



# Dallas City Council Agenda

Monday, March 16, 2009, 7:00 p.m.  
 Council President Brian Dalton, 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 March 2, 2009, Council meeting p. 3	Approval
4. REPORTS OR COMMENTS FROM THE COUNCIL MEMBERS	
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>	
7. REPORTS OF SPECIAL COMMITTEES AND CITY OFFICERS City Manager's Reports	
a. Council Goals Review p. 8	Discussion/Motion
b. Aquatic Center EEM project contract award p. 10	Motion
c. April 3 Special Council meeting p. 35	Information
d. City Historian Update p. 36	Information
e. Auditors Report Review	Information
f. Report on the Mar 10, 2009 Planning Commission Mtg p. 37	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.*

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g. Department Reports for the month of February [p. 38](#)

Information

h. Other

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8. COMMUNICATIONS AND PETITIONS

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9. RESOLUTIONS

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10. FIRST READING OF ORDINANCE

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11. SECOND READING OF ORDINANCE

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12. OTHER BUSINESS

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13. ADJOURNMENT

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Please note: The City will holding a dedication ceremony for the improvements at Rotary Park on Monday at 6:00 p.m.

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2  
3 **DALLAS CITY COUNCIL**  
4 **Monday, March 2, 2009**  
5 **Council Chambers**

6 The Dallas City Council met in regular session on Monday, March 02, 2009, at 7:00 p.m. in the  
7 Council Chambers of City Hall with Council President Brian Dalton presiding.

8 **ROLL CALL**

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

13 Also present were: City Manager Jerry Wyatt, City Attorney Lane Shetterly, Assistant City  
14 Manager Kim Marr, Interim Police Chief Tom Simpson, Finance Director Cecilia Ward, and  
15 Recording Secretary 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 February 17, 2009, Council meeting approved as  
20 presented.

21 **REPORTS OR COMMENTS FROM COUNCIL MEMBERS**

22 Councilor Wilson complimented the staff and the City Manager for the recent Wyatt Node and  
23 city-wide open houses. She stated they were very well done and staff worked hard, adding she  
24 hopes they do it again.

25 Councilor Scroggin indicated that two Sundays ago going into Safeway there were panhandlers  
26 on the grassy area of the bank greeting cars as they were leaving Safeway. He stated the Council  
27 may need to look at an ordinance or statute against panhandling. City Attorney Shetterly stated  
28 that if someone was panhandling on Safeway property, that's trespass and Safeway can move  
29 them off, but the City is extremely limited to only restricting someone who is a traffic hazard.  
30 He indicated ordinances like that are commonly struck down because Oregon courts view it as  
31 speech, so unless it is a real public safety issue, it's difficult to enforce.

32 Councilor Marshall announced that Garten would be holding an open house at their Dallas  
33 facility this Thursday from 3:00-6:00 p.m.

34 Councilor Lawson announced a downtown block party Friday evening from 5:00-8:00 p.m. all  
35 around Courthouse Square, noting a number of businesses were participating.

36 **QUESTIONS OR COMMENTS FROM THE AUDIENCE**

37 There were no questions or comments from the audience.

38 **PUBLIC HEARINGS**

39 **REPORTS OF SPECIAL COMMITTEES AND CITY OFFICERS**

40 **AUDITOR REPORT**

41 Ms. Ward introduced Tom Glogau to present the audit report for fiscal year 2007-08.

42 Mr. Glogau indicated he would stay on an overall, big-picture level and the Council could read  
43 his report for more detail.

44 Mr. Glogau pointed out a figure showing costs of services for the year exceeded revenue by \$4.6  
45 million. He clarified that the figure is misleading, as it included \$3 million that was borrowed,  
46 but that still indicates \$1.5 million in excess of expenditures over revenues. He explained this  
tells us the cost of providing services exceeded revenue by \$1.5 million. Put another way, the

1 City spent \$1.5 million more than it brought in; the citizens received \$1.5 million more in  
2 services than they paid for.

3 Mr. Glogau reviewed the implications of that. First, it is a limited time offer. This can only go  
4 on for a limited time before the city runs out of money. There are two ways to solve that. First,  
5 the City could increase revenues. Second, the City could reduce services. Mr. Glogau stated it is  
6 important to realize you can't continue to do the same things with less money. In the long run,  
7 citizens must pay for the services the City provides.

8 Mr. Glogau pointed out the second implication of the expenditures over revenue figure. At the  
9 end of the year, the general fund was just over \$1.1 million, which is less than two months of  
10 expenses in the general fund. Mr. Glogau explained that taxes account for approximately \$2.9  
11 million of the total revenue of \$6.4 million, so taxes are almost 50% of total revenue. Many  
12 expenses paid by the general fund are constant expenses, yet tax payments don't come in until  
13 November. Mr. Glogau advised that the City needs to have enough in the general fund to cover  
14 expenses until taxes come in.

15 Mr. Glogau stated the Council must make decisions as to what services can we provide and what  
16 programs can we fund. He stressed the City can survive spending more money than comes in  
17 only for a limited time. He noted it is more palatable when making difficult decisions to do it in  
18 increments. Mr. Glogau explained that that the good news is there is plenty of time to look  
19 ahead.

20 Mr. Wyatt noted this ties into where the City is headed in this fiscal year and in preparing a 5-  
21 year fiscal forecast. He indicated he feels it is necessary for the City and Council to outline the  
22 services provided and the income coming in. He stated the Council needs to look at what  
23 direction the City should be going, what number the City should have in the reserve fund. He  
24 indicated it should be around the \$2 million dollar mark, but we need strategies to get there.

25 Councilor Wilson asked if there was any possibility that property tax values may decrease. Mr.  
26 Glogau explained that is the responsibility of the Polk County Assessor.

27 Councilor Lamb stated in simple terms, the citizens got \$1.5 million in services they did not pay  
28 for. He asked if the City maintains the same services, will we go in the hole that much more next  
29 year. Mr. Glogau stated, yes with an asterisk. He explained every year there is always  
30 something, so to say if the City doesn't change will we have that deficit, generally yes. He stated  
31 some things won't recur, but new things will come up. He indicated it is the Budget  
32 Committee's responsibility to delve into the details and identify what they want to do in the  
33 coming year.

34 Councilor Dalton stated he doesn't recall approving a \$1.2-million deficit budget; no one  
35 presented it in that fashion. Mr. Glogau explained for general fund what the Council approved.  
36 In the budgeted amounts, it says we anticipate receiving \$6.3 million in revenue. We want to  
37 give ourselves the authority to spend \$7.5 million. That will create a deficit of \$1.18 million, so  
38 we're going to transfer money in from other funds and expect the general fund to end the year  
39 \$650,000 lower than it was at the beginning of the year. Councilor Dalton stated the Council  
40 needs to understand going in to the budget process that the City gave \$1.5 million in services for  
41 which the City had no money because the budgetary decisions may have been different. Mr.  
42 Glogau commented that it's not that the City didn't have the money, but it is just using up money  
43 that was previously set aside.

44 Councilor Scroggin asked with a budget our size, if \$1.1 million is too low for a beginning  
45 balance. Mr. Glogau stated there are general rules of thumb, but it comes down to personal  
46 preference how close to the precipice the Council wants to walk. The concern is to not run out of  
47 money, and it is also about the timing of cash flow. He stated for a minimum, most people say if  
48 you have 15% of what expenditures were, that is at the lower limits of what is acceptable. Mr.  
49 Glogau indicated \$2 million is a real reasonable goal.

50 Councilor Wilson stated the Council must be aware that they can't reach \$2 million in reserves in  
51 one fiscal year. She indicated the Council may need to make serious cuts that people won't like,  
52 but they can't just chop it and get to \$2 million in one year.

53 Councilor Lawson stated she is concerned that if the City does do that, the perception will be that  
54 the City is accumulating a slush fund.

1 FINAL FINANCE DEPARTMENT EVALUATION

2 Mr. Wyatt indicated he received the final Finance Department evaluation completed by Andy  
3 Parks, our Interim Finance Director. Mr. Wyatt explained Mr. Parks had interviews with staff,  
4 the Council, and Department Heads to see how the Finance Department operates, what its  
5 limitations are, and what improvements can be made. Mr. Wyatt reviewed the report briefly. In  
6 response to a question, Mr. Wyatt stated the City currently has no written or adopted fiscal  
7 policies. Mr. Wyatt indicated staff has not wasted time in implementing the recommendations in  
8 this report, and noted Mr. Parks is available if the Council would like him to talk to them.

9 Ms. Wilson complimented Mr. Wyatt and the staff for taking a strong move and going forward.  
10 She stated they have done a lot so far and that is good.

11 APPOINTMENT TO CITIZEN ADVISORY COMMITTEE

12 Mr. Wyatt stated the City has a couple individuals interested in serving on the Citizen Advisory  
13 Committee, noting he has spoken with both of them and they are excited to get involved and  
14 participate. Councilor Lawson asked how many members there on this committee, and Mr.  
15 Wyatt stated there are about ten members now, but there is no limit, so we want many members.

16 Councilor Dalton moved to appoint Dr. Chris Edwardson and Mr. Rich Rohde to the Citizens  
17 Advisory Committee for the Comprehensive Plan. The motion was duly seconded and  
18 CARRIED UNANIMOUSLY with Council President Brian Dalton, Councilor Warren Lamb,  
19 Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Wes Scroggin, Councilor David  
20 Shein, Councilor LaVonne Wilson, and Councilor Ken Woods, Jr. voting YES.

21 CDBG APPLICATION

22 Mr. Wyatt explained this proposed CDBG application would pay for infrastructure to serve the  
23 proposed development. He indicated the City can have two of these grants out at any one time,  
24 and this is separate from the Senior Center CDBG application.

25 Rita Grady, of the Polk Community Development Corporation, stated she has recently submitted  
26 three applications for various activities to benefit the City and Polk County. This proposal is for  
27 five units for families in recovery with children. She indicated Polk County doesn't currently  
28 have any resources to provide families facing drug and alcohol addiction issues stable housing,  
29 which is a critical factor in recovery. In response to a question, Ms. Grady stated the proposed  
30 location of the facility is on East Ellendale Avenue across from Burger King.

31 Ms. Grady explained the people who would benefit from this facility are mostly single parents  
32 who are well into their recovery and poised for success. She anticipates that they will live there  
33 six to eighteen months and they will be able to live on their own. She noted the residents will be  
34 hand screened, and there will be an on-site mentor who has been through recovery and knows  
35 what to look for. Ms. Grady stated the Council cannot make a decision before holding a public  
36 hearing.

37 Councilor Lawson stated the residences are limited to 2 bedrooms, and asked if that limits how  
38 many children can be accepted. Ms. Grady stated the average family size is two to three  
39 children. Judy Moorehead with Polk County Mental Health stated the plans include a Murphy  
40 bed in the dining room, so these facilities can house from a single parent and one child, to up to  
41 four children – two children in each bedroom and the parent on the Murphy bed. She stated this  
42 allows for flexibility. Ms. Grady indicated there will be an inner courtyard with playground  
43 equipment that can be viewed from all units. She commented that this is not designed as an ideal  
44 place to live forever. It may be crowded, but the whole idea is to give stability with services for  
45 opportunities for the residents to work their way out of where they are.

46 Councilor Shein moved to direct staff to schedule a public hearing and apply for CDBG funds  
47 for public infrastructure improvements for Jen's Place, which is being developed by Polk  
48 Community Development Corporation at 453 E Ellendale Avenue. The motion was duly  
49 seconded and CARRIED UNANIMOUSLY with Council President Brian Dalton, Councilor  
50 Warren Lamb, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Wes Scroggin,  
51 Councilor David Shein, Councilor LaVonne Wilson, and Councilor Ken Woods, Jr. voting YES.

52 PARK PROJECT UPDATES

1 Mr. Wyatt stated staff has been working on a paver program that would include donations for  
2 charities. He indicated the City would like all trailhead entrances to have pavers to identify those  
3 entrances, and the idea came to have engraved bricks in those areas.

4 Mr. Wyatt pointed out the form being used for the "Name the Dog Park" contest which came  
5 from the Park and Recreation Board.

6 OTHER

7 Mr. Wyatt reminded the Council that the Rotary Park dedication would be held March 16 at 6:00  
8 p.m., before the Council meeting. He stated they would do the dedication at Rotary Park rain or  
9 shine.

## 10 COMMUNICATIONS AND PETITIONS

### 11 OLCC APPLICATION – TATERS CAFÉ

12 Mr. Wyatt indicated the applicant did complete item 12a. Councilor Woods asked if he would  
13 have a potential conflict if he writes the insurance policy for an applicant. City Attorney  
14 Shetterly stated that yes, if the request is granted, and the applicant has a liability policy they will  
15 purchase, it is a potential conflict. Councilor Woods declared a potential conflict of interest.

16 Councilor Dalton moved to recommend to the OLCC to grant the license for limited on-premises  
17 sales and new outlet at 683 SE Jefferson Street for Taters Café. The motion was duly seconded  
18 and CARRIED UNANIMOUSLY with Council President Brian Dalton, Councilor Warren  
19 Lamb, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Wes Scroggin, Councilor  
20 David Shein, Councilor LaVonne Wilson, and Councilor Ken Woods, Jr. voting YES.

### 21 2009 CITY HALL DAY AT THE CAPITOL

22 Mr. Wyatt reminded the Council that April 1 is City Hall Day at the capitol. He stated  
23 Councilors should get their registration form to Ms. Gagner by March 16.

## 24 RESOLUTIONS

### 25 FIRST READING OF ORDINANCE

### 26 SECOND READING OF ORDINANCE

27 **Ordinance No. 1701:** An Ordinance amending provisions of the Dallas City Code Section  
28 5.210, relating to smoking.

29 Mr. Wyatt stated the Ordinance does include the change from 10 to 25 feet for City boundaries.  
30 City Attorney Shetterly indicated the State law prescribes 10 feet for those areas in subsections 1  
31 and 2 so the City cannot be more restrictive. He commented the City can go 25 feet on areas that  
32 aren't regulated by state law.

33 Mayor Fairchild declared Ordinance No. 1701 to have passed its second reading. Mayor  
34 Fairchild declared Ordinance Number 1701 to have PASSED BY A UNANIMOUS VOTE with  
35 Council President Brian Dalton, Councilor Warren Lamb, Councilor Jackie Lawson, Councilor  
36 Kevin Marshall, Councilor Wes Scroggin, Councilor David Shein, Councilor LaVonne Wilson,  
37 and Councilor Ken Woods, Jr. voting YES.

## 38 OTHER BUSINESS

39 Councilor Lamb stated that as the Council Representative on the Rickreall Watershed Council,  
40 he was asking for a \$1,000 donation for their annual outdoor school, which provides classes to  
41 200 to 250 6<sup>th</sup> graders from LaCreole. He indicated this money would provide full and partial  
42 scholarships for students to attend.

43 Councilor Scroggin moved to give \$1,000 to the Rickreall Watershed Council for their outdoor  
44 school, allowing staff to identify the appropriate budget fund. The motion was duly seconded  
45 and CARRIED UNANIMOUSLY with Council President Brian Dalton, Councilor Warren

1 Lamb, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Wes Scroggin, Councilor  
2 David Shein, Councilor LaVonne Wilson, and Councilor Ken Woods, Jr. voting YES.

3 There being no further business, the meeting adjourned at 8:43 p.m.

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

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\_\_\_\_\_

Mayor

10 ATTEST:

11 \_\_\_\_\_  
12 City Manager

DRAFT

2009 / 2010  
One Year Council Goal Proposals

**ADMINISTRATION**

- Update Fiscal Policies and Procedures
- Implement a formal volunteer program for all departments
- Upgrade the utility billing process and software for finance, payroll, court, human resources and most departments
- Review City Charter amendment
- Seek funding for construction of a senior center
- Increase the use of the Public Education & Government Channel
- Partner with the School District to increase youth involvement in City government
- Train staff on the importance of high-level customer service through all public contacts
- Complete a marketing and advertising campaign including the branding identity of Dallas
- Investigate obtaining an Historic District Designation for the downtown area
- Develop a park & recreation plan to address the future recreational needs of the community

**COMMUNITY DEVELOPMENT**

- Complete the Aquatic Center energy efficiency upgrades
- Complete the Development Code amendments
- Complete the Wyatt Node Master Plan
- Begin updating the Comprehensive Plan
- Complete the sign code revision
- Complete a city wide Invasive Species Inventory, subject to grant funding
- Complete a Local Wetlands Inventory, subject to grant funding
- Start construction on elements of the downtown streetscape plan using Urban Renewal or grant funds
- Recruit a business to fill the former TTM building
- Draft and consider for adoption a Vacant Commercial Building Ordinance
- Establish a “Gateway Overlay Zone” for Dallas

**PUBLIC WORKS**

- Complete the improvement to Birch Park, including installation of new play equipment
- Complete design plans for Kingsborough Park improvement
- Determine the feasibility of using reclaimed water from the City's wastewater treatment plant to irrigate City Parks and/or other recreational use areas
- Complete a detailed, comprehensive trail plan for Rickreall Creek, including trail alignment and width, landscaping, signage and lighting

**PUBLIC SAFETY**

- Rehabilitate the Fire Station, improve the fire training facility and purchase one new ambulance
- Expand the neighborhood watch, safe house and crime prevention programs
- Upgrade the firing range and establish a user fee for the range
- Upgrade the animal control facility
- Add a Dallas Police Officer to the Polk County's Inter-Agency Drug Task Force (POINT)
- Contract for an outside study of our public safety functions to look for ways for improvement, modernization, and increased bonding with the public we serve

# 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> Aquatic Center EEM project contract award
<b>Prepared By:</b> Jason Locke	<b>Meeting Date:</b> March 16, 2009	<b>Attachments:</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Approved By:</b> Jerry Wyatt		

**RECOMMENDED ACTION:**

Accept the Proposal from Enertia Energy, Inc. and authorize the City Manager to award a contract to Enertia Energy, Inc. for the Dallas Aquatic Center Energy Efficiency project in the amount of \$632,682, subject to approved change orders, and with the understanding that the contract may be assigned to Abacus Resource Management, subject to review by the City Manager and City Attorney to ensure that all legal issues are addressed and risks minimized.

**BACKGROUND:**

In response to the City’s Request for Proposals to implement Energy Efficiency Measures at the Dallas Aquatic Center, the City received two proposals. Upon review, the city deemed that one proposal was responsive to the requirements of the RFP. The responsive proposal, submitted by Enertia Energy, was reviewed and scored by an evaluation team consisting of city employees and was deemed satisfactory and in accordance with the requirements of the RFP. Notice of Intent to Award was sent to proposers, and no protests were received within the protest period.

After the Notice of intent to Award was sent, city staff met with the principals of Enertia Energy, at their request. At that time, they informed staff that, due to sudden and recent financial reversals in other related business entities (involved in aspects of the housing market), under common ownership with Enertia Energy, Enertia Energy may not be able to post the performance bond required for the project.

The president of Enertia Energy, Steve Rubbert, informed staff that he and the other current principals of Enertia would be joining a separate company (not in common ownership with Enertia Energy) called Abacus Resource Management, which is owned by Enertia employee Mark Kinzer, and has been in the energy consulting and project business since 1987. Abacus is fully insured, is registered and licensed to do business in Oregon, and is capable of obtaining bonding for the project. Mr. Kinzer and Mr. Rubbert expressed their apologies relating to the current situation, and provided numerous documents to the city relating to Abacus, including corporate structure and staffing, incorporation information, references, and ongoing and completed project information. Based on review and investigation by staff, staff is satisfied that Abacus Resource Management is capable of performing the contract, and Abacus is willing to assume the contract and perform the project according to the terms of the proposal submitted by Enertia Energy.

The form of contract for the project, which was included with the Request for Proposals, provides for assignment of the contract for the project upon the approval of the City.

It is the recommendation of staff that the City Council proceed with the award of the contract to Enertia Energy, as stated above, with the understanding that there will be a subsequent assignment of the contract to Abacus Resource Management to complete the project, subject to compliance by Abacus Resources Management with all of the contract conditions and requirements (including, but not limited to bond and insurance requirements), and review and approval by the City Manager and City Attorney. Staff believes that continued work with Mr. Rubbert and Mr. Kinzer and their staff, through assignment of the contract to Abacus Resources Management, will result in timely and satisfactory completion of the project.

This information is being provided so that the City Council can properly evaluate the situation that has developed. If approved by the Council, the City Attorney will work with attorneys for Enertia Energy and Abacus Resources Management to properly structure the contract award and assignment.

**FISCAL IMPACT:**

The total cost of the project is \$632,682. The net cost to the city, after the Energy Trust rebate and BETC credits, is estimated at \$358,000.

In the event that the City Council determines that we should re-issue the RFP and go through the selection process, the lost time would result in approximately \$35,000 worth of limited time incentives and about \$40,000 in additional utility costs if the project is delayed 6 months.

**ATTACHMENTS:**

Scope of work, timeline, and total project cost  
Abacus information

## **SCOPE OF WORK**

### **Task 1 – Detailed Design**

#### **Kick-off Meeting**

At the kick-off meeting, a thorough review of the proposed design, options, costs and anticipated project performance will be presented to the City of Dallas. Questions regarding the design, options selected, costs and possible alternatives suggested by the City of Dallas will be addressed and documented for reference through the design phase.

#### **Preliminary Design**

**Establish Design Criteria:** Document applicable codes, required indoor conditions, outdoor design conditions, flow rates, temperatures, lighting levels, and materials of construction.

**Review System Options:** Our proposal is complete and meets the stated objectives for each EEM. However, we will take some time to consider materials of construction, performance, maintenance, first cost, and life cycle cost of any alternates the City wishes to consider.

**Provide preliminary drawings, specifications, equipment data sheets and supporting documentation sufficient to allow the City to understand the nature of the work for each EEM.**

**Conduct a preliminary Design Review Meeting at Dallas to review the design and give the City the opportunity to raise questions about the work and/or options.**

**The preliminary design phase will culminate with the City's approval to proceed to Final Design. The approved preliminary design will provide a clear understanding of the scope, schedule, and budget for the Base Project and any Alternates. The list of original objectives established in the kick-off meeting will be reviewed to ensure they have been addressed in the final project scope.**

#### **Equipment Pre-purchase**

**There are likely to be equipment items that will need to be purchased before the final design is complete in order to hit the final installation schedule (anticipated pool closure, see project schedule). These items, and the costs, will be identified in the**

preliminary design. Approval of the preliminary design will be considered the City's authorization for Enertia to purchase that equipment.

#### Final Design

**Construction Documents:** The scope agreed to in the preliminary design will be transferred to construction documents (plans and specifications) which document the project details. The construction documents will present all project details and will be sufficient for attaining all required permits. This will be done in two steps.

The first step is to produce a 95% design document. This document will be sufficiently complete to show all elements of the work.

The second step is to conduct a final Design Review Meeting at Dallas to review the design and give the City the opportunity to raise questions about the work and/or options. Any required changes to the documents will be made following this meeting. If required, to attain the city's approval of the final design, a revised copy will be submitted.

#### **Task 2 – Obtain Permits**

The City's approval of the final design will be authorization to proceed with permitting and purchasing.

Enertia and our subcontractors will obtain all required bonds and building permits prior to starting construction (see schedule).

#### **Task 3 – Boiler Removal**

The existing boiler system will remain in place and operational until the final installation (scheduled during a pool closure period, see project schedule). Any work completed prior to this phase of the project (preliminary installation) will be executed not to interfere with normal facility operations and will be carefully coordinated with the City. The City has provided notification that the building contains no asbestos so our qualifications for, and approach to asbestos abatement are not applicable to this proposal.

#### **Task 4 – Install Solar Water Heating System**

The new solar pool collectors will be installed and mounted on the roof by Gen-Con Solar. Gen-Con is the largest local provider of solar hot water systems, and is well suited to the project. We have successfully completed a similar solar hot water heating project with Gen-Con for the Hood River Aquatic Center (Case study in Additional Info section).

A clip system will be employed allowing attachment to the standing metal seams without roof penetrations. The only roof penetration will be for the solar water heating piping. The system will be manually turned on in the spring by the owner, manually turned off in the fall by the owner, and will operate automatically from spring to fall when there is sufficient solar energy available to heat the pool. Solar heating will supplement the main pool heating system. Controls will be set up to maximize the amount of solar heating. The following instructions will be supplied to the owner in an O&M manual at the completion of the project.

In the Spring (mid-April), the Owner will manually close up to (5) drain valves, open (2) solar water valves, and turn solar control panel to “automatic”. Water will enter the system and remains in the system all season long until manually drained by the owner in the fall. When the system is turned on in the spring, the owner should conduct an inspection for leaks on the roof and in the mechanical rooms.

In the Fall (mid-October), the Owner will turn the solar control panel to “off,” open the drains (approximately 5), and close the solar supply and return valves.

The solar panels are warranted not to leak for 10 years (material), and there is a labor warranty for two years. Note: If the owner allows water to stay in panels past October 15<sup>th</sup> and the water freezes – the damage caused by this freezing is not covered by warranty.

The unglazed solar pool collectors are recommended for this application because they provide the greatest economic return on investment. The other options that were considered and rejected for this application are a glazed system and an evacuated tube system.

System data sheets are included in the Appendix.

#### **Task 5 – Install New High Efficiency Boilers**

Enertia is proposing to replace the existing boilers with two new Gas Master condensing hot water boilers. We received proposals from Heinz Mechanical to complete the mechanical work associated with each measure. We have successfully worked with Heinz Mechanical on numerous projects including the Gas Master boiler replacement at the Hood River Aquatic Center (Case study in Additional Info section.)

One boiler will have a 2,000 MBH capacity and the other will be 4,000 MBH. This will allow the system to operate at lower firing rates (higher efficiency) than would be possible with two equally sized boilers. Equipment data sheets for the boilers are

presented in the Additional Info section. The boilers will operate at an annual efficiency of not less than 92%. Because combustion efficiency varies with firing rate and return water temperature, the system operating efficiency will range from a high of 98% at low pool heating loads and warm weather to a low of 90% at high loads and cold weather. A boiler efficiency chart is presented in the Appendix.

In addition to replacing the boilers, the configuration of the heating water loop will be changed from the existing constant flow boiler loop (requiring one boiler pump to run whenever the associated boiler is on) plus the constant flow secondary loop (requiring one of the loop pumps to run whenever there is any call for heating) to a single variable flow heating loop. This is possible because the condensing boilers are able to operate with wide variations in flow rate whereas the existing boilers demand relatively constant flow to operate safely. This will allow the elimination of the two boiler pumps and their associated maintenance burden.

The conversion to a variable flow heating loop means all new control valves will be installed on the heat exchangers and heating coils, eliminating the future maintenance burden of the obsolete Staefa valves and actuators.

The heating system will operate anytime there is a call for heating at any point of use. This will be a high percentage of time as the new controls will seek to optimize system efficiency by operating more hours at lower loads (which is the ideal condition for the condensing boilers). The entire control sequence will be automated. However, a sequence for complete manual operation will be provided for times when the control system is down for any reason (in whole or in part). The system lead pump will start and run at variable speed (new VFD) whenever there is a call for heating. The speed will be controlled to match the load. This variable flow operation is essential to maintain low return water temperature and promote condensing operation (high efficiency) in the boilers. The backup (or lag) heating pump will automatically start if the lead pump fails. The boiler supply water temperature will also be automatically adjusted up or down so that the temperature is just high enough to meet the demand of the highest heating load in the system at any given time.

The new boilers will require similar annual maintenance as the existing boilers. Same for the heating loop pumps. Maintenance savings are attained by the elimination of two boiler loop pumps.

Enertia will provide complete maintenance and service of the boilers and other new equipment installed under the project during the first 12 months of operation. The City will continue to service and repair existing equipment.

## **Task 6 – Expand Pool Heat Exchangers and Replace/Supplement Heating Coils As Required to Attain 110 F Return Water Temperature**

Enertia's proposal to convert the entire heating system to variable flow (described in Task 5) goes a long way towards accomplishing the goal of Task 6. In addition, we intend to clean and service all heat exchanger plates and heating coils. Additional (new double wall) plates will be added to each heat exchanger.

All air heating coils were designed to produce 100 F leaving air temperature under full heating conditions. We will test the performance of each coil with the lower supply water temperatures produced by the condensing boilers and add supplemental heating capacity where needed to produce the required heating and low return water temperature. Our preliminary calculations show that supplemental coils are required at the office, multi-purpose, and locker room. Enertia, will provide supplemental heating capacity at all coils not able to deliver the required heating capacity.

The entire heating loop will be balanced for the required water flows. Room and pool water temperatures will be continuously monitored by the control system as a means to document proper heating operation over the entire first year.

The proposed system modifications will provide a needed coil and plate cleaning, but will not otherwise change maintenance requirements of the heating system.

## **Task 7 – Install Advanced Automatic DDC Control Strategies**

The existing Staefa control system is obsolete, prone to failures and lacks vendor or contractor support. As a result, a complete new Direct Digital Control (DDC) System will be installed to implement the improved sequences of operation and interface with the new building systems.

The new proposed DDC Control System will utilize the LonWorks Open System protocol. LonWorks technology allows for the interconnection of different manufacturer's equipment with a common protocol. This provides several advantages over the older proprietary control systems, which includes:

- Direct connection with new equipment including Boilers, VFD's and packaged equipment.
- Ability to be expanded with the same or different manufacturer's equipment, which eliminates the risk of obsolescence.
- Ability to be supported by multiple vendors.

The basis of design is the Honeywell Excel 5000 Open System supplied by Northwest Controls. Northwest Controls is a locally based (Portland) controls and mechanical

service contractor that provides, installs and services several major brands of interoperable control systems. They are well known in the local community for quality control systems and exceptional customer support and service. Northwest controls will utilize their local technician, Kip Kline, who resides in Willamina to perform the control system installation and programming. We have recently worked successfully with Northwest Controls on the Banks and Gladstone School Districts, and they are currently completing an installation at the Willamina School District.

The new DDC Control system will replace all components of the existing system including automation panels, sensors, actuators, valves, computer and even transformers. Some existing enclosures, gutter assembly and wiring may be re-used as part of the new system installation. A standard one year warranty will apply to the entire control system.

The new system will also include a new local host graphics station with remote access, alarming and e-mail functions through the internet (internet connection provided by Dallas Aquatic.) We will utilize the remote access features to trend and observe system functionality throughout the first year as part of our verification of performance. Trend data will be downloaded and used in our monthly review of system performance.

A separate laptop computer will also be supplied as a local or remote access point to the control system via the internet (internet connection by others.) The laptop may be used as a local or remote secondary monitoring station, or for making system changes or troubleshooting from any location.

### **Task 8 – Install High Efficiency Fluorescent Light Fixtures in Natatorium**

Enertia solicited several lighting proposals for replacement of the Natatorium lighting, and selected DC Electric as our contractor of choice. DC Electric is familiar with the Aquatic Center and provided a quality, competitive proposal.

The existing metal halide light fixtures will be removed from the natatorium. New fluorescent fixtures (Lithonia DMW series) will be installed using high efficiency T8 ballasts and premium T8 lamps. The new fixtures are UL listed for wet location, and equipped with a gasket to keep moisture out of the fixture. The exterior of the fixture is fiberglass construction for longevity in the natatorium environment.

The new fixtures will be attached to a continuous white powder coated metal frame work located around the perimeter of the natatorium. The strut can be suspended by either metal strut or stainless wire rope. Thin wire aircraft cable should not be used due to the corrosive environment of the natatorium. There will also be a row of fixtures mounted down the center of the natatorium from the kiddies pool to the therapy pool.

Fixture data sheets are presented in the Appendix.

### **Task 9 – Install Heat Recovery System for Locker Rooms**

We will replace the existing preheat coil on the Locker Room supply fan with a new heat recovery coil. This will allow us to avoid increasing the speed of the supply fan and upsizing its motor.

We will add a heat recovery coil and filter section to the exhaust fan and increase the fan speed to overcome the added pressure drop.

The heat recovery loop between the coils will include a pump, expansion tank, and glycol fill station. Piping will be copper or black steel, covered with fiberglass insulation.

The system will operate whenever the outside air temperature drops below 60 F and will be off if the outside temperature rises above 65 F.

This system will require the additional maintenance of the exhaust filters (quarterly changing) and the heat recovery pump.

### **Task 10 – Post Installation Testing and Training**

A complete air and water balancing of all systems (including pool pumps) will be completed as part of this project in order to establish and document proper and efficient operation.

Combustion efficiency testing will be completed on both boilers.

All energy systems will be commissioned to establish and document the performance of each component and the entire system. Commissioning will include checkout of each control component as well as the combined sequences of operation. System performance will be trended continuously. Until a two week period of continuous performance (with no system or component abnormalities) is documented, the project will not be considered complete.

Trending and diagnostic tools will remain in operation during the first year after project completion and will be monitored and evaluated by Enertia as part of the monitoring and verification of savings. Enertia will hold meetings with the City on a monthly basis to review performance and resolve any operational problems or adjust efficiency strategies.

Complete as-built drawings and Operation/Maintenance Manuals will be created to document the energy systems.

We will conduct two custom training sessions on site. One just after final commissioning to train City staff on the operation and maintenance of the new systems.

The second about three months later to review procedures and answer questions that have come up during this initial operating period. The training will be informal and designed to provide one on one instruction to City personnel to the point where they have a solid understanding of the equipment and systems in the facility and on the proper operation and maintenance of them. Time will be devoted to proper operation in the event of component or control failure of the automation system. Additional training topics are likely to come up at the monthly M&V meetings as well.

**Task 11 – Energy Tax Credit and Incentives Coordination**

The energy saving calculations provided in our energy analysis report are the same for our proposed scope of work. They are 307,243 kWh and 46,255 Therms.

Estimated Energy Trust of Oregon Incentives are:	\$137,002
Estimated Pass Through amount of BE Tax Credit is:	\$137,896

These estimates are based on current incentives and tax credits available as of January 1, 2009 applied to our specific measure costs. While these values are estimated until letters of commitment are signed, Enertia has an excellent track record providing matching incentives and tax credits down to the dollar for literally hundreds of clients.

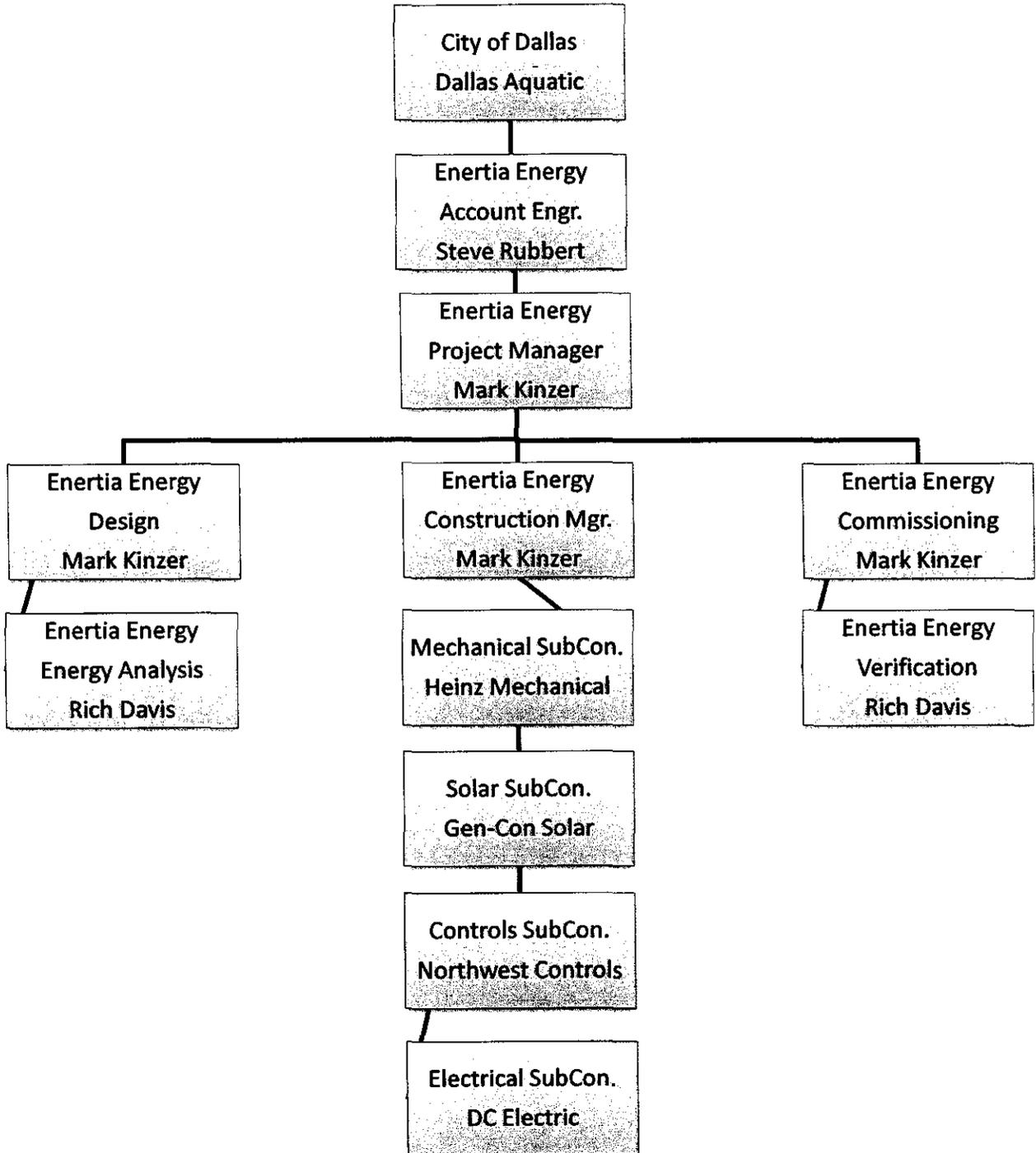
We will also provide updated estimates for any desired alternates for equipment or scope of work contemplated by the City of Dallas, to be included in the alternate evaluation.

Our scope of services includes completing all paperwork, documentation of cost and independent CPA review for all incentives and tax credits listed above. The City of Dallas will be responsible for signing completed documents in a timely manner and providing coordination with the identified pass through partner for tax credits.

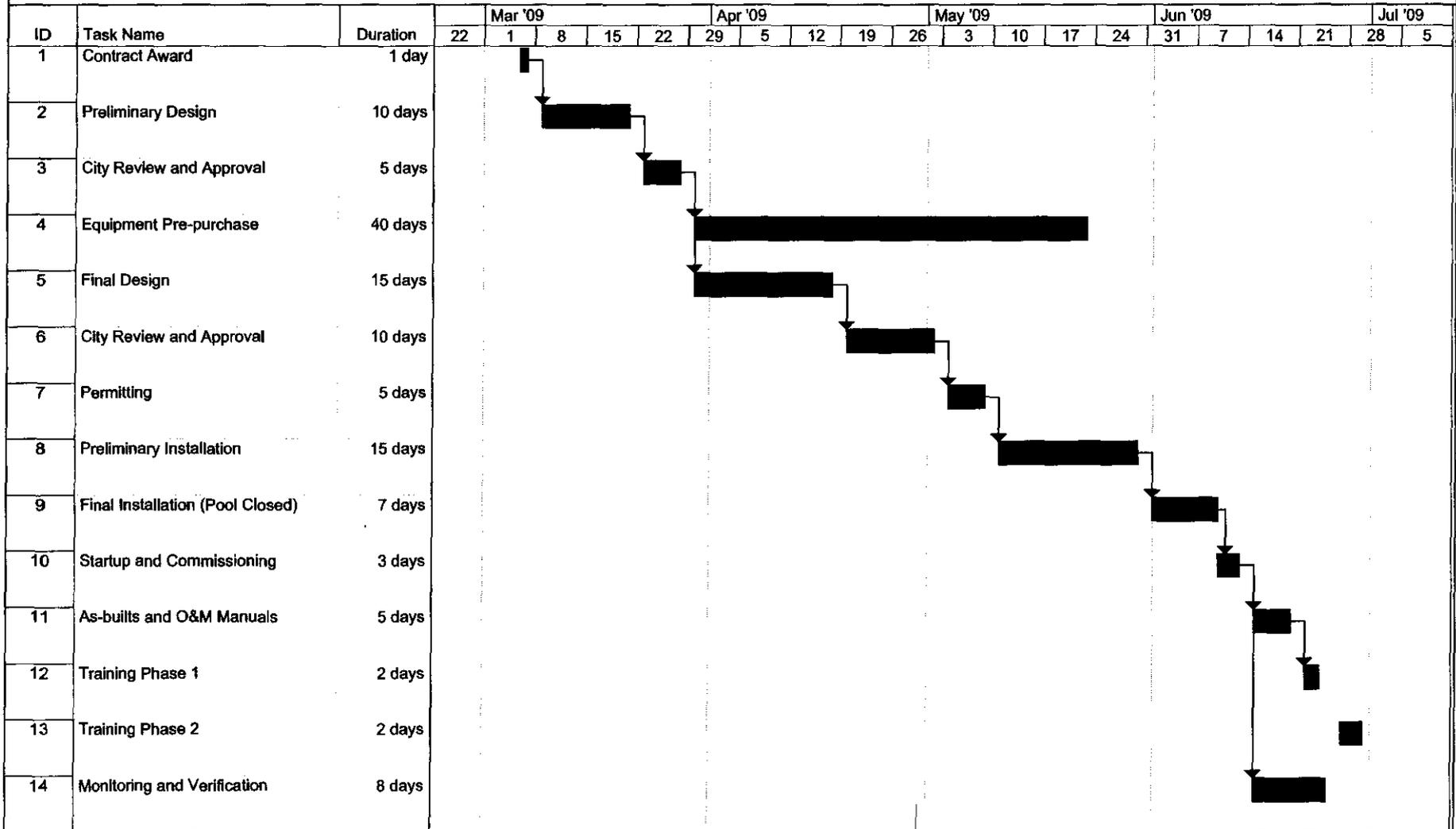
The Oregon Department of Energy assists with the identification of pass-through partners for public entities. Enertia Energy may also assist in the identification of pass-through partners in conjunction with local businesses and regional banks with which we work.

Energy Trust of Oregon Incentives and Business Energy Tax Credits are estimated as accurately as possible, but are not guaranteed by Enertia Energy.

### Project Organizational Chart



# CITY OF DALLAS ENERGY EFFICIENCY IMPROVEMENTS



**Note: Task 13 is actually scheduled in September and Task 14 actually lasts 12 months. Not correctly shown to fit print to page.**

<b>ENERGY EFFICIENCY MEASURE COSTS</b>			
<b>TOTAL PROJECT COSTS</b>			
<b>LINE #</b>	<b>ITEM</b>	<b>COST</b>	
1	<b>DIRECT SUBCONTRACTOR COSTS</b>		
2	EEM-6 New High Efficiency Condensing Boilers	165,817	
3	EEM-9 Expand Heating Coils and Exchangers	52,730	
4	EEM-10 Heat Recovery System for Locker Rooms	31,160	
5	EEM-11 Advanced DDC Control System	92,415	
6	EEM-16 High Efficiency Fluorescent Lights in Nat.	40,550	
7	EEM-18 Install Solar Pool Heating System	81,530	
8	<b>TOTAL DIRECT SUBCONTRACTOR COSTS</b>	<b>464,202</b>	← % of LINE 8
9	<b>DESIGN DOCUMENTS</b>		
10	ELECTRICAL	6,016	1.3%
11	MECHANICAL	12,835	2.8%
12	SOLAR	3,370	0.7%
13	CONTROLS	8,159	1.8%
14	<b>PROCUREMENT</b>		
15	PURCHASE/ SUBCONTRACT / SUBMITTAL	9,284	2.0%
16	<b>CONSTRUCTION SERVICES</b>		
17	PROJECT / CONSTRUCTION MGMT	9,284	2.0%
18	SITE SUPERVISION	6,963	1.5%
19	PERMITS	2,321	0.5%
20	EXPENSES	928	0.2%
21	BONDING (+ Insurance)	13,926	3.0%
22	BOLI FEE	696	0.15%
23	<b>POST CONSTRUCTION SERVICES</b>		
24	COMMISSIONING & START-UP	6,963	1.5%
25	TRAINING	4,642	1.0%
26	MONITORING & VERIFICATION REPORTS	7,891	1.7%
27	WARRANTY	4,642	1.0%
28	<b>ENERGY SERVICES &amp; INCENTIVES</b>		
29	BETC & ETO APPLICATION PROCESSING	2,785	0.6%
30	BETC APPLICATION FEE (ODOE)	3,714	0.8%
31	BETC CPA CERTIFICATION	1,393	0.3%
32	<b>OTHER COSTS</b>		
33	CONTINGENCY	18,568	4.0%
34	PERFORMANCE GUARANTEE FEE	6,963	1.5%
35	OVERHEAD & PROFIT	37,136	8.0%
36	<b>TOTAL PROJECT COST</b>	<b>632,682</b>	<b>36.29%</b>
37	ESTIMATED ENERGY TRUST INCENTIVE	137,002	
38	ESTIMATED BETC TAX CREDIT (CASH VALUE)	137,896	
39	<b>ESTIMATED NET TOTAL PROJECT COST:</b>	<b>\$ 357,784</b>	



## **ABACUS RESOURCE MANAGEMENT COMPANY**

Business Structure: S Corporation

State of Incorporation: Washington

Incorporation Date: August 11, 1987

Governing People: Mark Kinzer, Steve Rubbert

Federal Tax ID# 91-1380018

Oregon BIN 1374028-6

City of Beaverton, Business License #24555

Oregon CCB #185390

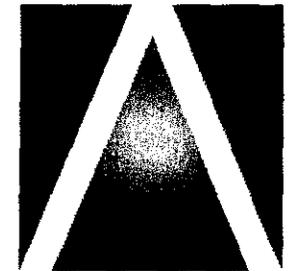
### **REFERENCES**

Bill Vertrees  
Vice President for Financial Affairs  
Central Washington University  
509-963-2325

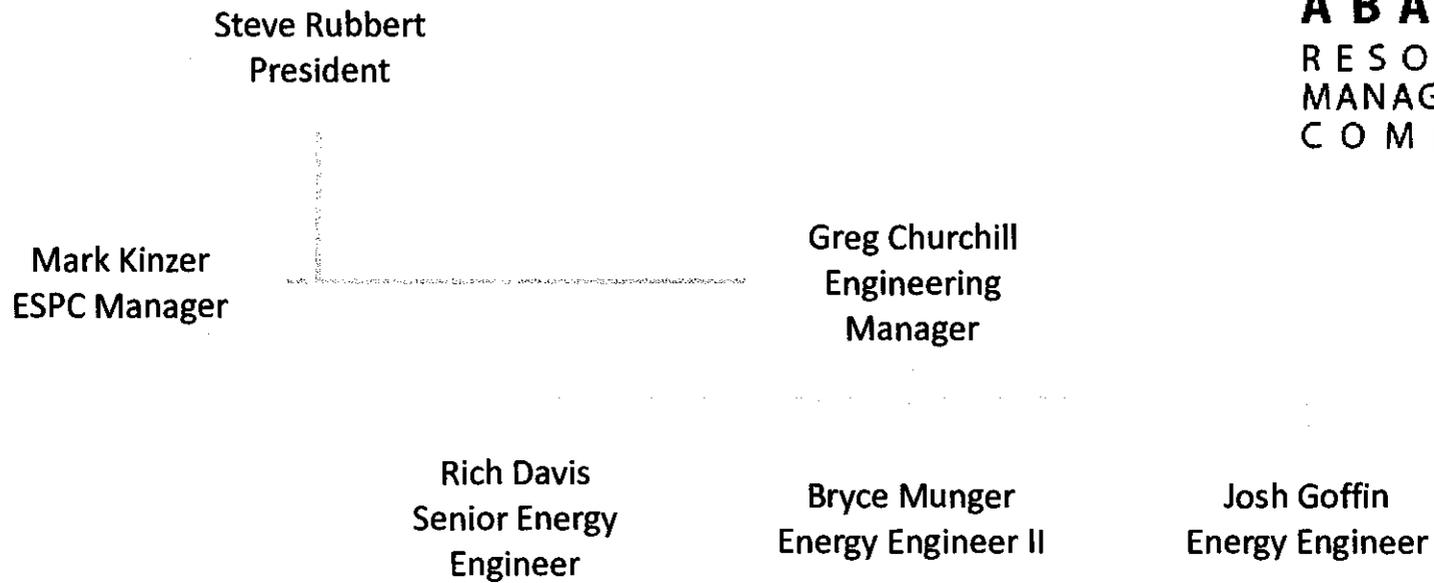
Robyn Pierce  
Director of Facilities Planning  
Portland State University  
503-725-3738

Pat Nahan  
Campus Mechanical Engineer  
Central Washington University  
509-963-3335

Roger Wigfield  
Energy Program Manager  
State of Washington  
Department of General Administration  
360-902-7198



**ABACUS**  
RESOURCE  
MANAGEMENT  
COMPANY



# ABACUS Organization chart



Harold Grover  
CEO

Steve Rubbert  
President

Mark Kinzer  
ESPC Manager

Greg Churchill  
Engineering  
Manager

Rich Davis  
Senior Energy  
Engineer

Bryce Munger  
Energy Engineer II

Josh Goffin  
Energy Engineer

# Enertia Energy Organization chart



**ABACUS**  
RESOURCE  
MANAGEMENT  
COMPANY

**Steve Rubbert**  
President  
Abacus Resource Management Co.

*Responsible for the day to day operations of Abacus Resource Management Co. with bottom line P&L responsibilities*

**Project Experience**

In his role as President of Abacus Resource Management, Steve is responsible for project development and strategic management of energy efficiency projects. With specific expertise in whole building systems and energy incentive programs, he creates energy efficiency strategies to maximize energy and incentive benefits to customers, while providing functional building upgrades. Steve also is responsible for creating and managing contractor teams for implementation of energy measures.

Recent Projects include:

- Woodburn Aquatic Center, Woodburn, OR. \$498k
- Cascade Microtech, Beaverton, OR. \$560k
- Hood River Aquatic, Hood River, OR \$252k
- N Clackamas Aquatic, Milwaukie, OR \$65k
- Umatilla Justice Center, Pendleton, OR \$214k
- City of Lincoln City, Lincoln City, OR \$219k

**Education**

University of Washington, Seattle, Washington  
BS in Mechanical Engineering

**Years of Industry Experience**

19

**Professional Licenses**

N/A

**Certifications**

EIT  
LEED Workshop

**Affiliations**

APEM  
ASHRAE  
BOMA



**Mark Kinzer, P.E.**  
Design/Project Manager / M&V  
Abacus Resource Management Co.

*Responsible for overall project design, delivery and management. Provides engineering design & specification, contractor solicitation, construction management, close out and monitoring and verification of energy measures.*

**Project Experience**

Mr. Kinzer has provided ESCO project management services at Abacus Resource Management since 1988 and has completed 25 performance contracts totaling over \$35 million. He has completed \$3 - \$5 million projects at Central Washington University. Duties performed included project engineer, project manager and M&V engineer.

Project History includes:

- Woodburn Aquatic Center, Woodburn, OR. \$498k
- Central Washington University \$23M
- Olympia Capitol Campus \$12M
- Clark College \$1.2M
- Spokane School District
- Wenatchee School District
- Enumclaw School District
- Battle Ground School District
- Kelso School District
- North Thurston School District
- Pendleton School District
- University of Washington
- Oregon State University
- Wenatchee Valley College
- South Puget Sound Community College
- Green River Community College
- Renton Technical College
- Seattle Central Community College
- Shoreline Community College
- Skagit Valley College

**Education**

University of Washington, Seattle, Washington  
BS in Mechanical Engineering

**Years of Industry Experience**

27

**Professional Licenses**

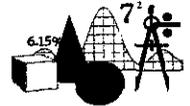
Professional Engineer

**Affiliations**

APEM  
ASHRAE  
BOMA

**Department of General Administration  
Division of Engineering and Architectural Services  
Facilities Engineering Section**

**Energy Project Case Study**



Facility: **Washington State Capitol Campus**

Project completed May 2000

**Project Description:**

Phase 1 was completed in 1995 in conjunction with the Puget Power Conservation Partners Program under the largest performance contract used in state facilities. The Department of General Administration (GA) performed a complete renovation of the ceiling, lighting and HVAC systems in three major office buildings, retrofitted lighting in three other buildings, and improved the efficiency of the campus chilled water distribution system on the Washington State Capitol Campus in Olympia. Phase 2 was completed in May 2000 with major improvements in three buildings.

Campus average monthly electrical usage over 6.2 million kWh in 1990 reduced to 4.6 million kWh in 2000.

Results:	Annual Electrical Savings:	17,514,600 kWh	\$592,607
	Annual kW Demand Savings:	13,004 kW	\$ 34,070
	Annual Natural Gas Savings:	221,280 Therms	\$110,640
	Total Annual Avoided Cost:		\$737,317

**Project Benefits:** Improved control of building occupancy, temperature and lighting; improved lighting quality; monitoring of environmental conditions through the EMCS; removal and disposal of PCB ballast; and, recycling of Fluorescent lamps and all removed metals.

**Environmental Benefits:**  
 Reduction in CO<sub>2</sub> of 9,589,877 pounds per year  
 Reduction in SO<sub>2</sub> of 49 pounds per year  
 Reduction in NO<sub>x</sub> of 8,190 pounds per year

**Energy Companies:** Abacus Resource Management Company – Seattle, Washington  
 and Quantum Engineering & Development - Seattle, Washington

**Phase 1**

Project Cost:	\$9,800,000		
Funding Source(s):	Washington State Treasurer Lease/Purchase Program	Amount:	\$9,800,000
Reimbursement Sources:	Puget Power Conservation Partners Program	Amount:	50%
	Energy Conservation Savings	Amount:	50%

**Phase 2**

Project Cost:	\$598,000		
Funding Source(s):	Washington State Treasurer Lease/Purchase Program	\$401,000	
Reimbursement Sources:	Puget Sound Energy Grants	\$ 97,000	
	Capital funding	\$100,000	

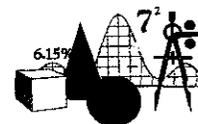
**Project Managers:** Art Arneson Dept of General Administration (360) 902-7261  
 Mark Kinzer, Vice Pres., Abacus Resource Management Co. (206) 583-0200  
 Michael O'Connor, Pres., Quantum Engineering & Development (206) 938-7383

For more information please contact: Karen Purtee (360) 902-7194 or email [kpurtee@ga.wa.gov](mailto:kpurtee@ga.wa.gov)  
 Visit our web site at <http://www.ga.wa.gov/eas/energy.htm>



Department of General Administration  
Division of Engineering and Architectural Services  
Facilities Engineering Services

Energy Project Case Study



**Facility:** Central Washington University

November 15, 2000

**Project Description:** Located in Ellensburg, Washington, this project includes building and distribution system upgrades throughout the campus. Replacement of approximately two miles of direct buried steamline with new steam and condensate meters for each building and a new 1,200 ton chiller, cooling tower and electrical transformer were the first phase. Variable flow chilled water loops were installed in all buildings. Library improvements included lighting, HVAC and control modifications. HVAC upgrades were done in 25 buildings and a new boiler was installed for the Student Village. Additional work included campus-wide steam trap replacement, installation of a campus-wide energy management system and a heat recovery system for the Science Building.

<b>Project Savings:</b>	Annual Electrical Savings:	9,795,800 kWh	\$336,024
	Annual Natural Gas Savings:	863,800 Therms	\$432,320
	Annual Water/Sewer Savings:	3,864,000 gallons	\$ 27,194
	Annual Maintenance Savings:		<u>\$ 46,685</u>
	<b>Total Annual Avoided Cost:</b>		<b>\$842,223</b>

**Project Benefits:** \$16,844,460 savings over 20 years

**Environmental Benefits:** Reduction in CO<sub>2</sub> of 14,027,714 pounds per year  
Reduction in SO<sub>2</sub> of 72 pounds per year  
Reduction in NO<sub>x</sub> of 11,981 pounds per year

**Energy Company:** Abacus Engineered Systems

**Total Project Cost:** \$12,103,263.78

**Funding Source(s):** Capital Contribution: \$7,950,645.83  
State Treasurer: \$4,152,617.95

**Loan Repayment:** Ten years at \$515,700 per year through 2009

**Project Managers:** Bill Vertrees, Director, Facilities Dept., Central Washington University (509) 963-1012  
Clint Lougheed, Energy Program Manager, Dept. of General Administration (360) 902-7262  
Mark Kinzer, Project Manager, Abacus Engineered Systems (206) 583-0200

For more information please contact: Karen Purtee (360) 902-7194 or email [kpurtee@ga.wa.gov](mailto:kpurtee@ga.wa.gov)  
Visit our web site at <http://www.ga.wa.gov/eas/energy.htm>



# Oregon

Theodore R. Kulongoski, Governor

Construction Contractors Board

[www.oregon.gov/CCB](http://www.oregon.gov/CCB)

Mailing Address:

PO Box 14140

Salem, OR 97309-5052

Street Address:

700 Summer Street NE

Suite 300

503-378-4621

FAX 503-373-2007

TTY 503-373-2218

## CCB LICENSE DETAIL REPORT

**LICENSE: 185390**

### GENERAL INFORMATION

ABACUS RESOURCE MANAGEMENT COMPANY

PO BOX 4189

SEATTLE WA 98194

503-819-5593

LICENSE STATUS: Active

FIRST LICENSED: 02/05/2009

LICENSE EXPIRES: 02/05/2011

ENTITY: Corporation

IND. CONT. STATUS: Nonexempt

### ENDORSEMENTS

COMMERCIAL: CGC2 - General Contractor 2

RESIDENTIAL:

### ADDITIONAL CERTIFICATES / LICENSES

CERTIFIED HOME INSPECTOR: NO

LICENSED LEAD BASED PAINT: NO

### ASSOCIATED NAMES

MARK EVAN KINZER, Corporate Officer

### RESIDENTIAL BOND INFORMATION

COMPANY:

AMOUNT

EFFECTIVE TO:

### COMMERCIAL BOND INFORMATION

COMPANY: TRAVELERS CASUALTY & SURETY CO OF AMER

AMOUNT: \$ 20,000

EFFECTIVE TO: 02/05/2011

### INSURANCE INFORMATION

COMPANY:

HARTFORD CASUALTY INS CO

OCCURANCE / AGGREGATE AMOUNT: \$1,000,000 / \$2,000,000

CANCELLATION DATE: 02/07/2009

### OTHER LICENSE NUMBERS

BIN #: 1374028-6

Company Name: Abacus Resource e Management Co

Special Information: Here is the BIN have a great day

**\*\*\*\*\*CONFIDENTIALITY NOTICE\*\*\*\*\***

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*Karli M Vorderstrasse*

*Registrations Specialist*

*Business Division*

*503-945-8090*



Secretary of State  
Corporation Division  
255 Capitol Street NE, Suite 151  
Salem, OR 97310-1327

Phone:(503)986-2200  
Fax:(503)378-4381  
www.filinginoregon.com

Registry Number: 577200-97  
Type: FOREIGN BUSINESS CORPORATION

Next Renewal Date: 02/05/2010

ABACUS RESOURCE MANAGEMENT COMPANY  
11940 SW FINCH ST  
BEAVERTON OR 97007

### Acknowledgment Letter

The document you submitted was recorded as shown below. Please review and verify the information listed for accuracy.

If you have any questions regarding this acknowledgement, contact the Secretary of State, Corporation Division at (503)986-2200. Please refer to the registration number listed above. A copy of the filed documentation may be ordered for a fee of \$5.00. Submit your request to the address listed above or call (503)986-2317 with your Visa or MasterCard number.

#### Document

APPLICATION FOR AUTHORITY

Filed On  
02/05/2009

Jurisdiction  
WASHINGTON

#### Name

ABACUS RESOURCE MANAGEMENT COMPANY

#### Principal Place of Business

11940 SW FINCH ST  
BEAVERTON OR 97007

#### Registered Agent

STEVE RUBBERT  
11940 SW FINCH ST  
BEAVERTON OR 97007

#### Mailing Address

11940 SW FINCH ST  
BEAVERTON OR 97007

#### President

MARK KINZER  
PO BOX 4189  
SEATTLE WA 98194

#### Secretary

MARK KINZER  
PO BOX 4189  
SEATTLE WA 98194

INFORMATION PAGE

Entity Type: CORPORATION

FEIN: 911380018

Policy No.: WC4-1NC-017226-019

Risk ID No.: DNO

Prior Policy No.:

Suffix: NO1

1. The Insured: ABACUS RESOURCE MANAGEMENT COMPANY

Mailing Address: 11940 SW FINCH ST  
BEAVERTON OR 97007

Other workplaces not shown above:

2. The policy period is from 2/04/2009 to 2/01/2010 12:01 a.m. standard time at the address of the insured as stated above.

3. A. Workers Compensation Insurance: Part One of the policy applies to the Workers Compensation Law of the states listed here: OR

B. Employers Liability Insurance: Part Two of the policy applies to work in each state listed in Item 3.A. The limits of our liability under Part Two are:

Bodily Injury by Accident	\$500,000	each accident
Bodily Injury by Disease	\$500,000	policy limit
Bodily Injury by Disease	\$500,000	each employee

C. Other States Insurance: Part Three of the policy applies to the states, if any, listed here:  
All states except Ohio, North Dakota, Washington, Wyoming

D. This policy includes these endorsements and schedules: (See Extension of Information Page – Item 3D)

4. The premium for this policy will be determined by our Manuals of Rules, Classifications, Rates, and Rating Plans. All information shown on the attached Extension of Information Page – Item 4 is subject to verification and change by audit.

Minimum Premium: \$168  
 Deposit Premium:  
 Total Estimated Policy Premium: \$1,034  
 Reporting Frequency: Annually

Servicing/Issuing Office: PORTLAND

Producer: CUST SERV CNTR (PDX)

Countersigned by: Dexter R. Legg  
 Dexter Legg,  
 Vice President and Secretary

Liberty Northwest Insurance Corporation



# ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE  
12-23-2008

**PRODUCER**  
WELLS FARGO INS SRVCS NW INC/PHS  
815254 P: (866)467-8730 F: (877)905-0457  
PO BOX 33015  
SAN ANTONIO TX 78265

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

**INSURERS AFFORDING COVERAGE**

**INSURED**  
ABACUS RESOURCE MANAGEMENT CO  
PO BOX 4189  
SEATTLE WA 98194

INSURER A: Hartford Casualty Ins Co  
INSURER B:  
INSURER C:  
INSURER D:  
INSURER E:

**COVERAGES**

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A	<b>GENERAL LIABILITY</b>	52 SBM UQ1326	02/07/09	02/07/10	EACH OCCURRENCE	\$1,000,000
	<input type="checkbox"/> COMMERCIAL GENERAL LIABILITY				FIRE DAMAGE (Any one fire)	\$300,000
	<input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR				MED EXP (Any one person)	\$10,000
	<input checked="" type="checkbox"/> <b>General Liab</b>				PERSONAL & ADV INJURY	\$1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:				GENERAL AGGREGATE	\$2,000,000
	<input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC				PRODUCTS - COMP/OP AGG	\$2,000,000
A	<b>AUTOMOBILE LIABILITY</b>	52 SBM UQ1326	02/07/09	02/07/10	COMBINED SINGLE LIMIT (Ea accident)	\$1,000,000
	<input type="checkbox"/> ANY AUTO				BODILY INJURY (Per person)	\$
	<input type="checkbox"/> ALL OWNED AUTOS				BODILY INJURY (Per accident)	\$
	<input checked="" type="checkbox"/> HIRED AUTOS				PROPERTY DAMAGE (Per accident)	\$
<input checked="" type="checkbox"/> NON-OWNED AUTOS						
	<b>GARAGE LIABILITY</b>				AUTO ONLY - EA ACCIDENT	\$
	<input type="checkbox"/> ANY AUTO				OTHER THAN EA ACC	\$
					AUTO ONLY: AGG	\$
A	<b>EXCESS LIABILITY</b>	52 SBM UQ1326	02/07/09	02/07/10	EACH OCCURRENCE	\$1,000,000
	<input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE				AGGREGATE	\$1,000,000
	<input type="checkbox"/> DEDUCTIBLE					\$
	<input checked="" type="checkbox"/> RETENTION \$10,000					\$
A	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b>	52 SBM UQ1326	02/07/09	02/07/10	WC STATU-TORY LIMITS	OTH-ER
					E.L. EACH ACCIDENT	\$1,000,000
					E.L. DISEASE - EA EMPLOYEE	\$1,000,000
					E.L. DISEASE - POLICY LIMIT	\$1,000,000
	<b>OTHER</b>					

**DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS**

Those usual to the Insured's Operations. UBI 601-038-290.

**CERTIFICATE HOLDER**

State of Washington  
Department of Labor and Industries  
Contractors Registration Section  
PO Box 44450  
Olympia WA 98504

**ADDITIONAL INSURED; INSURER LETTER:**

**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE (10 DAYS FOR NON-PAYMENT) TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

**AUTHORIZED REPRESENTATIVE**

*Joe Taylor*

# DALLAS CITY COUNCIL REPORT

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

<i>City of Dallas</i>	<b>Agenda Item No.</b> <b>7 c</b>	<b>Topic:</b> April 3 Special Council Meeting
<b>Prepared By:</b> Emily Gagner	<b>Meeting Date:</b> March 16, 2009	<b>Attachments:</b> Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Approved By:</b> Jerry Wyatt		

**RECOMMENDED MOTION:**

Set a special City Council to adopt a resolution to extend the Dallas, Independence, Monmouth Enterprise Zone.

**BACKGROUND:**

The Dallas, Independence, Monmouth Enterprise Zone expires on July 1, 2009. We have the opportunity to re-apply for the designation with OECD, with applications due no later than April 3. Each applicant is required to have a meeting with all affected local taxing districts not sooner than 21 days after sending notice of the meeting. That meeting can occur “not less than seven days before the adoption of a resolution of application...” Due to some technical issues working with all the entities, we were unable to send the meeting notice out until March 6, with a meeting held on March 27. The OAR states we cannot adopt the resolution of application for the Enterprise Zone renewal earlier than seven days after that meeting, which in this case would mean not earlier than April 3 – the day the application is due. In order to adopt a resolution in time for the application deadline, the Council will need to hold a special meeting on the morning of Friday, April 3, for the sole purpose of voting on the resolution.

**FISCAL IMPACT:**

A successful application could potentially attract businesses to Dallas.

**ATTACHMENTS:**

None

# 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> City Historian Update
<b>Prepared By:</b> Emily Gagner	<b>Meeting Date:</b> March 16, 2009	<b>Attachments:</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Approved By:</b> Jerry Wyatt		

RECOMMENDED MOTION:

None

BACKGROUND:

In December of 2007, the Council agreed to have Sue Rohde become the City Historian, and asked her to provide reports to the Council as needed.

Sue will provide a progress report to the Council at the meeting on Monday.

FISCAL IMPACT:

None

ATTACHMENTS:

None



**AGENDA**  
**City of Dallas Planning Commission**

**TUESDAY, March 10, 2009 - 7:00 p.m.**  
**City Hall Council Chambers**  
**187 SE Court Street**

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**Planning  
Commission**

President  
Chuck Lerwick

Vice President  
Dave Pederson

Commissioner  
Bob Wilson

Commissioner  
Doris Stefani

Commissioner  
Carrie Mendell

Commissioner  
Carol Kowash

Commissioner  
Murray Stewart

**Staff**

City Manager  
Jerry Wyatt

City Attorney  
Lane Shetterly

Community  
Development Director  
Jason Locke

Planner  
John Swanson

Recording Secretary  
Laurie Roberts

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF MINUTES - Regular meeting of January 13, 2009
4. SWEARING IN NEW APPOINTED MEMBER
5. PUBLIC COMMENT – This is an opportunity for citizens to speak to items not on the agenda (3 minutes per person please.)
6. PUBLIC HEARINGS
7. OTHER BUSINESS
  - A) Update on Code Assistance and Wyatt Node Projects
  - B) Sign Code discussion
  - C) \_\_\_\_\_
  - D) \_\_\_\_\_

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Dallas City Hall is handicapped-accessible. Any requests for accommodation should be made at least 48 hours before the meeting to the Community Development Department, 503-831-3565 or TDD 503-623-7355.

For questions or comments on the agenda, contact: John Swanson at 503.831.3572 or john.swanson@ci.dallas.or.us

**Dallas Public Library  
Monthly Report for February 2009**

**Circulation Statistics**

<b>Adult</b>	<b>Feb 2009</b>	<b>Feb 2008</b>	<b>Children</b>	<b>Feb 2009</b>	<b>Feb 2008</b>
<b>Print Materials</b>	7002	7426	<b>Print Materials</b>	2241	2940
<b>Books on Tape/CD</b>	524	568	<b>Books on Tape/CD</b>	151	207
<b>AV Materials</b>	1328	1180	<b>AV Materials</b>	783	770
<b>Misc. items</b>	1019	1353			
<b>2009 Year to Date</b>	<b>20,581</b>		<b>2009 Year to Date</b>	<b>6840</b>	
<b>Remote Renewals</b>	<b>828</b>		<b>2009 Year to Date</b>	<b>1585</b>	
<b>Combined Total</b>	<b>29,006</b>				

**Additional Activity**

	<b>February 2009</b>	<b>February 2008</b>	<b>Year to Date 2009</b>
<b>Non-Resident User Fees</b>	\$ 460.00	\$ 590.00	\$ 1480.00
<b>Fines Collected</b>	\$ 749.65	\$ 762.43	\$ 1484.10
<b>Photocopies</b>	\$ 136.76	\$ 118.95	\$ 194.16
<b>Reference Questions</b>	1047	1276	2151
<b>Volunteer Hours</b>	279	256.5	528

**Registered Patrons – February 2009**

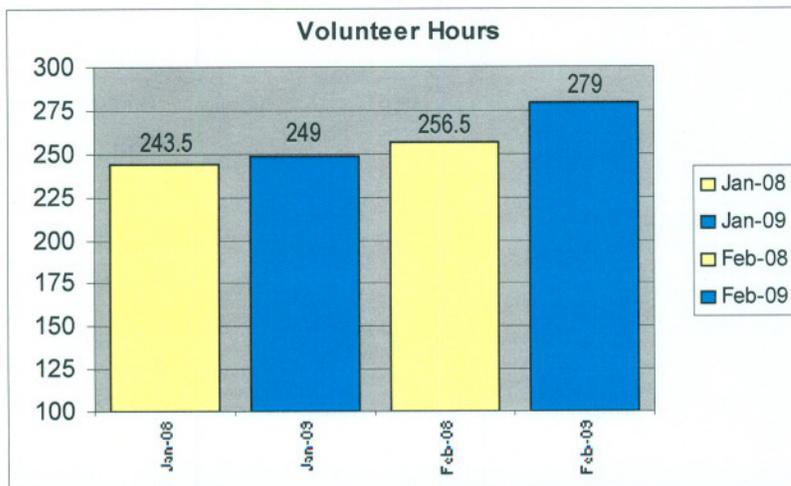
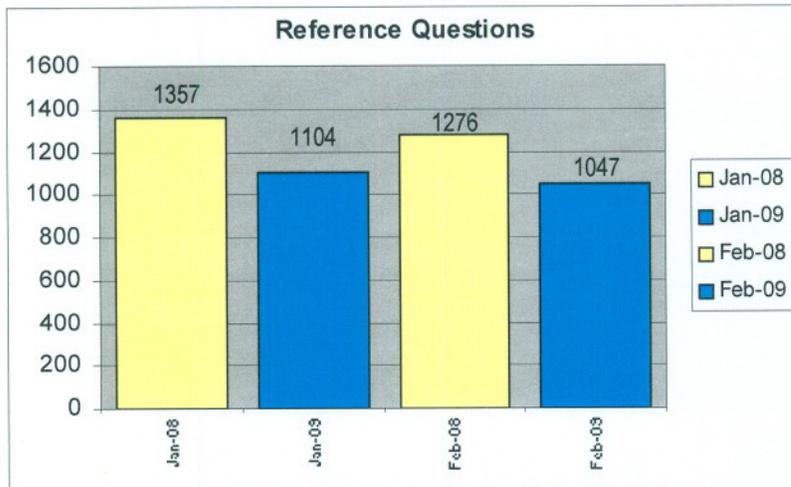
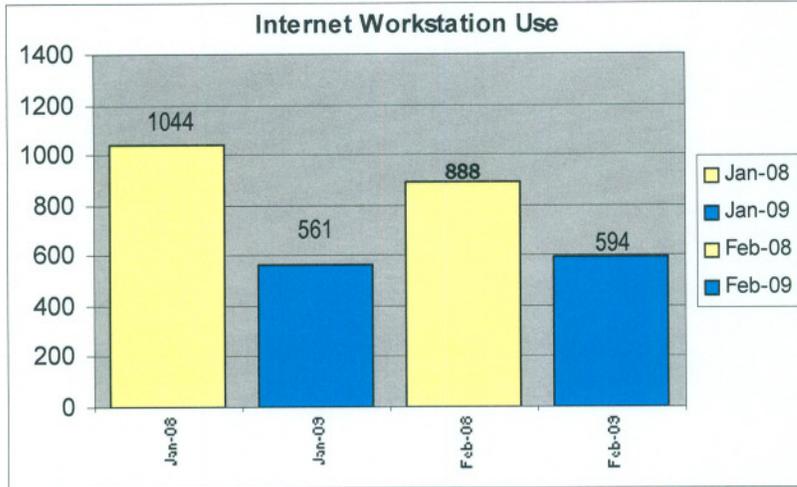
<b>City Residents</b>		<b>Non-Resident – Fee Paid</b>		<b>Non-Resident - Restricted</b>	
Adult	5726	Adult	382	Adult	1354
Child	1653	Child	80	Child	431
YA (12-17)	530	YA (12-17)	19	YA (12-17)	98
<b>Total</b>	<b>7909</b>	<b>Total Fee</b>	<b>481</b>	Kids C.A.R.E.	464
				<b>Total Restricted</b>	<b>2347</b>
<b>Non-Resident Total</b>	<b>2828</b>				
<b>Total Registered Patrons</b>	<b>10,737</b>				

In the Children's Room, Winter Sessions of Infant/Toddler and Preschool Storytimes continue to be popular. A total of 271 attendees participated in Storytime. Class visits brought in 63 students, and a special Valentine's event had 15 children creating unique and artistic valentines. In all, 349 attended these fun and interactive programs for children and their parents/caregivers.

The Self Check system continues to be popular with patrons of all ages. Volunteers have been working with patrons, assisting them with learning about this wonderful new resource.

EBSCO, our magazine database, logged 388 searches in February. This easy to user friendly resource is well used by patrons of all ages.

## Dallas Public Library Monthly Report for February 2009



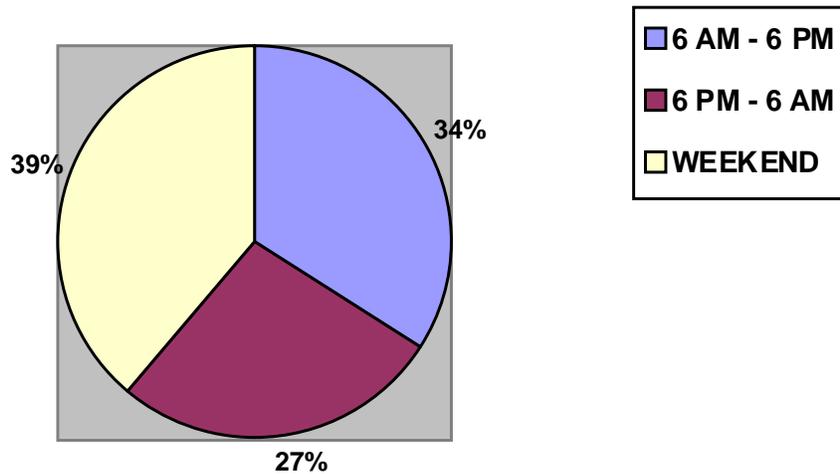
COUNCIL REPORT – FEBRUARY 2009

To: Mayor & City Council Members

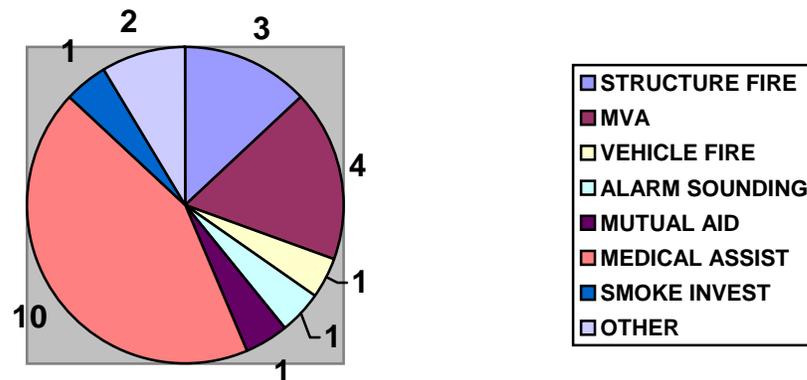
From: Fire Chief

Dallas Fire Department:

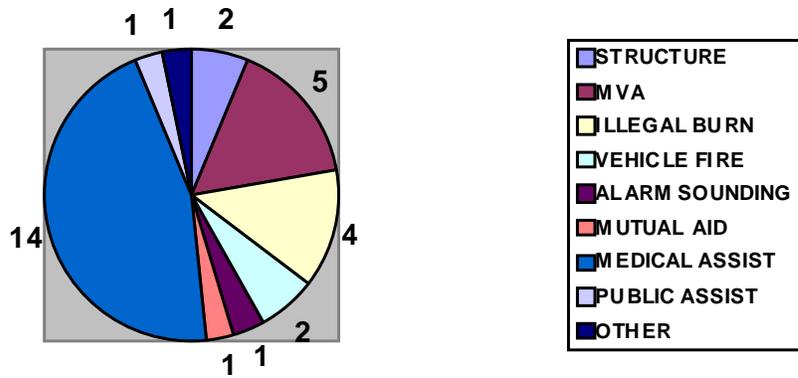
Station 100 responded to 41 calls of which 14 were between 6 AM – 6 PM, 11 between 6 PM – 6 AM and 16 during the weekend.



City Responded to the following incidents during the month from station 100.

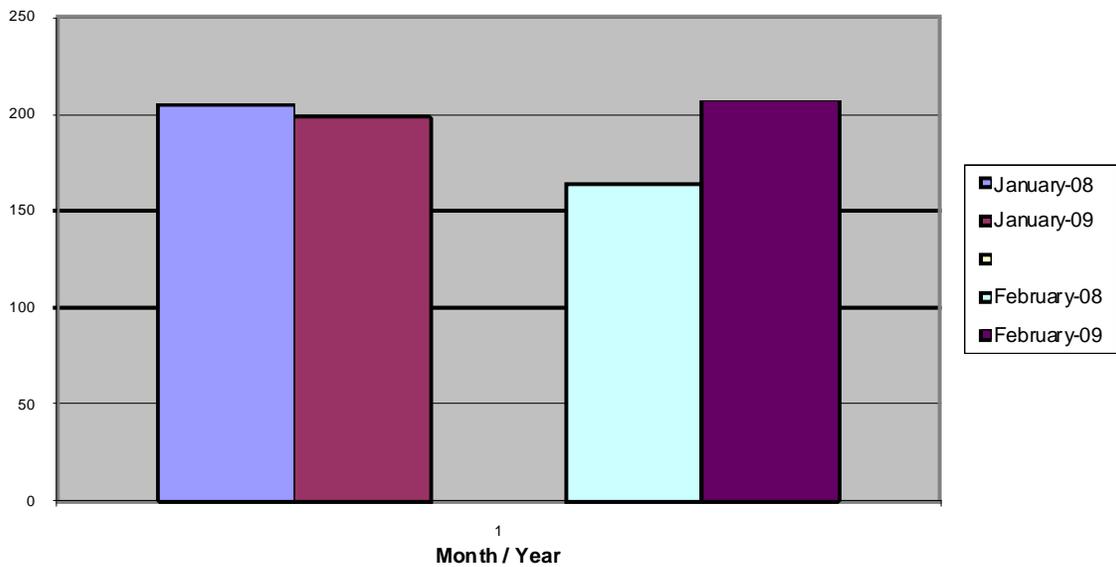


Rural responses by station 110 during the month were for the following incidents.



Dallas Emergency Medical Service:

EMS Response Comparison



# MEMORANDUM

## *DALLAS POLICE DEPARTMENT MONTH OF FEBRUARY '09*

**TO: JERRY WYATT**

**MARCH 16, 2009**

**FROM: INTERIM CHIEF TOM SIMPSON**

- Interim Chief attended the two-day OACP winter Executive Leadership Training Seminar in Seaside
- CSO Croll setup and staffed the police department's presentation for the City Hall open house. Capt. Stevenson assisted with staffing the booth.
- CSO Pendley attended a training on Animal Control in Portland on February 23 – 27.

## FEBRUARY 2009

The following is a summary of traffic violations committed:

39	Speeding Violations
17	License Violation
16	Insurance Violations
16	Moving Violations
15	Fail Wear Seat Belt
07	All Other

### Investigations / Calls for Service by this Department

32	Animal Ordinance Offenses	Clear by Arr	08
03	Assaults	Clear by Arr	02
04	Burglary	Clear by Arr	03
20	Criminal Mischief	Clear by Arr	01
01	Disorderly Conduct	Clear by Arr	01
07	DUII	Clear by Arr	07
02	Driving While Suspended	Clear by Arr	02
02	Drug Offenses	Clear by Arr	04
10	Fail Carry Present License	Clear by Arr	10
03	Furnishing Alcohol to Minor	Clear by Arr	03
09	Harassment	Clear by Arr	02
01	Interference Police Officer	Clear by Arr	01
18	Minor in Possession Alcohol	Clear by Arr	17
01	Public Indecency	Clear by Arr	01
01	Recklessly Endangering	Clear by Arr	01
13	Runaway	Clear by Arr	08
01	Tampering With Witness	Clear by Arr	01
29	Thefts	Clear by Arr	08
03	Trespass	Clear by Arr	02
12	Unlawful Entry Motor Veh	Clear by Arr	12
21	Unnecessary Noise	Clear by Arr	01
10	Warrants	Clear by Arr	10

85	Assist Public
72	Assist Law
31	Suspicious Activity
27	Suspicious Vehicles
10	Suspicious Persons
11	False Alarms
15	Civil Issues
08	Hit & Run Accidents
10	Accidents (other)
10	Disturbances

- 16 Domestic Disturbances
- 13 911 Hang up
- 13 Welfare Checks
- 02 Assist Traffic
- 18 FIR (Field Investigation Report)

**Arrests by this Department**

- 08 Animal Ordinance Offenses
- 02 Assault
- 02 Criminal Mischief
- 01 Disorderly Conduct
- 07 DUII
- 04 Drug Offenses
- 02 Driving While Suspended
- 10 Fail Carry & Present License
- 03 Furnishing Alcohol to Minor
- 02 Harassment
- 01 Interference Police Officer
- 17 Minor in Possession Alcohol
- 01 Public Indecency
- 02 Reckless Endangering
- 08 Runaway
- 01 Tampering With Witness
- 08 Thefts
- 02 Trespass
- 12 Unlawful Entry Motor Vehicle
- 10 Warrants

**103 TOTAL ARRESTS** (Arrests for February '08: 88)

**TOTAL CALLS FOR SERVICE: 901 (Last yr: 833 )**  
                                   161 Incident Reports  
                                   740 Event Reports

**JUVENILES**

Seventeen juveniles were referred to juvenile authorities for their actions

# DEPARTMENT OF PUBLIC WORKS

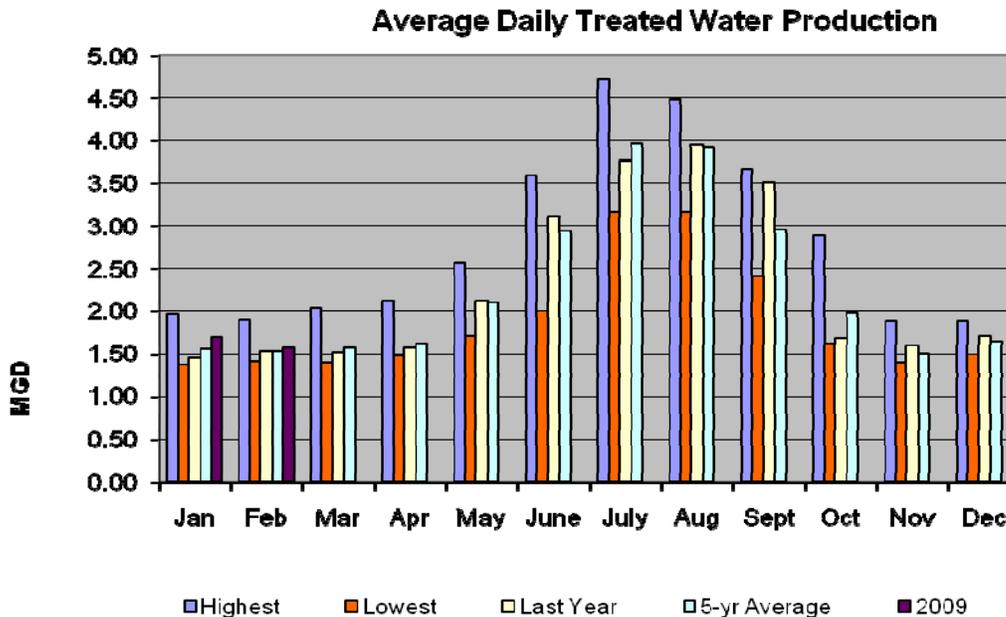
## Monthly Report for February 2009

### Water Division

	<u>2009</u>	<u>Unit</u>		<u>2008</u>	<u>Unit</u>
Total Discharge to Town	43.75	MG		44.63	MG
Total Water Raw	49.99	MG		53.38	MG
Peak Day	(2-10) 2.16	MG	02/02/08	2.43	MG
Daily Average-Raw	1.78	MGD		1.93	MGD
Daily Average-City	1.56	MGD		1.64	MGD
Backwash Water	2.90	MG		2.42	MG
Filter to Waste	.69	MG		.67	MG
Flushing	0	MG		0	MG
Discharge Water	.10	MG		.10	MG
ASR Injection	6.58	MG		6.36	MG
Average High Temp	50 °	F		51.2 °	F
Average Low Temp	32 °	F		37.4 °	F
Total Precipitation	2.90	Inches		5.33	Inches

### Mercer Dam and Watershed:

Reporting normal. Visual inspections were done on. Walking inspections were done on.



# Wastewater Division

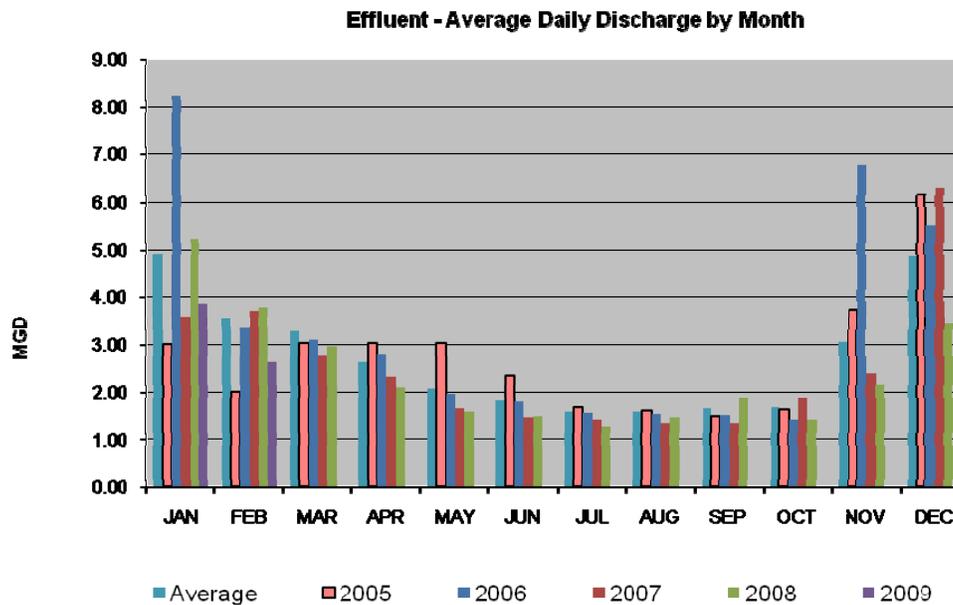
## Effluent Flow

	<u>2009 Units</u>	<u>2008 Units</u>
Monthly Total Flow	73.50 MG	109.86 MG
Peak Day Flow (Feb. 26)	5.16 MG	(Feb. 2) 10.26 MG
Daily Average Flow	2.63 MG	3.79 MG

## Plant Maintenance

- ✓ Digester transfer pump maintenance repairs
- ✓ Continual communication with Trajan technical services for UV System repair
- ✓ Pacific Power reports power received at plant even with no spikes
- ✓ Facility electrical manholes pumped of standing ground water
- ✓ Consultant modified influent pumping program

## Plant Performance



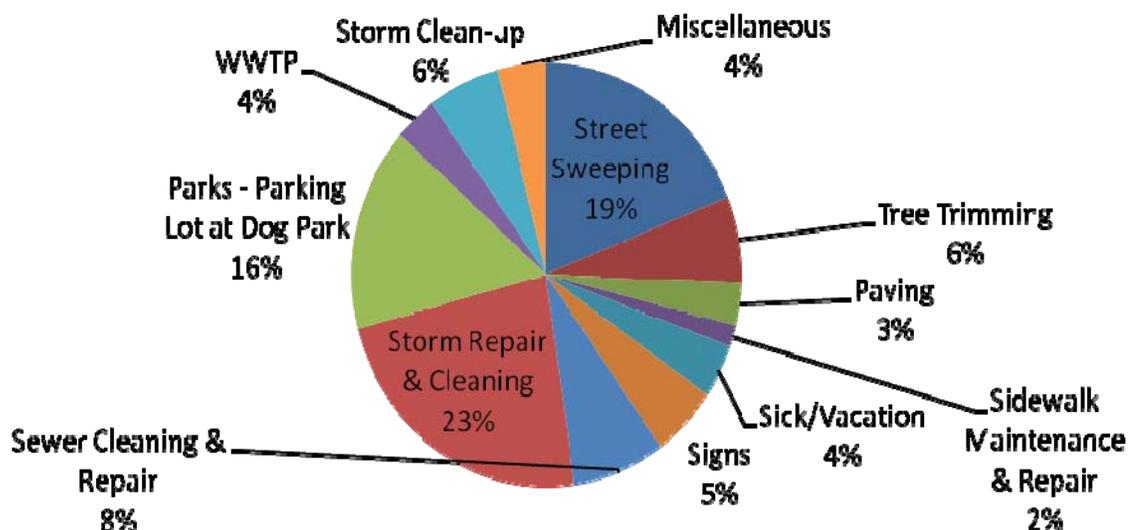
The wastewater plant is ten years old and showing signs of equipment wear and tear. The headworks screening system has seen breakdowns this month from the years of screening influent containing rocks, rags, and hard plastics. The submersible digester transfer pump stopped pumping from a seal leak to the electrical coils; the pump is repaired and returned to service. The ultraviolet (UV) disinfection system has been performing erratically due to technical issues. A UV system certified technician will arrive in a week or two to handle the technical issues.

## Parks

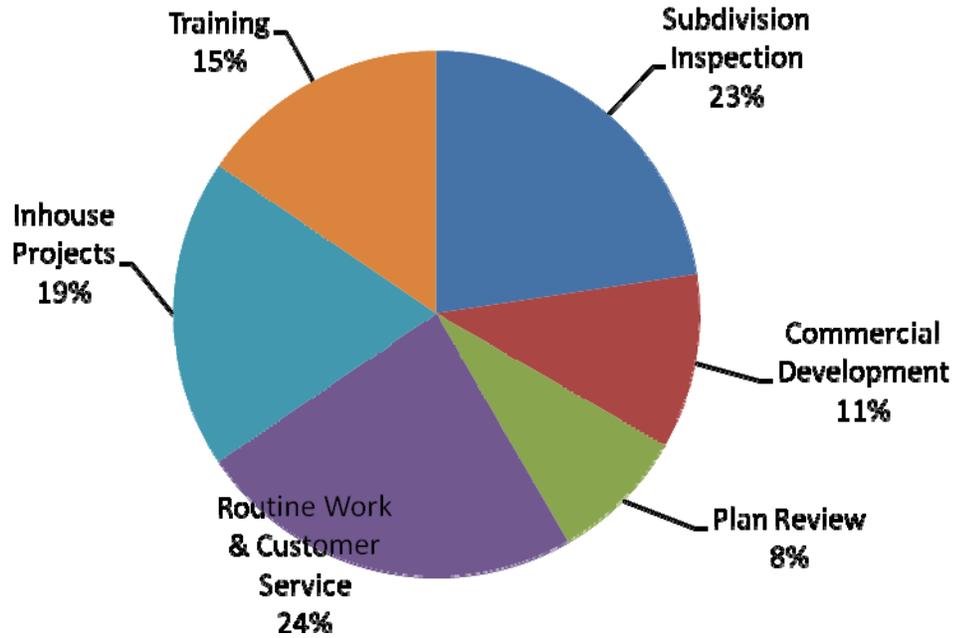
The Parks department provided the following routine services:

- ✓ Cleaned leaves from shrub beds
- ✓ Regular mowing of all parks
- ✓ Monthly safety check of playground equipment on February 20
- ✓ Mulch or accumulate leaves from lawn areas
- ✓ Removed leaves from trails
- ✓ Prune or remove trees
- ✓ Pick up fallen limbs
- ✓ Prune shrubs
- ✓ Equipment service checked and/or repaired
- ✓ Continue storm damage cleanup
- ✓ Complete construction at Rotary Park
- ✓ Prepare site for old pool demolition
- ✓ Remove three stumps
- ✓ Replace dead trees on Ellendale
- ✓ Construct fence between Rotary Park and Property at 368 NE Fern Avenue

## Street and Construction Division



# Engineering



# Shop Services

