

**AGENDA****REGULAR CITY COUNCIL MEETING****OCTOBER 28, 2024****5:30 p.m.****CITY HALL COUNCIL CHAMBER****313 COURT STREET****&****LIVE STREAMED****[https://www.thedalles.org/Live\\_Streaming](https://www.thedalles.org/Live_Streaming)**

To speak online, register with the City Clerk no later than noon the day of the council meeting. When registering include: your full name, city of residence, and the topic you will address.

Upon request, the City will make a good faith effort to provide an interpreter for the deaf or hard of hearing at regular meetings if given 48 hours' notice. To make a request, please contact the City Clerk and provide your full name, sign language preference, and any other relevant information.

Contact the City Clerk at (541) 296-5481 ext. 1119 or [amell@ci.the-dalles.or.us](mailto:amell@ci.the-dalles.or.us).

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

A. Recognition – Chelsea Perritt

6. AUDIENCE PARTICIPATION

During this portion of the meeting, anyone may speak on any subject which does not later appear on the agenda. Up to three 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.

7. CITY MANAGER REPORT
8. CITY COUNCIL REPORTS

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**CITY OF THE DALLES**

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

**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 October 14, 2024 Regular City Council Meeting Minutes
- B. Resolution No. 24-026 A Resolution Assessing the Real Properties Located at 310 & 314 East 13th Place; 1414 East 13th Place; and 1290 West 8th Street the Costs of Nuisance Abatements.

**10. CONTRACT REVIEW BOARD ACTIONS**

- A. Authorization for Amendment to Contract Issued for Emergency Repairs to Digester 1 Cover

**11. ACTION ITEMS**

- A. Resolution No. 24-025 Assessing the City’s Abatement of Real Property Located at 3221 West 10th Street
- B. Resolution No 24-027 Approving a Rate Increase Resulting from Increased Operational and Disposal Fee Costs Incurred by Waste Connections of Oregon, Inc. (Dba The Dalles Disposal)
- C. Proposed IT Network Position
- D. Resolution No. 24-024 Authorizing Transfers of Budgeted Amounts Between Various Departments of The General Fund of the City Of The Dalles Adopted Budget, Making Appropriations and Authorizing Expenditures for Fiscal Year Ending June 30, 2025

**12. DISCUSSION ITEMS**

- A. The Dalles Downtown Parking Assessment

**13. ADJOURNMENT**

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This meeting conducted VIA Zoom

Prepared by/  
Amie Ell, City Clerk

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**CITY OF THE DALLES**

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



## AGENDA STAFF REPORT

### AGENDA LOCATION: Items #9 A - B

**MEETING DATE:** October 28, 2024

**TO:** Honorable Mayor and City Council

**FROM:** Amie Ell, City Clerk

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

- A. **ITEM:** Approval of the October 14, 2024 Regular City Council meeting minutes.

**BUDGET IMPLICATIONS:** None.

**SYNOPSIS:** The minutes of the October 14, 2024 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 October 14, 2024 Regular City Council meeting minutes.

- B. **ITEM:** Resolution No. 24-026 A Resolution Assessing the Real Properties Located at 310 & 314 East 13th Place; 1414 East 13th Place; and 1290 West 8th Street the Costs of Nuisance Abatements

**BUDGET IMPLICATIONS:** None. Any funds received reimburse the City for the cost of abatements.

**SYNOPSIS:** The Codes Enforcement Officer properly noticed the abatements. The City Clerk sent the cost of abatement notice. None of the property owners paid the assessment within the required time limit.

**RECOMMENDATION:** Approve Resolution No. 24-026 A Resolution Assessing the Real Properties Located at 310 & 314 East 13th Place; 1414 East 13th Place; and 1290 West 8th Street the Costs of Nuisance Abatements.

MINUTES

CITY COUNCIL MEETING  
COUNCIL CHAMBER, CITY HALL  
OCTOBER 14, 2024  
5:30 p.m.

VIA ZOOM/ IN PERSON

**PRESIDING:** Mayor Richard Mays

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

**STAFF PRESENT:** City Manager Matthew Klebes, City Attorney Jonathan Kara, City Clerk Amie Ell, Police Chief Tom Worthy, Finance Director Angie Wilson, Community Development Director Joshua Chandler

**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 Ell. Long, McGlothlin, Runyon, Randall, Richardson, Mays present

**PLEDGE OF ALLEGIANCE**

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

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

**APPROVAL OF AGENDA**

Mayor Mays noted item 10A would be moved to be Action Item # 11A.

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

## **PRESENTATIONS PROCLAMATIONS**

### **The Dalles Main Street, Cynthia Kortge**

Cynthia Kortge and Kristen Talamantez presented updates for The Dalles Main Street.

Councilor Long asked how many board members they had and if this was prescribed by the national program.

Talamantez said they could have between 9 and 13 board members, with some leaving and more joining they currently had 11 members. This was a requirement for the national program.

Long asked what the 'Capital Campaign' was for.

Talamantez said it was a donor event to pay for operations.

Mayor Mays asked for a list of the new board members.

Talamantez said the current board included; Kristin Talamantez-President, Chris Zukin- Vice President (stepping out), Mary Stocks- Secretary (stepping out), Anthony Perira (stepping out), Lindsey Giamei (stepping out), Hannah Mapes, Jon Chavers, Jared Sawyer, and David Benko. New members included: Allison Turner, Julie Wadsworth, Natasha Skov, Jason Miller, and Caryl Brown.

Mayor Mays asked for clarification of the First Friday event saying he thought it was organized by a different organization.

Kortge said Downtown The Dalles had organized in the past and were deciding if they wanted to continue and discussing changes that might be made.

## **AUDIENCE PARTICIPATION**

Lisa Farquharson, CEO of The Dalles Chamber of Commerce, addressed the Mayor, City Council, and staff with two updates. She first reminded everyone about the Wasco County Candidates Forum scheduled for the following evening, with doors set to open at 5:30 p.m. and the forum to begin at 6 p.m. The forum featured candidates for City, County, and State House and Senate positions, as well as discussions on several measures. The questions for candidates had been pre-established, not taken from the floor, and she encouraged attendees to take the opportunity to stay informed ahead of voting. This would take place at the Columbia senior Center.

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Farquharson shared a statement from The Dalles Chamber and its Board of Directors, urging a "No" vote on Measure 118. She explained that this measure would tax gross sales rather than profits, impacting various sectors in the community, including manufacturing, agriculture, and small businesses. According to the Chamber, the measure would have raised costs on essentials like food, housing, and utilities, adding strain to an already tight economy.

Dave Meyer, a small cherry grower in The Dalles, addressed the council on behalf of the Columbia Gorge Fruit Growers, an association representing apple, pear, cherry, and grape growers in Hood River and Wasco Counties. He requested the City's support in opposing a proposed rule change by Oregon OSHA regarding agricultural labor housing. Meyer referenced a letter template prepared by the association's board chair, Leslie, which outlined their position on OSHA's Section 16L rule change, increasing the space requirement from 40 to 50 square feet per person in ag labor housing. Oregon OSHA began revising ag labor housing rules in 2018 and completed the process recently, with a public comment period open until November 3. Meyer expressed concern about the economic and social impacts for local growers and the broader community, as the rule change could displace workers making a seasonal journey from California to The Dalles to pick cherries. He explained workers were drawn by the economic opportunity, cooler climate, and quality of free agricultural labor housing, which growers maintained under state licensing and routine inspections. He noted the new rule could reduce bed capacity by 20 to 50%, forcing workers into alternative housing like vehicles, motels, or campsites, potentially straining local services such as police, medical, and sanitation. Meyer requested the City's support in advocating for a "grandfather" clause to exempt current, compliant housing from the new space requirements, applying changes only to future construction. He extended an invitation to councilors to tour the labor housing facilities, stating growers in the area were proud of their accommodations and management practices.

Runyon stated that over the years, he had toured many local orchards and noted that a significant percentage of agricultural labor housing was located in the area. He mentioned that approximately 45 to 47 percent of all such housing in the state existed here.

Meyer confirmed that the Mid-Columbia region housed the majority of agricultural labor housing in Oregon. He highlighted the issue of regulatory agencies often implementing broad rules that could adversely affect all growers based on observations in other areas, such as Southern Oregon or regions across the Cascades. He asserted that Oregon OSHA possessed the necessary rules and laws to address bad practices among a few operators.

Meyer compared the situation to the construction industry, where responsible builders monitor less compliant contractors. He emphasized that the growers did not oppose OSHA's authority but sought changes to this specific rule.

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Runyon expressed concern about penalizing local growers for the actions of a few bad actors elsewhere in the state. He noted that many families had come to the area for decades to work in the orchards, and he emphasized pride in the quality of housing provided for them. He stated his intention to support a letter addressing the issue, recognizing that the council would make its own decisions. He asserted that the growers were not asking for drastic changes, merely for existing, well-maintained housing to be grandfathered in under the new rules. He considered this a fair approach.

Meyer confirmed that when building labor housing, compliance with Oregon building codes and OSHA regulations was essential. He highlighted that the changes proposed in rule 16 L represented a significant shift, comparing it to moving the goalposts and raising the bar, making compliance practically impossible. He noted that many beds would be wasted in the process, leading to exorbitant costs for small operations like his. He estimated that rebuilding the lost beds would cost between \$1.2 million and \$1.4 million, assuming construction was even feasible, as many growers operated within the National Scenic Area, which imposed strict limitations. He emphasized that all local growers would face severe impacts from the new regulations.

Mayor Mays asked if OSHA were making the changes on their own or if there was outside pressure from another organization.

Meyer responded affirmatively, stating that Oregon OSHA faced pressure regarding all regulations, particularly the current rule change. He expressed uncertainty about how Oregon OSHA had maintained an exemption up to that point, noting that he was currently compliant with the 40-square-foot requirement but would no longer be under the new regulations. He explained that the 50-square-foot requirement was a federal mandate, which added to the pressure on Oregon OSHA to align state rules accordingly. He acknowledged the valuable work Oregon OSHA performed in the community but mentioned the presence of various agricultural and housing factions during discussions about the rules. He noted that numerous stakeholders participated in these discussions, advocating for different perspectives and requirements.

Runyon shared that he had spoken with an individual whose family worked in local orchards. The individual explained that they lived and worked outside, using the structures mainly for sleeping, and that people who don't do this kind of work might not understand their different lifestyle. He said there wasn't a need to expand housing significantly because they don't spend much time indoors.

Richardson asked about the time frame needed for a decision or the City's input on the letter.

Meyer stated that the public comment period ends on November 3, and everyone has been scrambling since the rules were finalized about a month ago. He explained that he volunteered to

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speak to the City and keep them informed. Meyer also mentioned upcoming hearings and encouraged public testimony, both oral and written, to support their side, as they expect opposition.

McGlothlin committed to joining Councilor Runyon in writing a letter and expressed support for Meyer's actions.

Chuck Gomez, representing himself, his wife, and concerned citizens, expressed continued concerns regarding the Basalt Commons project. He noted the impact on local businesses, homeowners, the loss of the historic downtown feel, reduced gorge views, and the reduction in parking spaces for two- and three-bedroom units. Gomez questioned the need for additional storefronts and offices when similar spaces, like the Commodore, are underutilized. He urged the Council and City Manager to reconsider the project using Robert's Rules to amend previous decisions, emphasizing the need to listen to the community's concerns.

### **CITY MANAGER REPORT**

City Manager Matthew Klebes reported;

- City staff applied for a Transportation Growth Management grant for a west side area planning project but did not receive the award. Wasco County received a grant to update their Transportation System Plan.
- The downtown Tree Project will replace the 40% of trees that died after initial planting. The contractor will provide larger trees, adjust watering schedules, and add mulch and fertilizer at no additional cost.
- Several important meetings and projects are upcoming, with busy City Council meetings expected in November, December, and January due to holidays.
- The FEMA floodplain update process has a December 1 deadline, causing concerns statewide. Staff is preparing for a rushed work session and Council meeting in November.
- Upcoming projects include:
  - Sixth Street widening,
  - 12th Street sidewalk extension,
  - 10th Street Safe Routes to School,
  - Wastewater treatment plant digester repairs,
  - Wastewater Master Plan contract award,
  - Forest management and water management plans.
- A work session on October 23 will finalize the Water Master Plan, which will lead to water rate increases.
- Staff is working on a communications plan to keep the public informed on the Water Master Plan and water rates.



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- Congressman Bentz visited the City to tour ongoing projects.
- The inaugural employee and volunteer appreciation barbecue was successful.
- Q-Life partnership has added a new member, Northern Wasco County PUD, and hired Dr. Liz Lance as Executive Director starting October 28.
- The final Housing Production Strategies work session with Council and the Planning Commission took place, with adoption coming soon.
- Attended the League of Oregon Cities conference.
- Had a radio appearance on KODL.
- City Council goal setting retreat would be taking place all day November 15<sup>th</sup>. It would be open to the public and was to be facilitated by Sara Singer Wilson.
- Successfully renewed the quiet zone for the train crossings at Madison and Union Streets, prohibiting horn use unless someone is directly in front of the trains, addressing a prior request from a councilor.

### **CITY COUNCIL REPORTS**

Councilor Randall reported;

- Attended Joint Work Session with Planning Commission for Housing Production Strategy
- Interview with Sara Singer Wilson leading into goal setting.
- Attended a Qlife meeting where the new Executive Director was introduced.

Councilor McGlothlin reported;

- He had nothing to report

Councilor Runyon reported;

- Mid-Columbia Veteran's Memorial Committee meeting.
- The Stand Down event held at the Civic Auditorium had been well attended.

Councilor Richardson reported;

- The Plaza Ad Hoc Committee had been meeting bi-monthly and working on draft designs to present to the Council and public this winter.
- Recent meetings included discussions with the City Attorney on various legal issues and a session with the annual goal setting facilitator.
- He had been unable to attend the swearing-in of the new police officer due to scheduling conflicts but acknowledged progress in staffing the police department.
- Attended the Youth Empowerment Shelter (YES) organization's fundraiser.
- The Food Bank hosted an Empty Bowls fundraiser on Friday, the second event of its kind, and encouraged attendance to support the cause.

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Councilor Long reported;

- Attended a Community Outreach Team meeting, followed by a meeting with the City Manager and Planning Director Josh Chandler regarding the Basalt Commons, with Mary Hanlon from the project also in attendance.
- Participated in the Employee Appreciation Picnic at Lewis and Clark Park, which was well attended.
- Had a one-on-one meeting with the City Manager.
- Met with the City Attorney and signed documents for urban renewal.
- Participated in an Urban Renewal agenda meeting to set the next agenda and attended a City Joint Work Session with the Planning Commission.
- Attended a tour with Congressman Benz, which lasted more than half the day and was productive for network building with him and his staff.
- Joined the swearing-in ceremony for two new police officers.
- Celebrated the 10-year anniversary of the Youth Empowerment Shelter (YES), appreciated the support from law enforcement personnel from both the city and county who were present.
- Met with Dan Spatz to follow up on the Community Outreach Team.
- Noted that the Urban Renewal Agency meeting, originally scheduled for the following night, was rescheduled to the next Monday at 5:30 PM in the chambers to ensure attendance.

Mayor Mays reported;

- Was interviewed on KODL by Alain during the Coffee Break segment.
- Attended the Community Outreach Team meeting.
- Participated in the Employee Appreciation and Volunteer Appreciation luncheon.
- Presided over the dedication of the "History of Wasco County".
- Attended the swearing-in ceremony for new police officers Dante Avila and William Bryan-Askay.
- Served as a judge at the Apple Dish competition at the farmers market, which was a highlight of the two weeks.

## **CONSENT AGENDA**

Randall asked for more information about the sign being surplus.

Klebes said staff sought to declare the sign as surplus to proceed with a bidding process for its display. In collaboration with the Public Works Department, a local bidding process was planned to solicit bids from the local zip code area. The successful bidder would also be responsible for the sign's removal. The local bid approach aimed to engage organizations or individuals with a stronger connection to the sign, given its significance to the community.

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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; none absent.

Items approved on the consent agenda were: 1) The minutes of the September 23, 2024 Regular City Council Meeting; 2) Surplus Parking Lot Sign

Runyon inquired whether the city could donate the old Sunset Motors sign to the neon sign museum if they expressed interest in it.

City Attorney, Jonathan Kara said the City's local contract review board rules allow for donation as an option. The rules permitted donations to any organization operating within or providing services to Oregon residents, specifically to those recognized as 501(c)(3) nonprofits under the Internal Revenue Code. He noted that if the neon sign museum meets this criterion, donating the sign was a viable option.

### **ACTION ITEMS**

General Ordinance No. 24-1407, A General Ordinance Amending The Dalles Municipal Code Chapter 8.02 (Short-Term Rental License)

Joshua Chandler, Community Development Director reviewed the staff report.

Runyon raised a question regarding the regulations on bed and breakfast and vacation rental permits, noting that Section A stated the current rules applied until the expiration date of the associated permit, after which the new rules took effect. He observed that this specific provision about expiration dates was missing in Section B, which discussed existing short-term rental licenses, and suggested that it should be included to clarify that existing licenses remained valid until they expired before transitioning to the new rules.

Chandler responded to the question by explaining that the bed and breakfast and vacation rental permits were granted as five-year land use applications, starting from the approval date rather than on an annual basis. He noted that this resulted in rolling expiration dates for each permit, with only three bed and breakfasts remaining. He anticipated that all bed and breakfasts would be eliminated by spring of the following year.

Chandler said previous council discussions considered phasing out existing short-term rentals while allowing current operators to continue under a grandfathering provision. He said if the intention was to require all short-term rentals to comply with new regulations upon expiration at the end of the year, it would represent a different approach than what had been discussed in prior

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conversations.

Chandler stated that he would look into the issue regarding the potential takings clause that could arise starting January 1. He noted that multiple short-term rentals clustered within a 300-foot vicinity could pose a problem, as one property could continue operating while others would be forced to shut down. He suggested that the city should analyze the impact on those properties if the council decided to move forward in that direction. He mentioned that other cities, such as Hood River and Cannon Beach, implemented a five-year and seven-year phase-out period, respectively, and he was open to exploring that option further if the council wished to pursue it.

Klebes emphasized that in provision B, the exemption discussed only applied to the vicinity requirement and the parking requirements, unless the properties were located in a residential zone. He clarified that this exemption did not pertain to all rules and changes under consideration, focusing specifically on those two components.

Mays stated that the term "takings" refers to the city paying compensation to individuals who are affected, clarifying the definition for everyone's understanding.

Klebes noted that the challenge with the vicinity dynamic is that the exemption in section B would not address the clustering effect observed on Scenic. He emphasized the importance of proactively addressing these concerns to prevent similar impacts in other areas. He mentioned that without the exemption, it would be necessary to determine which businesses could remain operational while others would be forced to close.

Runyon stated that if one of the clustered properties closed and reverted to a regular house, it would not be permitted to operate as a short-term rental in the future due to the proximity of other rentals.

Long inquired about the specific triggers for violations of Good Neighbor rules, particularly concerning clustered properties. She asked how many documented complaints were required for action to be taken and how fairness was ensured in enforcing rules against properties hosting parties or special events. She sought clarification on the process for potentially revoking a rental license in such cases.

Chandler stated that multiple documented violations were necessary for enforcement actions regarding Good Neighbor rules. He acknowledged some concerns but noted that noise complaints related to short-term rentals had been minimal, based on police department feedback. He encouraged residents to provide video evidence of any issues and reminded them that existing noise ordinances could be enforced by contacting the police department for noise complaints. Long emphasized the need to clarify the process for reporting violations to residents, noting that

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some individuals might hesitate to call the police for minor issues while wanting to be good neighbors. She suggested that the City should help residents understand the required documentation and make them feel comfortable taking the necessary steps to address concerns.

Kara clarified the grounds for revoking an existing short-term rental (STR) license, referencing section 8.0, 2.130 of the redlined document. He noted that while multiple violations were necessary for a 12-month revocation, any violation of the municipal code concerning the property's operation could warrant revocation. The city's code enforcement was complaint-driven, meaning that if complaints were filed and sufficient evidence was submitted, the city could revoke an STR license based on even one documented egregious violation. He provided examples of evidence required for enforcement, such as video documentation of noise complaints, which could be submitted to the codes enforcement office or the Community Development Director for action.

Long emphasized the need for clear and stern language in application materials to ensure that applicants understand the seriousness of compliance requirements, stating that she did not want anyone to misunderstand the rules as suggestions rather than mandatory obligations.

Richardson expressed agreement with Councilors Long and Runyon regarding the buffer zone for STRs. He suggested considering an increase in the proposed buffer from 300 to 500 feet, indicating that this adjustment would cover a couple of blocks rather than just one. He acknowledged that a 1,000-foot buffer would be excessive.

Chandler stated his willingness to accommodate the council's preference for the STR buffer, whether it be 500 or 1,000 feet. However, he cautioned that extending the buffer might necessitate a fee increase to cover the additional notification costs. He noted that, based on previous calculations, a 300-foot notification area involved 41 properties, while a 1,000-foot area would encompass 237 properties. He suggested staff would need to strategize on how to manage these additional notifications, potentially resulting in an increase in the overall fee for a STR license. He emphasized that the program should be self-sustaining and cover the costs of the additional notifications.

Runyon and McGlothlin said they preferred 500-feet as well.

Long asked if they were referring to the buffer distance or the notification distance.

Klebes suggested the two should be the same for consistency.

Chandler agreed and noted the distance had been changed from 100 feet to 300 feet for the proposed changes.

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Mays emphasized the need for clarity regarding the grandfathering issue, as it had been referenced multiple times in correspondence. He clarified that existing STRs would still be required to comply with the new regulations, including the buffer zone and notification requirements. If a new STR application were submitted, it would have to adhere to the new regulations, regardless of whether the buffer zone was set at 300, 500, or 1,000 feet from existing STRs.

Mays questioned how the requirement for a new licensee to be located more than 300 feet away from an existing STR could constitute a taking. He sought clarification on the implications of this regulation, highlighting that it seemed unlikely that such a distance requirement would meet the criteria for a taking. He asked if existing STRs would have to comply with screening rules and the good neighbor policy.

Chandlers said they would have to comply with both.

Mays inquired whether staff had considered implementing measures to ensure neighbors could expect more timely responses to their complaints, particularly regarding noise issues.

Chandler acknowledged his willingness to respond to complaints regarding STRs, noting that many concerns had been raised at the city council level rather than directed to his office. He clarified that the Code Enforcement Division operates within the police department and is responsible for addressing these issues. Although he does not receive many direct complaints about noise, he is prepared to address them if they arise. He emphasized that formal complaints would be necessary to take further action.

Mays expressed that the issue was not necessarily the response itself but the timeliness of that response. He noted that if complaints were filed on weekends, the problem often resolved by the time staff could address it on the following Monday.

Runyon interjected, acknowledging that the situation applied to all residents. He pointed out that with approximately 6,500 households in The Dalles, every resident faced similar limitations regarding noisy neighbors. He mentioned that he did not have a special number to call for complaints and had to rely on the police or handle the situation himself, especially during nighttime disturbances. He expressed skepticism about establishing a special response team, noting that the city already had codes during the day and police available 24/7.

Chandler noted that the community already had noise ordinances in place. He explained that if a loud party occurred at 11 o'clock at night or later, it would be addressed through a call to the police station. He added that compiling a list of ongoing complaints could impact the ability of

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the short-term rental to renew its license, but immediate issues would be managed through existing channels.

Klebes noted on page 54 of the red line in subsection E, the update required the contact for the short-term rental to be available for communication by a city representative within one hour, a change from the previous 24-hour requirement.

Mayor Mays asked about the extent to which non-owner-occupied short-term rentals contributed to issues. He suggested that these rentals created at least 90% of the problems and suggested that there be a higher annual license fee charged for them.

Kara expressed skepticism about charging non-owner-occupied STRs a higher fee, referencing the staff report and an email from the police chief indicating that no complaints had been submitted to the police department regarding STRs in the past two years. He noted that all complaints had been directed to the City Council instead. Kara mentioned that the red line did not include changes to the section addressing complaints and indicated uncertainty about how to update it. He cautioned against charging non-owner-occupied STRs higher fees, citing the Panabaker versus City of Hood River case, which alleged that the city treated out-of-state operators unfairly, potentially violating federal laws. Kara emphasized that he preferred not to penalize these operators, especially given the lack of complaints in recent years, and indicated that charging higher fees was a non-starter for him.

Sally Carpenter, resident of The Dalles Carpenter expressed appreciation for the discussion and acknowledged her neighbors' concerns regarding STR issues. She thanked Council Member Long for recognizing residents' attempts to address problems without solely relying on police calls for every minor incident. Carpenter emphasized that while many complaints may seem small, their cumulative effect was significant enough to warrant bringing these matters to the City Council. She found it insulting that Council Member Kara deemed their concerns as inappropriate, asserting that residents should be empowered to communicate issues to their elected officials. Carpenter criticized the assumption that everyone has a cell phone to document complaints, highlighting that some residents may not afford one. Additionally, she noted that relying on sworn police officers for every minor complaint would burden the city with unnecessary costs. She affirmed that her complaints were formal enough for a public meeting and expressed gratitude for the respect shown to her and her neighbors. Carpenter indicated that she had submitted her thoughts in writing and was open to questions from the council (see attached).

Mays defended Mr. Kara, stating that he suggested residents could easily document violations with a cell phone if they had one. He expressed appreciation for hearing from residents and noted that all elected officials valued their input. However, he believed that residents would get better and quicker results by contacting the police department instead of the City Council.

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Carpenter stated that many residents had attempted a neighbor-to-neighbor approach by directly contacting short-term renters about issues like noise and animals left in cars. However, they received poor or no results from these efforts. As a result, she indicated that they would call the police in the future.

Richardson expressed his hope that Ms. Carpenter recognized that the council had taken the increasing evidence and complaints from neighbors seriously. He noted the implementation of a moratorium on new STRs and emphasized the need for a comprehensive approach to the situation. He encouraged neighbors to call the police for serious disturbances while expressing optimism that passing the ordinance would help address cumulative issues.

Kara emphasized that the code represented the council's policy and mentioned that the proposed red line did not change the section regarding complaints about STR operations, which remained unchanged. He noted that the code required complaints to be submitted in writing to the Code Enforcement Division, which had not been done by some residents. He clarified that it was not his intent to insult Ms. Carpenter and referenced a municipal court judge's statement about using cell phones as evidence in noise complaints, indicating that this was intended to support enforcement against non-compliant STR operators.

Long proposed changes to section 8.0 2.110 regarding complaints, suggesting multiple easily documented methods for reporting issues. She recommended that neighbors first contact the owner-operators and then email Code Enforcement to document their action, emphasizing that accountability lies with the operators, not just the guests. If it's unsafe to approach them or for more serious issues, she suggested calling the police department's non-emergency number, which could trigger the one-hour response requirement. Long stressed that if the police make the call, there will be a clear record of when it occurred. For urgent matters, residents should call 911, allowing the police to assess the situation. She highlighted the need for a system that prioritizes residents' ease of reporting and holds owner-operators accountable, potentially leading them to improve their practices.

Chandler sought clarification regarding whether a neighbor's conversation with an operator would be considered the first complaint in the process.

Long stated that if a problem was resolved through neighborly communication, it did not affect the owner's license. However, documentation of the incident was essential. If issues persisted, the owner-operators had to take responsibility, and the City needed to apply pressure to ensure compliance.

Carol Earl of 420 West Scenic Drive said she had written a letter to Council expressing her



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concerns and described the situation as frustrating. She noted that she did not know how to contact the owner-operators, lacking their names and numbers. However, she was aware that one person owned the majority of the rentals, transforming the residential district into a business district. She emphasized that the codes needed to be enforced, arguing that if someone wanted to establish a Best Western in a residential area like Scenic Drive, it would not be permitted. She expressed her frustration over the lack of oversight in her neighborhood, noting that there were no local owners monitoring the situation. She mentioned issues such as parties and traffic jams caused by the short-term rentals. She argued that if those homes were used for residential purposes, they would contribute to the tax rolls. While she appreciated some of the proposed changes in the new letter, she remained concerned about the density of short-term rentals exceeding the allowable percentage for the community.

Long asked if having a single phone number, such as the non-emergency number or another designated contact, would simplify the reporting process.

Earl noted that at least one neighbor had contacted the owner directly instead of calling the police. She expressed that most people likely hesitated to involve law enforcement unless absolutely necessary.

Yvonne Wakefield expressed concerns regarding the conversion of residential areas into business spaces. As a resident and business owner at 3753 Klindt Drive, she noted that eight nearby townhouses were being operated as Airbnbs and short-term rentals. Although the HOA had permitted one short-term rental, she mentioned a constant flow of guests and uncertainty about the licensing of these operators. Wakefield referenced Pat Mattson's letter, which outlined similar concerns, and highlighted the cluster of rentals in her area, questioning whether the City Council was aware of their operation status.

Jan Oldenburg, from 2151 Radio Way, thanked the Council and noted the complexities of short-term rentals, highlighting both legal and emotional aspects. She expressed appreciation for the Council's understanding and emphasized the need for enforcement of existing rules, citing delays due to the code enforcer's limited availability. Oldenburg urged the Council to specify requirements for non-resident short-term rental operators, suggesting that rules be documented and acknowledged by both owners and renters. She called for a detailed approach to the new ordinance to prevent future revisions, echoing Councilman Runyon's emphasis on doing it right the first time.

Jerry Armitron, Scenic Area resident raised concerns regarding the definition of capacity in relation to parking spaces and rooms. He suggested that the ordinance should clarify that terms like "room" are defined according to the International Building Code to prevent closets or similar spaces from being classified as rooms, which could lead to increased occupancy. He emphasized

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the importance of ensuring clarity in the ordinance to avoid confusion.

Victor Johnson, 313 West 4<sup>th</sup> Street, expressed appreciation for the time and thought the Council and Mayor Matthew invested in the discussions. He acknowledged the valuable service owner-operators provided to the community and emphasized that he does not hold a NIMBY stance. Johnson highlighted the importance of considering the residential nature of certain areas within the central business zone, particularly near historic homes on the 300 block of West Fourth and the 500 block of West Third. He suggested implementing a radius (e.g., 100 yards) in the downtown area to prevent clusters of short-term rentals, ensuring the preservation of residential neighborhoods and historic properties.

Paul Peters, a resident at 300 West Scenic Drive, noted that many of the previous comments addressed his concerns. He expressed confusion regarding the occupancy definition, stating it specifies two persons per bed. Peters questioned whether this occupancy limit referred only to registered guests or included additional visitors, such as friends or family, which could significantly increase the number of people present in the rental.

Chandler clarified the occupancy definition was intended for sleeping purposes. He explained that imposing restrictions on special events at the properties would ideally reduce the number of attendees. However, he acknowledged that there might be some gray area in the language used.

Peters expressed that restrictions on special events should apply to everyone, not just transient lodging owners. He noted that events held by property owners, such as private parties, seemed to be considered exempt because they were not paid events.

Peters said that while the concept of a Good Neighbor Policy sounded good, one of the biggest issues was that many short-term rental occupants were not true neighbors. He expressed concern that if a problem arose, it would be challenging to approach these temporary guests and discuss issues like noise. He felt that simply providing them with a list of Good Neighbor rules and regulations might not be effective, given their short stays of 24 to 48 hours.

Rodger Nichols, 1617 Oregon Street, sought clarification regarding the mention of not allowing special events in non-residential zones. He inquired about the number of special events taking place and how many people were involved in these events, specifically referencing the central business district.

Chandler noted that there were only a few properties in the central business commercial district that allowed special events. He used the Victor Trevitt House, an Airbnb, as an example, indicating that it could potentially host events at that location. He confirmed this was also an owner-occupied property.

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Patrick Matson, 313 West 20<sup>th</sup>, expressed frustration with the noise from certain neighbors and acknowledged that, although he would report such disturbances, he preferred not to involve law enforcement. He shared his mixed experiences with code enforcement, noting that they were overworked and often faced backlash from the community. He requested an extension of the current regulations for six months to allow for more community involvement in addressing the complexities of short-term rentals. He emphasized the need for limits on the duration of short-term rental operations, arguing that an indefinite allowance was unfair to the community. Matson concluded by reiterating his concern for balancing commercial interests with community needs.

Richardson clarified that the city's approach was not due to a lack of courage but rather a consideration of potential legal implications. He emphasized the importance of being cautious about property rights to avoid possible lawsuits, suggesting that the city needed to be prudent in its decision-making process.

Mayor Mays clarified that the concern surrounding the grandfather clause was not just about the potential for lawsuits but primarily about the likelihood of losing in court.

Kara clarified that if the city wanted to implement grandfathering for vicinity or parking requirements for currently licensed short-term rentals, there was a viable path to do so. He noted that the city of Hood River faced litigation seven years after adopting their ordinance, but the nature of the case was not directly tied to phasing out certain short-term rentals. He suggested a seven-year amortization period similar to Hood River's approach as a way to avoid takings claims and effectively defend against lawsuits. He emphasized that the city should not suddenly impose strict requirements on existing short-term rentals, such as requiring eight parking spaces, but that gradual implementation over seven years could be feasible.

Richardson inquired about the concept of amortization for existing STRs and whether this approach to ensuring compliance with regulations regarding concentration and behavior would need to be included in the current ordinance or if it could be explored separately.

Kara stated that the consideration of amortization for existing STRs did not need to be bundled with the current ordinance, which merely updated regulations. It could be presented as a separate item to amend Title 8.02. However, with the new council rules, any substantive changes to proposed ordinances required a second reading. Therefore, if the council intended to modify the proposed ordinance based on the discussion from that meeting, it had to be returned for a second meeting. The best administrative approach would have been to tackle the issue separately in the future as research and staff capacity allowed.

Richardson summarized three proposed changes: establishing a 500-foot buffer instead of a 300-foot buffer, adding a definition of "room" to align with the international codes, and potentially including a buffer in the non-residential zones.

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Clair Graper said she advocated for extending the timeline for gathering community input, suggesting a goal of 1% of citizens commenting before proceeding. She highlighted the tight parking situation in The Dalles, particularly in residential neighborhoods like hers near Colonel Wright, and deemed the minimum distance for STRs too low given the existing density. She raised concerns about STRs being permitted in business areas for events, proposing additional licensing fees and inspections for fire and occupancy safety. She also suggested local management requirements for STRs and emphasized the need to streamline the complaint process, noting a significant amount of community frustration.

Long expressed her frustration with the perception that the Council was not addressing the community's concerns effectively, noting that they had been working on the issue for a year and had received feedback from various stakeholders. She acknowledged the challenges of managing public perception and highlighted the Council's commitment to transparency in its processes. She sought to understand whether the community desired a complete ban on short-term rentals or if they could support measures aimed at improving neighborly relations and minimizing disturbances.

Mayor Mays emphasized the complexity of addressing short-term rentals in The Dalles, indicating that eliminating them entirely could lead to significant legal repercussions for the city. He highlighted the necessity of considering a seven-year amortization period, as it presented a feasible approach to transitioning existing short-term rentals while balancing community livability concerns. Mays expressed a commitment to finding solutions that would improve neighborhood dynamics, acknowledging that the issue required careful legal consideration regarding grandfathering existing rentals.

Kara said the City had the authority to ban all STRs. It would likely take the form of a seven-year amortization to ensure existing licenses and licensees were not deprived of their property interests. He noted that while seven years seemed to be a comfortable buffer, it could potentially be closer to five, pending further research. He confirmed that if the City Council decided against allowing any STRs, that decision was feasible but would require time to implement.

Mayor Mays indicated that the more immediate issue was the moratorium, which was set to expire around the time of the next City Council meeting. He expressed uncertainty about needing a six-month extension but emphasized the necessity of extending it.

Richardson recognized the benefit of extending the moratorium rather than proceeding with an ordinance that addressed many concerns. He suggested implementing the new rules before the start of the year to ensure prompt activation. He said that while it might be challenging to tackle everything at once, they could make progress with the current ordinance and continue to refine it as needed.

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Klebes noted that if the concern involved the potential operation of another short-term rental in the scenic drive residential area, adopting an ordinance with a 300- or 500-foot vicinity component would significantly address those concerns. He suggested that one reason to extend the moratorium was to prevent additional rentals from starting before the ordinance could be established.

Carpenter responded to Long's question regarding the need for restrictions or outright prohibition on short-term rentals. In her letter to the council dated October 10, she indicated that, in her low-density residential zone, short-term rentals were not explicitly permitted according to her reading of the municipal code. She said the City had allowed them to operate by misinterpreting the language as applicable to bed and breakfasts or vacation rentals. She said the existing language was outdated and proposed that short-term rentals should not be allowed in low-density residential areas, although she acknowledged that some currently existed. She agreed that restrictions needed to be implemented. She felt the ordinance was insufficient and did not go far enough. She noted her reading of the current Municipal Code indicated that short-term rentals were not explicitly allowed.

Chandler provided clarification regarding the permitted uses in the low, medium, and high zones. He mentioned that bed and breakfast establishments and vacation rentals were listed as accessory uses, but this line needed to be removed from the code since these types of rentals were eliminated in 2020 with the adoption of the short-term rental ordinance. He referenced Title 10, which pertains to land use, and explained that Title 8 relates to business. Title 8 included regulations for short-term rentals, transient merchant licenses, and food carts, which were considered licenses rather than uses. He noted that the decision in 2020 to remove bed and breakfast and vacation rentals from land use was part of a broader trend among municipalities across the state to differentiate these operations from traditional land use codes.

Long said in 2020, the council aimed to be proactive in addressing the proliferation of short-term rentals across the state, which had led to negative outcomes. The council invited all bed and breakfast operators and individuals currently managing short-term rentals to provide testimony, and they listened to that input. She said despite their best efforts, unintended consequences had arisen, impacting the community. She expressed a desire to rectify the situation without completely eliminating short-term rentals. However, she sought clarity on whether that perspective still represented the community's consensus, as any shift in opinion would affect their approach.

Richardson emphasized the need to create rules that served the entire community. He viewed the current situation as a valuable lesson in the importance of acting quickly and thoughtfully. However, he expressed his belief that the council should not pursue a complete ban on all short-

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term rentals. Instead, he suggested taking substantial steps that could ultimately lead to revoking licenses from problematic operators, and he supported such actions.

Runyon reiterated his earlier suggestion of a six-month and one-year review of any decisions made. He highlighted the importance of addressing neighborhoods with clusters of homes operated as STRs by parties not residing there. He acknowledged the need for public relations efforts to inform local real estate agents about the regulations concerning the use of these properties, ensuring that potential buyers were aware of the rules to prevent further unintended clustering of STRs. He appreciated the council's collaborative approach and emphasized their commitment to examining all perspectives before making decisions. He recognized the difficulty of satisfying everyone but stressed their dedication to effective governance. He noted the importance of providing direction to the planning department, indicating a potential path forward within the next month.

Randall said the current proposal effectively addressed concerns but identified the exemption clause for cluster houses as a major weakness. He recommended removing this clause over a five to seven-year period, believing it would significantly alleviate citizen concerns.

Klebes suggested a summarization of the evening's discussion to achieve council consensus for staff to proceed. He proposed a three-phase approach:

- Phase One: Achieve council consensus on changes to the proposed ordinance, which would include a 500-foot buffer, a 500-foot notification area, consideration of a buffer for non-residential STRs, clarifying room definitions, and streamlining reporting procedures for violations. He noted that these revisions could potentially be brought back to council before the moratorium expires, likely at the second meeting in November.
- Phase Two: After passing the ordinance, continue exploring an amortization period for existing STRs, such as seven years, with further diligence needed on the process.
- Phase Three: Revisit the situation with an update on the progress of the first two phases approximately 12 months after the ordinance passes.

Mayor Mays said he agreed with the proposed approach. He suggested the Council consider extending the buffer zone from 500 feet to somewhere between 500 and 1,000 feet, expressing concern that 500 feet might not be sufficient based on the map provided by.

McGlothlin expressed his efforts to calm tensions and foster communication among neighbors. He agreed with Councilor Long that banning all short-term rentals (STRs) may not be legal or desirable. He reflected on the original lack of restrictions that led to the current challenges and

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supported the proposed changes, including a 500-foot buffer and notification, a definition of a room, and streamlining reporting processes for violations. He also acknowledged the marked improvement in the community over the past year, viewing the proposed steps as positive progress.

Mayor Mays acknowledged the consensus of the Council to proceed with the outlined plan by Klebes without the need for a formal motion.

He requested a 10-minute break, indicating the meeting would reconvene at 8:40 PM, before transitioning to the next item on the agenda regarding budget transfers.

### Resolution No. 24-022 A Resolution Authorizing Transfers of Budgeted Amounts Between Categories of Various Funds of the City of The Dalles Adopted Budget, Making Appropriations and Authorizing Expenditures for the Fiscal Year Ending June 30, 2025

Angie Wilson, Finance Director review the staff report.

It was moved by Randall and seconded by Long to adopt Resolution No. 24-022 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, 2025. The motion carried 5 to 0, Randall, Long, McGlothlin, Richardson, Runyon voting in favor; none opposed; none absent.

### Adopting Special Ordinance No. 24-604, A Special Ordinance Granting a Non-Exclusive Telecommunications Franchise to Zayo Group, LLC

City Attorney, Jonathan Kara reviewed the staff report.

It was moved by Richardson and seconded by Runyon to adopt Special Ordinance No. 24-604, as presented, by title only. The motion carried 5 to 0, Richardson, Runyon, Long, McGlothlin, Randall voting in favor; none opposed; none absent.

### Adopting Resolution No. 24-023, A Resolution Establishing the City's Official Compensation Package Policy for elected officials

Mayor Mays announced his participation in the discussion would be inappropriate because he had an actual conflict of interest. He stated that the reason he had an actual conflict of interest was because he stood to financially benefit from the resolution if it is passed, and as a result, he would be abstaining from the vote and he would not be participating in the discussion.

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McGlothlin announced his participation in the discussion would be inappropriate because he had an actual conflict of interest. He stated that the reason he had an actual conflict of interest was because he stood to financially benefit from the resolution if it is passed, and as a result, he would be abstaining from the vote and he would not be participating in the discussion.

Randall announced his participation in the discussion would be inappropriate because he had an actual conflict of interest. He stated that the reason he had an actual conflict of interest was because he stood to financially benefit from the resolution if it is passed, and as a result, he would be abstaining from the vote and he would not be participating in the discussion.

Richardson declared a potential conflict of interest regarding the proposed resolution and policy, stating that his participation in the official action could affect his financial interests if he were to be reelected to the council in the upcoming election.

Runyon declared a potential conflict of interest regarding the proposed resolution and policy, stating that his participation in the official action could affect his financial interests if he were to be reelected to the council in the upcoming election.

Long announced that she had no conflict of interest and nominated herself to serve as the presiding officer for the remainder of the meeting.

It was moved by Long and seconded by Runyon to appoint Councilor Long to be the presiding officer for the rest of the evening. The motion carried 3 to 0, Long, Runyon, Richardson voting in favor; none opposed; Randall, McGlothlin absent.

City Manager, Matthew Klebes reviewed the staff report.

Rodger Nichols, media representative, asked how the two Councilors who had declared a conflict of interest could vote.

Councilor Kara clarified that while two councilors had declared potential conflicts of interest under Oregon government ethics law, such conflicts do not require abstention from voting. He explained that public officials facing potential conflicts should disclose the nature of the conflict. In contrast, those with actual conflicts of interest must abstain from voting and leave the dais. He noted that the affected councilors had left the room and Zoom meeting to avoid any appearance of influence.

Councilor Richardson noted that the council had previously voted on the compensation package policy in April without any public feedback. He emphasized that the amount involved is modest and well-deserved, asserting that it does not significantly impact the city's budget. He described



the proposed resolution as a technical fix aimed at ensuring transparency and adherence to proper procedures.

Councilor Long acknowledged the various expenses that often go unnoticed, particularly the frequency of meetings. She highlighted the need for diversity in participation and pointed out that costs like childcare can be burdensome for some individuals. Long clarified that the proposed funds would serve as a stipend, not a salary.

It was moved by Long and seconded by Runyon to adopt Resolution No. 24-023, as presented. A roll call vote was taken by the City Clerk. The motion carried 3 to 0, Long, Runyon, Richardson voting in favor; none opposed; Randall, McGlothlin absent.

**ADJOURNMENT**

Being no further business, the meeting adjourned at 9:08 p.m.

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Submitted by/  
Amie Ell, City Clerk

SIGNED:

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Richard A. Mays, Mayor

ATTEST:

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Amie Ell, City Clerk

Oct. 8, 2024

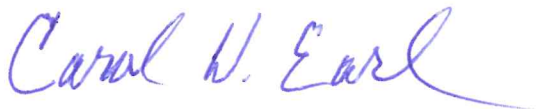
City of The Dalles  
City Council  
313 Court Street  
The Dalles, OR 97058

Greetings:

August 8, 2024 I wrote a letter to Matthew Klebes in regard to Short Term Rentals. I asked that the letter be circulated to the City Council. When I went to The City Council Web Site and looked at the upcoming meeting agenda; it also posted letters from my neighbors with their concerns about STR's. My letter was not included. I think it is still timely and want to submit it.

Enclosed is a copy of my letter. The actions of the Council will have long term consequences. Please take our concerns seriously. Extending the moratorium another six months in order to review all possible options would be of benefit. I believe there is a solution that will work for both STR landlords and the people living within the community. However, a concentration of STRs is not going to enhance our community or maintain the desirable livability we fear slipping away.

Respectfully,



Carol W. Earl

420 W. Scenic Dr.  
The Dalles, OR 97058

**From:** Carol Earl carolwearl@icloud.com  
**Subject:** short term rentals  
**Date:** August 8, 2024 at 1:09 PM  
**To:** mklebes@ci.the-dalles.or.us



Greetings: After reading the "Agenda Staff Report " by Joshua Chandler I had some concerns I wanted to express to city council. I texted Dan Richardson and he asked my to write to you; and, to ask you to forward my concerns to those you think are appropriate.

I live on West 20th and Scenic Drive. There are several short term rentals between my house and the park. I don't have the exact figure; but, I think there are about 7 amongst 75 houses in my relatively small area. I read in the agenda report that there are 47 in the city. That isn't a large percentage compared with the entire population; but, 7 STR's in this small neighborhood is too high of a percentage. Is our neighborhood zoned for this business? Which it essentially becomes! Personally, I don't want to live in a business district. The neighborhood is for families Not for STR's that are NOT owner occupied, where parties happen in numbers much exceeding the number of occupants the STR is licensed for.

With one man owning most of these STR's he is not taking responsibility managing the goings on in them. I REALLY OPPOSE his concentration of STR's being grandfathered in.

Thank you for considering my concerns. I am not opposed to STR's that are close to their owners and are well managed. I am opposed to a concentration of them that has changed the character of our (for that matter, any) neighborhood.

I remain,

Carol W. Earl

541-980-0035

420 West Scenic Dr.  
The Dalles, OR 97058-1636

## Amie Ell

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**From:** CDD  
**Sent:** Thursday, October 10, 2024 2:56 PM  
**To:** Amie Ell  
**Subject:** FW: Airbnb's

FYI

**Joshua Chandler** (he/him/él)  
Community Development Director  
*City of The Dalles*  
541-296-5481 x1121

**PUBLIC RECORDS LAW DISCLOSURE:**

This email is a public record of the City of The Dalles and is subject to public inspection unless exempt from disclosure under Oregon Public Records Law. This email is also subject to the City's Public Records Retention Schedule.

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**From:** Yvonne Pepin-Wakefield <yvonnepepinwakefield@gmail.com>  
**Sent:** Monday, October 07, 2024 7:22 AM  
**To:** CDD <cdd@ci.the-dalles.or.us>  
**Subject:** Airbnb's

**WARNING:** Email from external source. Links and attachments could pose security risks. Investigate sender and think before you click.

I am opposed to the existing Airbnb's operating out of the town houses next to my property located at 3735 Klindt Drive, The Dalles, and any further expansion of nearby Airbnb's.

Yvonne Pepin-Wakefield, Ph.D.

[amazon.com/author/yvonnewakefield](https://amazon.com/author/yvonnewakefield)  
web: [www.yvonnepepinwakefield.com](http://www.yvonnepepinwakefield.com)

October 10, 2024

The Dalles City Council  
313 Court Street  
The Dalles, Oregon 97058

Re: Short-term rentals and proposed ordinance no. 24-1407

Dear City Council,

I am writing in response to a letter dated October 3, 2024, from Community Development Director Joshua Chandler regarding proposed changes to short-term rental regulations in The Dalles. Notably the letter I received omitted a copy of proposed ordinance no. 24-1407, which I reviewed in the Council's meeting packet for its October 14, 2024, meeting.

First, I request that the Council please extend the current moratorium on granting licenses to short-term rentals. The primary reason for this request is that proposed ordinance no. 24-1407 is merely a starting point for a complex discussion involving many affected parties, their property interests, quality of life in The Dalles, and multiple other City code provisions specifically in Title 10.

Title 10 of the City code governs Land Use and Development and has crucial interplay with proposed ordinance no. 24-1407, which seeks to amend City code regarding the business of having a licensed short-term rental. For example, City code 10.5.010.020 lists the permitted uses of land within a low-density residential zone. Short-term rentals are not explicitly listed as permitted uses. Entities called "Bed and Breakfast and vacation rentals, subject to the provisions of Article 6.040: Bed and Breakfast and Vacation Rentals" are listed as accessory uses permitted outright. Yet, the City code at Article 6.040 governs duplex conversions, not Bed and Breakfast and vacation rentals. I have been unable to find any provision of the City code that defines "Bed and Breakfast and vacation rentals." I suspect, but do not know, that City officials have simply presumed that a short-term rental is a "Bed and Breakfast and vacation rental." Without clarity on this matter built into the City code, the City arguably should not be granting short-term rental licenses for properties within low-density residential zones.

Second, I request that the City provide thorough explanations for why proposed ordinance no. 24-1407 includes some suggestions from the MIG report dated July 3, 2024<sup>1</sup>, but omits other suggestions from the same report. The City paid taxpayer funds for the MIG report, and the taxpayers deserve to know why the City is disregarding worthy suggestions in the report. Specifically, MIG provided the suggestion to prohibit short-term rentals in the lowest density zones—an idea with which I agree. Yet, proposed ordinance 24-1407 makes no mention of this.


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<sup>1</sup> See attachment to the Agenda Staff Report to the City Council from Community Development Director Joshua Chandler for meeting date July 22, 2024.

Finally, I request that whatever amendments the Council enacts include significantly stronger enforcement tools not only to collect the City's transient room tax but also to revoke short-term rental licenses for offending properties.

Thank you for your hard work in protecting the City's livability for all residents.

Sincerely,

A handwritten signature in black ink, appearing to read "Sarah E. Carpenter". The signature is written in a cursive style with a horizontal line at the end.

Sarah E. "Sally" Carpenter  
PO Box 371  
The Dalles, Oregon 97058

Thank you for the opportunity to review the proposed short-term rental amendments.

Our history: We moved historic Trevitt House from City Park in December of 2006 to its current location at 214 W 4<sup>th</sup> Street. It was deemed to be undergoing “demolition by neglect.” After 11 years of restoration work, we opened the Victor Trevitt Guest House as a short-term rental on January 1, 2018. We have been operating for nearly 7 years. In addition to paying the monthly transient lodging tax and property taxes, we have also sent our many guests into the community to eat and shop in the downtown area. We enjoy meeting new visitors, promoting The Dalles, and we appreciate being exempted from the off-street parking requirement due to our historic status.

**Regarding the Transient Lodging Tax:** Since we only live a couple of blocks from City Hall, it is not an issue for us to pay the monthly tax. We do know that about 30 cities in Oregon have agreements with the State Department of Revenue to collect their city’s transient lodging tax through Revenue Online. This includes Pendleton, Mosier and Cascade Locks. We have no idea what kind of arrangement is needed or if there is a cost to the city, etc., but this might be a second option for The Dalles to consider?

**And while we’re on a roll...**why are we being audited EVERY year? This takes a lot of time to organize the documents for the city and then staff must pore over it only to find out that oops, the City owes us \$1.76 or oops, we owe the City 40 cents. It seems like a huge strain, not only to us, but on city staff time. Maybe every other year or every third year??

**Short-term Rental Ordinance Amendments under consideration, with our comments.**

**1. Imposing a maximum license cap.**

This seems reasonable as it appears to be based on some accumulated data; not sure where the 1% number came from...has 1% been found to be a workable percentage in other communities?

**2. Implementing a lottery system for awarding licenses.**

It isn’t spelled out how this would work, but we would just suggest awarding licenses as they come in and meet all of the requirements.

**3. Ensuring existing licensees are current on their transient room/lodging tax obligations.** Agree 100%

**4. Adding a minimum proximity requirement for new STRs in residential zones.**

We can’t really comment from a position of knowledge as we are in a commercial and historic district and are not familiar with the issues in the residential zones.

**5. Expanding yard screening requirements.**

Is this a problem? Maybe this should be done on a case-by-case basis, complaint driven?

**6. Allowing “special events” to be held at STRs in non-residential zones.**

Sounds fine.

**7. Requiring acknowledgment of “Good Neighbor Guidelines.”**

Great idea!

**8. Minimum Parking Requirements**

Again, we are in the commercial and historic Trevitt districts and are not knowledgeable about the issues in the residential zones. We have 150’ of on-street parking in front of our two residences which has been plenty for our guests and we have never had a problem.

Once again, thank you for letting us comment on these proposals. We plan to be at the meeting on Monday. Our son, his wife and our new grandson are flying in from Australia on Monday but we will try to make it.

Kind regards, Alan and Bev Eagy 218 W. 4<sup>th</sup> Street

October 10, 2024

Joshua Chandler, Community Development Director

City of The Dalles

313 Court St.

The Dalles, Or 97058

Dear Mr. Chandler, Members of City Council, City Manager Klebes, and Mayor Mays,

Thank you for reaching out to a number of citizens with the letter of October 3, 2024 asking for a response to proposed amendments to the existing codes for short term rental properties located in The Dalles city limits. The following is my response to additions or changes to key proposed revisions:

### **IMPOSING A MAXIMUM LICENSE CAP**

License caps should be made according to zoning districts. In addition, the total number of rentals, which include long-term rentals, should be considered. Residents in these areas of STR also are aware of LTR in their neighborhood. Too many rentals in one area, in general, can detract from housing values, neighborhood culture, safety of permanent homeowners, and limit accessibility of those people looking for permanent housing. Allowing commercial ownership of STRs in residential areas can pose a feeling of unrest, as an unusual turnover of residents and a lack of building good will can bring instability.

License caps should be limited to one LTR and one STR to people with financial investment living outside The Dalles. Those owners that have multiple rentals may feel that they should have more leverage to protect themselves from existing and future rules on their property. That can place various members of city govt in awkward positions when making decisions best for the community at large. Those owners with multiple STRs should be given a time period, for instance 3 years, to sell or turn their additional STRs into long-term rentals. This had been executed by other towns.

### **LOTTERY SYSTEM FOR AWARDING LICENSES**

This system seems reasonable and I would suggest following rules that have been set and tested by other town or cities in or Oregon or other states with like population and industry.

Whatever method is done, existing residents in that particular zone should receive a letter from Community Development office of the proposed request for a STR in their area prior to awarding a



new license. This letter should arrive at least 2 months prior to giving a new license in order for neighbors to respond to the city.

### **ENSURING EXISTING LICENSEES ARE CURRENT ON THEIR TRANSIENT ROOM/LODGING TAX**

I would think that obligation goes without saying. And if there is a problem, the city needs to put stopgaps in place so it doesn't continue. Amount of fees collected need review to be current.

One of the problems needing to be addressed is that there is little accountability to stop those owners wanting a STR license to not begin renting out their property before having a license. Those owners operating a STR without a current license should be banned from receiving a license for one year and need to reapply for the next year.

### **ADDING A MINIMUM PROXIMITY REQUIREMENT FOR NEW STRs IN RESIDENTIAL ZONES**

Because of the various lot sizes and density in the city, the proximity needs to be increased to at least 600 feet along with the evaluation of the total number of rentals, STR and long term, in that neighborhood.

### **YARD SCREENING**

Needs to be approved by planning dept prior to installation and reviewed after installation by neighbors affected and city.

### **ALLOWING 'SPECIAL EVENTS' IN NON-RES ZONES**

Good idea but it will have little effect on those wanting to have events in residential areas unless the owners of the STRs in res areas have written rules stating that there are no special events allowed at their property.

The city needs to design a "rules sheet" that needs to be posted on the inside front door of each STR covering city ordinances of maximum occupancy, events, parking, noise control, garbage. The owner of the STR is held accountable for their guests to uphold those ordinances. If any of the ordinances are broken, heavy fines (more than \$250) are collected. Owners sign their acceptance of the rules and is kept in file with license info for review at time of license renewal.

The city needs to enforce the rules for events 24/7 in residential neighborhood STRs, whether the facility is rented out or the party is initiated by the owner. For example, excessive cars and noise of large gatherings at 300 W. Scenic Dr have been exacerbated by the owner or manager throwing the parties. But because most parties are on the weekend and the code enforcement officer doesn't work on weekends, neighbors just put up with this and don't call to complain. It is unfair for the

neighbors to have to deal with this reoccurring issue. Neighbors seem to be regarded by the owner and manager of nearby STRs as a hindrance and nuisance to conducting their business. When “Good Neighbor “ policies are disregarded written or unwritten, a stronger city approach is needed.

## **GOOD NEIGHBOR GUIDELINES**

I called this the “rules sheet” as stated above. A friend of mine was at a STR in another state and her party exceeded the maximum number of cars and people allowed. The neighbors called the police and the group was told by the police to leave the premise immediately because the ordinance was broken. This sounds harsh but I bet that STR owner instructed those renting the property in the future to obey the rules.

I agree that receipt of these rules needs to be signed by the owner and manager of the various STRS and placed in their file. Rules need to be posted in a standard area, inside the front door. If guests or the owner or manager break these rules, the owner is subjected to not having the STR licensed renewed and in addition fined. In some cases, the license could be immediately revoked.

## **MINIMUM PARKING REQUIREMENTS**

All cars must be parked on the STR property if it is not owner occupied. Number of cars allowed are based on number of bedrooms, not number of beds. One car per bedroom.

In addition, there are to be no additional living units on the property, such as trailers, used to expand the number of guests allowed. This situation of a trailer on a STR property is found at 303 W 20<sup>th</sup> St.

## **GENERAL ORDINANCE NO. 24-1407**

### **8.02.100 EXISTING NONCONFORMING SHORT-TERM RENTALS**

#### **EXEMPTIONS OF ANY EXISTING STRs LICENSED PRIOR TO 12/1/24**

The General Ordinance No. 24-1407 states that any existing short-term rental operating with a current and approved license prior to 12/1/24 is exempt from the provisions of this ordinance’s vicinity requirement (TDMC 8.02.030(E) and parking requirements (TDMC8.02050(D)). There are special off-street parking requirements for facilities that are owner occupied.

**It is unacceptable to neighbors in my area to grandfather in vicinity and parking rule exemptions for nonowner occupied STRs.** Owner occupied STRs seem to monitor the guests’ activities to not pose a problem with parking or noise. But problems have occurred with properties at 300 W Scenic Drive and 303 W. 20<sup>th</sup> Street as stated at several council meetings and letters

written to City Council. Those points brought to the attention at City Council meetings include traffic, parking, noise, creating a trail connecting the two STR's, lack of civility and respect of STR manager to neighbors. To state that the existing short term rentals are exempt from new parking and vicinity requirements stated in the new ordinance is disregarding the voices heard from residents living on Scenic Drive, 20<sup>th</sup> Street and Radio Way. I submit that we extend the moratorium another 6 months in order to find a satisfactory solution. For instance, **more work is needed to find a solution to issues** found at two existing STRs wanting exemption. Perhaps the owner at 303 W 20<sup>th</sup> Street, Steve Day, would change the STR to a long term rental. He initially said to Councilman McGloughlin that he would. He would then fall in line with the new ordinance with parking and vicinity. The other STR at 300 W Scenic, owned by the same person, can also follow rules of parking by having guests use the existing parking spaces that were created on the property. There is plenty of parking allotted for the number of bedrooms needing parking spaces on both properties when the trailer is removed from the 20<sup>th</sup> St. property. Parking rules are just not being enforced by the manager. At a meeting I attended by Steve Day, owner, and his manager Brittany and Tim McGloughlin, the owner agreed to install parking space signage to on the additional spaces. The signage would direct guests to park on the property rather than interfere with street traffic. Since special events are not allowed by an existing city ordinance for all residents, parking would not be a problem. Again....oversight by the STR management and city enforcement are apparently continually needed.

Are there any other STRs that need an exemption? Let's take the time and extend the moratorium in order to find solutions that work so everyone can get back to enjoying the many positive reasons to love living in The Dalles.

Respectfully submitted,

Jann Oldenburg

2151 Radio Way

The Dalles, Or 97058

## Paula Webb

---

**From:** CDD  
**Subject:** FW: STR licensing ordinance proposals

**From:** Pat Matson <jpmatson2@gmail.com>  
**Sent:** Tuesday, October 08, 2024 9:40 PM  
**To:** CDD <cdd@ci.the-dalles.or.us>  
**Subject:** STR licensing ordinance proposals

**WARNING:** Email from external source. Links and attachments could pose security risks. Investigate sender and think before you click.

October 08, 2024

To Joshua Chandler, City Council & any other entities with a vested interest in STR Licensing Ordinance, The Dalles Municipal Code, Chapter 8.02.

In regards to the letter of October 03, 2024, I see no real issue for the proposed changes, except for what has been left out.

What I'm very disappointed in is that the interests as I perceive them of this neighborhood to be totally ignored.

I would like to remind the powers that be that this neighborhood, consisting of W 20th, Scenic & Radio Way, that this neighborhood brought the issues of STR's to a city government that was unaware of the issues that we have been subject to for years.

I would like to understand why, in a neighborhood that has the largest number of residential STR's that our interests are apparently not as much an issue as grandfathering in the current possible 5 STR's.

IF I understand correctly, all of the changes proposed do nothing for us who are seeking relief from a cluster of STR's due to the apparent wish of the city to grandfather in the existing STR's.

Is this really the city's intention?

To leave the residents that brought these issues forward to be forgotten and ignored?.

Again the goal here is to keep our neighborhood a community and not a business zone.

Again to restate to us the obvious:

- 1) All amendments and future ordinances should apply to all existing and future Short Term Rentals.
- 2) Current moratorium to be extended 6 months.
- 3) Request that you amend the City code for Low-Density Residential Zones to change "Bed and Breakfast and Vacation Rentals" from an Accessory Use Permitted Outright to a Conditional Use.
- 4) Extending the resident notification form 100 ft to 1,000 ft.

According to the city the main source of complaints comes from non owner occupied STRs within the city limits.

Sincerely,  
Patrick Matson  
313 W 20th St, 425-286-3344, [jpmatson2@gmail.com](mailto:jpmatson2@gmail.com)

**RESOLUTION NO. 24-026**

**A RESOLUTION ASSESSING THE REAL PROPERTIES LOCATED AT 310 & 314 EAST 13TH PLACE; 1414 EAST 13TH PLACE; 1290 WEST 8TH STREET THE COSTS OF NUISANCE ABATEMENTS**

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>          |
|--------------------------------------|---------------------------|---------------------------------|
| 310/314 East 13 <sup>th</sup> Street | 1N 13E 3 CC7501           | August 14, 2024                 |
| 1414 East 13 <sup>th</sup> Place     | 1N 13E DD 15900           | August 20, 2024                 |
| 1290 West 8 <sup>th</sup> Street     | 1N 13E 4 103              | July 24, 2024 & August 20, 2024 |

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

| <u>Property</u>                      | <u>Owner</u>         |
|--------------------------------------|----------------------|
| 310/314 East 13 <sup>th</sup> Street | TNJ Investments, LLC |
| 1414 East 13 <sup>th</sup> Place     | Tim Platt            |
| 1290 West 8 <sup>th</sup> Street     | Xiang Zhu Mei        |

**WHEREAS**, the Notices 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 Notices 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 properties, and become a lien upon the properties;

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

| <u>Property</u>                      | <u>Contractor</u>     | <u>Date of Abatement</u> | <u>Cost</u> |
|--------------------------------------|-----------------------|--------------------------|-------------|
| 310/314 East 13 <sup>th</sup> Street | G.V.V. Lawncare, LLC. | September 5, 2024        | \$800.00    |
| 1414 East 13 <sup>th</sup> Place     | G.V.V. Lawncare, LLC. | September 7, 2024        | \$1,000.00  |

|                                  |                       |                   |            |
|----------------------------------|-----------------------|-------------------|------------|
| 1290 West 8 <sup>th</sup> Street | Get ‘R Done           | July 9, 2024      | \$1,350.00 |
| 1290 West 8 <sup>th</sup> Street | G.V.V. Lawncare, LLC. | September 6, 2024 | \$1,050.00 |

**WHEREAS**, pursuant to Section 5.24.070 of The Dalles Municipal Code, on September 16, 2024, the City Clerk sent a Notice of Assessment by certified mail to TNJ Investments, LLC advising them the total cost of the assessment for the property was \$800.00, and the listed sum would become a lien upon the property if the amount was not paid by October 1, 2024, or the assessment was not protested by September 21, 2024 by TNJ Investments, LLC;

**WHEREAS**, pursuant to Section 5.24.070 of The Dalles Municipal Code, on September 16, 2024, the City Clerk sent a Notice of Assessment by certified mail to Tim Platt advising them the total cost of the assessment for the property was \$1,000.00, and the listed sum would become a lien upon the property if the amount was not paid by October 1, 2024, or the assessment was not protested by September 21, 2024 by Tim Platt;

**WHEREAS**, pursuant to Section 5.24.070 of The Dalles Municipal Code, on September 16, 2024, the City Clerk sent two Notices of Assessment by certified mail to Xiang Zhu Mei advising them the total cost of the assessment for the property was \$1,350.00 and \$1,050.00, and the listed sums would become liens upon the property if the amounts were not paid by October 1, 2024, or the assessments were not protested by September 21, 2024 by Xiang Zhu Mei;

**WHEREAS**, TNJ Investments, LLC failed to file any objection by the stated deadline and failed to pay the balance of the assessment by the deadline listed in the Notice 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.

**WHEREAS**, Tim Platt failed to file any objection by the stated deadline and failed to pay the balance of the assessment by the deadline listed in the Notice 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.

**WHEREAS**, Xiang Zhu Mei failed to file any objection by the stated deadline and failed to pay the balance of the assessments by the deadline listed in the Notices of Assessment, and the City Council finds the statement of the amounts of the proposed assessments are correct and no reason exists to justify any delay in proceeding with the imposition of liens 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 for the following property:

| <u>Name/Address</u>  | <u>Description</u> | <u>Final Assessment</u> |
|----------------------|--------------------|-------------------------|
| TNJ Investments, LLC | 1N 13E 3 CC7501    | \$800.00                |
| Tim Platt            | 1N 13E DD 15900    | \$1,000.00              |
| Xiang Zhu Mei        | 1N 13E 4 103       | \$1,350.00              |
| Xiang Zhu Mei        | 1N 13E 4 103       | \$1,050.00              |

The legal description for the properties is shown in the list of descriptions attached to and made part of this Resolution as Exhibits “A - C”.

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 28<sup>TH</sup> DAY OF OCTOBER, 2024.**

|            |             |       |
|------------|-------------|-------|
| Voting Yes | Councilors: | _____ |
| Voting No  | Councilors: | _____ |
| Abstaining | Councilors: | _____ |
| Absent     | Councilors: | _____ |

**AND APPROVED BY THE MAYOR THIS 28TH DAY OF OCTOBER, 2024.**

*ATTEST:*

\_\_\_\_\_  
Richard A. Mays, Mayor

\_\_\_\_\_  
Amie Ell, City Clerk



## Exhibit “A”

### LEGAL DESCRIPTION OF 310 & 314 East 13th STREET

Parcel 1 of Partition Plat No. 2023-0001, according to the official plat thereof, recorded January 31, 2023, as Instrument No. 2023-000211, Wasco County Records, being a portion of Lots 4 and 5, W.H. TAYLOR'S ADDITION, according to the amended plat thereof, in the City of The Dalles, in the County of Wasco and State of Oregon.

Parcel 2 of Partition Plat No. 2023-0001, according to the official plat thereof, recorded January 31, 2023, as Instrument No. 2023-000211, Wasco County Records, being a portion of Lots 4 and 5, W.H. TAYLOR'S ADDITION, according to the amended plat thereof, in the City of The Dalles, in the County of Wasco and State of Oregon.

**Exhibit “B”**

**LEGAL DESCRIPTION OF 1414 EAST 13<sup>TH</sup> PLACE**

Lot 4, Block 4, ANDERSON'S ADDITION TO DALLES CITY, in City of The Dalles, County of Wasco and State of Oregon.

## Exhibit “C”

### LEGAL DESCRIPTION OF 1290 WEST 8<sup>TH</sup> STREET

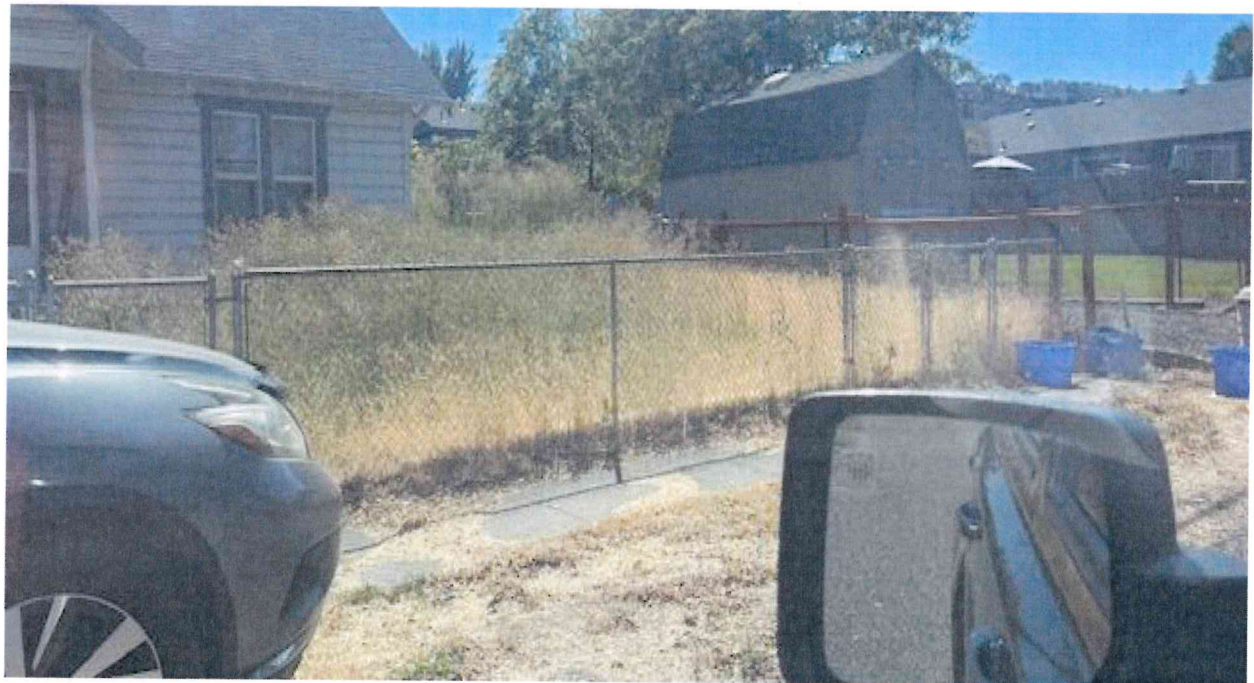
Parcel 1 of Partition Plat 2000-26, filed for record December 29, 2000, under Microfilm No. 20005582, being a portion of the Northwest quarter of Section 4, Township 1 North, Range 13 East and the Southwest quarter of Section 33, Township 2 North, Range 13 East of the Willamette Meridian, Wasco County and State of Oregon.

310/314 East 13<sup>th</sup> Street (Sept 4<sup>th</sup>)



EXHIBIT B

1414 East 13<sup>th</sup> place



 COPY

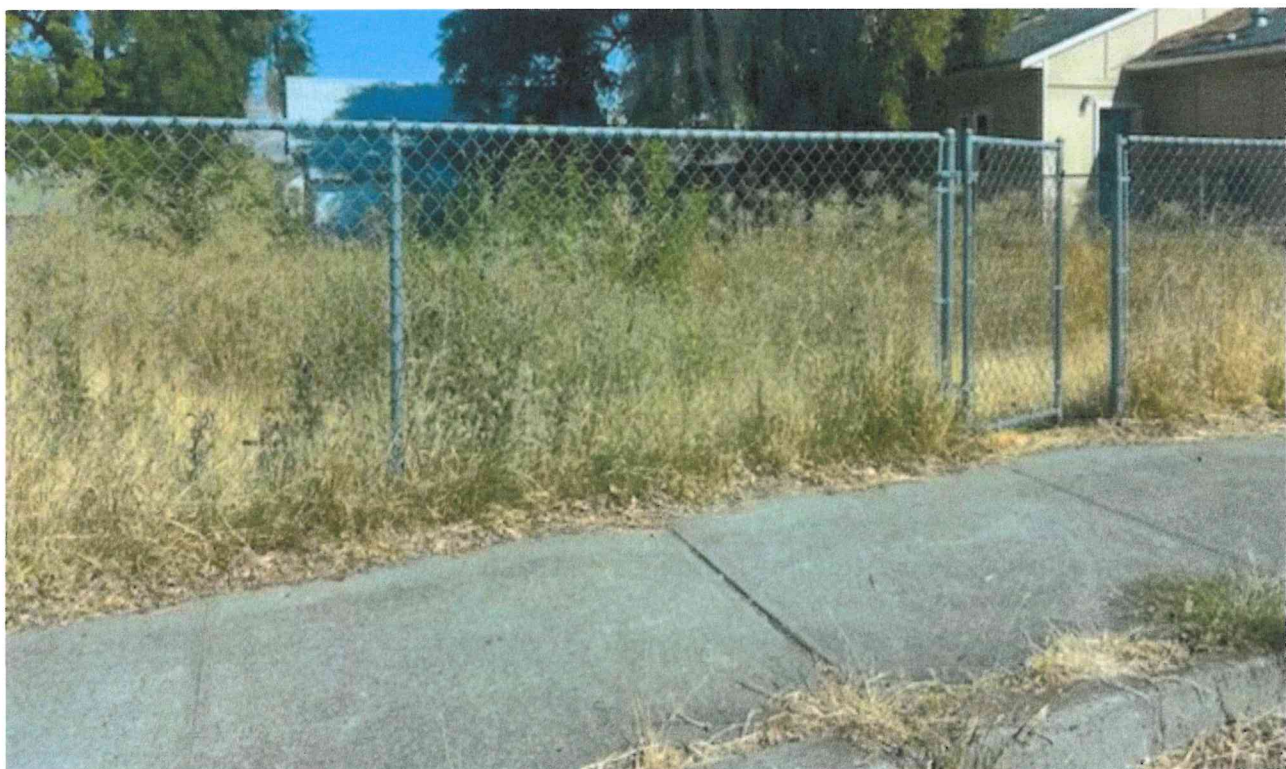


EXHIBIT 3



## AGENDA STAFF REPORT

**AGENDA LOCATION:** Item #10A

**MEETING DATE:** October 28, 2024

**TO:** Honorable Mayor and City Council

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

**ISSUE:** Authorization for Amendment to Contract Issued for Emergency Repairs to Digester 1 Cover

**BACKGROUND:** In February 2024, the cover to Digester 1 at the Wastewater Treatment Plant was damaged when a valve failed to operate properly and the digester tank was over-pressurized and over-filled thereby breaking the metal cover loose from the concrete walls of the tank. The digesters are a vital part of the wastewater treatment processes. Emergency contracts were issued under the City Manager's authority, as allowed by the City's Local Contract Review Board Rules, to Jacobs Engineering Group (Jacobs) and Record Steel and Construction Inc (RSCI) to design and construct the needed repairs as soon as possible. Those repair efforts have been underway since that time and it is critical that repairs be completed before the coming winter season when the capacity of Digester 1 is critical.

The first emergency contract that was issued was to Jacobs to evaluate the damage that occurred and perform the engineering design for the needed repairs; that contract was for \$50,000. Jacobs is the City's contract operator for the plant and therefore has an existing relationship with the City and a familiarity with the plant that could be leveraged to expedite and the needed design work; the type of structural engineering needed is well within Jacobs' areas of expertise.

The second contract issued was to RSCI for \$200,000 to construct the needed repairs. RSCI is a construction firm with experience working both with Jacobs and in wastewater treatment plants; RSCI previously worked with Jacobs to repair the aeration systems at the City's wastewater treatment plant a few years ago.

The original emergency contract amount of \$200,000 was an estimate of the repair costs that was prepared before the any significant design had been completed. An amendment

to the original contract price is needed now that there is a better understanding of the amount of repair work that will be required, and after having experienced some challenges in the repair efforts to date. The first challenge that was encountered in the repair project was the removal of the metal cover from the digester. The cover was tilted at an angle and jammed into the digester walls, and also sealed to the walls. The first crane that was hired to remove the cover was unsuccessful in doing so. Workers had to chip away at the sealant and interior membrane, and a second larger crane was brought in to lift the cover. The second attempt was ultimately successful in removing the cover. The work to remove the cover ended up costing about \$100,000 of the original \$200,000 construction contract amount. Pictures at the end of this report show the broken concrete supports and anchors for the digester cover, the process of lifting the cover off the digester, the interior of the digester tank, and the damaged cover after it has been removed.

Now that the cover had been removed, the damaged concrete has been assessed, and the design of the needed repairs has been completed, it is understood that the repair costs are going to be higher than originally estimated. The additional costs are largely related to the difficulties in removing the cover, repairing more concrete than originally estimated, reconfiguration of piping to the metal cover since the cover will be rotated from its original position so that it is anchored to stronger native concrete rather than to the repaired sections, replacing damaged bracing in the cover, re-coating the entire cover rather than spot-coating to ensure its integrity for the rest of its useful life, and reinstalling a seal around the cover. Efforts have been made to minimize these additional costs by expediting the schedule so that work can be completed before additional measures are needed to protect the work from winter weather conditions. Due to all of these factors, there is a need to amend the construction contract with RSCI by adding \$484,509 to the original \$200,000 contract price, for a total contract price of \$684,509. It might be helpful to know that this updated cost for the project is in line with City staff's original ball park estimate for the repairs.

City staff is investigating whether some of these costs can be covered by insurance.

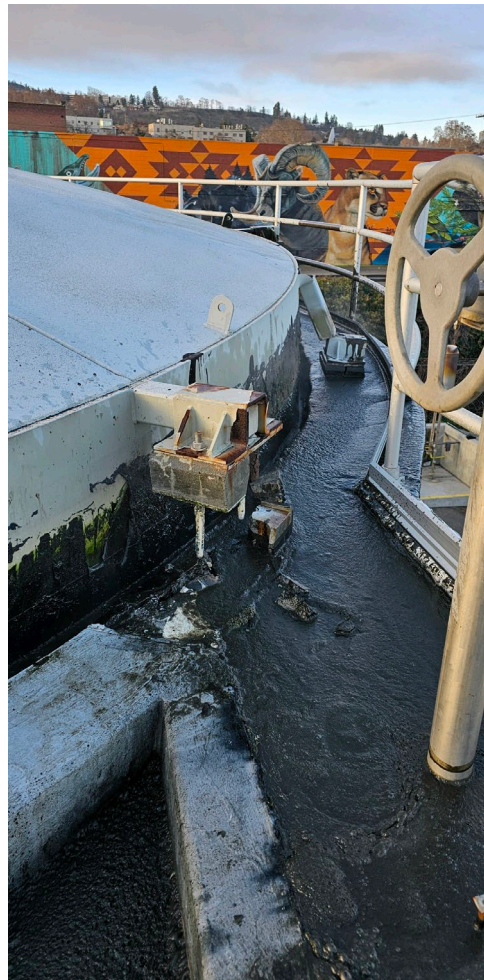
**BUDGET ALLOCATION:** The FY2024-25 budget includes \$6,563,244 in Fund 57, the Wastewater Plant Construction/Debt Fund, allocated for wastewater treatment plant improvements. There are adequate funds available for the proposed contract amendment. It's possible that some of these costs may be reimbursed by the City's property insurer.

### **ALTERNATIVES:**

1. **Staff Recommendation:** *Move to authorize an amendment to the construction contract with Record Steel and Construction Inc for emergency repairs to Digester 1 in an amount of \$484,509.00.*
2. Deny authorization of the contract amendment and provide additional direction to Staff.



Initial Damage: Digester 1 cover is raised from its normal position and askew (tilted); concrete pedestals upon which the cover was anchored are broken loose from the concrete walls of the digester tank.



Removing the Cover: It required two attempts to remove the cover with a crane. A second, much larger crane successfully removed the cover after the sealant and interior membrane were removed.



Interior of Digester 1: Before and after removing the cover.



Damaged cover ready for repairs: Cover in parking lot ready for repairs. Note broken anchor braces.





## AGENDA STAFF REPORT

### AGENDA LOCATION: Action Item #11A

**MEETING DATE:** October 28, 2024

**TO:** Honorable Mayor and City Council

**FROM:** Jonathan Kara, City Attorney  
Nikki Lesich, Codes Enforcement Officer

**ISSUE:** Adopting Resolution No. 24-025, a resolution assessing the City's abatement of real property located at 3221 West 10<sup>th</sup> Street

**BACKGROUND:** This matter concerns the real property addressed 3221 West 10<sup>th</sup> Street, depicted in Assessor's Map No. 2N 13E 29 CD as Tax Lot 2900 (**Property**). According to Wasco County real property and tax assessment records, the Property is owned by Paula Lee-Valkov (**Owner**). Owner purchased and acquired title to the Property by warranty deed recorded in the Wasco County Official Records on May 10, 2013, as Instrument No. 2013-1736 (**Deed**). According to the Deed, the Property's purchase conveyed title to "[Owner], a married woman, as her sole and separate property".

Owner is presumably married to Theodore V. Valkov—Mr. Valkov is objecting to the City's assessment of costs associated with the City's abatement of the Property for junk and noxious vegetation. The City regulates junk on private property pursuant to the provisions of TDMC Chapter 5.04 (*Nuisances*) and regulates noxious vegetation (e.g., weeds and grass more than 12" in height, or other vegetation determined by the City's Codes Enforcement Officer to be a fire hazard) pursuant to the provisions of Chapter 5.24 (*Noxious Vegetation*). Both junk and noxious vegetation are nuisances subject to abatement. The City understands Mr. Valkov to be a *person responsible* for purposes of abating nuisance conditions on the Property under both TDMC Chapter 5.04 and Chapter 5.24.

In response to complaints filed with the City's Codes Enforcement Division during some of the hottest and driest times of the year, on **June 27, 2024**, the Codes Enforcement Officer (**CE Officer**) sent a voluntary compliance request letter via regular mail to Owner soliciting Owner's abatement of noxious vegetation on the Property to mitigate

public safety risks posed by overgrown weeds and grass during fire season. That letter informed Owner that the CE Officer would perform a reinspection of the Property on or after **July 5, 2024**, and (if the nuisance conditions had not been removed) proceedings to abate the nuisance would commence.

On **July 5, 2024**, the CE Officer reinspected the Property and determined the nuisance conditions had remained unchanged. Consistent with TDMC 5.24.040, the CE Officer then posted a Notice to Abate Nuisance on the Property and sent a letter to Owner informing them of the posting and requiring abatement by **July 19, 2024**. The CE Officer sent 2 copies of that letter (via both regular and certified mail, return receipt requested) to Owner at the address shown on the most recent property tax assessment roll. The letter indicated the City would hire a contractor to abate nuisance conditions and the costs of such abatement would be charged to Owner as a lien upon the Property. The certified letter was returned to the City unclaimed after the U.S. Postal Service attempted delivery on **July 10, July 15, and July 25, 2024**.

On Sunday, **July 21, 2024** (2 days after the deadline for Owner's abatement), the CE Officer solicited bids from contractors to abate the nuisance conditions on the Property. That solicitation closed on **July 23, 2024**, and the City received 2 bids: the high bid was for \$4,750.00 and the low bid was for \$1,100.00.

On Monday, **July 22, 2024**, the CE Officer filed an *Affidavit for Administrative Warrant* for the Property's abatement in Municipal Court (Case No. 24-0341) and the Municipal Judge issued the warrant that day with the understanding the CE Officer must execute the warrant by **August 1, 2024**. The warrant authorized entry on the Property for the CE Officer, any bidding contractors, and City Police Officers on any day of the week between 8:00 a.m. and 6:00 p.m. for the purpose of abating nuisance conditions.

The City entered a services agreement with the low bidder (G.V.V. Lawn Care, LLC) on **July 24, 2024**, to abate the nuisance conditions on the Property at a direct cost to the City of \$1,100.00.

On **September 16, 2024**, the City Clerk dispatched a Notice of Assessment to Owner via certified mail (return receipt requested). That notice indicated the City abated the Property on **July 24, 2024**, and the total cost of the assessment is **\$1,600.00**, comprising the City's *direct costs of \$1,100.00* and a *\$500.00 administrative fee* required by TDMC 5.04.170 (*Assessment of Costs*). The notice also indicated that total amount would become a lien against the Property unless paid by **October 1, 2024**, or unless Owner objects to the cost of the abatement by filing a notice of objection with the City Clerk by **September 21, 2024**.

On **September 30, 2024**, Mr. Valkov filed an objection to the costs of the abatement. Mr. Valkov raises 5 points (below in italics) in support of his writing to "strongly object to this assessment and to the irresponsible manner in which is [*sic*] has been applied":

*(1) The five (5) days given in the Notice of Assessment from are not adequate to receive, investigate, and properly respond to the Notice.*

TDMC 5.04.170(A)(3) and its analog TDMC 5.24.070(A)(3) both indicate Council's

expectation that objections to notices of assessments be filed within 5 days of the notice date. *First*, Mr. Valkov claims 5 days are inadequate to receive the notice, but (according to U.S. Postal Service records) a person at Owner’s residence signed to accept the **September 16, 2024**, certified letter on **September 18, 2024**—in this case, it seems 2 days is sufficient to receive the notice. *Second*, the City’s code does not require owners or persons responsible to investigate a notice of assessment before filing a notice of objection. *Third*, while the City’s code does expect a proper response from owners or persons responsible intending on objecting to such notices, the Code has no requirements for the form of that response—put another way, it would have been sufficient for Mr. Valkov to merely express a general objection (rather than his submitted 5-point analysis) to preserve his right to appeal the assessment to Council (where he is afforded ample opportunity to prepare and present evidence and be heard).

Neither the CE Officer nor City Attorney understand the 5-day timeline imposed by the Code for filing a notice of objection to a proposed assessment to be insufficient.

**Note:** Mr. Valkov’s notice of objection is dated **September 30, 2024**, but was actually received by the City Clerk on **October 7, 2024**. Mr. Valkov hand-delivered the letter to City Hall staff on or about **October 3 or 4, 2024**. As above, the Code indicates objections to the notice of assessment were timely accepted through **September 21, 2024**. In the interest of extending constituents as many courtesies as possible, the City accepted his notice of objection despite its untimeliness.

*(2) The City has not notified me of "junk and noxious vegetation" on the property, nor has it informed me of plans to remove it.*

As above, the City sent Owner a voluntary compliance request letter on **June 27, 2024**, and a Notice to Abate Nuisance letter on **July 5, 2024**. The Property itself was also physically posted with a Notice to Abate Nuisance on **July 5, 2024**.

**Note:** TDMC 5.04.170(E) and its analog TDMC 5.24.070(F) both indicate “failure [of the owner or person responsible] to receive the notice of the proposed assessment” does not “render the assessment void [and] it shall remain a valid assessment against the property.” This Code language can be found in nearly every city’s nuisance code because many owners and persons responsible have historically claimed ignorance of municipal processes or deficiencies in the postal system as justification for their failure to abide the Code. Ultimately, the City dispatched its Notice to Abate Nuisance via certified and regular mail, and only the letter requiring signature was returned as unclaimed (suggesting the letter sent via regular mail was delivered).

Neither the CE Officer nor City Attorney understand how the City could have done more to ensure Owner was notified of the existence of nuisance conditions on the Property and the responsibility to abate those conditions (and the consequences of their failure or refusal to so abate).

*(3) My work contractor has been progressively pruning and removing overgrown vegetation from the property, which is being renovated and rehabilitated. My contractor has been staging pruned tree branches in an empty area for periodic removal. As the amount of vegetation on the property is considerable, the staging*

*area is periodically refilled with pruned branches that are cut to smaller pieces and progressively ferried away to be disposed. The staging area is on my private property and is clear of the public way. This work process is necessary in order to remove overgrown vegetation - yet, the City has entered private property without my permission or knowledge and interfered with it.*

As above, the City provided ample notice of its intent to enter. As indicated by Mr. Valkov himself here, “the amount of vegetation on the [P]roperty is considerable.” Both TDMC Chapter 5.04 and 5.24 apply to privately owned land located in The Dalles (for good reason—e.g., fires from unmitigated noxious vegetation do not recognize lot lines). Further, while the City did enter Owner’s property without Mr. Valkov’s permission, the CE Officer and bidding contractors entered for the limited purpose of abating the nuisance condition and did so pursuant to a duly executed Administrative Warrant issued by the Municipal Court.

*(4) During the July 24<sup>th</sup> trespass, the City may have also removed a large wheeled steel bin, which is used by me and my contractor during renovations. This container is fairly expensive to replace, and has been taken without my permission. If it has been taken by the City, I kindly request that it be returned because it is needed for work. Perhaps other property has been taken without permission too - but within the short time given to me by the Notice, I am unable to presently inventory it. I'd appreciate to know of such property, which should be returned too.*

Despite Mr. Valkov’s mischaracterization of the City’s conduct here as a “trespass”, the City entered the Property pursuant to a duly executed Administrative Warrant issued by the Municipal Court (i.e., lawfully).

On **October 15, 2024**, the CE Officer confirmed with the bidding contractor that the contractor did not remove any such steel bin. Similarly, CE Officer confirms the City did not remove the referenced steel bin from the unsecured Property.

*(5) To remove the amount of pruned branches that were on the staging area at the end of July would ordinarily cost about \$300. The cost of the City assessment is spurious and unduly inflated. It is also hard to comprehend what services amount to the \$500 add-on “administrative fee” mentioned in your letter. If the City has trespassed and removed the pruned branches from the staging area without my permission and knowledge, the City should at least invoice a representative cost for “services” genuinely rendered.*

As mentioned above, the City received 2 bids for the Property’s abatement (\$4,750.00 and \$1,100.00)—the lower bid is nearly 4 times as much as Mr. Valkov’s \$300 estimate.

**Note:** With respect to the administrative fee, TDMC 5.04.160(C) requires the City Clerk to maintain an accurate record of the expenses incurred by the City in abating nuisances and further requires the City Clerk to include “an administrative cost of \$500.00”. That fee is intended to cover the City’s expenses for time spent by the City Clerk, CE Officer, and City Attorney to complete the abatement process outlined in the Code, including time spent by City staff to prepare this Staff Report and all supporting documents.



A copy of Mr. Valkov's notice of objection is attached to and made part of this Staff Report as its **Exhibit A**. A copy of the CE Officer's Property case file is attached to and made part of this Staff Report as its **Exhibit B** and includes all notices referenced in this Staff Report, the CE Officer's request for abatement bids, the bidding contractors' responses, and the agreement between the City and the lowest bidding contractor for the abatement performed on the Property.

The CE Officer and City Attorney jointly recommend Council adopt Resolution No. 24-025 to assess the City's full abatement costs (**\$1,600.00**) against the Property.

**BUDGET IMPLICATIONS:** Upon adoption of the proposed Resolution, the City expects reimbursement of its costs connected with the abatement in an amount totaling **\$1,600.00** (\$1,100.00 in contract expenses plus \$500.00 administrative fee) assessed to 3221 West 10<sup>th</sup> Street.

**COUNCIL ALTERNATIVES:**

1. **Staff Recommendation:** *Move to adopt Resolution No. 24-025, a resolution assessing the City's abatement of the real property located at 3221 West 10<sup>th</sup> Street, as presented.*
2. Make modifications to then move to adopt Resolution No. 24-025, as amended.
3. Decline to assess costs of abatement.

Enclosures

**Resolution No. 24-025**

**Exhibit A** – *Notice of Objection - Theodore V. Valkov (September 30, 2024)*

**Exhibit B** – *CE Officer Property Case File – 3221 West 10<sup>th</sup> Street*

**RESOLUTION NO. 24-025**

**A RESOLUTION ASSESSING THE REAL PROPOERTY LOCATED  
AT 3221 WEST 10<sup>TH</sup> STREET THE COST 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> |
|-----------------------------------|---------------------------|------------------------|
| 3221 West 10 <sup>th</sup> Street | 2N 13E 29 CD 2900         | July 5, 2024           |

**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>     |
|-----------------------------------|------------------|
| 3221 West 10 <sup>th</sup> Street | Paula Lee-Valkov |

**WHEREAS**, the Notice to Abate Nuisance required the removal of noxious vegetation and/or junk from the listed property pursuant to the provisions of Article 5.04 and Chapter 5.24 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> |
|-----------------------|--------------------|--------------------------|-------------|
| 3221 West 10th Street | G.V.V. Landscaping | July 24, 2024            | \$1,100.00  |

**WHEREAS**, pursuant to Sections 5.04.170 and 5.24.070 of The Dalles Municipal Code, on September 16, 2024, the City Clerk sent a Notice of Assessment by certified mail to Paula Lee-Valkov advising them the total cost of the assessment for the property was \$1,600.00, and the listed sum would become a lien upon the property if the amount was not paid by October 1, 2024, or the assessment was not protested by September 21, 2024;

**WHEREAS**, on September 30, 2024, Theodore V. Valkov filed an objection to the costs of the abatement and assessment;

**WHEREAS**, on October 28, 2024, the City Council provided Theodore V. Valkov and any other interested party an opportunity to be heard and present evidence supporting their opposition to the costs of the abatement and assessment; and

**WHEREAS**, after considering the staff report and presentation by the City’s Codes Enforcement Officer and all other evidence submitted during this matter’s consideration, 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 for the following property:

| <u>Name/Address</u> | <u>Description</u> | <u>Final Assessment</u> |
|---------------------|--------------------|-------------------------|
| Paula Lee-Valkov    | 2N 13E 29 CD 2900  | \$1,600.00              |

The legal description for the property is attached to and made part of this Resolution as its 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.

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

**PASSED AND ADOPTED THIS 28<sup>TH</sup> DAY OF OCTOBER, 2024.**

|            |             |       |
|------------|-------------|-------|
| Voting Yes | Councilors: | _____ |
| Voting No  | Councilors: | _____ |
| Abstaining | Councilors: | _____ |
| Absent     | Councilors: | _____ |

**AND APPROVED BY THE MAYOR THIS 28<sup>TH</sup> DAY OF OCTOBER 2024.**

\_\_\_\_\_  
Richard A. Mays, Mayor

*ATTEST:*

\_\_\_\_\_  
Amie Ell, City Clerk

## Exhibit "A"

### LEGAL DESCRIPTION OF 3221 WEST 10<sup>TH</sup> STREET IN THE DALLES, OREGON

A tract of land in Section 29, Township 2 North, Range 13 East of the Willamette Meridian, Wasco County, Oregon, more particularly described as follows:

Commencing at the Northwest corner of the SHAUG DONATION LAND CLAIM NO. 41 of said township and range; thence North 89° 35' 55" East along the North line of said SHAUG DONATION LAND CLAIM 667.39 feet to the Easterly right of way line of West 10th Street; thence along the Easterly right of way line of said 10th Street on the arc of a 3,789.72 foot radius curve right 32.88 feet (the chord of which bears North 24° 32' 21" West 32.88 feet) to the true point of beginning of this description; thence continuing along the Easterly right of way line of said West 10th Street on the arc of 3,789.72 foot radius curve to the right 112.48 feet (the chord of which bears North 23° 26' 25" West 112.48 feet) to the Southwesterly corner of that tract of land described in Instrument 78-4080, Microfilm records of Wasco County, Oregon; thence along the Southerly boundary of said tract, North 69° 49' 00" East 97.59 feet; thence North 20° 11' 00" West 11 feet; thence North 69° 49' 00" East 46 feet; thence South 20° 11' 00" East 19.0 feet; thence North 69° 49' 00" East 49 feet to the Southeast corner of said tract; thence along the East line of said tract, North 20° 41' 00" West 77.00 feet to the Northeast corner of said tract, being a point on the South line of the William Frantz tract as described in Instrument 63-4257, Microfilm records of Wasco County, Oregon; thence North 76° 19' 00" East along the South line of said Frantz tract 160.45 feet to the Southeasterly corner thereof; thence South 00° 49' 00" West 270.38 feet to a point 30 feet Northerly of (when measured at right angles) the North line of said SHAUG DONATION LAND CLAIM NO. 41; thence South 89° 35' 55" West parallel with and 30 feet Northerly of the North line of said SHAUG DONATION LAND CLAIM a distance of 263.60 feet to the point of beginning of this description.

**Exhibit A**

**September 30, 2024**

Ms. Amie Ell, City Clerk  
City of The Dalles  
313 Court St  
The Dalles OR 97058

**SUBJECT: OBJECTION TO NOTICE OF ASSESSMENT  
3221 W10TH ST THE DALLES OR 97058**

Dear Ms Ell,

I recently received a Notice of Assessment from the City regarding my property at 3221 W10<sup>th</sup> St in The Dalles. I am writing to strongly object to this assessment and to the irresponsible manner in which it has been applied:

1) The five (5) days given in the Notice of Assessment from are not adequate to receive, investigate, and properly respond to the Notice.

2) The City has not notified me of “junk and noxious vegetation” on the property, nor has it informed me of plans to remove it.

3) My work contractor has been progressively pruning and removing overgrown vegetation from the property, which is being renovated and rehabilitated. My contractor has been staging pruned tree branches in an empty area for periodic removal. As the amount of vegetation on the property is considerable, the staging area is periodically refilled with pruned branches that are cut to smaller pieces and progressively ferried away to be disposed. The staging area is on my private property and is clear of the public way. This work process is necessary in order to remove overgrown vegetation – yet, the City has entered private property without my permission or knowledge and interfered with it.

4) During the July 24<sup>th</sup> trespass, the City may have also removed a large wheeled steel bin, which is used by me and my contractor during renovations. This container is fairly expensive to replace, and has been taken without my permission. If it has been taken by the

**Theodore V. Valkov**

2102 Claudia Ln, The Dalles, OR 97058 • 541-980-6411

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City, I kindly request that it be returned because it is needed for work. Perhaps other property has been taken without permission too - but within the short time given to me by the Notice, I am unable to presently inventory it. I'd appreciate to know of such property, which should be returned too.

5) To remove the amount of pruned branches that were on the staging area at the end of July would ordinarily cost about \$300. The cost of the City assessment is spurious and unduly inflated. It is also hard to comprehend what services amount to the \$500 add-on "administrative fee" mentioned in your letter. If the City has trespassed and removed the pruned branches from the staging area without my permission and knowledge, the City should at least invoice a representative cost for "services" genuinely rendered.

Considering these facts, I strongly object to the Notice of Assessment and to any amounts assessed. I furthermore request that no liens be filed until this matter can be properly investigated and resolved. Thank you for your attention.

Sincerely,



Theodore Valkov



CITY of THE DALLES

401 COURT STREET  
THE DALLES, OREGON 97058

**Exhibit B**

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

Thursday, June 27, 2024

CODES ENFORCEMENT

**Case Number: 01717**

Paula Lee-Valkov  
2102 Claudia Lane  
The Dalles, OR 97058

Dear Ms. Lee-Valkov:

According to the Wasco County Assessor's records, you are the owner of the property located at 3221 West 10th Street in The Dalles, which property is also described as Assessor's Map No. 2N 13E 29 CD 2900. A recent inspection of the property indicates a violation of City Ordinances, specifically: **Our office has received a complaint of overgrown, dry vegetation throughout the property in violation of The Dalles Municipal Code: Title 5 OFFENSES; Chapter 5.24 Noxious Vegetation; 5.24.010 (1,2); 6(B); weeds and vegetation over 12 inches in height and piles of down vegetation on the property; all are considered a fire hazard**


**\*Code violations can result in the imposition of a \$500 fine and/or a lien upon the property for the cost of removing the nuisance condition if not in FULL compliance by the reinspection date noted in this letter.**

**\*pictures attached \*HISTORY: 09/2022; 10/2023; 05/2024; 06/2024**

**\*NOTE: your property has been posted for abatement for the failure to comply on tree trimming encroaching the public right of way as well.**

City Ordinances do not allow for nuisance conditions to exist on properties within The Dalles. A reinspection of the property will occur on or after **7/5/24**. If the nuisance conditions have not been removed from the property by this date, proceedings to abate the nuisance will be instituted. Your prompt attention to this matter is appreciated. Please contact me at **541-296-2613** or **nlesich@ci.the-dalles.or.us** if you have any questions.

Regards,

  
Nikki Lesich, CEP  
Code Enforcement Officer  
Police Department

*Posted*

**COPY**

cc: Community Development Department



7022 2410 0002 0278 1552

|  |          |
|--|----------|
| <b>U.S. Postal Service™</b>  |          |
| <b>CERTIFIED MAIL® RECEIPT</b>   |          |
| <i>Domestic Mail Only</i>  |          |
| For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a> ®. |          |
| <b>OFFICIAL USE</b>  |          |
| Certified Mail Fee   |          |
| \$   |          |
| Extra Services & Fees (check box, add fee as appropriate)  |          |
| <input type="checkbox"/> Return Receipt (hardcopy)   | \$ _____ |
| <input type="checkbox"/> Return Receipt (electronic)   | \$ _____ |
| <input type="checkbox"/> Certified Mail Restricted Delivery                                      | \$ _____ |
| <input type="checkbox"/> Adult Signature Required  | \$ _____ |
| <input type="checkbox"/> Adult Signature Restricted Delivery                                     | \$ _____ |
| Postage  |          |
| \$   |          |
| Total Postage and Fees   |          |
| \$   |          |
| Sent To  |          |
| Paula Lee-Valkov   |          |
| Street and Apt. No., or PO Box No.   |          |
| 2102 Claudia Lane  |          |
| City, State, ZIP+4®  |          |
| FD 97058   |          |
| PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions                       |          |

7/5

Postmark Here

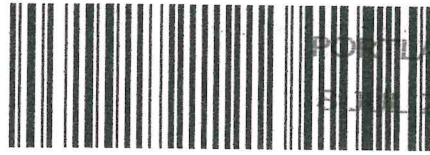
Post

#3221  
w:10/14



POLICE DEPARTMENT  
CODES ENFORCEMENT  
**City of The Dalles**  
401 COURT STREET  
THE DALLES, OREGON 97058

**CERTIFIED MAIL**



7022 2410 0002 0278 1552

PORTLAND, OR RPDC 972

SEP 11 2024 PM 11



US POSTAGE™ PITNEY BOWES



ZIP 97058 \$ 008.69<sup>0</sup>  
02 4W  
0000383532

7-10 1/15 7/25

Paula Lee-Valkov  
2102 Claudia Lane  
The Dalles, O

NIXIE 971 DE 1 0007/28/24  
RETURN TO SENDER  
UNCLAIMED  
UNABLE TO FORWARD  
BC: 97058221101 \*1520-03847-08-39

97058-3351 UNC  
97058>2211

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Paula Lee Valkov  
2102 Claudia Lane  
The Dalles, Or 97058



9590 9402 8688 3310 4355 13

2. Article Number (Transfer from service label)

7022 2410 0002 0278 1552

PS Form 3811, July 2020 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery
- Mail Restricted Delivery (00)

Domestic Return Receipt



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

Friday, July 5, 2024

Case Number: 01717

CODES ENFORCEMENT

Paula Lee-Valkov  
2102 Claudia Lane  
The Dalles, OR 97058

**CERTIFIED  
AND  
REGULAR MAIL**

Re: Nuisance on property located at 3221 West 10th Street.

Dear Ms. Lee-Valkov:

Enclosed please find a copy of a Notice to Abate Nuisance which has been posted on your property located at **3221 West 10th Street**, also known as Assessor's Map No. **2N 13E 29 CD 2900**, The Dalles, Oregon. The nuisance must be abated by removing from all sides of the property **\*FAILED PROPERTY INSPECTION \*\*\*PROPERTY TO ABATE 07/19/2024 \*\*\***

**Letter sent 06/27/2024:**

**Our office has received a complaint of overgrown, dry vegetation throughout the property in violation of The Dalles Municipal Code: Title 5 OFFENSES; Chapter 5.24 Noxious Vegetation; 5.24.010 (1,2); 6(B); weeds and vegetation over 12 inches in height and piles of down vegetation on the property; all are considered a fire hazard**

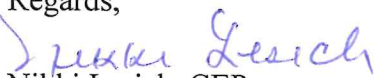
**\*Code violations can result in the imposition of a \$500 fine and/or a lien upon the property for the cost of removing the nuisance condition if not in FULL compliance by the reinspection date noted in this letter.**

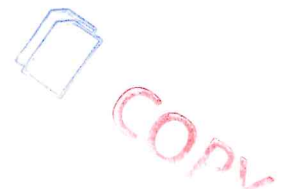
**\*pictures attached \*HISTORY: 09/2022; 10/2023; 05/2024; 06/2024**

**\*NOTE: your property has been posted for abatement for the failure to comply on tree trimming encroaching the public right of way as well.**

The items must be removed within 14 days of the date of this notice. If the nuisance has not been abated by that time, the City will take action to abate the nuisance and the cost of the abatement will be charged to the property owner(s), and will be a lien upon the property. If we can work cooperatively on this issue prior to the timeline stated above, please call me directly 541-296-2613 or email nlesich@ci.the-dalles.or.us.

Regards,

  
Nikki Lesich, CEP  
Code Enforcement Officer  
Police Department





CITY of THE DALLES

401 COURT STREET  
THE DALLES, OREGON 97058

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

CODES ENFORCEMENT

Case Number: 01717

**CERTIFICATE OF POSTING AND MAILING**

I, Nikki Lesich, do hereby certify that on 7-5-24, at approximately 3:03, I posted the "Notice to Abate Nuisance" upon the property located at 3221 West 10th Street, The Dalles, Oregon, by affixing said notice to the front of the premises.

I further certify that on **Friday, July 5, 2024**, I mailed a copy of the "Notice to Abate Nuisance" to the owner of the property by enclosing a copy of the notice in a sealed envelope, certified mail return receipt requested, addressed to the owner at their last known address:

Owner Information:

Paula Lee-Valkov  
2102 Claudia Lane  
The Dalles, OR 97058

*Nikki Lesich*

**Nikki Lesich, CEP  
Code Enforcement Officer  
Police Department**

# NOTICE TO ABATE NUISANCE

Notice is hereby given that the following described property currently under your control as owner or agent has been posted as a public nuisance following determination of code violation of The Dalles Municipal Code: Title 5 OFFENSES; Chapter 5.24 Noxious Vegetation (1,2); 6(B) and Title 11 Planning; Chapter 11.20 Street Trees. Tree trimming to clear 14 feet above street. If your property is not in FULL compliance by reinspection date of July 19, 2024, it will result in the abatement process by the City of The Dalles starting on July 20, 2024

**CASE NUMBER: 01717**

**PROPERTY DESCRIPTION: 3221 West 10th Street , The Dalles, Oregon, 97058**

**PARCEL NUMBER: 2N 13E 29 CD 2900**

**PROPERTY OWNER: Paula Lee-Valkov**

**DESCRIPTION OF NUISANCE:**

**\*FAILED PROPERTY INSPECTION \*\*\*PROPERTY TO ABATE 07/19/2024 \*\*\***

**Letter sent 06/27/2024:**

Our office has received a complaint of overgrown, dry vegetation throughout the property in violation of The Dalles Municipal Code: Title 5 OFFENSES; Chapter 5.24 Noxious Vegetation; 5.24.010 (1,2); 6(B); weeds and vegetation over 12 inches in height and piles of down vegetation on the property; all are considered a fire hazard

\*Code violations can result in the imposition of a \$500 fine and/or a lien upon the property for the cost of removing the nuisance condition if not in FULL compliance by the reinspection date noted in this letter.

\*pictures attached \*HISTORY: 09/2022; 10/2023; 05/2024; 06/2024

\*NOTE: your property has been posted for abatement for the failure to comply on tree trimming encroaching the public right of way as well.

You are hereby directed to abate the nuisance as described for the property located at the above-described address. If the nuisance has not been removed within (14) days of the posting of this notice, the City may take action to abate the nuisance, and the cost of the abatement shall be charged to the owner and/or the person responsible for violation(s) on the site. Failure to abate the nuisance may also warrant an imposition of a fine. You may file a written protest to this notice with the City Clerk, 313 Court Street, The Dalles, OR 97058, within five (5) business days from the date of this notice.

*Nikki Lesich*  
Dated: July 5, 2024

Time posted: 3:07

Nikki Lesich, CEP

Police Department



07/05/2024 POSTED FOR ABATEMENT



**Nikki Lesich**

---

**From:** Nikki Lesich  
**Sent:** Sunday, July 21, 2024 4:59 PM  
**To:** huanterod@gmail.com; Marco Ocegueda (vipjanitorial.sbc72@gmail.com); 'flilandscape@gmail.com'  
**Subject:** Property abatement BIDS wanted DEADLINE Tuesday 10:00 AM, July 23, 2024  
**Attachments:** MAP 3221 WEST 10.docx  
**Importance:** High

*C.V.V. - hand delivered  
7/21/24*

**Contractors:**

I will have warrants to go on the properties as indicated below: Warrants must be valid for you to go on the property or it will be trespassing. FYI

Please bid on the following for property abatement (warrant will be valid by 4:00 on Monday, July 22, 2024):

Address: (VACANT) 3221 West 10<sup>th</sup> Street (mapping attached for your review)

Scope of Work:

- \*cut and remove all vegetation throughout the property (NOTE: some of the vegetation has been removed, but not the entire property)
- \*removed piles of tree limbs and vegetation debris stored on the property and dispose
- \*remove and dispose of any litter and garbage throughout the property; including, removal of a dumpster of its contents and dispose
- \*dig, bag and remove any puncture vine (goat head) that is located on the property or encroaching into the public right of way (street, alley, sidewalks) and dispose

BID DEADLINE TO SUBMIT: Tuesday, July 23, 2024 10:00 AM

**NOTE:** there are several more property abatements coming this week and 3 more properties in 2 weeks if not in compliance.

Thank you for considering this bid.



Friday, July 5, 2024

Warrant  
7/22

Case Number: 01717

Paula Lee-Valkov  
2102 Claudia Lane  
The Dalles, OR 97058

**CERTIFIED  
AND  
REGULAR MAIL**

Re: Nuisance on property located at 3221 West 10th Street.

7/19 final

14  
5  
19

Dear Ms. Lee-Valkov:

Enclosed please find a copy of a Notice to Abate Nuisance which has been posted on your property located at **3221 West 10th Street**, also known as Assessor's Map No. **2N 13E 29 CD 2900**, The Dalles, Oregon. The nuisance must be abated by removing from all sides of the property **\*FAILED PROPERTY INSPECTION \*\*\*PROPERTY TO ABATE 07/19/2024 \*\*\***

**Letter sent 06/27/2024:**

**Our office has received a complaint of overgrown, dry vegetation throughout the property in violation of The Dalles Municipal Code: Title 5 OFFENSES; Chapter 5.24 Noxious Vegetation; 5.24.010 (1,2); 6(B); weeds and vegetation over 12 inches in height and piles of down vegetation on the property; all are considered a fire hazard**

**\*Code violations can result in the imposition of a \$500 fine and/or a lien upon the property for the cost of removing the nuisance condition if not in FULL compliance by the reinspection date noted in this letter.**

**\*pictures attached \*HISTORY: 09/2022; 10/2023; 05/2024; 06/2024**

**\*NOTE: your property has been posted for abatement for the failure to comply on tree trimming encroaching the public right of way as well.**

The items must be removed within 14 days of the date of this notice. If the nuisance has not been abated by that time, the City will take action to abate the nuisance and the cost of the abatement will be charged to the property owner(s), and will be a lien upon the property. If we can work cooperatively on this issue prior to the timeline stated above, please call me directly 541-296-2613 or email nlesich@ci.the-dalles.or.us.

Regards,

Nikki Lesich, CEP  
Code Enforcement Officer  
Police Department



3221 west 1o  
Show search results for 3221 w...

2N 13E 29 CD 2900  
Taxlot 2N 13E 29 CD 2900  
Account Number 13774  
Taxpayer LEE-VALKOV PAULA  
Mailing Address 2102 CLAUDIA L  
Address Line 2  
Address Line 3  
City THE DALLES  
State Oregon  
ZIP 97058  
  
GIS Acres 1.29  
  
For more information click below  
[Assessor's Web Tax](#) / [Clerk's Res](#)  
Room  
[Zoom to](#)

60ft

-121.223 45.622 Degrees

## Nikki Lesich

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**From:** Rod Huante <huanterod@gmail.com>  
**Sent:** Tuesday, July 23, 2024 9:55 AM  
**To:** Nikki Lesich  
**Subject:** 3221 w10

WARNING: Email from external source. Links and attachments could pose security risks. Investigate sender and think before you click.

Will do job for \$4750 Sorry it's so big but there's a lot of work for me to do there, If I was to get it

## AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT is made and entered into by and between the CITY OF THE DALLES, a municipal corporation, hereinafter called the "City," and **Guadalupe Villegas** doing business as **G.V.V. Lawn Care, LLC**, hereinafter called the "Contractor," for services to be provided as set forth in Section 1.

IN CONSIDERATION of the mutual covenants and promises between the parties hereto, it is hereby agreed the Contractor shall perform certain services, and the City shall make payment for such services, in accordance with the terms and conditions set forth in this agreement.

The City and Contractor agree as follows:

1. CONTRACTOR'S DUTIES

The Contractor shall provide the following services: *Provide labor and materials for removal of nuisance conditions, which includes the removal of any junk, garbage, puncture vine, overgrown vegetation throughout the property located at 3221 West 10<sup>th</sup> Street* as described in the Contractor's proposal. Attached as Exhibit "A." The services shall be completed on or before the day of **07/31/2024**.

2. CITY'S DUTIES

The City shall pay the sum of **\$1,100.00** to Contractor for services rendered upon submission of invoice by Contractor and acceptance of the completed project by the City.

3. GENERAL PROVISIONS

A. This agreement and any attachments represent the entire and integrated agreement between the City and the Contractor and supersede all prior negotiations, representations, or agreements, either written or oral. This agreement may be amended by written instrument signed by both the City and the Contractor. Amendments shall automatically become part of this agreement, and shall supersede any inconsistent provision therein; provided, however, that any apparent inconsistency shall be resolved, if possible, by construing the provisions as mutually complementary and supplementary.

B. This agreement shall be governed by the law of the State of Oregon.

C. Neither party shall hold the other responsible for damages or delay in performance caused by acts of God, strikes, lockouts, accidents, or other events beyond the control of the other or the other's employees and agents.

D. In the event any provision of this agreement shall be held to be invalid and unenforceable, the remaining provisions shall be valid and binding upon the parties. One or more waivers by either party of any provision, term, condition, or covenant shall not be construed by the other party as a waiver of a subsequent breach of the same by the other party.

E. The Contractor shall, within ten (10) calendar days after the execution of the agreement and before awarding any subcontract, furnish the City with a list of proposed subcontractors, and shall not employ any the City may object to as incompetent or unfit.

F. The Contractor agrees that it is as fully responsible to the City for the negligent acts and omissions of any subcontractors or persons either directly or indirectly

employed by it, as it is for the negligent acts and omissions of persons directly employed by Contractor.

G. Nothing contained in the agreement shall create any contractual relations between any subcontractor and the City.

H. No oral order, objection, claim, or notice by any party to the other shall affect or modify any of the terms or obligations contained in this agreement, and none of the provisions of this agreement shall be held to be waived or modified by reason of any act whatsoever, other than by a definitely agreed waiver or modification thereof in writing. No evidence of modification or waiver other than evidence of any such written notice, waiver, or modification shall be introduced in any proceeding.

I. The Contractor shall indemnify, defend, and hold harmless the City, its officers, employees, and agents, from all claims, demands, actions, and suits, whether or not frivolous or groundless including appeals, arising out of any negligent act, error, or omission of the Contractor in the course of project.

J. Prior to commencing work under this agreement, the Contractor shall provide the City with evidence the Contractor has obtained worker's compensation coverage as required by the State of Oregon as either a direct responsibility employer or a contributing employer; or the Contractor shall provide proof that the Contractor is an independent contractor who will work on the project without the assistance of others. If the Contractor is going to perform the work on this project without the assistance of others, the Contractor and City will jointly sign and file with the State Accident Insurance Fund Corporation a declaration that the services rendered under the contract will be rendered as those of an independent contract.

K. Notices relating to this agreement shall be given:

1. To the City: Eric Macnab, Sergeant  
Police Department

The Dalles, Oregon 97058

2. To Contractor: Guadalupe Villegas  
(d/b/a) G.V.V. Lawn Care, LLC  
1401 View Court  
The Dalles, Oregon 97058

L. The Contractor shall obtain and maintain in effect during the term of, and until final acceptance of all work under this Agreement, a policy or policies of liability insurance with limits and coverage as set forth below:

| <u>Type of Insurance</u>                                 | <u>Limits of Liability</u>                               |
|--|--|
| Worker's Compensation                                    | Statutory Worker's Compensation                          |
| Commercial General Liability -<br>Combined Single Limits | \$1,000,000 (each occurrence)<br>\$2,000,000 (aggregate) |
| Automobile Liability                                     | \$ 500,000 All vehicles covered.                         |
| Bodily Injury and Property Damage                        | All vehicles covered                                     |
| Combined   | Hired and non-owned auto liability                       |

Such policy or policies of Commercial General Liability and Automobile Liability insurance, shall name as additional insured, "The City of The Dalles, its officers, employees, and agents" with respect to claims arising out of the Contractor's performance of this contract only.

M. Examination of Contract Documents and the Work Site. The Contractor shall examine the site of the proposed work and the contract documents before submitting a proposal. The submission of a proposal shall be considered prima facie evidence that the Contractor has made such examination and is satisfied as to the conditions to be encountered in performing the work and as to the requirements of the contract documents. The Contractor must protect itself in the unit prices or the lump sum proposed on the work. Failure of the Contractor to visit or thoroughly familiarize itself with the labor, equipment, and material required, the difficulty of the conditions involved, or the scope of the project, shall not relieve the Contractor

of its obligation to complete the work for the price proposed nor entitle the Contractor to a price adjustment.

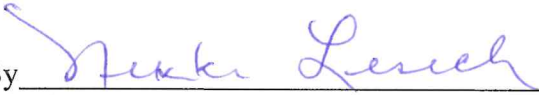
N. Status as an Independent Contractor. In the performance of the work, duties, and obligations required of Contractor under this agreement, it is mutually understood and agreed that Contractor is at all times acting and performing as an independent contractor. No relationship of employer/employee is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




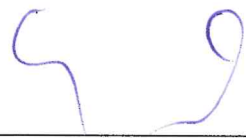
O. Cancellation in Event of Owner Abatement. City and Contractor understand and agree that in the event the nuisance conditions on the property have been abated on or before **July 25, 2024**, the City will no longer require Contractor's services; and the parties shall be released from their responsibilities, and this Agreement shall be cancelled and considered null and void.

IN WITNESS WHEREOF, the parties have caused this agreement to be signed by their duly authorized representatives as of this 24<sup>th</sup> day July, 2024

CITY OF THE DALLES

By   
Nikki Lesich, CEP  
Code Enforcement Officer  
City of The Dalles

By   
Guadalupe Villegas  
(d/b/a) G.V.V. Lawn Care, LLC  
Contractor

  
Sergeant Eric Macnab  
Police Department  
City of The Dalles



IN THE MUNICIPAL COURT OF THE CITY OF THE DALLES  
COUNTY OF WASCO, STATE OF OREGON

|  |  |  |
|--|--|--|
| CITY OF THE DALLES,<br><br>Plaintiff,<br><br>vs.<br><br>PAULA LEE-VALKOV<br><br>Defendant. | )<br>)<br>)<br>)<br>)<br>)<br>)<br>)<br>)<br>)<br>)<br>) | CASE NO. <b>24-0341</b><br><br>AFFIDAVIT FOR<br>ADMINISTRATIVE WARRANT |
|--|--|--|

STATE OF OREGON)  
) ss.  
County of Wasco )

I, Nikki Lesich, being first duly sworn, depose and say the following:

1.

I am employed as a Codes Enforcement Officer for the City of The Dalles. As part of my duties, I am responsible for enforcing the provisions of The Dalles Municipal Code; Title 5 OFFENSES; Chapter 5.24 Noxious Vegetation; 5.24.010 (1,2); 6(B); and Title 5 OFFENSES; Chapter 5.04 Nuisances; Chapter III Nuisances Affecting Public Peace; including piles of dry vegetation and tree limbs creating a fire hazard.

2.

On or about July 5, 2024, I conducted a site inspection on the premises located at 3221 West 10th Street in The Dalles; Wasco County Tax ID: 2N 13E 29 CD 2900.

A copy of the letter that itemized the code violations is attached to this Affidavit

as Exhibit "A". At the time of the reinspection, July 19, 2024, it was noted that the violations had not been addressed completely by the defendant.

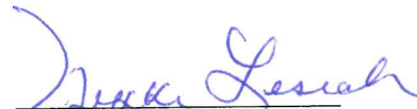
3.

Attached hereto as Exhibit "B" are photographs taken on July 22, 2024, which show that the verified nuisance conditions still remain upon the premises and in the public right-of-way.

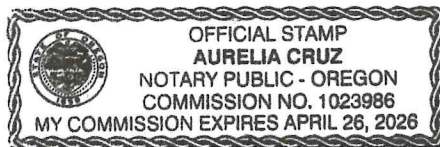
4.

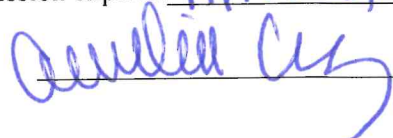
Under these circumstances, it is necessary to apply for an inspection warrant that will authorize Codes Enforcement Officer, contractors and police to enter onto the property for a full inspection of the property and abate the nuisance condition, which exist upon the property.

Dated this 22nd day of July, 2024

  
Nikki Lesich, Codes Officer  
Police Department

Subscribed and sworn to before me this 22 day of July, 2024



Notary Public for Oregon  
My commission expires: April 26, 2026  




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

Friday, July 5, 2024

Case Number: 01717

CODES ENFORCEMENT

Paula Lee-Valkov  
2102 Claudia Lane  
The Dalles, OR 97058

**CERTIFIED  
AND  
REGULAR MAIL**

Re: Nuisance on property located at 3221 West 10th Street.

Dear Ms. Lee-Valkov:

Enclosed please find a copy of a Notice to Abate Nuisance which has been posted on your property located at **3221 West 10th Street**, also known as Assessor's Map No. **2N 13E 29 CD 2900**, The Dalles, Oregon. The nuisance must be abated by removing from all sides of the property **\*FAILED PROPERTY INSPECTION \*\*\*PROPERTY TO ABATE 07/19/2024 \*\*\***

**Letter sent 06/27/2024:**

**Our office has received a complaint of overgrown, dry vegetation throughout the property in violation of The Dalles Municipal Code: Title 5 OFFENSES; Chapter 5.24 Noxious Vegetation; 5.24.010 (1,2); 6(B); weeds and vegetation over 12 inches in height and piles of down vegetation on the property; all are considered a fire hazard**

**\*Code violations can result in the imposition of a \$500 fine and/or a lien upon the property for the cost of removing the nuisance condition if not in FULL compliance by the reinspection date noted in this letter.**

**\*pictures attached \*HISTORY: 09/2022; 10/2023; 05/2024; 06/2024**

**\*NOTE: your property has been posted for abatement for the failure to comply on tree trimming encroaching the public right of way as well.**

The items must be removed within 14 days of the date of this notice. If the nuisance has not been abated by that time, the City will take action to abate the nuisance and the cost of the abatement will be charged to the property owner(s), and will be a lien upon the property. If we can work cooperatively on this issue prior to the timeline stated above, please call me directly 541-296-2613 or email nlesich@ci.the-dalles.or.us.

Regards,

Nikki Lesich, CEP  
Code Enforcement Officer  
Police Department

**EXHIBIT**     A



EXHIBIT B



EXHIBIT B

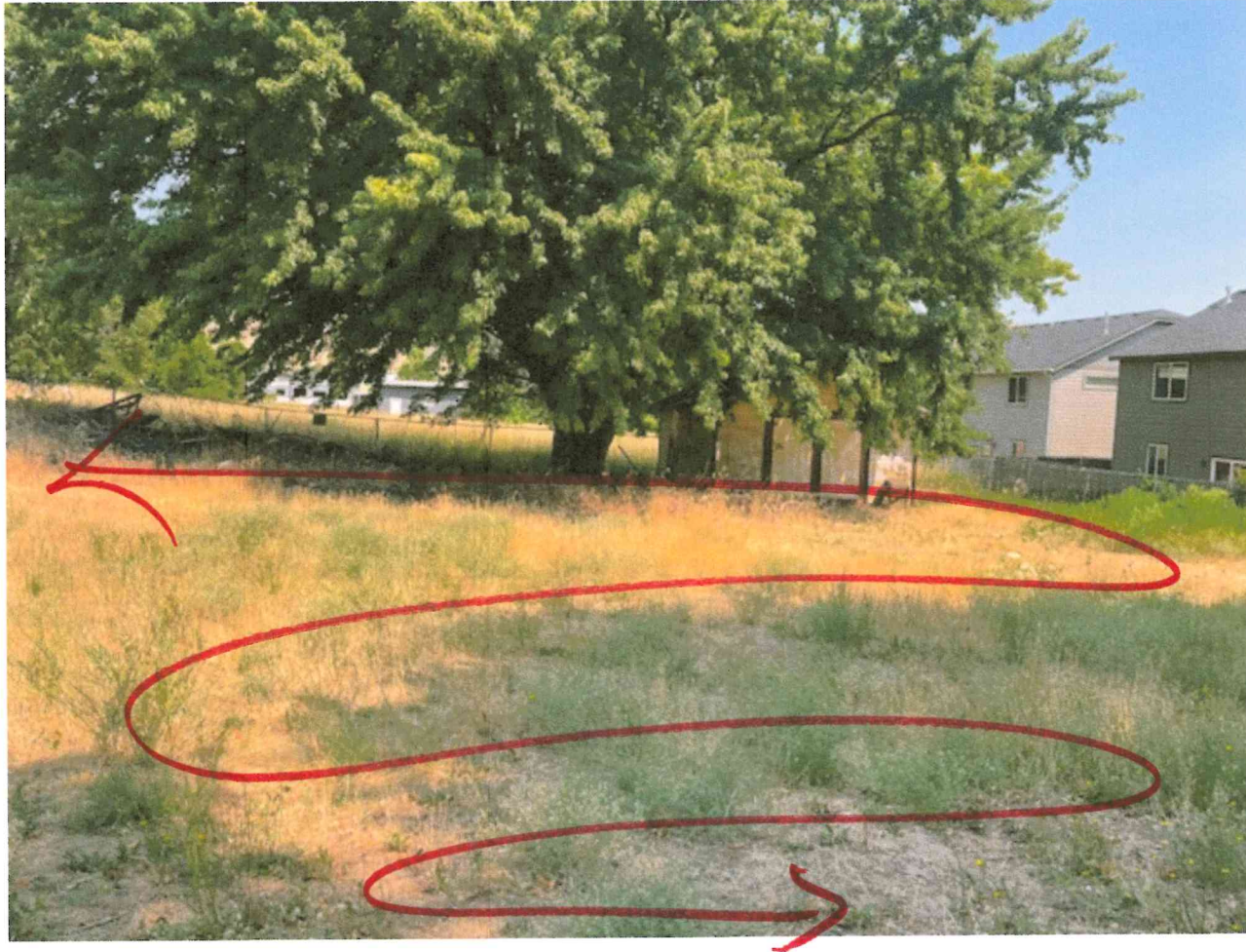


EXHIBIT B



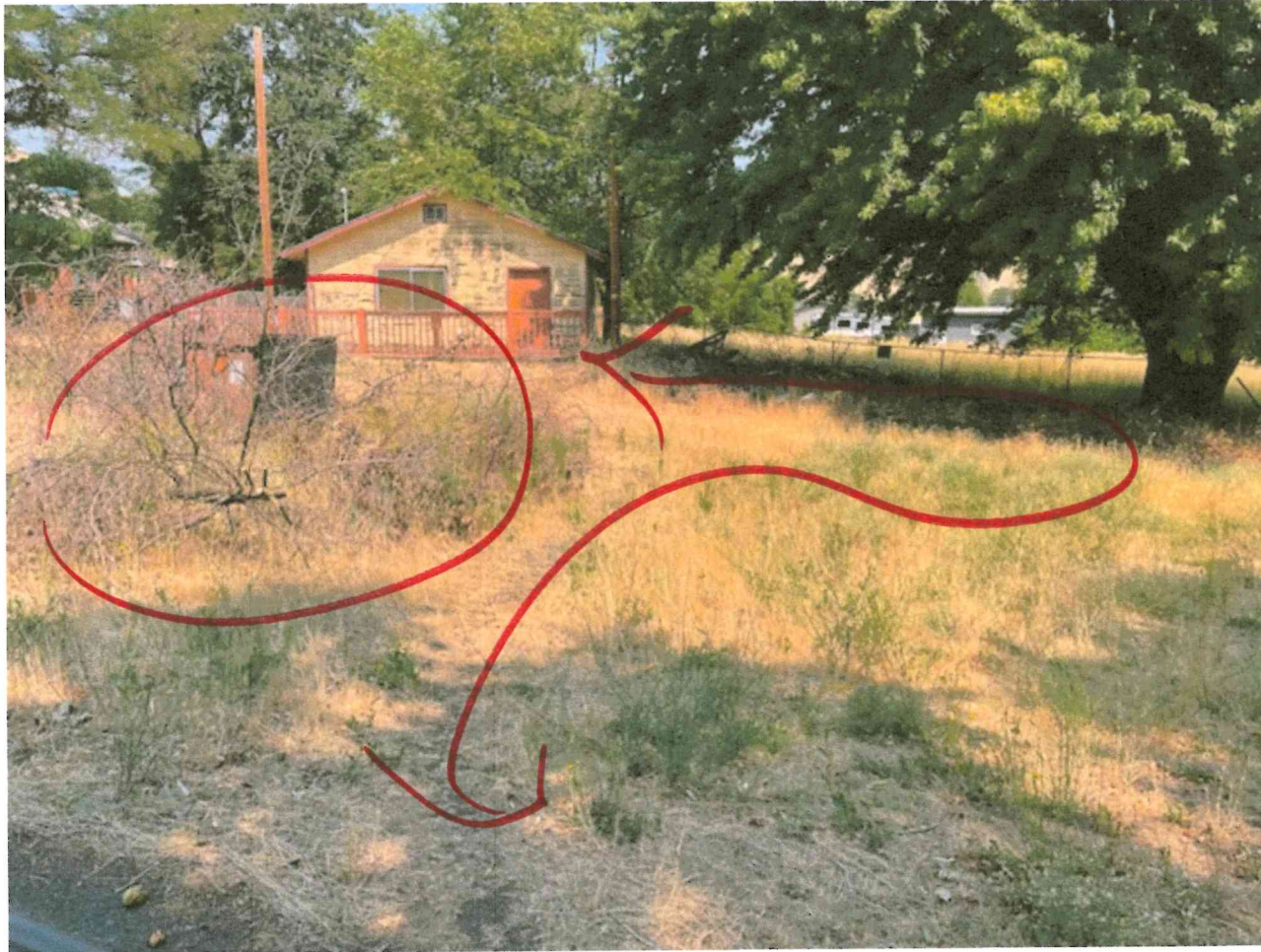


EXHIBIT B



EXHIBIT B





EXHIBIT B

IN THE MUNICIPAL COURT OF THE CITY OF THE DALLES  
COUNTY OF WASCO, STATE OF OREGON

CITY OF THE DALLES, )  
 )  
 Plaintiff, )  
 ) CASE NO. **24-0341**  
 vs. )  
 )  
 PAULA LEE-VALKOV ) ADMINISTRATIVE WARRANT  
 )  
 Defendant. )  
 )

IN THE NAME OF THE CITY OF THE DALLES:

TO NIKKI LESICH, CODE ENFORCEMENT OFFICER OF THE CITY OF THE  
DALLES, GREETINGS:

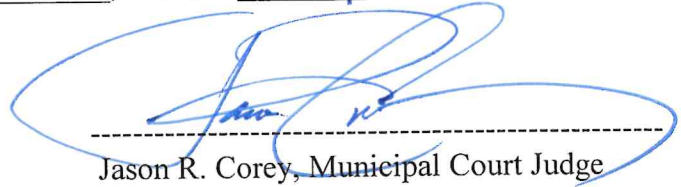
You are hereby authorized to execute this administrative warrant for the purpose of abating the conditions located upon the premises located at 3221 West 10th Street, The Dalles, Oregon. The purpose of this inspection and investigation is to determine the areas overgrown vegetation and puncture vine that is creating a fire hazard throughout this property.

A codes officer employed by the City, bidding contractors for the abatement and any police officer, are authorized to enter the premises to conduct the inspection, investigation and property abatement.

You are further directed to make return of this warrant to me within ten (10) days from the date of this warrant.

This warrant may be executed on any day of the week between the hours of 8:00 A.M. and 6:00 P.M.

Issued over my hand on July 22, 2024, at 3:54 pm



Jason R. Corey, Municipal Court Judge

IN THE MUNICIPAL COURT OF THE CITY OF THE DALLES  
COUNTY OF WASCO, STATE OF OREGON

CITY OF THE DALLES,

Plaintiff,

vs.

**PAULA LEE-VALKOV**

Defendant.


)  
)  
)  
)  
)  
)  
)  
)  
)  
)

CASE NO. **24-0341**

RETURN OF  
INSPECTION WARRANT

COMES NOW **Nikki Lesich**, Code Enforcement Officer for the **City of The Dalles**, and files this return of the Inspection Warrant issued by the Court on **July 22, 2024**. The warrant was executed on **July 24, 2024** at approximately 7:00 a.m. upon the property located **3221 West 10th Street**, The Dalles, Oregon; also known as Assessor's Map No. **2N 13E 29 CD 2900**.

Dated this **10<sup>th</sup> day of September, 2024**



Nikki Lesich CEP  
Code Enforcement Officer, Police Department

3221 W 10<sup>th</sup> st July 29th





3221 W 10<sup>th</sup> st July 29th





**CITY of THE DALLES**

313 COURT STREET  
THE DALLES, OREGON 97058

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

**CERTIFIED MAIL**

September 16, 2024

Paula Lee-Valkov  
2102 Claudia Lane  
The Dalles, OR 97058

**NOTICE OF ASSESSMENT – 3221 West 10<sup>th</sup> Street, The Dalles, Oregon**

Ms. Lee-Valkov;

This Notice is to inform you of the assessment costs for the clean-up and removal of junk and noxious vegetation from your property located at 3221 West 10th Street, The Dalles, Oregon, and known as Tax ID: 2N 13E 29 CD 2900, on which clean-up was performed on July 24, 2024.

The total cost of the assessment is **\$1,600.00, this includes a \$500 administrative fee.** The total assessment of \$1,600.00 will become a lien against the property unless paid within 15 days of the date of this Notice, **October 1, 2024** .

If you object to the cost of the abatement as indicated, you may file a notice of objection with the City Clerk within five (5) days of the date of this notice, **September 21, 2024**. The objection shall be delivered in person or by mail to City Clerk, 313 Court Street, The Dalles, Oregon, 97058.

CITY OF THE DALLES

Amie Ell, City Clerk

CC: Jonathan Kara, City Attorney  
Nikki Lesich, Codes Enforcement Officer



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece,

1.

Paula Lee-Valkov  
2102 Claudia Lane  
The Dalles, OR 97058



9590 9402 8177 3030 3281 18

2. Article Number (Transfer from service label)

7021 2720 0003 2101 3881

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Registered Mail
- Registered Mail Restricted Delivery
- Registered Mail Restricted Delivery (500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

**ALERT: HURRICANES HELENE AND MILTON, FLOODING, AND SEVERE WEATHER IN THE SOU...**

# USPS Tracking®

[FAQs >](#)

Tracking Number:

[Remove X](#)

## 70212720000321013881

[Copy](#)

[Add to Informed Delivery \(https://informedelivery.usps.com/\)](https://informedelivery.usps.com/)

### Latest Update

Your item was delivered to an individual at the address at 1:00 pm on September 18, 2024 in THE DALLES, OR 97058.

Get More Out of USPS Tracking:

**USPS Tracking Plus®**

### Delivered

**Delivered, Left with Individual**

THE DALLES, OR 97058

September 18, 2024, 1:00 pm

[See All Tracking History](#)

[What Do USPS Tracking Statuses Mean? \(https://faq.usps.com/s/article/Where-is-my-package\)](https://faq.usps.com/s/article/Where-is-my-package)

**Text & Email Updates**



**USPS Tracking Plus®**



**Product Information**



[See Less ^](#)

[Track Another Package](#)





## AGENDA STAFF REPORT

**AGENDA LOCATION:** Item # 11B

**MEETING DATE:** October 28, 2024

**TO:** Honorable Mayor and City Council

**FROM:** Matthew Klebes, City Manager

**ISSUE:** The Dalles Disposal Rate Increase 2024

**BACKGROUND:** The Dalles Disposal Service submitted a request dated October 14, 2024 for a rate increase averaging approximately 2.08% to be effective January 1, 2025 due to increased operational costs and disposal fees. This increase is based on 65% of the Consumer Price Index (CPI) for the Standard Metropolitan Statistical Area which for the most recent July-July period was 3.12%.

The Wasco County Landfill will be increasing both its gate rate and pass-through Household Hazardous Waste tax by 2.08% as well effective January 1, 2025. An increase based on 65% of CPI has been the historic metric set by resolution. This rate increase was unanimously approved by the Solid Waste Advisory Council.

Staff met with representatives from The Dalles Disposal to review and discuss submitted information and financials related to this request as well as touch base on ongoing partnerships and new opportunities which productive and answered staff questions.

**BUDGET IMPLICATIONS:** The City collects a 3% franchise fee calculated of the franchisee's gross revenue and as such the City could see an increase in this fee.

### **COUNCIL ALTERNATIVES:**

1. **Staff recommendation:** *Move to adopt Resolution No. 24-027 Approving a Rate Increase Resulting from Increased Operational and Disposal Fee Costs Incurred by Waste Connections of Oregon, Inc. (Dba The Dalles Disposal), Effective January 1, 2025.*
2. Direct staff to amend Resolution No. 24-027 and adopt with a different rate increase

**RESOLUTION NO. 24-027**

**A RESOLUTION APPROVING A RATE INCREASE RESULTING FROM INCREASED OPERATIONAL AND DISPOSAL FEE COSTS INCURRED BY WASTE CONNECTIONS OF OREGON, INC. (DBA THE DALLES DISPOSAL)**

**WHEREAS**, in 1992, the City granted Waste Connections of Oregon, Inc. (dba The Dalles Disposal) (**Franchisee**) a franchise to operate and conduct a solid waste collection service pursuant to the provisions of TDMC Chapter 4.04 (*Solid Waste Collection and Disposal*);

**WHEREAS**, on October 14, 2024, Franchisee submitted a request for a rate increase averaging approximately 2.08% for increased operational costs and disposal fees, a copy of which is attached to and made part of this Resolution as its **Exhibit A**;

**WHEREAS**, TDMC 4.04.110 provides Council with the authority to adjust Franchisee's rates within the City's corporate limits so long as the increase is just and reasonable and adequate to provide necessary collection service;

**WHEREAS**, at its October 28, 2024, regular meeting, Council provided an opportunity for interested persons to comment on the enactment of this Resolution prescribing a fee increase, consistent with the provisions of ORS 294.160(1); and

**WHEREAS**, based on the evidence and comments presented and offered during the meeting, Council hereby finds approval of Franchisee's requested rate increase resulting from increased operational costs and disposal fees is just and reasonable and adequate to provide necessary collection service within the City's corporate limits.

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

1. Rate Increase Approved. The rate increase requested by Franchisee resulting from increased operational costs and disposal fees is hereby approved consistent with **Exhibit A** and shall take effect on January 1, 2025.

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2. Effective Date. This Resolution shall be effective upon adoption.

**PASSED AND ADOPTED THIS 28<sup>TH</sup> DAY OF OCTOBER, 2024,**

|                   |             |       |
|-------------------|-------------|-------|
| <b>Voting Yes</b> | Councilors: | _____ |
| <b>Voting No</b>  | Councilors: | _____ |
| <b>Abstaining</b> | Councilors: | _____ |
| <b>Absent</b>     | Councilors: | _____ |

**AND APPROVED BY THE MAYOR THIS 28<sup>TH</sup> DAY OF OCTOBER, 2024.**

\_\_\_\_\_  
Richard A. Mays, Mayor

*ATTEST:*

\_\_\_\_\_  
Amie Ell, City Clerk



WASTE CONNECTIONS  
*Connect with the Future®*

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

October 14, 2024

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 2.08% to help offset rising operational costs and disposal fees. We request this adjustment to be effective January 1, 2025. 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 2.44% 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 2.08% effective January 1, 2025. 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, 2025**

| SERVICE  | CURRENT RATE | 2.08%             | 2.08%             | TOTAL INCREASE | NEW RATE |
|--|--------------|-------------------|-------------------|----------------|----------|
|  |              | TOTAL LF INCREASE | BUSINESS INCREASE |                |          |
| <b>RESIDENTIAL</b>   |              |                   |                   |                |          |
| <b>CANS/ROLLCARTS</b>  |              |                   |                   |                |          |
| Weekly   |              |                   |                   |                |          |
| - (1) 20 gal can   | \$14.78      | \$0.05            | \$0.26            | \$0.31         | \$15.09  |
| - (1) 32 gal can   | \$21.34      | \$0.08            | \$0.36            | \$0.44         | \$21.78  |
| - 90 gal rollcart  | \$31.44      | \$0.21            | \$0.45            | \$0.66         | \$32.10  |
| - 105 gal cart (Phase Out)   | \$33.84      | \$0.24            | \$0.46            | \$0.70         | \$34.54  |
| - each add'l can   | \$21.34      | \$0.08            | \$0.36            | \$0.44         | \$21.78  |
| EOW  |              |                   |                   |                |          |
| - (1) 32 gal can   | \$17.39      | \$0.05            | \$0.31            | \$0.36         | \$17.75  |
| Call In  |              |                   |                   |                |          |
| - (1) 32 gal can   | \$15.14      | \$0.02            | \$0.29            | \$0.31         | \$15.45  |
| - 90 gal rollcart  | \$22.73      | \$0.06            | \$0.41            | \$0.47         | \$23.20  |
| <b>YARD DEBRIS</b>   |              |                   |                   |                |          |
| * 12 month min sign-up period  |              |                   |                   |                |          |
| * \$18 restart fee if service cancelled and restarted within year  |              |                   |                   |                |          |
| * 60 gal yard debris cart  |              |                   |                   |                |          |
| Weekly   | \$10.31      | \$0.14            | \$0.08            | \$0.22         | \$10.53  |
| EOW  | \$7.08       | \$0.08            | \$0.07            | \$0.15         | \$7.23   |
| <b>SPECIAL CHARGES</b>   |              |                   |                   |                |          |
| * 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:   |              |                   |                   |                |          |
| - Excess distance  | \$9.14       | \$0.00            | \$0.19            | \$0.19         | \$9.33   |
| - Steps/stairs   | \$9.14       | \$0.00            | \$0.19            | \$0.19         | \$9.33   |
| - Through gate   | \$9.14       | \$0.00            | \$0.19            | \$0.19         | \$9.33   |
| - Lock and Key Set   | \$15.00      | \$0.00            | \$0.31            | \$0.31         | \$15.31  |
| - Locking Cart Setup   | \$20.00      | \$0.00            | \$0.42            | \$0.42         | \$20.42  |
| - extra can/bag/box  | \$8.39       | \$0.01            | \$0.16            | \$0.17         | \$8.56   |
| - loose yardage per yd   | \$35.89      | \$0.16            | \$0.59            | \$0.75         | \$36.64  |
| (over-the-top extra around conts-cans-rollcarts or on the ground)  |              |                   |                   |                |          |
| - bulk items (*Bring to transfer station)  |              |                   |                   |                |          |
| - return trip can  | \$9.28       | \$0.01            | \$0.18            | \$0.19         | \$9.47   |
| - return trip rollcart   | \$12.32      | \$0.02            | \$0.23            | \$0.25         | \$12.57  |
| - rollcart redelivery  | \$12.77      | \$0.00            | \$0.27            | \$0.27         | \$13.04  |
| - Off day PU   | \$9.14       | \$0.00            | \$0.19            | \$0.19         | \$9.33   |
| - Delinquent fee   | \$16.03      | \$0.00            | \$0.33            | \$0.33         | \$16.36  |
| (Acct delinquent after 30 days from billing)   |              |                   |                   |                |          |
| - NSF/unhonored check fee  | \$37.91      | \$0.00            | \$0.79            | \$0.79         | \$38.70  |
| - New Acct set up fee  | \$7.31       | \$0.00            | \$0.15            | \$0.15         | \$7.46   |
| - Change in service  | \$7.31       | \$0.00            | \$0.15            | \$0.15         | \$7.46   |
| (name/address/service)   |              |                   |                   |                |          |

**Low Income/Elderly/Disabled persons (qualified by MCCAC) will receive a \$6.00/month discount**

**Waste Connections of Oregon, Inc.  
dba The Dalles Disposal  
Proposed City of The Dalles Rates  
Effective January 1, 2025**

| SERVICE  | CURRENT RATE | 2.08%             | 2.08%             | TOTAL INCREASE | NEW RATE |
|--|--------------|-------------------|-------------------|----------------|----------|
|  |              | TOTAL LF INCREASE | BUSINESS INCREASE |                |          |
| <b>COMMERCIAL</b>  |              |                   |                   |                |          |
| <b>CANS/ROLLCARTS</b>  |              |                   |                   |                |          |
| Weekly   |              |                   |                   |                |          |
| - (1) 32 gal can   | \$25.50      | \$0.08            | \$0.45            | \$0.53         | \$26.03  |
| - 90 gal rollcart  | \$38.60      | \$0.21            | \$0.59            | \$0.80         | \$39.40  |
| - 105 gal cart (Phase Out)   | \$39.39      | \$0.24            | \$0.57            | \$0.81         | \$40.20  |
| - each add'l can   | \$25.50      | \$0.08            | \$0.45            | \$0.53         | \$26.03  |
| EOW  |              |                   |                   |                |          |
| - (1) 32 gal can   | \$21.25      | \$0.05            | \$0.39            | \$0.44         | \$21.69  |
| Call In  |              |                   |                   |                |          |
| - (1) 32 gal can   | \$16.68      | \$0.02            | \$0.32            | \$0.34         | \$17.02  |
| - 90 gal rollcart  | \$25.12      | \$0.06            | \$0.46            | \$0.52         | \$25.64  |
| <b>SPECIAL CHARGES</b>   |              |                   |                   |                |          |
| * 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   | \$9.14       | \$0.00            | \$0.19            | \$0.19         | \$9.33   |
| - Excess distance  | \$9.14       | \$0.00            | \$0.19            | \$0.19         | \$9.33   |
| - Steps/stairs   | \$9.14       | \$0.00            | \$0.19            | \$0.19         | \$9.33   |
| - Through gate   | \$9.14       | \$0.00            | \$0.19            | \$0.19         | \$9.33   |
| - Lock and Key Set   | \$15.00      | \$0.00            | \$0.31            | \$0.31         | \$15.31  |
| - Locking Cart Setup   | \$20.00      | \$0.00            | \$0.42            | \$0.42         | \$20.42  |
| -extra can/bag/box   | \$8.39       | \$0.01            | \$0.16            | \$0.17         | \$8.56   |
| - loose yardage per yd   | \$35.89      | \$0.16            | \$0.59            | \$0.75         | \$36.64  |
| (*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  | \$9.28       | \$0.01            | \$0.18            | \$0.19         | \$9.47   |
| - return trip rollcart   | \$12.38      | \$0.02            | \$0.23            | \$0.25         | \$12.63  |
| - rollcart redelivery  | \$12.77      | \$0.00            | \$0.27            | \$0.27         | \$13.04  |
| - Off day PU   | \$9.28       | \$0.00            | \$0.19            | \$0.19         | \$9.47   |
| - Delinquent fee   | \$16.03      | \$0.00            | \$0.33            | \$0.33         | \$16.36  |
| (Acct delinquent after 30 days from billing)   |              |                   |                   |                |          |
| - NSF/unhonored check fee  | \$37.91      | \$0.00            | \$0.79            | \$0.79         | \$38.70  |
| - New Acct set up fee  | \$7.31       | \$0.00            | \$0.15            | \$0.15         | \$7.46   |
| - Change in service (name/address/service)   | \$7.31       | \$0.00            | \$0.15            | \$0.15         | \$7.46   |
| <b>CONTAINERS</b>  |              |                   |                   |                |          |
| 1 1/2 Yd Containers  |              |                   |                   |                |          |
| - Call In  | \$38.88      | \$0.13            | \$0.68            | \$0.81         | \$39.69  |
| - EOW  | \$57.04      | \$0.28            | \$0.90            | \$1.18         | \$58.22  |
| - 1XPW   | \$114.17     | \$0.56            | \$1.81            | \$2.37         | \$116.54 |
| - 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, 2025**

| SERVICE   | CURRENT RATE | 2.08%             | 2.08%             | TOTAL INCREASE | NEW RATE |
|---|--------------|-------------------|-------------------|----------------|----------|
|   |              | TOTAL LF INCREASE | BUSINESS INCREASE |                |          |
| 2 Yd Containers                                       |              |                   |                   |                |          |
| - Call In   | \$54.74      | \$0.17            | \$0.96            | \$1.13         | \$55.87  |
| - EOW   | \$76.30      | \$0.37            | \$1.21            | \$1.58         | \$77.88  |
| - 1XPW  | \$152.54     | \$0.74            | \$2.42            | \$3.16         | \$155.70 |
| - Additional day rate =<br># days x 1 x wk rate       |              |                   |                   |                |          |
| 3 Yd Containers                                       |              |                   |                   |                |          |
| - Call In   | \$77.79      | \$0.26            | \$1.36            | \$1.62         | \$79.41  |
| - EOW   | \$114.11     | \$0.56            | \$1.81            | \$2.37         | \$116.48 |
| - 1XPW  | \$228.37     | \$1.12            | \$3.62            | \$4.74         | \$233.11 |
| - Additional day rate =<br># days x 1 x wk rate       |              |                   |                   |                |          |
| <b>SPECIAL CHARGES</b>                                |              |                   |                   |                |          |
| - Delivery  | \$41.28      | \$0.00            | \$0.86            | \$0.86         | \$42.14  |
| - Rent  | \$40.25      | \$0.00            | \$0.84            | \$0.84         | \$41.09  |
| - Rent-a-bin  | \$90.58      | \$0.00            | \$1.88            | \$1.88         | \$92.46  |
| - Loose yardage                                       | \$35.89      | \$0.16            | \$0.59            | \$0.75         | \$36.64  |
| Containers with difficult access (per cont chg)       |              |                   |                   |                |          |
| - Not on solid surface                                | \$10.11      | \$0.00            | \$0.21            | \$0.21         | \$10.32  |
| - Stuck in the mud                                    | \$10.11      | \$0.00            | \$0.21            | \$0.21         | \$10.32  |
| - Lodged in loose gravel                              | \$10.11      | \$0.00            | \$0.21            | \$0.21         | \$10.32  |
| - Overweight  | \$10.11      | \$0.00            | \$0.21            | \$0.21         | \$10.32  |
| - Excess distance                                     | \$10.11      | \$0.00            | \$0.21            | \$0.21         | \$10.32  |
| - Rolloff curb  | \$10.11      | \$0.00            | \$0.21            | \$0.21         | \$10.32  |
| <b>COMPACTORS</b>                                     |              |                   |                   |                |          |
| * 50,000 max gross weight                             |              |                   |                   |                |          |
| - Per compacted yard                                  | \$40.11      | \$0.43            | \$0.40            | \$0.83         | \$40.94  |
| - over 2 tons for 10 yds                              |              |                   |                   |                |          |
| - over 4 tons for 20 yds                              |              |                   |                   |                |          |
| - over 6 tons for 30 yds                              |              |                   |                   |                |          |
| - over 50,000 GW x Fee<br>(*Per each 2,000 lb excess) | \$447.04     | \$0.00            | \$9.28            | \$9.28         | \$456.32 |

**Waste Connections of Oregon, Inc.**  
**dba The Dalles Disposal**  
**Proposed City of The Dalles Rates**  
**Effective January 1, 2025**

| SERVICE   | CURRENT<br>RATE | 2.08%                | 2.08%                | TOTAL<br>INCREASE | NEW<br>RATE |
|---|-----------------|----------------------|----------------------|-------------------|-------------|
|   |                 | TOTAL LF<br>INCREASE | BUSINESS<br>INCREASE |                   |             |
| <b>DROP BOXES</b>                                     |                 |                      |                      |                   |             |
| - 10 yd min fee empty                                 | \$248.87        | \$1.58               | \$3.58               | \$5.16            | \$254.03    |
| - 15 yd min fee empty                                 | \$383.29        | \$2.37               | \$5.58               | \$7.95            | \$391.24    |
| - 20 yd min fee empty                                 | \$497.75        | \$3.16               | \$7.16               | \$10.32           | \$508.07    |
| - 30 yd min fee empty                                 | \$746.64        | \$4.75               | \$10.74              | \$15.49           | \$762.13    |
| - 40 yd min fee empty                                 | \$995.52        | \$6.33               | \$14.32              | \$20.65           | \$1,016.17  |
| - Delivery  | \$85.95         | \$0.00               | \$1.78               | \$1.78            | \$87.73     |
| - Demurrage per day<br>after 5 days                   | \$18.30         | \$0.00               | \$0.38               | \$0.38            | \$18.68     |
| - LS ydg  | \$24.89         | \$0.16               | \$0.36               | \$0.52            | \$25.41     |
| - over 2 tons for 10 yds                              |                 |                      |                      |                   |             |
| - over 4 tons for 20 yds                              |                 |                      |                      |                   |             |
| - over 6 tons for 30 yds                              |                 |                      |                      |                   |             |
| - Overweight charge                                   | \$53.72         | \$0.00               | \$1.11               | \$1.11            | \$54.83     |
| - over 50,000 GW x Fee<br>(*Per each 2,000 lb excess) | \$447.04        | \$0.00               | \$9.28               | \$9.28            | \$456.32    |
| <b>TRANSFER STATION</b>                               |                 |                      |                      |                   |             |
| Household Garbage                                     |                 |                      |                      |                   |             |
| * 1 can or 1 bag                                      | \$9.29          | \$0.02               | \$0.17               | \$0.19            | \$9.48      |
| - Per Yard (After Minimum)                            | \$17.42         | \$0.16               | \$0.20               | \$0.36            | \$17.78     |
| - <b>MINIMUM CHARGE (3 Yards)</b>                     | \$34.86         | \$0.47               | \$0.25               | \$0.72            | \$35.58     |
| * Compacted garbage (3yd)                             | \$106.64        | \$1.30               | \$0.90               | \$2.20            | \$108.84    |
| * TS Scale fee  | \$13.14         | \$0.00               | \$0.27               | \$0.27            | \$13.41     |
| Bulk Items:   |                 |                      |                      |                   |             |
| - Mattress/box springs                                |                 |                      |                      |                   |             |
| - Recliners/large chairs                              |                 |                      |                      |                   |             |
| - Couches/furn/tv's<br>(minimum fee plus)             | \$11.01         | \$0.05               | \$0.18               | \$0.23            | \$11.24     |
| Appliances:   |                 |                      |                      |                   |             |
| - each  | \$14.69         | \$0.14               | \$0.17               | \$0.31            | \$15.00     |
| - Refrigerators                                       | \$40.90         | \$0.11               | \$0.74               | \$0.85            | \$41.75     |
| - Tires (each)  | \$16.47         | \$0.00               | \$0.34               | \$0.34            | \$16.81     |
| - Tires with rims to 16" (each)                       | \$32.92         | \$0.00               | \$0.68               | \$0.68            | \$33.60     |
| Brush and Wood:                                       |                 |                      |                      |                   |             |
| (Must be clean/no garbage/ for recycling)             |                 |                      |                      |                   |             |
| - Per Yard (After Minimum)                            | \$8.59          | \$0.08               | \$0.09               | \$0.17            | \$8.76      |
| - <b>MINIMUM CHARGE (3 Yards)</b>                     | \$25.77         |                      |                      | \$0.51            | \$26.28     |
| <b>Sharps (Per Container)</b>                         | \$6.35          | \$0.00               | \$0.13               | \$0.13            | \$6.48      |



## AGENDA STAFF REPORT

**AGENDA LOCATION:** Item #11C

**MEETING DATE:** October 28, 2024

**TO:** Honorable Mayor and City Council

**FROM:** Matthew Klebes, City Manager

**ISSUE:** Proposed IT Network Position

**BACKGROUND:** In October 2023, the City created the Information Technology (IT) Department, replacing the former IT Manager position overseen by the City Clerk with an IT Director overseen directly by the City Manager. This transition also involved the creation of a System Administrator position to help augment the services provided by IT.

Since this action, the IT Department has been making great strides to modernize and enhance the overall security of the technology that is utilized by the city. With the hire of a Systems Administrator, IT has been focused on strategically addressing End-of-Life systems and high security risks.

IT also needs to have sufficient resources to address the network side of City systems and has requested bringing on a dedicated Network Administrator. Our network is like our streets and highways, they connect us together and allow us to freely move from one location to the next to access local and global resources. The network infrastructure is a critical piece that must actively managed and maintained.

Currently, the City has 5 distinct sites and is still using a network design from 2001 that does not incorporate common day security best practices and architecture. Network speeds are currently very slow for equipment that is in place due to lack of management and expertise. Slow speeds create slow and ineffective workflows and limits the ability for City staff to deliver services efficiently.

The Network Administrator will allow the City to expedite the needed transition to a modern network infrastructure and architecture as well as provide the needed resources to maintain it. This will mitigate risk an increase visibility, insight, and control of network traffic. The Human Resources Department gathered data on comparable wages relevant to each position and developed the attached Amended Wage table that the City Manager

is requesting the City Council approve.

**BUDGET IMPLICATIONS:** There are insufficient funds in the City’s budget to support this additional staff position. Due to this, included in the October 28, 2024 City Council Agenda packet is a resolution allocating an additional \$64,845 needed to support these staffing changes. This amount is based on the amended wage table included in your packet.

**COUNCIL ALTERNATIVES:**

1. **Staff recommendation:** *Move to adopt the October 28, 2024 Wage Table, adding a Network Administrator Position*
2. Direct staff to make changes to the proposed resolution and bring the resolutions back for consideration at a future Council meeting.
3. Decline to take action.

Exempt / Non-Union & Management Salary Table

| Line Code | Job Classification             | 1.033     |            | FY24/25   |            |           |            |           |            |           |            |           |            |           |            |           |            |
|-----------|--------------------------------|-----------|------------|-----------|------------|-----------|------------|-----------|------------|-----------|------------|-----------|------------|-----------|------------|-----------|------------|
|           |                                | BASE      |            | STEP 1    |            | STEP 2    |            | STEP 3    |            | STEP 4    |            | STEP 5    |            | STEP 6    |            | STEP 7    |            |
|           |                                | Month     | Annual     | Month     | Annual     | Month     | Annual     | Month     | Annual     | Month     | Annual     | Month     | Annual     | Month     | Annual     | Month     | Annual     |
| DH1       | Public Works Director          | 10,010.03 | 120,120.30 | 10,310.33 | 123,723.91 | 10,619.64 | 127,435.63 | 10,938.22 | 131,258.70 | 11,266.37 | 135,196.46 | 11,604.36 | 139,252.35 | 11,952.49 | 143,429.92 | 12,311.07 | 147,732.82 |
| DH1       | Police Chief                   |           |            |           |            |           |            |           |            |           |            |           |            |           |            |           |            |
| DH2       | Finance Director               | 9,711.10  | 116,533.19 | 10,002.43 | 120,029.19 | 10,302.51 | 123,630.06 | 10,611.58 | 127,338.96 | 10,929.93 | 131,159.13 | 11,257.83 | 135,093.91 | 11,595.56 | 139,146.72 | 11,943.43 | 143,321.13 |
| DH3       | IT Director                    | 9,459.92  | 113,519.08 | 9,743.72  | 116,924.65 | 10,036.03 | 120,432.39 | 10,337.11 | 124,045.36 | 10,647.23 | 127,766.73 | 10,966.64 | 131,599.73 | 11,295.64 | 135,547.72 | 11,634.51 | 139,614.15 |
| DH4       | Community Development Director | 9,184.39  | 110,212.70 | 9,459.92  | 113,519.08 | 9,743.72  | 116,924.65 | 10,036.03 | 120,432.39 | 10,337.11 | 124,045.36 | 10,647.23 | 127,766.73 | 10,966.64 | 131,599.73 | 11,295.64 | 135,547.72 |
| DH5       | Human Resources Director       | 8,916.89  | 107,002.62 | 9,184.39  | 110,212.70 | 9,459.92  | 113,519.08 | 9,743.72  | 116,924.65 | 10,036.03 | 120,432.39 | 10,337.11 | 124,045.36 | 10,647.23 | 127,766.73 | 10,966.64 | 131,599.73 |
| DH6       |                                | 8,759.19  | 105,110.25 | 9,021.96  | 108,263.56 | 9,292.62  | 111,511.46 | 9,571.40  | 114,856.81 | 9,858.54  | 118,302.51 | 10,154.30 | 121,851.59 | 10,458.93 | 125,507.13 | 10,772.70 | 129,272.35 |
| DH7       |                                | 8,504.07  | 102,048.78 | 8,759.19  | 105,110.25 | 9,021.96  | 108,263.56 | 9,292.62  | 111,511.46 | 9,571.40  | 114,856.81 | 9,858.54  | 118,302.51 | 10,154.30 | 121,851.59 | 10,458.93 | 125,507.13 |
| DH8       | Library Director               | 8,256.37  | 99,076.49  | 8,504.07  | 102,048.78 | 8,759.19  | 105,110.25 | 9,021.96  | 108,263.56 | 9,292.62  | 111,511.46 | 9,571.40  | 114,856.81 | 9,858.54  | 118,302.51 | 10,154.30 | 121,851.59 |
| DH8       | City Clerk/PIO                 |           |            |           |            |           |            |           |            |           |            |           |            |           |            |           |            |
| DH9       | Deputy Public Works Director   | 8,015.89  | 96,190.74  | 8,256.37  | 99,076.46  | 8,504.06  | 102,048.75 | 8,759.18  | 105,110.22 | 9,021.96  | 108,263.52 | 9,292.62  | 111,511.43 | 9,571.40  | 114,856.77 | 9,858.54  | 118,302.48 |
| DH9       | Police Captain                 |           |            |           |            |           |            |           |            |           |            |           |            |           |            |           |            |
| DH9       | Systems Administrator          |           |            |           |            |           |            |           |            |           |            |           |            |           |            |           |            |
| MG1       | City Engineer                  | 7,782.42  | 93,389.10  | 8,015.90  | 96,190.77  | 8,256.37  | 99,076.49  | 8,504.07  | 102,048.79 | 8,759.19  | 105,110.25 | 9,021.96  | 108,263.56 | 9,292.62  | 111,511.47 | 9,571.40  | 114,856.81 |
| MG1       | Water Quality Manager          |           |            |           |            |           |            |           |            |           |            |           |            |           |            |           |            |
| MG1       | Network Administrator          |           |            |           |            |           |            |           |            |           |            |           |            |           |            |           |            |
| MG2       | Water Distribution Manager     | 7,555.75  | 90,669.01  | 7,782.42  | 93,389.08  | 8,015.90  | 96,190.75  | 8,256.37  | 99,076.47  | 8,504.06  | 102,048.77 | 8,759.19  | 105,110.23 | 9,021.96  | 108,263.53 | 9,292.62  | 111,511.44 |
| MG2       | Wastewater Collection Manager  |           |            |           |            |           |            |           |            |           |            |           |            |           |            |           |            |
| MG2       | Transportation Manager         |           |            |           |            |           |            |           |            |           |            |           |            |           |            |           |            |
| MG2       | Regulatory/Admin Manager       |           |            |           |            |           |            |           |            |           |            |           |            |           |            |           |            |
| MG2       | Project Engineer               |           |            |           |            |           |            |           |            |           |            |           |            |           |            |           |            |
| MG3       | Police Sergeant                | 7,337.33  | 88,047.92  | 7,557.45  | 90,689.35  | 7,784.17  | 93,410.03  | 8,017.69  | 96,212.33  | 8,258.23  | 99,098.70  | 8,505.97  | 102,071.67 | 8,761.15  | 105,133.82 | 9,023.99  | 108,287.83 |
| MG4       |                                | 7,122.02  | 85,464.25  | 7,335.68  | 88,028.18  | 7,555.75  | 90,669.02  | 7,782.42  | 93,389.10  | 8,015.90  | 96,190.77  | 8,256.37  | 99,076.49  | 8,504.07  | 102,048.79 | 8,759.19  | 105,110.25 |
| MG5       | Economic Development Officer   | 6,914.58  | 82,975.00  | 7,122.02  | 85,464.25  | 7,335.68  | 88,028.18  | 7,555.75  | 90,669.03  | 7,782.42  | 93,389.10  | 8,015.90  | 96,190.77  | 8,256.37  | 99,076.49  | 8,504.07  | 102,048.79 |
| MG6       | Senior Planner                 | 6,713.19  | 80,558.24  | 6,914.58  | 82,974.99  | 7,122.02  | 85,464.24  | 7,335.68  | 88,028.17  | 7,555.75  | 90,669.01  | 7,782.42  | 93,389.08  | 8,015.90  | 96,190.75  | 8,256.37  | 99,076.48  |
| MG7       |                                | 6,517.66  | 78,211.90  | 6,713.19  | 80,558.26  | 6,914.58  | 82,975.00  | 7,122.02  | 85,464.25  | 7,335.68  | 88,028.18  | 7,555.75  | 90,669.03  | 7,782.42  | 93,389.10  | 8,015.90  | 96,190.77  |
| MG8       | Facilities Supervisor          | 6,327.82  | 75,933.87  | 6,517.66  | 78,211.88  | 6,713.19  | 80,558.24  | 6,914.58  | 82,974.99  | 7,122.02  | 85,464.24  | 7,335.68  | 88,028.18  | 7,555.75  | 90,669.01  | 7,782.42  | 93,389.08  |
| MG9       | Safety Officer                 | 6,143.52  | 73,722.21  | 6,327.82  | 75,933.88  | 6,517.66  | 78,211.90  | 6,713.19  | 80,558.25  | 6,914.58  | 82,975.00  | 7,122.02  | 85,464.25  | 7,335.68  | 88,028.18  | 7,555.75  | 90,669.02  |
| OP1       |                                | 5,964.58  | 71,574.98  | 6,143.52  | 73,722.23  | 6,327.82  | 75,933.90  | 6,517.66  | 78,211.92  | 6,713.19  | 80,558.27  | 6,914.59  | 82,975.02  | 7,122.02  | 85,464.27  | 7,335.68  | 88,028.20  |
| OP2       | Engineer-In-Training           | 5,790.85  | 69,490.26  | 5,964.58  | 71,574.97  | 6,143.52  | 73,722.22  | 6,327.82  | 75,933.88  | 6,517.66  | 78,211.90  | 6,713.19  | 80,558.26  | 6,914.58  | 82,975.00  | 7,122.02  | 85,464.25  |
| OP3       | Accountant                     | 5,622.19  | 67,466.28  | 5,790.86  | 69,490.27  | 5,964.58  | 71,574.97  | 6,143.52  | 73,722.22  | 6,327.82  | 75,933.89  | 6,517.66  | 78,211.91  | 6,713.19  | 80,558.26  | 6,914.58  | 82,975.01  |
| OP3       | Associate Planner              |           |            |           |            |           |            |           |            |           |            |           |            |           |            |           |            |
| OP3       | Divpmnt Inspectr/Project Mgr   |           |            |           |            |           |            |           |            |           |            |           |            |           |            |           |            |
| OP3       | Finance Specialist             |           |            |           |            |           |            |           |            |           |            |           |            |           |            |           |            |
| OP3       | Paralegal                      |           |            |           |            |           |            |           |            |           |            |           |            |           |            |           |            |
| OP3       | IT Specialist                  |           |            |           |            |           |            |           |            |           |            |           |            |           |            |           |            |
| OP4       | Community Development Analyst  | 5,458.52  | 65,502.23  | 5,622.28  | 67,467.30  | 5,790.94  | 69,491.32  | 5,964.67  | 71,576.06  | 6,143.61  | 73,723.34  | 6,327.92  | 75,935.04  | 6,517.76  | 78,213.09  | 6,713.29  | 80,559.49  |
| OP5       |                                | 5,299.45  | 63,593.41  | 5,458.43  | 65,501.21  | 5,622.19  | 67,466.25  | 5,790.85  | 69,490.23  | 5,964.58  | 71,574.94  | 6,143.52  | 73,722.19  | 6,327.82  | 75,933.85  | 6,517.66  | 78,211.87  |
| OP6       |                                | 5,145.10  | 61,741.19  | 5,299.45  | 63,593.43  | 5,458.44  | 65,501.23  | 5,622.19  | 67,466.27  | 5,790.85  | 69,490.25  | 5,964.58  | 71,574.96  | 6,143.52  | 73,722.21  | 6,327.82  | 75,933.88  |
| OP7       |                                | 4,995.24  | 59,942.91  | 5,145.10  | 61,741.19  | 5,299.45  | 63,593.43  | 5,458.44  | 65,501.23  | 5,622.19  | 67,466.27  | 5,790.85  | 69,490.26  | 5,964.58  | 71,574.97  | 6,143.52  | 73,722.21  |
| OP8       | Finance Specialist - Personnel | 4,849.75  | 58,196.98  | 4,995.24  | 59,942.89  | 5,145.10  | 61,741.18  | 5,299.45  | 63,593.41  | 5,458.43  | 65,501.22  | 5,622.19  | 67,466.25  | 5,790.85  | 69,490.24  | 5,964.58  | 71,574.95  |
| OP8       | Executive Assistant            |           |            |           |            |           |            |           |            |           |            |           |            |           |            |           |            |
| OP8       | Animal Control Officer         |           |            |           |            |           |            |           |            |           |            |           |            |           |            |           |            |
| OP9       | Assistant Planner              | 4,708.49  | 56,501.92  | 4,849.75  | 58,196.97  | 4,995.24  | 59,942.88  | 5,145.10  | 61,741.17  | 5,299.45  | 63,593.40  | 5,458.43  | 65,501.21  | 5,622.19  | 67,466.24  | 5,790.85  | 69,490.23  |
| OP9       | Codes Enforcement              |           |            |           |            |           |            |           |            |           |            |           |            |           |            |           |            |
| SP1       | Planning Technician            | 4,571.36  | 54,856.26  | 4,708.50  | 56,501.95  | 4,849.75  | 58,197.01  | 4,995.24  | 59,942.92  | 5,145.10  | 61,741.21  | 5,299.45  | 63,593.44  | 5,458.44  | 65,501.25  | 5,622.19  | 67,466.28  |
| SP1       | Payroll Technician             |           |            |           |            |           |            |           |            |           |            |           |            |           |            |           |            |
| SP1       | Account Technician             |           |            |           |            |           |            |           |            |           |            |           |            |           |            |           |            |
| SP1       | Police Evidence Officer        |           |            |           |            |           |            |           |            |           |            |           |            |           |            |           |            |
| SP2       | Administrative Secretary       | 4,436.50  | 53,238.00  | 4,569.59  | 54,835.14  | 4,706.68  | 56,480.19  | 4,847.88  | 58,174.60  | 4,993.32  | 59,919.84  | 5,143.12  | 61,717.43  | 5,297.41  | 63,568.95  | 5,456.34  | 65,476.02  |
| SP3       |                                | 4,308.94  | 51,707.27  | 4,438.21  | 53,258.49  | 4,571.35  | 54,856.24  | 4,708.49  | 56,501.93  | 4,849.75  | 58,196.99  | 4,995.24  | 59,942.90  | 5,145.10  | 61,741.19  | 5,299.45  | 63,593.42  |
| SP4       |                                | 4,183.44  | 50,201.23  | 4,308.94  | 51,707.27  | 4,438.21  | 53,258.48  | 4,571.35  | 54,856.24  | 4,708.49  | 56,501.93  | 4,849.75  | 58,196.98  | 4,995.24  | 59,942.89  | 5,145.10  | 61,741.18  |
| SP5       |                                | 4,099.58  | 49,194.92  | 4,222.56  | 50,670.77  | 4,349.24  | 52,190.89  | 4,479.72  | 53,756.61  | 4,614.11  | 55,369.31  | 4,752.53  | 57,030.39  | 4,895.11  | 58,741.30  | 5,041.96  | 60,503.54  |
| SP6       |                                | 3,943.29  | 47,319.49  | 4,061.59  | 48,739.07  | 4,183.44  | 50,201.24  | 4,308.94  | 51,707.28  | 4,438.21  | 53,258.50  | 4,571.35  | 54,856.25  | 4,708.50  | 56,501.94  | 4,849.75  | 58,197.00  |
| SP7       |                                | 3,828.44  | 45,941.24  | 3,943.29  | 47,319.48  | 4,061.59  | 48,739.06  | 4,183.44  | 50,201.23  | 4,308.94  | 51,707.27  | 4,438.21  | 53,258.49  | 4,571.35  | 54,856.24  | 4,708.49  | 56,501.93  |

| Hourly Employees             | Base  | Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 | Step 7 |   |
|------------------------------|-------|--------|--------|--------|--------|--------|--------|--------|---|
| Public Works Seasonal Worker | 20.00 | 23.00  |        |        |        |        |        |        | Limited to 1040 Hours Annually              |
| Administrative Fellow        | 21.00 |        |        |        |        |        |        |        | Limited to 40 hours per week, one-year term |
| Library Page                 | 14.70 | 15.14  | 15.60  | 16.06  | 16.54  | 17.04  | 17.55  | 18.08  | Minimum Wage increases based on CPI         |

| Contract Employees | Month     | Annual     |             |
|--------------------|-----------|------------|-------------|
| City Manager       | 14,635.12 | 175,621.45 | FLSA Exempt |
| City Attorney      | 13,834.34 | 166,012.08 |             |







## AGENDA STAFF REPORT

**AGENDA LOCATION:** Item # 11D

**MEETING DATE:** October 28, 2024

**TO:** Honorable Mayor and City Council

**FROM:** Angie Wilson, Finance Director

**ISSUE:** Resolution No. 24-024 Authorizing Transfers of Budgeted Amounts Between Various Departments of The General Fund of the City Of The Dalles Adopted Budget, Making Appropriations and Authorizing Expenditures for Fiscal Year Ending June 30, 2025.

**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 resolution contain the following items:

Resolution No. 24-024 transfers \$80,845 from the Contingency line item of the General Fund to cover the following items:

1. Network infrastructure is a critical piece that must be actively managed and maintained in the IT Department. To be able to provide these additional services, \$64,845 is needed to be transferred from the contingency line item to the IT Department for an additional FTE.
2. Wasco County Emergency Management applied to several State agencies for a grant for funding a consulting firm to update/revise the Emergency Operation Plan. Unfortunately, they were not selected leaving a shortfall in the amount of \$31,500 to hire a consulting firm for the project. The purpose of the plan is to ensure that the county and the city are prepared to respond and recover from emergencies, such as natural disasters, public health outbreaks, or technological hazards. We are asking to move \$16,000 from the contingency line item to cover

our portion of the additional expense needed in the contractual services line item in the Police department budget.

**BUDGET IMPLICATIONS:** Resolution No. 24-024 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. 24-024 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, 2025.*
2. Direct staff to make changes to the proposed resolutions and bring the resolutions back to a future Council meeting for consideration.
3. Decline to take action.

**RESOLUTION NO. 24-024**

**A RESOLUTION 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 THE FISCAL YEAR ENDING JUNE 30, 2025.**

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

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

**WHEREAS**, Wasco County Emergency Management applied to several State agencies for a grant for funding a consulting firm to update/revise the Emergency Operation Plan. Unfortunately, they were not selected leaving a shortfall in the amount of \$31,500 to hire a consulting firm for the project. The Purpose of the plan is to ensure that the county and the city is prepared to respond to and recover from emergencies, such as natural disasters, public health outbreaks, manmade, or technological hazards. We are asking to move \$16,000 from the contingency line item to cover our portion of the additional expense needed in the contractual services line item in the Police department budget; and

**WHEREAS**, it has been determined that the network infrastructure is a critical piece that must be actively managed and maintained in the IT Department. To be able to provide these additional services, \$64,845 is needed in the IT Department for an additional FTE.

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

**Section 1. Authorizing Budget Transfers.** The City Council hereby authorizes the following transfers of funds between budgeted categories and funds:

| <b><u>FUND OR DEPT.</u></b>      | <b><u>BUDGETED</u></b> | <b><u>RESOURCES<br/>NEEDED</u></b> | <b><u>REALLOCATED</u></b> |
|----------------------------------|------------------------|------------------------------------|---------------------------|
| <b><u>GENERAL FUND (001)</u></b> |                        |                                    |                           |
| from General Fund Contingency    | \$ 1,001,172           | \$ 1,093,173                       | - \$80,845                |
| to IT Department                 | \$ 691,062             | \$ 755,907                         | + \$64,845                |
| to Police Department             | \$ 5,577,886           | \$ 5,593,886                       | + \$16,000                |

**Section 2. Effective Date.** This Resolution shall become effective upon adoption by the City

Council and shall remain in effect until receipt and acceptance of the FY24/25 audit report.

**PASSED AND ADOPTED THIS 28th DAY OF OCTOBER, 2024.**

Voting Yes, Councilors: \_\_\_\_\_

Voting No, Councilors: \_\_\_\_\_

Absent, Councilors: \_\_\_\_\_

Abstaining, Councilors: \_\_\_\_\_

**AND APPROVED BY THE MAYOR THIS 28th DAY OF OCTOBER, 2024.**

SIGNED:

ATTEST:

\_\_\_\_\_  
Richard A. Mays, Mayor

\_\_\_\_\_  
Amie Ell, City Clerk



## AGENDA STAFF REPORT

### AGENDA LOCATION: Action Item #12A

**MEETING DATE:** October 28, 2024

**TO:** Honorable Mayor and City Council

**FROM:** Joshua Chandler  
Community Development Director

**ISSUE:** The Dalles Downtown Parking Assessment

**BACKGROUND:** In spring 2024, the City of The Dalles began a comprehensive Downtown Parking Assessment to evaluate the current dynamics of our downtown parking system. This initiative responds to recent developments and revitalization efforts in the downtown core, which include significant acquisitions such as Wasco County's relocation to the GOBHI building (401 East 3rd Street), the establishment of a new grocery store at 315 Federal Street, the multi-story mixed-use Basalt Commons development (523 East 3rd Street), and the redevelopment of the Tony's Building site (401 East 2nd Street). Given these changes, a thorough assessment of parking demand is essential to support ongoing and future developments while ensuring a functional and accessible parking system for residents, businesses, and visitors.

The last comprehensive assessment of the downtown parking system was conducted in 2005 by David Evans and Associates, Inc. Since then, substantial changes in land use and community needs have emerged, warranting an updated evaluation. The Downtown Parking Assessment aims to provide a clear understanding of current parking conditions and future demands, facilitating informed decision-making for city planning and development strategies.

The City has engaged Oregon-based parking experts, Rick Williams Consulting (**RWC**), to lead the Downtown Parking Assessment. The scope of work includes:

1. **Parking Inventory:** A comprehensive inventory of existing parking facilities (both on-street and off-street).

2. **Data Collection:** Collecting empirical data on parking usage patterns, including occupancy rates, durations of stay, and compliance with existing regulations.
3. **Data Analysis:** Analyzing the data to identify trends, challenges, and opportunities within the downtown parking system.
4. **Summary Report:** Preparing a detailed report summarizing findings and insights from the data analysis.
5. **Recommendations:** Providing actionable recommendations for enhancing the downtown parking system.

Additionally, a review of the City’s parking code and policies was conducted to ensure they align with the current and future needs of the community.

City staff and RWC have actively engaged a project-specific Advisory Committee composed of downtown business owners, residents, and community stakeholders. This group met four times throughout the year to review preliminary data collection, collaborated on recommended management strategies, and provided overall input and suggestions to better equip the City on tools to help plan for future growth in the area without impeding on the current fabric of the existing parking system. The engagement process has been vital in ensuring that the assessment reflects the needs and concerns of the community.

A community-wide open house was held on September 30, 2024, at City Hall. This event presented findings and preliminary recommendations from the assessment to the public, and allowed for additional community input. A complete list of the Downtown Parking Assessment process to date may also be found on a project specific webpage on the City’s website under the Community Development Department page.

During tonight’s meeting, City staff and RWC will provide an overview of the project thus far and encourage discussion to better refine recommendations and formulate a strategic plan for addressing downtown parking needs. This work will culminate with the adoption of a Downtown Parking Management Plan this winter and will provide the City with a toolkit to address management of the parking system for years to come.

**BUDGET IMPLICATIONS:** This project was approved in December 2023 for a total contract cost not to exceed \$47,650.00, and budgeted in the FY 23/24 and 24/25 Economic Development for Contractual Services, Line Item 001-1150-000.31-10.

**COUNCIL ALTERNATIVES:** This is a discussion item. Staff is requesting overall City Council input on the Downtown Parking Management Plan prior to intended adoption in winter 2024/2025.

#### **ATTACHMENTS:**

- **Attachment 1:** Downtown Parking Management Plan Presentation, RWC
- **Attachment 2:** Downtown Parking Management Plan – Project Overview, RWC



# The Dalles

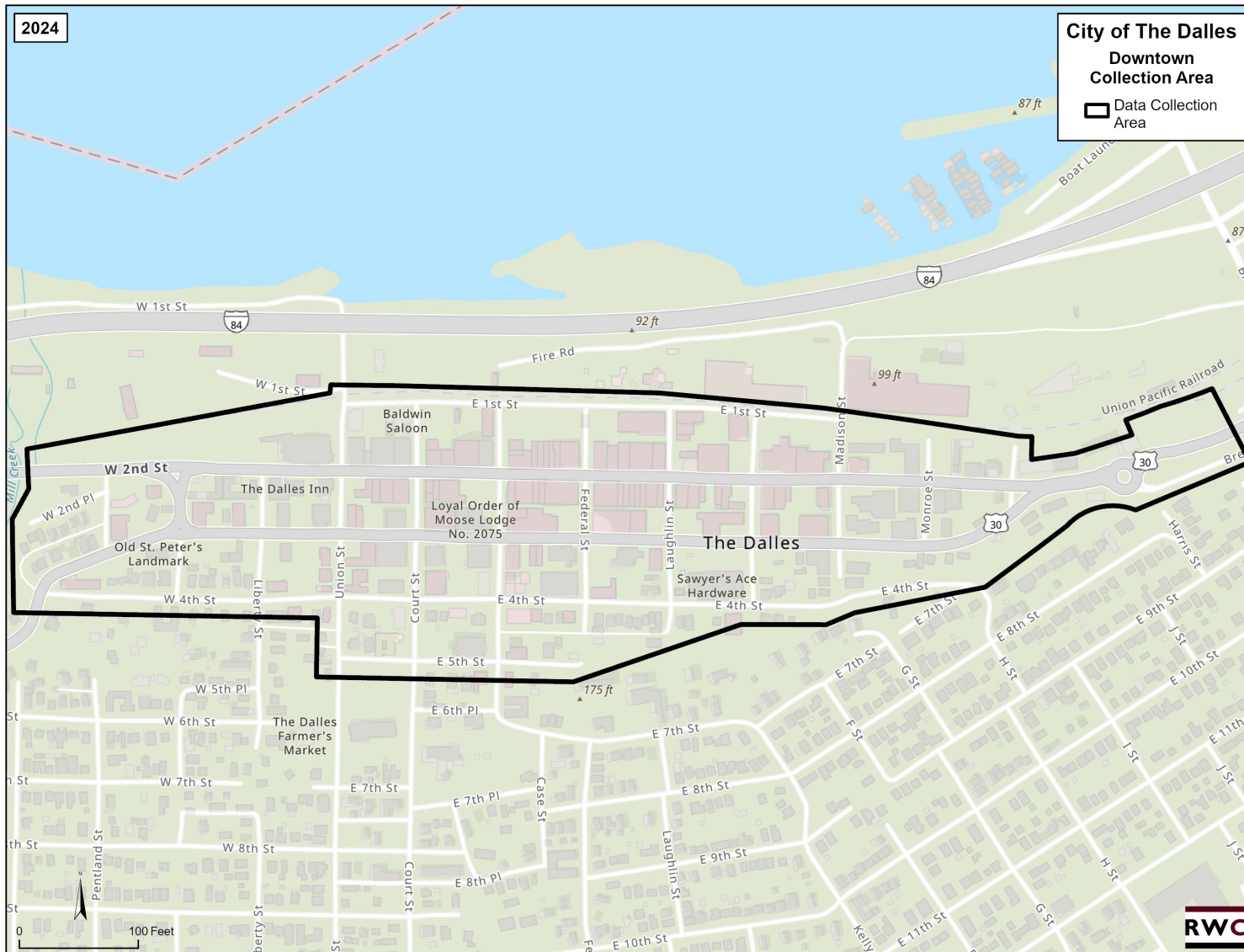
## *Downtown Parking Management Plan*

Monday, October 28, 2024



# City Council Presentation

# Project Study Area



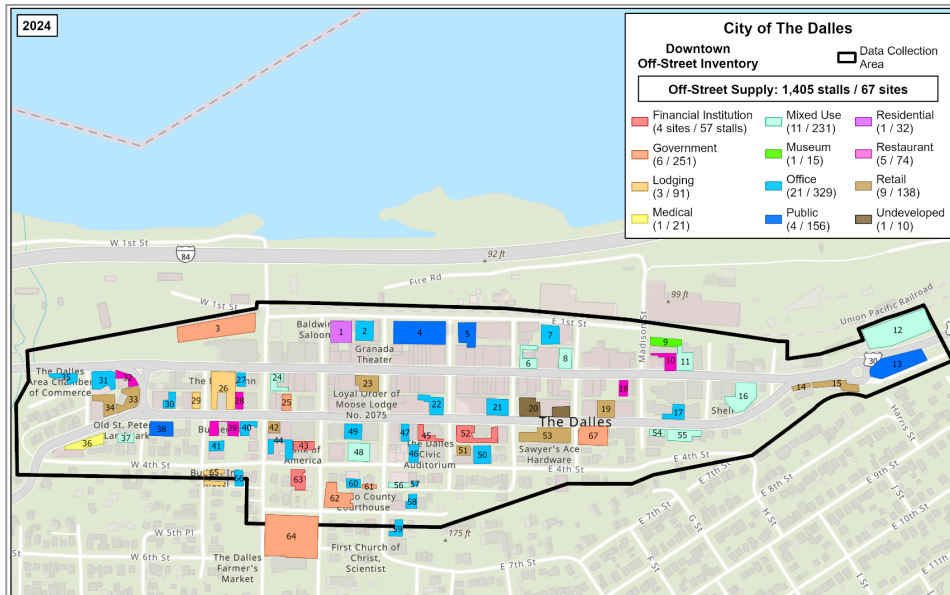
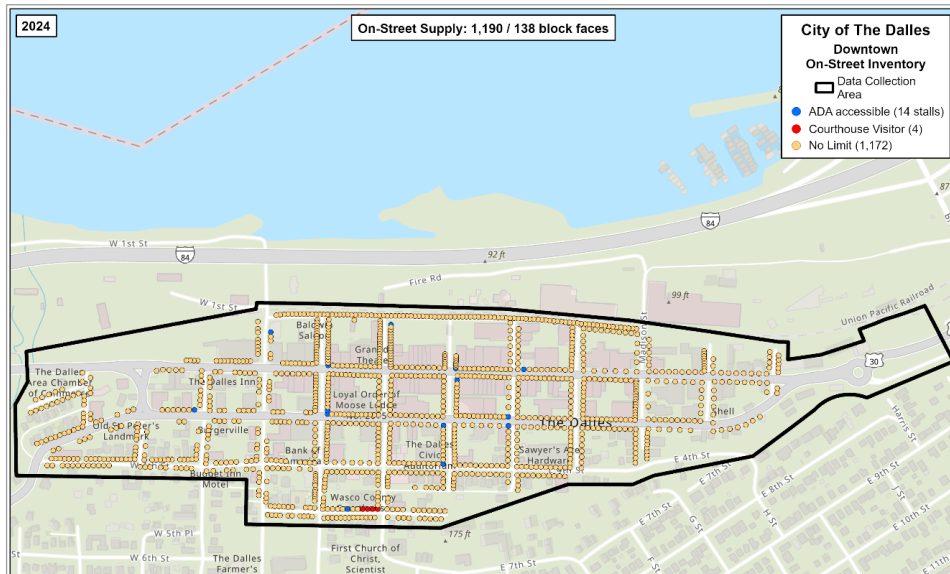
- ❖ **North** – E. 1<sup>st</sup> Street
- ❖ **East** – US 30 traffic circle
- ❖ **South** – W. 4<sup>th</sup>/E. 5<sup>th</sup> Streets
- ❖ **West** – Mill Creek

| Use Type                               | Stalls       | % Total     |
|--|--------------|-------------|
| <b>Off-Street Supply</b><br>(67 sites) | <b>1,405</b> | <b>100%</b> |
| <b>On-Street Supply</b>                | <b>1,190</b> | <b>100%</b> |
| ADA accessible                         | 14           | 1%          |
| Courthouse Visitor                     | 4            | < 1%        |
| No Limit                               | 1,172        | 98%         |
| <b>Combined Supply</b>                 | <b>2,595</b> |             |



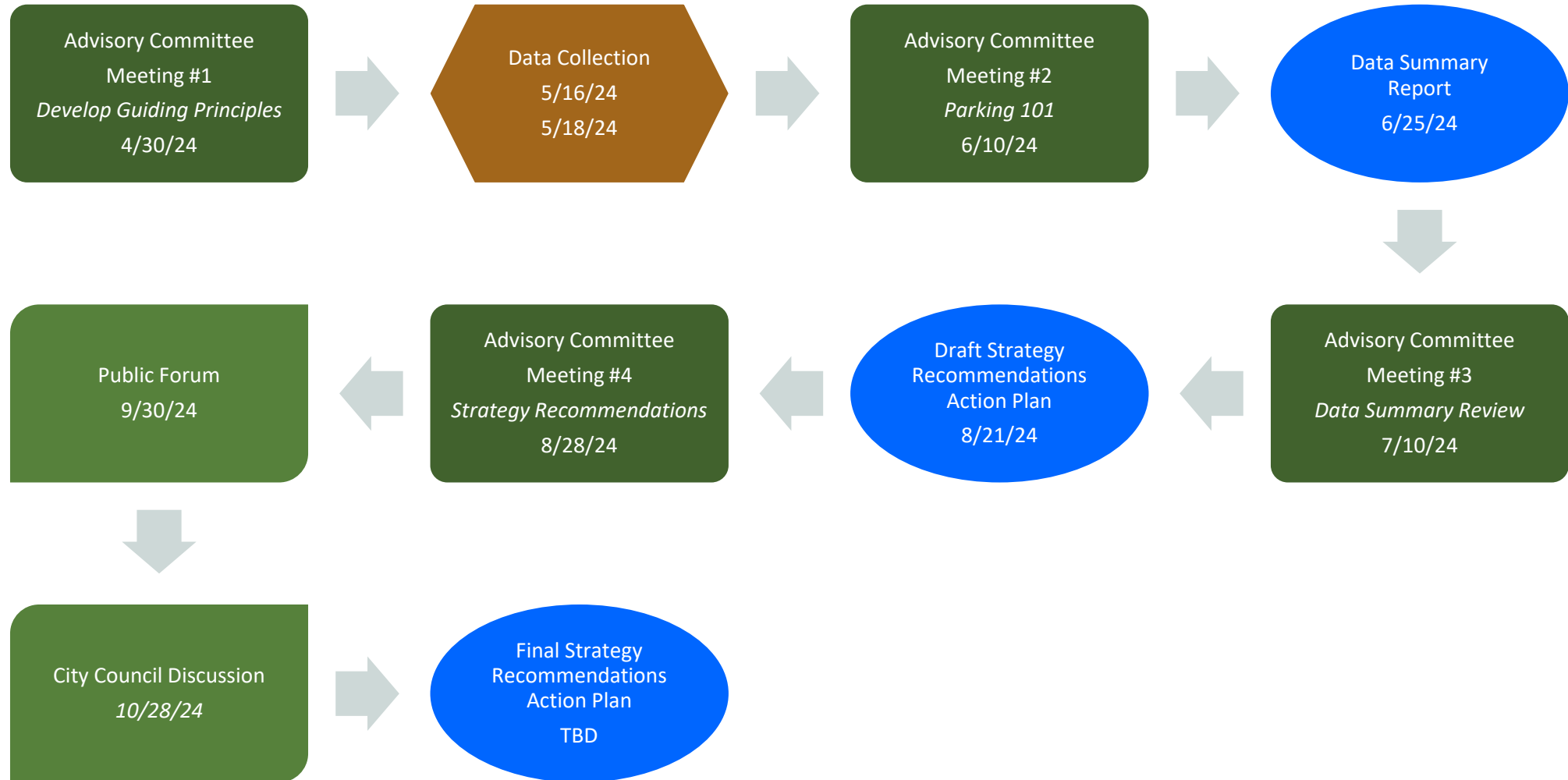


# Project Purpose



- A. Understand The Dalles' **local values** as they relate to parking best practices
- B. Assess current **policies and code** as it relates to the use of existing and future parking supplies
- C. Better **understand users and their parking needs**
- D. Evaluate & measure Downtown's **current parking system** – on and off-street parking
- E. Discuss the **strategies and benchmarks** for managing parking **Downtown** (*the right strategy at the right time*)
- F. Draft/Finalize **Downtown Parking Management Plan**: Combining all elements into one comprehensive action roadmap

# Parking Management Plan Process





## Desired Outcomes:

- **Convenient and welcoming**
- Well signed and safe
- **Forward-thinking** and responsive
- Cost effective
- Downtown's unique character
- **Consensus-based**

## Active Capacity Management:

- **Optimize utilization** – use of 85% rule to guide decision-making
- **Shared off-street parking:** encourage where parking is underutilized
- Create connections to transit: **improve access to transportation options**

## Information Systems:

- Convenience and communication – **get the right car in the right place**, parking options, improved branding and communications
- **Monitor and report** utilization: implement performance measurements and reporting to facilitate decision-making

## Priority Users:

- On-street (Downtown) - **customer**
- On-street (Neighborhoods around Downtown) – *residents & their guests*
- Off-street (**public**) – *varies by location and demand*
  - **High demand areas: customers / visitors**
  - **Low demand areas: residents / employees**
- Off-street (private) – *determined by individual owners*

## Safety and Accessibility:

- **Safety** – *parking resources and pedestrian infrastructure routinely evaluated against base safety standards*
- **Accessibility (ADA):** *ensure equitable access for all users, including mobility challenged individuals*

## Roles and Coordination:

- Primary role (**City of The Dalles**)
  - **Customer / visitor access**
  - *Mitigate future conflicts*
  - *Equitable parking access*
- Primary role (**Private Sector**) – **employee/resident parking**
- Stakeholder support: *use affected **representative group to inform decision-making***



Why Manage Parking?

Guiding Principles

85% Rule (Measuring Performance)

Good Data

Right Sized Code

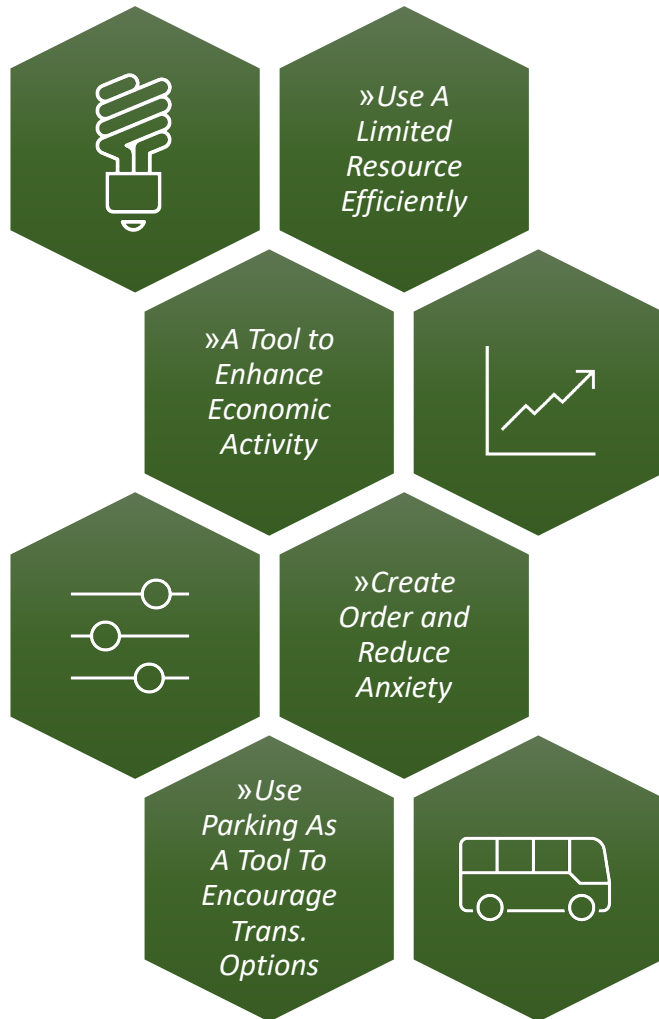
Understanding the Value of a Parking Stall

Great Communications

Shared Parking

Reasonable Enforcement

What Successful Cities are Doing

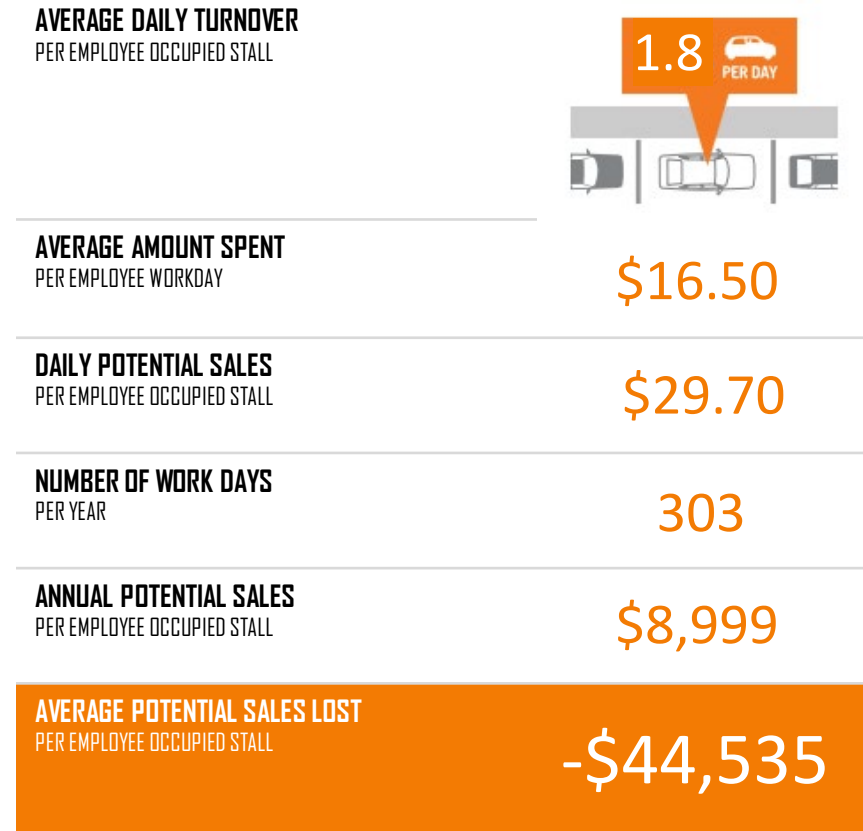


- ✓ **On-street parking is finite** and highly desired (minimize conflicts)
- ✓ **Get the right people to park in the right place** (on and off-street)
- ✓ Customers appreciate it, **reduces angst**
- ✓ Off-street parking is expensive, so fully **maximize what you have**
- ✓ A clear sense of movement to parking **options**
- ✓ Ground level **businesses want turnover** (people spending money)
- ✓ *If your employee is not walking, your customer is*

## Customer prioritized stall



## Non-customer prioritized stall



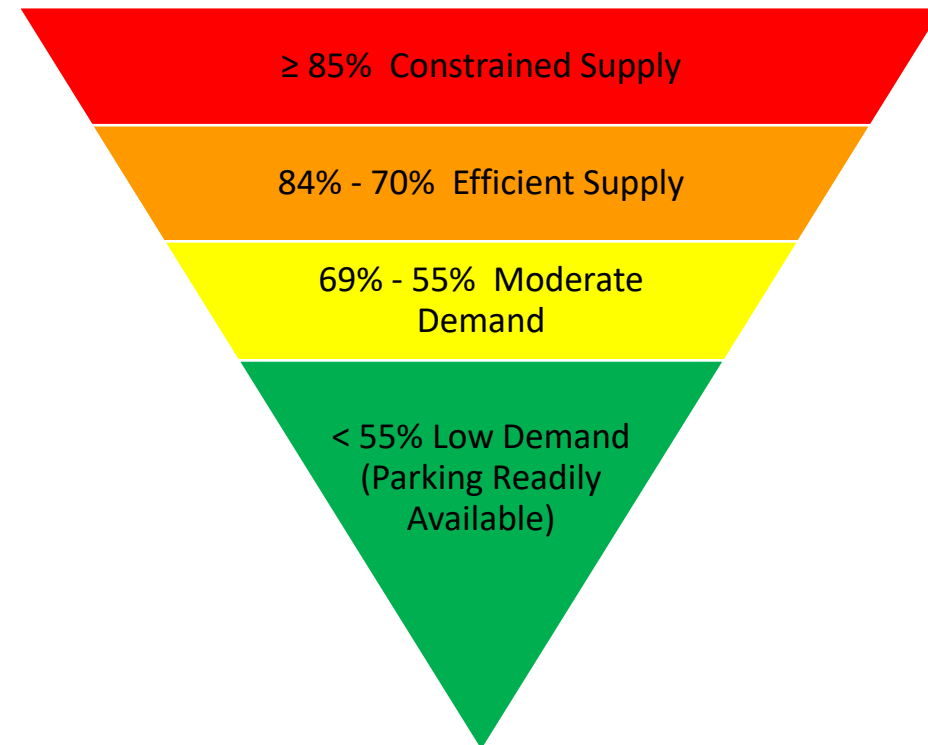
- \$40 million in potential sales revenue (750 stalls)

- \$6.75 million in potential sales revenue (750 stalls)



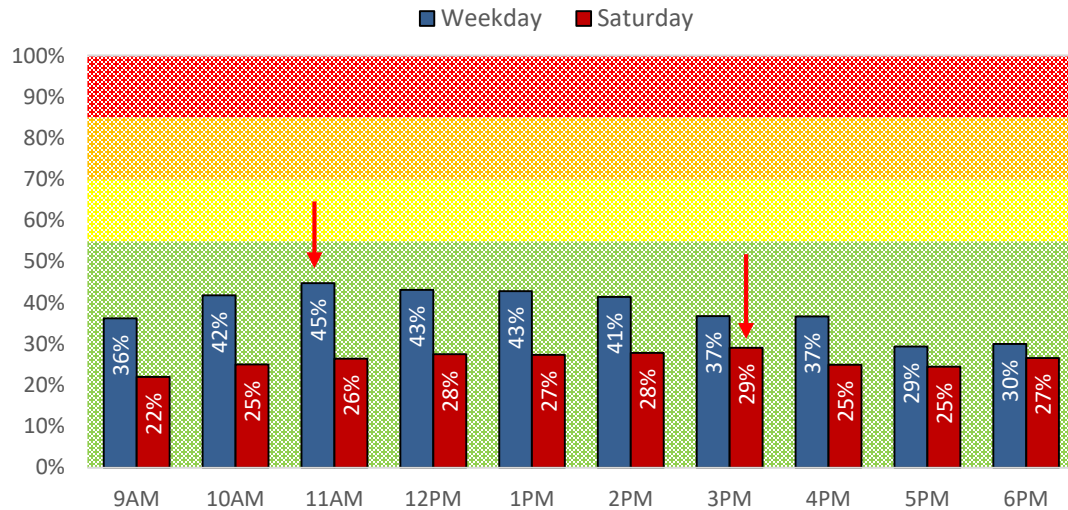
## Foundation for Decision Making

- **85%+** (constrained): turnover is affected, access is difficult, and the customer experience is adversely affected
- **84% - 70%**: parking activity is robust, stalls are accessible, and system is efficient
- **69% - 55%**: moderate parking activity, supply can absorb additional demand
- **< 55%**: parking activity is low, not supportive of active business



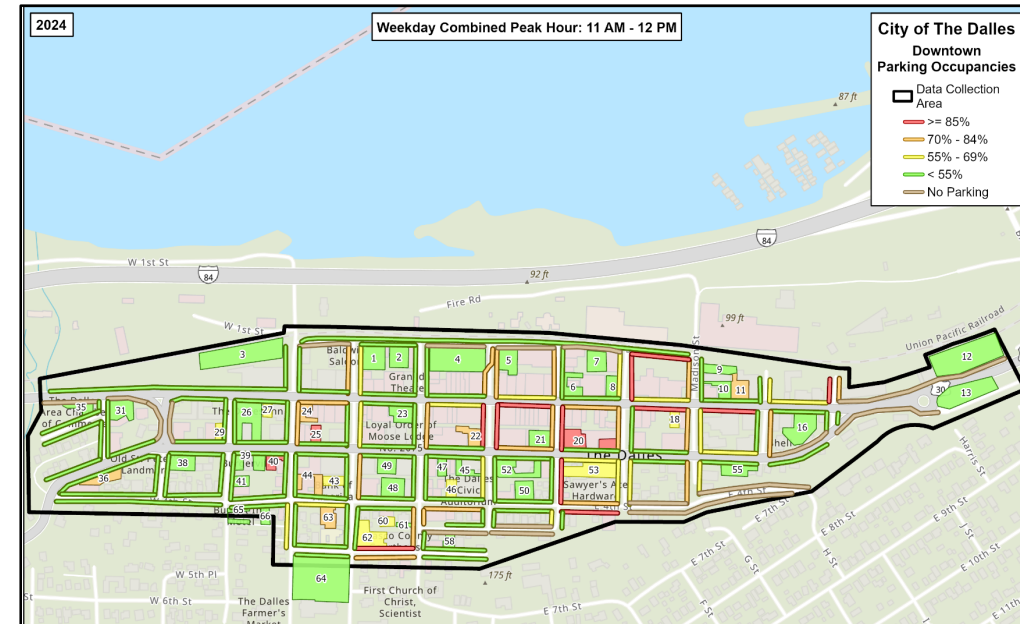


City of The Dalles - Occupancy by Hour  
**Weekday vs. Saturday:** 2024 on-street occupancies (1,201 stalls)



## Weekday Findings

- **Inventory:** 1,200 on-street stalls, most are unregulated stalls
- **Peak occupancy:** 45% at 11 AM
- **Empty stalls:** 661 during peak hour
- **Average duration:** 2 hours and 41 minutes
- **Turnover (parking efficiency):** 3.72 turns in 10-hour period (5.0 target in customer-oriented downtowns)
- **Vehicles parked 5+ hours:** 286
- **Unique vehicle trips:** 1,654 (29% more than weekend)
- **Re-parking:** 98 (6% of vehicles)
- **Overall:** Parking demand is low (green range), employees parking on-street, small area of constraint

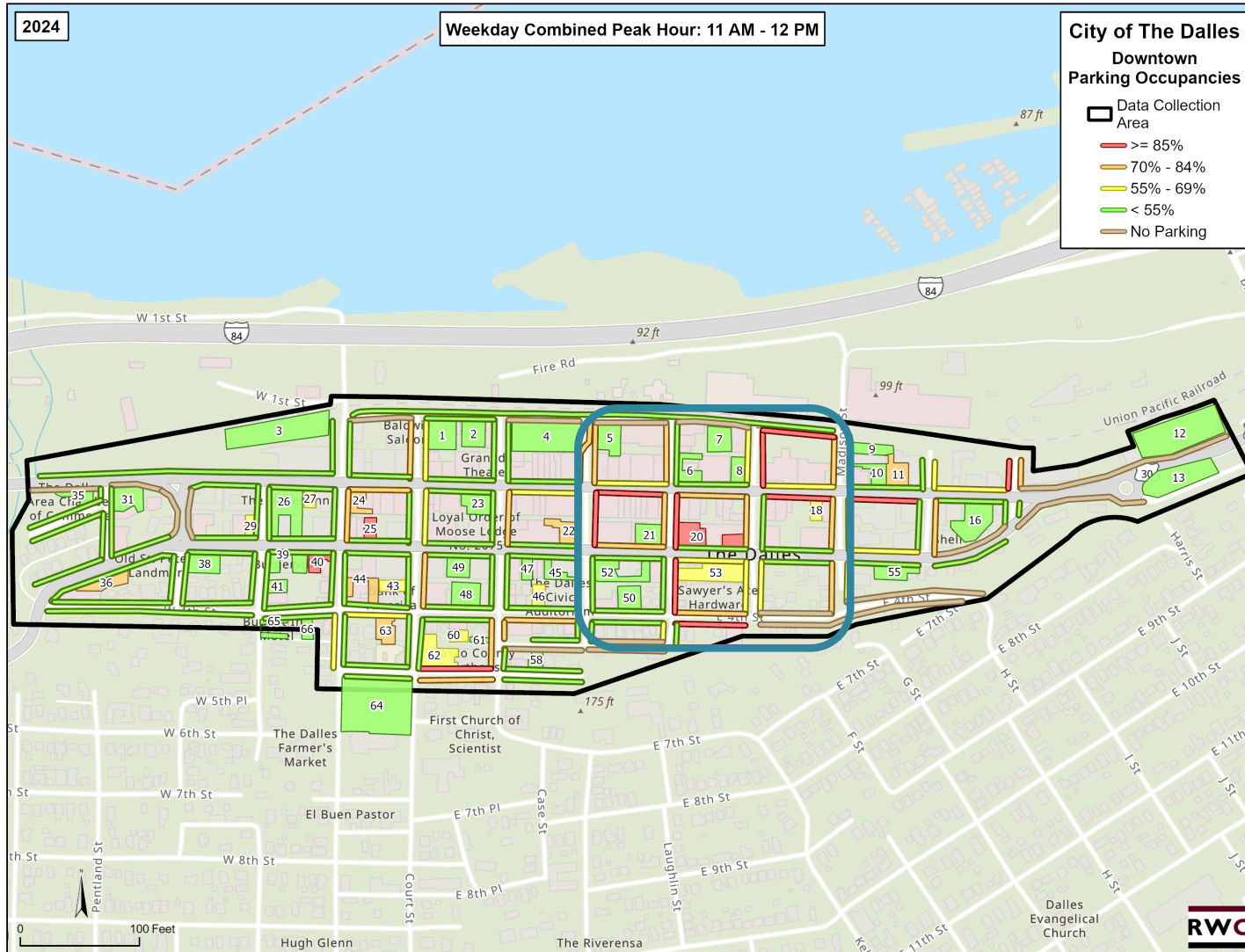


## Saturday Findings

- **Inventory:** 1,200 on-street stalls, most are unregulated stalls
- **Peak occupancy:** 29% at 3 PM
- **Empty stalls:** 848 during peak hour
- **Average duration:** 2 hours and 23 minutes
- **Turnover:** 3.84 turns in 10-hour period
- **Vehicles parked 5+ hours:** 195
- **Unique vehicle trips:** 1,179
- **Re-parking:** 62 (5% of vehicles)
- **Overall:** Parking demand is low (green range), employees parking on-street



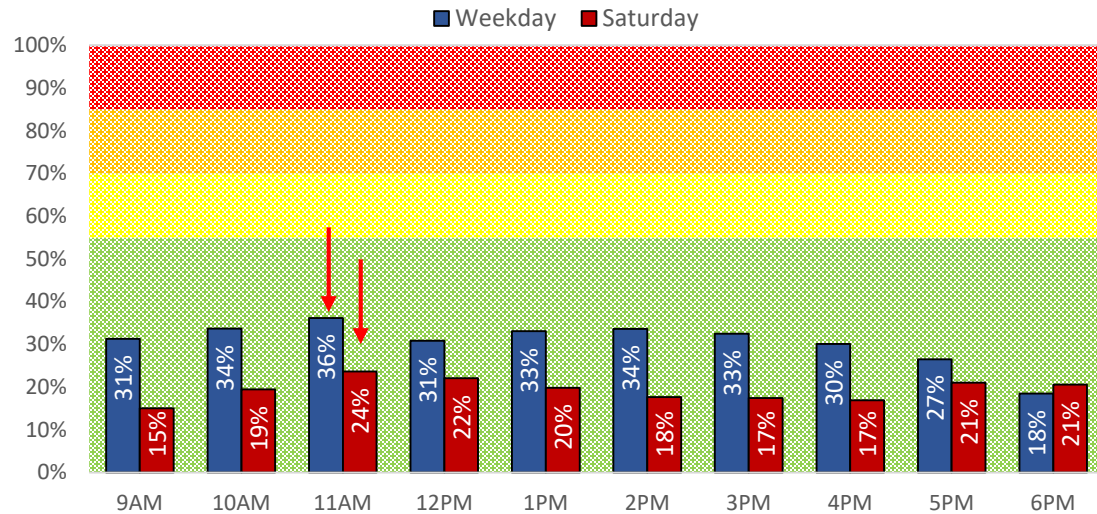
# Weekday: Heat Map (On-street)



- 138 'parkable' block faces
- **12 of 138 block faces are constrained**
  - 10 constrained block faces are clustered in a nine-block area  
*E. 1<sup>st</sup> Street (north) and E. 4<sup>th</sup> Street (south), between Federal Street (west) and Madison Street (east) [blue box]*
- 22 block faces are **orange** (84% - 70%)
- 18 block faces are **yellow** (69% - 55%)
- 86 block faces (62%) are **green** (< 55%)

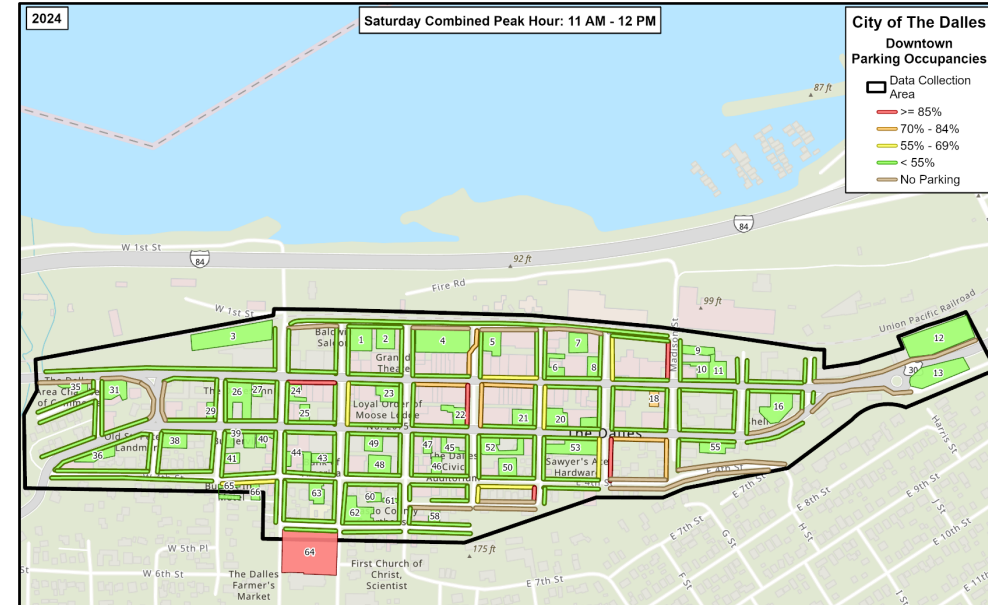


**City of The Dalles - Occupancy by Hour**  
**Weekday vs. Saturday:** 2024 off-street occupancies (50 sites / 1,252 stalls)



## Weekday Findings

- *Inventory (All):* 1,252 off-street stalls, on 50 sites (public and private)
- *Inventory (public lots):* 156 off-street stalls, on 4 sites
- *Peak occupancy (All):* 36% at 11 AM
- *Peak occupancy (public lot):* 38% at 6 PM (80 stalls)
- *Empty stalls: 801 during peak hour*
- *Overall:* Parking demand is low (green range), majority of supply in private control, opportunity for shared use parking (longer-term users), off-street capacity can absorb on-street trips, only two constrained lots



## Saturday Findings

- *Inventory (All):* 1,252 off-street stalls, on 50 sites (public and private)
- *Inventory (public):* 156 off-street stalls, on 4 sites
- *Peak occupancy (All):* 24% at 11 AM
- *Peak occupancy (public lot):* 28% at 9 AM (32 stalls)
- *Empty stalls: 956 during peak hour*
- *Overall:* Parking demand is low (green range), majority of supply in private control, opportunity for shared use parking (longer-term users), off-street capacity can absorb on-street trips, only one constrained lot

## Findings:

### On-Street

- Parking demand is *low*
- 45% occupancy and 661 empty stalls
- Lots of employees on-street
- Small area of clustered “constraint”

### Off-Street

- Parking demand is *low*
- 36% occupancy and 801 empty stalls
- Low use is consistent throughout the study area
- Off-street capacity to absorb on-street trips

## Preliminary Strategy Considerations:

- 1) Formalize Guiding Principles** to assist in implementing informed management strategies that reflect the community’s values
- 2) Assess Public Off-street Safety Standards** – evaluate improvements to public off-street facilities to make them more welcoming
- 3) Shared Use Lots** – Initiate more direct outreach to owners of private lots to discuss data and need for greater general access to off-street lots (particularly for employees)
- 4) Branding/Awareness** – Continue efforts to brand public lots and communicate public parking

# Parking Management Strategy Summary



**Strategy Categories:**

**AC:** Program Administration & Code

**PM:** Parking Management

**CO:** Communication & Outreach

**Basis for Recommendation Development:**

- Downtown Parking Assessment (August 2024)
- Guiding Principles (June 2024)
- Industry Best Practices

**Implementation Timeframe:**

- Immediate: 0 – 12 months
- Short-Term: 12 – 24 months
- Mid-Term: 24 – 48 months
- Long-Term: 48+ months

| ID   | Strategy   | Implementation Timeframe |            |          |           |
|------|--|--------------------------|------------|----------|-----------|
|      |  | Immediate                | Short-Term | Mid-Term | Long-Term |
| AC-1 | Continue & Formalize Parking Work Group Representation                                       | ◆                        | ◆          | ◆        | ◆         |
| AC-2 | Define and Formalize the Downtown Parking Management District (DPMD)                         | ◆                        |            | ◆        | ◆         |
| AC-3 | Update Shared-Use Parking Code Guidelines  | ◆                        | ◆          |          |           |
| AC-4 | Establish a Data Collection Schedule   |                          |            | ◆        | ◆         |
| PM-1 | Establish Guiding Principles for Parking   | ◆                        | ◆          |          |           |
| PM-2 | Stripe Downtown Commercial On-street Parking Stalls  |                          | ◆          | ◆        | ◆         |
| PM-3 | Consider Transitioning to Time-limited On-street Parking in the High-Occupancy Node Downtown |                          |            | ◆        | ◆         |
| PM-4 | Assess ADA Locations and Compliance  |                          |            | ◆        | ◆         |
| PM-5 | Identify and Pursue Off-street Shared-Use Opportunities                                      | ◆                        | ◆          | ◆        | ◆         |
| PM-6 | Assess Public Off-street Parking Safety Standards  |                          | ◆          | ◆        | ◆         |
| PM-7 | Initiate Regular Review of Citation Fees   |                          | ◆          | ◆        |           |
| PM-8 | Initiate Reasonable Future Enforcement   |                          |            | ◆        | ◆         |
| CO-1 | Create a New The Dalles' Parking Brand   | ◆                        | ◆          |          |           |
| CO-2 | Create the City of the Dalles' Parking Website   | ◆                        | ◆          | ◆        |           |
| CO-3 | New Wayfinding Signage   |                          |            | ◆        | ◆         |



# Next Steps

- **City Council Discussion -**  
*today*
- **Downtown Parking  
Management Plan  
Adoption/Approval (January  
2025)**





# The Dalles – Downtown Parking Management Plan

## Project Purpose

- Understand The Dalles local values as it relates to parking best practices
- Better understand users and their parking needs
- Evaluate Downtown’s existing parking system (on and off-street)
- Discuss strategies for managing parking downtown
- Finalize Downtown Parking Management Plan

## Parking Management Plan Process Overview

- Form downtown Stakeholder Advisory Committee (SAC)
- Conducted 4 stakeholder advisory committee meetings
- Data collection, analysis, and findings summary
- Draft parking management strategy development – reviewed by SAC
- Public Forum (September 30)
- City Council discussion (October 28)
- Parking Management Plan adoption/approval (January 2025)

## Guiding Principles

### Desired outcomes – A parking system that is...

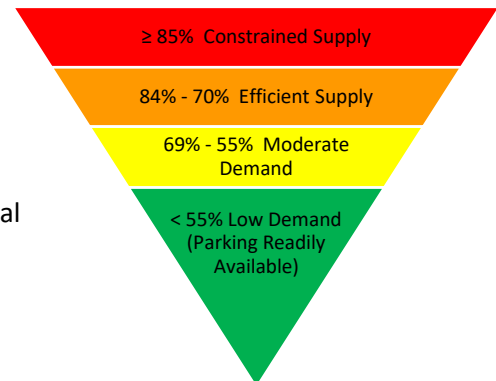
- Convenient and welcoming
- Well signed and safe
- Forward-thinking and responsive
- Cost effective
- Emphasizes Downtown’s unique character
- Consensus-based

### Priority users...

- On-street (Downtown) – customer
- On-street (neighborhoods) – *residents and their guests*
- Off-street (public) – *varies by location and demand*
  - High demand areas: *customers / visitors*
  - Low demand areas: *employees / residents*
- Off-street (private) – *determined by individual owners*

## Measuring Performance – 85% Rule (*foundation for decision making*)

- **85%+** (constrained): turnover is affected, access is difficult, and the customer experience is adversely affected
- **84% - 70%:** parking activity is robust, stalls are accessible, and system is efficient
- **69% - 55%:** moderate parking activity, supply can absorb additional demand
- **< 55%:** parking activity is low, not supportive of active business



Current Parking Environment – Existing Conditions

**Weekday On-Street Findings**

- *Inventory: 1,200 on-street stalls*
- *Peak occupancy: 45% at 11 AM*
- *Empty stalls: 661 during peak hour*
- *Average duration: 2 hours and 41 minutes*
- *Turnover (parking efficiency): 3.72 turns in 10-hour period (5.0 target in customer-oriented downtowns)*
- *Vehicles parked 5+ hours: 286*
- *Unique vehicle trips: 1,654 (29% more than weekend)*
- *Re-parking: 98 (6% of vehicles)*
- *Overall: Parking demand is low (green range), employees parking on-street, small area of constraint*

**Saturday On-Street Findings**

- *Inventory: 1,200 on-street stalls*
- *Peak occupancy: 29% at 3 PM*
- *Empty stalls: 848 during peak hour*
- *Average duration: 2 hours and 23 minutes*
- *Turnover: 3.84 turns in 10-hour period*
- *Vehicles parked 5+ hours: 195*
- *Unique vehicle trips: 1,179*
- *Re-parking: 62 (5% of vehicles)*
- *Overall: Parking demand is low (green range), employees parking on-street*

Parking Management Strategy Development

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