



# Dallas City Council Agenda

Monday, February 2, 2009, 7:00 p.m.  
 Mayor Jim Fairchild, Presiding  
 Dallas City Hall  
 187 SE Court Street  
 Dallas, Oregon 97338

## City Council

Mayor  
 Jim Fairchild

Council President  
 Brian Dalton

Councilor  
 Warren Lamb

Councilor  
 Jackie Lawson

Councilor  
 Kevin Marshall

Councilor  
 Wes Scroggin

Councilor  
 David Shein

Councilor  
 David Voves

Councilor  
 LaVonne Wilson

Councilor  
 Ken Woods, Jr.

## Staff

City Manager  
 Jerry Wyatt

Asst. City Manager  
 Kim Marr

City Attorney  
 Lane Shetterly

Community Development  
 Director  
 Jason Locke

Finance Director  
 Cecilia Ward

Fire Chief  
 Bill Hahn

Interim Police Chief  
 Tom Simpson

Public Works Director  
 Fred Braun

*All persons addressing the Council will please use the table at the front of the Council. All testimony is electronically recorded. If you wish 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.*

<u>ITEM</u>	<u>RECOMMENDED ACTION</u>
1. ROLL CALL	
2. PLEDGE OF ALLEGIANCE TO THE FLAG	
3. APPROVAL OF MINUTES Approval of minutes of the Jan 20, 2009, Council meeting (p 3)	Action Requested
4. REPORTS OR COMMENTS FROM THE COUNCIL MEMBERS	
a. Report of January 27 Public Safety Committee meeting (LaVonne Wilson, Chair) (p 8)	Information
b. Report of January 27 Administrative Committee meeting (Warren Lamb, Acting Chair) (p 13)	Information
c. Approval of City Manager's 2009 Performance Evaluation Form (p 20)	Motion
5. QUESTIONS OR COMMENTS FROM THE AUDIENCE <i>This time is provided for citizens to address the Council or introduce items for Council consideration on any matters other than those on the agenda.</i>	
6. PUBLIC HEARINGS <i>(Public comment will be allowed on items appearing on this portion of the agenda following a brief staff report presenting the item and action requested. The Mayor may limit testimony.)</i>	
a. CDBG Housing Rehabilitation Grant Application 2009 (p 27)	Public Hearing
7. REPORTS OF SPECIAL COMMITTEES AND CITY OFFICERS City Manager's Reports	
a. Mid-year budget review (p 36)	Information

# Dallas City Council Agenda

## Page 2

### Our Vision

*Our vision is to foster an environment in which Dallas residents can take advantage of a vital, growing, and diversified community that provides a high quality of life.*

### Our Mission

*The mission of the City of Dallas is to maintain a safe, livable environment by providing open government with effective, efficient, and accountable service delivery.*

### Our Motto

*Commitment to the Community.  
People Serving People.*

Dallas City Hall is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to the City Manager's Office, 503-831-3502 or TDD 503-623-7355.

- b. Set the 2009/10 Goal Setting session (p 41) Discussion
- c. OLCC Annual renewals (p 42) Motion
- d. Dog Park Naming Contest (p 45) Motion
- e. Other

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## 8. COMMUNICATIONS AND PETITIONS

- a. Community Action letter (p 46) Information
- b. Masonic Lodge Open House invitation (p 47) Information

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## 9. RESOLUTIONS

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### 10. FIRST READING OF ORDINANCE

- a. Ordinance No. 1700 – An Ordinance amending provisions of the Dallas City Code Section 5.102, relating to the discharge of weapons; and declaring an emergency. (p 48) First Reading

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### 11. SECOND READING OF ORDINANCE

- a. Ordinance No. 1697 – An Ordinance amending provisions of the Dallas City Code Section 2.005, relating to council meetings. (p 51) Roll Call
- b. Ordinance No. 1698 – An Ordinance amending provisions of the Dallas City Code Section 5.386, relating to wild animals; and repealing conflicting provisions. (p 52) Roll Call

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## 12. OTHER BUSINESS

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## 13. ADJOURNMENT

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2 **DALLAS CITY COUNCIL**  
3 **Tuesday January 20, 2009**  
4 **Council Chambers**

5 The Dallas City Council met in regular session on Tuesday, January 20, 2009, at 7:00 p.m. in the  
6 Council Chambers of City Hall with Mayor Fairchild presiding.

7 **ROLL CALL**

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

12 Also present were: City Manager Jerry Wyatt, City Attorney Lane Shetterly, Assistant City  
13 Manager Kim Marr, Fire Chief Bill Hahn, Community Development Director Jason Locke,  
14 Finance Director Cecilia Ward, Public Works Director Fred Braun, and Recording Secretary  
15 Emily Gagner.

16 **PLEDGE OF ALLEGIANCE TO THE FLAG**

17 Mayor Fairchild led the Pledge of Allegiance to the Flag.

18 **APPROVAL OF MINUTES**

19 Mayor Fairchild declared the minutes of the January 5, 2009, Council meeting approved as  
20 presented.

21 **REPORTS OR COMMENTS FROM COUNCIL MEMBERS**

22 Councilor Wilson stated she attended the Chamber awards banquet, noting it was well done. She  
23 added the Public Works Department has done a great job and their Presidential Award is well-  
24 deserved. Councilor Voves agreed, saying it was special for the City employees to be there to  
25 receive their reward.

26 **FIRE SERVICE APPRECIATION DAY PROCLAMATION**

27 Mayor Fairchild read the proclamation for Fire Service Appreciation Day and presented a  
28 certificate to Fire Chief Hahn.

29 **QUESTIONS OR COMMENTS FROM THE AUDIENCE**

30 Chelsea Pope, Executive Director of the Dallas Area Chamber of Commerce, reported that the  
31 Chamber held their 52<sup>nd</sup> Annual Community Awards Ceremony the past week and had a sold-out  
32 crowd in attendance. Ms. Pope reviewed the list of award winners, including the Presidential  
33 Award to Public Works. Greg Hess, President of the Dallas Area Chamber of Commerce stated  
34 he received comments from people about Public Works crews cleaning up tree debris after the  
35 storm, and noted it is very impressive to hear that feedback from the public. He explained the  
36 award goes to the hard-working men and women of the "orange shirt brigade" during these hours  
37 of trying times when they had to spend many hours away from their families in order to serve the  
38 community. Mr. Hess indicated it was an honor to present the Public Works Department with  
39 the Presidential Award this year. Councilor Shein stated that those folks do a fantastic job not  
40 just one time but all the time, and they are always there when they need to be. Mayor Fairchild  
41 commented that they are also backed up extremely well by other departments and staff.

42 Sharron Kremer stated she had questions about an emergency or rapid response team that may be  
43 available to Dallas in case of another snow or other emergency. She handed out a letter to the  
44 Councilors and then read the letter. She indicated that if there is any kind of plan, no one at the  
45 Senior Center knows anything about it.

46 Shirley Fulford stated she echoed Ms. Kremer's views. She commented that she was frightened  
47 during the storm and she wondered what she would do if she was without electricity in her home,  
48 especially with her husband needing medical equipment that relies on electricity. She asked the  
49 Council if there is a place she and her husband could go to hook up his medical equipment and  
50 keep warm and safe if there is an emergency.

1 Lucille Mansigh indicated she was very fortunate during the storm and did not lose electricity.  
2 She stated she did call all over town to find a place if they did lose power and everyone she  
3 spoke to told her no.

4 Mayor Fairchild reported that the City does have disaster plans in place, but we have not done a  
5 good job of having information in a place that is easily accessible to our citizens. Mr. Wyatt  
6 stated there is only so much the City can do, and we rely on the Red Cross for shelter setup. He  
7 indicated the City would have done more if the storm had lasted longer. Mr. Wyatt stated that as  
8 far as offering wood or a warming shelter, the City does not have the staff or the resources for  
9 that. He reiterated that the City was ready to call the Red Cross, but the storm didn't last that  
10 long and power was restored fairly quickly.

11 Dave Coleman stated that since parking laws have changed downtown, and he parks his vehicle  
12 on Main Street, he's been getting a number of parking tickets. He indicated he doesn't know  
13 what the issue is with not being given a permit to park there. He reported that of the downtown  
14 residents, he is the only one who works nights, and doesn't get up early enough to move his car,  
15 so he gets tagged frequently.

16 Councilor Lawson asked Mr. Coleman if he has been told not to park in the back of his building.  
17 He stated when it snows or rains, he doesn't like to haul his groceries a block and a half, and he  
18 doesn't understand why he is not allowed to park by his front door. City Attorney Shetterly  
19 stated that until the Council passes a new Ordinance regarding this, there is nothing the Council  
20 can do in the meantime that would be faster than waiting for the new Ordinance to be adopted.

21 Mayor Fairchild asked Mr. Coleman to contact him this week. Councilor Wilson stated that it  
22 would be best to wait to talk about it until after the Public Safety Committee meeting the  
23 following week, so the committee can finalize the issue first.

#### 24 **PUBLIC HEARINGS**

#### 25 **REPORTS OF SPECIAL COMMITTEES AND CITY OFFICER**

#### 26 **EMPLOYEE/VOLUNTEER 4<sup>TH</sup> QUARTER RECOGNITION**

27 Mr. Wyatt presented the Employee of the Quarter award to Eric Totten.

28 Mr. Wyatt presented the Volunteer of the Quarter award to Hugh Genauldi.

#### 29 **WWTF UPDATE BY OMI**

30 Mr. Wyatt introduced Pat Kavan, Project Manager at the Dallas Wastewater Treatment Facility,  
31 and employee of CH2M Hill-OMI.

32 Mr. Kavan gave a PowerPoint presentation reviewing the accomplishments for 2008 and  
33 discussing the plans for 2009.

34 Mayor Fairchild stated his understanding of the contract with OMI is that they operate the plant,  
35 but in future, as we make upgrades and bring in new equipment, that will be the City's  
36 responsibility. He asked if there is program in place to look ahead at future equipment upgrades  
37 or replacement.

38 Mr. Wyatt indicated that is done when staff goes through the Capital Improvement Plan. Mr.  
39 Braun stated that during the budget preparation, Mr. Kavan develops a list of anticipated capital  
40 items.

41 Councilor Scroggin asked how many years the City can continue with the current plant before  
42 needing a major upgrade. Mr. Kavan noted the plant is currently oversized for the City, so there  
43 is a lot of room for growth.

#### 44 **DOWNTOWN TASK FORCE FINAL REPORT**

45 John Swanson gave the Downtown Task Force Final Report to the Council. He thanked the  
46 members of the Task Force and applauded the work they and the Council have done to make the  
47 downtown better.

48 Mr. Swanson reviewed the Task Force recommendations, which include 1) identifying,

1 prioritizing, and fixing problems in the downtown area that are the responsibility of the City of  
2 Dallas, 2) communicating with property and tenant business owners of their responsibility to  
3 adhere to City Code and steer them toward incentive programs and to provide assistance aimed  
4 toward downtown property improvements, and 3) encourage and support the formation of a  
5 downtown-specific business association managed and operated by downtown stakeholders,  
6 property owners, and business owners.

7 Council President Dalton asked if the Task Force had developed a list of things the City can do  
8 beyond Code Enforcement and if there are resources available to address these problems.

9 Mr. Swanson indicated they did develop a list of City responsibilities and fixes. He explained  
10 that Mr. Wyatt is in the process of prioritizing that list and seeing how it fits in the work  
11 schedule.

12 Mr. Wyatt stated there are about two pages of opportunities, but Public Works has been busy  
13 with the storm cleanup. He indicated he is also working with the County to get work crews to  
14 help with some of the projects.

15 Councilor Voves stated he is encouraged that we have a list, noting he is anxious to see what has  
16 been done on the list so far.

17 Mr. Wyatt stated that Councilor Woods did contact him about the section of the report that stated  
18 the City of Dallas is responsible for maintenance of sidewalks in the downtown because City  
19 Code states it is the property owners' responsibility. Mr. Wyatt explained that the report was  
20 addressing the new sidewalks when we complete the downtown plan.

21 Councilor Scroggin stated Mr. Swanson did an excellent job of coordinating the task force and  
22 keeping it focused.

#### 23 COUNCIL LEGISLATIVE COMMITTEE ASSIGNMENTS

24 Councilor Shein stated that since we are fortunate to have City Attorney Shetterly as a resource,  
25 the Legislative Committee may want to maintain an open line of communication with him.

26 Councilor Shein moved to reestablish the Council's Legislative Committee and establish the  
27 City's position on bills proposed and pending before the State Legislature. The motion was duly  
28 seconded and CARRIED UNANIMOUSLY with Council President Brian Dalton, Councilor  
29 Jackie Lawson, Councilor Wes Scroggin, Councilor David Shein, Councilor Dave Voves, and  
30 Councilor LaVonne Wilson voting YES.

#### 31 MILLER AVENUE / FIR VILLA SPEED STUDY

32 Mr. Wyatt reported that staff, as directed by the Council, contacted ODOT to do a speed study on  
33 Miller Avenue and Fir Villa Rd. The State completed the speed study and recommends a speed  
34 of 35 mph on both streets.

35 Councilor Wilson stated she travels on both these roads and can see that this would be  
36 advantageous for the City and the residents in the area.

37 Councilor Wilson moved to approve the ODOT recommended speeds for SE Miller Avenue and  
38 SE Fir Villa Road. The motion was duly seconded and CARRIED UNANIMOUSLY with  
39 Council President Brian Dalton, Councilor Jackie Lawson, Councilor Wes Scroggin, Councilor  
40 David Shein, Councilor Dave Voves, and Councilor LaVonne Wilson voting YES.

#### 41 WALNUT AVENUE SPEED STUDY

42 Mr. Wyatt stated that staff has continued to place the speed trailer on Walnut Avenue and the  
43 City has sent correspondence to the people in the neighborhood. He reported that staff also put  
44 out the traffic counter, and pointed out that the data included in the packet shows that the 85<sup>th</sup>  
45 percentile speed was 24 mph and the average speed is 21 mph. Mr. Wyatt commented that the  
46 top speed was one car going 30 mph. He noted the results don't warrant any changes to the  
47 intersection.

1 Councilor Scroggin asked if staff measured the street to see if there was enough width to put a  
2 center line on the street. Mr. Braun stated we would have to eliminate all parking on the S-curve  
3 and the transition would require no parking 100 feet on either side of the approach. Councilor  
4 Lawson asked if staff could talk to those people who would be affected to see if they would be  
5 willing to have the parking eliminated. Mr. Wyatt stated he would do that and get back to the  
6 Council.

7 **PLANNING COMMISSION MEMBER APPOINTMENT**

8 Mr. Wyatt stated he has been in contact with Murray Stewart who is interested in serving on the  
9 Planning Commission. The City did advertise the position and asked others if they were  
10 interested in serving.

11 Councilor Voves moved to appoint Murray Stewart to the Planning Commission vacant position.  
12 The motion was duly seconded and CARRIED UNANIMOUSLY with Council President Brian  
13 Dalton, Councilor Jackie Lawson, Councilor Wes Scroggin, Councilor David Shein, Councilor  
14 Dave Voves, and Councilor LaVonne Wilson voting YES.

15 **REPORT ON THE JANUARY 13, 2009 PLANNING COMMISSION MEETING**

16 Mr. Wyatt reviewed the planning commission report. Councilor Scroggin asked if the utilities on  
17 Jasper were underground or above ground. Mr. Wyatt stated they are going underground and the  
18 developer is paying for that.

19 **DEPARTMENT REPORTS FOR THE MONTH OF DECEMBER**

20 Councilor Dalton noted there was only one case of graffiti in December. He stated one almost  
21 never sees graffiti here and when you do, it comes right down.

22 Councilor Scroggin asked if there was any idea how much the snow storm cost the City. Mr.  
23 Braun stated it is on the order of \$75,000 or more.

24 **OTHER**

25 Mr. Wyatt reminded the Council that on February 2, at 6:30 p.m. we will be taking a new  
26 Council Photo.

27 Mr. Wyatt stated he is still looking for a Councilor to serve on the Park Board. Councilor  
28 Lawson indicated she would be interested in serving.

29 Mr. Wyatt reminded the Council that the Administrative and Public Safety Committees will be  
30 meeting on Tuesday, January 27, instead of Monday.

31 Mr. Wyatt reported that the National Guard will be demolishing the old pool beginning on  
32 February 7.

33 **COMMUNICATIONS AND PETITIONS**

34 **APPLICATION FOR TAXI CAB BUSINESS LICENCE – SQUIRRELS TAXI SERVICE INC.**

35 Mr. Wyatt reviewed the application for a new taxi business. He indicated he had met with the  
36 owner, who was in the audience if the Councilors had any questions.

37 Councilor Lawson moved to approve the application for the Taxi Cab Business License for  
38 Squirrels Taxi Service, Inc. The motion was duly seconded and CARRIED UNANIMOUSLY  
39 with Council President Brian Dalton, Councilor Jackie Lawson, Councilor Wes Scroggin,  
40 Councilor David Shein, Councilor Dave Voves, and Councilor LaVonne Wilson voting YES.

41 **DALLAS AREA VISITOR CENTER BUDGET REPORT & PROJECT REPORT FOR 2008**

42 Chelsea Pope reviewed the Dallas Area Visitors Center Budget Report and Project Report for  
43 2008. She also reviewed the projects for 2009.

1 **RESOLUTIONS**

2 **FIRST READING OF ORDINANCE**

3 **Ordinance No. 1697:** An Ordinance amending provisions of the Dallas City Code Section  
4 2.005, relating to council meetings.

5 Mr. Shetterly reviewed the changes made to the Code that reflect the change in the meeting time,  
6 noting he also corrected a defect in the Ordinance to match it with the Charter. Mr. Shetterly  
7 indicated the third subsection brings the Ordinance in line with Oregon Public Meeting Law.

8 Mayor Fairchild declared Ordinance No. 1697 to have passed its first reading.

9 **Ordinance No. 1698:** An Ordinance amending provisions of the Dallas City Code Section  
10 5.386, relating to wild animals; and repealing conflicting provisions.

11 Mr. Shetterly indicated he worked to fit this in with the wild animal ordinance that was already  
12 present. In response to a question, Mr. Shetterly reviewed the list of birds that were prohibited.

13 After some discussion about which birds should be excluded, it was agreed to remove band-  
14 tailed pigeon, dove, and quail from the Ordinance and add peafowl to the list of wild birds.

15 Mayor Fairchild declared Ordinance No. 1698 to have passed its first reading.

16 **Ordinance No. 1699:** An Ordinance amending provisions of the Dallas City Code Section  
17 2.550, relating to the Park Board and declaring an emergency.

18 Mr. Shetterly reviewed the changes made to accommodate having a Councilor on the Board. He  
19 noted that if this Ordinance passes unanimously, it is okay to do it on one reading.

20 Mayor Fairchild declared Ordinance No. 1699 to have passed its first reading. A roll call vote  
21 was taken and PASSED BY A UNANIMOUS VOTE with Council President Brian Dalton,  
22 Councilor Jackie Lawson, Councilor Wes Scroggin, Councilor David Shein, Councilor Dave  
23 Voves, and Councilor LaVonne Wilson voting YES. Mayor Fairchild noted that with the  
24 emergency clause, this Ordinance will go into effect immediately.

25 **SECOND READING OF ORDINANCE**

26 **OTHER BUSINESS**

27 There being no further business, the meeting adjourned at 9:04 p.m.

28 Read and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2009.

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ATTEST:

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\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Mayor

## **MEETING AGENDA**

### **PUBLIC SAFETY COMMITTEE**

Tuesday, January 27, 2009

4:00 p.m.

LaVonne Wilson, Chair

Brian Dalton

Warren Lamb

Jackie Lawson

Ken Woods, Jr.

1. Downtown Parking Permits
2. Dog Licensing Program review
3. Interim Police Chief's Report
4. Fire Chief's Report
5. Other
6. Adjourn

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2  
3 Members Present: Chair LaVonne Wilson, Brian Dalton, Warren Lamb, and Jackie Lawson. Member ex-  
4 cused: Ken Woods, Jr.

5 Also Present: Mayor Jim Fairchild, City Manager Jerry Wyatt, City Attorney Lane Shetterly, Assistant  
6 City Manager Kim Marr, Finance Director Cecilia Ward, Fire Chief Bill Hahn, Interim Police Chief Tom  
7 Simpson, Recording Secretary Emily Gagner, David Shein, and Chelsea Pope.

8 Chair LaVonne Wilson called the meeting to order at 4:01 p.m.

### 9 **Downtown Residence Parking Permits**

10 This item was referred back to subcommittee for review. Mr. Wyatt passed out a map showing the pro-  
11 posed Downtown Residential Parking Program zones. He stated the permit would grant residents a one-  
12 year permit for a \$25 fee. He noted the resident would have to prove they live downtown, visitors and  
13 guests would not be eligible for a permit, and parking would only be allowed on side streets.

14 Councilor Lawson asked why the City would do this, as every building downtown has its own parking lot  
15 in back. Mr. Wyatt responded the staff was told to explore this option. Interim Chief Simpson indicated a  
16 particular downtown resident has been cited a few times and felt he didn't have any options. Councilor  
17 Dalton stated he would like to confine the permit to one vehicle per residence. Interim Chief Simpson  
18 stated the proposal is to limit it to one vehicle. Councilor Wilson stated her concern is how these permits  
19 will impact the businesses on those side streets. She asked if any of the businesses have been contacted.  
20 Interim Chief Simpson stated they had not. In response to a question, City Attorney Shetterly stated under  
21 the current system, an individual with specific needs may file an exception, which the Council then de-  
22 cides on a case-by-case basis.

23 Councilor Dalton asked if the Council could delegate the authority to the City Manager. City Attorney  
24 Shetterly stated they can change the Ordinance to grant the City Manager that authority.

25 Ms. Marr asked how the Council will protect the business owners. City Attorney Shetterly stated the  
26 Council can attach conditions to the variance, such as not parking in the same spot every day. Councilor  
27 Lawson stated she had somewhat of a conflict because she owns a business on one of those side streets.  
28 City Attorney Shetterly stated the current process provides notice to the affected business owners. City  
29 Attorney Shetterly stated the Council could delegate the initial decision to the City Manager and require  
30 the City Manager provide notice to the affected property owners. They could then provide a process to  
31 appeal to the City Council. After more discussion, Mr. Wyatt stated we currently have one person coming  
32 in, and he admitted he doesn't want to walk around the block.

33 After further discussion, it was decided to leave the variance process the way it is currently set up, and to  
34 have the City Manager talk applicants through the process. Councilor Wilson stated Mr. Wyatt will call  
35 the gentleman who came to the last Council meeting and help him use the existing guidelines to apply for  
36 a variance.

### 37 **Dog Licensing Program Review**

38 Interim Chief Simpson reviewed the status of the dog licensing program. They now have new software in  
39 place so the officers can access the information in their cars. They are now also connected to Polk Coun-  
40 ty's software so they can access their license information as well. Interim Chief Simpson reported that as

1 of the middle of January, the City has issued a little over 500 licenses and gotten \$12,263 in fees. He in-  
2 dicated Polk County still has licenses issued to Dallas residents, so as they expire our numbers will in-  
3 crease.

#### 4 **Interim Police Chief's Report**

5 Interim Chief Simpson stated that he is working with the management team to make comprehensive up-  
6 dates to all the Department's policies and procedures. They are then setting aside a few days periodically  
7 to pull some officers off patrol to review the updates.

8 Interim Chief Simpson reported that the City is moving forward with a medicine disposal program. Staff  
9 will be creating brochures and they will turn it in to the Police Department. Interim Chief Simpson stated  
10 the Department already disposes of evidence through Marion County and this will be the same.

11 Interim Chief Simpson reviewed personnel updates.

#### 12 **Fire Department and Ambulance Service Report**

13 Fire Chief Hahn reported the Fire Department is looking to have a structural engineer evaluate the training  
14 tower since it has been a number of years since it was last looked at. This will insure the tower can safely  
15 handle training activities.

16 Chief Hahn stated that the Police and Fire Departments will be seeing an increase in the cost for 9-1-1  
17 Dispatch because their current cad system, which is eight years old, will no longer be supported by the  
18 company.

19 Chief Hahn reported that two weeks ago, he got a phone call from the Insurance Service Office, or ISO.  
20 The last time they visited Dallas was 1993, so they will be out this year on March 18 and 19 to assess the  
21 City and rural district. Staff is working hard to prepare for that visit, and they are hoping to maintain an  
22 ISO rating of 2. There is the potential that may change, however. In response to a question, Chief Hahn  
23 stated a rating change would have no impact to residences, but businesses could be impacted.

#### 24 **Other**

25 Councilor Wilson stated the committees would get documents with their agendas for meetings in the past  
26 and asked if we were going away from that. Mr. Wyatt stated if there is background material, staff will  
27 distribute it in advance, but otherwise reports will just be verbal.

28 Mr. Wyatt indicated the National Guard changed the date to demolish the old pool from February 7 to  
29 March 7. He explained there are two companies coming in, one tactical team and one demo team. The  
30 tactical team will take over the facility first and do a drill, and then the demo team will come in the next  
31 day. Mr. Wyatt reported that the Code prohibits discharge of firearms in City limits, so the Council needs  
32 to do something for an exemption so the tactical team can use paintball guns. City Attorney Shetterly  
33 stated he can work up something for the next Council meeting that would allow the National Guard to use  
34 paintball weapons.

35 There being no further business the meeting was adjourned at 4:40 p.m.

# DALLAS CITY COUNCIL REPORT

**TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL**

<i>City of Dallas</i>	<b>Agenda Item No.</b>	<b>Topic:</b> Downtown Residential Parking Permits
<b>Prepared By:</b> T. Simpson	<b>Meeting Date:</b> Public Safety Committee 1/27/09	<b>Attachments:</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Approved By:</b> J. Wyatt		

RECOMMENDED MOTION:

Recommend implementation of a limited Downtown Residential Parking permit program, including review by City Attorney for Ordinance Amendment. Recommend the limitation include exemption(s) specifically for overtime parking on other than Main or Jefferson Streets, and for no more than one vehicle per applicant.

Suggest annual permit fee of \$25.00 to cover minimal staff time for processing & filing.

BACKGROUND:

Periodically, over the past few years, various downtown residents have approached City staff regarding their concerns over parking limitations in the downtown area.

Most recently, a downtown resident in the 800 Block of Main Street protested receipt of parking citations due to his work shift (late afternoon / evening). His concern was that since he sleeps later in the day, than someone who works a regular day-time shift, he ultimately receives overtime parking citations if he doesn't get up specifically to move his car.

As a downtown resident, he felt parking in the gravel area behind the apartments where he resides was especially inconvenient and unfair for downtown Dallas residents.

FISCAL IMPACT:

Minimal, including staff time for permit development, processing & filing. City Attorney time for any amendment(s) which would be applicable.

ATTACHMENTS:

None



City of Dallas  
 Proposed Downtown Residential Parking Program



- Downtown Residential Parking Permit Zones
- Standard Time-Restricted Parking zones
- Unrestricted free parking zones

## **MEETING AGENDA**

### **ADMINISTRATIVE COMMITTEE**

Tuesday, January 27, 2009

4:00 p.m.

Ken Woods, Jr., Chair  
Brian Dalton  
Warren Lamb  
Jackie Lawson  
LaVonne Wilson

1. City Manager's Performance Evaluation Form for 2009
2. Public Involvement Policy
3. Draft Council Rules and Procedures
4. Draft Fiscal Policies
5. Oregon 150 activities
6. Finance Director's Report
7. Assistant City Manager's Report
8. Other
9. Adjourn

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Members Present: Brian Dalton, Warren Lamb, Jackie Lawson, LaVonne Wilson. Member excused: Ken Woods, Jr.

Also Present: Mayor Jim Fairchild, City Manager Jerry Wyatt, Assistant City Manager Kim Marr, Finance Director Cecilia Ward, City Attorney Lane Shetterly, Recording Secretary Emily Gagner, David Shein and Chelsea Pope.

Acting Chair Warren Lamb called the meeting to order at 4:41 p.m.

**City Manager’s Performance Evaluation Form for 2009**

Mr. Wyatt stated that he was directed to get copies of other cities’ performance evaluation forms. Ms. Marr passed out copies of the forms from several cities. Councilor Wilson clarified that Councilor Voves wanted to look at the criteria other people use for the form itself.

Councilor Lamb stated he liked the draft from Councilor Dalton of the Performance Evaluation Procedure, noting it was clear about who uses it. Councilor Dalton stated that with regard to the actual evaluation form, evaluating the form itself will take a small group of people and may take a few weeks. After some discussion, Councilor Dalton indicated it would be straightforward to adopt the current form and over the next year review it and come back with a recommendation of improvements, if any, next year. Councilor Wilson stated she would like the entire Administrative Committee to participate in evaluating the form. Councilor Dalton stated there are some structure issues and references to the Code and contracts, so he wondered if the City Attorney should take the lead on the review. City Attorney Shetterly stated it has been his experience that there is no perfect tool, no golden mean that the Council will find. Councilor Dalton agreed that the current form allows the maximum amount of flexibility. After some discussion, Councilor Dalton stated the Council could issue more specific instructions that say what each of these things on the form mean. Mayor Fairchild stated that at one time, the evaluation form had a full list of criteria and the Council said they didn’t want it any longer. Councilor Wilson stated she would like to have the Committee look at the form over time.

Councilor Lawson moved to forward the performance evaluation procedure and current evaluation form, with item number five “Communication” removed, to the full Council with a recommendation for approval. The motion was duly seconded.

There was some discussion about keeping the evaluation summary confidential if distributed before the Executive Session. City Attorney Shetterly made an addition to the procedure to ensure confidentiality.

Councilor Lawson amended her motion to add the statement about confidentiality to the procedures. The amendment was duly seconded.

The motion as amended carried unanimously with Brian Dalton, Warren Lamb, Jackie Lawson, and LaVonne Wilson voting YES.

**Public Involvement Policy**

Mr. Wyatt stated it was a Council goal to have a Public Involvement Policy, which goes hand in hand with the Open House on February 26. The City is looking to reach out to the community and find ways

1 to get information to the citizens, such as using the web page, flyers, and the newsletter. The staff wants  
2 to get the community involved, and will also be working with the School District on public involvement.

3 Councilor Wilson asked about the idea of in-person interviews. Mr. Wyatt stated the plan would involve  
4 him and Ms. Marr, and it just sets a goal to get them out to talk to people. He stated when it is really  
5 busy, he can go through a week and not get out of the building. Mr. Wyatt indicated he would have a list  
6 of questions to ask on topics from the Valsetz water to Sounds of Summer to the Downtown Streetscape  
7 Plan. In response to a question, Mr. Wyatt stated he would like to have representation from different as-  
8 pects of the community, so he will put some thought into it and make contacts. Councilor Lamb stated  
9 these people need to understand that they should communicate with their Councilors as well.

## 10 **Draft Council Rules of Procedure**

11 Mr. Wyatt indicated this document is something in which the staff has no ownership.

12 There was some discussion about changes that were needed. City Attorney Shetterly stated he had com-  
13 ments that would bring the Rules of Procedure in line with the Code and Charter. After more discussion,  
14 it was decided that the Committee would get any comments to Mr. Wyatt or City Attorney Shetterly with-  
15 in the next week. City Attorney Shetterly will then compile those comments and distribute a master tem-  
16 plate with all the comments. It was decided that the Committee will refine the document before bringing  
17 it before the full Council.

## 18 **Draft Fiscal Policies**

19 Mr. Wyatt reported that he has received a rough draft of Andy Park's report. He stated he would like to  
20 do the same process with the fiscal policies as we are doing with the Council Rules, although this will not  
21 be as rough of a document.

## 22 **Oregon 150 Activities**

23 Mr. Wyatt stated we have activities being planned. The main weekend for activities is May 16 and 17,  
24 but there will also be activities throughout the year. Mr. Wyatt reported that there will be activities at the  
25 library, the Aquatic Center, service clubs, and schools.

## 26 **Finance Director's Report**

27 Finance Director Cecilia Ward stated she has been really busy. She reported that she and Mr. Wyatt met  
28 with representatives from Bank of America. The City asked to immediately begin receiving our state-  
29 ments electronically, which will save \$130 per month. We are also looking at direct pay for customers,  
30 which is easy to do and should happen quickly. This will eliminate some paper-based transactions, which  
31 will also eliminate fees. Ms. Ward indicated she is researching purchasing cards, which work like a Visa  
32 card and will reduce paperwork and help track purchases. These would also allow timely payments to  
33 vendors, and they provide instant controls, such as restricting employees to purchasing only certain sup-  
34 plies. Mr. Wyatt reported the City would also get 1% of our purchases back at the end of the year.

35 Ms. Ward indicated she is researching new financial software. New software would allow the City to go  
36 to one-page billing, which would enable us to communicate with the community by including information  
37 on the bills. She has talked to four vendors and has received three proposals so far.

1 Ms. Ward reported that an issue came up yesterday with the payment drop boxes at Safeway and Dallas  
2 Select Market. The boxes recently got vandalized, and we found it is very easy to break into them. They  
3 are a total security hazard. Mr. Wyatt stated Allied Waste picks our payments up for us and brings them  
4 here. City Attorney Shetterly indicated that violates our own red flag policy. Ms. Ward stated that a lot  
5 of customers like the boxes, but only about 10% of the payments go into those boxes. Ms. Ward stated  
6 that if we go to the expense of providing a remote drop box, we may look at a drive-up drop box. Councilor  
7 Lamb stated the City wants to provide the best service we can, so if that means providing a drop box to  
8 save people a stamp, we need to do that. He stated he would like to see staff bring something back to the  
9 Committee about alternative sites. City Attorney Shetterly stated it is not a committee decision, but some-  
10 thing staff can just handle.

### 11 **Assistant City Manager's Report**

12 Assistant City Manager Marr reported that the City is in the hiring process for the Court Services Admin-  
13 istrator, explaining the Juli Lichtenberger was recruited by the new Polk County District Attorney. Ms.  
14 Marr explained that the City has opened the position for Chief of Police until February 20.

### 15 **Other**

16 Mr. Wyatt reported that we received confirmation that Dallas became the fiftieth Tree City USA in Ore-  
17 gon.

18 Mr. Wyatt stated that the Aquatic Center energy RFP deadline was today and we received two proposals.  
19 He noted this will eventually come to the Council to award the contract.

20 Mr. Wyatt explained that with the economy, everyone is cutting back, including trust funds and founda-  
21 tions. He stated the City has received confirmation that we will not be receiving four grants for the Senior  
22 Center totaling \$340,000, so he will bring to the Council a revised timeframe for construction of the Se-  
23 nior Center.

24 Mr. Wyatt stated he sent a letter of support and letter of appreciation for Weyerhaeuser saying what an  
25 impact they have on our local economy. Stan McKinley of Weyerhaeuser stated it was appreciated.

26 At this time, Mr. Wyatt, Ms. Marr, Ms. Ward, and Ms. Pope were excused and left the meeting.

27 Councilor Lamb stated at this point in the meeting, he wanted to open discussion about clarification of  
28 council authority versus mayor authority. He indicated he has seen over the past few years some gray ar-  
29 eas as far as authority.

30 There was discussion about the Mayor attending Planning Commission meetings and whether that could  
31 create a problem if an item was appealed to the Council. City Attorney Shetterly stated it is not prohibited  
32 for a Councilor or Mayor to attend the Planning Commission meetings, but when the Mayor or Councilor  
33 participates actively with the Planning Commission in the decision-making process the risk is the percep-  
34 tion by the a party who appeals the Planning Commission decision to the Council that they may not get a  
35 fair hearing from the member who participated with the Commission. He noted Mayor Fairchild does not  
36 vote, but that distinction may not be apparent to those appearing in the Planning Commission.

37 The Committee discussed the appropriateness of the Mayor injecting his opinion into discussions of the  
38 Council and whether, when the Council hears his opinion first, it dissuades new comments and brains-  
39 torming.

- 1 The Committee conferred about the Council/Manager form of government, and how that is a weak-mayor  
2 type of government. They agreed that the Council hires the City Manager to run the City and they should  
3 stand back and let him do that.
- 4 Mayor Fairchild stated he agrees he may sometimes put his opinion out too fast. He noted that day in and  
5 day out he is asked numerous questions about many topics and he needs to be able to give factual expla-  
6 nations about what is happening in the City. He commented that he comes to the office because that is  
7 where his emails and phone calls come in.
- 8 The Committee discussed ways the Mayor can help make the Council meetings go better. They requested  
9 the Mayor start meetings on time. They also discussed using a heavy gavel approach instead of a light  
10 gavel approach to make sure people are not talking out of turn and the meetings stay on track.
- 11 The Committee agreed that whether it is a Councilor or the Mayor who is approached by a citizen with a  
12 concern, they should generally refer that person to the City Manager, who is in the best position to help  
13 that citizen. The Committee stated they are very comfortable with the way Mr. Wyatt is running things,  
14 and they don't feel he needs to be watched closely.
- 15 Mayor Fairchild agreed to try to walk a closer line on meetings. He stated he has been in meetings where  
16 it is run so strict that he feels he doesn't dare twitch, so he asked the Council to work with him to make  
17 meetings efficient, but also make each citizen feel like they've been heard.
- 18 The Committee reiterated their request that the Mayor refrain from sitting with the Planning Commission  
19 at Commission meetings and participating with the Commission, but acknowledged that he may attend,  
20 and the Mayor agreed.
- 21 There was no other business and the meeting was adjourned at 6:53 p.m.



## **PUBLIC INVOLVEMENT POLICY**

### **INTRODUCTION**

The Dallas City Council has a strong commitment to encourage public awareness, participation and involvement in our planning and decision making process. Properly designed and implemented, public involvement improves our product at all levels of decision-making, integrating both technical and non-technical input into the process. Emphasis on open dialogue, the resulting policies, programs, and initiatives will better fit into our community and address public priorities and concerns, minimize negative impacts, and respect shared quality of life values. Public involvement also reaps intangible benefits, such as improved relationships between our government and citizens, enhancing understanding of community related issues.

The City's commitment to public involvement will be formalized in a Public Involvement Policy to be adopted by the City Council. This policy is a result of successful efforts in the past supplemented by a extensive review of current opportunities and best practices in public involvement. To assess our effectiveness in encouraging public participation, over 20 in person interviews will be conducted by the City Manager or City Manager's designee annually with the public, community leaders and staff. The interviews should not only assess the city's current success or failures at bringing the public into the process, they should also give the city new ideas and perspectives for further opening the process.

### **POLICY STATEMENT AND SCOPE**

The Dallas Council is committed to involving our citizens in every significant stage of developing and implementing the City's plans and programs. Public involvement processes must encourage accessibility, transparency, and accountability, offering inclusion to all segments of the City's population. However, public involvement may not be necessary for normal course-of-business activities that do not significantly affect the public or alter public policy, particularly in the routine administration of business.

### **LEVELS OF PUBLIC INVOLVEMENT**

Public involvement includes a wide range of opportunities for input. Methods can include the distribution of general information, communication in all its forms, organizational development, exercises for

consensus building, forums, open houses, and market research. The level of public involvement, and methods, will vary depending on the scope of a particular planning or program effort.

Every program developed or maintained by the City must incorporate a plan for public involvement. These plans must assure due consideration will be given to public concerns, values and preferences when decisions are made. Some programs will need more public involvement than others but all must consider such involvement to be important to their success.

It is important to differentiate between “public involvement” in the decision making process and “public relations” in the distribution of information relating to the product of that decision making process. Marketing the product is important, but fostering public awareness and participation in the development process of public policy is uniquely vital.

## **THE PUBLIC**

For purposes of this Policy “the public” consists of the following:

***Internal Stakeholders:*** Internal stakeholders include City Council, staff, Board members, governmental partners who ultimately have final decision-making authority over plans and program.

***External Stakeholders:*** External stakeholders include parties who will be affected by the plan or program under consideration and parties with an interest in the plan or program.

***General Public:*** The general public includes the broad spectrum of populations who may or may not be directly impacted by or interested in a particular issue.

## **METHODS OF PUBLIC INVOLVEMENT COMMUNICATION**

- News media
- Newsletter
- Open houses
- Web page
- Cable channel
- Door hangers
- Community sign
- Flyers
- Special task force
- Workshops
- Council/Committee meetings
- Street signage
- Banners
- Speaking to special groups (i.e., neighborhood groups, Rotary Club, Chamber)
- Inclusion of schools and students

**CITY OF DALLAS**  
**Performance Evaluation Procedure**  
**City Manager**

**Introduction**

The City Manager is a City employee. Under sections 10, 11, and 21 of the Dallas City Charter, the City Council is charged with the duty of selecting, hiring, and compensating the City Manager. The City Manager is thus the Council's employee, and his or her supervision is the Council's responsibility.

To be fair and effective, supervision must be based on performance benchmarks which are clearly defined and communicated so that performance can be evaluated objectively. Fairness demands that the standards be conveyed at the beginning of the rating period so that the City Manager knows exactly what is expected and how performance will be judged.

**Purpose**

The purpose of this document is to define a regular, structured, and consistent procedure for evaluating the City Manager's discharge of his or her duties and responsibilities as specified by the Charter, the City Code, and the City Council.

The objective of the performance evaluation is to provide an objective basis for recognizing and acknowledging exemplary performance, identifying areas for improvement if any, and determining appropriate compensation. The process is intended to insure that the management of City operations, personnel, and fiscal resources adhere consistently to the highest possible standard.

**Procedure**

The City Council shall conduct a periodic review and evaluation of the City Manager's work performance. The evaluation shall commend areas of good performance and identify areas for improvement where appropriate. It shall also be the basis for decisions regarding compensation and continued employment of the City Manager.

The review shall be conducted according to the following procedure:

1. In its first meeting of each calendar year, the Committee on Public Administration of the City Council shall review and recommend to the City Council the format and content of the Manager's evaluation documentation. The recommendations will include the following:
  - a. The Evaluation Form to be used.
  - b. The rating period, which shall be from January to December, or such other period as the Committee may specify.
2. At the next City Council meeting following the Public Administration Committee meeting, the City Council shall formally approve and adopt the Evaluation Form and rating period, either as recommended by the Committee on Public Administration or with such amendments as the Council shall deem necessary and appropriate. The procedure will be as defined herein, or as modified by the Council at the meeting.
3. Not later than one week following the Council's adoption of the Evaluation Form, rating period, and procedure, the Council President and the Chair of the Committee on Public Administration will meet in person with the City Manager to convey the Council's directions with regard to the performance evaluation. If the Council President or Chair of the Public Administration Committee is unavailable, the person most senior on the Council will act in substitution. This will apply to actions in #6 and #9 below as well.
4. Not later than the second Council meeting in November, a copy of the approved Evaluation Form will be provided to each Council member via electronic means. Paper copies will also be available to Councilors upon request.
5. Each Council member shall return his or her completed and dated Evaluation Form to the Assistant City Recorder not later than 5 working days prior to the first Council meeting in December. The information should be submitted on electronic media such as a flash drive, CD, or other such media [not via email]. Paper copies will be accepted but electronic copies are preferred. After receipt, a paper copy of each Councilor's Evaluation Form will be printed out by the Assistant Recorder for that Councilor to sign prior to the review session (paragraph 7 below). The Assistant City Recorder shall treat this information as extremely confidential.

6. The City Council President and the Chair of the Public Administration Committee shall compile the results of the Evaluation Forms as submitted. The compilation will consist of averaging the numeric scores within each rating category, and compiling the written comments of Council members within each rating category. Comments shall not be edited or selectively parsed, but simply transcribed as written within each category. The final document will be the Performance Evaluation Summary.
7. At the last Council meeting in December, the Council will meet to review the City Manager's performance. Unless the City Manager explicitly requests an open hearing, the meeting will take place in executive session pursuant to ORS 192.660(2)(i). Printed copies of the Performance Evaluation Summary shall be distributed to Council members at that meeting. Individual Councilors desiring an advance copy of the Evaluation Summary can make arrangements with the Assistant City Recorder to obtain a copy prior to the meeting. To preserve maximum confidentiality, neither the completed individual evaluations nor the Evaluation Summary will be transmitted in whole or in part on the internet or via email. Councilors will treat the evaluation summary as confidential, and shall not copy or distribute the evaluation summary to any other person.
8. After the Council has completed its review of the performance evaluation, it shall meet with the City Manager to review the evaluation. This meeting will normally take place immediately following the Council's review, and shall be in executive session unless the City Manager explicitly requests an open hearing.
9. Following the review session(s), the City Manager will be furnished a written copy of the Evaluation Summary as well as the individual councilors' Evaluation Forms. These documents will be presented in person to the City Manager by the City Council President and the Chair of the Public Administration Committee, and copies will also be made a permanent part of the Manager's personnel file.

## **Compensation Review**

The performance of the City Manager has a direct bearing on his or her compensation package. As such, the performance review will include a review of the base salary and other benefits provided under the terms of the employment agreement of the Manager and adjustments, if any, will be made as deemed appropriate by the Council.

## **Evaluation Form**

The format for the Evaluation Form is attached. This form will be updated and approved every year as prescribed in the Procedure paragraph above.

**Effective Date**

This policy will take effect on February 2, 2009, and will remain in effect until amended or rescinded by action of the City Council. If the criteria, standards, or policy directives governing the review should change, a public process shall be followed as outlined in ORS 192.610 to 192.690.

DRAFT

# CITY MANAGER PERFORMANCE EVALUATION

## Rating Scale Definitions (1-5)

Unsatisfactory (1)	The employee's work performance is inadequate and definitely inferior to the standards of performance required for the job. Performance at this level cannot be allowed to continue.
Improvement Needed (2)	The employee's work performance does not consistently meet the standards of the position. Serious effort is needed to improve performance.
Meets Job Standard (3)	The employee's work performance consistently meets the standards of the position.
Exceeds Job Standard (4)	The employee's work performance is frequently or consistently above the level of a satisfactory employee, but has not achieved an overall level of outstanding performance.
Outstanding (5)	The employee's work performance is consistently excellent when compared to the standards of the job.

## I. PERFORMANCE EVALUATION AND ACHIEVEMENTS

1. City Council Relationships                        1     2     3     4     5   Not observed

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Public Relations                                1     2     3     4     5   Not observed

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Effective Leadership of Staff                1     2     3     4     5   Not observed

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**4. Fiscal Management**

1 2 3 4 5 Not observed

Comments:

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**5. Personal Traits**

1 2 3 4 5 Not observed

Comments:

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**6. Intergovernmental Affairs**

1 2 3 4 5 Not observed

Comments:

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**7. Planning and Implementation of Council Policies and Goals**

1 2 3 4 5 Not observed

Comments:

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**II. SUMMARY RATING**



# DALLAS CITY COUNCIL

## REPORT

**TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL**

<i>City of Dallas</i>	<b>Agenda Item No. 6 a</b>	<b>Public Hearing:</b> 2009 CDBG Housing Rehabilitation Grant
<b>Prepared By:</b> Jason Locke, Com Dev Director	<b>Meeting Date:</b> February 2, 2009	<b>Attachments:</b> Yes <input type="checkbox"/> No
<b>Approved By:</b> Jerry Wyatt		

**RECOMMENDED ACTION:**

Hold the public hearing and authorize the City of Dallas to be the applicant for the 2009 CDBG Housing Rehabilitation Program Grant, to be administered by the Polk Community Development Corporation (Polk CDC).

**BACKGROUND:**

The CDBG Housing Rehabilitation Program is one that Polk County has been involved with for 20+ years. The program lends money to low-mod income homeowners to make needed improvements to their dwellings (see attached brochure). Each grant cycle, the applicant is either a Polk County city or Polk County. Monmouth, Independence, and Polk County have all been applicants in the past. It was requested by our fellow jurisdictions that Dallas be the applicant for 2009. The attached summary outlines the roles and responsibilities of the city and Polk CDC in administering the grant monies and loan program. Notice of the public hearing has been given in accordance with the requirements of the program.

**FISCAL IMPACT:**

The total grant amount being applied for is \$400,000. The city will provide matching funds in the amount of \$27,000 from the existing revolving loan fund currently administered by the Polk CDC. We currently have approximately \$90,000 in the fund. In addition, Monmouth will be contributing \$104,000 for the match.

**ATTACHMENTS:**

- 1) Chapter 13 Regional Housing Rehab information
- 2) Polk CDC Summary
- 3) Housing Rehab Brochure

## Chapter 13 Regional Housing Rehabilitation

### General Description

Oregon Community Development Block Grant funds are used by non-entitlement cities and counties to implement this Regional Housing Rehabilitation program. A regional housing rehabilitation program enables low and moderate income homeowners to fund repairs and upgrades to their homes using local construction contractors. The homes must be owned and occupied by low and moderate income homeowners. A minimum of three municipalities must collaborate on a joint service area to be eligible for funding. The jurisdiction that applies and receives an award incurs the responsibility for the grant funds. Only one city or county may take the lead as the grant applicant. Joint applications submitted for review in which two or more units of local government are equally responsible will not be accepted. A formal written agreement must specify each municipality's commitment to the housing rehabilitation grant application. Typically assistance is provided in the form of loans secured by the property title.

Although the grant is awarded to a city or county applicant, the project must be subgranted to a certified nonprofit subgrantee serving their regional collaboration. Loan repayments must go back to the nonprofit's regional revolving loan fund to help subsequent eligible homeowners. The regional collaboration is expected to have a formal organizational structure. Loans funded from this grant must be dedicated to provide additional housing rehabilitation upon repayment.

### Program Structure

Community Development Block Grant funds are regulated by 24 CFR Part 570.489(e) (2) (ii). The program requires the city or county grant recipients to subgrant with an eligible nonprofit organization meeting the requirements of the Housing and Community Development Act 105 (a) (15) to carry out the housing rehabilitation program. A subgrant agreement between the municipality and the nonprofit must ensure compliance with state and federal Community Development Block Grant requirements. The city or county grant recipient retains ultimate responsibility for ensuring that all CDBG program requirements are met.

The subgranted program management services include performing the daily accounting, client eligibility processing, and construction management duties. The nonprofit is the lender of the initial loans and is responsible for all program decisions. All loan portfolios must be repaid to the subgrantee certified under 105(a) (15) of the HCDA.

*Chapter 13- Regional Housing Rehabilitation  
2009 Method of Distribution  
November 15, 2008*

## **Subgrant Requirement**

City or county grant recipients must sub-grant the funds to a qualified 501(c) (3) or (c) (4) nonprofit organization to carry out a regional program consistent with 105(a) (15) of the Housing and Community Development Act (HCDA). The city or county grant recipient must enter into a subgrant agreement with an eligible nonprofit to implement and carry out the regional housing rehabilitation program. The city or county must meet with the partners of their regional collaboration at least annually to review program activities and assess what is necessary to ensure a sustainable loan fund for their regional collaboration.

All federal CDBG compliance requirements assigned to the sub-grantee remain the obligation of the original city or county grant recipient until the State's administrative closeout of the grant. No formal procurement process is necessary by the city or county since the grant recipient subgrants the funds to an eligible nonprofit. The nonprofit responsible to carry out the program must be in control of the revolving loan fund. The subgranted nonprofit is responsible for performance of the housing rehabilitation project. This entity will be the owner of all program policies and procedures. They will be responsible for these activities, but not limited to: loan determinations, control of loan portfolios, compliance with all state and federal requirements, construction oversight, owner of future loans and repayments, and fiscal accountability for all CDBG funds. This nonprofit manages the grant fund for the purpose of housing rehabilitation. Any income generated by the loans (repayments and interest) is repaid to the same nonprofit carrying out the program. The nonprofit carrying out the program is responsible for administering the housing rehabilitation revolving loan fund.

## **Eligible Nonprofit Subgrantee**

The nonprofit must meet the requirements of a certified subgrantee by the department:

Documentation from the Internal Revenue Service (IRS) that certifies the nonprofit organization is organized under 501(c)(3) or (c) 4 of the IRS Code.

Documentation that the organization must have as one of its primary purposes (as outlined in its bylaws, articles of incorporation or charter) to provide affordable housing that is decent, safe and sanitary for low and moderate income Oregonians.

Documentation that the organization serves the development needs of the communities in the non-entitlement areas of the state and is carrying out a neighborhood revitalization, community economic development, or energy conservation project in accordance with 105(a)(15) of the HCDA.

The sub-granted nonprofit must comply with all CDBG requirements.

This nonprofit must be named as the lender of all loans against property titles.

All loan repayments must be received and reconveyed by the nonprofit.

## **Housing Rehabilitation Activities**

Construction, rehabilitation, reconstruction, or the installations of improvements are primary housing rehabilitation activities. Deferred maintenance upgrades eligible for funding include electrical, plumbing, roofing, siding, and insulation, weatherization, and dry rot repairs. Purchase and installation of integral structural fixtures may include permanent affixed equipment such as heating systems, hot water heaters, light fixtures and built-in appliances. Eligible health and safety concerns are activities including lead, water, and asbestos tests, inspections and assessments. Eligible homes will have HUD, Section 8, housing quality standards inspections resulting in substandard conditions. No indirect costs are allowed under the program. Ineligible activities are costs associated with providing Regional Housing Center services. All cash requests will be processed on a reimbursement basis for direct costs.

### **National Objective**

All housing rehabilitation projects must meet the housing/direct benefit federal national objective as identified in 24 CFR 570.483(b)(3). Household occupants must have incomes below the federal low and moderate income limit (80% of the median family income as adjusted by family size). Refer to Chapter 3 for more information.

### **Maximum Grant Amount**

The maximum grant in this category is \$400,000. No more than two applications from a regional housing rehabilitation program area may be submitted per grant cycle. A region submitting more than one application should specify a funding priority for each application. Grant funding will be limited to one grant per regional revolving loan fund area to achieve geographic distribution as well as sustainability. Due to over subscription of applications, awards may be for less than the maximum.

### **Timely Completion**

Regional Housing Rehabilitation Programs will be partly evaluated by their open grants and unexpended grant funds and will not compete as well as programs with timely completion. Each evaluator will apply penalties to a region based on unexpended grant funds based upon undisbursed balances in excess of \$400,000. Additionally, programs with an open grant contract from funding year 2006 or earlier on January 2, 2009 will be penalized 10 points. The State will determine open grant balances for each regional collaboration that submits an application by checking undisbursed fund balances on its internal tracking system on January 15, 2009. Contracts will be for a two year term and may not exceed amendments for a third year.

## **Program Management and Grant Administration**

Program management services are performed by the subgrantee for the city or county grant recipient. Subgrantees typically prepare such items as: application and related procedures, verification of program eligibility, notices of loan approvals, filing of trust deeds, construction oversight, owner's certification that improvements were accepted and other necessary documents essential to meeting the goals of the project.

Grant administration services ensure that the federal and state grant contract requirements are met for the project. These are explained in more detail in Chapter 5 of this Method of Distribution.

## **OHCS Application Procedures for Regional Housing Rehabilitation**

### **Application**

The Regional Housing Rehabilitation program provides funds to repair owner occupied homes for income eligible families. The Regional Housing Rehabilitation Program is awarded on an annual competitive application process. Funding is contingent upon a grant agreement between Housing and Urban Development and the State of Oregon. Application forms are in the following section and are also available from the Oregon Housing and Community Services web site.

### **Award Process**

The anticipated award process shall be as follows:

1. Regional Housing Rehabilitation applications must be received at OHCS Salem office between February 17 and March 2, 2009.
2. Applications will be ranked on a point basis.
3. Grant awards may be less than the maximum possible to achieve greater geographic distribution and/or due to HUD funding levels.
4. Funding decisions will be made after completion of review by the Executive Committee and approval by the Director.
5. OHCS will take approximately 60 days to review the applications and announce awards.
6. Funding Award Letters will be sent to all applicants informing them of funding decisions.
7. Any funds recaptured or not awarded through the competitive funding cycle may be awarded to: applications originally considered incomplete; applications submitted in response to additional requests for proposals; unanticipated local project needs, or added to existing grant agreements.

A complete application must be signed by the highest elected official of the applicant or their authorized official. All applications will be reviewed for minimum threshold requirements. The State will factor any open grant balance into each region's need. OHCS will record each open grant fund balance on January 15, 2009. The application review of any nonprofit managing a regional housing rehabilitation project will include that balance in the scored category Nonprofit Program Management-Readiness to Proceed.

*Chapter 13- Regional Housing Rehabilitation  
2009 Method of Distribution*

## **Public Hearing before the City of Dallas City Council February 2, CDBG Housing Rehabilitation Application 2009**

The City of Dallas will apply to Oregon Housing and Community Services for a Community Development Block Grant (CDBG) in the amount of \$400, 000, the maximum allowable request, to provide low interest loans to income eligible home-owners in Polk County for the purpose of rehabilitating their homes of occupancy. Loans are repaid in small monthly installments with the balance due upon transfer of title by the loan recipient.

### **Roles and Responsibilities**

The Polk Community Development Corporation (Polk CDC) will:

- Prepare the grant application and coordinate all required documentation on behalf of the City of Dallas ensuring compliance with CDBG regulations as they apply to the Housing Rehabilitation Program.
- Publish public hearing notices and prepare information for both public hearings.
- Facilitate all documents needed to complete the City's environmental due diligence.
- Act as subgrantee through formal agreement between the jurisdiction and the CDC
- Administer the project professionally, prepare draw requests, and keep all records.
- Act as Program Manager assisting income eligible homeowners with application, lending, construction, and close out to realize the direct benefits of the program.
- Facilitate two annual meetings of the Polk Regional Forum (PRC) to report on the status of the program and revolving loan fund, review and revise existing policies, and plan for future projects.
- Manage the PRC Regional Revolving Loan Fund
- Facilitate a project file review by OHCS midway through the project
- Conduct administrative close out of the project in a timely manner
- Work to leverage additional housing rehabilitation funds by public and private means

The City of Dallas will:

- Assist with the citizen participation plan by holding a Public Hearing at the time of intent to apply, marketing the program to potential homeowner applicants, and conducting a final public hearing when the project is completed in order to take public testimony regarding the benefits to the community.
- Signed the application prior to submittal to Oregon Housing & Community Services.
- Upon award, designate a certifying officer to act as the environmental officer.
- Name three city staff/officials who will review and sign draw requests to OHCS
- Maintain a file of all project records and documents supplied by Polk CDC
- Conduct a project file review with OHCS midway through the project
- Periodically review bid documents to ensure proper permit process
- Refer homeowners in need especially where health and safety are at risk

In the 1999 CDBG Housing Rehabilitation program rules changed in the following ways:

- A jurisdictional applicant must partner with at least two other geographically contiguous jurisdictions in order to apply for CDBG Housing Rehabilitation Funds.
- The applicant jurisdiction is required to subgrant award funds to a qualifying community based 501©(3) that would administer and manage the program and the regional revolving loan fund to which loans are repaid.
- Applicants must provide a 1:3 match of funds for each application of \$400,000 \*

In 2006 the Polk CDC, through an MOU, facilitated the Polk Regional Collaborative (PRC) bringing together all Polk County jurisdictions in order to access new CDBG Housing Rehabilitation funds for Polk County homeowners. Historically, all of the participating Polk Regional Collaborative partners have worked with Polk CDC staff to manage CDBG programs including many housing rehabilitation loan programs since 1980 when the program was administered by the regional housing authority and then when administration of this county-wide program transferred to Polk CDC in 2001. The Polk CDC is a qualifying non-profit and the subgrantee for two CDBG Housing Rehabilitation projects based in the cities of Independence and Monmouth. Polk CDC recently closed out the City of Independence grant and will close out the Monmouth project by year end. The CDC has maintained a regional housing rehabilitation revolving loan fund for all five Polk County jurisdictions since 1989. This revolving fund has turned over four times continuing to serve the unmet housing rehabilitation needs of Polk County. \* With a 1:3 fund match requirement in order to apply for a \$400,000 grant \$135,000 is needed. If each jurisdiction were to contribute equally, a \$27,000 match contribution from each would be needed. These funds typically come from older revolving loan funds and are considered part of the project budget to be loaned and repaid to sustain the revolving loan fund dedicated to housing rehabilitation for low-moderate income homeowners in Polk County .

Determination of the need for this grant was established utilizing a variety of assessment tools including census data and a waiting list updated 1/22/09 by the Polk CDC Housing Rehabilitation Program Manager. Because the program provides a direct benefit to income eligible homeowners and because the funds are available to anyone living within the Polk Regional Collaborative, the CDBG requirement for the applicant jurisdiction to demonstrate a population of 50% or more low-moderate income households does not apply. The national objective of the CDBG Program requires and encourages the following:

As per federal regulations and the national objective pertaining to State Community Development Block Grant Programs, 24 CFR 570.483 (3) and 570.484, the policies of the program provide that 100% of the loan funds will be reserved for homeowners of Polk County who meet the CDBG Low and Moderate Income Limits. Additionally the program goals are in keeping with Statewide Planning Goal 10 and the City of Dallas' Comprehensive Plan/residential goals:

***City of Dallas Comprehensive Plan 1998 3.5 Livable Residential Neighborhoods***

- Maintain and enhance the quality of existing residential neighborhoods and...
- ...assuring that existing and future residents of the community have the opportunity to acquire safe and sanitary housing at reasonable cost.



From its inception in 1989, the mission of the Polk Community Development Corporation (Polk CDC) has been to provide income eligible Polk County residents with opportunities for high quality, affordable housing, supported with self-help programs that assist those recipients in their efforts to achieve social and economic stability.

Polk CDC is a non-profit organization, solely governed by a board of directors consisting of five local residents. Polk CDC develops multi-family and lease-to-own homes for low to moderate income families and administers an affordable rehabilitation loan program for qualified homeowners, rental property owners, and businesses.

Polk CDC  
P.O. Box 33  
Dallas OR 97338

**AFFORDABLE  
FINANCING  
FOR HOME REPAIRS**

# **Home Rehabilitation Loan Program**



657 SW Main Street / P.O. Box 33  
Dallas Oregon 97338

**503-831-3173**  
[cdavila@polkcdc.org](mailto:cdavila@polkcdc.org)  
PolkCDC.org  
Page 34 of 53

**You may qualify  
for a low-interest (2%-6%) home  
repair loan**

- if you own or are buying a home in Polk County, and
- if your annual gross household income is at or less than the following limits by household size.

Household size	Income limit
1	\$31,800
2	\$36,350
3	\$40,900
4	\$45,450
5	\$49,100
6	\$52,700
7	\$56,350
8	\$60,000

For more information call us at  
503-831-3173  
or  
Submit the attached form for  
pre-qualification.

**Some of the needs a Home  
Rehabilitation Loan can help you  
with are:**

- Roofing
- Floor coverings
- Windows and doors
- Plumbing
- Heating
- Electrical
- Painting, exterior and/or interior
- Foundations
- Insulation
- Accessibility
- And more....



**Please circle the appropriate category  
for your household size, and complete  
the rest of the form:**

Household size	Income limit	Household size	Income limit
1	\$31,800	5	\$49,100
2	\$36,350	6	\$52,700
3	\$40,900	7	\$56,350
4	\$45,450	8	\$60,000

**Please check those your house needs  
or attach a list to this form.**

Foundation/Structural     Heating  
 Roof     Electrical  
 Exterior Paint     Additions  
 Plumbing     Interior Upgrades  
 Other: \_\_\_\_\_

**Circle where your house is located:**  
Independence, Monmouth, Dallas,  
Falls City, West Salem, rural Polk County

Owner: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

**Very low-interest loan funds are  
available immediately but limited to  
first-come, first served.**

**Mail or deliver this form to:**  
Polk Community Development Corporation  
(Polk CDC), 657 SW Main St.  
P.O. Box 33, Dallas, Oregon 97338,  
or you may call 503-831-3173.

**An Equal Housing Opportunity organization**  
Page 35 of 53

# DALLAS CITY COUNCIL

## REPORT

**TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL**

<i>City of Dallas</i>	<b>Agenda Item No.</b> <b>7a</b>	<b>Topic:</b> 2008-2009 Mid-Year Budget Review Report
<b>Prepared By:</b> Jerry Wyatt	<b>Meeting Date:</b> February 2, 2009	<b>Attachments:</b> 

**RECOMMENDED ACTION:** Approval of the 2008-2009 Mid-Year Budget Review Report.

**BACKGROUND:** The Mid-Year Budget Review document is designed to provide an understanding of the City's financial condition during the first six months of 2008-2009. Approval of the budget actions included in the Mid-Year Budget Review will address current year funding needs and inform the Council of proposed future adjustments and corrections.

**SUMMARY:** While the City's overall financial position remains relatively stable through December 2008, with revenues generally tracking at or slightly below estimated levels and expenditures remaining within budgeted levels except in identified budget accounts. The state of the economy is rapidly deteriorating, heightening concerns regarding the impact of the recession on the City's finances. The severe slowdown in the economy has begun to impact revenue collections in several funds. The Administration has taken aggressive steps to ensure that all of the City's funds remain in balance. Administrative controls have been tightened and mid-year spending reduction targets have been issued to all General Fund departments. In addition, budget actions will be brought forward for City Council consideration to revise revenue estimates and make necessary expenditure adjustments to offset the lower revenues as part of the 2008-2009 Mid-Year Budget Review.

Weak economic performance was anticipated in the revenue estimates included in the 2008-2009 Adopted Budget. There was not, however, an expectation that the local economy would be impacted by a worsening national economic situation with massive job layoffs or worsen to the extent now seen as a result of the recent crisis in the financial markets. With the economy now officially in a recession, it is almost certain that many of the economically sensitive revenues, which account for approximately half of the General Fund, will not meet the budgeted estimates. On an overall basis, General Fund revenues are currently expected to fall below projected levels by approximately \$100,000.

At this point, it is anticipated that the projected revenue shortfall could be offset by reserves that

were set aside as part of the 2007-2008 beginning balance or expenditure savings. The beginning balance for the adopted 2008 -2009 Budget was \$989,789 and through the efforts of the city staff the beginning balance was actually \$1,116,043.

The development fee programs in the General Fund are expected to require actions based on the severe decline in development activity. The Administration has already taken steps over the last year to identify specific cost saving actions, staff reductions, position eliminations, non-personnel/equipment reductions, and the use of the development fee program reserves to offset the lower revenue collections.

In addition to the General Fund, there are a number of capital and special funds that also have been impacted by the economic downturn. Budget adjustments will be brought forward, as necessary, to maintain positive fund balances in these funds. For many of these funds, there is sufficient ending fund balance available to offset any revenue shortfalls in 2009-2010. The use of these fund balances, however, will negatively impact future year projects in the capital funds. In some instances, potentially significant expenditure reductions will be necessary to bring the funds into balance.

**ANALYSIS:** As has been the practice in past years, Mid-Year and End-Year Budget adjustments have been recommended and approved by the Council in the General Fund. I am not recommending a Mid-Year adjustment at this time. A projected year end expenditure report is covered in the attached document and staff will monitor each fund closely; if the need arises to make the appropriate Year-End fund adjustments, a Budget Report Adjustment will be recommended to the Council in May or June. Following is a list of the funds that are being monitored for Year-End adjustments and may require budget actions this fiscal year:

Aquatic Center – Pump(s) replacement for the Leisure pool. Energy Efficiency Upgrades.
Finance – The performance of the city financial audit and software purchases.
Police – Personnel - Provides appropriation adjustments for personnel due to SB400 minimum staffing requirement and overtime due to coverage during arson investigation. Increase cost due to collective bargaining with Police Association. Equipment purchase of AR 15(s) for staff.
Mayor & Council
Court – Software purchase.

**ATTACHMENTS:** Summary of Mid-Year Revenues and Expenditures.

# GENERAL FUND

## Revenues

General Fund	Budget	YTD Actuals	% Received	Projection	% Projected to budget
Property Taxes	3,009,225	2,655,737	88.25%	2,858,000	94.97%
Franchise Fees	1,134,600	389,517	34.33%	1,134,600	100.00%
State Shared	325,000	106,969	32.91%	279,000	85.85%
Aquatic Center	475,000	220,895	46.50%	475,000	100.00%
Permits	250,000	106,303	42.52%	225,000	90.00%
Fines	251,000	136,576	54.41%	268,000	106.77%
Dog Pound and Fees	4,000	11,831	295.78%	18,000	450.00%
Library	73,000	34,480	47.23%	67,500	92.47%
Other	1,710,815	808,153	47.24%	1,664,880	97.32%
<b>Total General Fund</b>	<b>7,232,640</b>	<b>4,470,461</b>	<b>61.81%</b>	<b>6,989,980</b>	<b>96.64%</b>
Beginning Balance 08-09	989,789	1,116,043	112.76%	1,116,043	112.76%
<i>Total General Fund Revenue</i>	<i>8,222,429</i>	<i>5,586,504</i>	<i>67.94%</i>	<i>8,106,023</i>	<i>98.58%</i>

## Expenditures

Internal Service			
Fund	Budget	YTD	%
Operations			
Personnel	107,196	52,833	49.29%
City Manager	289,488	146,305	50.54%
Finance	564,800	314,835	55.74%
City Attorney	61,300	29,460	48.06%
Facilities	171,991	72,732	42.29%
Mayor	1,500	2,338	155.87%
City Council	12,000	8,536	71.13%
<b>Total Exp</b>	<b>246,791</b>	<b>113,066</b>	<b>45.81%</b>

FIRE			
	Budget	YTD	%
Operations	756,654	404,398	53.45%
Capital Outlay	1,000	-	0.00%
<b>Total Exp</b>	<b>757,654</b>	<b>404,398</b>	<b>53.38%</b>

Ambulance			
	Budget	YTD	%
Operations	1,073,334	577,497	53.80%
Capital Outlay	263,500	11,696	4.44%
<b>Total Exp</b>	<b>1,336,834</b>	<b>589,193</b>	<b>44.07%</b>

Police			
	Budget	YTD	%
Operations	2,627,430	1,408,299	53.60%
Capital Outlay	30,000	-	0.00%
<b>Total Exp</b>	<b>2,657,430</b>	<b>1,408,299</b>	<b>52.99%</b>

Aquatic Center			
	Budget	YTD	%
Operations	883,294	461,520	52.25%
Capital Outlay	-	-	
<b>Total Exp</b>	<b>883,294</b>	<b>461,520</b>	<b>52.25%</b>

Library			
	Budget	YTD	%
Operations	441,724	224,184	50.75%
Capital Outlay	-	-	
<b>Total Exp</b>	<b>441,724</b>	<b>224,184</b>	<b>50.75%</b>

Court			
	Budget	YTD	%
Operations	344,044	179,967	52.31%
Capital Outlay	-	-	
<b>Total Exp</b>	<b>344,044</b>	<b>179,967</b>	<b>52.31%</b>

Com Dev Civic			
Center	Budget	YTD	%
Operations	19,790	8,629	43.60%
Capital Outlay	-	-	
<b>Total Exp</b>	<b>19,790</b>	<b>8,629</b>	<b>43.60%</b>

Pub Works Parks			
	Budget	YTD	%
Operations	239,381	136,075	56.84%
Capital Outlay	-	-	
<b>Total Exp</b>	<b>239,381</b>	<b>136,075</b>	<b>56.84%</b>

Com Dev Recreation			
	Budget	YTD	%
Operations	27,386	20,196	73.75%
Capital Outlay	-	-	
<b>Total Exp</b>	<b>27,386</b>	<b>20,196</b>	<b>73.75%</b>

Com Dev Inspections			
	Budget	YTD	%
Operations	346,480	174,383	50.33%
Capital Outlay	-	-	
<b>Total Exp</b>	<b>346,480</b>	<b>174,383</b>	<b>50.33%</b>

Com Dev Planning			
	Budget	YTD	%
Operations	220,395	108,887	49.41%
Capital Outlay	-	-	
<b>Total Exp</b>	<b>220,395</b>	<b>108,887</b>	<b>49.41%</b>

**PUBLIC WORKS**

<b>Sewer</b>	<b>Budget</b>	<b>YTD</b>	<b>%</b>
<i>Revenue</i>	3,146,000	1,370,883	43.58%
<i>Expenditures</i>			
Operations	2,079,906	914,125	43.95%
Capital Outlay	2,500	-	0.00%
Total Exp	2,082,406	914,125	43.90%

<b>Water</b>	<b>Budget</b>	<b>YTD</b>	<b>%</b>
<i>Revenue - Water</i>	2,146,000	1,028,995	47.95%
<i>Revenue - Outside</i>	20,000	10,167	50.83%
Total Revenue	2,166,000	1,039,162	47.98%
<i>Expenditures</i>			
Water			
Operations	1,781,873	777,035	43.61%
Capital Outlay	2,500	669	26.74%
Outside Water			
Operations	101,689	14,962	14.71%
Capital Outlay	-	-	
Total Exp	1,886,062	792,665	42.03%

<b>Street</b>	<b>Budget</b>	<b>YTD</b>	<b>%</b>
<i>Revenue</i>	844,000	339,709	40.25%
<i>Expenditures</i>			
Operations	863,934	390,016	45.14%
Capital Outlay	1,000	-	
Total Exp	864,934	390,016	45.09%

<b>Shop Service</b>	<b>Budget</b>	<b>YTD</b>	<b>%</b>
<i>Revenue</i>	663,095	345,199	52.06%
<i>Expenditures</i>			
Operations	463,073	137,100	29.61%
Capital Outlay	50,000	-	0.00%
Total Exp	513,073	137,100	26.72%

## Systems Development Charges (SDC)

### *Revenues*

<b>Systems Development Fund</b>		
	<b>Budget</b>	<b>YTD Actuals</b>
Sewer SDC	400,000	137,311
Water SDC	275,000	107,043
Street SDC	200,000	33,952
Park SDC	150,000	52,268
Storm SDC	100,000	25,355
<b>Total</b>	<b>1,125,000</b>	<b>355,930</b>
<b>SDC Beginning Balance</b>		
Sewer	5,438,120	5,494,664
Water	361,330	404,944
Street	90,585	54,565
Park	32,040	104,333
Storm	8,000	(140,791)
<b>SDC Beg Balance Total</b>	<b>5,930,075</b>	<b>5,953,716</b>
<b>Total SDC Revenue</b>	<b>7,055,075</b>	<b>6,309,646</b>

### *Expenditures*

<b>SDC</b>	<b>Budget</b>	<b>YTD</b>
Sewer SDC	5,838,120	67,567
Water SDC	636,330	126,040
Street SDC	290,585	190
Park SDC	182,040	49,512
Storm SDC	108,000	-
<b>Total Exp</b>	<b>7,055,075</b>	<b>243,309</b>

## Transient Lodging Tax

### *Revenues*

<b>Transient Lodging Tax</b>		
	<b>Budget</b>	<b>YTD</b>
Transient Lodging Tax	75,000	36,044
<b>Total Exp</b>	<b>75,000</b>	<b>36,044</b>

### *Expenditures*

<b>Transient Lodging Tax</b>		
	<b>Budget</b>	<b>YTD Actuals</b>
Visitor Center	75,000	25,983
<b>Total</b>	<b>75,000</b>	<b>25,983</b>

## Debt Service

### *Revenues*

<b>Debt Service</b>	<b>Budget</b>	<b>YTD</b>
GO Bond 2003 Proceeds-Loan/Water System Impr	925,823	831,476
General Long Term (PERS)	83,450	39,223
<b>Total</b>	<b>4,509,273</b>	<b>2,134,570</b>

### *Expenditures*

<b>Debt Service</b>	<b>Budget</b>	<b>YTD Actuals</b>
DEQ Loan-Principal	679,491	336,440
DEQ Loan-Interest	443,193	200,264
OEDD-Principal	24,386	24,386
OEDD-Interest	15,675	15,675
GO Bond-Principal 2003	470,000	50,000
GO Bond-Interest 2003	239,646	120,441
Debt Service-Principal 2005	176,000	176,000
Debt Service-Interest 2005	31,126	17,230
General Long Term-Prin (PERS)	5,000	-
General Long Term-Int (PERS)	78,450	39,166
<b>Total</b>	<b>2,162,967</b>	<b>979,603</b>

# DALLAS CITY COUNCIL REPORT

**TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL**

<i>City of Dallas</i>	<b>Agenda Item No.</b> <b>7 b</b>	<b>Topic:</b> 2009/10 Goal Setting Session
<b>Prepared By:</b> Emily Gagner	<b>Meeting Date:</b> February 2, 2009	<b>Attachments:</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Approved By:</b> Jerry Wyatt		

RECOMMENDED MOTION:

None

BACKGROUND:

Jerry has proposed setting the date for the 2009/2010 Goal Setting session for March 4, 2009. It will be a lunch meeting. We will review the goals from 2008/09.

Because the proposed date is following the Open House, this will give the Council the opportunity to include and review any information provided by citizens at the Open House.

FISCAL IMPACT:

None

ATTACHMENTS:

None

# DALLAS CITY COUNCIL REPORT

**TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL**

<i>City of Dallas</i>	<b>Agenda Item No.</b> 7 c	<b>Topic:</b> OLCC License Renewals
<b>Prepared By:</b> Emily Gagner	<b>Meeting Date:</b> February 2, 2009	<b>Attachments:</b> 
<b>Approved By:</b> Jerry Wyatt		

RECOMMENDED MOTION:

Move to endorse all OLCC renewal applications for existing establishments.

BACKGROUND:

Each year, the Oregon Liquor Control Commission presents the City a list of current OLCC Licensees for renewal. The Interim Police Chief has reviewed the list and found no excessive incidents of concern.

FISCAL IMPACT:

None

ATTACHMENTS:

OLCC Notification for Renewing Licenses

## OLCC LICENSE RENEWALS

City of Dallas, City Manager  
DALLAS  
PO Box 67  
Dallas OR 97338

12-22-08 10:45 OUT

Attached is the list of OLCC liquor licenses in DALLAS that are eligible for license renewal. These licenses will expire on 4/1/2009.

Oregon Revised Statute (ORS) 471.166 establishes the process for local governments to make recommendations to the OLCC. It also requires the OLCC to notify licensees of the license renewal application or processing fees charged by their local governments. According to our records, you charge:

License Renewal Fee: 10.00

Off Premises Fee: 10.00

We will direct renewal applicants to mail the renewal fees to the address on this letter. Please notify us immediately if the fees or address are incorrect.

Approximately 40 days after the licenses expire, the OLCC will send you a list of the licensees who filed a renewal application. You can use this list to verify that applicants have paid your fees.

Recommendation Process:

**You have until 2/22/2009 to exercise one or more of the following options:**

1. Provide a written renewal recommendation to the OLCC for any or all of the licenses on this list.
2. Make a written request for additional time to investigate a specific renewal or renewals. The request must set forth the reason additional time is needed, state that the local government is considering making an unfavorable recommendation, and state the specific grounds being considered toward an unfavorable recommendation.
3. Take no action. After 2/22/2009, the OLCC will process the renewal application as if you made a favorable recommendation.

Please send any correspondence to OLCC License Renewals, P.O. Box 22297, Portland OR 97269 2297. You can also contact our license renewal section at 1 (800) 452.6522 or at (503) 872.5121 or (503) 872.5122 in Portland.

Dist. #	License #	Tradename	Participant	License	Premises Address
<b>Local Government: DALLAS</b>					
2	112031	7 HEAVENS FOOD STORE	7 HEAVENS INC	O	129 E ELLENDALE, DALLAS, OR
	103410	ABBY'S LEGENDARY PIZZA	ABBY'S INC	L	174 W ELLENDALE AVE, DALLAS, OR
	104457	BLONDIE'S	BLONDIE'S BAR LLC	F-COM	186 SW COURT ST, DALLAS, OR
	107451	BOZEMAN'S	BOZEMAN'S INC	F-COM	962 MAIN ST, DALLAS, OR
	104504	CENTER MARKET #14	SINGH, JAGMOHAN KAUR, NAVNEET KAUR, PARVINDER	O	1283 FAIRVIEW AVE, DALLAS, OR
	75535	CENTER MARKET #2	CENTER MARKET INC	O	216 SW WASHINGTON, DALLAS, OR
	104242	CHEN'S FAMILY DISH RESTAURANT	CHEN'S FAMILY DISH RESTAURANT INC	L	184 SE WASHINGTON ST, DALLAS, OR
	104834	DALLAS FUEL & FOODMART	JOHAR INTERNATIONAL INC	O	430 MAIN ST, DALLAS, OR
	104919	DALLAS SELECT MARKET	M & M INC	O	121 SW OAK, DALLAS, OR
	113064	DUSTY SPUR PIZZA CO	CRUTSINGER, KIMBERLY A CRUTSINGER, KEVIN S	L	628 JEFFERSON, DALLAS, OR
	105284	HONG KONG RESTAURANT	CHIN, JANNY	F-COM	325 MAIN ST, DALLAS, OR
	105677	IXTAPA	IXTAPA DALLAS INC	F-COM	1320 FAIRVIEW SW, DALLAS, OR
	114461	LATTITUDE POINT ONE	LATTITUDE ENTERPRISES LLC	O	904 MAIN ST, DALLAS, OR
	114462	LATTITUDE POINT ONE	LATTITUDE ENTERPRISES LLC	F-COM	904 MAIN ST, DALLAS, OR
	115299	LOS CHICOS TACOS	GARCIA, GUILLERMO GARCIA, HOPE A	F-COM	365 E ELLENDALE AVE, DALLAS, OR
	103680	MIRA MAR	MIRA MAR INC	F-COM	119 E ELLENDALE, DALLAS, OR
	104254	MURPHY'S GRILL	MURPHY'S GRILL LLC	F-COM	288 E ELLENDALE, DALLAS, OR
	104987	NEW NANYANG RESTAURANT	JIAN LI INC	L	413 MAIN ST, DALLAS, OR
	103688	NORTH DALLAS BAR & GRILL	NORTH DALLAS BAR & GRILL INC	F-COM	170 E ELLENDALE, DALLAS, OR
	104192	NORTH DALLAS BAR & GRILL	NORTH DALLAS BAR & GRILL INC	O	170 E ELLENDALE, DALLAS, OR
	106799	PEARL EVENT CENTER	NORVAL CORPORATION	L	857 MAIN ST, DALLAS, OR
	103803	RITE AID #5368	THRIFTY PAYLESS INC	O	178 W ELLENDALE AVE, DALLAS, OR
	104321	SAFEWAY STORE #4404	SAFEWAY INC	O	138 W ELLENDALE AVE, DALLAS, OR
	104844	STARLITE LANES	STARLITE LANES INC	L	394 MAIN ST, DALLAS, OR
	106634	THRIFTY MARKET	SAMMY ENTERPRISE INC	O	105 SW RAINBOW AVE, DALLAS, OR
	105107	TONY'S PLACE	FELTMAN, VIRGINIA	O	127 SW COURT, DALLAS, OR
	105108	TONY'S PLACE	FELTMAN, VIRGINIA	L	127 SW COURT, DALLAS, OR
	103555	UGO'S PIZZA PARLOR	GAGZNOS FAMCORP	L	967 MAIN ST, DALLAS, OR
	111946	WAL MART STORE #2315	WAL-MART STORES INC	O	321 NE KINGS VALLEY HWY, DALLAS, OR
	105427	WASHINGTON ST STEAKHOUSE & PUB	EMR CORP	F-COM	141 SW WASHINGTON ST, DALLAS, OR

# DALLAS CITY COUNCIL

## REPORT

**TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL**

<i>City of Dallas</i>	<b>Agenda Item No.</b> 7 d	<b>Topic:</b> Dog Park Naming Contest
<b>Prepared By:</b> Emily Gagner	<b>Meeting Date:</b> February 2, 2009	<b>Attachments:</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Approved By:</b> Jerry Wyatt		

RECOMMENDED MOTION:

Motion to direct staff to work with the school district to hold a contest for the students to name the dog park.

BACKGROUND:

At the January 27 Park and Recreation Board meeting, there was discussion about what to name the new dog park. The Board indicated they would like to establish a contest through the schools to name the dog park, and Ms. Boustead of the Park Board agreed to head that up if approved.

FISCAL IMPACT:

None

ATTACHMENTS:

None

COMMUNITY ACTION  
January 21, 2009

01-26-09A09:51 RCVD



Jerry Wyatt City Manager  
187 SE Court St.  
Dallas, Or 97338

2475 Center Street NE  
Salem, Oregon 97301

503-585-6232  
1-800-285-3811  
Fax 503-375-7580

Dear Mr. Wyatt:

Your idea of a City Dinner was so special for Dallas. The partnership with Tom Simpson was a winning ticket! It was such a pleasure to work with both of you on this outstanding event. The effort and enthusiasm put forward by City employees was nothing less than inspiring. We received so many clothing donations from City employees who never knew the need, until you called it up for them. The inherent goodness of the folks in Dallas is such a blessing.

I am looking forward to next year when the Dallas Ministerial will provide rides for our folks in need. As a community we are developing a great formula for fulfilling the needs of our neighbors, and I consider you and Tom an important part of the equation. Folks like yourselves make serving Dallas a pleasure.

Sincerely,

P.J. Johnson  
Community Resource Specialist  
Mid Willamette Valley Community Action Agency

MID-WILLAMETTE VALLEY COMMUNITY ACTION AGENCY, INC.

Community Action Head Start • Child Care Information Service • Energy Assistance Programs • Salem Keizer Together  
Nutrition First Child Care Food Program • Community Resource Programs • HOME Youth and Resource Center



DEAR DIGNITARIES, SISTERS & FELLOWS OF DALLAS, OREGON,

*We at Jennings #9 Masonic Lodge A.F. & A.M. would like to cordially invite you to our Open House on Saturday, January 31st, 2009. Doors to open at 12 o'clock noon, and to come to a close at 4 o'clock. We will have displays regarding our lodge and its rich history, tri-fold displays of our main concordant organizations & their respective philanthropic ventures (i.e. Scottish Rite, York Rite, Shriners, Eastern Star), as well as our youth groups (i.e. DeMolay). Each display will be accompanied by a representative of that particular body. We will have a Child I.D. booth running at full speed, as well as plenty of appetizers, drinks and various other goodies prepared by our resident Master Baker! We will also be displaying labels and descriptions on each of the officers' chairs in the lodge room, as well as providing various historical insights to compliment them. This will be a once in lifetime opportunity to gain insight into the world of Freemasonry and to become informed in regards to our various philanthropic ventures ranging from providing free care to children at Shriners Hospitals to Knights Templar Vision Clinics to Scottish Rite Speech Therapy centers. Also to gain an appropriate understanding of the great men that compose our grandiose list of Past Masters that adorns the east wall of our dining area.*

*Our main mission for holding this is to reach out to the community that we have been a pillar in since 1853! It's us saying thanks, and you're welcome to a community that we have been blessed to call home. The information that we will have on display will certainly be a sight to be seen. Last, but certainly not least we have made this event a "Canned food drive", so upon admission into the lodge we would welcome and appreciate donations therefore. It will be a day of outreach, learning, fun, food, and fellowship. Come join us,*

*Best Regards,*

*Blake D. Brinker*

*Blake D. Brinker, MM*

- ❖ *Senior Deacon---Jennings #9 Masonic Lodge A F & A M*
- ❖ *Tiler---Rickreal # 110 Masonic Lodge A F & A M*
- ❖ *30th Degree Knight- Scottish Rite Mason*
- ❖ *Sir Knight Templar, Cryptic Council Mason, Royal Arch Mason*
- ❖ *Noble -Al Kader Shriners*

MEMORANDUM

To: Mayor James Fairchild and City Council  
From: Lane Shetterly, City Attorney  
Date: February 2, 2009  
Re: Ordinance amending DCC 5.102 (Discharge of weapons)

Below is the text of the proposed ordinance amending DCC 5.102, in “compared” format, which addresses an amendment to the “Discharge of Weapons” ordinance.

All of the new matter is in Subsection (3) of the code section (in bold font, below), which is proposed to be added for the purpose of allowing the City Manager, or the City Manager’s designee, to grant a time-limited variance to the prohibition against the discharge of weapons to the National Guard of the United States or Oregon National Guard, or their members, when engaged in official training or other official activities. The amendment allows the City Manager to impose such conditions and limitations as he or she may deem necessary or appropriate.

Since this amendment is necessary for the National Guard’s intended training exercises at the old city pool in early March, I have also included an emergency clause, which will make this ordinance effective upon second reading.

The proposed amendment, in “compared” format, is as follows:

**5.102 Discharge of Weapons.**

(1) Except at firing ranges approved by the chief of police, no person other than an authorized peace officer shall fire or discharge a gun or other weapon, including spring or air-actuated pellet guns, air guns, BB guns, bow and arrow, or any weapon which propels a projectile by use of gunpowder or other explosive, jet, or rocket propulsion.

(2) The provisions of this section shall not be construed to prohibit firing or discharging a weapon by a person in the lawful defense or protection of his person, family, or property.

**(3) The City Manager, or the City Manager’s designee, may, upon**

**application and subject to such conditions and limitations as the City Manager, or the City Manager's designee may deem necessary and appropriate under the circumstances, grant a variance for a limited duration from the prohibitions in subsection (1) to the National Guard of the United States and the Oregon National Guard, and members thereof, for the purpose of and while engaged in official training or other official activities.**

(4) Violation of this section is a Class C misdemeanor.

Section 2. This ordinance being necessary for the immediate conduct of business within the city, an emergency is declared and this ordinance shall take effect immediately upon second reading and final adoption.

ORDINANCE NO. 1700

An Ordinance amending provisions of the Dallas City Code Section 5.102, relating to the discharge of weapons; and declaring an emergency.

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. Dallas City Code Section 5.102 is hereby amended to read as follows:

**5.102 Discharge of Weapons.**

(1) Except at firing ranges approved by the chief of police, no person other than an authorized peace officer shall fire or discharge a gun or other weapon, including spring or air-actuated pellet guns, air guns, BB guns, bow and arrow, or any weapon which propels a projectile by use of gunpowder or other explosive, jet, or rocket propulsion.

(2) The provisions of this section shall not be construed to prohibit firing or discharging a weapon by a person in the lawful defense or protection of his person, family, or property.

(3) The City Manager, or the City Manager's designee, may, upon application and subject to such conditions and limitations as the City Manager, or the City Manager's designee may deem necessary and appropriate under the circumstances, grant a variance for a limited duration from the prohibitions in subsection (1) to the National Guard of the United States and the Oregon National Guard, and members thereof, for the purpose of and while engaged in official training or other official activities.

(4) Violation of this section is a Class C misdemeanor.

Section 2. This ordinance being necessary for the immediate conduct of business within the city, an emergency is declared and this ordinance shall take effect immediately upon second reading and final adoption.

Read for the first time: February 2, 2009  
Read for the second time: February 17, 2009  
Adopted by the City Council: February 17, 2009  
Approved by the Mayor: February 17, 2009

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JAMES B. FAIRCHILD, MAYOR

ATTEST:

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JERRY WYATT, CITY MANAGER

ORDINANCE NO. 1697

An Ordinance amending provisions of the Dallas City Code Section 2.005, relating to council meetings.

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. Dallas City Code Section 2.005 is hereby amended to read as follows:

**2.005 Council Meetings.**

(1) Regular meetings of the council shall be held on the first and third Mondays of each month at such place and hour as the council may prescribe. If a regularly scheduled meeting falls on a legal holiday, the council shall meet on the following day. The business of the council shall be in the order prescribed by the mayor.

(2) Subject to subsection (3), the mayor may, on the mayor's own motion, or at the request of three council members shall, call a special meeting of the council for a time not less than three or more than 48, hours after notice of the special meeting is given. Special meetings may also be called by consent of all the council members.

(3) A special meeting may be held on less than 24 hours' notice only in case of an actual emergency, in which case notice shall be given as is appropriate to the circumstances, but the minutes for such a meeting shall describe the emergency justifying less than 24 hours' notice.

Section 2. All prior and conflicting ordinance provisions are hereby repealed.

Read for the first time: January 20, 2009  
Read for the second time: February 2, 2009  
Passed by the City Council: February 2, 2009  
Approved by the Mayor: February 2, 2009

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JAMES B. FAIRCHILD, MAYOR

ATTEST:

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JERRY WYATT, CITY MANAGER

ORDINANCE NO. 1698

An Ordinance amending provisions of the Dallas City Code Section 5.386, relating to wild animals; and repealing conflicting provisions.

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. Dallas City Code Section 5.386 is hereby amended to read as follows:

**5.386 Wild Animals.**

(1) Except as provided in subsections (3) and (4), no person shall feed or keep in captivity within the city a carnivorous wild animal or wild bird.

(2) As used in this section:

(a) "Carnivorous wild animal" means an animal that is not by custom devoted to the service of mankind at the time and in the place in which it is kept. Carnivorous wild animals include, but are not limited to, wolves, coyotes, bobcats, bears, foxes, cougars, and any hybrid animal which has any degree of such wild carnivorous animals.

(b) "Wild bird" means duck, goose, merganser, coot, snipe, pheasant, partridge, grouse, peafowl or wild turkey.

(c) "Feed" means to place or allow to be placed, in any manner, food or other attractants with the intent of attracting or feeding carnivorous wild animals or wild birds.

(3) The provisions of this section do not apply to the owners of a circus, tent show, or carnival that is licensed by the city.

(4) The Council may grant an exemption to this section under the following procedures:

(a) An applicant shall file a request for an exemption which includes the following:

- (i) Type of animal;
- (ii) A recent photograph of the animal;

- (iii) Where it will be located;
- (iv) Whether its location in the city will be temporary or permanent;
- (v) Whether it has bitten, attacked, or otherwise harmed any person;
- (vi) What steps will be taken to insure the public safety;
- (vii) Proof of adequate liability insurance if the animal harms a person or property;
- (viii) A certification from a licensed veterinarian that the animal has received all necessary inoculations, including, but not limited to, rabies; and
- (ix) A filing fee in an amount set by resolution of the Council.

(b) The Council shall thereafter hold a public hearing on the request for an exemption, after giving notice to the same property owners who would receive notice of a land use hearing relating to the premises where the animal would be located, not less than ten days in advance of the public hearing.

(c) At the conclusion of the public hearing, the Council shall grant the exemption, grant the exemption with conditions, or deny the exemption.

(d) A failure to continually abide by and maintain any conditions imposed by the Council is a violation of this section.

(5) Violation of this section, upon a first offense, shall constitute a civil infraction. Violation of this section upon the second and any subsequent offense shall constitute a Class C misdemeanor.

Section 2. All prior and conflicting ordinance provisions are hereby repealed.

Read for the first time: January 20, 2009  
Read for the second time: February 2, 2009  
Passed by the City Council: February 2, 2009  
Approved by the Mayor: February 2, 2009

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JAMES B. FAIRCHILD, MAYOR

ATTEST:

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JERRY WYATT, CITY MANAGER

Ordinance -- Page 2