



## Dallas City Council Agenda

**Kenneth L. Woods, Jr., Presiding**

**Monday, October 21, 2024**

**7:00 PM**

**Dallas City Hall, 187 SE Court St. Dallas, OR 97338**

All persons addressing the Council will please use the table at the front of the Council. All testimony is electronically streamed and recorded via the City of Dallas YouTube Channel:

<https://www.dallasor.gov/community/page/dallasyoutube>

AGENDA ITEM	RECOMMENDED ACTION
1. ROLL CALL, PLEDGE OF ALLEGIANCE	
2. INTRODUCTIONS, RECOGNITIONS, PROCLAMATIONS	
3. PUBLIC HEARING	
a) Application for annexation and zone change of property on SW Cherry at 11th Avenue p.4	MOTION
b) Application for annexation and zone change of property at 1080 West Ellendale Avenue p.19	MOTION
4. PUBLIC COMMENT (SEE PAGE 3 FOR MORE INFORMATION)	
<p><i>This time is provided for citizens to comment on municipal issues and any agenda items other than public hearings.</i></p> <p><u>To submit public comment by live telephone, please call:</u>  <b>+1 253 215 8782</b>  <b>MEETING ID: 213 855 0622</b></p> <p>*We encourage you to be logged into the public comment queue by 7:00pm*</p>	
5. CONSENT AGENDA	
<p><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></p>	
a) Approve the October 7, 2024 Work Session Minutes p.97	MOTION
b) Approve the October 7, 2024 City Council Meeting Minutes p.98	
c) September 2024 Financial Report p.100	
6. ITEMS REMOVED FROM CONSENT AGENDA	
7. REPORTS OR COMMENTS FROM MAYOR AND COUNCIL MEMBERS	
8. REPORTS FROM CITY MANAGER AND STAFF	
a) Fleet Services Intergovernmental Agreement with Confederated Tribes of Grand Ronde p.123	MOTION
b) Americans with Disabilities Act (ADA) Curb Ramp Project Agreement with the State of Oregon (via Oregon Department of Transportation) p.128	MOTION

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**dedicated to people and business.**

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#### Finance Director

Cecilia Ward

#### City Recorder

Kim Herring



**Dallas City Council Agenda**  
**Monday, October 21, 2024**  
**7:00 pm**

<p>9. FIRST READING OF ORDINANCES</p> <p>a) Ordinance No. 1900 – Relating to illegal stormwater discharges and illicit stormwater connections; and adding new provisions to Chapter 6 of the Dallas City Code p.144</p>	<p>N/A</p>
<p>10. SECOND READING OF ORDINANCES</p> <p>a) Ordinance No. 1898 – Amending Dallas City Code Sections 6.500, 6.505, 6.525 and 6.532 and adding new provisions relating to non-compliant vehicles p.160</p> <p>b) Ordinance No. 1899 – Changing the zoning designation of a parcel of real property owned by Polk Community Development Corporation from Residential Low Density to Residential High Density p.170</p>	<p>ROLL CALL VOTE</p> <p>ROLL CALL VOTE</p>
<p>11. OTHER BUSINESS</p>	
<p>12. ADJOURNMENT</p>	

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#### **Helpful Tips:**

- Make sure to call in before the meeting start time
- You will be asked to speak during the public comment portion of the meeting (See page 1 of the meeting agenda). You will be called upon by phone number once the public comment period begins. All testimony will be electronically recorded.
- Do not use your speakerphone when calling to submit public comments as it may affect call quality.
- Turn off the volume on YouTube if you choose to watch the video live on YouTube while simultaneously commenting via telephone, otherwise you may experience audio feedback.
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**CITY OF DALLAS  
CITY COUNCIL  
STAFF REPORT**

**MEETING DATE:** October 21, 2024  
**AGENDA ITEM NO.** 3.a  
**TOPIC:** Public Hearing on an application for annexation and zone change of property on SW Cherry at 11th Avenue  
**PREPARED BY:** Chase Ballew, City Planner  
**APPROVED BY:**  City Manager  
**ATTACHMENTS:**  
1. Staff Report to Planning Commission  
2. Map of Proposed Change  
3. Application Materials

**RECOMMENDED ACTION:**

Adopt the Planning Commission’s recommendation to approve the requested annexation of the subject property, and zone change to Low-Density Residential (RL).

Direct the City Attorney to prepare an Ordinance for the subject property to be annexed into the City of Dallas and designating the zoning of said property.

**BACKGROUND:**

The property owner has submitted application to annex into the City of Dallas their 0.33 acre property and to change the zoning from Polk County zone SR – Suburban Residential to city zone Low-Density Residential (RL).

On September 12, 2024, the Dallas Planning Commission conducted a public hearing to consider the applicant’s proposal and to receive public testimony. The applicant’s representative attended and addressed the Commission during the period of public testimony. The Planning Commission deliberated and voted to forward to City Council their recommendation that the annexation and zone change of the subject property be approved.

**ANNEXATION APPROVAL CRITERIA:**

The Approval Criteria for Quasi-Judicial Map Amendments are contained in section 4.10.030 of the Dallas Development Code, as listed below. In response to these criteria, Staff refer to the findings contained in the attached staff report as presented to the Planning Commission (**Attachment 1**).

- A: The land is within the City's Urban Growth Boundary.*
- B: The proposed zoning for the annexed area is consistent with the Comprehensive Plan, and a project, if proposed concurrently with the annexation, is an allowed use in the proposed zone.*
- C: The land is currently contiguous with the present City Limits*
- D: Adequate City Facilities can and will be provided to and through the subject property, including water, sanitary sewer, and storm drainage.*
- E: The annexation is consistent with the annexation policies contained in the Comprehensive Plan.*
- F: Within Mixed Use Nodes, annexation shall only be permitted in conjunction with a Master Plan application submitted pursuant to Chapter 4.5.*

**COMPREHENSIVE PLAN AMENDMENT & ZONE CHANGE APPROVAL CRITERIA:**

The Approval Criteria for map changes are contained in section 4.10.030.B of the Dallas Development Code, as listed below. In response to these criteria, Staff refer to the findings contained in the attached staff report as presented to the Planning Commission (**Attachment 1**).

- 1. Approval of the request is consistent with the Statewide Planning Goals.*
- 2. Approval of the request is consistent with the Comprehensive Plan.*
- 3. The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided in the planning period; and*
- 4. The change is in the public interest with regard to neighborhood or community conditions, or corrects a mistake or inconsistency in the comprehensive plan map or zoning map regarding the property which is the subject of the application; and*
- 5. The amendment conforms to the Transportation Planning Rule provisions under DDC. 4.7.060.*

**PROCEDURE:**

As described in Chapter 4.10 of the Dallas Development Code, all annexations shall follow the Type IV procedure as governed by DDC.4.1.050. Under this procedure, the Planning Commission shall hold public hearing and make a recommendation to the City Council on an annexation and land use district change application, after which the City Council shall hold public hearing and decide both applications. If the City Council approves that annexation and zone change, the City Attorney will prepare the draft ordinances, which is subject to first and second reading by Council. The draft ordinance will also identify service district changes.

**RECOMMENDED MOTION:**

I move to adopt the recommendation of the Planning Commission to approve the annexation and zone change, and direct the City Attorney to prepare an Ordinance amending the Dallas Zoning Map to reflect this action.

**CITY OF DALLAS  
PLANNING COMMISSION  
STAFF REPORT**

**MEETING DATE:** SEPTEMBER 12, 2024  
**TOPIC:** CHERRY STREET ANNEXATION & ZONE CHANGE

**Application Type:** Annexation & Zone Change  
**Owner:** Steve Bennet Construction, LLC  
**Applicant:** Steve Bennet Construction, LLC  
**Location:** Cherry at 11<sup>th</sup> Avenue

**RECOMMENDED ACTION**

That the Planning Commission recommend that the City Council approve the annexation of the subject property and approve the zone change to Residential Low-Density (RL).

**BACKGROUND INFORMATION**

**Zoning:** SR – Suburban Residential (Polk County Zoning)  
**Comprehensive Plan Map:** Residential  
**Floodplain:** No Floodplain  
**Lot Size:** 0.33 Acres  
**Adjacent Land Uses:** Single-Family Residential; Vacant Land  
**Prior Land Use Approvals:** “City View Addition to Dallas” Subdivision, 1909

**PROJECT OVERVIEW**

Annexation of applicant’s property into the City of Dallas and change zoning from county zone Suburban Residential (SR) to city zone Residential Low-Density (RL). This property is adjacent to other land which was recently annexed into the city by the same applicant.

**APPROVAL CRITERIA:**

DDC Chapter 4.10 – Annexations  
DDC Chapter 4.7 – Land Use District Map Amendments

Staff refer to and incorporate the applicant’s written narrative for supportive findings in response to the above mentioned criteria. These criteria are further identified in this report with specific findings, as follows:

**ANNEXATION APPROVAL CRITERIA**

The applicant proposes to annex their 0.33 acre property into the City of Dallas. The applicable criteria are contained in the Dallas Development Code (DDC) Section 4.10.030, “Annexation Approval Criteria.”

**CRITERION:**

*DDC 4.10.030.A: The land is within the City’s Urban Growth Boundary.*

**FINDING:**

A review of the Dallas Zoning Map finds that the land is within the Dallas UGB. Therefore this criterion is satisfied.

**CRITERION:**

*DDC 4.10.030.B: The proposed zoning for the annexed area is consistent with the Comprehensive Plan, and a project, if proposed concurrently with the annexation, is an allowed use within the proposed zoning.*

**FINDING:**

The proposed zoning is Residential Low-Density (RL). The Comprehensive Plan designation for this area is Residential. The RL zone is one of the implementing zones for the Residential Comprehensive Plan designation, therefore the proposed zoning would be consistent with the Comp. Plan, so this criterion is satisfied. Development is not being proposed concurrently.

**CRITERION:**

*DDC 4.10.030.C: The land is currently contiguous with the present City Limits*

**FINDING:**

A review of the Dallas Zoning Map finds that the land abuts the present city limits. Therefore this criterion is satisfied.

**CRITERION:**

*DDC 4.10.030.D: Adequate City Facilities can and will be provided to and through the subject property, including water, sanitary sewer, and storm drainage.*

**FINDING:**

Sanitary sewer, water, and storm drainage main lines, of adequate capacity to support development, are located within SW Cherry Street such that service laterals may be easily extended to serve the subject property. Fire hydrants are within 250 feet of the subject property, and the property is serviceable by city fire protection. Therefore this criterion is satisfied.

**CRITERION:**

*DDC 4.10.030.E: The annexation is consistent with the annexation policies contained in the Comprehensive Plan.*

**FINDING:**

Comprehensive Plan Chapter 6 – Urban Growth Management, Policy 6.2.1 – Conversion of Urban Uses states, “Land within the Urban Growth Boundary shall be considered available over the

planning period for urban uses. The conversion of urbanizable land to urban uses shall occur only through the annexation and zone change processes, and shall be based on the following factors:

*Policy 6.2.1.1 - The City will encourage the development of available land within its corporate limits before expansion into urbanizable areas.*

The city has been successful in encouraging development within corporate limits in recent years. Staff note that in the four years from 2016 to 2020, over 115 acres within city limits have been approved for subdivision development. This has had the effect of reducing the supply of available land within city limits, and annexation of the 0.33 acre subject property would contribute towards offsetting some of that loss.

*Policy 6.2.1.2 - The availability of sufficient buildable land to ensure market choice for commercial, industrial, single-family, multi-family and public land uses within the City Limits.*

Annexation of the subject property will provide additional urbanizable land to ensure market choice for single family residential land uses within the city. Annexation of this property is not expected to impact availability of commercial, industrial, or multi-family uses, for which this location would not be compatible with respective comprehensive plan locational policies and land use designations.

*Policy 6.2.1.3 - The orderly, economic and timely provision of public facilities and services as prescribed in Chapter 7, Public Facilities Plan.*

Public facilities and services, including the provision of sanitary sewer service, water service, stormwater drainage, transportation (streets, sidewalks), and fire protection are available to service the property. Utility service laterals and street frontage improvements will be required to be extended at time of development, except where code allows improvements to be deferred.

*Policy 6.2.1.4 - Only lands that can be provided with the full range of urban facilities will be considered for annexation or rezoning.*

Staff finds that the full range of required public facilities and services can be provided to the subject property.

*Policy 6.2.1.5 - The City shall not permit “panhandle” annexations, except in extraordinary circumstances such as health hazard annexations.”*

The subject property fronts a street which is already within city limits, and so is not a “panhandle” extension.

**CRITERION:**

*DDC 4.10.030.F: Within Mixed Use Nodes, annexation shall only be permitted in conjunction with a Master Plan application submitted pursuant to Chapter 4.5.*

**FINDING:**

The subject property is not located within a mixed-use node, therefore this criterion does not apply.

**ANNEXATION OVERALL CONCLUSION:** Based on the applicant’s materials and the findings above, the Planning Commission may find that the proposal meets the approval criteria.



## **ZONE CHANGE APPROVAL CRITERIA**

Concurrent with the annexation request, the applicant proposes to rezone their 0.66 acre property from the Polk County zone Suburban-Residential (SR) to the City of Dallas zone Residential Low-Density (RL). The applicable CRITERIA for zone changes are contained in the Dallas Development Code (DDC) Section 4.7.030.B, “*Criteria for Quasi-Judicial Amendments.*”

### ***CRITERION:***

*DDC 4.7.030.B.1: Approval of the request is consistent with the Statewide Planning Goals.*

### ***FINDING:***

Oregon has 19 Statewide Planning Goals, of which four (4) are directly applicable to the approval criteria of this request and are discussed individually below.

**Goal 5 – Natural Resources:** This goal requires cities to protect natural resources and conserve scenic and historic areas and open spaces, with fifteen (15) resources specified. The subject property is an undeveloped stand of trees, and does not contain any known Goal 5 resources on-site. The National Wetland Inventory does not identify any wetlands on the property. Storm drainage is to Ash Creek, a Goal 5 resource, and to protect this resource the City of Dallas has standards for storm water management that must be met at the time of development.

**Goal 7 – Natural Hazards:** This goal requires cities to adopt comprehensive plan measures that reduce risk to people and property from natural hazards, with six (6) hazards specified. As identified by the Oregon Department of Geology and Mineral Industries and incorporated into the Polk County Multi-Jurisdictional Hazard Mitigation Plan, the subject property is located in an area of the city with high risk of landslides and moderate risk of wildfires. In accordance with Goal 7, the City of Dallas requires geotechnical evaluation of all new development, which can mitigate some of this landslide risk through site-specific design and engineering, such as structural foundation systems, as well as stormwater management to reduce risk of rain-induced landslides.

A comprehensive wildfire risk and vulnerability assessment is not available at this time. Polk County developed a Community Wildfire Protection Plan (CWPP) in 2009, which mapped wildland urban interface areas and developed actions to mitigate wildfire risk, and the city is a participant in the CWPP. The Dallas Fire Chief has not entered into the records any concerns with the proposed annexation, and fire hydrants are located within 250 feet of the subject property.

**Goal 10 – Housing:** This goal requires cities to encourage availability of adequate numbers of needed housing units at prices commensurate with the financial capabilities of Oregon households and allow flexibility of location, type, and density. The zone change would re-designate the subject property from rural densities to urban densities, thereby allowing a greater number of dwellings which could be constructed, increasing supply of needed housing units.

The 2019 Housing Needs Analysis projected that the city would need 253.7 acres of low-density residential land to accommodate growth through 2040. Low-density in the Housing Needs Analysis is defined as approximately six dwellings per acre, which is significantly more dwellings than would be allowed on the subject property under the present county zoning. Therefore the proposed zone change is necessary to fulfill this need for low-density residential land.

**Goal 11 – Public Facilities:** This goal requires cities to plan and develop a timely, orderly and efficient arrangement of public facilities and services. Water, sanitary sewer, and storm drainage of adequate capacity are adjacent to the subject property. City services, including fire and police protection and health and recreation services, have adequate capacity to serve a development of the subject property.

**Goal 12 – Transportation:** This goal requires cities to provide and encourage a safe, convenient, and economic transportation system and to coordinate land use and transportation planning. Goal 12 is implemented by the Transportation Planning Rule (TPR) which requires cities to evaluate whether proposed plan amendments and zone changes are consistent with adopted land use and transportation plans, to ensure the transportation system can accommodate the development.

The proposed zoning of Residential Low-Density (RL) is consistent with the adopted Comprehensive Plan, which designates this property for Residential use, for which RL is an implementing zone. The proposed RL zone allows a maximum density of 9 dwellings per net acre. Therefore, the applicant’s 0.33 acre property could be developed with a maximum of 3 single-family homes. This would be projected to generate 3 peak-hour vehicle trips per day, which is well within the capacity of the roadway network to support. As the reasonable worst case development of the property would not have a significant impact on the functional classification of the roadways or reduce the performance of the roadways, Staff finds that the amendment conforms with the provisions of the Transportation Planning Rule, so this criterion is met.

**Conclusion:** Staff finds that, given the above information and that found in the application materials, the proposed amendment is consistent with the statewide planning goals, and that this criterion is satisfied.

**CRITERION:**

*DDC 4.7.030.B.2: Approval of the request is consistent with the Comprehensive Plan.*

**FINDING:**

Staff observe the Comprehensive Plan to contain several policies. Below are certain policies found in Chapter 3 and 7 that staff find relevant and responds to with findings.

**Comprehensive Plan Chapter 3 – Livable Residential Neighborhoods:**

*Policy 3.1.3. Each residential neighborhood within a Mixed Use Node shall provide multi-family housing.*

Staff find the subject property is not in a mixed use node. This policy doesn’t apply.

*Policy 3.3.2 – The development of close-in vacant land, readily serviceable by a full range of urban services shall have a higher priority than development of peripheral land that cannot be provided, efficiently, with a full range of urban services.*

The subject property is adjacent to an existing city street with existing utility main lines, and is therefore readily serviceable by a full range of urban utilities. Accordingly, higher priority should be assigned to development of the subject property consistent with this policy.

*Policy 3.3.4 - Except in documented health hazard situations, annexation shall occur in areas where services can be most easily extended, as prescribed in Chapter 7, the Public Facilities Plan.*

The subject property is adjacent to an existing city street with existing utility main lines, and is therefore readily serviceable.

### **Comprehensive Plan Chapter 7 – Public Facilities Plan:**

*Policy 7.1.2 – Urban public facilities and services shall be extended outside the City Limits through the annexation process.*

The proposed zone change is concurrent with an annexation application consistent with this policy. Utility main lines already exist in Cherry Street.

*Policy 7.2.3 – Prior to annexation, zone change or development approval, the City must make an affirmative determination that adequate sanitary sewer, water, storm drainage, transportation and park services are available to service the area to be annexed or rezoned, or the site to be developed.*

This policy is implemented by DDC 4.7.030.B.3 which requires such a determination, and is provided herein consistent with this policy.

**Conclusion:** Staff finds that, given the above information and that found in the application materials, the proposed zone change is consistent with the Comprehensive Plan, and has satisfied this criterion.

#### **CRITERION:**

*DDC 4.7.030.B.3: The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided in the planning period.*

#### **FINDING:**

Finding: Public Facilities – Sanitary sewer, water, and storm drainage main lines of adequate capacity to support development are located within Cherry Street.

Finding: Public Services – Existing city services, including fire and police protection and health and recreation services, have adequate capacity to serve a development of the subject property. Fire hydrants are located within 250 feet of the subject property.

Finding: Transportation Networks – The RL zone allows a maximum density of 9 dwellings per net acre. Therefore, the applicant’s 0.33 acre property could be developed with a maximum of 3 single-family homes. This would be projected to generate 3 peak-hour vehicle trips per day, which is well within the capacity of the roadway network to support. There are no curbs or sidewalks abutting the subject property, and installation of this infrastructure will be a requirement of residential development.

**Conclusion:** Staff finds that the property and affected area are or can be served with adequate public facilities and services, and that this criterion is satisfied.

**CRITERION:**

*DDC 4.7.030.B.4 The change is in the public interest with regard to neighborhood or community conditions, or corrects a mistake or inconsistency in the comprehensive plan map or zoning map regarding the property which is the subject of the application.*

**FINDING:**

The proposed zone change to Residential Low-Density (RL) is in the public interest, as the Dallas Housing Needs Analysis projects that over the next 20-years Dallas will need more residential dwellings than presently exists within city limits (needed housing). Dallas has also previously been identified as a rent burdened community under ORS 456.586, to which limited supply of housing is logically a contributing factor. Therefore increasing the supply of housing is in the public interest. The proposed zoning is consistent with the existing residential zoning to the north, which is already zoned as RL and is developed to RL standards.

**CRITERION:**

*DDC 4.7.030.B.5 The amendment conforms to the Transportation Planning Rule provisions under Section 4.7.060.*

**FINDING:**

The proposed RL zone allows a maximum density of 9 dwellings per net acre. Therefore, the applicant's 0.33 acre property could be developed with a maximum of 3 single-family homes under current RL zone standards. This would be projected to generate 3 peak-hour vehicle trips per day, which is well within the capacity of the roadway network to support. As the reasonable worst case development of the property would not have a significant impact on the functional classification of the roadways or reduce the performance of the roadways, staff finds that the amendment conforms with the provisions of the Transportation Planning Rule, so this criterion is met.

**RECOMMENDED ACTION**

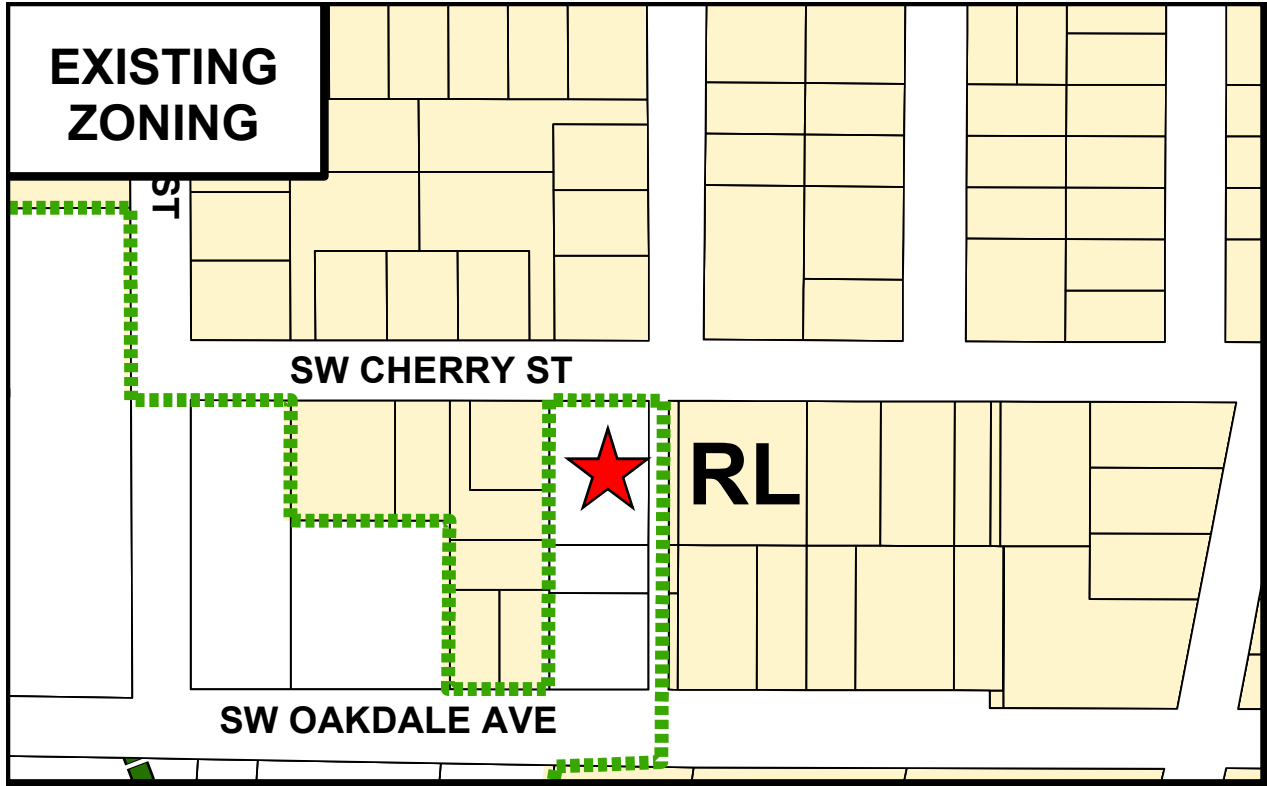
Staff recommends that the Annexation and Zone Change application be approved.

**RECOMMENDED MOTION:**

I move to recommend that the City Council approve the annexation of the subject property and approve the zone change to Residential Low-Density (RL).

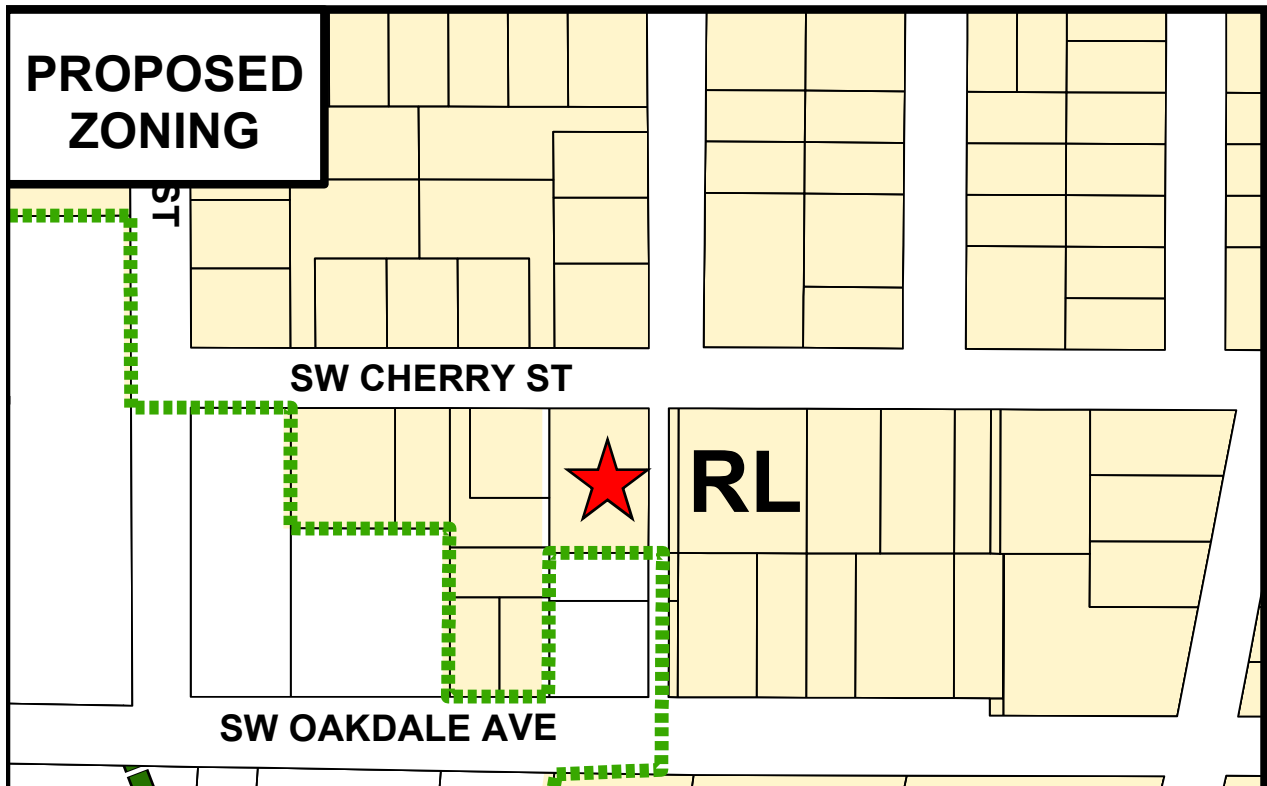
**EXHIBITS:**

Map of Requested Change as prepared by city staff  
Applicant's Written Narrative and Plans



  
Rezoning Site

**RL** Residential Low Density





## Annexation Application Tax Lot 9400 and 10000, SW Cherry St

### PROPERTY DESCRIPTION AND INTENT

The applicant seeks annexation of that certain property described as City View Addition, Block 15, lots 10 - 12, consisting of .33-acres, and the adjacent portion of 11<sup>th</sup> St approved to be vacated, consisting of .03-acres. Located on the southwest corner of SW Cherry St. and SW 11<sup>th</sup> St., the property lies within the City of Dallas Urban Growth Boundary and the north, east and west property boundaries are contiguous to City limits.

#### 4.10.010 PURPOSE

*The purpose of this chapter is to provide for the orderly transition and rezoning of land from the Dallas Urban Growth Boundary into the City Limits and to ensure the requirements of boundary changes, the provision of public facilities, and land use compatibility have been adequately addressed.*

#### 4.10.020 APPLICATION

*A. Consent to annexation, which is non-revocable for a period of one year from its date.*

#### **Applicant's Response:**

The owner has executed the Consent to Annex form and agrees to irrevocably consent to annex the property for a period of one-year.

*B. Agreement to deposit an amount sufficient to retire any outstanding indebtedness of special districts defined in ORS 222.510.*

#### **Applicant's Response:**

Owner does not have any outstanding indebtedness of special districts.

*C. Boundary description and map prepared by a registered land surveyor that conforms to ORS 308.225. Such description and map shall be prepared. The boundaries shall be surveyed and*



*monumented as required by statute subsequent to Council approval of the proposed annexation.*

**Applicant's Response:**

The property boundaries included in the request for annexation are legal parcels previously created by the City View Addition, Block 15 subdivision plat.

*D. Written findings addressing the criteria in 4.10.030*

**4.10.030 Approval Criteria:**

*An annexation may be approved if the proposed request conforms, or can be made to conform through the imposition of conditions, with the following approval criteria:*

*(A) The land is within the City's Urban Growth Boundary.*

**Applicant's Response:**

The subject property is located with the City's Urban Growth Boundary, tax lots 9400 and 10000, of 7.5.32CD.

*(B) The proposed zoning for the annexed area is consistent with the Comprehensive Plan, and a project, if proposed concurrently with the annexation, is an allowed use within the proposed zoning.*

**Applicant's Response:**

The Comprehensive Plan identifies the zone in which the subject property resides as Residential (RL). Consistent with the Comprehensive Plan, the applicant proposes the same Residential (RL) zoning for the subject property.

*(C) The land is contiguous with the present city limits.*

**Applicant's Response:**

The land is contiguous with the present City limits. The north property line of the subject property is the boundary of the current City limits.

*(D) Adequate City facilities can and will be provided to and through the subject property, including water, sanitary sewer, and storm drainage.*

**Applicant's Response:**



Adequate City facilities can and will be provided to the subject property. Existing water, sewer and storm drainage facilities are available in SW Cherry St.

*(E) The annexation is consistent with the annexation policies in the Comprehensive Plan.*

**Applicant's Response:**

Annexation of the subject property is consistent with annexation policies in the Comprehensive Plan. It is within the City's Urban Growth Boundary, is contiguous to City limits and can be served by existing water, sewer and storm drainage facilities. The property is located directly adjacent to a residential neighborhood and will conform to the development standards of the Residential (RL) zone.

*E. Application by the property owner for a zone change and Comprehensive Plan amendment, if required.*

**Applicant's Response:**

The owner is requesting a zone change to Residential (RL) consistent with the adjacent neighborhood.

**4.10.035 Boundaries**

*When an annexation is initiated by a private individual, the Planning Official may include other parcels of property in the proposed annexation to make a boundary extension more logical and to avoid parcels of land which are not incorporated but are partially or wholly surrounded by the City of Dallas. The Planning Official, in a report to the Planning Commission and Council, shall justify the inclusion of any parcels other than the parcel for which the petition is filed. The purpose of this section is to permit the Planning Commission and Council to make annexation extending the City's boundaries more logical and orderly.*

**Applicant's Response:**

The applicant has not been advised of any other property to include with this request.

**4.10.050 Statutory Procedure**

*The applicant for the annexation shall also declare which procedure, under ORS 222, the applicant proposes that the City Council use and supply evidence that the approval through this procedure is likely.*





**Applicant's Response:**

The applicant believes the annexation process should follow the procedures outlined in ORS 222.125. ORS 222.125 indicates that an election need not be held on the question of annexation within the area proposed if all of the owners of land in the territory and not less than 50 percent of the electors, if any, residing in the territory consent in writing to the annexation.

The City of Dallas does not have a voter-approved annexation process, and the owner has consented in writing to annexation of the property. Because there are no electors to consider for this annexation, the criteria under ORS 222.125 is met.

## Statewide Planning Goals

**Goal 10: Housing**

*This goal specifies that each city must plan for and accommodate needed housing types, such as multifamily and manufactured housing. It requires each city to inventory its buildable residential lands, and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types.*

**Applicant's Response:**

If approved, the subject property could provide up to five buildable lots that meet the criteria of table 2.2.030 in the City of Dallas Development Code. Consistent with the recently approved Housing Needs Analysis for the 2019 – 2039 period, the subject property, when subsequently partitioned, will contribute to the buildable land inventory of Single-Family homes identified within the City's Urban Growth Boundary. Annexation of the property both supports the City's Housing Needs Analysis and is consistent with Goal 10, Housing, of the Statewide Planning Goals.

**Goal 11: Public Facilities and Services**


*Goal 11 calls for efficient planning of public services such as sewers, water, law enforcement, and fire protection. The goal's central concept is that public services should be planned in accordance with a community's needs and capacities rather than be forced to respond to development as it occurs.*



**Applicant's Response:**

The subject property is accessed by an existing public street (SW Cherry St.) and is served by existing water, sewer and storm drainage facilities. Annexing the subject property and approving a subsequent partition/division, makes efficient use of existing infrastructure, thereby aligning with Goal 11, of the Statewide Planning Goals.

# CITY OF DALLAS CITY COUNCIL STAFF REPORT

**MEETING DATE:** October 21, 2024  
**AGENDA ITEM NO.** 3.b  
**TOPIC:** Public Hearing on an application for annexation and zone change of property at 1080 West Ellendale Avenue  
**PREPARED BY:** Chase Ballew, City Planner  
**APPROVED BY:**  City Manager  
**ATTACHMENTS:**

1. Updated Traffic Count
2. Staff Report to Planning Commission w/ Correction
3. Map of Proposed Change
4. Application Materials

## **RECOMMENDED ACTION:**

Adopt the Planning Commission’s recommendation to approve the requested annexation of the subject property, and zone change to Low-Density Residential (RL) subject to conditions of approval.

Direct the City Attorney to prepare an Ordinance for the subject property to be annexed into the City of Dallas and designating the zoning of said property.

## **BACKGROUND:**

The property owner has submitted application to annex into the City of Dallas their property and to change the zoning from Polk County zone SR – Suburban Residential to city zone Low-Density Residential (RL).

The planning official has expanded this action to include a portion of the neighboring property, so as to make for a more orderly expansion of the city, as allowed by DDC 4.10.045, and the neighboring property owner has provided written consent to the annexation of their property. The total annexation area is therefore approximately 9.2 acres.

On September 12, 2024, the Dallas Planning Commission conducted a public hearing to consider the applicant’s proposal and to receive public testimony. The applicant’s representative attended and addressed the Commission during the period of public testimony. The Planning Commission deliberated and voted to forward to City Council their recommendation that the annexation and zone change of the subject property be approved with conditions.

## **UPDATE:**

The applicant has provided revised traffic study information, illustrating that their proportionate share of the traffic impact to the Levens & Ellendale intersection is less than was presented to the Planning Commission, and that their proportionate share fee should be reduced accordingly, to 3.1%. This percentage was calculated by dividing the AM peak hour trips generated by the development of

Phase 2 on the property not currently within city limits (36) by the current AM traffic volume (1176) as counted on Thursday, September 26, 2024.

**ANNEXATION APPROVAL CRITERIA:**

The Approval Criteria for Quasi-Judicial Map Amendments are contained in section 4.10.030 of the Dallas Development Code, as listed below. In response to these criteria, Staff refer to the findings contained in the attached staff report as presented to the Planning Commission (**Attachment 2**).

- A: The land is within the City's Urban Growth Boundary.*
- B: The proposed zoning for the annexed area is consistent with the Comprehensive Plan, and a project, if proposed concurrently with the annexation, is an allowed use in the proposed zone.*
- C: The land is currently contiguous with the present City Limits*
- D: Adequate City Facilities can and will be provided to and through the subject property, including water, sanitary sewer, and storm drainage.*
- E: The annexation is consistent with the annexation policies contained in the Comprehensive Plan.*
- F: Within Mixed Use Nodes, annexation shall only be permitted in conjunction with a Master Plan application submitted pursuant to Chapter 4.5.*

**COMPREHENSIVE PLAN AMENDMENT & ZONE CHANGE APPROVAL CRITERIA:**

The Approval Criteria for map changes are contained in section 4.10.030.B of the Dallas Development Code, as listed below. In response to these criteria, Staff refer to the findings contained in the attached staff report as presented to the Planning Commission (**Attachment 2**).

- 1. Approval of the request is consistent with the Statewide Planning Goals.*
- 2. Approval of the request is consistent with the Comprehensive Plan.*
- 3. The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided in the planning period; and*
- 4. The change is in the public interest with regard to neighborhood or community conditions, or corrects a mistake or inconsistency in the comprehensive plan map or zoning map regarding the property which is the subject of the application; and*
- 5. The amendment conforms to the Transportation Planning Rule provisions under DDC. 4.7.060.*

**PROCEDURE:**

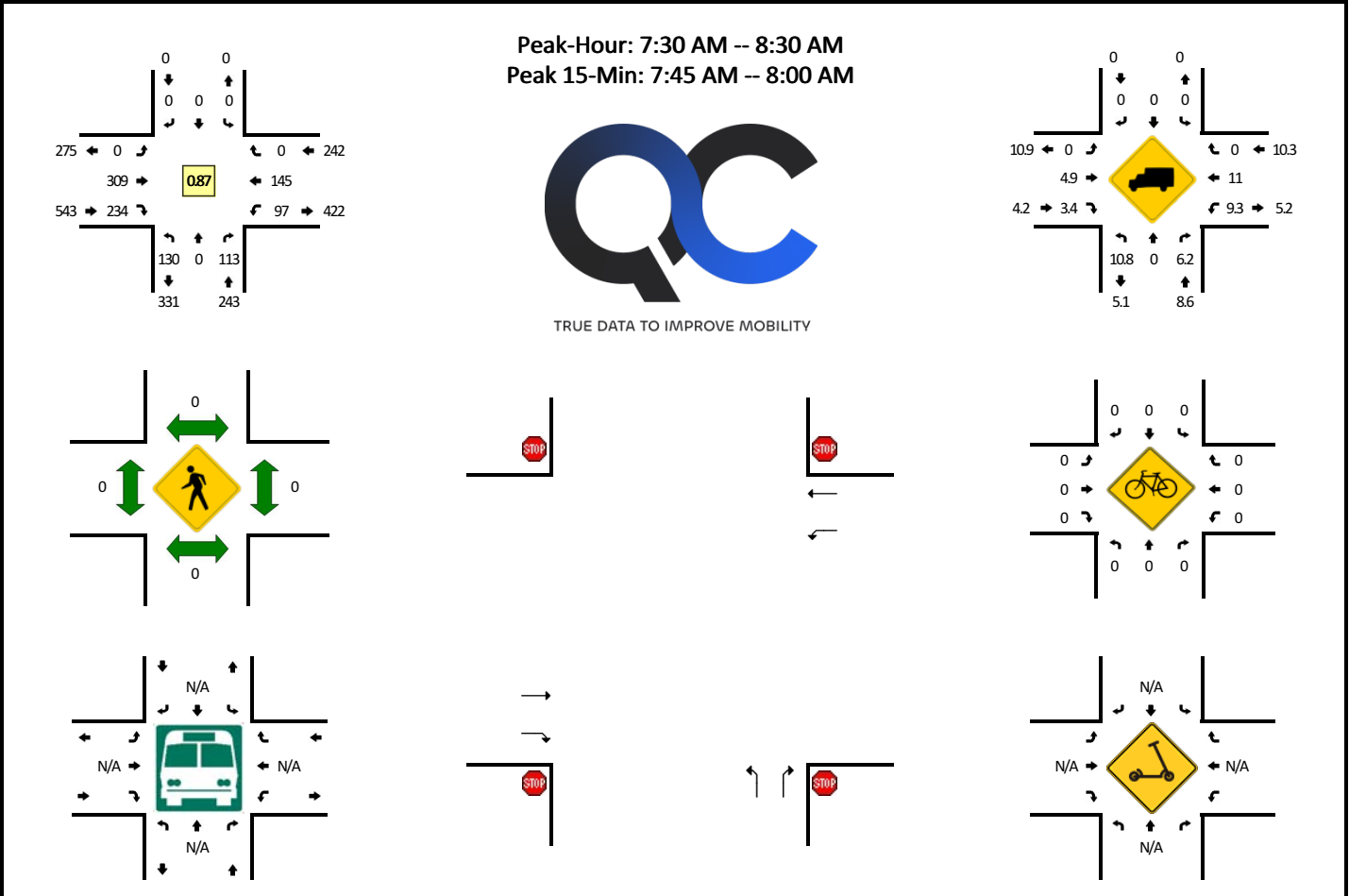
As described in Chapter 4.10 of the Dallas Development Code, all annexations shall follow the Type IV procedure as governed by DDC.4.1.050. Under this procedure, the Planning Commission shall hold public hearing and make a recommendation to the City Council on an annexation and land use district change application, after which the City Council shall hold public hearing and decide both applications. If the City Council approves that annexation and zone change, the City Attorney will prepare the draft ordinances which is subject to first and second reading by Council. The draft ordinance will also identify service district changes.

**RECOMMENDED MOTION:**

I move to adopt the recommendation of the Planning Commission to approve the annexation and zone change, and direct the City Attorney to prepare an Ordinance amending the Dallas Zoning Map to reflect this action, on the condition that the developer shall enter into a development agreement to pay 3.1% of the total project costs to improve the intersection of Ellendale & Levens in such a way as to mitigate the significant effect of the proposed zone change.

**LOCATION:** SW Levens St -- W Ellendale Ave  
**CITY/STATE:** Dallas, OR

**QC JOB #:** 16776501  
**DATE:** Thu, Sep 26 2024



5-Min Count Period Beginning At	SW Levens St (Northbound)				SW Levens St (Southbound)				W Ellendale Ave (Eastbound)				W Ellendale Ave (Westbound)				Total	Hourly Totals
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
7:00 AM	6	0	11	0	0	0	0	0	0	21	14	0	6	11	0	0	69	
7:05 AM	8	0	10	0	0	0	0	0	0	19	10	0	11	2	0	0	60	
7:10 AM	7	0	7	0	0	0	0	0	0	21	14	0	10	12	0	0	71	
7:15 AM	3	0	11	0	0	0	0	0	0	20	19	0	5	14	0	0	72	
7:20 AM	0	0	10	0	0	0	0	0	0	21	14	0	13	10	0	0	68	
7:25 AM	12	0	9	0	0	0	0	0	0	15	14	0	5	7	0	0	62	
7:30 AM	9	0	10	0	0	0	0	0	0	34	17	0	15	12	0	0	97	
7:35 AM	11	0	5	0	0	0	0	0	0	27	21	0	6	17	0	0	87	
7:40 AM	8	0	5	0	0	0	0	0	0	34	26	0	10	10	0	0	93	
7:45 AM	9	0	13	0	0	0	0	0	0	27	25	0	9	15	0	0	98	
7:50 AM	14	0	10	0	0	0	0	0	0	28	18	0	9	18	0	0	97	
7:55 AM	12	0	8	0	0	0	0	0	0	35	27	0	6	11	0	0	99	
8:00 AM	13	0	14	0	0	0	0	0	0	24	16	0	8	11	0	0	86	
8:05 AM	13	0	11	0	0	0	0	0	0	21	14	0	3	8	0	0	70	
8:10 AM	11	0	9	0	0	0	0	0	0	25	15	0	5	13	0	0	78	
8:15 AM	17	0	4	0	0	0	0	0	0	21	19	0	9	13	0	0	83	
8:20 AM	7	0	7	0	0	0	0	0	0	16	25	0	9	7	0	0	71	
8:25 AM	6	0	17	0	0	0	0	0	0	17	11	0	8	10	0	0	69	
8:30 AM	7	0	15	0	0	0	0	0	0	21	10	0	3	13	0	0	69	
8:35 AM	7	0	8	0	0	0	0	0	0	16	6	0	7	11	0	0	55	
8:40 AM	6	0	11	0	0	0	0	0	0	13	9	0	9	14	0	0	62	
8:45 AM	5	0	9	0	0	0	0	0	0	19	9	0	8	14	0	0	64	
8:50 AM	4	0	11	0	0	0	0	0	0	16	15	0	11	19	0	0	76	
8:55 AM	12	0	11	0	0	0	0	0	0	24	10	0	5	14	0	0	76	
Peak 15-Min Flowrates	Northbound				Southbound				Eastbound				Westbound				Total	
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
All Vehicles	140	0	124	0	0	0	0	0	0	360	280	0	96	176	0	0	1176	
Heavy Trucks	12	0	4	0	0	0	0	0	0	16	0	0	8	16	0	0	56	
Buses																		
Pedestrians	0	0	0		0	0	0		0	0	0		0	0	0		0	
Bicycles	0	0	0		0	0	0		0	0	0		0	0	0		0	
Scooters																		

Comments:

**PLANNING COMMISSION  
STAFF REPORT  
CORRECTION**

**Meeting Date:** September 12, 2024  
**Topic:** 1080 West Ellendale Annexation & Zone Change  
  
**Application Type:** Annexation & Zone Change  
**Owners:** James D Vick Trust  
**Applicant:** Locke Engineers, on behalf of James D Vick Trust  
**Location:** Behind 1080 West Ellendale

**TRAFFIC**

The applicant’s traffic analysis included projected traffic generated by the full build-out of the developer’s property, however part of that traffic is generated by property already within the city limits and therefore not part of the annexation & rezoning application.

The city’s recommended condition of approval was based on the total traffic generated, not the traffic attributable to the annexation / rezoning, and so was calculated in error.

Accordingly, the recommended condition of approval is to require the developer to enter into a development agreement to pay a 4.6% portion of the intersection project cost, not 8% as previously stated. This percentage was calculated by dividing the AM peak hour trips generated *by the development of Phase 2 on the property not currently within city limits* (36) by the current AM traffic volume (772).

**RECOMMENDED ACTION**

That the planning commission recommend the City Council approve the Annexation and Zone Change application with conditions.

**CORRECTED CONDITIONS:**

The developer shall enter into a development agreement to pay 4.6% of the total project costs to improve the intersection of Ellendale & Levens in such a way as to mitigate the significant effect of the proposed zone change.

**RECOMMENDED MOTION:**

I move to recommend that the City Council approve the annexation of the subject property and approve the zone change to Residential Low-Density (RL) with the corrected condition of approval.

**CITY OF DALLAS  
PLANNING COMMISSION  
STAFF REPORT**

**Meeting Date:** September 12, 2024  
**Topic:** 1080 West Ellendale Annexation & Zone Change

**Application Type:** Annexation & Zone Change  
**Owners:** James D Vick Trust  
**Applicant:** Locke Engineers, on behalf of James D Vick Trust  
**Location:** Behind 1080 West Ellendale

**Recommended Action**

The planning commission recommends that the city council approve the annexation of the subject property and approve the zone change to residential low density (RL).

**BACKGROUND INFORMATION**

**Zoning:** SR – Suburban Residential (Polk County Zoning)  
**Comprehensive Plan Map:** Residential  
**Floodplain:** No Floodplain  
**Lot Size:** 9.2 Acres  
**Adjacent Land Uses:** Single-Family Residential

**PROJECT OVERVIEW**

Applicant has requested annexation of their property into the City of Dallas and a change of zoning from county zone Suburban Residential (SR) to city zone Residential Low-Density (RL).

The planning official has expanded this action to include a portion of the neighboring property, so as to make for a more orderly expansion of the city, as allowed by DDC 4.10.045, and the neighboring property has provided written consent to the inclusion in the annexation.

**APPROVAL CRITERIA:**

DDC Chapter 4.10 – Annexations  
DDC Chapter 4.7 – Land Use District Map Amendments



**ANNEXATION APPROVAL CRITERIA**

The applicant proposes to annex their ~9 acre property into the City of Dallas. The applicable criteria are contained in the Dallas Development Code (DDC) Section 4.10.030, “Annexation Approval Criteria.”

**CRITERION:**

*DDC 4.10.030.A: The land is within the City’s Urban Growth Boundary.*

**FINDING:**

A review of the Dallas Zoning Map finds that the land is within the Dallas UGB. Therefore this criterion is satisfied.

**CRITERION:**

*DDC 4.10.030.B: The proposed zoning for the annexed area is consistent with the Comprehensive Plan, and a project, if proposed concurrently with the annexation, is an allowed use within the proposed zoning.*

**FINDING:**

The proposed zoning is Residential Low-Density (RL). The Comprehensive Plan designation for this area is Residential. The RL zone is one of the implementing zones for the Residential Comprehensive Plan designation, therefore the proposed zoning is consistent with the plan. This criterion is satisfied.

**CRITERION:**

*DDC 4.10.030.C: The land is currently contiguous with the present City Limits*

**FINDING:**

A review of the Dallas Zoning Map finds that the land abuts the present city limits. Therefore, this criterion is satisfied.

**CRITERION:**

*DDC 4.10.030.D: Adequate City Facilities can and will be provided to and through the subject property, including water, sanitary sewer, and storm drainage.*

**FINDING:**

Utility mains of adequate capacity to support development being developed with the adjoining subdivision, to be stubbed to the property boundary to accommodate for future expansion. The property is serviceable by city fire protection. Overall, this criterion is satisfied.

**CRITERION:**

*DDC 4.10.030.E: The annexation is consistent with the annexation policies contained in the Comprehensive Plan.*

**FINDING:**

Comprehensive Plan Chapter 6 – Urban Growth Management, Policy 6.2.1 – Conversion of Urban Uses states, “Land within the Urban Growth Boundary shall be considered available over the planning period for urban uses. The conversion of urbanizable land to urban uses shall occur only through the annexation and zone change processes, and shall be based on the following factors:

*Policy 6.2.1.1 - The City will encourage the development of available land within its corporate limits before expansion into urbanizable areas.*

The city has been successful in encouraging development within corporate limits in recent years, which has had the effect of reducing the supply of available land within city limits, and annexation of the subject property would contribute towards offsetting some of that loss.

*Policy 6.2.1.2 - The availability of sufficient buildable land to ensure market choice for commercial, industrial, single-family, multi-family and public land uses within the City Limits.*

Annexation of the subject property will provide additional urbanizable land to ensure market choice for single family residential land uses within the city. Annexation of this property is not expected to impact availability of commercial, industrial, or multi-family uses, for which this location would not be compatible with respective comprehensive plan locational policies and land use designations.

*Policy 6.2.1.3 - The orderly, economic and timely provision of public facilities and services as prescribed in Chapter 7, Public Facilities Plan.*

Public facilities and services, including the provision of sanitary sewer service, water service, stormwater drainage, transportation (streets, sidewalks), and fire protection are available to service the property. Utility main lines and service laterals and street frontage improvements will be required to be extended at the time of development, except where code allows improvements to be deferred. Therefore, this policy is satisfied.

*Policy 6.2.1.4 - Only lands that can be provided with the full range of urban facilities will be considered for annexation or rezoning.*

Staff finds that the full range of required public facilities and services can be provided to the subject property. Therefore, this policy is satisfied.

*Policy 6.2.1.5 - The City shall not permit “panhandle” annexations, except in extraordinary circumstances such as health hazard annexations.”*

The subject property is not a “panhandle” extension. Therefore, this policy is satisfied.

**ANNEXATION OVERALL CONCLUSION:** Based on the applicant’s materials and the findings above, the Planning Commission may find that the proposal meets the approval criteria.

## **ZONE CHANGE APPROVAL CRITERIA**

Concurrent with the annexation request, the applicant proposes to rezone their property from the Polk County zone Suburban-Residential (SR) to the City of Dallas zone Residential Low-Density (RL). The applicable CRITERIA for zone changes are contained in the Dallas Development Code (DDC) Section 4.7.030.B, “*Criteria for Quasi-Judicial Amendments.*”

### ***CRITERION:***

*DDC 4.7.030.B.1: Approval of the request is consistent with the Statewide Planning Goals.*

### ***FINDING:***

Oregon has 19 Statewide Planning Goals, of which five (5) are directly applicable to the approval criteria of this request and are discussed individually below.

**Goal 5 – Natural Resources:** This goal requires cities to protect natural resources and conserve scenic and historic areas and open spaces, with fifteen (15) resources specified. Of these resources, the National Wetland Inventory does identify wetlands on the property, and the applicant has provided a wetland delineation. To protect this resource the City of Dallas has standards for setbacks and storm water management that must be met at the time of development.

**Goal 7 – Natural Hazards:** This goal requires cities to adopt comprehensive plan measures that reduce risk to people and property from natural hazards, with six (6) hazards specified. As identified by the Oregon Department of Geology and Mineral Industries and incorporated into the Polk County Multi-Jurisdictional Hazard Mitigation Plan, the subject property is located in an area of the city with high risk of landslides, high risk of expansive soils, and high risk of wildfires.

In accordance with Goal 7, the City of Dallas requires geotechnical evaluation of all new development, which can mitigate some of this landslide and expansive soils risk through site-specific design and engineering, such as structural foundation systems, as well as stormwater management to reduce risk of rain-induced landslides.

A comprehensive wildfire risk and vulnerability assessment is not available at this time. Polk County developed a Community Wildfire Protection Plan (CWPP) in 2009, which mapped wildland urban interface areas and developed actions to mitigate wildfire risk, and the city is a participant in the CWPP. The Dallas Fire Chief has not entered into the record any concerns with the proposed annexation, and fire hydrants will be installed with development of the property.

**Goal 10 – Housing:** This goal requires cities to encourage availability of adequate numbers of needed housing units at prices commensurate with the financial capabilities of Oregon households and allow flexibility of location, type, and density. The zone change would re-designate the subject property from rural densities to urban densities, thereby allowing a greater number of dwellings which could be constructed, increasing supply of needed housing units.

The 2019 Housing Needs Analysis projected that the city would need 253.7 acres of low-density residential land to accommodate growth through 2040. Low-density in the Housing Needs Analysis is defined as approximately six dwellings per acre, which is significantly more dwellings

than would be allowed on the subject property under the present county zoning. Therefore the proposed zone change is necessary to fulfill this need for low-density residential land.

**Goal 11 – Public Facilities:** This goal requires cities to plan and develop a timely, orderly and efficient arrangement of public facilities and services. Water, sanitary sewer, and storm drainage of adequate capacity are adjacent to the subject property. City services, including fire and police protection and health and recreation services, have adequate capacity to serve a development of the subject property.

**Goal 12 – Transportation:** This goal requires cities to provide and encourage a safe, convenient, and economic transportation system and to coordinate land use and transportation planning. Goal 12 is implemented by the Transportation Planning Rule (TPR) which requires cities to evaluate whether proposed plan amendments and zone changes are consistent with adopted land use and transportation plans, to ensure the transportation system can accommodate the development. The findings under Section 4.7.030.B.5 on page 8 related to the TPR are referenced and incorporated as finding here.

**Conclusion:** Staff finds that, given the above information, the proposed amendment is consistent with the statewide planning goals, and that this criterion is satisfied.

**CRITERION:**

*DDC 4.7.030.B.2: Approval of the request is consistent with the Comprehensive Plan.* Staff interprets consistency with the Comprehensive Plan to mean that the request must be substantially consistent with the Comprehensive Plan and the applicable Comprehensive Plan policies, taken as a whole. Consistency does not mean that the request must comply strictly with every aspect or element of every applicable Comprehensive Plan policy.

**FINDING:**

Staff observe the Comprehensive Plan to contain several policies. Below are certain policies found in Chapter 3 and 7 that staff find relevant and responds to with findings.

**Comprehensive Plan Chapter 3 – Livable Residential Neighborhoods:**

*Policy 3.1.1. Each residential neighborhood shall be located within 1.5 miles of the Central Business District or land that is zoned or planned for general commercial or neighborhood commercial development.*

The subject property is located within 1.5 miles of the CBD, so this policy is satisfied.

*Policy 3.1.2. Each residential neighborhood shall be served by a grid street system, which minimizes the use of cul-de-sacs, double-frontage lots and walled subdivisions.*

This policy is implemented by the block length and street spacing standards contained in the Dallas Development Code, so this policy will be satisfied at the time of development.

*Policy 3.1.5. Pedestrian and bicycle access shall be provided between commercial, open space and residential uses in all new development.*

This requirement is substantially implemented by the standards of Dallas Development Code Chapter 3.1 and 3.4, which will be reviewed at the time of a development permit application.

*Policy 3.1.6. Public or private park land shall be provided in proportion to residential development and in accordance with Chapter 4.5 (Level-of-Service).*

This requirement is substantially implemented by the standards of Dallas Development Code Chapter 2.2, which establish requirements for residential developments to reserve a percentage of the gross area as parks and open space. This will be reviewed with a development review application.

*Policy 3.3.2 – The development of close-in vacant land, readily serviceable by a full range of urban services shall have a higher priority than development of peripheral land that cannot be provided, efficiently, with a full range of urban services.*

The subject property is adjacent to a new subdivision, with roads and utilities which may be readily extended faster and at lower cost to the city than land located elsewhere in the city, therefore this policy is satisfied.

*Policy 3.3.4 - Except in documented health hazard situations, annexation shall occur in areas where services can be most easily extended, as prescribed in Chapter 7, the Public Facilities Plan.*

The subject property is adjacent to a new subdivision, with roads and utilities which may be readily extended faster and at lower cost to the city than land located elsewhere in the city, therefore this policy is satisfied.

### **Comprehensive Plan Chapter 7 – Public Facilities Plan:**

*Policy 7.1.2 – Urban public facilities and services shall be extended outside the City Limits through the annexation process.*

The proposed zone change is concurrent with an annexation application consistent with this policy.

*Policy 7.2.3 – Prior to annexation, zone change or development approval, the City must make an affirmative determination that adequate sanitary sewer, water, storm drainage, transportation and park services are available to service the area to be annexed or rezoned, or the site to be developed.*

This policy is implemented by DDC 4.7.030.B.3 which requires such a determination, and is provided herein consistent with this policy.

**Conclusion:** Given the above information and analysis, Staff finds that the zone change is substantially consistent with the Comprehensive Plan, and satisfies DDC 4.7.030.B.2.

**CRITERION:**

*DDC 4.7.030.B.3: The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided in the planning period.*

**FINDING:**

Public Facilities – Staff refer to and incorporate the findings under DDC 4.10.030.D on Page 2.

Public Services – Existing city services, including fire and police protection, and health and recreation services, have adequate capacity to serve the property.

Transportation Networks – Infrastructure improvements will need to be assured through conditions of approval, waivers of remonstrance, or other future improvement guarantee. Findings related to the Transportation Planning Rule under Section 4.7.030.B.5 on Page 8 are referenced and incorporated as findings here.

**Conclusion:** Staff finds that with conditions of approval the property and affected area are or can be served with adequate public facilities and services, and that this criterion is satisfied.

**CRITERION:**

*DDC 4.7.030.B.4 The change is in the public interest with regard to neighborhood or community conditions, or corrects a mistake or inconsistency in the comprehensive plan map or zoning map regarding the property which is the subject of the application.*

**FINDING:**

The proposed zone change to Residential Low-Density (RL) is in the public interest, as the Dallas Housing Needs Analysis projects that over the next 20-years Dallas will need more residential dwellings than presently exists within city limits (needed housing). Dallas has also previously been identified as a rent burdened community under ORS 456.586, to which limited supply of housing is logically a contributing factor. Therefore increasing the supply of housing is in the public interest. The proposed zoning is consistent with the existing residential zoning to the south and east, which is already zoned as RL.

**CRITERION:**

*DDC 4.7.030.B.5 The amendment conforms to the Transportation Planning Rule provisions under Section 4.7.060.*

**FINDING:**

As stated on page 8 of the applicant’s traffic analysis, “*The proposed subdivision can be approved without causing performance metrics at the studied intersections to fail with the exception of Levens St at W Ellendale Ave. Mitigation can be accomplished by changing the traffic control to all-way stop control and signaling the intersection when signal warrants are met.*” [emphasis added]

Because the zone change and subsequent development is predicted to add traffic to this intersection, it meets the definition of a “significant impact” to the Ellendale & Levens intersection under OAR-660-012-0060(1)(c)(C) in that it is predicted to “*Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.*”

While the developer’s traffic analysis includes recommended mitigation measures, the developer is not proposing to implement these measures, and it would be inequitable for the developer to shoulder the full cost of these improvements.

Rather, OAR-660-012-0060(2)(d) allows the “significant impact” to be addressed by recording a development agreement for mitigating the impact. Because the Ellendale & Levens intersection is scheduled for improvement through the City’s capital improvement program in the near future, the most efficient and equitable solution is for the developer to pay a proportionate share of the improvement project.

The subsequent development of the developer’s property is predicted to generate 8% of the traffic through the Ellendale & Levens intersection; therefore a recommended condition of approval is to require the developer to enter into a development agreement to pay 8% of the intersection project cost. This percentage was calculated by dividing the AM peak hour trips generated by the development (62) by the current AM traffic volume (772) as reported by the developer’s traffic study.

While the revalidation of the applicant’s traffic study states that no additional development has occurred since the time of the initial study, city staff note that in the intervening years one site has been annexed and two sites have been rezoned to medium density residential, which may have impact on traffic through this intersection, however these were not included in the applicant’s analysis.

**RECOMMENDED ACTION**

That the planning commission recommend the City Council approve the Annexation and Zone Change application with conditions.

**RECOMMENDED CONDITIONS:**

The developer shall enter into a development agreement to pay 8% of the total project costs to improve the intersection of Ellendale & Levens in such a way as to mitigate the significant effect of the proposed zone change.

**RECOMMENDED MOTION:**

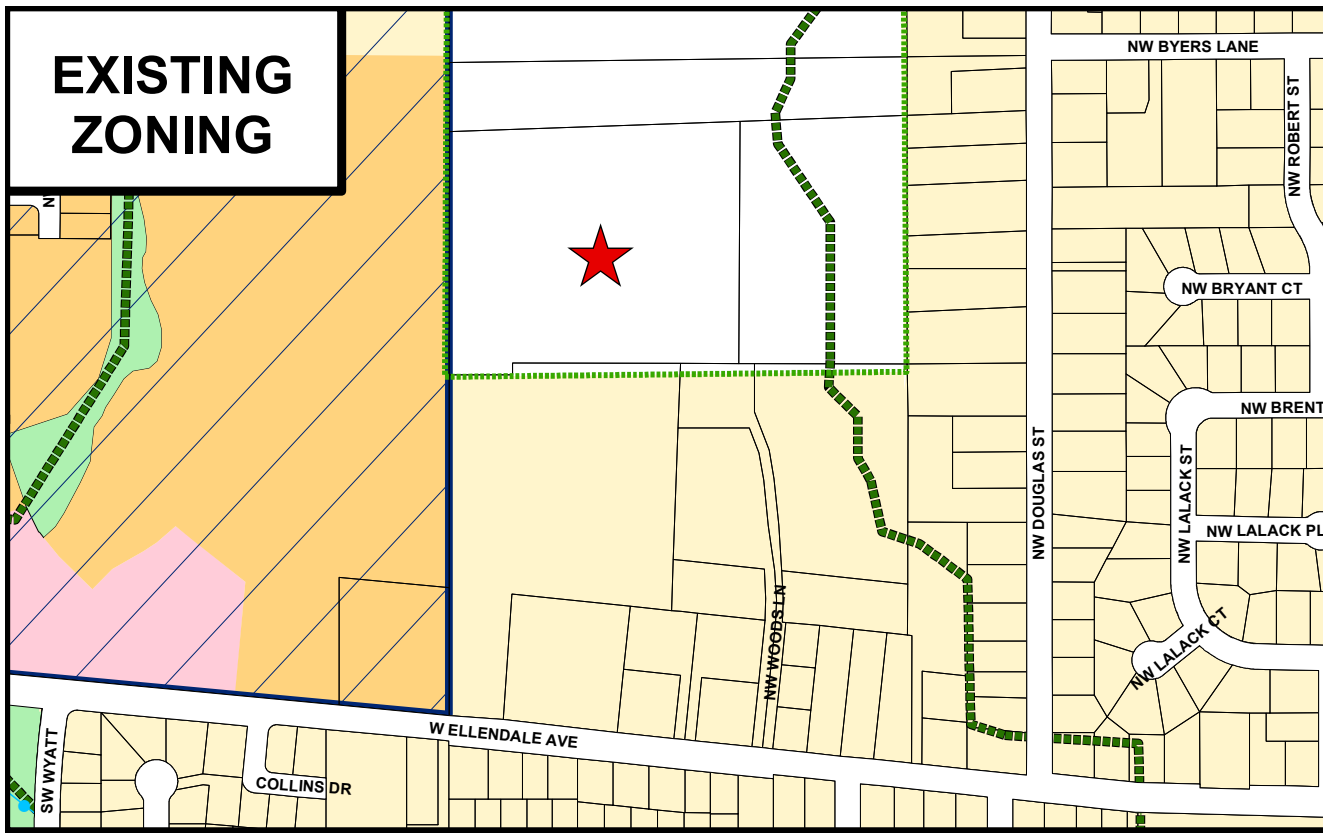
I move to recommend that the City Council approve the annexation of the subject property and approve the zone change to Residential Low-Density (RL).






**EXHIBITS:**

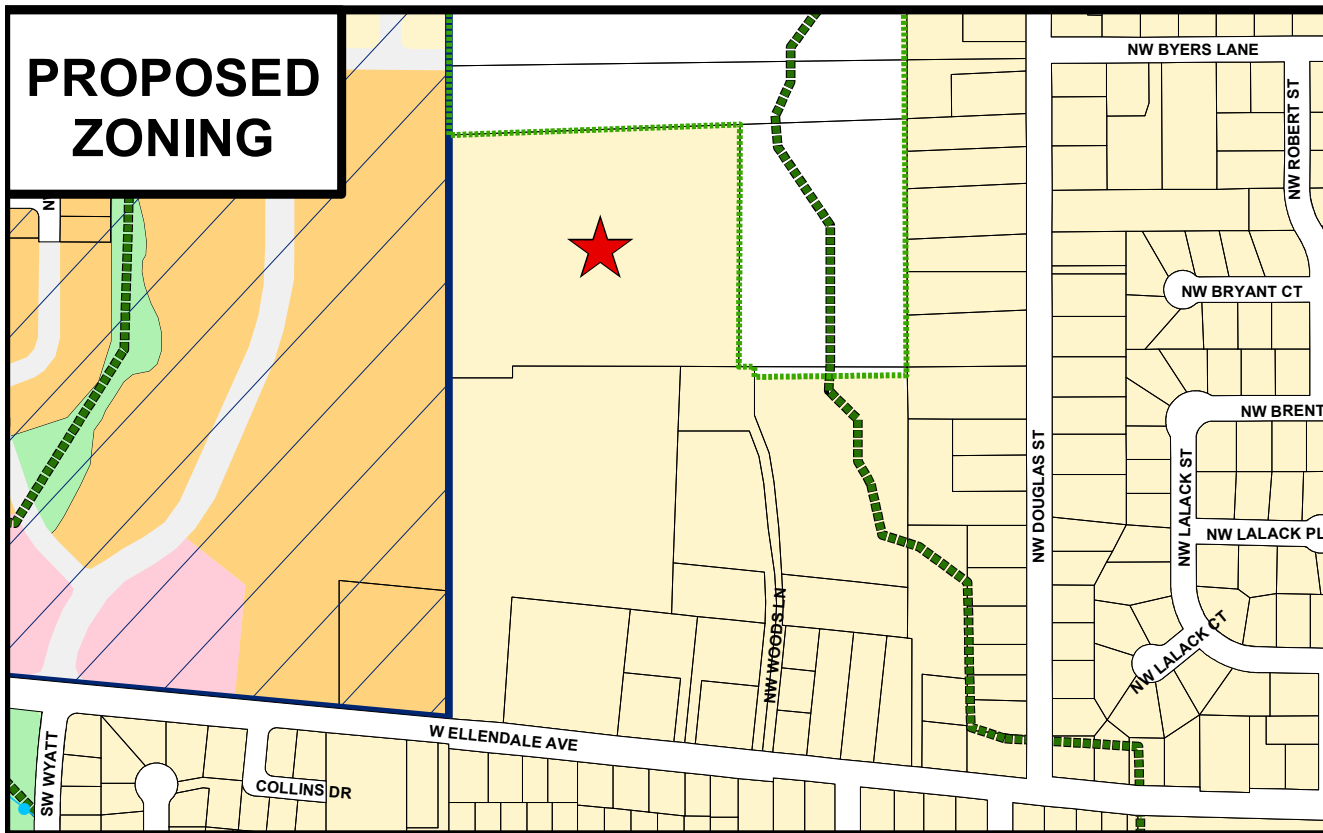
- A. Map of Requested Change as prepared by city staff
- B. Applicant’s Written Narrative and Plans
- C. Applicant’s Consent to Annexation
- D. Neighbor’s Consent to Annexation
- E. Notice of Public Hearing



# EXHIBIT A.1



-   
 Rezoning Site
-  **RM** Residential Medium Density
-  **RL** Residential Low Density
-  **RH** Residential High Density
-  **POS** Parks and Open Space





# Annexation Application

## Dallas Development Code 4.10

Application Fee - \$2000 for one acre or less  
\$3000 for more than one acre

#233-24-000001-PLNG

Official Use Only
ANX- <u>24-01</u>
Rec. <u>01/02</u> /2024

Applicant's Name

Mailing Address

Phone  Email

Property Address  No address

Assessor Map & Taxlot (if no existing address)

Property Size (acres)

**Submit with the application the materials listed on page 2, including site plan and property deed, and a zone change application.**

I hereby certify the statements contained herein, along with the evidence submitted, are in all respects true and correct to the best of my knowledge:

Applicant's Signature  Date

Property Owner Signature (optional)  Date

**Step 1**

Please submit payment in the amount stated above:

Finance Department  
187 SE Court Street  
Dallas, OR 97338  
503-831-4060



**Step 2**

Please return completed form and receipt to:

Planning Department  
187 SE Court Street  
Dallas, OR 97338  
503-831-3571  
planning@dallasor.gov

**For Official Use Only**

Approved      Ordinance #

Denied      Reason for Denial

## Annexation Application

### Dallas Development Code Chapter 4.10

#### 4.10.015 Procedure

All annexations shall be processed in the same manner as a Type IV procedure, with the exception that the requirements of state law regarding annexations shall be met.

#### 4.10.020 Application

Except for annexations initiated by the council pursuant to section 4.10.025, application for annexation shall include the following information:

- a. Consent to annexation which is non-revocable for a period of one year from its date.
- b. Agreement to deposit an amount sufficient to retire any outstanding indebtedness of special districts defined in ORS 222.510.
- c. Boundary description and map prepared by a registered land surveyor that conforms to ORS 308.225. Such description and map shall be prepared. The boundaries shall be surveyed and monumented as required by statute subsequent to Council approval of the proposed annexation.
- d. Written findings addressing the criteria in 4.10.030.
- e. Application by the property owner for a zone change and Comprehensive Plan amendment.
- f. The required fee set by resolution of the City Council.

#### 4.10.050 Statutory Procedure

The applicant for the annexation shall also declare which procedure, under ORS Chapter 222, the applicant proposes that the City Council use, and supply evidence that the approval through this procedure is likely.

#### 4.10.030 Approval Criteria

An annexation may be approved if the proposed request for annexation conforms, or can be made to conform through the imposition of conditions, with the following approval criteria:

- A. The land is within the City's Urban Growth Boundary.
- B. The proposed zoning for the annexed area is consistent with the Comprehensive Plan, and a project, if proposed concurrently with the annexation, is an allowed use within the proposed zoning.
- C. The land is currently contiguous with the present City Limits.
- D. Adequate City facilities can and will be provided to and through the subject property, including water, sanitary sewer, and storm drainage.
- E. The annexation is consistent with the annexation policies contained in the Comprehensive Plan.
- F. Within Mixed Use Nodes, annexation shall only be permitted in conjunction with a Master Plan application submitted pursuant to Chapter 4.5.

#### 4.10.035 Boundaries

When an annexation is initiated by a private individual, the Planning Official may include other parcels of property in the proposed annexation to make a boundary extension more logical and to avoid parcels of land which are not incorporated but are partially or wholly surrounded by the City of Dallas. The Planning Official, in a report to the Planning Commission and Council, shall justify the inclusion of any parcels other than the parcel for which the petition is filed. The purpose of this section is to permit the Planning Commission and Council to make annexations extending the City's boundaries more logical and orderly.



**Land Use District Map Change**  
**Dallas Planning Department**  
**Development Code Type III/IV Review**

Official Use Only:  
 File No. ZC 24-02  
 Date: 1/02/24  
 Fee:  PAID

A change in land use district designations may be necessary from time to time to reflect changing community conditions, needs and desires, to correct mistakes, or to address changes in the law. A change in land use district map designation that involves a Comprehensive Plan map amendment is reviewed and approved by the City Council, upon receiving a recommendation from the Planning Commission. The Planning Commission reviews and makes the final decision on land use district map changes that do not involve Comprehensive Plan map amendments. NOTE: A Pre-application conference is required before a Land Use District Map Change application is submitted. Please return a completed application form with attachments, and the required fee to the City of Dallas Planning Department, City Hall, Second Floor, 187 SE Court Street, Dallas, OR 97338.

**Section 1 – Applicant Information**

Name(s): Matthew Osborn - Locke Engineers Inc.  
 Mailing Address: 289 E. Ellendale Avenue, Suite 703  
 Email: matthew@lockeengineers.com  
 Phone Number: 503.364.8207 Ext. 4 Cell Number: \_\_\_\_\_

**Section 2 – Property Owner Information (If not applicant)**

Property Owner(s): Jim Vick - James D. Vick Trust  
 Mailing Address: 698 12th Street SE, Suite 230, Salem, OR 97301  
 Email: jvick@vickandglantz.com  
 Phone Number: 503.581.6333 Cell Number: \_\_\_\_\_

**Section 3 – Project Description**

Site Address: NA Total Land Area: 9.09 Acres  
 Assessor Map/Taxlot No. 7.5.29CA / TL400 & a portion of 7.5.29CD / TL1400  
 Current Zoning: None Proposed Designation: RL - Residential Low Density  
 Comprehensive Plan Amendment Requested?:  Yes  No  
 Current Plan Designation: None Proposed Plan Designation: Residential  
 Present Use of Property: Timber/Farmland

**Section 4 – Application Submittal Information**

Please submit one electronic copy (PDF format preferred) and one paper copy of the information listed below:

- Completed application form;**
- Required fee;**

# EXHIBIT B.4

**Property deed and deed restrictions.** Copy of the deed and all existing and proposed restrictions or covenants, including those for access control.

**If Map Amendment, include a map showing the extent of the proposed change.**

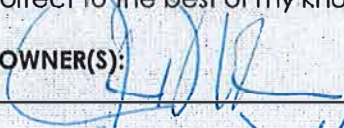
**Written narrative that addresses the relevant criteria contained below:**

- Approval of the request is consistent with the **Statewide Planning Goals**;
  - Approval of the request is consistent with the **Comprehensive Plan**;
  - The property and affected area is presently provided with **adequate public facilities, services and transportation networks** to support the use, or such facilities, services and transportation networks are planned to be provided in the planning period; and
  - The change is in the **public interest** with regard to neighborhood or community conditions, or corrects a mistake or inconsistency in the comprehensive plan map or zoning map regarding the property which is the subject of the application; and
  - The amendment conforms to the **Transportation Planning Rule** provisions under Section 4.7.060.
- Other Information** determined by the City Planning Official. The City may require studies or exhibits prepared by qualified professionals to address specific site features or project impacts (e.g., traffic, environmental features, natural hazards, etc.), in conformance with this Code.

## Section 5 – Signatures Required

I hereby certify the statements contained herein, along with the evidence submitted, are in all respects true and correct to the best of my knowledge:

PROPERTY OWNER(S):



Date: 12/19/2023

JAMES D. VICK

Date:

APPLICANT(S)



Date: 01/02/2024

MATTHEW J. OSBORN

Date:

## Section 6 – Transportation Planning Review (TPR)

When a development application includes a proposed comprehensive plan amendment or land use district change, the proposal shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (OAR) 660-012-0060 (the Transportation Planning Rule - TPR) and the Traffic Impact Analysis provisions of Section 4.1.090. "Significant" means the proposal would:

1. Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors). This would occur, for example, when a proposal causes future traffic to exceed the levels associated with a "collector" street classification, requiring a change in the classification to an "arterial" street, as identified by the Dallas Transportation System Plan; or

## EXHIBIT B.5

2. Change the standards implementing a functional classification system; or
3. As measured at the end of the planning period identified in the Dallas Transportation System Plan or the adopted plan of any other applicable roadway authority, allow types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility; or
4. Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in road authority's adopted plan; or
5. Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the road authority's adopted plan.
6. Where the City lacks specific transportation policies or standards, the City Council shall be consulted, as provided under Section 4.1.050 (Type IV Legislative Review).

Amendments to the Comprehensive Plan and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the Transportation System Plan. This shall be accomplished by one of the following:

1. Adopting measures that demonstrate that allowed land uses are consistent with the planned function of the transportation facility; or
2. Amending the Comprehensive Plan to provide transportation facilities, improvements, or services adequate to support the proposed land uses; such amendments shall include a funding plan to ensure the facility, improvement, or service will be provided by the end of the planning period; or
3. Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes of transportation; or
4. Amending the planned function, capacity or performance standards of the transportation facility; or
5. Providing other measures as a condition of development or through a development agreement or similar funding method, specifying when such measures will be provided.

### Section 6 – Review and Approval

**Official Use Only:**

Approved  Denied Reason for Denial: \_\_\_\_\_

Staff Signature: \_\_\_\_\_

Date: \_\_\_\_\_

# Written Findings

## Annexation Application

January 03, 2024

### Introduction and Summary

This document addresses the approval criteria for annexation contained within Dallas Development Code Section 4.10.030.

Section 4.10.030(A) – *The land is within the City’s Urban Growth Boundary.*

**The subject properties are within the Urban Growth Boundary. See Exhibit 1 - Zoning Map.**

Section 4.10.030(B) – *The proposed zoning of the annexed area is consistent with the Comprehensive Plan, and a project, if proposed concurrently with the annexation, is an allowed use within the proposed zoning.*

**The “Residential Low Density” (RL) land use district is proposed for the subject properties as it is consistent with adjacent properties in the area also with “Residential” comprehensive plan designations.**

Section 4.10.030(C) – *The land is currently contiguous with the present City Limits.*

**The subject properties are contiguous with the present city limits on the west and south sides. See Exhibit 1 - Zoning Map.**

Section 4.10.030(D) – *Adequate City facilities can and will be provided to and through the subject property, including water, sanitary sewer, and storm drainage.*

**All city facilities can and will be provided to and through the subject properties. The Ellendale Meadows phase 1 subdivision immediately south of the subject properties has been designed with this extension in mind. Construction of phase 1 is scheduled for construction in spring/summer 2024.**

Section 4.10.030(E) – *The annexation is consistent with the annexation policies contained in the Comprehensive plan.*

**See below for written findings addressing specific annexation policies contained in the Dallas Comprehensive Plan, Volume 1, Chapter 3.1.**

- 1.) *Each residential neighborhood shall be located within 1.5 miles of the Central Business District or land that is zoned or planned for general commercial or neighborhood commercial development.*

**The subject properties are located within 1.2 miles of the Central Business District. In addition, the subject properties are located directly east of the Wyatt Node, which includes land zoned for neighborhood commercial development.**

- 2.) *Each residential neighborhood shall be served by a grid street system, which minimizes the use of cul-de-sacs, double frontage lots and walled subdivisions.*

**A grid street system is proposed in the development of the subdivision. Cul-de-sacs, walled subdivisions, or double frontage lots are not proposed. See Annexation Application Site Plan for preliminary street layout for the development.**

- 3.) *Each residential neighborhood within a Mixed Use Node shall provide multi-family housing.*

**The subject properties are not within a mixed use node.**

- 4.) *Land planned or zoned to allow for multi-family housing shall be located adjacent to planned commercial areas or along arterial and collector streets, and shall be reserved exclusively for that purpose. Land planned or zoned to allow less dense attached middle family dwellings (like tri-plexes, four-plexes and townhomes) shall be located, in whole or in part, within a quarter mile of employment, retail and service centers but does not need to be located adjacent to planned commercial areas, or along arterials and collector streets. Land planned or zoned for medium density residential is an appropriate transition between land planned or zoned for high density residential and land planned or zoned for low density residential.*

**The proposed development is appropriate for Low Density Residential housing and will not include multi-family housing. No arterial and collector streets are proposed and the subject properties are not located adjacent to planned commercial areas.**

- 5.) *Pedestrian and bicycle access shall be provided between commercial, open space and residential uses in all new development.*

**Pedestrian and bicycle access is provided from all proposed residential areas via sidewalks and streets within the public right-of-way. These facilities pass through Ellendale Meadows phase 1 and provide connection to existing sidewalk and roadway facilities in Ellendale Avenue. See Annexation Application Site Plan.**



## EXHIBIT B.8

- 6.) *Public or private park land shall be provided in proportion to residential development and in accordance with Chapter 4.5 (Level-of-Service).*

**No public or private parks are proposed as part of the development on the subject properties. Public and private park land are provided in the vicinity of the development through existing parks and planned land zoned for parks and open space in the Wyatt Node directly east of the subject properties.**

- 7.) *Identified river and stream corridors, wetlands, flood hazard, steep hillsides and slide hazard areas where building would be hazardous shall be considered unbuildable, and shall be used to define neighborhood boundaries.*

**The subject properties do not contain hazardous areas such as river and stream corridors, wetlands, floor hazards, steep hillsides and slide hazard areas.**

- 8.) *Outside of the Mixed Use Node, high density residential zoning shall be limited to the area immediately adjacent to the Central Business District and to the General and neighborhood commercial zones.*

**This policy is not applicable. No High Density Residential zoning is proposed. In addition, no commercial zones exist directly adjacent to the subject properties.**

- 9.) *Redevelopment of the second and third stories of buildings in the Central Business District for residential and commercial uses shall be encouraged.*

**Not applicable. The subject properties are not within the Central Business District.**

Section 4.10.030(F) – *Within Mixed Use Nodes, annexation shall be permitted in conjunction with a Mater Plan application submitted pursuant to Chapter 4.5.*

**The subject properties are not within a mixed use node.**

# Written Narrative

## Land Use District Map Change

December 15, 2023

### Introduction and Summary

This document addresses all criteria of the written narrative required for a land use district map change as outlined in the application.

*Approval of the request is consistent with the Statewide Planning Goals.*

*Goal 1: Citizen Involvement – To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

**The subject property and its development will be subject to public hearings required for the class IV annexation and type III subdivision approval procedures.**

*Goal 2: Land Use Planning – To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

**The development of the subject property will meet all requirements of the land use planning processes established by the City of Dallas.**

*Goal 3: Agricultural Lands – To preserve and maintain agricultural lands.*

**Not applicable. The subject property does not contain agricultural lands.**

*Goal 4: Forest Lands – To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.*

**Not applicable. The subject property is not zoned as forest lands and does not contain forest lands subject to forestry operations such as growing and harvesting of trees.**

*Goal 5: Natural Resources, Scenic and Historic Areas, and Open Space – To protect natural resources and conserve scenic and historic areas and open spaces.*

**The development of the subject property shall comply with all local government programs put in place to protect natural resources and conserve scenic and historic areas and open space.**

*Goal 6: Air, Water and Land Resources Quality – To maintain and improve the quality of the air, water and land resources of the state.*

**Solid waste discharge and water pollutants from the development will be conveyed into the existing public utility system in Ellendale Avenue. A stormwater management facility, constructed during phase 1, will provide stormwater treatment and detention to phase 2 development prior to entering the existing public utility system.**

*Goal 7: Areas Subject to Natural Hazards – To protect people and property from natural hazards.*

**The subject property and its development will meet the requirements of any natural disaster plan policies put in place by the City of Dallas.**

*Goal 8: Recreational Needs – To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

**This goal is met by public and private park land already provided in the vicinity of the subject property through existing parks as well as planned land zoned for parks and open space in the Wyatt Node directly east of the subject property.**

*Goal 9: Economic Development – To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

**Development of the subject property will be consistent with the Comprehensive Plan of the City of Dallas and therefore be consistent with plans and policies implemented by the City to contribute to a stable and healthy economy.**

*Goal 10: Housing – To provide for the housing needs of citizens of the state.*

**The development of the subject property will provide housing needs to citizens in the City of Dallas.**

*Goal 11: Public Facilities and Services – To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

**All city facilities can and will be provided to and through the subject property. The Ellendale Meadows phase 1 subdivision immediately south of the subject property has been designed with this extension in mind. Construction of phase 1 is scheduled for construction in spring/summer 2024.**

*Goal 12: Transportation – To provide and encourage a safe, convenient and economic transportation system.*

**Transportation in the development will consist of residential scale vehicles. Travel is routed onto Ellendale Avenue through Phase 1 of Ellendale Meadows. A grid street system is proposed in the development of the subdivision. Cul-de-sacs, walled subdivisions, or double frontage lots are not proposed.**

*Goal 13: Energy Conservation – To conserve energy.*

**The project shall meet the requirements of the City of Dallas Development Code for items impacting energy efficiency including, but not limited to, lot size, dimensions, building heights, and housing densities.**

*Goal 14: Urbanization – To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.*

**The property is within the City of Dallas Urban Growth Boundary and therefore is consistent with the urbanization and land transition plans of the City of Dallas.**

*Goal 15: Willamette River Greenway – To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.*

**Not applicable.**

*Goal 16: Estuarine Resources – To recognize and protect the unique environmental, economic and social values of each estuary and associated wetlands; and to protect, maintain, where appropriate develop, and where appropriate restore the long-term environmental, economic, and social values, diversity and benefits of Oregon’s estuaries.*

**Not applicable.**

*Goal 17: Coastal Shorelands – To conserve, protect, where appropriate, develop and where appropriate restore the resources and benefits of all coastal shorelands, recognizing their value for protection and maintenance of water quality, fish and wildlife habitat, water dependent uses, economic resources and recreation and aesthetics. The management of these shoreland areas shall be compatible with the characteristics of the adjacent coast waters: and to reduce the hazard to human life and property and the adverse effects upon water quality and fish and wildlife habitat, resulting from the use and enjoyment of Oregon’s coastal shorelands.*

**Not applicable.**

*Goal 18: Beaches and Dunes – To conserve, protect, where appropriate develop, and where appropriate restore the resources and benefits of coastal beach and dune areas; and to reduce the hazard to human life and property from natural or man-induced actions associated with these areas.*

**Not applicable.**

*Goal 19: Ocean Resources – To conserve marine resources and ecological functions for the purpose of providing long-term ecological, economic, and social value and benefits to future generations.*

**Not applicable.**

*Approval of the request is consistent with the Comprehensive Plan.*

**The “Residential Low Density” (RL) land use district is proposed for the subject property as it is consistent with adjacent properties in the area also with “Residential” comprehensive plan designations.**

*The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, service and transportation networks to support the use, are planned to be provided in the planning period.*

**The development of the property will include such public facilities, services and transportation networks as required by the City of Dallas during the approval process.**

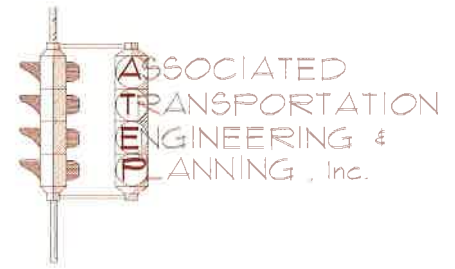
*The change is in the public interest with regard to neighborhood or community conditions, or correct a mistake or inconsistency in the comprehensive plan map or zoning map regarding the property which is the subject of the application.*

**The development of this property is within the public’s interest, as it provides safe and affordable housing units to the City of Dallas. This Land Use District Map Change is not proposed to correct a mistake or inconsistency in the Comprehensive Plan Map or Zoning Map.**

*The amendment conforms to the Transportation Planning Rule provisions under Section 4.7.060.*

**A traffic impact analysis was performed for the Ellendale Meadows development by ATEP, Inc. in July 2017. This report analyzes the effect of the addition of the Ellendale Meadows Subdivision and the Wyatt Mixed Use Note on the surrounding traffic facilities. The report states that there is no significant impact to the existing transportation system aside from a performance failure at the intersection at W Ellendale Avenue and Levens Street. However, in accordance with recommendations of this report the intersection has been changed to an all-way stop. The report states that “Changing the intersection of Levens St and W Ellendale Ave to all-way stop in the short term will allow the intersection to function within adopted standards until traffic signal warrants are met and signals can be installed as the Wyatt Node Subdivision develops. Therefore, the development of this property will not reduce the performance of any transportation facility. See included Traffic Impact Analysis.**

# EXHIBIT B.13



July 29<sup>th</sup>, 2024

Matthew Osborn, P.E.

Locke Engineers

289 E Ellendale Avenue-Suite 703

Dallas, OR 97338

RE: 1080 West Ellendale Subdivision

TIA Review

Our office has reviewed the attached TIA that was prepared by Karl Birky for this project in April of 2018.

The TIA was prepared with the Dallas Wyatt Node Subdivision and development included in the background traffic portion of the analysis and report. This is also called "Forest Ridge" development.

As of this date, no additional projects have been constructed that impact West Ellendale Avenue.

The assumptions included in the attached report are very reasonable and are still valid today. One of the issues that support the present use of the report is that after the effects of Covid have been evaluated, many areas have seen a decrease in the actual background traffic compared to that projected "pre-covid"

We believe that the use of the attached TIA is acceptable at this point.

Please let us know if you have any questions.

Thanks

Mark D. Grenz, P.E.



# Traffic Impact Analysis 1080 Ellendale Subdivision

Dallas, Oregon

July 14, 2017

completed with  
MRB Enterprises  
Salem, Oregon  
&  
Locke Engineers, Inc.  
Salem, Oregon

Prepared by:  
Associated Transportation Engineering & Planning, Inc.  
Salem, Oregon  
July 10, 2017  
17-356



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Appendices

Turning Movement Counts

ODOT Crash Data

Computer Modeling Printouts are on enclosed CD



**Traffic Impact Analysis  
1080 W Ellendale Subdivision  
Dallas, Oregon**



**Introduction:**

MRB Enterprises intends to develop 82 single family home lots in two phases on tax lot 1400 of tax map 7S 5W Sec 29CD and tax lot 400 of 7S 5W Sec 29CA in Dallas, Oregon. The 18 acre site is north of Ellendale Rd and west of Republic Services of Dallas. The site will be developed with access to Ellendale Rd with future connections to adjacent undeveloped parcels to the north and east.



Residents of the subdivision will use the Dallas transportation system and add traffic to the roadways. This analysis will consider the traffic impacts at the intersections of:

- NE Kings Valley Highway/W Ellendale Avenue
- W Ellendale Avenue/NW Jasper Street
- W Ellendale Avenue/SW Levens Street
- W Ellendale Avenue/NW Douglas Street
- W Ellendale Avenue/SW Wyatt Street
- W Ellendale Avenue/SW James Howe Road



Crash data was provided by the ODOT Crash Data Unit for the most recent 5 years for which data is available.

**Executive Summary:**

The 82 single family homes in the 1080 W Ellendale Subdivision will generate an estimated 781 trips each day. 62 of those trips will be in the AM Peak hour and 82 trips will be in the PM Peak hour. One of the studied intersections will not operate within City of Dallas performance metrics with traffic from the planned Dallas Wyatt Node subdivision (background traffic) and this proposed 1080 W Ellendale Subdivision. Specific reference is made to the intersection of SW Levens St at W Ellendale Ave. The City will need to continue to plan for and work with ODOT to make improvements to the transportation system as the City continues to grow and as these projects come online.

**Figure 1 - Vicinity & Plan**

Intersection sight distance is adequate at all the studied intersections. There have been 24 reported crashes at the 6 studied intersections. None of the crashes have been fatalities.

**History, Existing and Background Conditions:**

Dallas City Council Meeting  
Monday, October 21, 2024  
Page 49 of 174

# EXHIBIT B.17

The site is vacant land. Phase 1 of the proposed subdivision is already in the City of Dallas. Phase 2 of the proposed subdivision (tax lot 400) has not been annexed into the City and annexation may be applied for in the near future.

ID	Intersection Name	Control Type	Method	Worst Mvmt	V/C	Delay (s/veh)	LOS
1	Ellendale Ave at Kings Valley Hwy	Signalized	HCM 6th Edition	NB Left	0.549	24.9	C
2	NW Jasper St at Ellendale Ave	Two-way stop	HCM 6th Edition	NB Thru	0.009	12.0	B
3	W Ellendale Ave at SW Levens St	Two-way stop	HCM 6th Edition	WB Left	0.300	22.3	C
4	W Ellendale Ave at NW Douglas St	Two-way stop	HCM 6th Edition	SB Left	0.044	11.9	B
5	Ellendale Ave at MRB Site Access	Two-way stop	HCM 6th Edition	SB Left	0.000	11.5	B
6	W Ellendale Ave at SW Wyatt St	Two-way stop	HCM 6th Edition	NB Left	0.001	10.6	B
7	Ellendale Ave at James Howe Rd	Two-way stop	HCM 6th Edition	SB Thru	0.000	10.8	B

Existing AM Peak Hour Summary

ID	Intersection Name	Control Type	Method	Worst Mvmt	V/C	Delay (s/veh)	LOS
1	Ellendale Ave at Kings Valley Hwy	Signalized	HCM 6th Edition	EB Left	0.643	30.9	C
2	NW Jasper St at Ellendale Ave	Two-way stop	HCM 6th Edition	SB Left	0.245	29.3	D
3	W Ellendale Ave at SW Levens St	Two-way stop	HCM 6th Edition	EB Thru	0.721	46.9	E
4	W Ellendale Ave at NW Douglas St	Two-way stop	HCM 6th Edition	EB Left	0.013	17.0	C
5	Ellendale Ave at MRB Site Access	Two-way stop	HCM 6th Edition	SB Left	0.000	14.1	B
6	W Ellendale Ave at SW Wyatt St	Two-way stop	HCM 6th Edition	NB Left	0.008	12.1	B
7	Ellendale Ave at James Howe Rd	Two-way stop	HCM 6th Edition	SB Thru	0.002	11.3	B

Existing PM Peak Hour Summary

**Figure 2 - Existing Traffic Conditions**

All the intersections are currently functioning within the performance metrics adopted by the City of Dallas and ODOT.

Application has been made and hearings have been conducted by the City of Dallas Planning Commission for the proposed 412 single family home lot "Dallas Wyatt Node" subdivision. Traffic from the proposed 412 homes has been added to this analysis as "background" traffic. It is noted that traffic from 412 homes

in the Dallas Wyatt Node subdivision is 5 times greater than from the 82 lots in the proposed 1080 W Ellendale subdivision for which this analysis is completed. The Dallas Wyatt Node subdivision is generally in the northeast quadrant of the W Ellendale Ave at SW James Howe Rd intersection. Figure 3 is a summary of the AM and PM Background Scenario performance metrics at the studied intersections with the turning movement counts completed for this analysis. The metrics will vary from those in the earlier traffic impact study completed by DKS for the Dallas Wyatt Node subdivision since turning movements counts conducted for that study were completed at different times.

ID	Intersection Name	Control Type	Method	Worst Mvmt	V/C	Delay (s/veh)	LOS
1	Ellendale Ave at Kings Valley Hwy	Signalized	HCM 6th Edition	NB Left	0.625	29.9	C
2	NW Jasper St at Ellendale Ave	Two-way stop	HCM 6th Edition	SB Left	0.119	16.5	C
3	W Ellendale Ave at SW Levens St	Two-way stop	HCM 6th Edition	WB Left	0.693	68.9	F
4	W Ellendale Ave at NW Douglas St	Two-way stop	HCM 6th Edition	EB Left	0.026	22.2	C
5	Ellendale Ave at MRB Site Access	Two-way stop	HCM 6th Edition	SB Left	0.000	15.6	C
6	W Ellendale Ave at SW Wyatt St	Two-way stop	HCM 6th Edition	NB Left	0.002	14.7	B
7	Ellendale Ave at James Howe Rd	Two-way stop	HCM 6th Edition	SB Thru	0.000	17.1	C

AM Peak Hour Summary with Background (Wyatt Node) complete

ID	Intersection Name	Control Type	Method	Worst Mvmt	V/C	Delay (s/veh)	LOS
1	Ellendale Ave at Kings Valley Hwy	Signalized	HCM 6th Edition	EB Left	0.756	44.6	D
2	NW Jasper St at Ellendale Ave	Two-way stop	HCM 6th Edition	SB Left	0.504	73.5	F
3	W Ellendale Ave at SW Levens St	Two-way stop	HCM 6th Edition	WB Left	5.613	2,225.5	F
4	W Ellendale Ave at NW Douglas St	Two-way stop	HCM 6th Edition	EB Left	0.105	40.8	E
5	Ellendale Ave at MRB Site Access	Two-way stop	HCM 6th Edition	SB Left	0.000	22.0	C
6	W Ellendale Ave at SW Wyatt St	Two-way stop	HCM 6th Edition	NB Left	0.014	18.1	C
7	Ellendale Ave at James Howe Rd	Two-way stop	HCM 6th Edition	SB Thru	0.002	17.6	C

PM Peak Hour Summary w Background (Wyatt Node) complete

**Figure 3 – Traffic Conditions w Background (Wyatt Node) complete**

The intersection of W Ellendale Ave at SW Levens St will fail in the PM Peak hour with traffic from the Wyatt Node Subdivision. The intersection is currently configured in an unusual manner and performance

can be improved in the short term by changing the control to all-way stop control. When traffic signal warrants at the intersection are met the City should work to install signals. Several of the studied intersections will function with levels of service E and F which may raise questions in the public's eye, but the City uses the volume to capacity (v/c) ratio to establish acceptable performance metrics and the performance of the intersections meets the v/c metrics. The City's use of v/c ratios is consistent with current generally accepted traffic engineering practice.

**Traffic Conditions when the 1080 W Ellendale Subdivision is Complete:**

The 1080 W Ellendale Subdivision will add 62 trips (26 trips in Phase 1 and 36 trips in Phase 2) to the AM Peak hour traffic and 82 trips (34 trips in Phase 1 and 48 trips in Phase 2) to the PM Peak hour traffic. This study will assume that 5% of the traffic from the homes will travel west on Ellendale Ave, 5% will travel north on NW Douglas St north of Ellendale, 10% will travel on Levens St south of Ellendale, 10% will travel on NW Jasper St north of Ellendale, 20% will travel on Kings Valley Hwy south of Ellendale, 30% will travel on Ellendale east of Kings Valley Hwy and 20% will travel on Kings Valley Hwy, north of Ellendale. Access to the development will be on W Ellendale Ave west of the Republic Service of Dallas site. Provision will be made to connect internal streets with future streets to the north and east of the development. This study also assumed that traffic will increase 1% each year during the 5 years until 1080 W Ellendale is built out.

ID	Intersection Name	Control Type	Method	Worst Mvmt	V/C	Delay (s/veh)	LOS
1	Ellendale Ave at Kings Valley Hwy	Signalized	HCM 6th Edition	NB Left	0.629	30.1	C
2	NW Jasper St at Ellendale Ave	Two-way stop	HCM 6th Edition	SB Left	0.123	17.0	C
3	W Ellendale Ave at SW Levens St	Two-way stop	HCM 6th Edition	WB Left	0.774	88.1	F
4	W Ellendale Ave at NW Douglas St	Two-way stop	HCM 6th Edition	EB Left	0.028	23.8	C
5	Ellendale Ave at MRB Site Access	Two-way stop	HCM 6th Edition	SB Left	0.065	16.4	C
6	W Ellendale Ave at SW Wyatt St	Two-way stop	HCM 6th Edition	NB Left	0.002	14.7	B
7	Ellendale Ave at James Howe Rd	Two-way stop	HCM 6th Edition	SB Thru	0.000	17.1	C

AM Peak Hour Summary w Background traffic and Phase 1 complete

ID	Intersection Name	Control Type	Method	Worst Mvmt	V/C	Delay (s/veh)	LOS
1	Ellendale Ave at Kings Valley Hwy	Signalized	HCM 6th Edition	EB Left	0.768	46.2	D
2	NW Jasper St at Ellendale Ave	Two-way stop	HCM 6th Edition	SB Left	0.529	79.5	F
3	W Ellendale Ave at SW Levens St	Two-way stop	HCM 6th Edition	WB Left	8.098	3,400.7	F
4	W Ellendale Ave at NW Douglas St	Two-way stop	HCM 6th Edition	EB Left	0.129	46.9	E
5	Ellendale Ave at MRB Site Access	Two-way stop	HCM 6th Edition	SB Left	0.062	23.5	C
6	W Ellendale Ave at SW Wyatt St	Two-way stop	HCM 6th Edition	NB Left	0.014	18.1	C
7	Ellendale Ave at James Howe Rd	Two-way stop	HCM 6th Edition	SB Thru	0.002	17.7	C

PM Peak Hour Summary w Background traffic and Phase 1 complete

**Figure 4 – Traffic Conditions w Background traffic and Phase 1 complete**

All the intersections will function within the City of Dallas' intersection performance metrics with the exception of W Ellendale at SW Levens St. Changing the controls at this intersection to all way stop and then to a traffic signal when warrants are met is the recommended mediation.

ID	Intersection Name	Control Type	Method	Worst Mvmt	V/C	Delay (s/veh)	LOS
1	Ellendale Ave at Kings Valley Hwy	Signalized	HCM 6th Edition	NB Left	0.629	30.1	C
2	NW Jasper St at Ellendale Ave	Two-way stop	HCM 6th Edition	SB Left	0.125	17.2	C
3	W Ellendale Ave at SW Levens St	Two-way stop	HCM 6th Edition	WB Left	0.782	90.3	F
4	W Ellendale Ave at NW Douglas St	Two-way stop	HCM 6th Edition	EB Left	0.029	23.9	C
5	Ellendale Ave at MRB Site Access	Two-way stop	HCM 6th Edition	SB Left	0.066	16.5	C
6	W Ellendale Ave at SW Wyatt St	Two-way stop	HCM 6th Edition	NB Left	0.002	14.7	B
7	Ellendale Ave at James Howe Rd	Two-way stop	HCM 6th Edition	SB Thru	0.000	17.1	C

AM Peak Hour Summary w Background traffic and Phase 1 and 2 complete

ID	Intersection Name	Control Type	Method	Worst Mvmt	V/C	Delay (s/veh)	LOS
1	Ellendale Ave at Kings Valley Hwy	Signalized	HCM 6th Edition	EB Left	0.782	47.6	D
2	NW Jasper St at Ellendale Ave	Two-way stop	HCM 6th Edition	SB Left	0.550	85.0	F
3	W Ellendale Ave at SW Levens St	Two-way stop	HCM 6th Edition	WB Left	9.418	4,025.6	F
4	W Ellendale Ave at NW Douglas St	Two-way stop	HCM 6th Edition	EB Left	0.171	59.7	F
5	Ellendale Ave at MRB Site Access	Two-way stop	HCM 6th Edition	SB Left	0.064	24.1	C
6	W Ellendale Ave at SW Wyatt St	Two-way stop	HCM 6th Edition	NB Left	0.014	18.1	C
7	Ellendale Ave at James Howe Rd	Two-way stop	HCM 6th Edition	SB Thru	0.002	17.7	C

PM Peak Hour Summary w Background traffic and Phase 1 and 2 complete

**Figure 5 – Traffic Conditions w Background traffic and Phase 1 and 2 complete**

All the intersections will function within the City of Dallas' intersection performance metrics with the exception of W Ellendale at SW Levens St. Changing the controls at this intersection to all way stop and then changing to a traffic signal when warrants are met is the recommended mediation.

**Crash Data:**

The ODOT Crash Data Unit provided information about reported crashes at the intersections in this study for the past 5 years.

Intersection	Fatal	Injury	Property Damage	Total Crashes
• NE Kings Valley Hwy/W Ellendale Avenue	0	5	5	10
• W Ellendale Avenue/NW Jasper Street	0	6	4	10
• W Ellendale Avenue/SW Levens Street	0	1	1	2
• W Ellendale Avenue/NW Douglas Street	0	0	0	0
• W Ellendale Avenue/SW Wyatt Street	0	1	1	2
• W Ellendale Avenue/SW James Howe Road	0	0	0	0

**Figure 6 – Reported Crashes at Studied Intersections in 2011-2015**

**Findings and Mitigation Recommendations:**

The transportation system in Dallas will be affected by the 412 proposed homes in the Wyatt Node Subdivision and to a lesser extent by the 82 proposed homes in the 1080 W Ellendale Subdivision. There is significant traffic traveling east and west on Ellendale west of the Kings Valley Highway intersection. The Leven's St intersection with W Ellendale has an unusual configuration with the through traffic on the

major roadway stopping for northbound traffic on Leven turning onto W Ellendale Ave. Westbound left turns are experiencing long delays and those delays will increase with the proposed additional traffic.

Changing the intersection of Levens St at W Ellendale Ave to all-way stop in the short term will allow the intersection to function within adopted standards until traffic signal warrants are met and signals can be installed as the Wyatt Node Subdivision develops.

NW Jasper St at Ellendale Ave will experience a v/c ratio of 0.55 with long delays for the southbound left turn traffic. While the intersection will function within the City's standards, the City should continue to monitor the performance of the intersection as traffic volumes increase.

The intersection of Kings Valley Hwy and W Ellendale Ave will continue to experience additional traffic, but will function within accepted performance metrics. The City and ODOT should continue to monitor the traffic flow at this intersection as these and other homes are brought online.

### Summary:

The 82 single family homes in the 1080 W Ellendale Subdivision will generate an estimated 781 trips each day. 62 of those trips will be in the AM Peak hour and 82 trips will be in the PM Peak hour. One of the studied intersections will not operate within City of Dallas performance metrics with traffic from the planned Dallas Wyatt Node subdivision (background traffic). The intersection of SW Levens St at W Ellendale Ave has an unusual traffic control configuration and performance can be mitigated in the short term by making the intersection all-way stop controlled. When signal warrants are met, the City should consider signalizing the intersection. This proposed 1080 W Ellendale Subdivision will increase traffic on W Ellendale Ave. The City will want to continue to plan for and work with ODOT to make improvements to the transportation system as the City continues to grow and as new homes come online.

Intersection sight distance is adequate at all the studied intersections. There have been 24 reported crashes at the 6 studied intersections. None of the crashes have been fatalities. The proposed subdivision can be approved without causing performance metrics at the studied intersections to fail with the exception of Levens St at W Ellendale Ave. Mitigation can be accomplished by changing the traffic control to all-way stop control and signalizing the intersection when signal warrants are met.

# EXHIBIT B.23

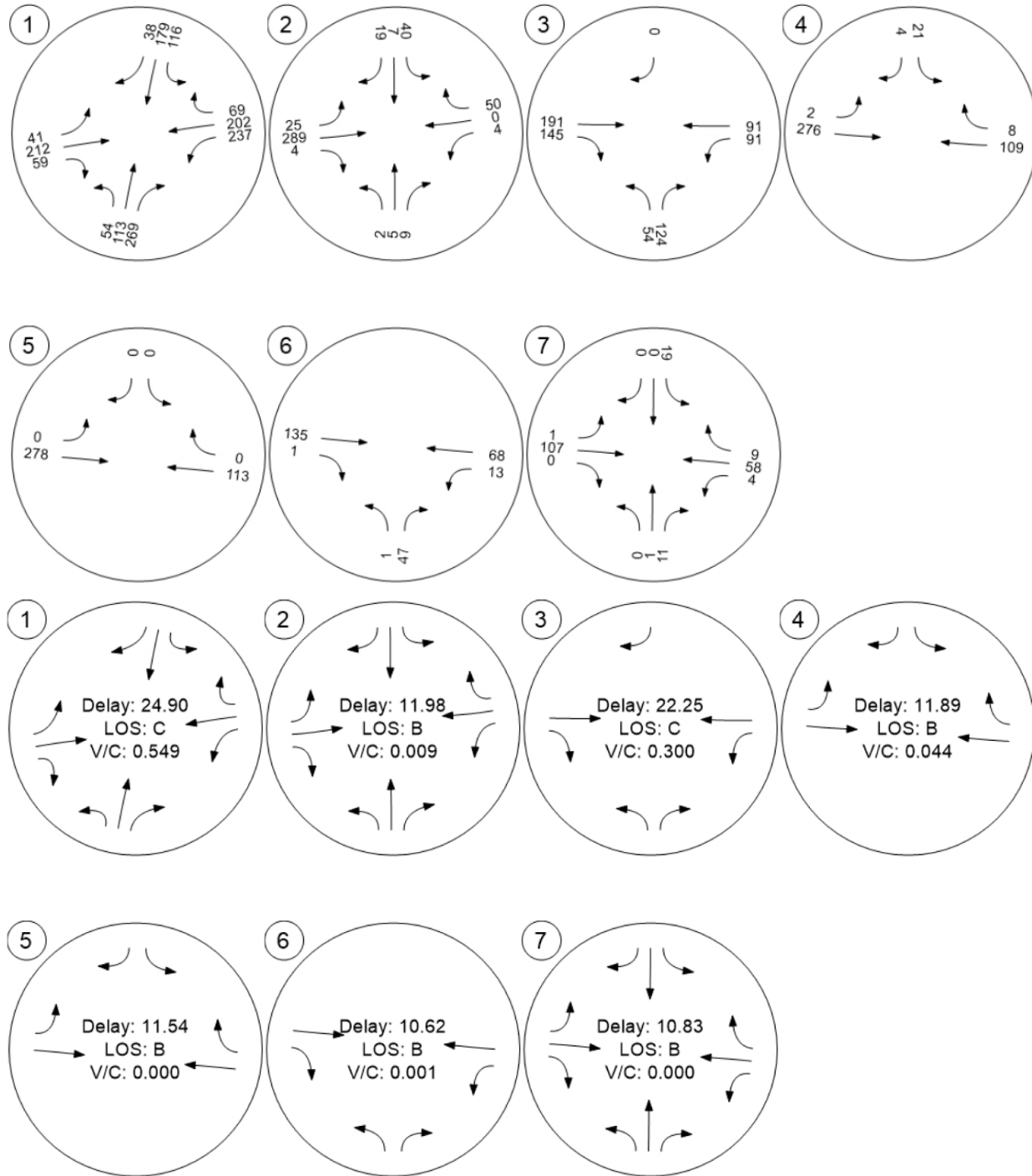


Figure 7 - Existing AM Peak hour Counts and Metrics

Dallas City Council Meeting  
Monday, October 21, 2024  
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# EXHIBIT B.24

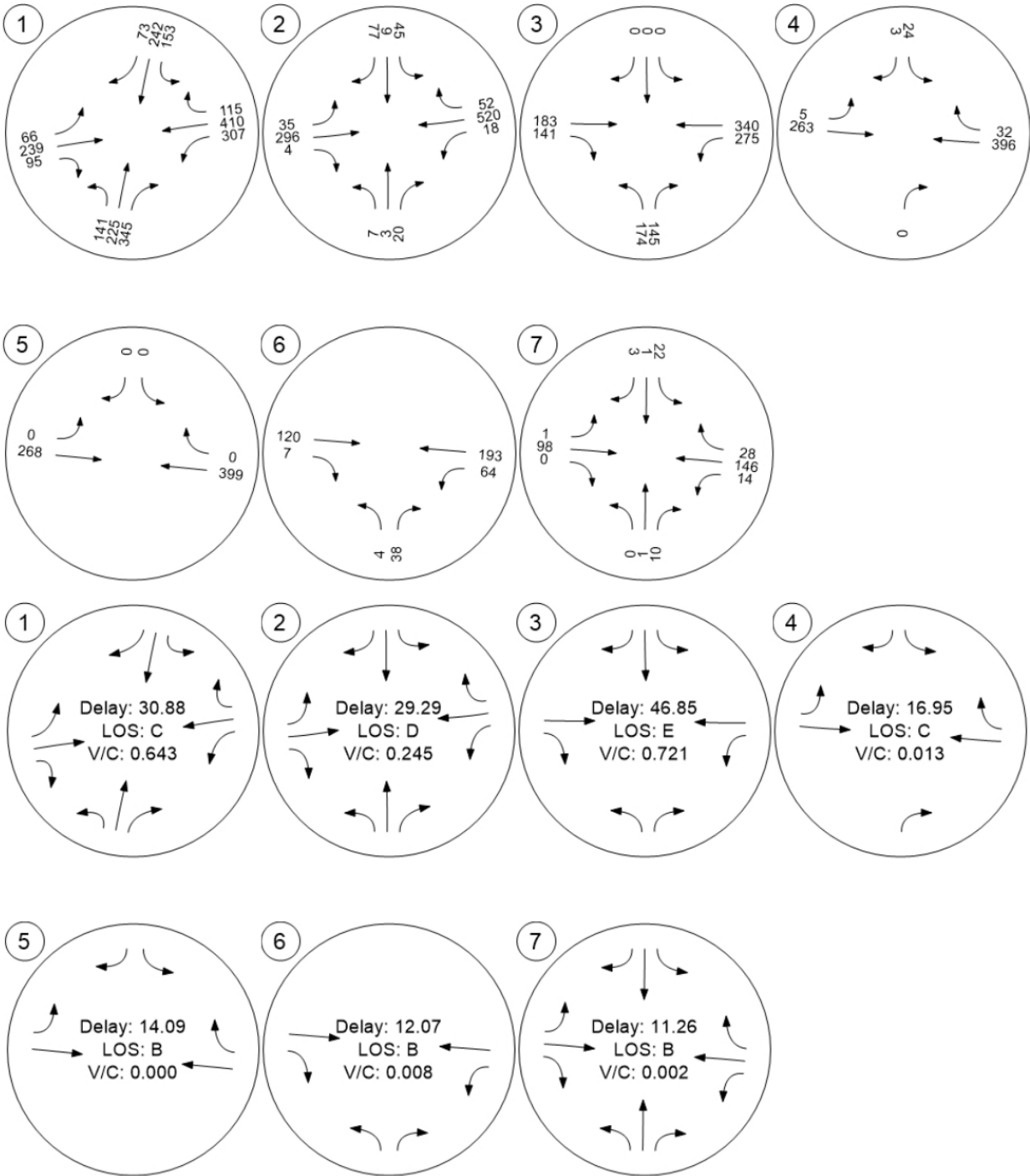
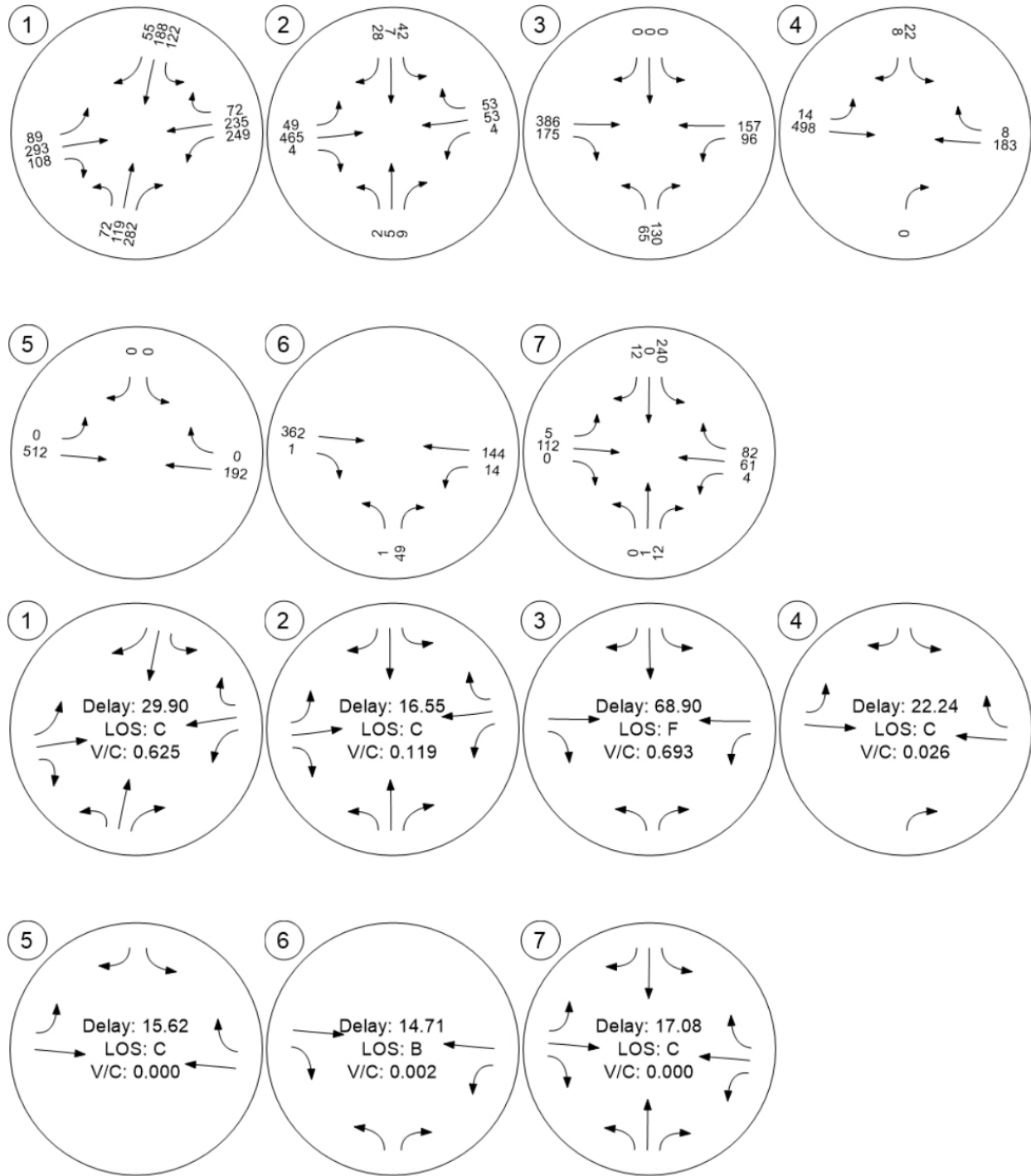


Figure 8 - Existing PM Peak hour Counts and Metrics

Dallas City Council Meeting  
Monday, October 21, 2024  
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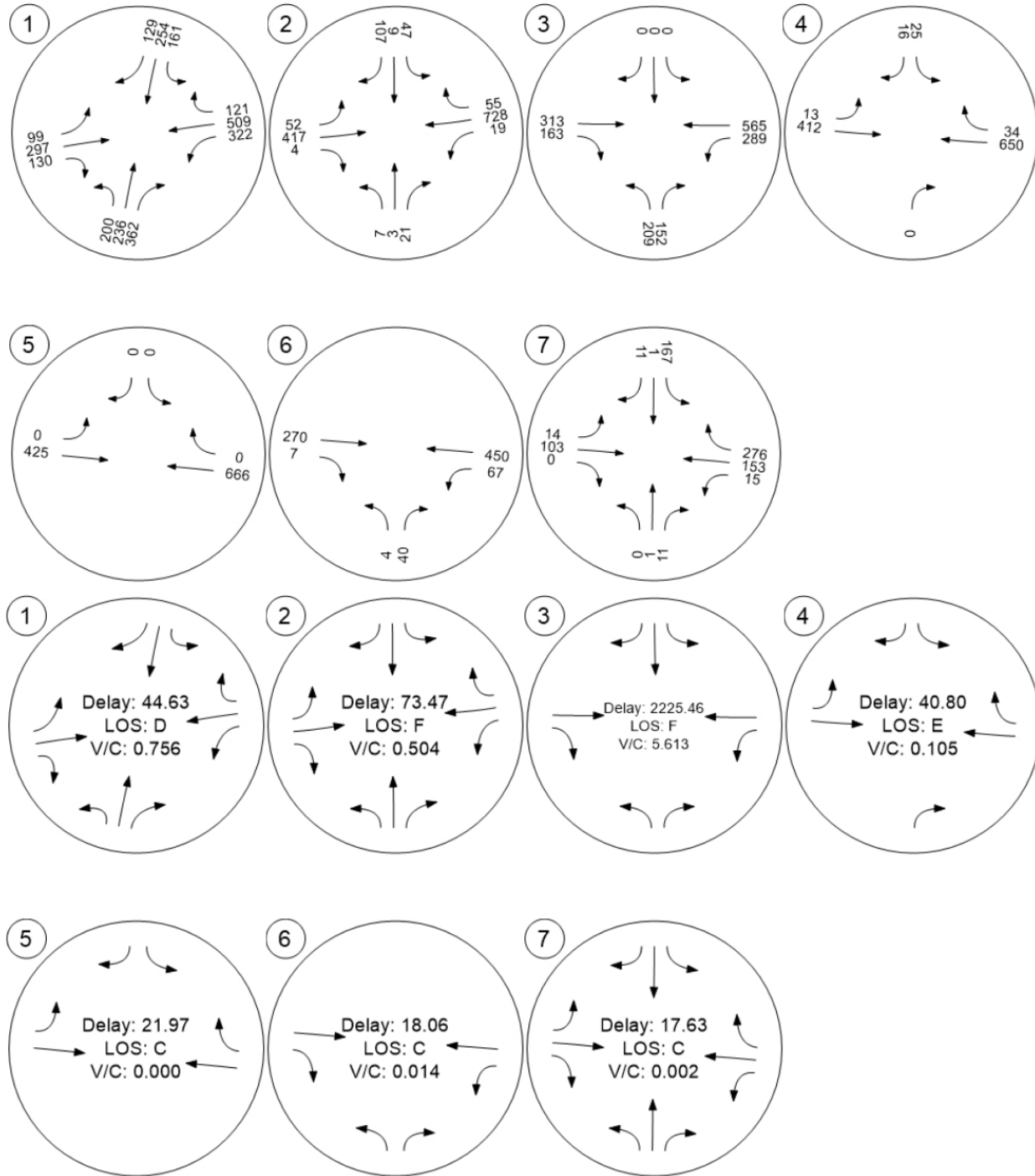
# EXHIBIT B.25



**Figure 9 - AM Peak hour Counts and Metrics w Background Traffic**

Dallas City Council Meeting  
Monday, October 21, 2024  
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# EXHIBIT B.26



**Figure 10 - PM Peak hour Counts and Metrics w Background Traffic**

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Monday, October 21, 2024  
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# EXHIBIT B.27

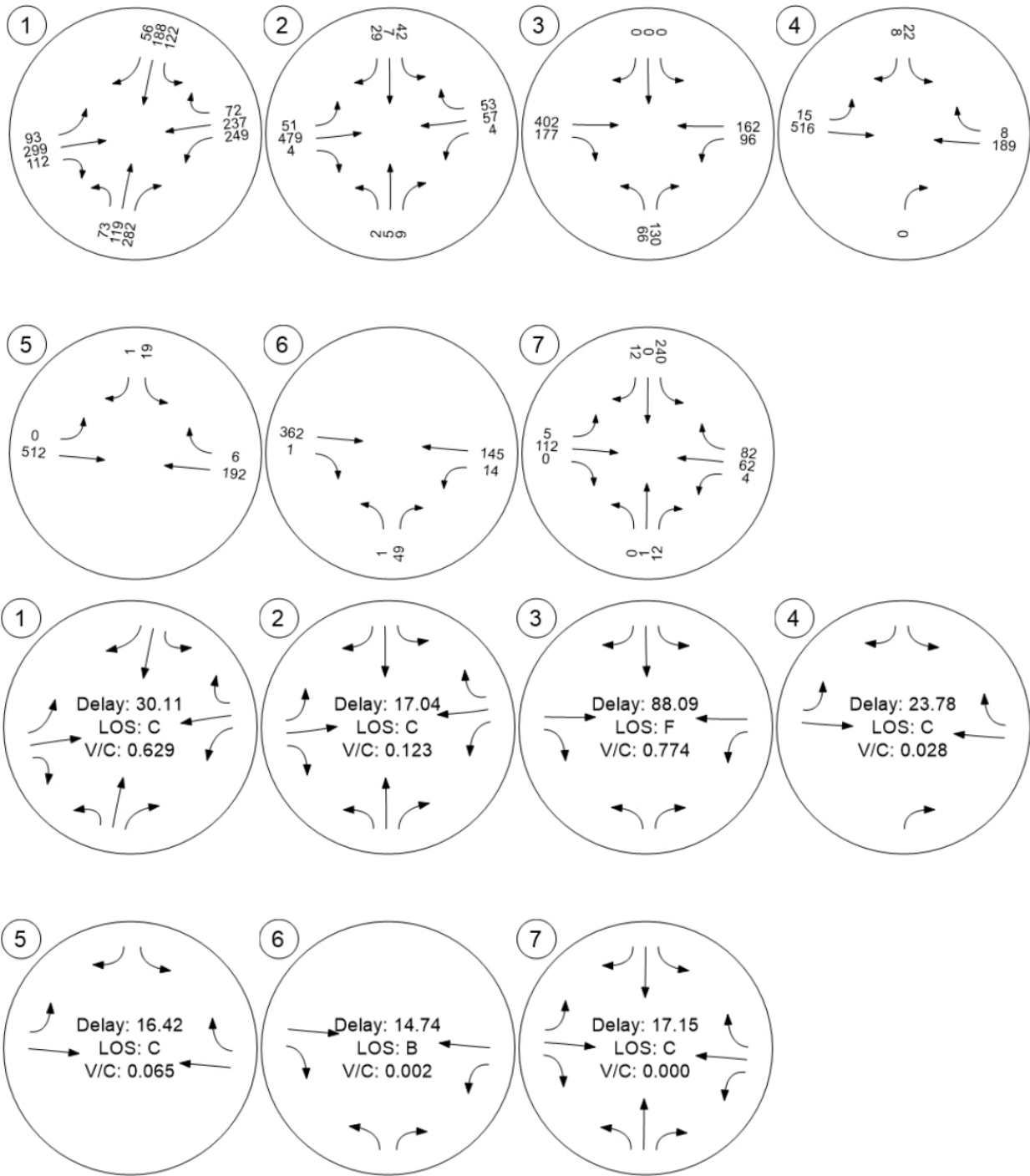


Figure 11 - AM Peak hour Counts and Metrics w Background and Phase 1 Traffic

# EXHIBIT B.28

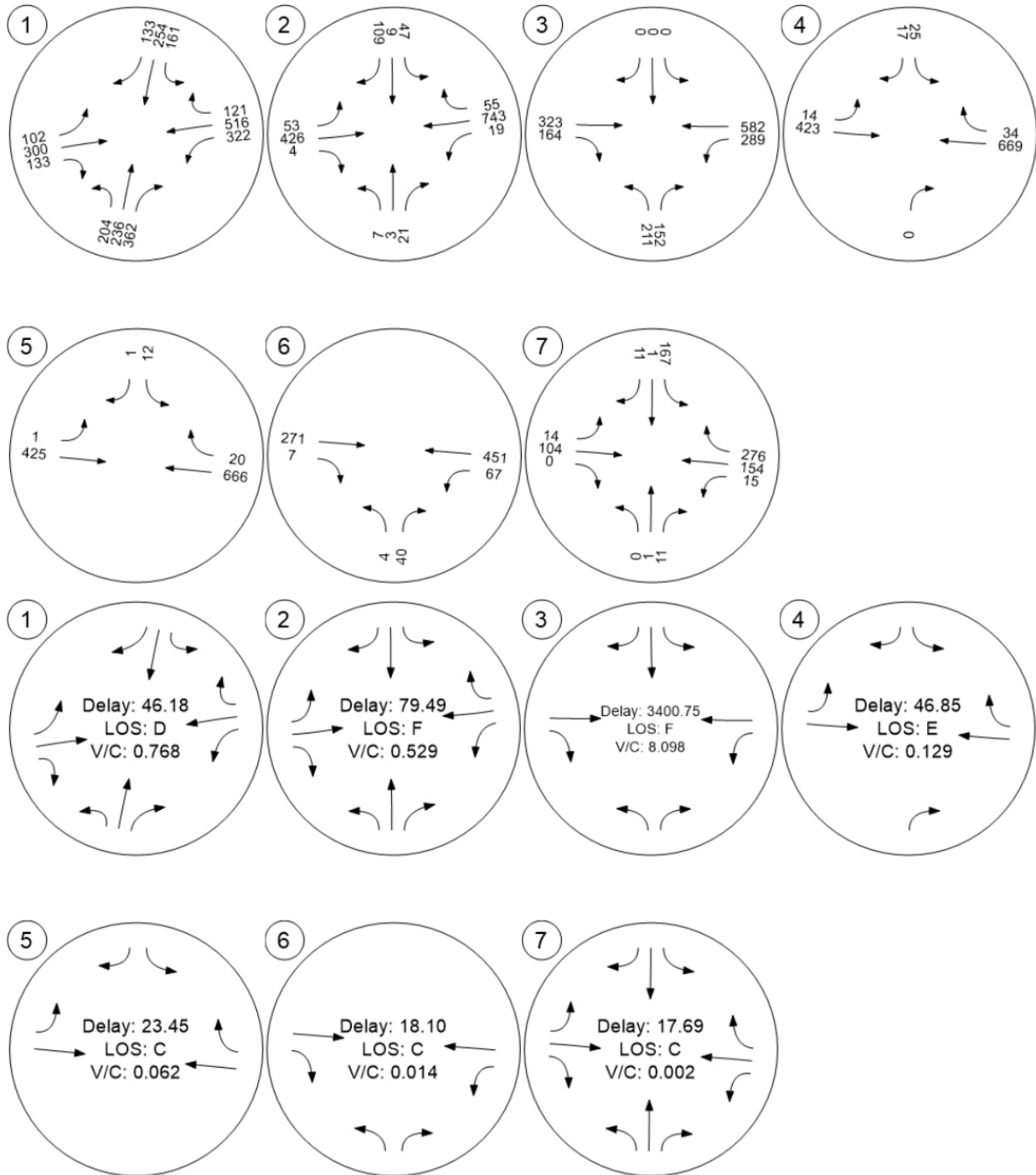
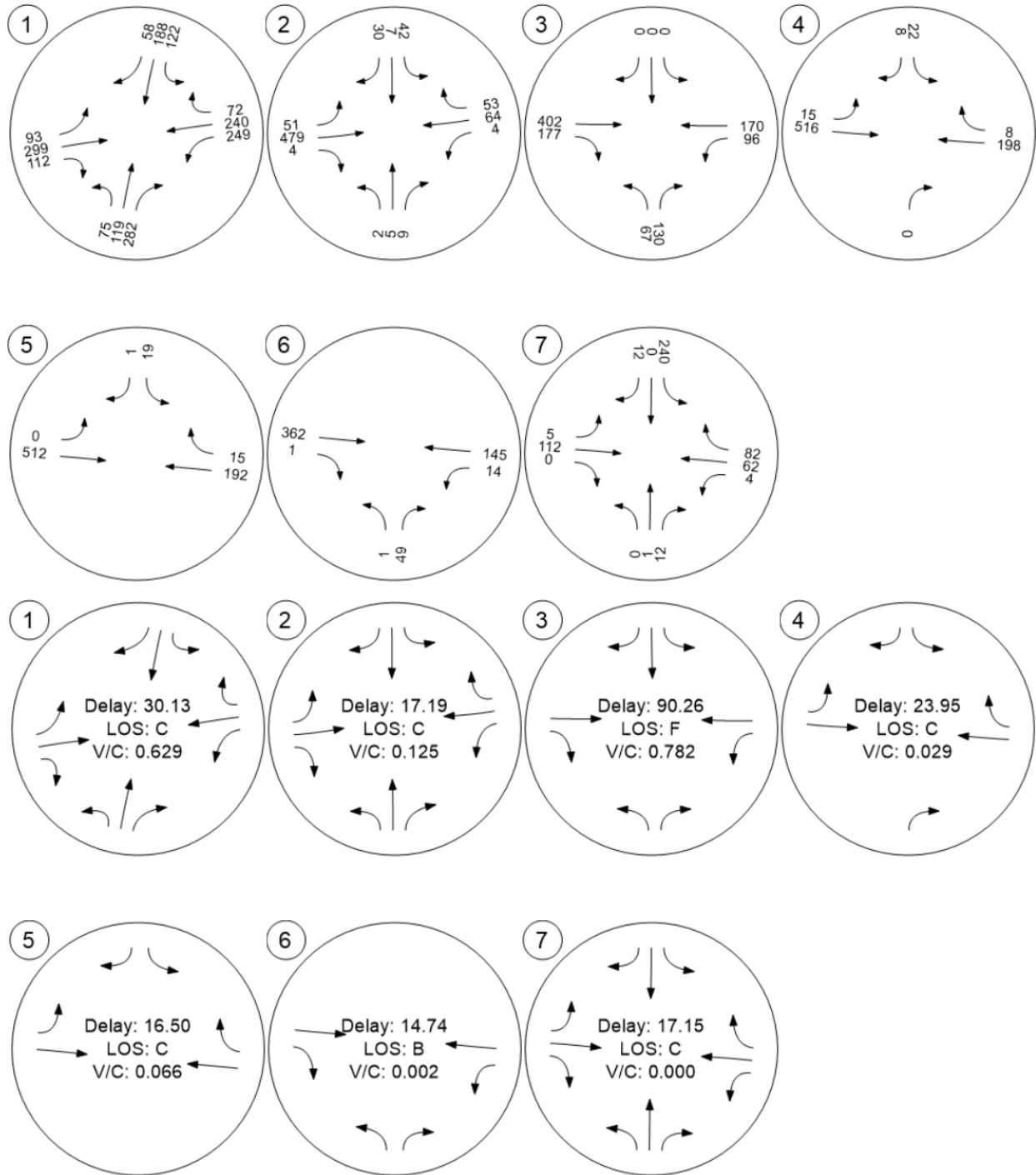
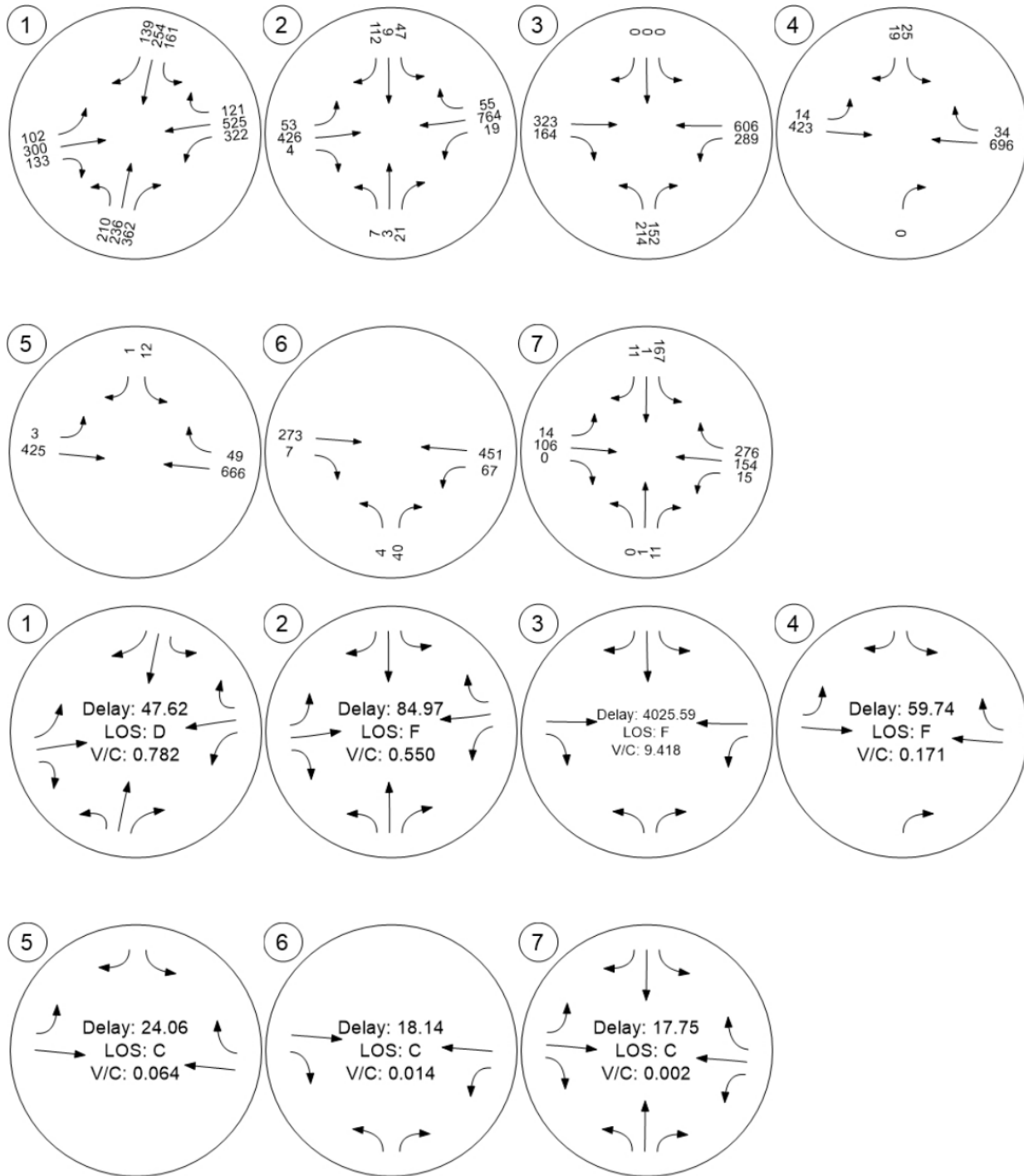


Figure 12 - PM Peak hour Counts and Metrics w Background and Phase 1 Traffic

# EXHIBIT B.29



**Figure 13 - AM Peak hour Counts and Metrics w Background and Phase 1 & 2 Traffic**



**Figure 14 - PM Peak hour Counts and Metrics w Background and Phase 1 & 2 Traffic**

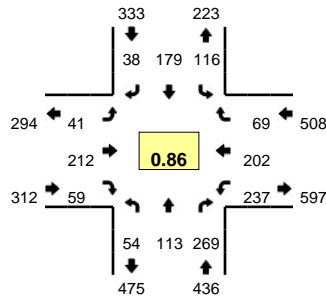
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Type of peak hour being reported: Intersection Peak

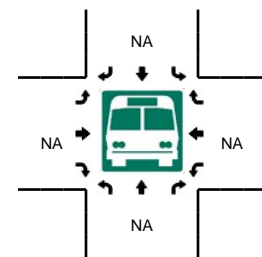
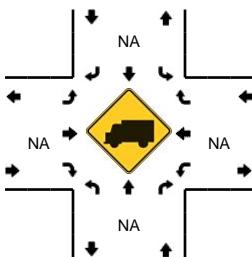
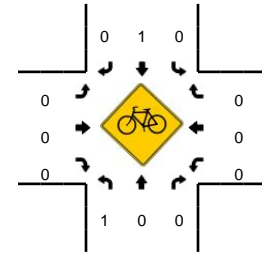
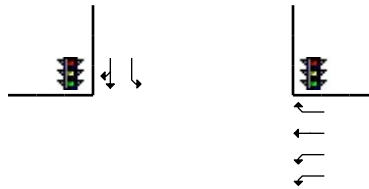
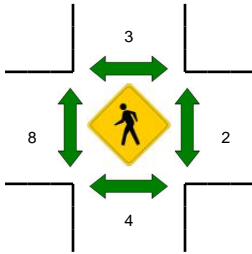
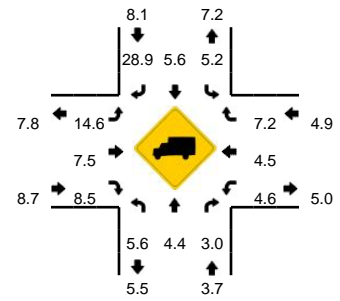
Method for determining peak hour: Total Entering Volume

**LOCATION:** NE Kings Valley Hwy -- W Ellendale Ave  
**CITY/STATE:** Dallas, OR

**QC JOB #:** 14451701  
**DATE:** Wed, Jun 21 2017



**Peak-Hour: 7:45 AM -- 8:45 AM**  
**Peak 15-Min: 7:45 AM -- 8:00 AM**



5-Min Count Period Beginning At	NE Kings Valley Hwy (Northbound)				NE Kings Valley Hwy (Southbound)				W Ellendale Ave (Eastbound)				W Ellendale Ave (Westbound)				Total	Hourly Totals
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
7:00 AM	4	2	29	0	4	7	1	0	5	16	7	0	12	14	2	0	103	
7:05 AM	0	8	30	0	7	4	0	0	0	20	8	0	8	10	1	0	96	
7:10 AM	6	13	26	0	5	4	4	0	3	27	5	0	10	9	4	0	116	
7:15 AM	6	11	26	0	10	8	2	0	4	25	1	0	11	5	7	0	116	
7:20 AM	6	8	23	0	3	10	3	0	4	18	2	0	9	17	6	0	109	
7:25 AM	1	7	25	0	7	17	0	0	3	29	4	0	12	7	2	0	114	
7:30 AM	3	8	36	0	5	12	1	0	3	24	8	0	15	10	6	0	131	
7:35 AM	4	13	14	0	8	9	1	0	2	31	2	0	14	12	2	0	112	
7:40 AM	3	7	23	0	12	9	3	0	4	14	4	0	24	15	5	0	123	
7:45 AM	3	13	28	0	15	13	1	0	5	18	6	0	29	20	3	0	154	
7:50 AM	3	13	24	0	15	24	0	0	3	20	5	0	18	18	15	0	158	
7:55 AM	3	9	20	0	6	19	4	0	8	23	4	0	25	18	11	0	150	1482
8:00 AM	9	9	24	0	9	12	3	0	2	15	4	0	17	17	4	0	125	1504
8:05 AM	1	10	25	0	9	15	7	0	3	14	6	0	15	12	6	0	123	1531
8:10 AM	4	9	22	0	6	11	1	0	1	24	2	0	17	18	4	0	119	1534
8:15 AM	2	13	18	0	9	15	4	0	3	14	5	0	21	13	2	0	119	1537
8:20 AM	7	12	22	0	9	17	5	0	5	11	2	0	19	21	6	0	136	1564
8:25 AM	5	11	16	0	11	17	1	0	3	15	6	0	26	19	2	0	132	1582
8:30 AM	3	6	31	0	10	10	7	0	3	13	5	0	14	13	5	0	120	1571
8:35 AM	9	3	24	0	6	13	3	0	1	21	9	0	12	19	6	0	126	1585
8:40 AM	5	5	15	0	11	13	2	0	4	24	5	0	24	14	5	0	127	1589
8:45 AM	4	11	36	0	6	3	5	0	6	28	7	0	20	20	3	0	149	1584
8:50 AM	4	6	41	0	7	18	2	0	7	26	8	0	19	14	8	0	160	1586
8:55 AM	7	9	32	0	6	14	4	0	2	15	5	0	20	10	9	0	133	1569
Peak 15-Min Flowrates	Northbound				Southbound				Eastbound				Westbound				Total	
All Vehicles	36	140	288	0	144	224	20	0	64	244	60	0	288	224	116	0	1848	
Heavy Trucks	0	8	4		4	8	0		8	8	12		16	4	8		80	
Pedestrians		0				0				8				4			12	
Bicycles	1	0	0		0	0	0		0	0	0		0	0	0		1	
Railroad																		
Stopped Buses																		

Comments:



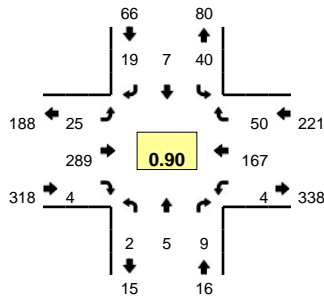
# EXHIBIT B.32

Type of peak hour being reported: Intersection Peak

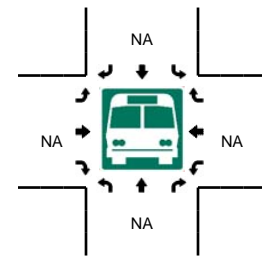
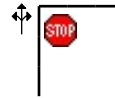
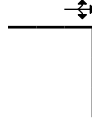
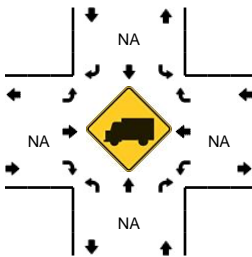
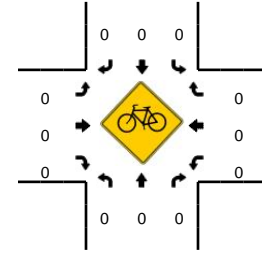
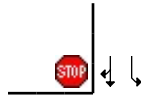
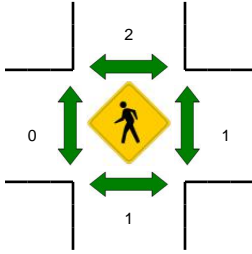
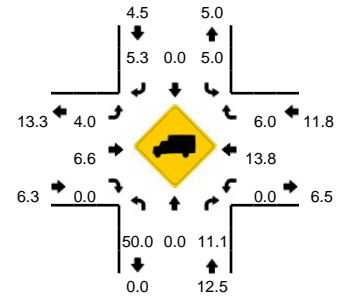
Method for determining peak hour: Total Entering Volume

**LOCATION:** NW Jasper St -- W Ellendale Ave  
**CITY/STATE:** Dallas, OR

**QC JOB #:** 14451703  
**DATE:** Wed, Jun 21 2017



**Peak-Hour: 7:50 AM -- 8:50 AM**  
**Peak 15-Min: 8:35 AM -- 8:50 AM**



5-Min Count Period Beginning At	NW Jasper St (Northbound)				NW Jasper St (Southbound)				W Ellendale Ave (Eastbound)				W Ellendale Ave (Westbound)				Total	Hourly Totals
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
7:00 AM	1	0	1	0	2	0	0	0	1	29	0	0	1	14	3	0	52	
7:05 AM	0	0	0	0	1	1	0	0	2	32	0	0	0	7	5	0	48	
7:10 AM	0	0	2	0	1	0	1	0	1	27	0	0	0	8	3	0	43	
7:15 AM	0	0	1	0	4	1	1	0	0	21	0	0	0	11	2	0	41	
7:20 AM	0	0	0	0	3	0	1	0	1	23	1	0	0	17	4	0	50	
7:25 AM	0	0	1	0	4	1	1	0	3	37	0	0	0	5	3	0	55	
7:30 AM	0	0	4	0	7	0	0	0	1	21	0	0	0	10	0	0	43	
7:35 AM	0	0	0	0	3	0	2	0	2	29	0	0	0	12	1	0	49	
7:40 AM	0	0	2	0	1	0	1	0	3	21	0	0	0	15	3	0	46	
7:45 AM	0	1	1	0	2	0	1	0	4	24	0	0	0	11	6	0	50	
7:50 AM	0	0	0	0	1	1	3	0	7	31	0	0	0	13	8	0	64	
7:55 AM	0	2	0	0	0	3	1	0	3	30	0	0	0	10	4	0	53	594
8:00 AM	0	0	1	0	3	0	3	0	4	20	0	0	0	10	6	0	47	589
8:05 AM	0	2	1	0	6	0	0	0	2	21	1	0	1	12	5	0	51	592
8:10 AM	1	0	0	0	2	0	1	0	0	21	0	0	0	11	6	0	42	591
8:15 AM	0	0	3	0	4	1	3	0	0	19	0	0	1	8	5	0	44	594
8:20 AM	1	0	1	0	4	0	1	0	2	19	0	0	0	20	4	0	52	596
8:25 AM	0	0	1	0	2	0	1	0	4	20	0	0	0	12	0	0	40	581
8:30 AM	0	1	0	0	4	1	4	0	1	20	1	0	0	21	3	0	56	594
8:35 AM	0	0	0	0	8	0	0	0	1	33	1	0	1	15	5	0	64	609
8:40 AM	0	0	0	0	1	1	2	0	1	18	1	0	0	18	1	0	43	606
8:45 AM	0	0	2	0	5	0	0	0	0	37	0	0	1	17	3	0	65	621
8:50 AM	0	3	0	0	2	1	2	0	0	31	0	0	0	13	4	0	56	613
8:55 AM	0	3	0	0	3	0	5	0	1	33	0	0	0	10	5	0	60	620
Peak 15-Min Flowrates	Northbound				Southbound				Eastbound				Westbound				Total	
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
All Vehicles	0	0	8	0	56	4	8	0	8	352	8	0	8	200	36	0	688	
Heavy Trucks	0	0	0	0	4	0	0	0	0	24	0	0	0	32	8	0	68	
Pedestrians		4				8				0				4			16	
Bicycles	0	0	0		0	0	0		0	0	0		0	0	0		0	
Railroad																		
Stopped Buses																		

Comments:

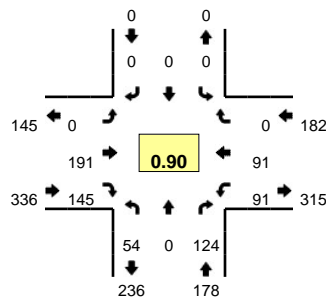
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Type of peak hour being reported: Intersection Peak

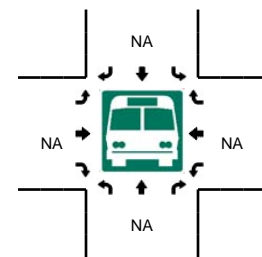
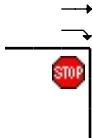
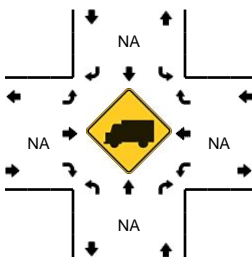
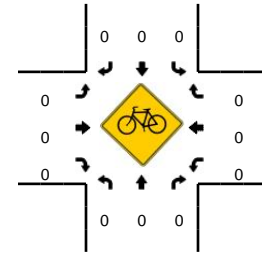
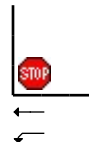
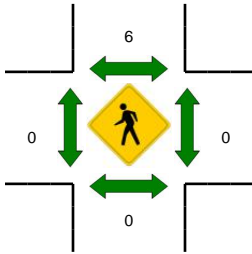
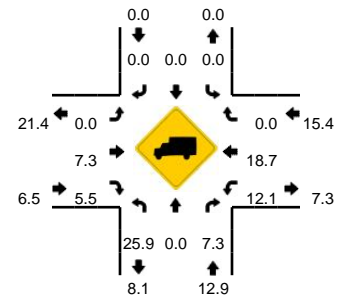
Method for determining peak hour: Total Entering Volume

**LOCATION:** SW Levens St -- W Ellendale Ave  
**CITY/STATE:** Dallas, OR

**QC JOB #:** 14451705  
**DATE:** Wed, Jun 21 2017



**Peak-Hour: 7:50 AM -- 8:50 AM**  
**Peak 15-Min: 8:35 AM -- 8:50 AM**



5-Min Count Period Beginning At	SW Levens St (Northbound)				SW Levens St (Southbound)				W Ellendale Ave (Eastbound)				W Ellendale Ave (Westbound)				Total	Hourly Totals
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
7:00 AM	5	0	12	0	0	0	0	0	0	19	7	0	4	8	0	0	55	
7:05 AM	5	0	9	0	0	0	0	0	0	23	8	0	3	6	0	0	54	
7:10 AM	3	0	8	0	0	0	0	0	0	22	10	0	5	1	0	0	49	
7:15 AM	4	0	9	0	0	0	0	0	0	14	9	0	3	6	0	0	45	
7:20 AM	1	0	10	0	0	0	0	0	0	15	11	0	6	9	0	0	52	
7:25 AM	4	0	11	0	0	0	0	0	0	29	9	0	3	5	0	0	61	
7:30 AM	4	0	9	0	0	0	0	0	0	17	14	0	3	4	0	0	51	
7:35 AM	1	0	9	0	0	0	0	0	0	22	12	0	10	5	0	0	59	
7:40 AM	6	0	8	0	0	0	0	0	0	17	9	0	6	6	0	0	52	
7:45 AM	14	0	13	0	0	0	0	0	0	15	12	0	6	2	0	0	62	
7:50 AM	3	0	19	0	0	0	0	0	0	20	13	0	7	10	0	0	72	
7:55 AM	3	0	15	0	0	0	0	0	0	17	19	0	7	3	0	0	64	676
8:00 AM	4	0	9	0	0	0	0	0	0	18	12	0	5	6	0	0	54	675
8:05 AM	8	0	7	0	0	0	0	0	0	16	15	0	8	6	0	0	60	681
8:10 AM	3	0	9	0	0	0	0	0	0	12	7	0	8	4	0	0	43	675
8:15 AM	6	0	6	0	0	0	0	0	0	13	8	0	5	6	0	0	44	674
8:20 AM	2	0	8	0	0	0	0	0	0	11	17	0	9	9	0	0	56	678
8:25 AM	3	0	11	0	0	0	0	0	0	13	11	0	4	7	0	0	49	666
8:30 AM	3	0	4	0	0	0	0	0	0	17	12	0	9	16	0	0	61	676
8:35 AM	7	0	13	0	0	0	0	0	0	20	7	0	5	12	0	0	64	681
8:40 AM	2	0	8	0	0	0	0	0	0	13	10	0	11	9	0	0	53	682
8:45 AM	10	0	15	0	0	0	0	0	0	21	14	0	13	3	0	0	76	696
8:50 AM	4	0	14	0	0	0	0	0	0	20	8	0	6	7	0	0	59	683
8:55 AM	12	0	13	0	0	0	0	0	0	19	15	0	5	9	0	0	73	692
Peak 15-Min Flowrates	Northbound				Southbound				Eastbound				Westbound				Total	
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
All Vehicles	76	0	144	0	0	0	0	0	0	216	124	0	116	96	0	0	772	
Heavy Trucks	24	0	4	0	0	0	0	0	0	20	4	0	20	24	0	0	96	
Pedestrians	0	0	0	0	0	4	0	0	0	0	0	0	0	0	0	0	4	
Bicycles	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Railroad	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Stopped Buses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	

Comments:

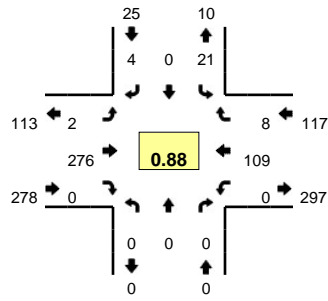
# EXHIBIT B.34

Type of peak hour being reported: Intersection Peak

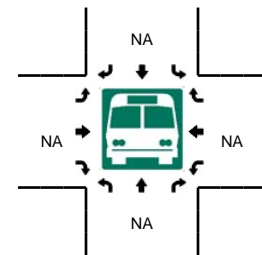
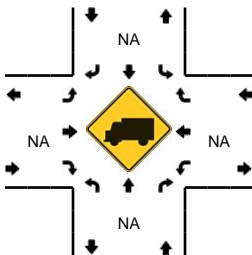
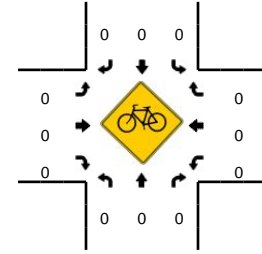
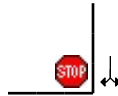
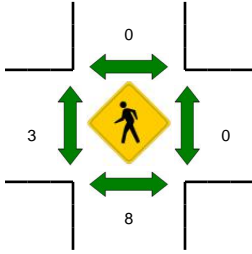
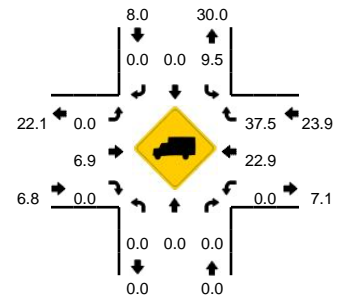
Method for determining peak hour: Total Entering Volume

**LOCATION:** NW Douglas St -- W Ellendale Ave  
**CITY/STATE:** Dallas, OR

**QC JOB #:** 14451707  
**DATE:** Wed, Jun 21 2017



**Peak-Hour: 7:50 AM -- 8:50 AM**  
**Peak 15-Min: 8:35 AM -- 8:50 AM**



5-Min Count Period Beginning At	NW Douglas St (Northbound)				NW Douglas St (Southbound)				W Ellendale Ave (Eastbound)				W Ellendale Ave (Westbound)				Total	Hourly Totals
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
7:00 AM	0	0	0	0	1	0	0	0	0	24	0	0	0	8	0	0	33	
7:05 AM	0	0	0	0	4	0	0	0	0	27	0	0	0	11	0	0	42	
7:10 AM	0	0	0	0	2	0	0	0	0	18	0	0	0	4	1	0	25	
7:15 AM	0	0	0	0	1	0	0	0	0	18	0	0	0	9	0	0	28	
7:20 AM	0	0	0	0	3	0	0	0	1	25	0	0	0	6	1	0	36	
7:25 AM	0	0	0	0	2	0	0	0	0	23	0	0	0	6	0	0	31	
7:30 AM	0	0	0	0	1	0	1	0	0	24	0	0	0	5	1	0	32	
7:35 AM	0	0	0	0	3	0	0	0	0	23	0	0	0	3	1	0	30	
7:40 AM	0	0	0	0	1	0	0	0	1	19	0	0	0	4	2	0	27	
7:45 AM	0	0	0	0	1	0	0	0	1	20	0	0	0	17	0	0	39	
7:50 AM	0	0	0	0	2	0	0	0	0	31	0	0	0	6	0	0	39	
7:55 AM	0	0	0	0	3	0	0	0	2	27	0	0	0	5	1	0	38	400
8:00 AM	0	0	0	0	1	0	2	0	0	29	0	0	0	7	0	0	39	406
8:05 AM	0	0	0	0	2	0	0	0	0	16	0	0	0	11	0	0	29	393
8:10 AM	0	0	0	0	0	0	0	0	0	18	0	0	0	7	2	0	27	395
8:15 AM	0	0	0	0	1	0	0	0	0	16	0	0	0	9	1	0	27	394
8:20 AM	0	0	0	0	0	0	0	0	0	25	0	0	0	11	0	0	36	394
8:25 AM	0	0	0	0	1	0	2	0	0	24	0	0	0	5	2	0	34	397
8:30 AM	0	0	0	0	2	0	0	0	0	16	0	0	0	14	0	0	32	397
8:35 AM	0	0	0	0	2	0	0	0	0	24	0	0	0	13	2	0	41	408
8:40 AM	0	0	0	0	3	0	0	0	0	21	0	0	0	8	0	0	32	413
8:45 AM	0	0	0	0	4	0	0	0	0	29	0	0	0	13	0	0	46	420
8:50 AM	0	0	0	0	1	0	0	0	0	26	0	0	0	7	1	0	35	416
8:55 AM	0	0	0	0	2	0	0	0	0	19	0	0	0	18	2	0	41	419
Peak 15-Min Flowrates	Northbound				Southbound				Eastbound				Westbound				Total	
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
All Vehicles	0	0	0	0	36	0	0	0	0	296	0	0	0	136	8	0	476	
Heavy Trucks	0	0	0	0	4	0	0	0	0	20	0	0	0	32	8	0	64	
Pedestrians		8			0				0				0				8	
Bicycles	0	0	0		0	0	0		0	0	0		0	0	0		0	
Railroad																		
Stopped Buses																		

Comments:

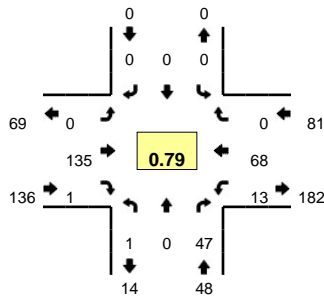
# EXHIBIT B.35

Type of peak hour being reported: Intersection Peak

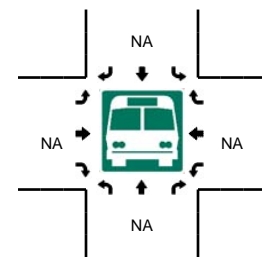
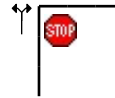
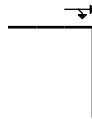
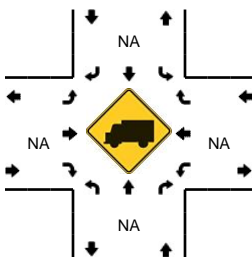
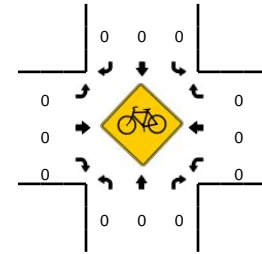
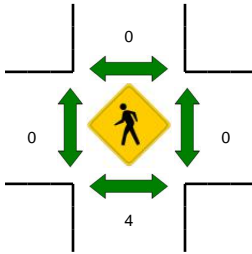
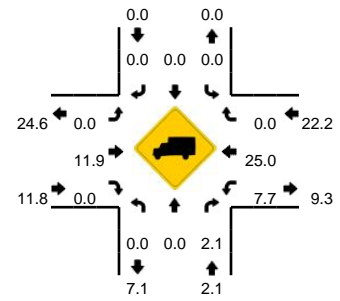
Method for determining peak hour: Total Entering Volume

**LOCATION:** SW Wyatt St -- W Ellendale Ave  
**CITY/STATE:** Dallas, OR

**QC JOB #:** 14451709  
**DATE:** Wed, Jun 21 2017



**Peak-Hour: 7:45 AM -- 8:45 AM**  
**Peak 15-Min: 7:45 AM -- 8:00 AM**



5-Min Count Period Beginning At	SW Wyatt St (Northbound)				SW Wyatt St (Southbound)				W Ellendale Ave (Eastbound)				W Ellendale Ave (Westbound)				Total	Hourly Totals	
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U			
7:00 AM	0	0	5	0	0	0	0	0	0	12	0	0	0	2	0	0	0	19	
7:05 AM	0	0	6	0	0	0	0	0	0	12	0	0	0	7	0	0	0	25	
7:10 AM	0	0	3	0	0	0	0	0	0	9	0	0	0	3	0	0	0	15	
7:15 AM	0	0	5	0	0	0	0	0	0	9	0	0	0	6	0	0	0	20	
7:20 AM	0	0	1	0	0	0	0	0	0	17	0	0	0	3	0	0	0	21	
7:25 AM	0	0	3	0	0	0	0	0	0	14	0	0	0	2	1	0	0	20	
7:30 AM	0	0	2	0	0	0	0	0	0	13	0	0	0	3	0	0	0	18	
7:35 AM	0	0	1	0	0	0	0	0	0	12	0	0	0	2	0	0	0	15	
7:40 AM	0	0	5	0	0	0	0	0	0	9	0	0	0	1	2	0	0	17	
7:45 AM	1	0	5	0	0	0	0	0	0	11	0	0	0	2	10	0	0	29	
7:50 AM	0	0	9	0	0	0	0	0	0	14	1	0	0	2	4	0	0	30	
7:55 AM	0	0	6	0	0	0	0	0	0	15	0	0	0	1	3	0	0	25	254
8:00 AM	0	0	3	0	0	0	0	0	0	9	0	0	0	1	5	0	0	18	253
8:05 AM	0	0	2	0	0	0	0	0	0	10	0	0	0	1	8	0	0	21	249
8:10 AM	0	0	3	0	0	0	0	0	0	9	0	0	0	0	4	0	0	16	250
8:15 AM	0	0	3	0	0	0	0	0	0	9	0	0	0	1	8	0	0	21	251
8:20 AM	0	0	4	0	0	0	0	0	0	14	0	0	0	1	8	0	0	27	257
8:25 AM	0	0	6	0	0	0	0	0	0	12	0	0	0	1	3	0	0	22	259
8:30 AM	0	0	1	0	0	0	0	0	0	12	0	0	0	2	4	0	0	19	260
8:35 AM	0	0	0	0	0	0	0	0	0	8	0	0	0	1	5	0	0	14	259
8:40 AM	0	0	5	0	0	0	0	0	0	12	0	0	0	0	6	0	0	23	265
8:45 AM	0	0	1	0	0	0	0	0	0	11	0	0	0	0	9	0	0	21	257
8:50 AM	1	0	6	0	0	0	0	0	0	18	0	0	0	1	3	0	0	29	256
8:55 AM	0	0	1	0	0	0	0	0	0	13	0	0	0	1	10	0	0	25	256
Peak 15-Min Flowrates	Northbound				Southbound				Eastbound				Westbound				Total		
All Vehicles	4	0	80	0	0	0	0	0	0	160	4	0	20	68	0	0	336		
Heavy Trucks	0	0	4	0	0	0	0	0	0	12	0	0	4	8	0	0	28		
Pedestrians		4				0				0				0			4		
Bicycles	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Railroad																			
Stopped Buses																			

Comments:

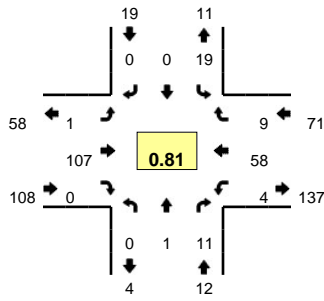
# EXHIBIT B.36

Type of peak hour being reported: Intersection Peak

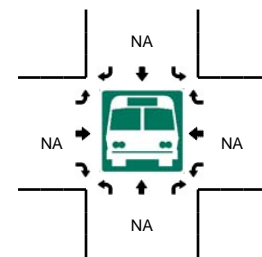
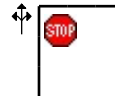
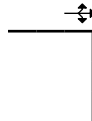
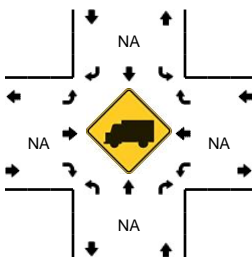
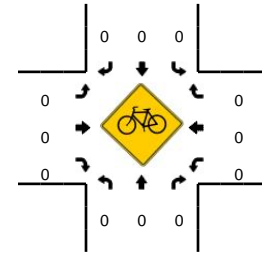
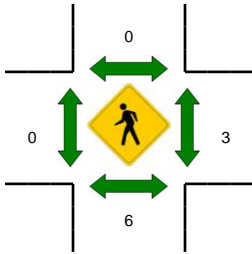
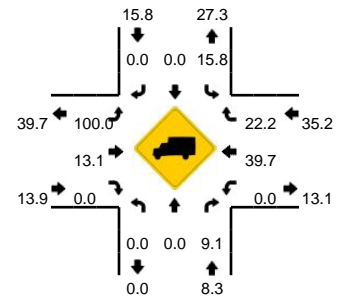
Method for determining peak hour: Total Entering Volume

**LOCATION:** SW James Howe Rd -- W Ellendale Ave  
**CITY/STATE:** Dallas, OR

**QC JOB #:** 14451711  
**DATE:** Wed, Jun 21 2017



**Peak-Hour: 8:00 AM -- 9:00 AM**  
**Peak 15-Min: 8:45 AM -- 9:00 AM**



5-Min Count Period Beginning At	SW James Howe Rd (Northbound)				SW James Howe Rd (Southbound)				W Ellendale Ave (Eastbound)				W Ellendale Ave (Westbound)				Total	Hourly Totals
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
7:00 AM	0	0	1	0	1	0	0	0	0	11	0	0	1	0	1	0	15	
7:05 AM	0	0	1	0	1	0	0	0	1	8	0	0	0	6	0	0	17	
7:10 AM	0	0	0	0	0	0	0	0	0	9	0	0	0	3	0	0	12	
7:15 AM	0	0	2	0	2	0	0	0	0	5	0	0	1	4	0	0	14	
7:20 AM	0	0	1	0	5	0	0	0	0	13	0	0	0	1	3	0	23	
7:25 AM	0	0	3	0	0	0	0	0	0	11	0	0	0	1	0	0	15	
7:30 AM	0	0	2	0	2	0	0	0	0	10	0	0	0	2	1	0	17	
7:35 AM	0	0	1	0	2	0	1	0	0	8	0	0	1	2	0	0	15	
7:40 AM	0	0	0	0	0	0	0	0	0	8	0	0	0	0	0	1	9	
7:45 AM	0	0	0	0	0	0	0	0	0	13	0	0	2	9	2	0	26	
7:50 AM	1	0	1	0	1	0	0	0	0	11	0	0	0	4	1	0	19	
7:55 AM	0	0	0	0	1	0	0	0	0	14	0	0	0	2	1	0	18	200
8:00 AM	0	0	1	0	1	0	0	0	0	8	0	0	0	1	1	0	12	197
8:05 AM	0	0	0	0	3	0	0	0	0	6	0	0	0	7	2	0	18	198
8:10 AM	0	0	0	0	2	0	0	0	0	7	0	0	0	4	0	0	13	199
8:15 AM	0	0	0	0	1	0	0	0	1	9	0	0	0	8	0	0	19	204
8:20 AM	0	0	0	0	0	0	0	0	0	13	0	0	0	7	0	0	20	201
8:25 AM	0	0	4	0	0	0	0	0	0	8	0	0	0	2	1	0	15	201
8:30 AM	0	0	3	0	1	0	0	0	0	8	0	0	0	4	0	0	16	200
8:35 AM	0	1	0	0	1	0	0	0	0	8	0	0	0	5	0	0	15	200
8:40 AM	0	0	0	0	2	0	0	0	0	9	0	0	1	4	1	0	17	208
8:45 AM	0	0	1	0	2	0	0	0	0	9	0	0	1	5	2	0	20	202
8:50 AM	0	0	2	0	3	0	0	0	0	12	0	0	0	3	2	0	22	205
8:55 AM	0	0	0	0	3	0	0	0	0	10	0	0	2	8	0	0	23	210
Peak 15-Min Flowrates	Northbound				Southbound				Eastbound				Westbound				Total	
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
All Vehicles	0	0	12	0	32	0	0	0	0	124	0	0	12	64	16	0	260	
Heavy Trucks	0	0	0	0	4	0	0	0	0	16	0	0	0	36	4	0	60	
Pedestrians		16				0				0				4			20	
Bicycles	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Railroad																		
Stopped Buses																		

Comments:

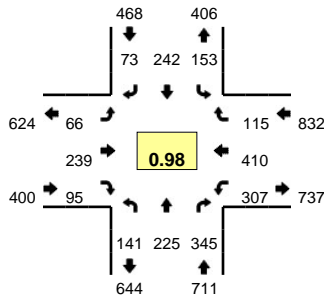
# EXHIBIT B.37

Type of peak hour being reported: Intersection Peak

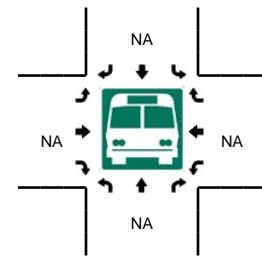
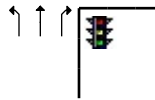
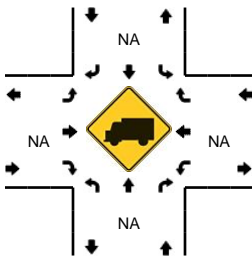
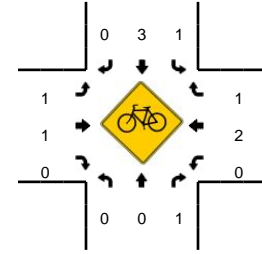
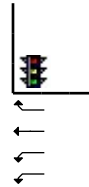
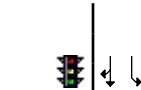
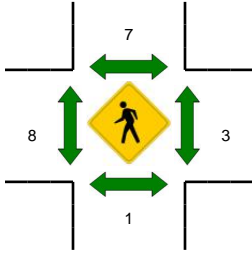
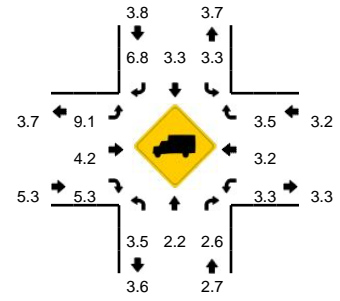
Method for determining peak hour: Total Entering Volume

**LOCATION:** NE Kings Valley Hwy -- W Ellendale Ave  
**CITY/STATE:** Dallas, OR

**QC JOB #:** 14451702  
**DATE:** Wed, Jun 21 2017



**Peak-Hour: 4:05 PM -- 5:05 PM**  
**Peak 15-Min: 4:40 PM -- 4:55 PM**



5-Min Count Period Beginning At	NE Kings Valley Hwy (Northbound)				NE Kings Valley Hwy (Southbound)				W Ellendale Ave (Eastbound)				W Ellendale Ave (Westbound)				Total	Hourly Totals
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
4:00 PM	11	20	27	0	15	20	8	0	4	14	8	0	25	29	5	0	186	
4:05 PM	8	15	31	0	16	18	7	0	8	25	12	0	30	36	16	0	222	
4:10 PM	10	24	14	0	12	21	7	0	7	24	7	0	21	28	10	0	185	
4:15 PM	14	13	31	0	13	15	5	0	5	28	6	0	33	34	10	0	207	
4:20 PM	14	24	35	0	18	17	8	0	4	12	9	0	32	27	7	0	207	
4:25 PM	15	16	24	0	12	14	6	0	2	18	5	0	28	40	3	0	183	
4:30 PM	14	22	30	0	8	10	5	0	6	30	8	0	18	33	11	0	195	
4:35 PM	10	17	37	0	8	19	3	0	6	13	9	0	25	42	9	0	198	
4:40 PM	12	17	34	0	11	21	6	0	5	23	4	0	23	33	9	0	198	
4:45 PM	16	20	26	0	13	31	6	0	6	13	8	0	20	34	10	0	203	
4:50 PM	7	18	23	0	22	27	7	0	9	14	9	0	32	38	11	0	217	
4:55 PM	12	22	25	0	12	20	9	0	6	13	9	0	21	29	10	0	188	2389
5:00 PM	9	17	35	0	8	29	4	0	2	26	9	0	24	36	9	0	208	2411
5:05 PM	15	23	39	0	11	22	7	0	11	16	9	0	12	22	5	0	192	2381
5:10 PM	4	16	24	0	10	21	7	0	5	20	7	0	20	36	6	0	176	2372
5:15 PM	8	15	26	0	9	18	12	0	4	25	4	0	10	30	7	0	168	2333
5:20 PM	14	20	30	0	13	22	9	0	4	16	13	0	20	37	9	0	207	2333
5:25 PM	15	12	30	0	10	19	6	0	1	19	8	0	24	46	10	0	200	2350
5:30 PM	6	9	24	0	11	17	9	0	2	22	11	0	15	35	3	0	164	2319
5:35 PM	9	8	22	0	12	15	4	0	5	14	2	0	25	49	9	0	174	2295
5:40 PM	14	11	18	0	17	18	10	0	4	12	3	0	24	30	9	0	170	2267
5:45 PM	7	15	13	0	6	13	5	0	4	20	10	0	27	32	6	0	158	2222
5:50 PM	15	15	16	0	9	10	4	0	1	20	6	0	18	35	10	0	159	2164
5:55 PM	9	15	16	0	6	11	7	0	1	25	5	0	19	27	10	0	151	2127
Peak 15-Min Flowrates	Northbound				Southbound				Eastbound				Westbound				Total	
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
All Vehicles	140	220	332	0	184	316	76	0	80	200	84	0	300	420	120	0	2472	
Heavy Trucks	8	4	8		8	8	4		12	8	4		4	20	8		96	
Pedestrians		0				8				8				4			20	
Bicycles	0	0	0		0	0	0		0	1	0		0	0	1		2	
Railroad																		
Stopped Buses																		

Comments:

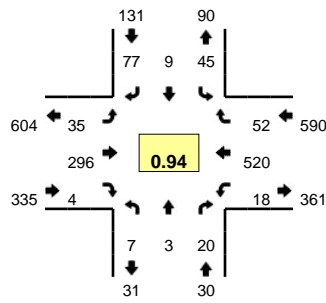
# EXHIBIT B.38

Type of peak hour being reported: Intersection Peak

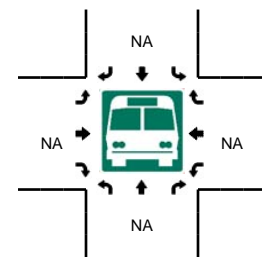
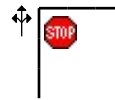
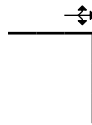
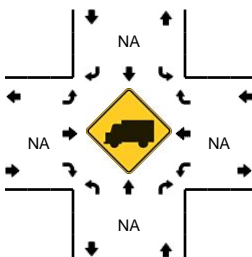
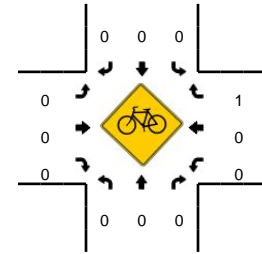
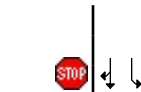
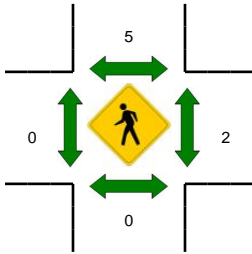
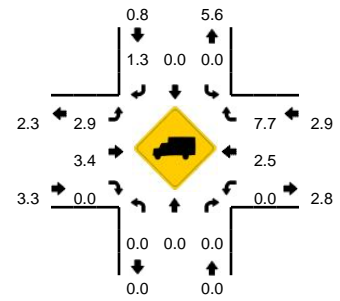
Method for determining peak hour: Total Entering Volume

**LOCATION:** NW Jasper St -- W Ellendale Ave  
**CITY/STATE:** Dallas, OR

**QC JOB #:** 14451704  
**DATE:** Wed, Jun 21 2017



**Peak-Hour: 4:35 PM -- 5:35 PM**  
**Peak 15-Min: 5:15 PM -- 5:30 PM**



5-Min Count Period Beginning At	NW Jasper St (Northbound)				NW Jasper St (Southbound)				W Ellendale Ave (Eastbound)				W Ellendale Ave (Westbound)				Total	Hourly Totals
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
4:00 PM	0	0	1	0	9	2	6	0	1	21	1	0	1	41	3	0	86	
4:05 PM	1	0	1	0	6	0	5	0	6	19	3	0	1	37	6	0	85	
4:10 PM	0	1	1	0	3	0	4	0	2	23	1	0	0	45	3	0	83	
4:15 PM	0	0	0	0	8	1	6	0	3	32	0	0	2	33	3	0	88	
4:20 PM	1	1	0	0	8	2	7	0	2	14	0	0	1	37	5	0	78	
4:25 PM	0	0	2	0	6	1	1	0	4	17	0	0	0	46	8	0	85	
4:30 PM	0	0	1	0	5	0	4	0	6	24	0	0	0	30	6	0	76	
4:35 PM	2	0	4	0	4	1	7	0	5	25	0	0	2	43	3	0	96	
4:40 PM	1	0	1	0	2	2	3	0	4	22	1	0	1	35	2	0	74	
4:45 PM	0	1	1	0	2	0	6	0	1	32	0	0	1	37	3	0	84	
4:50 PM	1	0	2	0	5	0	9	0	2	27	0	0	2	48	4	0	100	
4:55 PM	0	2	2	0	3	0	6	0	4	23	1	0	1	40	4	0	86	1021
5:00 PM	0	0	1	0	4	1	7	0	4	25	1	0	0	38	3	0	84	1019
5:05 PM	2	0	2	0	8	2	4	0	3	24	0	0	5	33	9	0	92	1026
5:10 PM	0	0	1	0	4	1	10	0	1	31	0	0	1	45	3	0	97	1040
5:15 PM	0	0	2	0	1	1	9	0	3	24	1	0	2	39	6	0	88	1040
5:20 PM	1	0	0	0	1	0	2	0	0	26	0	0	2	56	5	0	93	1055
5:25 PM	0	0	3	0	6	1	9	0	4	19	0	0	1	58	6	0	107	1077
5:30 PM	0	0	1	0	5	0	5	0	4	18	0	0	0	48	4	0	85	1086
5:35 PM	0	1	1	0	2	1	5	0	2	18	0	0	1	48	8	0	87	1077
5:40 PM	0	1	0	0	2	0	2	0	2	21	1	0	0	41	4	0	74	1077
5:45 PM	1	0	0	0	3	0	5	0	2	30	0	0	3	38	4	0	86	1079
5:50 PM	0	1	1	0	2	0	2	0	4	24	0	0	2	42	5	0	83	1062
5:55 PM	1	0	2	0	3	0	4	0	1	26	0	0	2	29	6	0	74	1050
Peak 15-Min Flowrates	Northbound				Southbound				Eastbound				Westbound				Total	
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
All Vehicles	4	0	20	0	32	8	80	0	28	276	4	0	20	612	68	0	1152	
Heavy Trucks	0	0	0	0	0	0	4	0	0	4	0	0	0	12	0	0	20	
Pedestrians						12				0				4			16	
Bicycles	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Railroad																	0	
Stopped Buses																		

Comments:

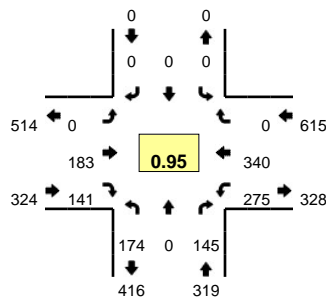
# EXHIBIT B.39

Type of peak hour being reported: Intersection Peak

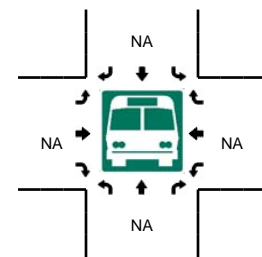
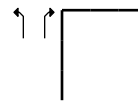
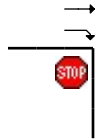
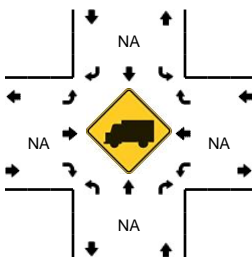
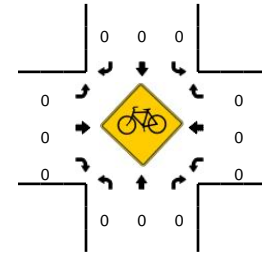
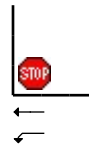
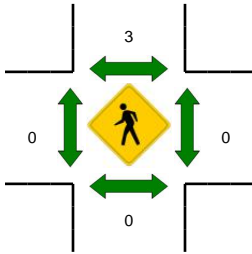
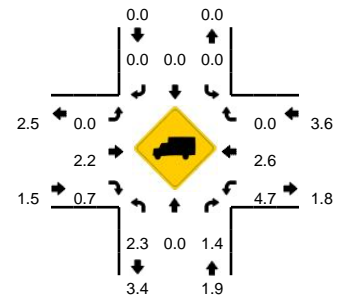
Method for determining peak hour: Total Entering Volume

**LOCATION:** SW Levens St -- W Ellendale Ave  
**CITY/STATE:** Dallas, OR

**QC JOB #:** 14451706  
**DATE:** Wed, Jun 21 2017



**Peak-Hour: 4:50 PM -- 5:50 PM**  
**Peak 15-Min: 5:25 PM -- 5:40 PM**



5-Min Count Period Beginning At	SW Levens St (Northbound)				SW Levens St (Southbound)				W Ellendale Ave (Eastbound)				W Ellendale Ave (Westbound)				Total	Hourly Totals
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
4:00 PM	12	0	14	0	0	0	0	0	0	12	5	0	20	24	0	0	87	
4:05 PM	8	0	10	0	0	0	0	0	0	12	13	0	18	25	0	0	86	
4:10 PM	11	0	11	0	0	0	0	0	0	11	9	0	26	27	0	0	95	
4:15 PM	16	0	12	0	0	0	0	0	0	19	10	0	18	20	0	0	95	
4:20 PM	17	0	10	0	0	0	0	0	0	8	14	0	26	17	0	0	92	
4:25 PM	16	0	13	0	0	0	0	0	0	10	19	0	17	28	0	0	103	
4:30 PM	12	0	16	0	0	0	0	0	0	12	13	0	17	18	0	0	88	
4:35 PM	13	0	23	0	0	0	0	0	0	13	7	0	25	22	0	0	103	
4:40 PM	11	0	12	0	0	0	0	0	0	17	13	0	15	25	0	0	93	
4:45 PM	8	0	10	0	0	0	0	0	0	22	11	0	17	26	0	0	94	
4:50 PM	14	0	19	0	0	0	0	0	0	8	16	0	37	26	0	0	120	
4:55 PM	12	0	15	0	0	0	0	0	0	13	12	0	22	21	0	0	95	1151
5:00 PM	18	0	13	0	0	0	0	0	0	16	9	0	18	28	0	0	102	1166
5:05 PM	14	0	14	0	0	0	0	0	0	17	5	0	18	18	0	0	86	1166
5:10 PM	17	0	13	0	0	0	0	0	0	18	12	0	22	35	0	0	117	1188
5:15 PM	14	0	12	0	0	0	0	0	0	16	12	0	25	25	0	0	104	1197
5:20 PM	12	0	7	0	0	0	0	0	0	13	10	0	22	31	0	0	95	1200
5:25 PM	16	0	7	0	0	0	0	0	0	19	11	0	33	33	0	0	119	1216
5:30 PM	12	0	13	0	0	0	0	0	0	15	17	0	18	33	0	0	108	1236
5:35 PM	18	0	11	0	0	0	0	0	0	8	11	0	26	31	0	0	105	1238
5:40 PM	12	0	8	0	0	0	0	0	0	19	15	0	17	29	0	0	100	1245
5:45 PM	15	0	13	0	0	0	0	0	0	21	11	0	17	30	0	0	107	1258
5:50 PM	16	0	15	0	0	0	0	0	0	14	12	0	16	23	0	0	96	1234
5:55 PM	21	0	7	0	0	0	0	0	0	21	16	0	16	19	0	0	100	1239
Peak 15-Min Flowrates	Northbound				Southbound				Eastbound				Westbound				Total	
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
All Vehicles	184	0	124	0	0	0	0	0	0	168	156	0	308	388	0	0	1328	
Heavy Trucks	12	0	0	0	0	0	0	0	0	0	0	0	16	8	0	0	36	
Pedestrians	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Bicycles	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Railroad																		
Stopped Buses																		

Comments:



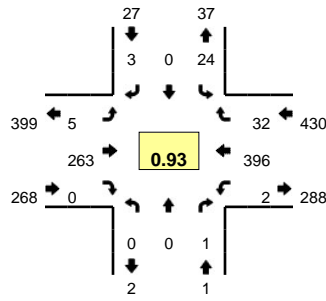
# EXHIBIT B.40

Type of peak hour being reported: Intersection Peak

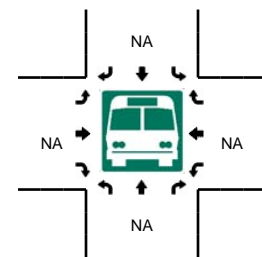
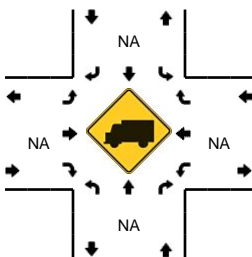
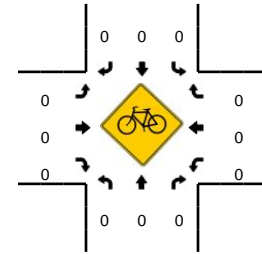
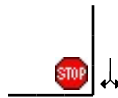
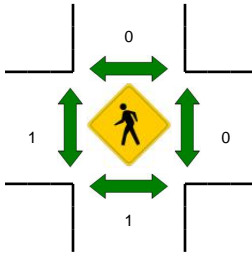
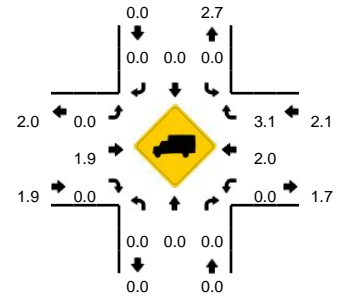
Method for determining peak hour: Total Entering Volume

**LOCATION:** NW Douglas St -- W Ellendale Ave  
**CITY/STATE:** Dallas, OR

**QC JOB #:** 14451708  
**DATE:** Wed, Jun 21 2017



**Peak-Hour: 5:00 PM -- 6:00 PM**  
**Peak 15-Min: 5:25 PM -- 5:40 PM**



5-Min Count Period Beginning At	NW Douglas St (Northbound)				NW Douglas St (Southbound)				W Ellendale Ave (Eastbound)				W Ellendale Ave (Westbound)				Total	Hourly Totals
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
4:00 PM	0	0	0	0	3	0	1	0	3	15	0	0	0	28	1	0	51	
4:05 PM	0	0	0	0	2	0	1	0	0	16	0	0	0	30	1	0	50	
4:10 PM	0	0	0	0	2	0	0	0	0	24	0	0	0	31	1	0	58	
4:15 PM	0	0	0	0	2	0	0	0	0	18	0	0	0	30	2	0	52	
4:20 PM	0	0	0	0	2	0	1	0	1	22	0	0	0	24	3	0	53	
4:25 PM	0	0	0	0	2	0	1	0	1	18	0	0	0	30	3	0	55	
4:30 PM	0	0	0	0	1	0	1	0	1	21	0	0	0	28	1	0	53	
4:35 PM	0	0	0	0	2	0	1	0	0	25	0	0	0	20	2	0	50	
4:40 PM	0	0	0	0	1	0	1	0	1	21	0	0	0	27	1	0	52	
4:45 PM	0	0	0	0	2	0	3	0	0	24	0	0	0	29	2	0	60	
4:50 PM	0	0	0	0	1	0	0	0	0	23	0	0	0	33	4	0	61	
4:55 PM	0	0	0	0	1	0	1	0	0	14	0	0	0	28	3	0	47	642
5:00 PM	0	0	0	0	1	0	0	0	0	21	0	0	0	35	2	0	59	650
5:05 PM	0	0	0	0	0	0	0	0	0	22	0	0	0	30	2	0	54	654
5:10 PM	0	0	0	0	2	0	0	0	0	23	0	0	0	37	4	0	66	662
5:15 PM	0	0	1	0	4	0	0	0	0	19	0	0	1	31	2	0	58	668
5:20 PM	0	0	0	0	1	0	0	0	0	20	0	0	0	28	5	0	54	669
5:25 PM	0	0	0	0	4	0	0	0	0	21	0	0	1	45	1	0	72	686
5:30 PM	0	0	0	0	1	0	0	0	0	26	0	0	0	31	6	0	64	697
5:35 PM	0	0	0	0	0	0	0	0	2	12	0	0	0	41	4	0	59	706
5:40 PM	0	0	0	0	2	0	2	0	1	26	0	0	0	28	2	0	61	715
5:45 PM	0	0	0	0	4	0	1	0	1	26	0	0	0	33	1	0	66	721
5:50 PM	0	0	0	0	4	0	0	0	0	22	0	0	0	35	3	0	64	724
5:55 PM	0	0	0	0	1	0	0	0	1	25	0	0	0	22	0	0	49	726
Peak 15-Min Flowrates	Northbound				Southbound				Eastbound				Westbound				Total	
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
All Vehicles	0	0	0	0	20	0	0	0	8	236	0	0	4	468	44	0	780	
Heavy Trucks	0	0	0	0	0	0	0	0	0	0	0	0	0	16	0	0	16	
Pedestrians	0	0	0	0	0	0	0	0	0	4	0	0	0	0	0	0	4	
Bicycles	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Railroad																		
Stopped Buses																		

Comments:

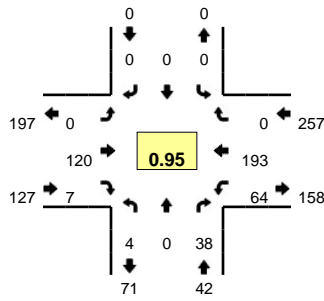
# EXHIBIT B.41

Type of peak hour being reported: Intersection Peak

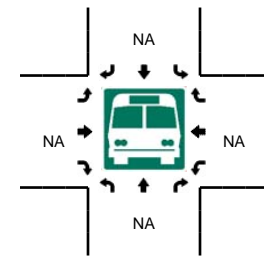
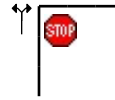
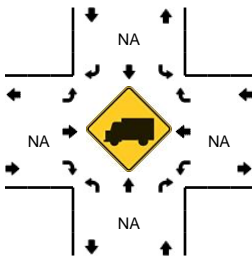
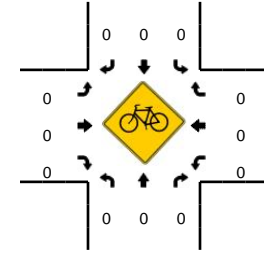
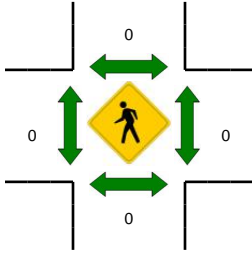
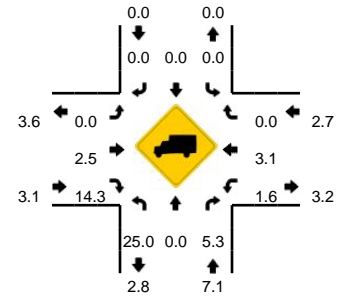
Method for determining peak hour: Total Entering Volume

**LOCATION:** SW Wyatt St -- W Ellendale Ave  
**CITY/STATE:** Dallas, OR

**QC JOB #:** 14451710  
**DATE:** Wed, Jun 21 2017



**Peak-Hour: 4:55 PM -- 5:55 PM**  
**Peak 15-Min: 5:40 PM -- 5:55 PM**



5-Min Count Period Beginning At	SW Wyatt St (Northbound)				SW Wyatt St (Southbound)				W Ellendale Ave (Eastbound)				W Ellendale Ave (Westbound)				Total	Hourly Totals
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
4:00 PM	1	0	3	0	0	0	0	0	0	8	0	0	4	13	0	0	29	
4:05 PM	0	0	0	0	0	0	0	0	0	6	3	0	2	16	0	0	27	
4:10 PM	0	0	4	0	0	0	0	0	0	8	0	0	6	18	0	0	36	
4:15 PM	0	0	1	0	0	0	0	0	0	9	1	0	4	9	0	0	24	
4:20 PM	0	0	5	0	0	0	0	0	0	10	0	0	3	13	0	0	31	
4:25 PM	0	0	5	0	0	0	0	0	0	3	0	0	5	14	0	0	27	
4:30 PM	0	0	4	0	0	0	0	0	0	8	0	0	6	16	0	0	34	
4:35 PM	0	0	6	0	0	0	0	0	0	16	0	0	2	11	0	0	35	
4:40 PM	0	0	6	0	0	0	0	0	0	9	0	0	5	15	0	0	35	
4:45 PM	1	0	3	0	0	0	0	0	0	7	0	0	6	14	0	0	31	
4:50 PM	0	0	1	0	0	0	0	0	0	10	0	0	4	21	0	0	36	
4:55 PM	2	0	2	0	0	0	0	0	0	10	2	0	8	15	0	0	39	384
5:00 PM	0	0	4	0	0	0	0	0	0	7	1	0	6	15	0	0	33	388
5:05 PM	0	0	3	0	0	0	0	0	0	13	0	0	3	13	0	0	32	393
5:10 PM	0	0	6	0	0	0	0	0	0	9	0	0	4	16	0	0	35	392
5:15 PM	0	0	1	0	0	0	0	0	0	12	0	0	8	16	0	0	37	405
5:20 PM	0	0	3	0	0	0	0	0	0	9	2	0	1	13	0	0	28	402
5:25 PM	0	0	0	0	0	0	0	0	0	14	2	0	11	19	0	0	46	421
5:30 PM	1	0	4	0	0	0	0	0	0	10	0	0	5	17	0	0	37	424
5:35 PM	0	0	2	0	0	0	0	0	0	5	0	0	5	15	0	0	27	416
5:40 PM	1	0	4	0	0	0	0	0	0	11	0	0	2	22	0	0	40	421
5:45 PM	0	0	4	0	0	0	0	0	0	4	0	0	4	14	0	0	26	416
5:50 PM	0	0	5	0	0	0	0	0	0	16	0	0	7	18	0	0	46	426
5:55 PM	0	0	3	0	0	0	0	0	0	10	0	0	3	13	0	0	29	416
Peak 15-Min Flowrates	Northbound				Southbound				Eastbound				Westbound				Total	
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
All Vehicles	4	0	52	0	0	0	0	0	0	124	0	0	52	216	0	0	448	
Heavy Trucks	0	0	0	0	0	0	0	0	0	0	0	0	4	4	0	0	8	
Pedestrians	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Bicycles	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Railroad																		
Stopped Buses																		

Comments:

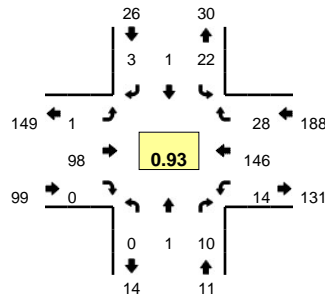
# EXHIBIT B.42

Type of peak hour being reported: Intersection Peak

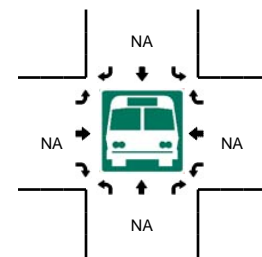
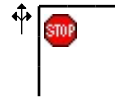
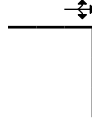
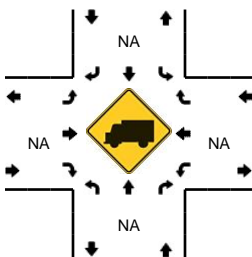
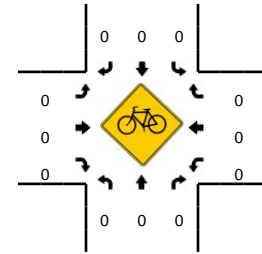
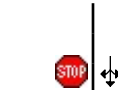
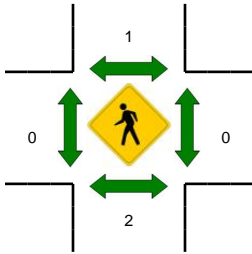
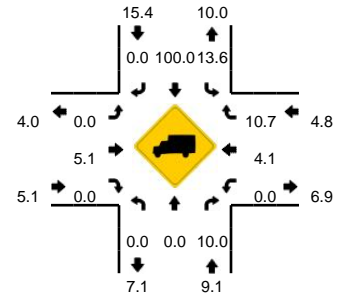
Method for determining peak hour: Total Entering Volume

**LOCATION:** SW James Howe Rd -- W Ellendale Ave  
**CITY/STATE:** Dallas, OR

**QC JOB #:** 14451712  
**DATE:** Wed, Jun 21 2017



**Peak-Hour: 4:35 PM -- 5:35 PM**  
**Peak 15-Min: 5:20 PM -- 5:35 PM**



5-Min Count Period Beginning At	SW James Howe Rd (Northbound)				SW James Howe Rd (Southbound)				W Ellendale Ave (Eastbound)				W Ellendale Ave (Westbound)				Total	Hourly Totals
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
4:00 PM	0	0	2	0	0	0	0	0	1	6	0	0	0	12	3	0	24	
4:05 PM	0	0	1	0	3	0	0	0	0	6	0	0	1	12	1	0	24	
4:10 PM	0	0	0	0	0	0	1	0	1	8	0	0	1	18	0	0	29	
4:15 PM	0	0	3	0	0	0	0	0	1	8	0	0	3	6	1	0	22	
4:20 PM	1	0	1	0	1	0	0	0	0	7	0	0	1	11	0	0	22	
4:25 PM	0	0	1	0	1	0	0	0	0	3	0	0	1	12	2	0	20	
4:30 PM	0	0	0	0	0	0	0	0	1	5	0	0	3	12	1	0	22	
4:35 PM	0	0	2	0	2	0	0	0	0	10	0	0	1	8	2	0	25	
4:40 PM	0	0	1	0	1	0	1	0	1	9	0	0	0	12	3	0	28	
4:45 PM	0	0	0	0	0	1	2	0	0	6	0	0	1	11	3	0	24	
4:50 PM	0	0	0	0	1	0	0	0	0	7	0	0	3	10	5	1	27	
4:55 PM	0	0	1	0	2	0	0	0	0	10	0	0	0	15	3	0	31	298
5:00 PM	0	0	1	0	0	0	0	0	0	6	0	0	2	13	1	0	23	297
5:05 PM	0	0	0	0	5	0	0	0	0	8	0	0	0	8	5	0	26	299
5:10 PM	0	0	2	0	4	0	0	0	0	3	0	0	1	12	3	0	25	295
5:15 PM	0	0	2	0	2	0	0	0	0	9	0	0	1	13	1	0	28	301
5:20 PM	0	1	1	0	2	0	0	0	0	7	0	0	1	13	0	0	25	304
5:25 PM	0	0	0	0	3	0	0	0	0	13	0	0	1	15	1	0	33	317
5:30 PM	0	0	0	0	0	0	0	0	0	10	0	0	2	16	1	0	29	324
5:35 PM	0	0	1	0	0	0	0	0	0	4	0	0	0	15	1	0	21	320
5:40 PM	0	0	0	0	1	0	0	0	0	10	0	0	0	15	4	0	30	322
5:45 PM	0	0	0	0	1	0	0	0	0	3	0	0	2	12	1	0	19	317
5:50 PM	0	0	1	0	2	0	0	0	0	12	0	0	3	10	3	1	32	322
5:55 PM	0	0	1	0	1	0	0	0	0	9	0	0	0	13	2	0	26	317
Peak 15-Min Flowrates	Northbound				Southbound				Eastbound				Westbound				Total	
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
All Vehicles	0	4	4	0	20	0	0	0	0	120	0	0	16	176	8	0	348	
Heavy Trucks	0	0	0		0	0	0		0	0	0		0	4	0		4	
Pedestrians	0				0				0				0				0	
Bicycles	0	0	0		0	0	0		0	0	0		0	0	0		0	
Railroad																		
Stopped Buses																		

Comments:

**EXHIBIT B.42**

W Ellendale Ave / Dallas-Rickreall Hwy (189) & Kings Valley Hwy (191)  
 January 1, 2011 through December 31, 2015

COLLISION TYPE	FATAL CRASHES		NON-PROPERTY FATAL CRASHES		TOTAL CRASHES	TOTAL PEOPLE KILLED		TOTAL PEOPLE INJURED		TRUCKS	DRY SURF	WET SURF	DAY	DARK	INTER-SECTION RELATED	OFF-ROAD
	FATAL CRASHES	NON-PROPERTY FATAL CRASHES	ONLY DAMAGE	PROPERTY DAMAGE		KILLED	INJURED	INTER-SECTION RELATED	OFF-ROAD							
YEAR: 2015																
REAR-END	0	0	1	1	1	0	0	0	0	0	1	0	1	0	1	0
2015 TOTAL	0	0	1	1	1	0	0	0	0	0	1	0	1	0	1	0
YEAR: 2014																
REAR-END	0	0	2	2	2	0	0	0	0	0	1	1	0	2	2	0
2014 TOTAL	0	0	2	2	2	0	0	0	0	0	1	1	0	2	2	0
YEAR: 2013																
REAR-END	0	1	0	0	1	0	0	6	0	0	1	0	1	0	1	0
2013 TOTAL	0	1	0	0	1	0	0	6	0	0	1	0	1	0	1	0
YEAR: 2012																
HEAD-ON	0	0	1	1	1	0	0	0	0	0	1	0	1	0	1	0
REAR-END	0	3	0	0	3	0	3	0	3	0	1	1	3	0	3	0
TURNING MOVEMENTS	0	1	0	0	1	0	0	1	0	0	1	0	0	1	1	0
2012 TOTAL	0	4	1	1	5	0	4	4	3	0	3	1	4	1	5	0
YEAR: 2011																
TURNING MOVEMENTS	0	0	1	1	1	0	0	0	0	0	1	0	1	0	1	0
2011 TOTAL	0	0	1	1	1	0	0	0	0	0	1	0	1	0	1	0
FINAL TOTAL	0	5	5	5	10	0	10	10	7	0	7	2	7	3	10	0

*Disclaimer: A higher number of crashes may be reported as of 2011 compared to prior years. This does not reflect an increase in annual crashes. The higher numbers result from a change to an internal departmental process that allows the Crash Analysis and Reporting Unit to add previously unavailable, non-fatal crash reports to the annual data file. Please be aware of this change when comparing pre-2011 crash statistics.*



W Ellendale Ave & NW Jasper St  
 January 1, 2011 through December 31, 2015

COLLISION TYPE	FATAL CRASHES	NON-FATAL CRASHES	PROPERTY DAMAGE ONLY	TOTAL CRASHES	PEOPLE KILLED	PEOPLE INJURED	TRUCKS	DRY SURF	WET SURF	DAY	DARK	INTER-SECTION RELATED	OFF-ROAD
YEAR: 2015													
ANGLE	0	0	1	1	0	0	0	1	0	1	0	1	0
2015 TOTAL	0	0	1	1	0	0	0	1	0	1	0	1	0
YEAR: 2013													
PEDESTRIAN	0	1	0	1	0	1	0	1	0	0	1	1	0
REAR-END	0	1	1	2	0	4	0	0	1	2	0	2	0
2013 TOTAL	0	2	1	3	0	5	0	1	1	2	1	3	0
YEAR: 2012													
PEDESTRIAN	0	1	0	1	0	1	0	0	1	0	1	1	0
REAR-END	0	3	0	3	0	7	0	3	0	3	0	3	0
2012 TOTAL	0	4	0	4	0	8	0	3	1	3	1	4	0
YEAR: 2011													
BACKING	0	0	1	1	0	0	0	1	0	1	0	1	0
TURNING MOVEMENTS	0	0	1	1	0	0	0	0	0	1	0	1	0
2011 TOTAL	0	0	2	2	0	0	0	1	0	2	0	2	0
FINAL TOTAL	0	6	4	10	0	13	0	6	2	8	2	10	0

Disclaimer: A higher number of crashes may be reported as of 2011 compared to prior years. This does not reflect an increase in annual crashes. The higher numbers result from a change to an internal departmental process that allows the Crash Analysis and Reporting Unit to add previously unavailable, non-fatal crash reports to the annual data file. Please be aware of this change when comparing pre-2011 crash statistics.



W Ellendale Ave & SW Levens St  
 January 1, 2011 through December 31, 2015

COLLISION TYPE	FATAL CRASHES		NON-PROPERTY DAMAGE		TOTAL CRASHES	TOTAL PEOPLE KILLED	TOTAL PEOPLE INJURED	TRUCKS	DRY SURF	WET SURF	DAY	DARK	INTER-SECTION RELATED	INTER-SECTION RELATED ROAD	OFF-ROAD	
	FATAL CRASHES	NON-FATAL CRASHES	PROPERTY DAMAGE ONLY	NON-PROPERTY DAMAGE ONLY												
YEAR: 2015																
TURNING MOVEMENTS	0	1	1	1	2	0	1	0	2	0	2	0	2	0	0	0
2015 TOTAL	0	1	1	1	2	0	1	0	2	0	2	0	2	0	0	0
FINAL TOTAL	0	1	1	1	2	0	1	0	2	0	2	0	2	0	0	0

*Disclaimer: A higher number of crashes may be reported as of 2011 compared to prior years. This does not reflect an increase in annual crashes. The higher numbers result from a change to an internal departmental process that allows the Crash Analysis and Reporting Unit to add previously unavailable, non-fatal crash reports to the annual data file. Please be aware of this change when comparing pre-2011 crash statistics.*

**EXHIBIT B.16**

W Ellendale Ave & SW Douglas St  
 January 1, 2011 through December 31, 2015

COLLISION TYPE	FATAL CRASHES	NON-FATAL CRASHES	PROPERTY DAMAGE ONLY	TOTAL CRASHES	PEOPLE KILLED	PEOPLE INJURED	TRUCKS	DRY SURF	WET SURF	DAY	DARK	INTER-SECTION RELATED	INTER-SECTION RELATED ROAD
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TOTAL

FINAL TOTAL

*Disclaimer: A higher number of crashes may be reported as of 2011 compared to prior years. This does not reflect an increase in annual crashes. The higher numbers result from a change to an internal departmental process that allows the Crash Analysis and Reporting Unit to add previously unavailable, non-fatal crash reports to the annual data file. Please be aware of this change when comparing pre-2011 crash statistics.*

W Ellendale Ave & SW Wyatt St  
 January 1, 2011 through December 31, 2015

COLLISION TYPE	FATAL CRASHES	NON-FATAL CRASHES	PROPERTY DAMAGE ONLY	TOTAL CRASHES	PEOPLE KILLED	PEOPLE INJURED	TRUCKS	DRY SURF	WET SURF	DAY	DARK	INTER-SECTION RELATED	OFF-ROAD
YEAR: 2014													
MISCELLANEOUS	0	0	1	1	0	0	0	1	0	1	0	1	0
2014 TOTAL	0	0	1	1	0	0	0	1	0	1	0	1	0
YEAR: 2013													
REAR-END	0	1	0	1	0	1	0	0	1	1	0	1	0
2013 TOTAL	0	1	0	1	0	1	0	0	1	1	0	1	0
FINAL TOTAL	0	1	1	2	0	1	0	1	1	2	0	2	0

*Disclaimer: A higher number of crashes may be reported as of 2011 compared to prior years. This does not reflect an increase in annual crashes. The higher numbers result from a change to an internal departmental process that allows the Crash Analysis and Reporting Unit to add previously unavailable, non-fatal crash reports to the annual data file. Please be aware of this change when comparing pre-2011 crash statistics.*



EXHIBIT B.48

URBAN GROWTH BOUNDARY

DALLAS CITY LIMITS

## ZONING MAP

**CITY OF DALLAS**  
**JANUARY 2023**

**ORDINANCE:**  
 # 1711  
 # 1717  
 # 1722  
 # 1742  
 # 1767  
 # 1786  
 # 1791  
 # 1814  
 # 1838  
 # 1843  
 # 1851  
 # 1855  
 # 1868  
 # 1875  
 # 1880  
 # 1882

**MASTER PLAN:**  
 # MP-14-01\*  
 # MP-15-01  
 # MP-16-01  
 # MP-16-02  
 # MP-19-01  
 # MP-20-01  
 \* as modified

**Boundaries**

- Dallas City Limits
- Urban Growth Boundary

**Environmental Areas**

- Riparian Corridor
- Wetland Stream

**Flood Areas**

- Floodway
- 100 Year Flood Zone AE

**Master Plan Overlay Zone**

- Barberry Node
- LeCreole Node
- Wyatt Node

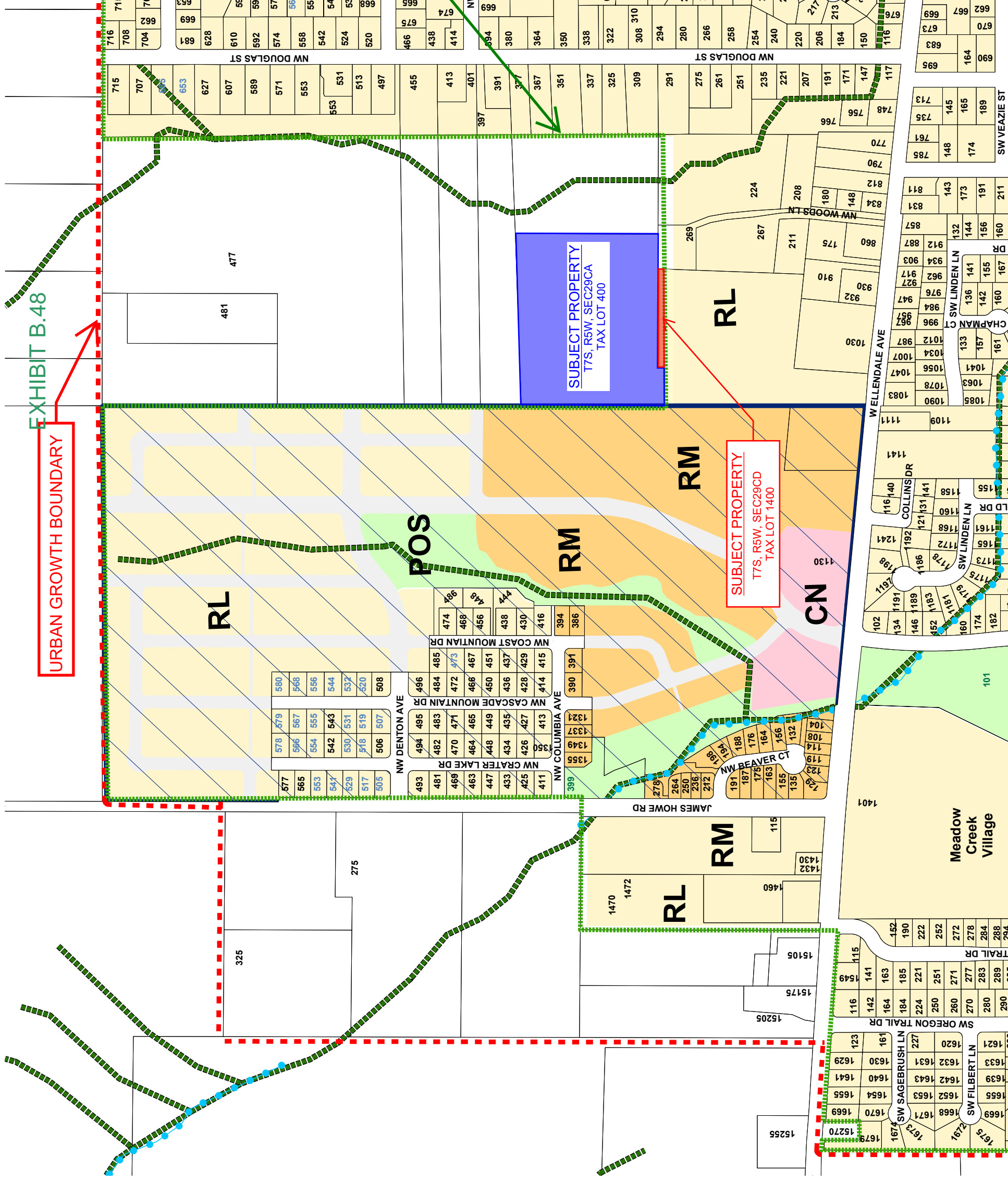
**Zoning Designations**

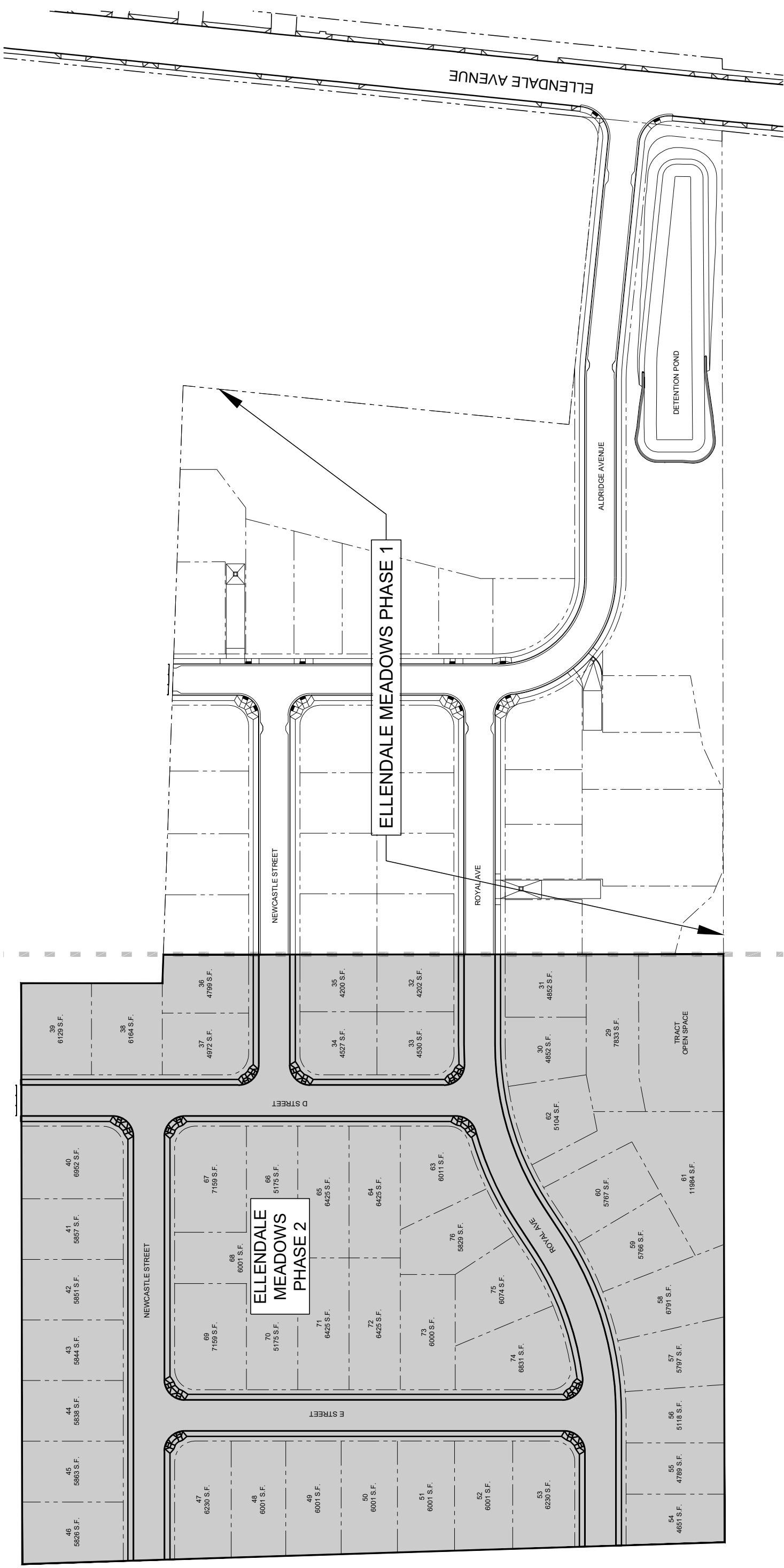
- RL Residential Low Density
- RM Residential Medium Density
- RH Residential High Density
- POS Park and Open Space
- CBD Central Business District
- CG Commercial General
- CN Commercial Neighborhood
- I Industrial

250' 750' 1,000'

# EXHIBIT 1 - ZONING MAP

N.T.S.





ANNEXATION APPLICATION SITE PLAN

SCALE: 1"=100'-0"



# EXHIBIT C.1

After Recording Return to:

City of Dallas  
187 SE Court Street  
Dallas, OR 97338

## CONSENT TO ANNEXATION

To: City Council, City of Dallas

From: OWNER NAME(s): James D. Vick Trust

ADDRESS: No Known Address

TAX LOT NUMBERS: T7S, R5W, Sec. 29CA TL400 &  
a portion of T7S, R5W, Sec. 29CD TL1400

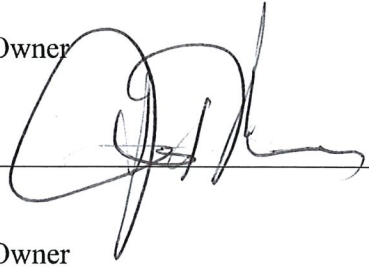
The undersigned, being the owner(s) of Property identified above, desire to receive benefits and services provided the residents of the City of Dallas, Oregon, and therefore does/do hereby consent to the annexation of the designated parcel(s). This consent is given in consideration of City benefits services that either have been or will be applied to the described property. I/We acknowledge receipt of a copy of the Annexation Plan that shows the boundaries of the territory to be annexed and the proposed land use planning designations for property in the territory.

I/We further understand that once annexed into the City of Dallas, the property listed above shall be subject to all applicable laws, rules and regulations of the City.

This Consent to Annexation is irrevocable for the period it is in effect. This consent shall run with the land described above and shall be binding upon the heirs, successors and assigns of the undersigned for the time period it is in effect. This consent shall be filed of record with the Polk County Recorder upon execution.

EXHIBIT C.2

Owner

  
\_\_\_\_\_

Date

12/20/23  
\_\_\_\_\_

Owner

\_\_\_\_\_  
\_\_\_\_\_

Date

\_\_\_\_\_  
\_\_\_\_\_

STATE OF OREGON        )  
                                  )ss.  
County of Polk         )

Personally appeared before me this \_\_\_\_\_ day of \_\_\_\_\_ 20 , the above named  
\_\_\_\_\_ and acknowledged the  
foregoing instrument to be a voluntary act.

\_\_\_\_\_  
Notary-State of ~~Oregon~~

My Commission Expires \_\_\_\_\_

See Attached  
Notarial Certificate

# EXHIBIT C.3

## EXHIBIT A

A tract of land situated in the southwest one-quarter of Section 29, Township 7 South, Range 5 West, of the Willamette Meridian, Polk County, Oregon, being a portion of that property described in Instrument Number 2017-000092, Polk County Deed Records, and more particularly described as follows:

Beginning on the south line of that property conveyed to Harlan Howard by Instrument Number 2005-005740, Polk County Deed Records, being also on the east line of that property conveyed to Carver Development, LLC, by Instrument Number 2017-003379, Polk County Deed Records;

thence, along the south line of said Howard property, North 88°13'28" East, 684.85 feet to the northwest corner of that property conveyed to Mendell by Book 296, Page 1799, Polk County Deed Records;

thence, along the west line of said Mendell property, South 00°06'20" East, 566.37 feet to the north line of Parcel 1 of Partition Plat 1999-26, Polk County Plat Records;

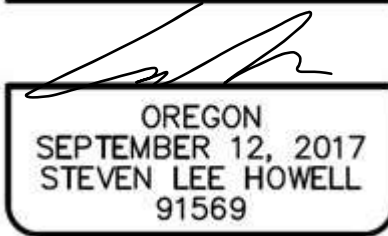
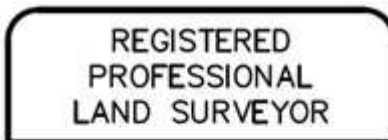
thence, along the north line of said Parcel 1, North 89°57'33" West, 137.67 feet to the northwest corner thereof;

thence, along the west line of said Parcel 1, South 01°59'25" West, 28.17 feet;

thence, South 89°59'02" West, 545.85 feet to the east line of said Carver Development property;

thence, along the east line of said Carver Development property, North 00°06'20" West, 573.37 feet to the Point of Beginning.

Containing 9.09 acres, more or less.



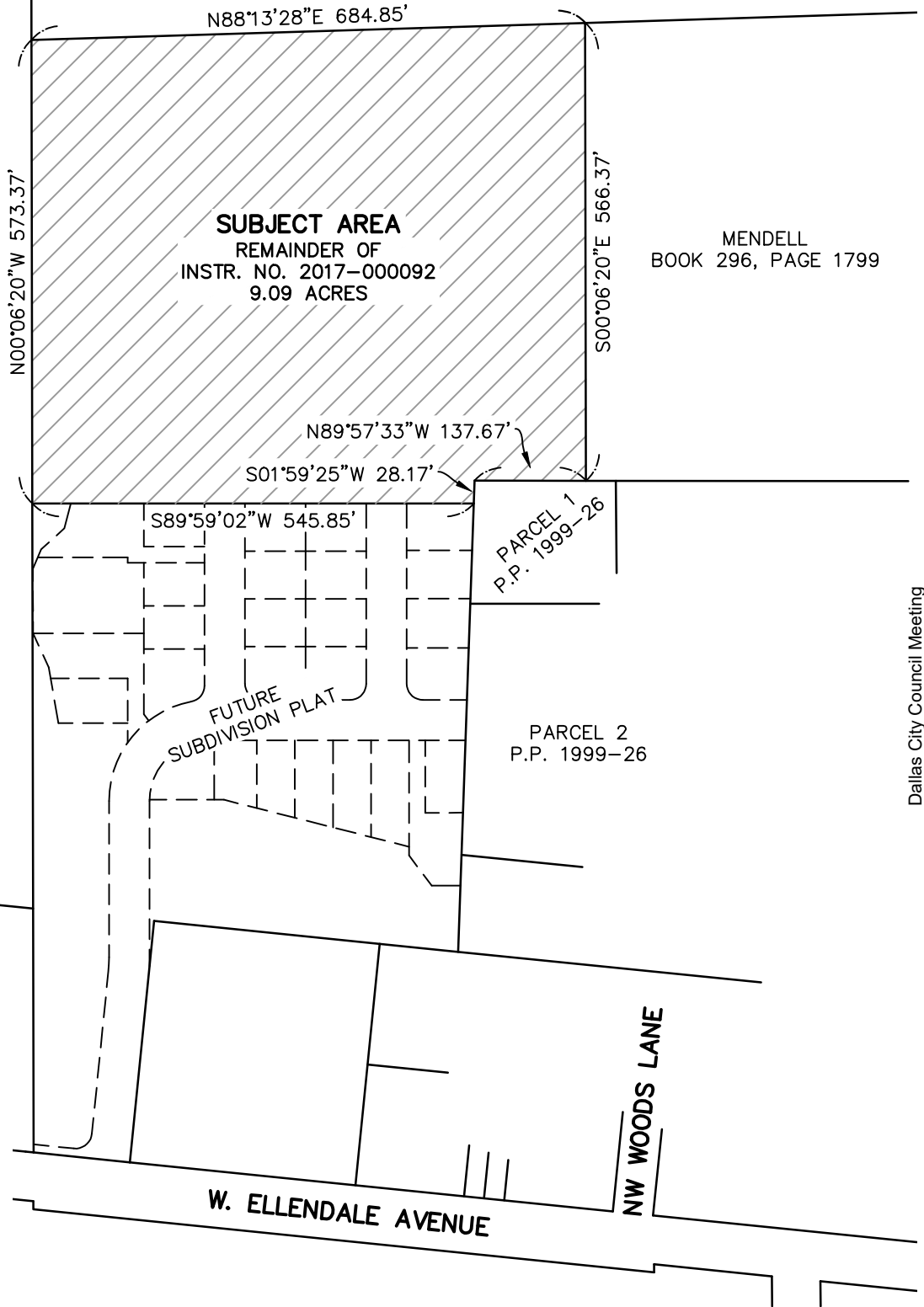
RENEWS: 6-30-2025

EXHIBIT C.4

HARLAN HOWARD  
INSTR. NO. 2005-005740



0' 200'  
SCALE: 1" = 200'



CARVER DEVELOPMENT, LLC  
INSTR. NO. 2017-003379

MENDELL  
BOOK 296, PAGE 1799

PARCEL 1  
P.P. 1999-26

PARCEL 2  
P.P. 1999-26

FUTURE  
SUBDIVISION PLAT

NW WOODS LANE

W. ELLENDALE AVENUE

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Signature*  
OREGON  
SEPTEMBER 12, 2017  
STEVEN LEE HOWELL  
91569

RENEWS: 6-30-2025

EXHIBIT B

IN THE SW 1/4 OF SECTION 29,  
TOWNSHIP 7 SOUTH, RANGE 5 WEST, W.M.  
POLK COUNTY, OREGON  
DATE: DECEMBER 18, 2023

SURVEYED FOR: MRB ENTERPRISES, INC.



FFN SURVEYING

7230 3rd Street SE #145, Turner, OR 97392  
P: (503) 558-3330 E: info@ffnsurveying.com

JOB NO.  
21-285

SHEET  
1/1

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

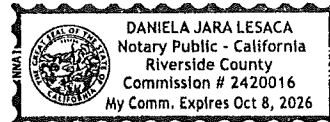
State of California  
County of Riverside

On December 20, 2023 before me, Daniela Jara Lesaca, Notary Public  
(insert name and title of the officer)

personally appeared James D. Vick  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Daniela Jara Lesaca (Seal)  
Notary Public

FIRST AMERICAN TITLE 2758947



After recording return to:  
James D. Vick Trust  
698 12th Street SE Suite 205  
Salem, OR 97301

Until a change is requested all tax  
statements shall be sent to the  
following address:  
James D. Vick Trust  
698 12th Street SE Suite 205  
Salem, OR 97301

File No.: 7121-2758947 (CAT)  
Date: December 17, 2016

THIS SPACE RESERVED FOR RECORDER'S USE	
RECORDED IN POLK COUNTY Valerie Unger, County Clerk  REC-WD      Cnt=1 Stn=0 C. PARIS \$10.00 \$15.00 \$11.00 \$20.00 \$5.00	<b>2017-000092</b>  01/04/2017 01:43:33 PM  <b>\$61.00</b>

**STATUTORY WARRANTY DEED**

**The Leland L. Bird and Shirley J. Bird Trust, Shirley J. Bird, Trustee**, Grantor, conveys and warrants to **James D. Vick, as Trustee of the James D. Vick Trust dated December 27, 2007**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

**Subject to:**

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$575,000.00**. (Here comply with requirements of ORS 93.030)



# EXHIBIT C.7

APN: 131485

Statutory Warranty Deed  
- continued

File No.: 7121-2758947 (CAT)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 28<sup>th</sup> day of December, 2016.

Shirley J. Bird, Trustee of ther Leland L. Bird  
and Shirley J. Bird Trust

Shirley J. Bird  
Shirley J. Bird, Trustee

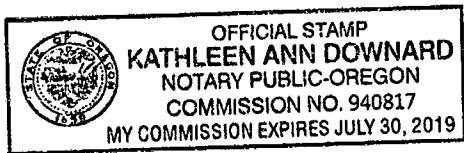
STATE OF Oregon      )  
                                      )ss.  
County of Polk        )

This instrument was acknowledged before me on this 28 day of December, 2016  
by Shirley J. Bird as Trustee of Leland L. Bird and Shirley J. Bird Trust, on behalf of the Trust.

Kathleen Ann Downard  
Notary Public for Oregon

Notary Public for Oregon

My commission expires: 7-30-2019



# EXHIBIT C.8

APN: 131485

Statutory Warranty Deed  
- continued

File No.: 7121-2758947 (CAT)

## EXHIBIT A

**LEGAL DESCRIPTION:** Real property in the County of Polk, State of Oregon, described as follows:

### PARCEL I:

Beginning at a point on the West line of the John E. Lyle Donation Land Claim No. 68 in Township 7 South, Range 5 West of the Willamette Meridian, Polk County, Oregon, which is 25.42 chains South from the Northwest corner of said Claim; thence South along the West line of said Claim, 1371.36 feet to the North line of the County Road; thence South 84°12' East, along the North line of said County Road, 129.5 feet; thence North 5°48' East 300.0 feet; thence North 84°12' West 0.28 feet; thence North 544.50 feet; thence East 534.60 feet; thence North 566.28 feet; thence South 87°50' West 694.32 feet to the place of beginning.

### PARCEL II:

Beginning at a point which is 33.62 chains South and 2.41 chains East from the Northwest corner of the John E. Lyle Donation Land Claim No. 68 in Township 7 South, Range 5 West of the Willamette Meridian in Polk County, Oregon, said point being the Northwest corner of that tract of land conveyed to Robert J. Woods and Mary Jane Woods by deed recorded in Deed Volume 175, Page 307, Deed Records for Polk County, Oregon; and running thence South 89°54' East along the North line of said Woods tract, 396.52 feet to an iron rod; thence South 2°07' West 463.00 feet to an iron rod; thence South 84°03'30" East 30.50 feet to the Northwest corner of that tract of land conveyed to Lyle E. Cooley and Shawna L. Cooley by deed recorded in Book of Records 137, Page 855, Deed Records of Polk County, Oregon; thence South 5°56'30" West along the West line of said Cooley tract, 120.00 feet to the South line of said Woods parcel; thence North 84°03'30" West 400.59 feet to the Southwest corner of said Woods parcel; thence North 0°07' East 544.43 feet to the point of beginning.

### SAVE AND EXCEPT:

Beginning at an iron rod which is by record 33.62 chains South and 2.41 chains East and 396.52 feet South 89°54'00" East and 463.00 feet South 02°07' West from the Northwest Corner of the John E. Lyle Donation Land Claim No. 68 in Township 7 South, Range 5 West of the Willamette Meridian in Polk County, Oregon, and said rod being also the Westerly Southwest corner of Parcel 2, Partition No. 1999-0026: thence South 84°03'30" East, 30.54 feet to an iron pipe at the Northwest corner of that tract of land conveyed to Lyle E. Cooley and Shawna L. Cooley by that deed recorded in Book of Records 137, Page 855 of the Polk County Deed Records; thence South 05°59'04" West, 119.76 feet to the South line of that tract of land conveyed to Leland L. Bird and Shirley J. Bird by that deed recorded in Book of Records 205, Page 715 of the Polk County Deed Records; thence North 84°03'30" West along the Southerly line of said Leland Bird Tract of land, 22.45 feet to an iron rod; thence North 02°07'09" East, 120.02 feet more or less to the point of beginning.

**NOTE:** This Legal Description was created prior to January 01, 2008.



**Economic & Community Development  
Planning Division**

Travis & Suzanne Toepfer  
PO Box 4224  
Salem, OR 97302

March 1, 2024

Re: Annexation of land at 269 NW Woods Lane

Greetings,

A neighboring property owner recently submitted to the Dallas Planning Department an application to annex their land into the city limits. A review of the city zoning map of this area has shown that the northern 28 feet of your property is also currently outside city limits.

Annexations require a public hearing, and as a public hearing is already being scheduled for your neighbor's property, we'd like to extend to you the opportunity to annex the remainder of your property into the city limits at the same time. The city would take care of the necessary paperwork, and we will not charge you the usual \$5,000 application fee.

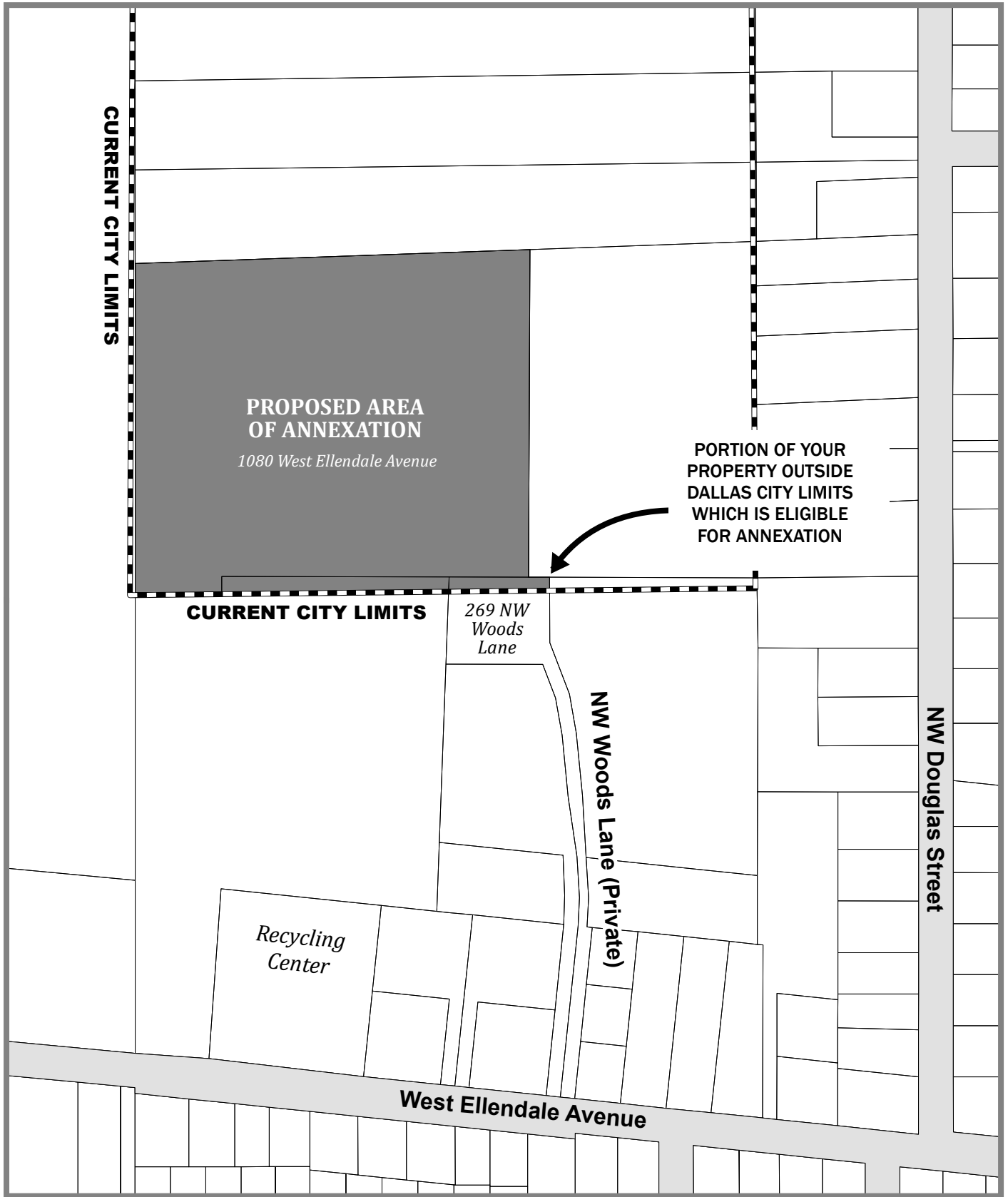
If this is an opportunity you are interested in taking advantage of, simply sign and return the enclosed consent form, and we will take care of the rest. Please reply by March 19, as we must mail the formal notice of public hearing by then, and it needs to specify what properties are being annexed.

Should you have questions regarding this letter, or would like more information, please contact our office by calling 503-831-3571 or by email to [planning@dallasor.gov](mailto:planning@dallasor.gov)

Regards,

Chase Ballew  
City Planner

# EXHIBIT D.2



# EXHIBIT D.3

After Recording Return to:

City of Dallas  
187 SE Court Street  
Dallas, OR 97338

## CONSENT TO ANNEXATION

To: City Council, City of Dallas

From: OWNER NAME(s):

Travis + Suzanne Toepfer

ADDRESS:

269 NW Woods Ln, Dallas OR 97338

TAX LOT NUMBERS:

131472 + 162234

The undersigned, being the owner(s) of Property identified above, desire to receive benefits and services provided the residents of the City of Dallas, Oregon, and therefore does/do hereby consent to the annexation of the designated parcel(s). This consent is given in consideration of City benefits services that either have been or will be applied to the described property. I/We acknowledge receipt of a copy of the Annexation Plan that shows the boundaries of the territory to be annexed and the proposed land use planning designations for property in the territory.

I/We further understand that once annexed into the City of Dallas, the property listed above shall be subject to all applicable laws, rules and regulations of the City.

This Consent to Annexation is irrevocable for the period it is in effect. This consent shall run with the land described above and shall be binding upon the heirs, successors and assigns of the undersigned for the time period it is in effect. This consent shall be filed of record with the Polk County Recorder upon execution.

Dallas City Council Meeting  
Monday, October 21, 2020  
Page 93 of 174

EXHIBIT D.4

Owner

Travis Toepfer

Date

3/14/2024

Owner

Suzanne Toepfer

Date

3/14/2024

NEVADA  
STATE OF ~~OREGON~~ )  
Clark )ss.  
County of ~~Polk~~ )

Personally appeared before me this 14<sup>th</sup> day of March 2024 the above named  
Travis Toepfer and Suzanne Toepfer and acknowledged the  
foregoing instrument to be a voluntary act.



Yew.C  
Notary-State of ~~Oregon~~ NEVADA

My Commission Expires 11-28-2026

**CITY OF DALLAS**  
**NOTICE OF PUBLIC HEARING**  
***Annexation #ANX-24-01 - Zone Change #ZC-24-01***

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**PROPERTY LOCATION:** 1080 West Ellendale Avenue

**APPLICANT:** Matthew Osborn, Locke Engineers, on behalf of the James Vick Trust.

**NATURE OF REQUEST:** Annexation of property into the City of Dallas and change zoning from county zone Suburban Residential (SR) to city zone Residential Low Density (RL)

**APPLICABLE CRITERIA:** DDC Chapter 4.10 – Annexations  
DDC Chapter 4.7 – Land Use District Map Amendments

**HEARING DATE / TIME:** 6:00 p.m. Thursday, September 12, 2024

**HEARING LOCATION:** **In Person:** Dallas City Hall, 187 SE Court Street, Dallas, Oregon  
**Telephone:** +1 253 215 8782 . . . . . Passcode: **213 855 0622**  
**Watch Online:** [www.dallasor.gov/community/page/dallasyoutube](http://www.dallasor.gov/community/page/dallasyoutube)

**CITY STAFF CONTACT:** Chase Ballew, City Planner Phone: 503-831-3570  
chase.ballew@dallasor.gov TDD: 503-623-7355

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At the above day and time the City of Dallas will hold the first of two public hearing on the request to annex the subject property into the Dallas city limits. As part of the annexation, the zoning of the property would change from the county zone Suburban Residential (SR) to the city zone Residential Low Density (RL).

You may attend this meeting in-person at Dallas City Hall. You may also participate by telephone by dialing the number above and entering the passcode when prompted. Video of the proceedings will be broadcast live at the website above, but oral testimony must be in-person or by phone.

The decision makers will consider testimony which addresses the applicable criteria listed above. Testimony may be submitted in advance by writing to the Dallas Planning Department, 187 SE Court Street, Dallas, Oregon 97338, or given orally during the public hearing. The public hearing will be conducted in a manner that permits testimony from all interested parties.

At least seven days prior to the hearing the staff report, the application and documents and evidence submitted by or on behalf of the applicant, and the applicable approval criteria will be available for review online at [www.dallasor.gov/meetings](http://www.dallasor.gov/meetings) or in person at City Hall. Upon request, copies will be made at reasonable cost.

Failure of an issue to be raised in a hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals (LUBA) based on that issue.

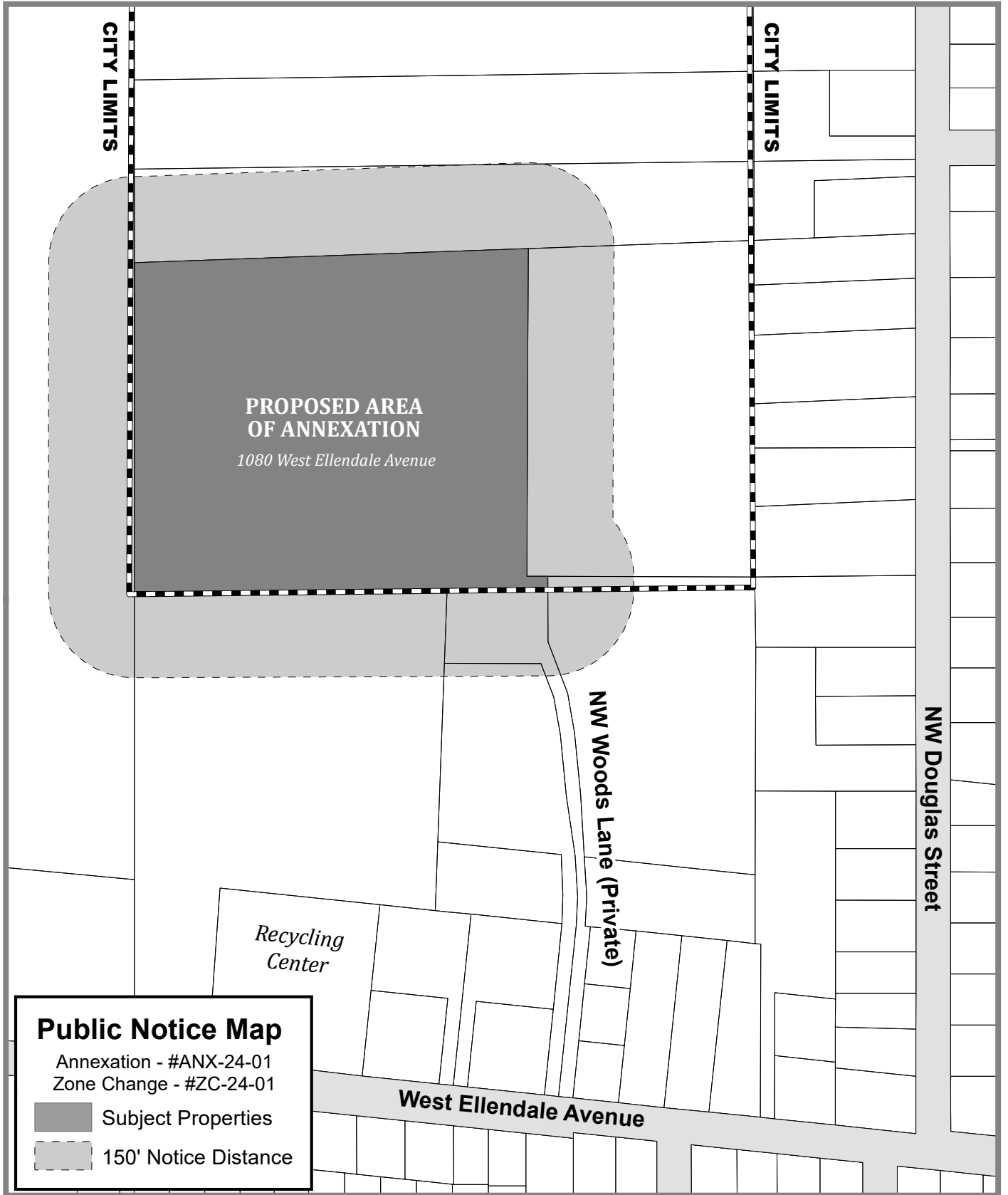
August 8, 2024

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**NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR, OR SELLER, ORS 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE IT MUST BE PROMPTLY FORWARDED TO THE PURCHASER.**

The recipient of this notice is hereby responsible to promptly forward a copy of this notice to every person with a documented interest, including a renter or lessee.

# EXHIBIT E.2







**MEETING MINUTES  
DALLAS CITY COUNCIL WORK SESSION  
187 SE COURT ST, DALLAS OR 97338**

**Monday, October 7, 2024**

1 Mayor Kenneth L. Woods, Jr. called the City Council Work Session to order on October 7, 2024  
2 at 6:00 pm.

3 **ROLL CALL**

4 **Councilors Present:** Councilor Nancy Adams, Councilor Carlos Barrientos, Councilor Larry  
5 Briggs, Councilor Kirsten Collins, Councilor Kim Fitzgerald, Councilor Micah Jantz, Councilor  
6 David Shein, and Councilor Debbie Virden

7 **Mayor or Councilors Excused:** Council President Michael Schilling

8 **Also Present:** Mayor Kenneth L. Woods, Jr., City Manager Brian Latta, City Attorney Justin  
9 Thorp, Fire & EMS Chief April Wallace, Police Chief Tom Simpson, and City Recorder Kim  
10 Herring

11 **Chemeketa Community College Levy Presentation**

12 Tim Ray, Ryan West and Jackie Franke presented information regarding the ballot measure that  
13 is coming up in the November election. Chemeketa Community College covers the communities  
14 of Polk, Marion and Yamhill counties with a small portion of Linn County. The proposed bond is  
15 a 15-20 year bond to raise \$140 million dollars, which will essentially replace the existing bond  
16 that is set to expire in 2026. The projected cost to taxpayers is \$0.27 per \$1,000 of assessed  
17 property value.

18 **Illicit Discharge Ordinance**

19 Elizabeth Sagmiller, E&S Consulting, presented a brief PowerPoint reminding the council what  
20 the Illicit Discharge Ordinance is about with the goal of adopting the ordinance by the end of this  
21 calendar year. The ordinance will come before the Council on October 21, 2024 for the 1<sup>st</sup> read-  
22 ing.

23 Jennifer Ward, Public Works Administrative Services Manager, introduced Gabrielle Dominge  
24 who is a RARE participant that is working with the City as an Environmental Education Techni-  
25 cian.

26 **OTHER BUSINESS**

27 **ADJOURNMENT:** 6:55 pm



**MEETING MINUTES  
DALLAS CITY COUNCIL  
187 SE COURT ST, DALLAS, OR 97338**

**Monday, October 7, 2024**

1 Mayor Kenneth L. Woods, Jr. called the City Council meeting to order on Monday, October 7,  
2 2024 at 7:00 pm.

3 **ROLL CALL**

4 **Councilors Present:** Councilor Nancy Adams, Councilor Carlos Barrientos, Councilor Larry  
5 Briggs, Councilor Kirsten Collins, Councilor Kim Fitzgerald, Councilor Micah Jantz, Councilor  
6 David Shein, and Councilor Debbie Virden

7 **Mayor or Councilors Excused:** Council President Michael Schilling

8 **Also Present:** Mayor Kenneth L. Woods, Jr., City Manager Brian Latta, City Attorney Justin  
9 Thorp, Fire & EMS Chief April Wallace, Police Chief Tom Simpson, and City Recorder Kim  
10 Herring

11 **INTRODUCTIONS, RECOGNITION, PROCLAMATIONS**

12 Chief Wallace came up to tell the council about a recent occurrence that happened at Abby's  
13 Pizza. A mom scheduled a birthday celebration for her child and people didn't show up to cele-  
14 brate with them. The station found out about it through social media and went to Abby's to help  
15 celebrate the birthday. It was definitely a birthday to remember. Thank you to the firefighters and  
16 police officers who showed up for this event.

17 **PUBLIC COMMENT**

18 Ann Hurd, Friends of the Dallas Aquatic Center, updated the council on their fundraising efforts.  
19 They are already making good progress towards their goal to replace the sand filters.

20 Robert Greenway provided general comments on city business practices.

21 **CONSENT AGENDA**

- 22 a) **Approval of the September 16, 2024 Work Session Minutes**  
23 b) **Approval of the September 16, 2024 City Council Meeting Minutes**

24 Councilor Shein made a motion to approve the consent agenda as presented. Councilor Briggs  
25 seconded the motion. The vote was taken and the motion passed with a vote of 8-0.

26 **REPORTS OR COMMENTS FROM MAYOR AND COUNCIL MEMBERS**

27 Councilor Briggs mentioned a ceremony on Saturday, Sep. 25<sup>th</sup>, that celebrated the Gold Star  
28 Families in Dallas with a commemorative plaque at the Dallas City Park.

29 Mayor Woods provided comment on the recent accidents at the intersection of Highways 22 &  
30 51. There will be a public meeting on Tuesday, October 8<sup>th</sup> in Independence regarding this inter-  
31 section. If the resolution in the meeting packet is approved then he will present it at the Inde-  
32 pendence public hearing.

33 **REPORTS FROM CITY MANAGER AND STAFF**

34 a) **Transfer Stations**

35 Mr. Latta introduced Jeff Orlandini from Lane County Waste Management to help an-  
36 swer any questions the council may have regarding what a transfer station does for the  
37 community. Mr. Orlandini presented information regarding transfer stations and how they  
38 operate in Lane County and answered questions from council.

39 b) **Procurement of a 2025 International Dump Truck**

40 Tom Gilson, Special Projects Manager, presented a staff report supporting the purchase  
41 of a new dump truck for Public Works. This dump truck will have a snowplow attach-

1 ment, which will enhance the city’s ability to clear the streets during snow and/or ice  
2 storms. The original budget was for \$150,000 but the actual cost came in at \$180,335.08.  
3 There is a forklift included in the CIP for this fiscal year and the funds that were allotted  
4 for that would be moved to the dump truck. The forklift purchase will be delayed to an-  
5 other fiscal year. Councilor Adams made a motion to approve the procurement of a 2025  
6 International Dump Truck from Peterson Trucks, Inc. in the amount of \$180,335.08.  
7 Councilor Shein seconded the motion. The vote was taken and the motion passed with a  
8 vote of 8-0.

9 **FIRST READING OF ORDINANCES**

10 **a) Ordinance No. 1898 – Amending Dallas City Code Sections 6.500, 6.505, 6.525 and**  
11 **6.532 and adding new provisions relating to non-compliant vehicles**

12 Mr. Latta presented the staff report for Ordinance No. 1898. This ordinance broadens the  
13 scope of the City’s abandoned vehicle code to address a variety of “abandoned” vehicle  
14 circumstances that Code Services employees come across in the field. The Mayor de-  
15 clared that Ordinance No. 1898 passed its first reading.

16 **b) Ordinance No. 1899 – Changing the zone designation of a parcel of real property**  
17 **owned by Polk Community Development Corporation from Residential Low Densi-**  
18 **ty to Residential High Density**

19 Mr. Latta presented the staff report for Ordinance No. 1899. This ordinance changes the  
20 zoning designation from Low Density to High Density at a property located at 498 SE  
21 Hankel Street. The Mayor declared that Ordinance No. 1899 passed its first reading.

22 **RESOLUTIONS**

23 **a) Resolution No. 3536 – in Support of Continued Efforts to Improve the Safety of the**  
24 **Highway 22 and Highway 51 Intersection**

25 Mr. Latta presented the staff report for Resolution No. 3536 supporting the safety im-  
26 provements needed at the intersection of Highways 22 and 51. The Mayor called for a  
27 roll call vote. The vote was taken and Resolution No. 3536 passed with Councilors Ad-  
28 ams, Barrientos, Briggs, Collins, Fitzgerald, Jantz, Shein and Virden voting YES.

29 **b) Resolution No. 3537 – Approving and authorizing the City Manager to execute two**  
30 **permanent easements in favor of the State of Oregon, Department of Transporta-**  
31 **tion**

32 Mr. Latta presented the staff report for Resolution No. 3537 approving permanent ease-  
33 ments needed for two intersections that need to be upgraded with ADA ramps. The  
34 Mayor called for a roll call vote. The vote was taken and Resolution No. 3537 passed  
35 with Councilors Adams, Barrientos, Briggs, Collins, Fitzgerald, Jantz, Shein and Virden  
36 voting YES.

37 **ADJOURNMENT: 8:08 pm**


38 **Read and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2024.**

39  
40 \_\_\_\_\_  
41 **Mayor**

42  
43 \_\_\_\_\_  
44 **City Manager**



**CITY COUNCIL  
STAFF REPORT**

**MEETING DATE:** October 21, 2024  
**AGENDA ITEM NO.** 5.c  
**TOPIC:** September 2024 Financial Report  
**PREPARED BY:** Cecilia Ward  
**APPROVED BY:**  City Manager  
**ATTACHMENTS:** A – September 2024 Financial Report

**RECOMMENDED ACTION:**

Information Only

**BACKGROUND:**

September 2024 financial highlights: Percent collected/spent should be at 25.00%. This can vary up or down depending on seasonal or one-time revenues and expenditures.

The following budgeted capital improvement payments were made in September:

- General Fund – Fire Department – Vehicles – 2024 Ford F250 Canopy Install \$5,955
- General Fund – Police Department – Vehicles – 2024 Dodge Durango Police Veh. \$44,610
- General Fund – Police Department – Equipment – Body/Car Cameras \$55,291
- General Fund – Parks Department – Vehicles – 2024 Ford F250 \$76,544
- General Fund – ARPA Projects – building improvement grants \$12,478
- General Fund – ARPA Projects – Preliminary Design Police Station \$33,963
- Park SDC – Forestry Creek Cultural Resources Survey \$4,750
- Sewer SDC – Engineering LaCreole Sewer Project - \$18,662
- Sewer Fund – WWTF Capital Improvement – Engineering UV disinfection project \$8,791
- Sewer Fund – Sewer Replacement Project – Poplar Farm clearing \$35,903
- Water Fund – Water Line Replacement – hydra stop inline \$9,250
- Street, Sewer, Water, Stormwater, Fleet Funds – PW building – materials \$1,917

**SUMMARY TIMELINE:**

NA

**FISCAL IMPACT:**

NA

**RECOMMENDED MOTION:**

NA - Approval of consent agenda acknowledges this report.



# Financial Statement Versus Budget

...	...	September 2024-2025 MTD Activity	2024-2025 YTD Activity	2024-2025 Budget	Budget Remaining	% of Budget Used
<b>10 - GENERAL FUND</b>						
<b>4 - Revenue</b>						
10-400-00-5900	BEGINNING BALANCE	0.00	0.00	4,000,000.00	4,000,000.00	0%
10-410-01-4210	LICENSES	0.00	100.00	1,500.00	1,400.00	7%
10-410-01-4481	PLANNING	15,947.35	36,495.88	90,000.00	53,504.12	41%
10-420-01-4440	AMBULANCE FEES	221,036.85	446,555.08	2,000,000.00	1,553,444.92	22%
10-420-01-4441	FIRE MED MEMBERSHIP	1,225.00	1,865.00	50,000.00	48,135.00	4%
10-420-01-4444	GEMT CCO PROGRAM	0.00	0.00	200,000.00	200,000.00	0%
10-420-01-4446	FIRE CHARGES FOR SERVIC	0.00	0.00	1,000.00	1,000.00	0%
10-420-01-4447	PUBLIC SAFETY FEE - POLIC	90,936.09	259,567.03	1,015,000.00	755,432.97	26%
10-420-01-4510	FINES AND FORFEITURES	8,562.90	28,878.37	80,000.00	51,121.63	36%
10-420-01-4511	PARKING FINES	80.00	266.35	2,000.00	1,733.65	13%
10-420-01-4515	COURT COSTS	4,298.58	10,150.85	35,000.00	24,849.15	29%
10-420-01-4518	SUSPENDED LICENSES	50.00	325.00	1,500.00	1,175.00	22%
10-440-01-4480	AQUATIC CENTER	49,867.88	161,020.58	550,000.00	388,979.42	29%
10-440-01-4486	COMMUNITY EVENT FEES/SI	0.00	3,485.00	15,000.00	11,515.00	23%
10-440-01-4535	LIBRARY CCRLS-CHEMEKET	31,833.25	31,833.25	127,333.00	95,499.75	25%
10-450-00-4100	CURRENT PROPERTY TAXES	0.00	30,297.42	5,950,000.00	5,919,702.58	1%
10-450-00-4110	DELINQUENT PROPERTY TA	0.00	28,235.50	85,000.00	56,764.50	33%
10-455-00-4150	CIGARETTE TAX APPORTION	1,115.42	2,016.30	11,000.00	8,983.70	18%
10-455-00-4151	STATE REVENUE SHARING	0.00	0.00	220,000.00	220,000.00	0%
10-455-00-4152	OLCC TAX APPORTIONMENT	22,316.29	22,316.29	340,000.00	317,683.71	7%
10-455-00-4180	TRANSIENT LODGING TAX	0.00	0.00	140,000.00	140,000.00	0%
10-455-00-4354	OTHER STATE REVENUES	0.00	0.00	100,000.00	100,000.00	0%
10-460-00-4140	POWER FRANCHISE	87,557.39	169,963.93	900,000.00	730,036.07	19%
10-460-00-4142	GAS FRANCHISE	0.00	0.00	320,000.00	320,000.00	0%
10-460-00-4144	GARBAGE FRANCHISE	0.00	0.00	260,000.00	260,000.00	0%
10-460-00-4145	DATA FRANCHISE	0.00	0.00	150,000.00	150,000.00	0%
10-460-00-4146	TELEPHONE FRANCHISE	0.00	0.00	22,000.00	22,000.00	0%
10-460-00-4147	CABLEVISION FRANCHISE	0.00	0.00	80,000.00	80,000.00	0%
10-470-00-4361	SENIOR CENTER PROGRAM	0.00	434.69	15,000.00	14,565.31	3%
10-470-00-4922	REIMBURSEMENTS & FUND	131,973.33	395,919.99	1,583,680.00	1,187,760.01	25%
10-480-00-4610	INTEREST ON INVESTMENTS	15,837.65	57,184.76	350,000.00	292,815.24	16%
10-480-00-4829	AMERICAN RESCUE PLAN	0.00	0.00	875,000.00	875,000.00	0%
10-480-00-4830	MISCELLANEOUS REVENUE	64,869.81	86,717.07	200,000.00	113,282.93	43%
10-499-00-4943	TRANSFER FROM POLICE/FF	0.00	0.00	140,000.00	140,000.00	0%
10-499-00-4948	TRANSFER FROM UR-DEBT	0.00	0.00	62,350.00	62,350.00	0%
<b>Revenue Totals</b>		<b>747,507.79</b>	<b>1,773,628.34</b>	<b>19,972,363.00</b>	<b>18,198,734.66</b>	<b>9%</b>
<b>5 - Expense</b>						
Administration						
10-020-50-6051	SALARIES	38,432.57	115,298.75	450,000.00	334,701.25	26%
10-020-50-6061	FRINGE BENEFITS	20,110.07	58,559.68	264,000.00	205,440.32	22%
10-020-50-6208	PUBLIC NOTICES	0.00	0.00	2,000.00	2,000.00	0%
10-020-50-6210	MATERIALS AND SUPPLIES	289.27	811.33	6,000.00	5,188.67	14%
10-020-50-6309	REPAIRS AND MAINTENANCE	0.00	0.00	2,000.00	2,000.00	0%
10-020-50-6391	MAYOR EXPENSES	79.72	2,307.40	6,000.00	3,692.60	38%
10-020-50-6392	COUNCIL EXPENSES	500.00	16,412.71	20,000.00	3,587.29	82%
10-020-50-6401	TELECOMMUNICATIONS	21.22	63.68	300.00	236.32	21%
10-020-50-6430	MAINTENANCE & RENTAL CO	844.05	2,318.83	11,000.00	8,681.17	21%
10-020-50-6452	COMPUTER SERVICES	28.13	1,204.73	10,000.00	8,795.27	12%
10-020-50-6465	PROFESSIONAL SERVICES	146.69	624.64	75,000.00	74,375.36	1%
10-020-50-6468	CITY ATTORNEY	4,900.00	14,700.00	65,000.00	50,300.00	23%
10-020-50-6475	EMPLOYEE DEVELOPMENT	449.23	3,045.29	7,000.00	3,954.71	44%
10-020-50-6476	EMERGENCY MANAGEMENT	0.00	283.69	1,000.00	716.31	28%

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**Financial Statement Versus Budget**

**For Fiscal: 2024-2025 Period Ending: 9/30/2024**

...	...	<b>September 2024-2025 MTD Activity</b>	<b>2024-2025 YTD Activity</b>	<b>2024-2025 Budget</b>	<b>Budget Remaining</b>	<b>% of Budget Used</b>
10-020-50-6477	RISK MANAGEMENT	0.00	0.00	500.00	500.00	0%
10-020-50-6481	TRAVEL AND EDUCATION	353.09	5,061.58	14,000.00	8,938.42	36%
10-020-50-6600	MISCELLANEOUS	163.66	827.82	10,000.00	9,172.18	8%
10-020-50-6953	CAPITAL IMPROVEMENT RE:	0.00	0.00	9,000.00	9,000.00	0%
	Administration Totals	66,317.70	221,520.13	952,800.00	731,279.87	23%

Financial Statement Versus Budget

For Fiscal: 2024-2025 Period Ending: 9/30/2024

...	...	September 2024-2025 MTD Activity	2024-2025 YTD Activity	2024-2025 Budget	Budget Remaining	% of Budget Used
Finance						
10-030-50-6051	SALARIES	30,418.93	90,144.38	368,000.00	277,855.62	24%
10-030-50-6061	FRINGE BENEFITS	14,437.33	42,853.59	193,000.00	150,146.41	22%
10-030-50-6202	POSTAGE	1,341.42	3,884.75	9,000.00	5,115.25	43%
10-030-50-6209	PUBLIC NOTICES/ADVERTISI	0.00	0.00	500.00	500.00	0%
10-030-50-6210	MATERIALS AND SUPPLIES	1,591.49	2,066.52	7,500.00	5,433.48	28%
10-030-50-6350	OFFICE EXPENSES	214.33	469.81	2,500.00	2,030.19	19%
10-030-50-6401	TELECOMMUNICATIONS	305.83	883.98	6,500.00	5,616.02	14%
10-030-50-6430	MAINTENANCE & RENTAL CC	50.30	673.45	3,500.00	2,826.55	19%
10-030-50-6452	COMPUTER SERVICES	740.27	2,025.33	65,000.00	62,974.67	3%
10-030-50-6464	BILLING SERVICES	0.00	7,237.30	38,000.00	30,762.70	19%
10-030-50-6465	PROFESSIONAL SERVICES	9,527.24	29,561.31	115,000.00	85,438.69	26%
10-030-50-6471	AUDIT	0.00	11,810.00	60,000.00	48,190.00	20%
10-030-50-6478	MUNICIPAL MEMBERSHIPS	3,024.95	20,387.64	34,000.00	13,612.36	60%
10-030-50-6481	TRAVEL AND EDUCATION	70.00	670.00	9,000.00	8,330.00	7%
10-030-50-6953	CAPITAL IMPROVEMENT REI	0.00	0.00	9,000.00	9,000.00	0%
	Finance Totals	61,722.09	212,668.06	920,500.00	707,831.94	23%

...	...	September 2024-2025 MTD Activity	2024-2025 YTD Activity	2024-2025 Budget	Budget Remaining	% of Budget Used
Facilities						
10-040-50-6051	SALARIES	9,939.31	29,538.81	118,000.00	88,461.19	25%
10-040-50-6061	FRINGE BENEFITS	5,337.31	15,056.21	73,000.00	57,943.79	21%
10-040-50-6210	MATERIALS AND SUPPLIES	827.55	3,372.78	18,000.00	14,627.22	19%
10-040-50-6309	REPAIRS AND MAINTENANCE	896.40	7,271.51	45,000.00	37,728.49	16%
10-040-50-6355	SAFETY/OSHA	101.78	664.17	2,000.00	1,335.83	33%
10-040-50-6401	TELECOMMUNICATIONS	139.95	419.67	2,000.00	1,580.33	21%
10-040-50-6406	HVAC, ENERGY AND LIGHTING	4,744.17	7,240.13	30,000.00	22,759.87	24%
10-040-50-6407	SENIOR CENTER UTILITIES/MAINTENANCE	664.47	2,194.62	10,000.00	7,805.38	22%
10-040-50-6430	MAINTENANCE & RENTAL CONTRACTS	143.40	563.60	2,500.00	1,936.40	23%
10-040-50-6433	FLEET SERVICE TOTAL CARPOOLING	130.00	390.00	1,560.00	1,170.00	25%
10-040-50-6444	SENIOR CENTER CONTRACTS	0.00	42,000.00	42,000.00	0.00	100%
10-040-50-6452	COMPUTER SERVICES	28.13	451.77	2,000.00	1,548.23	23%
10-040-50-6465	PROFESSIONAL SERVICES	-932.25	1,174.39	10,000.00	8,825.61	12%
10-040-50-6481	TRAVEL AND EDUCATION	0.00	0.00	3,000.00	3,000.00	0%
10-040-50-6504	BUILDING IMPROVEMENTS	0.00	0.00	115,000.00	115,000.00	0%
10-040-50-6600	MISCELLANEOUS	1,012.92	2,623.93	7,500.00	4,876.07	35%
10-040-50-6953	CAPITAL IMPROVEMENT RESERVE	0.00	0.00	10,000.00	10,000.00	0%
	Facilities Totals	23,033.14	112,961.59	491,560.00	378,598.41	23%



Financial Statement Versus Budget

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...	...	September 2024-2025 MTD Activity	2024-2025 YTD Activity	2024-2025 Budget	Budget Remaining	% of Budget Used
Municipal Court						
10-050-51-6051	SALARIES	6,439.81	18,718.73	80,000.00	61,281.27	23%
10-050-51-6061	FRINGE BENEFITS	3,302.43	9,662.13	45,000.00	35,337.87	21%
10-050-51-6201	OFFICE SUPPLIES	79.94	190.96	4,000.00	3,809.04	5%
10-050-51-6210	MATERIALS AND SUPPLIES	84.71	1,997.44	6,000.00	4,002.56	33%
10-050-51-6402	TELECOMMUNICATIONS	12.49	37.47	200.00	162.53	19%
10-050-51-6452	COMPUTER SERVICES	28.13	471.11	12,000.00	11,528.89	4%
10-050-51-6465	PROFESSIONAL SERVICES	8,511.36	21,616.57	75,000.00	53,383.43	29%
10-050-51-6469	PROSECUTION	3,675.00	11,025.00	44,100.00	33,075.00	25%
10-050-51-6481	TRAVEL AND EDUCATION	0.00	0.00	3,700.00	3,700.00	0%
	Municipal Court Totals	22,133.87	63,719.41	270,000.00	206,280.59	24%

Financial Statement Versus Budget

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...	...	September 2024-2025 MTD Activity	2024-2025 YTD Activity	2024-2025 Budget	Budget Remaining	% of Budget Used
Fire Department						
10-070-51-6051	SALARIES	163,295.47	523,956.15	2,055,000.00	1,531,043.85	25%
10-070-51-6053	OVERTIME	23,751.42	102,938.69	160,000.00	57,061.31	64%
10-070-51-6061	FRINGE BENEFITS	102,822.85	330,856.46	1,320,000.00	989,143.54	25%
10-070-51-6201	OFFICE SUPPLIES	543.19	3,111.27	6,000.00	2,888.73	52%
10-070-51-6207	FIRE MED ADVERTISING	0.00	0.00	7,200.00	7,200.00	0%
10-070-51-6211	MATERIAL & SUPPLIES/LAUN	6,668.18	27,495.94	120,000.00	92,504.06	23%
10-070-51-6240	FUEL	2,171.07	11,839.80	75,000.00	63,160.20	16%
10-070-51-6270	UNIFORM ALLOWANCE	787.16	937.16	30,000.00	29,062.84	3%
10-070-51-6309	REPAIRS AND MAINTENANCE	1,832.63	4,073.20	43,000.00	38,926.80	9%
10-070-51-6315	REPLACEMENT - EQUIPMENT	535.73	1,395.94	25,000.00	23,604.06	6%
10-070-51-6318	REPLACEMENT - RADIOS/PA	65.54	1,174.42	10,000.00	8,825.58	12%
10-070-51-6319	REPLACEMENT - TURNOUTS	390.98	573.33	40,000.00	39,426.67	1%
10-070-51-6401	TELECOMMUNICATIONS	982.21	2,928.84	13,000.00	10,071.16	23%
10-070-51-6406	HVAC, ENERGY AND LIGHTING	3,158.66	4,955.72	22,500.00	17,544.28	22%
10-070-51-6430	MAINTENANCE & RENTAL COSTS	623.25	10,004.59	35,000.00	24,995.41	29%
10-070-51-6433	FLEET SERVICE TOTAL COSTS	7,106.67	21,320.01	85,280.00	63,959.99	25%
10-070-51-6452	COMPUTER SERVICES	295.57	7,192.71	40,000.00	32,807.29	18%
10-070-51-6461	DISPATCH SERVICES	0.00	45,246.64	195,000.00	149,753.36	23%
10-070-51-6465	PROFESSIONAL SERVICES	4,549.96	38,110.69	190,000.00	151,889.31	20%
10-070-51-6474	FIRE PREVENTION PROGRAMS	0.00	89.22	7,500.00	7,410.78	1%
10-070-51-6481	TRAVEL AND EDUCATION	1,595.31	6,192.96	47,500.00	41,307.04	13%
10-070-51-6500	EQUIPMENT	0.00	6,226.68	117,500.00	111,273.32	5%
10-070-51-6501	VEHICLES	5,955.00	64,437.73	80,000.00	15,562.27	81%
10-070-51-6801	DEBT SERVICE - PRINCIPAL	0.00	0.00	43,584.00	43,584.00	0%
10-070-51-6802	DEBT SERVICE - INTEREST	0.00	0.00	1,230.00	1,230.00	0%
10-070-51-6914	TRANSFER TO FIRE VOLUNTEERS	7,541.25	22,623.75	90,495.00	67,871.25	25%
10-070-51-6953	CAPITAL IMPROVEMENT RESERVE	0.00	0.00	9,500.00	9,500.00	0%
	Fire Department Totals	334,672.10	1,237,681.90	4,869,289.00	3,631,607.10	25%

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...	...	September 2024-2025 MTD Activity	2024-2025 YTD Activity	2024-2025 Budget	Budget Remaining	% of Budget Used
Police Department						
10-080-51-6051	SALARIES	212,048.02	628,404.76	2,405,000.00	1,776,595.24	26%
10-080-51-6053	OVERTIME	6,420.27	25,323.67	125,000.00	99,676.33	20%
10-080-51-6061	FRINGE BENEFITS	118,516.85	352,959.60	1,515,000.00	1,162,040.40	23%
10-080-51-6201	OFFICE SUPPLIES	337.30	919.43	5,500.00	4,580.57	17%
10-080-51-6210	MATERIALS AND SUPPLIES	231.09	1,873.30	8,000.00	6,126.70	23%
10-080-51-6231	WEAPONS SKILLS	327.66	327.66	7,500.00	7,172.34	4%
10-080-51-6232	INVESTIGATIONS	132.78	3,880.88	10,000.00	6,119.12	39%
10-080-51-6235	FIRING RANGE IMPROVEMEI	37.71	870.92	3,500.00	2,629.08	25%
10-080-51-6236	EVIDENCE CONTROL	288.21	697.39	2,500.00	1,802.61	28%
10-080-51-6240	FUEL	1,824.31	9,998.21	55,000.00	45,001.79	18%
10-080-51-6272	UNIFORMS & CLEANING	439.03	5,152.61	20,000.00	14,847.39	26%
10-080-51-6315	OTHER EQUIPMENT	725.40	1,636.07	10,000.00	8,363.93	16%
10-080-51-6355	SAFETY/OSHA	0.00	0.00	8,000.00	8,000.00	0%
10-080-51-6401	TELECOMMUNICATIONS	2,172.55	5,848.09	23,500.00	17,651.91	25%
10-080-51-6430	MAINTENANCE & RENTAL CC	287.77	7,092.31	31,000.00	23,907.69	23%
10-080-51-6433	FLEET SERVICE TOTAL CARI	7,800.00	23,400.00	93,600.00	70,200.00	25%
10-080-51-6452	COMPUTER SERVICES	-413.09	8,821.45	45,000.00	36,178.55	20%
10-080-51-6461	DISPATCH SERVICES	0.00	68,563.68	270,000.00	201,436.32	25%
10-080-51-6465	PROFESSIONAL SERVICES	2,555.14	17,564.07	43,000.00	25,435.93	41%
10-080-51-6472	COMMUNITY RELATIONS	0.00	323.25	1,300.00	976.75	25%
10-080-51-6475	EMPLOYEE DEVELOPMENT	0.00	0.00	3,000.00	3,000.00	0%
10-080-51-6479	PROFESSIONAL MEMBERSH	0.00	152.00	1,500.00	1,348.00	10%
10-080-51-6481	TRAVEL AND TRAINING	982.93	3,900.10	19,000.00	15,099.90	21%
10-080-51-6500	EQUIPMENT	55,290.93	64,719.97	111,100.00	46,380.03	58%
10-080-51-6501	VEHICLES	44,609.50	44,609.50	80,000.00	35,390.50	56%
10-080-51-6740	RAIN/MARK43	0.00	2,847.90	27,500.00	24,652.10	10%
10-080-51-6745	RESERVE OFFICERS	0.00	0.00	3,250.00	3,250.00	0%
10-080-51-6953	CAPITAL IMPROVEMENT RE:	0.00	0.00	15,900.00	15,900.00	0%
	Police Department Totals	454,614.36	1,279,886.82	4,943,650.00	3,663,763.18	26%

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...	...	September 2024-2025 MTD Activity	2024-2025 YTD Activity	2024-2025 Budget	Budget Remaining	% of Budget Used
Library						
10-090-53-6051	SALARIES	33,452.06	102,909.50	418,000.00	315,090.50	25%
10-090-53-6061	FRINGE BENEFITS	15,324.59	46,853.31	220,000.00	173,146.69	21%
10-090-53-6201	OFFICE SUPPLIES	354.53	1,010.06	4,500.00	3,489.94	22%
10-090-53-6202	POSTAGE	0.00	16.96	250.00	233.04	7%
10-090-53-6210	MATERIALS AND SUPPLIES	473.51	1,263.64	4,500.00	3,236.36	28%
10-090-53-6260	PERIODICALS	0.00	0.00	3,500.00	3,500.00	0%
10-090-53-6300	MAINTENANCE & RENTAL CO	995.00	995.00	5,000.00	4,005.00	20%
10-090-53-6309	REPAIRS AND MAINTENANCE	727.32	730.16	9,000.00	8,269.84	8%
10-090-53-6358	E-RESOURCES/AUDIO VISUAL	124.16	679.22	4,000.00	3,320.78	17%
10-090-53-6359	BOOKS	628.97	10,339.13	56,000.00	45,660.87	18%
10-090-53-6396	SPECIAL PROGRAMS	0.00	0.00	3,000.00	3,000.00	0%
10-090-53-6401	TELECOMMUNICATIONS	169.08	492.00	2,750.00	2,258.00	18%
10-090-53-6406	HVAC, ENERGY AND LIGHTING	2,000.32	3,114.33	17,000.00	13,885.67	18%
10-090-53-6452	COMPUTER SERVICES	0.00	2,245.08	4,000.00	1,754.92	56%
10-090-53-6466	PROFESSIONAL SERVICES-CONSULTING	25.50	76.50	3,000.00	2,923.50	3%
10-090-53-6481	TRAVEL AND EDUCATION	430.44	1,952.79	3,000.00	1,047.21	65%
10-090-53-6600	MISCELLANEOUS	76.93	417.11	3,000.00	2,582.89	14%
10-090-53-6953	CAPITAL IMPROVEMENT RESERVE	0.00	0.00	45,000.00	45,000.00	0%
	Library Totals	54,782.41	173,094.79	805,500.00	632,405.21	21%

...	...	September 2024-2025 MTD Activity	2024-2025 YTD Activity	2024-2025 Budget	Budget Remaining	% of Budget Used
<b>Parks</b>						
10-103-53-6051	SALARIES	25,549.05	73,639.45	358,000.00	284,360.55	21%
10-103-53-6053	OVERTIME	0.00	362.01	1,000.00	637.99	36%
10-103-53-6061	FRINGE BENEFITS	15,801.26	39,456.26	185,000.00	145,543.74	21%
10-103-53-6210	MATERIALS AND SUPPLIES	1,040.98	2,132.98	16,000.00	13,867.02	13%
10-103-53-6240	FUEL	390.37	1,307.17	11,000.00	9,692.83	12%
10-103-53-6309	REPAIRS AND MAINTENANCE	82.99	119.60	9,000.00	8,880.40	1%
10-103-53-6323	MISCELLANEOUS TOOLS	0.00	0.00	4,000.00	4,000.00	0%
10-103-53-6401	TELECOMMUNICATIONS	165.65	489.20	2,500.00	2,010.80	20%
10-103-53-6406	HVAC, ENERGY AND LIGHTING	897.45	1,334.92	8,000.00	6,665.08	17%
10-103-53-6430	MAINTENANCE & RENTAL COSTS	645.00	2,185.00	9,000.00	6,815.00	24%
10-103-53-6433	FLEET SERVICE TOTAL CAPITAL	1,993.33	5,979.99	23,920.00	17,940.01	25%
10-103-53-6452	COMPUTER SERVICES	28.13	1,485.42	3,000.00	1,514.58	50%
10-103-53-6459	RECREATION	0.00	675.00	2,000.00	1,325.00	34%
10-103-53-6460	COMMUNITY EVENTS AND PROGRAMS	590.00	42,810.76	70,000.00	27,189.24	61%
10-103-53-6465	PROFESSIONAL SERVICES	68.25	864.67	15,000.00	14,135.33	6%
10-103-53-6475	EMPLOYEE DEVELOPMENT	0.00	0.00	1,000.00	1,000.00	0%
10-103-53-6481	TRAVEL AND EDUCATION	1,693.68	1,693.68	5,000.00	3,306.32	34%
10-103-53-6483	VEGETATION MANAGEMENT	0.00	0.00	10,000.00	10,000.00	0%
10-103-53-6501	VEHICLES	76,543.71	76,543.71	80,000.00	3,456.29	96%
10-103-53-6504	BUILDING/PARK IMPROVEMENTS	0.00	0.00	30,000.00	30,000.00	0%
10-103-53-6953	CAPITAL IMPROVEMENT RESERVE	0.00	0.00	16,000.00	16,000.00	0%
	<b>Parks Totals</b>	<b>125,489.85</b>	<b>251,079.82</b>	<b>859,420.00</b>	<b>608,340.18</b>	<b>29%</b>

...	...	September 2024-2025 MTD Activity	2024-2025 YTD Activity	2024-2025 Budget	Budget Remaining	% of Budget Used
Aquatic Center						
10-105-53-6051	SALARIES	43,944.35	154,181.59	500,000.00	345,818.41	31%
10-105-53-6053	OVERTIME	66.87	768.90	10,000.00	9,231.10	8%
10-105-53-6061	FRINGE BENEFITS	14,184.69	44,457.00	175,000.00	130,543.00	25%
10-105-53-6204	PRINTING & POSTAGE	0.00	0.00	100.00	100.00	0%
10-105-53-6207	ADVERTISING	0.00	995.00	2,700.00	1,705.00	37%
10-105-53-6210	MATERIALS AND SUPPLIES	57.90	104.34	3,500.00	3,395.66	3%
10-105-53-6212	SUPPLIES - JANITORIAL	1,039.25	2,710.16	11,000.00	8,289.84	25%
10-105-53-6223	PRO SHOP & CONCESSIONS	3,966.50	10,423.26	35,000.00	24,576.74	30%
10-105-53-6224	PROGRAM SUPPLIES	78.48	122.46	2,200.00	2,077.54	6%
10-105-53-6234	UNIFORMS	0.00	485.00	1,000.00	515.00	49%
10-105-53-6251	CHEMICALS	672.47	8,949.72	40,000.00	31,050.28	22%
10-105-53-6309	REPAIRS AND MAINTENANCE	73.70	1,877.88	35,000.00	33,122.12	5%
10-105-53-6350	OFFICE EXPENSES	325.10	501.23	2,000.00	1,498.77	25%
10-105-53-6400	ELECTRICAL SERVICE	17,467.79	25,514.53	90,000.00	64,485.47	28%
10-105-53-6401	TELECOMMUNICATIONS	485.19	1,699.12	7,200.00	5,500.88	24%
10-105-53-6412	GAS SERVICE	3,925.69	14,256.68	90,000.00	75,743.32	16%
10-105-53-6452	COMPUTER SERVICES	28.12	1,456.50	9,000.00	7,543.50	16%
10-105-53-6465	PROFESSIONAL SERVICES	3,042.14	4,359.83	25,000.00	20,640.17	17%
10-105-53-6481	TRAVEL AND EDUCATION	392.00	392.00	2,000.00	1,608.00	20%
10-105-53-6482	PROFESSIONAL SERVICES-/-	2,830.35	8,256.23	28,000.00	19,743.77	29%
10-105-53-6500	EQUIPMENT	0.00	1,396.00	100,000.00	98,604.00	1%
10-105-53-6600	MISCELLANEOUS	126.25	473.49	5,000.00	4,526.51	9%
	Aquatic Center Totals	92,706.84	283,380.92	1,173,700.00	890,319.08	24%

...	...	September 2024-2025 MTD Activity	2024-2025 YTD Activity	2024-2025 Budget	Budget Remaining	% of Budget Used
Economic and Community Development						
10-108-50-6051	SALARIES	31,691.14	94,937.87	425,000.00	330,062.13	22%
10-108-50-6061	FRINGE BENEFITS	15,437.60	46,256.97	225,000.00	178,743.03	21%
10-108-50-6200	MATERIALS AND SUPPLIES	49.51	104.08	2,500.00	2,395.92	4%
10-108-50-6205	PRINTING	0.00	0.00	500.00	500.00	0%
10-108-50-6209	PUBLIC NOTICES/ADVERTISI	54.75	527.97	1,200.00	672.03	44%
10-108-50-6240	FUEL	190.74	509.84	2,200.00	1,690.16	23%
10-108-50-6350	OFFICE EXPENSES	0.00	121.10	2,500.00	2,378.90	5%
10-108-50-6394	PLANNING COMMISSION EXI	0.00	0.00	500.00	500.00	0%
10-108-50-6395	TOURISM	125.00	21,739.32	85,000.00	63,260.68	26%
10-108-50-6397	ECONOMIC DEVELOPMENT	0.00	0.00	41,000.00	41,000.00	0%
10-108-50-6401	TELECOMMUNICATIONS	159.33	477.81	1,700.00	1,222.19	28%
10-108-50-6433	FLEET SERVICE TOTAL CARI	346.67	1,040.01	4,160.00	3,119.99	25%
10-108-50-6452	COMPUTER SERVICES	28.12	1,757.88	10,000.00	8,242.12	18%
10-108-50-6457	WEED ABATEMENT	695.37	1,336.11	10,000.00	8,663.89	13%
10-108-50-6458	RV ABATEMENT	2,000.00	2,000.00	6,000.00	4,000.00	33%
10-108-50-6465	PROFESSIONAL SERVICES	84.44	3,375.54	43,000.00	39,624.46	8%
10-108-50-6481	TRAVEL AND EDUCATION	1,865.20	5,309.87	15,000.00	9,690.13	35%
10-108-50-6600	MISCELLANEOUS	888.87	1,428.12	5,000.00	3,571.88	29%
10-108-50-6953	CAPITAL IMPROVEMENT RE	0.00	0.00	18,000.00	18,000.00	0%
Economic and Community Development Totals		53,616.74	180,922.49	898,260.00	717,337.51	20%

...	...	September 2024-2025 MTD Activity	2024-2025 YTD Activity	2024-2025 Budget	Budget Remaining	% of Budget Used
Non-Departmental & Contingency						
10-111-50-6502	ARPA PROJECTS	50,857.69	135,885.05	875,000.00	739,114.95	16%
10-111-50-6503	IT EQUIPMENT	0.00	4,620.00	54,000.00	49,380.00	9%
10-111-50-6801	DEBT SERVICE-UR PRINCIPAL	0.00	0.00	40,000.00	40,000.00	0%
10-111-50-6815	DEBT SERVICE UR-INTEREST	0.00	0.00	22,350.00	22,350.00	0%
10-111-50-6823	2016 JEFFERSON ST BLDG-F	2,281.00	6,836.00	27,500.00	20,664.00	25%
10-111-50-6824	2016 JEFFERSON ST BLDG-II	67.00	208.00	645.00	437.00	32%
10-111-50-6928	TRANSFER TO SEWER SDC-	0.00	0.00	1,735.00	1,735.00	0%
10-111-50-6932	TRANSFER TO RISK MANAGE	0.00	418,000.00	418,000.00	0.00	100%
10-111-50-6937	TRANSFER TO LONG-TERM I	10,500.12	31,500.36	126,002.00	94,501.64	25%
10-111-50-6970	OPERATING CONTINGENCIE	0.00	0.00	335,000.00	335,000.00	0%
10-111-50-6990	UNAPPROPRIATED FUND BA	0.00	0.00	1,887,452.00	1,887,452.00	0%
Non-Departmental & Contingency Totals		63,705.81	597,049.41	3,787,684.00	3,190,634.59	16%
<b>Expense Totals</b>		<b>1,352,794.91</b>	<b>4,613,965.34</b>	<b>19,972,363.00</b>	<b>15,358,397.66</b>	<b>23%</b>

<b>Revenues Over Expenses</b>	<b>-605,287.12</b>	<b>-2,840,337.00</b>	<b>0.00</b>	<b>2,840,337.00</b>	<b>0%</b>
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**14 - RISK MANAGEMENT FUND**

**4 - Revenue**

14-400-00-5900	BEGINNING BALANCE	0.00	0.00	5,000.00	5,000.00	0%
14-480-00-4830	MISCELLANEOUS REVENUE	0.00	1,444.57	20,000.00	18,555.43	7%
14-499-00-4930	TRANSFER FROM GENERAL	0.00	418,000.00	418,000.00	0.00	100%
14-499-00-4932	TRANSFER FROM BUILDING	0.00	9,000.00	9,000.00	0.00	100%
14-499-00-4944	TRANSFER FROM PUBLIC W	0.00	233,000.00	233,000.00	0.00	100%
<b>Revenue Totals</b>		<b>0.00</b>	<b>661,444.57</b>	<b>685,000.00</b>	<b>23,555.43</b>	<b>97%</b>

**5 - Expense**

Risk Management						
14-140-50-6210	MATERIALS AND SUPPLIES	0.00	0.00	20,000.00	20,000.00	0%
14-140-50-6441	PROPERTY/AUTO INSURANC	0.00	240,371.64	205,000.00	-35,371.64	117%
14-140-50-6442	LIABILITY INSURANCE	0.00	211,775.41	250,000.00	38,224.59	85%
14-140-50-6443	WORKERS' COMPENSATION	0.00	44,143.24	205,000.00	160,856.76	22%
14-140-50-6980	OPERATING CONTINGENCIE	0.00	0.00	5,000.00	5,000.00	0%
Risk Management Totals		0.00	496,290.29	685,000.00	188,709.71	72%

**Expense Totals**

<b>0.00</b>	<b>496,290.29</b>	<b>685,000.00</b>	<b>188,709.71</b>	<b>72%</b>
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<b>Revenues Over Expenses</b>	<b>0.00</b>	<b>165,154.28</b>	<b>0.00</b>	<b>-165,154.28</b>	<b>0%</b>
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**15 - BUILDING INSPECTIONS FUND**

**4 - Revenue**

15-400-00-5900	BEGINNING BALANCE	0.00	0.00	1,500,000.00	1,500,000.00	0%
15-410-01-4230	PERMITS	118,402.81	301,140.75	740,000.00	438,859.25	41%
15-455-00-4115	CONSTRUCTION EXCISE TA	9,824.88	25,866.08	60,000.00	34,133.92	43%
15-480-00-4830	MISCELLANEOUS REVENUE	6,762.38	14,886.37	20,000.00	5,113.63	74%
15-499-00-4963	TRANSFER FROM SDC FUNC	4,358.33	13,074.99	52,300.00	39,225.01	25%
<b>Revenue Totals</b>		<b>139,348.40</b>	<b>354,968.19</b>	<b>2,372,300.00</b>	<b>2,017,331.81</b>	<b>15%</b>

**5 - Expense**

Building Inspections Fund						
15-115-50-6051	SALARIES	33,820.27	101,637.62	405,000.00	303,362.38	25%
15-115-50-6061	FRINGE BENEFITS	17,839.97	53,695.72	265,000.00	211,304.28	20%
15-115-50-6210	MATERIALS AND SUPPLIES	-113.90	220.00	5,000.00	4,780.00	4%
15-115-50-6240	FUEL	73.38	675.09	3,500.00	2,824.91	19%
15-115-50-6401	TELECOMMUNICATIONS	288.48	850.63	4,000.00	3,149.37	21%
15-115-50-6433	FLEET SERVICE TOTAL CAR	346.67	1,040.01	4,160.00	3,119.99	25%
15-115-50-6452	COMPUTER SERVICES	0.00	734.76	4,500.00	3,765.24	16%
15-115-50-6456	E-PERMITTING SERVICES	1,685.15	9,338.34	50,000.00	40,661.66	19%
15-115-50-6465	PROFESSIONAL SERVICES	95.87	431.10	4,000.00	3,568.90	11%
15-115-50-6481	TRAVEL AND EDUCATION	911.90	1,832.85	6,000.00	4,167.15	31%

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...	...	September 2024-2025 MTD Activity	2024-2025 YTD Activity	2024-2025 Budget	Budget Remaining	% of Budget Used
15-115-50-6600	MISCELLANEOUS	0.00	289.42	2,000.00	1,710.58	14%
15-115-50-6605	CONSTRUCTION EXCISE TA	25,339.91	25,339.91	60,000.00	34,660.09	42%
15-115-50-6900	TRANSFER TO GENERAL FU	5,416.67	16,250.01	65,000.00	48,749.99	25%
15-115-50-6932	TRANSFER TO RISK MANAGI	0.00	9,000.00	9,000.00	0.00	100%
15-115-50-6937	TRANSFER TO LONG-TERM I	601.33	1,803.99	7,216.00	5,412.01	25%
15-115-50-6980	OPERATING CONTINGENCIE	0.00	0.00	1,477,924.00	1,477,924.00	0%
	Building Inspections Fund Totals	86,305.70	223,139.45	2,372,300.00	2,149,160.55	9%
<b>Expense Totals</b>		<b>86,305.70</b>	<b>223,139.45</b>	<b>2,372,300.00</b>	<b>2,149,160.55</b>	<b>9%</b>
<b>Revenues Over Expenses</b>		<b>53,042.70</b>	<b>131,828.74</b>	<b>0.00</b>	<b>-131,828.74</b>	<b>0%</b>

**18 - POLICE OFFICER FEE AND FIREFIGHTER/EMS FEE**

<b>4 - Revenue</b>						
18-400-00-5900	BEGINNING BALANCE-POLIC	0.00	0.00	40,000.00	40,000.00	0%
18-400-00-5901	BEGINNING BALANCE-FF/EM	0.00	0.00	100,000.00	100,000.00	0%
<b>Revenue Totals</b>		<b>0.00</b>	<b>0.00</b>	<b>140,000.00</b>	<b>140,000.00</b>	<b>0%</b>

**5 - Expense**

Police Officer Fee and Firefighter/EMS Fee						
18-218-51-6900	TRANSFER TO GENERAL FU	0.00	0.00	140,000.00	140,000.00	0%
	Police Officer Fee and Firefighter/EMS Fee Totals	0.00	0.00	140,000.00	140,000.00	0%
<b>Expense Totals</b>		<b>0.00</b>	<b>0.00</b>	<b>140,000.00</b>	<b>140,000.00</b>	<b>0%</b>

**Revenues Over Expenses**

<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0%</b>
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**20 - STREET FUND**

<b>4 - Revenue</b>						
20-400-00-5900	BEGINNING BALANCE	0.00	0.00	2,700,000.00	2,700,000.00	0%
20-430-01-4220	PROPORTIONATE SHARE FE	0.00	7,700.00	30,000.00	22,300.00	26%
20-430-01-4831	MISCELLANEOUS STREET	3,585.00	13,828.34	60,000.00	46,171.66	23%
20-430-02-4332	STATE HIGHWAY APPROPRI	105,115.89	217,790.83	1,445,000.00	1,227,209.17	15%
20-480-00-4610	INTEREST ON INVESTMENT	12,982.64	46,772.04	150,000.00	103,227.96	31%
<b>Revenue Totals</b>		<b>121,683.53</b>	<b>286,091.21</b>	<b>4,385,000.00</b>	<b>4,098,908.79</b>	<b>7%</b>

**5 - Expense**

Street Admin & Engineering						
20-021-52-6051	SALARIES	19,879.14	58,518.66	280,000.00	221,481.34	21%
20-021-52-6053	OVERTIME	0.00	43.93	2,000.00	1,956.07	2%
20-021-52-6061	FRINGE BENEFITS	11,162.41	34,007.44	196,000.00	161,992.56	17%
20-021-52-6210	MATERIALS AND SUPPLIES	3,035.77	33,333.19	75,000.00	41,666.81	44%
20-021-52-6307	VEHICLE-EQUIPMENT EXPE	4,791.67	14,375.01	57,500.00	43,124.99	25%
20-021-52-6309	REPAIRS AND MAINTENANC	0.00	0.00	3,000.00	3,000.00	0%
20-021-52-6314	TRAFFIC SIGNAL MAINTENAI	0.00	79.52	8,000.00	7,920.48	1%
20-021-52-6320	TOOLS	279.68	596.83	5,000.00	4,403.17	12%
20-021-52-6401	TELECOMMUNICATIONS	297.38	817.87	3,500.00	2,682.13	23%
20-021-52-6415	STREET LIGHTING	15,906.88	23,638.31	75,000.00	51,361.69	32%
20-021-52-6452	COMPUTER SERVICES	505.25	1,979.66	5,000.00	3,020.34	40%
20-021-52-6465	PROFESSIONAL SERVICES	190.36	2,397.22	50,000.00	47,602.78	5%
20-021-52-6475	EMPLOYEE DEVELOPMENT	0.00	53.24	5,000.00	4,946.76	1%
20-021-52-6480	SAFETY EQUIPMENT & TRAI	429.36	1,205.10	4,000.00	2,794.90	30%
20-021-52-6481	TRAVEL AND EDUCATION	-99.50	610.15	5,000.00	4,389.85	12%
20-021-52-6500	EQUIPMENT	0.00	0.00	109,000.00	109,000.00	0%
20-021-52-6520	CONTRACTUAL OVERLAYS	0.00	0.00	300,000.00	300,000.00	0%
20-021-52-6521	SIDEWALKS	0.00	6,600.00	100,000.00	93,400.00	7%
20-021-52-6526	PUBLIC WORKS BUILDING	287.58	5,944.83	200,000.00	194,055.17	3%
20-021-52-6840	2019 MAIN ST LOAN - PRINCI	0.00	0.00	31,000.00	31,000.00	0%
20-021-52-6841	2019 MAIN ST LOAN - INTERE	0.00	0.00	17,400.00	17,400.00	0%
20-021-52-6842	2021 STREET LOAN - PRINCI	0.00	0.00	380,000.00	380,000.00	0%
20-021-52-6843	2021 STREET LOAN - INTERE	0.00	0.00	48,622.00	48,622.00	0%

**Financial Statement Versus Budget**

**For Fiscal: 2024-2025 Period Ending: 9/30/2024**

...	...	<b>September 2024-2025 MTD Activity</b>	<b>2024-2025 YTD Activity</b>	<b>2024-2025 Budget</b>	<b>Budget Remaining</b>	<b>% of Budget Used</b>
20-021-52-6900	TRANSFER TO GENERAL FU	13,500.00	40,500.00	162,000.00	121,500.00	25%
20-021-52-6928	TRANSFER TO SEWER SDC-	4,996.13	14,988.39	59,954.00	44,965.61	25%
20-021-52-6932	TRANSFER TO RISK MANAGI	0.00	24,500.00	24,500.00	0.00	100%
20-021-52-6937	TRANSFER TO LONG-TERM I	817.19	2,451.57	9,806.00	7,354.43	25%
20-021-52-6956	SPECIAL RESERVES-BARBEI	0.00	0.00	350,000.00	350,000.00	0%
	Street Admin & Engineering Totals	75,979.30	266,640.92	2,566,282.00	2,299,641.08	10%

Financial Statement Versus Budget

For Fiscal: 2024-2025 Period Ending: 9/30/2024

...	...	September 2024-2025 MTD Activity	2024-2025 YTD Activity	2024-2025 Budget	Budget Remaining	% of Budget Used
Debt Service & Contingency						
20-026-52-6970	OPERATING CONTINGENCIE	0.00	0.00	1,818,718.00	1,818,718.00	0%
	Debt Service & Contingency Totals	0.00	0.00	1,818,718.00	1,818,718.00	0%
<b>Expense Totals</b>		<b>75,979.30</b>	<b>266,640.92</b>	<b>4,385,000.00</b>	<b>4,118,359.08</b>	<b>6%</b>
<b>Revenues Over Expenses</b>		<b>45,704.23</b>	<b>19,450.29</b>	<b>0.00</b>	<b>-19,450.29</b>	<b>0%</b>

**24 - SYSTEMS DEVELOPMENT FUND**

**4 - Revenue**

24-400-00-5928	BEGINNING BALANCE - STRE	0.00	0.00	2,050,000.00	2,050,000.00	0%
24-400-00-5938	BEGINNING BALANCE - PARK	0.00	0.00	2,045,000.00	2,045,000.00	0%
24-400-00-5942	BEGINNING BALANCE - WATER	0.00	0.00	4,290,000.00	4,290,000.00	0%
24-400-00-5950	BEGINNING BALANCE - SEWER	0.00	0.00	5,645,000.00	5,645,000.00	0%
24-400-00-5975	BEGINNING BALANCE - STORM	0.00	0.00	805,000.00	805,000.00	0%
24-410-01-4454	SEWER SDC CHARGES	58,334.17	123,005.49	760,000.00	636,994.51	16%
24-430-01-4453	STORM SDC CHARGES	19,025.04	33,466.90	135,000.00	101,533.10	25%
24-430-01-4455	STREET SDC CHARGES	72,388.38	119,145.72	535,000.00	415,854.28	22%
24-440-01-4456	PARK SDC CHARGES	111,807.86	147,165.48	380,000.00	232,834.52	39%
24-444-03-4916	REIMBURSEMENTS-WATER	7,148.14	21,444.42	85,778.00	64,333.58	25%
24-444-03-4917	REIMBURSEMENTS - SEWER	0.00	0.00	42,391.00	42,391.00	0%
24-444-03-4918	REIMBURSEMENTS-SEWER	6,453.85	19,361.55	77,447.00	58,085.45	25%
24-470-00-4452	WATER SDC CHARGES	58,811.96	121,800.17	760,000.00	638,199.83	16%
<b>Revenue Totals</b>		<b>333,969.40</b>	<b>585,389.73</b>	<b>17,610,616.00</b>	<b>17,025,226.27</b>	<b>3%</b>

**5 - Expense**

Systems Development						
24-095-52-6580	STREET PROJECTS	0.00	0.00	2,549,250.00	2,549,250.00	0%
24-095-52-6588	STORM PROJECTS	0.00	0.00	932,200.00	932,200.00	0%
24-095-52-6901	TRANSFER TO GENERAL FUND	1,833.33	5,499.99	22,000.00	16,500.01	25%
24-095-52-6902	TRANSFER TO BUILDING FUND	1,145.83	3,437.49	13,750.00	10,312.51	25%
24-095-53-6552	PARK PROJECTS	4,750.00	4,880.50	2,407,125.00	2,402,244.50	0%
24-095-53-6901	TRANSFER TO GENERAL FUND	916.67	2,750.01	11,000.00	8,249.99	25%
24-095-53-6902	TRANSFER TO BUILDING FUND	572.92	1,718.76	6,875.00	5,156.24	25%
24-095-55-6591	WATER PROJECTS/OVERSIZES	0.00	292.25	5,096,973.00	5,096,680.75	0%
24-095-55-6901	TRANSFER TO GENERAL FUND	1,990.00	5,970.00	23,880.00	17,910.00	25%
24-095-55-6902	TRANSFER TO BUILDING FUND	1,243.75	3,731.25	14,925.00	11,193.75	25%
24-095-56-6596	SEWER PROJECTS/ OVERSIZES	18,661.95	19,665.95	6,489,088.00	6,469,422.05	0%
24-095-56-6901	TRANSFER TO GENERAL FUND	1,833.33	5,499.99	22,000.00	16,500.01	25%
24-095-56-6902	TRANSFER TO BUILDING FUND	1,145.83	3,437.49	13,750.00	10,312.51	25%
24-095-57-6901	TRANSFER TO GENERAL FUND	400.00	1,200.00	4,800.00	3,600.00	25%
24-095-57-6902	TRANSFER TO BUILDING FUND	250.00	750.00	3,000.00	2,250.00	25%
	Systems Development Totals	34,743.61	58,833.68	17,610,616.00	17,551,782.32	0%
<b>Expense Totals</b>		<b>34,743.61</b>	<b>58,833.68</b>	<b>17,610,616.00</b>	<b>17,551,782.32</b>	<b>0%</b>
<b>Revenues Over Expenses</b>		<b>299,225.79</b>	<b>526,556.05</b>	<b>0.00</b>	<b>-526,556.05</b>	<b>0%</b>

**26 - TRUST FUND**

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...	...	September 2024-2025 MTD Activity	2024-2025 YTD Activity	2024-2025 Budget	Budget Remaining	% of Budget Used
<b>4 - Revenue</b>						
26-400-00-5921	BEGINNING BALANCE - FIRE	0.00	0.00	19,078.00	19,078.00	0%
26-400-00-5922	BEGINNING BALANCE - FIRE	0.00	0.00	35,000.00	35,000.00	0%
26-400-00-5931	BEGINNING BALANCE - FIRE	0.00	0.00	33,000.00	33,000.00	0%
26-400-00-5939	BEGINNING BALANCE - PARK	0.00	0.00	36,350.00	36,350.00	0%
26-400-00-5941	BEGINNING BALANCE - LIBR.	0.00	0.00	10,000.00	10,000.00	0%
26-400-00-5949	BEGINNING BALANCE - DELE	0.00	0.00	5,000.00	5,000.00	0%
26-400-00-5952	BEGINNING BALANCE - FRIE	0.00	0.00	3,000.00	3,000.00	0%
26-400-00-5954	BEGINNING BALANCE - MISC	0.00	0.00	3,500.00	3,500.00	0%
26-400-00-5955	BEGINNING BALANCE - OTHI	0.00	0.00	3,198.00	3,198.00	0%
26-420-02-4331	FIRE EXTRICATION TEAM	0.00	0.00	10,000.00	10,000.00	0%
26-420-02-4711	TRANSFER IN GF-FIRE VOLU	7,541.25	22,623.75	90,495.00	67,871.25	25%
26-420-02-4712	FIRE VOLUNTEER APPRECI	25.00	76.50	750.00	673.50	10%
26-420-03-4702	HARPY BOVARD SCHOLARS	100.00	100.00	0.00	-100.00	0%
26-440-01-4740	PARK DEVELOPMENT TRUS	7,500.00	7,500.00	2,000.00	-5,500.00	375%
26-440-02-4707	LIBRARY	3,087.00	6,556.61	30,000.00	23,443.39	22%
26-440-03-4351	FRIENDS OF THE DALLAS AC	0.00	5,050.00	20,000.00	14,950.00	25%
26-440-15-4750	DELBERT HUNTER ARBORE	6,170.00	6,881.00	15,000.00	8,119.00	46%
26-480-00-4743	MISCELLANEOUS DONATION	55.00	102.30	5,000.00	4,897.70	2%
<b>Revenue Totals</b>		<b>24,478.25</b>	<b>48,890.16</b>	<b>321,371.00</b>	<b>272,480.84</b>	<b>15%</b>

<b>5 - Expense</b>						
Trust Fund						
26-011-50-6710	MISCELLANEOUS DONATION	0.00	49.56	8,500.00	8,450.44	1%
26-011-51-6532	FIRE TR - EXTRICATION EXP	0.00	0.00	45,000.00	45,000.00	0%
26-011-51-6534	FIRE TRUST - OTHER EXPEN	0.00	0.00	3,198.00	3,198.00	0%
26-011-51-6770	FIRE RESERVE-FUTURE SCH	0.00	0.00	16,078.00	16,078.00	0%
26-011-51-6771	FIRE TR - HARPY BOVARD SI	0.00	3,000.00	3,000.00	0.00	100%
26-011-51-6772	FIRE VOLUNTEER APPRECI	1,290.61	10,037.06	124,245.00	114,207.94	8%
26-011-53-6541	FRIENDS OF THE DALLAS AC	0.00	9,289.85	23,000.00	13,710.15	40%
26-011-53-6551	PARK DEVELOPMENT TRUS	5,098.65	5,098.65	38,350.00	33,251.35	13%
26-011-53-6558	LIBRARY TRUST EXPENDITU	1,608.48	5,155.66	40,000.00	34,844.34	13%
26-011-53-6725	DELBERT HUNTER ARBORE	6,147.04	8,389.15	20,000.00	11,610.85	42%
	Trust Fund Totals	14,144.78	41,019.93	321,371.00	280,351.07	13%
<b>Expense Totals</b>		<b>14,144.78</b>	<b>41,019.93</b>	<b>321,371.00</b>	<b>280,351.07</b>	<b>13%</b>

<b>Revenues Over Expenses</b>		<b>10,333.47</b>	<b>7,870.23</b>	<b>0.00</b>	<b>-7,870.23</b>	<b>0%</b>
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**28 - GRANTS FUND**

<b>4 - Revenue</b>						
28-400-00-5970	BEGINNING BALANCE - REAL	0.00	0.00	500.00	500.00	0%
28-420-02-4381	POLICING GRANTS	0.00	0.00	2,500.00	2,500.00	0%
28-420-03-4309	FEMA AFG FIRE GRANT	0.00	0.00	5,000.00	5,000.00	0%
28-420-03-4311	FEMA AFG FIRE GRANT-SAF	0.00	0.00	5,000.00	5,000.00	0%
28-420-03-4320	OSFM WFS STAFFING GRAN	0.00	0.00	5,000.00	5,000.00	0%
28-420-03-4321	FEMA FIRE PREVENTION/SA	0.00	0.00	5,000.00	5,000.00	0%
28-420-03-4389	EMERGENCY OPERATIONS (	0.00	0.00	5,000.00	5,000.00	0%
28-430-03-4319	SAFE ROUTES TO SCHOOL (	0.00	0.00	5,000.00	5,000.00	0%
28-440-02-4326	DLCD TA GRANT	0.00	0.00	18,000.00	18,000.00	0%
28-440-02-4327	CERTIFIED LOCAL GOVT GR	0.00	0.00	5,000.00	5,000.00	0%
28-440-02-4340	READY TO READ GRANT	0.00	0.00	3,000.00	3,000.00	0%
28-440-02-4348	LIBRARY GRANT	0.00	5,000.00	5,000.00	0.00	100%
28-440-03-4344	ODOT GRANT - PARK TRAIL	0.00	0.00	5,000.00	5,000.00	0%
28-440-03-4345	PARKS GRANT-MISCELLANE	0.00	0.00	5,000.00	5,000.00	0%
28-440-03-4346	OR PARKS AND REC GRANT	0.00	0.00	27,340.00	27,340.00	0%
28-440-03-4347	OR PARKS AND REC GRANT	0.00	0.00	148,080.00	148,080.00	0%
28-440-03-4352	OPRD LWCF GRANT	0.00	0.00	619,008.00	619,008.00	0%
28-440-03-4353	OPRD PICKLEBALL COURTS	0.00	0.00	5,000.00	5,000.00	0%
<b>Revenue Totals</b>		<b>0.00</b>	<b>5,000.00</b>	<b>873,428.00</b>	<b>868,428.00</b>	<b>1%</b>

...	...	September 2024-2025 MTD Activity	2024-2025 YTD Activity	2024-2025 Budget	Budget Remaining	% of Budget Used
<b>5 - Expense</b>						
Grants Fund						
28-012-51-6531	FEMA AFG FIRE GRANT	0.00	0.00	5,000.00	5,000.00	0%
28-012-51-6570	POLICE EQUIPMENT	0.00	0.00	2,500.00	2,500.00	0%
28-012-51-6905	TRANSFER TO GENERAL FU	0.00	0.00	5,000.00	5,000.00	0%
28-012-51-7510	EMERGENCY OPERATIONS (	0.00	0.00	5,000.00	5,000.00	0%
28-012-51-7511	OSFM GRANT	0.00	0.00	5,000.00	5,000.00	0%
28-012-52-6536	SAFE ROUTES TO SCHOOL (	0.00	0.00	5,000.00	5,000.00	0%
28-012-52-6561	CERTIFIED LOCAL GOVT GR	386.25	2,649.70	5,000.00	2,350.30	53%
28-012-52-7520	DLCD TA GRANT	0.00	0.00	18,000.00	18,000.00	0%
28-012-53-6515	LIBRARY GRANT	0.00	0.00	5,000.00	5,000.00	0%
28-012-53-6516	FEMA FIRE PREVENTION/SA	0.00	0.00	5,000.00	5,000.00	0%
28-012-53-6540	JOHN BARNARD PARK	0.00	0.00	619,008.00	619,008.00	0%
28-012-53-6546	PARKS GRANT - MISCELLAN	0.00	0.00	5,000.00	5,000.00	0%
28-012-53-6547	PARK TRAIL	0.00	0.00	5,000.00	5,000.00	0%
28-012-53-6556	READY TO READ	52.98	765.92	3,500.00	2,734.08	22%
28-012-53-6559	JAPANESE GARDEN RESTOF	0.00	42,804.00	148,080.00	105,276.00	29%
28-012-53-7530	PICKLEBALL COURTS	0.00	0.00	5,000.00	5,000.00	0%
28-012-53-7531	CITY PARK - PATH REHAB	0.00	0.00	27,340.00	27,340.00	0%
28-012-55-7515	OWRD GRANT-MERCER DAM	1,263.25	2,065.65	0.00	-2,065.65	0%
	Grants Fund Totals	1,702.48	48,285.27	873,428.00	825,142.73	6%
<b>Expense Totals</b>		<b>1,702.48</b>	<b>48,285.27</b>	<b>873,428.00</b>	<b>825,142.73</b>	<b>6%</b>
<b>Revenues Over Expenses</b>		<b>-1,702.48</b>	<b>-43,285.27</b>	<b>0.00</b>	<b>43,285.27</b>	<b>0%</b>

**29 - DALLAS DOWNTOWN URBAN RENEWAL FUND**

<b>4 - Revenue</b>						
29-400-00-5900	BEGINNING BALANCE	0.00	0.00	375,000.00	375,000.00	0%
29-450-00-4100	CURRENT PROPERTY TAXE\$	0.00	1,140.57	225,000.00	223,859.43	1%
29-450-00-4110	DELINQUENT PROPERTY TA	0.00	1,182.36	3,000.00	1,817.64	39%
29-480-00-4610	INTEREST ON INVESTMENT\$	2,661.90	8,119.29	30,000.00	21,880.71	27%
29-480-00-4830	MISCELLANEOUS REVENUE	0.00	0.00	15,000.00	15,000.00	0%
<b>Revenue Totals</b>		<b>2,661.90</b>	<b>10,442.22</b>	<b>648,000.00</b>	<b>637,557.78</b>	<b>2%</b>

**5 - Expense**

Downtown Dallas Urban Renewal						
29-019-50-6051	SALARIES	538.44	1,615.32	6,500.00	4,884.68	25%
29-019-50-6061	FRINGE BENEFITS	242.56	727.71	3,000.00	2,272.29	24%
29-019-50-6210	MATERIALS AND SUPPLIES	0.00	0.00	250.00	250.00	0%
29-019-50-6465	PROFESSIONAL SERVICES	0.00	1,540.00	50,000.00	48,460.00	3%
29-019-50-6473	BUILDING IMPROVEMENT GF	0.00	0.00	75,000.00	75,000.00	0%
29-019-50-6484	MINOR IMPROVEMENT GRAI	0.00	2,000.00	10,000.00	8,000.00	20%
29-019-50-6507	SPECIAL PROJECTS	0.00	0.00	10,000.00	10,000.00	0%
29-019-50-6553	PROPERTY AQUISITION	1,111.88	151,180.75	310,000.00	158,819.25	49%
29-019-50-6600	MISCELLANEOUS	0.00	0.00	2,000.00	2,000.00	0%
29-019-50-6908	TRANSFER TO GF-DEBT SEF	0.00	0.00	62,350.00	62,350.00	0%
29-019-50-6955	DEBT SERVICE RESERVE	0.00	0.00	62,350.00	62,350.00	0%
29-019-50-6980	OPERATING CONTINGENCIE	0.00	0.00	56,550.00	56,550.00	0%
Downtown Dallas Urban Renewal Totals		1,892.88	157,063.78	648,000.00	490,936.22	24%
<b>Expense Totals</b>		<b>1,892.88</b>	<b>157,063.78</b>	<b>648,000.00</b>	<b>490,936.22</b>	<b>24%</b>
<b>Revenues Over Expenses</b>		<b>769.02</b>	<b>-146,621.56</b>	<b>0.00</b>	<b>146,621.56</b>	<b>0%</b>

**31 - SOUTH DALLAS URBAN RENEWAL FUND**

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...	...	September 2024-2025 MTD Activity	2024-2025 YTD Activity	2024-2025 Budget	Budget Remaining	% of Budget Used
<b>4 - Revenue</b>						
31-400-00-5900	BEGINNING BALANCE	0.00	0.00	57,000.00	57,000.00	0%
31-450-00-4100	CURRENT PROPERTY TAXES	0.00	386.11	70,000.00	69,613.89	1%
31-450-00-4110	DELINQUENT PROPERTY TAXES	0.00	133.17	1,000.00	866.83	13%
31-480-00-4610	INTEREST ON INVESTMENTS	304.25	865.14	2,000.00	1,134.86	43%
31-480-00-4830	MISCELLANEOUS REVENUE	0.00	0.00	500.00	500.00	0%
<b>Revenue Totals</b>		<b>304.25</b>	<b>1,384.42</b>	<b>130,500.00</b>	<b>129,115.58</b>	<b>1%</b>

<b>5 - Expense</b>						
South Dallas Urban Renewal						
31-310-50-6051	SALARIES	532.91	1,598.74	6,500.00	4,901.26	25%
31-310-50-6061	FRINGE BENEFITS	248.01	743.94	3,000.00	2,256.06	25%
31-310-50-6210	MATERIALS AND SUPPLIES	0.00	0.00	10,000.00	10,000.00	0%
31-310-50-6465	PROFESSIONAL SERVICES	0.00	0.00	15,000.00	15,000.00	0%
31-310-50-6600	MISCELLANEOUS	0.00	0.00	10,000.00	10,000.00	0%
31-310-50-6980	OPERATING CONTINGENCIES	0.00	0.00	86,000.00	86,000.00	0%
South Dallas Urban Renewal Totals		780.92	2,342.68	130,500.00	128,157.32	2%

<b>Expense Totals</b>		<b>780.92</b>	<b>2,342.68</b>	<b>130,500.00</b>	<b>128,157.32</b>	<b>2%</b>
<b>Revenues Over Expenses</b>		<b>-476.67</b>	<b>-958.26</b>	<b>0.00</b>	<b>958.26</b>	<b>0%</b>

**45 - GENERAL LONG TERM DEBT FUND**

<b>4 - Revenue</b>						
45-470-00-4901	TRANSFER IN - GENERAL FUND	10,500.12	31,500.36	126,002.00	94,501.64	25%
45-470-00-4912	TRANSFER IN - SEWER FUND	1,742.31	5,226.93	20,908.00	15,681.07	25%
45-470-00-4913	TRANSFER IN - FLEET FUND	323.79	971.37	3,886.00	2,914.63	25%
45-470-00-4914	TRANSFER IN - STREET FUND	817.19	2,451.57	9,806.00	7,354.43	25%
45-470-00-4915	TRANSFER IN - WATER FUND	1,433.94	4,301.82	17,207.00	12,905.18	25%
45-470-00-4919	TRANSFER IN - BUILDING FUND	601.33	1,803.99	7,216.00	5,412.01	25%
<b>Revenue Totals</b>		<b>15,418.68</b>	<b>46,256.04</b>	<b>185,025.00</b>	<b>138,768.96</b>	<b>25%</b>

<b>5 - Expense</b>						
General Long Term Debt						
45-016-32-6801	DEBT SERVICE - PRINCIPAL	0.00	0.00	155,000.00	155,000.00	0%
45-016-54-6802	DEBT SERVICE - INTEREST	0.00	0.00	30,025.00	30,025.00	0%
General Long Term Debt Totals		0.00	0.00	185,025.00	185,025.00	0%
<b>Expense Totals</b>		<b>0.00</b>	<b>0.00</b>	<b>185,025.00</b>	<b>185,025.00</b>	<b>0%</b>

<b>Revenues Over Expenses</b>		<b>15,418.68</b>	<b>46,256.04</b>	<b>0.00</b>	<b>-46,256.04</b>	<b>0%</b>
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**50 - SEWER FUND**

<b>4 - Revenue</b>						
50-400-00-5900	BEGINNING BALANCE	0.00	0.00	4,250,000.00	4,250,000.00	0%
50-444-01-4469	SEWER SERVICE CHARGES	329,438.71	1,029,802.27	4,100,000.00	3,070,197.73	25%
50-444-01-4834	MISCELLANEOUS SEWER	8,434.94	16,863.96	85,000.00	68,136.04	20%
50-480-00-4610	INTEREST ON INVESTMENTS	21,799.34	65,266.94	175,000.00	109,733.06	37%
<b>Revenue Totals</b>		<b>359,672.99</b>	<b>1,111,933.17</b>	<b>8,610,000.00</b>	<b>7,498,066.83</b>	<b>13%</b>

...	...	September 2024-2025 MTD Activity	2024-2025 YTD Activity	2024-2025 Budget	Budget Remaining	% of Budget Used
<b>5 - Expense</b>						
Sewer Admin & Engineering						
50-031-56-6051	SALARIES	40,494.93	120,393.56	478,000.00	357,606.44	25%
50-031-56-6053	OVERTIME	80.47	233.59	4,000.00	3,766.41	6%
50-031-56-6061	FRINGE BENEFITS	22,967.60	70,366.97	346,000.00	275,633.03	20%
50-031-56-6210	MATERIALS AND SUPPLIES	613.25	1,995.57	25,000.00	23,004.43	8%
50-031-56-6275	DEQ PERMITS	0.00	0.00	32,000.00	32,000.00	0%
50-031-56-6307	VEHICLE-EQUIPMENT EXPEN	12,591.67	37,775.01	151,100.00	113,324.99	25%
50-031-56-6309	REPAIRS AND MAINTENANC	765.00	777.00	100,000.00	99,223.00	1%
50-031-56-6320	TOOLS	54.10	54.10	6,000.00	5,945.90	1%
50-031-56-6401	TELECOMMUNICATIONS	431.94	1,185.70	4,300.00	3,114.30	28%
50-031-56-6406	HVAC, ENERGY AND LIGHTIN	435.44	745.76	5,000.00	4,254.24	15%
50-031-56-6452	COMPUTER SERVICES	2,565.24	4,039.65	10,000.00	5,960.35	40%
50-031-56-6465	PROFESSIONAL SERVICES	77,784.31	323,252.18	1,150,000.00	826,747.82	28%
50-031-56-6475	EMPLOYEE DEVELOPMENT	95.58	95.58	4,000.00	3,904.42	2%
50-031-56-6480	SAFETY EQUIPMENT & TRAIL	429.37	1,045.53	4,500.00	3,454.47	23%
50-031-56-6481	TRAVEL AND EDUCATION	1,158.96	3,868.06	12,000.00	8,131.94	32%
50-031-56-6500	EQUIPMENT	0.00	0.00	119,000.00	119,000.00	0%
50-031-56-6526	PUBLIC WORKS BUILDING	575.16	8,417.25	400,000.00	391,582.75	2%
50-031-56-6579	I & I	0.00	1,155.00	100,000.00	98,845.00	1%
50-031-56-6594	WWTF CAPITAL IMPROVEME	10,323.75	305,247.77	800,000.00	494,752.23	38%
50-031-56-6598	SEWER REPLACEMENT PRO	35,903.49	35,903.49	235,000.00	199,096.51	15%
50-031-56-6599	WWTF EQUIPMENT REPLACI	0.00	152.00	250,000.00	249,848.00	0%
50-031-56-6900	TRANSFER TO GENERAL FU	49,083.33	147,249.99	589,000.00	441,750.01	25%
50-031-56-6932	TRANSFER TO RISK MANAGI	0.00	120,000.00	120,000.00	0.00	100%
50-031-56-6937	TRANSFER TO LONG-TERM I	1,742.31	5,226.93	20,908.00	15,681.07	25%
	Sewer Admin & Engineering Totals	258,095.90	1,189,180.69	4,965,808.00	3,776,627.31	24%

...	...	September 2024-2025 MTD Activity	2024-2025 YTD Activity	2024-2025 Budget	Budget Remaining	% of Budget Used
Debt Service & Contingency						
50-036-56-6820	2017 SEWER LOAN-PRINCIP/	0.00	0.00	60,000.00	60,000.00	0%
50-036-56-6821	2017 SEWER LOAN-INTERES	0.00	6,785.40	13,571.00	6,785.60	50%
50-036-56-6970	OPERATING CONTINGENCIE	0.00	0.00	3,570,621.00	3,570,621.00	0%
	Debt Service & Contingency Totals	0.00	6,785.40	3,644,192.00	3,637,406.60	0%
<b>Expense Totals</b>		<b>258,095.90</b>	<b>1,195,966.09</b>	<b>8,610,000.00</b>	<b>7,414,033.91</b>	<b>14%</b>
<b>Revenues Over Expenses</b>		<b>101,577.09</b>	<b>-84,032.92</b>	<b>0.00</b>	<b>84,032.92</b>	<b>0%</b>

**51 - STORMWATER FUND**

<b>4 - Revenue</b>						
51-400-00-5900	BEGINNING BALANCE	0.00	0.00	2,100,000.00	2,100,000.00	0%
51-445-01-4490	STORMWATER SERVICE CH/	105,294.39	328,068.46	1,325,000.00	996,931.54	25%
51-445-01-4833	MISCELLANEOUS STORMWA	0.00	0.00	2,000.00	2,000.00	0%
51-480-00-4610	INTEREST ON INVESTMENT\$	10,689.98	30,947.08	60,000.00	29,052.92	52%
<b>Revenue Totals</b>		<b>115,984.37</b>	<b>359,015.54</b>	<b>3,487,000.00</b>	<b>3,127,984.46</b>	<b>10%</b>

**5 - Expense**

Stormwater Maintenance						
51-051-57-6051	SALARIES	4,836.15	13,656.76	110,000.00	96,343.24	12%
51-051-57-6053	OVERTIME	80.46	151.98	2,000.00	1,848.02	8%
51-051-57-6061	FRINGE BENEFITS	2,495.02	7,399.41	68,000.00	60,600.59	11%
51-051-57-6210	MATERIALS AND SUPPLIES	2,002.18	3,491.70	11,000.00	7,508.30	32%
51-051-57-6275	DEQ PERMITS	0.00	0.00	2,000.00	2,000.00	0%
51-051-57-6307	VEHICLE-EQUIPMENT EXPEI	3,058.33	9,174.99	36,700.00	27,525.01	25%
51-051-57-6309	REPAIRS AND MAINTENANC	0.00	0.00	4,800.00	4,800.00	0%
51-051-57-6312	MATERIAL DISPOSAL	0.00	13,147.35	35,000.00	21,852.65	38%
51-051-57-6320	TOOLS	0.00	0.00	3,500.00	3,500.00	0%
51-051-57-6401	TELECOMMUNICATIONS	15.84	47.52	700.00	652.48	7%
51-051-57-6452	COMPUTER SERVICES	393.37	1,481.56	3,600.00	2,118.44	41%
51-051-57-6465	PROFESSIONAL SERVICES	170.00	6,209.32	120,000.00	113,790.68	5%
51-051-57-6475	EMPLOYEE DEVELOPMENT	95.58	95.58	2,200.00	2,104.42	4%
51-051-57-6480	SAFETY EQUIPMENT & TRAIL	0.00	616.22	4,500.00	3,883.78	14%
51-051-57-6481	TRAVEL AND EDUCATION	-107.00	2,302.66	7,500.00	5,197.34	31%
51-051-57-6500	EQUIPMENT	0.00	0.00	69,000.00	69,000.00	0%
51-051-57-6522	STORMWATER PROJECTS	0.00	0.00	50,000.00	50,000.00	0%
51-051-57-6526	PUBLIC WORKS BUILDING	191.72	7,435.60	135,000.00	127,564.40	6%
51-051-57-6900	TRANSFER TO GENERAL FU	9,750.00	29,250.00	117,000.00	87,750.00	25%
51-051-57-6928	TRANSFER TO SEWER SDC-	1,457.72	4,373.16	17,493.00	13,119.84	25%
51-051-57-6932	TRANSFER TO RISK MANAGI	0.00	4,000.00	4,000.00	0.00	100%
51-051-57-6980	OPERATING CONTINGENCIE	0.00	0.00	2,683,007.00	2,683,007.00	0%
	Stormwater Maintenance Totals	24,439.37	102,833.81	3,487,000.00	3,384,166.19	3%
<b>Expense Totals</b>		<b>24,439.37</b>	<b>102,833.81</b>	<b>3,487,000.00</b>	<b>3,384,166.19</b>	<b>3%</b>
<b>Revenues Over Expenses</b>		<b>91,545.00</b>	<b>256,181.73</b>	<b>0.00</b>	<b>-256,181.73</b>	<b>0%</b>

**52 - WATER FUND**

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...	...	September 2024-2025 MTD Activity	2024-2025 YTD Activity	2024-2025 Budget	Budget Remaining	% of Budget Used
<b>4 - Revenue</b>						
52-400-00-5900	BEGINNING BALANCE	0.00	0.00	4,050,000.00	4,050,000.00	0%
52-442-01-4463	SALE OF WATER	517,720.96	1,633,860.66	5,000,000.00	3,366,139.34	33%
52-442-01-4465	NEW ACCOUNT FEES	1,787.23	5,250.87	18,000.00	12,749.13	29%
52-442-01-4468	SERVICE CONNECTIONS	4,944.00	12,978.00	75,000.00	62,022.00	17%
52-442-01-4832	MISCELLANEOUS WATER	8,917.77	29,831.99	100,000.00	70,168.01	30%
52-442-03-4900	FINANCE PROCEEDS	0.00	0.00	600,000.00	600,000.00	0%
52-480-00-4610	INTEREST ON INVESTMENTS	25,673.92	72,862.84	175,000.00	102,137.16	42%
<b>Revenue Totals</b>		<b>559,043.88</b>	<b>1,754,784.36</b>	<b>10,018,000.00</b>	<b>8,263,215.64</b>	<b>18%</b>
<b>5 - Expense</b>						
Water Admin & Engineering						
52-041-55-6051	SALARIES	59,996.05	171,630.07	665,000.00	493,369.93	26%
52-041-55-6053	OVERTIME	3,288.74	10,796.20	30,000.00	19,203.80	36%
52-041-55-6061	FRINGE BENEFITS	33,414.39	98,865.85	438,000.00	339,134.15	23%
52-041-55-6210	MATERIALS AND SUPPLIES	28,098.09	104,779.26	360,000.00	255,220.74	29%
52-041-55-6265	PERMITS	0.00	1,527.76	12,000.00	10,472.24	13%
52-041-55-6307	VEHICLE-EQUIPMENT EXPEN	9,125.00	27,375.00	109,500.00	82,125.00	25%
52-041-55-6309	REPAIRS AND MAINTENANC	3,834.55	6,160.28	65,000.00	58,839.72	9%
52-041-55-6320	TOOLS	0.00	0.00	6,000.00	6,000.00	0%
52-041-55-6401	TELECOMMUNICATIONS	1,279.51	3,682.69	14,000.00	10,317.31	26%
52-041-55-6406	HVAC, ENERGY AND LIGHTIN	29,920.37	47,069.02	135,000.00	87,930.98	35%
52-041-55-6452	COMPUTER SERVICES	5,504.73	9,850.23	15,000.00	5,149.77	66%
52-041-55-6465	PROFESSIONAL SERVICES	9,056.06	23,900.61	120,000.00	96,099.39	20%
52-041-55-6475	EMPLOYEE DEVELOPMENT	0.00	105.00	5,000.00	4,895.00	2%
52-041-55-6480	SAFETY EQUIPMENT & TRAIL	429.36	860.00	3,000.00	2,140.00	29%
52-041-55-6481	TRAVEL AND EDUCATION	1,251.39	2,105.05	7,000.00	4,894.95	30%
52-041-55-6500	EQUIPMENT	0.00	0.00	84,000.00	84,000.00	0%
52-041-55-6526	PUBLIC WORKS BUILDING	575.16	11,889.65	400,000.00	388,110.35	3%
52-041-55-6562	CLAY STREET LINE REHAB	0.00	0.00	150,000.00	150,000.00	0%
52-041-55-6564	WTP CAPITAL IMPROVEMEN	-750.00	-750.00	130,000.00	130,750.00	-1%
52-041-55-6589	WATER LINE REPLACEMENT	9,250.00	9,250.00	100,000.00	90,750.00	9%
52-041-55-6592	CLAY ST RESERVOIR PROJE	0.00	1,761.54	600,000.00	598,238.46	0%
52-041-55-6900	TRANSFER TO GENERAL FU	44,583.33	133,749.99	535,000.00	401,250.01	25%
52-041-55-6932	TRANSFER TO RISK MANAGI	0.00	47,000.00	47,000.00	0.00	100%
52-041-55-6934	TRANSFER TO WATER SDC-I	7,148.14	21,444.42	85,778.00	64,333.58	25%
52-041-55-6937	TRANSFER TO LONG-TERM I	1,433.94	4,301.82	17,207.00	12,905.18	25%
Water Admin & Engineering Totals		247,438.81	737,354.44	4,133,485.00	3,396,130.56	18%

...	...	September 2024-2025 MTD Activity	2024-2025 YTD Activity	2024-2025 Budget	Budget Remaining	% of Budget Used
Debt Service & Contingency						
52-046-55-6830	2015 SRF LOAN - PRINCIPAL	0.00	0.00	45,207.00	45,207.00	0%
52-046-55-6831	2015 SRF LOAN - INTEREST	0.00	0.00	27,529.00	27,529.00	0%
52-046-55-6832	2016 DEQ CWSRF LOAN-PRII	0.00	0.00	84,872.00	84,872.00	0%
52-046-55-6833	2016 DEQ CWSRF LOAN-INTI	0.00	0.00	18,088.00	18,088.00	0%
52-046-55-6834	2017 WATER LOAN - PRINCIP	0.00	0.00	365,000.00	365,000.00	0%
52-046-55-6835	2017 WATER LOAN - INTERE	0.00	32,497.65	65,120.00	32,622.35	50%
52-046-55-6836	2022 SPWF LOAN - PRINCIPA	0.00	0.00	70,000.00	70,000.00	0%
52-046-55-6837	2022 SPWF LOAN - INTERES	0.00	0.00	10,000.00	10,000.00	0%
52-046-55-6954	WATER STORAGE RESERVE	0.00	0.00	2,500,000.00	2,500,000.00	0%
52-046-55-6970	OPERATING CONTINGENCIE	0.00	0.00	2,698,699.00	2,698,699.00	0%
	Debt Service & Contingency Totals	0.00	32,497.65	5,884,515.00	5,852,017.35	1%

<b>Expense Totals</b>	<b>247,438.81</b>	<b>769,852.09</b>	<b>10,018,000.00</b>	<b>9,248,147.91</b>	<b>8%</b>
<b>Revenues Over Expenses</b>	<b>311,605.07</b>	<b>984,932.27</b>	<b>0.00</b>	<b>-984,932.27</b>	<b>0%</b>

**58 - FLEET MANAGEMENT FUND**

<b>4 - Revenue</b>						
58-400-00-5900	BEGINNING BALANCE	0.00	0.00	395,000.00	395,000.00	0%
58-470-00-4906	REIMBURSED SERVICES	10,356.97	27,269.68	160,000.00	132,730.32	17%
58-480-00-4470	GAS AND OIL REIMBURSEME	626.50	2,060.08	10,000.00	7,939.92	21%
58-480-00-4472	FLEET SERVICE TOTAL CARI	29,566.67	88,700.01	354,800.00	266,099.99	25%
58-480-00-4473	FLEET SERVICE TOTAL CARI	17,376.67	52,130.01	208,520.00	156,389.99	25%
58-480-00-4474	FLEET SERVICE TOTAL CARI	346.67	1,040.01	4,160.00	3,119.99	25%
58-480-00-4835	SALE OF EQUIPMENT	0.00	0.00	5,000.00	5,000.00	0%
<b>Revenue Totals</b>		<b>58,273.48</b>	<b>171,199.79</b>	<b>1,137,480.00</b>	<b>966,280.21</b>	<b>15%</b>


**5 - Expense**

Fleet Management Fund						
58-075-50-6051	SALARIES	16,517.19	57,067.70	208,000.00	150,932.30	27%
58-075-50-6061	FRINGE BENEFITS	8,990.78	30,400.41	133,000.00	102,599.59	23%
58-075-50-6210	MATERIALS AND SUPPLIES	851.40	2,673.80	7,000.00	4,326.20	38%
58-075-50-6241	FUEL & OIL	4,387.02	21,688.75	90,000.00	68,311.25	24%
58-075-50-6245	PARTS AND SERVICE	4,178.65	38,321.19	205,000.00	166,678.81	19%
58-075-50-6246	PARTS AND SERVICE-INTER	1,191.91	7,316.41	45,000.00	37,683.59	16%
58-075-50-6309	REPAIRS AND MAINTENANC	367.87	1,103.61	6,000.00	4,896.39	18%
58-075-50-6320	TOOLS	0.00	2,917.32	25,000.00	22,082.68	12%
58-075-50-6401	TELECOMMUNICATIONS	460.56	1,439.70	5,000.00	3,560.30	29%
58-075-50-6406	HVAC, ENERGY AND LIGHTIN	2,036.64	3,015.05	15,000.00	11,984.95	20%
58-075-50-6452	COMPUTER SERVICES	28.12	1,676.22	15,000.00	13,323.78	11%
58-075-50-6481	TRAVEL AND EDUCATION	375.00	1,025.00	5,000.00	3,975.00	21%
58-075-50-6500	EQUIPMENT	0.00	0.00	29,000.00	29,000.00	0%
58-075-50-6526	PUBLIC WORKS BUILDING	287.57	5,944.86	200,000.00	194,055.14	3%
58-075-50-6600	MISCELLANEOUS	117.94	553.35	5,000.00	4,446.65	11%
58-075-50-6900	TRANSFER TO GENERAL FU	2,666.67	8,000.01	32,000.00	23,999.99	25%
58-075-50-6928	TRANSFER TO SEWER SDC-	0.00	0.00	42,391.00	42,391.00	0%
58-075-50-6932	TRANSFER TO RISK MANAGI	0.00	37,500.00	37,500.00	0.00	100%
58-075-50-6937	TRANSFER TO LONG-TERM I	323.79	971.37	3,885.00	2,913.63	25%
58-075-50-6980	OPERATING CONTINGENCIE	0.00	0.00	28,704.00	28,704.00	0%
	Fleet Management Fund Totals	42,781.11	221,614.75	1,137,480.00	915,865.25	19%
<b>Expense Totals</b>		<b>42,781.11</b>	<b>221,614.75</b>	<b>1,137,480.00</b>	<b>915,865.25</b>	<b>19%</b>
<b>Revenues Over Expenses</b>		<b>15,492.37</b>	<b>-50,414.96</b>	<b>0.00</b>	<b>50,414.96</b>	<b>0%</b>

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**CITY COUNCIL  
STAFF REPORT**

**MEETING DATE:** October 21, 2024  
**AGENDA ITEM NO.** 8.a  
**TOPIC:** Fleet Services Intergovernmental Agreement with Confederated Tribes of Grand Ronde  
**PREPARED BY:** Gary Marks, Public Works Director  
**APPROVED BY:**  City Manager  
**ATTACHMENTS:** A – Confederated Tribes of Grand Ronde Fleet Services Agreement

**RECOMMENDED ACTION:**

Authorize the city manager to sign the intergovernmental agreement to provide fleet maintenance services to the Confederated Tribes of Grand Ronde (Grand Ronde) (**Attachment A**).

**BACKGROUND:**

Grand Ronde desires to have the Dallas Fleet Services Division provide maintenance services to nine (9) of their fire and medic response vehicles. The new agreement will automatically renew annually with the change of each fiscal year unless either party provides a 30-day notice. The intergovernmental agreement signed by the Grand Ronde Chief of Emergency Services Steve Warden has been included as **Attachment A** to this report.

**SUMMARY TIMELINE:**

October 21, 2024 Council action.

**FISCAL IMPACT:**

Providing fleet services to the Grand Ronde represents a net-positive fiscal contribution to the Fleet Services Division fund.

**RECOMMENDED MOTION:**

I move to authorize the city manager to sign the Intergovernmental Agreement with the Confederated Tribes of Grand Ronde for fleet services.

## Fleet Services Agreement Between Confederated Tribes of Grand Ronde and City of Dallas

This Agreement is between Confederated Tribes of Grand Ronde (hereinafter Grand Ronde), and the City of Dallas, Oregon, (hereinafter Dallas), an Oregon municipal corporation.

### PURPOSE:

The purpose of this Agreement is to provide the terms, conditions, and each party's responsibility regarding fleet repair for Grand Ronde vehicles and apparatus.

### EFFECTIVE DATE AND DURATION:

This Agreement takes effect when all required signatures are obtained. The initial term of this Agreement expires June 30, 2025. This Agreement automatically renews in one-year increments unless terminated by either party as provided herein.

### PERFORMANCE BY DALLAS:

Dallas shall provide fleet repair services for vehicles on an as-needed basis. Work will be done by Dallas employees who are trained and experienced in vehicle repair and maintenance.

Dallas will store Grand Ronde equipment in a secure location while being service. Dallas shall be solely liable for any loss of or damage to Grand Ronde's equipment while in Dallas's possession.

Dallas will contact Grand Ronde with an estimate before any repairs are made.

Dallas shall not enter into any subcontracts for any of the work scheduled under this Agreement without Grand Ronde's prior consent.

Dallas shall coordinate with Grand Ronde on an agreeable beginning and ending timeframe based on staff availability for the maintenance and repairs to be performed.

PERFORMANCE BY GRAND RONDE:

Grand Ronde shall transport equipment to and from the Dallas Fleet Maintenance Center for services.

Grand Ronde shall provide any service records or manuals which it has in its possession to Dallas as needed/requested.

CONSIDERATION:

Dallas shall invoice Grand Ronde upon completion of service. The invoice shall itemize and explain all listed expenses.

Service will be provided at a labor rate of \$130 per hour. The Dallas City Council will annually assess the labor rate and adjust accordingly. Grand Ronde will be notified of any such adjustments not less than 30 days in advance of implementation.

Dallas shall mail invoices to:

Confederated Tribes of Grand Ronde  
Attn: Emergency Services- Mariah Walters  
Street Address: 9615 Grand Ronde Rd  
City/State/Zip Code: Grand Ronde, OR 97347

Grand Ronde shall make payment within thirty days of receipt of the Dallas invoice. Grand Ronde shall remit payment as indicated on invoices.

WARRANTY:

Dallas warrants that it will perform the services under this Agreement in a manner consistent with those professionals performing similar services in the in the State of Oregon.

DISPUTES:

Any dispute under this Agreement shall be settled first by good faith negotiation between the Parties. If the dispute cannot be settled by good faith negotiation, this Agreement shall be settled by the laws of the State of Oregon.

**LIABILITY:**

Dallas shall be responsible, to the extent required by the Oregon Tort Claims Act (ORS 30.260-30.300) only for the acts, omissions, or negligence of its own officers, employees or agents. Grand Ronde is a federally recognized Indian tribe and is therefore not subject to the Oregon Tort Claims Act. Grand Ronde shall be responsible only for the acts, omissions, or negligence of its own officers, employees or agents to the same extent and on the same terms as it would be if the Oregon Tort Claims Act was applicable. The parties to this Agreement are of equal authority. Each party acts independently in the performance of its obligations and functions under this Agreement, and no party is to be considered the agent of the other.

**AMENDMENTS:**

The terms of this Agreement shall not be waived, altered, modified, supplemented or amended in any manner whatsoever, except by written agreement executed by both parties.

**TERMINATION:**

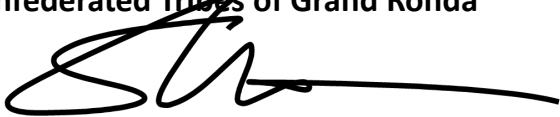
Either party may terminate this Agreement upon 30 days' written notice. If notice is given by either party, this Agreement shall become null and void on such date as specified in the written termination notice. Termination of this agreement shall not relieve Grand Ronde of the obligation to pay for any services performed or expenses incurred by Dallas under this Agreement prior to receipt of the written termination notice. Any such outstanding expenses shall be paid in the manner provided in this Agreement.

**RECORDS MAINTENANCE AND ACCESS:**

Each party to this Agreement shall maintain all records relating to this Agreement in such a manner as to clearly document performance hereunder. Duly authorized representatives of each party shall have access to all records that are directly pertinent to this specific Agreement for the purpose of making audits, examinations, excerpts, and transcripts. All records shall be retained and kept accessible for a minimum of six (6) years, except as required longer by law, following termination of this Agreement, whichever date is later. Disclosure of all records are for the limited purposes described herein and shall not constitute a

waiver of any exception from disclosure of such records to third parties applicable under the Public Records Law, ORS 192.410 through 192.505.

**Confederated Tribes of Grand Ronda**



**10/11/2024**

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**Signature**

**Date**

Steve Warden, Chief of Emergency Services

---

**Printed Name and Title**

City of Dallas

---

**Signature**


**Date**

---

**Printed Name and Title**



## CITY COUNCIL STAFF REPORT

**MEETING DATE:** October 21, 2024  
**AGENDA ITEM NO.** 8.b  
**TOPIC:** Americans with Disabilities Act (ADA) Curb Ramp Project Agreement with the State of Oregon (via Oregon Department of Transportation)  
**PREPARED BY:** Gary Marks, Public Works Director  
**APPROVED BY:**  Brian Latta, City Manager  
**ATTACHMENTS:** A - Americans with Disabilities Act Curb Ramp Project Agreement

### **RECOMMENDED ACTION:**

Authorize the city manager to sign the intergovernmental agreement establishing terms for the Oregon Department of Transportation (ODOT) to build ADA ramps on state highways within the city limits of Dallas.

### **BACKGROUND:**

ODOT is planning to design and build ADA-compliant curb ramps at various locations along Kings Valley Highway and Dallas-Rickreall Highway with the city. The project will be financed by federal and state funds.

Pursuant the agreement, the city agrees to review project plans prior to construction and grants ODOT the right to enter city right-of-way and property necessary to execute the project. The city also agrees to have ODOT acquire right-of-way needed for construction of the project. Following the project the city agrees to maintain the new ramps in accordance with terms provided in the agreement.

ODOT agrees to design, bid, build, and pay for the project. The agreement also establishes terms for handling third party claims, eligibility for reimbursement of the costs of utility relocation, and termination of the agreement.

Lane Shetterly has reviewed the agreement as to form and has provided his approval.



**SUMMARY TIMELINE:**

October 21, 2024 Council action.

**FISCAL IMPACT:**

Negligible.

**RECOMMENDED MOTION:**

I move to authorize the city manager to sign the Intergovernmental Agreement establishing terms for the Oregon Department of Transportation (ODOT) to build ADA ramps on State Highways within the city limits of Dallas.

**ATTACHMENTS:**

Attachment A - Americans with Disabilities Act Curb Ramp Project Agreement.

Misc. Contracts and Agreements  
 Agreement No. 73000-00032932

A166-G091523

**INTERGOVERNMENTAL AGREEMENT**  
**Americans with Disabilities Act Curb Ramp Project Agreement**  
 OR223/OR99W Curb Ramps (Dallas/Rickreall)  
 OR223/OR99W Curb Ramps (Dallas/Rickreall) Phase 1  
 City of Dallas

**THIS AGREEMENT** is made and entered into by and between the STATE OF OREGON, acting by and through its Department of Transportation, hereinafter referred to as "ODOT" and "State;" and THE CITY OF DALLAS, acting by and through its elected officials, hereinafter referred to as "Agency," both herein referred to individually as "Party" and collectively as "Parties."

**RECITALS**

1. OR223 (Kings Valley Highway) also known as Main Street, Washinton Street and Fairview Avenue within the project limits, and OR223 (Dallas-Rickreall Highway) also known as Ellendale Avenue within the project limits, are part of the state highway system under the jurisdiction and control of the Oregon Transportation Commission (OTC). La Creole Drive, Polk Station Road, Uglow Avenue, Dallas Drive, Orchard Drive, Ellendale Road, Rainbow Avenue, Hankel Street, Walnut Avenue, Academy Street, Oak Street, Mill Street, Court Street, Church Street, Levens Street, Hayter Street, Ellis Street, Clay Street, Ash Street, Brown Street, Maple Street, Birch Street, Cherry Street and Oakdale Avenue are part of the city street system under the jurisdiction and control of Agency.
2. By the authority granted in Oregon Revised Statutes (ORS) [190.110](#), [366.572](#), and [366.576](#), State may enter into cooperative agreements with counties, cities, and units of local governments for the performance of work on certain types of improvement projects with the allocation of costs on terms and conditions mutually agreeable to the contracting parties.
3. State, by ORS 366.220, is vested with complete jurisdiction and control over the roadways of other jurisdictions taken for state highway purposes. The Parties initially agree that by the authority granted by ORS 373.020, the jurisdiction extends from curb to curb, or, if there is no regular established curb, then control extends over such portion of the right of way as may be utilized by State for highway purposes. Responsibility for and jurisdiction over all other portions of a city street remains with Agency. The Parties further agree to amend this Agreement if the jurisdiction stated in this recital is altered or determined to be incorrect.
4. By the authority granted in ORS [810.080](#) State has the authority to establish marked pedestrian crosswalks on its highway facilities.

City of Dallas/ODOT  
 Agreement No.73000-00032932

5. By the authority granted in ORS 810.200-~~810.210~~, State is authorized to determine the character or type of traffic control devices to be used in the State of Oregon, and each road authority shall place, control, and maintain traffic control devices upon its own highways at places where the road authority deems necessary for the safe and expeditious control of traffic; to carry out the provisions of the vehicle code or local traffic ordinances; or to regulate, warn, or guide traffic. If the project involves placement of a traffic control device on a state highway or state right of way, no traffic control devices shall be erected, maintained, or operated by any authority other than State, except with State's written approval.
6. Traffic control devices that are part of the Project will conform to current State standards and specifications, including but not limited to the Manual on Uniform Traffic Control Devices (MUTCD). Oregon Administrative Rules (OAR) Chapter 734, Division 55, governs the location, installation, and maintenance of signs, miscellaneous facilities, and miscellaneous operations on the state highway right of way.
7. In order for State to ensure that curb ramps along the state highway system are in compliance with the current standards of Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 as amended (together "ADA"), State intends to remediate or construct curb ramps. These ODOT projects require agreements with local public agencies throughout the state for construction of the curb ramp projects. This Agreement identifies the Parties' respective responsibilities related to construction and maintenance of these projects.
8. One or more existing marked crosswalks, pedestrian push-buttons or rectangular rapid flashing beacons (RRFB) will be replaced, or location adjusted, according to project plans. All maintenance responsibilities for these elements remain as assigned under Miscellaneous Contracts and Agreements 15382, 21308, 27102, 30917 and 33391.

**NOW THEREFORE**, the premises being in general as stated in the foregoing Recitals, it is agreed by and between the Parties hereto as follows:

### **TERMS OF AGREEMENT**

1. Under such authority, State and Agency agree that State shall design and construct ADA-compliant curb ramp improvements at various locations along Kings Valley Highway from mile point 2.13 to 4.28, and Dallas-Rickreall Highway from mile point 0.00 to 0.60, hereinafter referred to as "Project." The Project includes ADA curb ramp construction and remediation to meet ADA standards. Construction and remediation may result in adjustments to drainage, curb lines, utilities, and other elements within the curb ramp improvement area. The location of the Project is approximately as shown on the sketch map attached hereto, marked Exhibit A, and by this reference made a part hereof.

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2. The Project will be financed at an estimated cost of \$10,653,173.81 in federal and state funds. State shall be responsible for any required match for federal funding, not to exceed the percentage identified in the applicable federal funding agreement executed by ODOT. The estimate for the total Project cost is subject to change. State shall be responsible for any Project costs beyond the estimate.
3. This Agreement becomes effective on the date all required signatures are obtained (Effective Date) and shall remain in effect for the purpose of ongoing maintenance responsibilities for the useful life of the facilities constructed as part of the Project with the exception of General Provisions, Paragraph 1.c., which survives termination in their entirety. The useful life is defined as twenty (20) calendar years from the date Second Notification is issued by State. The Project shall be completed within 2 calendar years following the Effective Date of this Agreement.

### **AGENCY OBLIGATIONS**

1. Agency shall review State's Project plans prior to construction of the Project.
2. Agency grants State the right to enter onto Agency's right of way and other Agency-owned property as necessary for the performance of this Agreement.
3. Agency agrees to State acquiring all right of way needed for construction of the Project. Upon completion of the Project, and in consideration of the improvements constructed as part of the Project, Agency agrees to accept any property transferred by the State that is no longer needed for the construction of the Project. If said property is no longer needed by Agency for public road purposes, it shall revert to ODOT.
4. Following Project completion, Agency shall be responsible for and agrees to maintain the Project improvements within Agency right of way and other Agency-owned property at its own expense, including, but not limited to, all surface and sub-surface features such as storm water systems, curbs, gutters, sidewalks, fences, sanitary sewer, water lines, and all other features constructed, reconstructed, or moved as part of the Project that are within Agency right of way or other Agency-owned property. Any maintenance responsibilities that are not part of this Agreement that are currently in effect shall remain unchanged.
5. Agency shall contact State's District 3 Permits Office seven (7) working days prior to the commencement of maintenance activities that impact travel lanes on the state highway. Agency may not implement lane restrictions on the state highway without prior approval of such restrictions from State's District 3 Manager, or designee. Any deviations from authorized lane restrictions must be requested and approved by State's District 3 Manager in advance. Additional requirements may be added if State observes traffic congestion or if State determines that conditions warrant a change.
6. Agency shall not enter into any subcontracts for any of the work scheduled under this Agreement without obtaining prior written approval from State.

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7. Agency delegates, and State accepts, Agency's authority pursuant to ORS 758.010, ORS 758.025 and all relevant common law, statutes, ordinances, permits, and agreement terms, to cause to be relocated or reconstructed, all privately and publicly owned utility conduits, lines, poles, mains, pipes, and all other such facilities of every kind and nature where such relocation or reconstruction is made necessary by the plans of the Project in order to conform the utilities and other facilities with the plans and the ultimate requirements for the portion of the Project upon lands within Agency's jurisdiction.
8. Agency, by execution of this Agreement, gives its consent as required by ORS 373.030(2) and ORS 105.760 to any and all changes of grade within Agency limits, and gives its consent as required by ORS 343.050(1) to any and all closure of streets intersecting the highway, if any, in connection with or arising out of the Project covered by this Agreement.
9. Agency shall be exclusively responsible for all costs and expenses related to its employment of individuals to perform work under this Agreement including, but not limited to, retirement contributions, workers compensation, unemployment taxes, and state and federal income tax withholdings.
10. Agency certifies and represents that the individual(s) signing this Agreement has been authorized to enter into and execute this Agreement on behalf of Agency, under the direction or approval of its governing body, commission, board, officers, members, or representatives, and to legally bind Agency.
11. Agency's Project Manager for this Project is Gary Marks, Public Works Director, City of Dallas, 187 SE Court Street; Dallas, Oregon 97338; telephone: (503) 831-3559; email: gary.marks@dallasor.gov, or assigned designee upon individual's absence. Agency shall notify the other Party in writing of any contact information changes during the term of this Agreement.

## STATE OBLIGATIONS

1. State shall conduct the necessary field surveys, environmental studies, traffic investigations, preliminary engineering, and design work required to produce and provide final plans, specifications, and cost estimates for the Project; identify and obtain all required permits; perform all construction engineering, including all required materials testing and quality documentation; prepare all bid and contract documents; advertise for construction bid proposals; award all contracts; pay all contractor costs; and provide technical inspection, project management services, and other necessary functions for sole administration of the construction contract entered into for this Project.
2. State shall provide Project plans to Agency for review prior to construction of the Project.

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3. State shall allow Agency access to State's right of way to perform maintenance obligations on constructed Project improvements specified in Agency Obligations, Paragraph 4.
4. State shall conduct all right of way activities in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended; ORS Chapter 35; Federal-Aid Policy Guide; Code of Federal Regulations (CFR), including but not limited to Title 23 CFR Part 710 and Title 49 CFR Part 24; and the ODOT Right of Way Manual.
5. Upon Project completion, State shall transfer to Agency, and Agency shall accept, any ownership interests State may have obtained for the Project on Agency's facilities. The method of conveyance will be determined by the Parties at the time of transfer and will be coordinated by State's Region Right of Way Manager. If said property is no longer needed by Agency for public road purposes, it shall revert to ODOT.
6. State, or its consultant, shall cause to be relocated or reconstructed, all privately or publicly owned utility conduits, lines, poles, mains, pipes, and all other such facilities of every kind and nature where such relocation or reconstruction is made necessary by the plans of the Project in order to conform the utilities and other facilities with the plans and the ultimate requirements for the portions of the Project which may interfere with the Project improvements.
7. State certifies, at the time this Agreement is executed, that sufficient funds are available and authorized for expenditure to finance costs of this Agreement within State's current appropriation or limitation of the current biennial budget.
8. State's Project Manager for this Project is Ian Roholt, 3700 SW Philomath Boulevard, Corvallis, Oregon 97333; telephone: (541) 745-9168; email: [ian.Roholt@odot.oregon.gov](mailto:ian.Roholt@odot.oregon.gov), or assigned designee upon individual's absence. State shall notify the other Party in writing of any contact information changes during the term of this Agreement.
9. State's contact for district permitting purposes is Cole Mullis, District 3 Manager, 885 Airport Road SE, Building P, Salem, Oregon 97301; telephone: (503) 986-2867; email: [cole.mullis@odot.oregon.gov](mailto:cole.mullis@odot.oregon.gov), or assigned designee upon individual's absence. State shall notify the other Party in writing

## GENERAL PROVISIONS

1. **Americans with Disabilities Act Compliance:**
  - a. When the Project scope includes work on sidewalks, curb ramps, or pedestrian-activated signals, or triggers an obligation to address curb ramps or pedestrian signals, the Parties shall:

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- i. Utilize ODOT standards to assess and ensure Project compliance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 as amended (together, "ADA"), including ensuring that all sidewalks, curb ramps, and pedestrian-activated signals meet current ODOT Highway Design Manual standards;
  - ii. Follow ODOT's processes for design, construction, or alteration of sidewalks, curb ramps, and pedestrian-activated signals, including using the ODOT Highway Design Manual, ODOT Design Exception process, ODOT Standard Drawings, ODOT Construction Specifications, providing a temporary pedestrian accessible route plan and current ODOT Curb Ramp Inspection Form;
  - iii. At Project completion, send a completed ODOT Curb Ramp Inspection Form 734-5020 to the address on the form as well as to State's Project Manager for each curb ramp constructed or altered as part of the Project. The completed form is the documentation required to show that each curb ramp meets ODOT standards and is ADA compliant. ODOT's fillable Curb Ramp Inspection Form and instructions are available at the following address:  
<https://www.oregon.gov/ODOT/Engineering/Pages/Accessibility.aspx>
- b. Agency shall ensure that any portions of the Project under Agency's maintenance jurisdiction are maintained in compliance with the ADA throughout the useful life of the Project. This includes, but is not limited to, Agency ensuring that:
- i. Pedestrian access is maintained as required by the ADA,
  - ii. Any complaints received by Agency identifying sidewalk, curb ramp, or pedestrian-activated signal safety or access issues are promptly evaluated and addressed,
  - iii. Agency, or abutting property owner, pursuant to local code provisions, performs any repair or removal of obstructions needed to maintain the facility in compliance with the ADA requirements that were in effect at the time the facility was constructed or altered,
  - iv. Any future alteration work on the Project or Project features during the useful life of the Project complies with the ADA requirements in effect at the time the future alteration work is performed, and
  - v. Applicable permitting and regulatory actions are consistent with ADA requirements.
- c. Maintenance obligations in this section shall survive termination of this Agreement.

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2. Utility relocation or reconstruction may or may not be an eligible Project expense according to the following standard:
  - a. The expense is an eligible expense if the owner of the utility facility possesses a property right for its location on the public right of way.
  - b. The expense is not an eligible expense if the owner of the utility facility does not possess a property right for its location, but the facility exists on the public right of way solely under the permission of Agency or other road authority, whether that permission is expressed or implied, and whether written or oral.
3. This Agreement may be terminated by mutual written consent of both Parties.
4. State may terminate this Agreement effective upon delivery of written notice to Agency, or at such later date as may be established by State, under any of the following conditions:
  - a. If Agency fails to provide services called for by this Agreement within the time specified herein or any extension thereof.
  - b. If Agency fails to perform any of the other provisions of this Agreement, or so fails to pursue the work as to endanger the performance of this Agreement in accordance with its terms, and after receipt of written notice from State fails to correct such failures within ten (10) days or such longer period as State may authorize.
  - c. If State fails to receive funding, appropriations, limitations, or other expenditure authority sufficient to allow State, in the exercise of its reasonable administrative discretion, to continue to make payments for the performance of this Agreement.
  - d. If federal or state laws, regulations, or guidelines are modified or interpreted in such a way that either the work under this Agreement is prohibited or State is prohibited from paying for such work from the planned funding source.
5. Any termination of this Agreement shall not prejudice any rights or obligations accrued to the Parties prior to termination.
6. If any third party makes any claim or brings any action, suit, or proceeding alleging a tort as now or hereafter defined in ORS 30.260 ("Third Party Claim") against State or Agency with respect to which the other Party may have liability, the notified Party must promptly notify the other Party in writing of the Third Party Claim and deliver to the other Party a copy of the claim, process, and all legal pleadings with respect to the Third Party Claim. Each Party is entitled to participate in the defense of a Third Party Claim, and to defend a Third Party Claim with counsel of its own choosing. Receipt by a Party of the notice and copies required in this paragraph and meaningful opportunity for the Party to participate in the investigation, defense, and



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settlement of the Third Party Claim with counsel of its own choosing are conditions precedent to that Party's liability with respect to the Third Party Claim.

7. With respect to a Third Party Claim for which State is jointly liable with Agency (or would be if joined in the Third Party Claim), State shall contribute to the amount of expenses (including attorneys' fees), judgments, fines, and amounts paid in settlement actually and reasonably incurred and paid or payable by Agency in such proportion as is appropriate to reflect the relative fault of State on the one hand and of Agency on the other hand in connection with the events which resulted in such expenses, judgments, fines, or settlement amounts, as well as any other relevant equitable considerations. The relative fault of State on the one hand and of Agency on the other hand shall be determined by reference to, among other things, the Parties' relative intent, knowledge, access to information, and opportunity to correct or prevent the circumstances resulting in such expenses, judgments, fines, or settlement amounts. State's contribution amount in any instance is capped to the same extent it would have been capped under Oregon law, including the Oregon Tort Claims Act, ORS 30.260 to 30.300, if State had sole liability in the proceeding.
8. With respect to a Third Party Claim for which Agency is jointly liable with State (or would be if joined in the Third Party Claim), Agency shall contribute to the amount of expenses (including attorneys' fees), judgments, fines, and amounts paid in settlement actually and reasonably incurred and paid or payable by State in such proportion as is appropriate to reflect the relative fault of Agency on the one hand and of State on the other hand in connection with the events which resulted in such expenses, judgments, fines, or settlement amounts, as well as any other relevant equitable considerations. The relative fault of Agency on the one hand and of State on the other hand shall be determined by reference to, among other things, the Parties' relative intent, knowledge, access to information, and opportunity to correct or prevent the circumstances resulting in such expenses, judgments, fines, or settlement amounts. Agency's contribution amount in any instance is capped to the same extent it would have been capped under Oregon law, including the Oregon Tort Claims Act, ORS 30.260 to 30.300, if it had sole liability in the proceeding.
9. The Parties shall comply with all federal, state, and local laws, regulations, executive orders and ordinances applicable to the work under this Agreement, including, without limitation, the provisions of ORS 279C.505, 279C.515, 279C.520, 279C.530 and 279B.270 incorporated herein by reference and made a part hereof. Without limiting the generality of the foregoing, the Parties expressly agree to comply with (i) Title VI of Civil Rights Act of 1964; (ii) Title V and Section 504 of the Rehabilitation Act of 1973; (iii) the Americans with Disabilities Act of 1990 and ORS 659A.142; (iv) all regulations and administrative rules established pursuant to the foregoing laws; and (v) all other applicable requirements of federal and state civil rights and rehabilitation statutes, rules and regulations.
10. All employers that employ subject workers who work under this Agreement in the State of Oregon shall comply with ORS 656.017 and provide the required Workers' Compensation coverage unless such employers are exempt under ORS 656.126.

City of Dallas/ODOT  
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Employers Liability insurance with coverage limits of not less than \$500,000 must be included. Each Party shall ensure that each of its contractors complies with these requirements.

11. The Parties acknowledge and agree that State, the Oregon Secretary of State's Office, the federal government, and their duly authorized representatives shall have access to the books, documents, papers, and records which are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcripts for a period of six (6) years after termination or expiration of this Agreement. Copies of applicable records shall be made available upon request. Payment for costs of copies is reimbursable by the requesting Party.
12. If Agency fails to maintain facilities in accordance with the terms of this Agreement, State, at its option, may maintain the facility and bill Agency, seek an injunction to enforce the duties and obligations of this Agreement, or take any other action allowed by law.
13. The Parties shall attempt in good faith to resolve any dispute arising out of this Agreement. In addition, the Parties may agree to utilize a jointly selected mediator or arbitrator (for non-binding arbitration) to resolve the dispute short of litigation.
14. Agency and State are the only parties to this Agreement and are the only parties entitled to enforce its terms. Nothing in this Agreement gives, is intended to give, or shall be construed to give or provide any benefit or right, whether directly, indirectly, or otherwise, to third persons unless such third persons are individually identified by name herein and expressly described as intended beneficiaries of the terms of this Agreement. This provision survives expiration or termination of this Agreement.
15. The Parties agree that if any term or provision of this Agreement is declared by a court of competent jurisdiction to be invalid, unenforceable, illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the Parties shall be construed and enforced as if this Agreement did not contain the particular term or provision held to be invalid. This provision survives expiration or termination of this Agreement.
16. This Agreement may be executed in several counterparts (facsimile or otherwise) all of which when taken together shall constitute one agreement binding on all Parties, notwithstanding that all Parties are not signatories to the same counterpart. Each copy of this Agreement so executed shall constitute an original.
17. This Agreement and attached Exhibits constitute the entire agreement between the Parties on the subject matter hereof. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this Agreement. No waiver, consent, modification, or change of terms of this Agreement shall bind either Party unless in writing and signed by both Parties and all necessary approvals have been obtained. Such waiver, consent, modification, or change, if made, shall be effective only in the specific instance and for the specific purpose given. The failure

City of Dallas/ODOT  
Agreement No.73000-00032932

of State to enforce any provision of this Agreement shall not constitute a waiver by State of that or any other provision.

18. Electronic Signatures. The Parties agree that signatures showing on PDF documents, including but not limited to PDF copies of the Agreement and amendments, submitted or exchanged via email are "Electronic Signatures" under ORS Chapter 84, bind the signing Party, and are intended to be and can be relied upon by the Parties. State reserves the right at any time to require the submission of the hard copy originals of any documents.

**THE PARTIES**, by execution of this Agreement, hereby acknowledge that their signing representatives have read this Agreement, understand it, and agree to be bound by its terms and conditions.

This Project is in the 2024-2027 STIP, (Key No. 22555 and 23568) that was adopted by the OTC on July 13, 2023 (or subsequently by amendment to the STIP).

**CITY OF DALLAS**, by and through its elected officials,

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

Date \_\_\_\_\_

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

Date \_\_\_\_\_

**LEGAL REVIEW APPROVAL**  
(If required in Agency's process)

By \_\_\_\_\_  
Agency's Counsel

Date \_\_\_\_\_

**Agency Contact:**  
Gary Marks, Public Works Director  
City of Corvallis  
187 SE Court Street  
Dallas, Oregon 97338  
(503) 831-3559  
Gary.Marks@dallasor.gov

**State Contact:**  
Ian Rohold, Transportation Project

**STATE OF OREGON**, by and through its Department of Transportation

By \_\_\_\_\_  
Delivery and Operations Division  
Administrator

Date \_\_\_\_\_

**APPROVAL RECOMMENDED**

By \_\_\_\_\_  
ODOT ADA Program Director

Date \_\_\_\_\_

By \_\_\_\_\_  
State Traffic Engineer

Date \_\_\_\_\_

By \_\_\_\_\_  
District 3 Manager

Date \_\_\_\_\_

**APPROVED AS TO LEGAL SUFFICIENCY**

By Stacy Posegate, via email  
Assistant Attorney General

Dallas City Council Meeting  
Monday, October 21, 2024  
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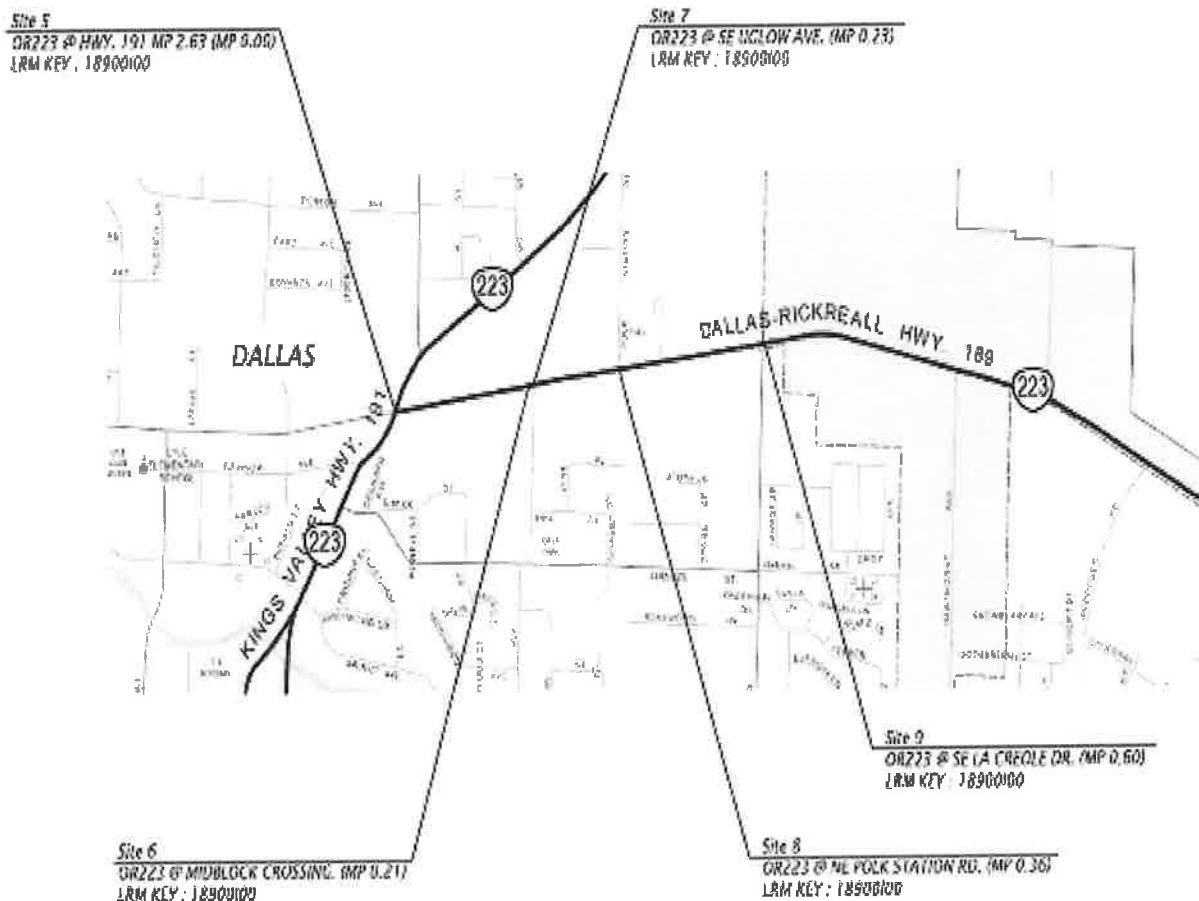
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Manager  
3700 SW Philomath Boulevard  
Corvallis, Oregon 97333  
(541) 745-9168  
lan.Roholt@odot.oergon.gov

Date 09/18/2024 email retained in file

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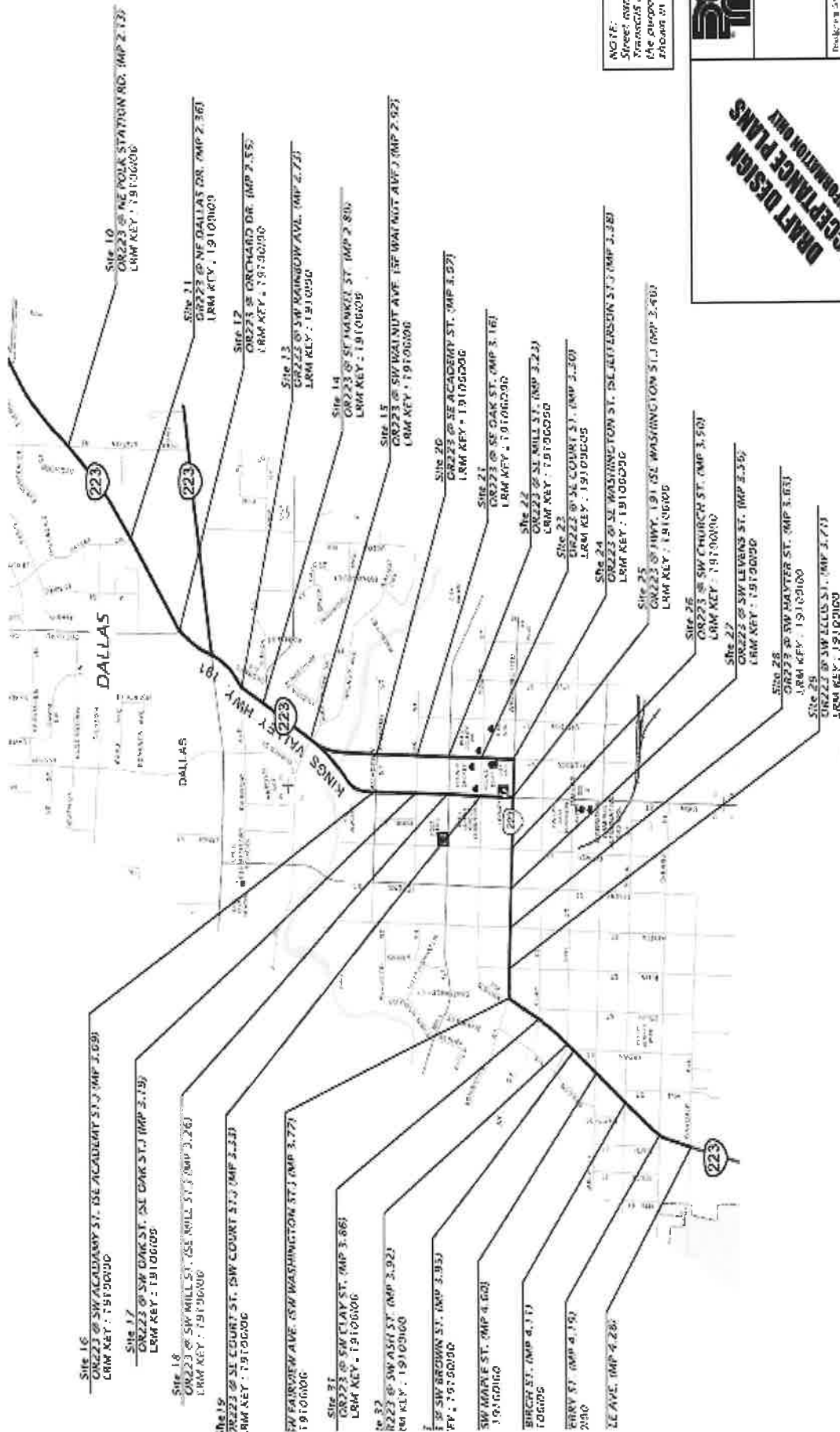
### EXHIBIT A, Page 1 Project Location Map



### DALLAS (DALLAS-RICKREALL HWY.) SITE LAYOUT

T. 07 S., R. 05 W., W.M.

**EXHIBIT A, Page 2**



Site 16  
 OR223 @ SW ACADEMY ST. (MP 3.09)  
 LRM KEY: 1910000

Site 17  
 OR223 @ SW OAK ST. (MP 3.13)  
 LRM KEY: 1910000

Site 18  
 OR223 @ SW MILL ST. (MP 3.26)  
 LRM KEY: 1910000

Site 19  
 OR223 @ SE COURT ST. (MP 3.33)  
 LRM KEY: 1910000

Site 20  
 OR223 @ SE WASHINGTON ST. (MP 3.77)  
 LRM KEY: 1910000

Site 21  
 OR223 @ SW CLAY ST. (MP 3.86)  
 LRM KEY: 1910000

Site 22  
 OR223 @ SW ASH ST. (MP 3.92)  
 LRM KEY: 1910000

Site 23  
 OR223 @ SW BROWN ST. (MP 3.95)  
 LRM KEY: 1910000

Site 24  
 OR223 @ SW MAPLE ST. (MP 4.00)  
 LRM KEY: 1910000

Site 25  
 OR223 @ SW BIRCH ST. (MP 4.11)  
 LRM KEY: 1910000

Site 26  
 OR223 @ SW ARMY ST. (MP 4.19)  
 LRM KEY: 1910000

Site 27  
 OR223 @ SW LE AVENUE. (MP 4.28)  
 LRM KEY: 1910000

Site 28  
 OR223 @ SE ACADEMY ST. (MP 3.09)  
 LRM KEY: 1910000

Site 29  
 OR223 @ SE OAK ST. (MP 3.16)  
 LRM KEY: 1910000

Site 30  
 OR223 @ SE MILL ST. (MP 3.23)  
 LRM KEY: 1910000

Site 31  
 OR223 @ SE COURT ST. (MP 3.30)  
 LRM KEY: 1910000

Site 32  
 OR223 @ SE WASHINGTON ST. (MP 3.38)  
 LRM KEY: 1910000

Site 33  
 OR223 @ HWY. 191 (SE WASHINGTON ST.) (MP 3.40)  
 LRM KEY: 1910000

Site 34  
 OR223 @ SW CHURCH ST. (MP 3.50)  
 LRM KEY: 1910000

Site 35  
 OR223 @ SW LEVENS ST. (MP 3.55)  
 LRM KEY: 1910000

Site 36  
 OR223 @ SW MAVER ST. (MP 3.61)  
 LRM KEY: 1910000

Site 37  
 OR223 @ SW ELLIS ST. (MP 3.71)  
 LRM KEY: 1910000

DALLAS (KINGS VALLEY HWY.) SITE LAYOUT

**DAVID EVI AND ASSOCIATES**  
 SITE DESIGN INFORMATION ONLY  
 PROJECT: 503.351J


**DRIFT DESIGN**  
 ACCEPTANCE PLANS  
 INFORMATION ONLY

NOTE: Street names listed match the street nomenclature used on the street map. The purpose of this plan is to show the location of the above street take project.

<b>DAVID EVI AND ASSOCIATES</b> SITE DESIGN INFORMATION ONLY PROJECT: 503.351J	<b>DRIFT DESIGN</b> ACCEPTANCE PLANS INFORMATION ONLY
OR223 (OR98W CUI) (DALLAS)/MCHAREA VALLEY COUNTY	PLAN SHEET LAYOUT
Project No. 503.351J	Scale
Dallas Office Address	City



## CITY COUNCIL STAFF REPORT

**MEETING DATE:** October 21, 2024  
**AGENDA ITEM NO.** 9.a  
**TOPIC:** Illicit Discharge Ordinance  
**PREPARED BY:** Jennifer Ward, Administrative Services; Elizabeth Sagmiller, E&S Consulting  
**APPROVED BY:** Gary Marks, Public Works Director &  Brian Latta, City Manager  
**ATTACHMENTS:** A – Illicit Discharge Ordinance No. 1900

**RECOMMENDED ACTION:**

N/A. Ordinance No. 1900 is scheduled for a First Reading.

**BACKGROUND:**

The City of Dallas is a designated management agency (DMA) according to the 2006 Willamette Basin Total Maximum Daily Load (TMDL) and Water Quality Management Plan (WQMP). According to the Final Revised Willamette Basin TMDL, the City must:

*“prohibit non-stormwater discharges into the stormwater conveyance system through enforcement of an ordinance or other legal mechanism, including appropriate enforcement procedures and actions to ensure compliance. The ordinance or other regulatory mechanism must also define the range of illicit discharges it covers, including those discharges that are conditionally allowed, such as groundwater and lawn watering discharges.”*

The Department of Environmental Quality (DEQ) approved the City of Dallas TMDL (Total Maximum Daily Load) Implementation Plan in 2022. The plan requires the city to develop the ordinance, described above, which prohibits non-stormwater discharges to the city’s stormwater conveyance system and includes enforcement measures to ensure compliance. The ordinance defines the range of illicit discharges it covers, as well as non-stormwater discharges that are conditionally allowed, such as lawn watering and individual residential car washing. The Plan states that adoption of the illicit discharge ordinance will occur between October 1, 2024 and September 30, 2025.

Staff, working with legal counsel and consultant Elizabeth Sagmiller, has developed an ordinance that meets the conditions of DEQ’s 2019 Final Willamette Basin Mercury TMDL and



WQMP (Water Quality Management Plan). The ordinance is not more restrictive than what is required by DEQ. The development of the ordinance and the associated regulations has been reviewed by the City’s Public Works Committee through staff presentations over the past year. On July 22, 2024 the committee recommended the Dallas City Council adopt the ordinance. The ordinance, including sections related to the enforcement of the ordinance (Sections 6.392-6.399), was presented to the Council at a Work Session on October 7, 2024. Tonight the ordinance is being presented for a First Reading by City Council.

**SUMMARY TIMELINE:**

March 25, 2024	Public Works Committee
May 28, 2024	Public Works Committee
July 22, 2024	Public Works Committee
October 7, 2024	City Council Work Session
October 21, 2024	First Reading of Ordinance No. 1900 by City Council
November 4, 2024	Second Reading of Ordinance No. 1900 by City Council
December 4, 2024	Ordinance No. 1900 becomes effective

**FISCAL IMPACT:**

None.

**RECOMMENDED MOTION:**

N/A. Ordinance No. 1900 is scheduled for a First Reading.

**ATTACHMENTS:**

A – Illicit Discharge Ordinance No. 1900

ORDINANCE NO. 1900

An ordinance relating to illegal stormwater discharges and illicit stormwater connections; and adding new provisions to Chapter 6 of the Dallas City Code.

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. The following provisions are adopted and added to and made a part of Chapter 6 of the Dallas City Code:

**Section 6.358. Purpose and Intent.** The purpose of this ordinance is to provide for the health, safety, and general welfare of the residents of the City of Dallas, through the regulation of non-Stormwater discharges to the Storm Drain System to the maximum extent practicable, as required by federal and state law. This ordinance establishes methods for controlling the introduction of Pollutants into the Storm Drain System in order to comply with requirements of the Oregon Department of Environmental Quality Total Maximum Daily Load (TMDL) Program, the National Pollutant Discharge Elimination System (NPDES) permit, and any other state or federal regulatory programs that can be applied to Stormwater. The objectives of this ordinance are:

1. To regulate the contribution of Pollutants to the Storm Drain System by Stormwater discharges by any user; and
2. To prohibit Illicit Connections and Illegal Discharges to the Storm Drain System; and
3. To establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this ordinance.

The standards set forth herein and promulgated pursuant to this ordinance are minimum standards; therefore, this ordinance does not intend nor imply that compliance by any person will ensure that there will be no contamination, Pollution, nor unauthorized discharge of Pollutants.

**Section 6.360. Definitions.** The following definitions shall apply to this ordinance:

Best Management Practices. Schedules of activities, prohibitions of practices, general good housekeeping practices, Pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of Pollutants directly or indirectly to Stormwater, receiving waters, Stormwater conveyance systems or other devices intended to manage Stormwater. Best Management Practices also include treatment practices, operating procedures, and

practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

City Manager. The City Manager of the City of Dallas or the City Manager's designee.

Clean Water Act. The Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

Construction Activity. Any construction-related ground disturbing activities, whether or not a permit is required. Such activities include but are not limited to, clearing and grubbing, grading, excavating, and demolition.

Hazardous Materials. Any material, including any substance, waste, or combination thereof, which, because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

Illegal Discharge. Any direct or indirect non-Stormwater discharge to the Storm Drain System, except as provided in section 6.372.

Illicit Connections. Either of the following:

1. Any drain or conveyance, whether on the surface or subsurface, which allows an Illegal Discharge to enter the Storm Drain System, including but not limited to any conveyances that allow sewage, process wastewater, and wash water to enter the Storm Drain System and any connections to the Storm Drain System from indoor drains and sinks, regardless of whether the drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency; or

2. Any drain or conveyance connected from a commercial or industrial land use to the Storm Drain System that has not been documented in plans, maps, or equivalent records and approved by the City of Dallas or another authorized enforcement agency.

Industrial Activity. Activities subject to NPDES Industrial Permits as defined in 40 CFR, Section 122.26 (b)(14) and 40 CFR 122.26(a)(9)(i)(D). Industrial activities are referenced under Oregon's 1200-Z permit.

Municipal Separate Storm Sewer System. Public facilities by which Stormwater is collected or conveyed, including but not limited to roads, highways, or municipal streets with drainage systems, curbs, gutters, inlets, catch basins, piped storm drains, structural Stormwater controls, detention or retention basins, ditches, swales,

infiltration facilities, outfalls, reservoirs, natural and man-made or altered drainage channels, and all appurtenances thereof.

National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit. A permit issued by the Environmental Protection Agency, or by the State of Oregon under authority delegated pursuant to 33 USC § 1342(b), that authorizes the discharge of Pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Non-Stormwater Discharge. Any discharge to the Storm Drain System that is not composed entirely of Stormwater.

Ordinary High Water Line. The line on the bank or shore to which the high water ordinarily rises annually in season.

Pollutant. Anything that causes or contributes to Pollution. Pollutants may include, but are not limited to paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects and accumulations of the foregoing, such that the same may cause or contribute to Pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

Pollution. Such contamination or other alteration of the physical, chemical, or biological properties of any Waters of the State, including change in temperature, taste, color, turbidity, silt, or odor of the waters, or such discharge of any liquid gaseous, solid, radioactive, or other substance into any Waters of the State that either by itself or in connection with any other substance present can reasonably be expected to create a public nuisance or render such waters harmful, detrimental, or injurious to public health, safety, or welfare; to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses; or to livestock, wildlife, fish, other aquatic life or the habitat thereof.

Premises. Any building, lot, parcel of land, or portion of land, whether improved or unimproved, including but not limited to adjacent sidewalks, landscaped features, Stormwater facilities, and parking strips.

Regulated Program. Any Stormwater program that the Oregon Department of Environmental Quality (DEQ) administers through the Federal National Pollutant

Discharge Elimination System (NPDES), or the Total Maximum Daily Load (TMDL) Program. The definition also applies to the DEQ administered UIC Program, which is regulated through the Federal Safe Drinking Water Act.

Responsible Person. Any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or on behalf of the owner.

Storm Drain System. Private or publicly-owned facilities by which Stormwater is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures. "Storm Drain System" includes the Municipal Separate Storm Sewer System.

Stormwater. Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

Stormwater Pollution Prevention Plan. A document that describes the Best Management Practices and activities to be implemented by a person or business to identify sources of Pollution or contamination at a site and the actions to eliminate or reduce Pollutant discharges to Stormwater, Stormwater Conveyance Systems, and/or Receiving Waters to the maximum extent practicable.

UIC. Underground injection control device. A UIC is a subsurface distribution system for Stormwater, usually an assemblage of perforated pipes, drain tiles, or other mechanisms intended to distribute fluids below the surface of the ground.

Waters of the State. Lakes, bays, ponds impounding reservoirs, springs, wells, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Pacific Ocean within the territorial limits of the State of Oregon, and all other bodies of surface or underground waters natural or artificial, inland or coastal, fresh or salt, public or private (except those private waters that do not combine or effect a junction with natural surface or underground waters) that are located wholly or partially within or bordering the state or within its jurisdiction, or as currently defined by the U.S. Environmental Protection Agency.

Waterway. A body of water (whether natural or man-made) that periodically or continuously contains Waters of the State and has a definite bed and banks that serve to confine the water.

**Section 6.362. Applicability.** This ordinance shall apply to all water and all other fluids, substances and materials entering the Storm Drain System generated on any developed and undeveloped lots and parcels of real property within the City of Dallas unless explicitly exempted by this ordinance or an authorized enforcement agency.

**Section 6.364. Responsibility for Administration.** The City Manager, or the City Manager’s designee, shall administer, implement, and enforce the provisions of this ordinance.

**Section 6.366. Severability.** The provisions of this ordinance are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this ordinance or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this ordinance.

**Section 6.368. Regulatory Consistency.** This Ordinance shall be construed to the fullest extent possible to assure consistency with the requirements of the Clean Water Act, Federal Safe Drinking Water Act, Oregon Revised Statutes, Oregon Administrative Rules and the Oregon Department of Environmental Quality and acts amendatory thereof or supplementary thereto, or any applicable implementing regulations.

**Section 6.370. Prohibition of Illegal Discharges.** Except as provided in section 6.372, no person shall discharge or cause to be discharged into the Storm Drain System, or any Waterways in the city, any water, fluid, substances or materials, including but not limited to Pollutants and waters containing any Pollutants that cause or contribute to a violation of applicable water quality standards. Discharges prohibited by this section include, but are not limited to, the following:

1. Septic, sewage, and dumping or disposal of liquids or materials other than Stormwater into the Storm Drain System;
2. Discharges of washwater resulting from the hosing or cleaning of gas stations, auto repair garages, or other types of automotive services facilities;
3. Discharges resulting from the cleaning, repair, or maintenance of any type of equipment, machinery, or facility, including, but not limited to, motor vehicles, cement-related equipment, and port-a-potty servicing;
4. Discharges of washwater from mobile operations, such as mobile automobile or truck washing, steam cleaning, power washing, and carpet cleaning, and similar operations;

5. Discharges of washwater from the cleaning or hosing of impervious surfaces in municipal, industrial, commercial, or residential areas, including parking lots, streets, sidewalks, driveways, patios, plazas, work yards and outdoor eating or drinking areas, and similar facilities where detergents are used and spills or leaks of toxic or Hazardous Materials have occurred, unless all spilled material has been removed;

6. Discharges of runoff from material storage areas, which contain chemicals, fuels, grease, oil, or other Hazardous Materials from material storage areas;

7. Discharges of pool or fountain water containing chlorine, biocides, or other chemicals; discharges of pool or fountain filter backwash water;

8. Discharges of sediment, unhardened concrete, pet waste, vegetation clippings, or other landscape or construction-related wastes;

9. Discharges of trash, paints, stains, resins, or other household hazardous wastes; and

10. Discharges of food-related wastes including, but not limited to, grease, restaurant kitchen mat and trash bin washwater.

**Section 6.372. Allowable Non-Stormwater Discharges.**

Section 6.370 does not apply to the following non-Stormwater discharges; provided, if any of the following allowable non-Stormwater discharges are or become a significant source of Pollutants, the City shall prohibit that discharge or require implementation of appropriate Best Management Practices to reduce the discharge of Pollutants associated with the source before discharge to the Storm Drain System:

1. Emergency firefighting activities.
2. Uncontaminated water line flushing.
3. Landscape irrigation; provided, that for areas owned or operated by the City, landscape irrigation will be considered allowable only if pesticides and fertilizers are applied in accordance with the manufacturer's instructions.
4. Diverted stream flows.
5. Uncontaminated groundwater infiltration, as defined at 40 CFR § 35.2005(20), to separate storm sewers.
6. Rising groundwaters.

7. Uncontaminated pumped ground water.
8. Potable water sources, including potable groundwater monitoring wells and draining and flushing of municipal potable water storage reservoirs.
9. Start-up flushing of groundwater wells.
10. Foundation, footing and crawlspace drains, where flows are not contaminated.
11. Uncontaminated air conditioning or compressor condensate.
12. Irrigation water.
13. Springs.
14. Lawn watering.
15. Individual residential car washing.
16. Charity car washing, provided that chemicals, soaps, detergents, steam or heated water are not used, and washing is restricted to the outside of the vehicle, no engines, transmissions or undercarriages.
17. Flows from riparian habitats and wetlands.
18. Dechlorinated swimming pool discharges including hot tubs; provided that heated water must be cooled for at least 12 hours prior to discharge.
19. Fire hydrant flushing.
20. Street and pavement washwaters, provided that chemicals, soaps, detergents, steam or heated water are not used.
21. Routine external building wash-down, provided, that chemicals, soaps, detergents, steam or heated water are not used.
22. Water associated with dye testing activity.
23. Discharges of treated water from investigation, removal and remedial actions selected or approved by DEQ pursuant to Oregon Revised Statutes (ORS) Chapter 465.
24. Any Non-Stormwater Discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Federal Environmental Protection Agency, provided that the discharger is in full



compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the Storm Drain System.

25. Any other water source not containing Pollutants.

**Section 6.374. Prohibition of Illicit Connection. (a)**

1. The construction, use, maintenance or continued existence of Illicit Connections to the Storm Drain System is prohibited.

2. The prohibition in subsection 1 expressly includes, without limitation, Illicit Connections made prior to the effective date of this ordinance, regardless whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

3. A person is considered to be in violation of this ordinance if the person connects a line conveying sewage to the Storm Drain System, or allows such a connection to continue.

**Section 6.376. Suspension of Access to the Municipal Separate Storm Sewer System.**

The City Manager may, without prior notice, suspend discharge access into the Municipal Separate Storm Sewer System to a person when such suspension is necessary to stop an actual or threatened discharge that presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the Municipal Separate Storm Sewer System or Waters of the State. If a person fails to comply with a suspension order issued under this section, the City Manager may take such steps as deemed necessary to prevent or minimize damage to the Municipal Separate Storm Sewer System or Waters of the State, or to minimize danger to persons. Any person discharging to the Municipal Separate Storm Sewer System in violation of this ordinance may have their Municipal Separate Storm Sewer System access terminated if such termination would abate or reduce an illicit discharge. The City Manager must notify a violator of the proposed termination of its Municipal Separate Storm Sewer System access. The violator may petition the City Manager, for reconsideration of a suspension order issued under this section. A person commits a violation if the person reinstates access to the Municipal Separate Storm Sewer System from Premises terminated pursuant to this Section, without the prior approval of the City Manager.

**Section 6.378. Waste Disposal Prohibitions.** No person shall throw, deposit, leave, maintain, keep, or permit to be thrown, deposited, left, or maintained, in or upon any public or private property, driveway, parking area, street alley sidewalk, component of the storm drainage system, UICs or Waters of the State, any refuse, rubbish, garbage, litter, yard debris or other discarded or abandoned objects, articles, and accumulations. This section does not apply to wastes and recyclable materials deposited in proper waste and recycling receptacles and placed in authorized areas for the purpose of waste and recycling collection.

**Section 6.380. Industrial or Construction Activity.** Any person subject to an industrial or Construction Activity NPDES Stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with a NPDES Stormwater discharge permit may be required in a form acceptable to the City prior to the allowing of discharges to the Storm Drain System.

**Section 6.382. Monitoring of Discharges.**

1. Applicability. This section applies to all facilities that have Stormwater discharges associated with Industrial Activity, including Construction Activity.

2. Access to Facilities.

a. An employee or agent of the City designated by the City Manager shall be permitted to enter and inspect facilities subject to regulation under this ordinance as often as may be necessary to determine compliance with this ordinance.

b. The City shall have the right to install on any permitted facility such devices as the city deems necessary to conduct monitoring or sampling of the facility's Stormwater discharge.

c. The City shall have the right to require the discharger to install monitoring equipment as the city deems necessary, at the cost and expense of the discharger or other Responsible Person. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger or other Responsible Person at its own expense. All devices used to measure Stormwater flow and quality shall be calibrated to ensure their accuracy.

d. Unreasonable delays in allowing the authorized City personnel access to a permitted facility is a violation of any Stormwater discharge permit and of this ordinance.

**Section 6.384. Requirement to Prevent, Control and Reduce Stormwater Pollutants by the Use of Best Management Practices.** The owner or operator of a commercial or industrial establishment shall, at their own expense, through the implementation of appropriate structural and nonstructural Best Management Practices, provide reasonable protection from accidental discharge of prohibited materials or other wastes into the Storm Drain System or Waterways. Any person responsible for a property or premise, which is, or may be, the source of an illicit discharge, may be required to implement, at the person's expense, additional structural and non-structural Best Management Practices to prevent the further discharge of Pollutants to the Storm Drain System. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of Stormwater associated with Industrial Activity, to the extent practicable, shall be deemed compliance with the provisions of this section.

**Section 6.386. Waterway Protection.** Every person who owns or occupies property through which a Waterway passes, , shall keep and maintain that part of the Waterway within or on the person's property free of trash, debris, excessive invasive vegetation, and other obstacles that would pollute, or contaminate water through the Waterway. In addition, the owner or lessee of such property shall maintain existing privately owned structures within or adjacent to a Waterway, so that such structures will not become a hazard to the use, function, or physical integrity of the Waterway. The owner, lessee or Responsible Person shall not remove bank vegetation that will result in bare slopes subject to erosion. Removal of invasive vegetation may be allowed by the City upon submittal of a plan for removal and replanting that is reviewed and approved by the City. The City may impose reasonable conditions upon such approval.

**Section 6.388. Notification of Spills.** Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation, has information of any known or suspected release of materials that are resulting or may result in Illegal Discharges into the Storm Drain System, or Waters of the State, the person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release the owner, operator or other Responsible Person shall immediately notify emergency response agencies of the occurrence. Notifications in person or by phone shall be confirmed by written notice addressed and mailed or hand-delivered to the city within three business days of the phone or in-person notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment, or other Responsible Person, shall also retain onsite a written record of the discharge and the actions taken to abate the discharge and prevent

its recurrence. Such records shall be retained for at least three years from the date of the discharge.

**Section 6.390. Authority to Inspect.** Whenever necessary to make an inspection to enforce any provision of this Ordinance, or whenever the City Manager has cause to believe that there exists, or potentially exists, in or upon any Premises any condition that constitutes a violation of this Ordinance, the City Manager may enter such Premises at all times to inspect the same and to inspect and copy records related to Stormwater compliance. In the event the owner, occupant or other Responsible Person refuses entry after a request to enter and inspect has been made, the City may seek an administrative warrant for such entry from the Dallas Municipal Court pursuant to Dallas City Code Section 2.880 through 2.888 or other assistance from any court of competent jurisdiction in obtaining such entry.

**Section 6.392. Enforcement.**

1. Notice of Violation and Order. Whenever the City of Dallas finds that a person has violated a provision or failed to meet a requirement of this Ordinance, the City Manager may order compliance by written Notice of Violation and Order to the owner, occupant or other Responsible Person. Such notice may require, without limitation:

- a. The performance of monitoring, analyses, and reporting;
  - b. The elimination of Illicit Connections or discharges;
  - c. That violating discharges, practices, or operations shall cease and desist;
  - d. The abatement or remediation of Stormwater Pollution or contamination hazards and the restoration of any affected property;
  - e. Payment of an administrative fee to cover administrative and remediation costs; and
  - f. The implementation of source control or treatment Best Management Practices.
- If abatement of a violation or restoration of affected property is required, the notice shall set forth a deadline within which such abatement or restoration must be completed.

2. The notice shall further provide that, should the owner, occupant or other Responsible Person fail to abate the discharge and remediate or restore all affected property, as required, within the established deadline, the City may abate the violation in the manner of the abatement of a nuisance provided under Sections 5.618 and 5.620,

in which event the owner, occupant or other Responsible Person shall be jointly responsible for the cost of such abatement in the manner of Section 5.616.

3. Duty to Follow Enforcement Plan. The City shall follow a written process for enforcement through the escalating steps listed in the City of Dallas Enforcement Response Plan.

4. Enforcement under this section is in addition to, and not in lieu of, any other remedies available to the City or penalties for violation of this ordinance.

**Section 6.394. Appeal of Notice of Violation and Order.**

1. Any person receiving a Notice of Violation and Order under Section 6.392, above, may appeal the determination of the City Manager. The notice of appeal must be received at the office of the City Manager within 10 days from the date of the Notice of Violation and Order. Upon receipt of a Notice of Appeal, the City Manager will offer to meet with the person that filed the Notice of Appeal and the person's representative, and receive written evidence and argument in support of the appeal. The City Manager shall conduct an informal review and investigation of the violation and render a decision in writing.

2. The person who appealed the Notice of Violation and Order may, within 10 days after the mailing of the City Manager's decision, appeal the City Manager's decision in writing to the council. The appeal shall state:

- a. The name and address of the appellant;
- b. The nature of the determination being appealed;
- c. The reason the determination is incorrect; and
- d. What the correct determination of the appeal should be.

3. The council shall hear and determine the appeal on the basis of the written statement and such additional evidence as it considers appropriate. The appellant shall be provided at least 14 days' written notice of a hearing on the appeal.

4. At the hearing, the appellant may present testimony and oral argument, personally or by counsel, and any additional evidence. The rules of evidence used by courts of law do not apply, and the decision of the council after the hearing is final.

5. An appellant who fails to appeal the City Manager’s decision within the time permitted waives objections, and the right to appeal and the matter shall be deemed conclusively determined.

6. The city council may, by resolution, establish a fee for an appeal under this section, which must be paid when the appeal is filed.

**Section 6.396. Violations.**

1. A violation of or failure to comply with any of the requirements of this Ordinance shall constitute a civil infraction punishable as follows:

\$350 per day for the first offense.

\$500 per day for the second offense (within a 2-year period).

\$750 per day for the third offense (within a 2-year period).

2. There shall be an additional penalty of \$200 per day if there is any discharge of Hazardous Materials in any amount.

3. There shall be an additional penalty of \$500 per day if the discharge is fully or partially intentional.

4. The imposition of a penalty under this section does not relieve a person of the duty to abate the nuisance or comply with a Notice of Violation and Order issued under Section 6.392.

**Section 6.398. Compensatory Action.** In addition to enforcement proceedings, penalties, and remedies authorized by this Ordinance, the City may impose upon a violator alternative compensatory or compliance actions, including, but not limited to, storm drain stenciling, attendance at compliance workshops, and Waterway cleanup.

**Section 6.399. Remedies Not Exclusive.** The remedies listed in this ordinance are not exclusive of any other remedies available under any applicable federal, state or local law and it is within the discretion of the City to seek cumulative remedies.

Read for the first time: October 21, 2024

Read for the second time: November 4, 2024

Adopted by the City Council: November 4, 2024

Approved by the Mayor: November 4, 2024

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KENNETH L. WOODS, JR., MAYOR

ATTEST:

APPROVED AS TO FORM:

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BRIAN LATTA,  
CITY MANAGER

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LANE P. SHETTERLY,  
CITY ATTORNEY



**CITY COUNCIL  
STAFF REPORT**

**MEETING DATE:** October 21, 2024  
**AGENDA ITEM NO.** 10.a  
**TOPIC:** Second reading of Ordinance No. 1898, an ordinance amending Dallas City Code Sections 6.500, 6.505, 6.525 and 6.532 and adding new provisions relating to non-compliant vehicles.  
**PREPARED BY:**  Brian Latta, City Manager  
**ATTACHMENTS:** A – Ordinance No. 1898

**RECOMMENDED ACTION:**

Council allows Ordinance 1898 to pass its second reading and vote to adopt.

**BACKGROUND:**

Code Services employees have found it necessary to broaden the scope of the City’s abandoned vehicle code to address a variety of “abandoned” vehicle circumstances they have come across in the field. In working with the City’s Code Services, City Attorney and City Manager’s Office, staff recommended to the Public Administration Committee to amend portions of the abandoned vehicle code, as shown in **Attachment A**. The committee agreed with the recommended amendments and directed the City Attorney to prepare an ordinance for the City Council to consider. The following are the proposed amendments, section by section.

In Section 6.500 the definition of *Abandoned Vehicle* is replaced with *Non-compliant Vehicle*. The code section further describes what constitutes a non-compliant vehicle.

In Section 6.505 the title and body text is amended to reflect the change from abandoned vehicle to non-compliant vehicle.

Section 6.510 had formatting issues. This section received no further amendments, but after approval the formatting will be corrected.

Section 6.525 is amended to synchronize the pre-tow notice with Oregon statutory language for such notices. The pre-tow notice shall be affixed to the vehicle at least 24 hours before taking the vehicle into custody, including weekends and holidays.



Section 6.530 is amended to synchronize the post-tow notice with Oregon statutory language for such notices.

Section 6.532 is added to address the procedure for vehicles that have no identification markings such as a vehicle identification number, registration plates and no other markings by which we can identify the owner.

**SUMMARY TIMELINE:**

September 23, 2024 – Public Administration Committee directed the City Attorney to prepare an ordinance for City Council consideration with a do pass recommendation.

October 7, 2024 – City Council allowed Ordinance 1898 to pass its first reading.

October 21, 2024 – Ordinance 1898 scheduled for its second reading and vote to approve by the City Council.

November 20, 2024 – If approved, Ordinance 1898 becomes effective.

**FISCAL IMPACT:**

None.

**RECOMMENDED MOTION:**

N/A – Ordinance 1898 scheduled for its second reading and roll call vote to adopt.

**ATTACHMENTS:**

A – Ordinance No. 1898

**CITY OF DALLAS  
ORDINANCE NO 1898**

**AN ORDINANCE AMENDING DALLAS CITY CODE SECTIONS 6.500, 6.505, 6.525  
AND 6.532 AND ADDING NEW PROVISIONS RELATING TO NON-COMPLIANT  
VEHICLES.**

Be it ordained by the City Council of the City of Dallas, in the State of Oregon, as follows:

**SECTION 1:** AMENDMENT “6.500 Definitions” of the Dallas Municipal Code is hereby *amended* as follows:

**BEFORE AMENDMENT**

6.500 Definitions

As used in sections 6.500 to 6.545 unless the context requires otherwise, the following mean:

Abandoned vehicle. A vehicle left unoccupied and unclaimed or in such a damaged, disabled or dismantled condition that the vehicle is inoperable.

Hazardous vehicle. A vehicle left in a location or condition that constitutes an immediate and continuous hazard to the safety of persons using the streets or alleys of the city. For example, and not for limitation, the following are hazardous vehicles:

1. Vehicles blocking public or private rights-of-way.
2. Vehicles with leaks in gas tanks.
3. Vehicles blocking fire hydrants.

Law enforcement officer. An authorized law enforcement officer of the city or another city employee authorized to enforce this ordinance.

Owner. A person with a claim, either individually or jointly, or ownership of any interest, legal or equitable, in a vehicle.

Private garage. A reputable, private storage yard, garage, or other storage place selected by a law enforcement officer.

Vehicle. Every device in, upon or by which a person or property is or may be transported or drawn upon a public highway, except devices moved exclusively by human power or used exclusively upon stationary rails or tracks.

**AFTER AMENDMENT**

## 6.500 Definitions

As used in sections 6.500 to 6.545 unless the context requires otherwise, the following mean:

~~Abandoned~~ Non-compliant vehicle. A vehicle ~~left unoccupied and unclaimed or in such a damaged, disabled or dismantled condition that the vehicle is inoperable.~~ that has one or more of the following conditions:

1. The vehicle is in such damaged, disabled or dismantled condition that the vehicle is inoperable
2. The vehicle has an expired, canceled or altered license plate or a license plate from another vehicle.
3. The vehicle registration has been expired for more than 90 days.
4. The vehicle has no license plates.
5. The vehicle has an altered or obliterated vehicle identification number, or has no vehicle identification number.
6. The vehicle has an expired or altered trip permit.
7. The records of the Oregon Department of Transportation identify the vehicle as having been sold and the current owner of the vehicle has not registered the vehicle within 90 days of the date of sale.

Hazardous vehicle. A vehicle left in a location or condition that constitutes an immediate and continuous hazard to the safety of persons using the streets or alleys of the city. For example, and not for limitation, the following are hazardous vehicles:

1. Vehicles blocking public or private rights-of-way.
2. Vehicles with leaks in gas tanks.
3. Vehicles blocking fire hydrants.

Law enforcement officer. An authorized law enforcement officer of the city or another city employee authorized to enforce this ordinance.

Owner. A person with a claim, either individually or jointly, or ownership of any interest, legal or equitable, in a vehicle.

Private garage. A reputable, private storage yard, garage, or other storage place selected by a law enforcement officer.

Vehicle. Every device in, upon or by which a person or property is or may be transported or drawn upon a public highway, except devices moved exclusively by human power or used exclusively upon stationary rails or tracks.

**SECTION 2:** **AMENDMENT** “6.505 Abandoned Vehicles Prohibited” of the Dallas Municipal Code is hereby *amended* as follows:

**BEFORE AMENDMENT**

6.505 Abandoned Vehicles Prohibited

1. No vehicle that a law enforcement officer has reasonable cause to believe is disabled or abandoned shall be parked or left standing on the right-of-way of a city street or alley or on city property for a period in excess of 72 hours. 2. A vehicle so parked or left standing may be towed and impounded and held at the expense of the owner or person entitled to possession of the vehicle. A law enforcement officer may use department personnel, equipment and facilities for the removal and preservation of the vehicle, or may hire other personnel, equipment and facilities for that purpose.

**AFTER AMENDMENT**

6.505 Abandoned Vehicles Prohibited

1. No vehicle that a law enforcement officer has reasonable cause to believe is ~~disabled or abandoned~~ non-compliant shall be parked or left standing on the right-of-way of a city street or alley or on city property for a period in excess of 72 hours. 2. A vehicle so parked or left standing may be towed and impounded and held at the expense of the owner or person entitled to possession of the vehicle. A law enforcement officer may use department personnel, equipment and facilities for the removal and preservation of the vehicle, or may hire other personnel, equipment and facilities for that purpose.

**SECTION 3:** **AMENDMENT** “6.525 Contents Of Notice” of the Dallas Municipal Code is hereby *amended* as follows:

**BEFORE AMENDMENT**

6.525 Contents Of Notice

1. Notices sent or placed under section 6.520 shall contain the following information:
  - a. The name of the officer or other city employee issuing the notice.
  - b. That if the vehicle is not removed within the legal time limit, the vehicle will be towed and taken into custody as an abandoned vehicle.
  - c. That any person who, at the request of a law enforcement officer, tows an abandoned vehicle shall have a lien on the vehicle and its contents for reasonable towing and storage charges, may retain possession of the vehicle and its contents until the charges are paid, and may have the vehicle and its

- contents sold at public auction to satisfy the lien.
- d. That the owner of the vehicle may request a hearing on the validity of the proposed tow and the creation and amount of the lien.
  - e. How and where the owner of the vehicle may get information about the opportunity for a hearing and the location of the vehicle, if it has been towed.
2. If the owner of the vehicle requests a hearing before the vehicle is taken into custody, the vehicle shall not be taken until a hearing is set and held in accordance with sections 6.535 to 6.545.

## AFTER AMENDMENT

### 6.525 Contents Of Notice

1. Notices sent or placed under section 6.520 shall ~~contain the following information~~ comply with the following:
  - a. ~~The name of the officer or other city employee issuing the notice.~~ Notice shall be given by affixing a notice to the vehicle with the required information. The notice shall be affixed to the vehicle at least 24 hours before taking the vehicle into custody. The 24-hour period under this subsection includes holidays, Saturdays and Sundays.
  - b. ~~That if the vehicle is not removed within the legal time limit, the vehicle will be towed and taken into custody as an abandoned vehicle.~~ Notice shall state all of the following:
    - i. That the vehicle will be subject to being taken into custody and towed if the vehicle is not removed before the time stated in the notice.
    - ii. The statute, ordinance or rule violated by the vehicle and under which the vehicle will be towed.
    - iii. How and where the owner, possessor or person having an interest in the vehicle may get information about the opportunity for a hearing and the location of the vehicle if it has been towed.
    - iv. That the vehicle, if taken into custody and towed, will be subject to towing and storage charges and that a lien will attach to the vehicle and its contents.
    - v. That the vehicle will be sold to satisfy the costs of towing and storage if the charges are not paid.
    - vi. That the owner, possessor or person having an interest in the vehicle is entitled to a hearing, before the vehicle is impounded, to contest the proposed custody and towing if a hearing is timely requested.
    - vii. That the owner, possessor or person having an interest in the vehicle may also challenge the reasonableness of any towing and storage charges at the hearing.
    - viii. The time within which a hearing must be requested and the method for requesting a hearing.
  - c. ~~That any person who, at the request of a law enforcement officer, tows an abandoned vehicle shall have a lien on the vehicle and its contents for~~

~~reasonable towing and storage charges, may retain possession of the vehicle and its contents until the charges are paid, and may have the vehicle and its contents sold at public auction to satisfy the lien.~~

- ~~d. That the owner of the vehicle may request a hearing on the validity of the proposed tow and the creation and amount of the lien.~~
- ~~e. How and where the owner of the vehicle may get information about the opportunity for a hearing and the location of the vehicle, if it has been towed.~~

2. If the owner of the vehicle requests a hearing before the vehicle is taken into custody, the vehicle shall not be taken until a hearing is set and held in accordance with sections 6.535 to 6.545.

**SECTION 4:            AMENDMENT “6.530 Post-Towing Notice” of the Dallas Municipal Code is hereby *amended* as follows:**

**BEFORE AMENDMENT**

**6.530 Post-Towing Notice**

1. After an abandoned vehicle has been taken into custody, notice shall be provided to the owner indicating: 1. The location of the vehicle; 2. That a lien has arisen on the vehicle in favor of the person who towed the vehicle; 3. That the vehicle may be sold at public auction to satisfy the lien; and 4. That a hearing on the validity of the tow and on the creation and amount of the lien may be held, if requested. 2. Notice is considered given when a certified letter addressed to the registered owner of the vehicle and a similar letter addressed to the legal owner, if any, return receipt requested and postage prepaid, is mailed within 48 hours, not including holidays, Saturdays or Sundays, after the vehicle is taken into possession by or at the direction of a law enforcement officer. 3. If the vehicle is registered in the office of the Motor Vehicles Division, notice may be addressed to the registered owner and the legal owner, if any, at the latest respective address of each shown by Motor Vehicles Division records. If the vehicle is not registered, reasonable efforts shall be made to ascertain the names and addresses of the legal owner and persons entitled to possession of the vehicle so that notice may be mailed, if reasonably possible, within the time period outlined in this section. 4. If a hearing is desired, the owner must request a hearing within five days after the date of mailing of the notice, not including holidays, Saturdays or Sundays. The request may be made in person or in writing, and failure to appear in person or to mail a letter within five days after the date of mailing of the notice shall act as a waiver of the right to a hearing.

**AFTER AMENDMENT**

**6.530 Post-Towing Notice**

1. After an ~~abandoned~~ non-compliant vehicle has been taken into custody, notice shall be

provided by certified mail within 48 hours of the towing, not including holidays, Saturdays or Sundays, with an explanation of procedures available for obtaining a hearing under section 6.535, to the owner and any lessor or security interest holders as shown in the records of the Department of Transportation ~~indicating.~~

2. A notice given under this section after a vehicle is taken into custody and towed shall state all of the following:

a. That the vehicle has been taken into custody and towed, and the statute, ordinance or rule under which he vehicle has been taken into custody and towed.

b. How and where the owner, possessor or person having an interest in the vehicle may get information about the opportunity for a hearing and the location of the vehicle if it has been towed.

c. That the vehicle is subject to towing and storage charges, the amount of charges that have accrued to the date of the notice and the daily storage charges.

d. That the vehicle and its contents are subject to a lien for payment of the towing and storage charges and that the vehicle and its contents will be sold to cover the charges if the charges are not paid by a date specified by the appropriate authority.

e. That the owner, possessor or person having an interest in the vehicle and its contents is entitled to a prompt hearing to contest the validity of taking the vehicle into custody and towing it and to contest the reasonableness of the charges for towing and storage if a hearing is timely requested.

f. The time within which a hearing must be requested and the method for requesting a hearing.

g. That the vehicle and its contents may be immediately reclaimed by presentation of satisfactory proof of ownership or right to possession and either payment of the towing and storage charges or the deposit of cash security or a bond equal to the charges.

~~1. The location of the vehicle; 2. That a lien has arisen on the vehicle in favor of the person who towed the vehicle; 3. That the vehicle may be sold at public auction to satisfy the lien; and 4. That a hearing on the validity of the tow and on the creation and amount of the lien may be held, if requested. 2. Notice is considered given when a certified letter addressed to the registered owner of the vehicle and a similar letter addressed to the legal owner, if any, return receipt requested and postage prepaid, is mailed within 48 hours, not including holidays, Saturdays or Sundays, after the vehicle is taken into possession by or at the direction of a law enforcement officer. 3. If the vehicle is registered in the office of the Motor Vehicles Division, notice may be addressed to the registered owner and the legal owner, if any, at the latest respective address of each shown by Motor Vehicles Division records. If the vehicle is not registered, reasonable efforts shall be made to ascertain the names and addresses of the legal owner and persons entitled to possession of the vehicle so that notice may be mailed, if~~

~~reasonably possible, within the time period outlined in this section. 4. If a hearing is desired, the owner must request a hearing within five days after the date of mailing of the notice, not including holidays, Saturdays or Sundays. The request may be made in person or in writing, and failure to appear in person or to mail a letter within five days after the date of mailing of the notice shall act as a waiver of the right to a hearing.~~

**SECTION 5:            ADOPTION** “6.532 Procedure For Vehicles That Have No Identification Markings” of the Dallas Municipal Code is hereby *added* as follows:

BEFORE ADOPTION

6.532 Procedure For Vehicles That Have No Identification Markings (Non-existent)

AFTER ADOPTION

6.532 Procedure For Vehicles That Have No Identification Markings(*Added*)

If there is no vehicle identification number on a vehicle and there are no registration plates and no other markings through which the Department of Transportation could identify the owner of the vehicle, then no notice is required under sections 6.525 or 6.530 and the vehicle may be towed and disposed of as though notice and an opportunity for a hearing had been given.

**SECTION 6:            AMENDMENT** “6.510 Impounding Hazardous Vehicles” of the Dallas Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

6.510 Impounding Hazardous Vehicles

1. On discovering a hazardous vehicle, a law enforcement officer may immediately cause the vehicle to be towed and impounded.
2. The owner of the vehicle shall be responsible for costs of towing and storing the vehicle.
3. A law enforcement officer may use department personnel, equipment and facilities for the removal and preservation of the vehicle, or may hire other personnel, equipment and facilities for that purpose.

AFTER AMENDMENT

6.510 Impounding Hazardous Vehicles



1. On discovering a hazardous vehicle, a law enforcement officer may immediately cause the vehicle to be towed and impounded.
2. The owner of the vehicle shall be responsible for costs of towing and storing the vehicle.
3. A law enforcement officer may use department personnel, equipment and facilities for the removal and preservation of the vehicle, or may hire other personnel, equipment and facilities for that purpose.

PASSED AND ADOPTED BY THE CITY OF DALLAS CITY COUNCIL

\_\_\_\_\_.

Presiding Officer

Attest


\_\_\_\_\_  
Kenneth L. Woods, Jr., Mayor, City of Dallas

\_\_\_\_\_  
Brian Latta, City Manager, City of Dallas

\_\_\_\_\_  
Lane P. Shetterly, City Attorney, City of Dallas



**CITY COUNCIL  
STAFF REPORT**

**MEETING DATE:** October 21, 2024  
**AGENDA ITEM NO.** 10.b  
**TOPIC:** Second reading of Ordinance No. 1899, an ordinance changing the zoning designation of a parcel of real property owned by Polk Community Development Corporation from Residential Low Density to Residential High Density.  
**PREPARED BY:** Chase Ballew, City Planner  
**APPROVED BY:**  City Manager  
**ATTACHMENTS:** A – Ordinance No. 1899

**RECOMMENDED ACTION:**

Council allows Ordinance 1899 to pass its second reading and vote to adopt.

**BACKGROUND:**

On September 16, 2024, following a public hearing, the City Council voted to approve the applicant’s request to change to zoning of the property from low density to high density residential. **Attachment A** is the draft ordinance, prepared by the City Attorney, to enact the zone change.

**SUMMARY TIMELINE:**

August 13, 2024 – Dallas Planning Commission recommended approval of the zone change.  
September 16, 2024 – Dallas City Council approved the zone change request, subject to adoption of an ordinance.  
October 7, 2024 – First reading of Ordinance No. 1899 to enact the approved zone change.  
October 21, 2024 – Second reading of Ordinance No. 1899 to enact the approved zone change.  
November 20, 2024 – If approved, Ordinance No. 1899 becomes effective.

**FISCAL IMPACT:**

None

**RECOMMENDED MOTION:**

n/a – Ordinance 1899 scheduled for its second reading and roll call vote to adopt.

*We are a welcoming, safe and livable community dedicated to people and business*

ORDINANCE NO. 1899

An Ordinance changing the zoning designation of a parcel of real property owned by Polk Community Development Corporation from Residential Low Density to Residential High Density.

WHEREAS, Polk Community Development Corporation submitted a zone change application to the City requesting that the zoning designation of the real property owned by Polk Community Development Corporation, which is described as Polk County Map and Tax Lot 7.5.28DC-1300, Tax Account No. 130909, more particularly described on Exhibit 1, attached hereto and incorporated herein, located and commonly known as 498 SE Hankel Street, be changed from Residential Low Density to Residential High Density; and

WHEREAS, after due notice, on August 13, 2024, the Dallas Planning Commission held a public hearing on the application and at the conclusion thereof recommended to the City Council that the application be granted; and

WHEREAS, after due notice, on September 16, 2024, the City Council held a public hearing on the application and at the conclusion thereof found that there was substantial evidence that the application met the requirements of the Dallas Comprehensive Plan and Zoning and Development Code, and that the application should be granted; NOW, THEREFORE,

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. The zoning designation of the real property described on Exhibit 1 attached hereto, and as shown on the map attached hereto as Exhibit 2, is hereby changed from Residential Low Density to Residential High Density.

Section 2. The Findings and Conclusions set forth in the staff report on this matter, submitted into the record herein on September 16, 2024, by reference incorporated herein, are hereby adopted and approved as the Findings and Conclusions in support of this zone change.

Read for the first time: October 7, 2024  
Read for the second time: October 21, 2024

Passed by the City Council: October 21, 2024  
Approved by the Mayor: October 21, 2024

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KENNETH L. WOODS, JR., MAYOR

ATTEST:

APPROVED AS TO FORM:

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BRIAN LATTA,  
CITY MANAGER

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LANE P. SHETTERLY  
CITY ATTORNEY

Exhibit 1 - Legal Description

Beginning 68.64 chains South and 19.88 chains West of the Northeast corner of the Solomon Shelton Donation Land Claim No. 52, in Township 7 South, Range 5 West of the Willamette Meridian in Polk County, Oregon; thence South 7.76 chains to the center of a County road; thence South 89° 0' West 1.29 chains; thence North 7.76 chains; thence North 89° 0' East 1.29 chains to the Place of Beginning.

Save and except that tract of land conveyed to the City of Dallas, a municipal corporation, by instrument recorded June 3, 1980 in Volume 149, Page 695, Book of Records for Polk County, Oregon

Exhibit 2 - Amended Zoning

