

CITY COUNCIL MEETING PACKET

OCTOBER 25, 2016



City of Madras
City Council Meeting
City Council Chambers

October 25, 2016
7:00 p.m.

AGENDA

I Call to Order

II Pledge of Allegiance and Prayer

III Consent Agenda

All matters listed within the Consent Agenda have been distributed to each member of the Madras City Council for reading and study, are considered to be routine, and will be enacted by one motion of the Council with no separate discussions. If separate discussion is desired, that item may be removed from the Consent Agenda and placed on the Regular Agenda by request.

- A. Approval of Minutes From the October 11, 2016
City Council Work Session
- B. Approval of Minutes From the October 11, 2016
City Council Meeting
- C. Approval of Street Sweeping Exchange Agreement
Oregon Department of Transportation
- D. Approval of Amendment No. 1 to Professional Services Contract
Kittelson and Associates, As-Needed Transportation Planning and
Design Related Services - Contract Time Extension to October 22, 2018
- E. Approval of Amendment No. 3 to Professional Services Contract
D.J. Heffernan As-Needed Planning and Related Services
Contract Time Extension to October 22, 2018

IV Visitor Comments

V Public Hearing

A. Derelict Building - 171 S.W. "C" Street in Madras

- 1) Open Public Hearing
- 2) Staff Report
- 3) Property Owner and/or Resident Report
- 4) Comments From the Public
- 5) Close Public Hearing
- 6) Council Deliberations
- 7) Council Takes Formal Action to Issue Order (if necessary)

Community Development Director, Nicholas Snead

VI Solar Eclipse Planning Update (VERBAL)

City Administrator, Gus Burril

VII Special Event Permit and Insurance Requirement Recommendations

City Administrator, Gus Burril

VIII Annual Strategic Plan Update

City Administrator, Gus Burril

IX Additional Comments, Announcements, and Department Reports

X Adjourn

Pursuant to ORS 192.640, this agenda includes a list of the principal subjects anticipated to be considered at the above referenced meeting; however, the agenda does not limit the ability of the City Council to consider additional subjects. Meetings are subject to cancellation without notice.

This meeting is open to the public and interested citizens are invited to attend. This is an open meeting under Oregon Revised Statutes, not a community forum; audience participation is at the discretion of the Council. The meeting may be audio taped. Minutes of this and all public meetings are available for review at the Madras City Hall. The meeting place is handicapped accessible. Those needing assistance should contact the City Recorder two (2) days in advance of the meeting.

Executive Sessions are not open to the public; however, members of the press are invited to attend.

The City of Madras is an Equal Opportunity Provider.

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS

WORK SESSION

October 11, 2016

I CALL TO ORDER

The City of Madras City Council Work Session was called to order by Mayor Royce Embanks at 6:00 p.m. on Tuesday October 11, 2016 in the Madras City Hall Council Chambers at 125 SW E Street.

CITY COUNCIL MEMBERS IN ATTENDANCE WERE:

Mayor, Royce Embanks and Councilors Bartt Brick, Bill Montgomery, Richard Ladeby, Tom Brown, Gary Walker

ABSENT WERE:

Councilor Chuck Schmidt

STAFF MEMBERS IN ATTENDANCE WERE:

City Administrator; Gus Burril, Jeremy Green, with the firm of Bryant, Lovlien and Jarvis, Finance Director; Kristal Hughes, Public Works Director; Jeff Hurd, Community Development Director; Nick Snead, Jon Burchell; Parks and Golf Course Supervisor, City Recorder; Karen J Coleman, Michele Quinn; Public Works Administrative Assistant.

ABSENT WERE:

VISITORS IN ATTENDANCE WERE:

Travis Wells, Rick Allen, and Jeff Cartensen; Indian Head Casino

II WARM SPRINGS INDIAN HEAD CASINO INTERGOVERNMENTAL AGREEMENT WITH CITY OF MADRAS

City Administrator Burril explained to the Council that we have had several meetings with the Warm Springs Indian Head Casino team and representatives of the Warm Springs Tribe. The agreement that we are presenting to you tonight still has a few items that still need to be refined. We have about a ten acre development for a truck stop, 35 gaming stations, and restaurant or food area that will be proposed in the facility. They have proposed to mitigate recommended traffic improvements to Highway 26 and Cherry Lane, which came from a traffic impact analysis that was performed by Kittleson and Associates. There is an agreement to pay for Public Safety Fee for police services that will respond to the property. There are normal development fees that a like development would be charged typically are called system development charges and permits. We have identified entering into deferred maintenance on Cherry Lane. That deferred

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS

WORK SESSION

October 11, 2016

maintenance says we will take a look at truck traffic that is on Cherry Lane, and study what percent is going into the truck stop and what percentage is going somewhere else down Cherry Lane. The City will split the costs of reconstructing Cherry Lane we estimate in 10 years. We have asked for a provision to be added should for some reason the Truck Stop Casino go out of business somewhere down the road before the 10 year reconstruction. Whatever amount of deferred revenue they have set aside over those 10 years is sent to us with a CPA report. That they would deposit those deferred maintenance funds to the City that have been accrued up to that point. We agreed in the stormwater fee to give them credit for oversizing and a schedule has been set up for that, and our Public Works Director has reviewed. Those are some of the main elements that are in here, but tonight we want to make sure what we have worked through and we want to answer questions that you have.

The Warm Springs Indian Head Casino and Tribes have identified to us that they really need to get this agreement together soon. It does still contemplate the City transferring land to the Casino that is in the center of the development, which is part of a rail spur. Staff has communicated to their team as long as we can have a reasonable IGA that we feel comfortable with we will transfer that to them. There is a Union Pacific easement over that land that has been conveyed, so Union Pacific will have to be satisfied to release their interest to the easement. That communication is going on and we will be working through it. It is currently in the Casino's court to meet whatever needs that Union Pacific deems that is appropriate to release their right. The Tribes has agreed to be a party to this agreement at least their attorney thinks they will be. They are not proposing to be a financial guarantor of the agreement but a party to.

Attorney Green said there are really two components of the agreement that the tribes are being asked to be involved in. One is the waiver of sovereign immunity the tribe will be asked to waive any immunity that the tribe receives under the terms of the agreement. The second is a basic non-interference provision, providing that the tribe is committing to not take or fail to take any act that might hinder, or compromise the casino's ability to perform their obligations under the agreement. It is pretty limited as it relates to the Tribes involvement, essentially the Tribes takes ownership of the rail property. The rail property is ultimately leased to the Casino under a separate lease agreement between the Tribe and Casino.

City Administrator Burrell said we have tentatively agreed to allow payment of their Transportation Fee to occur closer to when they open. They asked if the payment could be payable on the earlier of 12 months following the issuance of the right-of-way permit or date of occupancy.

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS

WORK SESSION

October 11, 2016

We typically grant other developers up to 9 months or date of occupancy. They asked if 12 months could be considered, they still have some things to do with the bank to get the bank note finalized.

Attorney Green said the fees that Gus is pointing out some of the provisions of the agreement, as Gus noted we recently received this agreement from the Tribes attorney Ellen Grover. There are some tweaks that we are going to need to make primarily driven by clarification. For example I do not know what it means to be substantially complete in an agreement like this. We will need to define that we will define what it meant by date of occupancy. In my mind the triggering of these fees should be consistent, they should be the same. Unless there is a legitimate reason to have some differing dates as far as the triggering of these payments. My suspicion is the Tribe is not going to have any objection to that. These are the types of tweaks that need to be made to the agreement before it is finalized.

Mayor Embanks said basically we are looking this over to see if we have any questions on this and we will not take any action here, but we would take action in the Council meeting. Where we would give you permission to go ahead and negotiate those corrections.

Attorney Green said correct what we are hoping due to the time constraints is that Council will approve the agreement tonight in regular session, subject to City Administrator and City Attorney approval. If you are comfortable proceeding that way that is the way we will ask you to proceed. If that is not acceptable then we will need to bring it back to you in your second meeting of this month. Your approval of the agreement would also be conditioned on the Tribes agreement to become a party to the agreement. To be clear we have not had the Tribe render a decision a formal decision that they will sign this agreement. It is anticipated that they will, but my suspicion is that if the Tribe wouldn't sign on to this agreement you all would provoke your consent or approval of the agreement as well.

Mayor Embanks asked we are signing this with the Tribe?

Attorney Green answered all three the Casino is a party, the Tribe is a party, and the City is a party.

Mayor Embanks asked so all three needs to agree.

Councilor Montgomery asked will we have an opportunity to give you comments later?

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS WORK SESSION October 11, 2016

Attorney Green replied I am fine with Councilors sending comments to Gus.

City Administrator Burril said I need to understand what the concerns are now and the meeting coming up for direction. The request is to close this in the next 10 days.

Councilor Montgomery replied I was thinking maybe a day since we haven't had a chance to read this, and maybe there won't be any questions.

City Administrator Burril said the only issue I have is if I am getting differing concerns, I don't have a consensus of what Council wants in that area.

Attorney Green said Gus if I may perhaps the way we proceed is that Council provide us approval of the agreement subject to those articulated conditions. Ultimately they are vesting the authority in you to determine what final revisions need to be made so that it is acceptable. As you are receiving feedback from Council then you can exercise your independent judgement. Presumably the two of us will exercise some judgement as to whether or not those issue need to be addressed or otherwise resolved.

Councilor Brown asked Jeff Cartensen of the Indian Head Casino what he thinks about the agreement. Jeremy you said there were some tweaks that need to be made.

Attorney Green commented the waiver language comes straight from the Tribes governing documents. We had a conference call with the Tribes and she and I discussed having a component or subcomponent of the waiver to include both the Tribe and the Casino that is issue number one. Issue number two is the Tribe conceptually agreed on the phone to defend and indemnify the City should the City transfer the rail spur property in advance of rail approval. In the event we face some type of law suit, damages, costs, or expenses the Tribe would defend and indemnify us that is not in there. The payment of the fee and the timing of the fee as I noted, how you define what constitute substantial completion verses date of occupancy. Having clarification and consistency as it relates to those terms those are the three items that jump off the table to me. The permitting language as well confirming and clarifying that a right-of-way permit will be obtained, sewer permit will be obtained, making it a clear obligation of the casino.

City Administrator Burril said Jeremy you and I talked about the public safety fee we didn't understand over time that if the appraisals aren't taking in depreciation, depreciation, depreciation. We don't want to see the fee go to zero.

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS

WORK SESSION

October 11, 2016

Attorney Green mentioned that Gus had identified the need to clarify that transportation fee and establish up front that the fee will never be less than \$15,000 dollar number. Other than those issues I don't believe there is anything else that needs to be addressed.

Councilor Brown asked Jeff Cartensen of the Indian Head Casino do you see any problems with that?

Jeff Cartensen said I am not sure I need to talk to Ellen about all of those things. I don't see a problem with the occupancy that is just terminology. The sovereign immunity that is something I am not sure of. We have a chapter 30 that the casino follows but the Tribe has something tighter than that. We can work with the fee I don't think it would go down that much.

Councilor Brown asked can we transfer that property to the Tribes so they can get started risking the fact that we might have to deal with the rail road folks?

Attorney Green answered that is the reason why I requested the defense and indemnification provisions. Generally on an easement like that you can assign the property, whoever acquires the property, takes the property subject to that easement. Ellen seemed confident that it would be a nonissue and so my response was then you can defend and indemnify us we are exposed to liability. My preference would be from a legal stand point that we get the approval and we get it worked out as formally drafted and then transfer the property.

City Administrator Burril said they gave indication to Travis at first that they didn't have interest in it and then later somebody else in their system said they want to be compensated for the right to it.

Jeff Cartensen told the Council that we have taken the building down but we have stopped at the point of taking the tracks out. We really need it because the restaurant runs down the middle so we can't start and try to find that later.

Mayor Embanks said I have been involved in some of the negotiations and seeing where we came from and where we are at now. These are pretty minor compared to the questions we had at first. I have complete confidence in Jeremy and Gus to negotiate those three items adequately so that we can do this without any loose ends. So if I can get a consensus so we can put this on the agenda tonight.

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS WORK SESSION October 11, 2016

III DESERT PEAKS GOLF COURSE MANAGEMENT CHANGE

Public Works Director Hurd informed the Council that several weeks ago I received a phone call from Dean Ditmore and let me know he was having some health problems. He said he would like to get out of his contract that he would not be coming back up to the golf course. So I told him yes, I will need two or three months to put together an RFP and get it advertised and get someone else in there. Recently, I believe yesterday at 9:00 a.m. Dean passed away due to cancer. Where we are at right now with the golf course is it is still being operated. Teresa is still up there managing it; I had a conversation with Dean's daughter last Friday. We talked about what is going to happen with the equipment and when things are going to happen and then this happened. I have yet to speak to the family we sent over flowers yesterday but that is it. I am in the process of putting together an RFP as fast as I can, and get it out the door so we can bring in some proposals for someone to take over the management of the golf course. Our hope is that we will have somebody to start negotiating with by mid-November and have someone in by January 1, 2016. There are still a lot of unknown questions to be answered now that Dean has passed who do we deal with, where does it go, what happens does the doors stay open?

Jon and I have sat down and come up with several contingency plans if that was to happen so we can guarantee if need be that the golf course will stay open. Preferably we would want the family to honor the contract until I can get a replacement, but at this point we don't know what is going to happen. Talking with Jeremy and Gus my next step is I am going to send a letter out to the family acknowledging, sorry for your loss. Here is where we are at with the golf course; here is what the City would be expecting. We are going to request that they keep the golf course open for the next three months. Where that goes at this point I am not sure, we just wanted to keep you informed so you know what is going on.

Mayor Embanks said that certainly was a surprise, well continue on with whatever we are doing and get input from the family. It would be nice to keep it open but understanding that this happened so sudden we don't know what is going to happen. Regardless at some point we are going to have to put a RFP out.

Public Works Director Hurd said my intent is to get the RFP together and get it out this week. One thing that we discussed is we could close it down, but the things we discussed today we have people that have annual memberships. They have paid to play it is not fair to not allow them to go up there and use the course. Jon and I have talked and discussed what is the minimum we need to operate? We will need a cash register,

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS

WORK SESSION

October 11, 2016

credit card machine, and someone keeping the doors open. We could put that together and keep it open.

City Administrator Burril added we are planning to get a letter out to clarify position. We don't know who is handling Dean's estate. We will clarify our expectations that we will continue to work with them as much as possible and help where we can. Our goal is to keep that open and give this RFP processed. We have been approached by one group that is interested we will follow a formal solicitation to see if there are others and take the proposals and bring them to you. It may take some negotiating that may be necessary to get to a proposed agreement. There are some things we need to think through equipment wise.

Councilor Montgomery asked I assume you have gone through the logic of having a concessionaire as opposed to having someone on staff to do that. It fell down on the side of having someone else do it.

City Administrator Burril I don't know the history, I think it was contemplated that a private entity would be best to serve that. If we staff if we have to mindful of what is the incentive for an hourly person, and how do we staff seven days a week. We could look at that we have the numbers from what Dean was bringing for revenue. My initial look of the numbers it doesn't tell us to staffing up ourselves. I don't know if you would need to bring a restaurant and a bar to enhance that model further to create a gathering place. We could look at it both ways we are open if Council feels we should go that avenue.

Mayor Embanks said I am not sure if the City wants to get involved with the restaurant business or anything like that. The arrangement that we have had has worked well for us, and there has been minimal problems.

Councilor Brown said I think private enterprise does these far better than government.

Mayor Embanks added you would have to create a new job and add in all the expenses that go into an employee. Then you are probably spending more.

Councilor Brick asked do I understand that Mr. Ditmore's family is party to the concession agreement.

Public Works Director Hurd answered no the agreement is in Dean and Audrey's name. Right now since he has passed and we haven't had any communication with the family since yesterday we don't know where that goes. We are not sure if the agreement is null and void who does that go to without talking to who is taking care of the estate.

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS
WORK SESSION
October 11, 2016

Councilor Brick said it is possible that the agreement is part of his estate.

City Administrator Burril said we were going to clarify our expectations are that the agreement is null and void after the transition period, but outline a process of working through the transition.

Attorney Green said to be clearer and to get on the record we are going to release them from their obligations after we get through the transition process, but until that time the agreement remains in place.

Mayor Embanks asked if there are any other discussions ok we will adjourn.

IV ADJOURN

The City Council Work Session was adjourned at 6:38

Michele Quinn, Public Works Assistant

Royce Embanks, Mayor

OFFICIAL MINUTES
CITY COUNCIL, CITY OF MADRAS
OCTOBER 11, 2016

I CALL TO ORDER

The City Council meeting was called to order by Mayor Royce Embanks at 7:00 p.m. on Tuesday, October 11, 2016 in the Madras City Hall Council Chambers located at 125 S.W. "E" Street.

CITY COUNCIL MEMBERS IN ATTENDANCE WERE:

Mayor Royce Embanks Jr., and Councilors Bartt Brick, Richard Ladeby, Bill Montgomery, Tom Brown, and Gary Walker.

ABSENT WERE:

Councilor Chuck Schmidt.

CITY STAFF MEMBERS IN ATTENDANCE WERE:

City Administrator, Gus Burrell; City Attorney, Jeremy Green, with the firm of Bryant, Lovlien and Jarvis, PC; HR and Administrative Coordinator, Sara Puddy; Finance Director, Kristal Hughes; Police Chief, Tanner Stanfill; Public Works Director, Jeff Hurd; Community Development Director, Nicholas Snead, and City Recorder, Karen J. Coleman.

VISITORS IN ATTENDANCE WERE:

Rick Allen, Jeffrey Cartensen, Warm Springs Indian Head Casino; Karen Friend, Interim Executive Director and Transportation Manager, Central Oregon Intergovernmental Council (COIC) Cascade East Transit; Jackson Lester, COIC Transit Planner; Judy Watts, COIC Outreach and Marketing; Don and Elaine Henderson; Travis Wells; Jefferson County Commissioner, Mae Huston; Jocelyn Anderson, Plantae; Jefferson County EDCO Manager, Janet Brown; EDCO Executive Director, Roger Lee, and Holly Gill, News Editor with the Madras Pioneer.

II PLEDGE OF ALLEGIANCE AND PRAYER

Mayor Embanks asked Councilor Montgomery to lead the pledge of allegiance to the flag of the United States of America, which he did. The Mayor then offered the prayer.

III CONSENT AGENDA

All matters listed within the Consent Agenda have been distributed to each member of the Madras City Council for reading and study, are considered to be routine, and will be enacted by one motion of the Council with no separate discussions. If separate discussion is desired, that item may be removed from the Consent Agenda and placed on the Regular Agenda by request.

OFFICIAL MINUTES
CITY COUNCIL, CITY OF MADRAS
OCTOBER 11, 2016

- A. Approval of Vouchers
- B. Approval of Minutes From the September 27, 2016 City Council Meeting
- C. Approval of Minutes From the September 28, 2016 City Council - County Commission Meeting
- D. Approval of Addendum No. 1 to Agreement With Jefferson County for Collection of the City's 9% Transient Occupancy Tax
- E. Approval of First Amendment to Intergovernmental Agreement for Solid Waste Collection and Disposal Dated March 4, 2009 Between Jefferson County and City of Madras
- F. Approval of Liquidation of Surplus Equipment - 2004 Ford Taurus Police Department Vehicle
- G. Council Ratification of Informal Agreement to Provide Sanding Services from the City Limits to the Entrance of the Deer Ridge Correctional Facility During the 2017 to 2021 Winter Seasons
- H. Approval of Intergovernmental Agreement Between City of Madras and Jefferson County - Fuel Station Surcharge

Councilor Walker disclosed that his business would be receiving payment from the City of Madras for parts and services rendered.

A MOTION WAS MADE BY COUNCILOR RICHARD LADEBY AND SECONDED BY COUNCILOR TOM BROWN THAT COUNCIL ACCEPT THE [CONSENT] AGENDA AS WRITTEN. THE MOTION PASSED UNANIMOUSLY, 5/0.

IV VISITOR COMMENTS

Elaine Henderson came forward and introduced herself to the Council. She said that maybe this is unusual, but she is not here to complain. She told the Council that she just wants to tell them how important the Cascade East Transit bus system is, all over Central Oregon, but particularly here in Madras, to our senior citizens who for various reasons have had to give up their Driver's License or cannot drive anymore and they rely

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS OCTOBER 11, 2016

a lot on the bus system to come to the Senior Center, do their shopping, and go to the doctor.

They also have some disabled people who like to go to the Senior Center for lunch, play cards for awhile with the group, and socialize. This means a lot to these people to be able to be independent and not always have to rely on their family to take them everywhere.

She referred to the Lions Club and mentioned that most of their service in the community is for low income people. They help them get eye exams and glasses. She, at times, asks the people if they have a way to get to the appointment. If they qualify to ride the bus, this is how they get to the appointments, so they can get their eye exam and glasses. This is just a few reasons why this bus system is so important. She thanked the Council for supporting it.

Mayor Embanks thanked Mrs. Henderson for bringing this to the Council's attention and for coming to the City Council. He explained that it is good for the Council to get input from citizens on some of these issues because the Council does vote on funding. He said that he thinks that he can speak for the Council as they are very positive in their support for the transit service as it is so needed in the City for just about every age group, but especially for seniors.

V

WARM SPRINGS INDIAN HEAD CASINO INTERGOVERNMENTAL AGREEMENT WITH CITY OF MADRAS

City Administrator Burril explained that the City has been working on the Intergovernmental Agreement that is with the Warm Springs Indian Head Casino and the Confederated Tribes of Warm Springs for a truck stop, gaming station, and restaurant facility up in the Madras Industrial Park off of Cherry Lane. Staff believes that the agreement is getting very close to being acceptable and in the best interest of the City to enter into.

During the earlier work session they talked about some provisions that they would like to fine tune with the Council around the public safety fee, making sure that this doesn't deteriorate and go backwards in a fee amount. They talked about some clarification in the transfer of some City owned rail land.

City Attorney Green mentioned that they also wanted to clarify the timing of the payment of fees and they needed clarification as to the requirement to obtain a right-of-way permit and a sewer permit.

OFFICIAL MINUTES
CITY COUNCIL, CITY OF MADRAS
OCTOBER 11, 2016

City Administrator Burril advised Council that tonight staff is asking for their support for the City Administrator and City Attorney to work through the fine details with Jeff Cartensen and Travis Wells, who represent the Casino and the Tribe, and see if they can finish this because there are time needs for the Casino to move on with the financing agreement and get construction started. He told the Council that tonight staff will be asking for their approval of the draft agreement and Council's authorization for the City Administrator and City Attorney Green, along with their management team, to finish the refinements to the agreement.

Staff understands that if the Tribe wishes not to be a party to this agreement as currently proposed, that they will bring that back to the Council for discussion.

City Attorney Green told the Council that specifically and more precisely they would like the Council to approve the agreement as drafted subject to City Administrator and City Attorney approval.

Councilor Brown asked City Attorney Green how soon he could have the agreement back in their hands.

City Attorney Green mentioned that they propose to have a revised draft out to them this week.

A MOTION WAS MADE BY COUNCILOR TOM BROWN AND SECONDED BY COUNCILOR GARY WALKER THAT THE COUNCIL APPROVE THE DRAFT AGREEMENT SUBJECT TO THE APPROVAL OF THE CITY ADMINISTRATOR AND CITY ATTORNEY. THE MOTION PASSED UNANIMOUSLY, 5/0.

VI ECONOMIC DEVELOPMENT FOR CENTRAL OREGON - ANNUAL REPORT

Jefferson County EDCO Manager Brown read the following into the record:

EDCO is celebrating its 35th year in business. They continue their mission to help traded-sector companies move, start, and grow in Madras, Jefferson County, and all of Central Oregon.

She mentioned that they had held their fourth Jefferson County EDCO lunch and third annual "Made in Jefferson County Tour & Lunch" on April 20th of this year. They have received \$32,466 to-date from the luncheon, with more pledges not yet received. The City of Madras additionally contributes \$6,000 in in-kind for the EDCO office space at the Airport. The Jefferson County EDCO Finance Committee will continue their membership

OFFICIAL MINUTES
CITY COUNCIL, CITY OF MADRAS
OCTOBER 11, 2016

drive efforts through October. Jefferson County contributes the balance of the monies needed to support EDCO's local program.

There were nine solid leads received last year in aviation, manufacturing, composites, food production, solar products, and others. Some went elsewhere and some are still in our pipeline. They had additional leads that were tire kickers and people looking for grants and free land to start their businesses. Most of these have no business experience, but she talks with everyone and helps them where she can.

In July and August, she had already received five additional solid leads. The referrals and leads came from the regional EDCO office, Business Oregon, realtors, community and business leaders, cities, or came directly to her.

She told the Council that she had visited 25 traded-sector Jefferson County businesses in person and had assisted 26 businesses multiple times, so in reality something closer to 70+ assists over the year. She reported that she is currently working with two Jefferson County business expansions, which will create positions for approximately 23 new employees with an estimated value of \$5.5 million dollars.

EDCO doesn't create jobs, businesses create jobs. It's important for them to create the environment where applications, plans, permits, approvals, funding, and other processes are clearly understood and handled expeditiously so companies are able to build and create jobs more easily. This, along with having a supply of properly zoned industrial lands with infrastructure, a well maintained airport, strong education system, and solid community teams, will assure new and existing businesses are successful in Jefferson County.

She told the Council that she had successfully testified before the County and City Planning Commissions, and the City Council and County Commission to designate a new mixed use employment (MUE) zone in South Madras, to include light industrial and seamless planning for future annexation. She mentioned that she had participated with City planning staff and testified before the City Planning Commission for improved, business friendly industrial development standards and codes.

EDCO received several media mentions in the Madras Pioneer, the Bulletin, and the Cascade Business News which is recognition and free advertisement that they are ready and open for business.

In addition to expanding the Jefferson County Enterprise Zone by 1,443 acres, as the Enterprise Zone Manager, she led the charge and state process to re-designate the Enterprise Zone for another 10 years. Starting in March 2016 she worked with and attended meetings with all four Enterprise Zone sponsors; Jefferson County, City of

OFFICIAL MINUTES
CITY COUNCIL, CITY OF MADRAS
OCTOBER 11, 2016

Madras, City of Metolius, and City of Culver. The process was completed at the end of June and they received notification of state approval in fiscal year 2016-2017.

To-date there is seven (7) Enterprise Zone authorizations in various stages:

- Butler/Aero Air, a five-year Enterprise Zone, is now complete and the property is on the tax rolls.
- Aero Air/Erickson Aircraft is in the middle of a five-year Enterprise Zone. The two Aero Air Enterprise Zones have a total investment value of \$7.765+ million dollars, and created positions for 27 new employees.
- Keith Investments is in the middle of a three-year Enterprise Zone and has a total investment value of \$1.245+ million dollars. They created positions for 17 new employees. They are also considering an application for a three-year Enterprise Zone for their new administration and engineering building. It would have a total investment value of \$4.9 million dollars and would create positions for 19 new employees. They will not file their Enterprise Zone claim until the project is completed.
- Coronal Solar has two five year RRED Enterprise Zones with a total investment value of \$37 million dollars. They expect to begin construction in late 2016 or 2017
- Daimler Trucks North America have a five-year Enterprise Zone with a total investment value of \$18.7 million dollars and five new employees (the Enterprise Zone application shows 30 actual). They will not file their Enterprise Zone claim until the project is completed.

The total investment is \$69.6+ million dollars and 68 new employees (98 actual) at full build out. The Enterprise Zone has a total of 2,675 acres in Madras and 3,500 acres total with Metolius and Culver. She mentioned that we have land already zoned industrial and airport development, and that we have the most economical industrial land in Central Oregon. The companies that they have worked with are very surprised by our land prices.

She explained that in Enterprise Zones taxes are always paid on the land. The exemption is only for buildings, fixed equipment, and large permanent structures. This is a very nice incentive. She recommended that the city, the county, and realtors bring her in at the right time to help seal the deal with clients in our Enterprise Zone. She and Mike Ahern jointly showed property last month and she was able to explain our local incentives. The new company signed the property purchase agreement last week.

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS OCTOBER 11, 2016

In the economic downturn a few years ago, Madras and Jefferson County saw a zero loss of industrial companies. We were the only one in Central Oregon. Some companies downsized, but no one went out of business during those years. We have strong, solid airport-industrial companies

She encouraged everyone to talk with their friends in construction and let them know that there is a healthy market here for homes. She asked that they help spread the word that, despite the media negativity, we have great schools. What we need to do is remind people that all the other communities of size (e.g. Bend, Redmond, Prineville) all have alternative schools and charter schools and their students who need a different type of instruction are counted separately.

In other communities, the high school numbers are up and their alternative schools reflect lower stats. Madras has not counted their alternative schools separately, so the numbers reflect all high school students as one. If you separate our high school and alternative school numbers, our numbers match or beat other high schools. Or, conversely, if you combine the other high schools and their alternative schools as one number, their stats are vastly decreased. This is about to change. Our business community and schools have had some good discussion.

This fall Jefferson County School District 509J will open "Bridges Career & Technical High School" and will also expand CTE (career technical education) classes. CTE classes focus on the trades like welding, electrical, plumbing, mechanics, and others.

She indicated that she had also let people know that Culver has a great little school district that is growing, passing bonds, and renovating their schools. She also mentioned the need for a "community kitchen" where individuals wanting to start a business can have an opportunity to show their products.

Roger Lee, EDCO Executive Director, gave a PowerPoint presentation pertaining to economic indicators and milestones, unemployment, job creation, etc.

VII CASCADE EAST TRANSIT - PRESENTATION

Karen Friend, Interim Executive Director and Transportation Manager with Central Oregon Intergovernmental Council, came forward and introduced herself, Jackson Lester, COIC Transit Planner, and Judy Watts, COIC Outreach and Marketing, to the Council. She then presented a PowerPoint presentation showing the following:

- Cascade East Transit's existing services.

OFFICIAL MINUTES
CITY COUNCIL, CITY OF MADRAS
OCTOBER 11, 2016

- The City's investment in Cascade East Transit Services (e.g. \$10,000 match annually which leveraged 90/10 in grant funding).
- Proposed changes which include retiming of the community connector system, more convenient connections between Central Oregon's cities, moving to consistent 90-minute cycles throughout the region, short layovers to connect to and from Bend, Madras, and Prineville through Redmond, convenient connections to Bend's fixed route transit system, and consideration of major rider groups such as COCC (Central Oregon Community College), Heart of Oregon, OFCO (Opportunity Foundation of Central Oregon), RPA (Redmond Proficiency Academy), etc. in route revisions.

They are proposing the addition of a deviated flex route in Madras and Warm Springs, the addition of Metolius and Culver stops on the Madras-Redmond runs, and the addition of a community Connector route between Bend and Sisters.

Jackson Lester mentioned that he is excited about being a part of transient planning in Central Oregon and briefly described the following in more detail:

- Route 20 Warm Springs and Madras Service
- Madras-Metolius-Culver Service Expansion
- Route 22 - Madras-Redmond Service Proposed Change
- Existing Round Trips / Proposed Round Trips

Judy Watts presented a testimonial of an individual that knows the schedule and no longer has to rely on his mother to take him places.

VIII PUBLIC HEARING

Proposed Ordinance No. 892

An ordinance of the city of Madras establishing time, place, and manner regulations concerning Recreational Marijuana producers, processors, wholesalers, laboratories, and retailers.

Proposed Ordinance No. 893

An ordinance amending Ordinance No. 864, which ordinance established land use zones regulating the location of building structures and the use of land within the City of

OFFICIAL MINUTES
CITY COUNCIL, CITY OF MADRAS
OCTOBER 11, 2016

Madras; establishing certain recreational Marijuana businesses as permitted uses in certain zones; establishing approval criteria and application procedures for recreational Marijuana businesses; superseding all other ordinances or parts of ordinances in conflict herewith.

1. Open the Public Hearing

Mayor Embanks opened the Public Hearing at 8:07 p.m.

2. Staff Report - Community Development Director Snead

Community Development Director Snead apologized to the Council for making a mistake by failing to schedule a Public Hearing on Ordinances No. 892 and 893 for their last Council meeting. Staff scheduled a Public Hearing this evening so the Council can go through the proper process of making these legislative changes.

The proposal for the Recreational Marijuana ordinances as identified on the agenda have not changed, particularly since they were last presented to the City Council. With that in mind, he will not comment on the actual substance of the Ordinances, but would encourage the City Council to solicit public comments, consider those comments, and when the Council actually considers the individual ordinances later on the agenda, that they take formal action at that time.

3. Comments From the Public

Janet Brown came forward and explained to the Council that she had chaired the 11 member Advisory Committee. She has been gone for a few weeks and just wants to make sure that the language that the Advisory Committee and Planning Commission recommended referring to the 1,000 feet stayed the same.

Community Development Director Snead assured her that he and the City Attorney made those requested changes. The Planning Commission recommended that the City Council approve both ordinances as they were presented and did not make any changes.

OFFICIAL MINUTES
CITY COUNCIL, CITY OF MADRAS
OCTOBER 11, 2016

Janet Brown mentioned that, in her opinion, everything that has happened before this level has gone very well and some good people were involved. Not everyone was in favor, but it was good because they weren't deciding whether or not it should be legal in this City, they were deciding that if the voters choose to approve Recreational Marijuana, the City would have the time, place, and manner regulations already established if applications start coming in. She asked that the Council approve Ordinances No. 892 and 893.

Jocelyn Anderson came forward, introduced herself, and explained that she represents Plantae. She told the Council that she was also on the rules Advisory Committee and that she appreciates that the Council is following through with this and looking at what they came up with.

She mentioned that as a City you still have less than a month and you do not know which way the vote is going to go. The voters could ban Recreational Marijuana or allow it, but it is good to have something in place that is organized, very well thought out and contains really clear definitions for these retailers, processors, and producers in the event that it does pass.

As they go further into this industry they do see cities and counties around Oregon who have made mistakes and not set rules in place and actually have had things happen that maybe they didn't necessarily want or intend because they haven't set the right things in place. She said that she appreciates that Council took time to look over this.

4. Close the Public Hearing

The Public Hearing was closed at 8:11 p.m.

5. Council Deliberations (Questions and/or Comments)

Mayor Embanks provided the Council with an opportunity to ask questions or make comments at this time.

The Council did not ask any questions or offer any comments, so the Mayor moved on to Section IX on the City Council meeting agenda.

6. Formal Action will be Taken Under Section IX - Ordinances

OFFICIAL MINUTES
CITY COUNCIL, CITY OF MADRAS
OCTOBER 11, 2016

IX ORDINANCES

A. ORDINANCE NO. 892

An ordinance of the City of Madras establishing time, place, and manner regulations concerning Recreational Marijuana producers, processors, wholesalers, laboratories, and retailers.

A MOTION WAS MADE BY COUNCILOR RICHARD LADEBY AND SECONDED BY COUNCILOR BILL MONTGOMERY THAT ORDINANCE NO. 892 BE READ BY TITLE ONLY. THE MOTION PASSED UNANIMOUSLY, 5/0.

City Attorney Green read Ordinance No. 892 by title only at this time.

A MOTION WAS MADE BY COUNCILOR BILL MONTGOMERY AND SECONDED BY COUNCILOR BARTT BRICK THAT COUNCIL APPROVE ORDINANCE NO. 892 AS WRITTEN

City Recorder Coleman proceeded with the taking of a roll call vote.

Councilor Walker	Aye
Councilor Brown	Aye
Councilor Ladeby	Aye
Councilor Brick	Aye
Councilor Montgomery	Aye

THE MOTION, CURRENTLY ON THE FLOOR, PASSED UNANIMOUSLY, 5/0.

B. ORDINANCE NO. 893

An ordinance amending Ordinance No. 864, which ordinance established land use zones regulating the location of building structures and the use of land within the City of Madras; establishing certain recreational Marijuana businesses as permitted uses in certain zones; establishing approval criteria and application procedures for recreational Marijuana businesses; superseding all other ordinances or parts of ordinances in conflict herewith.

A MOTION WAS MADE BY COUNCILOR TOM BROWN AND SECONDED BY COUNCILOR GARY WALKER THAT ORDINANCE NO. 893 BE READ BY TITLE ONLY. THE MOTION PASSED UNANIMOUSLY, 5/0.

OFFICIAL MINUTES
CITY COUNCIL, CITY OF MADRAS
OCTOBER 11, 2016

City Attorney Green read Ordinance No. 893 by title only at this time.

A MOTION WAS MADE BY COUNCILOR TOM BROWN AND SECONDED BY COUNCILOR RICHARD LADEBY THAT COUNCIL APPROVE AND ADOPT ORDINANCE NO. 893.

Councilor Brick	Aye
Councilor Montgomery	Aye
Councilor Walker	Aye
Councilor Brown	Aye
Councilor Ladeby	Aye

THE MOTION, CURRENTLY ON THE FLOOR, PASSED UNANIMOUSLY, 5/0.

X SOLAR ECLIPSE PLANNING UPDATE

City Administrator Burril advised Council that they will be having their next scheduled group meeting tomorrow at 12:00 p.m. in the Madras City Hall Council Chambers.

During the meeting they will be:

- Doing a mapping update and determining exactly what they want on the map and what we can anticipate getting.
- Forming a new subcommittee on permits.
- Unveiling a branding logo.
Coordination has been occurring with the Madras Pioneer on this.
- Unveiling a Website.
Lysa Vattimo has been working closely with Executive Director, Joe Krenowicz, Madras-Jefferson County Chamber of Commerce, on this.
- Receiving department event updates and coordination.

OFFICIAL MINUTES
CITY COUNCIL, CITY OF MADRAS
OCTOBER 11, 2016

XI **AWARD OF CONSTRUCTION SERVICES CONTRACT -
ROCKY RIDGE EXCAVATION, FOR CONSTRUCTION OF THE U.S.
HIGHWAY 26 AT HESS STREET SEWER CROSSING**

Public Works Director Hurd told the Council that it came up about a month or two ago when the Oregon Department of Transportation sent the City a notice that they were going to be overlaying U.S. Highway 26 from Earl Street all of the way up to Gumwood Drive next Spring. For some time the City has been talking about putting a sewer line across the highway at Hess Street in order to serve not only an apartment complex that is on a drill hole, but for a future development on property that is zoned Industrial.

Several years ago the City tried to get funding, but the project didn't come to fruition due to the cost of trying to bore under the highway. When ODOT sent him the plans, he called them and asked if it would be okay to open cut the road since they were planning on doing an overlay and ODOT agreed to allow this.

He explained that he had hired H.A. McCoy to prepare the plans. They put together a permit application, sent it to ODOT, and they approved the permit. He mentioned that they then obtained bids on the project. They designed the sewer so it ties in by Bright Wood at the railroad tracks. All they are looking to do right now is get a pipe underneath the highway.

He advised Council that he had met with three contractors (e.g. Rocky Ridge, Lee Baggett, Latham Excavation, and Dry Canyon Construction) to get pricing on the project. Dry Canyon Construction couldn't bid it as they didn't have the time. Rocky Ridge came in with a price of \$83,000 and Latham Excavation came in with a price of \$197,000. He said that he had called Latham Excavation to find out why there was such a big price difference and they had said that they really weren't interested in doing it.

He mentioned that we can do this project if we want to as we have the opportunity. They allocated \$35,000 this year for sewer lines to do this, but in order to construct it they would have to move \$50,000 out of contingency. There is \$100,000 available so it can be done. His recommendation is that the project move forward.

A MOTION WAS MADE BY COUNCILOR TOM BROWN AND SECONDED BY COUNCILOR BILL MONTGOMERY THAT COUNCIL APPROVE THE CONSTRUCTION SERVICES CONTRACT BETWEEN THE CITY OF MADRAS AND ROCKY RIDGE EXCAVATION FOR THE CONSTRUCTION OF THE HIGHWAY 26 AND HESS STREET SEWER CROSSING IN THE AMOUNT OF \$83,566. THE MOTION PASSED UNANIMOUSLY, 5/0.

OFFICIAL MINUTES
CITY COUNCIL, CITY OF MADRAS
OCTOBER 11, 2016

XII PUBLIC WORKS DEPARTMENT UPDATE - PRESENTATION

Public Works Director Hurd presented a PowerPoint presentation showing pictures of some of the projects that his department had been doing (e.g. Seventh Street Paving Project, Daimler West Access Road, installation of a light at the intersection of Hall Road and U.S. Highway 97, Kenwood Park Project in the Juniper Crest Subdivision, "L" Street Sidewalk Project, Golf Course Cart Path Paving, new Sewer Department boat which allows them to pull right up to the aerators, installation of a storm main line at the hospital, and replacement of a 24" valve that has been leaking for a long time.

A copy of the PowerPoint presentation will remain on file at the Madras City Hall for review by the public upon request.

XIII ADDITIONAL COMMENTS, ANNOUNCEMENTS, AND DEPARTMENT REPORTS

▶ **COMMUNITY DEVELOPMENT DEPARTMENT REPORT**

Joint City-County Planning Commission Meeting
Urban Growth Boundary Expansion

Community Development Director Snead announced that a joint City-County Planning Commission meeting has been scheduled for October 19, 2016 in the Madras City Hall Council Chambers. They are putting forth a proposal for the Urban Growth Boundary Expansion to include a portion of the Madras Airport. Part of that proposal is to designate the Daimler Test Facilities Regional Large Lot. Along with that they will need to adopt a new Large Lot Industrial Zoning District with permitted uses, and regulations. In the background they are working on making sure that all of those regulations make sense and are not overly burdensome. Quite honestly they have modeled these regulations to be very consistent with the effort that the staff and the Council just went through to streamline and update the Industrial Zone Development regulations. The only real difference is the size of the development there.

He indicated that he would expect the City Council to conduct a Public Hearing in November or early December on this proposal. They will probably see it adopted and fully implemented in December at the end of the year.

OFFICIAL MINUTES
CITY COUNCIL, CITY OF MADRAS
OCTOBER 11, 2016

Airport Annexation

Community Development Director Snead advised Council that staff will then start working on annexation of the entire Airport. He mentioned that he has been working with Sharon Smith our land use attorney to help us out with that in determining what the requirements are and what the cost would be. She told him that it has never really been done anywhere. There are some basic legal questions that they are working through. Staff has received some guidance from the Oregon Department of Land Conservation and Development (DLCD).

This is the City's most cost effective, efficient, in terms of time and lowest amount of risk for appeal to ensure that the Daimler Test Facility is subject to the City's tax rate because it would be within the City limits. More importantly, the entire Airport would be under the land use control of the City of Madras.

If you were trying to work on a development deal with the City of Madras, you would work with the City staff initially for awhile and then staff would tell you that you now need to go over to the County and work with them on a land use application. The streamlining in the permitting process will have huge benefits for the City from the end user's perspective.

▶ **POLICE DEPARTMENT REPORT**

Police Chief Stanfill announced that there is kind of a new look for the Madras Police Department. They have ordered outer vest carriers for the vest that they wear. What these do is distribute some of the weight. Officers, typically over the years wearing the duty belt with all of the gear and all of the tools that they have on those duty belts wear out their backs. These outer carriers allow them to distribute some of the weight up towards the shoulders versus the back. It also allows the officers to carry more gear and have less gear on their belt.

Depending on the officer and how many tools they carry, they have gear that is on the back requiring them to reach behind to grab a tool and it may be a violent situation. In a fight scenario you do not want to be putting your hands behind your back as this is a mistake as you would be susceptible to strikes and other things.

The vest is a little more tactical looking. It is much more comfortable for the officers to carry and they are able to accessorize their gear so it is more easily at hand. This will be a real benefit. Everybody over at the Police

OFFICIAL MINUTES
CITY COUNCIL, CITY OF MADRAS
OCTOBER 11, 2016

Department is extremely grateful. He said that he keeps getting thanked for getting them these outer carriers. It is a new look.

He suggested that when the officers go out in the public, if they are asked about the vest, that they should explain what the real reason is behind why they are wearing them and that is comfort, accessibility to tools, and it saves on the back.

He advised Council that they have been looking at these for a long time. It took him a few years to get his mind around this look, but it is becoming pretty standard for law enforcement across the nation and there are definitely some good reasons why they went this direction.

▶ **FINANCE DEPARTMENT REPORT**

Finance Director Hughes told the Council that Brian Crowe from the Jefferson County Fairgrounds is asking if the City would like to be a Cowdeo sponsor. There are funds available.

City Administrator Burril explained that this would come from the Council's unprogrammed Tourism and Economic Development Fund. He asked the Council if they would like to discuss this. The City currently supports the Fair and Fairgrounds through the replacement building of the restroom facility at \$5,000 per year so Council is not obligated as the City does support the Fairgrounds, but we were asked if we would like to sponsor this. It is this Saturday so this is why the request is being presented for Council consideration.

A MOTION WAS MADE BY COUNCILOR TOM BROWN AND SECONDED BY COUNCILOR BILL MONTGOMERY THAT COUNCIL PUT UP A \$100 SPONSORSHIP ON IT.

Mayor Embanks suggested that the City make it \$200.

Councilor Ladeby mentioned that they should support the Fairgrounds and that he would have no objections to the City giving \$200.

A MOTION WAS MADE BY COUNCILOR TOM BROWN AND SECONDED BY COUNCILOR GARY WALKER THAT THE EARLIER MOTION BE AMENDED TO A \$200 SPONSORSHIP. THE AMENDED MOTION PASSED UNANIMOUSLY, 5/0.

OFFICIAL MINUTES
CITY COUNCIL, CITY OF MADRAS
OCTOBER 11, 2016

▶ **HR AND ADMINISTRATIVE COORDINATOR COMMENTS**

HR and Administrative Coordinator Puddy announced that Public Works Director Hurd's department is bringing on a new Wastewater Operator and that there is a current recruitment effort out for an Accounting Analyst for Finance Director Hughes department.

She advised Council that she will be flying out tomorrow morning and will be out of the office through the rest of October. City Recorder Coleman will be out of the office for a few days as well. Public Works Administrative Assistant Quinn has graciously agreed to assist with the October 25, 2016 City Council meeting.

▶ **CITY ADMINISTRATOR COMMENTS**

Warm Springs Casino Intergovernmental Agreement

City Administrator Burril thanked Council for their support of the Warm Springs Casino Intergovernmental Agreement this evening as this has been in the works for over several months now.

Oregon Department of Aviation Grant

City Administrator Burril announced that staff is applying for an Oregon Department of Aviation Grant. Staff heard about it this summer. They said that they were going to open it up and that you could ask for up to \$150,000. They are going to allow 10 to 12 awards this year. They would open this up for more applicants next year and possibly go to twice a year.

As he understood and read their rules, they are giving priority points to projects that are on the 5-year Capital Improvement List which we have between the Department of Aviation and the Federal Aviation Administration. Our next project on the list is the Taxiway Rehabilitation Project. We would be going into design first and then the next year into construction. It will likely line up well with the next ConnectOregon grant. If we can get some sort of Airport sponsor connection to all of that we would have a good mix, so we want to recruit for an opportunity around that whether it be the UAV or another Aero Air / Erickson type opportunity. We are currently recruiting for that right now, but we will apply for that in about a year.

OFFICIAL MINUTES
CITY COUNCIL, CITY OF MADRAS
OCTOBER 11, 2016

If we do not get this one, it is kind of like applying for hunting permits. You get weighted balance the next time. It would not be a bad thing to miss this time as we really need it next time as it would be a bigger project.

The grant application is due Friday, October 14, 2016. He told the Council that he will be working with Public Works Director Hurd to get that done.

XIV ADJOURN

The City Council meeting was adjourned at 8:40 p.m.

Karen J. Coleman, City Recorder

Royce Embanks, Mayor

CITY OF MADRAS

Request for Council Action

Date Submitted: October 19, 2015
Agenda Date Requested: October 24, 2015
To: Mayor and City Council Members
Through: Jeff Hurd, Public Works Director
From: Rod Fulton, Building, Fleet, and Streets Manager
Subject: Approval of Annual Cinder Exchange Agreement

TYPE OF ACTION REQUESTED:

- | | |
|--|--|
| <input type="checkbox"/> Resolution | <input type="checkbox"/> Ordinance |
| <input checked="" type="checkbox"/> Formal Action/Motion | <input type="checkbox"/> Contract Review Board |
| <input type="checkbox"/> None - Report Only | |

Formal action / motion that Council approves the annual cinder exchange agreement with the Oregon Department of Transportation and authorize staff to sign.

DESCRIPTION:

Annually, the Oregon Department of Transportation asks for an exchange of ODOT for City services – an exchange of ODOT street cinders for City assistance for annual storm drain cleaning on 4th & 5th Streets within the downtown area. There is no direct fund exchange as part of this agreement.

STAFF ANALYSIS:

The agreement includes 400 yards of ODOT road cinders (delivered to PW Department by ODOT) in exchange for City crew assistance with annual maintenance of storm drains and a one-time spring sweeping along Hwy 97/26 within City limits.

This agreement provides the necessary cinders the City requires for distribution during winter months, in exchange for assisting ODOT with their street system located within City limits without either agency having to provide cash funding for these services. This is an annual

exchange between the City and ODOT, and historically worked very well.

Staff recommends signing the annual cinders exchange agreement with ODOT.

SUMMARY:

- A. **Fiscal Impact:**
 - Agreement does not include any cash value; exchange only of ODOT services for City services

- B. **Funding Source:**
 - N/A

- C. **Recognition of Collateral Material and Technical Report:**
 - See attached agreement.

RECOMMENDATION:

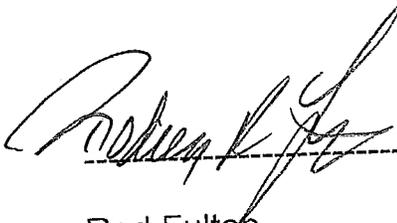
Formal action / motion that Council approves the annual cinder exchange agreement with the Oregon Department of Transportation and authorize staff to sign.

Agreement

This agreement is made the 6th day of October 2016 between the City of Madras and the Oregon Department of Transportation. (ODOT)

ODOT will provide 400 yds of crushed sanding material valued at \$13.76 per cu. Yrd with a total value of \$5504.00. In addition ODOT hauled the sanding material for a cost of \$2225.80. The Total Cost to the City of Madras is \$7,729.80.

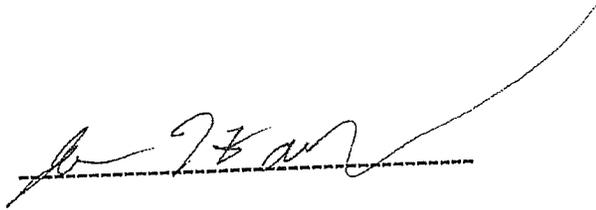
In exchange for the sanding material the City of Madras agrees to clean ODOT specified drains with the city owned Vactor truck and 2 employees at a rate of \$163.68 per hour of truck time. In addition a one-time Spring sweeping of all curb sections of Hwy26 and Hwy 97 within the City Limits, will be done at a rate of \$ 128.00 per hour all total not to exceed \$ 7729.80.



Rod Fulton

Street Supervisor

City of Madras



Joe Harmon

TMM Prineville

ODOT

CITY OF MADRAS
Request for Council Action

Date Submitted: October 18, 2016
Agenda Date Requested: October 25, 2016
To: Madras City Council
Through: Gus Burril, City Administrator
From: Nicholas Snead, Community Development Director
Subject: **Amendment No. 1 to Professional Services contract with Kittelson and Associates, Inc.**

TYPE OF ACTION REQUESTED: (Check One)

- | | | | |
|-------------------------------------|-------------------------|--------------------------|-----------|
| <input type="checkbox"/> | Resolution | <input type="checkbox"/> | Ordinance |
| <input checked="" type="checkbox"/> | Formal Action/Motion | <input type="checkbox"/> | Other |
| <input type="checkbox"/> | No Action - Report Only | | |

OVERVIEW:

The City currently has an on-call Professional Services contract with Kittelson and Associates, Inc. (Contractor) for Planning Services. On October 22, 2016 the current contract will expire. Staff would like to continue contract transportation planning, engineering, and related planning services from the Contractor and to do so, the contract term needs to be extend. Additionally, the Contractor has asked to change the compensation rates which are identified on page two (2) of the attached Contract Amendment No. 1. Staff and the City Attorney have prepared the appropriate document (attached) to extend the term change the compensation rates and Professional Services Contract with the Contractor. As such, staff requests the City Council approve Contract Amendment No. 1 to the Kittelson and Associates, Inc. Professional Services Contract.

SUMMARY:

A. **Fiscal Impact:** None.

B. **Funding Source:** None.

C. **Explanation of Impact:** Council approval of Contract Amendment No. 1 will extend the term of the current Professional Services Contract and change the compensation rates for Kittelson and Associates, Inc. and allow the them to continue to provide transportation planning, engineering, and related planning services to the City on an as-needed basis.

D. **Relationship to City Council Annual Strategic Implementation Plan:**

Yes No

Discussion: Approval of Contract Amendment No. 1 is not related to any of the goals and objectives in the City Council's FY 2016-17 Annual Strategic Implementation Plan.

Supporting Documentation:

Contract Amendment No. 1

STAFF RECOMMENDATION:

Staff recommends that the City Council approve Contract Amendment No. 1 to Kittelson and Associates, Inc. Professional Services Contract.

**AMENDMENT NO. 1
TO PROFESSIONAL SERVICES CONTRACT**

This Amendment No. 1 to Professional Services Contract (this "Amendment") is made and entered into effective on _____, 2016 (the "Effective Date") between the **CITY OF MADRAS**, an Oregon municipal corporation ("City"), whose address is 125 SW E Street, Madras, Oregon 97741, and **KITTELSON & ASSOCIATES, INC.**, an Oregon corporation ("Consultant"), whose address is 354 S.W. Upper Terrace Drive, Suite 101, Bend, Oregon 97702.

RECITALS:

A. City and Consultant are parties to a certain Professional Services Contract dated October 22, 2013 (the "Contract"), pursuant to which Consultant agreed to provide Services for and on behalf of City.

B. The original term of the Contract will expire on October 22, 2016, unless extended pursuant to Section 5, Term, of the Contract, which section allows extension of the Contract for an additional two years, with the mutual written consent of both parties.

C. City is still in need of the Services that Consultant provides to City. City and Consultant desire to enter into this Amendment for the purposes of (a) extending the Contract for one additional term of two years, and (b) adjusting the rates that will be charged to City by Consultant as compensation for providing the Services.

AGREEMENT:

NOW, THEREFORE, in consideration of the mutual promises and covenants contained in this Amendment, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. **EXTENSION.** Pursuant to Section 5 of the Contract, City and Consultant extend the term of the Contract for one additional term of two years, commencing on October 22, 2016 and ending on October 21, 2018, unless sooner terminated as provided in the Contract. Except as modified by this Amendment, the two-year extension will be on the same terms and conditions contained in the Contract.

2. **RATE ADJUSTMENT.** As of the Effective Date, the Fee Schedule attached as Exhibit "B" to the Contract is replaced and superseded with the Fee Schedule attached hereto as Exhibit A.

3. **EFFECT; RATIFICATION; SEVERABILITY.** This Amendment is hereby made part of the Contract. Except as modified and supplemented by this Amendment, the Contract is in full force and effect and nothing contained in this Amendment will be construed to modify or amend the Contract, except as specifically provided in this Amendment. Except as specifically modified by this Amendment, Consultant affirms and reaffirms all of its obligations under the Contract. The parties' execution of this Amendment will not be construed as an actual or implied waiver of any condition or obligation contained in the Contract. If any term or provision contained in this Amendment is declared by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and provisions will not be affected, and the rights and obligations of the parties will be construed and enforced as if this Amendment did not contain the particular term or provision held to be invalid.

4. ENTIRE AGREEMENT; MODIFICATION; COUNTERPARTS. This

Amendment contains the entire understanding of the parties regarding the subject matter of this Amendment. All prior and contemporaneous agreements, discussions, understandings, and negotiations, whether written or oral, express or implied, are merged herein, and to the extent inconsistent herewith, are of no further force and effect. No addition, modification, amendment, or alteration to this Amendment will be effective against the parties unless specifically agreed upon in writing and signed by both parties. This Amendment may be signed in one or more counterparts. All capitalized terms used in this Amendment and not otherwise defined herein have the respective meanings assigned to them in the Contract.

IN WITNESS WHEREOF, the undersigned parties have caused this Amendment to be duly executed and effective as of the Effective Date.

CITY:

City of Madras,
an Oregon municipal corporation

By: Royce Embanks, Mayor

CONSULTANT

Kittelson and Associates, Inc.
an Oregon corporation

By:
Its:

**Exhibit A
Fee Schedule**

Classification	Hourly Rate	Overhead @ 204.96%	Profit @ 10%	Hourly Billing Rate*
Senior Principal Engineer/Planner	\$ 71.58	\$ 146.70	\$ 21.83	\$ 240.10
Principal Engineer/Planner	\$ 63.09	\$ 129.32	\$ 19.24	\$ 211.65
Associate Engineer/Planner	\$ 52.23	\$ 107.06	\$ 15.93	\$ 175.22
<i>Joe Bessman</i>	\$ 54.22	\$ 111.13	\$ 16.53	\$ 181.88
<i>Scott Beaird</i>	\$ 54.22	\$ 111.13	\$ 16.53	\$ 181.88
Senior Engineer/Planner	\$ 41.96	\$ 86.01	\$ 12.80	\$ 140.77
<i>Matt Kittelson</i>	\$ 38.71	\$ 79.34	\$ 11.81	\$ 129.86
Engineer/Planner	\$ 34.07	\$ 69.83	\$ 10.39	\$ 114.29
<i>Ashleigh Griffin</i>	\$ 35.46	\$ 72.68	\$ 10.81	\$ 118.95
Transportation Analyst	\$ 28.00	\$ 57.39	\$ 8.54	\$ 93.94
<i>Jessica Spivey</i>	\$ 25.27	\$ 51.79	\$ 7.71	\$ 84.77
<i>Jacqueline Gulczynski</i>	\$ 27.10	\$ 55.54	\$ 8.26	\$ 90.91
Technician I	\$ 26.26	\$ 53.81	\$ 8.01	\$ 88.08
Technician II	\$ 29.35	\$ 60.16	\$ 8.95	\$ 98.46
Senior Technician	\$ 34.77	\$ 71.26	\$ 10.60	\$ 116.64
<i>Jon Sommerville</i>	\$ 33.10	\$ 67.84	\$ 10.09	\$ 111.04
Associate Technician	\$ 38.76	\$ 79.43	\$ 11.82	\$ 130.01
<i>Ryan McFadden</i>	\$ 39.91	\$ 81.80	\$ 12.17	\$ 133.88
Office Support	\$ 17.52	\$ 35.90	\$ 5.34	\$ 58.76

* Average classification rates by category are shown above. Actual wage rates will be invoiced, overhead and profit will be locked for the duration of the contract.

CITY OF MADRAS
Request for Council Action

Date Submitted: October 18, 2016
Agenda Date Requested: October 25, 2016
To: Madras City Council
Through: Gus Burrell, City Administrator
From: Nicholas Snead, Community Development Director
Subject: **Amendment No. 3 to Professional Services contract with the Daniel Heffernan Company.**

TYPE OF ACTION REQUESTED: (Check One)

- | | | | |
|-------------------------------------|-------------------------|--------------------------|-----------|
| <input type="checkbox"/> | Resolution | <input type="checkbox"/> | Ordinance |
| <input checked="" type="checkbox"/> | Formal Action/Motion | <input type="checkbox"/> | Other |
| <input type="checkbox"/> | No Action - Report Only | | |

OVERVIEW:

The City currently has an on-call Professional Services contract with the Daniel Heffernan Company (Contractor) for Planning Services. On October 22, 2016 the current contract will expire. Staff would like to continue contract planning services with Daniel Heffernan of the Daniel Heffernan Company. To do so, the contract term needs to be extended. Staff and the City Attorney have prepared the appropriate document (attached) to extend the term Professional Services Contract with the Daniel Heffernan Company. As such, staff requests the City Council approve Contract Amendment No. 3 to the Daniel Heffernan Company Professional Services Contract.

SUMMARY:

A. **Fiscal Impact:** None.

B. **Funding Source:** None.

C. **Explanation of Impact:** Council approval of Contract Amendment No. 3 will extend the term of the current Professional Services Contract with the Daniel Heffernan Company and allow the company to continue to provide planning services to the City on an as-needed basis.

D. **Relationship to City Council Annual Strategic Implementation Plan:**

Yes No

Discussion: Approval of Contract Amendment No. 3 is not related to any of the goals and objectives in the City Council's FY 2016-17 Annual Strategic Implementation Plan.

Supporting Documentation:

Contract Amendment No. 3

STAFF RECOMMENDATION:

Staff recommends that the City Council approve Contract Amendment No. 3 to the Daniel Heffernan Company's Professional Services Contract.

**AMENDMENT NO. 3
TO PROFESSIONAL SERVICES CONTRACT**

This Amendment No. 3 to Professional Services Contract (this "Amendment") is made and entered into effective on _____, 2016 (the "Effective Date") between the **CITY OF MADRAS**, an Oregon municipal corporation ("City"), whose address is 125 SW E Street, Madras, Oregon 97741, and **DANIEL HEFFERNAN**, an individual d/b/a Daniel Heffernan Company ("Contractor"), whose address is 2525 NE Halsey Street, Portland, Oregon 97232.

RECITALS:

A. City and Contractor are parties to a certain Professional Services Contract dated October 22, 2013 (the "Master Agreement"). The Agreement (as defined below) concerns Contractor's provision of certain planning and related services for and on behalf of City.

B. City and Contractor amended the Master Agreement to reduce Contractor's hourly rate from \$125.00 to \$100.00 pursuant to the terms of a certain Amendment No. 1 to Professional Services Contract dated effective August 26, 2014 (the "First Amendment").

C. City and Contractor amended the Master Agreement to increase Contractor's hourly rate from \$100.00 to \$110.00 pursuant to the terms of a certain Amendment No. 2 to Professional Services Contract dated effective July 28, 2015 (the "Second Amendment").

D. The Master Agreement will be expiring on October 22, 2016 unless it is extended under the provisions of Section 5 (Term), which allows extension of the contract for an additional two years, with the mutual written consent of both parties.

E. City and Contractor desire to enter into this Amendment No. 3 for the purpose of extending the contract for one additional term of two years to October 22, 2018 as City is still in need of the type of professional services that Contractor can provide. For purposes of this Amendment, the term "Agreement" means the Master Agreement, the First Amendment, and the Second Amendment.

AGREEMENT:

NOW, THEREFORE, in consideration of the mutual promises and covenants contained in this Amendment, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. **EXTENSION.** Pursuant to Section 5 of the Master Agreement, City and Contractor hereby agree to extend the term of the Agreement for one additional term of two years, commencing on October 22, 2016 and ending on October 22, 2018, unless sooner terminated as provided in the Agreement.

2. **EFFECT OF AMENDMENT.** This Amendment is hereby made part of the Master Agreement. The provisions of the Agreement that are not amended by this Amendment remain unchanged and in full force and effect. Except as specifically modified by this Amendment, Contractor affirms and reaffirms all of its obligations under the Agreement. The parties' execution of this Amendment will not be construed as an actual or implied waiver of any condition or obligation contained in the Agreement.

3. **ENTIRE AGREEMENT.** This Amendment contains the entire understanding of the parties regarding the subject matter of this Amendment and supersedes all prior and contemporaneous agreements, discussions, understandings,

and negotiations, whether written or oral, express or implied, are merged herein, and to the extent inconsistent herewith, are of no further force and effect.

4. MODIFICATIONS / AMENDMENTS. No addition, modification, amendment, or alteration to this Amendment will be effective against the parties unless specifically agreed upon in writing and signed by both parties.

5. MISCELLANEOUS. This Amendment is hereby expressly made part of the Agreement. All capitalized terms used in this Amendment and not otherwise defined herein have the respective meanings assigned to them in the Agreement, except as modified by this Amendment.

IN WITNESS WHEREOF, the undersigned parties have caused this Amendment to be duly executed and effective as of the Effective Date.

CITY:

City of Madras,
an Oregon municipal corporation

By: Royce Embanks, Mayor

CONTRACTOR:

Daniel Heffernan, an individual
d/b/a Daniel Heffernan Company

Daniel Heffernan

CITY OF MADRAS
Request for Council Action

Date Submitted: October 18, 2015
Agenda Date Requested: October 25, 2015
To: Madras City Council
Through: Gus Burrell, City Administrator
From: Nicholas Snead, Community Development Director
Subject: **Nuisance Abatement Hearing for 171 SW "C" Street (aka Madras Hotel/Motel).**

TYPE OF ACTION REQUESTED: (Check One)

- | | | | |
|-------------------------------------|-------------------------|--------------------------|-----------|
| <input type="checkbox"/> | Resolution | <input type="checkbox"/> | Ordinance |
| <input checked="" type="checkbox"/> | Formal Action/Motion | <input type="checkbox"/> | Other |
| <input type="checkbox"/> | No Action - Report Only | | |

OVERVIEW:

The City of Madras Community Development Department, Jefferson County Building Official, Jefferson County Fire Chief and Assistant Fire Marshal, Deputy State Fire Marshal have found the subject property located at 171 SW C Street (tax lot 5500 on Jefferson County Assessor's Map No. 11-13-11AA) to have multiple violations of the Oregon Specialty Code (i.e. Building Code), Oregon Fire Code, and National Fire Protection Association Standards, and thereby the City's Nuisance and Abatement Ordinance No. 875. The City of Madras Community Development Department was advised of these violations and has worked with the aforementioned agency staff members to seek compliance. The property owner has not completed actions specified in the City's Notices of Violation putting the safety of the tenants at risk.

In response, a public hearing has been scheduled before the City Council in accordance with Section 10(3) Ordinance No. 875. At this hearing staff, the property owner/resident, and public will be afforded the opportunity to testify before the City Council. Upon the City Council closing the hearing, the City Council will need to deliberate to determine: 1) if there are violations of the City's Nuisance and Abatement Ordinance; and 2) issue an order that specifies the required actions of the property owner and the deadline by which the property owner is to complete the required actions.

SUMMARY OF EVENTS:

1. September 6, 2016:

- A. Jefferson County Fire District No. 1 called Jefferson County Community Development Department to forward the complaint received from a resident of the Madras Motel about electrical work being performed and no electrical power in some of the units since Friday, September 2, 2016 (**Exhibit A**).
- B. Jefferson County Community Development Department received a complaint from a resident from the Madras Motel similar to the complaint from the resident expressed to the Jefferson County Fire District No. 1 (**Exhibit A**).
- C. The Jefferson County Building Official and Plans Examiner went to the subject property and talked with the resident who reported to the Jefferson County Fire District No. 1 that they had no power and that there were workers doing work at night with flashlights. With the permission of the resident of unit #8, the Building Official took pictures of the work in progress and determined that no permits were issued for the work being performed. In response, the Building Official posted a Stop Work order on the property. The Building Official filed a complaint with the Oregon Building Codes Division against Miguel Segoviano, DBA Sego Contractors CCB# 192687, for work without permit [ORS 479.550 (1)] and non-licensed personnel performing electrical work {OAR 918-282-0120(1)} (**Exhibit A**).
- D. The Jefferson County Fire District No. 1 Assistant Fire Marshal inspected the buildings and found that the fire alarm system was found to be not maintained and not fully operational and smoke alarms were not present or not operable in each unit. The Assistant Fire Marshal placed the property on fire watch until the fire alarm system was properly repaired and functional smoke alarms were installed in each unit. In response the Assistant Fire Marshal placed the property on Fire Watch (**Exhibit B**).

2. September 7, 2016:

A tenant from the Madras Motel reported to the Jefferson County Community Development Department that the Stop Work placard had been removed and the work was continuing to be performed. The Jefferson County Building Official and the Community Development Department Administrative Assistant re-posted the Stop Work placard and tried to gain entry to unit #8 but a representative of the property owner would not them enter. The Building Official observed 12-2 NM cable (Romex) lying in front of the door to unit #8. The Jefferson County Building Official asked to speak with Mr. Segoviano and waited until he exited the attic space of the motel. He informed Mr. Segoviano that there were no permits issued for the work that was being done and that Oregon licensed electrical contractors were required and to stop work on the electrical project. He also asked Mr. Segoviano who removed the original Stop Work placard and his response was that he did not know. I informed him that the Stop Work order was to stay posted until an Oregon licensed electrical contractor applied for and obtained permits for the work that was being done. (**Exhibit A**).

3. September 8, 2016:
The Community Development Department determined that the findings of the Assistant Fire Marshal and Building Official to be violations of Sections 4 and 10 of the City's Nuisance and Abatement Ordinance No. 875 and accordingly sent the property owner a Notice of Violation that required the property owner to: 1) obtain all necessary building permits; 2) perform maintenance on fire alarm system; and 3) install smoke alarms in each unit within thirteen (13) days. The property owner did not complete all of the specified actions and did not file an appeal of the Notice of Violation. Therefore, violations to the City's Nuisance and Abatement Ordinance No. 875 remained and the Fire Watch remained in effect (**Exhibit C**).
4. September 12, 2016:
 - A. The property owner reported to the Assistant Fire Marshal that an electrician was on site fixing the fire alarm system.
 - B. Assistant Fire Marshal re-inspected the property to determine if the fire alarm system was functional and if compliant smoke alarms were in each unit. The Assistant Fire Marshal found the fire alarm system to be not fully operational. Smoke alarms in units #2, #7, #10, #12, #13 were repaired and found to be compliant. Due to the fire alarm system not being fully operational, the Fire Watch remained in effect (**Exhibit D**).
5. September 14, 2016: The Jefferson County Building Official emailed to the property owner that posted a stop work order was placed on the property on September 6, 2016 in reference to electrical wiring and fixture changes for the lighting system that was to be done by unlicensed persons and without permits (**Exhibit E**). The Building Official reported to the property owner that the stop work order would not be removed until an Oregon Licensed electrical contractor has been hired to complete the work and permits have been issued to the Oregon Contractor. The Building Official requested that this process must start as soon as possible and that if permits are not issued within the near future that he, with the determination of the Fire Marshal, would declare the building unsafe for habitation and the electrical meter will be removed and not reinstalled until permits are issued and the electrical system is repaired into code compliant order.
6. September 22, 2016: The Jefferson County Building Official, Jefferson County Fire District No. 1 Fire Chief and Assistant Fire Marshal, City of Madras Police Chief, and City of Madras Community Development Director met to discuss the status of the property and any remaining violations. The Building Official reported that the circumstances warrant another notice to the property owner requesting that a licensed electrician obtain an electrical permit and that repairs to the fire alarm system be made, otherwise he would need to move forward with requesting the electrical service for the entire building be removed by Pacific Power and post the building as unsafe. The Jefferson County Fire District No. 1 Fire Chief and Assistant Fire Marshal agreed with the Jefferson Building Official's assessment and recommendation about how to proceed with enforcement.
7. September 23, 2016: In response to the agency staff meeting on September 22, 2016 the Community Development Department determined that remaining violations identified by the Assistant Fire Marshal and Building Official to be violations of Sections 4 and 10 of the City's Nuisance and Abatement Ordinance No. 875. The Community Development accordingly sent the property owner a Notice of Violation that required the property owner to: 1) obtain all necessary

building permits; and 2) perform maintenance on fire alarm system within thirteen (13) days. The property owner did not complete all of the specified actions and did not file an appeal of the Notice of Violation. Therefore, violations to the City's Nuisance and Abatement Ordinance No. 875 remained and the Fire Watch remained in effect (**Exhibit F**).

8. October 14, 2016: Due to the remaining violations of City Ordinance No. 875 as identified by the Assistant Fire Marshal and Building Official, the City of Madras took the following actions:
 - A. Sent the property owner a Notice of Violation that required the property owner to perform the following actions within thirteen (13) days: 1) repair and maintain the fire alarm system in the building in a safe and operable condition at all times (i.e. 365 days per year, 24 hours per day) in accordance with any and all applicable federal, state, and/or local laws, rules, codes, and/or ordinances including, without limitation, the Oregon Fire Code and any rules or regulations of the National Fire Protection Association; and 2) Obtain, through an Oregon licensed electrical contractor, all necessary permits from the Jefferson County Community Development Department for any and all electrical work in the building located on the Property (**Exhibit G**).
 - B. Scheduled a public hearing on October 25, 2016 at 7:00 pm in the Council Chambers at City Hall before the Madras City Council pursuant to Section 10(3) and (4) of the City's Nuisance and Abatement Ordinance No. 875.
 - C. Mailed Notice of the October 25, 2016 public hearing to: 1) the property owner; 2) all property owners with 250 feet of the subject property; 3) to all businesses and or residents with 250 feet of the subject property (**Exhibit H**).
 - D. The Community Development Director, as witnessed by the City of Madras Police Chief, posted a potentially derelict building notice and the October 25, 2016 public hearing notice on each unit on the subject property (**Exhibit I**).

DRAFT FINDINGS:

Note: Staff will provide revised findings at the October 25, 2016 City Council meeting that incorporate the information contained in the letters provided by the Jefferson County Building Official, Jefferson County Fire Chief and Assistant Fire Marshal, Deputy State Fire Marshal.

The following findings are made based on information contained in Exhibits A through I (attached):

1. City finds that the building located on the Property is unsafe for human habitation and poses an imminent hazard. The building is currently in a state of disrepair and suffers from a lack of maintenance as a consequence of (a) the property owner's failure to complete the requested actions specified in the First Notice and Second Notice, and (b) for reasons under which the Building Official placed a Stop Work Order on the Property. The condition of the building, including, without limitation, (a) holes and breaks in the walls and ceilings, and (b) exposed, unsecured, and poorly installed electrical wiring, poses an imminent hazard to the health, safety, and welfare of the occupants of the building.

2. City finds that the building located on the Property is detrimental to the public health, safety, and welfare as a result of the following conditions: (a) the building is currently not legally occupied due to the existence of building code violations; and (b) the building is in a condition of deterioration as demonstrated by the holes and breaks in the walls, the exposed, unsecured, and poorly installed wiring throughout the building, and the general lack of maintenance.
3. The Building Official has determined that electrical repairs have been made at the Property in violation of ORS 479.550, OAR Division 27, and OAR 918-282-0120. In particular, electrical repairs have been made without (a) first obtaining all necessary electrical permits, and (b) by unlicensed persons. The Building Official has notified the property owner of the need for an electrical permit to be applied for and purchased by a qualified contractor. The Building Official posted a Stop Work Order at the Property where the electrical repairs occurred. The Stop Work Order was removed by the property owner. The Building Official emailed the property owner notification that electrical permits were required and that a licensed contractor must apply for and purchase such permits. As of the date of this notice, a qualified contractor has not obtained the required permits from the Jefferson County Community Development Department. The Property is in violation of building and/or housing codes.
4. The City finds that the building on the Property constitutes a nuisance to the public health in violation of Section 5 of the Nuisance Ordinance. City finds the building is in violation of building codes therefore making it uninhabitable to the extent that City finds the building constitutes a threat to the public health, safety, and/or welfare of the people residing at the Property. This finding arises out of the following: (a) certain electrical repairs made without proper permits obtained from the Jefferson County Community Development Department in violation of ORS 479-550, OAR Division 271, and OAR 918-282-0120; (b) the exposed, unsecured, and poorly installed wiring throughout the building; and (c) the failure to maintain the fire alarm system in compliance with the Oregon Fire Code and the National Fire Protection Association Standards. Accordingly, the building located at the Property is determined to be a public nuisance in violation as of Section 5(6) of the Nuisance Ordinance.
5. Based on the reports from the Building Official and Fire Marshal and the findings contained in the First Notice, Second Notice, and this notice, the city administrator, through City's community development director, determines the building located on the Property is potentially a derelict building as that term is defined under Section 4 of the Nuisance Ordinance.
6. In accordance with Section 11(4), the owner and/or person in charge of property has/have received one or more written demands to correct the circumstances leading to the potentially derelict building determination.
7. As of the date of this Notice, the owner and/or person in charge of the property has not timely corrected the circumstances leading to the potentially derelict building determination. The owner has had a reasonable period of time to correct the

circumstances leading to the potentially derelict building determination. As a result, pursuant to Section 10(3) of the Nuisance Ordinance, the city administrator will set a hearing before the city council on the matter and cause notice of the hearing to be given in accordance with Section 11(4).

COUNCIL ACTION:

Considering the information provided at the October 25, 2016 public hearing the City Council may, in general, take one of following actions:

- A. Determine the building on the subject property is not a Derelict Building as defined by City Ordinance NO. 875 and request that the staff identify any additional requirements of the property owner;
- B. Determine the building on the subject property is a Derelict Building and therefore take formal action to do one of the following actions:
 - a. Continue the public hearing to a date and time certain; or
 - b. Issue a declaratory order to the property owner.

RECOMMENDATION FOR COUNCIL ACTION

Under Section 10(5) of Ordinance No. 875 the City Council has the authority to adopt an order that (a) includes the City Council's findings supporting the declaration, and (b) an order requiring that the conditions creating the derelict building or structure be abated. Based on this authority, the Community Development Director under advisement of the Jefferson County Building Official, Jefferson County Fire District No. 1 Fire Chief and Assistant Fire Marshal, and Deputy State Fire Marshal; and the information in Exhibits A through I (attached), recommends that the City Council declare the building on the subject property to be a Derelict Building and direct staff to issue the following order to the property owner:

Recommended Order:

Note: The City Council may modify this order at October 25, 2016 public hearing in consultation with staff and the City Attorney.

Based on the information presented hearing at the October 25, 2016 City Council meeting, the property owner is hereby ordered to complete the following actions by MONTH, DAY, YEAR at 5:00 P.M.:

1. *Repair and maintain the fire alarm system in the building in a safe and operable condition at all times (i.e. 365 days per year, 24 hours per day) in accordance with any and all applicable federal, state, and/or local laws, rules, codes, and/or ordinances including, without limitation, the Oregon Fire Code and any rules or regulations of the National Fire Protection Association.*
2. *Obtain, through an Oregon licensed electrical contractor, all necessary permits from the Jefferson County Community Development Department for any and all electrical work in the building located on the Property.*

3. *In accordance with Section 10(6) of City Ordinance No. 875, if the abatement of the specified derelict building or structure is not commenced and completed by MONTH, DAY, YEAR at 5:00 P.M. as specified in this City Council order, the City require the property owner:*
 - A. *the residential dwelling units located 171 SW C Street in Madras, Oregon to be vacated by MONTH, DAY, YEAR at 5:00 P.M.*
 - B. *Restrict the property owner from occupying the residential dwelling units until such time the Jefferson County Building Official has issued all necessary building permits for the subject property.*
 - C. *All applicable City citations under City Ordinance No. 875 be issued to the property owner*

ASSISTANCE TO AFFECTED RESIDENTS:

Should the property owner fail to comply with the City Council's order, at a future City Council meeting staff will request authorization from the City Council to reasonably utilize City and community resources to assist the residents affected by the City Council's order to transition to alternative shelter or housing. Council authorization does not ultimately compel the City to provide assistance to the residents.

SUMMARY:

A. **Fiscal Impact:** The City has, and will continue, to incur expenses for legal counsel from the City Attorney in facilitating the resolution of this code enforcement case. Staff estimates the total cost for legal counsel to be less than \$2,000.00 for this matter.

B. **Funding Source:**
Community Development, Materials & Services, Legal Fees
Budget Line Item: 505-505-520-2102

C. **Explanation of Impact:**
If the City Council renders the order, it will identify the actions the property owner is to take to abate the specified violations by date and time certain. If the property owner does not complete the specified actions, the residents of the subject property would be required to vacate the premises and find alternative housing.

D. **Supporting Documentation:**

- Exhibit A: October 18, 2016 Letter from Jefferson County Building Official
- Exhibit B: September 6, 2016 Fire Inspection Report from Assistant Fire Marshal
- Exhibit C: September 9, 2016 City of Madras Notice of Violation
- Exhibit D: September 12, 2016 Fire Inspection Report from Assistant Fire Marshal
- Exhibit E: September 14, 2016 Email to Property Owner from Building Official
- Exhibit F: September 23, 2016 City of Madras Notice of Violation
- Exhibit G: October 13, 2016 City of Madras Notice of Violation
- Exhibit H: October 14, 2016 Public Hearing Notices
- Exhibit I: October 14, 2016 Postings Placed on Each Unit on Subject Property

CITY COUNCIL ACTION:

The City Council may take one of the following actions:

1. Take formal action to authorize staff to render the Recommended Order specified in this staff report to the property owner; OR
2. Take formal action to authorize staff to render an alternative order to the property owner—The City Council will need to specify to the provisions of such order.

JEFFERSON COUNTY

COMMUNITY DEVELOPMENT DEPARTMENT

85 S.E. "D" St., Suite A • Madras, Oregon 97741 • Ph: (541) 475-4462 • FAX: (541) 325-5004



October 18, 2016

RE: 171 SW C Street, Madras, Or.

On the morning of September 6, 2016 my office received a call from the Jefferson County Fire District regarding a complaint from a resident at the Madras Motel in reference to electrical work being performed and no electrical power in some of the units. Shortly after the call from JCFD#1 a tenant from the Madras Motel came into Jefferson County CDD office and informed us of basically the same issue. At 9:15 am I along with Bill Watts (plans examiner, inspector) arrived at the site and talked to occupants of the motel who indicated that they had no power since Friday of the previous week and that workers were doing work at night with flashlights. We were allowed to enter unit #8 with permission of the tenant and took pictures of the work in progress. I have attached those photos to this report. The building and safety department had not issued any permits for the work that was being performed so I posted the site with a Stop Work Order and returned to my office at approximately 9:40 am. Later that day I filed a complaint with Oregon Building Codes Division against Miguel Segoviano, DBA Sego Contractors CCB# 192687, for work without permit [ORS 479.550 (1)] and non-licensed personnel performing electrical work {OAR 918-282-0120(1)}.

On September 7, 2016 a tenant from the Madras Motel reported to our department that the Stop Work placard had been removed and the work was continuing to be performed. Approximately 10:40 am with the assistance of Katrina Weitman, CDD Administrative Assistant, I re-posted the Stop Work placard and tried to gain entry to unit #8 but a representative of the property owner would not let me enter. There was an open roll of 12-2 NM cable (Romex) lying in front of the door to unit #8. I asked to speak with Mr. Segoviano and waited until he exited the attic space of the motel. I informed Mr. Segoviano that there were no permits issued for the work that was being done, that Oregon licensed electrical contractors were required and to stop work on the electrical project. I also asked Mr. Segoviano who removed the original Stop Work placard and his response was that he did not know. I informed him that the Stop Work order was to stay posted until an Oregon licensed electrical contractor applied for and obtained permits for the work that was being done.

To this date no permits have been applied for or issued.

Chet Singleton
Community Development Director / Building Official

EXHIBIT A

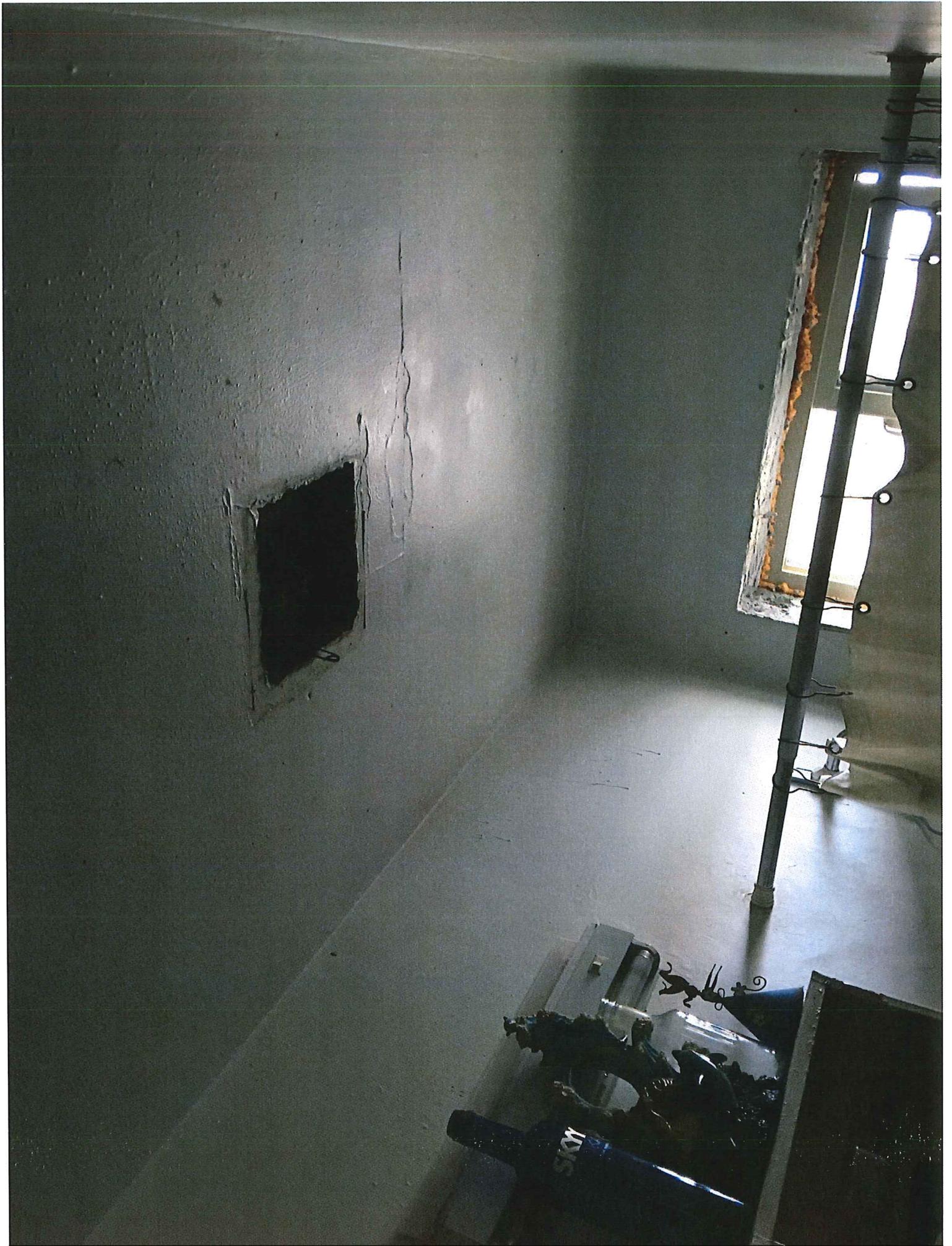
FACP

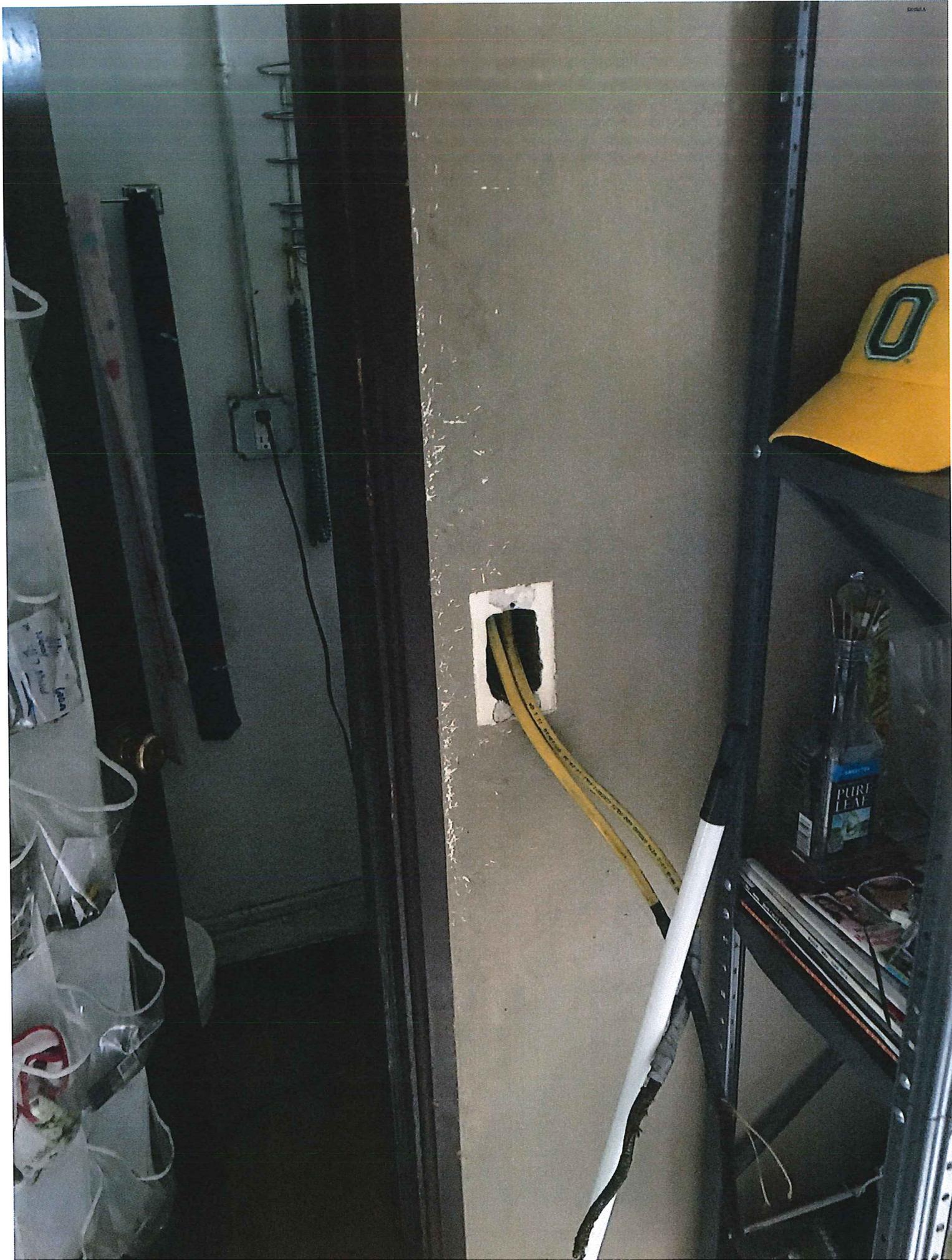














Complaint Report

Department of Consumer and Business Services
Building Codes Division • 1535 Edgewater NW, Salem, OR
 Mailing address: P.O. Box 14470, Salem, OR 97309-0404
 503-378-4133 • Fax: 503-378-2322
 bcd.oregon.gov

This report is to be used to provide information about possible violations of Oregon's building laws or rules and occupational licensing laws. Please attach additional pages if you require more space than this form provides.

Type of violator (check one): <input type="checkbox"/> Individual <input checked="" type="checkbox"/> Business				Type of codes violated (check one): <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential			
ALLEGED VIOLATOR							
Last name: Segoviano		First name: Miguel		Middle initial:	Driver license no.:	Issuing state:	
Business name: Sego Contactors			Trade license no.: CCB #192687		<input type="checkbox"/> Unlicensed		
Address (Street or P.O. Box): 1881 SW 1st. Street			Vehicle license no.:		Issuing state:		
City: Redmond		State: OR	ZIP: 97756	Home phone number: 541-923-4000		Work phone number: - -	
DESCRIPTION OF ALLEGED VIOLATION							
Did you witness the alleged violator perform the installation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No							
If the answer is "No," how do you know the alleged violation occurred? Complaint from renters and on 9-7-2016 talked to Mr. Sagoviano							
Violation date Month/Day/Year	Time	Violation location Address		City	County		
9 6 16	9:20 <input checked="" type="checkbox"/> a.m. <input type="checkbox"/> p.m.	171 SW C Street		Madras	Jefferson		
Description of structure or specific area where the alleged violation occurred: Old motel unites used as monthly rentals							
Purpose of installation: Owner indicated that light fixtures were not functioning and wiring was old so he started to change out fixture and wiring.							
TYPE OF ALLEGED VIOLATION							
Code	Business			Individual			
Electrical	<input checked="" type="checkbox"/> No permit. ORS 479.550(1) <input checked="" type="checkbox"/> No license for work. ORS 479.620(1) <input checked="" type="checkbox"/> Allowed work by unlicensed person(s). OAR 918-282-0120(1) <input type="checkbox"/> Failed to make correction(s). OAR 918-271-0030(1)			<input type="checkbox"/> No permit. ORS 479.550(1) <input type="checkbox"/> No license for work. ORS 479.620(2)(3) or (5) <input type="checkbox"/> Supervised work without supervisory license. ORS 479.620(2) <input type="checkbox"/> Permitted work by unlicensed person(s). ORS 479.620(6) <input type="checkbox"/> Failed to make correction(s). OAR 918-271-0030(1)			
Plumbing	<input type="checkbox"/> No permit. OAR 918-780-0065 (Commercial) <input type="checkbox"/> No license for work. ORS 447.040 <input type="checkbox"/> Permitted work by unlicensed person(s). ORS 693.030(2) <input type="checkbox"/> Failed to make correction(s). OAR 918-780-0090(5)			<input type="checkbox"/> No permit. OAR 918-780-0065 (Commercial) <input type="checkbox"/> No license for work. ORS 693.030(1) <input type="checkbox"/> Permitted work by unlicensed person(s). ORS 693.030(2) <input type="checkbox"/> Failed to make correction(s). OAR 918-780-0090(5)			
Residential	<input type="checkbox"/> No permit. R105.1 – Oregon Residential Specialty Code <input type="checkbox"/> Building <input type="checkbox"/> Mechanical <input type="checkbox"/> Plumbing			<input type="checkbox"/> No permit. R105.1 – Oregon Residential Specialty Code <input type="checkbox"/> Building <input type="checkbox"/> Mechanical <input type="checkbox"/> Plumbing			
Other	Enter authority by statute or rule number and description of violation.						
	<input type="checkbox"/>		<input type="checkbox"/>				
	<input type="checkbox"/>		<input type="checkbox"/>				
	<input type="checkbox"/>		<input type="checkbox"/>				

EXHIBIT A

WITNESS			
Last name: Singleton, CBO	First name: Chester	Middle initial: L	Phone number: - - 541-475-4462
Address (Street or P.O. box): 85 SE "D" Street			Fax number: - - 541-325-5004
City: Madras		State: OR	ZIP: 97741
DETAILED REPORT OF VIOLATION			
<p>It is essential that this report be as complete as possible in order for the Building Codes Division to proceed with an investigation. Whenever possible, the report should include a detailed description of the installation, complete names of individuals who made the installation, copies of any documentation (statements, invoices, canceled checks, contracts, etc.) showing the alleged violator or the installation, and any other information you may have to assist the Building Codes Division in the investigation. Attach additional pages if necessary.</p> <p>On 9-6-2016 at approximately 9:15 am I posted a stop work order and my contact information. Bill Watts, building inspector and plans examiner assisted me in the investigation. I have included pictures that were taken of the work being performed at the time of the investigation.</p> <p>On 9-7-16 at approximately 10:15 am my office received a phone call from Gary McClellon that work was being done. Katrina Weitman, administrative supervisor for my office, witnessed my re-posting of the stop work order and conversation with Miguel Segoviano. I informed Mr. Segoviano that he was not to remove the stop work order and discontinue any further installation of electrical wiring or fixtures. I also informed him that a licensed electrical contractor is required to perform the required work to bring the system into working order.</p> <p>I have also included a copy of an email that was sent to Mr. Segoviano by T.J. Johannesen, Assistant Fire Marshal.</p>			
COMPLAINT INFORMATION			
Last name: (Please print)	First name:	Middle initial:	Phone number: - -
Title (if an inspector):	Jurisdiction (if an inspector):		Fax number: - -
Address (Street or P.O. box):			
City:		State:	ZIP: -
Signature (form must be signed before complaint will be investigated):			Date signed:

For more information about compliance investigations, please call the Building Codes Division, 503-378-4133.

Nick Snead

From: T.J. Johannsen <tj.jcfd1@gmail.com>
Sent: Wednesday, September 14, 2016 4:39 PM
To: Chet Singleton
Cc: Nick Snead; Brian Huff; Tanner Stanfill
Subject: 171 SW C Street Madras Hotel/Motel
Attachments: Fire Marshal referred inspection.pdf; Fire watch notice.pdf; Inspection notice 091216.pdf; Smoke alarm testing 091316.pdf

Chet;

There are still many fire and life safety issues on the premises that have not been addressed. The most major life safety issues include residential smoke alarms either missing or not approved for use in Oregon. Also, the fire alarm system was found in a non-operational condition and is not being monitored by an approved fire alarm monitoring company. There are also other fire code deficiencies. We are in support of the Building Department identifying the building as "UNSAFE" for use as a residential occupancy.

Please find the fire inspection forms completed by our office for the dates beginning 09/06/16.

Thank you very much!

T.J. Johannsen

Assistant Fire Marshal

Brian Huff

Fire Chief / Fire Marshal

INSPECTION FORM

BUSINESS NAME: Madraso Hotel/Motel
 ADDRESS: 171 SW C Street
 PERSON CONTACTED: Miguel Segoviano
 PHONE: 541-315-9777
 REINSPECTION WILL BE CONDUCTED ON OR ABOUT: _____

Jefferson County Fire District #1
 765 S Adams Drive - PO Box 30
 Madras OR 97741
 Phone: 541.475.7274
 Fax: 541.475.7411
 www.jcfd-1.org



RECEIVED BY: _____
 VIDEO: _____

Violations		Type of Inspection:
A. Fire Service Access		<input type="checkbox"/> Regular Inspection
<input type="checkbox"/> 1 Provide building address numbers plainly visible from street.	505.1	<input type="checkbox"/> 1 st Re-inspection
<input type="checkbox"/> 2 Remove obstructions and provide access to fire lanes	503.4	<input type="checkbox"/> 2 nd Re-inspection
<input type="checkbox"/> 3 Provide a 3-foot clear space around circumference of fire hydrants.	507.5.5	<input checked="" type="checkbox"/> Referred to Fire Marshal
B. Means of Egress/Exits		H. Other Violations
<input type="checkbox"/> 1 Remove obstructions from exits.	1003.6	
<input type="checkbox"/> 2 Provide lighting for corridors, stairways, and exterior exit ways.	1008.1	
<input type="checkbox"/> 3 Remove obstructions to aisles, minimum clear width 36 inches.	1017.2	*Provide and install Oregon approved smoke alarms in each rental dwelling units
<input type="checkbox"/> 4 Provide min. number of 2 exits when occupant load is 50 or more.	1015.1	
<input type="checkbox"/> 5 Remove obstructions to corridors to maintain minimum clear width.	1018.3	
<input type="checkbox"/> 6 Remove manually operated flush bolts or surface bolt from exit door	1008.1.9.4	
<input type="checkbox"/> 7 Provide sign "This door must remain unlocked during business hours." (if key locking hardware is used on main exit)	1008.1.9.3	*Fire Watch in effect until further notice.
<input type="checkbox"/> 8 Repair exit signs to be internally or externally illuminated at all times	1011.2	
C. Fire Protection		
<input type="checkbox"/> 1 Seal unapproved openings in fire resistance rated corridor.	703.1	
<input type="checkbox"/> 2 Remove obstruction to fire and smoke barrier door.	703.2	
<input type="checkbox"/> 3 Provide annual inspection of sliding and rolling fire doors.	703.4	
D. Fire Protection Systems		
<input checked="" type="checkbox"/> 1 Fire detection, alarm and suppression systems shall be maintained operational	901.6	
<input type="checkbox"/> 2 Provide fire extinguisher with approved cabinet or hanger	906.7	
<input type="checkbox"/> 3 Remove obstructions near fire extinguisher.	906.6	
<input type="checkbox"/> 4 Provide documentation that fire extinguishers, automatic sprinkler systems and fire alarm systems will be serviced annually Show proof.	901.6.2	
<input type="checkbox"/> 5 Provide documentation of kitchen hood suppression system every 6 months	904.11.6.2	
<input type="checkbox"/> 6 Provide Cooling Class K extinguisher within 30 ft. of cooking equipment involving vegetable or animal oils and fats or solid fuel cooking appliances.	904.11.5	DI Fire Alarm System
E. Electrical		
<input type="checkbox"/> 1 Maintain clear access to electrical panel: at least 30' wide, 36" in front, and 78" high	605.3	
<input type="checkbox"/> 2 Replace multi-plug adapters, such as cube adapters and unfused plug strips with approved devices complying with ICC Electrical Code.	605.4	
<input type="checkbox"/> 3 Replace unapproved power taps with power taps that are polarized or grounded and equipped with overcurrent protection listed in accordance with UL 1363.	605.4.1	
<input type="checkbox"/> 4 Remove power tap Power taps shall not extend through walls, ceilings, floors, under doors or floor coverings, or be subject to damage	605.4.3	
<input type="checkbox"/> 5 Replace extension cords with permanent electrical wiring	605.5	
<input type="checkbox"/> 6 Discontinue use of extension cords not plugged directly into an approved receptacle, power tap, or multi-plug adapter	605.5.1	
<input type="checkbox"/> 7 Replace or discontinue use of extension cord Extension cords must be maintained in good condition without splices, deterioration or damage	605.5.3	
<input type="checkbox"/> 8 Provide junction box cover and enclose all open wiring and open wiring splices	605.6	
F. Housekeeping		
<input type="checkbox"/> 1 Discontinue disorderly storage of combustible materials in building	315.2	

Jefferson County Fire District #1
PO Box 30, 765 SE Adams Drive
Madras, Oregon 97741
(541) 475-7274



EXHIBIT B

FIRE WATCH

A fire watch shall be required at 171 C Street (address) until such time that the hazard has been mitigated. The owner/occupant will ensure qualified personnel are provided to serve as on-site fire watch. Fire watch personnel shall be provided with at least one approved means for notification of the fire department and their sole duty shall be to perform constant patrols and watch for the occurrence of fire.

REASONS TO REQUIRE FIRE WATCH: Structural fires or natural vegetation fire, fire protection system out of service, blocked egress, overcrowding, hot-work or other reason as required by the Fire Code Official or designee.

FIRE WATCH DEFINED: A temporary measure intended to ensure continuous and systematic surveillance of a building or premises by one or more qualified individuals for the purposes of identifying and controlling fire hazards, detecting early signs of unwanted fire, raising an alarm of fire and notifying the fire department.

FIRE DISTRICT REP. R. Johannsen DATE 09.06.16

OWNER/OCCUPANT [Signature] DATE _____



Community Development Department
125 SW "E" Street, Madras, OR, 97741
541-475-2344

Sent Standard and Certified Mail (70112970000326990046)

NOTICE OF VIOLATION, ORDINANCE NO. 875

Date: September 9, 2016

To: Karoma Properties, LLC
Miguel Segoviano
1881 SW First St.
Redmond, OR, 97756

From: Nicholas Snead, Community Development Director

Subject: Notice of Violation of Nuisance Ordinance (No. 875).

According to Jefferson County Assessor records you are the agent for the property addressed 171 "C" Street, which is also identified as tax lot 5500 on Jefferson County Assessor's Map # 11-13-11AA. Notice is hereby given that these properties are in violation of the City of Madras Nuisance and Abatement Ordinance (No. 875), Sections 4, and 10. The description of the violations is as follows:

APPLICABLE CRITERIA & FINDINGS

City of Madras Ordinance No. 875 provides:

SECTION 4. DEFINITIONS

Derelict building(s) or structure(s). A derelict building or structure includes any one or more of the following:

- (1) A building or structure that is unfit for human habitation and/or poses an imminent hazard. A building or structure is "unfit for human habitation" if the building or structure is in disrepair or suffers from lack of maintenance, is unsanitary, is pest infested, contains filth and contamination, and/or lacks ventilation, illumination, sanitary, and/or heating facilities, such that habitation would be injurious or detrimental to the health, safety, and/or welfare of any occupant. A building or

structure "poses an imminent hazard" if the condition of the building or structure places public health, safety, and/or welfare in risk of immediate or impending peril.

(2) A building or structure that is detrimental to the public health, safety, and/or welfare as a result of one or more of the following conditions: (a) the building or structure is not legally occupied and unsecured (i.e., unlocked or otherwise open to entry); (b) the building or structure has been left in a state of partial construction for more than six months or has not been completed prior to the expiration of any building permit; (c) the building or structure is vacant and in a dangerous condition so as potentially to constitute an attraction to minors, vagrants, criminals, and/or other unauthorized persons, or so as to enable persons to resort thereto for the purpose of committing an unlawful act; (d) the building or structure is in a condition of deterioration characterized by holes, breaks, rot, crumbling, cracking, peeling, rusting, and/or any other evidence of physical decay, neglect, excessive use, and/or lack of maintenance; and/or (e) the building or structure has an infestation of pests such that the large number of pests are harmful or bothersome to the building or structure and/or any adjacent building or structure.

FINDING: The Jefferson County Fire District No. 1 Fire Marshal has determined that the fire alarm system was found on September 6, 2016 to not be maintained in an operable condition, as required by the Oregon Fire Code and the National Fire Protection Association Standards. On September 6, the Jefferson County Fire District No. 1 Fire Marshal found smoke alarms were either not present or operable in each of the dwelling units on the property as required by ORS 479.250 through 479.300.

Additionally, on September 8, 2016 the Jefferson County Building Official determined that electrical work was conducted in the dwelling units on the subject property without previously obtaining an electrical permit from the Jefferson County Community Development Department in accordance with the Oregon Electrical Specialty Code.

SECTION 10. IDENTIFICATION AND DECLARATION OF DERELICT STRUCTURES

(1) The city administrator shall determine if a building or structure is potentially a derelict building or structure as defined under Section 4. The city administrator may consult with the building official, fire marshal, public health officer, police chief, and/or other qualified authority when making this determination.

FINDING: Based on the reports from the Jefferson County Fire District No. 1 Fire Marshal and Jefferson County Building Official and the findings herein, the City Administrator through the Community Development Director has determined the structure on the subject property is a derelict building.

(2) The city administrator shall notify the owner and person in charge of property of any building or structure found derelict of the (a) circumstances leading to the determination, and (b) process of the city council's declaration, enforcement, and abatement. Notification shall be made in accordance with Section 11(4) and shall provide a reasonable period for the owner and/or person in charge of property

to correct the circumstances leading to the city administrator's declaration that the structure is potentially derelict.

FINDING: This Notice of Violation has been issued to the property owner in a manner consistent with the above stated requirement.

DESCRIPTION OF NUISANCE:

Based on the findings above and Exhibit A of this Notice, the following nuisances are present on the subject property:

1. Fire alarm system has not been maintained and is not in an operable condition, as required by the Oregon Fire Code and the National Fire Protection Association Standards.
2. Electrical work was completed without a permit from the Jefferson County Community Development Department in accordance with the Oregon Electrical Specialty Code.

REQUESTED ACTIONS TO ABATE SPECIFIED NUISANCE:

Within 10-days of the date of this letter, the City of Madras hereby requests the following actions to be completed to abate the specified nuisances:

1. Obtain all necessary permits from the Jefferson County Community Development Department for
2. The fire alarm needs to be maintained, in accordance with the Oregon Fire Code and the National Fire Protection Association, in an operable condition at all times (i.e. 365 days per year, 24 hours per day).
3. Smoke alarms need to be installed and operable in each unit on the property at all times (i.e. 365 days per year, 24 hours per day), as required by ORS 479.250 through 479.300.

Notice is hereby given to abate the violations within thirteen (13) days of the date of this notice. If the nuisances are not abated within thirteen 13 days, the City may it will be abated by the City and the owner and person in charge of property will be assessed the cost of abatement as provided under Ordinance 875.

In accordance with Section 11 of Ordinance No. 875, failure to abate the nuisance(s) specified herein, is considered to be a violation whereby each violation shall be a civil offense and subject to a fine of not less than \$500.00 for the first failure to comply and \$1,000.00 for each subsequent failure to comply committed within one year of the first occurrence. In addition to any other rights or remedies provided under this ordinance, the city may file a civil action to recover unpaid fees, fines, and costs, including, without limitation, the city's

attorney fees and other fees, costs and expenses incurred by city to enforce this ordinance.

Appeal:

In accordance with Section 13(1) of Ordinance No. 875, any person affected by a city administrator's notice or order under this ordinance may request reconsideration by filing a request with the city administrator. The request must be received by the city administrator within ten (10) days after the effective date of the applicable notice or order. The request for reconsideration must be in writing and include (a) the name, address, and telephone number of the person requesting reconsideration, (b) a copy of the notice or order being requested for reconsideration, and (c) a statement that the person requests that the city administrator reconsider the notice or order.

EXHIBIT C

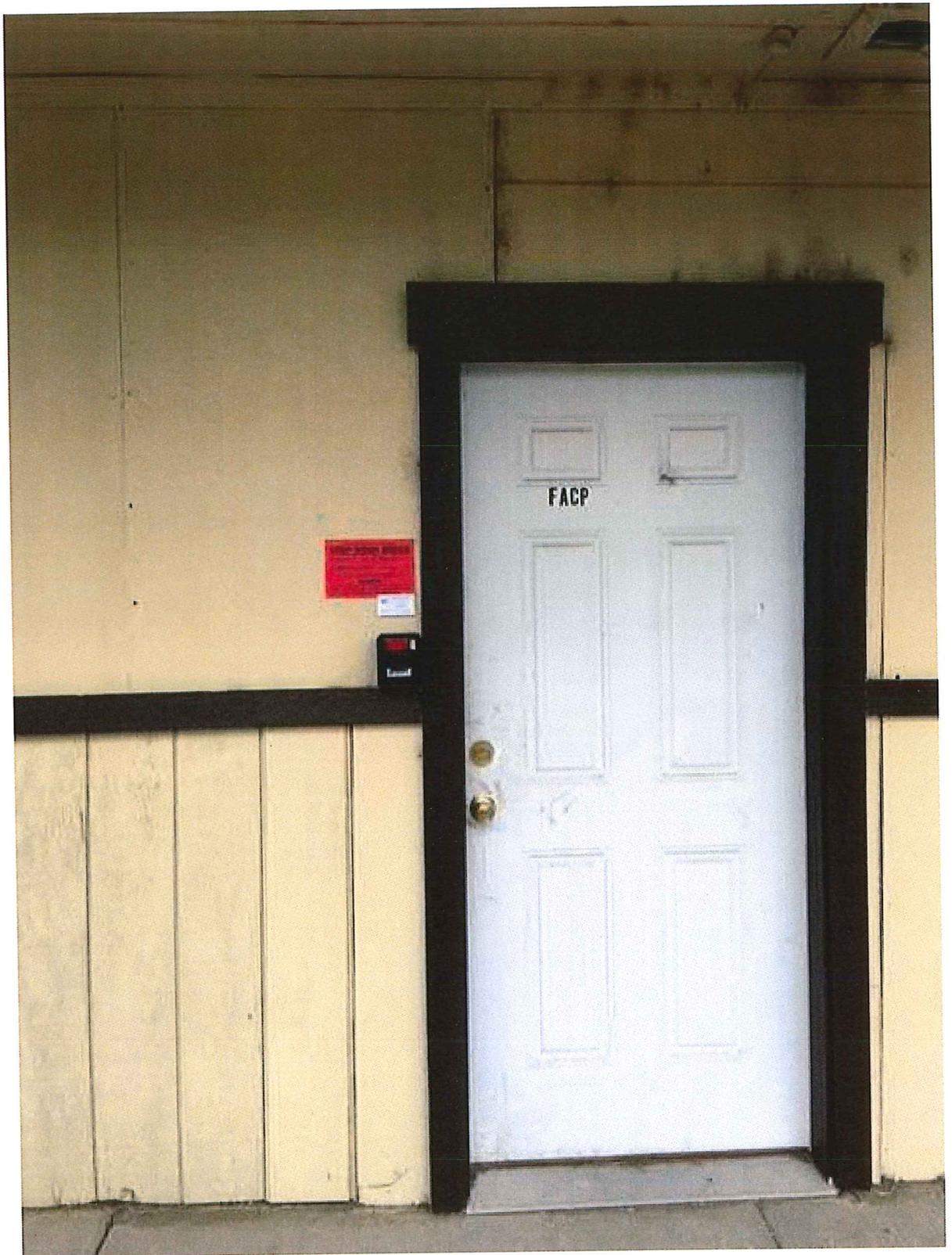


EXHIBIT C



EXHIBIT C





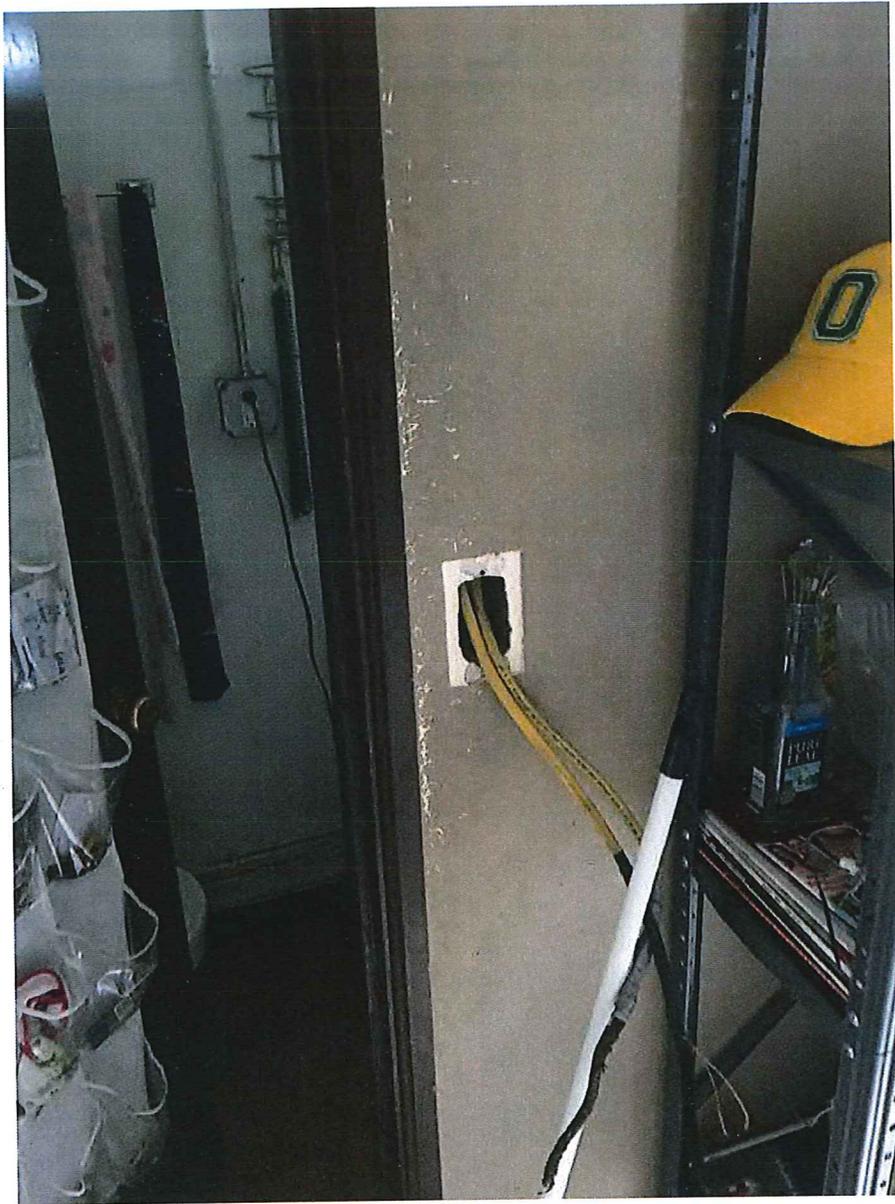




EXHIBIT C

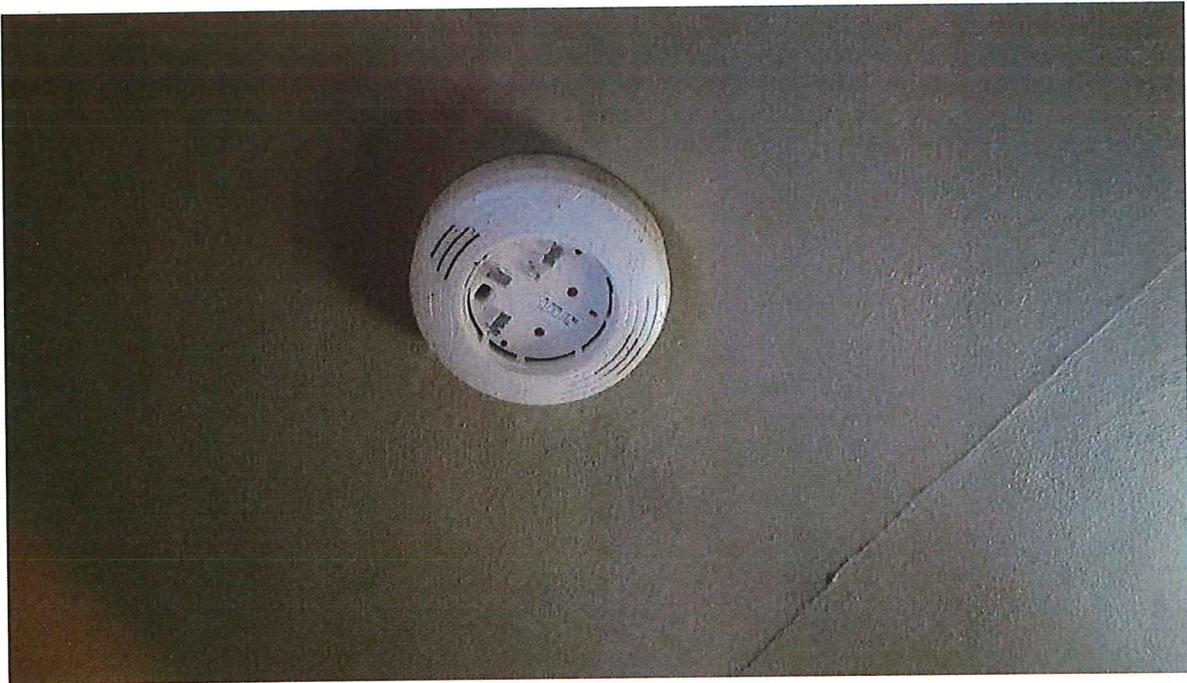
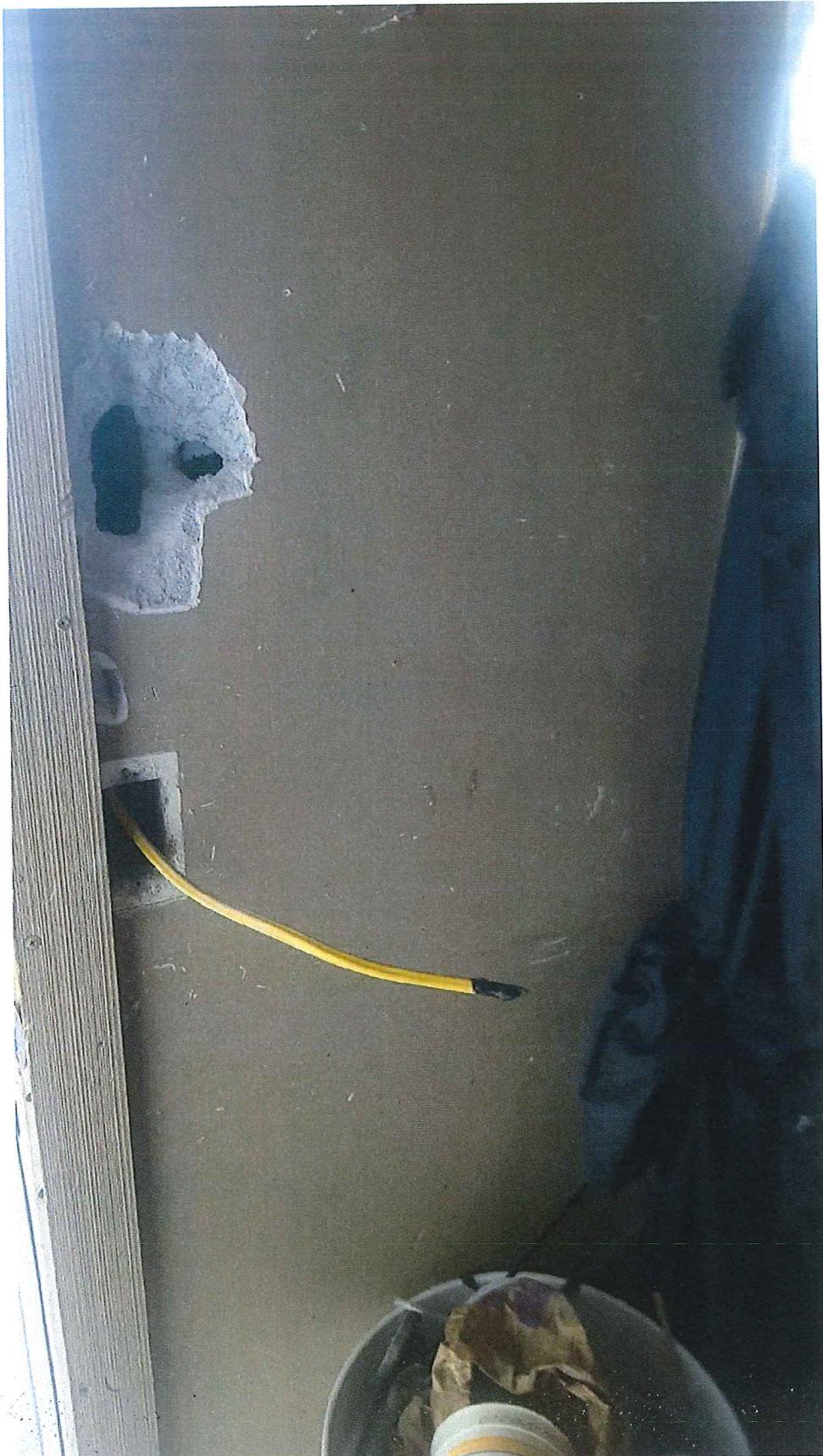


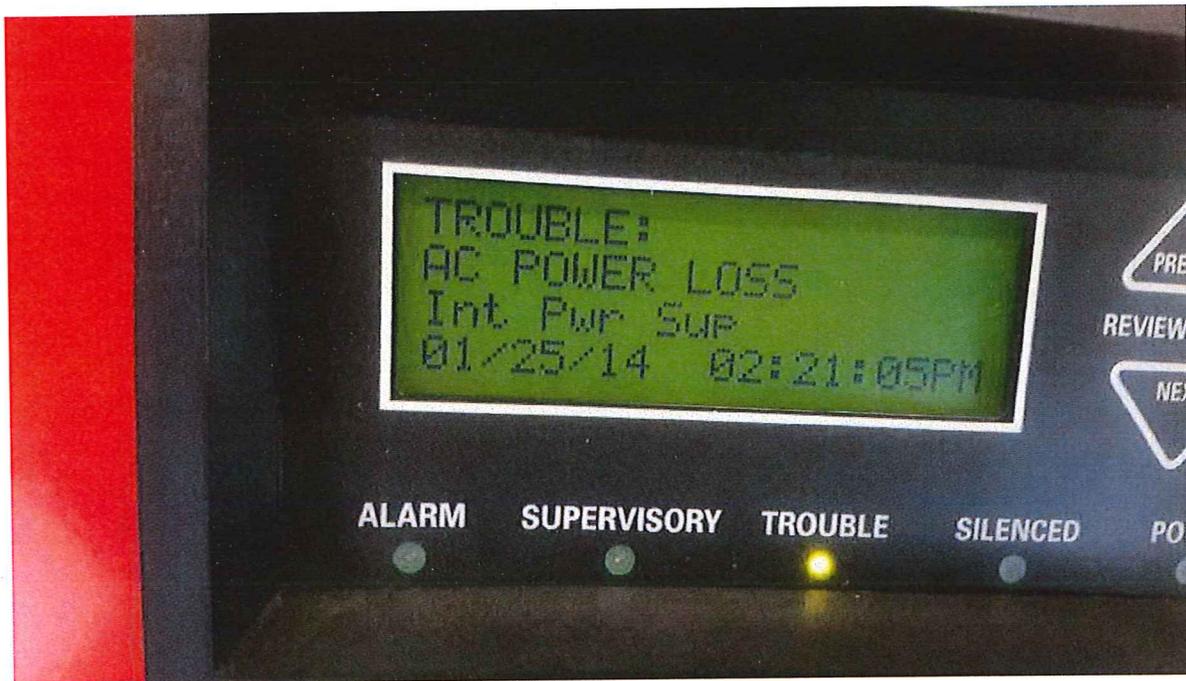
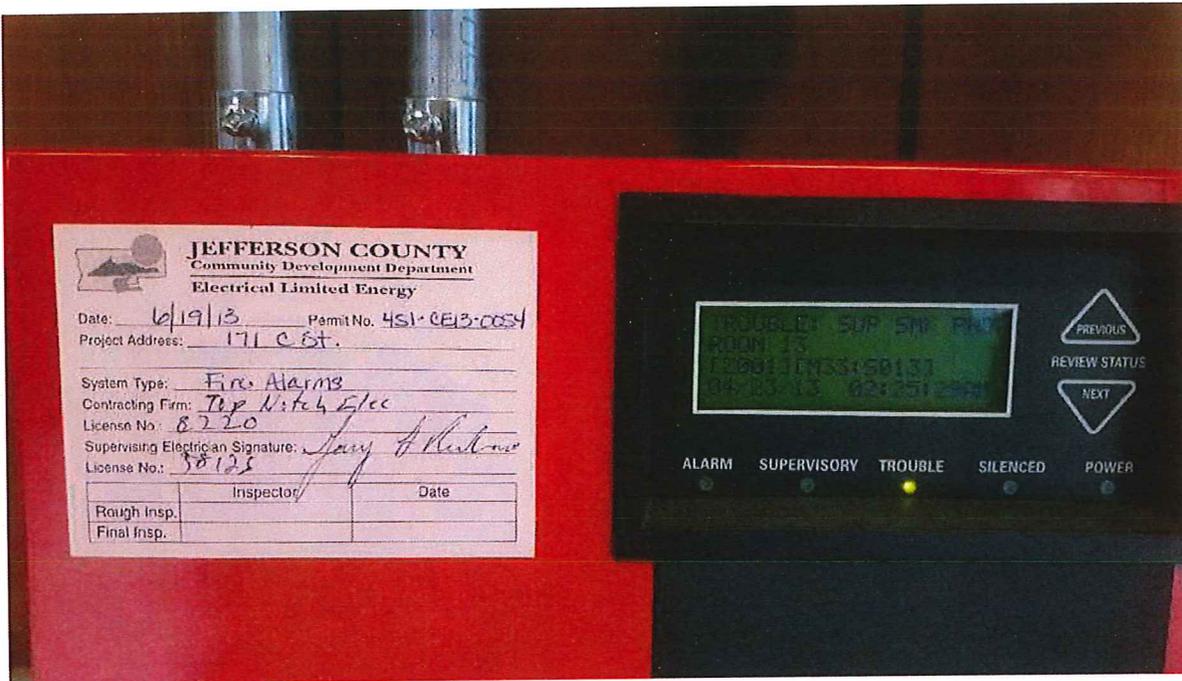
EXHIBIT C

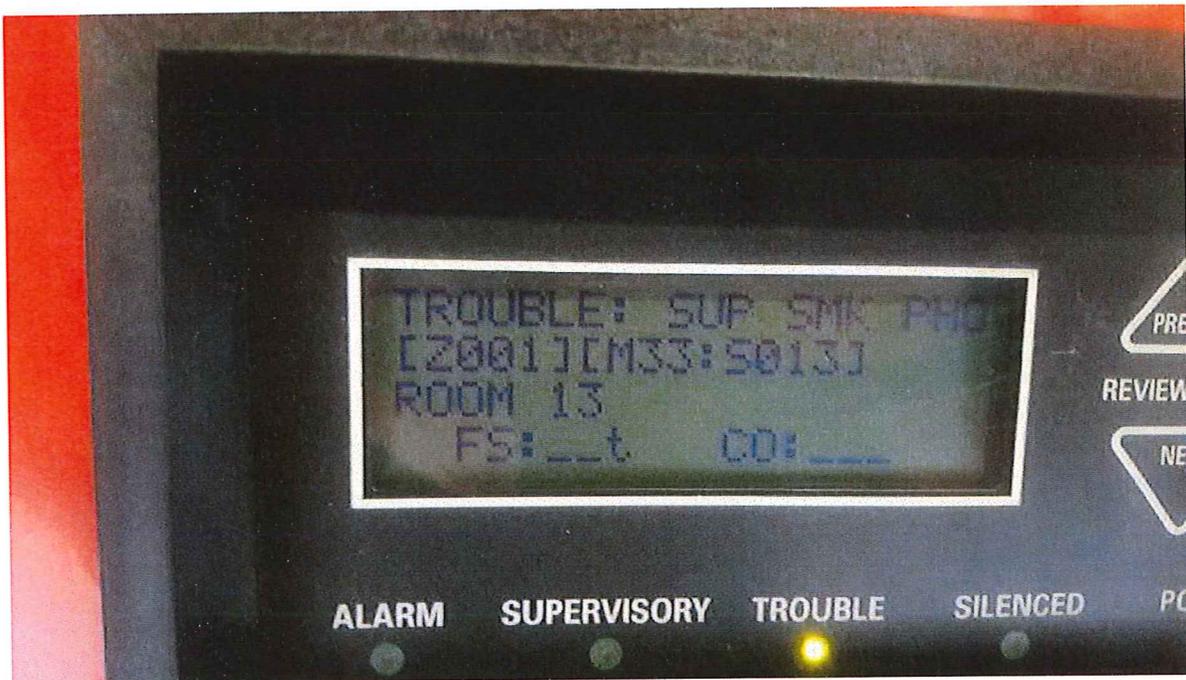




EXHIBIT C







BUSINESS NAME: Madraso Hotel/Motel
 ADDRESS: 1715W C Street
 PERSON CONTACTED: Miguel Segoviano
 PHONE: 541-815-9777
 REINSPECTION WILL BE CONDUCTED ON OR ABOUT _____

Jefferson County Fire District #1
 765 S Adams Drive - PO Box 30
 Madras OR 97741
 Phone: 541.475.7274
 Fax: 541.475.7411
 www.jcfd-1.org



RECEIVED

Violations		Type of Inspection:
A. Fire Service Access		<input type="checkbox"/> Regular Inspection _____
<input type="checkbox"/> 1 Provide building address numbers plainly visible from street.	505.1	<input type="checkbox"/> 1 st Re-inspection _____
<input type="checkbox"/> 2 Remove obstructions and provide access to fire lanes	503.4	<input type="checkbox"/> 2 nd Re-inspection _____
<input type="checkbox"/> 3 Provide a 3-foot clear space around circumference of fire hydrants.	507.5.5	<input checked="" type="checkbox"/> Referred to Fire Marshal _____
B. Means of Egress/Exits		H. Other Violations
<input type="checkbox"/> 1 Remove obstructions from exits	1003.6	<u>* Provide and install Oregon approved smoke alarms in each rental dwelling units</u>
<input type="checkbox"/> 2 Provide lighting for corridors, stairways, and exterior exit ways	1006.1	
<input type="checkbox"/> 3. Remove obstructions to aisles, minimum clear width 36 inches.	1017.2	
<input type="checkbox"/> 4. Provide min number of 2 exits when occupant load is 50 or more	1015.1	
<input type="checkbox"/> 5 Remove obstructions to corridors to maintain minimum clear width.	1018.3	
<input type="checkbox"/> 6 Remove manually operated flush bolts or surface bolt from exit door	1008.1.9.4	
<input type="checkbox"/> 7 Provide sign "This door must remain unlocked during business hours" (if key locking hardware is used on main exit)	1008.1.9.3	<u>* Fire watch in effect until further notice. 09/12/16</u>
<input type="checkbox"/> 8 Repair exit signs to be internally or externally illuminated at all times	1011.2	<u>- Remains in effect -</u>
C. Fire Protection		
<input type="checkbox"/> 1 Seal unapproved openings in fire resistance rated corridor	703.1	
<input type="checkbox"/> 2 Remove obstruction to fire and smoke barrier door	703.2	
<input type="checkbox"/> 3 Provide annual inspection of sliding and rolling fire doors.	703.4	
D. Fire Protection Systems		
<input checked="" type="checkbox"/> 1 Fire detection, alarm and suppression systems shall be maintained operational	901.6	
<input type="checkbox"/> 2 Provide fire extinguisher with approved cabinet or hanger	906.7	
<input type="checkbox"/> 3 Remove obstructions near fire extinguisher.	906.6	
<input type="checkbox"/> 4. Provide documentation that fire extinguishers, automatic sprinkler systems and fire alarm systems will be serviced annually Show proof.	901.6.2	
<input type="checkbox"/> 5 Provide documentation of kitchen hood suppression system every 6 months.	904.11.6.2	
<input type="checkbox"/> 6 Provide Cooking Class K extinguisher within 30 ft. of cooking equipment involving vegetable or animal oils and fats or solid fuel cooking appliances.	904.11.5	<u>DI Fire Alarm System</u>
E. Electrical		
<input type="checkbox"/> 1 Maintain clear access to electrical panel: at least 30" wide, 36" in front, and 78" high	605.3	
<input type="checkbox"/> 2 Replace multi-plug adapters, such as cube adapters and unfused plug strips with approved devices complying with ICC Electrical Code.	605.4	
<input type="checkbox"/> 3 Replace unapproved power taps with power taps that are polarized or grounded and equipped with overcurrent protection listed in accordance with UL 1383	605.4.1	
<input type="checkbox"/> 4. Remove power tap Power taps shall not extend through walls, ceilings, floors, under doors or floor coverings, or be subject to damage	605.4.3	
<input type="checkbox"/> 5 Replace extension cords with permanent electrical wiring.	605.5	
<input type="checkbox"/> 6 Discontinue use of extension cords not plugged directly into an approved receptacle, power tap, or multi-plug adapter	605.5.1	
<input type="checkbox"/> 7 Replace or discontinue use of extension cord Extension cords must be maintained in good condition without splices, deterioration or damage	605.5.3	
<input type="checkbox"/> 8 Provide junction box cover and enclose all open wiring and open wiring splices	605.6	
F. Housekeeping		
<input type="checkbox"/> 1 Discontinue disorderly storage of combustible materials in building	315.2	

EXHIBIT E

From: Chet Singleton
To: sego_groups@yahoo.com
Cc: [Nick Snead](mailto:Nick.Snead); [Brian Huff](mailto:Brian.Huff); Tj.jcfd1@gmail.com; [Katrina Weitman](mailto:Katrina.Weitman)
Subject: 171 SW C Street
Date: Wednesday, September 14, 2016 10:18:16 AM

Mr. Segoviano,

The stop work order was placed on the property in reference to electrical wiring and fixture changes for the lighting system that was to be done by unlicensed persons and without permits. The Stop Work Order will not be removed until an Oregon Licensed electrical contractor has been hired to complete the work and permits have been issued to the Oregon Contractor. This process must start as soon as possible.

If permits are not issued within the near future I will, with the determination of the Fire Marshal, declare the building unsafe for habitation and the electrical meter will be removed and not reinstalled until permits are issued and the electrical system is repaired into code compliant order.

If you have further questions please contact me.

Chet Singleton, CBO
Community Development Director
Building Official
Jefferson County Community Development
85 SE D Street
Madras, Oregon 97741
541-475-4462
541-325-5004 fax
chet.singleton@co.jefferson.or.us



THE CITY OF
MADRAS

dfv

Community Development Department
125 SW "E" Street, Madras, OR, 97741
541-475-2344

Sent Standard and Certified Mail (70073020000105534445)

NOTICE OF VIOLATION, ORDINANCE NO. 875

Date: September 23, 2016

To: Karoma Properties, LLC
Miguel Segoviano
1881 SW First St.
Redmond, OR, 97756

From: Nicholas Snead, Community Development Director

Subject: Notice of Violation of Nuisance Ordinance (No. 875).

According to Jefferson County Assessor records you are the agent for the property addressed 171 "C" Street, which is also identified as tax lot 5500 on Jefferson County Assessor's Map # 11-13-11AA. Notice is hereby given that these properties are in violation of the City of Madras Nuisance and Abatement Ordinance (No. 875), Sections 4, 5, and 10. The description of the violations is as follows:

APPLICABLE CRITERIA & FINDINGS

City of Madras Ordinance No. 875 provides:

SECTION 4. DEFINITIONS

Derelict building(s) or structure(s). A derelict building or structure includes any one or more of the following:

- (1) **A building or structure that is unfit for human habitation and/or poses an imminent hazard.** A building or structure is "unfit for human habitation" if the building or structure is in disrepair or suffers from lack of maintenance, is unsanitary, is pest infested, contains filth and contamination, and/or lacks ventilation, illumination, sanitary, and/or heating facilities, such

that habitation would be injurious or detrimental to the health, safety, and/or welfare of any occupant. A building or structure “poses an imminent hazard” if the condition of the building or structure places public health, safety, and/or welfare in risk of immediate or impending peril.

(2) A building or structure that is detrimental to the public health, safety, and/or welfare as a result of one or more of the following conditions: (a) the building or structure is not legally occupied and unsecured (i.e., unlocked or otherwise open to entry); (b) the building or structure has been left in a state of partial construction for more than six months or has not been completed prior to the expiration of any building permit; (c) the building or structure is vacant and in a dangerous condition so as potentially to constitute an attraction to minors, vagrants, criminals, and/or other unauthorized persons, or so as to enable persons to resort thereto for the purpose of committing an unlawful act; (d) the building or structure is in a condition of deterioration characterized by holes, breaks, rot, crumbling, cracking, peeling, rusting, and/or any other evidence of physical decay, neglect, excessive use, and/or lack of maintenance; and/or (e) the building or structure has an infestation of pests such that the large number of pests are harmful or bothersome to the building or structure and/or any adjacent building or structure.

FINDING: The Jefferson County Fire District No. 1 Fire Marshal has determined that the fire alarm system was found on September 6, 2016 to not be maintained in an operable condition, as required by the Oregon Fire Code and the National Fire Protection Association Standards. On September 6, the Jefferson County Fire District No. 1 Fire Marshal found smoke alarms were either not present or operable in each of the dwelling units on the property as required by ORS 479.250 through 479.300.

Additionally, on September 8, 2016 the Jefferson County Building Official determined that electrical work was conducted in the dwelling units on the subject property without previously obtaining an electrical permit from the Jefferson County Community Development Department in accordance with the Oregon Electrical Specialty Code.

SECTION 5. NUISANCE TO PUBLIC HEALTH

No owner or person in charge of property shall cause or permit any nuisance affecting public health. The following are nuisances affecting public health and may be abated as provided in this ordinance.

...

- (6) A residential or commercial building in violation of building or housing codes therefore making the building uninhabitable to the extent that the city, in the exercise of reasonable discretion, believes constitutes a threat to the public health, safety, and/or welfare of the people residing in the building or the public. This may apply to one or more housing units or

rental units in a development with multiple units. Examples include, without limitation, the following:

- a. **Buildings made uninhabitable by fire as determined by the reasonable discretion of a city building official or the fire marshal.**

FINDING: The Jefferson County Building Official (Building Official) has determined that the property owner has made electrical repairs without obtaining an electrical permit from the Jefferson County Community Development Department by a qualified contractor. This is a violation of ORS 479-550 and OAR Division 271 and OAR 918-282-0120. The Building Official has notified the property owner of the need for an electrical permit to be applied for and purchased by a qualified contractor. The Building Official has posted a "stop work order" on the building where the electrical repairs occurred. The stop work order was removed by the property owner. The Building Official emailed the property owner notification that electrical permits were required to be applied and purchased by a qualified contractor. As of September 22, 2016 a qualified contractor has not obtained the required permits from the Jefferson County Community Development Department. This is a violation of Section 5 of the City of Madras Nuisance Ordinance No. 875 because the property owner has made electrical repairs without obtaining the proper permits from the Jefferson County Community Development Department which is a violation of the Oregon Specialty Code.

SECTION 10. IDENTIFICATION AND DECLARATION OF DERELICT STRUCTURES

- (1) **The city administrator shall determine if a building or structure is potentially a derelict building or structure as defined under Section 4. The city administrator may consult with the building official, fire marshal, public health officer, police chief, and/or other qualified authority when making this determination.**

FINDING: Based on the reports from the Jefferson County Fire District No. 1 Fire Marshal and Jefferson County Building Official and the findings herein, the City Administrator through the Community Development Director has determined the structure on the subject property is a derelict building.

- (2) **The city administrator shall notify the owner and person in charge of property of any building or structure found derelict of the (a) circumstances leading to the determination, and (b) process of the city council's declaration, enforcement, and abatement. Notification shall be made in accordance with Section 11(4) and shall provide a reasonable period for the owner and/or person in charge of property to correct the circumstances leading to the city administrator's declaration that the structure is potentially derelict.**

FINDING: This Notice of Violation has been issued to the property owner in a manner consistent with the above stated requirements.

DESCRIPTION OF NUISANCE:

Based on the findings above, the following nuisances are present on the subject property:

1. Fire alarm system has not been maintained and is not in an operable condition, as required by the Oregon Fire Code and the National Fire Protection Association Standards.
2. Electrical work was completed without a permit from the Jefferson County Community Development Department in accordance with the Oregon Electrical Specialty Code.

REQUESTED ACTIONS TO ABATE SPECIFIED NUISANCE:

Within 13-days of the date of this letter, the City of Madras hereby requests the following actions to be completed to abate the specified nuisances:

1. Obtain all necessary permits from the Jefferson County Community Development Department for
2. The fire alarm needs to be maintained, in accordance with the Oregon Fire Code and the National Fire Protection Association, in an operable condition at all times (i.e. 365 days per year, 24 hours per day).

Notice is hereby given to abate the violations within thirteen (13) days of the date of this notice. If the nuisances are not abated within thirteen 13 days, the City may it will be abated by the City and the owner and person in charge of property will be assessed the cost of abatement as provided under Ordinance 875. In accordance with Section 11 of Ordinance No. 875, failure to abate the nuisance(s) specified herein, is considered to be a violation whereby each violation shall be a civil offense and subject to a fine of not less than \$500.00 for the first failure to comply and \$1,000.00 for each subsequent failure to comply committed within one year of the first occurrence. In addition to any other rights or remedies provided under this ordinance, the city may file a civil action to recover unpaid fees, fines, and costs, including, without limitation, the city's attorney fees and other fees, costs and expenses incurred by city to enforce this ordinance.

Appeal:

In accordance with Section 13(1) of Ordinance No. 875, any person affected by a city administrator's notice or order under this ordinance may request reconsideration by filing a request with the city administrator. The request must be received by the city administrator within ten (10) days after the effective date of the applicable notice or order. The request for reconsideration must be in writing and include (a) the name, address, and telephone number of the person requesting reconsideration, (b) a copy of the notice or order being requested for reconsideration, and (c) a statement that the person requests that the city administrator reconsider the notice or order.



Community Development Department
125 SW "E" Street, Madras, OR, 97741
541-475-2344

Sent Standard and Certified Mail (70073020000105532878)

NOTICE OF VIOLATION, ORDINANCE NO. 875

Date: October 13, 2016

To: Karoma Properties, LLC
Miguel Segoviano
1881 SW First St.
Redmond, OR, 97756

From: Nicholas Snead, Community Development Director

Subject: Notice of Violation of Ordinance No. 875

NOTICE IS HEREBY GIVEN THAT one or more violations of City of Madras ("City") Ordinance No. 875 (the "Nuisance Ordinance") exists on and at that certain real property commonly known as 171 "C" Street, Madras, Oregon 97741, identified as Tax Lot No. 5500 on Jefferson County Assessor's Map No. 11-13-11AA (the "Property"). This notice is issued pursuant to Section 11 of the Nuisance Ordinance. According to Jefferson County Assessor records you are the agent and owner of the Property. The description of the violations is as follows:

APPLICABLE CRITERIA & FINDINGS

The Nuisance Ordinance provides:

SECTION 4. DEFINITIONS

Derelict building(s) or structure(s). A derelict building or structure includes any one or more of the following:

- (1) A building or structure that is unfit for human habitation and/or poses an imminent hazard. A building or structure is "unfit for human habitation" if the building or structure is in disrepair or suffers from lack of

maintenance, is unsanitary, is pest infested, contains filth and contamination, and/or lacks ventilation, illumination, sanitary, and/or heating facilities, such that habitation would be injurious or detrimental to the health, safety, and/or welfare of any occupant. A building or structure “poses an imminent hazard” if the condition of the building or structure places public health, safety, and/or welfare in risk of immediate or impending peril.

(2) A building or structure that is detrimental to the public health, safety, and/or welfare as a result of one or more of the following conditions: (a) the building or structure is not legally occupied and unsecured (i.e., unlocked or otherwise open to entry); (b) the building or structure has been left in a state of partial construction for more than six months or has not been completed prior to the expiration of any building permit; (c) the building or structure is vacant and in a dangerous condition so as potentially to constitute an attraction to minors, vagrants, criminals, and/or other unauthorized persons, or so as to enable persons to resort thereto for the purpose of committing an unlawful act; (d) the building or structure is in a condition of deterioration characterized by holes, breaks, rot, crumbling, cracking, peeling, rusting, and/or any other evidence of physical decay, neglect, excessive use, and/or lack of maintenance; and/or (e) the building or structure has an infestation of pests such that the large number of pests are harmful or bothersome to the building or structure and/or any adjacent building or structure.

FINDING: On September 6, 2016, the Jefferson County Fire District No. 1 Fire Marshal (the “Fire Marshal”) determined that the fire alarm system at the Property was not maintained in an operable condition as required by the Oregon Fire Code and the National Fire Protection Association Standards. This constitutes a violation of the Oregon Fire Code.

On September 8, 2016, the Jefferson County Building Official (the “Building Official”) determined that electrical work was conducted in the dwelling units on the Property without a permit being first obtained by a licensed electrical contractor from the Jefferson County Community Development Department in accordance with the Oregon Electrical Specialty Code. Pursuant to Section 11 of the Nuisance Ordinance, City sent a Notice of Violation dated September 9, 2016 (the “First Notice”) to the property owner and/or person in charge of property requesting certain action be taken, including, without limitation, that all necessary electrical permits be obtained by a licensed electrician within ten days of the notice. The First Notice contained documentation of the conditions of the building, including, without limitation, photos of (a) holes and breaks in the walls and ceilings, (b) exposed, unsecured, and poorly installed wiring throughout the building presenting a hazard to the residents and occupants, and (c) conditions indicating that the building is in a condition of deterioration and/or suffers from a lack of maintenance.

On September 14, 2016, the Building Official notified the property owner of a Stop Work Order issued due to certain electrical work, including, without limitation, wiring and

fixtures being changed, performed by unlicensed persons and without necessary permits. The Building Official reported to the property owner that the Stop Work Order would not be removed until (a) an Oregon licensed electrical contractor has been hired to complete the work, and (b) all necessary permits have been issued to the Oregon licensed electrical contractor. The Building Official requested that this process start as soon as possible. The Building Official reported to the property owner that if permits are not issued within the near future that he will, with the assistance of the Fire Marshal, declare the building unsafe for human habitation and the electrical meter will be removed and not reinstalled until all necessary permits are issued and the electrical system is repaired to code compliant order. The Building Official has determined that electrical repairs have been made at the Property in violation of ORS 479.550, OAR Division 271, and OAR 918-282-0120.

The Building Official determined that all necessary electrical permits were not obtained by September 22, 2016 as required under the First Notice and the Stop Work Order. On September 23, 2016, City sent another Notice of Violation (the "Second Notice") in accordance with Section 11(5) of the Nuisance Ordinance to the property owner requesting (a) that the fire alarm system be maintained in an operable condition, and (b) that electrical permits be obtained for the Property by a licensed electrician by October 7, 2016. As of the date of this notice, necessary permits for electrical work have not been obtained and the conditions described in the First Notice remain.

FINDING: City finds that the building located on the Property is unsafe for human habitation and poses an imminent hazard. The building is currently in a state of disrepair and suffers from a lack of maintenance as a consequence of (a) the property owner's failure to complete the requested actions specified in the First Notice and Second Notice, and (b) for reasons under which the Building Official placed a Stop Work Order on the Property. The condition of the building, including, without limitation, (a) holes and breaks in the walls and ceilings, and (b) exposed, unsecured, and poorly installed electrical wiring, poses an imminent hazard to the health, safety, and welfare of the occupants of the building.

FINDING: City finds that the building located on the Property is detrimental to the public health, safety, and welfare as a result of the following conditions: (a) the building is currently not legally occupied due to the existence of building code violations; and (b) the building is in a condition of deterioration as demonstrated by the holes and breaks in the walls, the exposed, unsecured, and poorly installed wiring throughout the building, and the general lack of maintenance.

SECTION 5. NUISANCE TO PUBLIC HEALTH

No owner or person in charge of property shall cause or permit any nuisance affecting public health. The following are nuisances affecting public health and may be abated as provided in this ordinance.

...

- (6) **A residential or commercial building in violation of building or housing codes therefore making the building uninhabitable to the extent that the city, in the exercise of reasonable discretion, believes constitutes a threat to the public health, safety, and/or welfare of the people residing in the building or the public. This may apply to one or more housing units or rental units in a development with multiple units.**

...

FINDING: The Building Official has determined that electrical repairs have been made at the Property in violation of ORS 479.550, OAR Division 27, and OAR 918-282-0120. In particular, electrical repairs have been made without (a) first obtaining all necessary electrical permits, and (b) by unlicensed persons. The Building Official has notified the property owner of the need for an electrical permit to be applied for and purchased by a qualified contractor. The Building Official posted a Stop Work Order at the Property where the electrical repairs occurred. The Stop Work Order was removed by the property owner. The Building Official emailed the property owner notification that electrical permits were required and that a licensed contractor must apply for and purchase such permits. As of the date of this notice, a qualified contractor has not obtained the required permits from the Jefferson County Community Development Department. The Property is in violation of building and/or housing codes.

The City finds that the building on the Property constitutes a nuisance to the public health in violation of Section 5 of the Nuisance Ordinance. City finds the building is in violation of building codes therefore making it uninhabitable to the extent that City finds the building constitutes a threat to the public health, safety, and/or welfare of the people residing at the Property. This finding arises out of the following: (a) certain electrical repairs made without proper permits obtained from the Jefferson County Community Development Department in violation of ORS 479-550, OAR Division 271, and OAR 918-282-0120; (b) the exposed, unsecured, and poorly installed wiring throughout the building; and (c) the failure to maintain the fire alarm system in compliance with the Oregon Fire Code and the National Fire Protection Association Standards. Accordingly, the building located at the Property is determined to be a public nuisance in violation as of Section 5(6) of the Nuisance Ordinance.

SECTION 10. IDENTIFICATION AND DECLARATION OF DERELICT STRUCTURES

- (1) **The city administrator shall determine if a building or structure is potentially a derelict building or structure as defined under Section 4. The city administrator may consult with the building official, fire marshal, public health officer, police chief, and/or other qualified authority when making this determination.**
- (2) **The city administrator shall notify the owner and person in charge of property of any building or structure found derelict of the (a) circumstances leading to the determination, and (b) process of the city council's declaration, enforcement, and abatement. Notification**

shall be made in accordance with Section 11(4) and shall provide a reasonable period for the owner and/or person in charge of property to correct the circumstances leading to the city administrator's declaration that the structure is potentially derelict.

- (3) If the owner and/or person in charge of the property do not timely correct the circumstances leading to the city administrator's potential derelict structure determination, the city administrator shall set a hearing before the city council on the matter. Notice of the public hearing shall be given in the manner provided under Section 11(4); provided, however, notice of the hearing may also be posted on or near the derelict building or structure.

FINDING: Based on the reports from the Building Official and Fire Marshal and the findings contained in the First Notice, Second Notice, and this notice, the city administrator, through City's community development director, determines the building located on the Property is potentially a derelict building as that term is defined under Section 4 of the Nuisance Ordinance.

FINDING: In accordance with Section 11(4), the owner and/or person in charge of property has/have received one or more written demands to correct the circumstances leading to the potentially derelict building determination.

FINDING: As of the date of this Notice, the owner and/or person in charge of the property has not timely corrected the circumstances leading to the potentially derelict building determination. The owner has had a reasonable period of time to correct the circumstances leading to the potentially derelict building determination. As a result, pursuant to Section 10(3) of the Nuisance Ordinance, the city administrator will set a hearing before the city council on the matter and cause notice of the hearing to be given in accordance with Section 11(4).

DESCRIPTION OF NUISANCES

Based on the findings above, the following nuisances are present at the Property:

1. The fire alarm system has not been maintained and is not in an operable condition, as required by the Oregon Fire Code and the National Fire Protection Association Standards.
2. Electrical work has been completed without a permit from the Jefferson County Community Development Department as required under the Oregon Electrical Specialty Code. The electrical work has resulted in exposed, unsecured, and poorly installed wiring throughout the building.

ORDER TO ABATE SPECIFIED NUISANCES

Notice is hereby given to abate the nuisance violations within ten (10) days of the date of this notice by performing the following:

1. Repair and maintain the fire alarm system in the building in a safe and operable condition at all times (i.e. 365 days per year, 24 hours per day) in accordance with any and all applicable federal, state, and/or local laws, rules, codes, and/or ordinances including, without limitation, the Oregon Fire Code and any rules or regulations of the National Fire Protection Association.
2. Obtain, through an Oregon licensed electrical contractor, all necessary permits from the Jefferson County Community Development Department for any and all electrical work in the building located on the Property.

The violation(s) must be corrected and the nuisance(s) abated no later than ten (10) days from the date of this notice. If you fail to correct the violation(s) and abate all conditions creating the nuisance(s) on or before ten (10) days from the date of this notice, City may pursue any and all rights and remedies City may have available, including, without limitation, (1) performing any necessary or appropriate abatement in accordance with the Nuisance Ordinance, and (2) assessing fines of not less than \$500.00 per day, per violation. You will be responsible for all costs and expenses incurred by City to abate the nuisances and enforce the Ordinance.

Appeal:

In accordance with Section 13(1) of the Nuisance Ordinance, any person affected by a city administrator's notice or order under this ordinance may request reconsideration by filing a request with the city administrator. The request must be received by the city administrator within ten (10) days of the date of this notice. The request for reconsideration must be in writing and include (a) the name, address, and telephone number of the person requesting reconsideration, (b) a copy of the notice or order being requested for reconsideration, and (c) a statement that the person requests that the city administrator reconsider the notice or order.

POTENTIALLY DERELICT BUILDING PUBLIC HEARING

Pursuant to Section 10(3) of the Nuisance Ordinance, notice is hereby given that the Madras City Council ("Council") will hold a public hearing at the date, time, and location listed below to consider information, evidence, and testimony concerning the potentially derelict building located at the Property. The purpose of the public hearing is for Council to determine if the building at the Property is a derelict building as defined under Section 4 of the Nuisance Ordinance. You will be afforded an opportunity to present evidence to rebut the city administrator's determination. You may represent yourself or you may be represented by legal counsel provided that such counsel is admitted to the practice of law in the State of Oregon. The Nuisance Ordinance describes the process of Council's declaration, enforcement, and abatement regarding the derelict building determination. A copy of the Nuisance Ordinance is attached as Exhibit A.

EXHIBIT G

CITY COUNCIL HEARING:

DATE: Tuesday, October 25, 2015
TIME: 7:00 PM
LOCATION: City Hall, Council Chambers
125 SW "E" Street
Madras, OR 97741

Exhibit A
Nuisance Ordinance
(attached)

ORDINANCE NO. 875

AN ORDINANCE AMENDING, RESTATING, SUPERCEDING, REPLACING AND REPEALING CITY OF MADRAS ORDINANCE NO. 822, COMMONLY KNOWN AND REFERRED TO AS THE "MADRAS NUISANCE AND ABATEMENT ORDINANCE," WHICH ORDINANCE ESTABLISHES DEFINITIONS OF NUISANCE, PENALTIES, AND PROCEDURES FOR ABATEMENT OF NUISANCE IN THE CITY OF MADRAS; SUPERSEDING AND REPEALING ANY AND ALL ORDINANCES, RESOLUTIONS, AND/OR POLICIES IN CONFLICT WITH THIS ORDINANCE; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Madras, an Oregon municipal corporation ("City"), adopted Ordinance No. 822 (the "Nuisance Ordinance"), commonly known and referred to as the Madras Nuisance and Abatement Ordinance, pursuant to which City established certain definitions of nuisance, penalties, and procedures for the abatement of nuisance; and

WHEREAS, the Madras City Council (the "Council") has determined that the Nuisance Ordinance is outdated, fails to properly address derelict structures, and must be amended; and

WHEREAS, the Council finds and declares that derelict structures tend to (a) reduce the value of private property, (b) promote blight and deterioration, (c) create a hazard to the health and safety of minors, (d) create a harborage for pests, and (e) may be injurious to the health, safety, and general welfare of the public; and

WHEREAS, by the adoption of this Ordinance No. 875, the Council (a) hereby amends and restates the Nuisance Ordinance in its entirety to address, among other things, derelict structures.

NOW, THEREFORE, the City of Madras ordains as follows:

1. Findings. The above-stated findings are hereby adopted.
2. Short Title. This Ordinance No. 875 will be known as the "City of Madras Nuisance and Abatement Ordinance" and will be cited and referred to herein as this "Ordinance" or "ordinance."
3. Nuisance Definitions, Penalties, and Procedures for Abatement Established. City hereby establishes the nuisance and derelict structure definitions, penalties, and procedures for abatement set forth in the attached Exhibit A, which Exhibit A will be deemed part of this Ordinance.
4. Amendment and Restatement. This Ordinance amends, restates, supersedes, replaces, and repeals the Nuisance Ordinance in its entirety, and supersedes and repeals all ordinances, resolutions, and/or policies in conflict with this Ordinance; provided, however, City may continue the enforcement, prosecution, conviction, and/or punishment of any person who has or will violate the Nuisance Ordinance prior to the effective date of this Ordinance.

4-30.1

Madras Ordinances

4-30.3

5. Interpretation; Severability; Errors. All pronouns contained in this Ordinance and any variations thereof will be deemed to refer to the masculine, feminine, or neutral, singular or plural, as the identity of the parties may require. The singular includes the plural and the plural includes the singular. The word "or" is not exclusive. The words "include," "includes," and "including" are not limiting. Any reference to a particular law, rule, regulation, code, or ordinance includes the law, rule, regulation, code, or ordinance as now in force and which may hereafter be amended. The provisions of this Ordinance are hereby declared severable. If any section, subsection, sentence, clause, and/or portion of this Ordinance is for any reason held invalid, unenforceable, and/or unconstitutional, such invalid, unenforceable, and/or unconstitutional section, subsection, sentence, clause, and/or portion will (a) yield to a construction permitting enforcement to the maximum extent permitted by applicable law, and (b) not affect the validity, enforceability, and/or constitutionality of the remaining portion of this Ordinance. This Ordinance may be corrected by order of the Council to cure editorial and/or clerical errors.

6. Emergency Declaration. The Council finds that passage of this Ordinance is necessary for the immediate preservation of the peace, health, and safety of City's citizens by establishing certain definitions of nuisance and derelict structures, penalties, and procedures for abatement. The Council further finds that a delay of thirty (30) days prior to the effective date of this Ordinance may result in acts, omissions, and/or conditions detrimental to the public health, safety, and welfare. Therefore, an emergency is declared to exist and this Ordinance will be in full force and effect upon its passage by the Council and approval of the mayor.

EXHIBIT A

SECTION 1. TITLE

This ordinance shall be known as the "City of Madras Nuisance and Abatement Ordinance."

SECTION 2. PURPOSE

The provisions of this ordinance will be construed to secure, protect, and ensure public health, safety, and welfare insofar as they are affected by the occupancy and maintenance of buildings, structures, and property. Existing buildings, structures, and property that do not comply with the provisions of this ordinance will be abated, altered, and/or repaired to provide a minimum level of health, safety, and maintenance as required under this ordinance. Nothing in this ordinance will be construed to relieve a person from complying with any applicable federal, state, and/or local laws, regulations, and/or ordinances, including, without limitation, any applicable building codes and the requirement to obtain all necessary permits and approvals.

SECTION 3. EXEMPTIONS; HARDSHIPS; JOINT AND SEVERAL

- (1) Unless specifically provided otherwise, this ordinance does not apply to the following: (a) disposal sites operated in compliance with regulations promulgated by the Environmental Quality Commission and/or Department of Environmental Quality and all other applicable federal, state, and local laws, regulations, and ordinances;

4-30.3

Madras Ordinances

4-30.4

- (b) outdoor storage of inoperable or unregistered vehicles within a zoning district that permits or conditionally permits outdoor storage of inoperable or used vehicles and the vehicles are stored in accordance with applicable provisions; and/or (c) permitted sound amplification with appropriate permits from the city that includes date, time, and hour restrictions.
- (2) Where there are extreme hardships involved in carrying out the provisions of this ordinance, the city administrator may vary or modify such provisions upon application of an owner or person in charge of property provided that the intent of the law is observed and that the public health, safety, and welfare is ensured.
- (3) If more than one person is responsible for a nuisance, they will be jointly and severally liable under this ordinance, including, without limitation, for abating the violation and for any costs incurred by the city to abate the nuisance.

SECTION 4. DEFINITIONS

Abate or abatement. The removal or correction of conditions deemed to constitute a violation of this ordinance or the making of improvements needed to effect a rehabilitation of the property consistent with maintaining safe and habitable conditions.

Attractive nuisance(s). Buildings, structures, and/or property that are in an unsecured, derelict, and/or dangerous condition so as potentially to constitute an attraction to minors, vagrants, criminals, and/or other unauthorized persons, or so as to enable persons to resort thereto for the purpose of committing an unlawful act. Attractive nuisances include, without limitation, (a) unguarded machinery, equipment, and/or other devices that are attractive, dangerous, and accessible, (b) uncovered excavation without proper barriers, and (c) lumber, logs, and/or pilings placed or stored in a manner as to be attractive.

Building(s). A structure designed for habitation, shelter, storage, trade, manufacture, business, education, and/or other similar purposes.

City. City of Madras, an Oregon municipal corporation.

City administrator. The city administrator for the city and/or his or her designee.

City council. The city's elected legislative body.

County. Jefferson County, Oregon.

Day(s). Calendar days unless specifically provided otherwise.

Derelict building(s) or structure(s). A derelict building or structure includes any one or more of the following:

4-30.4

Madras Ordinances

4-30.4

(1) A building or structure that is unfit for human habitation and/or poses an imminent hazard. A building or structure is "unfit for human habitation" if the building or structure is in disrepair or suffers from lack of maintenance, is unsanitary, is pest infested, contains filth and contamination, and/or lacks ventilation, illumination, sanitary, and/or heating facilities, such that habitation would be injurious or detrimental to the health, safety, and/or welfare of any occupant. A building or structure "poses an imminent hazard" if the condition of the building or structure places public health, safety, and/or welfare in risk of immediate or impending peril.

(2) A building or structure that is detrimental to the public health, safety, and/or welfare as a result of one or more of the following conditions: (a) the building or structure is not legally occupied and unsecured (i.e., unlocked or otherwise open to entry); (b) the building or structure has been left in a state of partial construction for more than six months or has not been completed prior to the expiration of any building permit; (c) the building or structure is vacant and in a dangerous condition so as potentially to constitute an attraction to minors, vagrants, criminals, and/or other unauthorized persons, or so as to enable persons to resort thereto for the purpose of committing an unlawful act; (d) the building or structure is in a condition of deterioration characterized by holes, breaks, rot, crumbling, cracking, peeling, rusting, and/or any other evidence of physical decay, neglect, excessive use, and/or lack of maintenance; and/or (e) the building or structure has an infestation of pests such that the large number of pests are harmful or bothersome to the building or structure and/or any adjacent building or structure.

(3) A building or structure that creates a negative impact on any surrounding buildings and/or areas by presenting an unattractive appearance compared to the design, care, and upkeep of neighboring properties, or by being the site of vandalism and other crimes and misdemeanors, thereby increasing incidents or potential for incidents on surrounding properties, such that the derelict building or structure degrades the economic activity or economic potential of surrounding properties by discouraging (a) customer visits, (b) investment in new or remodeled buildings, (c) property rentals or sales, (d) maintenance of surrounding properties, (e) employment of qualified employees, and/or (f) general economic activity, value, utility, and/or vitality in surrounding areas.

Owner(s). An owner means (a) the person recorded in the official records of the county as holding title to the property, (b) any person who has purchased or otherwise acquired a property but whose ownership is not yet reflected in the official records of the county, (c) a trustee, executor, administrator, guardian, and/or mortgagee in possession and having control of the property, (d) a person who has care and control of a property in the case of the absence or disability of the person holding title thereto, and/or (e) a lessee or tenant in possession.

Person(s). A natural person, partnership, corporation, limited liability partnership, limited liability company, co-operative, governmental entity, association, or other entity in law or fact.

4-30.4

Madras Ordinances

4-30.5

Person(s) in charge of property. An owner, agent, occupant, lessee, tenant, contract purchaser, and/or other person having possession or control of the property or the supervision of a construction project on the property.

Structure(s). A structure is (a) that which is built or constructed, (b) an edifice or building of any kind, including mobile or manufactured homes and mobile outbuildings, and/or (c) any work that is built up as an addition to or fixture on a property.

SECTION 5. NUISANCE TO PUBLIC HEALTH

No owner or person in charge of property shall cause or permit any nuisance affecting public health. The following are nuisances affecting public health and may be abated as provided in this ordinance.

- (1) An open vault or privy, except those approved and maintained during construction in accordance with applicable federal, state, and local laws, regulations, and ordinances.
- (2) An accumulation of debris, rubbish, solid waste, manure, organic material that decomposes and gives rise to foul or offensive odors or foul or offensive by-products, and other refuse that is not removed within a reasonable amount of time and that affects the health or livability of adjacent property owners.
- (3) Stagnant water that allows mosquitoes or other insect pests to breed.
- (4) Water pollution.
- (5) Properties or buildings that are designated unfit for use by a county or Oregon Health Division Official pursuant to ORS 453.876 and that has not been decontaminated and recertified for use by ORS 453.885 within 180 days after the ORS 453.876 determination. For example, properties that were the site of illegal drug manufacture and, therefore, may be contaminated with hazardous chemicals or substances, are not fit for use until appropriate site assessment and any necessary contamination reduction procedures have been performed by a licensed drug laboratory decontamination contractor.
- (6) A residential or commercial building in violation of building or housing codes therefore making the building uninhabitable to the extent that the city, in the exercise of reasonable discretion, believes constitutes a threat to the public health, safety, and/or welfare of the people residing in the building or the public. This may apply to one or more housing units or rental units in a development with multiple units. Examples include, without limitation, the following:
 - a. Buildings made uninhabitable by fire as determined by the reasonable discretion of a city building official or the fire marshal.

4-30.5

Madras Ordinances

4-30.6

- b. Abandoned buildings in dangerous disrepair with broken or missing windows, broken or missing exterior doors, or that are used by trespassers. Abandoned buildings may include buildings under construction but failing to be completed in a timely and safe manner.
- (7) Failure to remove snow or ice from sidewalks adjacent to property.
- (8) Storm water and storm water runoff not contained on the property.
- (9) Dangerous excavations without proper signs and warnings.
- (10) Property that has been used for the unlawful delivery, manufacture, and/or possession of a controlled substance as defined in ORS 475.005.

SECTION 6. NUISANCE TO PUBLIC SAFETY AND WELFARE

No owner or person in charge of property shall cause or permit any nuisance affecting public safety and welfare. The following are nuisances affecting public safety and welfare and may be abated as provided in this ordinance.

- (1) Any abandoned, discarded, or unattended icebox, refrigerator, or other container with a compartment of more than one and one-half cubic feet capacity and an airtight door or lid which locks or fastens automatically when closed and which cannot be easily opened from the inside.
- (2) Storing or permitting to be stored vehicles, recreational vehicles, and any type of trailer for more than 72 hours in any city right-of-way.
- (3) Storing or permitting to be stored vehicles with expired license tags or discarded motor vehicle(s) or portion thereof, at any one time on any private property, unless the vehicle(s) is completely enclosed within a building, or is not visible from any public way and is located more than 200 feet from any property line, or unless it is stored on the property of a business enterprise dealing in used vehicles lawfully conducted within the city. Discarded motor vehicles are defined as a vehicle in one or more of the following conditions:
 - a. Inoperable;
 - b. Wrecked;
 - c. Dismantled or partially dismantled including major parts of motor vehicles;
 - d. Abandoned; and
 - e. Junked.

4-30.6

Madras Ordinances

4-30.6

For purposes of this section, showing that the vehicle(s) in question is unlicensed and, if operated on a public highway of this state, would be in violation of one or more of the following provisions: ORS 815.020, 815.100, 815.125, 815.155, 815.160, 815.170, 815.180, 815.195, 815.235, 815.245 through 815.260, 815.270, and 815.295 constitutes a rebuttable presumption that it is inoperable.

(4) Vegetation that is a hazard to pedestrian or vehicular use of any sidewalk or street by obstructing passage or vision. The hazards include, without limitation, the following:

- a. Vegetation that encroaches upon or overhangs a pedestrian way or parking strip or encroaches upon or overhangs a street.
- b. Vegetation which obstructs motorist or pedestrian view of traffic signs and signals, street lights and name signs, or other safety fixtures or markings placed in the public way.
- c. Vegetation that is an obstruction of access to a use of any public facilities placed within the public way.
- d. Between the months of May and October, the accumulation of dry vegetation (including but not limited to grasses, weeds, shrubs, etc.). Lots less than one acre shall be completely free of dry vegetation and lots greater than one acre shall maintain a fire break around the exterior of the property of at least twenty (20) feet.
- e. Noxious vegetation on public or private property. Noxious vegetation includes:
 - i. All noxious weeds as defined by the current county noxious weeds list; and
 - ii. Vegetation more than ten (10) inches high unless that vegetation is an agricultural crop and does not create a fire hazard or traffic hazard.

(5) Notwithstanding the year around abatement authority of the city, between April 1 and June 15 of each year, the city recorder may cause to be published three (3) times in a newspaper of general circulation in the city the following statement:

"No owner or person in charge of property may allow noxious vegetation to be on the property or in the public right-of-way abutting the property. It shall be the duty of an owner or person in charge of property to cut down or to destroy grass, shrubbery, brush, and bushes, to prevent them from becoming a fire hazard, or, in the case of weeds or other noxious vegetation, from maturing or from going to seed. All lots less than one acre shall be maintained completely free of dry grass and weeds that may

4-30.6

Madras Ordinances

4-30.9

constitute a fire hazard. Lots one acre or more in area shall be maintained with a twenty (20) foot fire break around the perimeter of the lot that is clear of all dry grass and weeds; in addition the entire property must be free of noxious weeds as defined by the Jefferson County noxious weeds list. If the owner or person in control of the property is unwilling to abate the nuisance the City shall cause such abatement in 10 or more days after notification by mail of said nuisance and to charge the cost of doing so on any particular parcel or property to the owner thereof, or the property itself. "

- (6) The storage of ten (10) or more used tires, unless the tires are used for agricultural or landscaping purposes. The storage of tires on private property is permitted only if the owner is conducting a legally operated business that normally deals in tires, or if the tires are completely enclosed within a building and do not constitute a fire hazard or health hazard.
- (7) Derelict building or structure on any property. Derelict buildings and structures are identified and administered in accordance with Section 10, below. No person will inhabit a derelict building or structure, and no owner will allow any person to inhabit a derelict building or structure, or a building or structure ordered vacated under Section 10, below.

SECTION 7. NUISANCE TO PUBLIC PEACE

No owner or person in charge of property shall cause or permit any nuisance affecting public peace. The following are nuisances affecting public peace and may be abated as provided in this ordinance.

- (1) Noise offenses as defined under Ordinance No 325 or any future noise ordinance.
- (2) Radio and television interference caused by reasonably preventable interference through the use of electrical, mechanical, and/or other devices.
- (3) Odors related to the condition of a property such as but not limited to the existence of cesspools, decaying organic matter, and/or animal feces. Odors shall not be offensive to properties beyond the offending party.

SECTION 8. ATTRACTIVE NUISANCE

No owner or person in charge of property shall cause or permit any attractive nuisance. Attractive nuisances may be abated as provided under this ordinance.

SECTION 9. UNENUMERATED NUISANCES

In addition to the acts and conditions specifically enumerated in this ordinance, any condition, thing, substance, and/or activity that is detrimental to, injurious to, and/or constitutes a danger to

4-30.9

Madras Ordinances

4-30.10

public health, safety, and/or welfare is declared to be a nuisance and is subject to the abatement procedures set forth in this ordinance.

SECTION 10. IDENTIFICATION AND DECLARATION OF DERELICT STRUCTURES

- (1) The city administrator shall determine if a building or structure is potentially a derelict building or structure as defined under Section 4. The city administrator may consult with the building official, fire marshal, public health officer, police chief, and/or other qualified authority when making this determination.
- (2) The city administrator shall notify the owner and person in charge of property of any building or structure found derelict of the (a) circumstances leading to the determination, and (b) process of the city council's declaration, enforcement, and abatement. Notification shall be made in accordance with Section 11(4) and shall provide a reasonable period for the owner and/or person in charge of property to correct the circumstances leading to the city administrator's declaration that the structure is potentially derelict.
- (3) If the owner and/or person in charge of property do not timely correct the circumstances leading to the city administrator's potential derelict structure determination, the city administrator shall set a hearing before the city council on the matter. Notice of the public hearing shall be given in the manner provided under Section 11(4); provided, however, notice of the hearing may also be posted on or near the derelict building or structure.
- (4) At the hearing, the city administrator will present whatever information, evidence, or testimony the city council may deem relevant in support of the city administrator's determination. The owner and/or person in charge of property will similarly be afforded an opportunity to present evidence and rebut the city administrator's determination. Any information, opinion, testimony, or evidence may be received which the city council deems material, relevant, and probative of the matters in issue. At the conclusion of the public hearing, the city council will determine if the subject building or structure is a derelict building or structure as defined under Section 4 of this ordinance. The owner and/or person in charge of property may represent himself or herself or be represented by legal counsel provided that such legal counsel is admitted to the practice of law in the State of Oregon.
- (5) If the city council finds that the subject building or structure is a derelict building or structure and, therefore, a nuisance under this ordinance, the city council shall adopt an order declaring the building or structure to be derelict and a violation of this ordinance. The city council's order shall include (a) the city council's findings supporting the declaration, and (b) an order requiring that the conditions creating the derelict building or structure be abated. If the city council finds the subject building or structure is not a derelict building or structure as defined under Section 4 of this ordinance, the city council may dismiss the matter.

4-30.10

Madras Ordinances

4-30.11

- (6) If abatement of the derelict building or structure is not commenced and completed within the timeframes set forth in the city council's order, the city may perform any necessary or appropriate abatement and, in addition to all other city rights and remedies, the cost thereof assessed as a lien against the property upon which the derelict building or structure is located. The city's abatement may include, without limitation, demolition of the derelict building or structure, removal of property, and/or site cleanup. The cost of abatement and a twenty-five percent (25%) charge for administrative overhead will be assessed.
- (7) Notwithstanding any other provisions of this ordinance to the contrary, whenever, as determined by the city administrator, a building or structure poses an imminent hazard, the city administrator may order and/or cause to be performed any necessary or appropriate work (including, without limitation, any necessary or appropriate abatement) to render such building or structure temporarily safe and secure whether or not proceedings to abate the hazard have been instituted, including, without limitation, fencing the property and boarding of openings. In addition to the temporary safeguards described in the immediately preceding sentence, the owner and person in charge of property will cause such other actions to be taken that the city administrator deems necessary or appropriate to render the building or structure temporarily safe and secure.
- (8) In addition to any other rights, remedies, and abatement procedures provided under this ordinance, the city administrator and/or city council may order that a placard be posted on any derelict building or structure and order that the derelict building or structure be vacated. The placard will contain the information required under Section 11(5). It is unlawful to remove any placard posted on a property. In addition to any other rights and remedies provided under this ordinance, a building or structure found to be derelict and a nuisance under this ordinance is subject to the enforcement provisions of Section 11 and the abatement provisions of Section 12. However, the city council, in its declaration, may waive any or all of the provisions of Sections 11 and/or 12 as the city council determines necessary or appropriate.

SECTION 11. ENFORCEMENT

(1) Warnings, Citations, Orders, and Fines

- a. The city administrator may issue warnings, citations, and/or orders to any owner and/or person in charge of property for nuisances, charging such persons with violating this ordinance.
- b. Each violation shall be a civil offense and subject to a fine of not less than \$500.00 for the first failure to comply and \$1,000.00 for each subsequent failure to comply committed within one year of the first occurrence. In addition to any other rights or remedies provided under this ordinance, the city may file a civil action to recover unpaid fees, fines, and costs, including, without limitation, the city's attorney fees and other fees, costs, and expenses incurred by city to enforce this ordinance.

4-30.11

Madras Ordinances

4-30.11

- c. The city and/or its designee may enter upon any property in connection with the city's provision of any notice or order provided under this ordinance, determining compliance with this ordinance, and/or to enforce this ordinance, including, without limitation, performing any abatement; the city and/or its designee shall not be liable for trespass or conversion in connection therewith.
- d. If any provision of this ordinance is violated by a firm, corporation, limited liability company, or any other legal entity, the officers, members, managers, shareholders, partners, and/or directors (as the case may be) will be personally subject to the penalties imposed by this ordinance.

(2) Continuing Violation; Cumulative Remedies

Each separate calendar day of uninterrupted nuisance may be a separate offense. The citation for continuing violation shall state the date the violation is alleged to have first occurred, the date or range of dates of continuing violation, and the amount of the fine for each day's violation. The city's rights and remedies under this ordinance are not exclusive. The city may pursue all other rights and remedies provided under applicable federal, state, and local laws, regulations, and ordinances to address nuisance violations. All available rights and remedies are cumulative and may be exercised singularly or concurrently.

(3) Notice of Abatement

The city administrator shall have the authority to enforce this ordinance and may cause a 10-day written notice of violation to be issued to the owner and/or person in charge of property. The notice will contain (a) a description of the nuisance, (b) identification of the property upon which the nuisance is located by address or otherwise, and (c) inform the owner and/or person in charge of property that if the nuisance is not abated within ten (10) days, or such longer period as may be provided in the notice, it will be abated by the city and the owner and person in charge of property will be assessed for the cost of abatement as provided under this ordinance.

(4) Service

Except as otherwise provided in this ordinance, any notice or order required under this ordinance will be (a) personally delivered to the owner and person in charge of property, (b) sent to the owner and person in charge of property by first class mail to their last known residence or business address, and/or (c) posted at the property and also sent via first class mail to the owner and person in charge of property to their last known residence or business address. Any notice or order served by mail will be deemed received three (3) days after the date mailed. Failure of any owner and/or person in charge of property to receive notice or the order or an error in the name or address of any owner and/or person in charge of property will not render the notice or order void; the notice and/or order will be deemed proper and sufficient. Refusal to accept the registered or certified mail will not be deemed to, and will not, render the notice or order invalid.

4-30.11

Madras Ordinances

4-30.12

(5) Posting; Recording with County Clerk

a. The city may place a sign on the property warning of the nuisance or derelict building or structure. The sign may include, without limitation, the following:

NUISANCE NOTICE
BUILDING IS NOT SAFE TO OCCUPY

It is a violation of the City of Madras Nuisance and Abatement Ordinance to occupy this building or structure or to remove this notice.

b. The city may record a notice of violation with the county clerk. Failure to record a notice of violation will not affect the validity of the notice. When the property is brought into compliance, a satisfaction of notice of violation will be recorded.

SECTION 12. ABATEMENT BY CITY; COSTS; LIEN

- (1) If an order of abatement has been issued by the city administrator and ten (10) days following the notice mailed pursuant to Section 11(4) specifying said abatement the act or condition remains unabated and no appeal has been filed, the city administrator may cause abatement of the nuisance by entering the property, if necessary, and abating the nuisance, which abatement may include, without limitation, demolition of buildings, removal of property, and site cleanup.
- (2) Any personal property removed during an abatement process may be returned to the possession of the owner following abatement or may be sold, discarded, or destroyed at the discretion of the city in accordance with applicable law. Proceeds of any sale shall be used to help defray the abatement costs. Any proceeds in excess of the abatement costs shall be turned over to the owner or person in charge of property, as appropriate.
- (3) Accurate records of the abatement costs shall be kept and shall include a surcharge of twenty-five percent (25%) of the cost of the abatement for administrative overhead and all other costs, expenses, fees, and penalties. A billing for the amount of the costs shall be sent to the owner and/or person in charge of property. Full payment shall be due to the city within thirty (30) days after the date of the billing.
- (4) The city administrator shall file a lien against the property in the county real property records if payment is not timely made as provided in this Section 12. Interest on the lien shall accrue on the amount of assessment due at the rate of nine percent (9%) per annum from the date the lien is recorded. Any error in the name of the owner and/or person in charge of property shall not void the lien. Neither shall failure to receive the notice of the proposed assessment render the lien void. Only payment of the total amount due for the abatement shall remove the lien. Once full payment is

4-30.12

Madras Ordinances

4-30.13

received by the city, the city shall record a release of the abatement lien. The lien provided for in this Section 12(4) shall be given priority over all liens except those for taxes and assessments. Collection of abatement costs, fees, and penalties are in addition to any other remedies, civil or criminal, available to the city under applicable law.

- (5) In addition to, and not in lieu of, any other provision in this ordinance, when the city administrator finds residential property in violation of this ordinance and believes that the violation is a threat to the public health, safety, and/or welfare, and the owner and/or person in charge of property has not acted in a timely manner to correct the violations, the city administrator may apply to a court of competent jurisdiction for the appointment of a receiver to perform an abatement pursuant to the Oregon Housing Receivership Act (ORS 105.420 to 105.455).

SECTION 13. APPEALS

- (1) Any person affected by a city administrator's notice or order under this ordinance may request reconsideration by filing a request with the city administrator. The request must be received by the city administrator within ten (10) days after the effective date of the applicable notice or order. The request for reconsideration must be in writing and include (a) the name, address, and telephone number of the person requesting reconsideration, (b) a copy of the notice or order being requested for reconsideration, and (c) a statement that the person requests that the city administrator reconsider the notice or order.
- (2) The city administrator's response to the request for reconsideration will be personally delivered to the person requesting reconsideration, or sent to the person via first class mail at the address listed on the request for reconsideration. Any request for reconsideration may be granted or denied by summary order of the city administrator.
- (3) Any person affected by a notice or order of the city administrator may appeal the notice or order to the city council by filing a notice of appeal with the city recorder, subject to the provisions of this Section 13. A person must first request that the city administrator reconsider the notice or order as provided in Section 13(1) and (2). The filing of a notice of appeal will stay all proceedings for abatement until the final disposition of the appeal; provided, however, the filing of a notice of appeal will not prevent or impair the city administrator from addressing a building or structure that poses an imminent hazard under Section 10(7) of this ordinance.
- (4) The notice of appeal must be filed within ten (10) days after the date the city administrator's response to the request for reconsideration is delivered to the person. A copy of the notice of appeal must also be filed with the city administrator.

4-30.13

Madras Ordinances

4-30.13

- (5) The notice of appeal must be in writing and include (a) the name, address, and telephone number of the appellant, (b) a copy of the notice or order being appealed, (c) a statement that the person wishes to appeal the notice or order, and (d) the basis for the appeal, stating with specificity why the notice or order was issued in error, based on one or more of the following: (1) the city failed to follow the procedures prescribed in this ordinance and such failure has prejudiced the person with respect to some substantial right; (2) no violation exists on the property that is the subject of the notice or order; and/or (3) the time for or method of compliance required in the notice or order is impossible to comply with or, because of circumstances particular to the person or property, would cause an unreasonable hardship.
- (6) The city council's hearing upon the appeal will be limited to the reasons why the notice or order is incorrect, as set forth in the notice of appeal. A notice of appeal that is filed after the period provided for filing an appeal will be dismissed by the city council as untimely. Failure to appeal as provided under this Section 13 will be a waiver of all right to review the notice or order. The city recorder will provide the appellant with written notice of the hearing on the appeal not less than ten (10) days prior to the hearing.
- (7) The person requesting the appeal will be afforded the opportunity to provide evidence or a statement in opposition to the notice or order. The city administrator will be afforded the opportunity to present any evidence, argument, or statement in support of the notice or order. At the hearing, the appellant may present testimony and oral argument, personally or through legal counsel, and any additional evidence; provided, however, the rules of evidence as used by courts of law do not apply. The decision of the city council is final and conclusive. The decision of the city council will be recorded in the minutes.
- (8) The city council will adopt findings and conclusions supporting a decision which either (a) affirms the notice or order as given, (b) modifies the notice or order, or (c) rescinds the notice or order. Upon a final disposition ordering abatement of a nuisance, and unless another period for compliance is provided in the decision, the owner and/or person in charge of property will have a period equal to that specified in the original notice, commencing from the date of the final disposition, in which to abate the nuisance prior to action by the city.

APPROVED AND ADOPTED by the Council and signed by the Mayor this 23rd day of June, 2015.



125 SW "E" Street,

541-475-2344

Madras, OR, 97741

PUBLIC HEARING NOTICE

Pursuant to City of Madras Ordinance No. 875 (the "Nuisance Ordinance"), the Madras City Council ("Council") will hold a public hearing at the date, time, and location listed below to consider information, evidence, and testimony concerning the potentially derelict building located at 171 "C" Street, Madras, Oregon 97741 also identified as Tax Lot 5500 on Jefferson County Assessor's Map No. 11-13-11AA (the "Property"). The city administrator has determined that the building at the Property is potentially a derelict building. The purpose of the public hearing is for Council to determine if the building at the Property is a derelict building as defined under Section 4 of the Nuisance Ordinance.

CITY COUNCIL HEARING:

DATE: Tuesday, October 25, 2015
TIME: 7:00 PM
LOCATION: City Hall, Council Chambers
125 SW "E" Street
Madras, OR 97741

If you have any questions, please contact Nicholas Snead, Community Development Director, at 541-475-2344.

*- Noticed to property owners
- mailed by N. Snead on 10-14-16*

EXHIBIT H

BRATTON, DANA L & NANCY L
25 NW HAWTHORNE AVE
BEND, OR 97701

BRATTON, DANA L & NANCY L
25 NW HAWTHORNE AVE
BEND, OR 97701

BRICKHOUSE GROUP, LLC
384 SW 5TH ST
MADRAS, OR 97741

BURNSIDE, T & BURNSIDE, B
551 NE GREENWOOD
BEND, OR 97701

CAMPBELL, CHARLES R & CAROL A
89 NE 16TH
MADRAS, OR 97741

CNR ENTERPRISES, LLC
12 SW 4TH ST
MADRAS, OR 97741

GANNON, SARAH D & CHRIS M
1145 NE BROWN DR
MADRAS, OR 97741

HARRIS, CYNTHIA L
5191 NW COLUMBIA DR
MADRAS, OR 97741

HINDMAN, NANCY L
61556 TWIN LAKES LP
BEND, OR 97702

KAROMA PROPERTIES, LLC
1881 SW 1ST ST
REDMOND, OR 97756

LANGE, PHYLLIS M & HILDEBRAND ANNETTE
320 NE 8TH ST
MADRAS, OR 97741

LOWTHER, DANNIE C & WAYNE C
PO BOX 421
CULVER, OR 97734

LOWTHER, DANNIE C & WAYNE C
PO BOX 421
CULVER, OR 97734

MADRAS, LLC, AN OREGON LIMITED LIABILITY
PO BOX FF
SPRINGFIELD, OR 97477

EXHIBIT H

MCCONAGHY, JOHN A & JO ANN TR
3000 11TH AVE ##121
GREAT FALLS, MT 59405

MONTANO, SALVADORE & PAULA
PO BOX 595
MADRAS, OR 97741

MYERS, WILLIAM E & ALISON J
PO BOX 9764
BEND, OR 97708

NAGRA NAGRA NAGRA PARTNERSHIP
PO BOX 665
VERADALE, WA 99037

OXENHANDLER, HARRY & LUCY
3546 NW THRUSH DR
CORVALLIS, OR 97330

PS LEROMAHO, LLC, AN OREGON LIMITED LIAB
19473 IRONWOOD CIR
BEND, OR 97702

RICE, PHIL O & TWYLA R
491 NW BURCH LN
MADRAS, OR 97741

ROBERTSON, DONALD F & CONNIE S
2421 NE CHERRY LN
MADRAS, OR 97741

SEGOVIANO, MICHAEL
1881 SW 1ST ST
REDMOND, OR 97756

SIEGENHAGEN HAROLD D REVOCABLE TRUST
26 SE CITY VIEW ST
MADRAS, OR 97741

SIEGENHAGEN HAROLD ET AL
26 SE CITY VIEW ST
MADRAS, OR 97741

SIEGENHAGEN HAROLD ET AL
26 SE CITY VIEW ST
MADRAS, OR 97741

SIEGENHAGEN, NANCY L & HAROLD D TR
3478 SW IRIS LN
CULVER, OR 97734

SMALL PROPERTIES 3, LLC, AN OREGON LIMIT
PO BOX 1885
REDMOND, OR 97756

EXHIBIT H

U S NATIONAL BANK OF OREGON
2800 E LAKE ST
MINNEAPOLIS, MN 55406

WILLIAMS, ROBERT D & JUDITH M ET AL
1997 NE CHERRY LN
MADRAS, OR 97741

WITHROW, KATHLEEN & AVILA, CATHERINE
4305 SW CULVER HWY
MADRAS, OR 97741



125 SW "E" Street,

541-475-2344

Madras, OR, 97741

PUBLIC HEARING NOTICE

Pursuant to City of Madras Ordinance No. 875 (the "Nuisance Ordinance"), the Madras City Council ("Council") will hold a public hearing at the date, time, and location listed below to consider information, evidence, and testimony concerning the potentially derelict building located at 171 "C" Street, Madras, Oregon 97741 also identified as Tax Lot 5500 on Jefferson County Assessor's Map No. 11-13-11AA (the "Property"). The city administrator has determined that the building at the Property is potentially a derelict building. The purpose of the public hearing is for Council to determine if the building at the Property is a derelict building as defined under Section 4 of the Nuisance Ordinance.

CITY COUNCIL HEARING:

DATE: Tuesday, October 25, 2015
TIME: 7:00 PM
LOCATION: City Hall, Council Chambers
125 SW "E" Street
Madras, OR 97741

If you have any questions, please contact Nicholas Snead, Community Development Director, at 541-475-2344.

*- Noticed to Businessess & Residents
- Mailed by N. Snead on 10-14-16*

EXHIBIT H

Business of Current Resident
143 SW 4TH ST
MADRAS, OR 97741

Business of Current Resident
171 SW 4TH ST
MADRAS, OR 97741

Business of Current Resident
212 SW 4TH ST
MADRAS, OR 97741

Business of Current Resident
66 SW 4TH ST
MADRAS, OR 97741

Business of Current Resident
130 SW 5TH ST
MADRAS, OR 97741

Business of Current Resident
59 SW 3RD ST
MADRAS, OR 97741

Business of Current Resident
162 SW 5TH ST
MADRAS, OR 97741

Business of Current Resident
184 SW 3RD ST
MADRAS, OR 97741

Business of Current Resident
85 SW 3RD ST
MADRAS, OR 97741

Business of Current Resident
171 SW C ST
MADRAS, OR 97741

Business of Current Resident
118 SW 5TH ST
MADRAS, OR 97741

Business of Current Resident
154 SW 5TH ST
MADRAS, OR 97741

Business of Current Resident
141 SW 3RD ST
MADRAS, OR 97741

Business of Current Resident
44 S 5TH ST
MADRAS, OR 97741

EXHIBIT H

Business of Current Resident

**184 SW C ST
MADRAS, OR 97741**

Business of Current Resident

**58 SW 4TH ST
MADRAS, OR 97741**

Business of Current Resident

**128 SW 3RD ST
MADRAS, OR 97741**

Business of Current Resident

**178 SW 4TH ST
MADRAS, OR 97741**

Business of Current Resident

**127 SW 4TH ST.
MADRAS, OR 97741**

Business of Current Resident

**125 SW C ST
MADRAS, OR 97741**

Business of Current Resident

**84 SW 4TH ST
MADRAS, OR 97741**

Business of Current Resident

**114 SW 3RD ST
MADRAS, OR 97741**

Business of Current Resident

**41 SW D ST
MADRAS, OR 97741**

Business of Current Resident

**196 SW 5TH ST
MADRAS, OR 97741**

Business of Current Resident

**125 SW D ST
MADRAS, OR 97741**

Business of Current Resident

**115 SW D ST
MADRAS, OR 97741**

Business of Current Resident

**46 SW D ST
MADRAS, OR 97741**

Business of Current Resident

**108 SW D ST
MADRAS, OR 97741**

EXHIBIT H

Business of Current Resident
42 SW C ST
MADRAS, OR 97741

Business of Current Resident
72 SW 4TH ST
MADRAS, OR 97741

Business of Current Resident
156 SW 3RD ST
MADRAS, OR 97741

WARNING

NUISANCE CONDITIONS EXIST AT THIS BUILDING. THIS BUILDING IS POTENTIALLY A DERELICT BUILDING. THEREFORE, THIS BUILDING IS NOT SAFE TO OCCUPY.

Be advised that this building is in violation of City of Madras Nuisance and Abatement Ordinance No. 875 and has been determined a potentially derelict building. The Madras City Council will hold a public hearing on Tuesday, October 25, 2016, at 7:00 PM at City Hall, 125 SW "E" Street, Madras, Oregon 97741, to consider information, evidence, and testimony concerning the potentially derelict building determination.

In accordance with Ordinance No. 875, it is unlawful for anyone to remove this notice. Anyone found violating Ordinance No. 875 may be subject to fines of not less than \$500.00 per day, per violation, and civil or criminal prosecution.

Property Address: 171 "C" Street, Madras, Oregon 97741

Date Posted: October 14, 2016

Posted By:

Nicholas S. Snead

Nicholas Snead
Community Development Director
City of Madras
Community Development Department
125 SW "E" Street
541-475-2344

*Posted on each dwelling unit door on 10-14-16 by
Nicholas Snead & witnessed by Chief Tanner Stanfill*

Nicholas Snead



125 SW "E" Street,

541-475-2344

Madras, OR, 97741

PUBLIC HEARING NOTICE

Pursuant to City of Madras Ordinance No. 875 (the "Nuisance Ordinance"), the Madras City Council ("Council") will hold a public hearing at the date, time, and location listed below to consider information, evidence, and testimony concerning the potentially derelict building located at 171 "C" Street, Madras, Oregon 97741 also identified as Tax Lot 5500 on Jefferson County Assessor's Map No. 11-13-11AA (the "Property"). The city administrator has determined that the building at the Property is potentially a derelict building. The purpose of the public hearing is for Council to determine if the building at the Property is a derelict building as defined under Section 4 of the Nuisance Ordinance.

CITY COUNCIL HEARING:

DATE: Tuesday, October 25, 2015
TIME: 7:00 PM
LOCATION: City Hall, Council Chambers
125 SW "E" Street
Madras, OR 97741

If you have any questions, please contact Nicholas Snead, Community Development Director, at 541-475-2344.

*Posted on each dwelling with door on 10-14-16 by Nicholas Snead
& witnessed by chief Tanner Starfelt.*

Nicholas Snead



DO YOU NEED A SPECIAL EVENT PERMIT?

Will this event:

- Have an admission fee?
- Have more than 50 participants or spectators?
- Need water or electricity over 110 volts?
- Have canopies, tents, booths and/or stages?
- Be advertised as a public event?
- Sell alcohol or food?
- Have amplified sound for more than 2 hours?
- Have fire, propane, fireworks, etc?
- Have carnival rides or bouncy houses?
- Have a run, walk or biking portion associated with it?
- Require blocked streets and flaggers?
- Need to rent equipment from the City of Madras?

IF YOU ANSWERED YES TO ANY OF THE QUESTIONS ABOVE PLEASE PROCEED TO THE SPECIAL EVENTS PERMIT APPLICATION.

**Please note that all Event Applications must be received at least 14 days in advance before event.*

FEE SCHEDULE:

Events involving public right a ways (i.e. streets, trails, bike paths):

- **Non Profit and Private Events:** No charge for non-profit community events that are sponsored by legally established non-profit organizations or by a group of individuals that is sponsoring the event for community benefit and without profit making intent.
- **For Profit Events:** Private “for profit” organizations will be assessed a \$50 charge for a one day event, unless otherwise clarified by the City for larger or specialty events. Additional event days will be charged at a rate of \$25 per day. Events over 100 persons may be charged additional fees as determined appropriate by the City Administrator.

Events involving city parks:

- **Non Profit and Private Party Events:** There is no fee for reserving city parks for non- profit community or private events. It is the responsibility of the permittee to secure the permitted location the day of your event. The City does not rope off or sign reserved areas. Community events that benefit the residents of Madras will take precedence over private party applications.
- **For Profit Events:** The City of Madras reserves the right to charge “For Profit” entities a fee for utilizing city parks for money making events. Private “for profit” organizations will be assessed a \$50 charge for a one day event, unless otherwise clarified by the City for larger or specialty events. Additional event days will be charged at a rate of \$25 per day. Events over 100 persons may be charged additional fees as determined appropriate by the City Administrator.
- **Use of city water and/or electricity over 110V needed for events:** There is a \$25 fee per event for the use of city utilities for events. Does not apply to Non-Profit Organizations.

**Note, 110V electricity is available at no fee.*



THE CITY OF MADRAS

125 SW "E" Street, Madras, Oregon 97741
Phone: 541-475-2344 • Fax: 541-475-7061
Email: mhansen@ci.madras.or.us

Official Use Only:

Event: _____
Date: _____
Location: _____
Date Approved: _____
Deposits Refunded: _____

SPECIAL EVENTS PERMIT

***All activities on city property that answered yes to any or all questions on Title Page are required to have an approved special events permit. In addition, all private activities which will impede public right a ways, require an approved permit. Applicants must attach all required documents to the application and pay all required fees before an application will be considered.*

Application For: Parade / Race Park Event Private Residence Other _____

Type of Event/Activity: _____ (e.g. Concert, Bicycle/Race, Birthday Party, Wedding) Name of Event/Activity: _____ (Name that will be used to advertise the event, if applicable)

Location of Event/Activity: _____ (e.g. Specific City Park, Private Residence, Airport) Date(s) of Event: _____

Person in Charge: _____ (Last, First) Phone #: _____ Email Address: _____ (Email is recommended for primary contact)

Event Hours: From _____ to _____ Expected Participants: _____ Spectators: _____ Non Profit (circle one): Yes or No

Event Set up Date & Start Time: _____ Event Clean Up Date & End Time: _____

Applicant Address: _____ (Number, Street, City, State, Zip Code) Sponsoring Organization: _____

INSURANCE REQUIREMENTS:

If applicant needs assistance acquiring event insurance, The Event Helper is available through www.theeventhelper.com. Please request a form if you are interested in acquiring event insurance through this program.

- A. The Permittee agrees to indemnify, save harmless, and defend the City of Madras and their officers, agents, and employees from any and all claims, causes of actions and suits accruing or resulting from any damage, injury, or loss to any person or persons including, but not limited to, persons to whom the Permittee may be liable under any Workers' Compensation law and the Permittee himself and from any loss, damage, cause of action, claims or suits for damages, including, but not limited to, loss of property, goods, wares, or merchandise caused by, arising out of, or in any way connected with the exercise by the Permittee of the privileges granted herein.
 - B. Events on City Property, including public Right of Ways (i.e. streets, highways, bike paths, trail systems): Permittee shall provide proof of liability insurance with the City of Madras and its officers, agents and employees named as additionally insured in the amount of at least **2,000,000** per occurrence for any event authorized by this permit on city property.
 - C. Events involving liquor: Permittee shall provide proof of Liquor Liability insurance in the amount of at least **\$1,000,000** per occurrence with the City of Madras and its officers, agents, and employees named as additional insured in addition to required **\$2,000,000** liability insurance.
 - D. Events on Private Property: Permittee shall provide proof of liability insurance with the City of Madras as the additionally insured in the amount of at least **\$2,000,000** per occurrence for any event authorized by this permit.
- Permittee hereby acknowledges that they have read and understand these insurance requirements. Permittee acknowledges that Permittee shall be responsible for all damages occasioned by its use of the premises.

ACKNOWLEDGEMENT: Permittee acknowledges that this permit application is not approved until an "approved" permit has been issued to the applicant. The City assumes no responsibility for any advertising for events before an "approved" permit has been issued. It is recommended that applicants submit requests at least 45 days in advance for first time events and 30 days for repeat events. Applicant agrees to abide by the terms and conditions specified by this application and permit once approved. I/We understand that failure to comply with the terms and conditions shall result in the revocation of this permit.

It is the responsibility of the permittee to maintain the site in an orderly and clean manner during the event. It is further responsibility of the permittee to clean up the entire areas immediately following the event. Permittee is responsible and liable for any damages that occur to City of Madras structures or grounds from the permitted activity. Any damages noticed prior to use should be reported to the City of Madras, Parks and Open Spaces Supervisor at 541-475-2622 ext. 2.

Signature of Applicant

Date

NOTICE: Oregon law (ORS 105.682, et seq.) provides the owner of land is not liable in contract or tort for injuries, death or property damage that arises out of use of the land for recreational purposes (known as "recreational use immunity"). That immunity from liability does not apply if the owner makes a charge for permission to use the land. This fee is only for use of the Event Location and for the Event Activity specified above. Other uses of the Event Location, or any use of the property outside the Event Location are not subject to a charge and, therefore, the City of Madras is not liable for injuries, death, or property damage arising out of such uses of the property for which no specific charge has been made.

PERMIT REQUIREMENTS CHECKLIST FOR APPLICANT:

Parade/Race Route Map	[] Yes/Attached	[] No	Traffic Control Plan	[] Yes/Attached	[] No
Flagger Certifications	[] Yes/Attached	[] No	Event Insurance	[] Yes/Attached	[] No
Scaled Site Plan-Parks	[] Yes/Attached	[] No	Temp. Food Permit	[] Yes/Attached	[] No
Liquor License or TSL	[] Yes/Attached	[] No	Security Plan	[] Yes/Attached	[] No
Parking Plan Map	[] Yes/Attached	[] No	Fire Safety Plan	[] Yes/Attached	[] No

RIGHT OF WAYS:

Does the event affect public right of ways (i.e. streets, trails, bike paths) Yes or No *(If yes, attach a traffic control map)*

List all streets, trails, and bike paths to be used: _____

(If traffic control devices are required for your event (such as cones), and applicant desires to rent equipment from the City, then applicant must complete Equipment Rental Request form. A \$200.00 refundable deposit is required for equipment rentals and will be collected at time of application)

PUBLIC EVENTS INVOLVING FOOD DISTRIBUTION

Will food be served at the event? Yes or No

Name (s) of food vendors who will be participating in the event: _____

Attach food handler's permit(s) or temporary food handler's permit(s) for each vendor. For temporary food handlers a separate form will need to be filled out and submitted with this application. Questions regarding food handler permits and requirements can be directed to the Jefferson County Health Department at 541-475-4456.

Will you be providing additional restroom/hand washing facilities on site: Yes or No How many: _____

Date/time facilities will be delivered _____ Date/time removed: _____

PUBLIC EVENTS INVOLVING SERVICE OF ALCOHOL

Will alcohol be served at the event? Yes or No

Hours Served: From _____ to _____

Name(s) of Licensed Servers: _____

***Attach a copy of the applicable liquor licenses. Applicant is responsible for obtaining all required OLCC permits. Contact OLCC at 1-800-452-6522.*

Please describe your security plan for the event: _____

***OLCC requires food to be served when alcohol is present. See OLCC for requirements.*

REQUEST TO USE CITY WATER AND ELECTRICITY UTILITIES FOR EVENTS

Are you requesting the use of City water for your event? Yes or No

Are you requesting the use of City electricity for your event? Yes or No

If yes, what type of electricity is required for your event? 110V and/or 240V

Please list the time and date when the services need to be turned on _____

Please list the time and date when the services need to be turned off _____

***There is a \$25 utility fee for the request of services. This fee will be collected at the time of application. DOES NOT APPLY TO NON-PROFIT*

PORTABLE TOILETS

To comply with health standards one restroom for each gender is required for every 200 people attending the event. Where public restrooms are not adequate, the applicant shall provide additional portable toilets. Toilets must be placed in a location approved by the Parks Supervisor and be removed within 48 hours of the event. Depending on location, immediate removal after event may be required. One male and one female restroom are available in Sahalee Park and Bean Park.

VEHICLE ACCESS

Upon approval vehicle access is permitted on a case-by case basis for the purpose of loading and unloading only. Vehicles must be removed from the park before the event begins. The City may allow vehicles to park on the grass during some events such as a pre-approved car show.

OFFICIAL USE ONLY

APPROVALS NEEDED	DEPARTMENT	RECCOMENDATION/NOTES	SIGNATURE/DATE
	POLICE DEPARTMENT		
	COMMUNITY DEVELOPMENT		
	FIRE DEPARTMENT		
	HEALTH DEPARTMENT		
	PUBLIC WORKS-STREETS		
	PUBLIC WORKS-PARKS		
	ODOT		
	FINANCE- INSURANCE & FEES		

PERMIT FEES: _____ UTILITIES FEES: (\$25) _____ RECEIPT # _____

		FINAL APPROVAL
DATE PERMIT RECEIVED:		
Received By: _____		_____ CITY ADMINISTRATOR
DATE PERMIT TO APPLICANT:		_____ DATE

THIS COMPLETED AND APPROVED APPLICATION SERVES AS THE OFFICIAL SPECIAL EVENTS PERMIT.

Additional Notes:

CITY OF MADRAS TRAFFIC CONTROL EQUIPMENT RENTAL REQUEST FORM

Forms must be filed:

At least 48 hour in advance of the date requested. NO EXCEPTIONS.

By the individual

Return to the City Hall at 125 SW E Street

Applicant Information

Organization/ Department _____
 Applicant _____
 Contact _____ Phone # _____
 Email: _____ Cell # _____
 Address _____
 City/State/Zip _____

Pick-Up and Return to City of Madras Public Works Department, 216 NW B Street

Date of Pick-Up _____ Time of Pick-Up _____
 Date of Return _____ Misc. Info _____

Equipment Requested	QTY	QTY REC.	QTY RETURN
28" Cones	_____	_____	_____
Type II Barricades	_____	_____	_____
Type III Barricades	_____	_____	_____
48 x 48 Soft Sign & Stand	_____	_____	_____
Barrels	_____	_____	_____

For Office Use Only

Receipt: _____ Total Deposit Paid: _____ Date: _____
 Cash: _____ Check: _____ Credit Card: _____

For Public Works Use Only

Returned Employee: _____ Date Returned: _____
 Approved/ Good Condition: _____ Denied/Damaged: _____

Public Works Manger Approval: _____ **Date:** _____

A security deposit in the amount of \$200.00 is required for each order of traffic control devices, refundable if returned in good condition. If items are lost or damaged, and exceed the collected security deposit, applicant is responsible to reimburse the City for actual cost of damages or loss.

I have read and understand the above statement and will abide by the rules outlined herein.

Signature _____ Date _____

CITY OF MADRAS
Request for Council Action

Date Submitted: October 19, 2016
Agenda Date Requested: October 25, 2016
To: Mayor and City Council
From: Gus Burrell, City Administrator
Subject: **Quarterly Update - Annual Strategic Plan for Fiscal Year 2016-17.**

TYPE OF ACTION REQUESTED: Formal Motion/Action for Plan Adoption

STAFF ANALYSIS AND DESCRIPTION:

The attached annual strategic plan of performance objectives (see attached spreadsheet summary) was adopted by the City Council on April 26, 2016. There are a few added items that are highlighted in red that have been the focus so far in the current fiscal year. Staff has prepared narrative updates to the status of each plan objective.

The documents have been provided to give a snapshot of current progress on the plan. If the Council has any questions as to progress, please let staff know and we will respond or gather additional information and report back to the City Council as may be necessary.

SUMMARY:

- A. **Fiscal Impact:** To be determined.
- B. **Recognition of Collateral Material and Technical Report:** See attached written plan.

RECOMMENDATION: Formal Action Motion – The City Council hereby adopts the attached FY 2016-17 *Annual Strategic Implementation Plan* as drafted (or with amendments as applicable).

City of Madras

2016-17 Annual Strategic Implementation Plan *At-a-Glance*

Updated: 10/19/2016

Color Key: **Red**/Past Due **Green**/On Track **Blue**/Completed

JH - Jeff Hurd, SP - Sara Puddy, NS - Nick Sneed, KH - Kristal Hughes, TS - Tanner Stanfill, KC - Karen Coleman, GB - Gus Burri

City Goals	Department Objectives	Responsible Person(s)	Target Dates for Objective Completion													
			July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June		
GOAL 1 Strategic economic development	1.1 Develop & implement airport noise regulatory protections in the City and County ordinances	NS	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
	1.2 Airport Development - Review needs, costs, & funding sources for new hangar building space & develop a readiness plan	GB	Blue	Green												
	1.3 Negotiate Intergovernmental Agreement with the Warm Springs Indian Head Casino & Resort Enterprises for the Travel Center Development	GB, JH	Yellow	Green												
	2.1 Research and strategize revisions to Water and Wastewater Ordinances	KH	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
GOAL 2 Financial sustainability and responsible use of city resources	2.2 Review and consider implementation of Transportation Funding Task Force Recommendations	GB, JH	Yellow	Green												
	2.3 Secure Woodworth Farm Water Rights	JH	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
	2.4 Transition to a biennial budget process for City and MRC	GB, KH, NS	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
	2.5 Clean audit opinion	KH	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
	2.6 Finance accounting software upgrade - Caselle Connect	KH	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
	2.7 Information technology upgrades	GB, NS, KH, JH, TS, SP	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
	2.8 Research and identify the City's records preservation and retention plan and provide a summary report to council	GB, SP, KC	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
GOAL 3 A safe, healthy and environmentally responsible community	3.1 Resource Sidewalk Grant Program Ph. 2	JH	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
	3.2 Implement recreational marijuana zoning and time, place and manner regulation	NS	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
	3.3 Update the City's ADA Transition Plan	JH	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
GOAL 4 Effective relationships with local, state, and federal partners	3.4 Abate Nuisance (Trash) at 283 H Street	NS	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
	4.1 Police Chief inter-agency relation focus	TS	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green

Re-assess the situation after elections time period



ANNUAL STRATEGIC PLAN – OBJECTIVE EXECUTIVE SUMMARY

Date: February 1, 2016

Objective Title: # 1.1 Develop & Implement Airport Noise Regulatory Protections in the City & County Ordinance

City Department: Community Development

Potential Budget/Funding Source(s): Community Development (\$4,250) and Airport Operations (\$4,250)

Project Description:

Develop and implement regulations that will protect the Airport from complaints about noise emanating from aircraft using Madras Airport to ensure the Airport will be able to continue to be used as planned in the future.

Related Council Goal(s):

- | | |
|---|---|
| <input checked="" type="checkbox"/> No. 1 Strategic Economic Development | <input type="checkbox"/> No. 5 Employee Development and a Supportive Work |
| <input type="checkbox"/> No. 2 Financial Sustainability and Responsible Use of City Resources Environment | <input type="checkbox"/> No. 6 Responsive and Effective Leadership |
| <input type="checkbox"/> No. 3 A Safe, Healthy and Environmentally Responsible Community | <input type="checkbox"/> No. 7 An Infrastructure that Prepares for Tomorrow |
| <input type="checkbox"/> No. 4 Effective Relationship with Local, State, and Federal Partners | <input type="checkbox"/> No. 8 Customer Satisfaction |

Director's Role/Deliverables:

Hire consultant to prepare regulations, conduct public engagement (property owners, stakeholders, appointed & elected officials), facilitate public meetings and/or hearings for the adoption of the regulations.

Relevant Partners:

Anticipated start date: 03 / 01 / 2016

Anticipated completion date: 12 / 31 / 2016

Status Update:

1st Quarter Report: First draft of regulations prepared by CenturyWest. Additional revisions needed. Public outreach efforts are on hold until issues are resolved. It is anticipated that public outreach and hearings will be conducted during the 3rd and 4th quarters of FY 2016-17.



ANNUAL STRATEGIC PLAN – OBJECTIVE EXECUTIVE SUMMARY

Date: April 26, 2016

Objective Title: #1.2 Airport Development - Additional Hangar Space Readiness Plan

City Department: City Administrator with support from Finance, Public Works, and Airport Manager

Potential Budget/Funding Source(s): TBD - Airport Operations Fund & Central Services

Project Description:

Ordinance #505 (Wastewater) was adopted in October 1991, and Ordinance 484 (Water) was adopted in March 1991. There have been a lot of changes over the last 25 years, and it is time to update the ordinance to align with current industry standards and best practices.

Related Council Goal(s):

- | | |
|---|--|
| <input checked="" type="checkbox"/> No. 1 Strategic Economic Development | <input type="checkbox"/> No. 5 Employee Development and a Supportive Work |
| <input type="checkbox"/> No. 2 Financial Sustainability and Responsible Use of City Resources Environment | <input type="checkbox"/> No. 6 Responsive and Effective Leadership |
| <input type="checkbox"/> No. 3 A Safe, Healthy and Environmentally Responsible Community | <input checked="" type="checkbox"/> No. 7 An Infrastructure that Prepares for Tomorrow |
| <input type="checkbox"/> No. 4 Effective Relationship with Local, State, and Federal Partners | <input type="checkbox"/> No. 8 Customer Satisfaction |

Director's Role/Deliverables:

City Administrator will lead on this effort. Deliverables - A) investigation findings for cost of hangar space, B) financing options, C) timelines to permit, design & construct, D) layout plan of development locations.

Relevant Partners:

Business Oregon, Connect Oregon Program, Infrastructure Finance Authority, Central Oregon builders

Anticipated start date: 06 / 27 / 2016

Anticipated completion date: 07 / 07 / 2016

Status Update:

This project has been completed through a formal response to a request for proposal for a new airport tenant that was sent out in July 2016. Coordinated with a central Oregon architect and builder to establish a cost range for a new hangar facility. Evaluated site preparation costs with the Public Works Director from the City's prior improvements to Berg Drive, to the City owned Aero Air facility, and to the taxiway apron improvements for the new air museum. Worked with the Finance Director and Business Oregon to establish a financing package for a new facility. Evaluated current site availability with the Airport Manager and the City's adopted Airport Master Plan to identify areas most feasible for new hangar development.



ANNUAL STRATEGIC PLAN – OBJECTIVE EXECUTIVE SUMMARY

Date: May 1, 2016

Objective Title: #1.3 Negotiate Intergovernmental Agreement with Warm Springs for the Travel Center

City Department: Central Services & Public Works

Potential Budget/Funding Source(s): Police Department, Transportation Operations, & Wastewater Ops Funds

Project Description:

The Warm Springs Casino & Resort Enterprises is constructing a Truck Stop and Casino (35 gaming positions) at the Madras Industrial Park off of Cherry Lane near Hwy. 26. The City has rail spur property proposed to be transferred to Warm Springs within the agreement. City is seeking to have impacts for Public Safety, Transportation, and Sewer mitigated in a similar fashion as to any other developer.

Related Council Goal(s):

- | | |
|--|--|
| <input type="checkbox"/> No. 1 Strategic Economic Development | <input type="checkbox"/> No. 5 Employee Development and a Supportive Work |
| <input checked="" type="checkbox"/> No. 2 Financial Sustainability and Responsible Use of City Resources Environment | <input type="checkbox"/> No. 6 Responsive and Effective Leadership |
| <input type="checkbox"/> No. 3 A Safe, Healthy and Environmentally Responsible Community | <input checked="" type="checkbox"/> No. 7 An Infrastructure that Prepares for Tomorrow |
| <input checked="" type="checkbox"/> No. 4 Effective Relationship with Local, State, and Federal Partners | <input type="checkbox"/> No. 8 Customer Satisfaction |

Director's Role/Deliverables:

Lead negotiation efforts with support from the Public Works Director and City Attorney. Deliverables: 1) A signed IGA between the City, Warm Springs Tribes and the Warm Springs Casino & Resort Enterprises.

Relevant Partners:

Confederated Tribes of Warm Springs, Warm Springs Casino & Resort Enterprises, ODOT

Anticipated start date: 11 / 01 / 2015

Anticipated completion date: 12 / 01 / 2016

Status Update:

The City has held a number of in person meetings with WSCRE management team to reach agreement on the terms of the IGA. City Council held a work session to review the latest draft of terms on October 11, 2016. Council has agreed to the latest terms subject to the City Administrator and City Attorney finishing any final items with WSCRE over the coming weeks. It is anticipated this agreement will be executed by November 2016.



ANNUAL STRATEGIC PLAN – OBJECTIVE EXECUTIVE SUMMARY

Date: 10/18/2016

Objective Title: #2.1 Research and strategize revisions to Water and Wastewater Ordinances

City Department: Finance and Public Works

Potential Budget/Funding Source(s): \$4,000 legal fees, \$250 Focus Group costs, ISF- Central Services Fund

Project Description:

Ordinance 505. Regarding Wastewater was adopted October 22, 1991, and Ordinance 484. Regarding Water Services was adopted March 26, 1991. A lot has changed in the past 25 years and it's time to update the ordinances to become more in line with industry standards and best practices.

Related Council Goal(s):

- | | |
|--|---|
| <input type="checkbox"/> No. 1 Strategic Economic Development | <input type="checkbox"/> No. 5 Employee Development and a Supportive Work |
| <input checked="" type="checkbox"/> No. 2 Financial Sustainability and Responsible Use of City Resources Environment | <input type="checkbox"/> No. 6 Responsive and Effective Leadership |
| <input type="checkbox"/> No. 3 A Safe, Healthy and Environmentally Responsible Community | <input type="checkbox"/> No. 7 An Infrastructure that Prepares for Tomorrow |
| <input type="checkbox"/> No. 4 Effective Relationship with Local, State, and Federal Partners | <input type="checkbox"/> No. 8 Customer Satisfaction |

Director's Role/Deliverables:

Finance Director will lead the efforts in planning and coordinating focus groups to get community involvement in the proposed ordinance updates.

Relevant Partners:

Public Works staff, City Council, Local Property Management Firms, Tenant and Owner focus groups

Anticipated start date: 8 / 1 / 2016

Anticipated completion date: 3 / 1 / 2017

Status Update:

The Water and Wastewater Ordinance is scheduled for review after the first of the year. The administrative team is currently focused on other projects that will take precedence over the next few months including Accounting Analyst Recruitment efforts, Biennial Budgeting and Solar Eclipse planning.



ANNUAL STRATEGIC PLAN – OBJECTIVE EXECUTIVE SUMMARY

Date: February 3, 2016

Objective Title: #2.2 Review & consider implementation of Transportation Task Force Recommendations

City Department: City Administrator & Public Works Director

Potential Budget/Funding Source(s): For support services, ISF PW Staff and Central Service Funds

Project Description:

In December 2014, the City contracted with FCS Group to evaluate funding needs and new options for cost recovery related to the City's transportation system needs. The Citizen Advisory Committee provided an avenue to affect the design of City policies for increasing transportation funding with a formal report and recommendation made to stop deterioration of paved roads and to start paving gravel roads.

Related Council Goal(s):

- | | |
|--|--|
| <input checked="" type="checkbox"/> No. 1 Strategic Economic Development | <input type="checkbox"/> No. 5 Employee Development and a Supportive Work |
| <input checked="" type="checkbox"/> No. 2 Financial Sustainability and Responsible Use of City Resources Environment | <input type="checkbox"/> No. 6 Responsive and Effective Leadership |
| <input checked="" type="checkbox"/> No. 3 A Safe, Healthy and Environmentally Responsible Community | <input checked="" type="checkbox"/> No. 7 An Infrastructure that Prepares for Tomorrow |
| <input type="checkbox"/> No. 4 Effective Relationship with Local, State, and Federal Partners | <input checked="" type="checkbox"/> No. 8 Customer Satisfaction |

Director's Role/Deliverables:

Assist the City Council in creating an action plan for solving the significant transportation funding shortfall (\$600,000 additional annual revenues needed to stop deterioration; \$750k to start paving gravel roads).

Relevant Partners:

Anticipated start date: 01 / 02 / 17

Anticipated completion date: 06 / 30 / 17

Status Update:

1st Quarter update: 1) August 18, 2016 - City Administrator provided testimony to the State Transportation Legislative Committee on Madras' need for more transportation funding from the State, 2) August 23, 2016 City Council approved Resolution #23-2016 supporting the State Legislature to pass a 2017 Transportation Funding package increase, 3) Attended LOC Annual Conference in Salem in Sept. 2016; heard from local and state officials on status of potential State transportation funding package; testimony from conference was a consensus that the State package is tied to the outcome of measure 97 (gross tax of 2.5% on companies of sales in excess of \$25 million - will result in a tax on fuel sales which are constitutionally required to be used for transportation funding), and 4) Timing with seeking community support is important to first allow the marijuana related issues to be decided by the community in the November elections.



ANNUAL STRATEGIC PLAN – OBJECTIVE EXECUTIVE SUMMARY

Date: 1-30-16

Objective Title: # 2.3 Secure Woodworth Farm Water Rights

City Department: Public Works

Potential Budget/Funding Source(s): Estimate \$9,000 to secure rights. Wastewater Operations Fund

Project Description:

North Unit Irrigation District which operates under Bureau of Reclamation suggests that property owners buy out the federal water rights which allow for less reporting and more flexibility in transferring rights back and forth. The City has done this with all of it's previous rights.

Related Council Goal(s):

- | | |
|--|---|
| <input type="checkbox"/> No. 1 Strategic Economic Development | <input type="checkbox"/> No. 5 Employee Development and a Supportive Work |
| <input checked="" type="checkbox"/> No. 2 Financial Sustainability and Responsible Use of City Resources Environment | <input type="checkbox"/> No. 6 Responsive and Effective Leadership |
| <input type="checkbox"/> No. 3 A Safe, Healthy and Environmentally Responsible Community | <input type="checkbox"/> No. 7 An Infrastructure that Prepares for Tomorrow |
| <input type="checkbox"/> No. 4 Effective Relationship with Local, State, and Federal Partners | <input type="checkbox"/> No. 8 Customer Satisfaction |

Director's Role/Deliverables:

Purchase rights by the end of September 2016

Relevant Partners:

North Unit Irrigation District

Anticipated start date: 7/01/16

Anticipated completion date: 9/30/16

Status Update:

October 2016 Update: As of 9/26/2016 the rights were paid for. The amount was \$5,337.45. Waiting on paperwork from NUID and Bureau of Reclamation.



ANNUAL STRATEGIC PLAN – OBJECTIVE EXECUTIVE SUMMARY

Date: 10/18/16

Objective Title: # 2.4 Transition to a Biennial Budget Process for City and MRC

City Department: Finance

Potential Budget/Funding Source(s): \$500 Public Notice Fees, ISF- Central Services Fund

Project Description:

The City has identified the need to transition to the Biennial Budget cycle. To correspond to the State of Oregon's biennial budget cycle, the transition needs to be made in the 2017-2019 Biennium.

Related Council Goal(s):

- | | |
|--|---|
| <input type="checkbox"/> No. 1 Strategic Economic Development | <input type="checkbox"/> No. 5 Employee Development and a Supportive Work |
| <input checked="" type="checkbox"/> No. 2 Financial Sustainability and Responsible Use of City Resources Environment | <input type="checkbox"/> No. 6 Responsive and Effective Leadership |
| <input type="checkbox"/> No. 3 A Safe, Healthy and Environmentally Responsible Community | <input type="checkbox"/> No. 7 An Infrastructure that Prepares for Tomorrow |
| <input type="checkbox"/> No. 4 Effective Relationship with Local, State, and Federal Partners | <input type="checkbox"/> No. 8 Customer Satisfaction |

Director's Role/Deliverables:

Finance Director will lead the efforts in planning and coordinating the new biennial budget process.

Relevant Partners:

All City departments, City Council, and Department of Revenue Budget division

Anticipated start date: 11/1/2016

Anticipated completion date: 6/30/2017

Status Update:

The Finance Director has conducted research over the past couple of months regarding the Biennial Budget Cycle. Based on that research, the City is prepared to begin budgeting for the 2017-2019 Biennium. Over the next few months, the Finance Director will begin building the templates for the budget that will span the next two years. It is the Finance Director's recommendation that the budget format be modified in order to assist the team, Budget Committee and City Councilors in the use and understanding of the Budget Document during the transition from annual to biennial budgeting.



ANNUAL STRATEGIC PLAN – OBJECTIVE EXECUTIVE SUMMARY

Date: 10/18/2016

Objective Title: # 2.5 Clean Audit Opinion

City Department: Finance

Potential Budget/Funding Source(s): \$34,000 Audit Fees, ISF- Central Services Fund

Project Description:

Annual goal is to always strive for a clean audit opinion. This is a team effort amongst City departments to accomplish, however finance will lead the efforts and potentially implement revised policies and procedures if there are changes that need made to ensure we are protecting City assets.

Related Council Goal(s):

- | | |
|--|---|
| <input type="checkbox"/> No. 1 Strategic Economic Development | <input type="checkbox"/> No. 5 Employee Development and a Supportive Work |
| <input checked="" type="checkbox"/> No. 2 Financial Sustainability and Responsible Use of City Resources Environment | <input type="checkbox"/> No. 6 Responsive and Effective Leadership |
| <input type="checkbox"/> No. 3 A Safe, Healthy and Environmentally Responsible Community | <input type="checkbox"/> No. 7 An Infrastructure that Prepares for Tomorrow |
| <input type="checkbox"/> No. 4 Effective Relationship with Local, State, and Federal Partners | <input type="checkbox"/> No. 8 Customer Satisfaction |

Director's Role/Deliverables:

Finance Director will lead the efforts in planning and coordinating of audit files and fieldwork.

Relevant Partners:

All City departments, including airport.

Anticipated start date: 7/1/2016

Anticipated completion date: 12/13/2016

Status Update:

The Fiscal Year 2015-2016 Audit field work was completed the week of October 3-7, 2016. Additionally, Finance staff will continue to work with the auditors to ensure completion of the year-end Financial Statements and schedules. Turn-over in the Accounting Department created some challenges and the department is continuing to respond to the auditors requests. Collaboration among all departments provided much needed history and understanding to the audit process. The audit will be completed by December 2016.



ANNUAL STRATEGIC PLAN – OBJECTIVE EXECUTIVE SUMMARY

Date: 10/18/16

Objective Title: # 2.6 Finance Accounting Software Upgrade - Caselle Connect

City Department: Finance

Potential Budget/Funding Source(s): \$7,500 IT Costs- programmed, ISF- Central Services Fund

Project Description:

Caselle is mandating an upgrade to Caselle "Connect" to cover support of their accounting software. We are currently using Caselle "Clarity" and after 7/1/2016 the clarity version will no longer be supported. We are required to update to ensure software assurance is maintained.

Related Council Goal(s):

- | | |
|--|---|
| <input type="checkbox"/> No. 1 Strategic Economic Development | <input type="checkbox"/> No. 5 Employee Development and a Supportive Work |
| <input checked="" type="checkbox"/> No. 2 Financial Sustainability and Responsible Use of City Resources Environment | <input type="checkbox"/> No. 6 Responsive and Effective Leadership |
| <input type="checkbox"/> No. 3 A Safe, Healthy and Environmentally Responsible Community | <input type="checkbox"/> No. 7 An Infrastructure that Prepares for Tomorrow |
| <input type="checkbox"/> No. 4 Effective Relationship with Local, State, and Federal Partners | <input type="checkbox"/> No. 8 Customer Satisfaction |

Director's Role/Deliverables:

Finance Director will lead the efforts in planning and coordinating the new accounting software upgrade.

Relevant Partners:

All Finance staff (potentially Jefferson County as well due to their upgrade in FY15-16)

Anticipated start date: 7/1/2016

Anticipated completion date: 10/30/2016

Status Update:

The upgrade is substantially complete. The Property Improvements module is from the Caselle Classic Version. The new "Connect" module will allow Property Improvements to be included in the updated accounting software and be part of the internal reporting mechanism. The data transfer should be complete within the next month.



ANNUAL STRATEGIC PLAN – OBJECTIVE EXECUTIVE SUMMARY

Date: February 1, 2016

Objective Title: # 2.7 Major Information Technology (IT) Upgrades

City Department: Administration, Community Development, Police, Public Works

Potential Budget/Funding Source(s): Administration, Community Development, Police, Public Works (\$32,708)

Project Description:

The City's server needs to be replaced as identified by the City's IT contractor, Covenant Technology Solutions at a cost of \$24,000. Additionally, the City's IT contractor is recommending that most of the City's computers be upgraded to Microsoft Office 2013 (\$5,592).

Related Council Goal(s):

- | | |
|--|---|
| <input type="checkbox"/> No. 1 Strategic Economic Development | <input type="checkbox"/> No. 5 Employee Development and a Supportive Work |
| <input checked="" type="checkbox"/> No. 2 Financial Sustainability and Responsible Use of City Resources Environment | <input type="checkbox"/> No. 6 Responsive and Effective Leadership |
| <input type="checkbox"/> No. 3 A Safe, Healthy and Environmentally Responsible Community | <input type="checkbox"/> No. 7 An Infrastructure that Prepares for Tomorrow |
| <input type="checkbox"/> No. 4 Effective Relationship with Local, State, and Federal Partners | <input type="checkbox"/> No. 8 Customer Satisfaction |

Director's Role/Deliverables:

Facilitate the timely purchase and installation of a new server and Microsoft Office 2013 licenses by the City's Information Technology contractor, Covenant Technology Solutions.

Relevant Partners:

City Administrator, Department Directors, Covenant Technology Solutions.

Anticipated start date: 07 / 01 / 2016

Anticipated completion date: 06 / 30 / 2017

Status Update:

1st Quarter: The City's IT Contractor has been authorized to move forward to purchase and install the replacement server. Installation will occur before 12/31/16. The purchasing and installation of the upgraded computers will be scheduled by each department's director, supervisor, and staff as appropriate.



ANNUAL STRATEGIC PLAN – OBJECTIVE EXECUTIVE SUMMARY

Date: 1-30-16

Objective Title: #3.1 Resource Sidewalk Grant Program Phase II

City Department: Public Works

Potential Budget/Funding Source(s): Transportation Operations Fund and Madras Redevelopment Comm.

Project Description:

To construct a second round of sidewalk replacement in the downtown when damaged by a street tree.

Related Council Goal(s):

- | | |
|---|---|
| <input type="checkbox"/> No. 1 Strategic Economic Development | <input type="checkbox"/> No. 5 Employee Development and a Supportive Work |
| <input type="checkbox"/> No. 2 Financial Sustainability and Responsible Use of City Resources Environment | <input type="checkbox"/> No. 6 Responsive and Effective Leadership |
| <input checked="" type="checkbox"/> No. 3 A Safe, Healthy and Environmentally Responsible Community | <input type="checkbox"/> No. 7 An Infrastructure that Prepares for Tomorrow |
| <input type="checkbox"/> No. 4 Effective Relationship with Local, State, and Federal Partners | <input type="checkbox"/> No. 8 Customer Satisfaction |

Director's Role/Deliverables:

1. Bids from Contractors in July/August.
2. Contract Award in August.
3. Project Completion in October

Relevant Partners:

Contractors

Anticipated start date: 7 / 1 / 2016

Anticipated completion date: 10 / 31 / 2016

Status Update:

October 2016 Update: City staff hired a contractor to start work in October to remove and replace lifting sidewalk panels in the down town corridor around tree wells . the contractor informed city staff on 10/9/16 that they are behind on another project and will not meet there deadline, and have asked for a extension of two weeks. city staff is working on a change order to take to council for approval. the anticipated completion date will not be met.



ANNUAL STRATEGIC PLAN – OBJECTIVE EXECUTIVE SUMMARY

Date: February 1, 2016

Objective Title: # 3.2 Implement Recreational Marijuana Zoning and Time, Place, and Manner regulations

City Department: Community Development

Potential Budget/Funding Source(s): Community Development (\$4,000)

Project Description:

Pending the outcome of November 2016 Election, implement Recreational Marijuana Zoning and Time, Place, and Manner regulations.

Related Council Goal(s):

- | | |
|---|---|
| <input type="checkbox"/> No. 1 Strategic Economic Development | <input type="checkbox"/> No. 5 Employee Development and a Supportive Work |
| <input type="checkbox"/> No. 2 Financial Sustainability and Responsible Use of City Resources Environment | <input type="checkbox"/> No. 6 Responsive and Effective Leadership |
| <input checked="" type="checkbox"/> No. 3 A Safe, Healthy and Environmentally Responsible Community | <input type="checkbox"/> No. 7 An Infrastructure that Prepares for Tomorrow |
| <input type="checkbox"/> No. 4 Effective Relationship with Local, State, and Federal Partners | <input type="checkbox"/> No. 8 Customer Satisfaction |

Director's Role/Deliverables:

Facilitate the development, review, and approval of the necessary Zoning and Time, Place, and Manner regulations for Recreational Marijuana.

Relevant Partners:

City Council, City Administrator, City Attorney, community members

Anticipated start date: 04 / 01 / 2016

Anticipated completion date: 11 / 30 / 2016

Status Update:

1st Quarter: Project complete. Council approved the related City Ordinances on 10/11/18.



ANNUAL STRATEGIC PLAN – OBJECTIVE EXECUTIVE SUMMARY

Date: April 19, 2016

Objective Title: 3.3 Update the City's Americans with Disabilities Act (ADA) Transition Plan

City Department: Public Works Department

Potential Budget/Funding Source(s): Public Works ISF Fund; seeking grant funding opportunities; cost TBD.

Project Description:

The City's ADA Transition Plan was completed in 1994. It provides information on public right-of-way improvements and whether or not current public infrastructure meets ADA compliance. This document is commonly referenced when the City applies for funding for bike and ped public improvement projects. This objective would consider feasibility for having the plan updated, depending on the cost and funding.

Related Council Goal(s):

- | | |
|---|---|
| <input type="checkbox"/> No. 1 Strategic Economic Development | <input type="checkbox"/> No. 5 Employee Development and a Supportive Work |
| <input type="checkbox"/> No. 2 Financial Sustainability and Responsible Use of City Resources Environment | <input type="checkbox"/> No. 6 Responsive and Effective Leadership |
| <input checked="" type="checkbox"/> No. 3 A Safe, Healthy and Environmentally Responsible Community | <input type="checkbox"/> No. 7 An Infrastructure that Prepares for Tomorrow |
| <input type="checkbox"/> No. 4 Effective Relationship with Local, State, and Federal Partners | <input type="checkbox"/> No. 8 Customer Satisfaction |

Director's Role/Deliverables:

Feasibility findings for plan update, associated costs and potential funding sources.

Relevant Partners:

Public works staff, possible funding partners TBD

Anticipated start date: 11 / 01 / 2016

Anticipated completion date: 06 / 30 / 2017

Status Update:

October 2016 Update: The public works department has advertised for consultant services to update the plan. Proposals are due back October 25, 2016 with contract award to occur in November.



ANNUAL STRATEGIC PLAN – OBJECTIVE EXECUTIVE SUMMARY

Date: February 1, 2016

Objective Title: # 3.4 Abate nuisance (trash) at 283 H Street

City Department: Community Development

Potential Budget/Funding Source(s): Internal Services Central Services, Community Clean Up (\$3,000)

Project Description:

Remove trash from property should property owner be unresponsive to notices.

Related Council Goal(s):

- | | |
|--|---|
| <input type="checkbox"/> No. 1 Strategic Economic Development | <input type="checkbox"/> No. 5 Employee Development and a Supportive Work |
| <input type="checkbox"/> No. 2 Financial Sustainability and Responsible
Use of City Resources Environment | <input type="checkbox"/> No. 6 Responsive and Effective Leadership |
| <input checked="" type="checkbox"/> No. 3 A Safe, Healthy and Environmentally Responsible Community | <input type="checkbox"/> No. 7 An Infrastructure that Prepares for Tomorrow |
| <input type="checkbox"/> No. 4 Effective Relationship with Local, State, and Federal Partners | <input type="checkbox"/> No. 8 Customer Satisfaction |

Director's Role/Deliverables:

Coordinate abatement authorization with City Council, City Administrator, & City Attorney. Coordinate abatement activities.

Relevant Partners:

City Administrator and City Attorney.

Anticipated start date: 04 / 01 / 2016

Anticipated completion date: 10 / 31 / 2016

Status Update:

1st Quarter: Project complete. Lien to be filed with County Clerk after 10/22/16 by City Attorney.



ANNUAL STRATEGIC PLAN – OBJECTIVE EXECUTIVE SUMMARY

Date: 10-14-16

Objective Title: Objective #4.1 Police Chief inter-agency relation focus

City Department: Madras PD

Potential Budget/Funding Source(s): MPD personnel services

Project Description:

Monthly meeting with COLES (Central Oregon Law Enforcement Services)
Quarterly Meetings with Jefferson County Law Enforcement

Related Council Goal(s):

- | | |
|---|---|
| <input type="checkbox"/> No. 1 Strategic Economic Development | <input type="checkbox"/> No. 5 Employee Development and a Supportive Work |
| <input type="checkbox"/> No. 2 Financial Sustainability and Responsible Use of City Resources Environment | <input checked="" type="checkbox"/> No. 6 Responsive and Effective Leadership |
| <input checked="" type="checkbox"/> No. 3 A Safe, Healthy and Environmentally Responsible Community | <input type="checkbox"/> No. 7 An Infrastructure that Prepares for Tomorrow |
| <input checked="" type="checkbox"/> No. 4 Effective Relationship with Local, State, and Federal Partners | <input type="checkbox"/> No. 8 Customer Satisfaction |

Director's Role/Deliverables:

The purpose of this objective is to obtain a broader view/knowledge of police work in the Tri-County area and work in direct collaboration with other Law Enforcement Agencies in Central Oregon.

Relevant Partners:

Central Oregon Law Enforcement Agencies

Anticipated start date: 07 / 01 / 2016

Anticipated completion date: 06 / 30 / 2017

Status Update:

This strategic plan is in process and on track. In addition to participating in COLES and the Jefferson County Law Enforcement quarterly meeting, I am attending and have been voted in as Vice Chair for (LPSCC) Local Public Safety Coordinating Council.



ANNUAL STRATEGIC PLAN – OBJECTIVE EXECUTIVE SUMMARY

Date: February 1, 2016

Objective Title: #4.2 Solar Eclipse Planning and Preparing with Community Members

City Department: All Departments - Central Services, Police Dept., Public Works, Community Develop.

Potential Budget/Funding Source(s): Tourism/Economic Development Funding; Estimate TBD.

Project Description:

The Solar Eclipse will take place on Monday, August 21, 2017 in Madras at approximately 10:19am. The City is anticipating an influx of approximately 20,000 visitors to the area for the day, and an additional 20,000 visitors who will stay several nights in Jefferson County. This objective includes the first of two fiscal years impacted financially for event coordinator services and City crew response for the event.

Related Council Goal(s):

- | | |
|---|---|
| <input checked="" type="checkbox"/> No. 1 Strategic Economic Development | <input type="checkbox"/> No. 5 Employee Development and a Supportive Work |
| <input type="checkbox"/> No. 2 Financial Sustainability and Responsible Use of City Resources Environment | <input type="checkbox"/> No. 6 Responsive and Effective Leadership |
| <input checked="" type="checkbox"/> No. 3 A Safe, Healthy and Environmentally Responsible Community | <input type="checkbox"/> No. 7 An Infrastructure that Prepares for Tomorrow |
| <input checked="" type="checkbox"/> No. 4 Effective Relationship with Local, State, and Federal Partners | <input checked="" type="checkbox"/> No. 8 Customer Satisfaction |

Director's Role/Deliverables:

A) Administration of stakeholder meetings; B) communications with key partners; C) make preparations to provide upscaled public safety, traffic management, & parks service, D) direct/support plan coordinator

Relevant Partners:

Jefferson County, local non-profits and for-profits, State of Oregon responder agencies (ODOT, OEM, etc.)

Anticipated start date: 11 / 01 / 15

Anticipated completion date: 09 / 01 / 2017

Status Update:

October 2016 Update: 1) Continuing monthly stakeholder meetings and inter-agency meetings for preparation of public safety and transportation management, 2) Opening press-release to Madras Pioneer on Aug. 17, 2016, 3) Aug. 4, 2016 Town hall meeting at Library - Police Chief presented on behalf of City, 4) Sept. 21, 2016, coordinated meeting with State agencies and Governor's office in preparedness - follow-up meeting scheduled Jan. 2017., 5) Lysa Vattimo coordinating with Chamber of Commerce on website preparation and also with the Madras Pioneer for event logo development, 6) Lysa Vattimo also calling meeting together with groups interested in hosting events within the community for group coordination and preparedness planning.



ANNUAL STRATEGIC PLAN – OBJECTIVE EXECUTIVE SUMMARY

Date: 10-14-16

Objective Title: Objective # 5.1 Advanced Roadside Impaired Driving Enforcement (ARIDE)

City Department: Madras PD

Potential Budget/Funding Source(s): Materials and Services Training- Approximately \$1,000.00

Project Description:

Advanced Roadside Impaired Driving Enforcement (ARIDE) for all patrol staff. This will be enhanced training for Patrol Officers to better equip them in for drug impaired drivers

Related Council Goal(s):

- | | |
|---|--|
| <input type="checkbox"/> No. 1 Strategic Economic Development | <input checked="" type="checkbox"/> No. 5 Employee Development and a Supportive Work |
| <input type="checkbox"/> No. 2 Financial Sustainability and Responsible Use of City Resources Environment | <input type="checkbox"/> No. 6 Responsive and Effective Leadership |
| <input checked="" type="checkbox"/> No. 3 A Safe, Healthy and Environmentally Responsible Community | <input type="checkbox"/> No. 7 An Infrastructure that Prepares for Tomorrow |
| <input checked="" type="checkbox"/> No. 4 Effective Relationship with Local, State, and Federal Partners | <input type="checkbox"/> No. 8 Customer Satisfaction |

Director's Role/Deliverables:

The purpose of this strategic objective is provide staff training in ARIDE to increase a better work product in regards to DUII investigation and enforcement in the City of Madras.

Relevant Partners:

DPSST

Anticipated start date: 07/01/2016

Anticipated completion date: 06/30/2017

Status Update:

Currently, two patrol officers have been sent to the ARIDE training. This goal is on track and should be completed by the anticipated completion date.



ANNUAL STRATEGIC PLAN – OBJECTIVE EXECUTIVE SUMMARY

Date: 2-1-2016

Objective Title: # 5.2 Convert Agency Safety Data Sheets (SDS) to Electronic Format

City Department: HR Office and Public Works

Potential Budget/Funding Source(s): Project cost inclusive of existing IT service agreement

Project Description:

OSHA requires that all SDS sheets are kept at each PW facility and accessible for each employee within a five minute response time (they provide pertinent first aid information for each chemical used in the department). Technology has enabled staff to provide easier access and quicker response time to these sheets if they were made available electronically via a shared drive on the City's existing server.

Related Council Goal(s):

- | | |
|---|--|
| <input type="checkbox"/> No. 1 Strategic Economic Development | <input checked="" type="checkbox"/> No. 5 Employee Development and a Supportive Work |
| <input type="checkbox"/> No. 2 Financial Sustainability and Responsible Use of City Resources Environment | <input type="checkbox"/> No. 6 Responsive and Effective Leadership |
| <input type="checkbox"/> No. 3 A Safe, Healthy and Environmentally Responsible Community | <input type="checkbox"/> No. 7 An Infrastructure that Prepares for Tomorrow |
| <input type="checkbox"/> No. 4 Effective Relationship with Local, State, and Federal Partners | <input type="checkbox"/> No. 8 Customer Satisfaction |

Director's Role/Deliverables:

- HR will convert agency SDS sheets to electronic format
- HR will work with PW Department to educate on accessing and utilizing SDS sheets via electronic format

Relevant Partners:

Public Works Director, Parks Supervisor, Street Supervisor, Utilities Supervisor; Covenant Technology IT

Anticipated start date: 09/01/2016

Anticipated completion date: 06/01/2017

Status Update:

Due to unanticipated recruitment efforts that took place in September and October, this objective is slated to begin over November/December.



ANNUAL STRATEGIC PLAN – OBJECTIVE EXECUTIVE SUMMARY

Date: 2-1-2016

Objective Title: # 5.3 Research and Implement Electronic Recordkeeping of Agency Personnel Filing

City Department: HR Office

Potential Budget/Funding Source(s): Central Services Fund; Cost TBD

Project Description:

All agency personnel files are kept hard copy, in the HR Office. The need to organize and store these files in a more efficient manner has become a much higher priority in the last 24 months. This objective explores electronic format options, the legal requirements for electronic storage of these files, and the implementation process, if determined feasible this fiscal year.

Related Council Goal(s):

- | | |
|---|--|
| <input type="checkbox"/> No. 1 Strategic Economic Development | <input checked="" type="checkbox"/> No. 5 Employee Development and a Supportive Work |
| <input type="checkbox"/> No. 2 Financial Sustainability and Responsible Use of City Resources Environment | <input type="checkbox"/> No. 6 Responsive and Effective Leadership |
| <input type="checkbox"/> No. 3 A Safe, Healthy and Environmentally Responsible Community | <input type="checkbox"/> No. 7 An Infrastructure that Prepares for Tomorrow |
| <input type="checkbox"/> No. 4 Effective Relationship with Local, State, and Federal Partners | <input type="checkbox"/> No. 8 Customer Satisfaction |

Director's Role/Deliverables:

- HR will research various electronic format options and legal requirements for format change
- HR will produce findings to City Administrator to determine feasibility for implementation consideration

Relevant Partners:

City Administrator, Covenant Technology Solutions, City's Legal Counsel, City Recorder

Anticipated start date: 12/01/16

Anticipated completion date: 06/01/2017

Status Update:

I have already begun surveying neighboring jurisdictions to identify what other local governments are doing to electronically manage their personnel records - what works, what doesn't work, etc. I will be scheduling a meeting with the City's IT provider to begin discussing next steps for budgetary implications and file transfer efforts, and implementation time frames.



ANNUAL STRATEGIC PLAN – OBJECTIVE EXECUTIVE SUMMARY

Date: 2-1-2016

Objective Title: # 5.4 Develop an Agency Workforce Diversity and Inclusion Policy

City Department: HR Office with policy review aid from CS, PW, CDD, PD, Finance

Potential Budget/Funding Source(s): Central Services Fund; Cost TBD

Project Description:

This project will review the City's recruitment and hiring policy/practices, identify possible gaps that may be creating challenges for people of various cultural and diverse backgrounds from applying for employment. I will conduct an analysis to see what other agencies around the state are doing to close this gap and encourage workplace diversity, and create a policy that meets the needs of our agency.

Related Council Goal(s):

- | | |
|---|--|
| <input type="checkbox"/> No. 1 Strategic Economic Development | <input checked="" type="checkbox"/> No. 5 Employee Development and a Supportive Work |
| <input type="checkbox"/> No. 2 Financial Sustainability and Responsible Use of City Resources Environment | <input type="checkbox"/> No. 6 Responsive and Effective Leadership |
| <input type="checkbox"/> No. 3 A Safe, Healthy and Environmentally Responsible Community | <input type="checkbox"/> No. 7 An Infrastructure that Prepares for Tomorrow |
| <input type="checkbox"/> No. 4 Effective Relationship with Local, State, and Federal Partners | <input type="checkbox"/> No. 8 Customer Satisfaction |

Director's Role/Deliverables:

- HR to research, data collection & analysis; draft policy and finalize with City Administrator
- HR to finalize policy and present findings to City Council

Relevant Partners:

City Administrator, Let's Talk Diversity Coalition, PSU EMPA Professors/Advisors, Others TBD

Anticipated start date: 07 / 01 / 2016

Anticipated completion date: 06 / 30 / 2017

Status Update:

I have begun to brainstorm an action plan for this task and I anticipate identifying what other successful jurisdictions from around the state are doing in this realm by the end of November. I plan to have a draft action plan prepared by March 2017.



ANNUAL STRATEGIC PLAN – OBJECTIVE EXECUTIVE SUMMARY

Date: 10-14-16

Objective Title: Objective #6.1 Update/complete adoption policy and procedures manual (LEXIPOL)

City Department: Madras PD

Potential Budget/Funding Source(s): Materials and Services MPD \$1,950.00

Project Description:

Update and complete adoption of policy and procedures manual for MPD (LEXIPOL)

Related Council Goal(s):

- | | |
|---|---|
| <input type="checkbox"/> No. 1 Strategic Economic Development | <input type="checkbox"/> No. 5 Employee Development and a Supportive Work |
| <input type="checkbox"/> No. 2 Financial Sustainability and Responsible Use of City Resources Environment | <input checked="" type="checkbox"/> No. 6 Responsive and Effective Leadership |
| <input type="checkbox"/> No. 3 A Safe, Healthy and Environmentally Responsible Community | <input type="checkbox"/> No. 7 An Infrastructure that Prepares for Tomorrow |
| <input checked="" type="checkbox"/> No. 4 Effective Relationship with Local, State, and Federal Partners | <input type="checkbox"/> No. 8 Customer Satisfaction |

Director's Role/Deliverables:

My role regarding this objective is to bring Madras Police Department Policy and Procedures up to date. This will increase knowledge of current case law and best practices for Madras PD personnel.

Relevant Partners:

LEXIPOL

Anticipated start date: 07 / 01 / 2016

Anticipated completion date: 06 / 30 / 2017

Status Update:

Progress on updating Lexipol has been slow to date given other priorities, however the anticipated completion date is still 06-30-17.



ANNUAL STRATEGIC PLAN – OBJECTIVE EXECUTIVE SUMMARY

Date: February 1, 2016

Objective Title: # 7.1 Complete Transportation System Plan Update

City Department: Community Development

Potential Budget/Funding Source(s): Community Development (Personnel & Materials and Services).

Project Description:

Finalize the Transportation System Plan and assist with the required public hearings to adopt the Plan.

Related Council Goal(s):

- | | |
|---|--|
| <input type="checkbox"/> No. 1 Strategic Economic Development | <input type="checkbox"/> No. 5 Employee Development and a Supportive Work |
| <input type="checkbox"/> No. 2 Financial Sustainability and Responsible Use of City Resources Environment | <input type="checkbox"/> No. 6 Responsive and Effective Leadership |
| <input type="checkbox"/> No. 3 A Safe, Healthy and Environmentally Responsible Community | <input checked="" type="checkbox"/> No. 7 An Infrastructure that Prepares for Tomorrow |
| <input type="checkbox"/> No. 4 Effective Relationship with Local, State, and Federal Partners | <input type="checkbox"/> No. 8 Customer Satisfaction |

Director's Role/Deliverables:

Collaborate with consultant to finalize Plan, prepare necessary documents and notices for public hearings, coordinate adoption with DLCD.

Relevant Partners:

ODOT, Kittelson & Associates, Jefferson County

Anticipated start date: 01 / 01 / 2016

Anticipated completion date: 04 / 30 / 2017

Status Update:

1st Quarter: This project is in progress. A series of open houses, advisory committee meetings, and meetings with ODOT have been held. Staff anticipates this project will be completed in FY 2016-17 however the formal public hearings to adopt the new Transportation System Plan will likely occur in the 1st quarter of FY 2017-18.



ANNUAL STRATEGIC PLAN – OBJECTIVE EXECUTIVE SUMMARY

Date: 1-30-16

Objective Title: # 7.2 Seek Funding for the Bel Air - Herzberg Heights Sewer Project

City Department: Public Works

Potential Budget/Funding Source(s): \$1,050,000 CWSRF/Wastewater Ops/Wastewater SDC/Jeffco

Project Description:

To install sanitary sewer main through the Bel Air and Herzberg Heights Subdivision. Jefferson County allocated \$121,500 for the City to take over jurisdiction of the roads. Staff intends to seek funding to obtain enough to install sewer throughout the subdivision and overlay the streets

Related Council Goal(s):

- | | |
|---|--|
| <input type="checkbox"/> No. 1 Strategic Economic Development | <input type="checkbox"/> No. 5 Employee Development and a Supportive Work |
| <input type="checkbox"/> No. 2 Financial Sustainability and Responsible Use of City Resources Environment | <input type="checkbox"/> No. 6 Responsive and Effective Leadership |
| <input type="checkbox"/> No. 3 A Safe, Healthy and Environmentally Responsible Community | <input checked="" type="checkbox"/> No. 7 An Infrastructure that Prepares for Tomorrow |
| <input type="checkbox"/> No. 4 Effective Relationship with Local, State, and Federal Partners | <input type="checkbox"/> No. 8 Customer Satisfaction |

Director's Role/Deliverables:

1. Apply for funding through grant resources as they become available. No specific deliverable this year.

Relevant Partners:

Department of Environmental Quality, Jefferson County.

Anticipated start date: 7/1/2016

Anticipated completion date: 10/30/2017

Status Update:

October 2016 Update: Funding has been applied for and the City will have an offer for a principle forgiveness loan hopefully by end of December. Once loan document is executed, Public Works will procure a engineer for design work to occur in 2018. Estimated completion date will now be fall of 2018.



ANNUAL STRATEGIC PLAN – OBJECTIVE EXECUTIVE SUMMARY

Date: 1-30-16

Objective Title: # 7.3 Design replacement of the irrigation system for Desert Peaks Golf Course

City Department: Public Works

Potential Budget/Funding Source(s): Wastewater Operations - \$10,000

Project Description:

To design the irrigation replacement system for the golf course. This will give us an estimate to begin saving funds for construction in a few years.

Related Council Goal(s):

- | | |
|---|--|
| <input type="checkbox"/> No. 1 Strategic Economic Development | <input type="checkbox"/> No. 5 Employee Development and a Supportive Work |
| <input type="checkbox"/> No. 2 Financial Sustainability and Responsible Use of City Resources Environment | <input type="checkbox"/> No. 6 Responsive and Effective Leadership |
| <input type="checkbox"/> No. 3 A Safe, Healthy and Environmentally Responsible Community | <input checked="" type="checkbox"/> No. 7 An Infrastructure that Prepares for Tomorrow |
| <input type="checkbox"/> No. 4 Effective Relationship with Local, State, and Federal Partners | <input type="checkbox"/> No. 8 Customer Satisfaction |

Director's Role/Deliverables:

1. Contract award to Irrigation Designer in July. 2. Irrigation design completed by October of 2016.

Relevant Partners:

N/A

Anticipated start date: 7/1/2016

Anticipated completion date: 10/31/2016

Status Update:

October 2016 Update: Irrigation design contractor was hired in July and is on time and on budget to deliver a set of irrigation plans for Desert Peaks irrigation remodel by the end of October.



ANNUAL STRATEGIC PLAN – OBJECTIVE EXECUTIVE SUMMARY

Date: 1-30-16

Objective Title: #7.4 Pave 7th Street from "A" Street South to tie in

City Department: Public Works

Potential Budget/Funding Source(s): Transportation Operations Fund \$12,000

Project Description:

Remove pavement and place the City's standard section of 4" of AC and 8" of Agg Base rock in the south travel lane of 7th Street from A Street south to the tie in.

Related Council Goal(s):

- | | |
|---|--|
| <input type="checkbox"/> No. 1 Strategic Economic Development | <input type="checkbox"/> No. 5 Employee Development and a Supportive Work |
| <input type="checkbox"/> No. 2 Financial Sustainability and Responsible Use of City Resources Environment | <input type="checkbox"/> No. 6 Responsive and Effective Leadership |
| <input type="checkbox"/> No. 3 A Safe, Healthy and Environmentally Responsible Community | <input checked="" type="checkbox"/> No. 7 An Infrastructure that Prepares for Tomorrow |
| <input type="checkbox"/> No. 4 Effective Relationship with Local, State, and Federal Partners | <input type="checkbox"/> No. 8 Customer Satisfaction |

Director's Role/Deliverables:

1. Advertise for construction in June of 2016. 2. Contract award in July of 2016. 3. Construction completed by October of 2016.

Relevant Partners:

N/A

Anticipated start date: 6 / 1 / 2016

Anticipated completion date: 10 / 1 / 2016

Status Update:

October 2016 Update: City staff has completed the 7th Street re- construction project. Staff has scheduled Deschutes County to re-stripe this section as soon as the weather conditions allow them do do the work.



ANNUAL STRATEGIC PLAN – OBJECTIVE EXECUTIVE SUMMARY

Date: 1-30-16

Objective Title: # 7.5 Construct Bard Lane Phase II

City Department: Public Works

Potential Budget/Funding Source(s): ODOT \$264,000

Project Description:

Widen Bard Lane from Hatfield to Adams to Minor Collector Standards to include pavement, curb and gutter, sidewalk and lighting. Also requires acquisition of ROW.

Related Council Goal(s):

- | | |
|---|--|
| <input type="checkbox"/> No. 1 Strategic Economic Development | <input type="checkbox"/> No. 5 Employee Development and a Supportive Work |
| <input type="checkbox"/> No. 2 Financial Sustainability and Responsible Use of City Resources Environment | <input type="checkbox"/> No. 6 Responsive and Effective Leadership |
| <input type="checkbox"/> No. 3 A Safe, Healthy and Environmentally Responsible Community | <input checked="" type="checkbox"/> No. 7 An Infrastructure that Prepares for Tomorrow |
| <input type="checkbox"/> No. 4 Effective Relationship with Local, State, and Federal Partners | <input type="checkbox"/> No. 8 Customer Satisfaction |

Director's Role/Deliverables:

1. Design complete by April of 2016. 2. Construction contract award by July 1, 2016. 3. Construction completion by November 1, 2016

Relevant Partners:

ODOT, North Unit Irrigation District, Scott Teeny

Anticipated start date: 2 / 15 / 2016

Anticipated completion date: 6 / 30 / 2017

Status Update:

October 2016 Update: Project is on hold until property is acquired. Property owners bank requires an appraisal to determine actual value of property. Appraisal will be completed in late November with land transaction hoping to be finalized in December or January. New construction date of Spring of 2017



ANNUAL STRATEGIC PLAN – OBJECTIVE EXECUTIVE SUMMARY

Date: 1-30-16

Objective Title: # 7.6 Installation of Speed Radar Sign on Hwy 97 South of Town

City Department: Public Works

Potential Budget/Funding Source(s): Transportation Operations Fund \$7,500

Project Description:

Install one speed radar sign near the south end of town to help reduce speeds as they approach town. Location to be determined collaboratively with ODOT and City.

Related Council Goal(s):

- | | |
|---|--|
| <input type="checkbox"/> No. 1 Strategic Economic Development | <input type="checkbox"/> No. 5 Employee Development and a Supportive Work |
| <input type="checkbox"/> No. 2 Financial Sustainability and Responsible Use of City Resources Environment | <input type="checkbox"/> No. 6 Responsive and Effective Leadership |
| <input type="checkbox"/> No. 3 A Safe, Healthy and Environmentally Responsible Community | <input checked="" type="checkbox"/> No. 7 An Infrastructure that Prepares for Tomorrow |
| <input type="checkbox"/> No. 4 Effective Relationship with Local, State, and Federal Partners | <input type="checkbox"/> No. 8 Customer Satisfaction |

Director's Role/Deliverables:

1. Have ODOT install Speed Radar Sign by October 31, 2016

Relevant Partners:

ODOT, Public Works and Parks Committee

Anticipated start date: 7 / 1 / 2016

Anticipated completion date: 10 / 31 / 2016

Status Update:

October 2016 Update: City Staff has been working with ODOT getting the Solar speed radar sign purchased, and are now waiting for the equipment to be delivered to ODOT so they can get the installation completed. Staff is in contact weekly and will continue until this work is completed.



ANNUAL STRATEGIC PLAN – OBJECTIVE EXECUTIVE SUMMARY

Date: 1-30-16

Objective Title: # 7.7 Installation of Street Light at Hwy 97 and Hall Road

City Department: Public Works

Potential Budget/Funding Source(s): Transportation Operations Fund - \$5,500

Project Description:

Install a cobra head street light at the corner of Hall Road and 97.

Related Council Goal(s):

- | | |
|--|--|
| <input type="checkbox"/> No. 1 Strategic Economic Development | <input type="checkbox"/> No. 5 Employee Development and a Supportive Work |
| <input type="checkbox"/> No. 2 Financial Sustainability and Responsible
Use of City Resources Environment | <input type="checkbox"/> No. 6 Responsive and Effective Leadership |
| <input type="checkbox"/> No. 3 A Safe, Healthy and Environmentally Responsible Community | <input checked="" type="checkbox"/> No. 7 An Infrastructure that Prepares for Tomorrow |
| <input type="checkbox"/> No. 4 Effective Relationship with Local, State, and Federal Partners | <input type="checkbox"/> No. 8 Customer Satisfaction |

Director's Role/Deliverables:

1. Install cobrahead light at Hwy 97 and Hall Road

Relevant Partners:

PacifiCorp

Anticipated start date: 7/1/2016

Anticipated completion date: 9/30/2016

Status Update:

October 2016 Update: City Staff has completed the installation for the new LED Street light at the corner of Hall Road and Hwy 97 on-time and budget.



ANNUAL STRATEGIC PLAN – OBJECTIVE EXECUTIVE SUMMARY

Date: 1-30-16

Objective Title: #7.8 Remodel Sahalee Park Restroom

City Department: Public Works

Potential Budget/Funding Source(s): Parks Fund - \$26,000

Project Description:

Remodel of the interior of the Sahalee Park restroom to include new partitions, toilets, sinks, mirrors, etc.

Related Council Goal(s):

- | | |
|---|--|
| <input type="checkbox"/> No. 1 Strategic Economic Development | <input type="checkbox"/> No. 5 Employee Development and a Supportive Work |
| <input type="checkbox"/> No. 2 Financial Sustainability and Responsible Use of City Resources Environment | <input type="checkbox"/> No. 6 Responsive and Effective Leadership |
| <input type="checkbox"/> No. 3 A Safe, Healthy and Environmentally Responsible Community | <input checked="" type="checkbox"/> No. 7 An Infrastructure that Prepares for Tomorrow |
| <input type="checkbox"/> No. 4 Effective Relationship with Local, State, and Federal Partners | <input type="checkbox"/> No. 8 Customer Satisfaction |

Director's Role/Deliverables:

1. Advertise for Construction March 2017. 2. Award Construction Contract April of 2017. 3. Complete Project by June 30, 2017

Relevant Partners:

N/A

Anticipated start date: 3/1/2017

Anticipated completion date: 6/30/2017

Status Update:

October 2016 Update: Parks Manager is in the process of retrieving multiple quotes. This project is still on time for the completion date of 6/30/2017



ANNUAL STRATEGIC PLAN – OBJECTIVE EXECUTIVE SUMMARY

Date: 1-30-16

Objective Title: # 7.9 Phase I of the SCADA Upgrade at the South Waste Water Treatment Plant

City Department: Public Works

Potential Budget/Funding Source(s): Wastewater Operations Fund - Phase I - \$85,000

Project Description:

The SCADA (Supervisory Control and Data Acquisition) System which monitors and controls the Wastewater plant is in need of an upgrade. The total cost to upgrade is estimated at \$220,000. This will be split over two fiscal years (\$85k 16-17, \$135k 17-18).

Related Council Goal(s):

- | | |
|---|--|
| <input type="checkbox"/> No. 1 Strategic Economic Development | <input type="checkbox"/> No. 5 Employee Development and a Supportive Work |
| <input type="checkbox"/> No. 2 Financial Sustainability and Responsible Use of City Resources Environment | <input type="checkbox"/> No. 6 Responsive and Effective Leadership |
| <input type="checkbox"/> No. 3 A Safe, Healthy and Environmentally Responsible Community | <input checked="" type="checkbox"/> No. 7 An Infrastructure that Prepares for Tomorrow |
| <input type="checkbox"/> No. 4 Effective Relationship with Local, State, and Federal Partners | <input type="checkbox"/> No. 8 Customer Satisfaction |

Director's Role/Deliverables:

1. Advertise for SCADA upgrade services Sept 2016. 2. Award Contract in October 2016. 3. Complete phase I of the upgrade by March of 2017

Relevant Partners:

N/A

Anticipated start date: 9 / 1 / 2016

Anticipated completion date: 3 / 30 / 2017

Status Update:

October 2016 Update: Daryl with Taurus is putting a quote together. Expect to hear back in November on cost. Will proceed then.



ANNUAL STRATEGIC PLAN – OBJECTIVE EXECUTIVE SUMMARY

Date: February 1, 2016

Objective Title: #8.1 Develop Industrial Development Permit Guide

City Department: Community Development

Potential Budget/Funding Source(s): Community Development

Project Description:

Prepare a detailed guide to assist property owners, developers, & economic development professionals with the City's permitting process related to industrial development.

Related Council Goal(s):

- | | |
|---|---|
| <input type="checkbox"/> No. 1 Strategic Economic Development | <input type="checkbox"/> No. 5 Employee Development and a Supportive Work |
| <input type="checkbox"/> No. 2 Financial Sustainability and Responsible Use of City Resources Environment | <input type="checkbox"/> No. 6 Responsive and Effective Leadership |
| <input type="checkbox"/> No. 3 A Safe, Healthy and Environmentally Responsible Community | <input type="checkbox"/> No. 7 An Infrastructure that Prepares for Tomorrow |
| <input type="checkbox"/> No. 4 Effective Relationship with Local, State, and Federal Partners | <input checked="" type="checkbox"/> No. 8 Customer Satisfaction |

Director's Role/Deliverables:

Develop guide with input from Public Works, Jefferson County CDD, Economic Development, & stakeholders.

Relevant Partners:

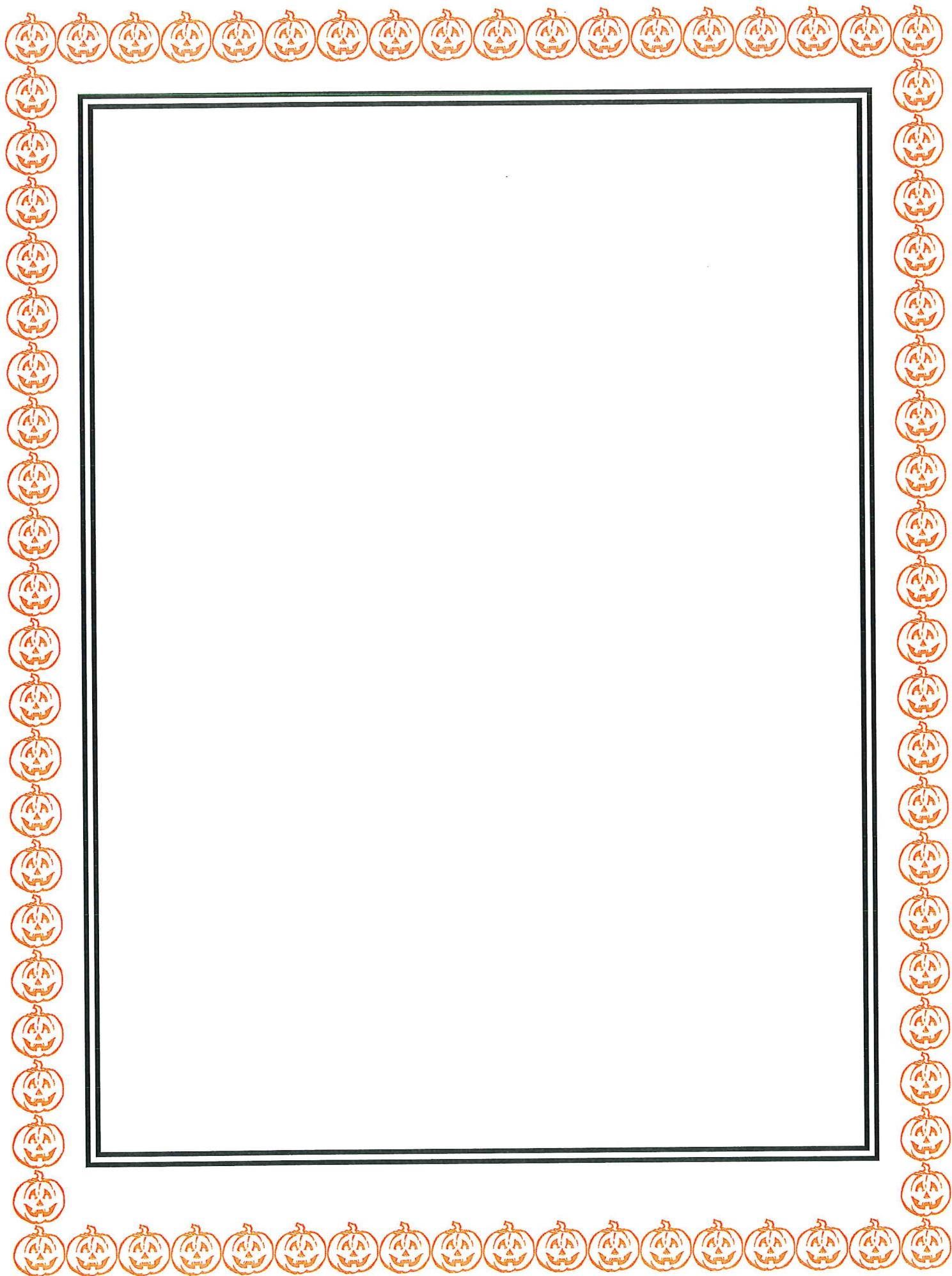
City Public Works Director, Building Official, County Sanitarian, Jefferson County Economic Development Mg

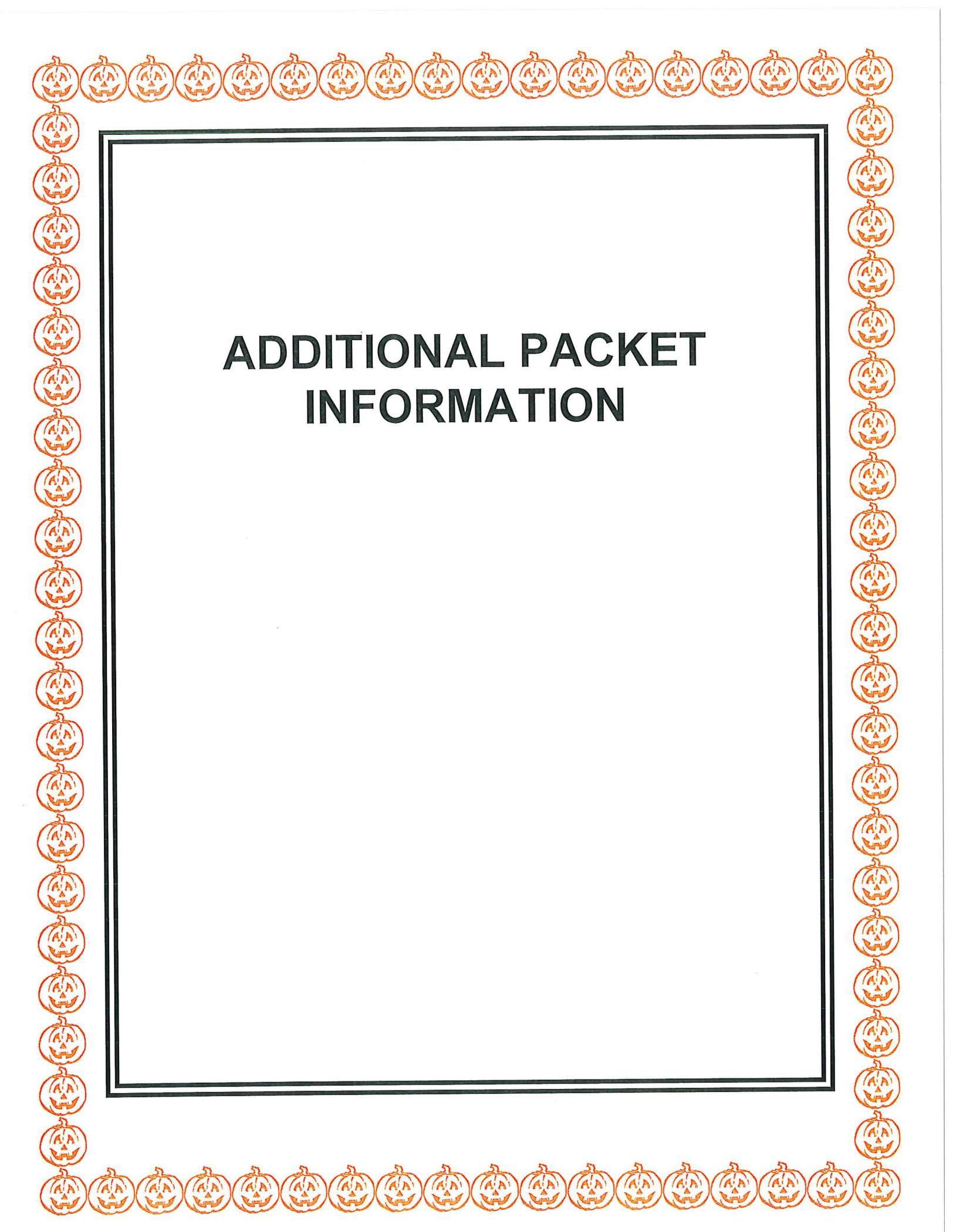
Anticipated start date: 04/01/2016

Anticipated completion date: 06/30/2017

Status Update:

1st Quarter: Draft document has been created, staff is working on designing an attractive document with content that effectively provides guidance to property owners, developers, consultant's and the like. This project does not have a set deadline and work will be completed when time attention is not devoted to other high-priority projects of the Community Development Department however it will be completed by the end of FY 2016-17.





ADDITIONAL PACKET INFORMATION

Education Update



Oregon Achieves... Together!

A Message from Deputy Superintendent Salam Noor

Last month, we released the statewide Smarter Balanced assessment results. Overall, the scores were slightly better than last year and our educators are to be commended for the great work they have done with students to achieve these gains. When we examine our students' performance through disaggregated data, however, we see that there remain significant gaps in the achievement levels of our historically underserved student populations. Although some of the largest gains in proficiency were achieved by these same groups of students, clearly, more work needs to be done. Part of that work is ensuring our programs, instructional practices, and policies are culturally responsive and address any inequities that exist in our public education system.

Ensuring educational equity in our schools is a moral imperative, and it is our collective responsibility to ensure all Oregon students meet their fullest potential. As districts reflect on their students' data, I encourage our educators to continue their efforts to improve the educational experience for all of our students with a particular focus on culturally sustainable practices.

As I think of our goal of helping all students succeed, I'm reminded of the compelling speech that Aleya Garcia delivered at the ODE All Staff meeting in August. She's a 19-year-old sophomore at Oregon State University (OSU) now, majoring in public health. However, the road she travelled to get there was long and arduous. Born in Mexico, Aleya at age seven came to America, where her father was a farm worker. Neither of her parents had much schooling, but they instilled in her the value that anything worth having is worth the hard work it takes to achieve it. Aleya's father died when she was 10 and she admits that she lost her way in school for a short time after that. But she got back on track, graduating from North Salem High School with honors and scholarships to OSU.

Aleya Garcia credits her turnaround to the values her parents gave her, and a teacher who went above and beyond the call of duty to make sure she went to school and received the help she needed to succeed. We see and hear stories like Aleya's every day. A common theme that emerges is how a student's positive school experience was dependent on one adult who took the time and effort to help, and show he or she cared.

Our work, and especially the work you do, is about relationships – with students, advocates, parents, and families. Too many students get lost in the system and don't receive the opportunities Aleya was given. Mahatma Gandhi said: "Be the change you wish to see in the world." All of us are agents of change, and working together, we can effect the change we wish to see for each and all of our students.

Thank you for all you do to support students and their success!

ODE partners with OAESD for regional service delivery

In March 2016, representatives from the Oregon Association of Education Service Districts (OAESD) and assistant superintendents at the Oregon Department of Education (ODE) convened to establish an OAESD/ODE Program Cabinet. This Cabinet's purpose is to coordinate and assist in the implementation of regional and state-level initiatives that are delivered through education service districts (ESDs). The OAESD representatives to the Cabinet include four ESD superintendents (two representing larger ESDs and two representing smaller ESDs); four individuals specializing in the areas of school improvement, special education, technology, and administrative services; and one at-large representative.

Through a series of meetings, the Cabinet has identified two initiatives that are in process for implementation this fall: 1) the development of a collaborative communication network and 2) distribution of effective professional development in the writing of Individual Education Plans (IEPs).

Collaborative Communication Network

The intent in developing a Collaborative Communication Network is to increase and improve two-way communication between ODE and ESDs. The Network will also provide more direct contact with districts through regularly scheduled meetings of local special education or curriculum directors at their local ESD. ODE staff, led by Assistant Superintendent of Teaching and Learning Dawne Huckaby, are gathering names of ESD personnel who have responsibilities in a variety of topics. Once this collection is completed, ODE will initiate conversations with each group on ways to engage that best meet their needs and those of the districts they serve.

IEP Writing Professional Development

For the past two years, ODE staff has provided professional development to special education teachers on writing effective IEPs. The demand for such training has exceeded the capacity of ODE staff, so a team of ODE and ESD staff has identified a model for providing this training regionally. Logistics are being resolved, but school districts may expect to hear more about this soon through their local ESD special education director.

Contact [Dawne Huckaby](#) for more information.

Gloria Pereyra-Robertson Named Oregon's 2017 Teacher of the Year

In a surprise assembly on September 28, Gloria Pereyra-Robertson, a bilingual kindergarten teacher from Howard Elementary School in the Medford School District, was selected as [Oregon's 2017 Teacher of the Year](#). A 20-year teaching veteran, Pereyra-Robertson has spent the last 13 years teaching at Howard Elementary School which serves a highly diverse student population. She is a fierce advocate for all students and credits her parents -- who immigrated to the United States from Mexico in the 1950's -- as the driving force behind her desire to embrace education and enter the teaching profession.



Photo Credit: Medford Mail Tribune

"Gloria Pereyra-Robertson is an outstanding example of excellence in the teaching profession. She is a passionate and dedicated educator who shares a deep commitment to equity and the belief that each and every student can learn," said Deputy Superintendent Salam Noor. "It is an honor to recognize her as this year's Teacher of the Year."

As 2017 Oregon Teacher of the Year, Pereyra-Robertson will serve as a spokesperson and representative for all Oregon teachers. She will attend the Washington Recognition Week for Teachers of the Year in Washington, D.C. in April, where she will meet the President and the U.S. Secretary of Education. She will also be featured in a television commercial produced by the Oregon Lottery, ODE's program partner.

ODE and Oregon Health Authority Request Help with Statewide Lead Test Database

The Oregon Department of Education (ODE) and the Oregon Health Authority (OHA) jointly request that school districts and education service districts (ESDs) submit their lead test results directly to OHA so that the agency can include the results in a statewide database. The OHA has worked with Governor Kate Brown's office to ensure transparency in making certain that all recently collected school facility drinking water test results are readily available to the public. These results will be published as electronic reports, accessible through an interactive map and hosted on the OHA website. ODE and OHA request districts' and ESDs' help in continuing to move this process forward by informing their communities and sharing this information broadly while providing test results to OHA.

Test result information should include a few items, specifically:

- Reports from the laboratory.
- Information about the samples collected and location, enabling OHA to connect the lead test result to the source drinking water outlet in a particular building.
- Date and time the sample was taken.

Districts and ESDs are asked to forward all tests completed between January 2016 and October 2016 in the following ways:

1. Electronic file (PDF or Word) for each school -- or a combined file for the school district (preferred)-- emailed to Healthyschool.facilities@state.or.us.
2. Combined package for the school district faxed to 971-673-0979.

Schools are often the first point of contact for children and families, so school district and ESD leadership is critical and appreciated in advancing our collective goal to ensure accessibility and transparency. For more information, please see the OHA-hosted [Healthy School Facilities website](#) or email Healthyschool.facilities@state.or.us.

2017 Legislative Session: Lead Remediation Funding to Be Hot Topic

State lawmakers have set aside \$5 million in emergency funds to help school districts, education service districts and public charter schools test faucets and drinking fountains for lead; but paying for repairs will likely be a major topic of discussion for the next legislative session. Oregon Department of Education (ODE) Legislative Director Jan McComb said the Legislative Days held in late September provided some insight into the issues legislators will be bringing forward next year.

"Health and safety have been major areas of interest and will likely continue to be just as important as academic issues next session," McComb said. "Speaker Kotek stated that school districts are likely to return to the Legislature requesting money for remediation, following receiving the results of their lead testing."

McComb said Legislative Days are like a mini-session where issues for 2017 are framed. After reviewing topics lawmakers were asking about in September, McComb stated she expects lead testing, physical education requirements, and ways to engage students and make classes more relevant will be major issues in the upcoming session. The next round of Legislative Days begin December 12, during which reports on dyslexia, absenteeism, and the state's plan for complying with the federal Every Student Succeeds Act (ESSA) are likely to be addressed.

ESSA Essentials: What You Need to Know Now

About ESSA

The Every Student Succeeds Act (ESSA) replaces No Child Left Behind (NCLB) and affords states greater flexibility. The new law extends the promise of an excellent, well-rounded education to every student, regardless of race, family income, home language, or disability. ESSA encourages schools and educators to innovate and create systems that address local needs. As a part of this work, the Oregon Department of Education (ODE) is responsible for creating a State Plan it will submit to the U.S. Department of Education that reflects a shared statewide vision for Oregon's students and schools on topics such as accountability, funding, school improvement, and grant-making systems.



Your Voice is Needed!

More than ever before, this new law creates an opportunity for stakeholders to play a more active role in the creation of state policy and for ODE to foster relationships that will strengthen implementation and the launch of new initiatives. As ODE gains momentum in developing Oregon's State Plan, we want to ensure that you are informed and understand how you can play an active role in this work. Your feedback and input is very important to ODE's development of Oregon's State Plan.

We invite you to provide feedback in the following ways:

- Online – ODE will post key questions and decision points along with surveys and other mechanisms for the public to provide input on the ODE ESSA webpage beginning in November: www.ode.state.or.us/go/ESSA.
- In-Person – ODE staff will gather input at fall conferences (including those held by the Confederation of Oregon School Administrators, Oregon Education Association, Oregon School Boards Association and Oregon School Personnel Association) and tribal meetings, and will engage in extensive targeted outreach throughout the development of the State Plan.

Communications Resources

We know that you will be working hard to communicate about the new law to students, teachers, families, school board members and your communities, and we want to provide you with the tools and support you need to be successful in these important conversations. All of the resources below, and many others, can be found on our ESSA webpage: www.ode.state.or.us/go/ESSA.

- [ESSA Presentation](#) – PowerPoint includes overview of changes to the law, implementation timeline, and side-by-side comparison of NCLB and ESSA.
- [ESSA Handout](#) – This one-pager provides an overview of the new law and shares Oregon's key priorities and principles and a snapshot of stakeholder engagement.
- [Summary of Key Elements in ESSA](#) – Resource that explains components of the key areas, including Standards & Assessments, Accountability, School Improvement, Title II, and Title IV.
- [State Plan Requirements](#) – Detailed resource that includes specific requirements ODE must address in its State Plan.
- [PTA's "What Does This New Law Mean for my Child?"](#) – Parent-friendly one-pager and FAQ to help parents understand more about ESSA.
- [Education Commission of the States Quick Guide to ESSA](#) – Report addressing questions and concerns from education leaders and policymakers.
- Frequently Asked Questions (FAQ) – coming soon.

If you have questions about the new law and what it means for your school or district, please contact [Theresa Richards](#), director of federal systems. For more information about ESSA resources or communicating with various audiences, contact Communications Specialist [Meg Boyd](#).

State Board Chair: Developing Equity-Focused Vision “The Most Urgent Work”

State Board of Education Chair Charles R. Martinez believes this is the right time, the Board has the right people, and the Oregon Department of Education has the right leadership to develop a strategic vision and a mission statement that focus on equity, diversity, and inclusion. Speaking at the September 22 State Board meeting, Martinez recalled the discussions held during the Board’s August retreat and conversations he has had since then about the need for a vision that will guide all future decisions.



State Board members and ODE staff convene for the September 22 Board Meeting.

“What I was experiencing was an emerging focus about what we are trying to aspire to,” Martinez said. “And then we can test the goals against that. ‘How does that advance the vision or does it?’ That is the most urgent work we have as a board.”

The board will have facilitated discussions on the creation of a new vision and mission statement which members hope to have completed by their January or March meeting.

A large portion of the September Board meeting centered on the state’s Smarter Balanced assessments. Assistant Superintendent for Assessment and Accountability Derek Brown presented assessment results and talked about two legislatively mandated studies of the tests. A work group created by House Bill 2680 found that the tests are aligned to Common Core State Standards and provide relevant data, but would be improved by adding formative and interim testing throughout the school year to help parents and teachers see the progress students are making. Brown agrees that adding the different types of testing would be very helpful.

“I think a strong theme from the group that you can see in the findings, is that we need to invest in other tools,” Brown said. “That will help us along the path of ‘What are the true gaps?’ and ‘How can we address them from an instructional viewpoint?’” Brown noted that an audit by the Secretary of State’s office, required by separate legislation, made the same recommendation for additional assessments throughout the year.

Board members also heard from Assistant Superintendent for Teaching and Learning Dawne Huckaby on the status of Oregon’s plan to meet new federal standards known as the Every Student Succeeds Act (ESSA). She told the board that after holding stakeholder meetings and community input sessions from April through July, ODE staff have been busy drafting the plan in preparation for the next step.



Board Member Modesta Minthorn

“We will spend October, November, and December taking it out for public input and through other work groups of organizations we work with regularly to get their feedback,” said Huckaby, adding that it will then go before the Board in January for a first reading. She said ODE will request a second reading approval from the Board in February so ODE can submit the Oregon State Plan by the March 6 federal deadline.

This was the first meeting for the State Board’s newest member, Modesta Minthorn, the director of education for the Confederated Tribes of the Umatilla Indian Reservation. She was appointed to the board by Governor Kate Brown to replace Angela Bowen, whose term expired in June. You can watch a recording of the meeting by [clicking here](#).

“Ache for Home” Binds Us Together: Dr. Johnny Lake Unites Diversity Conference Audience



Dr. Johnny Lake

A two-day diversity conference for state employees kicked off last month with a keynote address by Dr. Johnny Lake that evoked both laughter and tears to the hundreds in the audience. The title of his speech comes from a line in a Maya Angelou poem: *The ache for home lives in all of us, the safe place where we can go as we are and not be questioned.* Lake, a consultant, educator, and expert on equity, diversity and inclusion, said that no matter what our backgrounds may be, we all have a longing for this safe space. He told the crowd that for him, his favorite space growing up was at his grandmother’s rural home, even though she had no electricity or running water. He said it’s so important to him that every year he brings his grandchildren to Tennessee to meet up with relatives; in the spring they will ask him if they are going “home” this summer.

The conference also featured nearly 20 workshops among which attendees could choose. Oregon Department of Education (ODE) Equity Unit Director Markisha Smith said she learned a lot by attending a workshop on the experience of Native Americans and African Americans in the West. “People of color have a vitality and richness to our history here. Those contributors are important and we can’t forget that. Everything we do today is because of the work they did to get us to this point,” Smith said. Read a brief synopsis of all of the workshops by [clicking here](#).

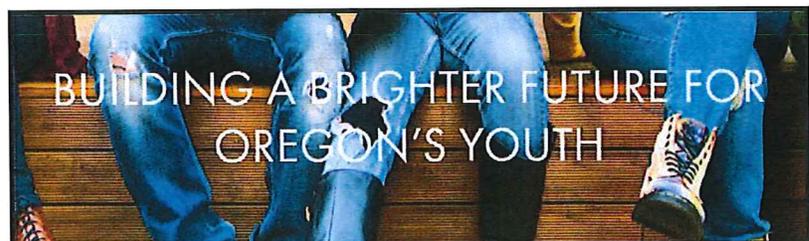
Equity, diversity, and inclusion will also be the focus of the Seventh Annual Teaching With Purpose Conference on October 14 in Portland. The two-day conference -- scheduled to coincide with the statewide October 14 Teacher Inservice Day -- features national speakers and multiple breakout sessions each day. [Click here](#) for more information.

Your Smart Phone Can Help Increase Your Child’s Learning Skills

How can you encourage your child to improve their math, reading and language skills? There’s an app for that! The Vroom initiative, administered by the Early Learning Division, is a proven way to help your child develop important skills through parent-child interactions. Whether at home, on the road or even grocery shopping, Vroom is a fun way to start a child on the path to learning. It’s currently being used by more than 70,000 families in Oregon. [Click here](#) for an article on Vroom by the Early Learning Division. Contact [Ari Wubbold](#) for more information.

Youth Development Council Launches New Website

The Youth Development Council (YDC) is pleased to announce the release of its [new website](#), a resource for best practices, policy recommendations, and funding opportunities. The website also provides a list of Council members and staff contacts, as well as staff blog posts from visits to communities around the state. A button on the website’s main page connects you to the [YDC Superlist](#), where you can sign up for announcements regarding future funding opportunities and news announcements. The website can be accessed at: www.oregonyouthdevelopmentcouncil.org. Contact [Brenda Brooks](#), Youth Development Division deputy director, for more information.



State Reports Recommend Comprehensive Assessment System

Two recently released state reports examining the state's Smarter Balanced assessments came to similar conclusions about the need for a more expansive assessment system aligned to Oregon's Common Core State Standards. The House Bill (HB) 2680 Work Group Report resulted from the efforts of a legislatively required work group of 33 education leaders from school districts and other organizations dedicated to improving education in Oregon. It found that the end-of-year test is aligned with state standards, but calls on the state to invest in a comprehensive suite of tools to ensure students, educators and families receive a more holistic picture of their child's academic knowledge and skills. These would include formative assessments like quizzes and class activities and interim assessments such as midterms and benchmark exams which are also aligned with the Common Core.



The HB 2680 Work Group Report also recommends that the Oregon Department of Education reach out to parents and communities to better explain the purpose of statewide summative assessments, as well as the need for comprehensive, balanced assessment systems.

"Through this process, we confirmed that the end-of-year test is aligned with our standards," Tigard-Tualatin School Board Chair Maureen Wolf said. "But we also found there is a need for more than just one assessment near the end of the year. We hope our state policymakers will use this report to invest in the tools districts need to ensure every student is on track to graduate."

The work group report echoes a Secretary of State audit of the first year of the Smarter Balanced assessment that was required by lawmakers under [House Bill 2713](#). The audit noted the benefits of using a comprehensive system to ensure teachers have a way to assess student learning throughout the year.

"The fact that both of these outside looks at our assessments share our vision of a more comprehensive assessment system shows we are on the right track," said Assistant Superintendent of Assessment and Accountability Derek Brown. "We want to make sure teachers, parents, and administrators have all the tools they need to ensure students are prepared to graduate ready for college or a career."

The Oregon Department of Education is requesting a state investment for the 2017-19 biennium to fund the formative and interim assessments for all districts.

For more information on [House Bill 2680](#) work group membership and the report, [click here](#).



Follow Us on Twitter!

For the latest updates on what is going on at the Oregon Department of Education, be sure to follow us on Twitter. Go to www.twitter.com/ORDeptEd to see our latest posts!





THE CITY OF **MADRAS**

City of Madras
Public Works and Parks Committee
City Council Work Room

August 3, 2016
8 A.M.

MINUTES

I. CALL TO ORDER

Meeting was called to order by Vice Chair Louise Muir at 8:00 a.m. on Wednesday August 3, 2016 at 125 SW "E" Street City Council Work Room

MEMBERS PRESENT

Bartt Brick
Louise Muir
Bill Ferguson

MEMBERS ABSENT

Chuck Schmidt
Stan Nowakowski

STAFF MEMBERS PRESENT

Public Works Administrative Assistant; Michele Quinn
Park Supervisor; Jon Burchell
Street Supervisor; Rod Fulton
Public Works Director; Jeff Hurd
City Administrator; Gus Burrell

VISITORS PRESENT

Richard Ladeby

II. CONSENT AGENDA

APPROVAL OF AGENDA AND MINUTES

A Motion was made by Bill Ferguson; seconded by Bartt Brick to approve the Consent Agenda and June 1, 2016 minutes motion carried unanimously.3/0

III. VISTOR COMMENTS

Richard Ladeby told the Committee that he has had a citizen complain that she was stopped on Loucks Road for doing more than 25 mph. There is currently no signage and according to the Sheriff's department that is basic ORS 811. If she was traveling 35 mph not sure why they would stop her considering B Street is 35 mph with residential traffic.

Rod Fulton told the Committee that after he and Richard spoke he went up and drove Loucks Road and there are no speed signs. There have been complaints of drag racing on Loucks Road.

Jeff Hurd said we were looking at extending the 25 mph beyond the residential to try and target the drag racing that is occurring.

Rod Fulton said he will have a speed study done to see what we need to do to put in signs.

Richard Ladeby also asked about 16th and Begonia when there are cars parked on both sides of the street doing 25 mph is dangerous with the kids in the area. Is there any way to slow that down?

Jeff Hurd said the cars and narrow street naturally congests it to make you go slow.

Richard Ladeby informed the Committee on 16th Street during ice and snow if you have cars on both sides of the road with ice it is a hazard.

Rod Fulton told the Committee that the employees are asked to park on the street so visitors can use the parking lot.

Jeff Hurd asked do we need to sand better?

Richard Ladeby said that a citizen asked if we could make one side of the street no parking?

Jeff Hurd said we could talk to everyone and see if we could change the parking. We can go out and do some notification and say there has been complaint about parking. Would anyone be open to changing the parking? I have a feeling we are going to get a lot of opposition to taking that away.

Louse Muir said on the corner of 16th and Oak there is a large juniper shrub you cannot see around the shrub.

IV. NEW BUSINESS

A. *H Street Sidewalk Project*

Jeff Hurd told the Committee that we are going to be awarded funding through ODOT in their 2018-2021 STIP Program. The money won't come before 2018 but it will happen between 2018-2021. We are just about wrapped up with design then when ODOT gives us the funding we will administer the project.

B. *Snow Removal Policy*

Rod Fulton told the Committee we need to add Cherry Lane to the Snow Removal Policy as a primary route. This will address the Sheriffs issues of getting out faster and on to the highway.

Richard Ladeby asked about Deere Ridge still getting the road plowed and sanded.

Rod Fulton we plow to the end of the City Limits and sand the rest.

A Motion was made by Bill Ferguson; seconded by Bartt Brick to accept the new Snow Removal Policy and approve the addition of Cherry Lane to the Snow Removal Policy motion carried unanimously.3/0

C. *Saint Charles Medical Center - Stormwater Improvements*

Jeff Hurd informed the Committee that they are moving along very rapidly they are now down in the Cowden area. St Charles is installing a 18 inch storm main from 10th to A Street and at 12th Street the turn north up to Cowden. This will capture all the stormwater off the Hospital, Oak Street, and Morning Crest. Once the stormwater main is in the flooding we had in the past in that neighborhood will go away. They should be done in the next couple weeks.

D. *Bard Lane Phase II*

Jeff Hurd said we have funding in place we are working on acquiring property. This was going to be a fall project but due to the negotiations we won't get started until spring 2017.

E. *5th Street Sidewalk – F to G Street*

Jeff Hurd told the Committee that ODOT approached me about putting sidewalk on 5th Street between Busy Bee and the Church. As soon as ODOT can find the funding they will give us the funding to build the sidewalk. I gave them an estimate and it came to \$500,000 that will include sidewalk, retaining wall, hand rail, lighting, pavers, irrigation, and pavers.

There was a discussion about the sidewalk in front of Mark's Auto and the Root Beer Thrift Shop.

F. *7th Street Paving – B to A Street*

Rod Fulton told the Committee that he has a meeting with High Desert Aggregate and 7-Peaks Paving to look at the project. We should be breaking ground end of August or first week of September. It is a small section from A Street to B Street.

G. *Bel Air Sewer Project*

Jeff Hurd informed the Committee that we have applied for a grant/loan through DEQ. We are now waiting for DEQ to contact us to let us know if we have funding. This will put a new sewer main in Bel Air Subdivision. This will be about a one million dollar project. This project will be in FY 2017 we need to save up our funding portion of the project.

H. *Speed Signage for Loucks Road*

This was discussed under visitor comments

V. PROJECT/EVENT UPDATES

A. *Speed Radar Sign Location*

Rod Fulton told the committee I am working through ODOT for the speed sign location for Public Works and Parks to make a recommendation for which end of town you would like to see the sign. ODOT will be sending me an invoice for the radar ODOT is concerned where we want it located.

The Committee had a continued discussion on where the location of radar sign number one. The Committee talked about putting it on the south of town by Thomas Sales and Service. The Committee asked to have Rod contact ODOT for three suggestions for the location and bring it back to the next meeting.

B. *Kenwood Park*

Jon Burchell told the Committee that the playground equipment is installed, and the project is complete. This project went well we utilized the JCFD Volunteers to help put together the playground equipment.

C. *Spray Park*

Jeff Hurd said that we have the agreement ready to sign with the Bean Foundation.

D. *Skate Park to Fishing Pond Trail Addition*

Jeff Hurd told the Committee we were awarded both grants. As soon as the grant agreements come we will start on design. We will plan on doing the construction next summer.

E. *Warm Springs Truck Stop*

Gus Burril told the Committee that we met with them a week ago we are down to 95% on the agreement. We are negotiating the traffic impact, public safety, transportation, and wastewater. Are goal is to take this to Council on August 23, 2016.

F. *Madras Municipal Airport West Access Road*

Rod Fulton told the Committee this project coming along we have to add a couple more electrical vaults and conduit. Our subgrade work is almost done; they are doing the trenching for the utilities. Deschutes Valley Water has installed the hydrants and main line. Alex Hodge is working on the rest of the grade work, utilities, and storm drainage. We will be pushing in the RPZ road in the next couple weeks.

G. *Speed Signs on McTaggart*

Rod Fulton informed the Committee that the caution speed zone signs have been installed. The Police Chief has been aware of the new signs.

H. *No Truck Signs on Tracie and L Street*

Rod Fulton told the Committee that we need to decide what type of no truck signs the Committee would like and where would you like them installed. We just put in the 25 mph speed signs. Mr. Hoff called and thanked me he said it seems to be slowing people down. The other complaints that I have received in the last couple months have been about the trucks coming down the road. ODOT is working on a directional sign to show where to get back to Hwy 97.

The Committee discussed what type of no truck signs they would like to have installed. The Committee decided to table the discussion until the next meeting.

I. *Speed Signs on Turner Street and Tracie Street*

Signs have been installed. Discussion took place above on the No Truck Sign on Tracie and L Street.

J. *Directional Signage on South Adams to Hwy 97*

Discussion took place above on the No Truck Sign on Tracie and L Street.

Additional Discussions

- Richard Ladeby said as you are coming in from Culver Hwy the 25 mph sign is covered up by tree limbs.
- Louise Muir I have heard some good reports on the clean up on Madison and J Street.

- Louise Muir said there is a house near the Catholic Church that has a lot of junk in the front yard. The house is located on Madison and J Street.
- Louise Muir said she was stopped on D Street and 5th. There were three kids that went through the red light and into the other lane. Some of these kids are going to get killed if someone doesn't start cracking down on them riding properly. Could the Police start issuing citations?
- Rod Fulton told the Committee that the flashing stop signs on 7th and C Street will be installed next within the next month.
- Richard Ladeby asked if there is anything we could do on Dover to alert the driver that you are coming to a stop?

ADJOURN

Public Works & Parks meeting adjourned at 9:20 a.m.

Respectfully submitted by:



Michele Quinn, Public Works Administrative Assistant

City of Madras
Madras Redevelopment Commission
Official Minutes
Special Meeting
September 7, 2016

1. **Call to Order**

The Madras Redevelopment Commission meeting was called to order by Chair, Doug Lofting, at 5:34 p.m. on Wednesday, September 7, 2016 in the Madras City Council Chambers.

Members in Attendance:

Chair Doug Lofting; Commissioners Tom Brown, Royce Embanks, Jr., Blanca Reynoso, Chuck Schmidt.

Members Absent Were:

Commissioners Doeshia Jacobs, Don Reeder

There were two membership vacancies.

Staff Members in Attendance:

Gus Burrell, City Administrator
Nicholas Snead, Community Development Director
Robin G. Dehnert, Assistant Planner

Public in Attendance:

Matt McGowen, City's Insurance Agent of Record
Jon Burchell, (as private citizen, not as Public Works staff)

2. **Consent Agenda**

- A. **Adoption of September 7th Agenda**
- B. **Approval of July 13, 2016 MRC Meeting Minutes**
- C. **Approval of August Vouchers**

A MOTION WAS MADE BY COMMISSIONER ROYCE EMBANKS TO APPROVE THE CONSENT AGENDA AS PROPOSED. THE MOTION WAS SECONDED BY COMMISSIONER TOM BROWN AND PASSED BY UNANIMOUS VOICE VOTE.

3. **Visitor Comments**

There were no visitor comments.

4. Intergovernmental Agreement for Administrative Services:

Director Snead gave the background and context for the proposed intergovernmental agreement (IGA):

In June of this year, the auditor for the City and the MRC discovered that the MRC did not have insurance. The City's insurance agent of record Matt McGowan, City Attorney, City Administrator, and Community Development Director met and determined that insurance coverage was needed by the MRC given the risks resulting from the MRC's direction and control of the Madras Urban Renewal District. The MRC hires contractors, owns properties and generally makes decisions which could create liabilities.

Matt McGowan determined that the MRC, in effect, contracts administrative services from the City on an annual basis: financial services, planning and policy work, oversight by the City Administrator, consultation by the Public Works Director. The intent of the proposed IGA is to clearly describe the MRC's procurement of administrative services from the City and create a bright line delineating whose insurance coverage would apply should a claim be made. City Council, as a party to the IGA, will consider it at their next meeting.

The Director asked Matt McGowan to expand on the Director's report as needed.

Matt McGowan gave the details of a policy available through CIS – Citycounty Insurance Services: It is based on the separation between the City Council and the MRC with regard to decision making powers, and the resulting separation of potential liabilities. The annual cost for \$5,000,000 per year liability coverage would be \$2,166. It is very similar to the coverage the City has. He offered the Commission packets with details of the policy.

Commissioner Brown expressed curiosity about exactly what is covered, and in particular, the automobile liability coverage.

Matt McGowan explained that, although the MRC owns no motor vehicles, someone might incur a liability through an incident while driving someone else's vehicle on MRC business. Coverage would also include up to \$5000 coverage for MRC property contained in a vehicle.

Returning to the general liability – bodily injury or property damage, coverage would be \$5,000,000 per occurrence, \$15,000,000 aggregate limit for the year. McGowan explained that it is a boiler plate policy for cities and municipalities, and contains coverages that the MRC may not need, but the standard package of coverages is less expensive than a custom tailored policy would be. Rates are adjusted for coverage that is superfluous.

There would be \$500,000 coverage of stolen MRC funds.

Director Snead stated that there are resources in the existing budget to pay for it. However, at the October meeting, staff would offer a budget resolution to recognize the additional expense in materials and services. He added that currently there is more money than was anticipated at the beginning of the year in the general fund and in the reinvestment fund.

In response to a question from Commissioner Royce Embanks, Matt McGowan stated the policy would cover both volunteers as well as elected officials when they are acting in their capacity as MRC commissioners. He then reiterated his point that, as per the IGA, there is too much separation between the MRC and the City for the MRC to rely on the City's insurance coverage.

Commissioner Reynoso asked if the policy would cover vandalism of the district's streetscape flower pots.

Matt McGowan explained that the deductible for property damage is \$1,000, typically more than such property is worth. Such items could be added to the policy, but the additional premium cost wouldn't be worth it.

City Administrator Gus Burrell asked if the MRC would be covered if someone were injured on one of the properties they own.

Matt McGowan said yes, such an incident would come under the liability coverage previously discussed. He asked if there were any other questions, and with none raised, he thanked the Commission.

Chair Doug Lofting agreed that overlapping coverages, City and MRC, were needed to protect both.

A MOTION, FOR THE MADRAS REDEVELOPMENT COMMISSION TO ENTER INTO THE PROPOSED *INTERGOVERNMENTAL AGREEMENT FOR ADMINISTRATIVE SERVICES* WITH THE CITY OF MADRAS, WAS MADE BY COMMISSIONER CHUCK SCHMIDT. COMMISSIONER BLANCA REYNOSO SECONDED THE MOTION. THE MOTION WAS CARRIED BY UNANIMOUS VOICE VOTE.

5. Reports

A. US Highway 97/J Street – Hanging Flower Baskets

Director Snead enumerated some of the problems encountered installing and maintaining baskets: difficulties watering enough, delays installing irrigation, bracket hardware failures causing baskets to fall. Fallen baskets would be rehung this week. The October MRC meeting agenda would include a budget resolution covering some of the expenses of solving these problems.

B. Blight Removal Update

i. Buildings

Director Snead said he is in contact with the owners of a derelict building near the north Highway 97 wye in the north end of the district. They are discussing entering into a blight removal agreement very similar to the Potter agreement. He expected to speak with the owners in September and move the project forward. He hopes that the agreement will be finalized and the abatement accomplished this winter.

City of Madras
Madras Redevelopment Commission
Official Minutes
Special Meeting
July 13, 2016

1. **Call to Order**

The Madras Redevelopment Commission meeting was called to order by Acting Chair, Tom Brown at 5:30 p.m. on Wednesday, July 13, 2016 in the Madras City Council Chambers.

Members in Attendance:

Vice Chair Tom Brown; Commissioners Royce Embanks, Jr., Doeshia Jacobs, Don Reeder, Blanca Reynoso, Chuck Schmidt.

Members Absent Were:

Chair Doug Lofting

There were two membership vacancies.

Staff Members in Attendance:

Nicholas Snead, Community Development Director
Robin G. Dehnert, Assistant Planner

2. **Consent Agenda**

A. **Adoption of Agenda**

B. **Approval of Minutes**

1. **June, 22, 2016 MRC Meeting Minutes**

C. **Approval of Vouchers**

Nicholas Snead requested that Resolution MRC 2016-06 be added to the agenda as Item 8.

A MOTION WAS MADE BY COMMISSIONER ROYCE EMBANKS TO APPROVE THE CONSENT AGENDA AS AMENDED. THE MOTION WAS SECONDED BY COMMISSIONER BLANCA REYNOSO AND PASSED UNANIMOUSLY.

3. **Visitor Comments**

There were no visitor comments.

4. **Commercial Development Recruitment:**

A. Local Commercial Development Recruitment Specialist Services Status Report

Director Snead reported that only one person, Rick Allen, had submitted a proposal to provide services as the Local Commercial Development Recruitment Specialist. In discussions with Director Snead, Mr. Allen had questions about State real estate law regarding conflicts of interest and listing requirements. Mr. Allen has contacted the State Real Estate Commission and is working to resolve the issues. Mr. Allen and Director Snead hope to present an agreement at the next meeting of the MRC.

Commissioner Don Reeder "Was there any other interest whatsoever?"

Director Snead "No there wasn't.... The scope of services was written in a very broad way. We didn't want just a real estate agent... a developer... someone that's involved in commercial finance. So, getting someone with those broad skills I think kind of narrows it." He observed that this creates some challenges, but finding such a person will put the MRC in a good position. If someone isn't found, staff and the Commission would have to revisit the issue.

Commissioner Doeshia Jacobs "Is this about ... putting something on the market for us? Is that it?"

Director Snead "... There was a general requirement, if he's involved or selling a property, there's a requirement that he list it and he's not going to be listing it for the MRC, he's not going to be selling property for the MRC. He'll be involved in the transaction, but he's not going to be the real estate agent. We're just working through details related to that."

Director Snead reviewed some experience the City has had with real estate agents and how it was decided, "that if we have a transaction that needed to be brokered with one of our two properties, that we would use the city attorney and their real estate agent if there was one and the city attorney would broker the deal for us."

In response to a question from Commissioner Jacobs, Director Snead and Commissioner Brown explained that there is no specific property currently to be put on the market, but that the development recruitment specialist would help get properties developed.

B. The Retail Coach National Retailer Status Report

Director Snead reported that they are moving forward on additional analyses which they think are needed. They will collect and analyze data from grocery stores, thought to be the busiest places in Madras. A preliminary report will suggest what types of businesses would be good fits for Madras. The results will be presented to the Commission in executive session due to the need for confidentiality.

"The purpose of this report is, number one: we're moving forward on getting them started. Number two: the marketing analysis and marketing materials are being developed. And three: we'll likely have an executive session in the future to kind of brief you on their work. So, please expect that in the future."

[There was a brief discussion about the retail coach, where they were based, and the emphasis of their efforts.]

Commissioner Jacobs "We want to get these people to stop, we want them to spend their money and we want them to move on. I do."

Commissioner Embanks "Don't get to like it here, just leave your cash."

Commissioner Jacobs "That's exactly right. There are thousands and thousands and thousands of cars that come down that hill. I see it Thursday and Friday and Saturday and going home Sunday. We want to capture those people."

5. Commissioner Request to Develop Special Public Contracting Rules for the Madras Redevelopment Commission

Director Snead noted that Commissioner Reeder and other commissioners had expressed a concern that local businesses be shown a preference in public contracting. Snead recalled that during the June meeting, he presented the City Council's new rules on public contracting, and stated that MRCs have generally followed all ordinances, resolutions and policies of the City. The Council's changes included an increase of the spending limit, beyond which three competitive bids were required, from \$5,000 to \$25,000.

Director Snead reported that after the June meeting, he, Chair Lofting and Commissioner Reeder discussed special procurement policies for the MRC. Such policies would show a preference for local businesses.

He stated that, from a staff perspective, there were many things going on "behind the scenes. Not only are we trying to recruit two developments in the MRC, one of them is on a property you own, we are also starting to work with retail coach. We are also working and collaborating with the Public Works Department to get the flower baskets that you purchased out on the light poles, which required a lot of effort. And more importantly, this fall, what I would like to do is start working on the request for proposals ... for another three or five year contract for a flower provider... the water and services."

He expressed his desire for formal direction from the Commission before he and Commissioner Reeder start developing special public contracting rules. He added that currently, any staff can make a purchase of up to \$10,000 without getting three quotes, and that he had no concerns about purchasing from local businesses except in regards to the flower pots. His analysis was:

1. There are advantages and disadvantages to purchasing the flowers that way. The advantage would be that you don't need to get three quotes. You just go and purchase the flowers.
2. The disadvantage would be the uncertainty for businesses that from year to year they would receive the same order. The size of the purchase requires advance planning on the part of the provider.

The Director expressed a belief in the importance of creating an expectation, for the term of an agreement, that the flowers would be purchased. Therefore, his recommendation is that the MRC not adopt a special procurement policy, but that the Commission solicit proposals for another multi-year flower contract, and in the process, develop criteria

specific to that proposal giving preference to local businesses.

[Commissioner Chuck Schmidt joins the meeting at this time.]

Commissioner Reeder "And I talked with Nick before, yesterday, and I agree with that in this situation.

Commissioner Smith "I do too."

[There was a brief discussion of flower pot installation and maintenance details.]

Director Snead suggested that there be no action by the Commission.

Vice Chair Tom Brown asked for objections, and hearing none, moved on to the next item.

6. Authorization of Sidewalk Repair Funds from FY 2016-17 MRC Budget

Director Snead reminded the Commission of its authorization, late last fiscal year, of funds to be used by the Public Works Department to repair sidewalks. To avoid another late in the year request, staff asked for the Commission's authorization to use the \$10,000 in the 2016-2017 MRC budget, and for Public Works to start repairing sidewalks. \$3,000 of the \$10,000 would be held back in case grant applications were received from businesses or property owners. He noted that few applications were received because potential grantees were unable to get estimates from three contractors. As a result, Public Works is taking the funds, working with the contractors, and doing \$20,000 of work at one time.

The Director anticipates that the City will use the funds, addressing the highest priority sidewalk projects remaining in the urban renewal district, and holding \$3000 back. If no grant applications are received toward the end of this fiscal year, probably May, those remaining funds will be used to contract for more repairs.

Commissioner Reeder declared a conflict of interest because some funds have been used to repair the sidewalk in front of his office.

Commissioner Jacobs asked if the Parks Superintendent had been consulted regarding the placement of concrete and grates around street trees.

Director Snead said that the Superintendent had been consulted. He went on to explain the different methods of tree replacement and occasional removal done with the Superintendent's guidance.

A MOTION WAS MADE BY DOESHIA JACOBS TO AUTHORIZE SPENDING \$10,000 ON THE REPAIR OF SIDEWALKS, WITH \$3000 HELD IN RESERVE. THE MOTION WAS SECONDED BY COMMISSIONER BLANCA REYNOSO. COMMISSIONER REEDER ABSTAINED FROM VOTING ON THE MOTION. THE MOTION WAS CARRIED BY UNANIMOUS VOICE VOTE BY THE REMAINING MEMBERS.

Acting Chair Brown altered the order of items on the agenda, bringing Item 8 forward to become Item 7.

7. Consideration of Resolution MRC 2016-06

Director Snead explained that Urban Renewal District levy revenues are collected by Jefferson County and held in the County's pooled treasury. The current resolution [MRC 2014-01] acknowledges the treasury investment services agreement and fund transfer authorization between the MRC and Jefferson County. It also authorizes the investment of surplus MRC funds in the Jefferson County pooled treasury, and further authorizes certain City officers and public officials to request transfers and withdrawals of Urban Renewal District funds. The departure of Brandie McNamee as City of Madras Finance Director necessitates changes in the current resolution. The only substantive change proposed in the updated resolution is the reassignment of account access from Ms. McNamee to the City's new Finance Director, Kristal Hughes.

A MOTION TO ADOPT RESOLUTION MRC 2016-06 WAS MADE BY COMMISSIONER CHUCK SCHMIDT. THE MOTION WAS SECONDED BY MAYOR ROYCE EMBANKS AND PASSED UNANIMOUSLY BY VOICE VOTE.

8. Reports

A. US Highway 97/J Street Hanging Flower Baskets

Director Snead announced that the purchased brackets have been delivered. He has confirmed installation details with the Parks Department. A contractor has begun improvements to the irrigation system. Baskets should be hung by the end of July.

Commissioner Jacobs recalled her initial doubts about the expense of making the decorative improvements, but observed that, "It sure looks nice."

B. Potter Property Blight Removal Update

Director Snead announced that it was completed and that staff has received compliments. He acknowledged the Commission's leadership in the matter and thanked them.

He related that he and Kevin O'Meara are talking about an arraignment, similar to the Potter agreement, to remove Mr. O'Meara's building behind the Sonic. They may have an agreement for the Commission's consideration this fall or winter.

Director Snead added that the Potter agreement was for a maximum of \$18,000. The actual total project cost was about \$19,200 leaving Potter with an exposure of roughly \$1200 not to be refunded by the line of credit. The unanticipated expense was due to sewer lines and other utilities, from the old trailer park, that needed to be abandoned. The project also removed and filled the house's basement.

9. Additional Discussion

Commissioner Jacobs expressed concerns about maintenance of the landscaping in

front of Bi-Mart.

Director Snead introduced recently hired Assistant Planner Rob Dehnert and explained that Dehnert recently met with the developer of a proposed building adjacent to Bi-Mart.

Planner Dehnert reported that he and the Director recently met with the new owners of the tract north of Bi-Mart and they are planning to build a 17,000 square foot retail building connecting to the north side of the existing structure. He related that the developers are concerned about the condition of the landscaping and intend to improve maintenance and upgrade some of the existing materials.

[A brief discussion ensued regarding the location of the proposed development and the anticipated retail tenant, Grocery Outlet.]

End of reports.

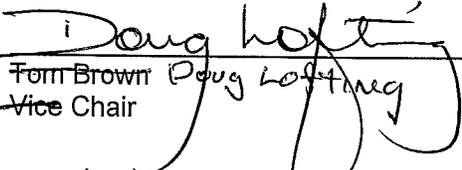
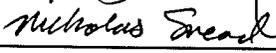
Commissioner Reeder suggested corrections were needed to the resolution approved earlier in the meeting. It stated that the resolution was approved by the "Common Council of the City of Madras" and signed by the Mayor.

Director Snead concurred and suggested striking "Common Council of the City of Madras" to be replaced by "Madras Redevelopment Commission" and changing the signer to be "Vice Chair Tom Brown." He then asked if the Commission wished to take formal action to make the changes.

The Commission declined and agreed that the changes could be made as part of the formal action already taken.

10. Adjourn

The meeting adjourned at 6:14 p.m.

 Tom Brown Vice Chair	9.7.16 Date
 Nicholas Snead Community Development Director	9-7-16 Date



THE CITY OF **MADRAS**

City of Madras
Urban Forestry Commission
216 NW "B" Street

August 2, 2016
6 P.M.

MINUTES

I. CALL TO ORDER

The Urban Forestry Commission meeting was called to order by Chair Bill Donaghu at 6:00 p.m. on August 2, 2016 at the Public Works Building located at 216 NW B Street.

MEMBERS PRESENT

Rebekah Burchell
Rob Osborn
Bill Donaghu
John Arena
Brad Jorgensen

STAFF MEMBERS PRESENT

Parks Supervisor; Jon Burchell
Public Works Administrative Assistant; Michele Quinn

VISITORS PRESENT

II. CONSENT AGENDA

- A. Approval of Agenda
- B. Minutes for the May 3, 2016

APPROVAL OF AGENDA AND MINUTES

A motion was made by Rob Osborn; seconded by Rebekah Burchell; to approve the May 3, 2016 minutes, and agenda as presented, motion passed unanimously.

III. VISITOR COMMENTS

No Visitors

1- Urban Forestry Commission Meeting
August 2, 2016

216 N.W. "B" Street, Madras, OR 97741 Telephone (541)475-2622 – Fax (541)475-1038

The City of Madras is an Equal Opportunity Provider

IV. NEW BUSINESS

A. Downtown Tree Replacement

Jon Burchell told the Commission that there are three trees downtown that need to be addressed. They have been cut and there is nothing there at this time. The first tree and electrical outlet is by the Black Bear entrance on 5th Street. It has been hit a number of times causing its decline, and the electrical box has also been run over.

The Commission discussed the tree at the Black Bear entrance and agreed that the tree should be removed due to the frequency of it being hit by cars and as a possible vision clearance issue.

Jon Burchell also talked to the Commission about the second tree on the corner of Wells Fargo on 5th Street. He said that this tree had been topped and eventually died so it was removed. The third tree is located at the parking lot on 5th and C Street.

There was a discussion on types of tree replacement at the corner of Wells Fargo and the parking lot on C and 5th Street.

A motion was made by Rebekah Burchell; seconded by Rob Osborn; to replace the tree on C and North Bound Hwy 97 with a BowHall Maple, replace the tree at Wells Fargo "E" and North Bound Hwy 97 with Sunset Maple and remove the tree at the east side of Black Bear Diner parking lot entrance, motion passed unanimously.

B. Sahalee Park Tree Replacement

Jon Burchell explained to the Commission that these are the trees that surround the new circle of lawn in the new side of Sahalee Park; there are eleven trees that have died and they have been cut down and removed. There are seven trees that are not healthy and possibly probably will die. There are three trees that are healthy. Jon asked the Commission what kind of trees they would like to replant in the areas where the trees have been removed.

The Commission talked about the Columnar Oak which is currently planted at Sahalee Park. They discussed that the Columnar Oak does not do well in our climate, and what can we replace them with that is hardy. What do we want this area to look like? Are we looking for a park like setting or more of an amphitheater setting? They continued to discuss the different type of trees like Arborvitaes, Evergreen, Swedish Aspen, BowHall Maple, or should we have a variety of trees. The Commission agreed they would like to stick with the amphitheater feel and uniformity, and they would like to replace all the trees eventually.

Rebekah Burchell suggested that we use this as an Arbor Day activity; we could include Metolius Elementary and have a large area for the kids.

The Commission continued the discussion on when would be a good time to plant the trees. If we plant in the fall we might have to water them by hand, could we wait and plant them in the spring.

The Commission agreed to table this discussion and bring it back at the October meeting to discuss planting half in spring and half in fall and also what type of tree to plant.

V. Updates

A. Downtown Sidewalk Grant Program Update

Jon Burchell told the Commission that we have finished the first phase of the sidewalk grant program. We did eliminate some trees that did not have irrigation and others we shaved roots and added root barrier. The next phase is coming up and we will have more of the same. I will come to you in September and ask for your input on whether we want to remove or replace trees.

B. Hwy 97 and L Street Pedestrian Improvement Project Update

Jon Burchell told the Commission that this project is complete. We added sidewalk, a tree, and a light. He believes the property is now owned by the government and will be going up for auction.

C. Update Urban Forestry Management Plan

No Update, there is a meeting on Thursday to go over the specifications with the engineer.

D. South Y Project Update

Jon Burchell explained to the Commission that we are mowing the grass. There is a one year warranty on the irrigation and plantings. We will start turning over landscape maintenance of the right of way adjacent to the property owners next spring. There are still some trees and bushes that need to be replaced.

E. Kenwood Park Playground Update

Jon Burchell told the Commission that Kenwood Park is complete. This park is in the Juniper Crest subdivision. The Jefferson County Fire volunteers helped construct the playground equipment.

VI. ADDITIONAL DISCUSSION

Jon Burchell told the Commission that Paul Rodby, owner of McDonalds called and inquired about the tall trees along the highway. Mr. Rodby said the trees are tall and blocking his business potentially causing passing motorists to drive past his establishment. He wanted to know if the City is willing to trim the trees. He was asking Jon if that was possible. Jon said he was in contact with Mr. Rodby and they were scheduling a meeting time to look at what can be done.

Jon also asked the Commission to approve a letter to Carlson Sign explaining the Commission's views on billboards and trees. Jon read the Carlson letter to the Commission.

The Commission discussed having Jon write a similar letter to Paul Rodby explaining we do not top trees but rather trim or cut specific branches to create viewing windows of opportunity.

A motion was made by Rebekah Burchell; seconded by John Arena; to approve the Carlson Sign letter as written, motion passed unanimously.

- Brad Jorgenson asked if the Commission will need to look at the landscaping for the Daimler Project and approve trees.

Jon Burchell explained that there will not be any trees along the road going into Daimler. There will be landscaping at their facility on the leased property.

- Jon Burchell told the Commission that they have over seeded the Hwy 26 irrigation project. We will remove and replace trees as needed. The Commission discussed that they could assist with the tree removal and replacement in the industrial strip.

VII. ADJOURN

The Urban Forestry Commission Meeting was adjourned at 6:51 p.m.

Respectfully Submitted



Michele Quinn

Public Works Administrative Assistant



THE CITY OF **MADRAS**

City of Madras
Urban Forestry Commission
216 NW "B" Street

May 3, 2016
6 P.M.

MINUTES

I. CALL TO ORDER

The Urban Forestry Commission meeting was called to order by Chair Bill Donaghu at 6:05 p.m. on May 3, 2016 at the Public Works Building located at 216 NW B Street.

MEMBERS PRESENT

Rebekah Burchell
Rob Osborn
Bill Donaghu
Stan Nowakowski

STAFF MEMBERS PRESENT

Parks Supervisor; Jon Burchell
Public Works Administrative Assistant; Michele Quinn

VISITORS PRESENT

II. CONSENT AGENDA

- A. Approval of Agenda
- B. Minutes for the April 11, 2016

APPROVAL OF AGENDA AND MINUTES

A motion was made by Rebekah Burchell; seconded by Rob Osborn; to approve the April 11, 2016 minutes, and agenda as presented, motion passed unanimously.

III. VISITOR COMMENTS

No Visitors

1- Urban Forestry Commission Meeting
May 3, 2016

216 N.W. "B" Street, Madras, OR 97741 Telephone (541)475-2622 – Fax (541)475-1038

The City of Madras is an Equal Opportunity Provider

IV. NEW BUSINESS

A. Review Ordinance No. 527 Urban Forestry Ordinance

Jon Burchell asked the Commission for proposed changes they would like to see made to Ordinance No. 527. We would like to have the Commission have more authority so we don't have to go to Council for everything we make decisions on.

The Commission discussed the changes to be made to the ordinance including the powers and duties, Public Works Director and Designee.

Jon told the Commission he will work on the changes discussed and bring back a draft for approval before we take this to Council.

V. Updates

A. Downtown Sidewalk Grant Program Tree Approval

Jon Burchell told the Commission that Ryan Simmons has pulled the panels by Spiffy Car Wash and AmeriTitle. We have removed the trees where there is no available irrigation and the sidewalk has been poured back. We will start working on Fourth Street; GTI will remove the dead trees in front of the lawyer's office and the pawn shop. You should see this happening by the end of May. We will have the sidewalk poured and then we will come in and replace the trees. We are only replacing one of the trees by the pawn shop because of the awning. After July first we will replace the trees by Reynoso Jewelry. We will start on the next group of sidewalk replacement after July 1, 2016 when we have funding available in the budget.

B. Hwy 97 and L Street Pedestrian Improvement Project Tree Approval

Jon Burchell informed the Commission that this project is complete and we finished on time and within the budget. The project went very well with little to no issues.

C. Update Urban Forestry Management Plan

Jon Burchell said that the City has heard back from the Engineer and the changes we would like to have made to the street standards. We will now sit down and go through them and I will bring back the changes that will be implemented in the Urban Forestry Management Plan.

D. Arbor Day Activity Update

Rebekah Burchell told the Commission that she and Stan presented the poster winners with bird houses and the first place winner also received \$20.00. The Pioneer ran an article on the Arbor Day Activity. Next year we need to start early gathering the materials maybe January or February. We have the Metolius School on board to participate in Arbor Day next year.

Bill Donaghu said we should send thank you letters to Warm Springs Forestry and Madras Builders for their donations.

The Commission agreed that would be a nice gesture to send a thank you letter.

E. South Y Project Update

Jon Burchell told the Commission that the weeds have been sprayed and the grass is coming in nicely. They will go back and reseed where it is needed. They are going to start replacing the trees that did not make it through the winter.

VI. ADDITIONAL DISCUSSION

- Jon Burchell told the Commission that we have received our growth awards and we will get them put up.
- Michele Quinn informed the Commission that it was time for them to renew their Adopt-a-Trail Program Agreement if they wanted to continue with their section of trail.
The Commission agreed that they would continue and filled out the agreement.
- The Commission discussed the month of June and July and decided they would cancel the June and July meetings and would meet again in August.

A motion was made by Rob Osborn; seconded by Stan Nowakowski; to cancel the June and July Urban Forestry Commission meetings, motion passed unanimously.

VII. ADJOURN

The Urban Forestry Commission Meeting was adjourned at 6:40 p.m.

Respectfully Submitted


Michele Quinn
Public Works Administrative Assistant