

AGENDA**REGULAR CITY COUNCIL MEETING****JANUARY 9, 2023****5:30 p.m.****CITY HALL COUNCIL CHAMBER****313 COURT STREET****And****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. OATH OF OFFICE
5. APPROVAL OF AGENDA
6. PRESENTATIONS/PROCLAMATIONS
 - A. Fiscal Year 2021-22 City Audit Presentation – TKW, LLP
 - B. SafeSpace Children’s Advocacy Center – Beatriz Lynch
7. AUDIENCE PARTICIPATION

During this portion of the meeting, anyone may speak on any subject which does not later appear on the agenda. Up to five minutes per person will be allowed. Citizens are encouraged to ask questions with the understanding that the City can either answer the question tonight or refer that question to the appropriate staff member who will get back to you within a reasonable amount of time. 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.

8. CITY MANAGER REPORT
9. CITY COUNCIL REPORTS

CITY OF THE DALLES**"By working together, we will provide services that enhance the vitality of The Dalles."**

10. CONSENT AGENDA

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

- A. Approval of the December 12, 2022 Regular City Council Meeting Minutes
- B. Resolution No. 23-001 Assessing the Real Property Located at 1724 East 17th for the Costs of Nuisance Abatement

11. CONTRACT REVIEW BOARD ACTIONS

- A. Award Contract No. 2022-007 Dog River Fish Screening and Passage Improvements Construction

12. ACTION ITEMS

- A. Authorization to Provide Sanitary Sewer Services to Property Outside the City Limits

13. EXECUTIVE SESSION

In accordance with ORS 192.660(2)(f) to consider information or records that are exempt from disclosure by law, including written advice from your attorney; **and** ORS 192.660 (2)(d) to conduct deliberations with persons designated to carry on labor negotiations.

- A. Recess Open Session
- B. Reconvene Open Session
- C. Decision, if any

14. ADJOURNMENT

This meeting conducted VIA Zoom

Prepared by/
Izetta Grossman, CMC
City Clerk

CITY OF THE DALLES

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



AGENDA STAFF REPORT

AGENDA LOCATION: Item #10 A-B

MEETING DATE: January 9, 2023

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 December 12, 2022 Regular City Council meeting minutes.

BUDGET IMPLICATIONS: None.

SYNOPSIS: The minutes of the December 12, 2022 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 December 12, 2022 Regular City Council meeting minutes.

- B. **ITEM:** Resolution No. 23-001 Assessing the Real Property Located at 1724 East 17th for the Costs of Nuisance Abatement

BUDGET IMPLICATIONS: Reimbursement of the abatement charges.

SYNOPSIS: The property was posted, abated and certified letter sent requesting payment as per City Code. There has been no reply from the owner of the property. The next step is Council adoption of the Resolution No. 23-001.

RECOMMENDATION: That City Council Adopt Resolution No. 23-001 Assessing the Real Property Located at 1724 East 17th for the Costs of Nuisance Abatement.

MINUTES

CITY COUNCIL MEETING
COUNCIL CHAMBER, CITY HALL
DECEMBER 12, 2022
5:30 p.m.

VIA ZOOM/ IN PERSON

PRESIDING: Mayor Richard Mays

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

COUNCIL ABSENT: None

STAFF PRESENT: City Manager Matthew Klebes, City Attorney Jonathan Kara, City Clerk Izetta Grossman, Executive Assistant Nubia Sanchez, Finance Director Angie Wilson, Community Development Director Joshua Chandler, Public Works Director Dave Anderson, Police Chief Tom Worthy, Human Resources Director Daniel Hunter, Airport Manager Jeff Renard

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 Executive Assistant Nubia Sanchez. Councilors Long, McGlothlin, Runyon, Richardson, Randall present; none absent.

PLEDGE OF ALLEGIANCE

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

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

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APPROVAL OF AGENDA

Mayor Mays noted two items were added to the agenda; 9C Resolution concurring with Mayor's Appointments and 10F Wage Table Amendment.

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

PRESENTATIONS PROCLAMATIONS

Proclamation Canvas the Vote

Mayor Mays read the certified election results.

The Dalles Purple Heart City

Mayor Mays read the Proclamation from May 2022.

Patrick Wilburn, Nation Service Director Order of Purple Heart City, Larry Rupp, Region 3 Commander and Keith Wittnebel, Commander Department of Oregon presented the Mayor with a plaque for the City recognizing the City of The Dalles as a Purple Heart City.

The Dalles High School Cross Country Team Recognition

Mayor Mays congratulated the Cross Country Team for becoming the 4A State Champions. Head Coach Jill Pearson assisted the Mayor in presentation of certificates and medallions to each team member and coach.

AUDIENCE PARTICIPATION

Bob McFadden, Sister City Representative reported on a personal trip he took to Miyoshi City in November. He said he took a letter and gifts from the City to counterparts in Miyoshi City.

Mr. McFadden presented the City with letters and gifts from Miyoshi City.

He said there were kids who came to The Dalles in 1990 who now have children that will be visiting The Dalles.

He said the trips were important for many reasons and noted that one student came to The Dalles wanting to be a pediatrician. He said that after the visit and all he learned here, the student changed his focus to cardiology and now has his own hospitals.

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McFadden noted that the Sister City would be starting up again soon. He said Amber Tilton was the president.

CITY MANAGER REPORT

City Manager Matthew Klebes reported:

- Repayment waiver for grant funds already spent on the 1st Street project
- Reminder Council please return survey forms for the Goal Setting session
- Attended Police Academy graduation ceremony for Officers Reams and Caminiti
- Klickitat County and City working on increasing EDA Grant award, due to increased costs
- Downtown Lights – working with Main Street on agreement to place, maintain lights on the period light posts downtown
- QLife working on remedies to the difficulties with downtown Wi Fi functionality

CITY COUNCIL REPORTS

Councilor McGlothlin reported:

- 1300 students eye screen tests done in conjunction with Oregon Lions Foundation
- Goal Setting – well organized and executed
- St. Vincent de Paul – cleaning up Pentland Street
- Starlight Parade
- Lions Club Christmas Tree Pick up

Councilor Long reported:

- Meeting with City Manager
- Goal Setting

Councilor Randall reported:

- Meeting with City Manager
- Goal Setting
- Historic Landmarks meeting canceled
- QLife meeting

Councilor Richardson reported:

- Goal Setting
- Climate Resiliency Taskforce making progress
- Note of gratitude – confidence in great staff
- Conversations with Finance, Police and citizens

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Councilor Runyon reported:

- Goal Setting well done
- Meeting with Mayor and City Manager
- Good things happening at NorCor
- QLife meeting

CONSENT AGENDA

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

Items approved on the consent agenda were: 1) The minutes of the November 14, 2022 Regular City Council Meeting. 2) The minutes of the November 29, 2022 Council Goal Setting meeting. 3) Resolution No. 22-041 Concurring reappointments to the Ft. Dalles Museum Commission.

ACTION ITEMS

Resolution No. 22-039 Approving a 7.37% Rate Increase for The Dalles Disposal

City Manager Matthew Klebes reviewed the staff report.

Jim Winterbottom, Manager The Dalles Disposal identified some of the organizations The Dalles Disposal donates services to:

- Kiwanis Steak Feed
- Lions Club Tree Pick up
- The Dalles Area Chamber of Commerce
- Monthly Saturday Clean up
- Seasonal City Clean up
- Civic Auditorium
- Salvation Army
- Community Meals
- Pallet Shelter
- Downtown and Dock trash cans

City Manager Klebes said the franchise agreement with The Dalles Disposal was up for renewal in 2023 and would come before the Council.

It was moved by Runyon and seconded by McGlothlin to adopt Resolution No. 22-039 Approving a Rate Increase Averaging Approximately 7.37% Resulting From Increased Operational and Disposal Fee costs Incurred by The Dalles Disposal Service, Effective January 1,

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2023. The motion carried 5 to 0; Runyon, McGlothlin, Long, Randall, Richardson voting in favor; none opposed.

Resolution No. 22-040 Authorizing Transfers of Budgeted Amounts in the IT Department of The General Fund of the City Of The Dalles Adopted Budget, Making Appropriations and Authorizing Expenditures for Fiscal Year Ending June 30, 2023

Finance Director Angie Wilson reviewed the staff report.

It was moved by McGlothlin and seconded by Richardson to adopt Resolution No. 22-040 Authorizing Transfers of Budgeted Amounts in the IT Department of The General Fund of the City of The Dalles Budget, Making Appropriations and Authorizing Expenditures for Fiscal Year Ending June 30, 2023. The motion carried 5 to 0; McGlothlin, Richardson, Long, Runyon, Randall voting in favor; none opposed.

Resolution No. 22-037 Assessing the Real Properties Located at 475 Knoll Drive; 1612 East 13th Place; 750 Hostetler Street for the Costs of Abatement of Junk, Noxious Vegetation and Garbage

City Attorney Jonathan Kara reviewed the staff report.

Kara said Steven Fu objected to the assessment. He said while Mr. Fu had missed the deadline, he suggested Council hear from Mr. Fu.

Mr. Fu testified the letters went to his Lake Oswego home, where he is only there on weekends when the Post Office is closed, so he was unable to pick up the certified letters.

He felt he did the majority of the work. He said he talked to the contractor Codes Enforcement suggested. Mr. Fu said it was the process that was frustrating.

Codes Enforcement Officer Nikki Lesich provided Council with a timeline of the abatements. See attached.

It was moved by Randall and seconded by Long to adopt Resolution No. 22-037 Assessing the Real Properties Located at 475 Knoll Drive, 1612 East 13th Place, and 750 Hostetler Street for the costs of Nuisance Abatement, as presented. The motion carried 5 to 0; Randall, Long, Runyon, Richardson, McGlothlin voting in favor; none opposed.

Approval of the Lease Rates at Columbia Gorge Regional Airport

Airport Manager Jeff Renard reviewed the staff report.

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Councilor Long thanked Renard for bringing back the clarification on the rate increase.

It was moved by Richardson and seconded by McGlothlin to Authorize Staff to adjust the Land Lease Rates at the Columbia Gorge Regional Airport to \$0.20/sf per year for airside properties and \$0.30/sf year for business park properties, and to commence a 2.6% annual rate increase for all applicable leases. The motion carried 5 to 0; Richardson, voting in favor; none opposed.

General Ordinance No. 22-1394 An Ordinance Amending The Dalles Municipal Code Chapter 1.04 (Elections Code) for Legal Sufficiency

City Attorney Jonathan Kara reviewed the staff report.

Councilor Long said the first Whereas, was confusing. It was decided to remove the first whereas.

It was moved by Long and seconded by Richardson to adopt General Ordinance No. 22-1394, an ordinance amending The Dalles Municipal Code Chapter 1.04 (Elections Code) for legal sufficiency, as amended by title only. The motion carried 5 to 0; voting in favor; none opposed.

Exempt Pay Table Amendment

City Manager Matthew Klebes reviewed the staff report.

He said a full review of the wage table would be done in the coming year.

It was moved by Randall and seconded by McGlothlin to approve the amended Exempt Pay Table included as Attachment A as well as authorization to provide incentives for exempt staff working to fulfill ongoing contracts with local agencies effective immediately. The motion carried 5 to 0; Randall, McGlothlin, Long, Richardson, Runyon voting in favor; none opposed.

DISCUSSION ITEMS

Renewal Options for Operations Management International (OMI) Contract to operate the City's Wastewater Treatment Plant

Public Works Director Dave Anderson reviewed the staff report.

Anderson said there was a correction to the staff report, the incentive was offered for the cost plus option.

It was the consensus of Council to authorize staff to negotiate a new 15-year agreement with

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OMI for operation of the City’s wastewater treatment plant which will include a Management Fee which is to be calculated independent of its Direct Costs.

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.

Mayor Mays recessed Open Session at 7:32 p.m.

Mayor Mays reconvene Open Session at 7:49 p.m.

Decision

It was moved by Richardson and seconded by Randall to authorize the City Manager to sign the settlement agreement with Douglas Powell. The motion carried 5 to 0; Richardson, Randall, Runyon, McGlothlin, Long voting in favor; none opposed.

ADJOURNMENT

Being no further business, the meeting adjourned at 7:51 p.m.

Submitted by/
Izetta Grossman, CMC
City Clerk

SIGNED: _____
Richard A. Mays, Mayor

ATTEST: _____
Izetta Grossman, CMC City Clerk

12/12/2022 FU case note timelines **NOTE: Property is not occupied**

*Letters Sent Certified
And regular mail*

***2021**

06/01/2021 RP reported concern of overgrown vegetation and PV

06/02/2022 letter sent

06/14/2021 inspection FAILED

06/18/2021 Fu called to ask for extension to 06/23/2021

07/09/2021 inspection FAILED Property posted

07/23/2021 volunteer abatement deadline 08/03/2021 Fu called to set up time to have CE meet with his contact on property and review; person to call CE. CE called when no contact week of 08/15/2022

Person named, Dig, called to set up appointment for 08/18/2022

08/18/2021 Dig called and stated had C-19 and need to reschedule to 08/24/2021

08/24/2021 CE met with Dig on property w/ 09/09/2021 inspection

09/09/2021 Inspection status: INCOMPLETE Vegetation down, but not removed; PV not all removed

*weather change made property not a fire hazard case closed w/notation of minimal effort
INCOMPLETE

***2022**

07/10/2022 RP concerned with massive PV throughout property as well as tall, dry vegetation concern for fire hazard

07/11/2022 CE sent letter

07/22/2022 inspection FAILED

CE contacted FU and gave a referral to a local contractor

08/04/2022 CE received a concern/complaint that Fu property extremely dry and concerned about fire

08/04/2022 CE met with RP at property to review concerns

08/04/2022 CE contacted referred contractor to see if date set for volunteer abatement; contractor stated that he gave Fu a bid and Fu declined to use him

08/05/2022 grass fire close to the neighborhood had neighborhood on alert for evacuation

08/05/2022 property posted for abatement; certified letter sent

08/06/2022 CE sent Fu additional letter with fire hazard concerns with recent fire and need for immediate attention with removal of vegetation and fire line around property letter sent certified; both certified letters returned as "unclaimed" from post office

09/19/2022 property abated



CITY of THE DALLES

401 COURT STREET
THE DALLES, OREGON 97058

Nikki Lesich, CEP
Codes Enforcement Officer
Police Department
nlesich@ci.the-dalles.or.us
(541) 296-2613

August 6, 2022

CODES ENFORCEMENT

Angie & Steve Fu
5 Juarez Street
Lake Oswego, OR 97035

CASE #02592

RE: Property inspection status – FIRE HAZARD

Dr. and Mrs. Fu:

A recent inspection of your property located at 475 East Knoll Drive shows that the property is not in full compliance. Extremely tall and dry vegetation remains throughout the property; including multiple dead/dying trees in need of removal and puncture vine in need of removal and control.

As you may know, a recent grass fire near this property caused an alert for possible eviction of residents while firefighters worked on containing the fire. Your property has extreme dry vegetation throughout your property lot; including, multiple dead trees in need of removal. This is all fuel for fire and puts your property and neighboring properties at risk by creating this fire hazard.

Your property was posted for abatement on Friday, August 5, 2022 and a certified letter has been sent to you instructing you what is necessary to avoid abatement by the City for full compliance in regards to **The Dalles Municipal Code violation Title 5 OFFENSES; Chapter 5.24 Noxious Vegetation; 5.24.010 (1,2); 6(B); weeds and vegetation over 12 inches in height and considered a fire hazard and puncture vine in need of removal.**

I have included pictures of the fire hazard concerns that need to be addressed immediately.

Contact my office by Monday, August 15, 2022 to discuss the need for removal of the dead/dying trees and/or a need for an arborist report as well as the plan for vegetation control through your **entire** property lot. If you have any questions and/or need a local contact referral to assist, please contact my office.

Regards,

Nikki Lesich, CEP
Codes Enforcement Officer
Police Department

cc: Community Development Department

RESOLUTION NO. 23-001

**A RESOLUTION ASSESSING THE REAL PROPERTY LOCATED AT
1724 EAST 17th STREET FOR THE COSTS OF NUISANCE ABATEMENT**

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

| <u>Property</u> | <u>Assessor's Map No.</u> | <u>Date of Posting</u> |
|-----------------------------------|---------------------------|------------------------|
| 1724 East 17 th Street | 1N 13E 10 AB 7900 | October 27, 2022 |

WHEREAS, according to Wasco County real property records, the following persons are the owners of record for tax purposes of the following listed property:

| <u>Property</u> | <u>Owner</u> |
|-----------------------------------|--------------|
| 1724 East 17 th Street | Ryan Walker |

WHEREAS, the Notice to Abate Nuisance required the removal of noxious vegetation and/or junk from the listed property pursuant to the provisions of Section 5.24.040 of The Dalles Municipal Code;

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

WHEREAS, as a result of the owners' failure to abate the nuisance conditions on the property, the City hired the following listed contractor, who abated the nuisance conditions on the dates listed below, for the costs listed below:

| <u>Property</u> | <u>Contractor</u> | <u>Date of Abatement</u> | <u>Cost</u> |
|-----------------------------------|-------------------|--------------------------|-------------|
| 1724 East 17 th Street | GVV Lawn Care | November 22, 2022 | \$1,700.00 |

WHEREAS, pursuant to Section 5.24.070 of The Dalles Municipal Code, on December 2, 2022, the City Clerk sent a Notice of Assessment by certified mail to Ryan Walker advising them the total cost of the assessment for the property was \$1,700.00, and the listed sum would become a lien upon the property if the amount was not paid by December 19, 2022, or the assessment was not protested by December 7, 2022, by Ryan Walker;

WHEREAS, Ryan Walker failed to file any objection by the stated deadline and failed to pay the balance of the assessment by the deadline listed in the Notices of Assessment, and the City Council finds the statement of the amount of the proposed assessments is correct and no reason exists to justify any delay in proceeding with the imposition of a lien upon the properties for the cost of the assessments.

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

Section 1. Assessment. The cost of the abatements of the nuisance conditions comprising noxious vegetation removal (puncture vine and spray, tree trimming in public right of way) and/or garbage and junk for the following property:

| <u>Name/Address</u> | <u>Description</u> | <u>Final Assessment</u> |
|---------------------|--------------------|-------------------------|
| Ryan Walker | 1N 13E 10 AB 7900 | \$1,700.00 |

The legal description for the properties is shown in the list of descriptions attached to and made part of this Resolution as Exhibit "A".

Section 2. Docket Entry. Upon passage of this Resolution and its approval by the Mayor, the following information shall be entered into the City Electronic Lien Docket:

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

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

Section 4. Effective Date. This Resolution shall be effective upon adoption.

PASSED AND ADOPTED THIS 9th DAY OF JANUARY, 2023,

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

AND APPROVED BY THE MAYOR THIS 9th DAY OF JANUARY, 2023.

Richard A. Mays, Mayor

Attest:

Izetta Grossman, CMC, City Clerk

EXHIBIT "A"
Resolution No. 23-001
Legal Description

That portion of lot F, MARQUETTE SECOND ADDITION to Dalles City, which lies Easterly of the Southerly extension of the Easterly line of Lot C, MARQUETTE SECOND ADDITION, in City of The Dalles, in the County of Wasco, and State of Oregon.



AGENDA STAFF REPORT

AGENDA LOCATION: Contract Review Board Item #11A

MEETING DATE: January 9, 2023

TO: Honorable Mayor and City Council

FROM: Dave Anderson, Public Works Director

ISSUE: Award of Dog River Fish Screening and Passage Improvements
Construction contract – Contract No. 2022-007

BACKGROUND: The Dog River Pipeline Replacement project is underway with the first season of pipeline construction having just been completed; approximately 6,000 feet of new pipe was installed and is in service. Work on the pipeline construction will resume as soon as the area is clear enough of snow in Spring 2023 to access the construction site.

The final contract to be issued for the project is for the construction of fish screening and passage systems at the pipeline intake on Dog River. Dog River is home to Coastal Resident Cutthroat Trout which are designated as a Sensitive species in Oregon. Historically, these fish could be drawn into the pipeline and transported to South Fork Mill Creek, potentially being harmed in the process. The pipeline intake dam and spillway were also an impediment to the safe passage of fish past the intake. Construction of these improvements will prevent fish in Dog River from being drawn into the pipeline, and will provide a safe way for them to move past the intake unharmed. The City had offered to voluntarily construct these systems to benefit native fish in its initial discussions with Oregon Department of Fish and Wildlife (ODFW) and US Forest Service staff in about 2010. As such, their construction is a requirement of permits issued by the Forest Service and some of the City's funding for the project.

The design for these systems has now been completed by Jacobs and approved by ODFW and the US Forest Service. A contract for construction was widely advertised which required prequalification for bidders. A mandatory pre-bid site visit and a separate pre-bid virtual meeting were held for all interested bidders. Ultimately, five bids were received for the contract as follows:

| | |
|-----------------|-------------|
| Tapani Inc. | \$2,464,430 |
| Cascade Group | \$3,098,045 |
| Syblon and Reid | \$3,098,200 |

| | |
|------------------------|-------------|
| Crestline Construction | \$3,198,960 |
| Strider Construction | \$4,399,500 |

The low bid was received from Tapani Inc and has been determined to be a responsible bid. Staff is recommending award of Contract No. 2022-007 to Tapani Inc.

BUDGET ALLOCATION: Fund 53, the Water Reserve Fund, allocates \$12,395,668 for the Dog River Pipeline Replacement Project in FY 2022-23. Currently, \$4,477,556 of this budgeted amount is uncommitted. The amount of this proposed contract would be \$2,464,430. There are adequate funds available for this contract.

ALTERNATIVES:

1. **Staff Recommendation:** *Move to authorize the City Manager to enter into contract with Tapani Inc. in an amount not to exceed \$2,464,430 for Contract No. 2022-007, the Dog River Fish Screening and Passage Improvements contract.*
2. Deny authorization to award contract No. 2022-007 to Tapani Inc. and provide additional direction to staff.



AGENDA STAFF REPORT

AGENDA LOCATION: Action Item #12A

MEETING DATE: January 9, 2023

TO: Honorable Mayor and City Council

FROM: Dave Anderson, Public Works Director

ISSUE: Authorization to provide sanitary sewer service outside the City limits

BACKGROUND: The City has received a request from the owners of property located at 1420 West 13th Street (Tax Lot 1N 13E 5 AA 2000) to connect to the City sanitary sewer system. The request is being made to serve an existing residence after the complete failure of the old private septic system. This property is located outside the City limits and mostly outside the Urban Growth Area with the entirety of the parcel being within the Columbia Gorge National Scenic Area (CGNSA). Current maps indicate that a portion of the property, and possibly some of the existing home, are located inside the Urban Growth Area where urban services are planned to be provided over time.

A City-owned sanitary sewer main exists in West 13th Street that can serve this residence. The North Central Public Health District has indicated that it would not permit the installation of a new septic system to replace the failed one due to the property's close proximity to the City sanitary sewer system. If approved, the property owner will need to construct a private sewer service line from the existing house to the sewer main in West 13th Street. The service line will generally follow the alignment of the existing driveway which crosses two other private properties from West 13th Street to the house.

This request is unusual in that it involves a property and a residence that are located partially outside the Urban Growth Area and inside the CGNSA. As such, the provision of City sanitary sewer service to the property requires approvals from Wasco County Planning and the CGNSA in addition to The Dalles City Council. Since the house currently has no functioning sewer system, the owner has applied for expedited review of its applications to those entities. This request is being presented to the City Council in

advance of those other approvals to avoid further delays if and when those approvals are obtained.

As mentioned, the new service line will need to cross two other private properties to reach West 13th Street. The property owner will need to obtain easements from the adjacent property owners for construction, operation and maintenance of the new service line across their properties before connecting to the City system.

The property owner was initially unaware of the required permitting and authorizations, and began work to install the new service line without obtaining any of them. Work on the service line has been suspended pending the needed approvals and the house remains without a functioning sewer system. It is staff's understanding that Wasco County Planning and CGNSA are utilizing expedited processes to permit the requested sewer service line. The property owner is to provide proof of easements from the neighboring private property owners for the new service line.

The provision of water or sanitary sewer services outside the City Limits requires authorization from the City Council. The practice has been to require consents to annex as a condition of providing water and/or sanitary sewer services to properties located outside the City limits, thereby allowing for the option of annexation in the future if desired. If the sewer service is approved, a consent to annex will be obtained from the property owner making this request.

BUDGET IMPLICATIONS: There will be no cost to the City with this request. If approved, the property owner making the request will pay a \$1789 Sewer SDC and a \$1903 connection fee. Once they are receiving service, they will then pay Outside-City monthly sewer rates which are currently 1.7 times In-City rates.

COUNCIL ALTERNATIVES:

1. **Staff recommendation:** *Move to authorize the provision of City sanitary sewer service to the property at 1420 West 13th Street contingent upon approvals from Wasco County Planning and the Columbia Gorge National Scenic Area as applicable, and the acquisition and recording of related easements by the owner of real property located at 1420 West 13th Street.*
2. Move to deny the provision of City sanitary sewer service outside the City limits to 1420 West 13th Street.
3. Provide additional direction to staff.