



City Council

Mayor
Brian Dalton

Council President
LaVonne Wilson

Councilor
Jim Brown

Councilor
Jim Fairchild

Councilor
Kelly Gabliks

Councilor
Beth Jones

Councilor
Jackie Lawson

Councilor
Kevin Marshall

Councilor
Murray Stewart

Councilor
Ken Woods, Jr.

Staff

City Manager
Ron Foggin

City Attorney
Lane Shetterly

Community Development/
Operations Director
Jason Locke

Finance Director
Cecilia Ward

Fire Chief
Bill Hahn

Chief of Police
John Teague

Engineering Director
Fred Braun

City Recorder
Emily Gagner

Recording Secretary
Jeremy Teal

Dallas City Council Agenda

Monday, March 18, 2013, 7:00 p.m.

Mayor Brian Dalton, Presiding

Dallas City Hall

187 SE Court Street

Dallas, Oregon 97338

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 sign in on the provided card.

<u>ITEM</u>	<u>RECOMMENDED ACTION</u>
1. ROLL CALL	
2. PLEDGE OF ALLEGIANCE	
3. COMMENTS FROM THE AUDIENCE <i>This time is provided for citizens to comment on municipal issues and any agenda items other than public hearings. The Mayor may place time restrictions on comments. Please supply 14 copies of the material brought to the meeting for distribution.</i>	
4. 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>	
5. CONSENT AGENDA <i>The following items are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member so requests, in which case the item will be removed from the Consent Agenda and considered separately.</i>	
a. Approve minutes of March 4, 2013, City Council meeting	PG. 3
6. ITEMS REMOVED FROM CONSENT AGENDA	
7. REPORTS OR COMMENTS FROM MAYOR and COUNCIL MEMBERS	
8. REPORTS FROM CITY MANAGER AND STAFF	
a. February Financial Reports	Information PG. 6
b. Discussion about vacant commercial building ordinance	Motion PG. 33
c. Other	

Dallas City Council Agenda

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Our Vision

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

Our Mission

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

Our Motto

*Commitment to the Community.
People Serving People.*

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

9. RESOLUTIONS

- a. Resolution No. 3264 – 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; and committing available local matching funds.

Roll Call Vote
PG. 47

10. FIRST READING OF ORDINANCE

11. SECOND READING OF ORDINANCE

- a. Ordinance No. 1753 – An Ordinance amending provisions of the Dallas City Code Section 4.486 relating to service of city water to property outside city limits.

Roll Call Vote
PG. 49

12. OTHER BUSINESS

13. ADJOURNMENT

There will be a Budget Committee orientation following the City Council meeting.

1 The Dallas City Council met in regular session on Monday, March 4, 2013, at 7:00 p.m. in the
2 Council Chambers of City Hall with Mayor Brian Dalton presiding.

3 **ROLL CALL AND PLEDGE OF ALLEGIANCE**

4 Council members present: Council President LaVonne Wilson, Councilor Jim Brown, Councilor
5 Jim Fairchild, Councilor Kelly Gabliks, Councilor Beth Jones, Councilor Jackie Lawson,
6 Councilor Kevin Marshall, Councilor Murray Stewart, and Councilor Ken Woods, Jr.

7 Also present were: City Manager Ron Foggin, City Attorney Lane Shetterly, Chief of Police John
8 Teague, Fire Chief Bill Hahn, Community Development/Operations Director Jason Locke,
9 Finance Director Cecilia Ward, City Recorder Emily Gagner, and Recording Secretary Jeremy
10 Teal.

11 Mayor Dalton led the Pledge of Allegiance.

12 **COMMENTS FROM THE AUDIENCE**

13 There were none.

14 **PUBLIC HEARINGS**

15 There were none.

16 **CONSENT AGENDA**

17 It was moved by Councilor Gabliks *to approve the Consent Agenda as presented.* The motion
18 was duly seconded and carried unanimously.

19 **ITEMS REMOVED FROM THE CONSENT AGENDA**

20 There were none.

21 **REPORTS OR COMMENTS FROM THE MAYOR AND COUNCIL MEMBERS**

22 **REPORT OF THE FEBRUARY 25, 2013, PUBLIC WORKS COMMITTEE**

23 Councilor Woods reviewed the committee agenda and gave a short overview of each item.

24 **REPORT OF THE FEBRUARY 25, 2013, PUBLIC SAFETY COMMITTEE**

25 Councilor Jones reviewed the committee agenda and gave a short overview of each item.

26 Councilor Gabliks asked if there would be a ban on burning or a permit system. Councilor Jones
27 stated there was still need of more discussion and compromise.

28 Councilor Fairchild asked if at any time during the loss of intake did the City tap into the Aquifer
29 Storage and Recovery system (ASR). Mr. Locke stated the City had a problem with the intake last
30 winter and had enough water on reserve that the City didn't need to tap into the ASR.

31 Councilor Brown stated the graph was misleading showing the amount of water at the reservoir
32 and asked if the amount of water in the ASR grew every year because the City wasn't taking any
33 out. Mr. Foggin stated that water was pumped out regularly and the quality was checked.

34 **OTHER**

35 Mayor Dalton stated the "Day At The Capital" was successful. He commented the group met with
36 Representative Jim Thompson and Senator Brian Boquist.

37 **REPORTS FROM CITY MANAGER AND STAFF**

38 **ONLINE BILL PAY**

39 Mr. Foggin stated he had discussions with staff members and the City would proceed with the
40 online bill pay process. He commented that this would give the citizens an additional option to
41 pay their bills online. He advised that the goal was to reduce the aging report. He indicated that
42 the City was already taking credit cards and payments through checking accounts, so this would
43 not be a dramatic change to process.

44 Councilor Stewart asked what the effective date would be. Mr. Foggin stated the process would
45 be implemented immediately. Councilor Stewart suggested informing the public as much as
46 possible. Mr. Foggin stated there were plans to get the information to the public. He advised that
47 the City would implement the system as soon as training was complete.

1 Councilor Fairchild asked that a six month review of the service be presented to the Council. Mr.
2 Foggin stated he would provide a financial report.

3 Councilor Lawson asked if there would be any staff eliminated. Mr. Foggin stated that no staff
4 would be eliminated; noting additional staff time would be used for reporting and helping with
5 additional functions in the Finance Department.

6 OTHER

7 Mr. Foggin reported that the City received an award from CIS for 30 years of continuous service.

8 **RESOLUTIONS**

9 **Resolution No. 3262** – A resolution establishing stop signs on SE Greening Drive and SE
10 Appleseed Drive.

11 A roll call vote was taken and Mayor Dalton declared Resolution No. 3262 to had PASSED BY A
12 UNANIMOUS VOTE with Councilor Jim Brown, Councilor Jim Fairchild, Councilor Kelly
13 Gabliks, Councilor Beth Jones, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor
14 Murray Stewart, Council President LaVonne Wilson, and Councilor Ken Woods, Jr. voting YES.

15 **Resolution No. 3263** – A resolution authorizing the transfer of budgetary funds.

16 Councilor Gabliks asked why the Aquatic Center needed a new lift. Mr. Locke stated the lift was
17 eleven years old and was not ADA accessible.

18 A roll call vote was taken and Mayor Dalton declared Resolution No. 3263 to had PASSED BY A
19 UNANIMOUS VOTE with Councilor Jim Brown, Councilor Jim Fairchild, Councilor Kelly
20 Gabliks, Councilor Beth Jones, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor
21 Murray Stewart, Council President LaVonne Wilson, and Councilor Ken Woods, Jr. voting YES.

22 **FIRST READING OF ORDINANCE**

23 **Ordinance No. 1753** – An ordinance amending provisions of the Dallas City Code section 4.486
24 relating to service of City water to property outside City limits.

25 Mayor Dalton declared Ordinance No. 1753 to have passed its first reading.

26 **Ordinance No. 1754** – An ordinance accepting the conveyance of certain real property for public
27 trail and park use; and declaring an emergency.

28 Mayor Dalton declared Ordinance No. 1754 to have passed its first reading.

29 **SECOND READING OF ORDINANCE**

30 **Ordinance No. 1754** – An ordinance accepting the conveyance of certain real property for public
31 trail and park use; and declaring an emergency.

32 Councilor Stewart asked if this property was deeded to the City to continue the trail in lieu of a
33 dollar amount to equalize the agreement. Mr. Shetterly advised this was an un-liquidated claim
34 for street improvements never resolved to a dollar amount and in lieu of a payment the property
35 would be signed over to the City. He stated Mr. Hiebert still had outstanding obligations to the
36 property.

37 A roll call vote was taken and Mayor Dalton declared Ordinance No. 1754 to had PASSED BY A
38 UNANIMOUS VOTE with Councilor Jim Brown, Councilor Jim Fairchild, Councilor Kelly
39 Gabliks, Councilor Beth Jones, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor
40 Murray Stewart, Council President LaVonne Wilson, and Councilor Ken Woods, Jr. voting YES.

41 **OTHER BUSINESS**

42 There was discussion regarding the clothing collection boxes placed throughout Dallas. Mr.
43 Locke stated the City had tracked down the company and advised them of the proper procedure to
44 acquire permits.

45 There being no further business, the meeting adjourned at 7:35 p.m.

Read and approved this _____ day of _____ 2013.

Mayor

ATTEST:

City Manager

DRAFT

DALLAS CITY COUNCIL REPORT

To: DALLAS CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 8a	Topic: February 2013 Financial Reports
Prepared By: Cecilia Ward	Meeting Date: March 18, 2013	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Ron Foggin		

RECOMMENDED MOTION:

Information Only

BACKGROUND:

Provided is the monthly financial report for the month of February 2013. Following are the highlights for February 2013:

- Percent spent should be at 66.67%. This can vary up or down depending on seasonal or one-time revenues and expenditures.
- The last lease payment for a police vehicle was made in February. No outside leases remain for police vehicles.
- The John Deere vehicle for the Parks Department was purchased out of the Fleet Management Fund.
- Received annual gas franchise payment from NW Natural Gas. Received \$11,665 less than budgeted due to one-time credit adjustment issued to customers by NW Natural Gas.

FISCAL IMPACT:

None

ATTACHMENTS:

February 2013 Financial Reports

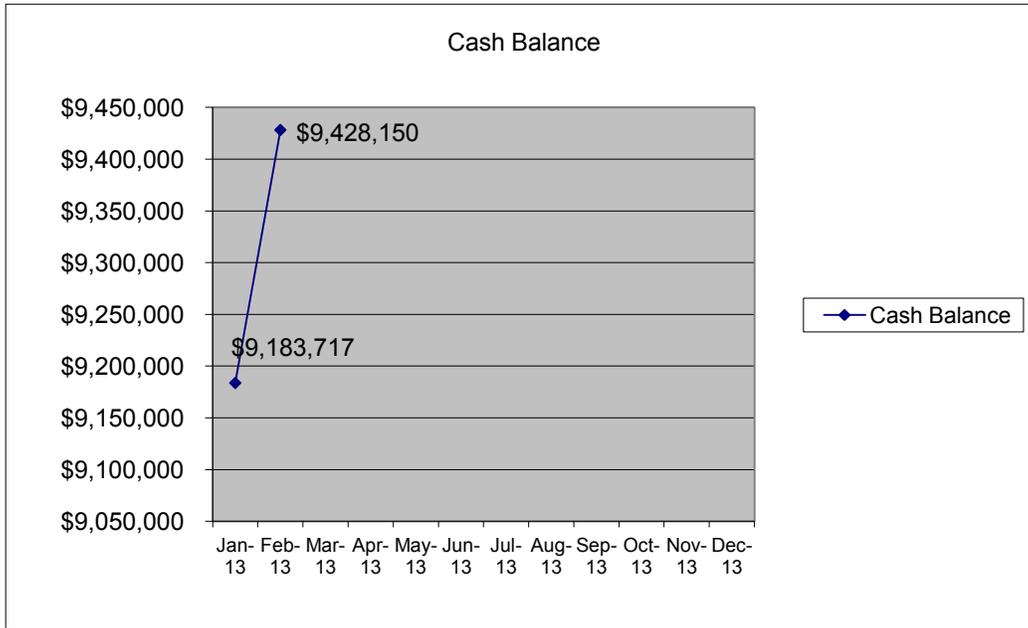


Monthly Financials
for the Month of
February 2013

CITY OF DALLAS
Cash Report
For the Period Ending February 28, 2013

Cash on hand	\$ 645
Cash in Investments	8,859,202
Cash in Bank	568,303
Total Cash Balance as of 2/28/2013	\$ 9,428,150

Restricted/Committed	\$ 6,211,289
Unrestricted	3,216,861
	\$ 9,428,150

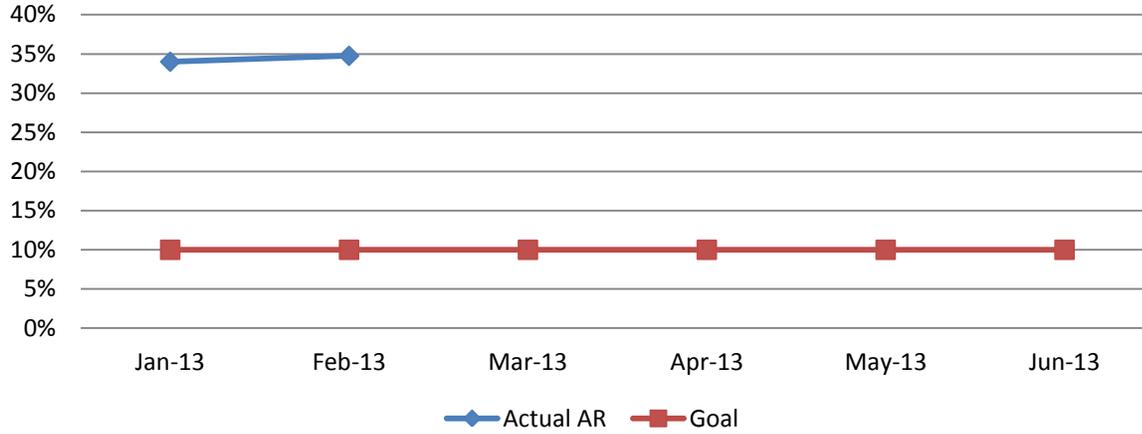


<u>Investment Breakdown</u>	<u>Ending Bal</u>	<u>Interest YTD</u>
LGIP	\$ 7,681,371	\$ 27,316
Wells Fargo Savings	1,177,831	\$ 392
	\$ 8,859,202	\$ 27,708

UTILITY AGING REPORT
February 28, 2013

	Jan-13	Feb-13	Mar-13	Apr-13	May-13	Jun-13
Actual AR	34%	35%				
Goal	10%	10%	10%	10%	10%	10%

Utility Aging Report Graph

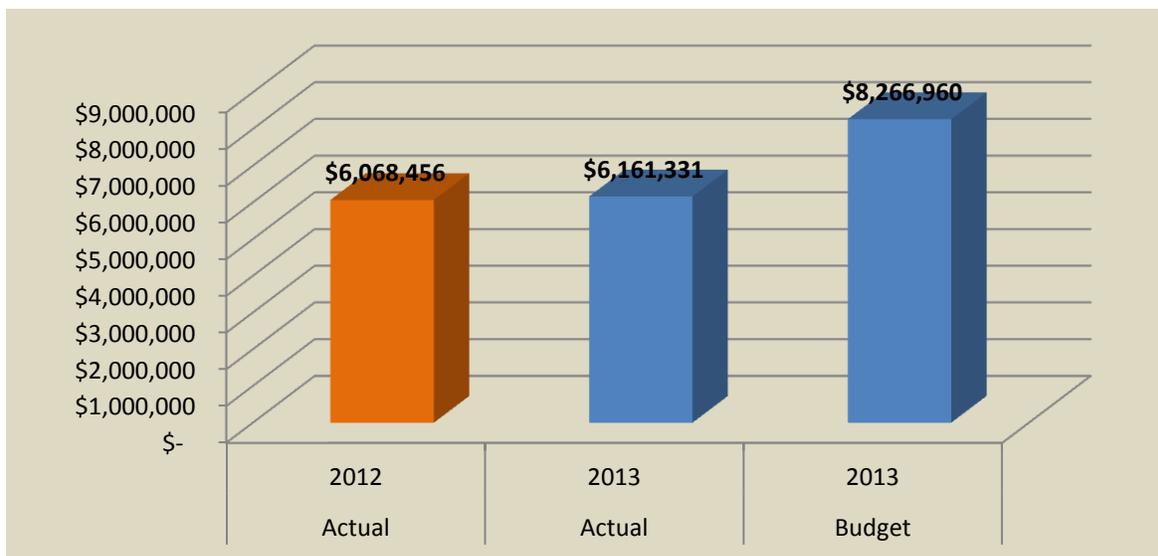


* Report is for accounts receivable greater than 90 days

City of Dallas
Monthly Financials
February 2013

General Fund Revenue

Description	Year-to-Date		Budget 2013	Budget Remaining	Percent Collected
	Actual 2012	Actual 2013			
Licenses, Permits and Fees	\$ 782,920	\$ 807,385	\$ 1,295,000	\$ 487,615	62.3%
Fines and Forfeitures	93,822	67,142	179,500	112,358	37.4%
Recreation Fees	267,069	276,416	461,000	184,584	60.0%
Library Fees	44,428	43,291	73,500	30,209	58.9%
Property Taxes	2,996,842	3,128,021	3,375,460	247,439	92.7%
Miscellaneous Taxes	176,931	170,536	247,500	76,964	68.9%
Franchise Fees	722,264	710,304	1,060,000	349,696	67.0%
Inter-governmental	80,033	83,299	157,000	73,701	53.1%
Miscellaneous Revenue	76,170	38,396	88,000	49,604	43.6%
Interest Earnings	7,205	8,848	15,000	6,152	59.0%
Transfers	820,772	827,693	1,315,000	487,307	62.9%
	\$ 6,068,456	\$ 6,161,331	\$ 8,266,960	\$ 784,558	74.5%



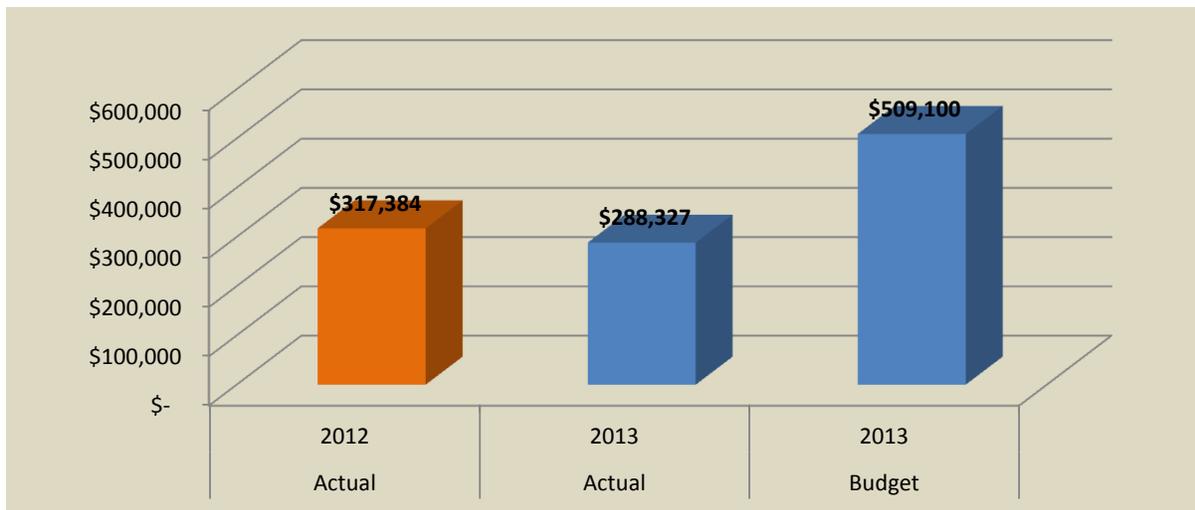
66.67% Through the Fiscal Year

City of Dallas
Monthly Financials
February 2013

Department: Administration

Description	Year-to-Date		Year-to-Date		Budget 2013	Budget Remaining	Percent Spent
	Actual 2012	Actual 2013	Actual 2013	Actual 2013			
Personal Services	\$ 228,235	\$ 210,809	\$ 210,809	\$ 210,809	\$ 358,500	\$ 147,691	58.8%
Materials and Supplies	89,149	77,518	77,518	77,518	150,600	73,082	51.5%
Capital Outlay	-	-	-	-	-	-	
	\$ 317,384	\$ 288,327	\$ 288,327	\$ 288,327	\$ 509,100	\$ 220,773	56.6%

There are no capital expenditures budgeted in this department.



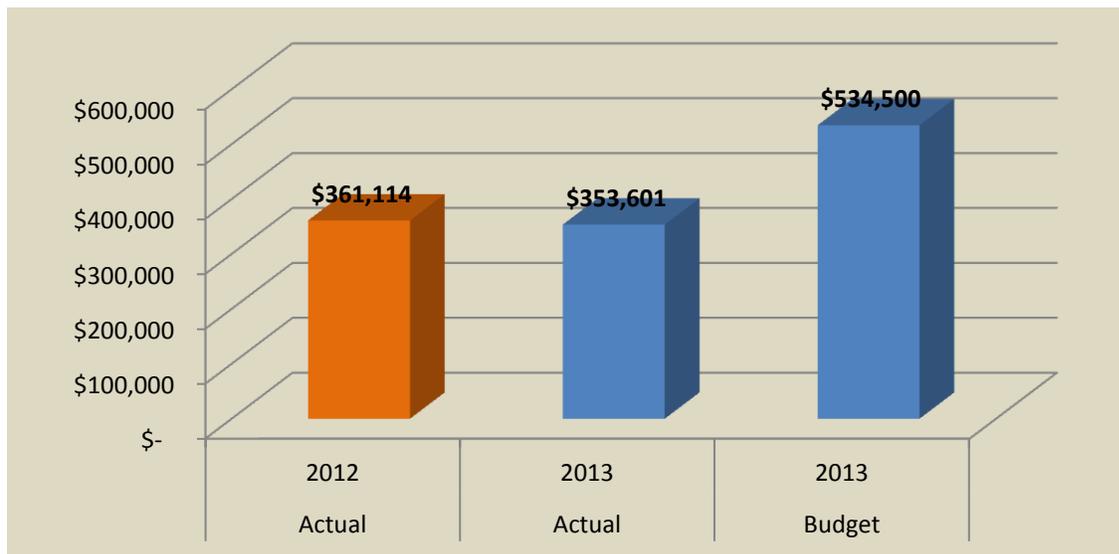
66.67% Through the Fiscal Year

City of Dallas
Monthly Financials
February 2013

Department: Finance

Description	Year-to-Date		Budget 2013	Budget Remaining	Percent Spent
	Actual 2012	Actual 2013			
Personal Services	\$ 216,474	\$ 218,675	\$ 337,000	\$ 118,325	64.9%
Materials and Supplies	144,640	134,926	192,500	57,574	70.1%
Capital Outlay	-	-	5,000	5,000	0.0%
	\$ 361,114	\$ 353,601	\$ 534,500	\$ 180,899	66.2%

Capital Expenditures: Remodel the vault for - \$5,000



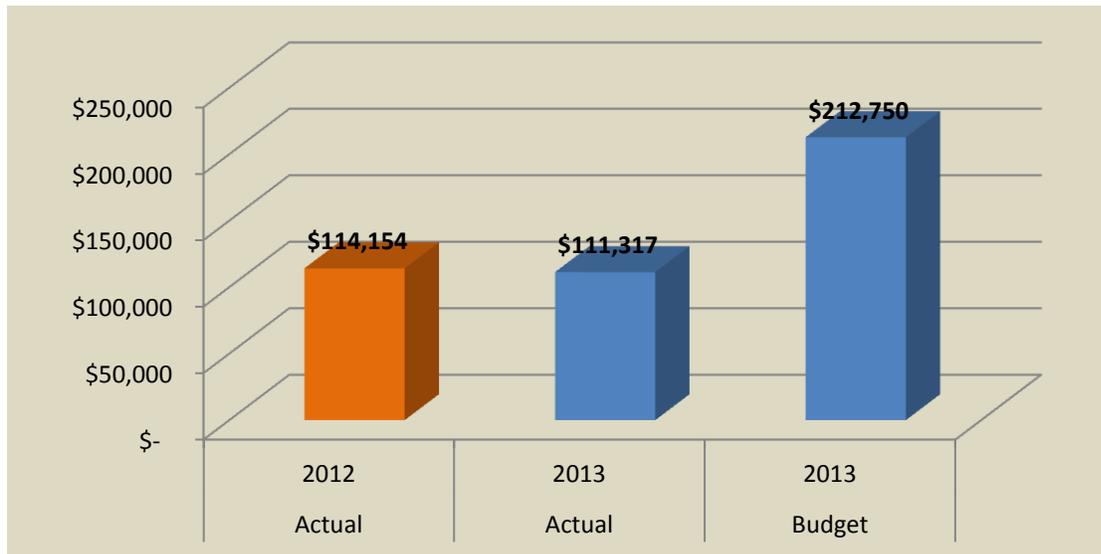
66.67% Through the Fiscal Year

City of Dallas
Monthly Financials
February 2013

Department: Facilities

Description	Year-to-Date		Budget 2013	Budget Remaining	Percent Spent
	Actual 2012	Actual 2013			
Personal Services	\$ 68,205	\$ 71,590	\$ 112,500	\$ 40,910	63.6%
Materials and Supplies	45,948	39,726	75,250	35,524	52.8%
Capital Outlay	-	-	25,000	25,000	0.0%
	\$ 114,154	\$ 111,317	\$ 212,750	\$ 101,433	52.3%

Capital Expenditures: HVAC system for Carnegie Building - \$25,000



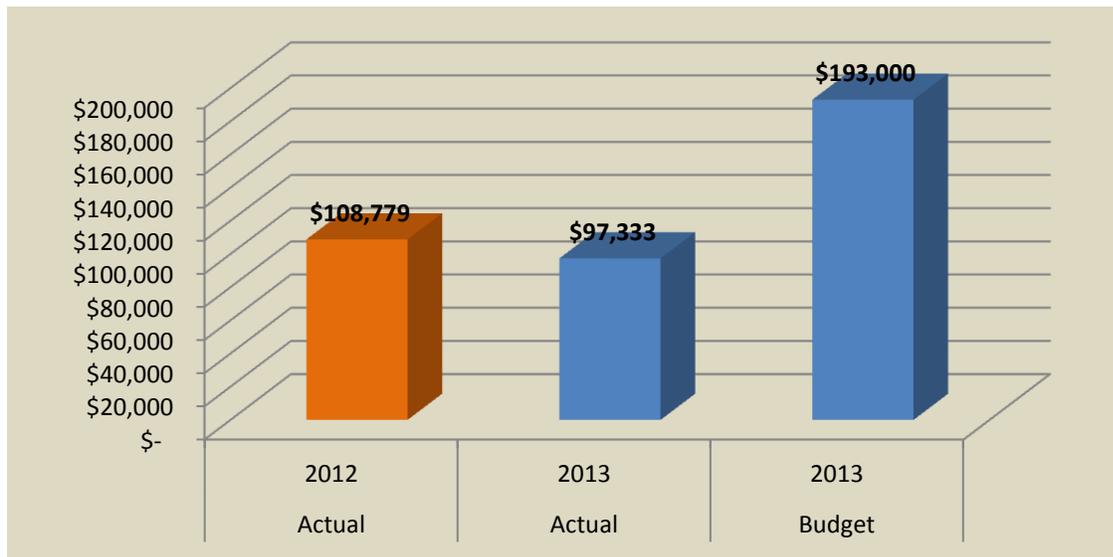
66.67% Through the Fiscal Year

City of Dallas
Monthly Financials
February 2013

Department: Municipal Court

Description	Year-to-Date	Year-to-Date	Budget 2013	Budget Remaining	Percent Spent
	Actual 2012	Actual 2013			
Personal Services	\$ 92,869	\$ 86,768	\$ 143,000	\$ 56,232	60.7%
Materials and Supplies	15,910	10,564	45,000	34,436	23.5%
Capital Outlay	-	-	5,000	5,000	0.0%
	\$ 108,779	\$ 97,333	\$ 193,000	\$ 95,667	50.4%

Capital Expenditures: Remodel the vault for - \$5,000



66.67% Through the Fiscal Year

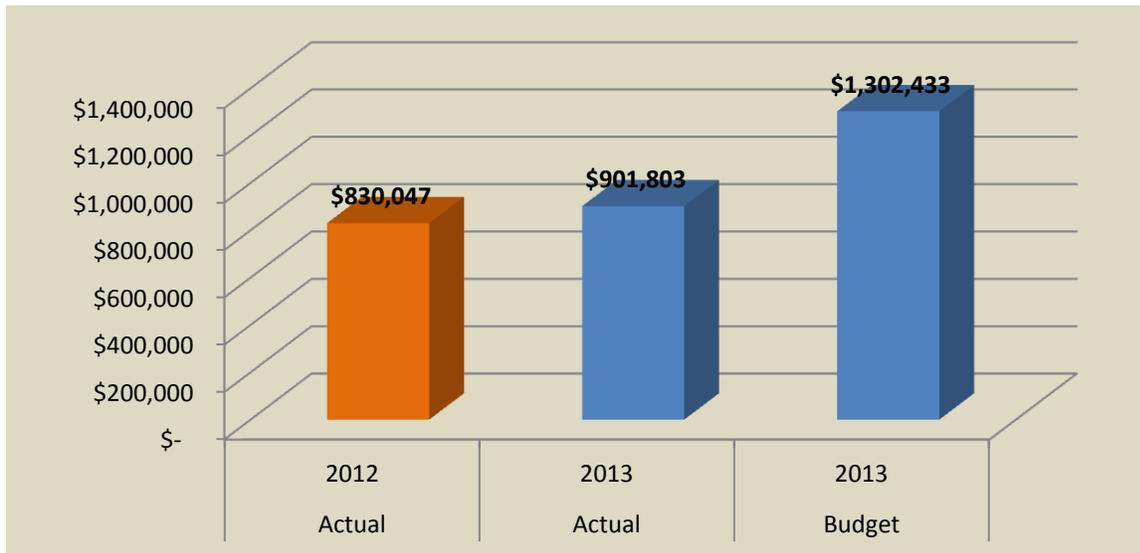
66.67% Through the Fiscal Year

City of Dallas
Monthly Financials
February 2013

Department: Ambulance

Description	Year-to-Date		Budget 2013	Budget Remaining	Percent Spent
	Actual 2012	Actual 2013			
Personal Services	\$ 572,787	\$ 638,290	\$ 904,000	\$ 265,710	70.6%
Materials and Supplies	211,264	220,656	347,800	127,144	63.4%
Capital Outlay	8,243	5,717	12,000	6,283	47.6%
Debt Service	37,753	37,140	38,633	1,493	96.1%
	\$ 830,047	\$ 901,803	\$ 1,302,433	\$ 400,630	69.2%

Capital Expenditures: Replacement of medical equipment - \$9,000
 Replacement of turnouts - \$3,000



66.67% Through the Fiscal Year

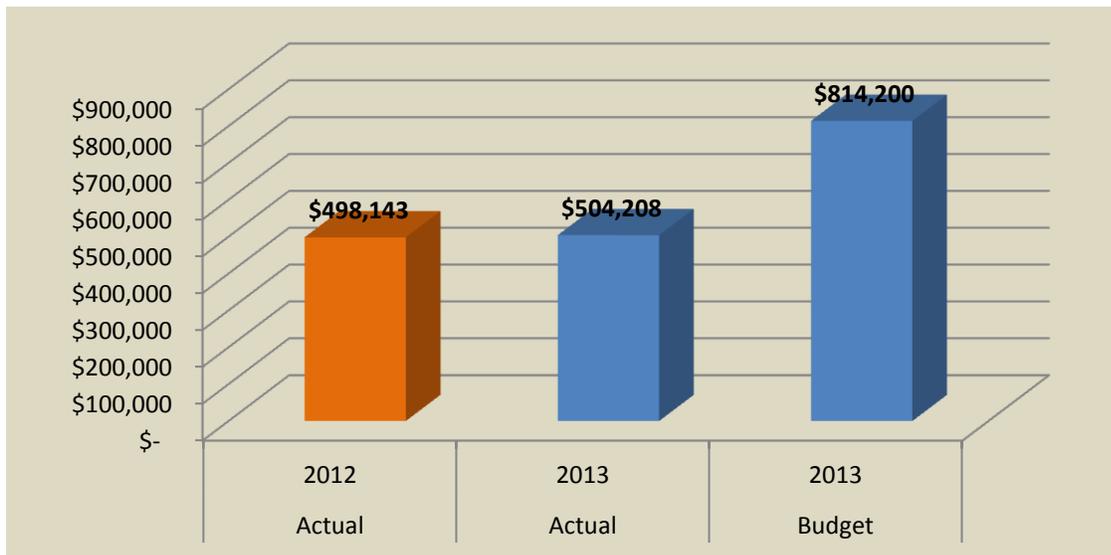
City of Dallas
Monthly Financials
February 2013

Department: Fire

Description	Year-to-Date		Budget 2013	Budget Remaining	Percent Spent
	Actual 2012	Actual 2013			
Personal Services	\$ 333,472	\$ 316,943	\$ 492,000	\$ 175,057	64.4%
Materials and Supplies	142,438	156,476	272,200	115,724	57.5%
Capital Outlay	22,234	30,789	50,000	19,211	61.6%
	\$ 498,143	\$ 504,208	\$ 814,200	\$ 309,992	61.9%

Capital Expenditures:

- Replacement of equipment - \$8,000
- Replacement of turnouts - \$30,000
- Equipment (Grant match for Compressor) - \$12,000



66.67% Through the Fiscal Year

City of Dallas
Monthly Financials
February 2013

Department: Police

Description	Year-to-Date	Year-to-Date	Budget 2013	Budget Remaining	Percent Spent
	Actual 2012	Actual 2013			
Personal Services	\$ 1,715,382	\$ 1,665,753	\$ 2,502,500	\$ 836,747	66.6%
Materials and Supplies	264,408	229,250	411,035	181,785	55.8%
Capital Outlay	-	-	-	-	0.0%
Debt Service	31,218	15,440	15,440	1	100.0%
Transfer	10,000	18,000	27,000	9,000	66.7%
	\$ 2,021,008	\$ 1,928,442	\$ 2,955,975	\$ 1,027,533	65.2%

There are no capital expenditures budgeted in this department.



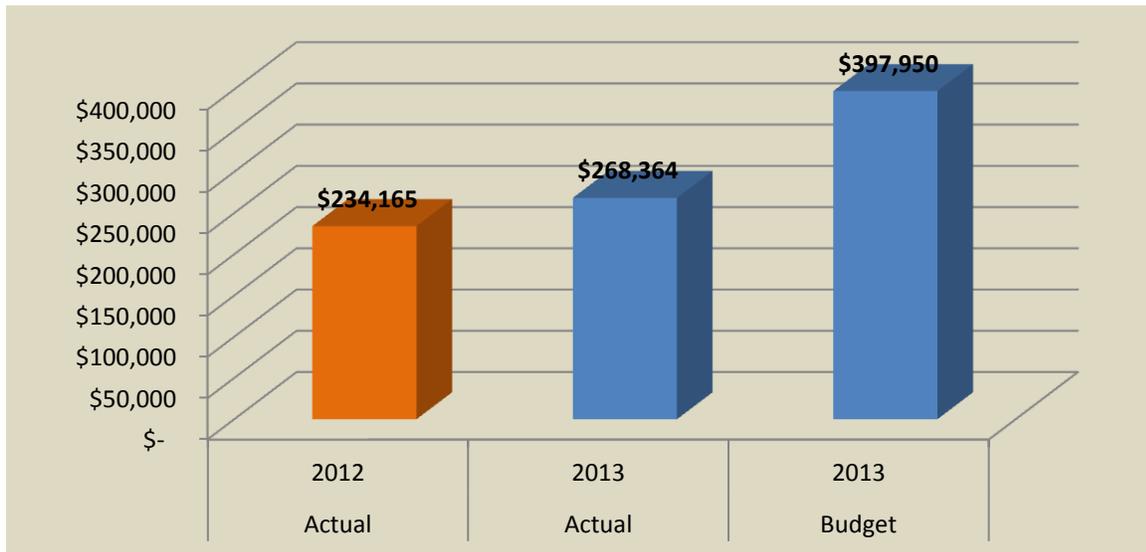
66.67% Through the Fiscal Year

City of Dallas
Monthly Financials
February 2013

Department: Library

Description	Year-to-Date	Year-to-Date	Budget 2013	Budget Remaining	Percent Spent
	Actual 2012	Actual 2013			
Personal Services	\$ 192,904	\$ 220,895	\$ 333,000	\$ 112,105	66.3%
Materials and Supplies	41,261	47,469	64,950	17,481	73.1%
Capital Outlay	-	-	-	-	
	\$ 234,165	\$ 268,364	\$ 397,950	\$ 129,586	67.4%

There are no capital expenditures budgeted in this department.



66.67% Through the Fiscal Year

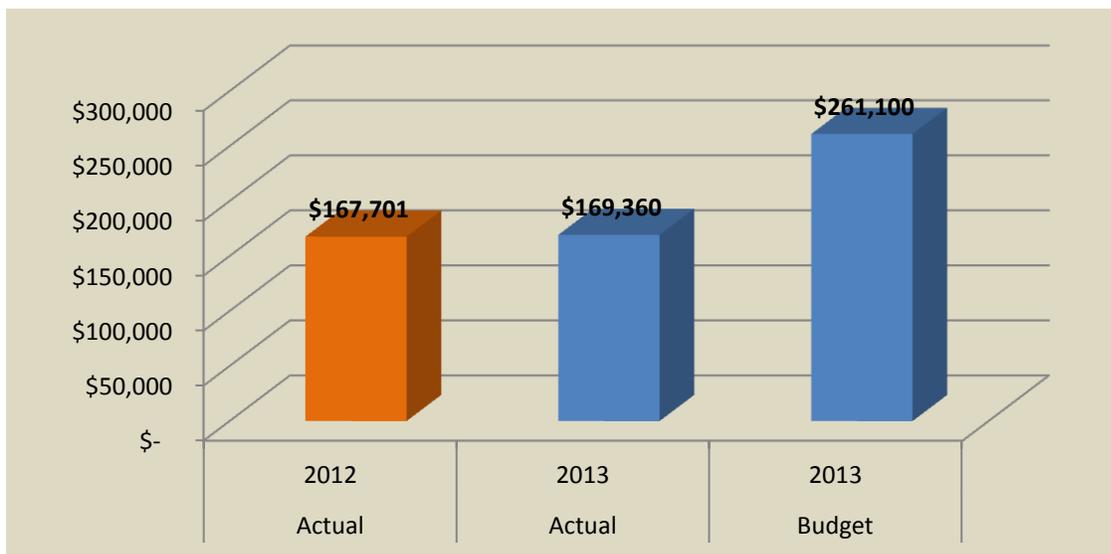
66.67% Through the Fiscal Year

City of Dallas
Monthly Financials
February 2013

Department: Parks

Description	Year-to-Date		Budget 2013	Budget Remaining	Percent Spent
	Actual 2012	Actual 2013			
Personal Services	\$ 106,477	\$ 106,106	\$ 161,000	\$ 54,895	65.9%
Materials and Supplies	61,224	63,255	100,100	36,845	63.2%
Capital Outlay	-	-	-	-	0.0%
	\$ 167,701	\$ 169,360	\$ 261,100	\$ 91,740	64.9%

There are no capital expenditures budgeted in this department.



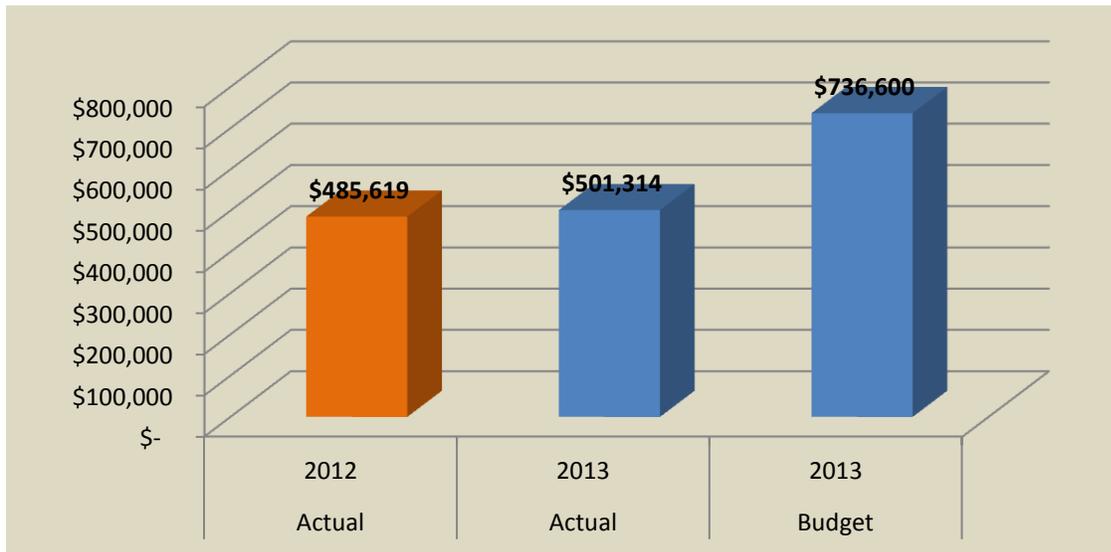
66.67% Through the Fiscal Year

City of Dallas
Monthly Financials
February 2013

Department: Aquatic Center

Description	Year-to-Date	Year-to-Date	Budget 2013	Budget Remaining	Percent Spent
	Actual 2012	Actual 2013			
Personal Services	\$ 266,605	\$ 278,256	\$ 413,000	\$ 134,744	67.4%
Materials and Supplies	185,681	189,725	273,600	83,875	69.3%
Capital Outlay	33,333	33,333	50,000	16,667	66.7%
	\$ 485,619	\$ 501,314	\$ 736,600	\$ 235,286	68.1%

Capital Expenditures: Equipment Reimbursement - \$50,000



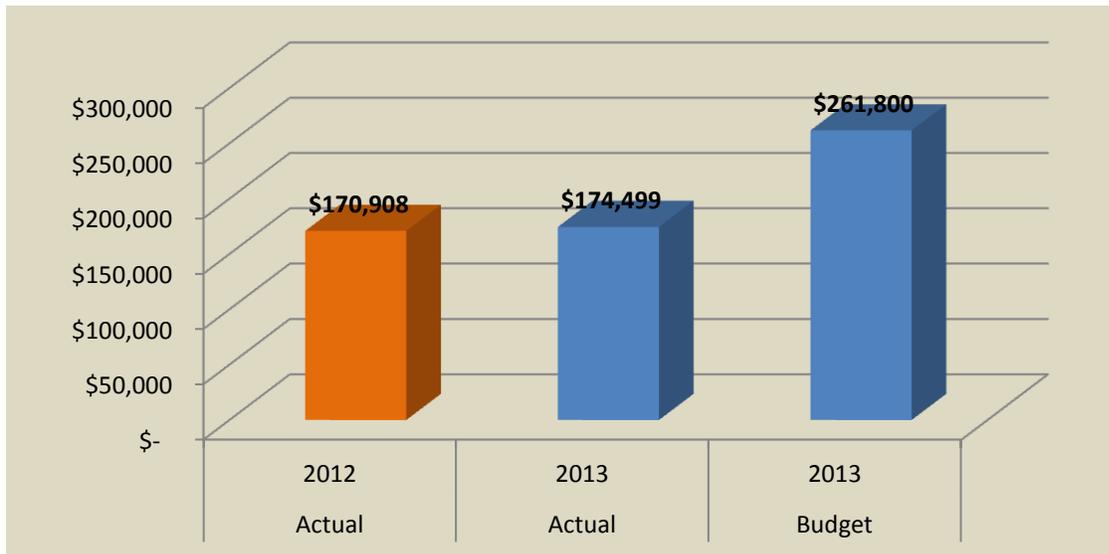
66.67% Through the Fiscal Year

City of Dallas
Monthly Financials
February 2013

Department: Building Inspections

Description	Year-to-Date	Year-to-Date	Budget 2013	Budget Remaining	Percent Spent
	Actual 2012	Actual 2013			
Personal Services	\$ 162,520	\$ 165,064	\$ 244,000	\$ 78,936	67.6%
Materials and Supplies	8,388	9,435	17,800	8,365	53.0%
Capital Outlay	-	-	-	-	
	\$ 170,908	\$ 174,499	\$ 261,800	\$ 87,301	66.7%

There are no capital expenditures budgeted in this department.



66.67% Through the Fiscal Year

City of Dallas
Monthly Financials
February 2013

Department: Planning

Description	Year-to-Date	Year-to-Date	Budget 2013	Budget Remaining	Percent Spent
	Actual 2012	Actual 2013			
Personal Services	\$ 93,584	\$ 94,834	\$ 140,500	\$ 45,666	67.5%
Materials and Supplies	9,725	11,898	41,800	29,902	28.5%
Capital Outlay	-	-	-	-	
	\$ 103,309	\$ 106,732	\$ 182,300	\$ 75,568	58.5%

There are no capital expenditures budgeted in this department.



66.67% Through the Fiscal Year

City of Dallas
Monthly Financials
February 2013

Department: System Development Fund

Description	Year-to-Date		Budget 2013	Budget Remaining	Percent Collected
	Actual 2012	Actual 2013			
Revenue					
Streets SDC	\$ 8,876	\$ 23,979	\$ 25,000	\$ 1,021	95.9%
Parks SDC	27,279	48,847	50,000	1,153	97.7%
Water SDC	27,279	48,847	50,000	1,153	97.7%
Sewer SDC	22,207	24,751	20,000	(4,751)	123.8%
Storm Water SDC	6,200	19,400	15,000	(4,400)	129.3%
Transfers	-	583,000	583,000	-	100.0%
	\$ 91,840	\$ 748,824	\$ 743,000	\$ (7,998)	100.8%

Description	Year-to-Date		Budget 2013	Budget Remaining	Percent Spent
	Actual 2012	Actual 2013			
Expenditures					
Street SDC Projects	\$ -	\$ -	\$ 163,775	\$ 163,775	0.0%
Park SDC Projects	30,899	3,050	178,775	175,725	1.7%
Water SDC Projects	10,000	-	88,775	88,775	0.0%
Sewer SDC Projects	53,745	-	2,528,775	2,528,775	0.0%
Storm Water SDC Projects	-	-	18,500	18,500	0.0%
Transfers	16,600	16,600	124,900	108,300	13.3%
	\$ 111,245	\$ 19,650	\$ 3,103,500	\$ 3,083,850	0.6%

Capital Expenditures:



66.67% Through the Fiscal Year

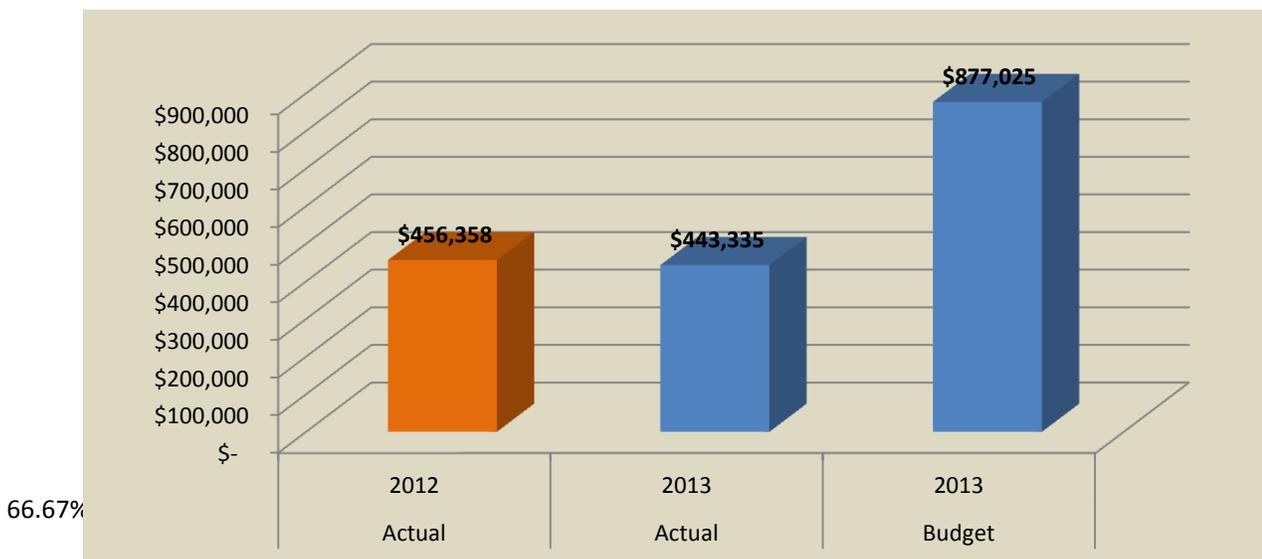
City of Dallas
Monthly Financials
February 2013

Department: Streets

Description	Year-to-Date	Year-to-Date	Budget 2013	Budget Remaining	Percent Collected
	Actual 2012	Actual 2013			
Revenue					
Highway Reimbursement & Appropriations	\$ 753,350	\$ 758,944	\$ 1,019,790	\$ 260,846	74.4%
Miscellaneous Revenue and Interest	10,930	20,302	24,250	3,948	83.7%
	\$ 764,279	\$ 779,247	\$ 1,044,040	\$ 264,793	74.6%

Description	Year-to-Date	Year-to-Date	Budget 2013	Budget Remaining	Percent Spent
	Actual 2012	Actual 2013			
Expenditures					
Personal Services	\$ 236,075	\$ 208,083	\$ 319,000	\$ 110,917	65.2%
Materials and Supplies	160,080	154,943	250,500	95,557	61.9%
Capital Outlay	6,869	26,976	227,525	200,549	11.9%
Transfers	53,333	53,333	80,000	26,667	66.7%
	\$ 456,358	\$ 443,335	\$ 877,025	\$ 433,690	50.5%

Capital Expenditures: Contractual Overlays - \$207,525
Sidewalks - \$20,000



66.67% Through the Fiscal Year

City of Dallas
Monthly Financials
February 2013

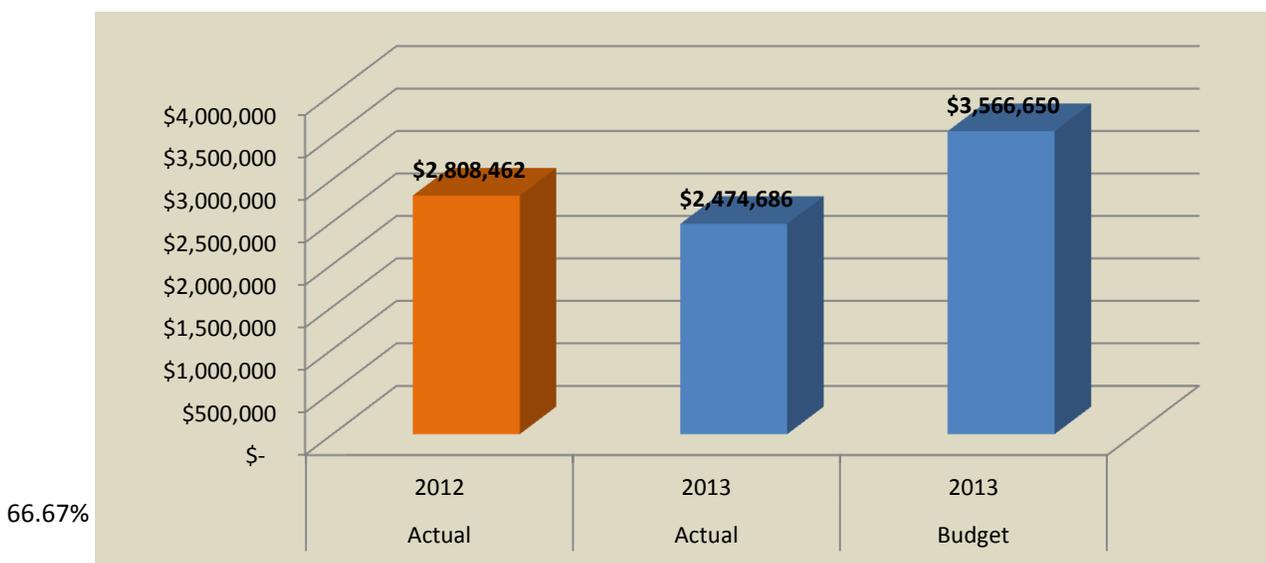
Department: Sewer

Description	Year-to-Date	Year-to-Date	Budget 2013	Budget Remaining	Percent Collected
	Actual 2012	Actual 2013			
Revenue					
Service Charges and Hook Up Fees	\$ 1,916,536	\$ 1,970,209	\$ 2,978,000	\$ 1,007,791	66.2%
Miscellaneous Revenue and Interest	59,493	175,287	87,450	(87,837)	200.4%
	\$ 1,976,029	\$ 2,145,496	\$ 3,065,450	\$ 919,954	70.0%

Description	Year-to-Date	Year-to-Date	Budget 2013	Budget Remaining	Percent Spent
	Actual 2012	Actual 2013			
Expenditures					
Personal Services	\$ 422,166	\$ 395,843	\$ 587,500	\$ 191,657	67.4%
Materials and Supplies	677,035	611,739	953,500	341,761	64.2%
Capital Outlay	130,060	94,794	470,000	375,206	20.2%
Transfers	1,579,201	1,372,310	1,555,650	183,340	88.2%
	\$ 2,808,462	\$ 2,474,686	\$ 3,566,650	\$ 1,091,964	69.4%

Capital Expenditures:

- I & I - \$300,000
- WWTF Capital Improvements - \$55,000
- Sewer Replacement Projects - \$25,000
- WWTF Equipment Replacement - \$90,000
- Repair to pump



66.67% Through the Fiscal Year

City of Dallas
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Department: Water

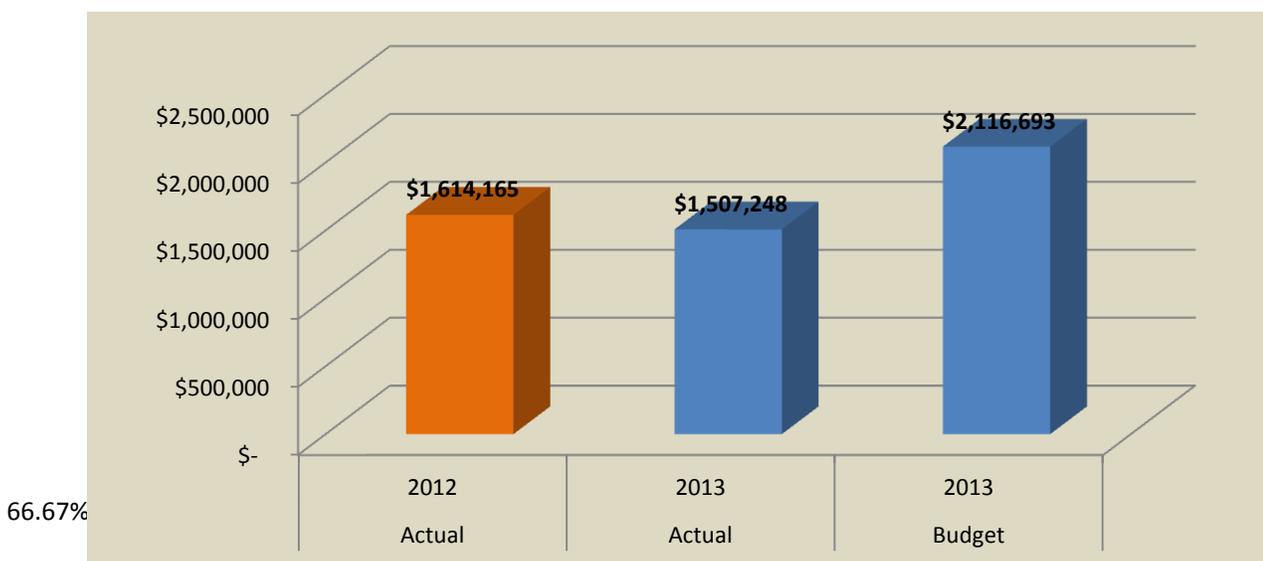
Description	Year-to-Date	Year-to-Date	Budget 2013	Budget Remaining	Percent Collected
	Actual 2012	Actual 2013			
Revenue					
Service Charges and Connection Fees	\$ 1,407,902	\$ 1,463,146	\$ 2,062,500	\$ 599,354	70.9%
Miscellaneous Revenue and Interest	26,080	39,645	49,225	9,580	80.5%
	\$ 1,433,982	\$ 1,502,791	\$ 2,111,725	\$ 608,934	71.2%

Description	Year-to-Date	Year-to-Date	Budget 2013	Budget Remaining	Percent Spent
	Actual 2012	Actual 2013			
Expenditures					
Personal Services	\$ 277,074	\$ 267,703	\$ 407,000	\$ 139,297	65.8%
Materials and Supplies	501,872	433,019	666,500	233,481	65.0%
Capital Outlay	-	-	95,000	95,000	0.0%
Transfers	835,219	806,526	948,193	141,667	85.1%
	\$ 1,614,165	\$ 1,507,248	\$ 2,116,693	\$ 609,445	71.2%

Capital Expenditures:

Equipment - \$75,000

Water Line Replacement Project - \$20,000



66.67% Through the Fiscal Year

City of Dallas
Monthly Financials
February 2013

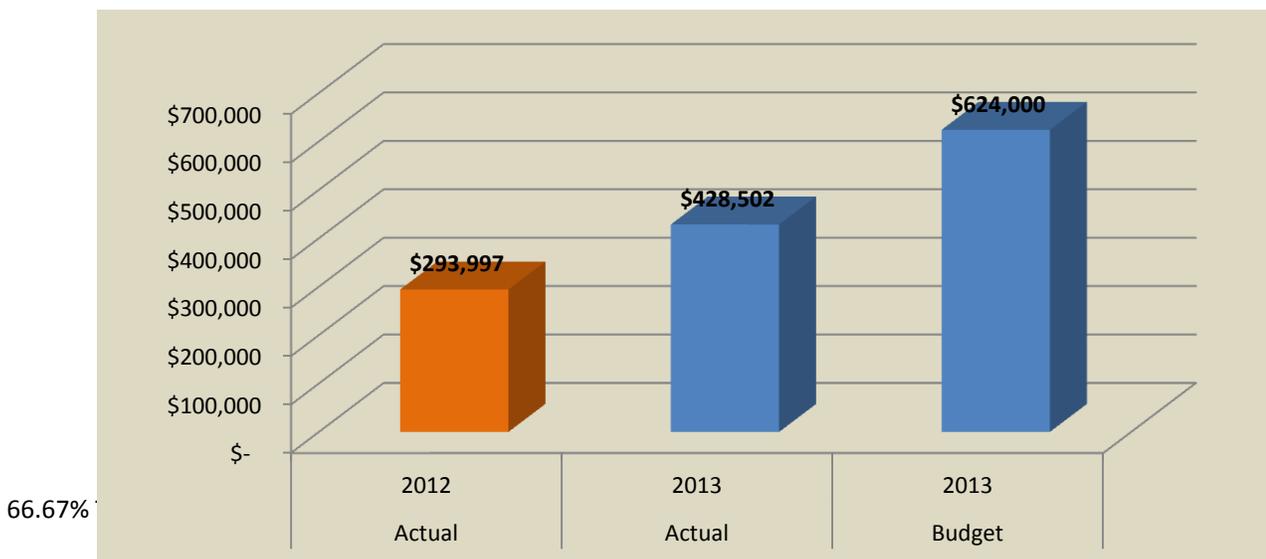
Department: Fleet

Description	Year-to-Date		Budget 2013	Budget Remaining	Percent Collected
	Actual 2012	Actual 2013			
Revenue					
Service Charges and Total Care	\$ 55,036	\$ 285,084	\$ 427,000	\$ 141,917	66.8%
Miscellaneous Revenue	34,845	61,390	92,800	31,410	66.2%
	\$ 89,881	\$ 346,474	\$ 519,800	\$ 173,326	66.7%

Description	Year-to-Date		Budget 2013	Budget Remaining	Percent Spent
	Actual 2012	Actual 2013			
Expenditures					
Personal Services	\$ 126,479	\$ 134,416	\$ 213,000	\$ 78,584	63.1%
Materials and Supplies	87,322	111,404	178,000	66,596	62.6%
Capital Outlay	26,863	129,348	153,000	23,652	84.5%
Transfers	53,333	53,333	80,000	26,667	66.7%
	\$ 293,997	\$ 428,502	\$ 624,000	\$ 195,498	68.7%

Capital Expenditures:

Equipment - \$38,000 (PW Pickup \$17,223; Sand Spreader \$7,432.08)
 Vehicles - \$105,000 (2-Fire Trucks \$77,799; Comm Dev \$14,092)
 Building Improvements - \$10,000



66.67% Through the Fiscal Year

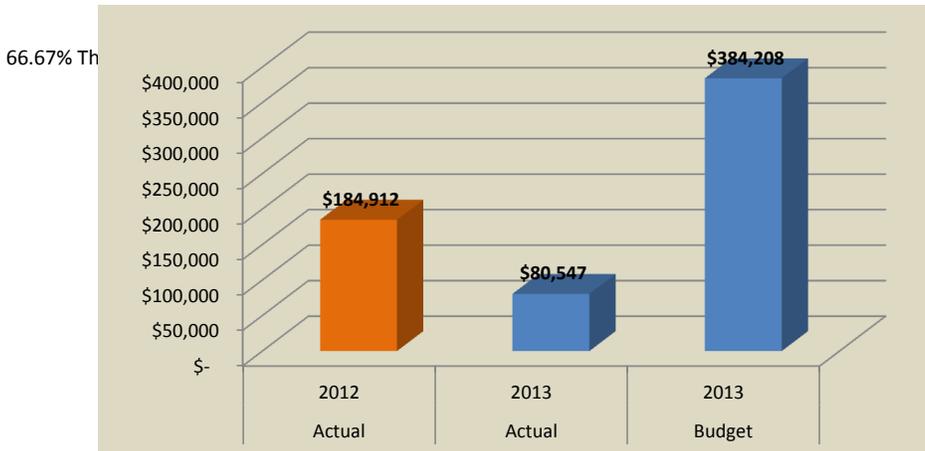
City of Dallas
Monthly Financials
February 2013

Department: Trust Fund

Description	Year-to-Date		Budget 2013	Budget Remaining	Percent Collected
	Actual 2012	Actual 2013			
Revenue					
Aquatics	\$ 84,177	\$ 71,194	\$ 67,200	\$ (3,994)	105.9%
Fire and Ambulance	60,843	68,756	58,833	(9,923)	116.9%
Street	101,028	61,059	55,000	(6,059)	111.0%
Transient Lodging	55,815	59,694	85,500	25,806	69.8%
Miscellaneous	29,540	12,388	9,615	(2,773)	128.8%
Economic Development	49,374	36,431	53,000	16,569	68.7%
Park	10,156	14,081	10,435	(3,646)	134.9%
Police	14,481	29,941	27,125	(2,816)	110.4%
Library	14,652	2,639	17,500	14,861	15.1%
	\$ 420,066	\$ 356,183	\$ 384,208	\$ 28,025	92.7%

Description	Year-to-Date		Budget 2013	Budget Remaining	Percent Spent
	Actual 2012	Actual 2013			
Expenditures					
Aquatics	\$ 9,970	\$ 6,379	\$ 67,200	\$ 60,821	9.5%
Fire and Ambulance	15,673	22,581	58,833	36,252	38.4%
Street	39,969	-	55,000	55,000	0.0%
Transient Lodging	46,606	40,113	85,500	45,387	46.9%
Miscellaneous	23,963	735	9,615	8,880	7.6%
Economic Development	35,176	2,965	53,000	50,035	5.6%
Park	-	2,164	10,435	8,271	20.7%
Police	1,175	2,035	27,125	25,090	7.5%
Library	12,380	3,576	17,500	13,924	20.4%
	\$ 184,912	\$ 80,547	\$ 384,208	\$ 303,661	21.0%

Capital Expenditures:



66.67% Through the Fiscal Year

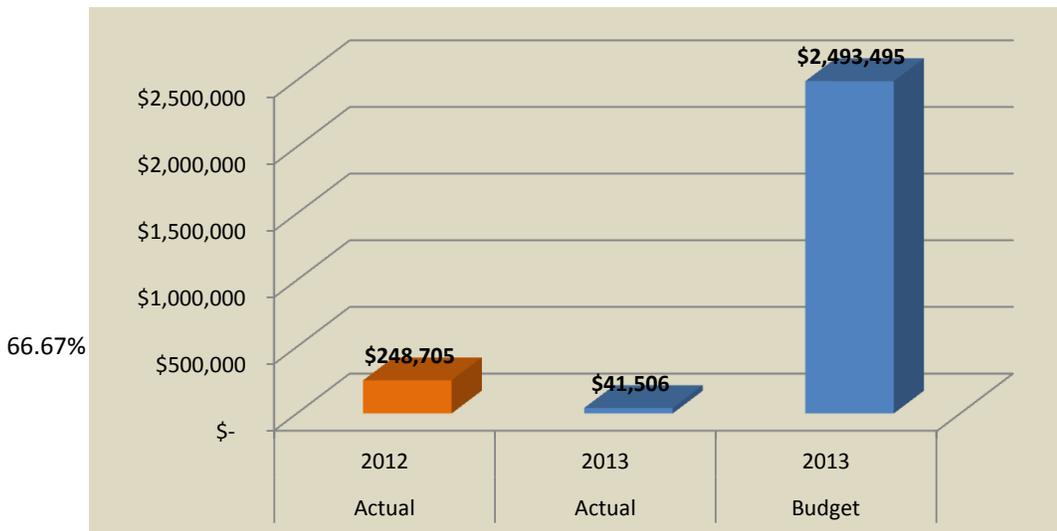
City of Dallas
Monthly Financials
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Department: Grant Fund

Description	Year-to-Date		Budget 2013	Budget Remaining	Percent Collected
	Actual 2012	Actual 2013			
Revenue					
Police	\$ 3,808	\$ 8,018	\$ 10,000	\$ 1,982	80.2%
Fire	783,703	38,047	463,000	424,953	8.2%
Parks and Trails	(30,649)	501	475,020	474,519	0.1%
Water	-	-	30,000	30,000	0.0%
Miscellaneous	62,644	2,739	1,515,475	1,512,736	0.2%
	\$ 819,505	\$ 49,305	\$ 2,493,495	\$ 2,444,190	2.0%

Description	Year-to-Date		Budget 2013	Budget Remaining	Percent Spent
	Actual 2012	Actual 2013			
Expenditures					
Police	\$ 1,125	\$ 3,506	\$ 10,000	\$ 6,494	35.1%
Fire	186,177	38,000	463,000	425,000	8.2%
Parks and Trails	-	-	475,020	475,020	0.0%
Water	-	-	30,000	30,000	0.0%
Miscellaneous	61,403	-	1,515,475	1,515,475	0.0%
	\$ 248,705	\$ 41,506	\$ 2,493,495	\$ 2,451,989	1.7%

Grant Projects: Fire Compressor - \$38,000
Police Vests



66.67% Through the Fiscal Year

City of Dallas
Monthly Financials
February 2013

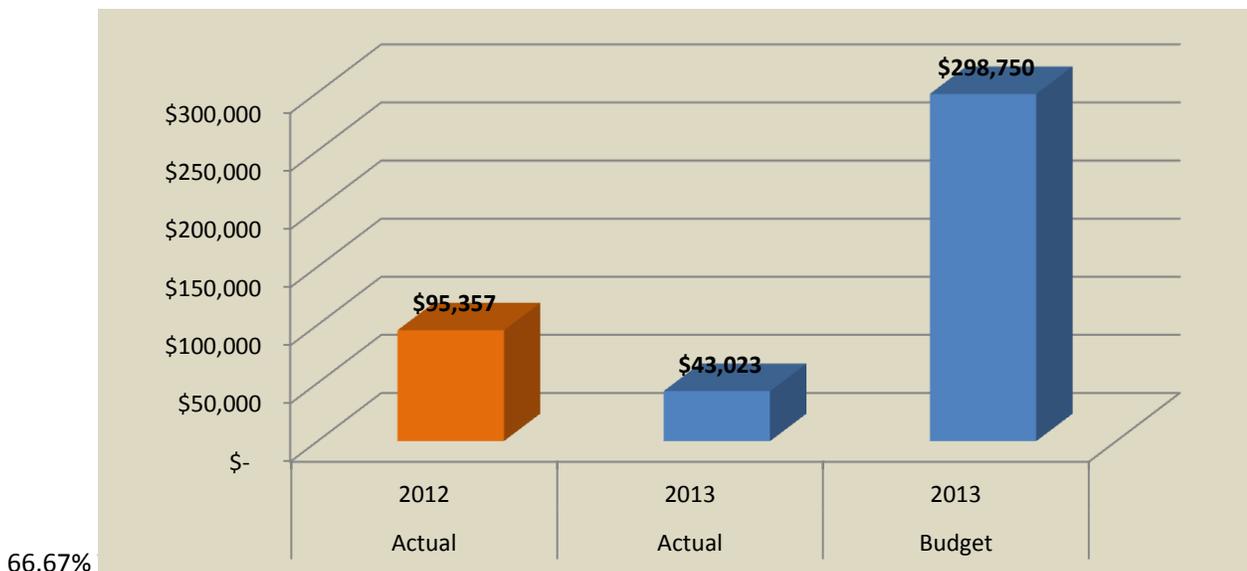
Department: Urban Renewal Fund

Description	Year-to-Date		Budget 2013	Budget Remaining	Percent Collected
	Actual 2012	Actual 2013			
Revenue					
Property Taxes	\$ 117,027	\$ 112,643	\$ 123,000	\$ 10,357	91.6%
Interest Earnings	789	1,512	750	(762)	201.5%
	\$ 117,817	\$ 114,154	\$ 123,750	\$ 9,596	92.2%

Description	Year-to-Date		Budget 2013	Budget Remaining	Percent Spent
	Actual 2012	Actual 2013			
Expenditures					
Personal Services	\$ 498	\$ 9,702	\$ 17,000	\$ 7,298	57.1%
Debt Service	-	-	175,000	175,000	0.0%
Capital Expenditures	94,860	33,321	106,750	73,429	31.2%
	\$ 95,357	\$ 43,023	\$ 298,750	\$ 255,727	14.4%

Capital Expenditures:

Church St Sidewalk



66.67%

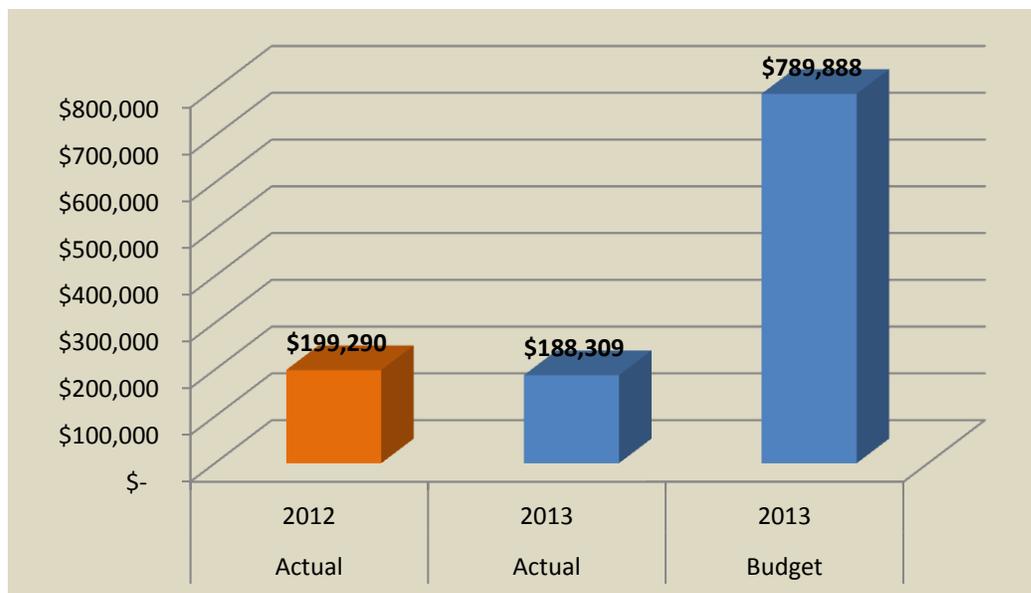
66.67% Through the Fiscal Year

City of Dallas
Monthly Financials
February 2013

Department: General Obligation and Long Term Debt Funds

Description	Year-to-Date Actual 2012	Year-to-Date Actual 2013	Budget 2013	Budget Remaining	Percent Collected
Revenue					
Property Taxes	\$ 660,590	\$ 668,945	\$ 714,000	\$ 45,055	93.7%
Transfers	64,740	61,839	106,010	44,171	58.3%
	\$ 725,330	\$ 730,784	\$ 820,010	\$ 89,226	89.1%

Description	Year-to-Date Actual 2012	Year-to-Date Actual 2013	Budget 2013	Budget Remaining	Percent Spent
Expenditures					
Principal	\$ 70,000	\$ 70,000	\$ 555,000	\$ 485,000	12.6%
Interest	129,290	118,309	234,888	116,579	50.4%
	\$ 199,290	\$ 188,309	\$ 789,888	\$ 601,579	23.8%



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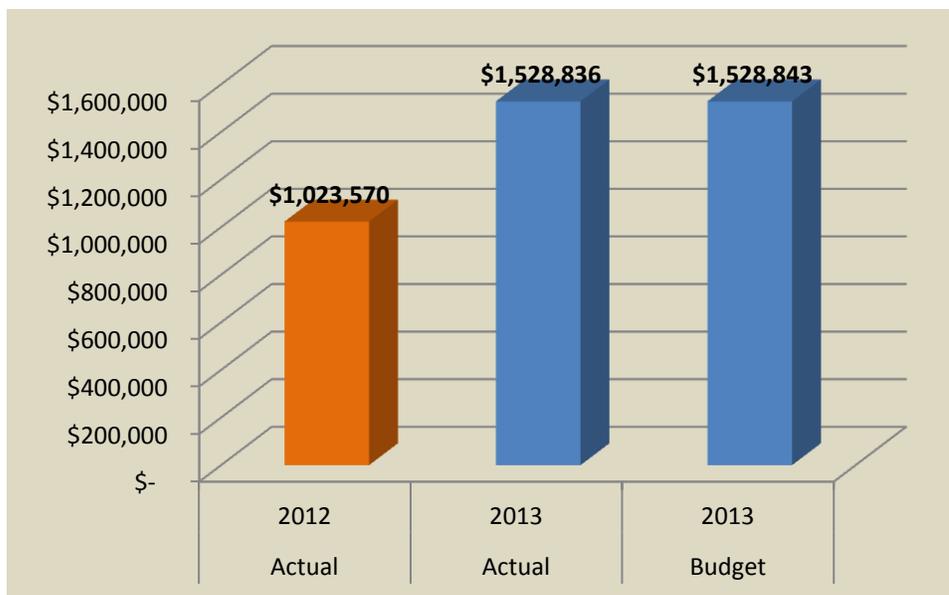
66.67% Through the Fiscal Year

City of Dallas
Monthly Financials
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Department: Debt Service Fund

Description	Year-to-Date Actual 2012	Year-to-Date Actual 2013	Budget 2013	Budget Remaining	Percent Collected
Revenue					
Transfers	\$ 1,764,420	\$ 1,528,836	\$ 1,528,843	\$ 7	100.0%
	\$ 1,764,420	\$ 1,528,836	\$ 1,528,843	\$ 7	100.0%

Description	Year-to-Date Actual 2012	Year-to-Date Actual 2013	Budget 2013	Budget Remaining	Percent Spent
Expenditures					
Principal	\$ 787,006	\$ 1,168,259	\$ 1,168,259	\$ (0)	100.0%
Interest	236,564	360,577	360,584	7	100.0%
	\$ 1,023,570	\$ 1,528,836	\$ 1,528,843	\$ 7	100.0%



66.67% Through the Fiscal Year

DALLAS CITY COUNCIL REPORT

TO: MAYOR BRIAN DALTON AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. **** 8b	Topic: Downtown Commercial Vacant Building Ordinance
Prepared By: Jason Locke, Community Development/ Operations Director <i>JL</i>	Meeting Date: March 18, 2013	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Ron Foggin, City Manager <i>RF</i>		

RECOMMENDED ACTION: After discussion, determine whether or not to move the proposed Ordinance and Resolution forward.

BACKGROUND: The issue of vacant commercial space downtown has been discussed in the past by the Administrative Committee. The most recent discussion occurred in January of 2013, at which time the Administration Committee recommended moving this issue to the full Council for consideration. Since this is an issue of some importance and will have impacts, it was determined that the full Council should discuss the matter prior to scheduling a first reading of the Ordinance.

The proposed Ordinance was based on an Everett, Washington ordinance that was set up to accomplish; 1) a vacant commercial space registry with fees and; 2) basic maintenance standards for commercial buildings in the downtown. An escalating fee structure also served to curb long-term vacancies that are detrimental to the downtown.

The Ordinance would apply to ground floor commercial space that is located in the CBD zone. A space is considered to be vacant when it has not been occupied with a permitted commercial use for 90 days. The responsible party would then have an additional 30 days to complete the registration. There are 2 exceptions to this:

- 1) If the space is the subject of a current building permit and tenant improvements are being made.
- 2) If the property containing the commercial space is subject of a land-use application for redevelopment but which no building permits have been issued.

There are also requirements that there be window displays if the space is not occupied for more than 60 days in order to avoid a blank window, which is detrimental to adjoin buildings and to downtown in general.

Fees: The proposed Resolution contains an escalating fee structure, which requires an initial \$100 registration fee. The longer the building is vacant, the higher the fee goes on January 1 of each year if the building remains vacant.

Maintenance: As proposed, the maintenance section in 8.815 applies to all buildings, and is a basic list of items that each building owner or person in charge will be responsible for. It includes things like maintaining the exterior surfaces, precluding the use of plywood or OSB to fill building openings like doors and windows, and requiring maintenance of the roof and flashing to prevent water infiltration. Also, buildings equipped with sprinkler systems must maintain and show proof of testing for the system.

FISCAL IMPACT: Undetermined. There will be fees paid and staff time involved to set up and operate the program.

ATTACHMENTS:

Proposed Ordinance
Proposed Fee Resolution
Admin Committee Minutes
Admin Committee Memo from Staff

ORDINANCE NO. _____

An Ordinance amending provisions of the Dallas City Code Chapter 8, and adding new provisions relating to maintenance of vacant commercial buildings in the Central Business District.

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. The following provisions are hereby added to and made a part of Dallas City Code Chapter 8:

MAINTENANCE OF VACANT COMMERCIAL SPACE IN THE CENTRAL BUSINESS DISTRICT

8.800 Scope.

The provisions of this chapter apply to all structures in the Central Business District (CBD zone) unless otherwise stated. All responsible persons, as defined in Section 8.810, shall comply with the requirements of this chapter.

8.805 Administration.

This chapter will be administered by the building official, who may adopt administrative rules and regulations consistent with its terms. The building official and his or her designee, or code enforcement officers, or both are authorized to enforce this chapter.

8.810 Definitions.

For the purposes of this chapter:

“Commercial space” means any portion of a structure in the Central Business District that is not intended for residential use.

“Occupied.” A commercial space is considered occupied if a permitted, nonresidential use is physically located and lawfully operating in the space for 30 days.

“Responsible person” means any person, firm, association, corporation or any agent thereof, who owns, leases, rents, manages or has lawful possession of a structure in the Central Business District.

“Vacant commercial space” means any portion of a street-level commercial space that, on or after July 1, 2013, is not occupied and has not been occupied during the preceding 90 days.

8.815 General minimum maintenance requirements.

All responsible persons shall perform the following with respect to each structure they own, lease, rent, manage or lawfully possess:

(1) Maintain all exterior surfaces, including but not limited to doors, windows, door and window frames, cornices, porches, trim, balconies, decks, and fences, in good condition. No use of plywood, oriented strand board, or similar materials is permitted in place of actual doors, windows, or on other building openings and in no event shall such materials be visible from the street. A responsible person shall not be in violation of this subsection if such exterior surfaces have been damaged by weather, fire, earthquake or other casualty loss beyond the control of the responsible person until a reasonable time to repair such damage has passed.

(2) Protect exterior wood surfaces, other than decay-resistant woods, from the elements and decay with paint or other protective covering or treatment. If protection of the surface is compromised, restore adequate protection within a reasonable time; for example, remove peeling, flaking or chipped paint and repaint the compromised surface.

(3) Cause all siding and masonry joints and joints between the building envelope and the perimeter of windows, doors, and skylights to be weather-resistant and watertight.

(4) Coat all metal surfaces subject to rust or corrosion, except those designed to be stabilized by oxidation, to inhibit rust and corrosion, after first stabilizing any existing rust and corrosion. Remove oxidation stains from exterior surfaces.

(5) Maintain all exterior walls free from moss, algae, dirt, grime, holes, breaks, and loose or decaying materials. Weatherproof and properly coat the surface of all exterior walls when required to prevent deterioration.

(6) Maintain the roof and flashing of all structures so that they are sound, tight, free of moss, algae or defects that admit rain, attract pests or create a public nuisance. Maintain adequate roof drainage to prevent dampness and deterioration in the walls and inside the structure. Maintain roof drains, gutters, and downspouts in good repair and free from obstructions.

(7) Maintain and show proof of testing of existing fire suppression systems.

8.820 Vacant commercial space registration.

(1) At least one responsible person for each vacant commercial space must register that space with the city within 30 calendar days of the date the space becomes vacant commercial space, as that term is defined in Section 8.810, unless:

(a) The space is the subject of a current, valid building permit for repair or rehabilitation and the responsible person provides proof, such as receipts, invoices or executed contracts, that the repair or rehabilitation is proceeding without significant delay; or

(b) The property the commercial space is located on is the subject of a land use application for redevelopment for which approval has been granted, but building permits have yet to be issued.

(2) A space will be considered to be registered on the date the city receives, on a form provided by the building official and properly completed and signed by a responsible person, the following information:

(a) The street address and parcel number of the vacant commercial space;

(b) The name, address, and daytime and evening telephone numbers of each responsible person for the vacant commercial space, including any owner or tenant;

(c) The period of time the vacant commercial space is expected to remain vacant; and

(d) Any other information requested by the building official for the administration of this chapter.

(3) A responsible person must post notice in substantially the following form inside every vacant commercial space so as to be clearly visible to all potential tenants, lessees, renters or buyers upon entering the space but not visible from outside the space:

This Vacant Commercial Space is registered with the City of Dallas.

This Vacant Commercial Space may not meet all applicable codes and regulations, which may include codes and regulations required to occupy the space for a permitted use in the applicable zoning District.

This Vacant Commercial Space was registered on [date].

The Responsible Person for this building is_____.

Contact mailing
address:_____.

Phone number_____.

(4) A responsible person must renew the registration of each vacant commercial space on or before January 1st each year that the space remains vacant. A responsible person must submit the renewal application to the city on forms provided by the building official.

(5) Upon satisfactory proof to the building official that the vacant commercial space has become occupied as defined in Section 8.810, the vacant commercial space will be unregistered. Proof of physical occupancy may include, but is not limited to, usable furniture, office equipment, retail inventory or other equipment and inventory in the space that are consistent with the space's intended use, and persons regularly present at and using the space for its intended use. Proof of physical occupancy must also include documentation, which may include, but is not limited to, a current, executed lease agreement, paid utility receipts, or valid state and local business licenses, indicating the subject space is the business address of the person or business claiming occupancy.

(6) The determination of the number of vacant commercial spaces a structure contains will be at the reasonable discretion of the building official.

8.825 Window displays for commercial spaces not occupied for sixty days.

When commercial space has not been occupied for more than sixty days, a responsible person must take steps to maintain a vibrant streetscape and avoid adverse impacts on neighborhood character by applying at least one of the following measures to all ground-floor windows that face sidewalks, streets, or public open space:

(1) Paint windows with visually appealing scenes depicting or suggesting business or cultural activities;

(2) Display works of art or provide other displays of cultural or educational value, using background panels or other methods to screen views from the street of the unoccupied space;

(3) Other measures consistent with these examples approved by the building official.

8.830 Fees for vacant commercial space registration.

(1) A responsible person shall pay an annual registration fee for each registered vacant commercial space. The initial fee to the city at the time the space is

registered and thereafter on January 1st each year that the space remains vacant. The fee will be based on the duration of the vacancy as determined by resolution of the city council.

(2) The fees are intended to defray the costs of administering this section through Section 8.855 and may be changed by resolution of the council to meet these costs.

8.835 Delinquent registration fees – Collection.

If a responsible person fails to pay the registration fee by the due date, the city may:

(1) Assess a late fee in an amount that the city council may, by resolution, establish; and

(2) Bring an action in Dallas Municipal Court to collect the registration fee and any late fee, including filing civil actions or turning the matter over to collection, in which case costs incurred by the city as a result of the collection process will be assessed to the responsible person or responsible persons in addition to the registration fee. Any delinquent registration fee shall bear interest at the statutory rate of nine percent (9%) per annum from the due date thereof until paid. The right of the city to bring an action under this section is in addition to, and not in lieu of, the authority of the city to bring an enforcement proceeding for a violation of sections 8.800 to 8.840, as provided in section 8.850.

8.840 Duty to amend registration statement.

Responsible persons for any registered vacant commercial space shall advise the building official, in writing, of any changes to the information on the registration form within 30 days of the occurrence of the change.

8.845 Inspections.

The building official or his designee, or code enforcement officers, or both are authorized to conduct inspections to enforce the provisions of this chapter.

8.850 Enforcement.

(1) A violation of any provision of sections 8.800 to 8.840 is a civil infraction punishable by a fine of \$500. Each responsible person commits a separate offense for each and every day they commit, continue or permit a violation of any provision of this chapter.

(2) All responsible persons for a commercial space shall be jointly and severally responsible with respect to that commercial space for compliance with the provisions of this chapter and for any payments that they may be required to make to

the city under this chapter. If the commercial space is subject to a lease, the city shall have discretion to determine whether to enforce this chapter against the commercial space owner, the tenant or both of them, but the city shall consider in this determination whether the lease provides that the compliance with this chapter is the responsibility of the commercial space owner or the tenant.

8.855 Annual report.

The building official shall make a report to the city council in January of every year on the status of the vacant commercial space registration program.

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

BRIAN W. DALTON, MAYOR

ATTEST:

APPROVED AS TO FORM:

RONALD W. FOGGIN,
CITY MANAGER

LANE P. SHETTERLY,
CITY ATTORNEY

RESOLUTION NO. _____

A Resolution establishing fees for vacant commercial building registration and related fees.

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

Section 1. The fees for registration of vacant commercial buildings authorized under Dallas City Code section 8.830(1) are as follows:

- \$100 for the initial registration.
- \$250 for the first renewal.
- \$750 for the second renewal.
- \$1000 for the third renewal and each renewal thereafter.

Section 2. The delinquent registration fee authorized under Dallas City Code section 8.835 shall be ten percent (10%) of the amount of the delinquent fee, plus interest thereon as provided in section 8.835(2).

Section 4. This resolution will take effect on the effective date of Ordinance No. _____.

Adopted: April 1, 2013
Approved: April 1, 2013

BRIAN W. DALTON, MAYOR

APPROVED AS TO FORM:

ATTEST:

RONALD W. FOGGIN,
CITY MANAGER

LANE P. SHETTERLY,
CITY ATTORNEY

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Members Present: Jim Fairchild, Chair; Kelly Gabliks, Kevin Marshall, Murray Stewart. Absent: Jim Brown
Also Present: City Manager Ron Foggin, Mayor Brian Dalton, City Attorney Lane Shetterly, Finance Director Cecilia Ward, Community Development/Operations Director Jason Locke, City Recorder Emily Gagner, and Recording Secretary Jeremy Teal.

Chair Fairchild called the meeting to order at 6:05 p.m.

COMMENTS FROM THE PUBLIC

COUNCIL POLICIES

ROTATING ROLL CALL

Ms. Gagner reviewed her staff report.

In response to a questions, Mayor Dalton indicated rotating roll call would help with equity, so the same Councilor didn't always have to vote first or last.

STAFF REPORT REQUIREMENTS FOR AGENDA ITEMS

APPROVED AS TO FORM ON RESOLUTIONS, ORDINANCES & CONTRACTS

COUNCIL ABSENCES

Mr. Shetterly reviewed the Excused Absence policy. In response to a question, Ms. Gagner stated past practice was to excuse any Councilor who called or emailed prior to the meeting, but noted sometimes a Councilor would call to say he or she didn't feel like coming to a meeting and it was difficult to determine if that was an excused absence. Councilor Fairchild recommended rather than put the burden to decide if an absence was excused on a staff member, the staff could take it to the Council President or Mayor to make a determination.

TELEPHONIC PARTICIPATION

Ms. Gagner pointed out she inadvertently omitted "Telephonic Participation" from the agenda, but it was discussed in her staff report. Mr. Shetterly stated that was allowed by State law, but the Council had no specific rule about it. He explained participation by telephone or other electronic media required that the audience members be able to hear the Councilor. He recommended including a policy on participation by telephone in the Council Rules.

It was moved by Councilor Gabliks *to recommend to Council adopt changes to the Council Rules of Procedure for approval*. The motion was duly seconded and carried unanimously.

ONLINE PAYMENTS

Ms. Ward stated the Finance Department conducted a survey to get public feedback for online bill payments. She outlined the results and noted it was a good look at what customers wanted. She noted that she contacted other cities and their use of a similar program varied between 4% and 13%. Mr. Foggin stated that 22% to 40% was the normal community usage. Ms. Ward stated the 22% was a good goal to determine our cost for the service. She noted that a minimal cost of the service would be \$1,600 – \$1,800 a month on the Water and Sewer fund for the online payment system. She stated that a minimal cost to the

1 general fund from Municipal Court would apply as well. Mr. Foggin stated that the public was entering
2 their own information and allowing the Finance Department to work on other projects. Ms. Ward indicat-
3 ed that the Finance Department would still receive checks that had to be entered in the system. She stated
4 that this would benefit the customers and the Finance Department.

5 Councilor Gabliks reported that credit card companies would charge a service fee.

6 Mr. Foggin suggested that the City would not pass on any convenience fee or service charges to the
7 customer. He noted that it was cheaper to take credit card payments than to have staff handle the mail.
8 Councilor Stewart asked if the City incurred a cost. Mr. Foggin reported that the trend in the market was to
9 pay online and do away with the hard copy bill. He noted if a fee was set in place for a people that wanted
10 a hard copy bill, they would migrate to electronic payments and statements. Councilor Stewart asked what
11 the realistic goal was to get to the 40%. Mr. Foggin stated that Lehi was a beta site for electronic bill pay
12 and 40% of the population utilized the service. He noted that the idea behind it was less mail, no mistakes
13 and the staff was free to work on other projects.

14 Councilor Marshall asked what the breakdown was for the cost per transaction. Ms. Ward stated that was a
15 flat rate per transaction. Mr. Shetterly asked if Ms. Ward was recommending Xpress Bill Pay to the Coun-
16 cil for approval. Ms. Ward stated that she had checked with other companies and Xpress Bill Pay was the
17 only company that had a flat rate as opposed to percentages.

18 It was moved by Councilor Gabliks *to recommend to the Council to review and approve Online Bill*
19 *Payments*. It was duly seconded and passed unanimously.

20 **VACANT BUILDING ORDINANCE**

21 Mr. Locke reported staff was directed to research a possible Vacant Building Ordinance to deal with the
22 vacant commercial space downtown. He reported that chronic long term vacant commercial properties
23 downtown were a hindrance and caused a downturn in downtown business. He noted that the City of
24 Everett, Washington had a program in place that specifically dealt with the issues of vacant buildings. He
25 stated that Everett's program required owners to post signs on vacant buildings and required building
26 registration every January 1. Everett also had an increasing incentive fee to help assist with the utilization
27 of the space. He noted that empty buildings in the central business district could put a damper on
28 momentum for progress and that it was time to have the people pay for the misuse or unwillingness to deal
29 with the vacant commercial space downtown.

30 Councilor Stewart suggested taking an aggressive approach to get people to move and rent the buildings.
31 Councilor Marshall asked if Everett was having success. Mr. Locke stated he had a conversation last year
32 with staff in Everett and they were considering raising the fees and escalating the timelines, but overall the
33 program was very effective.

34 Councilor Marshall asked when a building owner was seriously trying to sell the building if they would
35 still have to pay the fines. Mr. Locke responded they would.

36 Councilor Gabliks stated that she agreed with the aspects of the Everett program and recommended
37 forwarding to Council for approval.

1 Mr. Shetterly asked for clarification on timelines for the ordinance requirements and whether the
2 ordinance should incorporate only the central business district or all commercial properties. He noted that
3 the Everett program focuses on the downtown area. The Committee indicated they would like to provide
4 more time for registration and window displays than Everett.

5 Councilor Stewart asked how the City would get access to a building for inspections if the owner didn't
6 live in Dallas. Mr. Shetterly noted the program focused on the external appearance of the building.

7 It was moved by Councilor Gabliks *to recommend to the Council to adopt the Vacant Commercial*
8 *Building Ordinance and to adopt the fees by resolution.* The motion was duly seconded and passed
9 unanimously. Councilor Marshall had left the room during the vote.

10 **CHRONIC NUISANCE ORDINANCE**

11 Mr. Locke reviewed his staff report. He noted that a chronic nuisance was a combination of a number of
12 defined nuisance activities either criminal or civil, at a specific residence in a specified period of time. He
13 stated that the City didn't have an effective way to deal with these issues. He noted that the Chronic
14 Nuisance Property Ordinance would identify a property based on criteria. He reported that a list of
15 offenses, the frequency of the offense, and the repetitiveness would be mitigating factors. He reported that
16 this ordinance would allow the City to enter into a compliance agreement with the person responsible for
17 the property and deal with them in a holistic manner and alleviate the problems. He stated that the cases
18 would be handled by the Municipal Court, which gave the judge an opportunity to impose fines or
19 penalties that addressed the root of the problem.

20 Councilor Stewart asked with the cases going before the Municipal Court, who would represent the City
21 and what were the costs involved. Mr. Shetterly stated that Moe Brown was on contract to represent the
22 City and already handled the code enforcement cases. Councilor Stewart asked what the benefits would be
23 to keep the cases here. Mr. Foggin noted that the Municipal Court cared about cleaning up the town. He
24 noted that the hope was to have the process start and end here in Dallas. Mr. Shetterly stated that there was
25 a time issue and in Circuit Court certain proceedings take precedence, which could mean a long wait for
26 our cases to be heard.

27 Councilor Gabliks noted that on page 69 under Attorney fees on (1) it didn't mention recovering attorney
28 fees. Mr. Shetterly stated he would look into that.

29 Mr. Shetterly added that comments from Chief Teague would be added to the ordinance before it went to
30 the Council.

31 It was moved by Councilor Gabliks *to recommend the Council adopt a Chronic Nuisance Property*
32 *Ordinance.* The motion was duly seconded and passed unanimously.

33 **CHARTER UPDATES**

34 Councilor Fairchild asked the Committee to think about citizens being a part of a committee to look at and
35 review the Charter. Mr. Foggin commented he would like the Committee to think about the process. He
36 also noted that the Committee would be looking at a November 2014 date for approval. Councilor Gabliks
37 agreed with Councilor Fairchild and stated that the Committee should start on the process of a citizen

1 committee to help assist with the Charter updates. Councilor Fairchild urged a very public campaign to get
2 interested people on the committee.

3 Mr. Shetterly recommended directing staff to develop a work plan to update the Charter and bring the
4 work plan back to the Administrative Committee for discussion.

5 It was moved by Councilor Stewart *to direct staff to develop a work program before the next committee*
6 *meeting for approval*. The motion was duly seconded and passed unanimously.

7 **FINANCE DIRECTOR'S REPORT**

8 Ms. Ward stated that Mr. Nelson directed staff to conduct a cost allocation study to determine how much
9 should be transferred from the Sewer, Water, Fleet, and Street accounts to the General Fund. She reported
10 that Donovan Enterprises conducted the survey. Ms. Ward handed out the study results to all the
11 committee members and noted that this study would be brought to the budget committee.

12 **OTHER**

13 **TRANSIENT LODGING TAX**

14 Ms. Pope stated that while working with Jon Nelson to determine where the 30% discretionary money was
15 used, they found the majority of the money was given to the Dallas Area Chamber of Commerce (DACC)
16 or the Dallas Area Visitor's Center (DAVC) to provide other services, projects, programs or events. She
17 reviewed her work plan. She noted that the Board of Directors would like to increase internal contingency
18 due to the fact that the majority of the funds were operating expenses. She noted that operating expenses
19 were shared between DACC and DAVC.

20 Councilor Stewart asked how many of the events were recurring. Ms. Pope stated that most of the events
21 were, but there were a few that hadn't been included in past years.

22 It was moved by Councilor Fairchild *to recommend the Council approve the Visitor's Center Work Plan*
23 *for the Transient Lodging Tax 30% discretionary funding*. The motion was duly seconded and passed
24 unanimously.

25 **ADJOURNMENT**

26 There was no other business and the meeting was adjourned at 7:26 p.m.



Community Development Department

Memo

To: Administration Committee
From: Jason Locke, Community Development/Operations Director 
Date: January 28, 2013
Re: Vacant Commercial Building Ordinance

Staff was directed to prepare information on a possible Vacant Commercial Building Ordinance in 2011. At that time, the issue did not proceed. In doing the research, there appears to be some different approaches taken by cities, one of which involves the creation of a registration for vacant street-level storefronts and payment of an annual registration fee based on the amount of time the building has been vacant. This is a fairly straightforward approach.

Another approach has been taken in Astoria, who recently adopted an ordinance that requires that fees be paid for vacant buildings after 5 years as a way to encourage the use of those buildings for their intended purpose and to prevent blight and neighborhood degradation. (In Astoria, they have also adopted a building maintenance code)

Attached are some examples of the various approaches mentioned above for the committee to review.

If the subcommittee wants to proceed, staff would advise addressing these questions:

- 1) What is the problem we are trying to address? Maintenance or vacancy, commercial, industrial, or residential
- 2) Is a Vacant Building Ordinance/registration the way to address it?
- 3) Are there other ways to address the problem?
- 4) Is there community support?

DALLAS CITY COUNCIL REPORT

TO: MAYOR BRIAN DALTON AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 9 a	Topic: Resolution No. 3264 (Authorizing LGGP grant application)
Prepared By: Emily Gagner	Meeting Date: March 18, 2013	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Ron Foggin 		

RECOMMENDED MOTION:

Adopt Resolution No. 3264

BACKGROUND:

The City has the opportunity to apply for the 2013 Local Government Grant Program (LGGP) grant cycle. We have been awarded LGGP grants in the past for previous trail construction.

This grant application is for trail around Central Bark dog park and extending to the west along Azalea Street. Additionally, the grant seeks funds for installation of a basketball court and playground structure in Roger Jordan Community Park, consistent with the park master plan. Finally, to connect these two areas, the grant would install decking on the sewer siphon being installed across the creek between the Aquatic Center and the dog park.

Because we can do this project in conjunction with the sewer crossing, we are able to leverage sewer SDC funds (which would be expended anyway) as our match portion of this grant.

FISCAL IMPACT:

Potential \$325,000+ in grant funding for RCTS

ATTACHMENTS:

Resolution No. 3264

RESOLUTION NO. 3264

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; and committing available local matching funds.

WHEREAS, the Oregon Parks and Recreation Department is accepting applications for the Local Government Grant Program; and

WHEREAS, the City of Dallas desires to participate in this grant program to the greatest extent possible as a means of providing needed park and recreation acquisitions, improvements and enhancements; and

WHEREAS, the Dallas City Council has identified improvements to the Rickreall Creek Trail System as a high priority need in the City of Dallas; and

WHEREAS, the proposed improvements identified by the Dallas City Council include a paved pathway, landscaping, interpretive signs, and play equipment; and

WHEREAS, the City of Dallas has determined that the share of local funds required to be committed for the proposed improvements under the terms of the Local Government Grant Program is readily available, NOW, THEREFORE,

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

Section 1. The City Manager is hereby authorized and directed to prepare, sign, and submit an application for a Local Government Grant to the Oregon Parks and Recreation Department to seek funding for park improvements on the Rickreall Creek Trail System as set forth in the foregoing recitals.

Section 2. There is hereby committed a share of local available funds for the proposed improvements in an amount sufficient to satisfy the terms of the Local Government Grant Program.

Section 3. This Resolution shall take effect upon its passage and approval.

Adopted: March 18, 2013
Approved: March 18, 2013

BRIAN W. DALTON, MAYOR

ATTEST:

APPROVED AS TO FORM:

RONALD W. FOGGIN, CITY MANAGER

LANE P. SHETTERLY, CITY ATTORNEY

DALLAS CITY COUNCIL REPORT

TO: MAYOR BRIAN DALTON AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 11a	Topic: Ordinance 1753 Amending Outside City Water
Prepared By: Jason Locke, Community Development/ Operations Director	Meeting Date: March 18, 2013	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Ron Foggin, City Manager		

RECOMMENDED ACTION: Adopt Ordinance 1753

BACKGROUND: Staff proposed to amend the City Code Section that addresses the provision of water to property outside the City Limits. Presently, the code allows for properties outside the city limits to be served with city water if they meet certain requirements.

The proposed Ordinance creates another allowance for outside city water that has to do with the provision of easements necessary to run new water lines. It has been customary to provide a single water service to a property upon which we need an easement for a water line. This amendment would codify that practice and subject the property to the same requirements for water service including the payment of costs, SDC's, etc.

The Public Works Committee reviewed the proposal and has recommended approval.

FISCAL IMPACT: Potential to save on costs of purchasing water line easements, added water users paying the outside city higher rate.

ATTACHMENTS:

Ordinance 1753

ORDINANCE NO. 1753

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 amended and restated in its entirety 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 except:

(i) As provided in a written agreement for the provision of such water service entered into prior to May 20, 2009; or

(ii) As provided in a written agreement for the provision of such water service entered into after May 20, 2009, where such water service is made a condition of the grant of an easement or other right-of-way for the extension of a city water main line across the property to be served, in which case such service shall be limited to a single residential hook-up on such property.

(2) Property located outside the city limits and outside the urban growth boundary of the city may not be served with city water except:

(a) As provided in a written agreement for the provision of such water service entered into prior to May 20, 2009; or

(b) As provided in a written agreement for the provision of such water service entered into after May 20, 2009, where such water service is made a condition of the grant of an easement or other right-of-

way for the extension of a city water main line across the property to be served, in which case such service shall be limited to a single residential hook-up on such property.

(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 local 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: March 4, 2013

Read for the second time: March 18, 2013

Adopted by the City Council: March 18, 2013

Approved by the Mayor: March 18, 2013

BRIAN W. DALTON, MAYOR

ATTEST:

APPROVED AS TO FORM:

RONALD W. FOGGIN,
CITY MANAGER

LANE P. SHETTERLY,
CITY ATTORNEY