

DALLAS CITY COUNCIL

AGENDA

Mayor Jim Fairchild Presiding

Monday, June 16, 2008, 7:30 PM

Dallas City Hall*
187 SE Court Street
Dallas, OR 97338

All persons addressing the Council will please use the table at the front of the Council. All testimony is electronically recorded. Public participation is encouraged. If you desire to speak on any agenda item, please raise your hand to be recognized after the Mayor calls the item, or sign in on the provided card. If you wish to address the Council on any item not on the agenda, you may respond as the Mayor calls for questions and/or comments from the audience.

1. ROLL CALL

2. APPROVAL OF MINUTES

- 2.1. Approval of minutes of the June 2, 2008, Council meeting. (page 3)
-

3. REPORTS OR COMMENTS FROM COUNCIL MEMBERS

- 3.1. Presentation of prizes for "If I were Mayor" essay contest
-

- 3.2. Mayor's monthly report. (page 9)
-

- 3.3. Council President's monthly report. (page 11)
-

4. QUESTIONS AND/OR COMMENTS FROM THE AUDIENCE

5. REPORTS OF SPECIAL COMMITTEES AND CITY OFFICERS

- 5.1. City Manager's Reports

- a. Approval of election forms (page 12)
-

- b. Candidates responsibilities and steps in process for Mayor and Council elections (page 23)
-

- c. Discussion concerning Transient Lodging Tax reporting periods (page 24)
-

- d. Discussion concerning City insurance coverage (page 38)
-

- e. Dallas Aquatic Center update (page 50)
-

- f. Parking Ordinance update (page 53)
-

g. Fire Bond Measure proposal (page 61)

h. Report on the June 10, 2008, Planning Commission meeting. (page 75)

i. Bills of the City for the month of May (page 77)

j. Other

6. COMMUNICATIONS AND PETITIONS

7. PUBLIC HEARINGS

8. RESOLUTIONS

8.1. Resolution No. 3155: A Resolution establishing permit fees for the Oregon Plumbing Specialty Code and repealing prior conflicting Resolutions. (page 85)

8.2. Resolution No. 3156: A Resolution establishing permit fees for the Oregon Mechanical Specialty Code and repealing prior conflicting Resolutions. (page 88)

8.3. Resolution No. 3157: A Resolution establishing permit fees for the Oregon Residential Specialty Code and repealing prior conflicting Resolutions. (page 91)

8.4. Resolution No. 3158: A Resolution establishing permit fees for the Oregon Structural Specialty Code and repealing prior conflicting Resolutions. (page 93)

8.5. Resolution No. 3159: A Resolution adopting the budget of the City of Dallas, Oregon for the fiscal period beginning July 1, 2008 and ending June 30, 2009, making budgeted appropriations and levying taxes for said fiscal period. (page 95)

8.6. Resolution No. 3160: A Resolution declaring the City of Dallas' election to receive State Revenues. (page 99)

9. FIRST READING OF ORDINANCE

9.1 Ordinance No. 1688: An Ordinance amending DCC 5.382 and 5.384 regarding licensing of dogs. (page 100)

10. SECOND READING OF ORDINANCE

10.1 Ordinance No. 1687: An Ordinance changing the zoning designation of a parcel of real property owned by Raymond Baker and Daniel Carver from Residential Agricultural to Residential Medium Density. (page 103)

11. OTHER BUSINESS

12. ADJOURNMENT

Note: There will be a meeting of the Community Development Department Urban Renewal Agency Board or Directors following the Council meeting.

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The Dallas City Council met in regular session on Monday, June 2, 2008, at 7:30 p.m. in the Council Chambers of City Hall with Mayor Fairchild presiding.

1. ROLL CALL

Council members present were: Council President Ken Woods, Jr., Councilor Brian Dalton, Councilor Jackie Lawson, Councilor Wes Scroggin, Councilor David Shein, Councilor Dave Voves, and Councilor LaVonne Wilson. Excused: Councilor Warren Lamb and Councilor Kevin Marshall.

Also present were: City Manager Jerry Wyatt, City Attorney Lane Shetterly, Assistant City Manager Kim Marr, Police Chief Jim Harper, Fire Chief Bill Hahn, Public Works Director Fred Braun, Community Development Director Jason Locke, Finance Director Marcia Baragary, and Recording Secretary Emily Gagner.

2. APPROVAL OF MINUTES

Hearing no corrections, Mayor Fairchild declared the minutes of the May 19, 2008, Council meeting approved as presented.

3. REPORTS OR COMMENTS FROM COUNCIL MEMBERS

Mayor Fairchild commented that the Dallas Retirement Center recently honored the public safety people throughout Dallas and gave plaques to the Polk County Sheriff's Department, Dallas Police Department, Dallas Fire Department, and Dallas Emergency Service Department to thank them for doing a great job.

Councilor Brian Dalton noted that he will be going to an urban forestry workshop in Portland on Thursday, so if anyone wants him to take information there or bring it back, let him know.

5.1 a) EMPLOYEE RECOGNITION (KEVIN SAILORS)

City Manager Jerry Wyatt stated that he had an Employee Service award for Kevin Sailors, who was unable to attend the meeting. He noted Kevin has worked for Dallas for twenty years, beginning in 1988 in the Street Division. He has now attained the position of Lead Worker and is very skilled on equipment operation and is the primary employee responsible for the sewer lift stations. Mayor Fairchild commented that he appreciates the long time members in our service; these are the people who help make the City what it is.

4. QUESTIONS OR COMMENTS FROM THE AUDIENCE

Chelsea Pope, Executive Director of the Chamber of Commerce, commented that when a new business has a grand opening, she has seen Councilors at some events, but not at others. She stated it is important when someone invests in our community that the Councilors attend when possible to show their support.

5.1 b) DISCUSSION CONCERNING THE CITIZEN SURVEY RESULTS AND PROPOSED WORKSHOP

Mr. Wyatt reported that staff is working in each department where comments came back from the survey as they relate to services or items that need to be addressed. He would like to schedule a lunch Council workshop where staff can report to the Council about their departments to see how we can better communicate or provide a better service. It was agreed to schedule that via email at a later time.

5.1 c) PLANNING COMMISSION MEMBER APPOINTMENTS

Mr. Wyatt stated two Planning Commissioners resigned, so staff solicited and reviewed applications and held interviews with four individuals who were interested in serving. Staff recommendation is to appoint Carol Kowash and Carrie Mendell to fill the vacant terms on the

1 Planning Commission, which run through 2010.

2

3 Councilor Jackie Lawson moved to appoint Carol Kowash and Carrie Mendell to the Planning
4 Commission to fill the vacant positions with terms running through 2010. The motion was duly
5 seconded and CARRIED UNANIMOUSLY with Council President Ken Woods, Jr., Councilor
6 Brian Dalton, Councilor Jackie Lawson, Councilor Wes Scroggin, Councilor David Shein,
7 Councilor Dave Voves and Councilor LaVonne Wilson voting YES.

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9 **7. PUBLIC HEARINGS**

10 **7.1 PUBLIC HEARING ON THE 2008-2009 CITY OF DALLAS BUDGET AND USE OF** 11 **STATE REVENUE SHARING FUNDS**

12 Mayor Fairchild opened the public hearing at 7:45 p.m. Mr. Wyatt explained that based on a
13 recommendation from the May 19 Budget Committee meeting, staff is submitting the 2008-2009
14 City Budget and also use of State Revenue Sharing Funds.

15 In response to a question, Mr. Wyatt stated that the property tax imposed is \$4.1954 per \$1,000
16 of assessed value and the levy to be imposed for debt service on General Obligation bonds is
17 \$731,185. Mayor Fairchild noted that this budget is strictly a hold-the-line budget this year.
18 Finance Director Marcia Baragary indicated that the total budget is \$45 million, which includes
19 the anticipated bonding for the November election.

20

21 There was no testimony from the public and Mayor Fairchild closed the public hearing at 7:51
22 p.m.

23

24 Councilor Shein moved to approve the 2008-2009 City of Dallas Budget as approved by the
25 Budget Committee and approve the use of State Revenue Sharing funds and direct the City
26 Attorney to prepare the required resolutions for the June 16, 2008, City Council meeting. The
27 motion was duly seconded and CARRIED UNANIMOUSLY with Council President Ken
28 Woods, Jr., Councilor Brian Dalton, Councilor Jackie Lawson, Councilor Wes Scroggin,
29 Councilor David Shein, Councilor Dave Voves, and Councilor LaVonne Wilson voting YES.

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31 **7.2 PUBLIC HEARING ON PROPOSED BOND ISSUES**

32 Mayor Fairchild opened the public hearing to review the Fire Department bond issue at 7:55 p.m.

33

34 Mr. Wyatt reviewed his recommended motion to seek voter approval in November 2008 to sell
35 bonds for fire and emergency services to finance the costs of capital improvements. Mr. Wyatt
36 explained that included improvements to the Fire Station, purchasing two ambulances, and
37 constructing a new fire tower and props at the fire training facility, adding staff is working with
38 Weyerhaeuser on obtaining property for the training facility. Mayor Fairchild explained the
39 public hearing was to get information from the public, but no decisions will be made at this time.

40

41 Mayor Fairchild asked for comments from the audience and there were none. Mayor Fairchild
42 recommended having a workshop to determine the exact amount and title of the bond. He closed
43 the public hearing at 8:01 p.m.

44

45 Mayor Fairchild opened the public hearing for the Senior/Community Center bond issue at 8:01
46 p.m.

47

48 Mr. Wyatt reviewed his recommended motion and explained that while we have been told we
49 won't qualify for a CDBG grant, we found that we may now be eligible. He indicated staff is
50 working on a business plan for the operation of the center which discusses how it would be
51 operated, how it would be rented, how it would generate income, and how it would be
52 maintained. The Seniors' 501(c)(3) would be the guardian of the center. In response to a
53 question, Mr. Wyatt stated that the deadline is August 12 to notify the County Clerk. City
54 Attorney Lane Shetterly indicated the August 4, 2008, Council meeting would be the last
55 meeting at which they could adopt a resolution for the bond.

56

57 Mayor Fairchild accepted a letter from Christine Valentine and Brian King to place in the record.
58 He asked for more comments from the audience.

1
2 Dick May indicated he was on the site selection committee, but is not on the Senior Center
3 Board. He stated citizens who know the facts are aware that the current Senior Center is not
4 adequate to serve the seniors in the community. He indicated that an adequate center improves
5 the lives of seniors and others, adding they never intended to have a senior-only building, but
6 want to meet the needs of the community.

7
8 Karen Remple stated she enjoys going to the Senior Center, but it is overflowing. Many people
9 no longer come because it is too full, and she hopes the Council considers a new center.

10
11 Michele Campione indicated that she has worked very closely with the seniors over the last two
12 years developing plans for current and future activities. She added they have worked hard and
13 doubled their attendance numbers over the past two years. She stated she wants to put her voice
14 forward as a non-senior that this center is important for after school programs and senior
15 programs.

16
17 Jerry Wennstrom agreed with the comments that the Senior Center is too small. He noted that
18 when the seniors have a social function, people have to take turns to sit and have a meal, adding
19 they would have better attendance if there was more room. Mr. Wennstrom indicated that the
20 Dallas Areas Seniors sponsor activities that help the mental and physical well-being of the
21 seniors in the community.

22
23 Candy Thommen, President of the Senior Center, agreed that they badly need a new Senior
24 Center. Ms. Thommen stated she wants a sign designating the future site of the new center, and
25 Mr. Wyatt explained that wouldn't happen until the Council decides to go forth with the bond.

26
27 Chelsea Pope stated the Chamber Board did not meet prior to the public hearing but did want to
28 urge the Council to discuss all options for the bond. She stated they aren't discounting the need
29 for a Senior Center, but many new ideas came out of the recent joint meeting with the Council
30 and School Board and we need to look at all the options and consider the fiscal impacts.

31
32 Mayor Fairchild closed the public hearing at 8:23 p.m.

33
34 In response to a question, Mr. Wyatt stated the Council will receive a copy of the business plan
35 when a presentable draft is completed, hopefully at the June 16 meeting. In response to
36 discussion, Mr. Wyatt stated the Council will review the business plan and make
37 recommendations and that plan will be used to receive grants and funding.

38
39 Councilor Dalton stated that broadening the concept of a Senior Center to a Community Center
40 was the consensus of the Senior Center Advisory Committee. That broader concept will make it
41 as palatable as possible to as many voters as possible, which will help its success.

42
43 Mayor Fairchild reopened the public hearing at 8:29 p.m.

44
45 Mary Christensen stated the community needs a community center, and it should include a
46 basketball court. She indicated the community is growing and with gas prices rising, we can't go
47 elsewhere. She supported a center that included kids, and noted a community center would bring
48 people together.

49
50 Mayor Fairchild closed the public hearing at 8:35 p.m.

51
52 Mayor Fairchild recessed the City Council meeting at 8:35 p.m.

53
54 Mayor Fairchild reconvened the City Council meeting at 8:39 p.m.

55 COMMITTEE REPORTS OF MAY 27, 2008

56 3.1 Administrative Committee – Councilor Marshall, Chair

57 Council President Ken Woods reported on the topics presented at the Administrative Committee

1 meeting as included in the agenda packet.

2 He stated the committee discussed a proposed Cost of Living increase of 3.8% based on the
3 Consumer Price Index. Councilor Dalton asked if staff determined if the new payroll system was
4 able to show all benefits to the employees. Ms. Baragary stated it could not without custom
5 reports being generated. After some discussion, it was determined to have staff look into the cost
6 impact of showing staff the total benefits included in their salary.

7 Councilor Ken Woods moved to approve the cost of living increase as presented. The motion
8 was duly seconded and CARRIED UNANIMOUSLY with Council President Ken Woods, Jr.,
9 Councilor Brian Dalton, Councilor Jackie Lawson, Councilor Wes Scroggin, Councilor David
10 Shein, Councilor Dave Voves, and Councilor LaVonne Wilson voting YES.

11 Councilor Woods then discussed the community garden proposal. Mr. Wyatt stated he will
12 report back to the Council on the status of the garden and well. Councilor Woods next reviewed
13 the proposed Dallas High School sign noting no one really likes the appearance or location as
14 currently proposed. He indicated staff will continue to work with the school and report to the
15 Council later. Councilor Woods reported that staff is looking at purchasing an electric vehicle to
16 replace the current park vehicle, which is very old. Mr. Wyatt indicated the vehicle would fit on
17 the park trail, and staff recommends upgrades that would allow the driver to sit on the right side
18 of the vehicle to facilitate curb grass spraying and battery upgrades that would allow it to go
19 faster than 25 mph.

20 3.2 Public Safety Committee – Councilor Shein, Chair

21 Councilor Shein reviewed the topics discussed at the Public Safety Committee meeting as
22 presented in the agenda packet.

23 Councilor Shein discussed the proposed parking fee increases, indicating changes the committee
24 recommended to the original proposal.

25 Councilor David Shein moved to direct the City Attorney to prepare an ordinance adopting
26 parking citation fees as submitted and change parking enforcement hours to 8:00 a.m. to 5:00
27 p.m. The motion was duly seconded.

28 Councilor Lawson stated that parking downtown is difficult and she was concerned that the
29 increase wasn't enough to be a deterrent. Councilor Scroggin asked if there was a multiple
30 offence penalty. Mr. Wyatt noted there is nothing in the proposal for an escalating scale. There
31 was discussion about the fee amounts and City Attorney Shetterly noted the current code is
32 pretty outdated. He recommended coming back to the Council with a complete revision of the
33 ordinance.

34 Councilor Shein withdrew his motion.

35 Councilor Shein reported on the proposal to have the City begin dog licensing.

36 Councilor Shein moved to have the City Attorney prepare an ordinance to allow the City to begin
37 dog licensing and prepare a resolution to set licensing fees the same as Polk County rates and
38 provide a discount for microchipped dogs. The motion was duly seconded.

39 There was discussion about the requirement to micro-chip a dog if it is impounded and not
40 already micro-chipped. City Attorney Shetterly recommended tying the micro-chip
41 requirement to the Code requirement that a dog wear a tag.

42 Councilor Shein amended his motion to require a dog that is impounded to be micro-chipped
43 only if it is not wearing a tag. The amendment was duly seconded. The motion with amendment
44 CARRIED UNANIMOUSLY with Council President Ken Woods, Jr., Councilor Brian Dalton,
45 Councilor Jackie Lawson, Councilor Wes Scroggin, Councilor David Shein, Councilor Dave
46 Voves, and Councilor LaVonne Wilson voting YES.

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48 **5. REPORTS OF SPECIAL COMMITTEES AND CITY OFFICERS**

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2 5.1 d) DISCUSSION CONCERNING APPOINTMENTS/REAPPOINTMENTS TO DALLAS
3 ECONOMIC DEVELOPMENT COMMISSION

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5 Mr. Wyatt reviewed the members being reappointed for a 3-year term. He discussed that six of
6 the nine members of Council currently serve on the Economic Development Commission, two as
7 Chamber appointed members and four as Council representatives. He added that we could
8 continue with the same appointments; however, we must advertise the meetings because there is
9 a quorum of the Council present. Chelsea Pope stated the Chamber would support not having six
10 Councilors on the Commission. Mayor Fairchild asked if two Council members would be
11 willing to resign from the Economic Development Commission. Councilor Scroggin indicated
12 he would be willing to step down, although he hates to do so. Councilor Wilson stated she
13 would step down as well.

14
15 Councilor Wilson moved to appoint Councilor Lawson to fill Councilor Wilson's seat, and
16 Councilor Dalton, to fill Councilor Scroggin's seat on the Dallas Economic Development
17 Commission (upon their resignation of their Chamber-appointed position) and to reappoint
18 Warren Lamb as Council representatives. The motion was duly seconded and CARRIED
19 UNANIMOUSLY Council President Ken Woods, Jr., Councilor Brian Dalton, Councilor Jackie
20 Lawson, Councilor Wes Scroggin, Councilor David Shein, Councilor Dave Voves, and
21 Councilor LaVonne Wilson voting YES.

22
23 Councilor Shein moved to approve the reappointment of Cory Oace, Doris Johnson, and Ken
24 Jacroux to the Economic Development Commission. The motion was duly seconded and
25 CARRIED UNANIMOUSLY with Council President Ken Woods, Jr., Councilor Brian Dalton,
26 Councilor Jackie Lawson, Councilor Wes Scroggin, Councilor David Shein, Councilor Dave
27 Voves, and Councilor LaVonne Wilson voting YES

28 5.1 e) DISCUSSION CONCERNING APPOINTMENTS/REAPPOINTMENTS TO LIBRARY
29 BOARD

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31 Mr. Wyatt reviewed the staff recommendation to appoint Morton Feder to the Library Board.

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33 Councilor Voves moved to appoint Morton Feder to the Library Board. The motion was duly
34 seconded and CARRIED UNANIMOUSLY with Council President Ken Woods, Jr., Councilor
35 Brian Dalton, Councilor Jackie Lawson, Councilor Wes Scroggin, Councilor David Shein,
36 Councilor Dave Voves and Councilor LaVonne Wilson voting YES.

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38 5.1 f) DEPARTMENT REPORTS FOR APRIL

39 There were no comments regarding the department reports.

40
41 5.1 g) DISCUSSION REGARDING BUILDING AND GROUNDS / PUBLIC WORKS
42 COMMITTEE MEETING

43
44 Mr. Wyatt explained we have no agenda items for the June Committee meetings, noting he will
45 not be here for those meetings. He recommended cancelling the June 23 Building and Grounds
46 and Public Works Committee meetings. The Mayor announced the June Committee meetings
47 will be cancelled.

48
49 5.1 h) OTHER

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51 **6. COMMUNICATIONS AND PETITIONS**

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53 APPROVAL OF POLK COUNTY'S 2007 OPPORTUNITY TO RECYCLE REPORT

54
55 Mr. Wyatt indicated the letter from DEQ stated Polk County was in compliance with their
56 Opportunity to Recycle requirements was for the Council's information. He noted we were not
57 in compliance for a while, so this shows the hard work on the part of Polk County, the City and
58 Allied Waste.

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8. RESOLUTIONS

8.1 Resolution No. 3154

A Resolution authorizing the transfer of budgetary funds.

Ms. Baragary reviewed the proposed fund transfers.

A roll call vote was taken and the Mayor declared Resolution No. 3154 to have PASSED BY A UNANIMOUS VOTE with Council President Ken Woods, Jr., Councilor Brian Dalton, Councilor Jackie Lawson, Councilor Wes Scroggin, Councilor David Shein, Councilor Dave Voves, and Councilor LaVonne Wilson voting YES.

9. FIRST READING OF ORDINANCE

9.1 Ordinance No. 1687

An Ordinance changing the zoning designation of a parcel of real property owned by Raymond Baker and Daniel Carver from Residential Agricultural to Residential Medium Density.

The Mayor declared Ordinance No. 1687 to have passed its first reading.

10. SECOND READING OF ORDINANCE

10.1 Ordinance No. 1686

An Ordinance repealing Sections 4.000 through 4.298 of the Dallas City Code, relating to Public Sewers, Private Sewage Disposal, Building Sewers and Connections, and Pretreatment; and adopting new provisions in lieu thereof.

Mayor Fairchild declared Ordinance No. 1686 to have passed its second reading. A roll call vote was taken and Mayor Fairchild declared Ordinance No. 1686 to have PASSED BY A UNANIMOUS VOTE with Council President Ken Woods, Jr., Councilor Brian Dalton, Councilor Jackie Lawson, Councilor Wes Scroggin, Councilor David Shein, Councilor Dave Voves, and Councilor LaVonne Wilson voting YES.

11. OTHER BUSINESS

Mayor Fairchild noted there would be an executive session following the meeting to evaluate the City Manager as authorized in ORS 192.660(2)(i).

There being no further business, the meeting adjourned at 9:50 p.m.

Read and approved this _____ day of _____ 2008.

Mayor

ATTEST:

City Manager

MEMORANDUM

Date: June 1, 2008
To: City Council Members
From: Mayor Fairchild
Re: May 2008 Activities

Meetings and activities attended representing the City:

May 5 7:30 p.m. to 9:30 p.m. - City Council meeting.

May 6 7:00 p.m. to 9:00 p.m. - Building and Grounds and Public Works Budget Subcommittee meetings.

May 7 9:45 a.m. to 12:45 p.m. - Participated at Senior Center as a guest contestant in their monthly "You've Still Got It" activity.
2:00 p.m. - 3:00 p.m. - Met with Janet Taylor, Salem Mayor, to organize a concurrent session on attracting and keeping volunteers to be presented at the LOC conference in October.

May 8 12:00 p.m. to 1:00 p.m. - Planning Commission workshop.

May 9 6:30 p.m. to 9:30 p.m. - Attended Dallas High School Hall of Fame Banquet.

May 12 12:00 p.m. to 1:00 p.m. - Polk County Local Public Safety Coordinating Council.

May 13 2:30 p.m. to 3:30 p.m. - With City Manager Wyatt, met with Ray Naff, Governor Kulongoski's liaison to Oregon cities, to discuss ethic reporting problem, the State's interpretation of CDBG rules, wetland issues, and industrial recruitment.
7:30 p.m. to 8:30 p.m. - Planning Commission meeting.

May 14-18 Attended meeting of National League of Cities Community and Economic Development Committee in Overland Park, Kansas.

May 19 12:00 p.m. to 1:00 p.m. - Attended Chamber of Commerce forum.
7:30 p.m. to 8:30 p.m. - City Council meeting.
8:30 p.m. to 9:30 p.m. - Budget Committee meeting.

May 20 9:00 a.m. to 1:00 p.m. - Participated in interviews of candidates for vacant Planning Commission positions.
1:00 p.m. to 1:30 p.m. - Gave tour of City Hall and read to second graders.

May 21 9:00 a.m. to 1:00 p.m. - Attended Oregon 150 meeting in Portland.

- May 22 5:30 p.m. to 6:00 p.m. – Urban Renewal Committee meeting.
6:30 p.m. to 8:30 p.m. – Mid-Willamette Mayor’s Coalition meeting in Mt. Angel.
- May 29 7:30 p.m. to 9:00 p.m. – Joint Council and School Board workshop.
- May 30 7:00 a.m. to 8:00 a.m. – Polk County Mayors/Managers/Commissioners monthly
breakfast
9:30 a.m. to 10:30 a.m. – Met with Ken Woods to organize City Manager evaluation
information for Council.
12:15 p.m. to 1:00 p.m. – Participated in ribbon cutting for JChelz Salon and Spa grand
opening.
1:45 p.m. to 3:00 p.m. – Spoke at Dallas Retirement Village’s ceremony to honor
public safety. Dallas Police, Fire Department, and Emergency Services received
plaque honoring their contribution to the Dallas community.

JF:eg

MEMORANDUM

Date: June 3, 2008
To: Mayor Fairchild and City Council Members
From: Council President Ken Woods, Jr.
Cc: City Manager Jerry Wyatt
Subject: Council President's May 2008 Monthly Report

May 1	3:30 – 5:10 PM MWACT
May 5	7:30 – 9:40 PM City Council Meeting & Executive Session
May 6	7:00 – 9:40 PM Administrative/Public Safety Budget Committees
May 8	8:30 – 10:30 AM MWACT met with U of O ACT Review Research
May 16	10:00 – 1:00 PM LOC Transportation Committee
May 19	7:30 – 9:35 PM City Council Meeting & City Budget-URD Committees
May 21	1:00 – 3:00 PM ODOT Region 2 Meeting
May 22	10:00 – 10:15 AM CIS Audit Committee Teleconference Call
	5:30 – 6:00 PM URD Advisory Committee
May 26	10:30 – 12:00 PM Memorial Day Avenue of Flags, Dallas Cemetery Gave welcoming speech
May 27	4:00 – 5:00 PM Administrative/Public Safety Committees
May 29	7:30 – 9:00 PM Joint City Council/Dallas School Board Meeting
May 30	9:30 – 10:00 AM Met with Mayor Fairchild City Manager six-month review

Ken Woods

DALLAS CITY COUNCIL REPORT

TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 5.1.a	Topic: Forms for 2008 City Council Election
Prepared By: Emily Gagner	Meeting Date: June 16, 2008	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED MOTION:

Approve forms SEL 120, SEL 121, SEL 220, SEL 221, SEL 223, SEL 300, and PC7 for use by candidates for the 2008 Mayor and City Council election.

BACKGROUND:

The City of Dallas Charter, in Section 31, Nominations, states: "Nominations shall be by petition specifying the position sought in a form prescribed by the Council."

The State of Oregon has developed the following forms:

- SEL 120 – "Filing of Candidacy for Nonpartisan Nomination"
- SEL 121 – "Petition for Nonpartisan Nomination Signature Sheet"
- SEL 220 – "Statement of Organization for Candidate Committee"
- SEL 221 – "Statement of Organization for Political Action Committee"
- SEL 223 – "Campaign Account Information"
- SEL 300 – "Statement One or More/No Petition Circulators Will Be Paid"
- PC 7 – "Certificate of Limited Contributions and Expenditures"

Copies of which are attached to this memo. The State has revised the forms since the Council last approved using them. The State does allow cities to use their own forms as long as they meet certain criteria; however, staff recommends using the state forms.

FISCAL IMPACT:

NONE

ATTACHMENTS:

Forms SEL 120, SEL 121, SEL 220, SEL 221, SEL 223, SEL 300, and PC7

Filing of Candidacy for Nonpartisan Nomination

SEL 120

rev 1/08: ORS 249.031

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please type or print legibly in black ink

Incumbent for Office of Judge

↓ candidate name filing for office of

how name should appear on ballot district or position number

residence address *street, city, state, zip code*

county of residence home phone work phone

fax email address website

mailing address where all correspondence will be sent

Secretary of State of Oregon County Elections Official of _____ County

City Recorder (Auditor), City of _____

Filing of Candidacy by Declaration, with the Required Filing Fee (ORS 249.056)

Filing Fees

	Filing of Candidacy by Declaration (ORS 249.056)	State Voters' Pamphlet (ORS 251.095)
Statewide Offices	\$ 100	\$ 1000
Circuit Court Judge	\$ 50	\$ 300
District Attorney	\$ 50	\$ 300
County Judge	\$ 50	\$ 300
MSD Executive Officer, MSD Auditor	\$ 100	\$ 300
MSD Councilor	\$ 25	\$ 300
County Office	\$ 50	\$ 300
City Office	*	\$ 300**
Justice of the Peace	n/a	\$ 300

*set by charter or ordinance

**for cities with a population of 50,000 or more (ORS 251.005)

Filing of candidacy by **prospective** petition, with the required proposed signature sheet (SEL 121) and the statement one or more circulators will or will not be paid (SEL 300) (ORS 249.020)

Filing of candidacy by **completed** petition, with the required signature sheets properly certified by the appropriate county elections officials (ORS 249.020, 249.064)

2008 Filing Dates: Primary Election: May 20, 2008

General Election: November 4, 2008

	Filing for Candidacy	Filing for State Voters' Pamphlet	Withdrawing Candidacy
	First Day	First Day	
Primary Election:	September 13, 2007	September 13, 2007	
General Election:	June 4, 2008	June 4, 2008	
	Last Day	Last Day	Last Day
Primary Election:	March 11, 2008	March 13, 2008	March 14, 2008
General Election:	August 26, 2008	August 26, 2008	August 29, 2008

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continued on the reverse side of this form

SEL 120

required information (if no relevant information, list "None")

↓ occupation *present employment - paid or unpaid*

occupational background *previous employment - paid or unpaid*

↓ **educational background** *schools attended, use attachment if needed*

complete name of school <i>no acronyms</i>	last grade level completed	diploma/degree/certificate (AA,BA,BS,MA,PhD,etc)	course of study <i>optional</i>
--	----------------------------	--	---------------------------------

other

↓ prior governmental experience *elected or appointed*

By signing this document, I hereby state:

→ that I will accept the nomination for the office indicated

→ that I will qualify for said office if elected

→ that all information provided by me on this form, including my occupation, educational and occupational background, and prior governmental experience, is true to the best of my knowledge

Check the appropriate box (not applicable to candidates for federal office - US Senate and US Representative):

- By marking this box, I certify I do not have an existing candidate’s committee and I do not expect to spend more than \$300 or receive more than \$300 during each calendar year. I understand I must still keep records of all campaign transactions and if total contributions or total expenditures exceed \$300 during a calendar year, I must follow the requirements detailed in the 2008 Campaign Finance Manual.
- By marking this box, I certify that I have already filed or will soon file a Statement of Organization for Candidate Committee (SEL 220). For detailed instructions, see the 2008 Campaign Finance Manual.

candidate’s signature

date signed

This information is a matter of public record and may be published or reproduced.



Warning

*Supplying false information on this form may result in conviction of a felony with a fine of up to \$125,000 and/or prison for up to 5 years. (ORS 260.715) A person may only file for one lucrative office at the same election. Unless the person has withdrawn from the first filing, **all** filings are invalid. (ORS 249.013(3))*

for office use only

initials

candidate ID number

receipt number

candidate committee ID number

office number

Petition for Nonpartisan Nomination Signature Sheet

petition ID _____

One or More **No** petition circulators will be paid. *mark one*

This is a candidate nominating petition. Signers of this page must be active registered voters in the following county: Polk

Note to Candidate: *Petition signatures must be verified before the petition can be filed with the filing officer. Submit the petition in ample time for the process to be completed before 5pm on the filing deadline day.*

↓ candidate's name _____

office _____ district, position or zone number *if applicable* _____

To the Secretary of State of Oregon/County Elections Official/City Recorder,

We, the undersigned voters, request the candidate's name printed above, for nomination to the office indicated, be placed upon the appropriate ballot at the next _____ election following the filing of this petition.

signature*	date signed* mm/dd/yy	print name*	residence or mailing address* street, city, zip code	precinct # (optional)
------------	-----------------------	-------------	--	-----------------------

1 _____

2 _____

3 _____

4 _____

5 _____

6 _____

7 _____

8 _____

9 _____

10 _____

* Signature must only be completed by the signer. Circulators may not complete, change or obscure the signer's signature, date signed, printed name or address information, unless the signer initials the change. An exception is allowedz for a circulator to complete or change information (other than the signature) if requested to do so by a disabled signer.

circulator certification **This certification must be signed by the circulator!**

I hereby certify that I witnessed the signing of the signature sheet by each individual whose signature appears on the signature sheet, and I believe each individual is an elector qualified to sign the petition. (ORS 249.061) I also certify that compensation I received, if any, was not based on the number of signatures obtained for this petition.

Warning! *Falsely signing this statement may result in conviction of a felony with a fine of up to \$125,000 and/or prison for up to 5 years. (ORS 260.715)*

circulator signature _____ date signed mm/dd/yy _____

printed name of circulator _____ circulator's address street, city, zip code _____

county elections official certification

I hereby certify _____ signatures on this petition are those of active registered voters in _____ County, Oregon.

signature of county elections official _____ date certified mm/dd/yy _____

Statement of Organization for Candidate Committee

SEL 220

rev 12/07: ORS 260.037,
ORS 260.039, ORS 260.041

Filing a New Committee: This form, along with the **Campaign Account Information form (SEL 223)**, must be completed and filed within 3 business days of first receiving a contribution or making an expenditure. The "Original" box should be marked on both forms. A date stamped copy of this form, which includes the committee's identification number, will be returned to the candidate or treasurer as an acknowledgment of the filing.

A candidate may have only one Candidate Committee.

A Candidate Who Serves as the Treasurer: A candidate may either serve as the candidate's own treasurer or may appoint a separate treasurer. A candidate who serves as their own treasurer, does not have an existing candidate's committee and does not expect to receive or spend more than \$300 for a calendar year is not required to establish a campaign account, file a Statement of Organization or file transactions. However, if at any time the candidate exceeds \$300 in either contributions or expenditures in a calendar year, the candidate must then establish a campaign account, file a Statement of Organization and file contribution and expenditure transactions.

Amending Information on this Form: Any change in the information on this form must be filed **within 10 days** of the change. To notify the Elections Division of a change in information, submit this form, completed in its entirety, and mark the "Amendment" box. An amended SEL 223 should not be filed unless the information on that form also changes.

Discontinuing: A candidate may discontinue their committee by disclosing all transactions that achieve a zero balance and filing a completed SEL 220 with the "Discontinuation" box marked.

please type or print legibly in black ink

This filing is an: Original Amendment Discontinuation

↓ name of committee *If changing committee name, please include former name.*

committee address *street/route, city, state, zip code; no post office box numbers*

campaign phone

↓ name of treasurer

Mr Ms

mailing address for committee correspondence *street/route, city, state, zip code*

work phone

home phone

fax

email address

↓ name of alternate transaction filer

Mr Ms

mailing address for alternate transaction filer *street/route, city, state, zip code*

email address

↓ name of person designated to receive notices sent under ORS chapters 246-260

Mr Ms

mailing address for person designated to receive notices *street/route, city, state, zip code*

email address

↓ name of candidate

Mr Ms

candidate address *street/route, city, state, zip code; no post office box numbers*

mailing address for candidate correspondence

work phone

home phone

fax

email address

occupation of candidate

employer's name

city and state of employer

self-employed

not employed

name of office sought *include county, position, department or zone number, if applicable*

candidate election activity

Primary 20_____ General 20_____ Other election date:

political party affiliation *choose one if filing for a partisan office*

Constitution Democratic Independent Party Libertarian Pacific Green

Republican Nonaffiliated Working Families Party Other:_____

other election activity

supports or opposes multiple candidates and measures *(If this is marked there is no requirement to name the candidates or measures.)*

supports specific measures or recall measure number(s):_____

candidate(s) being recalled:_____

opposes specific measures or recalls measure number(s):_____

candidate(s) being recalled:_____

If the committee has more than one director, attach a list of additional directors and include all the information required on the form for each director. The candidate should not be designated as a committee director. A committee director is not required.

↓ name of committee director address *including zip code*

phone number

occupation

employer's name

city and state of employer

self-employed

not employed

If two or more directors of this political committee are also directors of another political committee, list the names of those directors and the name and address of the other political committee. Attach a list if necessary.

Attached is a Campaign Account Information form (SEL 223)

yes

no

↓ **signature**

By signing this document I acknowledge that I am personally liable for any penalties imposed under ORS chapter 260 and attest that the information on the form is true and correct.

candidate's signature

date signed

treasurer's signature *if different than candidate*

date signed



Important

Both the candidate and the treasurer of a Candidate Committee must sign the Statement of Organization.

for office use only

initials

committee ID number

office number

candidate ID number

date SEL 223 received

date acknowledgment sent

Statement of Organization for Political Action Committee **SEL 221**

rev 12/07: ORS 260.042

Filing a New Committee: This form, **along with the Campaign Account Information form (SEL 223)**, must be completed and filed within 3 business days of first receiving a contribution or making an expenditure. The "Original" box should be marked on both forms. A date stamped copy of this form, which includes the committee's identification number, will be returned to the treasurer as an acknowledgment of the filing.

Committee Directors: All political action committees must designate at least one committee director who is not the treasurer. The treasurer may be a committee director if the treasurer meets the definition of "committee director" in ORS 260.005(2), but the treasurer may not be the only committee director. If a committee has more than two directors, attach a list of additional directors and include all the information required on the form for each director.

Amending Information on this Form: Any change in the information on this form must be filed **within 10 days** of the change. To notify the Elections Division of a change in information, submit this form, completed in its entirety, and mark the "Amendment" box. An amended SEL 223 should not be filed unless the information on that form also changes.

Discontinuing: A committee may discontinue by disclosing all transactions that achieve a zero balance and filing a completed SEL 221 with the "Discontinuation" box marked.

please type or print legibly in black ink

This filing is an: Original Amendment Discontinuation

↓ name of committee *If changing committee name, please include former name.* abbreviation or acronym

committee address *street/route, city, state, zip code; no post office box numbers*

campaign phone

name of treasurer

Mr Ms

mailing address for committee correspondence

work phone

home phone

fax

email address

name of alternate transaction filer

Mr Ms

mailing address for alternate transaction filer *street/route, city, state, zip code*

email address

name of person designated to receive notices sent under ORS Chapters 246-260

Mr Ms

mailing address for person designated to receive notices *street/route, city, state, zip code*

email address

type of political action committee *select only one*

Caucus Committee

Measure

Political Party

Miscellaneous

Recall Committee

→ Exclusively support
of oppose one or more
measures on a ballot

→ A major or minor party defined
in ORS chapter 248
→ A committee established
by a major or minor
party under party by laws

Support or oppose one or more
of the following:
→ Specific candidates
→ Entire ticket of a political part
→ Candidate in a recall election
→ Multiple candidates and measures

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continued on the reverse side of this form

SEL 221

election activity

Primary 20____ General 20____ Other election date: _____

↓ political party name/title or number of measure/recall candidate's name

support oppose

support oppose

support oppose

↓ nature of political action committee

Is this committee a controlled committee? yes no

If yes, identify the candidate who controls the committee:

Is this committee a slate mailer organization? yes no

1

If the committee has more than two directors, attach a list of additional directors and include all of the information required on the form for each director.

name of committee director address including zip code

phone number occupation

employer's name city and state of employer self-employed not employed

2

name of committee director address including zip code

phone number occupation

employer's name city and state of employer self-employed not employed

↓ If two or more directors of this political committee are also directors of another political committee, list the names of those directors and the name and address of the other political committee.

↓ **signature**

By signing this document I acknowledge that I am personally liable for any penalties imposed under ORS chapter 260 and attest that the information on the form is true and correct.

treasurer's signature

date signed

for office use only

initials committee ID number office number

date SEL 223 received date acknowledgment sent

Campaign Account Information

SEL 223

rev 12/07: ORS 260,039,
ORS 260.042

Filing a New Committee: This form, along with the appropriate Statement of Organization form (SEL 220 or 221), must be completed and filed within 3 business days of first receiving a contribution or making an expenditure. The "Original" box should be marked on both forms.

Amending Information on this Form: Any change in the information on this form must be filed within 10 days of the change. To notify the Elections Division of a change in information, submit this form, completed in its entirety, and mark the "Amendment" box. An amended SEL 220 or 221 should not be filed unless the information on that form also changes.

Discontinuing: A final contribution and expenditure report that shows a zero balance must be filed, along with the appropriate completed Statement of Organization (SEL 220 or 221) with the "Discontinuation" box marked. The final report may be filed at any time. It is not necessary to submit this form when discontinuing a committee.

Confidentiality: A completed SEL 223 and any information it contains is exempt from public records disclosure and shall be kept confidential by the Elections Division.

please type or print legibly in black ink

This filing is an: Original Amendment

↓ name of committee *If changing committee name, please include former name.*

name of Oregon financial institution

account number

name of account

name of account holder

names of persons who have signature authority

↓ **signature**

By signing this document I attest that the above information is true and correct.

candidate's signature *for candidate committee only*

date signed

treasurer's signature

date signed



Important

The information on this form is exempt from public records disclosure and shall be kept confidential by the Elections Division.

for office use only

initials

committee ID number

office number

candidate ID number

Statement One or More Petition Circulators Will Be Paid

SEL 300

rev 1/08: ORS 248.008,
ORS 249.061, ORS 249.078,
ORS 249.740, ORS 249.865

I/We hereby declare one or more petition circulators will be paid money or other valuable consideration for obtaining signatures of active registered voters on the attached petition or certificate. I/We understand the filing officer must be notified not later than the 10th day after I/we first have knowledge or should have had knowledge that no petition circulator will be paid for obtaining signatures. Additionally, unless this is for a recall petition or a minor political party formation petition, by signing this document, I hereby state that no circulators will be compensated on this petition based on the number of signatures obtained by the circulator.

identify petition *name of candidate or minor political party on prospective petition; or name of officeholder on recall petition*

signed* date signed

signed* date signed

signed* date signed

* Statement must be signed by one of the following:

- candidate for nomination
- chief petitioner for recall petition
- chief sponsor for certificate of nomination
- chief sponsor for minor political party formation petition

Statement No Petition Circulators Will Be Paid

SEL 300

rev 1/08: ORS 248.008,
ORS 249.061, ORS 249.078,
ORS 249.740, ORS 249.865

I/We hereby declare no petition circulators will be paid money or other valuable consideration for obtaining signatures of active registered voters on the attached petition or certificate. I/We understand the filing officer must be notified not later than the 10th day after I/we first have knowledge or should have had knowledge that one or more petition circulators will be compensated for obtaining signatures. Additionally, unless this is for a recall petition or a minor political party formation petition, by signing this document, I hereby state that no circulators will be compensated on this petition.

identify petition *name of candidate or minor political party on prospective petition; or name of officeholder on recall petition*

signed* date signed

signed* date signed

signed* date signed

* Statement must be signed by one of the following:

- candidate for nomination
- chief petitioner for recall petition
- chief sponsor for certificate of nomination
- chief sponsor for minor political party formation petition

DALLAS CITY COUNCIL REPORT

TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 5.1.b	Topic: Mayor and Council Elections
Prepared By: Emily Gagner	Meeting Date: June 16, 2008	Attachments: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED MOTION:

None

BACKGROUND:

As you are aware, the terms of the Mayor and five Council members expire on January 1, 2009. The Dallas City Charter provides that those seeking the office of Mayor or City Council member shall file a nominating petition for the position not earlier than 100 days or later than 70 days before the election. This year that means all nominating petitions must be filed with the City Manager, as City Elections Officer, no earlier than July 28, 2008, nor later than 5:00 p.m. on August 26, 2008.

Nominating petitions must be signed by at least 25 electors (registered voters) who are residents of the City of Dallas. Nominating petitions should be picked up from the City Manager's office. No elector may sign more than one petition for each vacant position. The signatures on the petitions must be checked and certified by the County Clerk's office. If there should be less than 25 signatures certified, we can return the petitions to the candidate if there is time before the August 26 deadline. I encourage all candidates to file as early as possible. The required procedures are explained in the elections packets, which will be available beginning the last full week in June.

In order to be eligible to be nominated as a candidate, the candidate must be a qualified elector and have resided continuously in the city the twelve months immediately preceding the election.

If you have any questions, please contact me.

FISCAL IMPACT:

None

ATTACHMENTS:

None

DALLAS CITY COUNCIL REPORT

TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 5.1.c	Topic: Transient Lodging Tax Ordinance Amendment
Prepared By: Jerry Wyatt	Meeting Date: June 16, 2008	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED ACTION/MOTION: Direct the City Attorney to draft an amendment to the Transient Lodging Tax Ordinance to reflect the payment of the tax to be due on a calendar quarter basis verses a monthly basis.

7.882 Due Date of Operator Payments. All taxes collected by any operator, less the five percent (5%) Collection Reimbursement Charge, are due and payable to the Tax Administrator on a calendar quarter basis on the fifteenth day of the first month following the end of the preceding calendar quarter (April 15, July 15, October 15 and January 15) and are delinquent on the last day of the month in which they are due.

BACKGROUND: After implementing the Transient Lodging Tax Ordinance and working with the Hotel owners in town it has been requested that we modify the collection of funds to quarterly verse monthly. Staff supports the request.

FISCAL IMPACT: None.

ATTACHMENTS: Proposed Ordinance.

ORDINANCE NO. _____

An Ordinance amending Chapter 7 of the Dallas City Code by adding new provisions thereto establishing a transient lodging tax.

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. Chapter 7 of the Dallas City Code is hereby amended by adding new provisions thereto establishing a transient lodging tax as follows:

"TRANSIENT LODGING

7.870 Definitions. For the purposes of sections 7.870 through 7.924, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

(1) Accrual Accounting. The operator enters the rent due from a transient on the operator's records when the rent is earned, whether or not it is paid.

(2) Cash Accounting. The operator does not enter the rent due from a transient on its records when the rent is earned, but rather when it is paid.

(3) City Council. The City Council of the City of Dallas, Oregon.

(4) Collection Reimbursement Charge. The amount a transient lodging operator may retain as reimbursement for the costs incurred by the provider in collecting and reporting the transient lodging tax and in maintaining transient lodging tax records.

(5) Hotel. Any structure, or any portion of any structure, not excluded herein, which is occupied or intended or designed for transient occupancy for thirty (30) days or less for dwelling, lodging or sleeping purposes and includes any hotel, motel, inn, condominium, tourist home or house, studio hotel, bachelor hotel, lodging house, rooming house, apartment house, public or private dormitory, public or private club and also means space in mobile home or trailer parks (including recreational vehicle, tent trailer and tent camping parks) or similar structures, space or portions thereof so occupied, provided the occupancy is for less than a thirty (30) day period. "Hotel" does not include:

(a) A hospital, medical clinic, assisted living facility, health care facility, adult foster care facility or home for aged people licensed by the State of Oregon;

(b) A public institution or facility owned and operated by a unit of the government and not operating under the veil of private sector competition;

(c) A facility operated by a nonprofit organization for the purpose of providing temporary emergency shelter for victims of domestic violence, elder abuse, child abuse, sexual abuse or physical abuse; and

(d) Any other dwelling unit or facility that is exempt from transient lodging tax under ORS 320.308, as it may amended from time to time.

(6) Occupancy. The use or possession or the right to the use or possession for lodging or sleeping purposes of any room or rooms in a hotel.

(7) Operator. The person who is the proprietor of a hotel in any capacity. Where the operator performs his or her functions through a managing agent other than an employee, the managing agent shall also be deemed an operator for the purposes of sections 7.870 through 7.924 and shall have the same duties and liabilities as its principal. Compliance with the provisions of sections 7.870 through 7.924 by either the principal or the managing agent shall be considered to be compliance by both.

(8) Person. Any individual, corporation, partnership, joint venture, association, social club, fraternal organization, public or private dormitory, joint stock company, corporation, estate, trust, receiver, trustee, syndicate or any other group or combination acting as a unit.

(9) Rent. The consideration charged, whether or not received by the operator, for the occupancy of space in a hotel valued in money, goods, labor, credits, property or other consideration valued in money, without any deduction; but shall not include charges to a condominium unit owner which are solely for cleaning or maintenance of the unit or personal use or occupancy by the owner, so long as the charges are made in connection therewith for space occupancy.

(10) Rent Package Plan. The consideration charged for both food and rent where a single rate is made for the total of both. The amount applicable to rent for determination of the transient room tax under sections 7.870 through 7.924 shall be the same as the charge made for rent when food consideration is not a part of the package plan. The amount applicable for rent for

determination of the transient room tax under sections 7.870 through 7.924 shall be the amount allocated to space rent, taking into consideration a reasonable value of other items in the rent package and the charge for rent when the space is rented separately and not included in a package plan.

(11) Tax. The tax payable by the transient or the aggregate amount of taxes due from an operator during the period for which collections are required to be reported.

(12) Tax Administrator. The Finance Director of the City, or the Finance Director's designee.

(13) Transient. Any individual who exercised occupancy or is entitled to occupancy in a hotel for a period of thirty (30) consecutive calendar days or less, counting portions of calendar days as full days. The day a transient checks out of the hotel shall not be included in determining the thirty (30) day period if the transient is not charged rent for that day by the operator. Any individual so occupying space in a hotel shall be deemed to be a transient until the period of thirty (30) days has expired, unless there is an agreement in writing between the operator and the occupant providing for a longer period of occupancy or the tenancy actually extends more than thirty (30) consecutive days. In determining whether a person is a transient, uninterrupted periods of time extending both prior and subsequent to the effective date of the ordinance enacting sections 7.870 through 7.924 may be considered. A person who pays for lodging on a monthly basis, irrespective of the number of days in the month, shall not be deemed a transient.

7.872 Tax Imposed. For the privilege of occupancy in any hotel, on and after the first day of April, 2008, the operator shall collect from and each transient shall pay a tax to the City of Dallas in the amount of nine percent (9%) of the rent charged by the operator. For a recreational vehicle, tent trailer and tent camping with self-pay slots, the tax shall be increased and assessed to the closest twenty-five cent (\$.25) interval. The tax constitutes a debt owed by the transient to the City, and by the operator to the City which is extinguished only by payment by the operator to the City, and is in addition to any other tax levied by any other governmental jurisdiction.

(1) For rent collected on portions of a dollar, fractions of a penny of tax shall not be remitted.

(2) The operator shall be entitled to retain a Collection Reimbursement Charge in the amount of five percent (5%) of the taxes collected pursuant to this section.

7.874 Time of Payment by Transient. The transient shall pay the tax to the operator of the hotel at the time when the rent is collected if the operator keeps records on the cash accounting basis and when earned if the operator keeps records on the accrual accounting basis. If rent is paid in installments, the transient shall pay a proportionate share of the tax to the operator with each installment. In all cases, the rent paid or charged for occupancy shall exclude the sale of any goods, services and commodities. In all cases of credit or deferred payment of rent, the payment of tax to the operator may be deferred until the rent is paid.

7.876 Operator's Duties. Each operator shall collect the tax imposed by section 7.872 at the same time as the rent is collected from every transient. The amount of tax shall be separately stated upon the operator's records and any receipt rendered by the operator. No operator of a hotel shall advertise that the tax or any part of the tax will be assumed or absorbed by the operator or that the tax will not be added to the rent or that, when added, any part will be refunded except in the manner provided by this Chapter.

7.878 Exemptions. No tax under this Chapter shall be imposed upon:

- (1) Any occupant for more than thirty (30) successive calendar days with respect to any rent imposed for the period commencing after the first thirty (30) days of successive occupancy;
- (2) Any occupant whose rent is of a value less than two dollars (\$2) per day; or
- (3) Any person who rents a private home, vacation cabin or like facility from any owner who rents the facilities incidental to his or her own use thereof for periods greater than thirty (30) days.

7.880 Registration of Operator.

- (1) Every person engaging or about to engage in business as an operator of a hotel in this City shall register with the Tax Administrator on a form provided by the City. Operators engaged in business at the time this Ordinance is adopted must register not later than thirty (30) calendar days after the effective date of this Ordinance. Operators starting business after this Ordinance is adopted must register within fifteen (15) days after commencing business. The privilege of registration after the date of imposition of the tax shall not relieve any person from the obligation of payment or collection of the tax regardless of registration.

(2) Registration shall set forth the name under which the operator transacts or intends to transact business, the location of place or places of business and other information to facilitate collection of the tax as the City Manager may require. The operator shall sign the registration.

(3) The Tax Administrator shall, within ten (10) days after registration, issue, without charge, a certificate of authority for each registrant to collect the tax from occupants, together with a duplicate thereof for each additional place of business of each registrant. Certificates shall be non-assignable and non-transferable and shall be surrendered immediately to the Tax Administrator upon the cessation of business at the location named or upon its sale or transfer. Each certificate and duplicate shall state the place of business to which it is applicable and shall be prominently displayed therein so as to be seen and recognized by all occupants and persons seeking occupancy. The certificate shall, among other things, contain the following:

- (a) The name of the operator;
- (b) The address of the hotel;
- (c) The date upon which the certificate was issued; and

(d) A statement that 'This transient occupancy registration certificate signifies that the person or facility named on the face hereof has fulfilled the requirements of the Transient Lodging Tax established by Dallas City Code, Sections 7.870 through 7.924, by registration with the Tax Administrator for the purpose of collecting the transient lodging tax imposed by the City and remitting that tax to the Tax Administrator. This certificate does not authorize any person to conduct any unlawful business or to conduct any lawful business in an unlawful manner, or to operate a hotel without strictly complying with all local applicable laws, including but not limited to those requiring a permit from any board, commission, department or office of the City. This certificate does not constitute a permit.'

7.882 Due Date of Operator Payments. All taxes collected by any operator, less the five percent (5%) Collection Reimbursement Charge, are due and payable to the Tax Administrator on a calendar quarter basis on the fifteenth day of the first month following the end of the preceding calendar quarter (April 15, July 15, October 15 and January 15) and are delinquent on the last day of the month in which they are due. The Tax Administrator has authority to classify and/or district the operators by zones for determination of applicable tax

periods and shall notify each operator of the due and delinquent dates for the operator's returns.

7.884 Returns. On or before the fifteenth day of the month following each calendar quarter of collection, a return for the preceding quarter's tax collections shall be filed by each operator with the Tax Administrator. The return shall be filed in such form as the Tax Administrator may prescribe by every operator liable for payment of tax.

(1) Returns shall show the amount of tax collected or otherwise due for the related period. The Tax Administrator may require returns to show the total rentals upon which tax was collected or otherwise due, gross receipts of those amounts and the amount of the rents exempt, if any.

(2) The operator shall deliver the return, together with the remittance of the amount of the tax due, to the Tax Administrator, either by personal delivery or by mail.

(3) The return shall be signed by the operator and certified as being true and accurate.

7.886 Payment Extension. For good cause, the City Manager may extend, for not to exceed one (1) month, the time for making any return or payment of tax. No further extension shall be granted, except by the City Council. Any operator to whom an extension is granted by the City shall pay interest at a rate of one per cent (1%) per month, or portion thereof, from the original due date, until paid. If a return is not filed and the tax and interest due is not paid by the end of the extension granted, then the interest shall become a part of the tax for computation of interest and further penalties described elsewhere in Sections 7.870 through 7.924.

7.888 Penalties and Interest.

(1) Original delinquency. Any operator who has not been granted an extension of time for remittance of tax due and fails to remit any tax imposed by sections 7.870 through 7.924 prior to delinquency shall pay a penalty equal to ten percent (10%) of the amount of the tax due, in addition to the amount of the tax.

(2) Continued delinquency. Any operator who has not been granted an extension of time for remittance of tax due and fails to pay any delinquent remittance on or before a period of thirty (30) days following the date on which the remittance first became delinquent shall pay a second delinquency penalty of

fifteen percent (15%) of the amount of the tax due, plus the amount of the tax and the ten percent (10%) penalty first imposed.

(3) **Fraud.** If the City Manager determines that the non-payment of any remittance due under sections 7.870 through 7.924 was due to fraud or was done with the intent to evade the provisions of sections 7.870 through 7.924, a penalty of twenty-five percent (25%) of the amount of the tax shall be added thereto in addition to the penalties stated in divisions (a) and (b) of this section.

(4) **Interest.** In addition to penalties imposed, any operator who fails to remit any tax imposed by sections 7.870 through 7.924 shall pay interest on delinquent taxes at the rate of one percent (1%) per month, or fraction thereof, without prorating for portions of a month on the amount of the tax due, exclusive of penalties, from the date on which the remittance first became delinquent until paid.

(5) **Penalties merged with tax.** Every penalty imposed and any interest accrued under the provisions of this section shall be merged with and become a part of the tax herein required to be paid.

(6) **Petition for waiver.** Any operator who fails to remit the tax herein levied within the time stated shall pay the penalties herein stated; provided, however, that the operator may petition the City Manager for waiver and refund of the penalty, or any portion thereof, and the City Manager may, in the City Manager's sole discretion, and if a good and sufficient reason is shown, waive and direct a refund of the penalty or any portion thereof.

7.890 Deficiency Determination. If the Tax Administrator determines that a return is incorrect, the Administrator shall compute and determine the amount required to be paid upon the basis of the facts contained in the return or returns or upon the basis of any information submitted to the City or additional information provided or obtained for Tax Administrator review. One or more deficiency determinations may be made of the amount due for one (1) or more than one (1) reporting period and the amount so determined shall be due and payable immediately upon service of notice, as herein provided, after which the amount determined is delinquent. Penalties and interest on deficiencies shall be charged as set forth in section 7.888.

(1) In making a determination, the Tax Administrator may offset tax overpayments, if any, which may have been previously made for a reporting period or periods or against penalties and interest on underpayments. Penalties and interest on underpayments shall be computed in the manner set forth in section 7.888.

(2) The Tax Administrator shall give the operator a written notice of a deficiency determination. The notice may be served personally or by mail. If by mail, the notice shall be addressed to the operator at the address as it appears on the records of the City.

(3) Except in the case of fraud or intent to evade the provisions of sections 7.870 through 7.924, or rules and regulations authorized hereunder, every deficiency determination shall be made and notice thereof mailed within three (3) years after the last day of the month following the close of the quarterly period for which the return was filed, or due to be filed, or within three (3) years after the return is filed, whichever period expires later.

(4) Any deficiency determination shall become due and payable immediately upon receipt of notice and shall become final within twenty (20) days after the Tax Administrator has given notice thereof; provided, however, the operator may petition for redemption and refund if the petition is filed before the determination becomes final as herein provided.

(5) If any operator shall fail or refuse to collect the tax or to make, within the time provided in sections 7.870 through 7.924, any return, or remittance of the tax, or any portion thereof, required by sections 7.870 through 7.924, or makes a fraudulent return, or otherwise willfully attempts to evade the provisions of this sections 7.870 through 7.924 , the Tax Administrator shall proceed in the manner as may be deemed best to obtain the facts and information on which to base an estimate of the tax due. As soon as the Tax Administrator has determined the tax due from any operator who has failed or refused to collect the same and to report and remit the tax, the Tax Administrator shall proceed to determine and assess against that operator the tax, interest and penalties provided for by sections 7.870 through 7.924. This determination and notice shall be made and mailed within three (3) years of the discovery by the Tax Administrator of any fraud, intent to evade or failure or refusal to collect the tax or failure to file a return. Any determination shall become due and payable upon receipt of notice and shall be final twenty (20) days after the Tax Administrator has given notice thereof; provided, however, the operator may petition the City Manager for redemption or refund if the petition is filed before the determination becomes final as herein provided.

7.892 Payment in Jeopardy. If the Tax Administrator believes that the collection of any tax, or any portion thereof, required to be collected and paid to the City will be jeopardized by delay, or if any determination will be jeopardized by delay, the Administrator shall make a determination of the tax, penalties and interest required to be collected. The amount so determined shall be

immediately due and payable and the operator shall immediately pay the tax to the Tax Administrator after service of notice thereof; provided, however, the operator may petition, after payment has been made, for redemption and refund of the determination, if the petition is filed with the Tax Administrator within twenty (20) days from the date of service of notice by the Tax Administrator.

7.894 Redeterminations. Any person against whom a deficiency determination is made may petition for a redetermination and redemption and refund within the time required in section 7.890. If a petition for redetermination and refund is not filed within the time required in section 7.890, the determination becomes final at the expiration of the allowable time.

(1) If a petition for redetermination and refund is filed with the Tax Administrator within the allowable period, the Tax Administrator shall reconsider the determination and if the operator has so requested by petition, the City Manager shall grant the operator an oral hearing and the Tax Administrator shall give a twenty (20) day notice of the time and place of the hearing to the operator. The City Manager may continue the hearing from time to time as may be necessary.

(2) The City Manager may decrease or increase the amount of the determination. If an increase is determined, the increase shall be payable immediately.

(3) The decision of the City Manager upon a petition for redetermination or redemption and refund is final twenty (20) days after service upon the petitioner of notice thereof, unless appeal of the decision to the City Council is filed with the City Manager within twenty (20) days after the service of the notice. No petition for determination or redemption and refund or appeal therefrom shall be effective for any purpose unless the operator has first complied with the payment provisions hereof.

7.896 Security for Collection of Tax. The Tax Administrator, when the Administrator deems it necessary to insure compliance with sections 7.870 through 7.924, may require the operator to deposit with the City, security in the form of cash, bond or other security as the Tax Administrator may determine. The amount of the security shall be fixed by the Tax Administrator but shall not be greater than twice the operator's estimated average monthly tax liability, determined in any manner the Tax Administrator deems proper, or \$5,000, whichever amount is less. The operator may appeal any decision of the Tax Administrator made pursuant to this section to the City Manager, pursuant to section 7.894(c).

7.898 Collection by City Attorney. At any time within three (3) years after any tax or any amount of tax required to be collected becomes due and payable or at any time within three (3) years after any deficiency determination becomes final, the City Attorney may bring any action in the courts of this state or any other state or of the United States in the name of the City to collect the amount delinquent together with penalties and interest.

7.900 Lien For Amounts Owed. The tax imposed by sections 7.870 through 7.924, together with the interest and penalties herein provided, and all other amounts owing to the City under sections 7.870 through 7.924, shall be and, until paid, remain a lien from the date of its recording with the County Clerk of Polk County, Oregon, on all tangible personal property used in the hotel, and may be foreclosed in the same manner as other municipal liens. The lien shall be satisfied upon payment of the full amount secured by the lien.

7.902 Refunds to Operator or Transient. Whenever the amount of any tax, penalty or interest has been paid more than once or has been erroneously collected or received by the Tax Administrator under sections 7.870 through 7.924, it may be refunded provided a written claim therefor stating the specific reason upon which the claim is founded is filed with the Tax Administrator by the operator or the transient, whichever actually suffered the loss, within three (3) years from the date of the alleged overpayment.

7.904 Refunds by Operator to Tenant. Whenever the tax required by this sections 7.870 through 7.924 has been collected by the operator and it is later determined that the tenant occupied the hotel for a period exceeding thirty (30) days without interruption, the operator shall refund to that tenant the tax previously collected by the operator. The operator shall account for this collection and refund to the Tax Administrator. If the operator has remitted the tax prior to the refund or credit to the tenant, the operator shall be entitled to a corresponding refund from the City.

7.906 Operator Records. Every operator shall keep guest records of room sales and accounting books and records of the room sales. The operator shall retain all records for a period of three (3) years and six (6) months after they come into being.

(1) The City Manager, or the City Manager's designee, may examine during normal business hours the books, papers and accounting records relating to room sales of any operator liable or potentially liable for the tax and may investigate the business of the operator in order to verify the accuracy of any return made or if no return is made by the operator, to ascertain and determine the amount required to be paid.

(2) It shall be unlawful for the City Manager, Tax Administrator or any person having an administrative or clerical duty under the provisions of sections 7.870 through 7.924 to make known in any manner whatever the business affairs, operations, or information obtained by an investigation of records and equipment of an operator or other person visited or examined in the discharge of official duty or the amount or source of income, profits, losses, expenditures or any particular thereof, set forth in any statement or application or to permit any statement or application or copy of any book containing any abstract or particulars thereof to be seen or examined by any person; provided that nothing in this section shall be so construed to prevent:

(a) The disclosure to or the examination of records and equipment by another City official, employee or agent for collection of taxes or otherwise administering or enforcing any provisions of sections 7.870 through 7.924;

(b) The disclosure, after the filing of a written request, by the taxpayer, to and/or the taxpayer's receivers, trustees, executors, administrators, assignees and guarantors, or information as to any paid tax, any unpaid tax or amount of tax required to be collected or interest and penalties; provided, however, that the City Attorney approves each disclosure. The City Manager may refuse to make any disclosure referred to herein when in the Manager's opinion, the public interest would suffer thereby;

(c) The disclosure of the names and addresses of any person to whom transient occupancy registration certificates have been issued; and

(d) The disclosure of general statistics regarding taxes collected in the City.

(e) Any disclosure required by law.

7.908 Use of Transient Room Tax Proceeds. The City shall dedicate not less than seventy percent (70%) of the transient room tax collections each year to fund tourism promotion or tourism-related facilities, and not more than thirty percent (30%) of the transient room tax collections each year to fund City services. The City Council may, by resolution, establish criteria and procedures for the distribution of revenue collected by the tax imposed under sections 7.870 through 7.924.

7.910 Appeals to the City Council. Any person aggrieved by any decision of the City Manager may appeal to the City Council by filing notice of

appeal with the City Manager within twenty (20) days of the personal service or mailing of notice of the decision. The City Council shall give the appellant not less than a twenty (20) day advance written notice of the time and place of the hearing.

7.912 Attorney Fees. If suit or action is instituted for any cause arising out of or in any way connected with sections 7.870 through 7.924, the prevailing party in the trial court and on any appeal shall recover reasonable attorney's fees awarded by the trial and appellate court. The City shall also be entitled to recover from the operator reasonable attorney's fees incurred in requiring the operator to comply with the terms of this Chapter, even though no suit or action be instituted.

7.914 Severability. If any section, division, sentence, clause or phrase of sections 7.870 through 7.924 or any part thereof is for any reason held to be unconstitutional or otherwise invalid, that decision shall not affect the validity of the remaining portions of sections 7.870 through 7.924.

7.916 Notice. Whenever a filing under sections 7.870 through 7.924 is required or permitted by mail, that filing shall be considered to have been received two (2) business days after the filing was placed in the US mail, addressed to the intended recipient, by certified mail, return receipt requested, and postage prepaid.

7.918 Violations. It is unlawful for any operator, or other person so required, to: fail or refuse to register as required herein; fail or refuse to furnish any return required to be made; fail or refuse to furnish a supplemental return or other data required by the Tax Administrator; or to render a false or fraudulent return. No person required to make, render, sign or verify any return shall make any false or fraudulent report, with intent to defeat or evade the determination of any amount due or required by sections 7.870 through 7.924.

7.920 Penalty. Violation of any provision of sections 7.870 through 7.924 shall constitute a violation. Each day a violation continues shall be a separate offense.

7.922 Enforcement. The City Manager shall enforce provisions of sections 7.870 through 7.924 and shall have the power to adopt rules and regulations not inconsistent with sections 7.870 through 7.924, as may be necessary to aid in enforcement."

Section 2. This Ordinance shall take effect on _____, 2008.

Read for the first time: _____, 2008
Read for the second time: _____, 2008
Adopted by the City Council: _____, 2008
Approved by the Mayor: _____, 2008

JAMES B. FAIRCHILD, MAYOR

ATTEST:

JERRY WYATT, CITY MANAGER

DRAFT

DALLAS CITY COUNCIL REPORT

TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 5.1.d	Topic: City insurance coverage
Prepared By: Emily Gagner	Meeting Date: June 16, 2008	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED MOTION:

Motion to authorize the City Manager to sign the recommended general liability, property, and automobile insurance proposal from CIS.

Motion to authorize the City Manager to sign the workers compensation insurance proposal from CIS.

BACKGROUND:

Ken Woods, the City's Insurance Agent of Record, has submitted renewal quotes for the city's general liability, property, and automobile insurance, as well as the city's workers compensation insurance.

FISCAL IMPACT:

There is a reduction of \$6,586 in the cost of premium for the city's general liability, property, and automobile insurance for the 2008-09 fiscal year.

There is an increase of \$273 for the city's workers compensation insurance for the 2008-09 fiscal year.

ATTACHMENTS:

Insurance Agent of Record Ken Woods' renewal proposals for General Liability, Property, & Automobile Insurance and Workers Compensation Insurance.

CRAVEN-WOODS INSURANCE

398 E. Ellendale Avenue
PO Box 1130
Dallas OR 97338-1047
503-623-8143
fax: 503-623-9020
email: ken.woods@cravenwoodsins.com

June 11, 2008

Jerry A. Wyatt, City Manager
City of Dallas
PO Box 67
Dallas OR 97338

Re: General Liability, Property, & Automobile Insurance
Renewal Quote: 2008-09

Dear Jerry,

Please find enclosed the renewal quote for fiscal year 2008-09 with City/County Insurance Services (CIS). In the past several years, Dallas has chosen the Annual Aggregate Deductible program with CIS. With this program, Dallas would elect to assume the first \$35,000 in liability losses and loss adjusting expenses for the policy year. In exchange, you'll see your initial contribution for the year reduced by \$26,250. Once into the program, the City would continue to submit claims just as though there was no deductible, claims work would be done, as always, through CIS Claims Department. As handling of a claim progressed, the City would simply be billed for indemnity payments made and claim expenses incurred, outside those of CIS's claims administrator, until the annual deductible amount was met.

Included is a copy of the City's claims overview and comparison for (A) Auto Liability, (B) Auto Physical Damage, (C) General Liability, and (D) Property.

Repeating a pattern seen in previous insurance market cycles, commercial insurance companies continue to withdraw from the Oregon market place relating to public entity insurance. Unable or unwilling to match pricing for the combination of coverage and risk management services offered by CIS, the scarcity of liability and property insurers leaves CIS as the clear alternative for entities seeking insurance coverage.

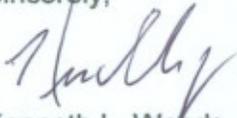
One item of interest is that on the case entitled Clarke v. OHSU, on December 28, 2007, the Oregon Supreme Court issued its long awaited decision regarding the applicability of the Oregon Tort Claims damages limitations as applied to individually named defendants. The Supreme Court first held that the damage caps limiting liability as against public entities themselves, were constitutional. However the Supreme Court did not hold that ORS 30.265(1) was facially unconstitutional; rather it held that, as applied to the facts of the Clarke case, the limitation on plaintiff's recoverable damages to \$200,000 violated the Remedies Clause.

Even without the Clarke ruling, public bodies already had a significant exposure to "uncapped damages. Most of the high damages claims against cities and counties are civil rights (law enforcement and employment liability claims) that are typically brought as federal claims for both damages and attorney fees. Those claims have never been capped and have carried the possibility of a judgment in excess of the Oregon Tort Limits.

The Clarke case does create an additional area of exposure to this potential for large claims that could exceed the limit. CIS's history would suggest the frequency of such claims against cities and counties would be pretty rare. However the potential does exist, for example in a car or bus accident involving multiple serious injuries or deaths, or some kind of catastrophic loss such as a building fire, landslide, flood, etc. where the City is at fault. Even though these may be low frequency claims, one such claim now has the potential to have a significant impact on the financial well-being of a public entity.

It is believed that the Oregon Legislature will address the Oregon Tort Limits at their next session. Please don't hesitate to call me if there are any questions.

Sincerely,



Kenneth L. Woods, Jr.
Insurance Agent of Record, City of Dallas
KLW:ekb

enclosures

GENERAL LIABILITY, PROPERTY, AUTOMOBILE INSURANCE

	2007-2008	2008-2009
General Liability \$5,000,000 Aggregate Deductible \$35,000	\$101,709	\$96,323
Automobile Liability \$5,000,000	16,972	16,855
Liability Aggregate Deductible Cr Deductible: \$35,000	-26,250	-26,250
Automobile Physical Damage	14,660	13,112
Deductibles:		
Comprehensive \$100		
Collision \$1,000		
Property Coverage	36,821	37,023
\$5,000,000 Limit EQ & Flood		
\$50,000 Limit Crime		
Deductibles:		
Buildings & Contents \$ 2,500		
Mobile Equipment 2,500		
Earthquake (see below)		
Flood (see below)		
Boiler & Machinery	3,462	3,588
Deductible: \$ 2,500		
Multi-Line Credit	-2,878	-2,741
Total Annual Premium	\$144,496	\$137,910

NOTE:

Increasing the property deductible from \$2,500 to \$5,000 saves \$794 annually.
Increasing the property deductible from \$2,500 to \$10,000 saves \$2,383 annually.

Earthquake Deductible:

2% of combined value of property damaged, subject to a \$5,000 minimum and \$50,000 maximum.

Flood Deductible:

- \$500,000 deductible for properties in flood zones A, AE or V.
- 2% of the value of property damaged for properties in flood zones other than A, AE or V, subject to \$5,000 minimum and \$50,000 maximum.
- 5% of the value of properties in flood zones A, AE or V and are not eligible for coverage by NFIP, subject to a \$100,000 minimum and \$500,000 maximum.
- The maximum value of coverage NFIP offer in flood zones A, AE or V is \$500,000 per location.
- For property in flood zones A, AE or V valued over \$500,000, by buying coverage through NFIP, you satisfy the CIS deductible of \$500,000.

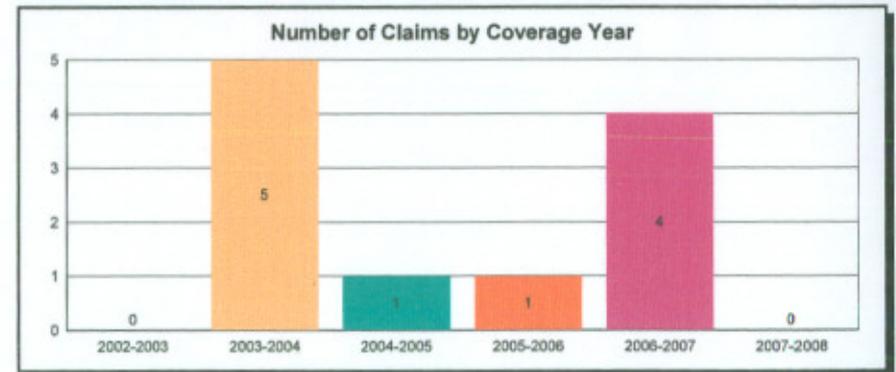
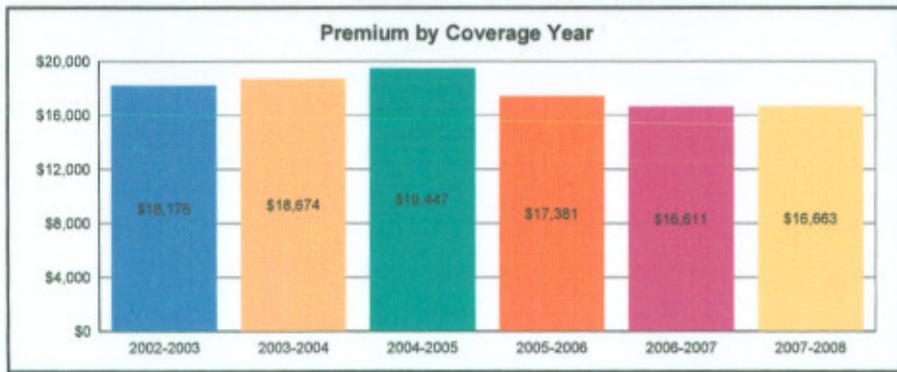
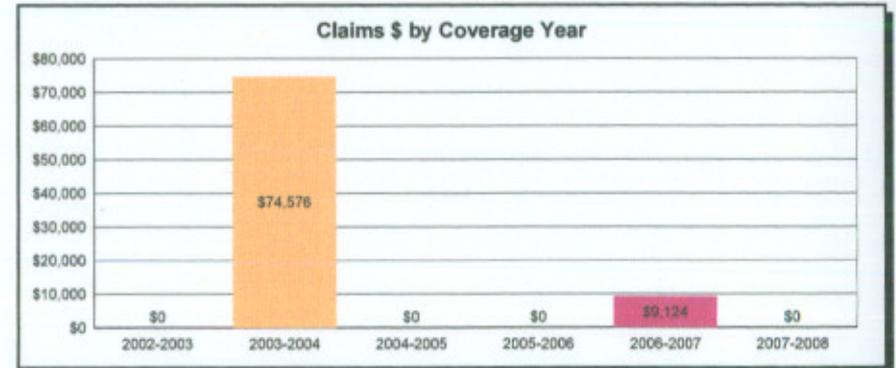
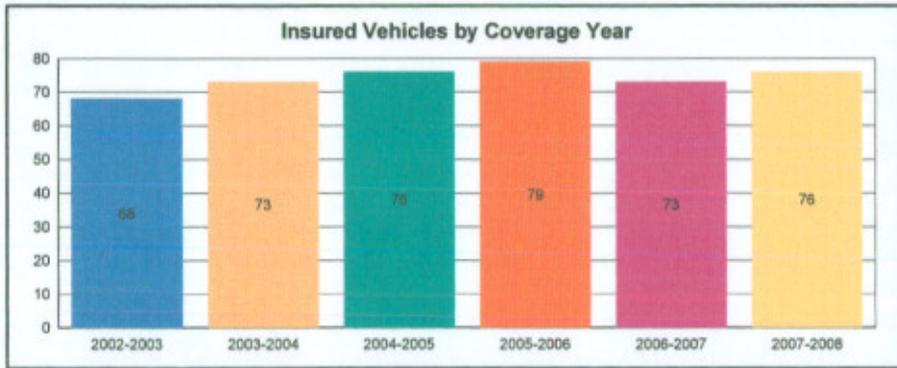
A

Auto Liability (AL) Overview and Comparison to CIS Group (02-03 to 07-08 through 6/9/2008)

Dallas

Red = Higher than Average of All Entities; Blue = Lower than Average of All Entities

Coverage Year	Total Vehicles	Total Premium	Total Claims \$	Total # of Claims	Average Cost of a Claim		Claims Cost per Vehicle		Loss Ratio	
					Entity	All Entities	Entity	All Entities	Entity	All Entities
2007-2008	76	\$16,663	\$0	0	\$0	\$3,159	\$0	\$68	0%	34%
2006-2007	73	\$16,611	\$9,124	4	\$2,281	\$3,395	\$125	\$78	55%	40%
2005-2006	79	\$17,381	\$0	1	\$0	\$2,063	\$0	\$48	0%	24%
2004-2005	76	\$19,447	\$0	1	\$0	\$5,005	\$0	\$115	0%	55%
2003-2004	73	\$18,674	\$74,576	5	\$14,915	\$3,490	\$1,022	\$83	399%	40%
2002-2003	68	\$18,176	\$0	0	\$0	\$3,665	\$0	\$90	0%	45%
Total	445	\$106,952	\$83,700	11						
Average	74	\$17,825	\$13,950	2	\$7,609	\$3,406	\$188	\$78	78%	39%



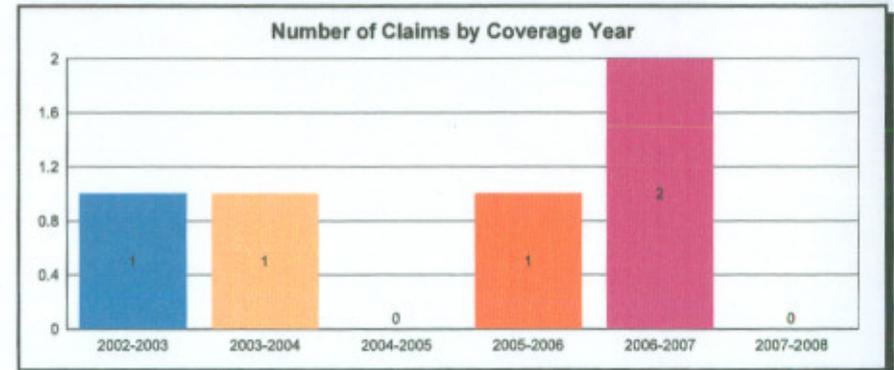
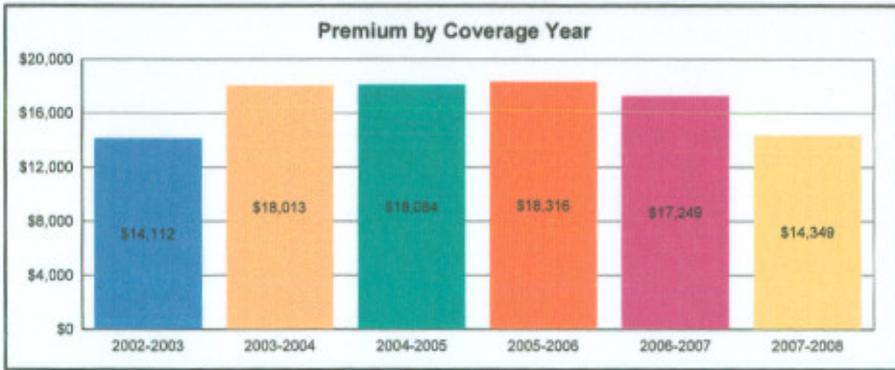
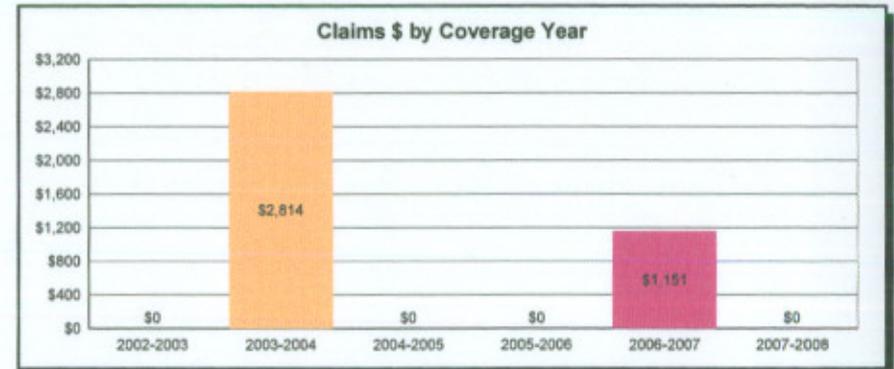
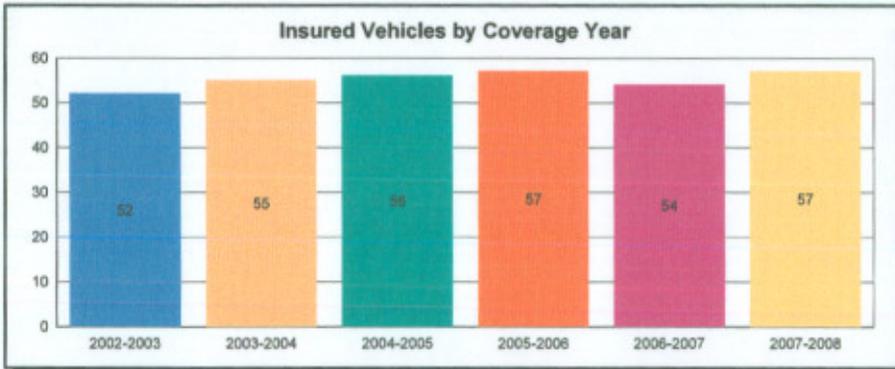
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Auto Physical Damage (APD) Overview and Comparison to CIS Group (02-03 to 07-08 through 6/9/2008)

Dallas

Red = Higher than Average of All Entities; Blue = Lower than Average of All Entities

Coverage Year	Total Vehicles	Total Premium	Total Claims \$	Total # of Claims	Average Cost of a Claim Entity		Claims Cost per Vehicle Entity		Loss Ratio Entity	
					Entity	All Entities	Entity	All Entities	Entity	All Entities
2007-2008	57	\$14,349	\$0	0	\$0	\$2,411	\$0	\$74	0%	38%
2006-2007	54	\$17,249	\$1,151	2	\$576	\$2,156	\$21	\$71	7%	31%
2005-2006	57	\$18,316	\$0	1	\$0	\$2,061	\$0	\$75	0%	32%
2004-2005	56	\$18,084	\$0	0	\$0	\$3,693	\$0	\$108	0%	46%
2003-2004	55	\$18,013	\$2,814	1	\$2,814	\$1,823	\$51	\$67	16%	29%
2002-2003	52	\$14,112	\$0	1	\$0	\$1,494	\$0	\$69	0%	32%
Total	331	\$100,123	\$3,965	5						
Average	55	\$16,687	\$661	1	\$793	\$2,236	\$12	\$78	4%	35%



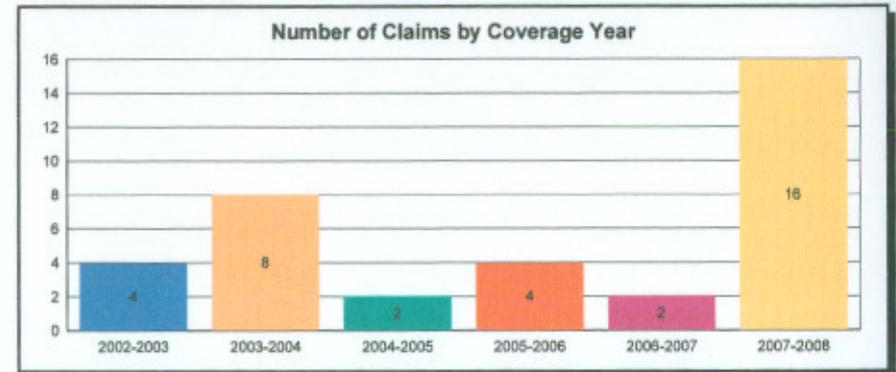
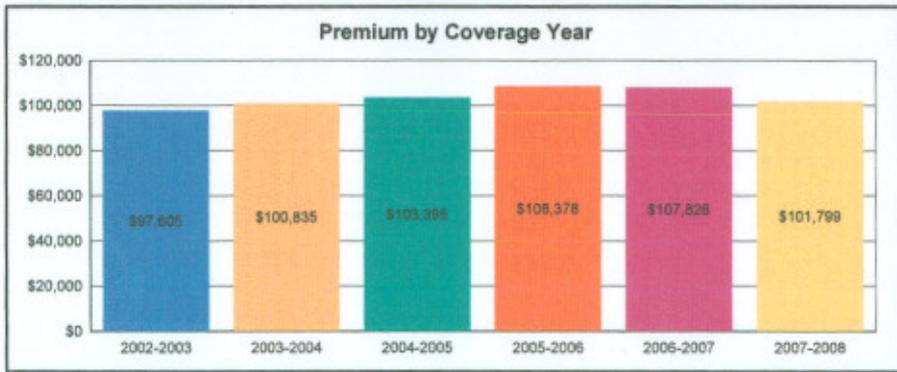
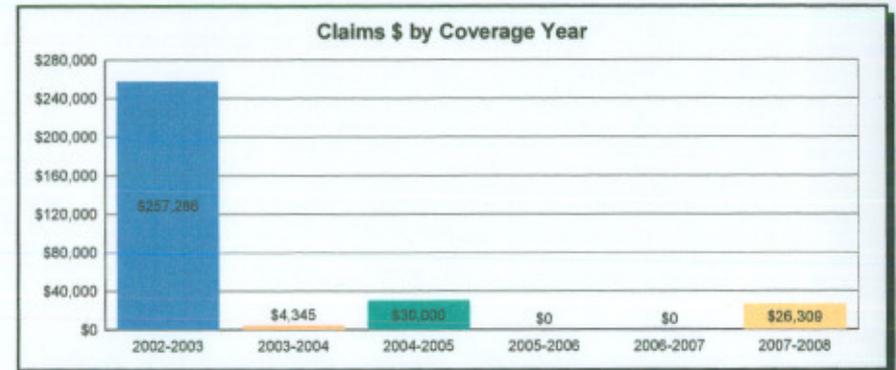
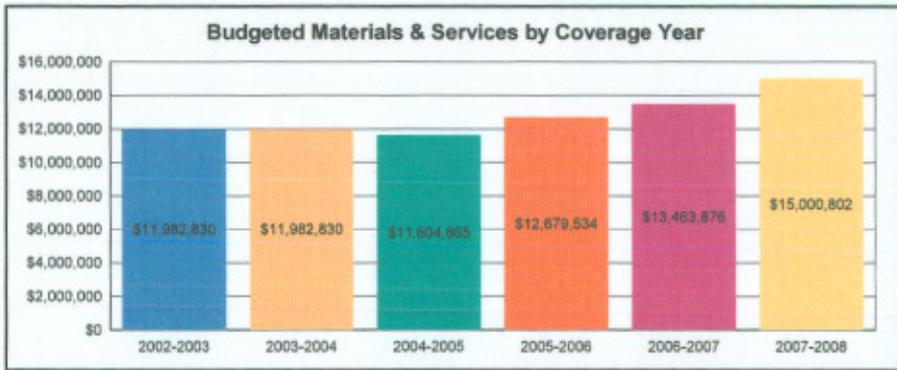


General Liability (GL) Overview and Comparison to CIS Group (02-03 to 07-08 through 6/9/2008)

Dallas

Red = Higher than Average of All Entities; Blue = Lower than Average of All Entities

Coverage Year	Budgeted Materials & Services	Total Premium	Total Claims \$	Total # of Claims	Average Cost of a Claim		Claims as % of Budgeted Materials & Services		Loss Ratio	
					Entity	All Entities	Entity	All Entities	Entity	All Entities
2007-2008	\$15,000,802	\$101,799	\$26,309	16	\$1,644	\$3,264	0.18%	0.10%	26%	23%
2006-2007	\$13,463,876	\$107,826	\$0	2	\$0	\$4,370	0.00%	0.18%	0%	38%
2005-2006	\$12,679,534	\$108,378	\$0	4	\$0	\$4,666	0.00%	0.22%	0%	47%
2004-2005	\$11,604,865	\$103,395	\$30,000	2	\$15,000	\$5,160	0.26%	0.22%	29%	50%
2003-2004	\$11,982,830	\$100,835	\$4,345	8	\$543	\$5,089	0.04%	0.26%	4%	58%
2002-2003	\$11,982,830	\$97,605	\$257,286	4	\$64,321	\$3,958	2.15%	0.27%	264%	62%
Total	\$76,714,737	\$619,837	\$317,939	36						
Average	\$12,785,790	\$103,306	\$52,990	6	\$8,832	\$4,433	0.41%	0.20%	51%	44%



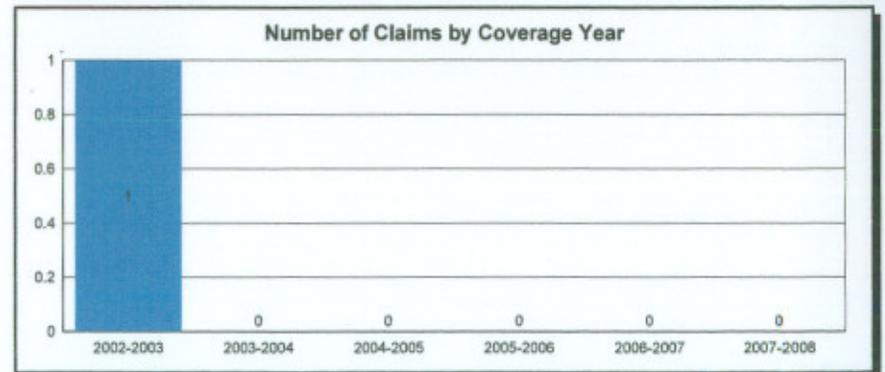
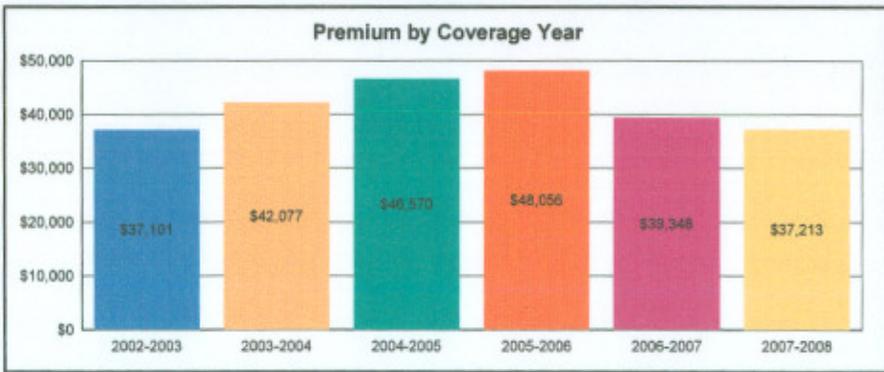
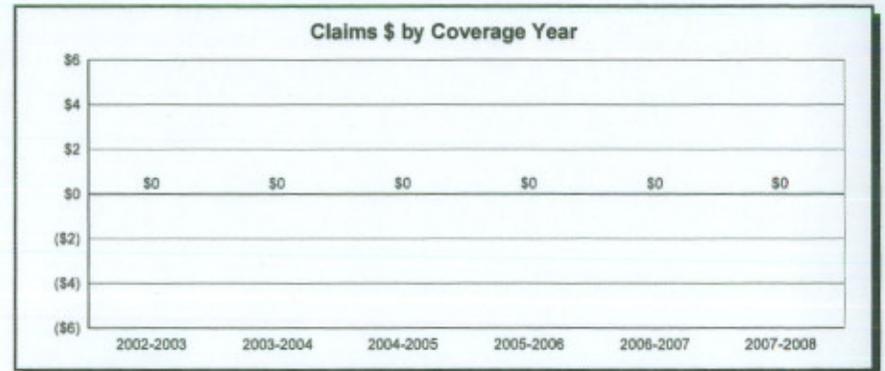
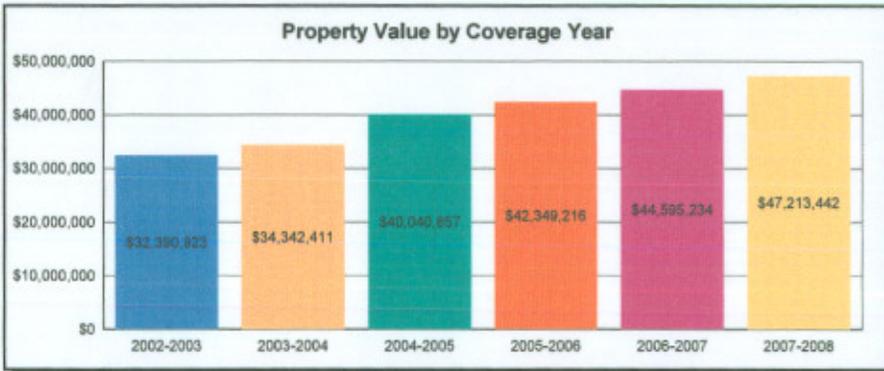
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Property (PR) Overview and Comparison to CIS Group (02-03 to 07-08 through 6/9/2008)

Dallas

Red = Higher than Average of All Entities; Blue = Lower than Average of All Entities

Coverage Year	Total Property Value	Total Premium	Total Claims \$	Total # of Claims	Average Cost of a Claim		Claims as % of Total Property Value		Loss Ratio	
					Entity	All Entities	Entity	All Entities	Entity	All Entities
2007-2008	\$47,213,442	\$37,213	\$0	0	\$0	\$11,926	0.00%	0.03%	0%	32%
2006-2007	\$44,595,234	\$39,348	\$0	0	\$0	\$14,534	0.00%	0.04%	0%	30%
2005-2006	\$42,349,216	\$48,056	\$0	0	\$0	\$7,117	0.00%	0.02%	0%	13%
2004-2005	\$40,040,857	\$46,570	\$0	0	\$0	\$11,473	0.00%	0.02%	0%	16%
2003-2004	\$34,342,411	\$42,077	\$0	0	\$0	\$11,559	0.00%	0.03%	0%	22%
2002-2003	\$32,390,923	\$37,101	\$0	1	\$0	\$3,520	0.00%	0.01%	0%	7%
Total	\$240,932,082	\$250,366	\$0	1						
Average	\$40,155,347	\$41,728	\$0	0	\$0	\$10,441	0.00%	0.03%	0%	21%





Liability Aggregate Deductible Results for *Dallas* as of 03/31/08

	Guaranteed Cost	- Deductible	= Initial Contribution	+ Collections	= Actual Contribution	
	Incurred Losses					Guaranteed Cost - Actual Contribution = Results
2001-02	\$101,727.00	- \$25,000.00	= \$ 76,727.00	+ \$ 540.70	= \$ 77,267.70	\$ 24459.30
						\$ 540.70
2002-03	\$115,968.00	- \$35,000.00	= \$ 80,968.00	+ \$ 35,000.00	= \$ 115,968.00	\$ 0.00
						\$ 257,285.97
2003-04	\$68,673.35	- \$35,000.00	= \$ 42,423.35	+ \$ 35,000.00	= \$ 77,423.35	\$(8750.00)
						\$ 78,920.42
2004-05	\$103,394.67	- \$35,000.00	= \$ 77,144.67	+ \$ 22,908.52	= \$ 100,053.19	\$(3750.00)
						\$ 30,000.00
2005-06	\$108,378.23	- \$35,000.00	= \$ 82,128.23	+ \$ 0.00	= \$ 82,128.23	\$ 26250.00
						\$ 0.00
2006-07	\$107,825.89	- \$35,000.00	= \$ 81,575.89	+ \$ 9,124.10	= \$ 90,699.99	\$ 17125.90
						\$ 9,124.10
2007-08	\$118,814.00	- \$35,000.00	= \$ 92,564.00	+ \$ 1,308.80	= \$ 93,872.80	\$ 18750.00
						\$ 7,500.00

Total:

Guaranteed Cost:	\$ 724,781.14	Actual Contribution:	\$ 637,413.26
Initial Contribution:	\$ 533,531.14	Results:	\$ 74,085.20
Collections:	\$ 103,882.12		
Incurred Losses:	\$ 383,371.19		

Initial Contribution = Guaranteed Cost - Deductible
 Actual Contribution = Initial Contribution + Collections
 Results = Guaranteed Cost - Actual Contribution

Craven-Woods Insurance

398 E. Ellendale Avenue
PO Box 1130
Dallas OR 97338-1047
503-623-8143
fax: 503-623-9020
email: ken.woods@cravenwoodsins.com

June 11, 2008

Jerry A. Wyatt, City Manager
City of Dallas
PO Box 67
Dallas OR 97338

Re: Workers Compensation Insurance
Renewal Quote: 2008-09

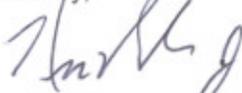
Dear Jerry,

The CIS renewal quote this year for the City of Dallas' workers compensation policy is the Paid Loss Retrospective Plan (Retro) for \$38,931. The City has been on the Retro Plan for years and it has been very successful for the City. The City's estimated annual contribution is up slightly from \$38,658 in 2007, an increase of \$273. This increase is influenced by the following factors:

- (-) Payrolls decreased from \$6,584,441 in 2007 to \$6,476,627 in 2008.
- (+) Experience modification increased from .86 in 2007 to .88 in 2008.
- (-) Overall rates have slightly decreased from 2007 to 2008

Losses will need to exceed \$85,190 to meet the total estimated cost of \$140,039 of the Retro Plan. Enclosed is a Worker's Compensation overview and comparison.

Sincerely,



Kenneth L. Woods, Jr.
Insurance Agent of Record, City of Dallas
KLW:ekb

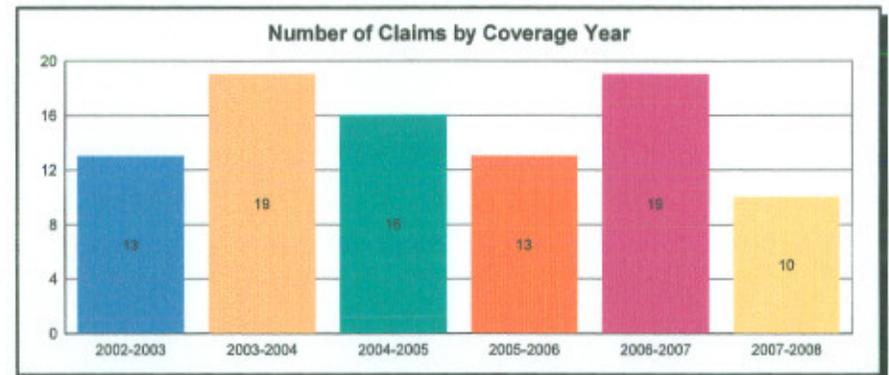
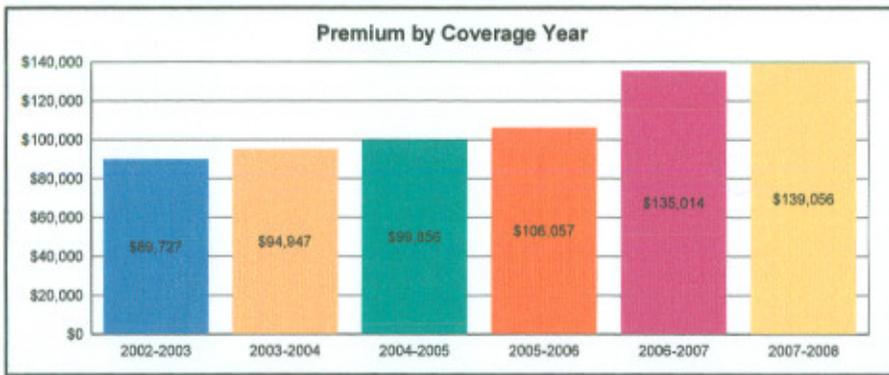
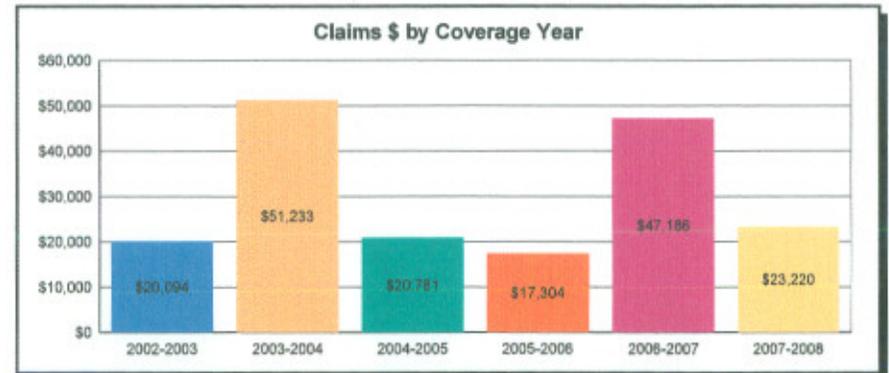
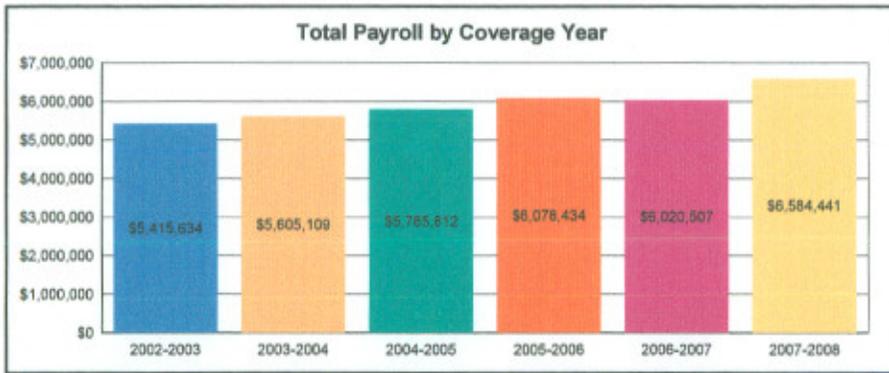
enclosures

Workers' Compensation (WC) Overview and Comparison to CIS Group (02-03 to 07-08 through 6/9/2008)

Dallas

Red = Higher than Average of All Entities; Blue = Lower than Average of All Entities

Coverage Year	Total Payroll	Total Premium	Total Claims \$	Total # of Claims	Average Cost of a Claim		Claims as % of Total Payroll		Loss Ratio	
					Entity	All Entities	Entity	All Entities	Entity	All Entities
2007-2008	\$6,584,441	\$139,056	\$23,220	10	\$2,322	\$3,553	0.35%	0.52%	17%	24%
2006-2007	\$6,020,507	\$135,014	\$47,186	19	\$2,483	\$3,548	0.78%	0.58%	35%	28%
2005-2006	\$6,078,434	\$106,057	\$17,304	13	\$1,331	\$4,242	0.28%	0.79%	16%	40%
2004-2005	\$5,785,812	\$99,856	\$20,781	16	\$1,299	\$5,130	0.36%	1.02%	21%	50%
2003-2004	\$5,605,109	\$94,947	\$51,233	19	\$2,696	\$5,107	0.91%	1.09%	54%	58%
2002-2003	\$5,415,634	\$89,727	\$20,094	13	\$1,546	\$4,101	0.37%	0.98%	22%	56%
Total	\$35,489,937	\$664,658	\$179,819	90						
Average	\$5,914,990	\$110,776	\$29,970	15	\$1,998	\$4,265	0.51%	0.80%	27%	39%





**CIS Paid Loss Retrospective Plan
for City of Dallas
Payroll Display and Contribution Estimate**

Class Code	Description	Payroll	Manual Rate	Contribution	Budget Rate
5506	Street/Road Maintenance	\$94,266	8.41	\$7,927.77	7.83
7520	Water	\$317,138	5.01	\$15,888.61	4.66
7580	Sewer	\$18,700	4.08	\$762.96	3.80
7704	Fire/Ambulance & Drivers	\$718,268	3.17	\$22,769.10	2.95
7720	Law Enforcement	\$1,195,521	4.33	\$51,766.06	4.03
8380	Garage/Shop	\$92,752	3.19	\$2,958.79	2.97
8411	Public Safety Volunteers	\$273,000	0.81	\$2,211.30	0.75
8411F	Volunteer Fire Fighters	\$1,575,000	0.81	\$12,757.50	0.75
8742V	Volunteer Boards/Commissions/Public Officials	\$29,600	0.29	\$85.84	0.27
8810	Clerical	\$893,789	0.20	\$1,787.58	0.19
8820	Attorneys/Judges/Bailiffs/Court Clerks	\$119,969	0.17	\$203.95	0.16
8831	Animal Control/Dog Catchers	\$0	1.33	\$0.00	1.24
9015	Building Maintenance & Lifeguards	\$342,414	3.22	\$11,025.73	3.00
9102	Parks Maintenance	\$105,289	4.22	\$4,443.20	3.93
9402	Street/Sewer Cleaning & Snow Removal	\$193,425	6.28	\$12,147.09	5.85
9410	Municipal/County Employees NOC	\$507,496	1.53	\$7,764.69	1.42

Estimated Manual Contribution		\$154,500.17
Increased Limits Factor	x	1.03
Experience Rating Modification Factor	x	0.88
Estimated Standard Contribution	=	\$140,038.96
Transition Adjustment	x	1.00
Estimated Adjusted Contribution	=	\$140,038.96
Initial Contribution Factor	x	0.250
State Assessment (4.80%)	+	\$6,721.87
Multi-Line Credit	-	\$2,800.78
Estimated Annual Contribution	=	\$38,930.83

"Budget Rate" and "Budget Estimate"

"Budget Rate" is intended as a simple option for you to easily calculate "Budget Estimate" by class of employee and/or volunteer. Unlike the manual rate shown above, it has been modified by all applicable rating factors, discounts and assessment.

Due to rounding of decimal points, "Budget Estimate" of all class codes does not equal Estimated Annual Contribution.

DALLAS CITY COUNCIL REPORT

TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 5.1.e	Topic: Aquatic Center Update
Prepared By: Jason Locke, Community Development Director	Meeting Date: June 16, 2008	Attachments: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED ACTION: None. For information only.

BACKGROUND: We have initiated a number of new programs and changes at the Dallas Aquatic Center to improve customer service, increase efficiency, and begin to make the Aquatic Center more budget neutral.

The biggest change has come through the new Council-approved membership rates that became effective on June 1, 2008. As of June 8, we have signed up 107 new members (constituting 63 memberships) that have generated \$17,615 in revenue. We have also renewed 67 existing members (or about 45%, which has resulted in \$11,095 of revenue). The Council goal of increasing Aquatic Center membership by 50% has been met, and we anticipate that we will further increase the number of memberships by at least another 50%, if not more. Our goal is to have 500 members by next spring. Another change we have implemented has been to switch a different credit/debit card processing system, which will save approximately \$5000.00/year in merchant fees. We have also evaluated and revamped our marketing and advertising program in the hopes of reaching more community members.

The physical plant issues have been numerous and problematic, ranging from a balky HVAC system and boiler problems to pump issues in addition to bad design and installation of a number of parts and systems in the original construction. This has resulted in huge and unnecessary utility costs and poor energy efficiency. With the assistance and expertise of Kent McKnight and Kenn Carter from the Public Works Department, we are in the process of changing out 3 of the large pool pumps, which should be complete in mid-July (The total cost for replacing the 3 pumps is \$18,000, but we will get approximately \$4500 through efficiency rebates and save enough in energy costs to pay for them in less than 2 years). We are hoping for a 25-35% savings in electrical costs due to these new pumps as well as other measures we are taking.

Through the Energy Trust of Oregon, we have been undergoing an energy audit at the Aquatic Center. There have been some small efficiency measures that have been identified and implemented, and we are awaiting the Final Report, which should be completed in August. This should provide us with a blueprint for achieving a much higher level of energy efficiency and, consequently, substantial savings in energy costs.

In addition, Tina Paul and the staff at the Aquatic Center have done an outstanding job with all the changes and should be commended for their professional and enthusiastic work. For those who have not been to the Aquatic Center lately, I would recommend making a visit.

FISCAL IMPACT:

- 1) Memberships have generated \$28,710 in 10 days.
- 2) A savings of \$5,000 will be realized through changing card processors.
- 3) If all the energy efficiency measures are implemented, it could result in a \$75,000 yearly savings in electricity and natural gas. (FY 08-09 has \$250,000 budgeted for these 2 items)

ATTACHMENTS:

- 1) Membership information

**Annual Memberships DAC
May 28 – June 8, 2008**

NEW

	Residents	Non Residents	total persons
Couple	7	8	
total couple #			30
Family	8	2	
total family #			40
Senior	21	7	28
Adult	6	2	8
Youth	1	0	1
Youth Summer	0	0	
category Total #	43	19	107
Total Fees	\$ 11,035.0	\$ 6,580.0	\$ 17,615.0

RE- NEW

	Residents	Non Residents	total persons
Couple	6	1	
total couple #			14
Family	4	0	
total family #			19
Senior	12	1	13
Adult	19	2	21
Youth	0	0	0
Youth Summer	0	0	0
Total #	41	4	67
Total Fees	\$ 10,255.0	\$ 840.0	\$ 11,095.0

	Category units	total # persons
Residents	84	107
Non Residents	23	67

as of June 8, 2008

total pass count	107	174
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DALLAS CITY COUNCIL REPORT

TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 5.1.f	Topic: Parking Ordinance Update
Prepared By: Lane Shetterly, City Attorney	Meeting Date: June 16, 2008	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED MOTION:

Direct the City Manager and the City Attorney to prepare an ordinance adopting amendments to the city parking regulations according to the attached draft ordinance (or as amended by council discussion).

BACKGROUND:

This matter was first presented to the Public Safety Committee on May 27, 2008, and was then reported to the full council at its meeting on June 2, 2008. After discussion, the council directed that changes be made in the proposed ordinance to, among other things, increase the bail schedule, particularly for overtime parking, and increase the penalty amount for late payment. The council also discussed other means of enforcing unpaid parking fines, such as the use of a “boot” to immobilize a vehicle.

The attached draft ordinance, in compared format (with new matter appearing in bold font; matter to be deleted in brackets and italics), reflects the new proposed parking regulations changes taking into account the council’s comments. The particular changes that would be made by enacting the attached ordinance are as follows:

Section 1 amends DCC 6.305, to specify that a vehicle must be parked within 12 inches of the curb. The code currently says “as close to the curb line as is practicable.” This amendment would provide clarity for traffic enforcement and for the public.

Section 2 amends DCC 6.310, the “Prohibited Stopping and Parking” code section, as follows:

- Subsection 8: Add reference to parking in front of an alley. The code does not currently expressly address parking in front of an alley.
- Subsection 12: Clarify that parking in violation of any “official traffic sign” *limiting or restricting* (as well as prohibiting) parking is subject to citation. An “official traffic sign” would be one placed by authority of the council under DCC 6.000 (Powers of the council) or by the police chief or fire chief under 6.005 (Authority of Police and Fire Officers).

Section 3 amends DCC 6.325 to change the hours during which parking is time-limited from the current 9:00 a.m. – 6:00 p.m. to 8:00 a.m. – 5:00 p.m.

Section 4 amends the penalties provided under DCC 6.365, and establishes a uniform fine amount of \$20 for all parking violations, with increases (if unpaid) to \$40 after 10 days and \$60 after 60 days. Provisions allowing referral of delinquent fines to collection are retained.

Section 5 adds new code sections that would authorize the use of a vehicle “boot,” or immobilizer, if (1) a vehicle is parked in violation of any parking regulation and at the time displays no license plates; or (2) the driver, owner or person in charge of the vehicle has \$60 or more in fines owing for more than 30 days. (DCC 6.370). DCC 6.385 authorizes assessment of an additional \$50 penalty for the installation of an immobilizer. DCC 6.390 provides that it is a Class A misdemeanor to willfully destroy, damage, etc. an immobilizer. The provisions of Section 5 relating to the use of a “boot” are based primarily on similar provisions in the Salem City Code.

FISCAL IMPACT:

Parking enforcement administration, immobilizer purchase (approximately \$500), immobilizer usage and documentation (manpower), and increased enforcement. Section 5, officer collection – minimal.

ATTACHMENTS:

See the draft ordinance in compared format.

ORDINANCE NO. _____

Compared format. New matter appears in **bold**; matter to be deleted appears in brackets and *italics*.

An Ordinance Amending DCC 6.305, 6.310, 6.325 and 6.365 regarding Parking Regulations; adding new provisions to Dallas City Code Chapter 6; and repealing conflicting provisions.

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. DCC 6.305, entitled "Method of Parking," is amended to read as follows:

"6.305 Method of Parking.

"(1) A motor vehicle parked on a public street shall be positioned along the right side of the street as determined from the position of the driver of the vehicle when it is being operated in a legal manner, approximately parallel with the curb line of the street, and [*as close to*] **not more than twelve inches from** the curb line [*as is practicable*] except as provided in subsections (2), (3), and (4) of this section.

"(2) A motor vehicle parked on a public street in the areas listed in this subsection shall be positioned along the right side of the street as determined from the position of the driver of the vehicle when it is being operated in a legal manner, with the right front wheel of the vehicle against the curb line of the street at an angle of approximately 45 degrees as measured from the curb line. The streets are:

"(a) Church Street from the south line of Oak Street to the north line of Washington Street.

"(b) Mill Street from the west line of Jefferson Street to the east line of Church Street.

"(c) Court Street from the west line of Jefferson Street to the east line of Church Street.

"(d) Along all other streets that have been specifically marked or designated as diagonal parking areas.

"(3) On streets on which traffic is restricted to vehicles moving in one direction only, motor vehicles shall be positioned along either the right of left side of the street as determined from the position of the driver of the vehicle when it is being operated in a legal manner,

approximately parallel with the curb line, and as close to the curb line as is practicable.

“(4) Notwithstanding the provisions of subsections (1), (2), and (3) of this section, vehicles, while actually being used in the loading or discharge of cargo anywhere within the city, may be backed into the curbing unless otherwise directed by the chief of police or other police officer.”

Section 2. DCC 6.310, entitled "Prohibited Stopping and Parking," is amended to read as follows:

“6.310 Prohibited Stopping and Parking.

“No person shall stop or park a motor vehicle except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control signal, in any of the following places:

“(1) Within an intersection.

“(2) On a crosswalk.

“(3) Between a safety zone and the adjacent curb, or within 30 feet of

points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings.

“(4) Within 25 feet from the intersection of curb lines or, if none, within 15 feet of the intersection of property lines at an intersection within a business or residence district, except at alleys.

“(5) Within 30 feet of an official flashing beacon, stop sign, or traffic control sign located at the side of the roadway.

“(6) Within 15 feet of the driveway entrance to a fire station.

“(7) Within 10 feet of a fire hydrant.

“(8) In front of a private driveway **or public or private alley**.

“(9) On a sidewalk.

“(10) Alongside or opposite a street or highway excavation or obstruction when such stopping, standing, or parking would obstruct traffic.

“(11) On the roadway side of a vehicle stopped or parked at the edge or curb of a highway or street.

“(12) At a place where official traffic signs have been erected prohibiting, **limiting or restricting** standing and parking.

“(13) Within a 25-foot radius of the intersection of the centerline of a highway and a railway crossing.

“(14) In a manner that causes the vehicle to occupy more than one designated parking stall in areas where stalls are indicated by markings

on the street or curb.”

Section 3. DCC 6.325, entitled "Time Limitations," is amended to read as follows:

“6.325 Time Limitations.

“(1) No person shall stand or park a motor vehicle upon the street in

excess of two hours between [9:00] **8:00** a.m. and [6:00] **5:00** p.m., except Sundays and holidays, on the following:

“(a) Main Street between its intersection with the north line of Washington Street and its intersection with the south line of Academy Street.

“(b) The north side of Washington Street from its intersection with the west line of Jefferson Street to its intersection with the east line of Church Street.

“(c) Court Street, from its intersection with the west line of Jefferson Street to its intersection with the east line of Church Street.

“(d) Mill Street from its intersection with the west line of Jefferson Street to its intersection with the east line of Church

Street.

“(e) Oak Street from its intersection with the west line of Jefferson Street to its intersection with the east line of Robb Street and Robb Street extended.

“(f) Jefferson Street from its intersection with the south line of Oak Street to its intersection with the north line of Washington Street.

“(2) The repositioning of a motor vehicle from one parked position to another parked position on either side of the street within the same block, and within a thirty minute period of time, shall not be treated as interrupting the continuity of the time the vehicle has been parked for the purposes of this section.”

Section 4. DCC 6.365, entitled "Penalties," is amended to read as follows:

“6.365 Penalties.

“(1) [*Violation of sections 6.300 to 6.320 is punishable by a fine not to exceed*

\$50.

“(2)] Violation of section **6.300 to 6.325** is punishable as follows:

“(a) By a fine of [~~\$3~~] **\$20** if paid within 10 days from the date

the citation was issued, or, if not so paid, then

“(b) By a fine of [~~\$10~~] **\$40** if paid within the next 50 days, or
if

not so paid, then

“(c) By a fine of [~~\$20~~] **\$60** if [*paid within the next 90 days, or,
if no*

so paid, then

*(d) By a fine of not less than \$25 nor more than \$50 for each
offense*

*if] not paid within [150] **60** days after issuance of the citation.*

“(e) (i) If the prescribed fine is not paid within 30 days of
issuance of the citation, the obligation may be turned over to a
collection agency.

“(ii) If the prescribed fine is not paid within the first 10 days,
the city shall mail a notice to the registered owner advising him of
the provisions of the section, but failure to send this notice shall not
be a defense nor affect the time periods allowed for payment.

“(iii) A fine shall not be deemed paid until the date payment
is

actually received by the municipal court or collection agency.

“(iv) The time for payment shall be computed by excluding
the

day the citation is issued and including the last day, unless the last
day falls upon a legal holiday (including city holidays), Saturday or
Sunday, in which case payment may be made on the next
succeeding business day without additional penalty.

“~~[(3)]~~ **(2)** The fines set forth herein may be amended by resolution
of

the council. [Subsection ~~[(3)]~~ **(2)** added by Ordinance No. 1506, passed
January 3, 1995.]”

Section 5. The following new provisions are added to and made a part of
Dallas City Code Chapter 6:

6.370. Immobilizer.

**Any peace officer may immobilize a motor vehicle located
upon a**

**public street or city off-street parking facility by installing on or
attaching to the vehicle an immobilizer if:**

**(1) The vehicle is parked in violation of any of the
provisions of this chapter and at the time displays no license plates;
or**

(2) The driver, owner, or person in charge of the motor vehicle

has
bails, fines, or bail forfeitures of not less than \$60.00 outstanding for more than 30 days.

6.375. Immobilizer Removal.

No person, except a peace officer may remove or attempt to remove
the immobilizer and no person shall move or attempt to move a vehicle immobilized under section 6.370 until the device is removed by the City.

6.380. Hearing.

If a vehicle is immobilized, the person entitled to the vehicle may
request a hearing in the manner of a hearing on an impounded vehicle in accordance with sections 6.535 to 6.545.

6.385. Immobilization Penalty.

(1) At the time of immobilization, a peace officer shall, in addition
to all unpaid bails, fines or bail forfeitures affix an additional penalty not to exceed \$50 for the installation of the immobilizer.

(2) The total of all unpaid bails, fines and bail forfeitures shall be
paid before the immobilizer is removed. This shall include the immobilizer penalty and all outstanding and unpaid parking citations.

6.390. Tampering With Or Damaging An Immobilizer.

It shall be a Class A misdemeanor for any person to wilfully destroy, damage, deface, alter, tamper with, or in any way impair the usefulness, temporarily or permanently, of any immobilizer.

Section 6. All prior ordinances and resolutions that conflict with the provisions set forth in this ordinance are hereby repealed.

Read for the first time: _____, 2008
Read for the second time: _____, 2008
Passed by the City Council: _____, 2008
Approved by the Mayor: _____, 2008

JAMES B. FAIRCHILD, MAYOR

ATTEST:

JERRY WYATT, CITY MANAGER

DRAFT

DALLAS CITY COUNCIL REPORT

TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 5.1.g	Topic: Fire Bond Measure Proposal
Prepared By: Chief Bill Hahn	Meeting Date: June 16, 2008	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED ACTION/MOTION:

- 1) Staff recommends a review of the four options concerning the Fire/Emergency Services facilities construction Bond which would seek voter approval in November 2008 to sell bonds for the Fire/Emergency Services facilities construction/improvements. The staff recommends option 2b in the amount not to exceed \$6,900,000.

- 2) Finalize the name of the Bond measure options: Recommendation is the Dallas Fire and Emergency Services Project Bond

- 3) A motion to have staff work with the Bond Counsel and direct the City Attorney to draft a Resolution calling for a measure election to submit to the electors of the City the question of contracting general obligation bonded indebtedness in the aggregate principal amount not to exceed \$6,900,000 to finance costs of capital construction and capital improvements for a Fire/Emergency Services facilities construction/improvement.

BACKGROUND: Staff has been working with Carl Sherwood, Architect, and Fire Department to develop a conceptual layout and cost estimate of the proposals. At the April Council workshop a presentation of the proposals was given by Chief Hahn with cost and design feature elements. Following the meeting there was a site visit to the Fire Station and training facility.

FISCAL IMPACT: Fire/Emergency Services facilities - Option 2b for a \$6,900,000 Bond.

ATTACHMENTS: Previous City Council packet information consisting of plans and line item materials.

OPTION #1

2 Medic Units	500,000
Station Facility	3,339,016
Training Site	<u>3,784,661</u>
	\$7,623,667

“Uncut First Estimate” by Sherwood Architects

OPTION #2a

2 Medic Units	445,000
Training Site	3,128,796
Station Facility	<u>3,037,645</u>
	\$6,611,441

Cutting:
Training Shed / Vent Prop
Debriefing Shelters (3)
Physical Training Room
Fire Display Area

OPTION #3

2 Medic Units	445,000
Training Site	3,128,796
2 Engines	700,000
Rescue Unit	<u>400,000</u>
	\$4,673,796

2017 – Scheduled for engines/rescue replacement

OPTION #4

2 Medic Units	445,000
Training Site	<u>3,128,796</u>
	\$3,573,796 Ten-Year Maximum Bond

2018 Bond

Remodel Main Station	5,008,524
Build Sub-stations	7,000,000
Purchase 2 Engines	1,050,000
Purchase Rescue	<u>600,000</u>
	\$13,658,524

OPTION #2b

2 Medic Units	445,000
Training Site	3,378,000
Station Facility	<u>3,151,000</u>
	\$6,974,000

Including:
Fire Display Area
Replace Reserve Engine (1978)

Cutting:
Debriefing Shelters (3)
Physical Training Room
Training Shed / Vent Prop

Fire Ambulance Project

Limitations of Existing Facilities

Station 100

- One classroom currently available
- The one classroom does not have the ability to be divided into smaller rooms
- The classroom shares its location with the department kitchen, and that creates noise issues
- Limited technology is available for training delivery
- Limited space is available for storage of training material
- No area is available for training materials and/or space for individual study
- Limited climate control (no air conditioning)
- Restroom and classroom not ADA accessible
- Only one restroom adjacent to classroom (unisex) Training Site
- Wooden tower provides limited usage. No live fire training capabilities
- Training tower has received damage from modern firefighting techniques
- Structural integrity questioned by 2007 ESCi Study
- Nails, jagged wood, and other sharp objects contribute to damage of protective clothing, hose and equipment
- Area is too small for needed activities
- Poorly lighted
- No permanent restroom facilities
- Area too small to use for driver training
- No private access
- Fluids from vehicle extrication may create potential environmental issues
- Only half (approximately) of the area is paved
- Few training props exist

There is little debate that the current training facility and the classroom are inadequate for the type and amount of training being conducted by the department. It could be argued that existing facilities are in some cases unsafe and are not cost effective. Continued maintenance needs as well as damaged gear and equipment create additional costs to the department.

Facility Needs and Rationalizations

1. A need for Additional Classrooms

- Training nights routinely involve 3, 4 or even 5 activities occurring during the Same hour period. When more than one of these activities involves the need for classroom space the department is forced to move outside the station. This not only produces logistical challenges but wastes time in moving volunteers to another facility
- Attendance on average consists of 30 to 40 firefighters per training session

It is not uncommon for students from Southwestern Polk (Rickreall) or Falls City will also be involved in training activities with Dallas adding 10 to 15 individuals

2. A need for Field Training

- Field training can consist of as many as four engines, a ladder truck, a rescue truck and a tender. Existing facilities cannot come close to accommodating that amount of apparatus safely
- Reducing the amount of apparatus available for use greatly reduces the ability to provide “hands on” training. This is especially important to volunteer departments that involve individuals that may have limited experience on the emergency scene

3. A need for a Facility and area to routinely conduct training

- Ladder Drills: This requires a structure or structures that provide multi-storied windows and roof access
- Master Stream Operation: Requires the use of multiple hydrants and an area large enough for large volumes of water to be delivered and properly drained without causing environmental issues
- Vehicle Extrication: An area is needed to capture liquids from vehicles being demolished during training as well as containing glass and other sharp objects that can cause damage to fire apparatus and equipment
- Live Fire Training Structure: A dedicated room or rooms is needed for safely conducting live fire training
- Live Fire Training Other: Training on flammable liquid fires, LPG, car fires as well as other types of fires can be accomplished with various props
- Drafting: Engineers must have the ability to collect water from a stagnant water source. A draft pit provides this training as well as being used for annual pump testing of all apparatus. Pump testing is currently being conducted at Station 6, at the Salem fire training facility
- Confined Space Rescue: This involves the creation of small spaces such as sewer lines or collapsed materials
- Search and Rescue: A building that can be filled with smoke and movable partitions is used for this training exercise
- Ventilation: Both horizontal and vertical ventilation are used extensively. There is no training prop or structure currently available for training
- Rope Rescue: An area is needed that will provide secure anchor points and some elevation
- Multiple Company Evolutions: An area that can accommodate multiple apparatus working together on a common training scenario for single family dwelling to large commercial structures

4. A Facility That Allows the Training Program to Complete Its Mission

- Provide competency based training that requires individual involvement in performing various fire scene tasks
- Increase certification within the department to meet state and national standards
- Provide safe and realistic training
- Maintain a highly motivated and efficient volunteer cadre of firefighters

- “Don’t Waste Their Time”

Conclusions and Recommendations

1. The existing training facility located off Monmouth Cutoff is undersized for the variety of training needs. Alternatives currently being used (streets, parking lots) create a risk to firefighters and the public and are no longer acceptable for providing additional space.

Recommendations:

Purchase or lease the 5 to 7 acre parcel (exact size not known) west of the current facility that extends west to S. E. Uglow Street.

2. The expanded facility will require site improvements.

Recommendations:

- Pave entire training area
- Provide additional vehicle access to the site from the public right of way
- Develop full utilities on the site
- Provide sufficient lighting throughout the site
- Perimeter fencing for safety and security
- Additional fire hydrants on site
- Provide restroom facilities
- Provide classrooms onsite
- Create rehab area with ability to store rehab items
- Small covered shelters for instruction and debriefing
- Large covered area for training in inclement weather

3. The current training tower is not sufficient for today’s or future training needs. In addition to being limited in the types of training it can be used for, it has questionable integrity and poses potential safety risks to users.

Recommendations:

• Construct a multi-level training tower that will include the following training capabilities:

- *Burn room(s)
- *Smoke distribution system
- *Vertical/Horizontal ventilation
- *Attic space
- *Rappelling Hooks
- *Fire department connection with standpipe
- *Sprinkler system
- *Windows with ladder access
- *Exterior stairway
- *Elevator shaft
- *Moveable partitioned walls

*Forcible entry doors and windows

4. At the present no training props exist for meeting the typical responses faced by the department.

Recommendations:

- Include the following props as part of the training facility:

- *Draft pit

- *Vehicle extrication pad

- *Confined space prop

- *LPG props

- *Hazardous Material props

- *Structural props

- *Driving Course

5. The existing classroom lacks design features to allow it to be used to its full potential. This results in minimizing the possible uses of the current classroom.

Recommendations:

- Install partitions for room separation
- Install doors on the kitchen openings
- Install folding door over kitchen serving area
- Build storage area for training materials
- Upgrade technology for presentations
- Install HVAC system
- Install new floor covering
- Develop additional restroom
- ADA compliant

6. The existence of only one classroom does not meet the current needs of the department. With multiple training sessions occurring simultaneously additional classroom space is needed.

Recommendations:

- Expand Station 100 to include additional classrooms
- Build a classroom on the training site

Introduction

Dallas Fire Station 100 is located at 915 S. E. Shelton Street, and is the only station that the department responds from. Apparatus owned by the Southwestern Polk County Rural Fire Protection District is also housed there and is used for call responses within the district. Since its construction in 1972 the station has had a variety of changes and modifications to meet the ever changing role of the department. Currently the facility provides for the following functions of the department:

1. Staff Offices (5)
2. Houses response apparatus
3. Houses antique apparatus
4. Classroom for training
5. Tool storage
6. Hose storage
7. Decontamination area
8. Houses rehabilitation trailer
9. Turnout storage
10. Radio room
11. Locker room facility
12. Association meeting room
13. Association kitchen area
14. Turnout cleaning area
15. Maintenance room
16. SCBA repair room
17. SCBA refill room
18. Association merchandise room
19. Community event center
20. Apparatus cleaning/restoring area
21. Record storage
22. Public education room
23. Business Office

Station Modifications

Over the years many modifications and changes have been made to the present station.

Below are listed a few of those changes:

1. Offices built downstairs
2. Overhead storage added
3. Large bay door divided into two doors
4. Concrete apron installed in front
5. Compressed air fill lines to apparatus
6. Association installed used commercial kitchen upstairs
7. Dividing wall added to upstairs to create storage area
8. Portable generator installed for emergency power wired into building
9. Additional turnout racks installed

Adjoining House (south on Shelton)

In 2006 the City purchased the residential house located directly to the south of the station, (939 S. E. Shelton Street) a two story home. The department is currently using the house for the Director of Emergency Medical Services and as additional storage. The

garage on the property is being used to store large surplus items. Some classroom training occurs in the house but is limited in the amount of students that can be accommodate.

Station 100 Maintenance Needs

Prioritizing maintenance needs and trying to meet budgetary constraints is a challenge for all departments. Station 100 has some immediate needs that left unresolved will lead to continued structural damage or increase the cost of operating the station. The following items need some form of repair or replacement in the very immediate future:

1. Apparatus Bay Heating System: The heating system is the original design when the building was constructed. The heating units are four natural gas units suspended from the ceiling. It is not uncommon for the pilot lights to become extinguished when the bay doors are opened during windy days. Heating such a large area with this type of heating system is no longer energy efficient.

2. Automatic Apparatus Bay Doors: These electrically automated doors are opened as members enter the station by a switch located at each of the two main doors. Modifications made as a result of the door weight and re-wiring for portable generator operations has left one of the door switches limited to just the back switch.

3. Restroom Facilities: Many of the fixtures are original equipment. Repairs are more costly because of age of the items and availability of materials to complete repairs.

4. Ceiling Tiles: Although not essential to the efficient operation of the station the aesthetics of cracked and discolored ceiling tiles leaves a poor impression on visitors and members alike. Many of the tiles have been painted by volunteer labor but a significant number of tiles still remain in poor condition.

5. Exterior Façade: The metal façade that surrounds the entire station has become a major source of damage to the station. Parts of the façade have pulled away from the structure. Other parts of the façade have rusted completely through. Both of these conditions have allowed water to enter into the façade and created holes and damage to sheet rock. Temporary repairs have been made but it is obvious by visible cracks that these fixes will not last very long.

6. Exterior Lighting: Concern about a lack of sufficient lighting has been voiced by the volunteers of the department. There have been some improvements made to this condition but the condition still remains a problem. Volunteers respond at all hours of the night and in all types of weather conditions. Clear visibility is essential to prevent tripping accidents and help responding units to see volunteers as they enter the building.

7. Flat Roof: The facility has had a history of issues with ceiling leaks resulting from water accumulation on the roof. The combination of a flat roof and clogged drainage has led to

this problem. Constant monitoring of the drains and frequent cleaning is needed to prevent further leaks.

Station 100 Deficiencies

Emergency response is not static and is ever changing as the needs of the community and advances in technology require new methods and equipment to address these changes. In addition to response changes the culture of the department has changed through the years as more women have taken an active role as members of the department. The department has sought ways to accommodate these changes using minimal funding but has never fully addressed the issues necessary to bring the station to the operational state that is needed.

1. Female Restrooms / Locker Room: Currently the station provides one (exceeding small) bathroom facility for its female members and guests. Modifications to bring it into ADA compliance would require major changes and may not even be possible with the current station configuration. No locker room or shower facility exists for women. Currently the one shower facility located in the men's locker room is shared by both the men and women of the department. The single restroom located upstairs is a shared facility as well and can be required to serve up to 50 or more people during a meeting.

2. ADA Compliance: The current facility in its present form would not comply with ADA requirements of today. Stairs are the only access to the upstairs meeting room.

3. Essential Facility Requirements: This term refers to the fact that the location that houses emergency response for a community shall be able to withstand major acts of nature. Not being able to access apparatus and equipment during a natural disaster only increases the potential damage and life safety of the community.

4. Protective Clothing Exposure: Many of the turnouts firefighters wear are exposed to UV rays. Over time this has greatly contributed to the deterioration of the fabric and led to repair or resulted in taking the protective clothing out of service. This issue was also noted in the 2007 ESCI report. Replacement cost of turnouts is \$1850 per set making this a major budgetary concern.

5. Dayroom: With the addition of offices to the downstairs level, space used for Day room activities was eliminated. A Day room is an area that allows volunteers to spend time at the station when available and provides basic forms of entertainment for them while they are there. The obvious advantage to the department is that it reduces response times and potentially increases response numbers. With increased difficulty recruiting and retaining members any method within reason to accommodate volunteer members is a wise investment.

6. Living Quarters: This differs from a Day room by providing sleeping quarters as well as kitchen facilities and small living area. As the department continues to evolve, the need for continual station coverage becomes very real. Volunteers can be assigned shift

coverage, sleeper may be added or career staff may be needed in the near future.

7. Fire Protection System: As a leading advocate for fire prevention within the community the station has done little to market that image itself. No fire suppression system exists within the building nor is the station equipped with a fire alarm system. At present smoke detectors that are monitored by an alarm company is the only form of fire protection in the department.

8. Office Design: Although a very good job was done to modify the station to include staff offices and make it more user friendly for the public, the building still lacks a business type atmosphere. The facility lacks a reception area for visitors, a secure area for records and the office area is in the main traffic route for accessing the upstairs meeting room.

9. Minimal Storage: Attempts to remedy this situation have been made by building two overhead storage areas and turning the hose tower into an area for storing equipment as well. Simply stated the department has outgrown the current facility.

10. Electrical Upgrade: The addition of an emergency generator was a great upgrade as a source of emergency power. Unfortunately, the generator must be manually operated and require a variety of procedures to occur before it can be activated. This greatly reduces its effectiveness during emergency situations. As door openers have been replaced three phase power sources are needed and a general upgrading of the entire system is needed.

11. HVAC Systems: The building currently has no air conditioning and becomes exceedingly hot during summer months. This greatly reduces the use of the upstairs classroom and eliminates one more function of the building. Upgrades to the existing system have been reviewed but the existing system is too small to handle a significant upgrade.

12. Display Area: The department has a proud tradition and has maintained aspects of its historical past. Unfortunately, these antique apparatus and tools have become a storage problem and are moved about to make room for apparatus and equipment used today. Being able to proudly display some of the department's history would be a positive accomplishment for its members, both past and future.

13. Association Kitchen: This portion of the station has been modified by the volunteers and serves a valuable purpose in the life of the department. The kitchen facility receives a great deal of use with monthly dinners provided for volunteers and their families. This atmosphere of family involvement is critical to maintaining the moral and support of the volunteer system. This area needs additional improvement and modern appliances.

14. Limited Classroom Availability: This has been previously discussed, but is critical to the mission of the department.

15. Emergency Parking: This has continually been addressed and improved throughout the life of the station. Parking during certain parts of the day is still a problem for responding volunteers.

16. Maintenance Plan: A regularly scheduled maintenance plan does not exist for the building, resulting in a reactive response rather than a proactive response to building issues. Regular janitorial service is not provided, and what is done, on a minimal basis, is done by staff.

Conclusion

This building has presently served the community for 35 years. In order to serve the community for additional years, corrections must be done. The facility is centrally located in the community for response to emergency incidents. As the community continues to grow in population and geographic area, a substation or two will be needed and property should be acquired to meet the future need. However, for the present time upgrades are the essential to preserve this facility.

Recommendations

1. Upgrade to essential building qualifications
2. Upgrade office facility for the future
3. Additional classroom/training area
4. Audio Visual Equipment for training
5. ADA compliance
6. HVAC for entire facility (energy efficiency)
7. Restroom and lockers for men and women
8. Access to entire facility
9. Upgrade doors and lighting (energy efficiency)
10. Electrical upgrade with generator backup
11. Area for turnout protection from UV rays
12. Upgrade upstairs facility (kitchen, flooring, restrooms)

EMERGENCY MEDICAL SERVICE

Overview

The Dallas Emergency Medical Service currently operates three advanced life support (ALS) medic units from its station located at 240 S. E. Washington Street. One medic unit is staffed by career medics twenty-four hours a day 365 days a year. The second medic unit is staffed by parttime medics that also provide 24/7 coverage. A third medic unit is held in reserve for use when one of the two front-line medic units are out of service, or when it is needed to respond to a third emergency call. The service responds to over 2,000 calls per year with an average 4-5% increase per year.

Medic Units

The Dallas medic units are identified as Medic 101, 102 and 103. The newest of the units is a 2003 Braun North star that has 113,000 miles of use thus far. Medic 102 is a 1998 Lifeline with 144,000 miles and Medic 103 is a 1995 Wheeled Coach that has 102,000 miles of service. Currently Medic 101 responds to 75% of all calls. In addition to mileage, an even greater factor for replacement consideration is the quality and condition of “the box” (area where patients are treated). Comfort is critical to the patients well being and ability to tolerate pain and minimize movement in the case of spinal and neck injuries. Noise is another factor that is critical to patient care. Medics must be able to listen to chest sounds, blood pressures and other assessment practices.

Recommendation

With anticipated increases in call volume the need for medical response is only going to continue to increase. Budget deficits resulting from Medicare and Medicaid issues make it impossible to accumulate enough funds for a capital outlay project such as purchases of medic units.

Replacing two medic units and placing them on a strict rotational schedule is one way of prolonging the life and service of each unit. The department is researching the advantages of using a heavier chassis and body style. Failing to act in a proactive manner will only increase future costs as well as present a risk to emergency response service. The Emergency Medical Service area is franchised to the City of Dallas and is hundreds of miles, with all types of roadways. The department has done an excellent job of maintaining its present fleet but can only do so much to extend the service life of each unit.

EMERGENCY MEDICAL SERVICE EQUIPMENT

Overview

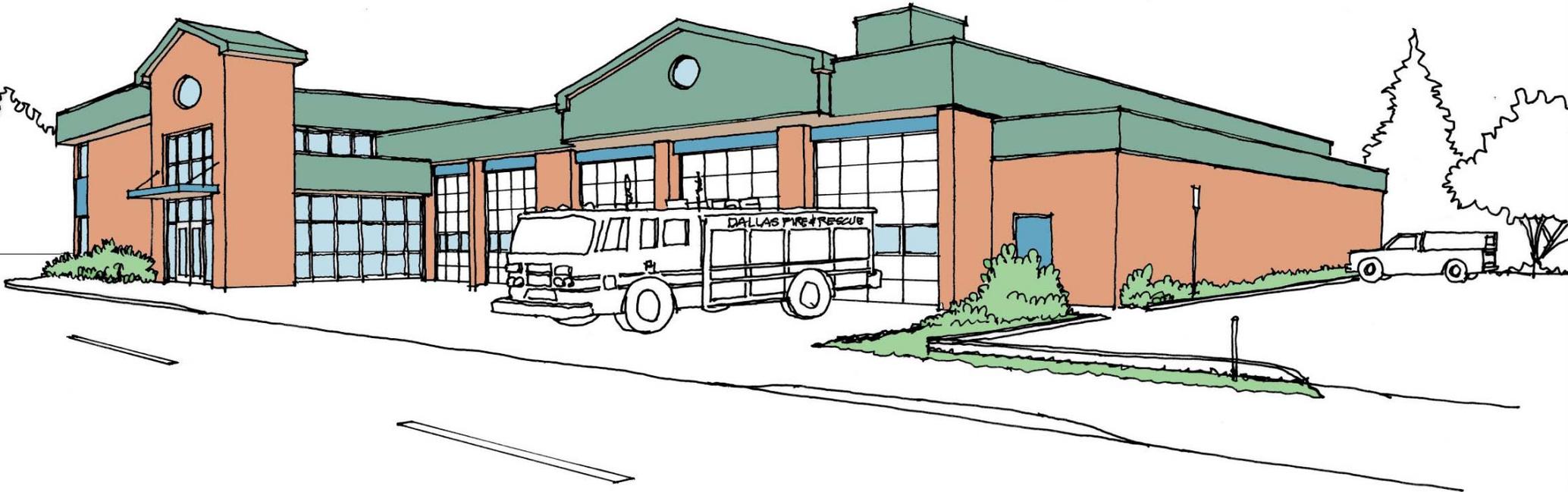
The Dallas Emergency Medical Service provides some of the finest pre-hospital care in the state. Under the direction of its physician supervisor the medics serving the department are allowed to perform aggressive patient care in the field leading to better outcomes for the patient. To do this, the service has worked with state of the art technology and has equipped itself to meet the various emergency situations it faces daily. One item that is in need of upgrading is the defibrillation units on each medic unit. These devices, which were purchased used, have been used on a daily basis since they were purchased over eight years ago. They are used to detect various heart arrhythmias and are used for delivering shocks to produce a survivable rhythms in patients whose hearts are failing. This is an essential piece of equipment that needs to be replaced immediately. The present units do not meet the new American Heart Association standards and because of age cannot be upgraded.

In addition each engine should be equipped with an AED (automatic external defibrillator). This is a simple device that can be operated with minimal training. This

would be carried on each engine and could be used by every member of the fire department. A major advantage to having an AED available at all times is the safety of the firefighters on scene. Heart attacks are the leading cause of firefighter deaths. The ability to intervene immediately could make a difference in the outcome of the patient condition. In addition, firefighters with minimal training could administer this life saving technique when a medic unit is not available or has not yet arrived.

Conclusion

Because of vehicle age and the call volume that continues to increase it is time to address both age and mileage of the current fleet. Place new gurneys and defibrillator / monitors on each unit to better service the community of Dallas and surrounding area.



DALLAS FIRE STATION - Master Plan

**City of Dallas Planning Commission
City Hall Council Chambers
187 SE Court St.**

June 10, 2008 - 7:30 p.m.

AGENDA

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF MINUTES - Regular meeting of May 13, 2008 and workshop of June 5, 2008.
4. SWEARING IN OF NEW PLANNING COMMISSION MEMBERS
5. ELECTION / APPOINTMENT - Vice President and Recording Secretary
6. PUBLIC COMMENT – This is an opportunity for citizens to speak to items not on the agenda (3 minutes per person please.)
7. ANNOUNCEMENT OF PUBLIC HEARING GUIDELINES
(Copies available in the slots at the door.)
8. PUBLIC HEARINGS
 - A) **WITHDRAWN** - A public hearing on the application of Robert Thiessen, owner, to consider a Variance to allow a 3 foot side setback when a five foot side setback is required by Code for property located at 470 SE Academy Street, in an RS, Residential Single Family, zone.
 - B) A public hearing on the application of Sonja McCoin, applicant, and Doty Enterprises Inc., owner, to consider a Conditional Use to allow a duplex for property located at Tax Lot 7.5.29DC 1506, NW Robert Street, in an RS, Residential Single Family, zone.
[A motion was made, seconded, and carried to approve the request, subject to the two \(2\) conditions listed in the staff report.](#)
 - C) A public hearing on the application of Samuel J Collins ET AL, owners, to consider a Partition of one lot into 2 lots with an Adjustment for property located at Lot 2 of Paisley Addition, 545 SE Hankel Street, in an RS, Residential Single Family, zone.
[A motion was made, seconded, and carried to approve the request, subject to the six \(6\) conditions listed in the staff report.](#)

- D) A public hearing on the application of the City of Dallas to make a recommendation to the City Council for the adoption of the Transportation System Plan (TSP) and associated amendments to the Comprehensive Plan and Development Code.

A motion was made, seconded, and carried to recommend approval of the Transportation System Plan and associated Comprehensive Plan and Development Code amendments to the City Council for adoption.

9. OTHER BUSINESS

CITY OF DALLAS
SUMMARY WARRANT REGISTER
05/15/08 16:07

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WARRANT	DEPARTMENT	REFERENCE	VENDOR NAME	AMOUNT
85494	VARIOUS	TRAINING	LEAGUE OF OREGON CITIES	52.00
85495	MUNICIPAL COURT	CODE BOOK	OREGON STATE DMV	10.00
85496	MUNICIPAL COURT	DEF ATTORNEY	CHRIS L. LILLEGARD, P.C.	500.00
85497	VARIOUS	PAID LOSSES	CITY/COUNTY INSURANCE SVC	2,581.81
85498	VARIOUS	COMPUTERS	POLK COUNTY INFORMATION	396.50
85499	SEWER TREATMENT PLANT	TRAINING	DEPT OF ENVIRONMTL QUALITY	525.00
85500	VARIOUS	CONTRACTUAL	ROBERTSON/SHERWOOD/ARCHT	3,255.34
85501	COM DEV - AQUATIC CENTER	ADVERTISING	DEX WEST	38.00
85502	COM DEV PLANNING DEPT	PLANNING COMM	NORTH DALLAS BAR & GRILL	84.05
85503	NON-DEPARTMENTAL & CONTINGENCY	PASS THRU	SALEM PUBLIC LIBRARY	28.95
85504	VARIOUS	OPERATION	WHITE'S COLLISION SERVICE	2,002.53
85505	FINANCE OFFICE	POSTAGE	PURCHASE POWER	1,018.99
85506	AMBULANCE DEPARTMENT	AMBULANCE SERV LICENSE	STATE OF OREGON	250.00
85507	VARIOUS	BIRCH SIDEWALK	DALE WOODIN CONCRETE, INC	500.00
85508	COM DEV - AQUATIC CENTER	MAINTENANCE	MIKE'S HEATING	3,553.80
85509	MUNICIPAL COURT	DEF ATTORNEY	DANIEL R. PRIMUS	100.00
85511	VARIOUS	CONTRACTUAL	SHETTERLY & IRICK	690.00
85512	GENERAL OBLIGATION FUND	2005 BONDS	US BANK TRUST NA/DEBT MGM	516,455.00
85513	WATER CONSTRUCTION-NON ASSESSD	DAMAGE CLAIM	QWEST	205.83
85514	CAPITAL IMPROVEMENT FUND	MAIN ST. RESERVOIR	PSI	5,247.75
85515	NON-DEPARTMENTAL & CONTINGENCY	FEES	NET ASSETS CORPORATION	342.00
85516	MUNICIPAL COURT	DEF ATTORNEY	STAN BUTTERFIELD	727.50
85517	SEWER TREATMENT PLANT	CONTRACTUAL	CH2M HILL / OMI	43,984.23
85518	SYSTEMS DEVELOPMENT FUND	ASR	GOLDER ASSOCIATES, INC	7,639.58
85519	MUNICIPAL COURT	DEF ATTORNEY	CHRISTOPHER J. EGGERT	375.00
85520	POLICE DEPARTMENT	TRAINING / CALEF	DEFENSE TECHNOLOGY	35.00
85521	FINANCE OFFICE	OPERATION	PITNEY BOWES INC.	623.40
85522	TRUST FUND	BAIL REFUND	MERLIN BERKEY	174.00
85523	GENERAL FUND	RESTITUTION	DOUGLAS GARRETT	150.00
85524	TRUST FUND	BAIL REFUND	MICHAEL P. WHELAN	705.00
85525	TRUST FUND	BAIL REFUND	DANIEL WINCHELL	174.00
85526	TRUST FUND	BAIL REFUND	CHRISTOPHER JUERGENSEN	60.00
85527	TRUST FUND	BAIL REFUND	ANTHONY FRANCO	60.00
85528	TRUST FUND	BAIL REFUND	APRIL LARSON	27.00
85529	TRUST FUND	BAIL REFUND	BRENT E. WALTON	27.00
85530	TRUST FUND	BAIL REFUND	CARL E. SWANSON	27.00
85531	TRUST FUND	BAIL REFUND	ABIGAIL PLUMMER	60.00
85532	TRUST FUND	BAIL REFUND	HEIDI R. GRATSINGER	60.00
85533	TRUST FUND	BAIL REFUND	CHERYLE A. KENNEDY	17.00
85534	TRUST FUND	BAIL REFUND	KRISTOPHER SICKLES	42.00
85535	TRUST FUND	BAIL REFUND	DANIEL K. VON TRAPP	42.00

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WARRANT	DEPARTMENT	REFERENCE	VENDOR NAME	AMOUNT
85536	TRUST FUND	BAIL REFUND	KAYLA BERKEY	174.00
85537	TRUST FUND	BAIL REFUND	DAVID MCGARR	174.00
85538	TRUST FUND	BAIL REFUND	HEATHER BENZ	174.00
85539	TRUST FUND	BAIL REFUND	RODGER BLAIN	170.00
85540	TRUST FUND	BAIL REFUND	DENNIS MELTON	54.00
85541	TRUST FUND	BAIL REFUND	PAULO REGALADO	32.00
85542	TRUST FUND	BAIL REFUND	DANA ANN ADAMS	54.00
85543	TRUST FUND	BAIL RFUND	SHANE M. BLANSHAN	33.00
85544	TRUST FUND	BAIL REFUND	THERESA A. MIKE	42.00
85545	TRUST FUND	BAIL REFUND	CHELSEA RUTKOWSKI	40.00
85546	GENERAL FUND	RESTITUTION	CORA LUNDY	200.00
85547	VARIOUS	REIMBURSEMENT	RENE RIVERA	278.00
85548	SEWER MAINTENANCE	REIMBURSEMENT	ERIC TOTTEN	100.00
85549	COM DEV - AQUATIC CENTER	REIMBURSEMENT	TINA PAUL	126.25
TOTAL				594,498.51

CITY OF DALLAS
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05/22/08 09:59

WARRANT	DEPARTMENT	REFERENCE	VENDOR NAME	AMOUNT
85551	POLICE DEPARTMENT	SUPPLIES	SAN DIEGO POLICE EQUIP.	822.90
85553	VARIOUS	VARIOUS	BANK OF AMERICA	2,933.08
85554	MUNICIPAL COURT	DUES	OMJA	85.00
85555	COM DEV RECREATION	DEPOSIT - SOS - RUTH	WILLIAM MORRIS AGENCY LLC	1,000.00
85556	COM DEV INSPECTIONS	TRAINING	JOHN C. BARNARD	40.40
85557	COM DEV - AQUATIC CENTER	CONCESSIONS	TINA PAUL	67.11
85558	VARIOUS	TRAINING	CHRISTY ELLIS	143.17
85560	AMBULANCE DEPARTMENT	MAILING LIST	STATE OF OREGON	75.00
85561	AMBULANCE DEPARTMENT	TRAINING	STATE OF OREGON	240.00
TOTAL				5,406.66

CITY OF DALLAS
SUMMARY WARRANT REGISTER
05/29/08 11:42

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WARRANT	DEPARTMENT	REFERENCE	VENDOR NAME	AMOUNT
85562	AMBULANCE DEPARTMENT	ADVERTISING	LEAGUE OF OREGON CITIES	20.00
85563	POLICE DEPARTMENT	OPERATION	OREGON STATE DMV	3.50
85564	COMMUNITY DEV - PARKS	INSURANCE	LIBERTY NORTHWEST	338.00
85565	FINANCE OFFICE	SUPPLIES	MONROE SYSTEMS	47.59
85566	POLICE DEPARTMENT	911 DISPATCH	SPRINT	609.58
85567	VARIOUS	COMMUNICATIONS	BUSINESS CONNECTIONS, INC	102.95
85568	COM DEV INSPECTIONS	SUPPLIES	OBOA	842.63
85569	VARIOUS	COMMUNICATIONS	PAGE ONE N W	1,334.37
85570	VARIOUS	SUPPLIES	DESIGN STUDIO INTER., INC	297.50
85571	VARIOUS	COMMUNICATIONS	INTEGRA TELECOM, INC.	2,910.83
85572	FINANCE OFFICE	WEBSITE	CIVICPLUS	475.00
85573	POLICE DEPARTMENT	911 DISPATCH	ANSWER CENTER AMERICA INC	809.21
85574	COM DEV INSPECTIONS	TRAINING	OMOA	350.00
85575	FINANCE OFFICE	POSTAGE	U S POSTMASTER	1,100.00
85576	VARIOUS	LEGAL SERVICES	SHETTERLY & IRICK	9,056.25
85577	VARIOUS	EXTRICATION	DALLAS VOLUNTEER FIRE	2,764.12
85578	COM DEV INSPECTIONS	SURCHARGE	DEPT OF CONSUMER/BUSINESS	3,122.40
85579	SYSTEMS DEVELOPMENT FUND	ASR	GOLDER ASSOCIATES, INC	10,749.49
85580	NON-DEPARTMENTAL & CONTINGENCY	CONTRACTUAL	NORTHWEST SURVEY & DATA	5,850.00
85581	POLICE DEPARTMENT	EQUIPMENT	OLD NATIONAL BANK	13,625.50
85582	POLICE DEPARTMENT	EQUIPMENT	AUTO LEASING SPECIALISTS	350.00
85583	FINANCE OFFICE	SUPPLIES	PITNEY BOWES INC.	230.96
85584	POLICE DEPARTMENT	CONTRACTUAL	LGPI	120.00
85585	VARIOUS	SUPERVISING PHYSICIAN	JEFFREY HUMPHREY M.D.	500.00
85586	MAYOR & CITY COUNCIL	EXPENSE REMBURSEMENT	JIM FAIRCHILD	125.00
85587	TRUST FUND	BAIL REFUND	SHAINA R. KUTZER	174.00
85588	TRUST FUND	BAIL REFUND	JACOB LERWICK	625.00
85589	TRUST FUND	BAIL REFUND	NORMAN HAAG	42.00
85590	LIBRARY	GAS ALLOWANCE	NANCY WOOLSEY	42.00
85591	POLICE DEPARTMENT	PER DIEM	JUSTIN STEVENSON	130.00
		TOTAL		56,747.88

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WARRANT	DEPARTMENT	REFERENCE	VENDOR NAME	AMOUNT
85593	MUNICIPAL COURT	TRAINING	LEAGUE OF OREGON CITIES	20.00
85594	VARIOUS	HEAT & LIGHTS	PACIFIC POWER	25,057.28
85595	VARIOUS	HEAT	NORTHWEST NATURAL GAS	10,506.23
85596	FIRE DEPARTMENT	TRAINING	OREGON FIRE CHIEFS ASSOC	1,160.00
85597	PERSONNEL OFFICE	TRAINING	OCCMA	215.00
85598	COM DEV INSPECTIONS	MEMBERSHIP	OBOA	225.00
85599	GENERAL FUND	RECORDING FEE	FIRST AMERICAN TITLE	557.00
85600	MUNICIPAL COURT	SUPPLIES	DESIGN STUDIO INTER., INC	1,212.50
85601	POLICE DEPARTMENT	SUPPLIES	DE LAGE LANDEN	137.14
85602	COM DEV - AQUATIC CENTER	COMMUNICATIONS	INTEGRA TELECOM, INC.	43.97
85603	VARIOUS	COMMUNICATIONS	QWEST	174.85
85604	COM DEV - AQUATIC CENTER	CONCESSIONS	SCHWANS	573.82
85605	VARIOUS	COMMUNICATIONS	WVI	45.90
85606	VARIOUS	SCHLEGEL	DALLAS FAMILY MEDICINE	262.00
85607	FIRE DEPARTMENT	CONTRACTUAL	SW POLK RURAL FIRE DIST.	4,692.91
85608	GENERAL FUND	REFUND VARIANCE APP	ROBERT THEISSEN	350.00
85609	NON-DEPARTMENTAL & CONTINGENCY	MAYOR CONTEST	CODY ROGERS	50.00
85610	NON-DEPARTMENTAL & CONTINGENCY	MAYOR CONTEST	ALISON HATTON	25.00
85611	NON-DEPARTMENTAL & CONTINGENCY	MAYOR CONTEST	COITEN CARREL	10.00
85612	NON-DEPARTMENTAL & CONTINGENCY	MAYOR CONTEST	ANNA HAMMOND	15.00
85613	POLICE DEPARTMENT	BOOT ALLOWANCE	ROBERT HATCHELL	150.00
85614	LIBRARY	MILAGE REIMBURSEMENT	ROSALYN MCGARVA	16.16
		TOTAL		45,499.76

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WARRANT	DEPARTMENT	REFERENCE	VENDOR NAME	AMOUNT
85616	SHOP SERVICE FUND	COMMUNICATIONS	DAY WIRELESS SYSTEMS	66.50
85617	VARIOUS	PARTS	DALLAS AUTO PARTS	1,119.91
85618	VARIOUS	MAINTENANCE	DALLAS TV - RADIO SHACK	94.91
85619	VARIOUS	MAINTENANCE	FORBES PLUMBING	36.29
85620	COM DEV - AQUATIC CENTER	CHEMICALS	EMERALD OUTDOOR LIVING	420.82
85621	VARIOUS	SUPPLIES	INDUSTRIAL WELD SUPPLY	205.50
85622	VARIOUS	BOOKS	INGRAM	4,270.43
85623	VOIDED		INGRAM	.00
85624	VOIDED		INGRAM	.00
85625	VOIDED		INGRAM	.00
85626	VARIOUS	ADVERTISING	ITEMIZER-OBSERVER	5,276.32
85627	VOIDED		ITEMIZER-OBSERVER	.00
85628	STREET MARKING & LIGHTING	SUPPLIES	KELLERS FLORAL	.00
85629	VARIOUS	MAINTENANCE	KINZIE MACHINE SHOP	56.50
85630	SHOP SERVICE FUND	PARTS	LES SCHWAB	87.21
85631	SHOP SERVICE FUND	GAS & DIESEL	MARC NELSON OIL COMPANY	15,995.98
85632	AMBULANCE DEPARTMENT	TRAINING	OREGON STATE DMV	15.00
85633	WATER TREATMENT & PUMPING	CONTRACTUAL	A & A DRILLING INC	1,480.00
85634	LIBRARY	BOOKS	BRODART INC	580.00
85635	VARIOUS	SUPPLIES	DALLAS TROPHY	238.87
85636	LIBRARY	BOOKS	WORLD BOOK, INC	719.00
85637	AMBULANCE DEPARTMENT	OPERATION	JOE HAYWARD FORD	8.00
85638	SHOP SERVICE FUND	MAINTENANCE	HOME COMFORT COMPANY	693.00
85639	VARIOUS	MATERIALS	AG WEST SUPPLY	38.93
85640	SHOP SERVICE FUND	PARTS	RICKREALL FARM SUPPLY	17.50
85641	STREET MARKING & LIGHTING	OPERATION	PORTLAND COMPRESSOR CO	67.40
85642	WATER MAINT & CUSTOMER SERVICE	CONTRACTUAL	UNITED PIPE & SUPPLY CO	1,534.00
85643	VARIOUS	MATERIALS	VALLEY CONCRETE	1,098.47
85644	VARIOUS	MAINTENANCE	VAN WELL BUILDING SUPPLY	585.04
85645	VOIDED		VAN WELL BUILDING SUPPLY	.00
85646	VOIDED		VAN WELL BUILDING SUPPLY	.00
85647	WATER TREATMENT & PUMPING	CONTRACTUAL	WATERLAB	665.00
85648	WATER TREATMENT & PUMPING	SUPPLIES	PETERS FUEL COMPANY	29.00
85649	SEWER MAINTENANCE	MATERIALS	PRIER PIPE & SUPPLY	61.06
85650	COM DEV - AQUATIC CENTER	MAINTENANCE	RAM STEEL	46.67
85651	VARIOUS	BOOKS	RANDOM HOUSE, INC	81.60
85652	VARIOUS	MATERIALS	CEMEX	1,027.09
85653	GRANTS FUND	TRUST MGT	NATIONAL SCHOOL PRODUCTS	64.75
85654	WATER TREATMENT & PUMPING	MATERIALS	UNIVAR USA INC.	2,025.00
85655	AMBULANCE DEPARTMENT	SUPPLIES	BRIXIUS JEWELERS	7.50
85656	VARIOUS	TRAINING	DALLAS SELECT	34.17

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WARRANT	DEPARTMENT	REFERENCE	VENDOR NAME	AMOUNT
85657	VARIOUS	ADVERTISING	STATESMAN JOURNAL	300.00
85658	LIBRARY	BOOKS	GALE GROUP	111.84
85659	POLICE DEPARTMENT	RAIN	CITY OF SALEM / FINANCE	8,602.50
85660	VARIOUS	TOOLS	L & L EQUIPMENT, INC	138.30
85661	VARIOUS	MAINTENANCE	PLATT	42.60
85662	COM DEV - AQUATIC CENTER	MAINTENANCE	SIX (6) ROBBLEES INC	36.94
85663	POLICE DEPARTMENT	INVESTIGATION	ENTENMANN-ROVIN CO	599.36
85664	SHOP SERVICE FUND	PARTS	DICK'S AUTO GLASS SERVICE	15.00
85665	SHOP SERVICE FUND	PARTS	WESTERN POWER & EQUIPMENT	207.22
85666	COMMUNITY DEV - PARKS	MATERIALS	WESTERN FARM SERVICE	160.00
85667	POLICE DEPARTMENT	UNIFORMS	DALLAS CITY CLEANERS	391.50
85668	FIRE DEPARTMENT	OPERATION	E H BURRELL	318.94
85669	VARIOUS	UNIFORMS	SEAWESTERN INC	548.25
85670	WATER MAINT & CUSTOMER SERVICE	MATERIALS	FERGUSON ENTERPRISES INC	467.89
85671	STREET MARKING & LIGHTING	SIGNALS	OREGON DEPT OF TRANSPORT	348.24
85672	AMBULANCE DEPARTMENT	SUPPLIES	LIFE ASSIST	1,180.94
85673	VARIOUS	SUPPLIES	OFFICE MAX	1,157.83
85674	VOIDED		OFFICE MAX	.00
85675	VOIDED		OFFICE MAX	.00
85676	VARIOUS	MATERIALS	ALLIED WASTE SERVICES	1,292.35
85677	AMBULANCE DEPARTMENT	OPERATION	HUGHES FIRE EQUIPMENT	20.11
85678	VARIOUS	MAINTENANCE	GRAINGER	256.12
85679	VARIOUS	MAINTENANCE	A-TEAM LOCKSMITHS, INC	141.50
85680	VARIOUS	UNIFORMS	DALLAS ALTERATION CENTER	74.50
85681	POLICE DEPARTMENT	SUPPLIES	OCE IMAGISTICS	75.15
85682	VARIOUS	CONTRACTUAL	RICOH AMERICAS CORP	2,348.40
85683	FIRE DEPARTMENT	SUPPLIES	EMERGENCY MEDICAL PRODS	116.33
85684	VARIOUS	SUPPLIES	TIPPS INC	38.13
85685	FIRE DEPARTMENT	EQUIPMENT	FLUID CONNECTOR PROD. INC	55.38
85686	VARIOUS	CONTRACTUAL	ONE CALL CONCEPTS, INC.	216.30
85687	FINANCE OFFICE	OPERATION	DPS INC.	1,751.00
85688	VARIOUS	PARTS	CARQUEST OF DALLAS	275.66
85689	VOIDED		CARQUEST OF DALLAS	.00
85690	WATER TREATMENT & PUMPING	MAINTENANCE	LAB SAFETY SUPPLY	33.77
85691	FINANCE OFFICE	SUPPLIES	AMERICAN EAGLE GRAPHICS	564.43
85692	AMBULANCE DEPARTMENT	SUPPLIES	THE MEDICINE SHOPPE	66.00
85693	SEWER MAINTENANCE	OPERATION	PUBLIC WORKS SUPPLY	222.00
85694	VARIOUS	INVESTIGATION	WALMART COMMUNITY BRC	650.11
85695	VOIDED		WALMART COMMUNITY BRC	.00
85696	VARIOUS	MATERIALS	GENERAL RENTAL CENTER	342.69
85697	POLICE DEPARTMENT	SUPPLIES	SAN DIEGO POLICE EQUIP.	241.23

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WARRANT	DEPARTMENT	REFERENCE	VENDOR NAME	AMOUNT
85698	POLICE DEPARTMENT	OPERATION	AUTO ADDITIONS	90.00
85699	VARIOUS	CHEMICALS	AIRGAS NOR PAC INC.	1,540.02
85700	AMBULANCE DEPARTMENT	SUPPLIES	EAST WEST ASSOCIATES	700.00
85701	FIRE DEPARTMENT	MAINTENANCE	GUARDIAN FIRE PROTECTION	82.00
85702	AMBULANCE DEPARTMENT	SUPPLIES	ZOLL MEDICAL CORP.	119.81
85703	COM DEV - AQUATIC CENTER	MAINTENANCE	MCGUIRE	234.00
85704	COM DEV - AQUATIC CENTER	MAINTENANCE	LINCOLN EQUIPMENT INC.	82.58
85705	COM DEV - AQUATIC CENTER	CONCESSIONS	FRED LEA DISTRIBUTING INC	186.75
85706	COMMUNITY DEV - PARKS	CONTRACTUAL	TOTAL LANDSCAPE CARE	560.00
85707	VARIOUS	MAINTENANCE	COASTWIDE LABORATORIES	1,103.02
85708	VARIOUS	TRAINING	ROYAL FLUSH PORTABLES INC	133.00
85709	AMBULANCE DEPARTMENT	SUPPLIES	BAXTER HEALTHCARE CORP	104.00
85710	LIBRARY	BOOKS	CENTER POINT PUBLISHING	188.70
85711	COM DEV - AQUATIC CENTER	PRO SHOP	TYR SPORT INC.	200.46
85712	VARIOUS	UNIFORMS	BLUMENTHAL UNIFORMS	623.30
85713	POLICE DEPARTMENT	COMMUNITY POLICING	TACTICAL COMMAND IND.	95.00
85714	AMBULANCE DEPARTMENT	SUPPLIES	BOUND TREE MEDICAL	306.19
85715	WATER MAINT & CUSTOMER SERVICE	MATERIALS	HD SUPPLY WATERWORKS LTD	2,200.00
85716	COM DEV - AQUATIC CENTER	SUPPLIES	ORIENTAL TRADING COMPANY	281.36
85717	POLICE DEPARTMENT	COMPUTERS	DATA911 SYSTEMS	3,510.80
85718	POLICE DEPARTMENT	OPERATION	DALLAS FUEL & FOOD MART	40.00
85719	AMBULANCE DEPARTMENT	SUPPLIES	PMI	1,514.80
85720	LIBRARY	OPERATION	WITT COMPANY	1,050.00
85721	FINANCE OFFICE	COMMUNICATIONS	RELIANCE CONNECTS	930.40
85722	POLICE DEPARTMENT	COMMUNITY POLICING	SALEM EMBLEM SHOP	10.00
85723	COM DEV - AQUATIC CENTER	MAINTENANCE	MIKE'S HEATING	250.00
85724	SHOP SERVICE FUND	PARTS	BRIM TRACTOR COMPANY	549.92
85725	VARIOUS	MATERIALS	RAY'S HOME & GARDEN	274.32
85726	VOIDED		RAY'S HOME & GARDEN	.00
85727	AMBULANCE DEPARTMENT	TURNOUTS	RUGGED WEAR	209.70
85728	POLICE DEPARTMENT	MAINTENANCE	HD SUPPLY FACILITIES	9.99
85729	POLICE DEPARTMENT	UNIFORMS	RIVERSIDE MANUFACTURING	60.45
85730	POLICE DEPARTMENT	SUPPLIES	MID-VALLEY REHABILITATION	28.86
85731	FIRE DEPARTMENT	OPERATION	MC COY FREIGHTLINER	272.69
85732	WATER TREATMENT & PUMPING	SUPPLIES	OLIN CHLOR ALKALI PRODUCT	730.00
85733	WATER TREATMENT & PUMPING	CONTRACTUAL	C-MORE PIPE SERVICES CO.	560.00
85734	LIBRARY	SUPPLIES	STAPLES BUSINESS	143.26
85735	AMBULANCE DEPARTMENT	OPERATION	ELLIS BIOMEDICAL INC.	160.00
85736	COM DEV - AQUATIC CENTER	ADVERTISING	BIG SCREEN ADVERTISING	500.00
85737	NON-DEPARTMENTAL & CONTINGENCY	MISC	CULLIGAN WATER CONDITION	26.50

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WARRANT	DEPARTMENT	REFERENCE	VENDOR NAME	AMOUNT
85738	VARIOUS	SUPPLIES	EWING IRRIGATION	1,406.79
85739	GRANTS FUND	TRUST MGT	NEW READERS PRESS	14.25
85740	COM DEV - AQUATIC CENTER	CONCESSIONS	CASH & CARRY	834.63
85741	VARIOUS	CONTRACTUAL	SECURITY ALARM CORP	138.50
85742	POLICE DEPARTMENT	COMMUNITY POLICING	KROLL	262.17
		TOTAL		84,474.15

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WARRANT	DEPARTMENT	REFERENCE	VENDOR NAME	AMOUNT
3921	WATER TREATMENT & PUMPING	WATER QUALITY MAILING	U S POSTMASTER	1,049.57
		TOTAL		1,049.57

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WARRANT	DEPARTMENT	REFERENCE	VENDOR NAME	AMOUNT
999996	VARIOUS	PAYROLL & TAXES	PAYROLL CHECKS	582,154.62
		TOTAL		582,154.62

DALLAS CITY COUNCIL REPORT

TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 8.1	Topic: Resolution No. 3155 adopting amended plumbing permit fees
Prepared By: Jason Locke, Community Development Director	Meeting Date: June 16, 2008	Attachments: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED ACTION: Adopt Resolution No. 3155

BACKGROUND: Earlier this year, staff reviewed all fees associated with the building program and determined that an increase was necessary to offset increasing costs. It was found that the fees had not been increased since 2001. The Buildings and Grounds Committee reviewed the proposed 15% - 20% increases as well as the automatic yearly increase based on the Portland CPI-W and recommended that the Council adopt the new fees with the automatic yearly increase. The City Council concurred and directed staff to prepare a resolution adopting the new fees. Resolution No. 3155 covers plumbing permits.

FISCAL IMPACT:

Plumbing permit costs will increase by 15% - 20% over existing permit costs.

ATTACHMENT(S):

Resolution 3155

RESOLUTION NO. 3155

A Resolution establishing permit fees for the Oregon Plumbing Specialty Code and repealing prior conflicting Resolutions.

Section 1. The following are hereby adopted as the permit fees for the Plumbing Code under DCC 8.270:

1. One- & two-family dwellings	a. Per each bathroom (new construction)	\$69.00
	b. Per each ½ bathroom (new construction)	\$34.50
	c. Water service	\$32.20
	d. Sanitary or storm sewer service	\$32.20
	e. Minor installation (per fixture)	\$17.25
	f. Special equipment or DWV alteration	\$46.00
2. Manufactured dwellings and prefabricated structures (circle one)	a. Connection to existing drain, sewer and water (initial installation)	\$46.00
	b. New sanitary and storm sewer	\$32.20
	c. New water service	\$32.20
3. RV and manufactured dwellings parks	a. Base fee (includes 5 or fewer spaces)	\$218.50
	b. 6 to 9 spaces (base fee plus cost per space)	\$37.95
	c. 20 or more spaces (base fee plus cost per space)	\$26.45
	d. Structures and storm sewer systems (per fixtures)	\$17.25.
4. Commercial, industrial and dwellings other than one- or two-family	a. 3 or fewer fixtures	\$60.00
	b. Base fee (includes 4 to 10 fixtures)	\$147.60
	c. 11 or more fixtures (base fee plus cost per fixture)	\$18.00
	d. Water service (first 100')	\$48.00
	e. Building sanitary sewer (first 100')	\$48.00
	f. Building storm sewer (first 100')	\$48.00
	g. Additional 100' or part thereof (water or sewer)	\$26.40
5. Miscellaneous fees	a. Indirect wastes	\$54.00
	b. Re-inspection	\$60.00
	c. Specially requested inspections (per hour)	\$60.00
	d. Special equipment or DWV alteration	\$46.00
	e. Inspection fees which no fee is specifically indicated (Per hour)	\$60.00
6. Medical gas inspection fees	a. Inspection for medical gas system (base fee)	\$228.00
	b. Additional cost per inlet or outlet	\$1.20

Section 2 The above fees shall automatically be adjusted each July 1, beginning July 1,2009, based on the percentage of change in the Portland, Oregon Consumer Price Index (CPI-W) second half report, published in the preceding February of each year.

Section 3. This resolution shall take effect on July 1, 2008 and upon its effective date, all conflicting prior Resolutions are repealed.

Adopted June 16, 2008
Approved June 16, 2008

JAMES B. FAIRCHILD, MAYOR

ATTEST:

JERRY WYATT, CITY MANAGER

DALLAS CITY COUNCIL REPORT

TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 8.2	Topic: Resolution No. 3156 adopting amended mechanical permit fees
Prepared By: Jason Locke, Community Development Director	Meeting Date: June 16, 2008	Attachments: Yes <input type="checkbox"/> No
Approved By: Jerry Wyatt		

RECOMMENDED ACTION: Adopt Resolution No. 3156

BACKGROUND:

Earlier this year, staff reviewed all fees associated with the building program and determined that an increase was necessary to offset increasing costs. It was found that the fees had not been increased since 2001. The Buildings and Grounds Committee reviewed the proposed 15% - 20% increases as well as the automatic yearly increase based on the Portland CPI-W and recommended that the Council adopt the new fees with the automatic yearly increase. The City Council concurred and directed staff to prepare a resolution adopting the new fees. Resolution No. 3156 covers mechanical permits.

FISCAL IMPACT:

Mechanical permit costs will increase by 15% over existing permit costs.

ATTACHMENTS:

Resolution No. 3156

RESOLUTION NO. 3156

A Resolution establishing permit fees for the Oregon Mechanical Specialty Code and repealing prior conflicting Resolutions.

Section 1. The following are hereby adopted as the permit fees for the Mechanical Code under DCC 8.270:

1. Residential Permit	a. Issuance of permit	\$40.00
2. Residential Furnace or AC	a. Up to 100K BTU/hr	\$9.00
	b. Over 100K BTU/hr	\$11.25
3. Residential Heaters/stoves/vents	a. Unit heater	\$9.00
	b. Wood/pellet /gas /flue	\$6.75
	c. Repair or alteration and addition to heating/cooling.	\$9.00
	d. Evaporated cooler	\$6.75
	e. Vent fan with one duct	\$4.50
	f. Dryer/Hood with exhaust and duct	\$6.75
	g. Floor furnaces including vent	\$9.00
	h. Appliance vent	\$4.50
4. Residential Gas Piping	a. 1-4 outlets	\$3.00
	b. Additional outlets	\$1.00
5. Commercial Fees	Valuation	<u>Permit Fee</u>
	\$1.00 to \$4000	\$60.00
	\$4,001 to \$25,000	\$60.00 for the first \$4000 plus \$8.97 for each additional \$1,000 or fraction thereof, to and including \$25,000
	\$25,001 to \$50,000	\$248.37 for the first \$25,000 plus \$6.73 for each additional \$1,000 or fraction thereof, to and including \$50,000 or fraction thereof
	\$50,001 to \$100,000	\$416.62 for the first \$50,000 plus \$4.49 for each additional \$1,000 or fraction thereof, to and including \$100,000 or fraction thereof
	\$100,001 and up	\$641.12 for the first \$100,000 plus \$3.74 for each additional \$1,000 or fraction thereof

7. Miscellaneous Fees	a. Inspections outside of normal business hours (min. 2 hour)	\$60.00
	b. Re-inspection fees	\$60.00
	c. Inspection fees which no fee is specifically indicated (Per hour)	\$60.00
	d. Additional plan review required by changes, additions or revisions to approved plans (per hour)	\$60.00

Section 2. The above fees shall automatically be adjusted each July 1, beginning July 1, 2009, based on the percentage of change in the Portland, Oregon Consumer Price Index (CPI-W) second half report, published in the preceding February of each year.

Section 3. This resolution shall take effect on July 1, 2008 and upon its effective date, all conflicting prior Resolutions are repealed.

Adopted June 16, 2008
Approved June 16, 2008

JAMES B. FAIRCHILD, MAYOR

ATTEST:

JERRY WYATT, CITY MANAGER

DALLAS CITY COUNCIL REPORT

TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 8.3	Topic: Resolution No. 3157 adopting amended Residential permit fees
Prepared By: Jason Locke, Community Development Director	Meeting Date: June 16, 2008	Attachments: Yes <input checked="" type="checkbox"/> No
Approved By: Jerry Wyatt		

RECOMMENDED ACTION: Adopt Resolution No. 3157

BACKGROUND:

Earlier this year, staff reviewed all fees associated with the building program and determined that an increase was necessary to offset increasing costs. It was found that the fees had not been increased since 2001. The Buildings and Grounds Committee reviewed the proposed 15% - 20% increases as well as the automatic yearly increase based on the Portland CPI-W and recommended that the Council adopt the new fees with the automatic yearly increase. The City Council concurred and directed staff to prepare a resolution adopting the new fees. Resolution No. 3157 covers Residential permits.

FISCAL IMPACT:

Residential permit costs will increase by 15% over existing permit costs.

ATTACHMENTS:

Resolution No. 3157

RESOLUTION NO. 3157

A Resolution establishing permit fees for the Oregon Residential Specialty Code and repealing prior conflicting Resolutions.

Section 1. The following are hereby adopted as the permit fees for the Residential Code under DCC 8.270:

<u>Valuation</u>	<u>Permit Fee</u>
\$1.00 to \$4000	\$60.00
\$4,001 to \$25,000	\$60.00 for the first \$4000 plus \$8.97 for each additional \$1,000 or fraction thereof, to and including \$25,000
\$25,001 to \$50,000	\$248.37 for the first \$25,000 plus \$6.73 for each additional \$1,000 or fraction thereof, to and including \$50,000 or fraction thereof
\$50,001 to \$100,000	\$416.62 for the first \$50,000 plus \$4.49 for each additional \$1,000 or fraction thereof, to and including \$50,000 or fraction thereof
\$100,001 and up	\$641.12 for the first \$100,000 plus \$3.74 for each additional \$1,000 or fraction thereof

Other Inspections and Fees:

1. Inspections outside of normal business hours.....\$60.00 per hour
2. Re-inspection fees \$60.00 each
3. Inspections for which no fee is specifically indicated\$60.00 per hour
4. Additional plan review required by changes,
Additions or revisions to approved plans.....\$60.00 per hour

Section 2. The above fees shall automatically be adjusted each July 1, beginning July 1, 2009, based on the percentage of change in the Portland, Oregon Consumer Price Index (CPI-W) second half report, published in the preceding February of each year.

Section 3. This resolution shall take effect on July 1, 2008 and upon its effective date, all conflicting prior Resolutions are repealed.

Adopted June, 16, 2008
Approved June 16, 2008

JAMES B. FAIRCHILD, MAYOR

ATTEST:

JERRY WYATT, CITY MANAGER

DALLAS CITY COUNCIL REPORT

TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 8.4	Topic: Resolution No. 3158 adopting amended structural permit fees
Prepared By: Jason Locke, Community Development Director	Meeting Date: June 16, 2008	Attachments: Yes <input checked="" type="checkbox"/> No
Approved By: Jerry Wyatt		

RECOMMENDED ACTION: Adopt Resolution No. 3158

BACKGROUND:

Earlier this year, staff reviewed all fees associated with the building program and determined that an increase was necessary to offset increasing costs. It was found that the fees had not been increased since 2001. The Buildings and Grounds Committee reviewed the proposed 15% - 20% increases as well as the automatic yearly increase based on the Portland CPI-W and recommended that the Council adopt the new fees with the automatic yearly increase. The City Council concurred and directed staff to prepare a resolution adopting the new fees. Resolution No. 3158 covers structural permits.

FISCAL IMPACT:

Structural permit costs will increase by 15% - 20% over existing permit costs.

ATTACHMENT(S):

Resolution No. 3158

RESOLUTION NO. 3158

A Resolution establishing permit fees for the Oregon Structural Specialty Code and repealing prior conflicting Resolutions.

Section 1. The following are hereby adopted as the permit fees for the Building Code under DCC 8.270:

<u>Valuation</u>	<u>Permit Fee</u>
\$1.00 to \$4000	\$60.00
\$4,001 to \$25,000	\$60.00 for the first \$4000 plus \$8.97 for each additional \$1,000 or fraction thereof, to and including \$25,000
\$25,001 to \$50,000	\$248.37 for the first \$25,000 plus \$6.73 for each additional \$1,000 or fraction thereof, to and including \$50,000 or fraction thereof
\$50,001 to \$100,000	\$416.62 for the first \$50,000 plus \$4.49 for each additional \$1,000 or fraction thereof, to and including \$50,000 or fraction thereof
\$100,001 and up	\$641.12 for the first \$100,000 plus \$3.74 for each additional \$1,000 or fraction thereof

Other Inspections and Fees:

1. Inspections outside of normal business hours.....\$60.00 per hour
2. Re-inspection fees.....\$60.00 each
3. Inspections for which no fee is specifically indicated\$60.00 per hour
4. Additional plan review required by changes,
Additions or revisions to approved plans.....\$60.00 per hour

Section 2. The above fees shall automatically be adjusted each July 1, beginning July 1, 2009, based on the percentage of change in the Portland, Oregon Consumer Price Index (CPI-W) second half report, published in the preceding February of each year.

Section 3. This resolution shall take effect on July 1, 2008 and upon its effective date, all conflicting prior Resolutions are repealed.

Adopted June 16, 2008
Approved June 16, 2008

JAMES B. FAIRCHILD, MAYOR

ATTEST:

JERRY WYATT, CITY MANAGER

RESOLUTION NO. 3159

A Resolution adopting the budget of the City of Dallas, Oregon for the fiscal period beginning July 1, 2008 and ending June 30, 2009, making budgeted appropriations and levying taxes for said fiscal period.

WHEREAS, at a meeting of the City Council of the City of Dallas, Oregon, duly held on the 2nd day of June, 2008, a budget for the City for the fiscal year beginning July 1, 2008 and ending June 30, 2009, heretofore submitted by the Budget Committee to the people of the City after due notice and public hearing, was submitted to the City Council for adoption for and on behalf of the City; and

WHEREAS, the appropriations for said period as shown by said budget are in the respective sums and for the purposes following:

<u>Budgeted Fund and Account</u>	<u>Appropriated Amount</u>
1. <u>GENERAL FUND</u>	
1. Municipal Court Total Appropriation	\$ 344,044
2. Ambulance Department Total Appropriation	\$ 1,126,834
3. Fire Department Total Appropriation	\$ 757,654
4. Police Department Total Appropriation	\$ 2,657,430
5. Library Total Appropriation	\$ 441,724
6. Community Development - Public Facilities Total Appropriation	\$ 19,790
7. Public Works - Parks Total Appropriation	\$ 239,381
8. Community Development - Recreation Total Appropriation	\$ 27,386
9. Community Development – Aquatic Center Total Appropriation	\$ 883,294
10. Community Development - Inspections Total Appropriation	\$ 346,480
11. Community Development - Planning Total Appropriation	\$ 220,395
12. Non-Departmental Materials & Services	\$ 50,000
Capital Outlay	1,000
Transfer to Other Funds	42,000
General Contingency	375,000
Unappropriated Fund Balance	<u>480,017</u>
Total Appropriation	\$ 948,017
 TOTAL - ALL REQUIREMENTS - GENERAL FUND	 <u>\$ 8,012,429</u>
2. <u>STREET FUND</u>	
Personal Services	\$ 333,127
Materials & Services	369,807
Capital Outlay	162,000
Reserve and Contingency	<u>109,317</u>
Total Appropriation	<u>\$ 974,251</u>

3.	<u>SEWER FUND</u>	
	Personal Services	\$ 550,573
	Materials & Services	1,528,834
	Capital Outlay	2,500
	Debt Service	1,162,745
	Contingency	500,000
	Reserve	1,387,364
	Total Appropriation	<u>\$ 5,132,016</u>
4.	<u>WATER FUND</u>	
	Personal Services	\$ 774,452
	Materials & Services	1,007,421
	Capital Outlay	2,500
	Debt Service	207,126
	Contingency	400,000
	Reserve	710,723
	Total Appropriation	<u>\$ 3,102,222</u>
5.	<u>IMPROVEMENT BOND & INTEREST FUND</u>	
	Materials & Services	\$ 512,344
	Debt Service	0
	Transfer to Other Funds	0
	Reserve	0
	Total Appropriation	<u>\$ 512,344</u>
6.	<u>OUTSIDE OF CITY WATER FUND</u>	
	Personal Services	\$ 15,500
	Materials & Services	47,000
	Reserve	54,689
	Total Appropriation	<u>\$ 117,189</u>
7.	<u>SHOP SERVICES FUND</u>	
	Personal Services	\$ 150,022
	Materials & Services	463,073
	Capital Outlay	50,000
	Total Appropriation	<u>\$ 663,095</u>
8.	<u>REVENUE SHARING FUND</u>	
	Personal Services	\$ 0
	Materials & Services	0
	Capital Outlay	0
	Transfer to General Fund	130,000
	Total Appropriation	<u>\$ 130,000</u>
9.	<u>SYSTEM DEVELOPMENT FUND</u>	
	Capital Outlay	\$ 7,059,480
	Reserve	
	Total Appropriation	<u>\$ 7,059,480</u>
10.	<u>GENERAL OBLIGATION BONDS</u>	
	Materials & Services	\$ 0
	Debt Service	709,646
	Unappropriated Fund Balance	216,177
	Total Appropriation	<u>\$ 925,823</u>

11. <u>TRUST FUNDS</u>	
Park	\$ 26,000
Skate Park	5,000
Fire – Harpy Bovard Scholarship	25,500
Fire – Extrication Team	45,000
Fire – Other	5,000
Ambulance Equipment	5,000
Library	9,000
Bail	120,000
Aquatic Center	25,000
Improvement	300,000
Street Improvement	300,000
Police	10,000
Development Park	1,000
Civic Center	2,500
Economic Development	78,000
Total Appropriation	<u>\$ 957,000</u>
12. <u>GRANT FUNDS</u>	
Materials & Services	\$ 104,000
Transfer to Other Funds	1,321,000
Capital Outlay	0
Total Appropriation	<u>\$ 1,425,000</u>
13. <u>INTERNAL SERVICE</u>	
Mayor and City Council - Total Appropriation	\$ 13,500
Personnel - Total Appropriation	107,196
City Manager - Total Appropriation	289,488
Finance Office - Total Appropriation	564,800
City Attorney - Total Appropriation	61,300
Facilities Maintenance – Total Appropriation	171,991
Total Appropriation	<u>\$ 1,208,275</u>
14. <u>CAPITAL IMPROVEMENT</u>	
Capital Outlay	\$ 14,700,000
Total Appropriation	<u>14,700,000</u>
15. <u>AMBULANCE SERVICE</u>	
Personal Services	\$ 0
Materials and Services	0
Capital Outlay	0
Contingency	0
Unappropriated Ending Balance	0
Total Appropriation	<u>\$ 0</u>
16. <u>GENERAL LONG TERM DEBT</u>	
Debt Service	\$ 83,450
Total Appropriation	<u>\$ 83,450</u>
Total Appropriations - All Funds	\$ 45,002,574
Less Estimated Receipts	\$ 41,441,349
Amount Necessary to Balance Budget	\$ 3,561,225
Plus Estimated Taxes Not Received.....	\$ 268,050
Total Tax Levy Needed for 2008-09 (Est.).....	\$ 3,829,275

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. The budget for the City of Dallas for the fiscal year beginning July 1, 2008 and ending June

30, 2009, heretofore submitted to the City Council by the Budget Committee of said City after due notice and public hearing, and as set forth above, is hereby adopted as the budget for said City for said period.

Section 2. The City Council of the City of Dallas hereby levies the taxes provided for in the adopted budget at the rate of \$4.1954 per \$1,000 of assessed value for operations and in the amount of \$731,185 for bonds and these taxes are levied upon all taxable property within the City as of 1:00 a.m. July 1, 2008. These taxes are hereby imposed and categorized for tax year 2008-09 upon the assessed value of all taxable property within the City:

	Subject to the General Government Limitation	Excluded from Limitation
General Fund	\$ 4.1954/\$1,000	\$ 0
Bonded Debt Fund	0	\$ 731,185
Category Total	\$ 4.1954/\$1,000	\$ 731,185
	Total Levy	\$3,829,275

Section 3. The amounts of money herein above and in said budget specified are hereby appropriated to the several funds for the purposes specified, respectively.

Section 4. That the City Manager shall, not later than the 15th day of July, 2008, notify the Assessor and Clerk of Polk County, Oregon, respectively, in writing, of the tax levy made by said City, stating the amount of money to be raised for the fiscal period beginning July 1, 2008 and ending June 30, 2009, and the method by which said levy is to be apportioned to the real and personal property subject to assessment.

Section 5. This Resolution shall be effective upon its passage.

Adopted: June 16, 2008
Approved: June 16, 2008

James B Fairchild, Mayor

ATTEST:

Jerry Wyatt, City Manager

RESOLUTION NO. 3160

A Resolution declaring the City of Dallas' election to receive State Revenues.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. Pursuant to ORS 221.770, the City of Dallas hereby elects to receive State Revenues for fiscal year 2008-09.

Section 2. This Resolution shall be effective on its passage.

Adopted June 16, 2008.
Approved June 16, 2008.

James B Fairchild, Mayor

ATTEST:

Jerry Wyatt, City Manager

ORDINANCE NO. 1688

An Ordinance Amending DCC 5.382 and 5.384 Regarding Licensing of Dogs; and repealing conflicting provisions.

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. DCC 5.382, entitled "License Required," is amended to read as follows:

“DCC 5.382. License Required:

“(1) Every person keeping a dog that has a set of permanent canine teeth or is six months old, whichever comes first, shall procure a license for the dog. The license must be procured by paying a license fee to the City, unless payment of the license fee is waived under subsection (5) below, within thirty days after a dog acquires its permanent canine teeth or turns six months old, as provided above, or the person becomes keeper of the dog, and thereafter continuously maintained in effect as provided herein. A dog license shall be valid for one, two, or three years. License fees shall be established by resolution and are nonrefundable.

“(2) No license shall be issued for any dog with a set of permanent canine teeth without either:

“(a) Certification that the dog has been vaccinated for rabies and that such vaccination is effective until at least thirty days prior to the date of expiration of the licensed applied for; or

“(b) A certification from the examining veterinarian stating that the dog should be exempted from the requirement for rabies vaccination due to medical reasons, and whether the reason for the exemption is permanent, and if it is not, the date the exemption ends. The reasons for the exemption and a specific description of the dog, including name, age, sex, breed, and color shall be recorded by the examining veterinarian on a Rabies Vaccination Certificate which shall bear the keeper's name and address. If the medical exemption is granted for less than the annual license period, the license shall expire 15 days following the expiration of the medical exemption period unless the owner submits a Rabies Vaccination Certificate.

“(3) License tags shall be securely displayed upon dogs at all times, except when the dog is confined to the keeper's premises or displayed in lawful exhibition.

“(4) A license is not transferable to another dog and shall be void upon transfer of a licensed dog to another keeper.

“(5) No license fee shall be required to be paid for any dog in the following circumstances:

“(a) The dog is an “assistance animal” as defined by ORS 346.680, provided the keeper tenders to the Police Department a written statement from a health care professional confirming the dog keeper’s medical need for such

a dog.

“(b) The dog is in training to be an assistance animal as defined in ORS 346.680, in affiliation with a recognized organization for the training or placement of assistance animals, provided the trainer tenders to the Police Department a written statement attesting to such status of the dog.

“(c) The dog’s keeper moves into the City of Dallas or the dog’s owner transfers the keeping of the dog to a person who resides in the City, and the dog has a current license from another jurisdiction, provided the dog remains in the possession of the keeper to whom such license was issued.

“(d) The dog is kept primarily in kennels for commercial sale and is not permitted to run at large.

A license shall be issued for such dog upon a determination that the dog qualifies for a license fee waiver for the annual license period.”

Section 2. Licenses issued by Polk County, Oregon prior to and effective as of the effective date of this ordinance shall remain valid until their expiration date, and a dog licensed by Polk County on the effective date of this ordinance shall be deemed licensed for the purpose of this ordinance until such license expires.

Section 3. DCC 5.384, entitled “Impoundment,” is amended to read as follows:

“DCC 5.384 (1) When a dog is impounded under authority of section 5.380, the animal control officer shall give written notice to the owner or custodian of the dog, either by personal service or by posting notice on the front door to the owner or custodian’s residence, if the dog has, on a tag or otherwise on the dog, information sufficient to enable the animal control officer to serve the owner or if the animal control officer has actual knowledge sufficient to enable the animal control officer to serve the owner. Such notice shall state the name of the dog, if known, a general description of the dog, the date it was impounded, the amount of the daily boarding fee and the redemption fee, that a license for the dog must be obtained before redemption, and the date after which the dog may be humanely killed or adopted if the dog has not been redeemed.

“(2) The owner or custodian of the dog may reclaim the animal by paying a daily boarding fee and a redemption fee in the amounts set by resolution of the Council.

“(3) No dog required to be licensed under section 5.382, that does not have a current license when impounded, shall be released from impoundment until the owner or custodian has obtained a license for the dog as provided by section 5.382. In addition, if the dog is (a) unlicensed or (b) licensed but not displaying the license tag required to be displayed under section 5.382(3), the owner or custodian shall implant the dog with microchip identification and registration with an approved national database, and provide proof of such registration within seven days after release from impoundment.

“(4) If, at the expiration of five days after notice was given, the owner or custodian has failed to reclaim the dog and pay the fees, the dog may be humanely killed or ownership thereof may be transferred to a new owner (adoption) provided the prospective new owner prepays the actual cost of spaying or neutering (which funds shall be transferred to the veterinarian performing the procedure) and thereafter actually has the dog spayed or neutered. The fee for an adoption shall be set by resolution. The Chief of Police, or his or her designee, may

waive the requirement that the dog be spayed or neutered if, in his or her opinion, it would be unlikely that the dog would deliver or cause unwanted puppies. A prospective new owner may appeal the decision on the waiver to the City Manager by paying an appeal fee set by resolution. The fee for the adoption of a dog shall be set by resolution provided that fee shall be equal to the cost of neutering or spaying the dog if that requirement is imposed.

“(5) If a written notice as described in subsection (1) above cannot be given within five days of impoundment, the dog may thereafter be humanely killed or adopted under the provisions of subsection (4).

Section 4. All prior ordinances in conflict with the terms and provisions of this ordinance are hereby repealed.

Read for the first time:	June 19, 2008
Read for the second time:	July 7, 2008
Passed by the City Council:	July 7, 2008
Approved by the Mayor:	July 7, 2008

JAMES B. FAIRCHILD, MAYOR

ATTEST:

JERRY WYATT, CITY MANAGER

ORDINANCE NO. 1687

An Ordinance changing the zoning designation of a parcel of real property owned by Raymond Baker and Daniel Carver from Residential Agricultural to Residential Medium Density.

WHEREAS, the above-referenced owners submitted a zone change application to the City requesting that the zoning designation of the real property which is described as 15.7 acres located in the Southeasterly portion of the Wyatt Mixed Use Node, as more particularly shown on the map attached hereto as Exhibit A and by this reference incorporated herein, be changed from Residential Agricultural to Residential Medium Density; and

WHEREAS, after due notice, on April 8, 2008, the Dallas Planning Commission held a public hearing on the application and at the conclusion thereof recommended to the City Council that the application be granted; and

WHEREAS, after due notice, on May 19, 2008, the City Council held a public hearing on the application and at the conclusion thereof found that there was substantial evidence that the application met the requirements of the Dallas Development Code and was in compliance with the Comprehensive Plan and that the application should be granted; NOW, THEREFORE,

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. The zoning designation of the real property described on Exhibit 1 hereto is hereby changed from Residential Agricultural to Residential Medium Density.

Section 2. The Findings and Conclusions set forth in the staff report on this matter, submitted into the record herein on May 19, 2008, a copy of which is attached hereto as Exhibit B and by this reference incorporated herein, are hereby adopted and approved as the Findings and Conclusions in support of this zone change.

Read for the first time: June 2, 2008
Read for the second time: June 16, 2008
Passed by the City Council: June 16, 2008
Approved by the Mayor: June 16, 2008

JAMES B. FAIRCHILD, MAYOR

ATTEST:

JERRY WYATT, CITY MANAGER

**CITY COUNCIL FINDINGS OF FACT
AND CONCLUSIONS**

HEARING DATE: MAY 19, 2008
OWNERS: RAYMOND BAKER & DANIEL CARVER
APPLICATION: ZONE CHANGE
LOCATION: 1130 W. ELLENDALE AVENUE

HEARING DATE:	MAY 19, 2008
APPLICATION TYPE:	ZONE CHANGE
OWNERS:	Baker / Carver
LOCATION:	TAX LOT 7.5.29 505
COMPREHENSIVE PLAN MAP LAND USE DESIGNATION:	RM – RESIDENTIAL MEDIUM DENSITY
SIZE	15.7 ACRES

REQUEST:

The applicant is requesting a zone change for a 15.7 acre portion of Tax Lot 7.5.29 505 from RA Residential Agricultural to RMD Residential Medium Density.

BACKGROUND:

This request is based on a prior Comprehensive Plan Amendment adopted by the City Council on February 19, 2008. The Planning Commission recommended Approval of this zone change at their April 8, 2008 meeting.

PUBLIC NOTICE:

The City has provided public notice identifying the owner/applicant, describing the project, location, and the scheduled date of the public hearing. The notice has been mailed to all property owners within 100 feet of the subject property and published in the Itemizer-Observer.

APPROVAL CRITERIA: SECTION 3.7.40 OF THE DALLAS DEVELOPMENT CODE

No Comprehensive Plan Map (including street designations) or Zoning Map boundary shall be amended except upon a finding of compliance with this section. In order for a zone change application to be deemed complete the applicant shall address each of the criteria listed below in a written narrative. The applicant shall bear the burden of proof by demonstrating with substantial evidence that each of the following criteria has been satisfied:

(1) **Zone Changes That Implement the Comprehensive Plan.** Where a zone change is proposed in conformance with the Comprehensive Plan Map, the applicant must submit a site plan and demonstrate conformance with the following criteria:

- (a) The applicant shall analyze alternative sites capable of meeting the purported need, considering the land needs assessment in Volume II of the Dallas Comprehensive Plan. This analysis shall demonstrate that there is a shortage of designated land within the City limits available to meet the purported need, and that changing the zone will not result in a shortage of land in any other plan designation.

Finding: The proposed zone change to Residential Medium Density (RMD) is consistent with the Comprehensive Plan Map Amendment approved by the City Council in February 2008, which designated this portion of the site RM. Staff has prepared an analysis of existing vacant RMD land and projections for future needs in accordance with the Comprehensive Plan. The analysis shows that there are approximately 14.7 acres of vacant RMD land, all of which is located in the central and east parts of the city. There is no vacant RMD land on the west side of the city. At an average density of 10 dwelling units/acre, the existing vacant land can accommodate approximately 147 dwelling units. Volume II of the Dallas Comprehensive Plan shows a need for 78 acres of Multi-family land through 2020. The existing 14.7 acres of RMD land plus approximately 5 acres of vacant RHD land demonstrates that there is a shortage of approximately 20 acres of multi-family land through 2020. The proposed zone change would decrease that shortage to approximately 5 acres, without creating a shortage of land in any other plan designation.

CONCLUSION: It has been found that the proposed zone change is in conformance with the requirements of the Comprehensive Plan.

- (b) Adequate public facilities are available to meet increased demand for services that may result from potential development allowed on the rezoned site. The applicant shall demonstrate that:

- i) All public facilities projects identified in Chapter VII of the Dallas Comprehensive Plan which serve the area where the zone change is proposed have been constructed or are programmed to serve the site within the next five years; and that the required public facilities improvements will be in place and operational in conjunction with the development of the site.

Finding: All projects identified in Chapter VII of the Comprehensive Plan are either constructed (water, sanitary sewer, streets and sidewalk) or will be constructed as development occurs in the Wyatt Node.

- ii) Sanitary sewer, water and storm drainage collection and distribution systems are adequate to handle the increased loads required by the rezoning, as determined by the Director of Public Works.

Finding: The Director of Public Works has determined that the applicable systems, including water, sanitary sewer, and storm drainage, are or can be made adequate to handle the increased loads as development occurs in the Wyatt Node.

- iii) Streets serving the proposed site are adequate to accommodate increased vehicular, bicycle and pedestrian traffic safely and efficiently. To make this determination, the City may require that the applicant prepare a transportation impact study which demonstrates, at a minimum, that no street link or intersection affected by the proposed subdivision will exceed LOS (level-of-service) D during peak morning or evening demand periods or LOS C during non-peak demand periods. This traffic impact study must consider the proposed development and probable development within the area served by each street link or intersection for at least a 10-year period. ***Finding:*** *Based on the information and analysis contained in the TSP, it does not appear that the proposed development resulting from this the zone change will exceed LOS D for the 10-year period. However, as part of the development of the Master Plan for the node, staff will require a Traffic Impact Analysis to ensure that the proposed development does not exceed standards, and meets the requirements of the Transportation Planning Rule (TPR) relating to significant impacts.*
- iv) Where street, utility, sidewalk, or bicycle improvements are roughly proportional to the impacts from proposed development that will likely result from the proposed zone change, and these improvements are required in City plans, then the applicant shall agree in writing to install the required improvements at the developer's expense. ***Finding:*** *There are no improvements required as a result of the zone change. Public improvements will be provided as the Wyatt Node develops.*

CONCLUSION: It has been found that adequate public facilities are available or will be available to meet increased demand for services that may result from potential development allowed on the rezoned site.

DECISION:

The City Council hereby approves this zone change request with the following conditions:

1. Prior to the issuance of certificates of occupancy for the RMD development on this portion of the site, the applicant shall submit to the City a Master Plan and Zone Change application for the entire Wyatt Node in accordance with the Dallas Comprehensive Plan and Development Code.
2. The applicant shall apply for and receive approval for all infrastructure and buildings associated with this portion of the Wyatt Node in accordance with the procedures contained in the Dallas Development Code.