



# Dallas City Council Agenda

Monday, April 6, 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 March 16, 2009, Council meeting and the April 3, 2009 Special Council meeting. (p. 3)	Approval
4. REPORTS OR COMMENTS FROM THE COUNCIL MEMBERS	
a. Report of the March 23 Administrative Committee meeting (Ken Woods, Jr., Chair) (p. 7)	Information / Motion
b. Report of the March 23 Public Safety Committee meeting (LaVonne Wilson, Chair) (p. 36)	Information / 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>	
7. REPORTS OF SPECIAL COMMITTEES AND CITY OFFICERS City Manager's Reports	
a. Introduction of new Police Chief	Information
b. Tree City USA Designation (p. 43)	Information
c. Dallas Arbor Day Activities (p. 45)	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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- d. Legislative Committee Review (p. 47) Information
- e. Household Hazardous Waste collection event (p. 51) Information
- f. General Information Guide Development (p. 53) Information
- g. Representative Thompson Town Hall Meeting (p. 55) Information
- h. Water and Wastewater Treatment Plant Tours (p. 56) Information
- i. "Name that Dog Park" Contest Announcement (p. 57) Motion
- j. SEI and QPOD Reminder (p. 58) Information
- k. Community Development and Aquatic Center reports for the month of February (p. 59) Information
- l. Other

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## 8. COMMUNICATIONS AND PETITIONS

- a. OLCC Change of Ownership Application (p. 61) Motion
- b. Dallas Cruisers Request (p. 67) Motion

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## 9. RESOLUTIONS

- a. Resolution No. 3179 – A Resolution approving changes in rates for refuse collection service and repealing Resolution No. 3153. (p. 69) Roll Call Vote

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## 10. FIRST READING OF ORDINANCE

- a. Ordinance No. 1702 - An Ordinance amending provisions of the Dallas City Code Section 4.486, relating to service of city water to property outside city limits. (p. 73) First Reading

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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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**DALLAS CITY COUNCIL**  
**Monday, March 16, 2009**  
**Council Chambers**

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The Dallas City Council met in regular session on Monday, March 16, 2009, at 7:00 p.m. in the Council Chambers of City Hall with Council President Brian Dalton presiding.

**ROLL CALL**

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

Also present were: City Manager Jerry Wyatt, City Attorney Lane Shetterly, Assistant City Manager Kim Marr, Interim Police Chief Tom Simpson, Fire Chief Bill Hahn, Community Development Director Jason Locke, Finance Director Cecilia Ward, and Recording Secretary Emily Gagner.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Council President Dalton led the Pledge of Allegiance to the Flag.

**APPROVAL OF MINUTES**

Council President Dalton declared the minutes of the March 2, 2009, Council meeting approved as presented.

**REPORTS OR COMMENTS FROM COUNCIL MEMBERS**

There were no reports or comments from the Council members.

**QUESTIONS OR COMMENTS FROM THE AUDIENCE**

Janette Sinclair, of L'Attitude Point One explained she wanted to let the Council know of her marketing plans for her restaurant, noting she is trying to make it a destination. She indicated she recently had the opportunity to go to Seattle to participate in "Flavors of Seattle," which benefits the American Liver Foundation. Ms. Sinclair stated nineteen chefs participated in the event and many people there asked where Dallas was. She indicated she is trying to attract to Dallas the culinary tourism business that is out there and growing.

Tammy Mazon, Food Stamp Resource Coordinator for Marion, Polk and Tillamook Counties passed out an informational flyer about senior food stamp benefits for the Council's information. She indicated her office recently applied for a grant to allow them to open non-traditional sites in Marion, Polk, and Tillamook Counties, including one at the Monmouth Senior Center. She stated the second part of the grant was to develop an application for any benefits from social services that can be filled online. The food stamp application will be available online in May.

Chelsea Pope, Executive Director of the Dallas Area Chamber of Commerce, thanked the Council and City staff for including the Chamber and Visitors Center in the City's Open House. She stated she heard it went well and was very informative, and she is looking forward to hopefully doing it annually. Ms. Pope also thanked Mr. Wyatt for speaking at the Chamber luncheon, noting everyone is very impressed with where the City is going, and everyone at the City is doing a great job.

**PUBLIC HEARINGS**

**REPORTS OF SPECIAL COMMITTEES AND CITY OFFICERS**

**COUNCIL GOALS REVIEW**

Mr. Wyatt noted staff did separate out the internal goals from the one year Council goals. He indicated if the Council had additional comments or modifications, he is willing to work on them, but if they are okay, he is looking for the Council to adopt the Goals.

Councilor Shein moved to adopt the 2009-10 Council Goals. The motion was duly seconded and **CARRIED UNANIMOUSLY** with Council President Brian Dalton, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor David Shein, Councilor LaVonne Wilson, and Councilor

1 Ken Woods, Jr. voting YES.

2 AQUATIC CENTER EEM PROJECT CONTRACT AWARD

3 Mr. Locke stated the City received two proposals in response to our Request for Proposals (RFP)  
4 for energy efficiency upgrades at the Dallas Aquatic Center. Upon review of the proposals, it  
5 was determined that one was responsive to the requirements contained in the RFP. That  
6 responsive proposal was submitted by Enertia Energy, which was then reviewed and found to be  
7 satisfactory. Subsequent to that, the City sent a Notice of Intent to Award with no protests  
8 received. After the notice was sent, City staff met with the owner and president of Enertia  
9 Energy and they informed us that there were issues with their ability to bond for the project. The  
10 President of Enertia has a company called Abacus Resource Management, which is also an  
11 energy monitoring firm that has been in business since 1987 and he proposed transferring the  
12 contract to that company. The City has received extensive documentation on Abacus, including  
13 references and resumes. Mr. Locke reported that after extensive checking, staff is satisfied that  
14 Abacus has the ability to assume the contract. He noted the contract that was included in the  
15 RFP did make allowances for the assignment of the contract. Mr. Locke recommended the  
16 contract be awarded to Enertia with the understanding that it will be assigned to Abacus  
17 Resource Management. He explained that most or all of the employees at Enertia Energy will be  
18 moving to Abacus, and Abacus will still have to provide insurance and bonding. Mr. Locke  
19 stated if this project is delayed, it could cost the City about \$75,000.

20 Councilor Wilson asked City Attorney Shetterly if he was comfortable that the City will receive  
21 the appropriate bonding. Mr. Shetterly explained appropriate bonding is a condition of the  
22 contract, so Abacus must provide a bond, proof of liability insurance, and the identity of the  
23 individuals at the helm just as if they were the original successful bidder. He indicated he has  
24 also talked to legal counsel for Abacus to make sure everything is okay.

25 Councilor Marshall asked if Abacus was never fully formed and had no history. Mr. Locke  
26 stated Abacus has been in business since 1987.

27 Councilor Wilson moved to accept the proposal from Enertia Energy, Inc. and authorize the City  
28 Manager to award a contract to Enertia Energy, Inc. for the Dallas Aquatic Center Energy  
29 Efficiency project in the amount of \$632,682, subject to approved change orders, and with the  
30 understanding that the contract may be assigned to Abacus Resource Management, subject to  
31 review by the City Manager and City Attorney to ensure all legal issues are addressed and risks  
32 minimized. The motion was duly seconded and CARRIED UNANIMOUSLY with Council  
33 President Brian Dalton, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor David  
34 Shein, Councilor LaVonne Wilson, and Councilor Ken Woods, Jr. voting YES.

35 APRIL 3 SPECIAL COUNCIL MEETING

36 Mr. Wyatt explained that the City of Dallas has an enterprise zone along with Monmouth,  
37 Independence and Polk County which is up for renewal. He noted we have been working with  
38 those other entities on the renewal process which is quite complicated. All three cities plus Polk  
39 County must pass a resolution stating we want to continue with the enterprise zone and we all  
40 have to meet the deadlines. April 3 we must have a special meeting and would like to have it as  
41 early in the day as possible with the sole purpose of passing the Resolution. That will allow us to  
42 deliver the application to Salem on April 3 so we can continue the enterprise zone.

43 Councilor Lawson moved to set a special City Council meeting at 8:30 a.m. on April 3 to adopt a  
44 resolution to extend the Dallas, Independence, Monmouth Enterprise Zone. The motion was  
45 duly seconded and CARRIED UNANIMOUSLY with Council President Brian Dalton,  
46 Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor David Shein, Councilor  
47 LaVonne Wilson, and Councilor Ken Woods, Jr. voting YES.

48 CITY HISTORIAN UPDATE

49 Mr. Wyatt introduced Sue Rohde, the City Historian. Ms. Rohde explained that she was here to  
50 update the Council on what she has been doing. She showed a binder that contained the results  
51 of her work putting together a timeline. She indicated it has been a lot of fun, and noted every  
52 time she writes something down, it gives her an idea of other things she could do. She passed  
53 out a brochure that was put together as a result of creating the timeline and explained it will be  
54 handed out all around town. She indicated the brochure is not meant to be all-inclusive but just  
55 includes memorable or important events in our history.

1 The Council consensus was positive on Sue's work and the brochure. She indicated the brochure  
2 will be available during Summerfest and she will place some at the Polk County Museum.  
3 Councilor Wilson suggested having them available at the Capitol.

4 Ms. Rohde stated she is going to create a couple of presentations that can be delivered to various  
5 places in town, along with a portable tri-fold display. She indicated the information would work  
6 well on the City web page.

7 Councilor Shein stated he would like to see the City establish a physical museum space  
8 somewhere in town.

9 **AUDITORS REPORT REVIEW**

10 Mr. Wyatt stated he would like to clarify the auditor's report from the previous meeting when he  
11 was talking about expenditures exceeding revenues by \$1.5 million. He indicated the difference  
12 came about because we had a couple projects for which the expenditures happened in one fiscal  
13 year but the revenue came in the previous year.

14 Councilor Shein restated the issue as a citizen saving money over a few years to buy a car. The  
15 expenditure is all at one time, but there was money saved up for years.

16 **REPORT ON THE MARCH 10, 2009 PLANNING COMMISSION MEETING**

17 Mr. Wyatt reviewed the Planning Commission agenda from the March 10 meeting, noting there  
18 were no public hearings.

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

20 There were no questions on the department reports.

21 **OTHER**

22 **COMMUNICATIONS AND PETITIONS**

23 **RESOLUTIONS**

24 **FIRST READING OF ORDINANCE**

25 **SECOND READING OF ORDINANCE**

26 **OTHER BUSINESS**

27 There being no further business, the meeting adjourned at 7:50 p.m.

28 Read and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2009.  
29  
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31 \_\_\_\_\_  
32 Mayor

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34 **ATTEST:**

35 \_\_\_\_\_  
36 City Manager

**DALLAS CITY COUNCIL**  
**Friday, April 3, 2009**  
**Council Chambers**

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The Dallas City Council met in special session on Friday, April 3, 2009, at 8:30 a.m. in the Council Chambers of City Hall with Mayor Jim Fairchild presiding.

**ROLL CALL**

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

Also present were: City Manager Jerry Wyatt, City Attorney Lane Shetterly, Assistant City Manager Kim Marr, Community Development Director Jason Locke, and Recording Secretary Emily Gagner.

**RESOLUTIONS**

**Resolution No. 3177:** A Resolution requesting the Oregon Economic and Community Development Department to authorize designation of the Dallas, Independence, Monmouth Enterprise Zone II as a new Enterprise Zone upon termination of the Dallas, Independence, Monmouth Enterprise Zone, including Polk County as a sponsor.

Councilor Woods stated the title includes Polk County as a sponsor and asked if that was for the old Enterprise Zone or the new one, noting it wasn't clear. Mr. Shetterly stated they are a sponsor for both. Councilor Woods indicated the Resolution lists Jerry Wyatt, City Manager and asked if we wanted it to be that specific. Mr. Shetterly stated it needs to be specific. Councilor Lawson asked if the Enterprise Zone was only for the property listed or open ended to include everywhere anytime in the future. Mr. Shetterly stated if anyone wanted to add land, it would take another resolution to amend the Enterprise Zone.

A roll call vote was taken and Mayor Fairchild declared Resolution No. 3177 to have PASSED BY A UNANIMOUS VOTE with Council President Brian Dalton, Councilor Jackie Lawson, Councilor David Shein, Councilor Dave Voves, Councilor LaVonne Wilson, and Councilor Ken Woods, Jr. voting YES.

**Resolution No. 3178:** A Resolution of the City of Dallas authorizing a grant application under the Oregon Parks and Recreation Department Local Government Grant Program for park improvements on the Rickreall Creek Trail System.

Councilor Shein asked what work the grant would cover. Mr. Wyatt indicated it would be for construction of the trail section that runs from LaCreole Drive to the east end of Hawthorne Avenue south of Barberry.

A roll call vote was taken and Mayor Fairchild declared Resolution No. 3178 to have PASSED BY A UNANIMOUS VOTE with Council President Brian Dalton, Councilor Jackie Lawson, Councilor David Shein, Councilor Dave Voves, Councilor LaVonne Wilson, and Councilor Ken Woods, Jr. voting YES.

There being no further business, the meeting adjourned at 8:35 a.m.

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

\_\_\_\_\_  
Mayor

ATTEST:

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

## **POST MEETING AGENDA**

### **ADMINISTRATIVE COMMITTEE**

Monday, March 23, 2009

4:00 p.m.

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

1. Allied Waste Rate Increase Request

**Recommend approval of Resolution on the April 6, 2009 agenda**

2. Outside of City Water Policy

**Recommend approval of Ordinance which is on April 6, 2009 agenda for first reading**

3. Water Rate Increase

**Recommend approval of Resolution (to be placed on April 20, 2009 agenda)**

4. Water Policy – on's and off's

**Recommend approval of policy**

5. Transportation Utility Fee

**On hold until late summer 2009**

6. Finance Director's Report

7. Assistant City Manager's Report

8. Other

9. Adjourn

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3 Members Present: Chair Ken Woods, Jr., Brian Dalton, and Jackie Lawson. Members excused: Warren  
4 Lamb and LaVonne Wilson.

5 Also Present: Mayor Jim Fairchild, City Manager Jerry Wyatt, Assistant City Manager Kim Marr,  
6 Finance Director Cecilia Ward, City Attorney Lane Shetterly, Public Works Director Fred Braun,  
7 Recording Secretary Emily Gagner, and Chuck Lerwick.

8 Chair Woods called the meeting to order at 4:00 p.m.

9 **Allied Waste Rate Increase Request**

10 Mr. Wyatt explained that Mr. Lerwick was present to answer any questions the Committee may have. Mr.  
11 Lerwick indicated he did tell the Council last year he may need to come back for another increase, and  
12 stated the increase would total \$24.60 per year for a 32-gallon cart. Mr. Lerwick reported that the markets  
13 have tanked; the price for recyclables went from \$82 per ton to \$17 per ton plus a \$25 processing fee, so  
14 he is actually losing money. He indicated landfill costs have jumped to \$32 per ton. He stated he has lost  
15 60% of his roll-off business and the loss of Weyerhaeuser will hurt as well. Mr. Lerwick stated he  
16 wouldn't be requesting the increase if he didn't need it.

17 There was some discussion about dropping the yard waste pickup or charging extra for that service. Mr.  
18 Lerwick stated the yard debris program has been very successful.

19 Councilor Dalton stated Allied Waste had a rate increase a few months ago and are now back, which is  
20 awkward. He asked if Mr. Lerwick would be back in 6 or 8 months for another increase. Mr. Lerwick  
21 stated he couldn't say that in good faith. Mr. Wyatt indicated Mr. Lerwick has been up front and honest  
22 about the need for a rate increase. After a lot of discussion among the committee members, he recom-  
23 mended we go ahead with the increase.

24 Councilor Dalton moved to recommend to the Council to allow the increase requested by Allied Waste  
25 with an emphasis on the amount of increase, not the percentage. The motion was duly seconded and  
26 CARRIED BY A MAJORITY with Councilor Dalton and Councilor Woods voting YES and Councilor  
27 Lawson voting NO.

28 Councilor Woods stated he would like to take a look at a backyard burning ban to encourage more recy-  
29 cling. He indicated he is concerned about garbage cans sitting out at the curb 24/7, which is an eyesore.  
30 Mr. Lerwick stated he doesn't want to be the police, but if an Ordinance was passed his staff would help  
31 by calling in violations. He indicated he would support an Ordinance controlling the receptacles left at  
32 the curb. Chair Woods stated he would like to discuss that at the next Administrative Committee meeting.

33 **Outside of City Water Policy**

34 Mr. Wyatt explained this was previously discussed at a Council workshop and has to do with water ser-  
35 vice in the Urban Growth Boundary (UGB), outside of City limits. He stated staff wants to clarify the  
36 policy so that when people come in it is easy to understand. Mr. Wyatt reviewed staff recommendations  
37 and the five conditions that would need to be met.

38 In response to a question, Mr. Wyatt reviewed the areas that would fall under the new policy. Councilor  
39 Lawson asked if the people requesting outside of city water would also need to connect to the sewer. Mr.

1 Braun explained they would stay on their septic system until they are brought into the City limits, at  
2 which time they must connect to the sewer. Mayor Fairchild asked if there was a limitation to how many  
3 water connections one address could have. Mr. Wyatt stated that falls under the rules of the urban growth  
4 management agreement.

5 Councilor Dalton moved to forward this Ordinance to the full Council with a recommendation for approv-  
6 al. The motion was duly seconded. Councilor Lawson asked if this excluded commercial businesses.  
7 Mr. Shetterly stated he would add a restriction to the policy that it was for residential purposes only.  
8 Councilor Dalton amended his motion to include that the policy is for residential purposes only. The mo-  
9 tion CARRIED UNANIMOUSLY with Councilor Dalton, Councilor Lawson, and Councilor Woods vot-  
10 ing YES.

### 11 **Water Rate Increase**

12 Mr. Braun stated that at the time he went through the budgeting process for the current fiscal year, he con-  
13 templated an 8% water rate increase primarily to give the City a method for paying for the state revolving  
14 loan for the water transmission line and new finished water tank. He noted the base rate after the increase  
15 would be \$15 per month for the first 300 cubic feet (cf) of water plus \$1.70 for each additional 100 cf. He  
16 stated the average consumer would receive a monthly bill of \$26.90 versus the \$25.00 they pay now,  
17 which is less than a \$2 increase in their bill each month. Mr. Braun recommended the new rates take ef-  
18 fect in June 2009 when the reduced summer rates take effect. He indicated the industrial and commercial  
19 rates will also increase 8%. Mr. Braun stated staff has gotten other city's rates and our proposed rate is  
20 very comparable.

21 Councilor Woods asked what the Weyerhaeuser closure will do to the water revenue. Mr. Wyatt stated  
22 they use about \$36,000 of water each year.

23 Councilor Dalton moved to recommend the Council pass the 8% increase in water rates with an effective  
24 date of June, 2009 billings. The motion was duly seconded and CARRIED BY A MAJORITY with  
25 Councilor Dalton and Councilor Woods voting YES and Councilor Lawson voting NO.

### 26 **Water Policy – on's and off's**

27 Ms. Ward stated staff got together to compose an official water on/off policy. Mr. Braun stated the City  
28 will not charge for emergencies to discourage people from trying to turn their water off themselves. Mr.  
29 Wyatt stated this comes in to play mostly for vacations and communicating to people that they are not al-  
30 lowed to turn their own water back on. Mr. Braun stated the change is mostly for convenience ons and  
31 offs, because it does cost to send the crew out for that, especially on the weekend. He is proposing to  
32 charge a disconnect fee of \$30 to account for the cost of the crew turning the water off and then back on,  
33 including vehicle and staff costs.

34 Councilor Lawson moved to forward the policy to the full Council with a do-pass recommendation. The  
35 motion was duly seconded and CARRIED UNANIMOUSLY with Councilor Dalton, Councilor Lawson,  
36 and Councilor Woods voting YES.

### 37 **Transportation Utility Fee**

1 Mr. Wyatt indicated this was the same information from the previous Council workshop. He stated that  
2 there is a lot on the agenda for rate increases, so timing is critical. He wants to make sure the fees are ap-  
3 propriately spaced out, so this is something the Council needs to look at and study further for timing. Mr.  
4 Wyatt stated he thinks this is something the City needs to implement, but it's just a matter of when. The  
5 consensus of the Committee was to bring the proposal back in late summer or early fall.

#### 6 **Finance Director's Report**

7 Ms. Ward stated she is working on the budget. She indicated two companies will be coming in soon to  
8 present software demonstrations for Mr. Wyatt to view.

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

10 Ms. Marr reported that she has been very busy, noting they completed the Police Chief's assessment and  
11 John Teague from Keizer was selected as the new Police Chief.

#### 12 **Other**

13 Mr. Wyatt stated John Stein, Sue Lamb, and John Barnard are looking to put together a facility to serve  
14 meals to those in need. They have identified a suitable property and are working with the state. They  
15 have requested the City possibly help them through a CDBG application. He indicated there is nothing  
16 concrete yet, but he wanted the Committee to know. He stated he would go to Council as he has more  
17 information.

18 Mayor Fairchild stated he is once again holding the "If I Were Mayor" contest through the local schools,  
19 noting there is no cost to the City for that program.

20 There was no other business and the meeting was adjourned at 4:56 p.m.

## **MEETING AGENDA**

### **ADMINISTRATIVE COMMITTEE**

Monday, March 23, 2009

4:00 p.m.

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

1. Allied Waste Rate Increase Request
2. Outside of City Water Policy
3. Water Rate Increase
4. Water Policy – on's and off's
5. Transportation Utility Fee
6. Finance Director's Report
7. Assistant City Manager's Report
8. Other
9. Adjourn



January 30, 2009

City of Dallas  
187 S.E. Court St.  
Dallas, OR 97338

Dear Mr. Jerry Wyatt, Mayor Jim Fairchild and Members of the Council:

Enclosed is a request for an increase in garbage and collection rates in the City of Dallas. Pending approval, we are requesting an effective date of April 1, 2009

The new rates represent an overall increase of 11.8%. Under this proposal residential rates would increase 13.9%, commercial rates an average of 6.5%, and industrial rates an average of 3.8%.

This request is the result of several factors:

- As I reported to council, recycling commodity prices have fallen precipitously leading to a 9% increase in our recycling disposal costs
- The commingle recycling and yard debris recycling programs lead to customers downsizing their garbage cart size at a greater percentage than anticipated
- The disposal rate at the landfill is increasing 4% on March 1
- CPI was 4% according to the BLS as of mid year 2008
- The yard debris and automated recycling program resulted in higher than anticipated labor and operating costs

Included in the attached information is the following:

- Financial statements showing actual 2008 results, and proforma results for 2009 and 2010, assuming the rate increase is approved and effective on April 1, 2009
- Tables showing current and proposed rates for the services offered in Dallas.
- A table comparing a sample of AW of Dallas' current and proposed rates with those in other Cities of Oregon.

I appreciate the opportunity to present this rate change proposal and look forward to your questions and comments.

Best Regards,

A handwritten signature in black ink that reads 'Chuck Lerwick'.

Chuck Lerwick  
Operations Manager  
Allied Waste of Dallas



Dallas Disposal  
City of Dallas  
Proforma Schedule of Direct Expenses  
For the twelve months ended December 31, 2008, 2009, and 2010

	2008	2009 Projected	2010 Projected	Annualized % Increase
<b>COST OF OPERATIONS</b>				
Labor	383,691	397,341	411,477	3.6%
Repairs and Maintenance	138,062	136,537	141,322	1.2%
<sup>1</sup> Vehicle Operating Costs	141,870	114,667	123,543	-6.5%
Equipment Rent	1,737	1,805	1,875	4.0%
Facility Operating	43,456	45,154	46,919	4.0%
Safety, Insurance and Claims	33,430	34,733	36,088	4.0%
<sup>2</sup> Disposal	341,355	380,623	401,157	8.8%
Recycling Purchases	-	-	-	0.0%
Franchise Fees	66,186	71,791	73,413	5.5%
Other Operating Costs	(554)	3,113	3,234	-341.7%
<sup>3</sup> Depreciation	58,563	135,631	136,753	66.8%
<b>TOTAL COST OF OPERATIONS</b>	<b>1,207,795</b>	<b>1,321,396</b>	<b>1,375,782</b>	<b>7.0%</b>
<b>SALARIES, GENERAL &amp; ADMINISTRATIVE</b>				
Salaries	56,967	58,986	61,077	3.6%
Rent and Office Expense	7,460	7,749	8,050	4.0%
Travel and Entertainment	3,617	3,758	3,904	4.0%
Professional Fees	2,254	2,342	2,434	4.0%
Bad Debt Expense	22,549	24,189	24,735	4.8%
Management Services	70,448	71,363	72,296	1.3%
Other Expenses	42,081	43,696	45,400	3.9%
Depreciation	245	245	245	0.0%
<b>TOTAL SALARIES, GENERAL &amp; ADMINISTRATIVE</b>	<b>205,620</b>	<b>212,328</b>	<b>218,141</b>	<b>3.0%</b>

Explanation of Significant Inflationary Costs:

1) **Fuel Prices** averaged \$3.84 per gallon in 2008. We are projecting fuel rates to average \$3.00 and \$3.25 in 2009 and 2010 respectively.

2) Effective January 1, 2008, **disposal rates** at Coffin Butte increased to \$31.75. The rates will change to \$33.00 on March 1, 2009. Disposal expense includes processing fees charged by Materials Recycling Facilities to bale and ship recycled material. These fees increased as a result of the drop in commodities markets.

3) **Depreciation Expense** on operating equipment is expected to grow in 2009 due a full year's worth of expense related to the capital investment in the co-mingle and yard debris programs. We purchased an additional automated side load vehicle and 8,000 carts.

Dallas Disposal  
City of Dallas  
Proforma Statement of Income  
For the twelve months ended December 31, 2008, 2009, and 2010

	2008	2009 Projected	2010 Projected	Annualized % Increase
Revenue	1,673,103	1,794,778	1,835,337	4.8%
Cost of Operations	1,207,795	1,321,396	1,375,782	7.0%
Gross Profit	465,308	473,383	459,555	-0.6%
Salaries, General and Administrative	205,620	212,328	218,141	3.0%
Operating Income	259,688	261,054	241,413	-3.5%
Provision for Income Taxes	89,592	90,064	83,288	-3.5%
<b>Net Income</b>	<b>170,096</b>	<b>170,991</b>	<b>158,126</b>	<b>-3.5%</b>
<b>Net Income as a Percent of Sales</b>	<b>10.2%</b>	<b>9.5%</b>	<b>8.6%</b>	

Rate Increase Summary:

Commercial = 6.5%  
Industrial = 3.8%  
Residential = 13.9%  
Overall = 9.7%

# Allied Waste of Dallas Proposed Rates February 1, 2009

## Commercial Container Rates for City of Dallas

Size	Current 1/week	Proposed 1/Week	Current 2/week	Proposed 2/Week	Proposed 3/Week	Proposed 3/Week	Current 4/week	Proposed 4/Week	Current 5/week	Proposed 5/Week
1 yd	\$ 76.50	\$ 81.50	\$ 139.50	\$ 148.60	\$ 204.00	\$ 217.30	\$ 268.00	\$ 285.40	\$ 332.00	\$ 353.60
1.5 yd	\$ 95.00	\$ 101.20	\$ 178.90	\$ 190.50	\$ 262.50	\$ 279.60	\$ 346.50	\$ 369.00	\$ 430.40	\$ 458.40
2 yd	\$ 115.50	\$ 123.00	\$ 219.50	\$ 233.80	\$ 323.25	\$ 344.30	\$ 427.00	\$ 454.80	\$ 531.00	\$ 565.50

Additional dumps	Current	Proposed
1 yd	\$ 19.13	\$ 30.38
1.5 yd	\$ 28.69	\$ 35.30
2 yd	\$ 38.25	\$ 40.75

### Locking Containers

One time setup fee of \$40 applies to all locking containers--no proposed change

## Monthly Residential Service Rates for City of Dallas

	Current	Proposed
1 Can	\$ 14.25	\$ 16.20
Each add can	\$ 14.00	\$ 15.30
32 gal cart	\$ 12.75	\$ 14.80
90 gal cart	\$ 21.25	\$ 24.00
2 can special	\$ 6.50	\$ 7.00
Up-drive fee	\$ 15.00	\$ 17.00
On call	\$ 6.50	\$ 8.00
Add'l Can, Bag, Box or overfilled cart	\$ 5.00	\$ 5.50
Yard Cart Only	\$ 7.00	\$ 8.00
Extra Yard Cart	\$ 7.00	\$ 8.00

Additional 32 gallon carts are \$14.80 per month

Additional 90 gallon carts are \$24.00 per month

### Off route service fee

Current - \$17.50 Off route service fee	Proposed \$20.00
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### Temporary Containers - 2 cubic yards

Current - \$46.00 (includes delivery, pickup, and seven days use)"	Proposed \$50.00
Current - \$38.25 per additional dump	Proposed \$40.00

## Industrial Drop Box Rates for City of Dallas

Size	Current Haul Fee	Proposed Haul Fee	Current Delivery Fee	Proposed Delivery Fee	Current Daily Rent	Proposed Daily Rent	Current Monthly Rent	Proposed Monthly Rent
10	\$ 160.00	\$ 166.00	\$ 35.00	\$ 39.00	\$ 12.00	\$ 14.00	\$ 89.00	\$ 92.00
20	\$ 160.00	\$ 166.00	\$ 35.00	\$ 39.00	\$ 12.00	\$ 14.00	\$ 89.00	\$ 92.00
30	\$ 160.00	\$ 166.00	\$ 35.00	\$ 39.00	\$ 12.00	\$ 14.00	\$ 89.00	\$ 92.00
40	\$ 171.50	\$ 178.00	\$ 35.00	\$ 39.00	\$ 12.00	\$ 14.00	\$ 89.00	\$ 92.00

Current \$47.00 to relocate drop box onsite	Proposed \$50
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### Drop Box Compactors

Size	Current Haul Fee	Proposed Haul Fee
30 Cu yd or less	\$ 211.50	\$ 220.00
Greater than 30 Cu yd	\$ 211.50	\$ 220.00

	Current Hourly	Proposed Hourly
Labor Charges	\$ 85.00	\$87.50

### Notes

All drop box rates pay current disposal fees at Coffin Butte Landfill.

All industrial rates are maximum allowable rates charged

All drop box rates pay current Environmental Fee per load at Coffin Butte

Allied Waste  
City of Dallas  
Special Charges

Average Load		Medium Load		Large Load		Extra Large Load	
Current	Proposed	Current	Proposed	Current	Proposed	Current	Proposed
<b>\$19.50</b>	<b>\$22.00</b>	<b>\$22.50</b>	<b>\$24.50</b>	<b>\$25.00</b>	<b>\$27.50</b>	<b>\$30.00</b>	<b>\$33.00</b>
Large Chair or <i>Dishwasher</i> <i>Dryer</i> Kitchen table Push lawn mower Mattress – twin/double Rototiller <i>Hot water heater</i>	Console TV Love seat Mattress – Queen/king 55 gallon drum	Couch <i>Stove/Range</i> <i>Washing machine</i>	Bathtub <i>Freezer</i> Hide-a-bed <i>Refrigerator</i> Lawn mover –riding				
\$13	\$15	\$16	\$18	\$19	\$21	\$23.80	\$26

*Items in italics delivered to Dallas Office for prices in italics above*

**Tires**

Car –(Current \$4.50) \$10 each off rim, (Current \$9) \$15 each with rim  
Truck –(Current \$17) \$25 each off rim, (Current \$22) \$30 each with rim

**Other items or piles:**

(Current \$18.00/cubic yard) \$21.00 per cubic yard of material  
plus (current \$1.50) \$1.55 per minute for one person to load (5 minute minimum)  
and (current \$0.65) \$0.80 per minute for 2nd person if required

Service Interrupt Fee -- \$30 (due to non-payment) no proposed change

Late Payment Fee – 0.75% of overdue balance/maximum of 9% per year no proposed change

Payments returned for nonsufficient funds-\$20 no proposed change

## Rate Comparison

Hauler Name	Current AW Dallas	Proposed AW Dallas	*OR City	**Gresham	Jackson Co.	Ashland	***Rogue Disp (Central Point)	****High Country (Redmond)	Bend Garbage & Rec.
<b>Service Type</b>									
32 gallon cart	\$12.75	\$14.80		\$26.60	NA	NA	\$14.96	\$13.10	\$15.60
90 gallon cart	\$21.25	\$24.00		\$39.05	NA	NA	\$35.18	\$23.67	\$28.80
2 yd 1 X wk	\$115.50	\$123.00		\$139.00	\$109.16	\$111.82	\$130.52	\$115.61	\$138.52
30 yd drop box	160.00 + disp/del	\$166.00 + disp/del	\$338.80	\$185.75 + disp	\$258.99 (25 yd)	\$264.37 (25 yd)	\$409.29 + rent	\$195.00 + disp/rent	\$139.00 + disp/rent

Hauler Name	Salem UGB	Salem Rural	Salem Sparse	City of Salem	Sanipac (Eugene)	Sunset (Aloha)	Sweet Home
<b>Service Type</b>							
32 gallon cart	\$19.10	NA	NA	\$20.10	\$19.70	\$26.50	\$20.00
90 gallon cart	NA	\$32.65	\$34.40	NA	\$44.20	\$36.50	\$24.70
2 yd 1 X wk	\$120.95	\$132.75	\$150.00	\$110.85	\$127.20	\$134.65	\$156.05
30 yd drop box	\$125.00 + disp	\$125.00 + disp	\$125.00 + disp	\$449.50 + mileage	\$181.40 + disp	NA	\$190.00 + disp

\*Oregon City collects YD weekly and has a rate of \$88.20 per year for yard debris only or additional yard debris

\*\* Gresham has an additional weekly yard debris cart collection rate of \$8.35 per month for a 60 gallon cart, otherwise, cart is 32 gallon.

\*\*\*Rogue disposal service includes bi-weekly yard debris at an additional rate of 3.94 per month and weekly recycling

\*\*\*\*High Country in Redmond has a bi-weekly yard debris fee of \$5.14 per month with weekly recycling at no additional charge.



To: City Council  
Re: Outside City Water

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The issue of the provision of city water outside the City Limits has a long history, with resulting policies and resolutions which, in some cases, are unclear and contradictory.

**Background:**

**Code Requirements:**

**DCC 4.486 Nonresident Water Service Contracts**

- (1) Before a nonresident of the city is served with water by the water department, a contract shall be entered into by the nonresident user and the city.
- (2) The water contract is subject to changes and modifications by the council.
- (3) The mayor and city manager are authorized to sign the contract on behalf of the city.
- (4) Nonresidents who apply for water service and whose application is approved by the council shall, before obtaining water service, deliver to the city a copy of the water contract.

**Urban Growth Management Agreement**

*Urban Development.* Buildings or facilities that require urban services or result in one or more parcels of less than five acres  
Article III – Annexation & the Provision of Urban Services

1. Annexation to the CITY shall be required for the approval of urban development within the Dallas UGB or the provision of urban services within the Dallas UGB. Urban development shall include, but is not necessarily limited to, the following:
  - a. Planned unit developments and land divisions of less than five acres;

- b. Commercial, industrial, single-family, multiple-family and public/semi-public development that requires urban services;
  - c. Any land division and or any expansion of commercial or industrial uses within planned "Mixed Use Node" areas (Barberry and LaCreole Mixed Use Nodes).
2. The CITY shall be the sole provider of urban services within the UGB.
3. The parties shall promote and encourage the annexation of lands within the UGB to the CITY. Such annexations shall occur in an orderly manner and shall be consistent with the policies set forth in this AGREEMENT, in the Dallas Comprehensive Plan and in the Dallas Development Code.
4. Interim development may be permitted prior to annexation to the CITY subject to Article IV of the UGMA.

#### Article IV – Interim Development

Urban development shall require annexation to the CITY, as stated in Article III, Section 1 above.

In circumstances other than identified in Article IV, Section 1, the COUNTY may permit limited interim development within the unincorporated urbanizable area subject to the following provisions:

- a. The property is not contiguous with the City Limits and cannot be annexed to the City and cannot be provided with urban services within a two-year period.
- b. The property owner shall develop and submit a future development plan, and, in the case of Residential land, a pre-plat, which shows how the property can be developed and/or divided in the future at urban levels consistent with the Dallas Comprehensive Plan. The future development plan and/or pre-plat must show how any development would support rather than interfere with the future provision of public streets, sanitary sewer, storm drainage and municipal water service to the property and to the general area, as indicated on the Dallas Comprehensive Plan.
  - i) The future development plan shall conform with the development requirements of the Dallas zoning district that will be applicable following annexation, as well as applicable COUNTY standards.
  - ii) The centerline for planned arterial, collector and (in the case of Mixed Use Nodes) local streets shall be identified.
- c. Public utility easements for future public facilities may also be required. Such easements shall be not less than 15 feet, shall preclude building construction, and shall be granted to the jurisdiction issuing the building permit.
  - i) If a public utility easement is required an agreement shall be signed and recorded.

- d. The property owner shall sign and record an annexation agreement.
- e. The property owner shall sign and record a non-remonstrance agreement to connect with CITY sanitary sewer and municipal water when it becomes available, and waiving the right to object to any future municipal water and sanitary sewer projects benefiting the property.
- f. The property owner shall sign and record an agreement at the owner's expense to pay for a proportionate share of future costs for extending urban services, including sanitary sewer, municipal water, storm drainage and streets.
- g. The property owner(s) shall be responsible for securing approval of private, on-site water, sewer, storm drainage and access services.
- h. No interim use shall be approved that would not be permitted in a CITY zone that implements the Dallas Comprehensive Plan.

Land partitions are a form of interim development, and shall be subject to the provisions of Article IV, Sections 1 and 2, above. No land division shall be permitted which results in a parcel of less than five net acres, exclusive of land needed for streets and public utilities. No variances to reduce the five-acre minimum lot size shall be given, except:

- a. Where there is an existing residence built prior to November 2, 1987, on a parcel of less than 10 acres, in which case the existing residence may remain on a parcel of 2 acres or less; and
- b. on any legal lot of record approved prior to the date of this AGREEMENT.

The CITY may waive any of the above requirements by written statement filed with the Polk County Planning Director, where such waiver is consistent with the Dallas Comprehensive Plan.

- 5. Annexation agreements shall be required of benefiting property owners whenever urban services are extended to urbanizable areas and whenever interim development is approved on urbanizable land outside the City Limits.

**Resolution 1954 – Policy regarding the sale of water to users outside of the city, Repealing Res No. 1521**

- 1. The main is of adequate size. The line is sufficient to serve the property.
- 2. The dwelling or structure to be served must have been constructed before 10-01-74.
- 3. Water is only for domestic use only.

4. Payment of \$5.00 per month between 10-01-68 and connection date.

- Fee of \$2,400 (outside water connection fee)
- \$3,500 in Water SDC's

### **Recommendation:**

Staff believes that it is important to clarify and streamline the process whereby properties outside the City Limits may be served with city water.

In order to do this, staff is proposing a change in policy that would be added to the Municipal Code (and repeal former resolutions). If the Council agrees to allow properties **outside the City Limits but inside the UGB** to be served with city water the following circumstances must be complied with:

- 1) That there is a water main line of adequate size in the street in front of the property and the property can be served by a service lateral only. This is paid for by the applicant /owner and the cost may include the pavement cut and replacement or boring according to the Public Works standards.
- 2) City water main extensions will not be allowed outside the City Limits for the purpose of serving properties outside the City.
- 3) Properties outside the City Limits and UGB would not be permitted to access city water unless by pre-existing agreement.
- 4) Property that meets the above requirements would be eligible for City water service and would be required to pay for all costs associated with the installation of the water service, as well as paying water, transportation, and parks SDC's. The property owner would also be required to sign non-remonstrance agreements to participate in any future improvements (LID's) as well as annexation.
- 5) Requests would be reviewed and approved by the City Manager based on compliance with the criteria and conditions listed above, and the decisions would be appealable to the City Council.

There are direct and indirect benefits to the City, including increased revenue from new accounts charges at the out-of-city water rate, the reduction of wells that affect the aquifer, and the agreements that obligate the property to improvements and, especially, annexation.

4.486 Service of City Water to Property Outside City Limits

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(1) Property located outside the city limits but within the urban growth boundary of the city may be served by city water subject to the following conditions:

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~~—(a1) Before a nonresident of the city is served with water by the water department, There must be a water main line of adequate size, as determined by the City Manager, located in front of the property, such that the property can be served by a service lateral line.~~

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(b) City water main line extensions will not be permitted outside the city limits for the purpose of serving water to properties outside the city limits.

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(2) Property located outside the city limits and outside the urban growth boundary of the city may not be served with city water except as provided in a written agreement for the provision of such water service entered into prior to [the effective date of this ordinance].

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~~a contract shall be entered into by the nonresident user and the city.~~

~~—(32) The owner or person applying for the provision of water to property outside the city limits under subsections (1) and (2), above, shall, as a condition of such service:~~

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(a) Pay all costs of installing such water service, which costs may include, but are not limited to, cutting and replacing of pavement, boring, and all permits, labor, services and materials, all according to standards and specifications determined by the city;

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(b) Pay city water, transportation and parks system development charges, in effect as of the date of application for water service; and

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(c) Execute such development agreements, agreements not to remonstrate against the assessment of future improvement costs and formation of a limited improvement district, and consent to annexation of the property served by city water, as the City Manager may require. ~~The water contract is subject to changes and modifications by the council.~~

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~~—(3) The mayor and city manager are authorized to sign the contract on behalf of the city.~~

~~—(4)— Nonresidents who apply for water service and whose application is approved by the council shall, before obtaining water service, deliver to the city a copy of the water contract.~~

ORDINANCE NO. \_\_\_\_\_

An Ordinance amending provisions of the Dallas City Code Section 4.486, relating to service of city water to property outside city limits.

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. Dallas City Code Section 4.486 is hereby amended to read as follows:

**4.486 Service of City Water to Property Outside City Limits**

(1) Property located outside the city limits but within the urban growth boundary of the city may be served by city water subject to the following conditions:

(a) There must be a water main line of adequate size, as determined by the City Manager, located in front of the property, such that the property can be served by a service lateral line.

(b) City water main line extensions will not be permitted outside the city limits for the purpose of serving water to properties outside the city limits.

(2) Property located outside the city limits and outside the urban growth boundary of the city may not be served with city water except as provided in a written agreement for the provision of such water service entered into prior to [the effective date of this ordinance].

(3) The owner or person applying for the provision of water to property outside the city limits under subsections (1) and (2), above, shall, as a condition of such service:

(a) Pay all costs of installing such water service, which costs may include, but are not limited to, cutting and replacing of pavement, boring, and all permits, labor, services and materials, all according to standards and specifications determined by the city;

(b) Pay city water, transportation and parks system development charges, in effect as of the date of application for water service; and

(c) Execute such development agreements, agreements not to remonstrate against the assessment of future improvement costs and formation of a limited improvement district, and consent to annexation of the property served by city water, as the City Manager may require.

Section 2. All prior and conflicting ordinances are hereby repealed.

Read for the first time: \_\_\_\_\_, 2009

Read for the second time: \_\_\_\_\_, 2009

Adopted by the City Council: \_\_\_\_\_, 2009

Approved by the Mayor: \_\_\_\_\_, 2009

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JAMES B. FAIRCHILD, MAYOR

ATTEST:

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JERRY WYATT, CITY MANAGER

# Interoffice Memo

March 19, 2009

To: Jerry Wyatt, City Manager

From: Fred Braun, Director of Public Works



RE: Water Rate Increase

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The adopted 2008-09 budget contemplated an 8% increase in the water rates. The increase was primarily to offset the new debt service payment for construction of the Main Street Reservoir and WTP Intake Piping replacement.

The proposed rate increase will bring the City's base rate to \$15.00 per month for the first 300 CUFT and \$1.70 for each additional 100 CUFT. A typical household using 1000 CUFT of water per month would have a water bill of \$26.90. The existing charge for the same usage would be \$25.00.

Attached is a summary of the water rates for other Cities in the area. Staff proposes that the new rates take effect on the June 2009 billing cycle. This is the billing cycle where the reduced summer irrigation rates take effect. Commercial and industrial rates would also be increased by 8%.

----- RESIDENTIAL WATER RATES -----  
WATER RATE STUDY MARCH, 2009

CITY	July 2007 pop. Estimate	BASE RATE	MINIMUM	UNITS	Initial Rate PER 1000G or 100CF	INITIAL RANGE	2ND RATE PER 1000G or 100CF	2ND RANGE	3RD RATE PER 1000G OR 100CF	3RD RANGE	WATER RATES CHARGE PER 1000CF
CANBY	15,140	\$ 11.03	0	CF	\$ 1.360	0>CF					\$ 24.63
DAYTON	2,600	\$ 38.00	400	CF	\$ 2.000	401-600	\$ 1.000	601-1000			\$ 46.00
HILLSBORO	88,300	\$ 8.22	0	CF	\$ 1.010	0-800CF	\$ 1.560	801-1800CF	\$ 2.110	>1800CF	\$ 19.42
INDEPENDENCE	7,905	\$ 18.90	0	CF	\$ 1.800	>0CF					\$ 36.90
MCMINNVILLE	31,665	\$ 10.11	0	CF	\$ 1.227	0-1000CF	\$ 1.395	>1000			\$ 22.38
MONMOUTH	9,335	\$ 10.06	0	CF	\$ 1.440	>0CF					\$ 24.46
NEWBERG	21,675	\$ 4.14	0	CF	\$ 2.980	>0CF					\$ 33.94
OREGON CITY	30,060	\$ 12.31	0	CF	\$ 2.060	>0CF					\$ 32.91
SALEM	152,290	\$ 2.88	0	CF	\$ 2.140	>0CF					\$ 24.28
SILVERTON	9,205	\$ 9.65	0	CF	\$ 1.770	>0CF					\$ 27.35
STAYTON	7,765	\$ 16.02	1000	GAL	\$ 0.780	>1000GAL					\$ 16.80
WEST LINN	24,180	\$ 14.54	700	CF	\$ 1.670	>700CF					\$ 19.55
WOODBURN	22,875	\$ 12.81	0	CF	\$ 1.550	0-700CF	\$ 2.000	701-1800CF	\$ 2.740	>1800CF	\$ 29.66
<b>AVERAGE OF OTHER CITIES</b>		<b>\$ 12.97</b>		<b>CF</b>	<b>\$ 1.676</b>						<b>\$ 27.56</b>
DALLAS	15,065	\$ 14.00	300	CF	\$ 1.570	>300CF					\$ 25.00
DALLAS proposed		\$ 15.00	300	CF	\$ 1.700	>300CF					\$ 26.90



# Transportation Utility Fee

Updated 2009

## Q & A

### Some of the projects to be funded by this fee?

Some of the streets identified to get treatment ranging from a slurry seal to a complete reconstruction include:

2009

- *West Ellendale Ave from Applegate Trail Dr to Wyatt St*
- *Cherry St from dead end to Main St*
- *LaCreole Dr from E Ellendale Ave to Miller Ave*

2010

- *Washington St from Jefferson St to Uglow Ave*
- *Godsey Rd from Miller Ave to Monmouth Cutoff Rd*
- *Bridlewood Dr from end of pavement to 150' west of Crestwood Dr*
- *Fir Villa Rd from Miller Ave to Magnolia Ave*
- *Uglow Ave from Mill St to Clay St*
- *Maple St from E Ellendale Ave to Oakdale School*

2011

- *Dallas Dr from Denton Ave north to dead end*
- *Hillcrest Dr from W Ellendale Ave to Byers Ln*
- *Levens St from W Ellendale Ave to Walnut Ave*
- *Oakwood Dr from Bridlewood Dr to Maplewood Dr*
- *Orchard Dr from Kings Valley Hwy north to City limits*

The above streets are generally 10 to 15 years old and need routine maintenance to protect them and extend their service beyond a 20-year design life. Slurry sealing and related maintenance replaces the wearing surface, minimizes raveling and retards water from seeping through the surface which damages the pavement and road base. A slurry seal is effective for 5-7 years and it costs less to apply preservation maintenances than to repair or replace the streets.

## Summary

Dallas has 55 miles of surface streets with a reconstruction value of approximately \$39 million. Transportation funding is one of the most challenging issues facing public agencies. In the past, Dallas has spent limited funding sources to maintain its streets. These funding sources include State gas taxes and road transfer revenues which are not sufficient to protect the City's investment in the street system. Recognizing this challenge, a Transportation Funding Study was begun to identify and establish a sustainable funding source for street maintenance.

### **Pavement**

#### **Management Assessment**

The PMI indicates the extent and severity of pavement distress such as cracking, rutting, raveling, etc. Public Works conducted its most recent pavement condition assessment in 2008. The PMIs for Dallas City streets were rated from 0 to 100 with the value 100 representing the condition of a brand new street.

According to the results, 23% of the street system is in very poor or poor condition, 24% is in fair to good condition, and 53% is rated good to excellent.

**What kind of street treatments would be funded?**

**Crack sealing** - Injection of hot tar or asphalt into cracks and paving seams. Generally performed in-house by City staff.



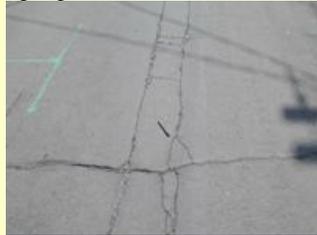
**Slurry Seal** - Very thin layer of a liquid mixture of asphalt and aggregate spread over the surface of the street. It is a hard wearing surfacing that protects, preserves, and extends the pavement life. After curing it provides a pavement that is better to drive on and look at and will reduce the cost in the long run. (Cost is typically less than \$2 per square yard.)



**Chip Seal** - A thin layer of hot asphalt is applied to the street surface then small gravel is applied, leveled, and compacted into place. (Can be done for as little as \$2.50 per square yard.)



**Overlay** - A new layer of asphalt or concrete, which adds structural strength and seals the surface. Often grinding or inlays are needed to match pavement grades or remove severely distressed pavement. (Cost ranges from \$6 to \$16 per square yard, depending on the overlay thickness and preparation).



**Pavement Management Program**

The pavement conditions were input into the City's pavement management program which calculates maintenance costs and projects schedules for maintenance and rehabilitation. The pavement management program shows that it will cost an average of \$3 million annually to increase the average PCI for the City's street system from 68 to 85. It will cost \$1.5 million annually to slightly improve the average PCI from 68 to about 69.

**The Value of Preventive Maintenance**

Streets are designed to last about 20 years, but the pavement begins to deteriorate much earlier. Studies have shown that pavement health worsens at an increasing rate as the pavement gets older. Without periodic, preventive maintenance, a street's condition deteriorates 40% in the first 15 years of its life. Then over the next 5 years, the street will greatly deteriorate, requiring major reconstruction.

Preventive maintenance using cost-effective (\$2 to \$16/sq. yd.) slurry seals or 2 to 3-inch overlays during the first 10 to 15 years can extend a pavement life to 30 years and more. Without these surface treatments, costly reconstruction is required (\$35 to \$55/sq. yd.).

**Reconstruction** - The most expensive street treatment, reconstruction, entails extensive street repair work that involves excavating the existing street and rebuilding the gravel road base and surface layers. (Cost ranges from \$35 to \$55 per square yard depending on the pavement section and preparation).



**What is a Transportation Utility Fee?**

A Transportation Utility Fee (sometimes known as a Street Maintenance Fee, Road User Fee, or Street Utility Fee) is a monthly fee based on use of the transportation system that is collected from residences and businesses within the city limits of Dallas. The fee is based on the number of trips a particular land use generates and is collected through the City's regular utility bill. It is designated for use in the maintenance and repair of the City's transportation system. Users of the road system share the costs of the corrective and preventive maintenance needed to keep the street system operating at an adequate level.

**Where did the money come from before the TUF was implemented to do these improvements? What is that money going to be used for now?**

In the past, the primary funding source for maintaining the City's street system was the State Gas Tax. The shared revenues received from the State Highway Fund are budgeted by the City through the Street Fund.

The Street Fund is used for operations and maintenance within the public right-of-way, including pavement maintenance; traffic signal operations and maintenance; traffic control for special events and emergency response; street signage; striping; non-PGE street light maintenance; roadside guardrails and vegetation; emergency weather response; municipal elevator maintenance and part of the operations contract; and administration. The gas tax per gallon has not been increased since 1992 and an increase does not appear likely in the foreseeable future. Fuel efficiency in motor vehicles has led to less fuel consumption for the same miles driven (which is a good thing). Even though fuel costs have increased, gas tax receipts have not because we are taxed per gallon of gas (not per dollar). The amount available from gas tax revenues for pavement overlay and reconstruction continues to decrease while the wear and tear on our roads does not. It is important to note that over the last nine years, since 1999, our road miles have increased from about 42 miles to 55

In 2005, the City identified a funding source for pavement treatments and reconstruction work that are necessary to keep the street system functioning satisfactorily.

Staff concluded that a transportation utility fee was the most equitable and stable source for street funding. It was reported that an annual revenue goal of \$.5 million was expected over a 20 year period.

Staff recommended to the City Council that this target be gradually phased in over a 5- year period to allow customers time to incrementally budget for the fee. With this scenario, in the first year, fees would provide \$300,000 to jump-start a street maintenance program with the primary goal of most cost effectively managing pavement maintenance.

The proposed fee is based on actual cost projections from the Pavement Management Program. Like those in many other Oregon communities, the fee is also based on nationally recognized information developed by the Institute of Traffic Engineers that estimates the average number of vehicle trips generated by a property based on how that property is used.

The fee will be charged monthly and appear on the City utility bill along with water and sewer.

The fee will be used to first

miles (about 30%), and our population has increased from 12,870 to 15,560 (about 29%). The shrinking dollars and a larger city have resulted in a growing backlog of paving needs. Money received from the gas tax will continue to be used for the services mentioned above.

**Why wasn't the public allowed to vote on the TUF?**

The Council has the authority to establish user fees by ordinance. Examples of existing user fees include water, wastewater (sewer), and systems development charges. The Council discussed the TUF at work sessions in 2005 and again in 2009 and will hold public hearings.

**Don't we already pay for this on our property taxes? If not, why not add it to our property tax bill so we can write it off on our taxes?**

The City of Dallas only receives approximately 36% of your property taxes. Of that, a large portion of the property tax pays for police, fire, ambulance, planning, building, court, and parks and recreation services as well as library and administrative costs. The only street-related item your property tax pays for is a portion maintenance. The City is limited in how much property tax it can charge its residents. The City decided to treat this fee as a utility fee just as your water, surface water, and wastewater utilities are charged so that it can be a dedicated funding source that can only be used for expenses related to the maintenance of the street system.

**How is the fee determined?**

Customers are assigned one of two main categories, residential and non-residential. Residential customers are charged for maintaining local streets. Non-residential customers are charged for maintaining arterials. Maintenance of collector streets is equally shared. In addition, the fee is based on how many trips are considered the average for the property using data developed by the Institute of Traffic Engineers.

**How much will I pay?**

Single-family residential properties will be charged \$2.50 per month the first year. The fee will increase to \$4.50 per month in 2011. Multi-family residential units and mobile homes will be charged 70% of the single-family fee per unit.

Non-residential bills depend upon the type and size of the development. Business groups will be established based on similar trip rates per square feet of gross floor area of usage (GFA). In the first year, business charges will range from \$0.05 to \$.30 per square feet of GFA, depending on the type of use and trip generation. This range will gradually increase to \$0.09 to \$0.60 per square foot of GFA over the following two years.

recover the costs of pavement maintenance that has been delayed and then second, for roadway operations. A list of projects has been developed for the first five years.

**More Questions?**

More information about our City's Transportation Utility Fee is available at the City's web site at:

<http://www.ci.dallas.or.us/>

If you have further questions, you may contact, Fred Braun, City Engineer/Public Works Director at (503) 831-3555.

Examples:

	2009 Costs	2011 Costs
<b>1000 SF Office</b>	\$1.85	\$3.52
<b>1000 SF Retail</b>	\$6.83	\$12.98
<b>1000 SF Bank</b>	\$26.20	\$49.79
<b>1000 SF Fast Food</b>	\$41.67	\$79.17

**What if I don't agree with how the City calculates my fee?**

The fee, like that of other cities with similar road fees, allows businesses to request a re-examination of their fee. Residential fees must be accepted as the ITE average because while they may be lower on some days, they may be higher on other days.

**Why are so many cities charging a street utility fee? What other Oregon cities have a Transportation Utility Fee?**

Many other cities are experiencing exactly what Dallas faces: inadequate funding for transportation system maintenance. The old funding tools, state shared revenues from the Highway Fund (primarily the State gas tax), have not increased. Needs in most communities in Oregon have grown while funding has fallen behind. Ashland was the first city in Oregon to implement the fee beginning in 1989. The following other cities have followed suit: Canby, Bay City, Corvallis, Eagle Point, Grants Pass, Hubbard, La Grande, Lake Oswego, Medford, Milwaukie, North Plains, Philomath, Phoenix, Talent, Tigard, Tualatin, West Linn, and Wilsonville. Other cities actively pursuing a fee include Beaverton, Hillsboro, Eugene, Portland and Silverton.

### Example Transportation Utility Fee Monthly Rates

Type of Generator	<u>MONTHLY</u> <u>2009</u>	<u>MONTHLY</u> <u>2011</u>	Dallas Business	TGR	Area/Unit	Unit TGR	
Light Ind.	\$0.88	\$1.67	Wild West Welding	10.46	1500	6.97 per 1000 sf	total areas
Heavy Ind	\$17.64	\$33.52	Forest River	210	140000	1.5 per 1000 sf	total areas
Heavy Ind	\$16.00	\$30.41	Former TYCO	190.5	127000	1.5 per 1000 sf	total areas
Mini Stor.	\$2.35	\$4.47	Example 100 Unit	28	100	0.28 per storage unit	
Retirement Center	\$49.59	\$94.22	Dallas Retirement	590.32	314	1.88 per bed	occupied bed
Movie Theatre	\$3.74	\$7.11	Fox Theatre	44.53	1	44.53 per screen	
Tire Store	\$2.44	\$4.64	Les Schwab	29.1	1500	19.4 per 1000 sf	public areas
Car Sales	\$5.26	\$9.99	McMullin	62.56	4000	15.64 per 1000 sf	public areas
Supermarket	\$374.71	\$711.95	Safeway	4460.4	40000	111.51 per 1000 sf	public areas
Lumber/Building	\$15.40	\$29.27	Van Wells	183.36	8000	22.92 per 1000 sf	public areas
Hardware	\$18.31	\$34.78	Guys Hardware	217.9	5000	43.58 per 1000 sf	public areas
Restaurant	\$8.42	\$16.00	Murphys	100.23	3000	33.41 per 1000 sf	public areas
Video Rental Store	\$1.75	\$3.32	American Family	20.82	3000	6.94 per 1000 sf	public areas
Health Club	\$1.01	\$1.92	Anytime Fitness	12	4000	3 per 1000 sf	public areas
Bowling Alley	\$28.00	\$53.20	Starlite Lanes	333.3	10000	33.33 per 1000 sf	public areas
Discount Retail	\$428.44	\$814.04	Walmart	5100	60000	85 per 1000 sf	public areas
Fast Food	\$41.67	\$79.17	Burger King	496	1000	496 per 1000 sf	public areas
Bank	\$26.21	\$49.80	Citizens Bank	312	2000	156 per 1000 sf	public areas
Retail	\$6.83	\$12.98	Dollar Tree	81.34	2000	40.67 per 1000 sf	public areas
Office	\$1.85	\$3.51	First Am. Title	22.02	2000	11.01 per 1000 sf	public areas
Convenience Market	\$32.56	\$61.87	Thrifty Market	387.6	3000	129.2 per 1000 sf	public areas
Gas Station	\$24.53	\$46.61	Chevron	292	4	73 per fueling bay	
	<b>\$1,107.60</b>	<b>\$2,104.44</b>					

# WATER ON/OFF POLICY

## Policy:

### 1. All Emergencies

- No charge for emergency on's and off's.
- Inform water supervisor via radio.
- Water and sewer billing continues as normal.
- A leak credit may be considered if requested by the customer in accordance with City policy.

### 2. Inside/Outside City Convenience on's and off's (i.e. vacation, snow-birds, vacant rentals, unfinished construction):

- Seasonal Disconnects –
  - ✓ Take request to disconnect and confirm date to disconnect (inform customer of disconnect charge which will need to be paid before disconnect)
  - ✓ Issue a field off request form for the water supervisor
  - ✓ When customer requests a disconnect the following charges apply:
    - Inside city limits:  
\$30.00 disconnect fee to be paid during regular business hours
    - Outside city limits:  
\$50.00 disconnect fee to be paid during regular business hours
  - ✓ Extra \$20.00 will be charged if turn on is requested on a weekend or holiday.
- New Construction (new meter sets) – at time permit is issued the meter will be set and first 3 billings will be water charge only. Sewer will be added after 90 days from permit issue date. Builder may close account but water will be disconnected. Turn on fee will have to be paid to be reconnected.

### 3. Non payment:

- Customers with a delinquent account more than 60 days past due shall be turned off. Prior arrangements made by the customer not fulfilled shall result in a disconnect the next business day after their arrangement date.
- A field off request form will be issued to the water supervisor for immediate disconnect. Disconnects for non payment will be scheduled on the 1<sup>st</sup> and 3<sup>rd</sup> Wednesday unless otherwise determined.
- At least once per week all delinquent off are checked.
- Business customers will be personally contacted.
- Hardship due to loss of job or medical issue will be reviewed on a case by case basis by the City Manager.
- Fee for off due to non-payment will be \$40.00 for inside city customers and \$50.00 for outside city customers, plus past due amounts.
- If meter is tampered with or turned on by anyone other than authorized City personnel, the meter shall be pulled or locked off at the discretion of the City. If a lock has been tampered with the Dallas Police Department is called to start theft of service charges. Customer may be charged with theft of services and/or a new lock and expenses.
- When a property is disconnected for non-payment a lien may be issued against the property until account is fully paid.

Restoration of services due to non-payment:

- Service may be restored upon payment of all past due amounts, including fee for off due to non-payment, as well as any costs associated with unauthorized tampering during regular business hours.
- Upon payment of all due amounts, issue a field request to water supervisor.
- If an account in Book 15 (outside water) has been vacant for 6 months, Public Works Director will be notified and the Director will send the owner a letter that they will need to restore service or lose service.

4. Tenant/Landlord changes

- When a tenant moves out of a rental property the landlord may have it disconnected or the service can be transferred to the landlord-same water/sewer rates apply. The \$15.00 new service fee will not apply to the landlord if previously in their name.  
(Note: Finance office will begin noting landlords on accounts and communicate with landlords to better identify their properties)

5. New Account

- A customer requesting new service must come into the finance office during regular business hours to complete a water service form, show proof of identification and pay a \$15.00 new service fee.
- If account holder has a previous water account unpaid or sent to collections these charges will need to be paid in full to start new service.
- Service will be activated the same day as requested.

## **POST MEETING AGENDA**

### **PUBLIC SAFETY COMMITTEE**

Monday, March 23, 2009

4:00 p.m.

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

1. Traffic Study Request on Ash Street

**No action at this time; staff will continue to monitor the situation**

2. Speed Study Request on Kings Valley Highway

**Recommend Council adopt a motion to direct ODOT to complete a speed study on Kings Valley Highway**

3. Interim Police Chief's Report

4. Fire Chief's Report

5. Other

6. Adjourn

1  
2  
3 Members Present: Brian Dalton, Jackie Lawson and Ken Woods, Jr. Members excused: Warren Lamb and  
4 LaVonne Wilson.

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

8 Acting Chair Dalton called the meeting to order at 4:57 p.m.

9 **Traffic Study Request on Ash Street**

10 Mr. Wyatt stated the City received an email asking us to consider stop signs be installed on Ash Street at  
11 Levens and Church Streets. He pointed out the map shows there are already stop signs throughout that  
12 neighborhood. Mr. Wyatt explained the staff recommendation is to not put any additional stop signs in at  
13 this time. Councilor Woods stated he is surprised at the number of cars coming from the mill and turning  
14 onto Ash Street each day, so the issue may resolve itself with the mill closure. Mr. Wyatt stated he will  
15 have staff put the speed trailer there and continue to monitor the situation.

16 **Speed Study Request on Kings Valley Highway**

17 Mr. Braun explained that when the City approved the PUD on Polk Station Road, there was some concern  
18 by the neighbors about speeding in the area. He stated the City decided to wait until the development was  
19 completed and then request the speed survey. While there has not been much progress with occupancy in  
20 that development, the neighbors are still concerned. Councilor Dalton asked what the speed is there now.  
21 Mr. Wyatt stated it is 45 mph to Polk Station Road, and then 55 mph past that to the north.

22 Councilor Dalton moved to recommend to the full council to adopt a motion to direct ODOT to complete  
23 a speed study. The motion was duly seconded and CARRIED UNANIMOUSLY with Councilor Dalton,  
24 Councilor Lawson, and Councilor Woods voting YES.

25 **Interim Police Chief's Report**

26 Interim Chief Simpson stated he is looking at some grant options through the federal stimulus money. He  
27 indicated a towing company in town has asked to be added to our rotation of towing companies. He stated  
28 there are some state statutes that pertain to this, and we will need to have an Ordinance to cover what the  
29 City can regulate. Mr. Simpson recommended the City move in that direction. Mr. Simpson also advised  
30 that there is an organization that has contracted through the County to rewrite our emergency operation  
31 plan. Staff had the initial meeting with the organization and we have a plan in place for moving forward  
32 with the several-month process. He indicated this will update and improve our emergency plan.

33 **Fire Chief's Report**

34 Fire Chief Hahn passed out a recap of the ISO inspection from last week. He reviewed the results and in-  
35 dicated the City's ISO rating will probably move to a 3 or at the worst case 4 from our current ISO rating  
36 of 2. Mr. Hahn stated we will have the final results in about six months.

37 Councilor Dalton asked what the scale was for ISO ratings. Mr. Hahn replied it goes from 1-10 with 1  
38 being perfect. He indicated there is little difference in insurance for residential homes between a rating of

1 two and a rating of four. Councilor Woods stated anything from a 2 to a 6 used to be the same insurance  
2 rates for residential homes. He noted it does affect commercial business rates. Councilor Lawson asked  
3 if the results could be appealed. Mr. Hahn stated you can appeal, and noted Keizer and Corvallis are cur-  
4 rently both in the appeal process.

5 **Other**

6 There being no further business the meeting was adjourned at 5:12 p.m.

## **MEETING AGENDA**

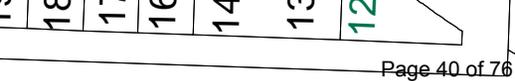
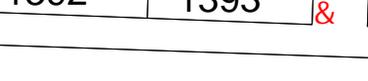
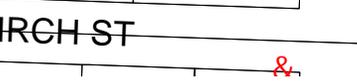
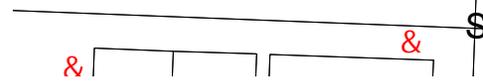
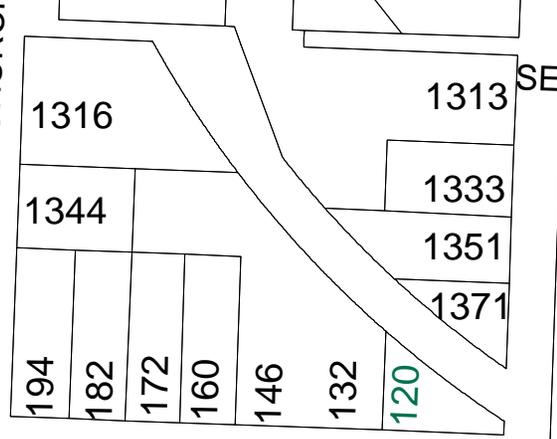
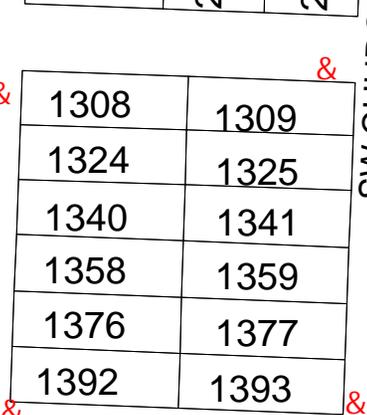
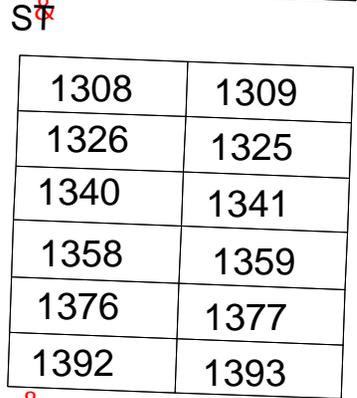
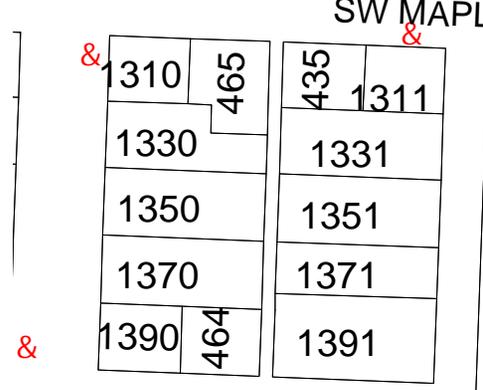
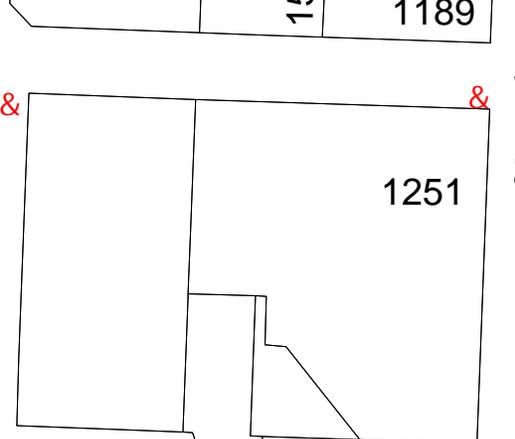
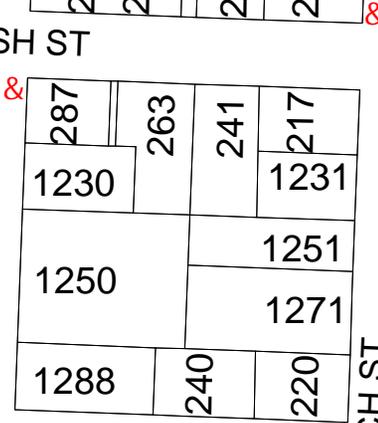
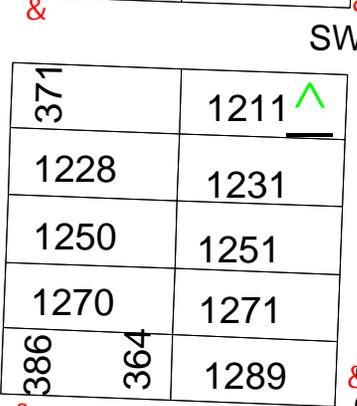
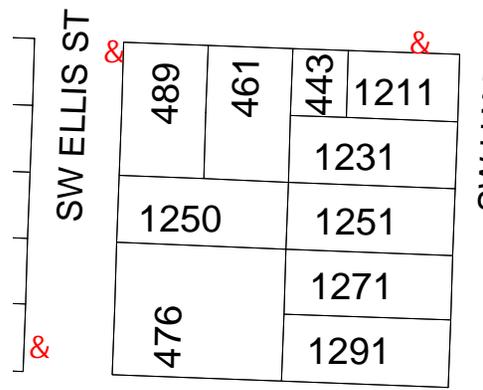
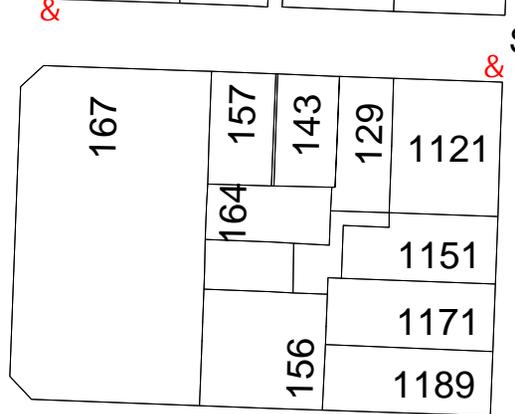
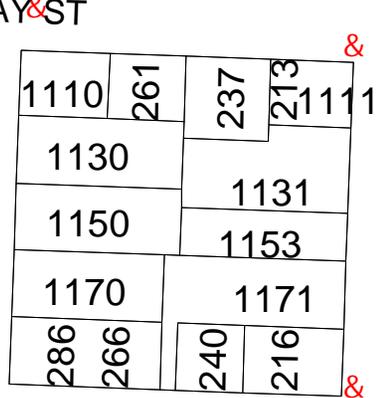
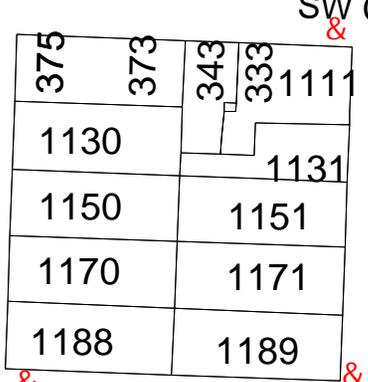
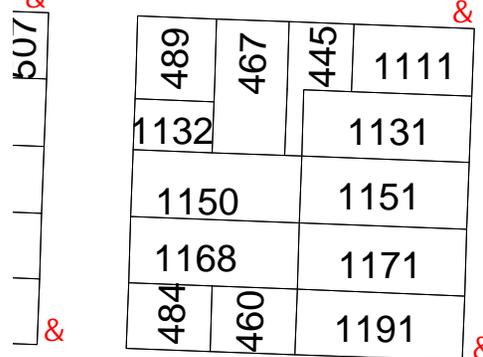
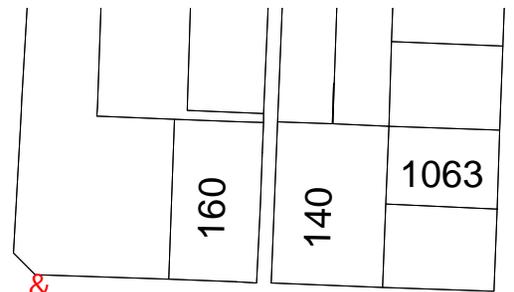
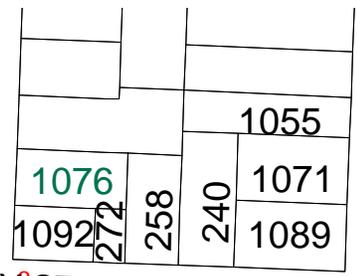
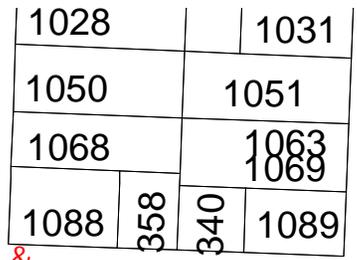
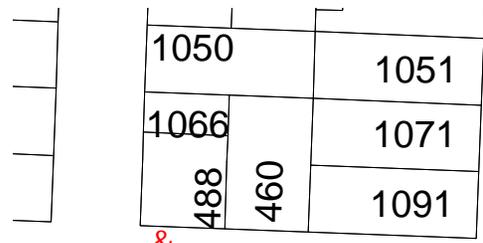
### **PUBLIC SAFETY COMMITTEE**

Monday, March 23, 2009

4:00 p.m.

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

1. Traffic Study Request on Ash Street
2. Speed Study Request on Kings Valley Highway
3. Interim Police Chief's Report
4. Fire Chief's Report
5. Other
6. Adjourn



b07

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SW HAYTER ST

SW MAPLE ST

SW BIRCH ST

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# DALLAS PUBLIC SAFETY COMMITTEE

## REPORT

**TO: PUBLIC SAFETY COMMITTEE**

<i>City of Dallas</i>	<b>Agenda Item No.</b> 2	<b>Topic:</b> Speed Study request on Kings Valley Highway
<b>Prepared By:</b> Emily Gagner	<b>Meeting Date:</b> March 23, 2009	<b>Attachments:</b> Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Approved By:</b> Jerry Wyatt		

### RECOMMENDED MOTION:

Recommend the matter be forwarded to the full Council for a motion to direct ODOT to perform a speed study on Kings Valley Highway.

### BACKGROUND:

ODOT received a request in 2007 for a speed study to be done on Kings Valley Highway in the vicinity of Polk Station Road. The City postponed the speed study until the subdivision at Kings Valley Highway and Polk Station Road was completed. Now that the subdivision is done, ODOT is again asking us if we would like to proceed with the speed study. Staff recommends we have ODOT complete the speed study at this time.

### FISCAL IMPACT:

None

### ATTACHMENTS:

Vicinity Map



# DALLAS CITY COUNCIL REPORT

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

<i>City of Dallas</i>	<b>Agenda Item No. 7 b</b>	<b>Topic:</b> Tree City USA Designation
<b>Prepared By:</b> Emily Gagner	<b>Meeting Date:</b> April 6, 2009	<b>Attachments:</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Approved By:</b> Jerry Wyatt		

RECOMMENDED MOTION:

None

BACKGROUND:

The City applied for Tree City USA designation in 2008. The following letter confirms that achievement. There were four standards the City was required to meet in order to receive Tree City USA designation:

1. Have a tree board (our Parks and Recreation Board is also our Tree Board)
2. Pass a tree care ordinance (Ordinance 1680, passed 4/7/2008)
3. Have a comprehensive community forestry program
4. Have an Arbor Day observance and proclamation

FISCAL IMPACT:

None

ATTACHMENTS:

Confirmation letter from Arbor Day Foundation



03-19-09A09:57 RCVD

*We inspire people to plant, nurture, and celebrate trees.*

March 9, 2009

The Honorable Jim Fairchild  
Mayor of the City of Dallas  
187 SE Court St.  
Dallas, OR 97338

Dear Mayor Fairchild,

We congratulate Dallas on having achieved Tree City USA® status for 2008—an accomplishment that assures all your citizens of greater opportunities than they may yet realize!

As you already know, trees are a vital component of the infrastructure in cities and towns, providing environmental and economical benefits. Trees in urban areas reduce the heat island effect caused by pavement and buildings. Properly placed trees can increase property values. Leaves filter the air we breathe by removing dust and other particles.

We have prepared the enclosed press release for your convenience as you prepare to contact local media outlets to share this commendable achievement with the public. We hope you are excited to share the significance of this accomplishment with the media. If you wish to receive this press release in electronic form, please email [mderowitsch@arborday.org](mailto:mderowitsch@arborday.org). We will send it to you within one work day.

The Tree City USA program is sponsored in cooperation with the National Association of State Foresters and the USDA Forest Service. State foresters are responsible for the presentation of the Tree City USA flag and other materials. We will forward your awards to Paul D Ries in your state forester's office. They will be coordinating the presentation with you. It would be especially appropriate to make the Tree City USA award a part of your Arbor Day ceremony.

Again, we celebrate your diligence in improving the quality of life for the citizens of Dallas and thank you for creating a healthier, more sustainable world for us all.

Best regards,

John Rosenow  
Chief Executive

cc: Patty Senger

Enclosure

# 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> Dallas Arbor Day Activities
<b>Prepared By:</b> Emily Gagner	<b>Meeting Date:</b> April 6, 2009	<b>Attachments:</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Approved By:</b> Jerry Wyatt		

RECOMMENDED MOTION:

None

BACKGROUND:

The City of Dallas recently became the 50<sup>th</sup> Tree City USA in Oregon. In honor of that achievement, the City has planned several events around town to celebrate Arbor Day. The following flyer has been distributed to the elementary schools, the Dallas Library, and the Aquatic Center. The Councilors are welcome to attend any of the events listed on that day.

FISCAL IMPACT:

None

ATTACHMENTS:

Arbor Day Flyer

# Arbor Day 2009



April 10 2009

Location: Dog Park—1000 SE Juniper

Time: 10:00 am

What's Happening: Tree Planting, Announce Name of Park

Location: Lyle Elementary School

Time: 12:00 p.m.

What's Happening: Tree Planting

Location: Whitworth Elementary School

Time: 12:45 p.m.

What's Happening: Tree Planting

Location: Oakdale Elementary School

Time: 1:30 p.m.

What's Happening: Tree Planting

Location: Rickreall Creek Trail Head (across from Dallas Monument Fountain on Main Street)

Time: 2:30 p.m.

What's Happening: Tree Planting and the Official Presentation of City of Dallas as the 50th Tree City USA

**For more information contact:  
503.831.3562**



**Dallas has just become the 50th Tree City USA in the State of Oregon. In honor of Oregon's 150th Birthday it is our goal to plant 150 trees throughout the City during Arbor Week (April 6-11). We will need your help. Please help us**

**by planting a tree in your yard. You can stop by your Elementary School Office and get your "I Planted a Tree" Button.**



# 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> Legislative Committee Review
<b>Prepared By:</b> Emily Gagner	<b>Meeting Date:</b> April 6, 2009	<b>Attachments:</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Approved By:</b> Jerry Wyatt		

RECOMMENDED MOTION:

None

BACKGROUND:

The Council appointed a Legislative Committee comprising the Committee Chairs, Council President, and Mayor at the January 20, 2009 Council meeting. The purpose of the Legislative Committee was to establish the City's position on bills proposed and pending before the State Legislature.

The Committee held several meetings in February and March to discuss proposed and pending bills, the result of which is the following list of priority issues. These issues were presented to the City's representatives during City Hall Day at the Capitol on April 1.

FISCAL IMPACT:

Some of these bills could impact the City's budget.

ATTACHMENTS:

Dallas's Legislative Priorities list



## City of Dallas 2009 Priority Issues

Date: April 1, 2009

### **Ethics Reform**

Objective: Support ethics reform that is clear, fair and in the interest of the public. Support amended Senate Bill 30. The City of Dallas supports the League of Oregon Cities assertion that the provisions contained in SB30 bring Oregon closer to an ethics policy that protects the interest of the public while treating Oregon's volunteer city leaders justly.

### **Transportation and Infrastructure Funding**

Objective: Obtain significant funding increase for road and street preservation and maintenance, as well as other city infrastructure projects.

- The City of Dallas supports the League's requested legislation, HB3138, which increases the annual Special Cities Allocation from \$1 million to \$5 million for street and road maintenance and preservation in cities with populations of less than 5,000.
- The City of Dallas opposes any proposal that ties the local government portion of shared transportation revenues solely to the state gas tax and then preempts the levying of local gas taxes.
- Support HB2120, the Jobs and Transportation Act (JTA)
- Oppose HB2235, Tree Removal on State Highways
- Support SB292, Footpaths and Bicycle Trails
- Oppose SB414, increase counties share of highway distribution from 24 to 34%. While this does not change the City's proportion, it would impede the city's chances of getting an increase at the city level.
- Oppose HB 2037, Recording and Reporting on Public Contracts
- Support SB445, Allows new bonds for transportation projects

### **State Shared Revenue**

Objective: Protect the distribution formula for State Shared Revenues to honor the partnership between the state and cities in serving Oregonians. Ensure that the legislature honors its commitment to local governments on State Shared Revenues.

The City of Dallas depends on state shared revenues to complete the general budget for crucial city services.

## **Removal of Local Preemptions**

Objective: Return decision-making authority to local governments by lifting the preemptions on the local transient lodging tax and the real estate transfer tax.

- Support SB440 which would remove the preemption (from HB2267 in 2003) and allow cities to use any new transient lodging tax revenue for needed city services to meet the demands on public safety infrastructure that increased tourism creates.
- Support SB440, SB396 and HB3408 which would return decision-making authority to local governments.

## **Finance and Taxation**

- Oppose SB491, Developer Transfer Credits: Allows local governments to grant transferable credits for development or building projects that reduce impact to public facilities.
- Support SB497, Public Safety Facility SDC Charge

## **Water**

- Support HB2080, Gray Water Reuse. The City of Dallas has a number of one year goals, of which investigating the feasibility of using reclaimed water from the City's waste water treatment plant to irrigate City Parks and/or other recreational use areas is one. We are also developing a Citywide water conservation and reuse program.

## **Land Use**

- Oppose HB2750, Sewer Extension Outside UGB's

## **Collective Bargaining**

- Oppose HB2633, Expands Definition of Supervisory Employee. While the City of Dallas and LOC supports the right of workers to join labor organizations and bargain collectively over wages, hours, and terms and conditions of employment, the City of Dallas and the League maintain that this legislation would be detrimental to the ability of a city government to manage its workforce.
- Oppose HB2831, Includes Temporary Employee in Bargaining Units
- Oppose HB2545, Temporary Employees in Appropriate Bargaining Unit
- Oppose HB3131, Prohibits Strike Replacement Workers. Prohibits public employer from using replacement worker to perform duties of public employee engaging in lawful strike.

## **Courts**

- Oppose SB310, Preservation of Biological Evidence

## **Police**

- Oppose HB2400, Police Uniform Policy

## Wetlands

- Oppose HB2155, Wetlands Statutes: Makes changes to wetlands statutes: broadens definition of “intermittent stream” and repeals estuarine resource replacement statute.
- Support HB2156, Wetlands Mitigation Banks: Broadens the Dept. of State Lands’ authority to allow mitigation banks for effects on waters of State (rather than wetlands).

## Economic Development

- Oppose SB53, Fee on Prevailing Wage Contracts
- Oppose HB2397, Expanding the Definition of “Public Works” to include Non-Standard Items. The City of Dallas agrees with the Leagues position that businesses locating in enterprise zones should behave responsibly, yet we **oppose HB 2699** as written and to the imposition of prevailing wage requirements that could prove to be disincentives for a company seeking to locate in an Oregon community.
- Support SB440, Local Lodging Tax and Tourism: Removes requirement that 7- percent of revenues from new or increased local transient lodging tax be used to fund tourism promotion or tourism-related facilities.

## System Development Charges

- Oppose HB2865, The Collection of SDC’s occur when a certificate of occupancy is issued rather than the issuance of a development permit or a building permit. By shifting the payment from the front end of the project to the end, the burden of funding the infrastructure improvements is placed on the local government and existing residents, instead of on the new development. **HB2865** negates the ability of city governments to make the best decision for local communities and seriously jeopardizes city finances.

## Miscellaneous

- Oppose HB2738, Towers to Dispose of Vehicles
- Oppose SB269, imposes new regulations for cities to have utility companies relocate their utilities if a city widens a street or changes alignments.
- Oppose SJR21, Proposes an amendment to the Oregon Constitution to allow revenue from taxes on motor vehicle fuel and ownership, operation or use of motor vehicles to be used for public transportation services. This would dilute current revenues by applying them to a new use.
- Oppose HB2009, Oregon Health Authority. Establishes Oregon Health Authority Board and Oregon Health Authority with extensive duties, functions and powers to enact statewide healthcare reform. Creates a Public Employer Coalition; requires public entities to purchase prescription drugs through the state Rx program.

# DALLAS CITY COUNCIL REPORT

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

<i>City of Dallas</i>	<b>Agenda Item No. 7 f</b>	<b>Topic:</b> Household Hazardous Waste Collection Event
<b>Prepared By:</b> Emily Gagner	<b>Meeting Date:</b> April 6, 2009	<b>Attachments:</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Approved By:</b> Jerry Wyatt		

RECOMMENDED MOTION:

None

BACKGROUND:

Each year, Polk County and the cities of Independence, Monmouth, Dallas, and Salem co-sponsor a Household Hazardous Waste collection event. This year's event will take place at the Polk County Public Works facility located at 820 SW Ash Street in Dallas on Saturday, May 2 from 9 a.m. to 2 p.m. The event allows citizens to bring their hazardous household chemicals to the site for free disposal. There will also be a mercury thermometer exchange at the event. Residents that bring their mercury fever thermometers to the event can trade them for a free digital thermometer, which contains no mercury.

FISCAL IMPACT:

None

ATTACHMENTS:

Household Hazardous Waste Event flyer



# HOUSEHOLD HAZARDOUS WASTE EVENT

**WHO?** Polk County residents ~ Residents of Independence, Monmouth, Dallas, and West Salem.

**WHAT?** FREE Household Hazardous Waste Event

**WHEN?** Saturday, May 2nd, from 9:00 a.m. to 2:00 p.m.

**WHERE?** Polk County Public Works Facility  
820 SW Ash St., Dallas OR 97338

**WHY?** To help maintain a healthy home environment for the residents of Polk County, as well as make it safer for firefighters who respond to house fires.

Come to the  
**FREE**  
**HOUSEHOLD HAZARDOUS  
WASTE  
COLLECTION EVENT!**

Bring in any of the items listed below and we will dispose of them for you, in a manner friendly to the environment.



**FREE Mercury Thermometer Trade-in**  
Bring in your mercury fever thermometer to the HHW event and get a new digital thermometer for Free! Help us get mercury out of your home and the wastestream. Limit 3 replacement thermometers per household.

**IMPORTANT:**

- Keep products in original containers if possible.
- Do not mix any products.
- Keep away from passengers while transporting.

**WHAT TO BRING:**

- Aerosol Cans
- Antifreeze
- Brake Fluid
- Degreasers
- Engine Cleaners
- Fluorescent Tubes
- Furniture Stripper
- Herbicides
- Household Batteries
- Kerosene Gas
- Lab Sets
- Lighter Fluid
- Mercury
- Oil Based Paint
- Paints
- Paint Thinner
- Pesticides
- Pool Chemicals
- Rose Dust
- Rust Remover
- Sharps Containers
- Shag Bait
- Solvents
- Spot Remover
- Thermometers
- Thermostats
- Transmission Fluid
- Turpentine
- Wood Killers
- Wood Preservatives

**WHAT NOT TO BRING**

- Explosives, Latex Paint
- Radioactive Waste

Questions? Contact Jim Solvedt, REHS or Jason Borzy, REHS with Polk County Environmental Health at (503) 623-9237

# DALLAS CITY COUNCIL

## REPORT

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

<i>City of Dallas</i>	<b>Agenda Item No.</b> <b>7 f</b>	<b>Topic:</b> General Information Guide Development
<b>Prepared By:</b> Emily Gagner	<b>Meeting Date:</b> April 6, 2009	<b>Attachments:</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Approved By:</b> Jerry Wyatt		

RECOMMENDED MOTION:

None

BACKGROUND:

In order to provide excellent customer service, the City staff has worked to create a General Information Guide which will be available to all employees, particularly those who answer telephones on a regular basis. The General Information Guide is a comprehensive, alphabetical list of topics that customers may have when calling City Hall. Rather than attempt to answer those questions in detail in the information guide, this guide provides a brief explanation, and then lists the staff member to whom the inquiries should be referred. We are hoping this will allow our staff to better direct telephone inquiries and eliminate most of the instances where calls are passed from person to person.

FISCAL IMPACT:

None

ATTACHMENTS:

Sample text from General Information Guide

**General Information Guide**  
**March 2009**

**ANIMALS** – Refer calls as follows:

Dead animals on City property – **Streets (503-623-4939)**

Live animals (in city limits) – **Police (3516)**

Dead animals on private property – **Police (3516)**

Calls relating to animal control in the Urban Growth Boundary are not enforced by City Animal Control; they are enforced by Polk County. County officials often incorrectly refer customers to our Planning Division to check the zoning of property. Customers need to talk to Polk County Animal Control (503-623-9251).

**DALLAS STATISTICS** -

Population	15,375 (as of 7/1/08)
Elevation	320 feet above sea level (at City Hall)
Area	4.665 square miles

**GARAGE SALE PERMITS** – Issued by the Finance Office. For specific requirements, refer to the City Code section 7.500-7.545. Refer questions to the **Finance Office (3508)**. Complaints may be referred to **Code Enforcement (3593)**.

**TREES** – **STREET TREES** – Refer to the **Planner (3572)**.

**TREE CUTTING** – A tree-cutting permit is required to remove a tree that is in the public right-of-way and may be obtained from the **Public Works Executive Assistant (3562)**. There is no fee for this permit.

**TREE PLANTING** – Refer to the **Public Works Executive Assistant (3562)** for a list of approved street trees and the planting detail, or **Engineering (3558)** for other questions.

**LEAF PICK UP** – The City provides a curb-side leaf pick up program during winter months. It is suggested that residents pile their leaves (no brush or prunings) on the street in the parking lane, away from the curb. For more information, refer to the **Public Works Executive Assistant (3562)**.

*(The actual document is 30 pages long. This is just a sampling of items)*

# DALLAS CITY COUNCIL REPORT

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

<i>City of Dallas</i>	<b>Agenda Item No.</b> <b>7 g</b>	<b>Topic:</b> Representative Thompson Town Hall Mtg
<b>Prepared By:</b> Emily Gagner	<b>Meeting Date:</b> April 6, 2009	<b>Attachments:</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Approved By:</b> Jerry Wyatt		

RECOMMENDED MOTION:

None

BACKGROUND:

Dallas's State Representative, Jim Thompson, will be holding a Town Hall Meeting on April 14 in the Dallas Civic Center. The Town Hall Meeting will begin at 6:00 p.m.

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. 7 h</b>	<b>Topic:</b> Water and Wastewater Treatment Plant Tours
<b>Prepared By:</b> Emily Gagner	<b>Meeting Date:</b> April 6, 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 scheduled a tour of the Water Treatment Plant and Wastewater Treatment Facility for any interested Council members on Tuesday, May 12, 2009. We will meet at City Hall at 2:00 p.m. The tour will start at the water plant and proceed to the wastewater plant, concluding by 5:00 p.m.

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> <b>7 i</b>	<b>Topic:</b> “Name That Dog Park” Contest Announcement
<b>Prepared By:</b> Emily Gagner	<b>Meeting Date:</b> April 6, 2009	<b>Attachments:</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Approved By:</b> Jerry Wyatt		

RECOMMENDED MOTION:

Motion to approve “\_\_\_\_\_” as the name for the new dog park.

BACKGROUND:

At the February 2, 2009, Council meeting, the Council directed staff to work with the School District to hold a contest for the students to name the new dog park. The students submitted over 500 entries consisting of over 470 different names. The Park and Recreation Board has narrowed that list down to the top three suggestions, which will be announced at the Council meeting on Monday night. The Council will make the final selection at that meeting.

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> <b>7 j</b>	<b>Topic:</b> SEI and QPOD Reminder
<b>Prepared By:</b> Emily Gagner	<b>Meeting Date:</b> April 6, 2009	<b>Attachments:</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Approved By:</b> Jerry Wyatt		

RECOMMENDED MOTION:

None

BACKGROUND:

The Oregon Government Ethics Commission (OGEC) requires certain public officials to file a Statement of Economic Interest (SEI) form annually. You should have already received your SEI form in the mail. These are due back to the OGEC no later than April 15.

You must also file a Quarterly Public Official Disclosure (QPOD) form with the OGEC by April 15 for the first quarter of 2009. These forms are not mailed to you. I have copies available if you need one.

Please be advised that even if SB30 (changing the ethics reporting requirements) passes the House, it will not go into effect until January 1, 2010, therefore you will need to continue to send in your QPOD quarterly in 2009.

FISCAL IMPACT:

None

ATTACHMENTS:

None

## COMMUNITY DEVELOPMENT

<b>City Manager</b>	Jerry Wyatt	<b>Building Official</b>	Ted Cuno
<b>Director</b>	Jason Locke	<b>Building Inspector</b>	Troy Skinner
<b>Assistant</b>	Laurie Roberts	<b>Planner</b>	John Swanson
<b>Building &amp; Grounds</b>	Ken Stoller		

### February 2009 Monthly Report - Planning & Building

REVENUES		Month	Fiscal YTD
Planning	Feb-09	\$ 1,150	\$ 15,925
Building	Feb-09	\$ 4,950	\$ 150,145

#### LAND USE APPLICATIONS

	Sign	Home Occupation	Conditional Use	Variance	Partition / Replat	Subdivision	Street Plan	Annexation	Zone Change
Feb-09	2	0	0	0	0	0	0	0	0
YTD 2009	2	0	0	0	0	0	0	0	0
Feb-08	0	0	0	0	0	0	0	0	0
Total 2008	13	8	4	4	5	1	0	0	1

#### INSPECTIONS AND SITE VISITS

<b>Monthly:</b> Inspections - 100      Site Visits - 63	<b>Year to Date:</b> Inspections - 258      Site Visits - 143																																				
<table border="1" style="margin: 0 auto; font-size: small;"> <caption>Monthly Inspections and Site Visits</caption> <thead> <tr> <th>Month</th> <th>Inspections</th> <th>Site Visits</th> </tr> </thead> <tbody> <tr><td>Feb 05</td><td>220</td><td>150</td></tr> <tr><td>Feb 06</td><td>500</td><td>250</td></tr> <tr><td>Feb 07</td><td>320</td><td>150</td></tr> <tr><td>Feb 08</td><td>280</td><td>150</td></tr> <tr><td>Feb 09</td><td>100</td><td>63</td></tr> </tbody> </table>	Month	Inspections	Site Visits	Feb 05	220	150	Feb 06	500	250	Feb 07	320	150	Feb 08	280	150	Feb 09	100	63	<table border="1" style="margin: 0 auto; font-size: small;"> <caption>Year to Date Inspections and Site Visits</caption> <thead> <tr> <th>Year</th> <th>Inspections</th> <th>Site Visits</th> </tr> </thead> <tbody> <tr><td>2005</td><td>400</td><td>200</td></tr> <tr><td>2006</td><td>650</td><td>300</td></tr> <tr><td>2007</td><td>350</td><td>180</td></tr> <tr><td>2008</td><td>250</td><td>120</td></tr> <tr><td>YTD 2009</td><td>258</td><td>143</td></tr> </tbody> </table>	Year	Inspections	Site Visits	2005	400	200	2006	650	300	2007	350	180	2008	250	120	YTD 2009	258	143
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#### BUILDING PERMIT SUMMARY

Permit Use	Feb-09	Feb-08	YTD Total 2009	Annual Total 2008	YTD Valuation 2009	Annual Valuation 2008
New Single Family	0	0	1	30	\$ 83,661	\$5,896,612
New Duplexes	0	1	0	0	0	0
New Multifamily	0	0	1	1	3,759,944	390,000
Residential Remodel	3	13	5	61	93,393	1,652,102
Residential Accessory Building	2	0	2	4	30,040	59,891
New Commercial	0	0	0	16	0	4,283,623
Commercial Remodel	5	0	5	49	49,800	982,441
New Industrial	0	0	0	1	0	1,302,945
Industrial Remodel	0	0	0	0	0	0
Public Building	0	0	1	6	1,200	1,627,415
Mobile Home Accessory	0	0	0	0	0	0
Misc./No Fee Permits	0	0	0	0	0	0
<b>Total All Categories</b>	<b>10</b>	<b>14</b>	<b>15</b>	<b>168</b>	<b>\$ 4,018,039</b>	<b>\$16,195,028</b>

# DALLAS AQUATIC CENTER

**City Manager -** Jerry Wyatt  
**Director -** Jason Locke  
**Supervisor -** Tina Paul

## FEBRUARY 2009 MONTHLY REPORT

REVENUE	Feb-09	Fiscal YTD
General Admission	\$14,083	\$114,779
Annual Membership	7,766	69,113
Concessions	4,516	42,778
Pool Rental/Parties	3,740	21,310
Other	2,157	50,641
Feb-09	\$32,262	\$299,917
Feb-08	\$39,151	\$276,835

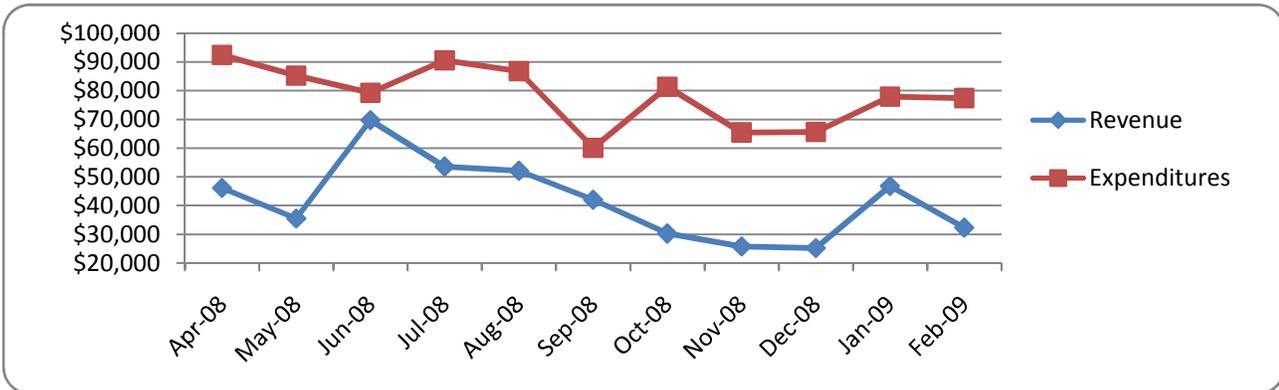
Current Members:	
Annual	810
3-month Water Aerobics	24

Monthly Attendance:	
February	12,927

**R/E Ratio = 46.1%**

(Revenue/Expenditure)

EXPENDITURES	Month	Fiscal YTD
Feb-09	\$77,406	\$650,385
Feb-08	\$66,653	\$617,519



Utility Costs:	Feb-09	Fiscal YTD
Natural Gas	\$21,488	\$112,418
Electricity	\$7,932	\$63,109

# DALLAS CITY COUNCIL REPORT

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

<i>City of Dallas</i>	<b>Agenda Item No. 8 a</b>	<b>Topic:</b> OLCC Liquor License Application for Change of Ownership
<b>Prepared By:</b> Emily Gagner	<b>Meeting Date:</b> April 6, 2009	<b>Attachments:</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Approved By:</b> Jerry Wyatt		

RECOMMENDED MOTION:

Recommend to the OLCC to grant the license for a change of ownership at 962 Main Street for The Roundup Pub (formerly Bozeman’s, Inc.).

BACKGROUND:

The City received an OLCC application for a change of ownership at 962 Main Street for The Roundup Pub (formerly Bozeman’s, Inc.).

The Interim Police Chief has reviewed the application and has no items of concern. I recommend endorsement of this application.

FISCAL IMPACT:

None

ATTACHMENTS:

OLCC License Application for The Roundup Pub



# OREGON LIQUOR CONTROL COMMISSION LIQUOR LICENSE APPLICATION

RECEIVED MAR 19 2009

PLEASE PRINT OR TYPE

Application is being made for:

### LICENSE TYPES

- Full On-Premises Sales (\$402.60/yr)
  - Commercial Establishment
  - Caterer
  - Passenger Carrier
  - Other Public Location
  - Private Club
- Limited On-Premises Sales (\$202.60/yr)
- Off-Premises Sales (\$100/yr)
  - with Fuel Pumps
- Brewery Public House (\$252.60)
- Winery (\$250/yr)
- Other: \_\_\_\_\_

### ACTIONS

- Change Ownership
  - New Outlet
  - Greater Privilege
  - Additional Privilege
  - Other \_\_\_\_\_

Applying as:

- Limited Partnership
- Corporation
- Limited Liability Company
- Individuals

### FOR CITY AND COUNTY USE ONLY

The city council or county commission:

(name of city or county)

recommends that this license be:

Granted  Denied

By: \_\_\_\_\_ (signature) \_\_\_\_\_ (date)

Name: \_\_\_\_\_

Title: \_\_\_\_\_

### OLCC USE ONLY

Application Rec'd by: C. Agan

Date: 3/19/09 pending

90-day authority:  Yes  No

1. Entity or Individuals applying for the license: [See SECTION 1 of the Guide]

① Ham, Inc

RECEIVED

OREGON LIQUOR CONTROL COMMISSION

MAR 19 2009

2. Trade Name (dba): The Roundup Pub

SALEM REGIONAL OFFICE

3. Business Location: 922 Main St. Dallas, Polk, OR 97338  
(number, street, rural route) (city) (county) (state) (ZIP code)

4. Business Mailing Address: 20775 SW Bingo Ln Beaverton, OR 97006  
(PO box, number, street, rural route) (city) (state) (ZIP code)

5. Business Numbers: 503-622-831-0189  
(phone) (fax)

6. Is the business at this location currently licensed by OLCC?  Yes  No

7. If yes to whom: Bozeman's, Inc Type of License: FOP

8. Former Business Name: Bozeman's

9. Will you have a manager?  Yes  No Name: Henry Liu  
(manager must fill out an individual history form)

10. What is the local governing body where your business is located? Polk County Dallas  
(name of city or county)

11. Contact person for this application: Henry Liu 503-431-1248  
(name) (phone number(s))  
20775 SW Bingo Ln. Beaverton, OR 97006  
(address) (fax number) (e-mail address)

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant(s) Signature(s) and Date:

① [Signature] Date: 3-16-09 ③ Date \_\_\_\_\_

② \_\_\_\_\_ Date \_\_\_\_\_ ④ Date \_\_\_\_\_

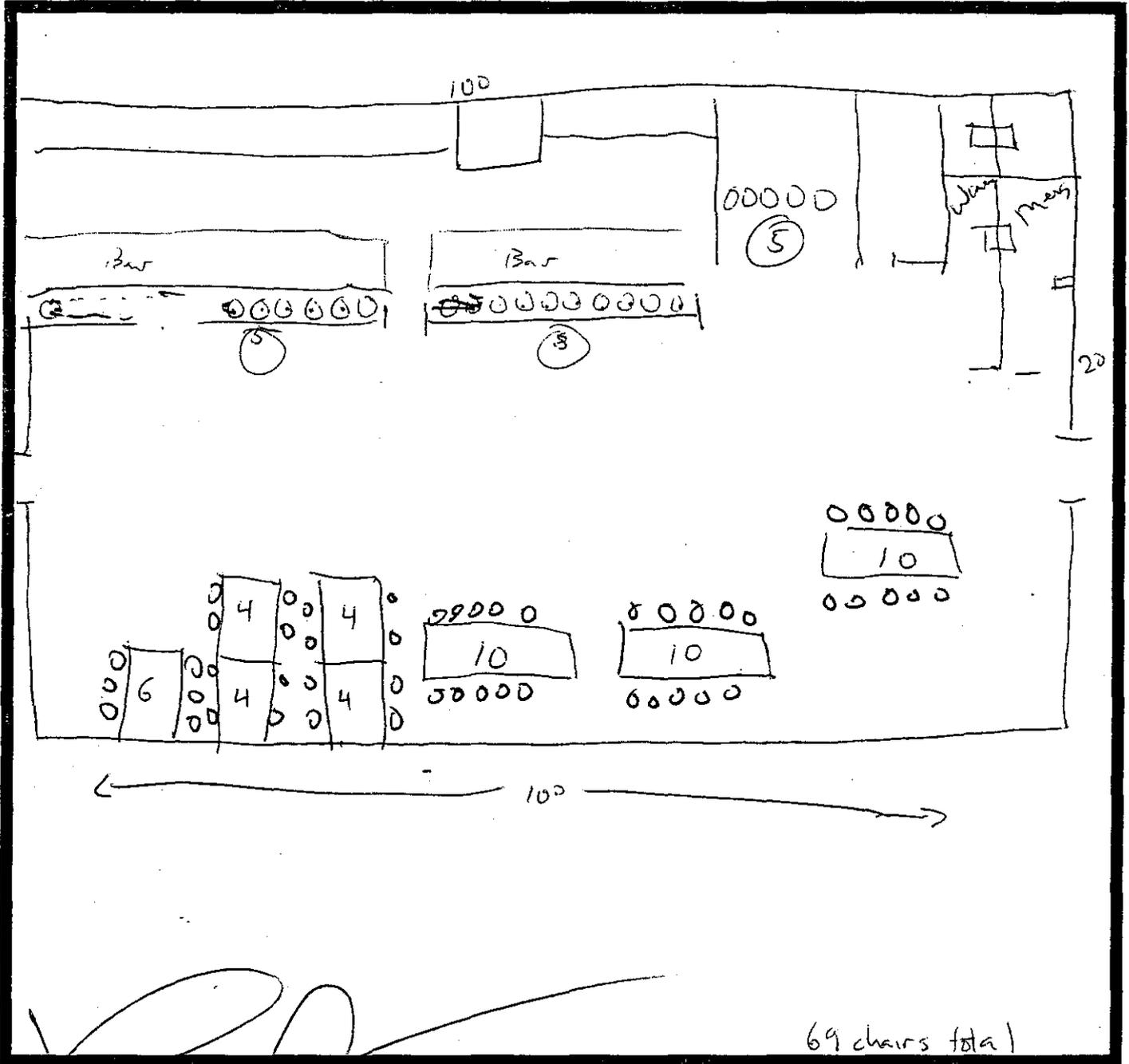
1-800-452-OLCC (6522)  
www.oregon.gov/olcc

(rev. 12/07)



# OREGON LIQUOR CONTROL COMMISSION FLOOR PLAN

- **Your floor plan must be submitted on this form.**
- Use a separate Floor Plan Form for each level or floor of the building.
- Applicants must provide a sketch that shows the specific area of the premises (e.g. dining area, bar, lounge, kitchen and restrooms). Full On-Premises (commercial establishments) applicants must also show dining tables. See example on back.



Applicant Name: [Signature]  
 Trade Name (dba): THE BOUND UP PUB  
 City and ZIP Code: DALLAS, 97338

.....OLCC USE ONLY.....  
 MINOR POSTING ASSIGNMENT(S)  
 Date: \_\_\_\_\_ Initials: \_\_\_\_\_

1-800-452-OLCC (6522)  
[www.oregon.gov/olcc](http://www.oregon.gov/olcc)

(rev. 12/07)



OREGON LIQUOR CONTROL COMMISSION
INDIVIDUAL HISTORY

PLEASE PRINT OR TYPE

YOU MUST ANSWER ALL QUESTIONS ON THIS FORM. IF THE QUESTION DOES NOT APPLY, WRITE N/A IN THE SPACE. ATTACH ADDITIONAL SHEETS IF NECESSARY.

Trade Name (d.b.a.): The Roundup Pub City: Dallas, OR

1. Name: Liu Marie Christian (last) (first) (middle)

2. Other names used (maiden, other): Marie C. Castanos

3. Residence Address: (number and street) (city) (state) (ZIP code)

4. Home Phone: Business Phone: (503) 431-1248

5. \*SSN: Place of Birth: JOB: Sex: M F X

6. Driver License or State ID #: State: Spouse's name: Harry Liu

7. List all states, other than Oregon, where you have lived during the past ten years: California 7 years ago

8. Do you currently hold, or have you ever held a liquor license in this or any other state? Yes No If yes, when, where and name of premises? Portland, OR, Powell House Tavern - Current

9. In the past twelve years, have you been convicted of any violation, misdemeanor or felony? Yes No If yes, what, when and where?

10. Have you ever entered into a diversion agreement? Yes No If yes, when and where?

11. Do you have any arrests or citations that have not been resolved? Yes No If yes, arrested/cited for: Date: County/City/State/

12. If you are applying for a retail liquor license: a. Do you have any financial interest, direct or indirect, in any manufacturer or distributor of alcohol? Yes No If yes, what and where: b. Does any person having a financial or ownership interest in a manufacturer or distributor have an interest in, or potential claim upon your business or premises, for instance through investment, a loan, lease or contract? Yes No If yes, who?

13. Have you ever had a warning, violation, suspension, fine, cancellation or refusal as a licensee or service permittee, in Oregon or any other state? Yes No If yes, when: where:

I UNDERSTAND THE OLCC WILL USE THE ABOVE INFORMATION TO CHECK FOR CRIMINAL RECORDS. I UNDERSTAND IF MY ANSWERS ARE NOT TRUE AND COMPLETE, THE OLCC MAY DENY MY LICENSE APPLICATION.

Applicant Signature: Date: 3-17-09

\*SOCIAL SECURITY NUMBER DISCLOSURE As part of your application for an initial or renewal license, Federal and State laws require you to provide your Social Security Number (SSN) to the Oregon Liquor Control Commission (OLCC) for child support enforcement purposes (42 USC § 666(a)(13) & ORS 25.785). The OLCC will refuse a license to any applicant or licensee who fails to provide his/her SSN. Your SSN will be used only for child support enforcement purposes unless you sign below. Based on our authority under ORS 471.311 and OAR 845-005-0312(6), we are requesting your voluntary consent to use your SSN for the following administrative purposes only: to match your license application to your Alcohol Server Education records (where applicable), and to ensure your identity for criminal records checks. OLCC will not deny you any rights, benefits or privileges otherwise provided by law if you do not consent to use of your SSN for these administrative purposes (5 USC § 552(a)). If you consent to these uses, please sign here: Applicant Signature: Date: 3-17-09



1-800-452-OLCC (6522) www.oregon.gov/olcc

(rev. 12/07)



# OREGON LIQUOR CONTROL COMMISSION INDIVIDUAL HISTORY

PLEASE PRINT OR TYPE

**YOU MUST ANSWER ALL QUESTIONS ON THIS FORM. IF THE QUESTION DOES NOT APPLY, WRITE N/A IN THE SPACE. ATTACH ADDITIONAL SHEETS IF NECESSARY.**

Trade Name (d.b.a.): The Rando Pub City: Dallas, OR

1. Name: Liu (last) Henry (first) E (middle)

2. Other names used (maiden, other): N/A

3. Residence Address: \_\_\_\_\_ (number and street) \_\_\_\_\_ (city) \_\_\_\_\_ (state) \_\_\_\_\_ (ZIP code)

4. Home Phone: \_\_\_\_\_ Business Phone: (503) 431-1248

5. \*SSN: \_\_\_\_\_ Place of Birth: \_\_\_\_\_ (State/Country) DOB: \_\_\_\_\_ (mm) (dd) (yyyy) Sex: M  F

6. Driver License or State ID # \_\_\_\_\_ State: \_\_\_\_\_ Spouse's name: Marie Liu

7. List all states, other than Oregon, where you have lived during the past ten years: California - 7 years ago

8. Do you currently hold, or have you ever held a liquor license in this or any other state?  Yes  No  
If yes, when, where and name of premises? Portland, OR, Powellhurst Tavern - Current

9. In the past twelve years, have you been convicted of **any** violation, misdemeanor or felony?  Yes  No  
If yes, what, when and where? \_\_\_\_\_

10. Have you ever entered into a diversion agreement?  Yes  No  
If yes, when and where? \_\_\_\_\_

11. Do you have any arrests or citations that have not been resolved?  Yes  No  
If yes, arrested/cited for: \_\_\_\_\_ Date \_\_\_\_\_ County/City/State/ \_\_\_\_\_

12. If you are applying for a retail liquor license:  
a. Do you have any financial interest, direct or indirect, in any manufacturer or distributor of alcohol?  Yes  No If yes, what and where: \_\_\_\_\_  
b. Does any person having a financial or ownership interest in a manufacturer or distributor have an interest in, or potential claim upon your business or premises, for instance through investment, a loan, lease or contract?  Yes  No If yes, who? \_\_\_\_\_

13. Have you ever had a warning, violation, suspension, fine, cancellation or refusal as a licensee or service permittee, in Oregon or any other state?  Yes  No If yes, when: \_\_\_\_\_ where: \_\_\_\_\_

**I UNDERSTAND THE OLCC WILL USE THE ABOVE INFORMATION TO CHECK FOR CRIMINAL RECORDS. I UNDERSTAND IF MY ANSWERS ARE NOT TRUE AND COMPLETE, THE OLCC MAY DENY MY LICENSE APPLICATION.**

Applicant Signature: \_\_\_\_\_ Date: 3-16-09

**\*SOCIAL SECURITY NUMBER DISCLOSURE** As part of your application for an initial or renewal license, Federal and State laws require you to provide your Social Security Number (SSN) to the Oregon Liquor Control Commission (OLCC) for child support enforcement purposes (42 USC § 666(a)(13) & ORS 25.785). The OLCC will refuse a license to any applicant or licensee who fails to provide his/her SSN. Your SSN will be used only for child support enforcement purposes unless you sign below.

Based on our authority under ORS 471.311 and OAR 845-005-0312(6), we are requesting your voluntary consent to use your SSN for the following administrative purposes only: to match your license application to your Alcohol Server Education records (where applicable), and to ensure your identity for criminal records checks. OLCC will not deny you any rights, benefits or privileges otherwise provided by law if you do not consent to use of your SSN for these administrative purposes (15 USC § 552(a)). If you consent to these uses, please sign here:

Applicant Signature: \_\_\_\_\_ Date: 3-16-09



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(rev. 12/07)



OREGON LIQUOR CONTROL COMMISSION
BUSINESS INFORMATION

Please Print or Type

Applicant Name: Ham, Inc Phone: 503-831-0189

Trade Name (dba): The Roundup Pub

Business Location Address: 962 Main St.

City: Dallas ZIP Code: 97338

DAYS AND HOURS OF OPERATION

Business Hours:

Sunday 10:00 to 2:30
Monday
Tuesday
Wednesday
Thursday
Friday
Saturday

Outdoor Area Hours:

Sunday to
Monday to
Tuesday to
Wednesday to
Thursday to
Friday to
Saturday to

The outdoor area is used for: N/A

- Food service Hours: to
Alcohol service Hours: to
Enclosed, how

The exterior area is adequately viewed and/or supervised by Service Permittees.

(Investigator's Initials)

Seasonal Variations: Yes No If yes, explain:

ENTERTAINMENT

Check all that apply:

- Live Music
Recorded Music
DJ Music
Dancing
Nude Entertainers
Karaoke
Coin-operated Games
Video Lottery Machines
Social Gaming
Pool Tables
Other:

DAYS & HOURS OF LIVE OR DJ MUSIC

Sunday N/A to
Monday N/A to
Tuesday N/A to
Wednesday to
Thursday to
Friday to
Saturday to

SEATING COUNT

Restaurant: Outdoor:
Lounge: 51 Other (explain): 5 Loto - 13 at Bar
Banquet: Total Seating: 69

OLCC USE ONLY
Investigator Verified Seating: (Y) (N)
Investigator Initials:
Date:

I understand if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: Date: 5-16-09

# DALLAS CITY COUNCIL REPORT

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

<i>City of Dallas</i>	<b>Agenda Item No. 8 b</b>	<b>Topic:</b> Dallas Cruisers Request
<b>Prepared By:</b> Emily Gagner	<b>Meeting Date:</b> April 6, 2009	<b>Attachments:</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Approved By:</b> Jerry Wyatt		

RECOMMENDED MOTION:

Motion to approve closure of Academy Street from Main Street to Church Street on Saturday, June 13 from 7:00 a.m. to 5:00 p.m.

BACKGROUND:

Last June, the Dallas Cruisers held a car show in June and requested from the Council approval to close Academy Street from Main to Church. The Council voted unanimously to approve that request. The Dallas Cruisers are back this year with the same request for a street closure, along with a few other requests for their event. Staff can take care of most of these requests, but a street closure requires Council approval. The City has no concerns regarding this request, and recommends approval.

FISCAL IMPACT:

None

ATTACHMENTS:

Request letter from Dallas Cruisers



## Glen Harmison

1296 Westbrook Dr NW  
Salem, OR 97304

Phone: 503-586-3537  
Fax: 775-459-3750  
Email: [glen@vehicleappraisers.com](mailto:glen@vehicleappraisers.com)

[www.vehicleappraisers.com](http://www.vehicleappraisers.com)

3/17/2009

City Hall  
Attn. Jerry Wyatt  
187 SE Court Street  
Dallas, Oregon 97338

03-18-09A09:32 RCVD

City Council,

The Dallas Cruisers have a car show scheduled for June 13th. We are having the show in the parking lot of The Academy. We received permission from Greg Hanson of the County to use the parking lot.

We have received permission from First Federal Savings & Loan and Steve Mannenbach to use their lots for registration and vending across the street from The Academy.

Last year we asked that Academy Street to be closed from Main to Church Street from 7:00AM to 5:00 PM and the 2 hour parking limit on Academy Street to be ignored on the day of the car show. That is what I am requesting again this year.

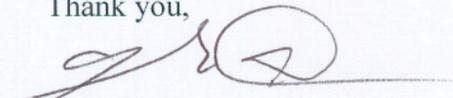
We would also like to have electricity at the stage available from 7:00AM to 5:00PM. We are not using the stage but we are in need of electricity for one of our sponsors that has a blow up NAPA Hat that needs electricity to run the fan and the DJ to run the sound equipment. We would like to use the electricity at the stage rather than run an extension cord across the whole parking lot from the Academy building.

We are also asking permission to locate a few direction signs along the city route. Ellendale & Main (3 signs) / Washington & Jefferson (1 sign) / Jefferson & Academy (1 sign).

Please contact me as to what I need to do from here.

e-mail [glen@vehicleappraisers.com](mailto:glen@vehicleappraisers.com) or mail at: Glen Harmison, 1296 Westbrook Dr, NW, Salem, OR 97304

Thank you,



Glen Harmison

RESOLUTION NO. 3179

A Resolution approving changes in rates for refuse collection service and repealing Resolution No. 3153.

WHEREAS, Allied Waste of Dallas, the owner and holder of the exclusive right, privilege and franchise to collect, transport and transfer waste within the City of Dallas, has applied to the City Council of the City of Dallas for changes in the rates for solid waste collection as set forth in Resolution No. 3153 of the City of Dallas adopted and approved on May 29, 2008; and

WHEREAS, the city Council reviewed said application and determined therefrom that the desired rate changes are justifiable and that the new rates hereinafter set forth are reasonable and should be approved; NOW, THEREFORE,

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

Section 1. The schedule of rates and charges established by Allied Waste of Dallas, and which are now on file at the City Manager's office, may be changed in accordance with the request of the Allied Waste of Dallas to amounts not to exceed the following:

RESIDENTIAL RATES

(Based on standard can, not exceeding 32 gallon capacity)

For one stop a week service:

Not to exceed one can .....	\$ 16.20
Each Additional can .....	15.30
Extra cans, bags or boxes next to regular service can/cart, each.....	5.50
Additional 32 gallon cart (automated pick up) .....	14.80
Additional 90 gallon cart (automated pickup) .....	24.00
On call, one can .....	8.00
Yard debris only .....	8.00
Up drive fee .....	17.00

Loaner Containers, 2 cubic yards, delivered, emptied and removed .....	50.00
each additional dump .....	40.00

One 64-gallon recycle cart per residence at no charge, even if customer does not have garbage service.

One 90-gallon yard waste cart per residence at no charge with garbage service; without garbage service see rate above.

### Special Charges (Residential)

Minimum charge for specials .....	\$22.00
Average size load, such as large chair or recliner, dishwasher, dryer, kitchen table, push lawn mower, twin or double mattress, rototiller, water heater .....	22.00
Medium size load, such as console TV, love seat, queen or king mattress, 55-gallon drum .....	24.50
Large size load, such a couch, range (electric or gas), washing machine .....	27.50
Extra large load, such as bathtub, freezer, hide-a-bed, refrigerator, riding lawn mower .....	33.00
Tires: car, off rim (each) .....	10.00
on rim (each) .....	15.00
Tires: truck, off rim (each) .....	25.00
on rim (each) .....	30.00
Other items or piles:	
per cubic yard of material .....	21.00
plus per minute for one person to load (based on 80.00 per person hour) .....	1.55
plus per minute for second person if required .....	.80

### COMMERCIAL RATES

For standard can, not exceeding 32 gallon capacity and cart service,  
the rates shall be the same as the residential rate for one stop a  
week service multiplied by the number of pickups per week.

#### Rear-Load Container Rates

#Pick-ups per week	1 yard (\$/month)	1.5 yards (\$/month)	2 yards (\$/month)
1	\$81.50	\$101.20	\$123.00
2	148.60	190.50	233.80
3	217.30	279.60	344.30
4	285.40	369.00	454.80

#Pick-ups per week	1 yard (\$/month)	1.5 yards (\$/month)	2 yards (\$/month)
5	353.60	458.40	565.50

MISCELLANEOUS CONTAINER SERVICE RATES

Locking container set up fee .....	\$40.00
Cleaning - pickup and return .....	.87.50 per hour

DROP BOXES

For residential customers, delivered on Tuesday and picked up on Friday or delivered on Friday and picked up on Tuesday. Commercial and industrial on an as needed basis:

Customers must pay any additional fees charged by the landfill for non-acceptable waste in Drop Boxes.

DROP BOXES  
(Roll-Off Containers)

10, 20 and 30 Yard Drop Boxes

Haul Fee .....	\$166.00
Delivery Fee .....	39.00
Rent .....	14.00
	(after first 4 days) (maximum of \$92/month)

Disposal fee shall be based on Coffin Butte disposal fees, as amended from time to time.

Drop Boxes Larger Than 30 Yards .....	178.00 per haul
Rent on Regular Boxes .....	92.00 per month
Rent on Boxes with Lids .....	90.00 per month
Relocate (on site) .....	50.00
Relocate (off site) .....	85.00
Custom Hauling/Custom Cleaning .....	.87.50 per hour

Asbestos Boxes  
Haul Fee .....166.00  
Disposal .....80.00  
per ton  
(5 ton minimum; tied to disposal rate at landfill)

Compactors  
Haul Fees:  
30 yard or less .....220.00  
30 yard & larger .....220.00

NON-PAYMENT

If service is discontinued for non-payment of account, user will be charged a fee of \$30.00 to restart the service.

OFF-ROUTE SERVICE FEE

Fee applies to all requests not on scheduled routes ..... 20.00

BAD CHECKS

Each time a check in payment of service is reprocessed for payment, a charge of \$20.00 will be added to user's account.

SERVICE CHARGE

Accounts not paid by the due date thereof will be charged a service fee of .75% per month, or \$5.00 per month, whichever amount is greater.

Section 2. The rates set forth herein in Section 1 above shall become effective as of billing dates beginning on May 1, 2009 and on said date Resolution No. 3153, adopted and approved on May 29, 2008 is repealed.

Adopted: April 6, 2009  
Approved: April 6, 2009

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JAMES B. FAIRCHILD, MAYOR

ATTEST:

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JERRY WYATT, CITY MANAGER

4.486 Service of City Water to Property Outside City Limits

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(1) Property located outside the city limits but within the urban growth boundary of the city may be served by city water for domestic use only, and subject to the following conditions:

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~~—(a1) Before a nonresident of the city is served with water by the water department, There must be a water main line of adequate size, as determined by the City Manager, located in front of the property, such that the property can be served by a service lateral line.~~

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(b) City water main line extensions will not be permitted outside the city limits for the purpose of serving water to properties outside the city limits.

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(2) Property located outside the city limits and outside the urban growth boundary of the city may not be served with city water except as provided in a written agreement for the provision of such water service entered into prior to May 20, 2009.

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~~a contract shall be entered into by the nonresident user and the city.~~

~~—(32) The owner or person applying for the provision of water to property outside the city limits under subsections (1) and (2), above, shall, as a condition of such service:~~

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(a) Pay all costs of installing such water service, which costs may include, but are not limited to, cutting and replacing of pavement, boring, and all permits, labor, services and materials, all according to standards and specifications determined by the city;

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(b) Pay city water, transportation and parks system development charges, in effect as of the date of application for water service; and

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(c) Execute such development agreements, agreements not to remonstrate against the assessment of future improvement costs and formation of a limited improvement district, and consent to annexation of the property served by city water, as the City Manager may require. ~~The water contract is subject to changes and modifications by the council.~~

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~~—(3) The mayor and city manager are authorized to sign the contract on behalf of the city.~~

~~—(4)— Nonresidents who apply for water service and whose application is approved by the council shall, before obtaining water service, deliver to the city a copy of the water contract.~~

ORDINANCE NO. 1702

An Ordinance amending provisions of the Dallas City Code Section 4.486, relating to service of city water to property outside city limits.

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. Dallas City Code Section 4.486 is hereby amended to read as follows:

**4.486 Service of City Water to Property Outside City Limits**

(1) Property located outside the city limits but within the urban growth boundary of the city may be served by city water for domestic use only, and subject to the following conditions:

(a) There must be a water main line of adequate size, as determined by the City Manager, located in front of the property, such that the property can be served by a service lateral line.

(b) City water main line extensions will not be permitted outside the city limits for the purpose of serving water to properties outside the city limits.

(2) Property located outside the city limits and outside the urban growth boundary of the city may not be served with city water except as provided in a written agreement for the provision of such water service entered into prior to May 20, 2009

(3) The owner or person applying for the provision of water to property outside the city limits under subsections (1) and (2), above, shall, as a condition of such service:

(a) Pay all costs of installing such water service, which costs may include, but are not limited to, cutting and replacing of pavement, boring, and all permits, labor, services and materials, all according to standards and specifications determined by the city;

(b) Pay city water, transportation and parks system development charges, in effect as of the date of application for water service; and

(c) Execute such development agreements, agreements not to remonstrate against the assessment of future improvement costs and formation of a limited improvement district, and consent to annexation of the property served by city water, as the City Manager may require.

Section 2. All prior and conflicting ordinances are hereby repealed.

Read for the first time: April 6, 2009  
Read for the second time: April 20, 2009  
Adopted by the City Council: April 20, 2009  
Approved by the Mayor: April 20, 2009

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JAMES B. FAIRCHILD, MAYOR

ATTEST:

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JERRY WYATT, CITY MANAGER