 21-1388

AN ORDINANCE AMENDING SECTIONS 10.2.030, 10.5.060.030 AND 10.5.070.020 OF THE DALLES MUNICIPAL CODE, TITLE 10 – LAND USE AND DEVELOPMENT

WHEREAS, on October 28, 2021, in response to the State of Oregon having the second-highest level of unsheltered houseless people in the country and leading the nation in its number of unsheltered houseless families, the City Council enacted Emergency Resolution No. 20-025 and resolved to address the unhoused public health crisis and temporary shelter emergency by permitting temporary shelter for its unhoused population at a City-owned site; and

WHEREAS, in the 2021 Regular Session of the Oregon Legislative Assembly, House Bill 2006 became effective requiring cities to approve shelter housing if they meet certain criteria, meet building codes and pose no health or safety threat, which is set to expire on July 1, 2022;

WHEREAS, the City of The Dalles has been committed to providing safe shelter to its entire population directing staff to review the land use code and make recommendations that would include shelter housing as a permitted use; and

WHEREAS, on July 26, 2021, City Council conducted a public meeting discussing the proposed amendments; and

WHEREAS, on August 17, 2021, staff shared the proposed amendments at a public meeting with The Dalles Unhoused Task Force; and

WHEREAS, on October 13, 2021, the Planning Commission conducted a public meeting work session discussing the proposed amendments; and

WHEREAS, on November 18, 2021, the City Planning Commission conducted a public hearing regarding proposed amendments to the City’s Municipal Code, Title 10 – Land Use and Development and voted unanimously to recommend approval Zoning Ordinance Amendment #106-21 to City Council; and

WHEREAS, the City Council conducted a public hearing on December 13, 2021, to consider the Planning Commission’s recommendations and, following the close of the public hearing, the City Council conducted deliberations and the Council members voted to approve the text amendments set forth below, based upon the following findings:

1. Goal #1 of the Comprehensive Plan concerns citizen involvement and seeks to develop a citizen involvement program ensuring the opportunity for citizens to be involved in all phases of the planning process. Policy #3 for Goal #1 provides “the land use planning process and policy framework shall include opportunity for citizen input as a part of the basis for all decisions and actions related to use of land.” The Planning Commission conducted two public

meetings where citizens were provided the opportunity to comment upon the proposed text amendments. Notice of the public hearing before the City Council was advertised and the public was provided an additional opportunity to comment upon the proposed text amendments.

2. Goal #2 of the Comprehensive Plan concerns land use planning and seeks to establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual basis for such decisions and actions. Policy #6 of Goal #2 implements the Comprehensive Plan through appropriate ordinances and action. Implementing measures shall be developed to allow administrative review and approval authority. During the public meeting and public hearing conducted by the Planning Commission, City staff presented information describing applicable provisions of state law concerning shelter housing and proposed revisions needed to ensure the City's land use code complied with statewide housing goals, administrative rules, and statutes. This land use planning process ensured a factual basis would be identified and established for the City's decision-making. The proposed text amendments update the City's existing zoning ordinance, following the Comprehensive Plan's directive to implement the Plan through adoption of appropriate ordinances.

3. Goal #10 of the City's Comprehensive Plan is "to provide for the housing needs of citizens of the state." Policy #8 of Goal #10 encourages flexibility in implementing ordinances to accommodate infill and foster a variety of development scenarios and housing options. Including temporary and permanent shelters fosters an added housing option for the houseless populations. Policy #21 of Goal #10 states that the City will support programs that enable low and middle income people to obtain safe and sanitary housing through public and private efforts. Expanding the opportunities for shelter housing types will enable people to obtain safe and sanitary housing through public and private efforts. These proposed changes will allow for opportunities to develop both temporary and permanent shelter housing for the houseless populations of the community.

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

Section 1. The Dalles Municipal Code, Title 10 – Land Use and Development

Section 10.2.030 Meaning of Specific Words and Terms shall be revised to include the following:

Homeless. An individual, group, or population lacking a fixed, regular, and/or adequate nighttime residence in accordance with and as classified under OAR Chapter 813 Division 240 State Homeless Assistance Program.

Shelter, Established. A building or group of buildings permanently used or intended for providing homeless shelter and incidental services.

Shelter, Seasonal. A building or group of buildings temporarily used or intended for providing homeless transitional or emergency shelter and incidental services for a maximum of six (6) months.

Section 2. The Dalles Municipal Code, Title 10 – Land Use and Development

Section 10.5.060.030 CG - General Commercial Conditional Uses shall be revised to read as follows:

O. Shelter housing.

a. Established and seasonal shelters. Established and Seasonal shelters shall:

- i. Provide sleeping, bathing, restroom facilities for clients,
- ii. Comply with State Building Code standards, and
- iii. Be operated by one or more of the following:
 1. A local government as defined in ORS 174.116,
 2. An organization with at least two years' experience operating low-income housing programs or reasonable equivalent and is:
 - a. A local housing authority as defined in ORS 456.375,
 - b. A religious corporation as defined in ORS 65.001, or
 - c. A public benefit corporation, as defined in ORS 65.001, whose charitable purpose includes the support of homeless prevention and has been recognized as exempt from income tax under section 501(a) of the Internal Revenue Code for at least three years prior to submitting its application for a seasonal shelter, or
 3. A nonprofit corporation partnering with any other entity described in this subsection.
- iv. The shelter shall maintain a written operational plan shall include the following information:
 1. Description of purpose and scope of services of the shelter,
 2. Bed capacity for guests,
 3. Hours of operation, if applicable, and
 4. Twenty-four-hour staffing and emergency contact.
- v. Setbacks. Setbacks shall be the same as setbacks required by the zone district.
- vi. Access.
 1. Access shall be from an arterial or collector street, or shall be from a street with sufficient width and ease of access to allow any vehicle to enter and exit without causing undue traffic problems. If the access is not from an arterial or collector street, each access shall be evaluated on a case-by-case basis to determine if access is adequate for the type of vehicles anticipated to enter into, and exit from, the site. The evaluation will include on-street parking allowances and the condition of the street.

2. In order to facilitate ease of entry and exit, the Planning Director may authorize a wider driveway entrance than is otherwise provided for in this Title.
 3. Site access connections to public streets shall meet the requirements of Section 10.6.050: Access Management.
- vii. Screening. Except for the access roadway into the shelter, the shelter shall be screened per Section 10.6.010.050.
 - viii. Bicycle parking for residents shall be installed to be consistent with Section 10.7.040 Bicycle Parking Design Standards and 10.7.060.010 Minimum and Maximum Off-Street Parking Requirements.
- b. Established Shelters, additional requirements.
- i. Surfacing. All areas used for vehicular and required pedestrian walkways shall be paved with asphalt, concrete or similar material, and be designed to provide for the control of runoff or surface water.
 - ii. Parking Requirement. There shall be a minimum of 1 parking space per every 10 beds and a maximum of 1 parking space per shelter unit. Parking areas shall meet all of the requirements of Section 10.7.030: General Design Standards for Surface Parking Lots.
 - iii. Bicycle Parking Requirement. There shall be a minimum of 1 bicycle parking space per every 5 beds. Bicycle Parking shall meet all the requirements of Article 7.040: Bicycle Parking Standards.
 - iv. Landscaping. All areas not occupied by buildings, walkways, parking, streets, and shelters shall be landscaped per the provisions of Section 10.6.010: Landscaping. A landscape plan is required prior to the City signing a building permit application. The landscaping plan shall include internal shade trees.
 - v. Shelter Maintenance and Storage. Each shelter shall at all times keep a neat appearance. All storage shall be contained in a building or enclosed shed. Except for the allowed vehicles, there shall be no outside storage of materials or equipment belonging to the shelter or to any of the guests.
 - vi. Services incidental to Established and Seasonal Shelter, including but not limited to the provision of utilities, showering or bathing facilities, laundry services, bedding, security, transportation, sustenance, low-impact recreation areas, case management and social welfare services, storage sheds or lockers, and minor repairs undertaken specifically to make suitable space available for shelter.

Section 3. **The Dalles Municipal Code, Title 10 – Land Use and Development**

Section 10.5.070.020(A) CLI – Commercial Light Industrial Primary Permitted Uses shall be revised to read as follows:

~~28. Other uses determined by the Director to be similar to the above uses.~~

28. Shelter housing.

- a. Established and seasonal shelters. Established and Seasonal shelters shall:
 - vii. Provide sleeping, bathing and restroom facilities for clients,
 - viii. Comply with State Building Code standards, and
 - ix. Be operated by one or more of the following:
 - 1. A local government as defined in ORS 174.116,
 - 2. An organization with at least two years' experience operating low-income housing programs or reasonable equivalent and is:
 - a. A local housing authority as defined in ORS 456.375,
 - b. A religious corporation as defined in ORS 65.001, or
 - c. A public benefit corporation, as defined in ORS 65.001, whose charitable purpose includes the support of homeless prevention and has been recognized as exempt from income tax under section 501(a) of the Internal Revenue Code for at least three years prior to submitting its application for a seasonal shelter, or
 - 3. A nonprofit corporation partnering with any other entity described in this subsection.
 - x. The shelter shall maintain a written operational plan shall include the following information:
 - 1. Description of purpose and scope of services of the shelter,
 - 2. Bed capacity for guests,
 - 3. Hours of operation, if applicable, and
 - 4. Twenty-four-hour staffing and emergency contact.
 - xi. Setbacks. Setbacks shall be the same as the setbacks required by the zone district.
 - xii. Access.
 - 1. Access shall be from an arterial or collector street, or shall be from a street with sufficient width and ease of access to allow any vehicle to enter and exit without causing undue traffic problems. If the access is not from an arterial or collector street, each access shall be evaluated on a case-by-case basis to determine if access is adequate for the type of vehicles anticipated to enter into, and exit from, the site. The evaluation will include on-street parking allowances and the condition of the street.
 - 2. In order to facilitate ease of entry and exit, the Planning Director may authorize a wider driveway entrance than is otherwise provided for in this Title.
 - 3. Site access connections to public streets shall meet the requirements of Section 10.6.050: Access Management.
 - xiii. Screening. Except for the access roadway into the shelter, the shelter shall be screened per Section 10.6.010.050.

- xiv. Bicycle parking for residents shall be installed to be consistent with Section 10.7.040 Bicycle Parking Design Standards and 10.7.060.010 Minimum and Maximum Off-Street Parking Requirements.
- c. Established Shelters, Additional requirements.
 - i. Surfacing. All areas used for vehicular and required pedestrian walkways shall be paved with asphalt, concrete or similar material and be designed to provide for the control of runoff or surface water.
 - ii. Parking Requirement. There shall be a minimum of 1 parking space per every 10 beds and a maximum of 1 parking space per shelter unit. Parking areas shall meet all of the requirements of Section 10.7.030: General Design Standards for Surface Parking Lots.
 - iii. Bicycle Parking Requirement. There shall be a minimum of 1 bicycle parking space per every 5 beds. Bicycle Parking shall meet all the requirements of Article 7.040: Bicycle Parking Standards.
 - iv. Landscaping. All areas not occupied by buildings, walkways, parking, streets, and shelters shall be landscaped per the provisions of Section 10.6.010: Landscaping. A landscape plan is required prior to the City signing a building permit application. The landscaping plan shall include internal shade trees.
 - v. Shelter Maintenance and Storage. Each shelter shall at all times keep a neat appearance. All storage shall be contained in a building or enclosed shed. Except for the allowed vehicles, there shall be no outside storage of materials or equipment belonging to the shelter or to any of the guests.

29. Other uses determined by the Director to be similar to the above uses.

Section 3. The Dalles Municipal Code, Title 10 – Land Use and Development

Section 10.5.070.020(B) CLI – Commercial Light Industrial Accessory Uses Permitted Outright shall be revised to read as follows:

- 6. Services incidental to Established and Seasonal Shelter, including but not limited to the provision of utilities, showering or bathing facilities, laundry services, bedding, security, transportation, sustenance, low-impact recreation areas, case management and social welfare services, storage sheds or lockers, and minor repairs undertaken specifically to make suitable space available for shelter.

PASSED AND ADOPTED THIS 13TH DAY OF DECEMBER, 2021.

Voting Yes, Councilors: _____

Voting No, Councilors: _____

Abstaining, Councilors: _____

Absent, Councilors: _____

**AND APPROVED BY THE MAYOR THIS 13TH DAY OF DECEMBER
2021.**

Richard A. Mays, Mayor

Attest:

Izetta Grossman, CMC, City Clerk



AGENDA STAFF REPORT

AGENDA LOCATION: Contract Review Board Item # 11A

MEETING DATE: December 13, 2021

TO: Honorable Mayor and City Council

FROM: Daniel Hunter, City Manager Pro Tem

ISSUE: Downtown Utility Underground Feasibility Study

BACKGROUND: Over the last year City Manager Kruger has been working with North Wasco County Public Utility District (NWCPUD) on efforts to underground the wire utilities downtown. Due to the expertise in this area NWCPUD issued a Request for Proposals (RFP). Stoddard Power Systems was the only respondent. Stoddard has extensive experience with this type of project and has a positive record on work performed for NWCPUD in the past.

Attached to this Staff Report is the letter and proposal from Stoddard (Exhibit A) responding to the RFP. The total cost for the Feasibility Study is \$72,177.

BUDGET IMPLICATIONS: In June 2021 the City budgeted \$40,000 in the City Council Budget, Contractual Services for this project. Following that NWCPUD informed the City the total costs would likely be higher.

The proposal received is \$32,177 higher than initially budgeted. A budget resolution transferring funds from Contingency to the Contractual Service line of the City Council Budget is under consideration at this meeting. Staff recommendation assumes Council approval of that Budget Resolution.

COUNCIL ALTERNATIVES:

1. **Staff recommendation:** *Move to authorize the City Manager to enter an agreement with Stoddard Power Systems to complete the Downtown Utility Underground Feasibility Study at a cost not to exceed \$72,177.*

2. Move to direct the City Manager to work with NWCPUD on reissue of the RFP for the purpose of attracting more than one response.
3. Decline to authorize Feasibility Study



AGENDA STAFF REPORT

AGENDA LOCATION: Action Item # 12A

MEETING DATE: December 13, 2021

TO: Honorable Mayor and City Council

FROM: Daniel Hunter, City Manager Pro Tem

ISSUE: Resolution No. 21-031 Approving a Rate Increase Averaging Approximately 5.05% Resulting From Increased Operational and Disposal Fee Costs Incurred by The Dalles Disposal Service, Effective January 1, 2022

BACKGROUND: Enclosed with this staff report is a letter dated October 15, 2021, from Jim Winterbottom, District Manager for The Dalles Disposal Service, submitting a request to the City to consider granting an increase averaging approximately 5.05% in the rates charged by the company for solid waste and recycling services, to be effective January 1, 2022. Mr. Winterbottom's letter included a proposed rate schedule, a copy of which is also enclosed with this staff report. The operational costs include such items as health care, fleet maintenance, and fuel and container costs. Mr. Winterbottom notes that the Wasco County Landfill anticipates increasing both its gate rate and the pass-through Household Hazardous Waste tax by 5.05%, effective January 1, 2022.

Mr. Winterbottom's letter also notes that The Dalles Disposal Service uses Consumer Price Index (CPI) for the Standard Metropolitan Statistical Area (West-C) to benchmark their changes in operational costs. This index is computed as of July 1 of each applicable year. The most recent comparison from July 2020 to July 2021 shows an increase of 5.94%, which The Dalles Disposal Service believes is a good indicator of their overall experience with cost increases.

General Ordinance No. 92-1155, which contains provisions regulating franchisees that collect solid waste, requires the City Council to review rates charged by franchisees to determine if the rates are reasonable and just and adequate to provide collection service. The ordinance also provides that the rates established by the City Council shall allow the

person who has the franchise to collect solid waste material, to recover any additional costs of education, promotion, and providing notice of the opportunity to recycle at the minimum level required by the State of Oregon or at a higher level of recycling required by or permitted by the City. Oregon law requires that the City Council provide an opportunity for public comment upon any proposed increase in fees, including rates to be charged by City franchisees.

BUDGET IMPLICATIONS: If the Council decides to adopt Resolution No. 21-031, approving the requested rate increase, the City will probably receive a modest increase in the amount of the franchise fee collected from The Dalles Disposal, as the franchise fee is calculated on the amount of gross revenue received by The Dalles Disposal.

COUNCIL ALTERNATIVES:

1. **Staff recommendation:** *Move to adopt Resolution No. 21-031 approving a rate increase averaging approximately 5.05% resulting from increased operational and disposal fee costs incurred by The Dalles Disposal Service, effective January 1, 2022.*
2. The Council could determine to approve a lesser amount for a rate increase and direct the City staff to work with The Dalles Disposal to prepare a revised rate schedule.
3. The Council could determine not to grant the requested rate increase and direct staff to prepare a Resolution denying the requested rate increase for adoption at the January 10, 2022 Council meeting.

RESOLUTION NO. 21-031

**A RESOLUTION APPROVING A RATE INCREASE
AVERAGING APPROXIMATELY 5.05 % RESULTING FROM
INCREASED OPERATIONAL AND DISPOSAL FEE COSTS INCURRED
BY THE DALLES DISPOSAL SERVICE, EFFECTIVE JANUARY 1, 2022**

WHEREAS, The Dalles Disposal Service, Inc. submitted a request dated October 15, 2021 for a rate increase averaging approximately 5.05% for increased operational costs and disposal fees, and for an adjustment to the company's rate schedule as a result of anticipated increases by the Wasco County Landfill for both its gate rate and the pass through Household Hazardous Waste Tax; and

WHEREAS, Title 4 Chapter 4.04.110 of The Dalles Municipal Code provides that the City Council shall review all requests for a rate increase for companies providing solid waste collection services to determine whether the proposed rates are just and reasonable and adequate to provide necessary collection services; and

WHEREAS, pursuant to ORS 294.160, the City Council provided an opportunity at the December 13, 2021 Council meeting for public comment upon the proposed rate increase; and

WHEREAS, The Dalles Disposal Service submitted testimony that the company has incurred recent increased operational costs including costs for health care, fleet maintenance, fuel, and containers; and

WHEREAS, The Dalles Disposal Service, Inc. provided further testimony that their company uses the Consumer Price Index (CPI) for the Standard Metropolitan Statistical Area (West-C) to benchmark their operational costs. The most recent comparison for the period between July 1, 2020 to July 1, 2021 showed an increase of 5.94%, and this figure was a good reflection of the cost increases incurred by The Dalles Disposal Service, Inc.; and

WHEREAS, the City Council finds that approval of the requested rate increase for The Dalles Disposal Service, Inc. resulting from the increased costs of disposal of waste materials at the Wasco County Landfill and increased operational costs, is appropriate and necessary;

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

Section 1. Rate Increase Approved. The rate increase requested by The Dalles Disposal Service, Inc., resulting from increased costs for disposal of material at the Wasco County Landfill and increased operational costs, as set forth in the attached Exhibit "A", is hereby approved, and shall take effect on January 1, 2022.

Section 2. Effective Date. The effective date of this Resolution shall be January 1, 2022.

PASSED AND ADOPTED THIS 13TH DAY OF DECEMBER, 2021.

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

AND APPROVED BY THE MAYOR THIS 13TH DAY OF DECEMBER, 2021.

Richard A. Mays, Mayor

Attest:

Izetta Grossman, City Clerk, CMC



WASTE CONNECTIONS
Connect with the Future®

The Dalles City Hall
313 Court St
The Dalles, OR 97058

October 15, 2021

Attention:
Mayor Richard Mays
Council Members

Dear Mayor Mays and Council Members,

The Dalles Disposal would like to respectfully request a rate adjustment averaging approximately 5.05% to help offset rising operational costs and disposal fees. We request this adjustment to be effective January 1, 2022. Some examples of these increases include but are not limited to, health care cost, fleet maintenance, fuel and containers.

We use The Consumer Price Index (CPI) for the Standard Metropolitan Statistical Area (West-C) to benchmark our changes in operational costs. The most recent July to July comparison increased 5.94% and we believe this is a good indicator of our overall experience. The Wasco County Landfill will be increasing both its gate rate and the pass-through Household Hazardous Waste tax by 5.05% effective January 1, 2022. We have incorporated these increases into the attached proposed rate schedule.

We would like to be scheduled on the council agenda at your earliest convenience to discuss our proposal. We appreciate the continued opportunity to provide The Dalles with high quality solid waste services.

Sincerely,

Jim Winterbottom
District Manager

Enclosure: Proposed Rate Sheets



Waste Connections of Oregon, Inc.
dba The Dalles Disposal
Proposed City of The Dalles Rates
Effective January 1, 2022

SERVICE	CURRENT RATE	5.05%	5.05%	TOTAL INCREASE	NEW RATE
		TOTAL LF INCREASE	BUSINESS INCREASE		
RESIDENTIAL					
CANS/ROLLCARTS					
Weekly					
- (1) 20 gal can	\$13.02	\$0.10	\$0.56	\$0.66	\$13.68
- (1) 32 gal can	\$18.80	\$0.17	\$0.78	\$0.95	\$19.75
- 90 gal rollcart	\$27.68	\$0.43	\$0.96	\$1.39	\$29.07
- 105 gal cart (Phase Out)	\$29.81	\$0.51	\$1.00	\$1.51	\$31.32
- each add'l can	\$18.80	\$0.17	\$0.78	\$0.95	\$19.75
EOW					
- (1) 32 gal can	\$15.32	\$0.10	\$0.67	\$0.77	\$16.09
Call In					
- (1) 32 gal can	\$13.34	\$0.05	\$0.63	\$0.68	\$14.02
- 90 gal rollcart	\$20.03	\$0.13	\$0.89	\$1.02	\$21.05
YARD DEBRIS					
* 12 month min sign-up period					
* \$18 restart fee if service cancelled and restarted within year					
* 60 gal yard debris cart					
Weekly	\$9.08	\$0.28	\$0.17	\$0.45	\$9.53
EOW	\$6.24	\$0.17	\$0.14	\$0.31	\$6.55
SPECIAL CHARGES					
* The following additional charges are assessed to customers whose cans, rollcarts or containers pose a potential safety risk to our employees due to the difficult and unsafe location of their service containers.					
Additional Charge:					
- Sunken Can	\$8.05	\$0.00	\$0.41	\$0.41	\$8.46
- Excess distance	\$8.05	\$0.00	\$0.41	\$0.41	\$8.46
- Steps/stairs	\$8.05	\$0.00	\$0.41	\$0.41	\$8.46
- Through gate	\$8.05	\$0.00	\$0.41	\$0.41	\$8.46
- extra can/bag/box	\$7.39	\$0.02	\$0.35	\$0.37	\$7.76
- loose yardage per yd	\$31.61	\$0.33	\$1.26	\$1.59	\$33.20
(over-the-top extra around conts-cans-rollcarts or on the ground)					
- bulk items (*Bring to transfer station)					
- return trip can	\$8.18	\$0.02	\$0.39	\$0.41	\$8.59
- return trip rollcart	\$10.85	\$0.05	\$0.50	\$0.55	\$11.40
- rollcart redelivery	\$11.25	\$0.00	\$0.57	\$0.57	\$11.82
- Off day PU	\$8.05	\$0.00	\$0.41	\$0.41	\$8.46
- Delinquent fee	\$14.13	\$0.00	\$0.71	\$0.71	\$14.84
(Acct delinquent after 30 days from billing)					
- NSF/unhonored check fee	\$33.39	\$0.00	\$1.69	\$1.69	\$35.08
- New Acct set up fee	\$6.44	\$0.00	\$0.33	\$0.33	\$6.77
- Change in service	\$6.44	\$0.00	\$0.33	\$0.33	\$6.77
(name/address/service)					

**Waste Connections of Oregon, Inc.
dba The Dalles Disposal
Proposed City of The Dalles Rates
Effective January 1, 2022**

SERVICE	CURRENT RATE	5.05%	5.05%	TOTAL INCREASE	NEW RATE
		TOTAL LF INCREASE	BUSINESS INCREASE		
COMMERCIAL					
CANS/ROLLCARTS					
Weekly					
- (1) 32 gal can	\$22.46	\$0.17	\$0.97	\$1.14	\$23.60
- 90 gal rollcart	\$33.99	\$0.43	\$1.28	\$1.71	\$35.70
- 105 gal cart (Phase Out)	\$34.70	\$0.51	\$1.24	\$1.75	\$36.45
- each add'l can	\$22.46	\$0.17	\$0.97	\$1.14	\$23.60
EOW					
- (1) 32 gal can	\$18.72	\$0.10	\$0.85	\$0.95	\$19.67
Call In					
- (1) 32 gal can	\$14.70	\$0.05	\$0.69	\$0.74	\$15.44
- 90 gal rollcart	\$22.12	\$0.13	\$0.99	\$1.12	\$23.24
SPECIAL CHARGES					
* The following additional charges are assessed to customers whose cans, rollcarts or containers pose a potential safety risk to our employees due to the difficult and unsafe location of their service containers.					
Additional Charge (Cans):					
- Sunken Can	\$8.05	\$0.00	\$0.41	\$0.41	\$8.46
- Excess distance	\$8.05	\$0.00	\$0.41	\$0.41	\$8.46
- Steps/stairs	\$8.05	\$0.00	\$0.41	\$0.41	\$8.46
- Through gate	\$8.05	\$0.00	\$0.41	\$0.41	\$8.46
-extra can/bag/box	\$7.39	\$0.02	\$0.35	\$0.37	\$7.76
- loose yardage per yd	\$31.61	\$0.33	\$1.26	\$1.59	\$33.20
(*extra garbage ontop or around cans and rollcarts which must be manually handled & placed in truck)					
- bulk items (*Bring to transfer station)					
- return trip can	\$8.18	\$0.02	\$0.39	\$0.41	\$8.59
- return trip rollcart	\$10.90	\$0.05	\$0.50	\$0.55	\$11.45
- rollcart redelivery	\$11.25	\$0.00	\$0.57	\$0.57	\$11.82
- Off day PU	\$8.17	\$0.00	\$0.41	\$0.41	\$8.58
- Delinquent fee	\$14.13	\$0.00	\$0.71	\$0.71	\$14.84
(Acct delinquent after 30 days from billing)					
- NSF/unhonored check fee	\$33.39	\$0.00	\$1.69	\$1.69	\$35.08
- New Acct set up fee	\$6.44	\$0.00	\$0.33	\$0.33	\$6.77
- Change in service	\$6.44	\$0.00	\$0.33	\$0.33	\$6.77
(name/address/service)					
CONTAINERS					
1 1/2 Yd Containers					
- Call In	\$34.25	\$0.27	\$1.46	\$1.73	\$35.98
- EOW	\$50.24	\$0.59	\$1.95	\$2.54	\$52.78
- 1XPW	\$100.58	\$1.18	\$3.90	\$5.08	\$105.66
- Additional day rate = # days x 1 x wk rate					

Waste Connections of Oregon, Inc.
dba The Dalles Disposal
Proposed City of The Dalles Rates
Effective January 1, 2022

SERVICE	CURRENT RATE	5.05%	5.05%	TOTAL INCREASE	NEW RATE
		TOTAL LF INCREASE	BUSINESS INCREASE		
2 Yd Containers					
- Call In	\$48.21	\$0.36	\$2.07	\$2.43	\$50.64
- EOW	\$67.20	\$0.79	\$2.61	\$3.40	\$70.60
- 1XPW	\$134.37	\$1.57	\$5.22	\$6.79	\$141.16
- Additional day rate = # days x 1 x wk rate					
3 Yd Containers					
- Call In	\$68.52	\$0.54	\$2.92	\$3.46	\$71.98
- EOW	\$100.51	\$1.18	\$3.90	\$5.08	\$105.59
- 1XPW	\$201.15	\$2.36	\$7.80	\$10.16	\$211.31
- Additional day rate = # days x 1 x wk rate					
SPECIAL CHARGES					
- Delivery	\$36.36	\$0.00	\$1.84	\$1.84	\$38.20
- Rent	\$35.46	\$0.00	\$1.79	\$1.79	\$37.25
- Rent-a-bin	\$79.79	\$0.00	\$4.03	\$4.03	\$83.82
- Loose yardage	\$31.61	\$0.33	\$1.26	\$1.59	\$33.20
Containers with difficult access (per cont chg)					
- Not on solid surface	\$8.90	\$0.00	\$0.45	\$0.45	\$9.35
- Stuck in the mud	\$8.90	\$0.00	\$0.45	\$0.45	\$9.35
- Lodged in loose gravel	\$8.90	\$0.00	\$0.45	\$0.45	\$9.35
- Overweight	\$8.90	\$0.00	\$0.45	\$0.45	\$9.35
- Excess distance	\$8.90	\$0.00	\$0.45	\$0.45	\$9.35
- Rolloff curb	\$8.90	\$0.00	\$0.45	\$0.45	\$9.35
COMPACTORS					
* 50,000 max gross weight					
- Per compacted yard	\$35.34	\$0.92	\$0.87	\$1.79	\$37.13
- over 2 tons for 10 yds					
- over 4 tons for 20 yds					
- over 6 tons for 30 yds					
- over 50,000 GW x Fee (*Per each 2,000 lb excess)	\$393.76	\$0.00	\$19.89	\$19.89	\$413.65

Waste Connections of Oregon, Inc.
dba The Dalles Disposal
Proposed City of The Dalles Rates
Effective January 1, 2022

SERVICE	CURRENT RATE	5.05%	5.05%	TOTAL INCREASE	NEW RATE
		TOTAL LF INCREASE	BUSINESS INCREASE		
DROP BOXES					
- 10 yd min fee empty	\$219.21	\$3.33	\$7.74	\$11.07	\$230.28
- 15 yd min fee empty	\$337.61	\$5.00	\$12.05	\$17.05	\$354.66
- 20 yd min fee empty	\$438.44	\$6.67	\$15.48	\$22.15	\$460.59
- 30 yd min fee empty	\$657.67	\$10.00	\$23.22	\$33.22	\$690.89
- 40 yd min fee empty	\$876.88	\$13.34	\$30.95	\$44.29	\$921.17
- Delivery	\$75.71	\$0.00	\$3.82	\$3.82	\$79.53
- Demurrage per day after 5 days	\$16.13	\$0.00	\$0.81	\$0.81	\$16.94
- LS ydg	\$21.92	\$0.33	\$0.77	\$1.10	\$23.02
- over 2 tons for 10 yds					
- over 4 tons for 20 yds					
- over 6 tons for 30 yds					
- Overweight charge	\$47.32	\$0.00	\$2.39	\$2.39	\$49.71
- over 50,000 GW x Fee (*Per each 2,000 lb excess)	\$393.76	\$0.00	\$19.89	\$19.89	\$413.65
TRANSFER STATION					
Household Garbage					
* 1 can or 1 bag	\$8.18	\$0.05	\$0.36	\$0.41	\$8.59
- Per Yard (After Minimum)	\$15.35	\$0.33	\$0.44	\$0.77	\$16.12
- MINIMUM CHARGE (3 Yards)	\$30.71	\$1.00	\$0.55	\$1.55	\$32.26
* Compacted garbage (3yd)	\$93.94	\$2.75	\$1.99	\$4.74	\$98.68
* TS Scale fee	\$11.57	\$0.00	\$0.58	\$0.58	\$12.15
Bulk Items:					
- Mattress/box springs					
- Recliners/large chairs					
- Couches/furn/tv's (minimum fee plus)	\$9.69	\$0.10	\$0.39	\$0.49	\$10.18
Appliances:					
- each	\$12.95	\$0.29	\$0.36	\$0.65	\$13.60
- Refrigerators	\$36.02	\$0.23	\$1.59	\$1.82	\$37.84
- Tires (each)	\$14.50	\$0.00	\$0.73	\$0.73	\$15.23
- Tires with rims to 16" (each)	\$29.00	\$0.00	\$1.46	\$1.46	\$30.46
Brush and Wood:					
(Must be clean/no garbage/ for recycling)					
- Per Yard (After Minimum)	\$7.57	\$0.18	\$0.21	\$0.39	\$7.96
- MINIMUM CHARGE (3 Yards)	\$22.71			\$1.17	\$23.88

Yardage calculation: multiply width x length x height divide by 27 = total yards



AGENDA STAFF REPORT

AGENDA LOCATION: Action Item #12B

MEETING DATE: December 13, 2021

TO: Honorable Mayor and City Council

FROM: Angie Wilson, Finance Director

ISSUE: Resolution No. 21-032 Authorizing Transfers of Budgeted Amounts Between the Categories of The General Fund of the City Of The Dalles Adopted Budget, Making Appropriations and Authorizing Expenditures for Fiscal Year Ending June 30, 2022

RELATED COUNCIL GOAL: Balanced Budget

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

Resolution No. 21-032 transfers \$32,177 from the Contingency line item of the General Fund to cover the following item:

On June 14, 2021 the City Manager recommended to add \$40,000 in the City Council budget for a feasibility study for the Underground Utility Project. Based on the scope of work, an additional \$32,177 is needed to complete the feasibility study.

Compensation will be on the basis of actual hours worked and shall not exceed \$72,177 without written authorization from NWCPUD.

BUDGET IMPLICATIONS: Resolution No. 21-032 transfers currently budgeted amounts, and does not have any impact on the total budget of the General Fund.

COUNCIL ALTERNATIVES:

1. Staff recommendation: ***Move to adopt Resolution No. 21-032 Authorizing Transfers of Budgeted Amounts between Categories of Various Funds of the City of The Dalles Budget, Making Appropriations and Authorizing Expenditures for Fiscal Year Ending June 30, 2022.***
2. Direct staff to make changes to the proposed resolutions and bring the resolutions back to a future Council meeting for consideration.
3. Decline to take action.



AGENDA STAFF REPORT

AGENDA LOCATION: Action Item #12C

MEETING DATE: December 13, 2021

TO: Honorable Mayor and City Council

FROM: Daniel Hunter, City Manager Pre Tem

ISSUE: City Evidence Officer

BACKGROUND: The City has one Evidence Officer who works in the Police Department. This position is designated as a Part-Time, less than 20 hours per week position. The current position was last updated in 2017. A position at less than 20 hours per week is not eligible for City benefits.

During the 2021 Regular Session of the State Legislature, Senate Bill 751 was passed and signed by the Governor. This bill requires the City Evidence Officer to provide to the defense all discoverable materials listed in ORS 135.805 “as soon as practicable.” Prior to this law, discoverable evidence was provided to the defense only on request by the District Attorney’s Office. Currently the City Evidence Officer receives these requests for 335 cases a year on average. On January 1, 2021 that average is expected to increase to 536 cases annual average. Due to this the City Evidence Officer’s time commitment to this process will increase correspondingly.

I have discussed this matter with the Police Chief and City Attorney. Beginning January 1, 2022 we will be required to comply with the new State law on the effective date. My recommendation is to increase this position to three-quarter time (30 hours a week).

The employee currently in the position of Evidence Officer is will to have her hours increased to meet the demand.

BUDGET IMPLICATIONS: The total increase in expenditures to the Police Department Budget will increase \$26,438 from January 1 to June 30 due to this proposed change. This increase includes pro-rated benefits. There are sufficient funds in the Police Department Personnel Services budget to cover this increase.

COUNCIL ALTERNATIVES:

1. **Staff recommendation:** *Move to Authorize the City Manager to increase the Evidence Officer position to three-quarter time.*
2. Direct the City Manager to further research options and bring the issue back to Council.
3. Decline



AGENDA STAFF REPORT

AGENDA LOCATION: Discussion Item #13A

MEETING DATE: December 13, 2021

TO: Honorable Mayor and City Council

FROM: Daniel Hunter, City Manager Pro Tem

ISSUE: Gitchell (aka Waldron Drug) Building

BACKGROUND: The Gitchell building has been a topic of discussion and action by previous City Councils. Since actions were taken by previous City Councils it is important for this Council to have the information before proceeding further. Depending on the Council's direction this issue can be brought back as an action item in the near future. Below is a brief history of staff and Council work on the Gitchell building.

9/15/15 Staff Waldron Drug Building Report

The report provides a structural evaluation, staff analysis and recommendations. The recommendations are:

1. Contract for demolition of the building (est. \$35,000)
2. Contract for structural stabilization (est. \$1,500,000)
3. Postpone further action and continue to monitor

7/28/17 RFP Gitchell Waldron Drug Building

RFP from parties interested in revitalizing and restoring the Waldron Building

10/10/17 AGENDA REQUEST FORM Gitchell Building RFP

Matthew Klebes proposing a meeting on 11/27 or 12/11 "Awarding of Gitchell Building Contract"

10/25/17 Gitchell Bldg Packet for Sep 18 CC Mtg.

Letter to Matthew Klebes from Eric Gleason (local resident and preservationist) submitting a proposal for the preservation and restoration of the Gitchell/Waldron building.

4/20/18 ARF Gitchell May 2018

Matthew Klebes proposing a meeting on 5/14 re Gitchell/Waldron Drug Building Contract No. 2018-006

7/16/18 ARF for Gitchell Waldron Drug Building Agreement

Matthew Klebes proposing a meeting on 9/24 re Gitchell/Waldron Drug Building Agreement

8/30/18 Relocate Waldron Drug Building The Dalles OR

Letter to Eric Gleason from Mark Hefty at Emmert International re building relocation services. Nearly \$800,000 to relocate.

9/18/18 UR Memo Waldron Drug Gitchell Bldg.

Matthew Klebes to Chair and Members of URAB outlining the RFP that was published 7/28/17 re restoring the Waldron/Gitchell building. One response was received, from Eric Gleason. At the 5/14/18 City Council meeting, staff was directed to draft an agreement to “Move the Waldron Brothers Drug Building to the south side of east first street. Stabilize, restore and re-use the building at the new location.”

Three locations were identified as potential relocation sites. (see photo below)

1) A parcel between the “Blue Building” and the Wing Hong Hai building, 2) The corner lot of Court and Washington St., across from the Baldwin Saloon, currently used as parking for the residents of the Commodore Hotel, and 3) The northwest corner of the City-owned public parking lot on 1st and Washington St.

*On March 6, 2018, Mr. Gleason submitted, “A Proposal for the Purchase and Redevelopment of a Portion of the Historic Granada Block”



9/24/18 ASR Gitchell Waldron Drug Bld.

To Mayor and City Council from Matthew Klebes - At the 5/14/18 City Council meeting, staff was directed to craft an agreement with Eric Gleason to move the building to the south side of east first street. Stabilize, restore and re-use the building at the new location. Staff also worked with several companies to research demolition options. Costs were estimated to be in the range of \$200k-\$400k for demolition with an additional \$4k-\$7k in

historical artifact preservation.

Matthew Klebes broke down the budget implications of both options and provided the Council with additional alternatives.

9/24/18 Council Meeting Minutes

It was moved by Brown and seconded by Elliott to terminate negotiations with Mr. Gleason, and direct staff to develop a Request for Proposals for demolition of the Gitchell Building. The motion carried, Long-Curtiss opposed

10/17/18 Gitchell Hazmat Survey

Request for Quotes re Hazardous materials survey for the Gitchell/Waldron Drug Building.

“This survey is to be used to identify any hazardous materials (i.e. asbestos, lead and universal wastes) that would be encountered with the demolition of the building”

10/25/18 Gitchell Waldron Drug Bldg Survey Proposal

Letter to Matthew Klebes from Lucas Thompson at PSI, Inc re Hazardous Materials/Asbestos/Lead survey proposal.

11/1/2018 Gitchell Hazmat Survey

Proposal-Price Quote for Hazardous materials survey for the Gitchell/Waldron Drug Building.

\$9,500 lump sum cost. From Maul Foster Alongi, Inc.

12/4/18 PSI-ENV-0581253 IH City of The Dalles Gitchell Waldron Bldg.

Final Hazardous Materials Survey from Intertek PSI, Inc.

12/21/18 RE Gitchell Bldg. The Dalles OR – Email

Mike Greenslade (EVP) at Bremik Construction to Matthew Klebes:

Hello Matthew, This is a short description of the work we performed on the Gitchell Building in The Dalles.

- 1) We removed the existing roof membrane and flashing. Installed new plywood sheathing, R19 thermal insulation and a new single ply roof membrane and flashings.
- 2) Removed and replaced the stone parapet and cap flashings.
- 3) Removed and replaced existing wood window plywood infills.
- 4) Installed a new intake louver, and a new mechanical system and control.

The work we performed on the building, and the products installed do not contain any asbestos. They're very likely is some asbestos material and lead in the existing building that was in place prior to our work and may remain in place today. If the city is going to demolish the building, I would recommend the city hire a hazard material consultant to preform testing of existing materials and provide a hazardous material report.

2/13/19 Gitchell Memo

Memo from Matthew Klebes to Julie Krueger – Staff completed gathering data re hazardous materials and historic mitigation. Staff is awaiting information from UPRR detailing what they may require during demolition that a contractor may need to know to accurately respond to the RFP. Once that information is received from UPRR, staff will

draft an RFP for review and publication.

Staff is still researching other options for the building other than demolition.

6/17/19 Gitchell Building Memo

Memo from Matthew Klebes to City Manager detailing work completed and intent to publish RFP for demolition.

??/??/19 RFP for Gitchell

Unknown date other than year – **Draft** RFP for demolition of the Gitchell/Waldron building

8/23/19 Waldron backers seek building, cash – news article

The Dalles Main Street Program wants the City to donate the Waldron/Gitchell building to “spare the 154-year old building from the wrecking ball”. The City had a work session to discuss the proposal on 8/26.

8/15/19 Email from Todd Carpenter re upcoming City Council Work Session

The Dalles Main Street Program voted on August 14, 2019, to take on and manage the Gitchell/Waldron building project with the Friends of the Waldron. With help from donations of “time, money and expertise” and an agreement with the City, Mr. Carpenter believes significant progress would be made by February 2020. See report provided by Mr. Carpenter

8/26/19 Minutes from City website re City Council Work Session on 8/26/19

The Council told them (The Dalles Main Street – Todd Carpenter) to come back in 6 months with a plan, costs and a timeline.

2/8/21 City Council Meeting Minutes

Mr. Runyon asked for clarification on Short Term Goal #1 on the Historic Landmarks Annual Report:

- Encourage preservation and re-use of the Waldron-Gitchell Building

Senior Planer Hert said the intent of Historic Landmarks was to preserve the building and that having it on their list helped with future grant applications

11/23/2021 City Liability and Risk

In 2015 I provided the City Manager (Young) with a risk analysis based on the evaluation provided by FFA Architecture. My recommendation at the time, which stands today is to prohibit City employees from entering the building. This is due to multiple hazards present in the building and the structure.

Staff consulted with the City Attorney to determine the legal implications associated with (1) the City’s continued ownership of the building and (2) the City allowing access to the building if the City transferred ownership. The City Attorney found the liabilities associated with the City’s continued ownership are considerable—its problematic structural integrity coupled with significant environmental issues render the building inoperable and unsafe for occupancy. As it stands, the building poses a danger to public

health and safety and exists as both a legal and financial liability. The City's best interests would typically best be served in such circumstances by transferring ownership; however, in this case, transferring ownership is impractical due to the landlocked location of the building—accessing the building is impossible without the City granting the new owner a permanent access easement cutting through Lewis & Clark Festival Park or the City's water facility. The City's granting of any such easement is a further liability and the City Attorney expressly advises against creating additional City exposure. In any case, transferring ownership would not address the building's structural and environmental concerns. Since transferring ownership is not practically feasible without further liabilities, the City Attorney advises the building's demolition would likely be the most appropriate disposition here. On this, the City Attorney and I fully agree.

SUMMARY

The City of The Dalles began working with Eric Gleason in 2017 to negotiate an agreement for the preservation and restoration of the Gitchell/Waldron building. After progress stalled with Mr. Gleason, the City Council terminated those negotiations and decided to proceed with demolition. (In 2019 Matthew Klebes sent a Draft RFP for demolition to the City Manager for review)

During a City Council Work Session on August 26th, 2019, Todd Carpenter provided the City Council with a “preservation and usage proposal” and presented his case for restoring the Gitchell building with the help of The Dalles Main Street Program and Friends of the Waldron Building, along with an agreement from the City. After discussion, the Council gave Mr. Carpenter 6 months to fully develop options and come back with a plan, costs and a timeline. It has been over 2 years since the City Council has been updated on this project, but it remains a top priority for the Historic Landmarks Commission as noted in their 2021 Commission Goals that were presented to the City Council on February 8, 2021, in its Annual Report.

This discussion item was requested so Council could review and discuss the matter and provide staff with some direction.