

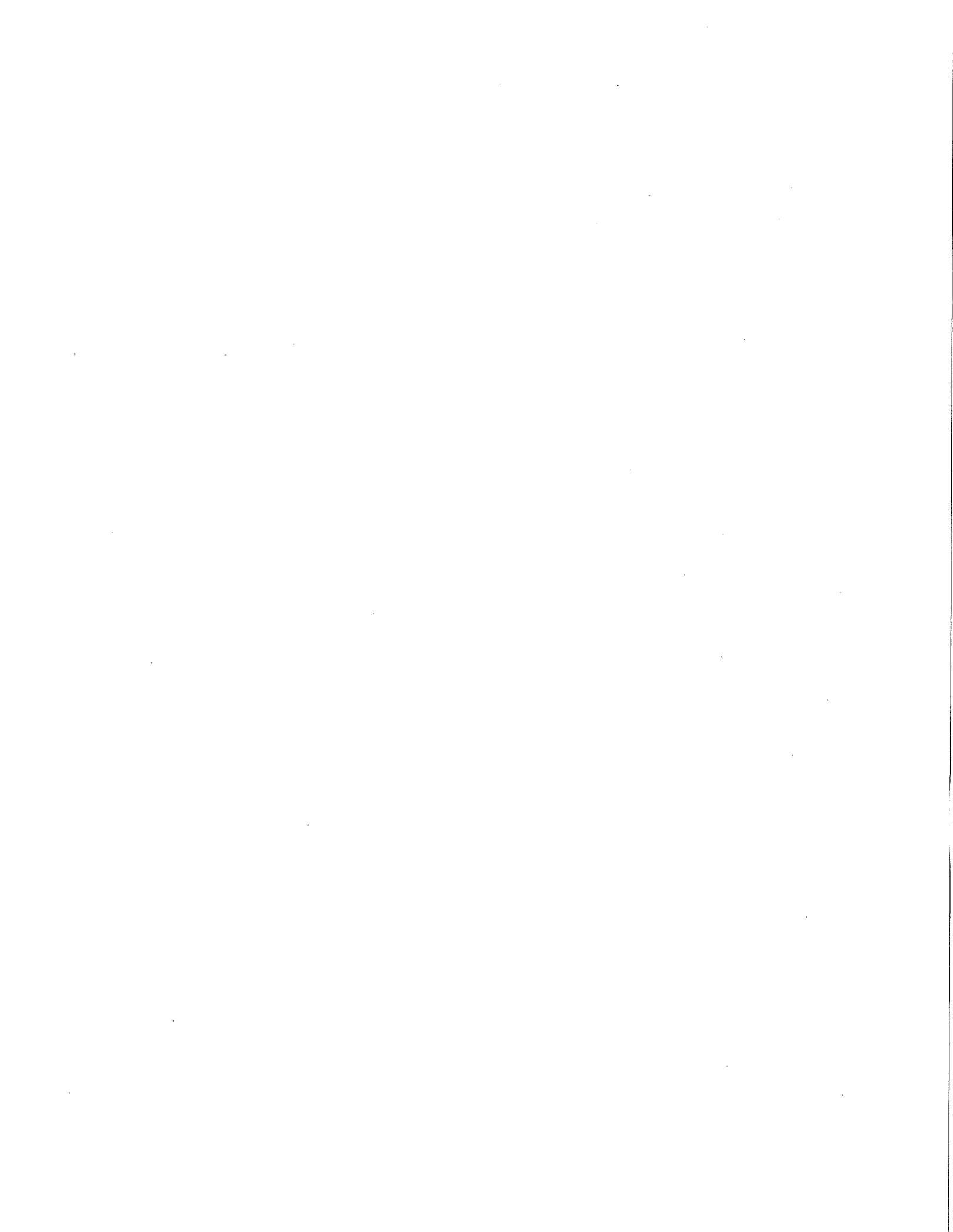
CITY of CASCADE LOCKS *AGENDA*

CITY COUNCIL MEETING, Monday, September 10, 2012, 7:00 PM, CITY HALL

Purpose: The City Council meets twice a month to conduct city business, make decisions and set policy and direction for the city organization and community.

1. **Call to Order/Pledge of Allegiance/Roll Call.**
2. **Additions or amendments to the Agenda.** (The Mayor or Presiding Officer may add items to the agenda after it is printed and distributed only when required by business necessity and only after an explanation has been given. The addition of agenda items after the agenda has been printed is otherwise discouraged).
3. **Adoption of Consent Agenda.** (Consent Agenda may be approved in its entirety in a single motion. Items are considered to be routine. Any Councilor may make a motion to remove any item from the Consent Agenda for individual discussion.)
 - a. **Approval of Minutes of August 27, 2012 Council Meeting.**
 - b. **Ratification of the Bills in the Amount of \$ 37,902.38.**
4. **Public Hearings.** None
5. **Action Items:**
 - a. **Decision on Emergency Services Division Staffing.**
 - b. **Approve New Liquor License for Cascade Ale House.**
 - c. **Approval of Ordinance No. 418 Vacating a Portion of Hassalo St. and Providing for the Vesting of Title.**
 - d. **Approve Resolution No. 1249 Establishing System Development Charges and Connection Fee for the Municipal Sewer System; and Repealing Resolution No. 1069.**
6. **Appearance of Interested Citizens to Share a Variety of Perspectives on Issues Facing Our Community.** (Comments on matters not on the agenda or previously discussed)
7. **Reports and Presentations.**
 - a. **Public Works Report on Recent Water Leaks and Water System Condition (oral).**
 - b. **Report and Recommendations from Tourism Committee.**
 - c. **Review Proposed RFQ for CATV/Internet and Broad Band Service.**
 - d. **Review Council Rules.**
 - e. **ICA Koch Report (handout).**
8. **Mayor and City Council Comments.**
9. **Other matters.**
10. **Executive Session as may be required.**
11. **Adjournment.**

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for person with disabilities, should be made at least 48 hours in advance of the meeting by contacting the City of Cascade Locks office at 541-374-8484



1. **Call to Order/Pledge of Allegiance/Roll Call:** Mayor Masters called the meeting to order at 7:00 PM. CM's Cramblett, Holmstrom, Lorang, Storm, Helfrich and Mayor Masters were present. CM Lewis was excused. Also present were ICA Koch, Deputy City Recorder Megan Webb, Finance Officer Marianne Bump, Electric Superintendent Tracy Hupp, Ken Onstott, Liz Fuller, Larry Cramblett, Rob Brostoff, Arnie Kononen and Dave Palais.
2. **Additions or amendments to the Agenda:** ICA Koch stated that agenda item 7a needed to be moved up on the agenda to be after the Consent Agenda.
3. **Adoption of Consent Agenda:**
 - a. **Approval of Minutes of August 13, 2012 Council Meeting.**
 - b. **Approval of Minutes of August 16, 2012 Work Session.**
 - c. **Ratification of the Bills in the Amount of \$77,987.29.**
 - d. **Approval of Annual Liquor License Renewals.**

Motion: CM Lorang moved, seconded by CM Storm, to approve the Consent Agenda. CM Helfrich said that he would like the August 13 minutes to reflect that he was not present and that he was excused. The motion was passed unanimously by CM's Cramblett, Holmstrom, Storm, Lorang, Helfrich and Mayor Masters.

4. **Public Hearings:** None.

Ken Onstott - Onstott, Broehl, and Cyphers (Moved From Reports and Presentations). Mr. Ken Onstott provided a letter that is required to be presented to their audit clients. He said it summarizes the responsibilities of the auditor and the City (Exhibit A). He also provided an overview of the audit process (Exhibit B).

5. **Action Items:**

- a. **Approval of an Expenditure for Council Chambers Audio and Video Upgrade.**

Motion: CM Storm moved, seconded by CM Lorang, to approve the recommended purchase proposal and installation of equipment in City Council Chambers for an amount not to exceed \$3,600 providing for new cameras and microphones. CM Holmstrom asked if the Port was opting out of contributing to this project. ICA Koch said that he is meeting with the Port on September 6th and will discuss this. Mayor Masters said that it is important to recognize that the Port has been a willing partner with the City and its ventures and that we do appreciate their work whether or not they decide to co-op with us. The motion was passed unanimously by CM's Cramblett, Holmstrom, Storm, Lorang, Helfrich and Mayor Masters.

- b. **Authorization to Waive Demand Charge for the Electric Charging Stations.** ES Tracy Hupp said that we will not be expecting very much charging at this station. He said the bill for each charge could possibly be about \$2-3, but if a second car comes to charge at the same time, the demand charge could be \$350. He said BPA told him that the charging station demand will not add to the City's total demand so that it will not cause any extra billing to the City. Tracy said he recommends that we waive that demand charge. CM Holmstrom asked for clarification of what a demand charge is. He wanted to clarify that we are not waiving electrical rates. ES Hupp stated the City is not waiving rates, just the demand charge. CM Holmstrom asked if the City will be putting in a demand meter at the site. ES Hupp said that we probably would just so that we could keep track of the demand, but it would not be registered or billed for. **Motion:** CM Holmstrom moved, seconded by CM Storm, to authorize a waiver of the demand charges for the electrical automobile charging station. The motion was passed unanimously by CM's Cramblett, Holmstrom, Storm, Lorang, Helfrich and Mayor Masters.

- c. **Approve Contract with Aspect Construction for Hydrology Study.** ICA Koch gave a report of the hydrology study. He said this is part of the City's due diligence related to the potential Nestle project. He said we received one proposal, from Aspect Consulting, to provide this work. **Motion:** CM

Lorang moved, seconded by CM Helfrich, to approve the contract with Aspect Consulting for the completion of the hydrology study. ICA Koch said the funding for this will come from the operating budget for the water department. The motion was passed unanimously by CM's Cramblett, Holmstrom, Storm, Lorang, Helfrich, and Mayor Masters.

d. Approve Resolution No. 1248 Declaring Certain Items of City Property as Surplus; Setting Minimum Prices and Authorizing Their Sale. DCR Webb gave a brief overview of the items that need to be surplus. She said the list was made of items that each department head had turned in to declare as surplus. She said that the City will be using a silent auction style public sale. **Motion:** CM Lorang moved, seconded by CM Storm, to approve Resolution 1248 declaring identified certain items of City property as surplus. CM Storm asked where the sale would be. DCR Webb said that it will be held here at City Hall. CM Cramblett said that he was glad to see the large list and that we are cleaning things up. The motion was passed unanimously by CM's Cramblett, Holmstrom, Storm, Lorang, Helfrich, and Mayor Masters.

e. Authorizing Payment for Emergency Repairs to the SCADA System. ICA Koch gave a report on the emergency repairs. He said the SCADA system is the computerized control system for the water system. He said that even though we knew major improvements needed to be done, we could not foresee this emergency happening. He said the system failed before any improvements could be made, and PW staff were having to manually do the functions of the SCADA. He said we contracted with Coburn Electric and they did all of the repairs. **Motion:** CM Holmstrom moved, seconded by CM Helfrich, to authorize the payment for the emergency repairs to the SCADA. CM Lorang said a few weeks back he noticed a substantial amount of chlorine in the City water and asked if that could have been a result of the SCADA malfunction. ICA Koch said it could have been. The motion was passed unanimously by CM's Cramblett, Holmstrom, Storm, Lorang, Helfrich and Mayor Masters.

f. Approval of the Expenditure for the Loss of Uncollected Utility Bills 2010/2011 and 2011/2012. FO Bump gave a brief report of the loss of uncollected utility bills. She said that it is usual practice to bring this to Council every year. However, she said that unfortunately we did not get them done in time. She said they are trying to get caught up and the goal would be to bring the next report to the Council in May for 2012/13, should there be any. She said that due to the great staff that she has, the amount of the write offs has gone down. FO Bump said these bills are still in the collection process and we hope that in the near future we can regain this money. **Motion:** CM Storm moved, seconded by CM Lorang, to authorize the expenditure of the loss of uncollected utility bills in the amount of \$2,447.70 for Fiscal Year 2010/11 and \$959.87 for Fiscal Year 2011/12 for a total of \$3,407.57. CM Helfrich said that he would like to thank staff for doing the difficult job of collecting a debt from their fellow citizens. The motion was passed unanimously by CM's Cramblett, Holmstrom, Storm, Lorang, Helfrich and Mayor Masters.

6. Appearance of Interested Citizens to Share a Variety of Perspectives on Issues Facing Our Community:

Mr. Palais with Nestle said that he would be in the office for the next two days and welcomed anyone with question to come visit.

Mr. Larry Cramblett spoke regarding to the letter that was sent out in the July utility bill.

Mr. Brostoff spoke regarding decisions that were made in the Public Safety task force and questioned why the City was not out on the street looking for a paramedic. He said that he would like to see someone hired that works strictly with our volunteers.

7. Reports and Presentations:

a. Ken Onstott - Onstott, Broehl, and Cyphers (this happened earlier in the meeting).

b. Guard Communications- Liz Fuller/Morrow Pacific Project. Ms. Fuller gave a general overview of the Morrow Pacific Project. She provided a pamphlet of information that holds all of that information. She said they were hoping to educate the council and citizens about what the project was and what it was not.

Mr. Brostoff said that he was concerned much more about the trains more so than what is on the river. Rob referred to an article in the Oregonian stating that he was worried about the fact that coal can spontaneously combust. He said he is also concerned about the school and the school's playground being so close to the train tracks. He said he is concerned about the health issues the coal dust will create. Rob also asked who would be responsible for the clean up if the train was to derail or a barge was to wreck on the river.

Mr. Kononen said he is concerned that the coal people are not protecting us from the coal. He said he is also more concerned about the trains, and for now remains neutral on the barges. He asks what the coal dust will do to the Gorge. He asked how the coal dust could affect Nestle. He said he wants the city to pass a resolution saying that they don't think this is a good idea. He said other communities are and he wants Cascade Locks to do the same thing.

CM Lorang asked why covered barges and not covered rail cars. Ms. Fuller said their company felt that there were certain issues associated with rail through the Gorge and felt that barges would be a better solution for the Gorge.

Mayor Masters asked if they had talked with the Friends of the Gorge. Ms. Fuller said they have and she thinks it's fair to say that they don't see eye to eye. Mayor Masters asked what would happen in the event that a barge does capsize. Ms. Fuller said it is rare that that would happen, but that it would be cleaned up immediately by Amber Energy. The Mayor also suggested that Morrow Pacific create an informational video to help explain the shipping process from point A to point B.

CM Holmstrom asked what they would do during lock closures. Ms. Fuller said she believed they would shut down shipping operations. She said they have minimal onsite storage for coal filled rail cars and that there are possible locations along the river to tie up barges.

CM Storm asked if the rail cars continue on after unloading their coal. Ms. Fuller stated those trains would return back to the mine. She said those trains are only used for coal.

Mayor Masters asked if it was existing Oregon barge companies that would be getting the jobs. Ms Fuller said they have RFP's out to three local barge companies.

CM Helfrich said growing up in Colorado he has seen coal trains in many small communities. He said the trains he has seen, there has not been coal dust coming off of them like people are saying. He said the only smoke or dust that he saw was the smoke coming from the diesel engines of the trains themselves.

Mayor Masters said he would like to see Amber Energy consider investing in the smaller communities that they will possibly be affecting. Ms. Fuller said she recommend the City put together a proposal for that.

c. ICA Koch Report (handout). ICA Koch gave his report. Regarding the communication tower, Mayor Masters asked ICA Koch what proposal he believes the County would like to do. He stated the City should go with the option of not waiting on the County any longer. CM Cramblett asked if the City has taken care of the list of things that the County wanted. He said if so, is there anything else that would still be holding the County back from making the payment to the City of \$38,400. CM Cramblett asked ICA Koch what his recommendation was. ICA Koch said he recommends moving forward with the first option that he listed in his staff report.

8. Mayor and City Council Comments: CM Helfrich said again while growing up around the coal trains, he believes that they have mitigated any problems over the years. He said he would like to remain neutral on the matters of the shipping of the coal.

CM Holmstrom said he found out that Skamania County had recently closed the shooting range across the river.

CM Cramblett referred back to a citizens comment about the meeting the Task Force had with the volunteers.

Mayor Masters spoke on issues that CM Cramblett spoke about regarding the Emergency Services Department. He said that the Paramedic issue would be on the agenda for the next council meeting.

9. Other matters: None.

10. Executive Session as may be required: None.

11. Adjournment: CM Helfrich moved, seconded by CM Lorang, to adjourn the meeting. The motion was passed unanimously by CM's Cramblett, Holmstrom, Helfrich, Lorang, Storm, and Mayor Masters. The meeting was adjourned at 9:10 PM.

Prepared by
Megan Webb, Deputy City Recorder

APPROVED:

Lance Masters, Mayor

Onstott, Broehl & Cyphers, P. C.

Certified Public Accountants

KENNETH L. ONSTOTT, c.p.a.
JAMES T. BROEHL, c.p.a.
RICK M. CYPHERS, c.p.a.

WILLIAM S. ROOPER, c.p.a. retired

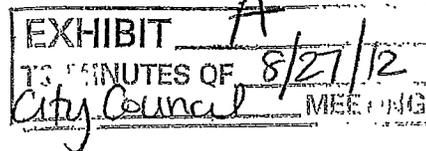
MEMBERS:

American Institute of c.p.a.'s
Oregon Society of c.p.a.'s

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100 EAST FOURTH STREET
THE DALLES, OREGON 97058
Telephone: (541) 296-9131
Fax: (541) 296-6151

1313 BELMONT STREET
HOOD RIVER, OREGON 97031
Telephone: (541) 386-6661
Fax: (541) 308-0178



August 27, 2012

Mayor and City Council
City of Cascade Locks
PO Box 186
Odell, OR 97044

We are engaged to audit the financial statements of City of Cascade Locks for the year ended June 30, 2012. Professional standards require that we provide you with the following information related to our audit. We would also appreciate the opportunity to meet with you to discuss this information. At the end of the engagement, we will also issue a separate letter, which will describe the significant findings from the audit.

Our Responsibilities under U.S. Generally Accepted Auditing Standards

As stated in our engagement letter dated March 16, 2012, our responsibility, as described by professional standards, is to express an opinion about whether the financial statements prepared by management with your oversight are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles. Our audit of the financial statements and assistance in their preparation does not relieve you or management of your responsibilities.

Our responsibility is to plan and perform the audit to obtain reasonable, but not absolute, assurance that the financial statements are free of material misstatement. We are also responsible for communicating significant matters related to the audit that are, in our professional judgment, relevant to your responsibilities in overseeing the financial reporting process. However, we are not required to design procedures to specifically identify such matters.

Planned Scope and Timing of the Audit

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested.

Our audit will include obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Material misstatements may result from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity. We will communicate our significant findings at the conclusion of the audit. However, some matters could be communicated sooner, particularly if significant difficulties are encountered during the audit.

where assistance is needed to overcome the difficulties or if the difficulties may lead to a modified opinion. We will also communicate any internal control related matters that are required to be communicated under professional standards.

The audit fieldwork is currently scheduled to begin the week of September 4, 2012. Unless significant difficulties are encountered, we expect to issue the final reports prior to December 31, 2012 and to meet with the Mayor and City Council to discuss the reports shortly after that date.

Our main contacts during the audit will consist of the City Administrator and Financial Officer of the City. However, if there are significant matters found during the audit that cannot be resolved at the above level, we may contact the Mayor and City Council directly to discuss the appropriate action.

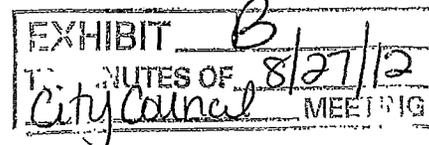
If you are aware of any risks or significant areas that should be given special consideration during the current year audit, please notify us. In addition, please notify us of any other matters you feel are relevant to the audit. Any information you provide may affect our assessment of risk and materiality and your input is valuable toward effectively planning and performing the audit. We would appreciate receiving your reply as soon as possible so that we may incorporate your comments into the audit plan. If you have any questions or comments you would like to address directly, please contact me at 541-296-9131 or by email at keno@skyride.net.

Sincerely,

Onstott, Broehl, & Cyphers, PC


Kenneth Onstott, Shareholder

**CITY OF CASCADE LOCKS
OVERVIEW OF AUDIT PROCESS**



Governing Bodies:

- AICPA – American Institute of Certified Public Accountants
- GAO – Government Accountability Office (Comptroller General of US)
- FASB – Financial Accounting Standards Board
- GASB – Governmental Accounting Standards Board
- Oregon Secretary of State – Division of Audits
- Oregon Department of Revenue

Applicable Standards:

- GAAP – Generally Accepted Accounting Principles
 - GASB pronouncements
 - FASB pronouncements
- GAAS – Generally Accepted Auditing Standards
 - SAS – Statements on Auditing Standards
 - GAS – Government Auditing Standards
- Single Audit Compliance Requirements – for expenditure of federal awards in excess of \$500,000
- Oregon Minimum Standards

What an Audit Is:

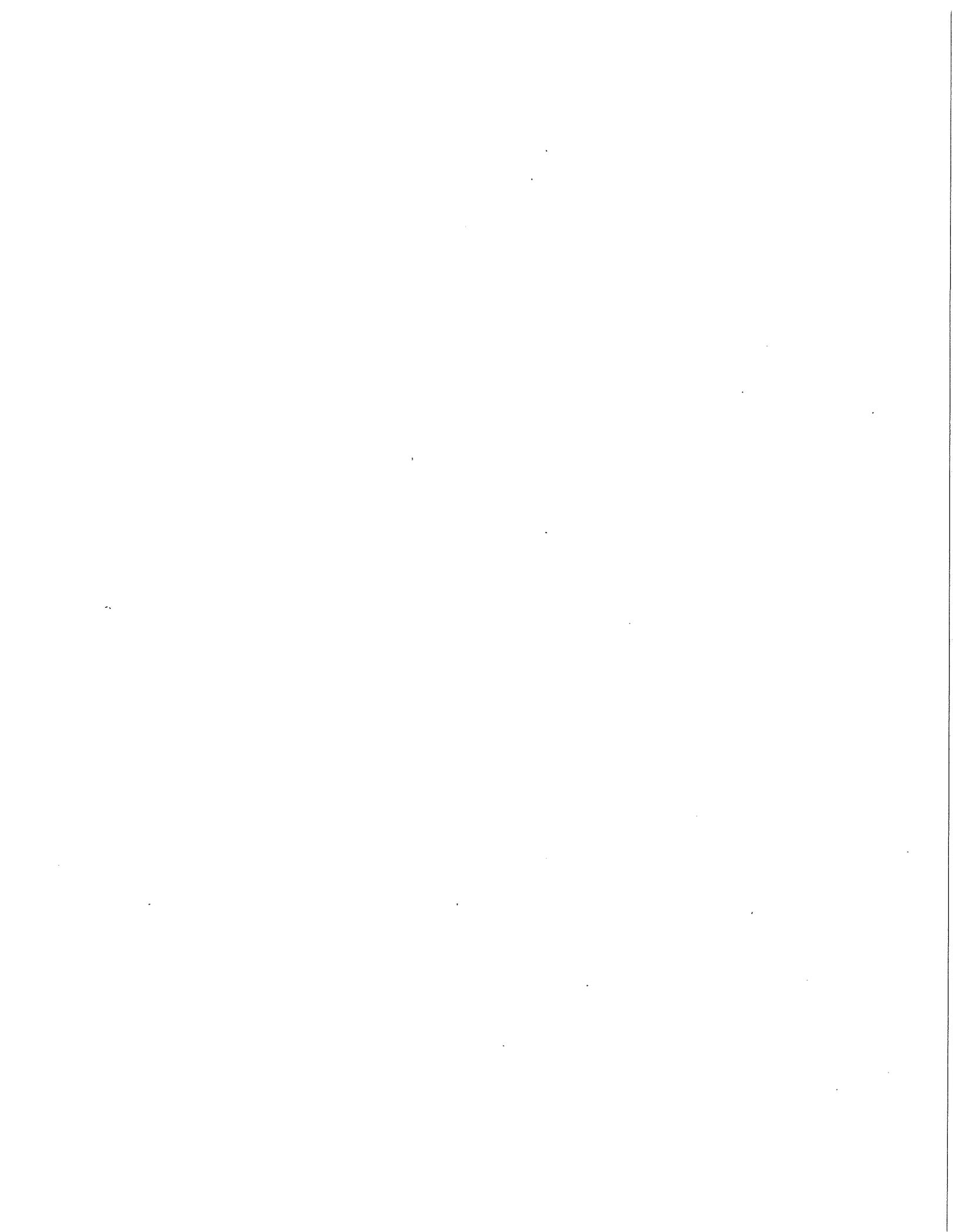
- Assessment of the accounting principles used and significant estimates made by management.
- Examination, *on a test basis*, of evidence supporting the amounts and disclosures in the financial statements.
- Evaluation of the overall financial statement presentation.
- Examination of compliance with certain requirements for expenditure of federal funds (Single Audit)
- Examination of compliance with certain requirements specified by Oregon Minimum Standards.

What an Audit Isn't:

- Absolute assurance that any and all errors, fraud or irregularities will be detected.

Audit Process:

- Planning and risk assessment. Review of internal controls.
- Audit fieldwork.
- Report preparation.
- Submission of report and management letter to management, Council and applicable authorities.



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DEPARTMENT: CITY OF CASCADE LOCKS
COVER SHEET AND SUMMARY

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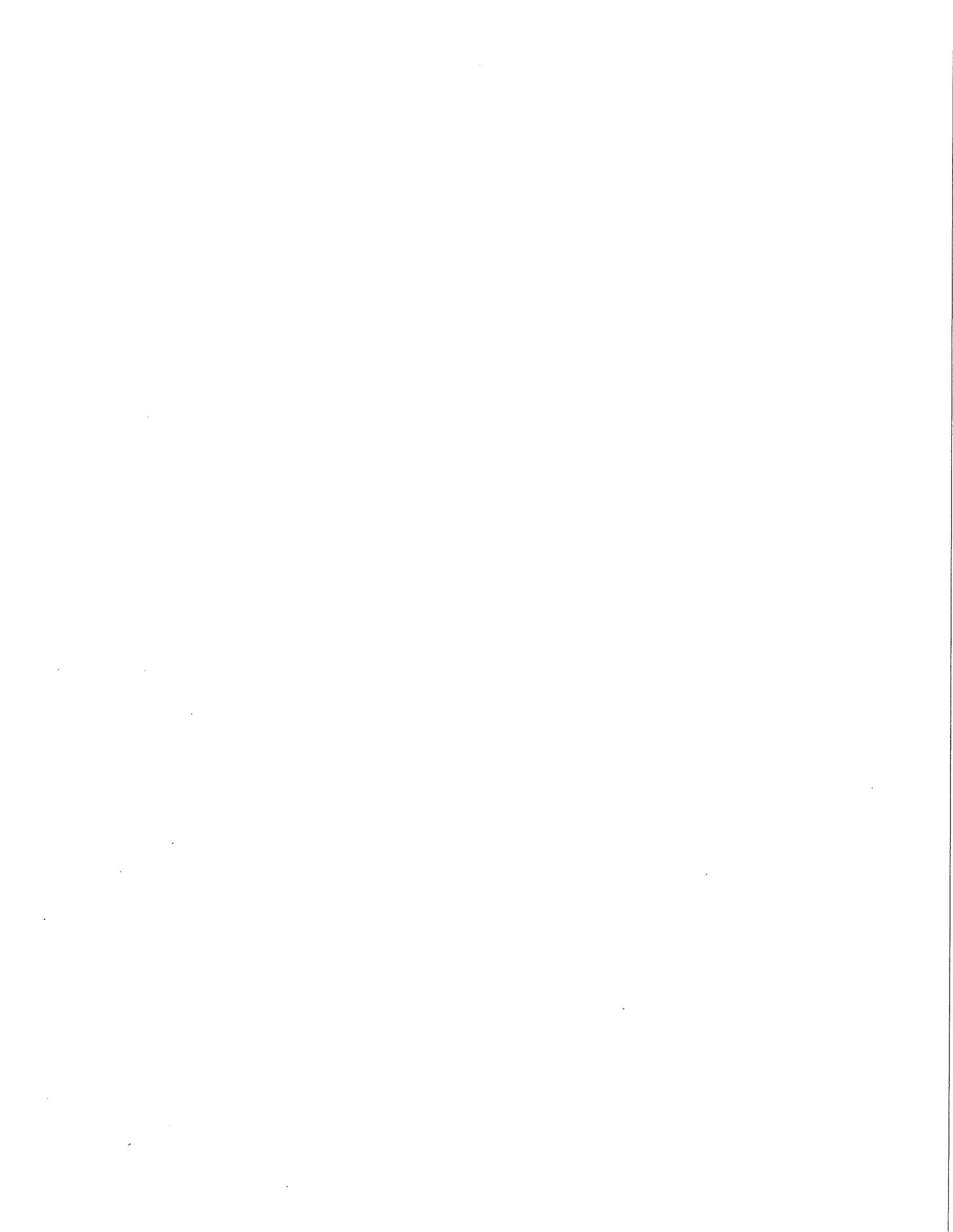
DATE:	DESCRIPTION:	AMOUNT:
8/30/2012	End of Month AP Check Run	\$ 37,902.38

GRAND TOTAL \$ 37,902.38

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APPROVAL:

Mayor



Report Criteria:
Report type: GL detail

Check Number	GL Period	Check Issue Date	Vendor Number	Invoice No.	Payee	Description	GL Account	Amount
2762	08/12	08/30/2012	4910	100045408D	Anthony Casci	Refund Deposit	5121130	47.82
Total 2762:								
2763	08/12	08/30/2012	310	448-1041	Belo Management Services Inc.	Programming	4140562740	80.15
Total 2763:								
2764	08/12	08/30/2012	610	574994	CASCADE COLUMBIA DISTRIBUTION	Chlorine	2140562650	175.00
Total 2764:								
2765	08/12	08/30/2012	730	107247	CASE POWER AND EQUIPMENT, LLC	Knife, spacer	5140662201	223.32
Total 2765:								
2766	08/12	08/30/2012	740	42952	CASELLE, INC.	July Support	0140162082	129.00
2766	08/12	08/30/2012	740	42952	CASELLE, INC.	July Support	0340562082	32.00
2766	08/12	08/30/2012	740	42952	CASELLE, INC.	July Support	0540562082	27.00
2766	08/12	08/30/2012	740	42952	CASELLE, INC.	July Support	2140562082	231.00
2766	08/12	08/30/2012	740	42952	CASELLE, INC.	July Support	3140562082	205.00
2766	08/12	08/30/2012	740	42952	CASELLE, INC.	July Support	4140562082	59.00
2766	08/12	08/30/2012	740	42952	CASELLE, INC.	July Support	4140662082	32.00
2766	08/12	08/30/2012	740	42952	CASELLE, INC.	July Support	5140562082	404.00
2766	08/12	08/30/2012	740	42952	CASELLE, INC.	July Support	5140662082	66.00
2766	08/12	08/30/2012	740	44101	CASELLE, INC.	September Support	0140162082	129.00
2766	08/12	08/30/2012	740	44101	CASELLE, INC.	September Support	0340562082	32.00
2766	08/12	08/30/2012	740	44101	CASELLE, INC.	September Support	0540562082	27.00
2766	08/12	08/30/2012	740	44101	CASELLE, INC.	September Support	2140562082	231.00
2766	08/12	08/30/2012	740	44101	CASELLE, INC.	September Support	3140562082	205.00
2766	08/12	08/30/2012	740	44101	CASELLE, INC.	September Support	4140562082	59.00
2766	08/12	08/30/2012	740	44101	CASELLE, INC.	September Support	4140662082	32.00
2766	08/12	08/30/2012	740	44101	CASELLE, INC.	September Support	5140562082	404.00
2766	08/12	08/30/2012	740	44101	CASELLE, INC.	September Support	5140662082	66.00
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								2,370.00

Check Number	GL Period	Check Issue Date	Vendor Number	Invoice No.	Payee	Description	GL Account	Amount
2767	08/12	08/30/2012	790	313230273 8	CENTURYLINK	Fire Department Phones	0540562050	120.56
2767	08/12	08/30/2012	790	313401451 8	CENTURYLINK	WWTP Phones	3140562050	114.84
2767	08/12	08/30/2012	790	313470082 8	CENTURYLINK	City Hall Phones	0140162050	122.18
2767	08/12	08/30/2012	790	313470082 8	CENTURYLINK	City Hall Phones	2142162050	163.29
2767	08/12	08/30/2012	790	313470082 8	CENTURYLINK	City Hall Phones	3142162050	89.75
2767	08/12	08/30/2012	790	313470082 8	CENTURYLINK	City Hall Phones	4142162050	65.43
2767	08/12	08/30/2012	790	313470082 8	CENTURYLINK	City Hall Phones	5142162050	138.39
2767	08/12	08/30/2012	790	313470082 8	CENTURYLINK	Sewer	2140562050	229.17
2767	08/12	08/30/2012	790	313891134 8	CENTURYLINK	Emergency After Hours	5140562050	33.10
2767	08/12	08/30/2012	790	313891134 8	CENTURYLINK	Emergency After Hours	5140662050	33.09
2767	08/12	08/30/2012	790	314228414 8	CENTURYLINK	Lift Station	3140562050	36.06
Total 2767:								1,145.86
2768	08/12	08/30/2012	800	313401451 8	CENTURYLINK COMMUNICATIONS, IN	Business Anytime	2140562050	6.84
Total 2768:								6.84
2769	08/12	08/30/2012	940	082012	CITY OF SPRINGFIELD	Ambulance Billing Service	0540562111	114.00
Total 2769:								114.00
2770	08/12	08/30/2012	1000	A12063	Coburn Electric	SCADA Replacement	5640563941	12,188.84
Total 2770:								12,188.84
2771	08/12	08/30/2012	4910	300167610D	Darrell Carlson	Refund Deposit	5121130	69.02
Total 2771:								69.02
2772	08/12	08/30/2012	1530	8255-9217 8/	DISH NETWORK	Programming	4140562740	400.00
Total 2772:								400.00
2773	08/12	08/30/2012	1660	1490262	EMERGENCY MEDICAL PRODUCTS, I	Ambulance Supplies	0540562351	1,578.53
Total 2773:								1,578.53
2774	08/12	08/30/2012	4910	600131004D	Eva Womack	Refund Deposit	5121130	34.57

Check Number	GL Period	Check Issue Date	Vendor Number	Invoice No.	Payee	Description	GL Account	Amount
Total 2774:								34.57
2775	08/12	08/30/2012	1760	QRHOD2850	FASTENAL	Misc Inventory	2140562560	69.86
Total 2775:								69.86
2776	08/12	08/30/2012	2020	1169147	GENERAL PACIFIC INC.	Fiberglass guy strain, bushing	5140562770	324.00
2776	08/12	08/30/2012	2020	1169148	GENERAL PACIFIC INC.	Marker Guy Poly	5140562900	125.00
Total 2776:								449.00
2777	08/12	08/30/2012	4910	400266508D	Harold Albuschie	Refund Deposit	5121130	129.49
Total 2777:								129.49
2778	08/12	08/30/2012	2320	5259029	HD Supply Waterworks, LTD.	Pipe, fittings	2140562560	1,200.18
2778	08/12	08/30/2012	2320	5297447	HD Supply Waterworks, LTD.	Pipes/fittings	2140569432	742.10
Total 2778:								1,942.28
2779	08/12	08/30/2012	2420	12-1701	HOOD RIVER CO. - FINANCE	Dog License	0130149280	9.00
2779	08/12	08/30/2012	2420	6346	HOOD RIVER CO. - FINANCE	July Deputy Service	0141962250	.50
Total 2779:								7,269.50
2780	08/12	08/30/2012	2430	107	HOOD RIVER CO. CHAMBER OF COM	July Trip Advisor Web Ad	0840562160	240.00
2780	08/12	08/30/2012	2430	112	HOOD RIVER CO. CHAMBER OF COM	August Trip Advisor Web Ad	0840562160	240.00
Total 2780:								480.00
2781	08/12	08/30/2012	2570	0008121006	HOOD RIVER NEWS	Ballot Title Res 1245	0140162030	32.71
2781	08/12	08/30/2012	2570	0008121006	HOOD RIVER NEWS	Ballot Title Res 1245	0140262030	30.55
2781	08/12	08/30/2012	2570	0008121006	HOOD RIVER NEWS	Ballot Title Res 1245	2142162030	8.78
2781	08/12	08/30/2012	2570	0008121006	HOOD RIVER NEWS	Ballot Title Res 1245	3142162030	7.65
2781	08/12	08/30/2012	2570	0008121006	HOOD RIVER NEWS	Ballot Title Res 1245	4142162030	3.28
2781	08/12	08/30/2012	2570	0008121006	HOOD RIVER NEWS	Ballot Title Res 1245	5142162030	25.03
2781	08/12	08/30/2012	2570	0008121007	HOOD RIVER NEWS	Ballot Title Res 1246	0140162030	31.50
2781	08/12	08/30/2012	2570	0008121007	HOOD RIVER NEWS	Ballot Title Res 1246	0140262030	29.42

Check Number	GL Period	Check Issue Date	Vendor Number	Invoice No.	Payee	Description	GL Account	Amount
2781	08/12	08/30/2012	2570	0008121007	HOOD RIVER NEWS	Ballot Title Res 1246	2142162030	8.46
2781	08/12	08/30/2012	2570	0008121007	HOOD RIVER NEWS	Ballot Title Res 1246	3142162030	7.36
2781	08/12	08/30/2012	2570	0008121007	HOOD RIVER NEWS	Ballot Title Res 1246	4142162030	3.16
2781	08/12	08/30/2012	2570	0008121007	HOOD RIVER NEWS	Ballot Title Res 1246	5142162030	24.10
Total 2781:								212.00
2782	08/12	08/30/2012	4910	100045505D	Jim Schmidt	Refund Deposit	5121130	289.48
Total 2782:								289.48
2783	08/12	08/30/2012	2970	083112	Koch Consulting, INC.	Interim CA Services	0140162093	404.75
2783	08/12	08/30/2012	2970	083112	Koch Consulting, INC.	Interim CA Services	0140262093	125.00
2783	08/12	08/30/2012	2970	083112	Koch Consulting, INC.	Interim CA Services	0340562093	125.00
2783	08/12	08/30/2012	2970	083112	Koch Consulting, INC.	Interim CA Services	0542162093	117.50
2783	08/12	08/30/2012	2970	083112	Koch Consulting, INC.	Interim CA Services	2142162093	289.00
2783	08/12	08/30/2012	2970	083112	Koch Consulting, INC.	Interim CA Services	3142162093	299.75
2783	08/12	08/30/2012	2970	083112	Koch Consulting, INC.	Interim CA Services	4142162093	207.00
2783	08/12	08/30/2012	2970	083112	Koch Consulting, INC.	Interim CA Services	5142162093	922.00
Total 2783:								2,500.00
2784	08/12	08/30/2012	3160	081612	MARIANNE BUMP/PETTY CASH	Reimburse Petty Cash	0140462540	44.33
Total 2784:								44.33
2785	08/12	08/30/2012	3690	43399	NATIONAL HOSE TESTING	Hose and Ladder testing	0540562446	1,796.30
Total 2785:								1,796.30
2786	08/12	08/30/2012	4290	101112	OREGON MUNICIPAL ELECTRIC UTILI	Fall Conference Registration	5140562020	180.00
Total 2786:								180.00
2787	08/12	08/30/2012	4910	100041303D	Rebecca Snyder	Refund Deposit	5121130	67.33
Total 2787:								67.33
2788	08/12	08/30/2012	4910	103714707D	Richard Maloney	Refund Deposit	5121130	36.97

Check Number	GL Period	Check Issue Date	Vendor Number	Invoice No.	Payee	Description	GL Account	Amount
Total 2788:								
2789	08/12	08/30/2012	6780	15320245	Ricoh Americas Corporation	Lease	0140162120	52.62
2789	08/12	08/30/2012	6780	15320245	Ricoh Americas Corporation	Lease	0540562120	31.33
2789	08/12	08/30/2012	6780	15320245	Ricoh Americas Corporation	Lease	2142162120	31.33
2789	08/12	08/30/2012	6780	15320245	Ricoh Americas Corporation	Lease	3142162120	25.05
2789	08/12	08/30/2012	6780	15320245	Ricoh Americas Corporation	Lease	4142162121	27.56
2789	08/12	08/30/2012	6780	15320245	Ricoh Americas Corporation	Lease	5142162121	68.91
Total 2789:								
2790	08/12	08/30/2012	6791	8013804	Southeast Publications	Campground Site Map for KOA	0840562160	289.00
Total 2790:								
2791	08/12	08/30/2012	5510	802281196	STAPLES CONTRACT & COMMERCIA	Office Supplies	0140162010	1.42
2791	08/12	08/30/2012	5510	802281196	STAPLES CONTRACT & COMMERCIA	Office Supplies	0140262010	.18
2791	08/12	08/30/2012	5510	802281196	STAPLES CONTRACT & COMMERCIA	Office Supplies	2142162010	.52
2791	08/12	08/30/2012	5510	802281196	STAPLES CONTRACT & COMMERCIA	Office Supplies	3142162010	.46
2791	08/12	08/30/2012	5510	802281196	STAPLES CONTRACT & COMMERCIA	Office Supplies	4142162010	.15
2791	08/12	08/30/2012	5510	802281196	STAPLES CONTRACT & COMMERCIA	Office Supplies	5142162010	2.26
Total 2791:								
2792	08/12	08/30/2012	5580	3001957124	STERICYCLE, INC.	Quarterly Charges	0540562351	4.99
Total 2792:								
2793	08/12	08/30/2012	5600	14725000	STRYKER SALES CORPORATION	Contract Pmt	0540563030	5.52
Total 2793:								
2794	08/12	08/30/2012	6070	822880	TWGW, INC NAPA AUTO PARTS	Oil, washer fluid	5140562770	13.73
2794	08/12	08/30/2012	6070	823117	TWGW, INC NAPA AUTO PARTS	Wire, terminal, outlet	0540562441	38.22
2794	08/12	08/30/2012	6070	823829	TWGW, INC NAPA AUTO PARTS	Air Filter	5140662201	44.58
Total 2794:								
2795	08/12	08/30/2012	6110	8/2012 UB	U.S. POSTAL SERVICE	UB Postage	0542162055	96.53
Total 2795:								

Check Number	GL Period	Check Issue Date	Vendor Number	Invoice No.	Payee	Description	GL Account	Amount
2795	08/12	08/30/2012	6110	8/2012 UB	U.S. POSTAL SERVICE	UB Postage	2142162055	24.93
2795	08/12	08/30/2012	6110	8/2012 UB	U.S. POSTAL SERVICE	UB Postage	3142162055	39.89
2795	08/12	08/30/2012	6110	8/2012 UB	U.S. POSTAL SERVICE	UB Postage	4142162055	14.96
2795	08/12	08/30/2012	6110	8/2012 UB	U.S. POSTAL SERVICE	UB Postage	5142162055	167.04
Total 2795:								249.31
2796	08/12	08/30/2012	6570	86169	WHEELERS COMMUNICATIONS	Pager Repair	0540562442	196.00
Total 2796:								196.00
2797	08/12	08/30/2012	6660	071512	WINNETT, LAWRENCE EDWARD	Head End Work	4140562570	500.00
Total 2797:								500.00
Grand Totals:								37,902.38

STAFF REPORT

Date Prepared: September 5, 2012

For City Council meeting on September 10, 2012

TO: Hon. Mayor and City Council

PREPARED BY: Paul Koch, Interim City Administrator



APPROVED BY: N/A

SUBJECT: Determining the staffing approach for the Emergency Services Department

SYNOPSIS: City Council adopted a 2012-13 budget that provided for the hiring of a Fire Chief or Chief/Paramedic and that allocates sufficient funding to provide the City with the ability to fill such a position. City Council extended the contract with the City of Hood River for Interim Chief Services, that contract terminates September 30, 2012. It is believed that contract could be extended if the City desired to do that or needed a little more time. The current volunteer force would like to have a Chief present to lead the Department.

There are a number of available options for City Council to choose from.

This issue comes to City Council at this time for formal action.

CITY COUNCIL OPTIONS: City Council has the following options available regarding this issue.

- A. Take no action at this time.
- B. Seek to extend the current interim contract with City of Hood River.
- C. Recruit and hire a City Chief/Paramedic to manage the department.
- D. Seek a contract for Chief/Paramedic staff through City of Hood River
- E. Other action as may be desired by City Council.

RECOMMENDATION: That City Council discusses the issue and determines a course of action to be carried out.

Legal Review: There is no legal review or comment required at this time.

Financial Review: There is no financial impact. The approved 2012-13 budget identifies \$118,189 for a Fire Chief. The adopted budget also contains \$15,000 for Interim Chief Services although the contract with Hood River City is only for three months and will cost \$7,500.

BACKGROUND INFORMATION:

1. A copy of the approved budget for the ESD is attached for City Council information.

2009-10 Prior year 2 Actual	2010-11 Prior year Actual	2011-12 Current year Budget	Account Number	Account Title	2012-13 Proposed Budget	2012-13 Recommended Budget	2012-13 Approved Budget	2012-13 Adopted Budget	2012-13 Modified Budget
EMERGENCY SERVICES FUND									
EMERGENCY SERVICES REVENUES									
17,249.39	32,129.15	.00	05-305-40010	BEGINNING BALANCE	.00	.00	.00	12,000.00	12,000.00
72,950.00	76,770.00	79,660.00	05-305-43100	PROPERTY TAXES TRNSF FRM GENE	76,020.00	76,020.00	76,020.00	76,020.00	76,020.00
9,085.59	8,008.92	7,500.00	05-305-43200	FIRE SUPPRESSION FEES	8,500.00	53,908.00	53,908.00	53,908.00	53,908.00
91,240.62	170,173.11	110,000.00	05-305-43201	FIRE/AMB SERVICE FEES	50,000.00	80,000.00	80,000.00	80,000.00	80,000.00
1,350.00	1,312.50	1,200.00	05-305-43202	FIRE MED/LIFE FLIGHT CONTRACTS	1,300.00	1,300.00	1,300.00	1,300.00	1,300.00
3,689.51	1,050.00	2,500.00	05-305-43203	RURAL FIRE PROTECTION CONTRACT	500.00	500.00	500.00	500.00	500.00
20,000.00	20,000.00	20,000.00	05-305-43204	MULTNOMAH COUNTY CONTRACT	20,000.00	20,000.00	20,000.00	20,000.00	20,000.00
.00	25.00	.00	05-305-43250	PERMIT FEES	100.00	100.00	100.00	100.00	100.00
.00	644.57	.00	05-305-43253	EMERG. SVC. CONTRACT INCOME	.00	.00	.00	.00	.00
615.87	.00	.00	05-305-43600	INTEREST INCOME	.00	.00	.00	.00	.00
2,698.94	4,240.29	2,000.00	05-305-43800	MISCELLANEOUS INCOME	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00
5,000.00	.00	.00	05-305-43910	TRANSFER FR OTHER FNDS-GENER	.00	42,781.00	42,781.00	42,781.00	42,781.00
Total EMERGENCY SERVICES REVENUES:					158,420.00	276,609.00	276,609.00	288,609.00	288,609.00

2009-10	2010-11	2011-12	Account Title	2012-13	2012-13	2012-13	2012-13	2012-13	2012-13
Prior year 2	Prior year	Current year	Account Number	Proposed	Recommended	Approved	Adopted	Modified	
Actual	Actual	Budget		Budget	Budget	Budget	Budget	Budget	
EMERGENCY SERVICES EXPENDITURE									
PERSONNEL SERVICES									
55,568.30	53,736.42	26,845.00	05-405-61035	.00	118,189.00	118,189.00	118,189.00	118,189.00	
.00	6,686.33	.00	05-405-61036	.00	.00	.00	.00	.00	
501.23	8,267.08	.00	05-405-61040	.00	.00	.00	.00	.00	
4,116.99	5,453.94	2,826.00	05-405-61050	.00	.00	.00	.00	.00	
1,474.21	4,908.37	5,290.00	05-405-61060	4,600.00	1,600.00	1,600.00	1,600.00	1,600.00	
.00	.00	.00	05-405-61065	.00	.00	.00	.00	.00	
6,794.13	7,801.13	7,100.00	05-405-61070	220.00	220.00	220.00	220.00	220.00	
10,644.21	11,882.30	7,045.00	05-405-61080	.00	.00	.00	.00	.00	
51.17	326.48	38.00	05-405-61090	.00	.00	.00	.00	.00	
Total PERSONNEL SERVICES:				4,820.00	120,009.00	120,009.00	120,009.00	120,009.00	

2009-10	2010-11	2011-12	Account Title	2012-13	2012-13	2012-13	2012-13	2012-13	2012-13
Prior year 2	Prior year	Current year	Account Number	Proposed	Recommended	Approved	Adopted	Modified	
Actual	Actual	Budget		Budget	Budget	Budget	Budget	Budget	
MATERIALS & SERVICES									
.00	.00	.00	05-405-62010	50.00	50.00	50.00	50.00	50.00	
.00	.00	.00	05-405-62017	500.00	500.00	500.00	500.00	500.00	
7,629.00	6,757.98	3,000.00	05-405-62020	1,000.00	2,500.00	2,500.00	2,500.00	2,500.00	
.00	443.95	.00	05-405-62028	.00	.00	.00	.00	.00	
4,021.57	2,533.11	2,500.00	05-405-62029	1,250.00	1,000.00	1,000.00	1,000.00	1,000.00	
1,352.80	626.30	200.00	05-405-62030	150.00	150.00	150.00	150.00	150.00	
5,005.78	4,783.78	4,200.00	05-405-62050	4,000.00	3,000.00	3,000.00	3,000.00	3,000.00	
.00	.00	.00	05-405-62055	150.00	150.00	150.00	150.00	150.00	
15,225.78	10,907.61	20,000.00	05-405-62060	17,000.00	17,000.00	17,000.00	17,000.00	17,000.00	
510.00	120.00	352.00	05-405-62068	500.00	500.00	500.00	500.00	500.00	
1,431.69	.00	.00	05-405-62070	.00	.00	.00	.00	.00	
.00	.00	.00	05-405-62081	.00	.00	.00	.00	.00	
.00	.00	690.00	05-405-62082	.00	.00	.00	.00	.00	
1,845.00	76.00	1,000.00	05-405-62100	836.00	4,000.00	4,000.00	4,000.00	4,000.00	
92.77	1,783.26	5,750.00	05-405-62110	500.00	500.00	500.00	500.00	500.00	
3,952.00	4,484.00	4,000.00	05-405-62111	.00	.00	.00	.00	.00	
3,000.00	3,000.00	700.00	05-405-62112	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	
1,788.00	1,908.00	1,500.00	05-405-62113	1,000.00	3,000.00	3,000.00	3,000.00	3,000.00	
.00	.00	.00	05-405-62114	2,268.00	2,268.00	2,268.00	2,268.00	2,268.00	
.00	.00	.00	05-405-62115	7,500.00	15,000.00	15,000.00	15,000.00	15,000.00	
509.89	384.86	500.00	05-405-62120	48,400.00	.00	.00	.00	.00	
612.31	641.28	1,000.00	05-405-62311	500.00	500.00	500.00	500.00	500.00	
426.24	591.24	1,000.00	05-405-62312	640.00	640.00	640.00	640.00	640.00	

Ambulance Car - 2423.74 changed to 05-405-62351 - 3 yrs left remaining - Need to budget for in 12/13, 13/14, 14/15

Donor Payment charged to 05-405-63010 - Capital Outlay

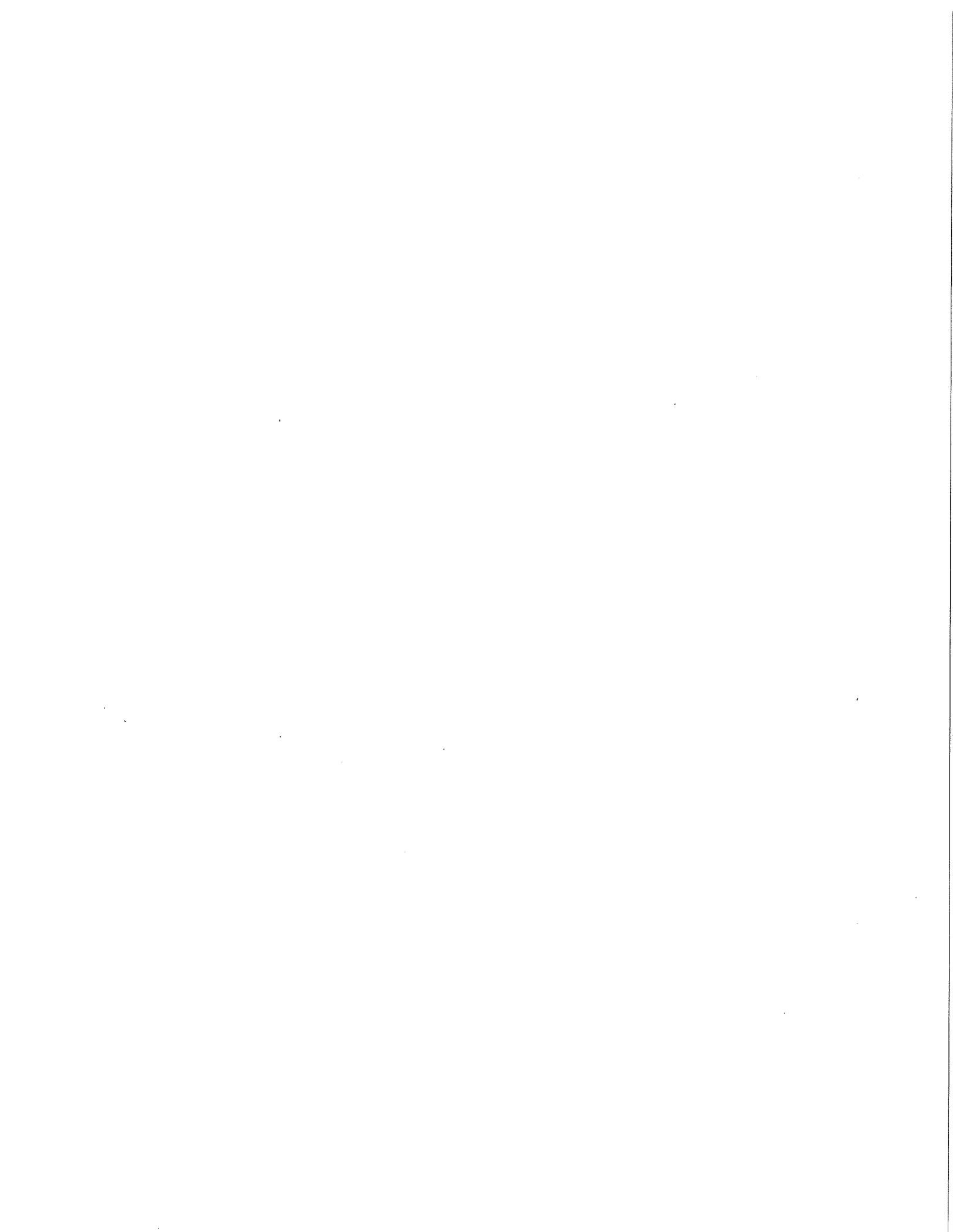
2009-10 Prior year 2 Actual	2010-11 Prior year Actual	2011-12 Current year Budget	Account Number	Account Title	2012-13 Proposed Budget	2012-13 Recommended Budget	2012-13 Approved Budget	2012-13 Adopted Budget	2012-13 Modified Budget
Total INTER-FUND TRANSFERS:									
.00	6,597.59	2,559.00			2,460.00	47,460.00	47,460.00	59,460.00	59,460.00
CONTINGENCY									
.00	.00	14,356.00	05-405-65010	CONTINGENCY	6,980.00	.00	.00	.00	.00
Total CONTINGENCY:									
.00	.00	14,356.00			6,980.00	.00	.00	.00	.00
Total EMERGENCY SERVICES EXPENDITURE:									
244,307.49	282,250.11	210,711.00			145,564.00	264,202.00	264,202.00	276,202.00	276,202.00

2009-10 Prior year 2 Actual	2010-11 Prior year Actual	2011-12 Current year Budget	Account Number	Account Title	2012-13 Proposed Budget	2012-13 Recommended Budget	2012-13 Approved Budget	2012-13 Adopted Budget	2012-13 Modified Budget
ADMINISTRATION DEPARTMENT									
PERSONNEL SERVICES									
3,655.49	4,504.11	940.00	05-421-61010	CITY ADMINISTRATOR	1,838.00	1,750.00	1,750.00	1,750.00	1,750.00
.00	.00	.00	05-421-61011	ADMINISTRATOR AUTO ALLOWANCE	.00	.00	.00	.00	.00
274.69	167.22	.00	05-421-61015	ADMINISTRATOR DEF COMP_ALLWNC	.00	.00	.00	.00	.00
2,029.10	2,065.65	2,012.00	05-421-61020	FINANCE OFFICER/RECORDER	2,212.00	2,169.00	2,169.00	2,169.00	2,169.00
1,706.10	1,766.95	1,763.00	05-421-61031	ACCOUNTING CLERK	1,868.00	1,831.00	1,831.00	1,831.00	1,831.00
517.45	535.80	530.00	05-421-61033	OFFICE ASSISTANT/CASHIER	578.00	567.00	567.00	567.00	567.00
602.69	724.69	595.00	05-421-61050	FICA	525.00	510.00	510.00	510.00	510.00
653.95	915.63	39.00	05-421-61060	WORKER'S COMP	40.00	35.00	35.00	35.00	35.00
.00	.00	.00	05-421-61065	WORKER'S BENEFIT FUND	5.00	5.00	5.00	5.00	5.00
873.20	1,025.24	1,681.00	05-421-61070	HEALTH INSURANCE	1,700.00	1,530.00	1,530.00	1,530.00	1,530.00
669.00	713.15	840.00	05-421-61080	PERS (PENSION)	1,200.00	1,130.00	1,130.00	1,130.00	1,130.00
8.05	13.29	10.00	05-421-61090	UNEMPLOYMENT	60.00	55.00	55.00	55.00	55.00
199.16	315.12	180.00	05-421-61155	CAMERA OPERATOR	252.00	247.00	247.00	247.00	247.00
Total PERSONNEL SERVICES:					10,278.00	9,829.00	9,829.00	9,829.00	9,829.00

MATERIALS & SERVICES									
.00	26.38	48.00	05-421-62010	OFFICE SUPPLIES	48.00	48.00	48.00	48.00	48.00
.00	193.58	78.00	05-421-62055	POSTAGE	83.00	83.00	83.00	83.00	83.00
250.25	246.40	250.00	05-421-62080	CONTRACT SVC - AUDIT	247.00	247.00	247.00	247.00	247.00
.00	.00	2,867.00	05-421-62093	CTRCT SVC - INTERIM CITY ADMIN	1,692.00	1,692.00	1,692.00	1,692.00	1,692.00
229.40	355.96	240.00	05-421-62100	CONTRACT SVC - ATTORNEY	240.00	240.00	240.00	240.00	240.00
.00	72.02	76.00	05-421-62110	CONTRACT SVC - MISC	268.00	268.00	268.00	268.00	268.00
Total MATERIALS & SERVICES:					2,578.00	2,578.00	2,578.00	2,578.00	2,578.00
479.65	894.34	3,559.00							
Total ADMINISTRATION DEPARTMENT:					12,856.00	12,407.00	12,407.00	12,407.00	12,407.00
11,668.53	13,641.19	12,149.00							

Net Total EMERGENCY SERVICES FUND:					.00	.00	.00	.00	.00
32,096.10-	45,796.06-	.00							

July-Dec



STAFF REPORT

Date Prepared: 9/5/12

For City Council Meeting on: September 10, 2012

TO: Honorable Mayor and City Council

PREPARED BY: Kathy Woosley, City Recorder *KW*

APPROVED BY: ICA Koch *DK*

SUBJECT: Approval of new license for Cascade Locks Ale House.

SYNOPSIS: Owners of Cascade Ale House (previously Pacific Crest Pub) have applied for their liquor license. OLCC requires the local governing body approval.

CITY COUNCIL OPTIONS:

1. Approve new license application for Cascade Locks Ale House.
2. Do not approve new license application for Cascade Locks Ale House.

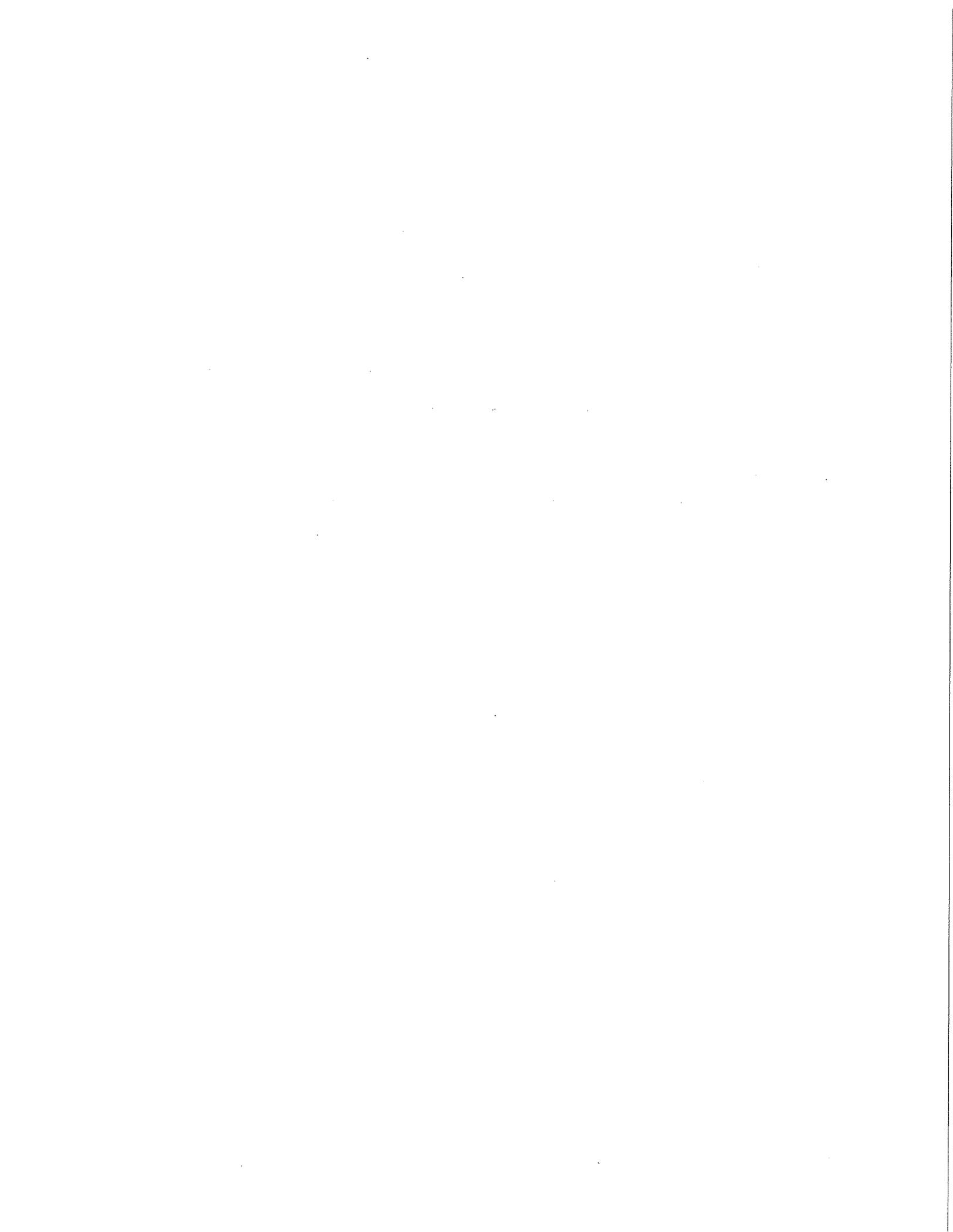
RECOMMENDATION: That City Council, by motion, approve new liquor license application for Cascade Locks Ale House.

Legal Review and Opinion: None required for this action.

Financial review and status: None at this time.

BACKGROUND INFORMATION:

1. A letter was sent to the Sheriff's office for their approval on August 21st. A positive reply was received (attached).
2. A copy of the license application is available at City Hall for review.



JOSEPH A. WAMPLER
SHERIFF

JERRY BROWN
CHIEF DEPUTY



MARITA HADDAN
911 COMMANDER

TERRY L. BRIGHT
CHIEF CIVIL DEPUTY

JERRY KEITH
EXECUTIVE ASSISTANT

September 4, 2012

Kathy Woosley, City Recorder
City of Cascade Locks
PO Box 308/140 SW WaNaPa Street
Cascade Locks, Oregon 97014

Re: OLCC License Application

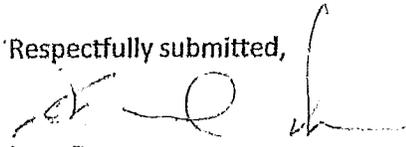
Ms. Woosley,

We have reviewed information available to us regarding the following business and have received neither complaints nor discovered issues with the identified parties, which might influence your decision making process:

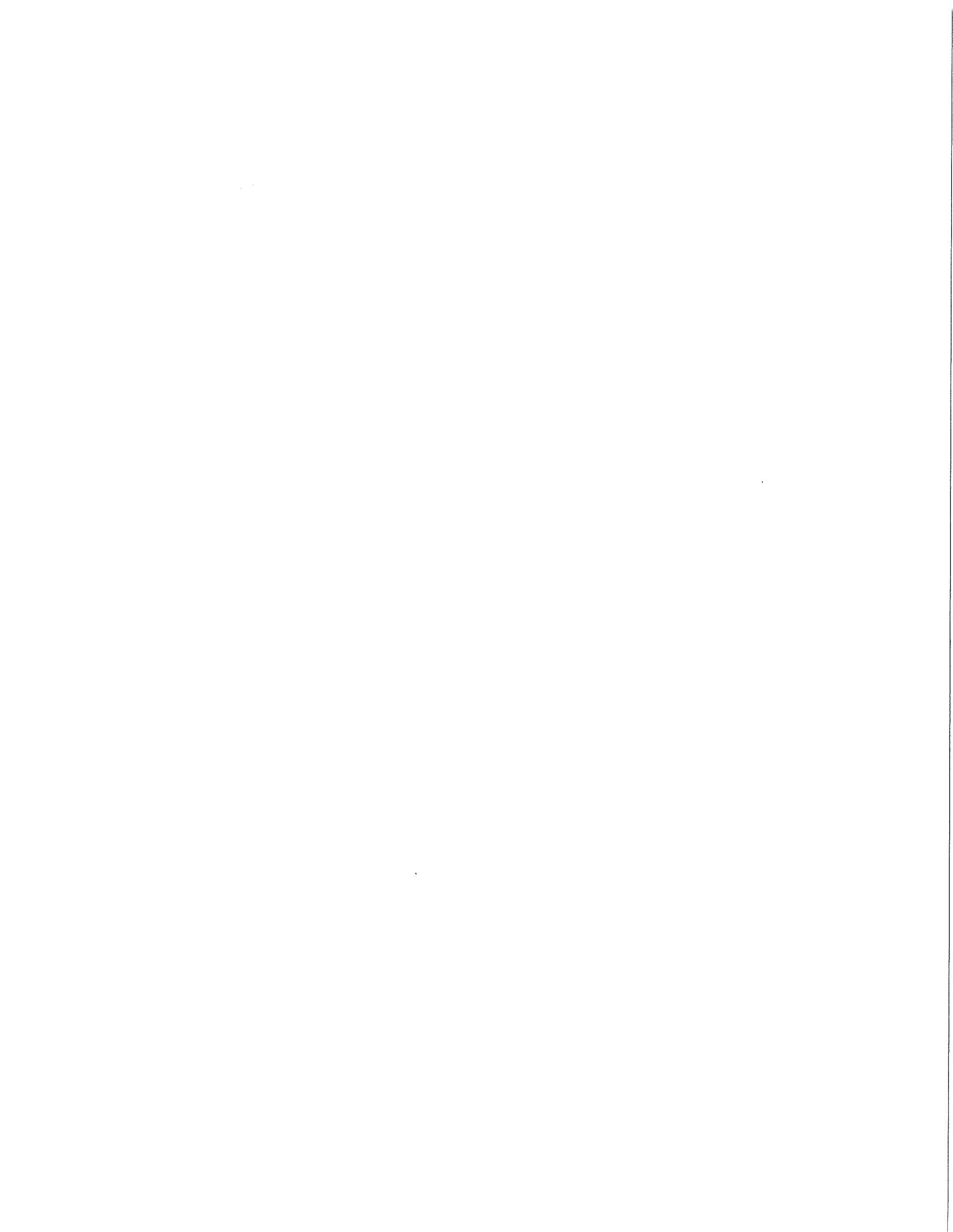
Cascade Locks Ale House

If further information is required, please contact me at (541) 387-6841.

Respectfully submitted,


Jerry Brown
Chief Deputy

Cc: Sheriff Joe Wampler



STAFF REPORT

Date Prepared: 9/4/12

For City Council Meeting on: 9/10/12

TO: Honorable Mayor and City Council

PREPARED BY: Kathy Woosley, City Recorder



APPROVED BY: Paul Koch, Interim City Administrator

SUBJECT: Ordinance No. 418 vacating a portion of Hassalo Street and providing for the vesting of title.

SYNOPSIS: Petition was made to vacate a portion of Hassalo Street and the public hearing was held on 7/23/12. City Attorney Cleaveland's memo is attached clarifying the utility easement. A motion was made at the 7/23/12 City Council meeting to approve Ordinance No. 418 with the first reading of the ordinance.

CITY COUNCIL OPTIONS:

1. Have second reading of Ordinance No. 418 and take a vote.
2. Take no action on this matter.

RECOMMENDATION: The City Council have second reading and approve Ordinance No. 418.

Legal Review and Opinion: The City Attorney was actively involved in this issue..

Financial review and status: None required for this action.

BACKGROUND INFORMATION:

1. Mr. Coad purchased property at 139 Hassalo Street. He would like the City to vacate the unused portion of Hassalo Street that is between his property, Mrs. Kitchens at 133 NW Hassalo Street, and Carl Zerfing at 55 NW Harvest Queen.
2. Staff has met and discussed the vacation of the street and agree with the reasons given for the vacation of the unused portion of Hassalo Street: (a) said street portion lies at the terminus of a dead-end street and is not now nor ever has been improved or used as a city street or thoroughfare; (b) said street portion is not now nor ever has been maintained by the City; (c) said street portion is bounded on three sides by private property and cannot be configured to promote any current or future city interest in health, safety, welfare, or legal ingress, egress or access; (d) continued status as a city street or thoroughfare constitutes a private trespass nuisance to

Petitioners from persons illegally crossing Petitioners' property via the railroad right-of-way; (e) vacation of the street portion will rectify a 3.5 ft. encroachment of the garage on Tax Lot #2500 existing since 1942; ;and (f) vacation of the street portion is in the public interest by returning this property to the tax rolls of the City of Cascade Locks, Oregon.

3. Mr. Coad has also applied for a lot line adjustment on his property, which will be processed as an administrative review.

4. Council accepted the petition for the proposed street vacation and set a public hearing on the matter for July 23, 2012. A motion was made and seconded to approve the Ordinance and have the first reading. City Attorney Cleaveland was asked to prepare a memo clarifying the utility easement.

5. ATTACHMENTS:

Copies of plat maps are included for your review.

Attorney Cleaveland Memo

ORDINANCE NO. 418

AN ORDINANCE VACATING A PORTION OF HASSALO STREET AND PROVIDING FOR THE VESTING OF TITLE.

WHEREAS, the City of Cascade Locks has received a petition to vacate a portion of a street in the City described as follows: **See Exhibit "A"**.

WHEREAS, the property which is the subject of the request to vacate is not necessary to provide ingress and egress to that area of the City of Cascade Locks, Oregon, is not necessary for the safe and convenient flow of traffic and has never been an improved street or public right-of-way; and

WHEREAS, the proposed vacation is in the best interests of Cascade Locks, Oregon and its residents; and

WHEREAS, a public hearing was held on July 23, 2012, in the City Council chambers, Cascade Locks, Oregon. All interested persons were given an opportunity to be heard on the requested vacation at the hearing, a notice of which was given and televised at the regularly scheduled City Council meeting on July 23, 2023. Interested persons attended and stated their views on the requested vacation; and

WHEREAS, no objections by remonstrance, written or verbal, has been made by any property owners for a distance of 400 feet from the terminus of the proposed street vacation; and

WHEREAS, the petitioners are the owners of the adjacent property for a lateral distance of at least 200 feet; and

WHEREAS, it appears that the proposed partial street vacation is not detrimental to any residents of Cascade Locks;

THE CITY OF CASCADE LOCKS, HOOD RIVER COUNTY, OREGON, ORDAINS AS FOLLOWS:

SECTION 1. Order to Vacate. The City Council orders that the following area is vacated and the adjoining property owners, who are the owners of record of this date, shall own to the center of the partially vacated Hassalo Street by extending their property lines to the center line of the partially vacated Hassalo Street: **See Exhibit "A"**.

SECTION 2. Effective Date. This Ordinance shall take effect 30 days after adoption by the City Council and approval by the Mayor, subject to the applicant completing the required surveys, legal descriptions and appropriate filings as described in the motion approved by Council.

ADOPTED by the City Council this 13th day of August, 2012.

APPROVED by the Mayor this 13th day of August, 2012.

Mayor

ATTEST:

City Recorder

EXHIBIT "A"

LEGAL DESCRIPTION*****

A TRACT OF LAND BEING A PORTION OF HASSALO STREET, LOCATED IN THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 2 NORTH, RANGE 7 EAST OF THE WILLAMETTE MERIDIAN, HOOD RIVER COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: ;BEGINNING AT THE NORTHERLY MOST CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN STATUTORY SPECIAL WARRANTY DEED RECORDED IN HOOD RIVER COUNTY INSTRUMENT NO. 2012-00247; THENCE NORTH 42°14'04" EAST, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF HASSALO STREET, 30.41 FEET TO THE NORTHWEST CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN WARRANTY DEED RECORDED IN HOOD RIVER COUNTY INSTRUMENT NO. 984405; THENCE SOUTH 38°17'50" EAST, ALONG THE WESTERLY LINE OF LAST SAID TRACT, ALSO BEING THE EASTERLY RIGHT-OF-WAY OF HASSALO STREET, 57.78 FEET TO THE SOUTHWEST CORNER OF LAST SAID TRACT, SAID CORNER BEING ON THE NORTHERLY RIGHT-OF-WAY OF HASSALO STREET; THENCE SOUTH 56°29'02" WEST, ALONG THE SOUTHWESTERLY PROJECTION OF SAID NORTHERLY RIGHT-OF-WAY OF HASSALO STREET, 15.05 FEET TO THE CENTERLINE OF HASSALO STREET; THENCE SOUTH 38°17'50" EAST, ALONG THE CENTERLINE OF HASSALO STREET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF HASSALO STREET; THENCE SOUTH 56°29'02" WEST, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF HASSALO STREET, 15.05 FEET TO AN ANGLE POINT IN THE SOUTHERLY RIGHT-OF-WAY LINE OF HASSALO STREET; THENCE NORTH 38°17'50" WEST, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF HASSALO STREET, 80.38 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,072 SQUARE FEET MORE OR LESS.



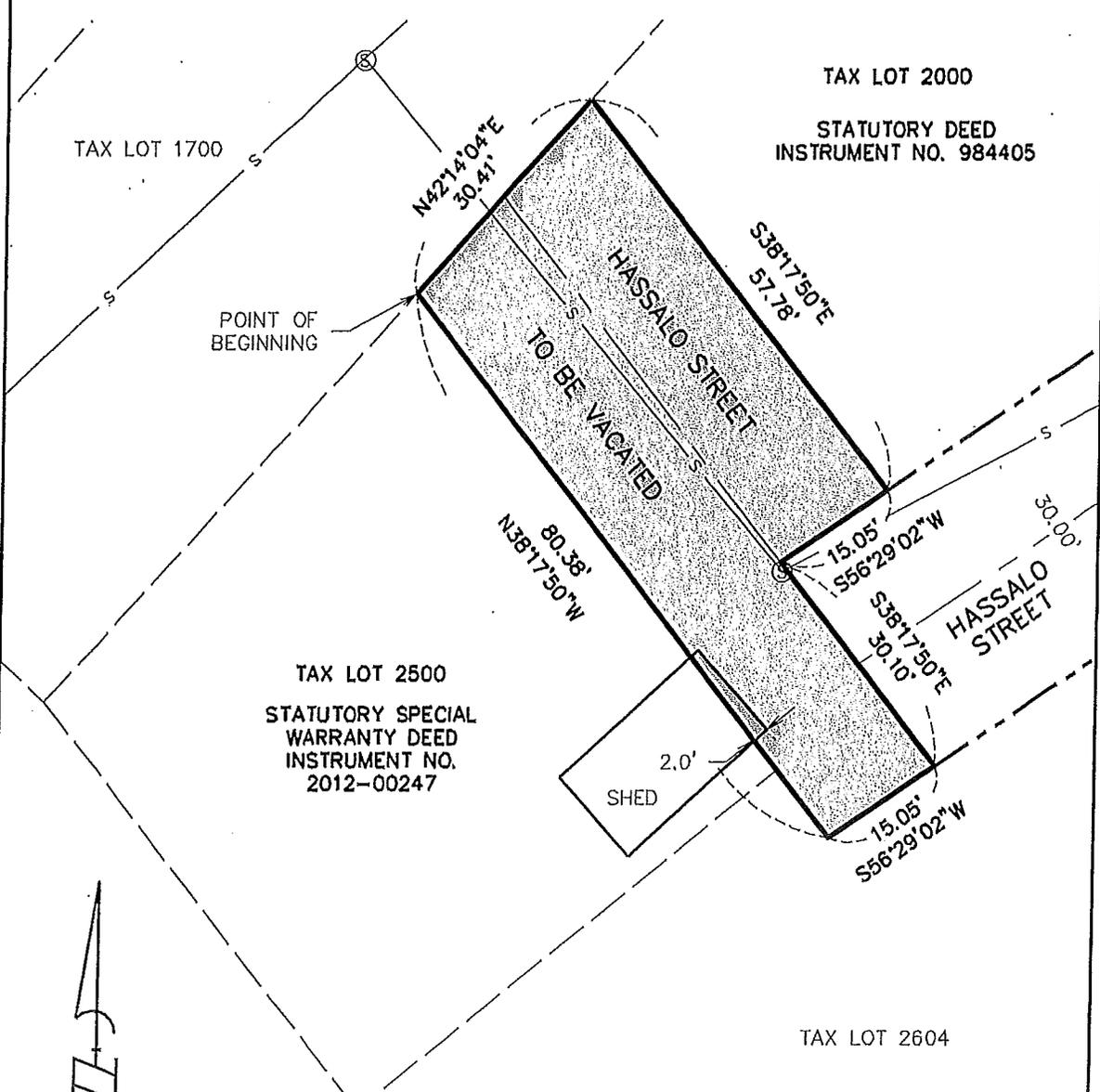
Expires 10-25-13

SHEET 2 OF 2

<p>STREET VACATION EXHIBIT NE ¼ OF SECTION 12 T. 2 N., R. 7 E., W.M. HOOD RIVER COUNTY, OREGON</p>	<p>KA Klein & Associates, Inc. ENGINEERING • LAND SURVEYING • PLANNING 1411 10th Street, Hood River, Oregon 97031 Tel: (541)388-3322 EMAIL: info@kleinassocia.com</p>	<p>PROJECT: 120318EX FILE NO: 120310 LAYOUT: LJS SURVEYED: CM-AS DESIGN: ---- DRAFT: LJS APPROVED: JK DATE: 7/20/12 SHEET: 2 OF 2 SHEETS</p>
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Exhibit to Oral No 418
 Pg. 2 of 3

EXHIBIT "A"



TAX LOT 2000

STATUTORY DEED
INSTRUMENT NO. 984405

TAX LOT 1700

POINT OF
BEGINNING

TAX LOT 2500
STATUTORY SPECIAL
WARRANTY DEED
INSTRUMENT NO.
2012-00247

TAX LOT 2604

LEGEND

⊙ EXISTING SEWER MANHOLE

s EXISTING SEWER LINE

VACATED PORTION
OF HASSALO STREET

SHEET 1 OF 2

STREET VACATION EXHIBIT
NE ¼ OF SECTION 12
T. 2 N., R. 7 E., W.M.
HOOD RIVER COUNTY, OREGON



Klein & Associates, Inc.

ENGINEERING • LAND SURVEYING • PLANNING

1411 13th Street, Hood River, Oregon 97031

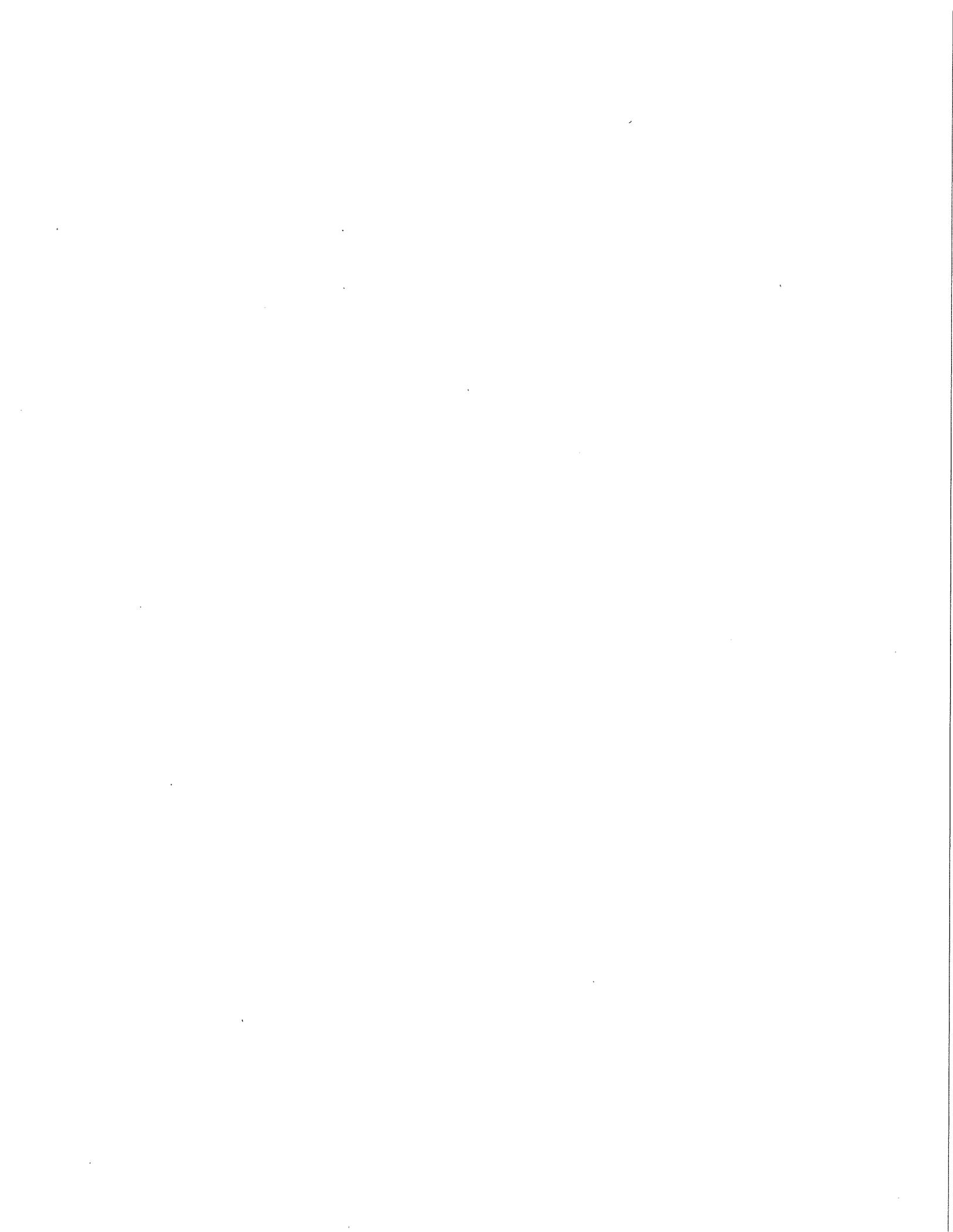
Tel: (541)386-3322

EMAIL: info@kleinassocinc.com

PROJECT: 120318EX
FILE No: 120318
LAYOUT: LJS
SURVEYED: CH-AS
DESIGN: ----
DRAFT: LJS
APPROVE: JK
DATE: 7/20/12
SHEET: 1 OF 2 SHEETS

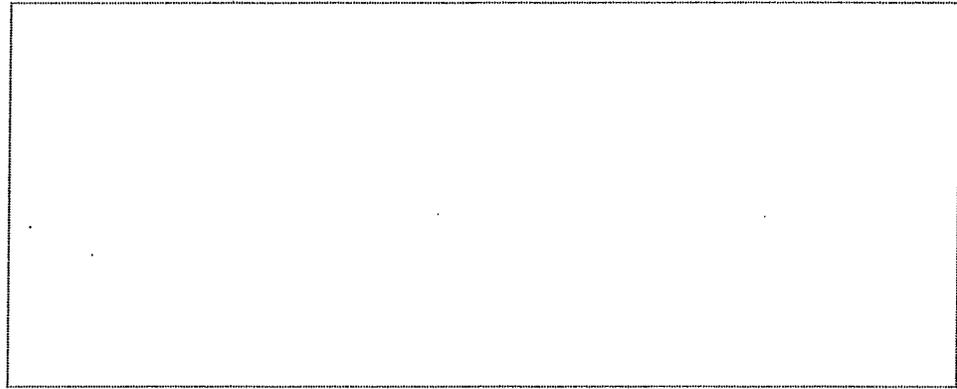
Exhibit to Ord No. 418

pg 3 of 3



CITY OF CASCADE LOCKS
PO BOX 308
CASCADE LOCKS, OR 97014

This Box For Hood River County Recording Use Only



PERPETUAL EASEMENT
(Public Utility Easement)

Michael R. Coad and Ji-Yen Mia M. Coad, husband and wife, and Leerae V. Kitchens, an individual (collectively as 'GRANTOR'), grants to the City of Cascade Locks, a municipal corporation of the State of Oregon, a perpetual easement for public sanitary sewer purposes on, over and under the following described real property situated in Hood River County, Oregon.

RECITALS

- A. Grantor is the owner of certain real property located in the City of Cascade Locks, Hood River County, Oregon, more fully described in Exhibit A attached hereto ("Grantor's Property").
- B. Grantor has agreed to grant an easement across the 10.00 foot wide sewer easement area described and shown on Exhibit B attached hereto (the "Easement Area"), subject to the terms of this Agreement.

The easement property shall only be used for **sanitary sewer pipeline purposes**.

EASEMENT TERMS AND CONDITIONS

1. The easement shall be located on the above-described real property as shown on the attached Exhibit B. The purpose of the easement is for the City of Cascade Locks to operate, inspect, maintain, repair and reconstruct facilities now and in the future related to the purposes stated above. This may include one or more pipelines, vaults, power lines, telemetry lines and any other appurtenances necessary for the purposes stated above.
2. In the event of an emergency, the City of Cascade Locks, its employees, agents, contractors, and invitees shall have access to and the right to enter the easement property at any time for the purposes of the easement. In all other events where

practicable, notice shall be provided to GRANTOR at least seventy-two (72) hours prior to the commencement of any work within the easement property.

3. The surface of the easement property shall be restored by the City of Cascade Locks within a reasonable time after completion of any work in the easement to substantially the same condition as the surface of the easement was prior to the work. The City of Cascade Locks is not obligated to restore uses inconsistent with Paragraph 4 or 5 of this easement. GRANTOR shall otherwise be responsible to maintain the surface of the easement property.
4. Unless having received the prior written consent of the City of Cascade Locks, GRANTOR shall not place or allow to remain on or in the easement property trees of any size, shrubs or bushes over four feet in height, permanent structures, decorative garden or yard structures or statues unless transportable by one person, walls, irrigations systems controls or piping, or stored piles of any materials. Property line or decorative fencing, subject to land use and building permit requirements, are permitted but shall be removed by the City of Cascade Locks as necessary for the purposes of this easement with GRANTOR responsible for reinstallation. Grass, bark mulch, normal annual plantings and similar items are permitted and shall be restored by the City if disturbed in exercise of the easement privileges. Except as may be specifically proscribed herein, Grantor may use the Easement Area for all other purposes, including landscaping, fencing, removing brush and trees, and as an unpaved driveway or parking area. However, Grantor may not construct any buildings in the Easement Area. The reserved rights of Grantor to use the Easement Area are for the benefit of Grantor and Grantor's licensees, and for the benefit of Grantor's Property and the assignees and successors in interest in Grantor's Property.
5. Unless having received the prior written consent of the City of Cascade Locks, GRANTOR shall not use or allow the easement property to be used in any manner not permitted by paragraph 4. GRANTOR shall protect the City of Cascade Locks's facilities in such manner as reasonably specified in the written consent. GRANTOR shall notify the City of Cascade Locks at least seventy-two (72) hours prior to the commencement of any construction work within the easement property specifying the details of the work.
6. Within the easement property, GRANTOR shall not store, use, manufacture, dispose of nor allow migration onto the easement property any materials that are hazardous or constitute a public health hazard as defined by law.
7. GRANTOR warrants that 1) GRANTOR has marketable title to the easement property, 2) the City of Cascade Locks may peaceably enjoy the rights and benefits of this easement, 3) there are no other interests in the property which conflict with the City's intended use of this easement, 4) the easement property is free of encumbrances except those of which GRANTOR has notified the City of Cascade Locks, and 5) GRANTOR has the unrestricted right to grant this easement without additional consent or permission.
8. This easement shall bind and inure to the benefit of the immediate parties and their respective heirs, executors, administrators, successors, and assigns.

9. To the extent allowed by law, the City of Cascade Locks shall indemnify, hold harmless and defend GRANTOR from all claims arising out of the City's use of the easement property. To the extent allowed by law, GRANTOR shall indemnify, hold harmless and defend the City and its employees, agents, contractors and invitees from all claims not arising out of the City's use of the easement property.

10. Grantor Michael R. Coad and Ji-Yen Mia M. Coad, husband and wife, further agree that as to Lot 2500 (as amended by completed boundary line adjustment), the grant and conveyance of this Perpetual Easement shall supercede and be controlling as to any conflicting terms and conditions that may be contained in that certain document filed August 5, 2009, under reception No. #2009-03076, Hood River County records.

GRANTOR:

Michael R. Coad and Ji-Yen Mia M. Coad,
 husband and wife, and Leerae V. Kitchens

By: _____
 Michael R. Coad

By: _____
 Ji-Yen Mia M. Coad

By: _____
 Leerae V. Kitchens

STATE OF OREGON)
) ss.
 County of Washington)

This instrument was acknowledged before me on August _____, 2012, by Michael R. Coad and Ji-Yen Mia M. Coad, husband and wife.

By: _____
 NOTARY PUBLIC FOR OREGON
 My Commission Expires: _____

(Seal)

STATE OF OREGON)
) ss.
County of Hood River)

This instrument was acknowledged before me on August _____, 2012, by Leerae V. Kitchens.

By: _____
NOTARY PUBLIC FOR OREGON
My Commission Expires: _____.

(Seal)

ACCEPTED BY THE CITY OF CASCADE LOCKS

The foregoing Agreement and Sanitary Sewer Easement granted herein is hereby ACCEPTED.

Mayor, City of Cascade Locks

APPROVED AS TO FORM:

City Attorney

//
//

\\

STATE OF OREGON)
) ss.
County of Hood River)

This instrument was acknowledged before me on August _____, 2012, by _____, in his/her capacity as _____ of the City of Cascade Locks.

By: _____
NOTARY PUBLIC FOR OREGON
My Commission Expires: _____.

(Seal)

Exhibits: A – Plat Map (GRANTOR’S Property)
 B – Legal Description (Easement Area)

EXHIBIT B
 (Legal Description – Easement Area)

EXHIBIT "B"

LEGAL DESCRIPTION*****

A STRIP OF LAND 10.00 FEET WIDE, LOCATED IN THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 2 NORTH, RANGE 7 EAST OF THE WILLAMETTE MERIDIAN, HOOD RIVER COUNTY, OREGON, SAID STRIP OF LAND LYING 5.00 FEET ON EACH SIDE OF AN EXISTING SEWER LINE AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHERLY MOST CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN STATUTORY SPECIAL WARRANTY DEED RECORDED IN HOOD RIVER COUNTY INSTRUMENT NO. 2012-00247; THENCE NORTH 42°14'04" EAST, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF HASSALO STREET, 12.74 FEET MORE OR LESS TO THE CENTER LINE OF AN EXISTING SEWER LINE AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 40°17'40" EAST, ALONG THE CENTERLINE OF SAID SEWER LINE, 34.60; THENCE NORTH 62°45'40" EAST, ALONG THE CENTERLINE OF SAID SEWER LINE, 40.00 FEET TO THE POINT OF TERMINUS OF THIS DESCRIPTION.

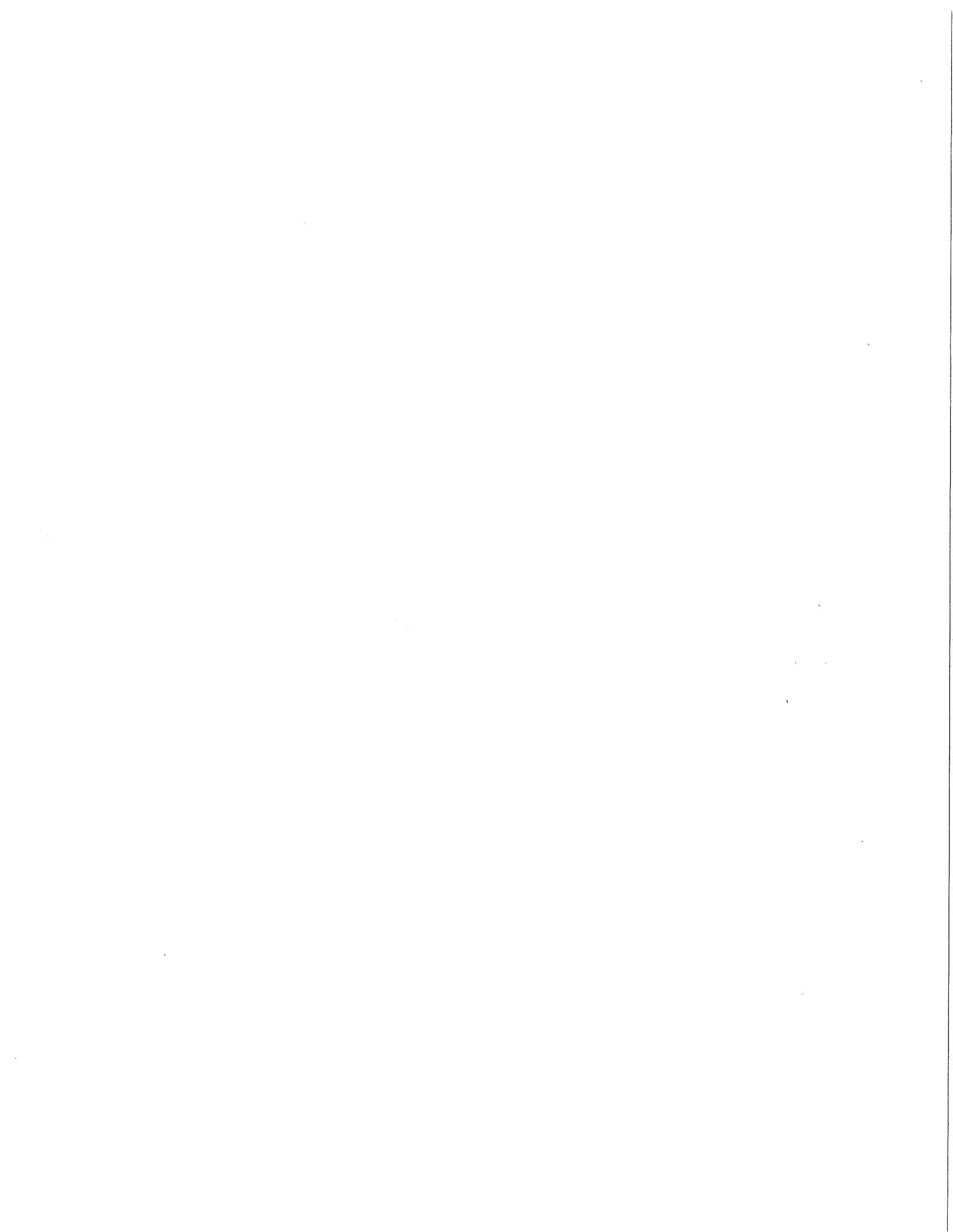
THE SIDE LINES OF SAID STRIP OF LAND TO BE LENGTHENED OR SHORTENED AS NECESSARY TO INTERSECT AN EXISTING SEWER LINE EASEMENT DESCRIBED IN EASEMENT DOCUMENT NO. 2009-03075 OF HOOD RIVER COUNTY RECORDS.



Expires 11-25-13

SHEET 2 OF 2

<p>STREET VACATION EXHIBIT NE ¼ OF SECTION 12 T. 2 N., R. 7 E., W.M. HOOD RIVER COUNTY, OREGON</p>	<p>K Klein & Associates, Inc. SURVEYING - CIVIL ENGINEERING - PLANNING 501 1/2 First Street, Hood River, OR 97113 541-341-2612 FAX: 541-341-2613</p>	<p>PROJECT: 100000 SHEET: 2 OF 2 DATE: 11-13-12 DRAWN BY: J.K. CHECKED BY: J.K. SCALE: AS SHOWN</p>
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SOSNKOWSKI & CLEAVELAND P.C.

LOCAL GOVERNMENT AND MUNICIPAL LAW

ALEXANDRA E. SOSNKOWSKI

541 490 3199

RUBEN D. CLEAVELAND

360 609 3935

PHYSICAL ADDRESS:

606 STATE STREET, SUITE 1A

HOOD RIVER, OREGON 97031

MAILING ADDRESS:

P.O. BOX 1698

HOOD RIVER, OREGON 97031

To: City Council and Paul Koch, ICA
From: Ruben D. Cleaveland, Assistant City Attorney
Re: Street Vacation Memo
Date: August 6, 2012

At the last Council Meeting, the Council asked for a memo regarding the way vacated portions of public areas are divided among the adjoining landowners. The vesting of title for each portion is controlled by statute and division is according to the property lines that existed prior to the street dedication.

ORS 271.140 provides that the title to the street shall attach to the adjoining parcels in equal portions unless the area was originally dedicated by someone who was not an adjoining land owner. It goes on to state that "original boundary lines shall be adhered to and the street area which lies on each side of such boundary line shall attach to the abutting property on such side." This means the street is divided down the middle unless the original boundary lines dictate otherwise.

If two parcels dedicate equal portions for the street or there wasn't a dedication from adjoining parcels, the division would be equal portions. It is possible for one adjoining landowner to have dedicated a greater proportion of land for use as the street. If that is the case, the land would be divided according to the original boundary lines as existed at the time of the dedication. Because of this, is necessary to review the boundary lines to determine the proper way of dividing a street that is vacated.

Here, it appears the original property lines between the adjoining land owners were directly down the middle of Hassalo Street with the exception of the third parcel. This means the two directly adjoining parcels will divide along their boundary lines (which happens to be down the middle) and the third will also take along the original boundary lines as it relates to the portion that abuts their property line.

The City Council has the authority to “grant the petition in part, deny it in part, and make such reservations, or either, as appear to be for the public interest.” ORS 271.120. The City Council took notice that the property description as presented did not include any reservations of easement to be vacated. Thus, any easements in the public interest were not subject to the vacation as approved by the Council.

Finally, Petitioner is responsible for obtaining a certified copy of the ordinance vacating the area and filing the copy and plat map with the county assessor.

Prepared by:
Ruben D. Cleaveland, Asst. City Attorney
Sosnkowski & Cleaveland P.C.

STAFF REPORT

Date Prepared: August 30, 2012

For City Council Meeting on: September 10, 2012

TO: Honorable Mayor and City Council

PREPARED BY: Kathy Woosley, City Recorder HW

APPROVED BY: ICA Koch PK

SUBJECT: Approving Resolution No. 1249

SYNOPSIS: It has been reported to City Council that City Council action in 1998 removed the City's authority to charge a sewer connection fee was removed during the 1998 updating of the fee policy. It appears that this was an oversight and not intended. At the August 27th City Council meeting this situation was brought to City Council's attention. Staff indicated at that time that there would be a future action to recommend that the sewer connection fee be returned to the policy of fees and charges.

This matter now comes before City Council for action.

CITY COUNCIL OPTIONS: City Council has the following options available at this time.

1. Approve Resolution No. 1249 reinstating the sewer connection fee.
2. Do nothing.
3. Take other action desired by City Council.

RECOMMENDATION: That City Council, by motion, approve Resolution No. 1249 re-establishing the connection fee for the municipal sewer system in the amount of \$1500.00.

Legal Review and Opinion: None.

Financial review and status: None.

BACKGROUND INFORMATION:

1. A copy of Resolution No. 789, adopted in January 1997, lists a flat fee sewer connection charge of \$1,500. Since then Resolution No. 819, March 1998, Resolution No. 925, July 1996, and Resolution No. 1005, February 2004, were adopted to allow for monthly sewer rate increases but the sewer connection charge was left out. I researched minutes surrounding the adoption of

the other resolutions and there wasn't any mention of dropping the charge for sewer connection. In my research it seems to be normal and customary to have a fee to connect to the sewer.

2. The resolution for the sewer system development charge does not include a connection fee but the resolution for the water system development charge includes a connection fee for water. The addition of the sewer connection charge has been included on a resolution with the system development charges as these two items deal with development.

RESOLUTION NO. 1249

A RESOLUTION ESTABLISHING SYSTEM DEVELOPMENT CHARGES AND CONNECTION FEE FOR THE MUNICIPAL SEWER SYSTEM; AND REPEALING RESOLUTION NO. 1069.

WHEREAS, due to general cost increases and the need to replace and expand facilities to collect, treat, and dispose of the City's sewerage/wastewater; and

WHEREAS, an analysis was prepared by Raymond J. Bartlett, Economic & Financial Analysis to analyze the wastewater financing plan, and recommend sewer rates and System Development Charges (SDC) for the sewer system in Cascade Locks; and

WHEREAS, the connection fee must be applied to maintain operating expenses;

THE COMMON COUNCIL FOR THE CITY OF CASCADE LOCKS, HOOD RIVER COUNTY, OREGON, RESOLVES AS FOLLOWS:

SECTION 1. Systems Development Charges for Sewer by Meter Size.

Meter Size (inches of diameter)	Safe Maximum Operating Capacity (gpm)	Equivalent Number of 3/4" meters	SDC Reimbursement Fee
3/4"	30	1	\$1,513
1"	50	1.67	\$2,519
1 1/2"	100	3.33	\$5,023
2"	160	5.33	\$8,038
3"	350	11.67	\$17,588
4"	600	20	\$30,154
6"	1250	41.67	\$62,825
8"	1800	60	\$90,475
Multiple Family			\$1,210

Source of Equivalencies: American Water Works Association (AWWA) numbers AWWA C702-86 for meters under 3-inches in diameter and AWWA C701-88 for Turbine meters 3-inches and larger in diameter. These publications set the American National Standard for cold-water meter safe maximum operating capacities.

Source: Raymond J. Bartlett, Economic & Financial Analysis.

SECTION 2. Automatic Annual Increases to Sewer System Development Charge.

Effective January 1, 2003 2007, and on every January 1 of each succeeding year these System Development Charges will be increased by the rate of inflation for Construction as reported in the Engineering News Record, published by the McGraw-Hill Companies, as the Construction Cost Index (1967=1) for the period October 1 of the preceding year to October 1 of the current year.

SECTION 3. Connection Charges. All persons desiring or required to connect to City sewer system shall, when applying for sewer connection, pay a connection fee of **\$1500.00** plus actual cost of materials and labor.

SECTION 4. Repeal of Prior Resolutions. Resolution No. **1069** is hereby repealed.

SECTION 5. Effective Date. This Resolution shall become effective upon adoption by the City Council and approval by the Mayor.

SECTION 6. Expiration. This resolution shall remain in effect until repealed by the City Council.

ADOPTED by the City Council this **10th** day of **September**, 2012.

APPROVED by the Mayor this **10th** day of **September**, 2012.

Mayor

ATTEST:

City Recorder

RESOLUTION NO. 1069

A RESOLUTION INCREASING SYSTEM DEVELOPMENT CHARGES FOR THE MUNICIPAL SEWER SYSTEM; AND REPEALING RESOLUTION NO. 1026.

WHEREAS, due to general cost increases and the need to replace and expand facilities to collect, treat, and dispose of the City's sewerage/wastewater; and

WHEREAS, the Council did authorize Raymond J. Bartlett, Economic & Financial Analysis to analyze the wastewater financing plan, and recommend sewer rates and System Development Charges (SDC) for the sewer system in Cascade Locks; and

THE COMMON COUNCIL FOR THE CITY OF CASCADE LOCKS, HOOD RIVER COUNTY, OREGON, RESOLVES AS FOLLOWS:

SECTION 1. Systems Development Charges for Sewer by Meter Size.

Meter Size (inches of diameter)	Safe Maximum Operating Capacity (gpm)	Equivalent Number of 3/4" meters	SDC Reimbursement Fee
3/4"	30	1	\$1,513
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3"	350	11.67	\$17,588
4"	600	20	\$30,154
6"	1250	41.67	\$62,825
8"	1800	60	\$90,475
Multiple Family			\$1,210

Source of Equivalencies: American Water Works Association (AWWA) numbers AWWA C702-86 for meters under 3-inches in diameter and AWWA C701-88 for Turbine meters 3-inches and larger in diameter. These publications set the American National Standard for cold-water meter safe maximum operating capacities.

Source: Raymond J. Bartlett, Economic & Financial Analysis.

SECTION 2. Automatic Annual Increases to Sewer System Development Charge.

Effective January 1, 2003 ~~2007~~, and on every January 1 of each succeeding year these System Development Charges will be increased by the rate of inflation for Construction as reported in the Engineering News Record, published by the McGraw-Hill Companies, as the Construction Cost Index (1967=1) for the period October 1 of the preceding year to October 1 of the current year.

SECTION 3. Repeal of Prior Resolutions. Resolution No. 1026 is hereby repealed.

SECTION 4. Effective Date. This Resolution shall become effective upon adoption by the City Council and approval by the Mayor.

SECTION 5. Expiration. This resolution shall remain in effect until repealed by the City Council.

ADOPTED by the City Council this **13th** day of **February**, 2006.

APPROVED by the Mayor this **13th** day of **February**, 2006.

Mayor

ATTEST:

City Recorder

AGENDA ITEM No. 7-b

STAFF REPORT

Date Prepared: September 5, 2012

For City Council meeting on September 10, 2012

TO: Hon. Mayor and City Council

PREPARED BY: Paul Koch, Interim City Administrator



APPROVED BY: N/A

SUBJECT: Transmitting recommendations from the Tourism Committee

SYNOPSIS: At the September 4 meeting of the Tourism Committee, the Committee developed a series of recommendations for City Council consideration dealing with the work and involvement of the Tourism committee. Chair Kayla Carron will be present to make the presentation and answer any questions City Council may have.

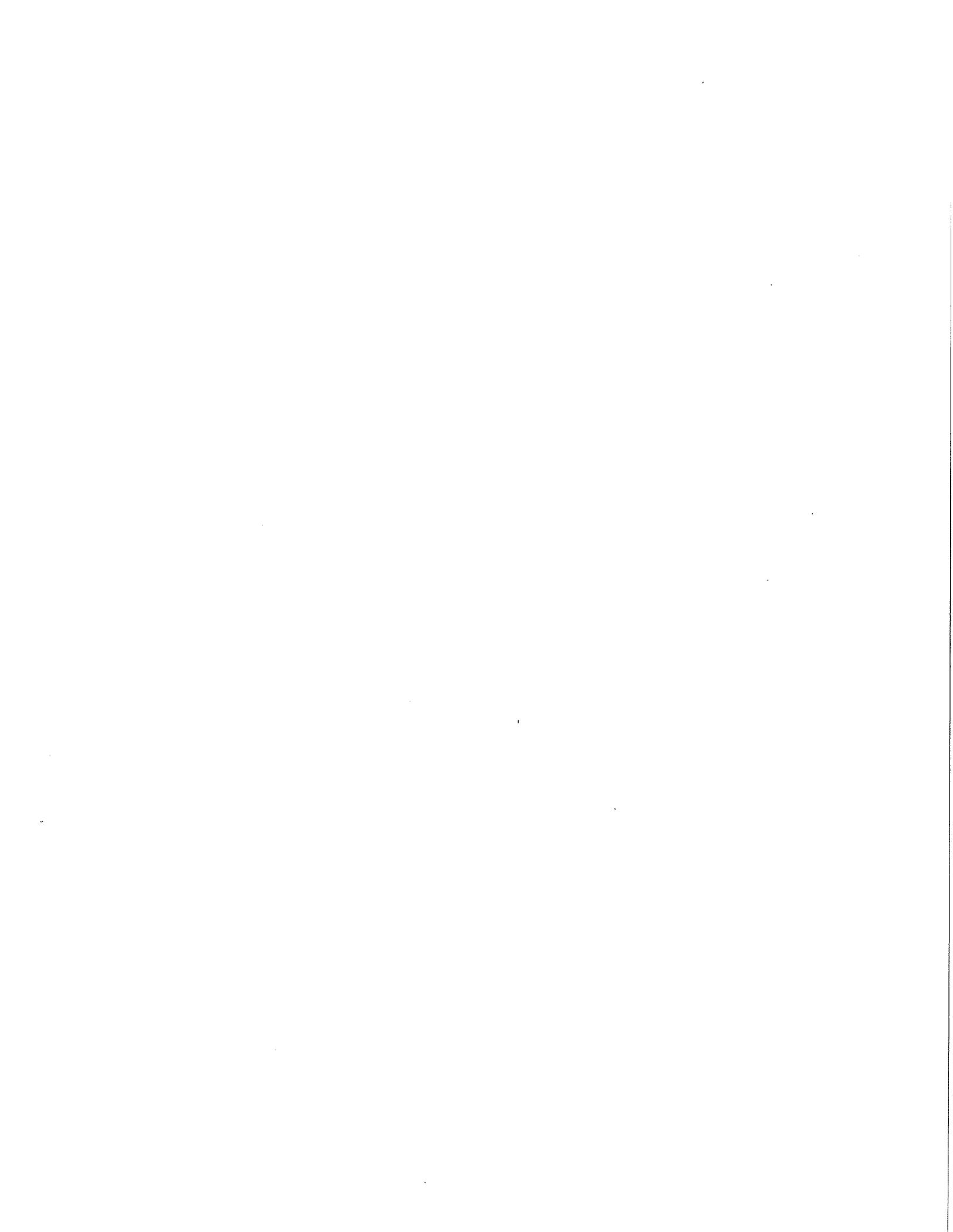
RECOMMENDATION: This is a report and recommendation from the Tourism Committee. No action is required at this time.

Legal Review: There is no legal review or comment required at this time.

Financial Review: There is no financial impact.

BACKGROUND INFORMATION:

1. Kayla Carron, Chair of the Tourism Committee will be present to make the report and hold the discussions with City Council regarding the committees recommendations.



AGENDA ITEM No. 7-C

STAFF REPORT

Date Prepared: September 4, 2012

For City Council meeting on September 10, 2012

TO: Hon. Mayor and City Council

PREPARED BY: Paul Koch, Interim City Administrator



APPROVED BY: N/A

SUBJECT: Draft RFQ for Cable TV, Internet and broadband

SYNOPSIS: On August 16, 2012 City Council held a work session to review a proposal for a public-private partnership dealing with the City Cable operation and to discuss what the Council desires to do with this service. At the work session, several resources were present to assist City Council and to provide information helpful to City Council.

As a result of the work session, staff was directed to develop a RFQ for City Council review that could be sent out to potential operators or purchasers of the current system. David Olson, the City of Portland Director of cable TV sent a number of samples to the City for review. Those have been reviewed and used to produce a common draft RFQ. That draft document is attached for City Council review and comment.

The same draft RFQ has been sent to a number of resource people in an attempt to get their help in formulating a document that would assist the City.

This matter comes to City Council for review, comment and suggestion at this time. This is not an action item.

CITY COUNCIL OPTONS: City council has the following options available at this time.

- A. Review and comment on the draft RFQ and direct staff to proceed to make changes.
- B. Do not act on or discuss the RFQ at this time.
- C. Take other action as may be desired by the City Council.

RECOMMENDATION: That City Council review the draft RFQ and provide staff with direction that is desired by Council on this issue. This is not an action item.

Legal Review: There is no legal review or comment required at this time.

Financial Review: See attached staff report dated August 13, 2012.

BACKGROUND INFORMATION:

1. The draft RFQ has been sent to other resources including the City's IT consultant Dave Cunningham, Gorge-Net and David Olson of Portland for review and comment.
2. A copy of the August 12 Staff Report, the Gorge-Net proposal and the list of options are attached for City Council information.

STAFF REPORT

Date Prepared: August 13, 2012

For City Council Work Session on: August 16, 2012

TO: Honorable Mayor and City Council

PREPARED BY: Paul Koch, Interim City Administrator



APPROVED BY: N/A

SUBJECT: Cable TV, Internet and Broad Band discussions

SYNOPSIS: As a part of the approved 2012-13 budget for this service, the objective was created to “research alternative methods of providing this service and looking into privatization, sale of the system, modernization and phasing out of the service”. As a result and a part of tracking down the availability of fiber optic cable in Cascade Locks, Gorge Networks, Inc. was contacted and has indicated an interest in partnering with the City in the enhancement and operation of the system.

The August 16 Work Session is designed to bring this issue into focus for the City Council and begin the process of looking at the future direction of the service.

CITY COUNCIL OPTIONS: The City council has a wide variety of options which will be a part of the discussion at the Work Session. There is a list of possible options attached to this Staff Report for further review and discussion.

RECOMMENDATION: That City Council discuss this issue and provide Staff with direction to proceed as desired by City Council. This is not a decision making meeting or issue at this time.

Legal Review and Opinion: None required at this time. It will be necessary for the City to follow both its own purchasing requirements and State law in determining the final outcome. The City Attorney will be present to assist in those discussions.

Financial Review and Status: Staff has completed a number of financial analyses on the operation of the Cable TV, Broadband and Internet service. Those reports are attached to this Staff Report. Additionally, the General Fund gets \$9,850 as an internal payment from this service and the total administrative costs are \$49,036.00. The administrative costs cover City Administrator, billing and other services provided by Administration. If these funds were not available, there would need to be other budget reductions, modification or changes to reflect the loss of that revenue to support administration.

BACKGROUND INFORMATION:

1. A copy of the Gorge Networks, Inc. Proposal is attached for information. Representatives of Gorge Networks, Inc will be present at the work session and will be available to participate in the discussions.
2. A list of possible service options is attached for City Council information.
3. A copy of the full budget analysis along with the copies of the adopted budget for this service and the graph indicating the long term viability is also attached for City Council information.
4. Resources present for the discussions and to assist City Council include:
 - a. David Olson, former Cable TV System Director for the City of Portland. We found David through our contacts with Robert Ball. David spent 30 years working on these issues for the City of Portland.
 - b. Dave Cunningham, City Computer Consultant will be present to assist in the discussions.

Date: July 16th 2012

To: Paul Koch – City Administrator,
Cascade Locks City Council

RE: Cascade Locks Cable/Internet system

Gorge Networks is interested in pursuing a partnership of some yet to be determined form, with the Community of Cascade Locks in regards to the existing cable network. Gorge Networks would like to provide an improved network, capable of offering a triple play (voice, internet, TV) to businesses and residents within the community. This would include taking responsibility for the success and operation of the system.

Our Goal:

- Support economic development by operating a data (Internet) network capable of supporting businesses needs for high capacity reliable internet and telephone service.
- Provide a residential service offering (voice/data/telephone) that would rival any offering currently available.
- Position the existing cable network to provide for the needs of the community long term through a series of upgrades to the system. The goal is to minimize operational costs long term.
- Turn the existing operation from a cost center to a revenue center.
- Allocate a portion of the profit to a local cause, to be determined by the city council.

Vision

Gorge networks has a vision for the existing network that would ultimately turn it into a high speed data network capable of offering a full suite of telecommunication services over the existing cable network. The plan would involve the following, over a one to two year time frame:

- Identify, and shore up as needed, any of the existing cable plant.
- Upgrade head-end equipment to support higher speed internet to the end user.
- Bring higher capacity feed to the head-end to support additional demand.
- Replace existing Cable TV service with IPTV , offering similar or enhanced programming.

Service Offering

The details of the service offering would likely mirror what Gorge Networks offers to its customers in other Gorge communities currently. Gorge Networks would work with the City to agree on special considerations to accommodate current service plans. Gorge Networks would work with the City to make sure an acceptable service offering was made available.

- High speed internet from 10M – 90M connection
- TV with a wide range of offerings
- Voice services over IP (ie VOIP for residential and Hosted PBX or IP Centrex for businesses)
- Tiered service structure to meet differing budgets

Benefits

- Improved opportunities to support economic development

- Remove financial strain on the City
- Improve overall service offerings long term
- Allow City to focus on their core objectives

Potential structure between Cascade Locks and Gorge Networks

- City grants Gorge Networks a long term "right-to-use" for exclusive access to the existing cable network. The City would retain the ownership of the existing network.
- Gorge networks would improve the infrastructure at its own cost to support the proposed services. Money spent on improvements would come out of the "right-to-use" fee (see below) for some agreed upon time period.
- Gorge networks would pay the city a "right-to-use" fee based on the revenue and/or number of subscribers on the system.
- Gorge Networks assumes all responsibilities of operating the network and managing the customer base (i.e. billing, technical support, installations, etc.)

Gorge Networks would finance the development / improvement of the network and would be reimbursed for a portion of those expenses through the "right-to-use" fees owed to the city during the improvement phase. This arrangement provides a common incentive for success by all involved. In order to recoup its investment in infrastructure, Gorge Networks is incentivized to provide a quality product with an extremely high customer penetration rate. The City is also incentivized to promote this service, as it will receive a percentage of the total revenue.

Summary

Gorge Networks has been in the telecommunications business throughout the Columbia Gorge for 18 years. Our core business is to provide exceptional voice and data services to businesses and residents. The City of Cascade Locks has a cable network that is in decent shape, however, as with all technology; it needs regular maintenance and upgrades in order to keep up with the demand its users place on it. In order to keep up with demand, and in order to position the City to have adequate telecommunication facilities to promote economic development, significant system upgrades will be necessary. Combining 1) the existing cable network, 2) Gorge Networks telecommunications and customer service abilities and 3) the community members themselves – we feel we can create a win/win relationship for all involved.

There are many details to work through regarding how to best structure the relationship. Gorge Networks is interested in hearing from the City Council, any concerns, interests, and ideas related to this topic. I look forward to discussing this further.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Bub". The signature is written in a cursive, somewhat stylized font.

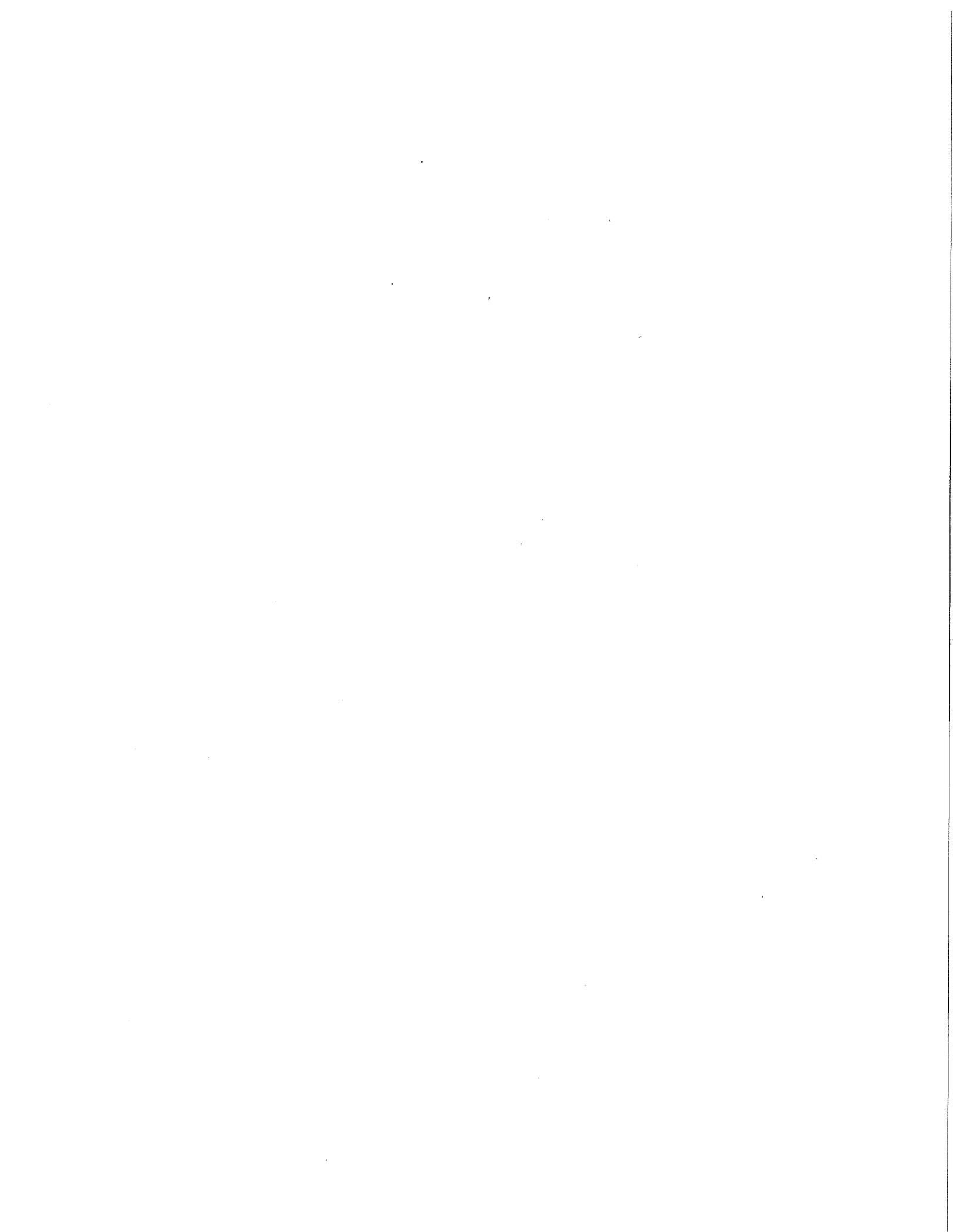
Dan Bub

President – Gorge Networks Inc.

Cable TV, Broadband and Internet Service Options

- 1. Continue in the service business as doing currently**
 - 2. Raise the rates for the service to at least break even**
 - 3. Get out of the business and surplus the equipment**
 - 4. Sell the service to the highest bidder**
 - 5. Contract out with another entity (public or private) to operate the system for the City-take a payment like a franchise fee or percent of the profit**
 - A. Enter into a PPP to have the private sector manage the system and invest in it**
 - 6. Partner with nearby cities who may be in the same business**
 - 7. Go out to bid for a company to buy-operate or take over the system.**
 - 8. Go out with RFP to see what interest there may be. Look for all options and opportunities.**
 - 9. Refer this issue to the Council sub-committee on Economic Development and have the JWGED deal with it as an economic development concept.**
-

NOTE: The Oregon Connections Conference will be held in Hood River in October. Send someone to this!



PRELIMINARY DRAFT

City of Cascade Locks, Oregon

Request for Qualifications

For

Cable TV, Broadband and internet service provider

Responses due not later than 5:00 PM Friday, October 19, 2012

Address all responses to:

**City Administrator
City of Cascade Locks
PO Box 308
Cascade Locks, Oregon 97014
541-374-8484**

Invitation to Submit Qualifications:

With this Request for Qualifications (RFQ), the City of Cascade Locks seeks to review the qualifications of businesses, corporations, firms or other legal entities to provide competitive, facilities-based, residential telecommunications services including cable TV, broadband and internet services to the citizens of Cascade Locks, Oregon. By entering into discussions with one or more qualified providers, the City specifically seeks to make these services available to Cascade Locks citizens.

1. Facilities based broadband internet access services utilizing a non-discriminatory technical platform capable of providing direct broadband internet access at nondiscriminatory rates to the Internet Service Provider (ISP) of the customer's choice whether or not the ISP is affiliated with the provider.
2. An attractive package of competitive residential telecommunications services on a bundled or unbundled basis, including state of the art voice, video and data services and competitive residential local and long distance telephone. This should also provide the ability to continue to provide local programming.
3. Construction or improvement of existing facilities and technology in order to significantly enhance and improve the quality of the current service.

It is the intention of the City to review the responses to this RFQ and enter into discussions with a firm or firms best suited to provide enhanced services to the citizens and businesses of the community. The City is also seeking a firm that would have the capability to make an initial investment to upgrade, modernize and enhance the existing services while also improving the quality of the service.

In reviewing the responses, the City will also entertain public-private partnerships or other proposals which might involve the City more directly in the provision of services and those concepts that will remove the City from direct operations of the aforementioned services.

Project Information and Description:

The rapid development of new technologies in the marketplace along with the demand for residential access to high-speed or "broadband" internet services as well as the highly competitive telecommunications services such as local and long distance telephone, video and data have encouraged the City to seek alternative methods of service delivery in the community. Increased cost, the desire to enhance local business health and reduce the cost to local government for these services has encouraged the City to look into more effective operating options.

The City strongly believes that there are operating options in the open marketplace that would not only free up city costs to operate the system, but that would significantly improve services, program offerings and operations. It is the desire of the city to seek out and find a private operator to take over the current system in some sort of public-private relationship that would improve services and benefit both citizens and businesses.

The RFQ:

In formulating a response to this RFQ, interested firms should provide the following information. The cost to prepare and file the RFQ response shall belong to the firm or entity responding.

1. Submit an original and eight copies of its qualifications to provide the services described in this RFQ.
2. Provide the RFQ submittal no later than 5:00 PM on October 19, 2012.
3. Demonstrate in the response, the firm's knowledge, experience and capability that will enable the respondent to provide for all or a portion of the services summarized in this description.
4. List the key individuals, subcontractors or other entities that may be involved in providing or developing the services in response to the community need.
5. Describe if possible any public-private partnerships the firm may have experience with.
6. Provide a general outline of the services, approach, funding and other elements that your firm is proposing. What services you will provide, funding and system enhancements planned and the role of the City in the ongoing operation.
7. Provide an estimated rate structure and list of services to be provided. Where appropriate and available, provide current rate and service level structures.
8. Provide at least three references who may be contacted for verification of experience and qualifications of the respondent.
9. Identify how the respondent's proposal can or will enhance local economic development.
10. Identify proposed system and facility enhancements that would be made and the projected costs and funding source for projected improvements.
11. Suggest a tiered pricing model that would reflect the desire to ensure that all members of the community can avail themselves of the services.

12. List proposed fees to be paid to the City for the right to operate the full system.

EVALUATION GUIDELINES:

All Qualifications received from Applicants will be evaluated by the City of Cascade Locks using staff and outside resources to assist. The City will either meet with or conduct a conference call with the successful Respondents deemed to have the legal, financial and technical capabilities to offer some or all of the services contemplated in the RFQ. Not all of the Respondents will be interviewed, only those Respondents selected by the City will be interviewed.

Among other criteria, the City will measure the responses according to:

1. The kinds of services to be provided.
2. The amount of private funding to be used to enhance the current system.
3. The proposed monthly fee structure in a tiered format.
4. The impact on the economic development of the community.

For Questions:

All questions should be referred to the Interim City Administrator at 541-374-8484.

STAFF REPORT

Date Prepared: 8/30/12

For City Council Meeting on: 09/10/12

TO: Honorable Mayor and City Council

PREPARED BY: Kathy Woosley

KW

APPROVED BY: ICA Koch

PK

SUBJECT: Review and Update Council Rules.

SYNOPSIS: Annually the City Council has reviewed and modified their rules and a schedule has been set to allow for this annual review of Council Rules. The time for such a review and discussion is present and it is suggested City Council spend some time so reviewing the rules. Staff is suggesting some changes to the City Council rules. One recommended change to Council Rules would be under **SECTION 10: COMMITTEES, 10.1.a.** referring to citizens submitting a letter of interest to be on a committee. We are now using an application process.

CITY COUNCIL OPTIONS:

1. Change Council Rules to reflect citizens filing an application for consideration to be on a committee.
2. Do not change Council Rules.
3. Other action as deemed desirable by City Council.

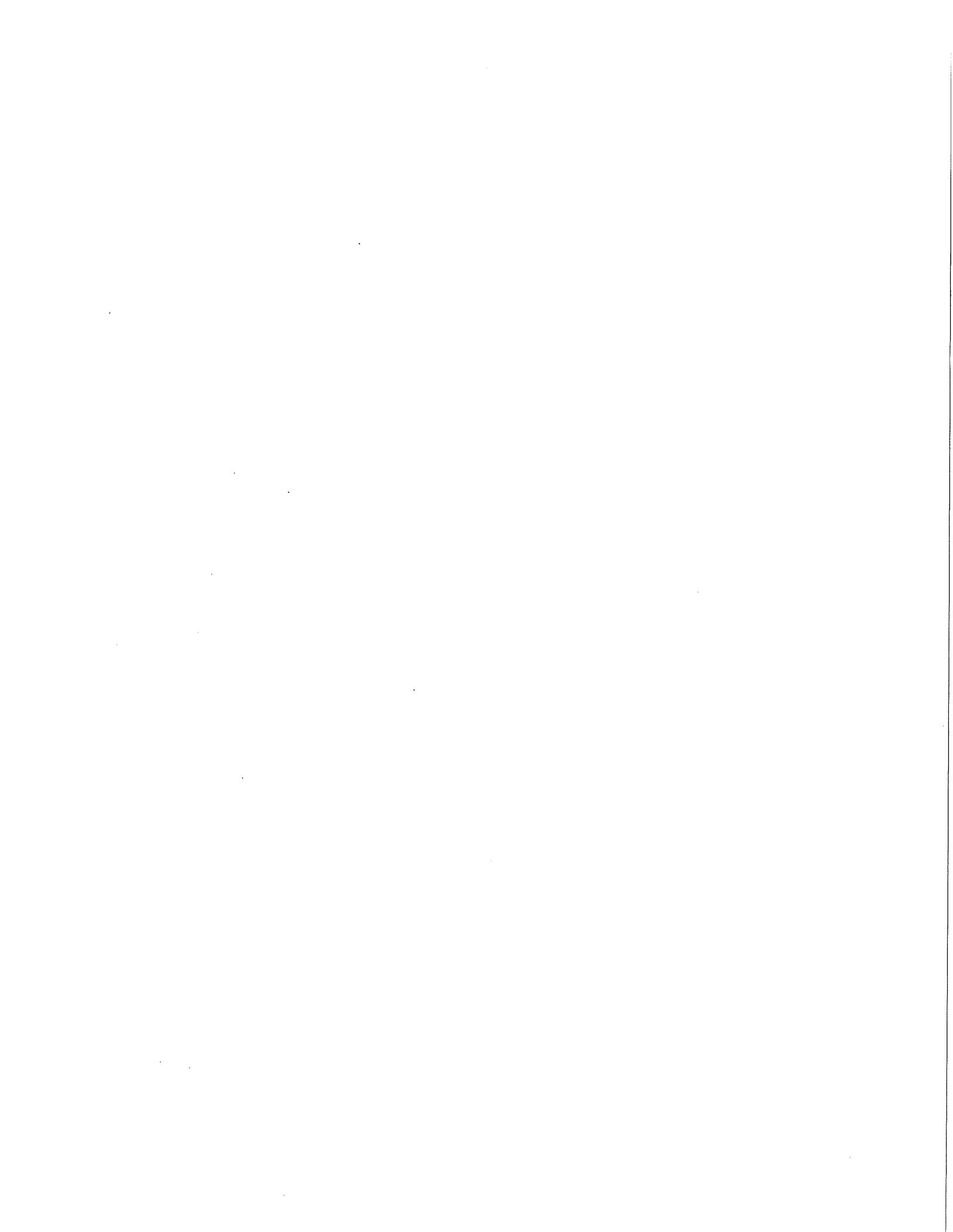
RECOMMENDATION: That City Council spend some time reviewing the current City Council Rules and make any changes desired by City Council.

Legal Review and Opinion: None necessary.

Financial review and status: None necessary.

BACKGROUND INFORMATION:

1. A copy of the current City Council Rules is attached for City Council information.
2. A copy of Resolution 1224 adopting the current rules is attached for City Council information.



CITY OF CASCADE LOCKS

COUNCIL PROCEDURES



ADOPTED SEPTEMBER 26, 2011
CITY OF CASCADE LOCKS
COUNCIL PROCEDURES

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INTRODUCTION

These rules are adopted as required by the City Charter. These rules are reviewed and updated periodically. This version of the Council Rules replaces those adopted in Resolution No. 1210 on May 23, 2011.

ORS 192.001 et seq., Public Records, Reports and Meetings and relevant portions of the City Charter and Municipal Code are incorporated into these rules by reference.

It is noted at the outset that the Public Meetings Law is a public attendance law intended to ensure that decisions of governing bodies, such as the City Council, are arrived at openly. The following procedures are designed to effectuate that intent. All meetings are open to the public, except Executive Sessions. Consistent with the Public Meetings Law, although all meetings are open to the public, the public may not be allowed to participate in all meetings, unless required by law or allowed by the governing body.

DEFINITIONS

As used in these Rules, the following mean:

Council Committees. All Council committees, commissions, task forces, and advisory bodies as specified in the City of Cascade Locks Municipal Code. These rules do not apply to committees, etc., that have been formed under the authority of the City Administrator.

Council and Council Members. The Mayor, Council President, and Councilmembers.

Council Meetings. All regular Council meetings, special meetings, executive sessions, emergency meetings, work sessions, and joint meetings with other Council committees or commissions.

SECTION 1: AUTHORITY

As authorized by the Cascade Locks City Charter of 1995, the Cascade Locks City Council establishes the following rules for the conduct of its meetings, proceedings and business. These rules shall be in effect from Council adoption until such time as they are amended, added to, deleted or replaced in the manner provided by these rules.

SECTION 2: MAYOR AND COUNCIL

- 2.1 **Presiding Officer.** The Mayor will preside over Council meetings. In the Mayor's absence, the Council President will preside. Whenever the Mayor is unable to perform the functions of the office, the Council President will act as Mayor. In the absence of both the Mayor and Council President, the Council will designate a senior member of the Council to serve as the Presiding Officer.
- 2.2 **Policy Making.** The Council is the policy making body of the City of Cascade Locks. The Council speaks on adopted policy with one voice. Council decisions

may not be unanimous, but once voted upon, define the policy position of the Council, even though individual Councilmembers' opinions may differ.

- 2.3 Filling Vacancies: Any vacancy occurring on the City Council will be filled in accordance with the City of Cascade Locks Charter, Section 30, adopted April 28, 1995.

SECTION 3: COUNCIL MEETINGS

- 3.1 Regular Meetings. Regular meetings of the Council are held on the second and fourth Monday of each month and generally adjourn no later than 10:00 p.m., but may be extended by a consensus of the Council. Regular meetings are held at the City Hall Council Chambers. The time, date, and/or location of the Regular Meeting may be changed from time to time for special circumstances (For example: holidays, joint meetings with other governing bodies, expected large audience, or to have a quorum present). Regular meeting notice requirements will be followed for any changes to regular meetings.
- 3.2 Special Meetings. Special meetings of the Council may be called by the Mayor or by the President of the Council in the Mayor's absence, or by consent of a majority of Council members, by giving notice of the meeting to the Council members and the public at least 24 hours in advance. Special meetings will be topic specific.
- 3.3 Emergency Meetings. Emergency meetings of the Council are Special Meetings that can be called with less than 24 hours advance notice. The meeting will be topic specific and the minutes will state the nature of the emergency justifying less than 24 hours notice. An attempt must be made to notify interested persons and the media of the need for the emergency meeting.
- 3.4 Workshop or Training Meetings. Workshop or training meetings of the Council may be held at the convenience of the Council at a time when as many Council members as possible can attend. These meetings may be held for Council goal setting, new Council training, Council retreats, or longer workshops for planning programs or projects. Goal setting sessions and retreats may be held out of town so long as no decision making or discussion toward decisions occurs. Any goals arrived at by the process should be confirmed in public at a Regular Meeting. These meetings are public meetings open to public attendance and may be held without opportunity for public input.
- 3.5 Executive Sessions. Executive sessions may be scheduled at any time during a meeting, and usually occur after the regular meeting. Under state public meeting laws, the topics that may be discussed in executive session are limited to the following:

Employment of specific public officers, employees and agents, and under limited circumstances. ORS 192.660(2) (a)

Discipline or dismissal of individual public officers and employees, unless the individual requests a public hearing. ORS 192.660(2) (b)

Performance evaluations of public officers and employees, unless the person being evaluated requests a public/open evaluation. ORS 192.660(2)(i)

Labor negotiator consultations. ORS 192.660(2)(d)

Discussion of exempt public records. ORS 192.660(2)(f)

Legal counsel re: litigation or litigation likely to be filed. ORS 192.660(2)(h)

Real property transactions. ORS 192.660(2)(e)

Public investments. ORS 192.660(2)(j)

Media representatives are allowed to attend executive sessions subject to the understanding that information from the meetings, that is the proper subject of an executive session, will not be reported. The Council has discretion to determine who qualifies as media for purposes of attendance at an executive session.

Councilmembers and staff should not discuss executive session matters following an executive session because doing so may permit the media to report on the matter. However, this restriction on disclosure does not apply to any formal action that may be taken following executive session.

At the commencement of each executive session, the presiding officer must state on the record the purpose of the executive session and that executive session information is confidential and may not be reported. If this is not done, the proceedings may be reported.

- 3.6 Attendance. Councilmembers need to inform the Mayor, Council President, City Administrator, or City Recorder if unable to attend any Council meeting. The Mayor will inform the Council President, City Administrator and City Recorder if unable to attend any Council meeting.

SECTION 4: AGENDA AND ORDER OF BUSINESS

- 4.1 Agenda Content. Regular Meetings and Work Sessions will generally follow the following order of business. The Presiding Officer may consider agenda items out of order as necessary to facilitate the efficient management of the meeting:

- a. REGULAR MEETING
 1. Call to Order
 - a. Pledge of Allegiance
 - b. Roll Call

2. Additions or Amendments to the Agenda
3. CONSENT AGENDA. Consent agenda items are business items about which there is expected to be no conflict and are generally routine business items. Consent agenda items usually include Action on Minutes and Payment of Approved Claims, and which do not require a roll call vote.
4. Public Hearings
5. Action Items
6. Appearance of Interested Citizens

This is the time for citizen participation during which citizens may comment on non-agenda issues (except with respect to matters that are the subject of a public hearing). Members of the public desiring to address the Council must first be recognized by the Presiding Officer and then state their name and address for the record. Each person will have up to five minutes to present their comments. Groups with like comments will be asked to choose a spokesperson who will present their joint remarks. If additional time is needed the Presiding Officer may determine the need and additional time limit. The Council may not take action on any item under Comments by General Public and Government Officials, but may ask questions for clarification and, with consensus of Council, direct staff to report back on the matter at a subsequent meeting.

The public will be allowed to comment on Action items and Reports and Presentations at the time in which these are before Council. Each person will have up to five minutes to present their comments.

7. Reports and Presentations
8. Mayor and City Council Comments
9. Other Matters
10. Executive Session
11. ADJOURN REGULAR MEETING

b. PUBLIC HEARINGS

Public hearings will generally precede the Regular Meeting, but may be held at any time. The procedures governing the public hearing at issue will be in a written form and provided to the Presiding Officer at the time of the hearing. The time allotted for a public hearing may be extended by

the Presiding Officer or with consensus of the Council as necessary to conclude the matter; otherwise, the hearing shall be continued.

1. NON-LAND USE HEARINGS. Hearings on non-land use matters and issues are calendared and held as necessary.
2. LAND USE HEARINGS. Land use hearings may be legislative or quasi-judicial.
3. The procedures for public hearings are contained in the Appendix.

4.2 Agenda Preparation.

- a. The City Administrator in coordination with the Mayor sets the agenda for each Council meeting. The City Administrator and Mayor maintain a 2-3 meeting preliminary agenda. Items may be placed on a preliminary agenda by consensus of Council or by the Mayor, City Administrator, or City Attorney.
- b. The City Recorder prepares the agenda, specifying the time and place of the meeting, including a brief general description of each item to be considered by Council, and including any packet materials to be attached to the agenda. The City Recorder prepares the packet on the 4th business day prior to the meeting (Wednesday for a Monday meeting) and all materials for the packet must be provided electronically to the City Recorder by 4:00 PM on the day prior i.e. Tuesday at 4:00 PM. The City Administrator and Clerk will then review and edit all items prior to final distribution to Council. Agendas and packets are distributed to Council and available to the public for review or purchase not later than the 4th business day prior to the meeting (Wednesday for a Monday meeting).
- c. The Mayor or Presiding Officer may add items to the Agenda after it is printed and distributed only when required by business necessity. The Mayor or Presiding Officer may place a new item on the Council agenda after the agenda is printed, if the Mayor or City Administrator provides reasonable explanation to justify this revision and the item receives the consent of the Mayor or Presiding Officer. The City Recorder will notify the media and any known interested citizens as soon as possible after receiving information about agenda additions. The addition of agenda items after the agenda has been printed is otherwise discouraged.

SECTION 5: COUNCIL DISCUSSION AT PUBLIC MEETINGS

- 5.1 General. Councilmembers should ask the Mayor to be recognized, be direct and candid, speak one at a time, ask questions to clarify information, and be conscious of time limits during discussions. Councilmembers are responsible for facilitating discussions.

5.2 Public Hearings. Councilmembers should not make judgments or decisions about matters presented at a public hearing until all relevant written material has been reviewed, and all staff, citizen, and Council comments, opinions and recommendations have been considered. When necessary, it may be appropriate to defer action on a hearing to request new or additional information (subject to evidentiary limitations).

5.3 Discussion and Decision Making.

a. During decision making, there should be full discussion of opinions and differences. After a decision has been made and a vote taken, that decision is the official decision of the Council. Councilmembers should not criticize other Councilmembers or staff for acting on a decision with which the Councilmember does not agree. Councilmembers may, however, point out how their individual opinion differs from the majority.

b. When the Council concurs or agrees to an item that does not require a formal motion, the Mayor will summarize the agreement and conclusion of the discussion.

c. Councilmembers may clarify their views on a particular item prior to taking the formal vote on an item.

5.4 Decorum and Order.

a. The Presiding Officer shall preserve order and decorum, prevent attacks on persons or personalities, confine debate to the subject under discussion, and decides all points of order. Councilmembers help the Presiding Officer preserve decorum during Council meetings and are required to follow the direction of the Presiding Officer and these Council Rules.

b. The Presiding Officer, or any Councilmember upon motion and majority vote, may remove any person who does not follow these rules and causes repeated disruption of the meeting. If a meeting is disrupted, the Presiding Officer may order that the Council Chambers be cleared and a recess called until order is restored. Alternatively, the Presiding Officer may call for police assistance if deemed necessary to restore order

c. Councilmembers should not use their opportunity to speak to engage in personal attack or impugn the motives of any speaker. In the event a Councilmember is personally offended by the actions or remarks of the Mayor or another Councilmember, they should note the action or actual words used and call for a "point of personal privilege" that challenges the other Council member to justify the action or language used.

d. Any Councilmember or person who is under the influence of drugs or intoxicants may be requested to leave a meeting.

SECTION 6: COUNCIL MOTIONS AT PUBLIC MEETINGS

6.1 General.

a. Unless otherwise provided for by these rules and by law in the opinion of the City Attorney, the procedure for Council meetings will be governed by the directions shown in this section which highlight the most common actions and situations encountered by Council in its regular public meetings.

b. Councilmembers should clearly and concisely state their motions. The Mayor/Presiding Officer will state the names of the Councilmember who made the motion and made the second. The Mayor may make a motion or a second, provided that they first designate the Council President, or in their absence a senior member of Council, as the presiding officer during consideration of the matter.

c. Prior to voting on a motion, the motion should be repeated by the Mayor/Presiding Officer to ensure that the action being taken and meeting record is clear.

d. Most motions die if they do not receive a second. Motions for nominations, withdrawal of a motion, agenda order, roll call votes, and a point of order do not require a second.

e. The Mayor/Presiding Officer will ask for a voice vote for all final decisions. Roll call votes are required when otherwise requested by a Councilmember and for votes on all ordinances.

f. At the conclusion of any vote, the Mayor/Presiding Officer will announce the result of the vote. Councilmembers may change their vote prior to the Mayor/Presiding Officer announcing the results of the vote.

6.2 Withdrawal. A motion may be withdrawn by the mover at any time prior to announcement of the results of the vote without the consent of the Council.

6.3 Passage. A motion passes only if it receives four or more votes, regardless of the number of Councilmembers present.

6.4 Postpone.

a. A motion to postpone to a certain time is debatable and amendable. The matter may be considered later at the same meeting or at a future meeting.

b. A motion to postpone indefinitely is debatable and is not amendable. It may be reconsidered at the same meeting only if approved by an affirmative vote. This motion does not really postpone the matter, but effectively rejects the matter without a direct vote.

- 6.5 Call for Question. A motion to call for the question ends debate on the matter and is not debatable. A second is required for this motion and it fails without a majority vote. Debate may continue if the motion fails.
- 6.6 Amendment.
- a. A motion to amend may be made to a previous motion that has been seconded but not voted on. A second is required for this motion. An amendment is made by adding, striking, or substituting words.
 - b. Motions to adjourn, agenda order, lay on the table, roll call vote, point of order, reconsideration, and take from the table may not be amended.
 - c. Amendments are voted on first, then the main motion as amended or not.
- 6.7 Reconsideration. When a question has been decided, any Council member who voted in the majority may move for reconsideration. The motion for reconsideration must be made before adjournment of the meeting in which final action on the ordinance, resolution, order or other decision was taken.

SECTION 7: COUNCIL RELATIONS AND COMMUNICATIONS

7.1 Council Relations With Staff.

- a. Questions of City staff and/or requests for additional information should be directed to the City Administrator or a Department Head through the City Administrator. However, simple questions readily answerable may be directed to a Department Head or senior staff member. Materials or information supplied in response will be provided to all Councilmembers.
- b. When questions relate to matters on a meeting agenda, Councilmembers are encouraged to present their questions to the City Administrator prior to the meeting when possible. This helps to resolve common questions or issues prior to the meeting so that substantive discussion and action can take place at the meeting.
- c. Councilmembers will not direct staff to take any action or initiate any project or study without the approval of a majority of the Council.
- d. Councilmembers should never express concerns about the performance of a City employee in public or to the employee directly. Comments about staff performance should only be made to the City Administrator through private correspondence or conversation.

7.2 Council Relations With One Another in Public Meetings.

- a. The City Council is comprised of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to preserve and protect the present

and future of the community. The public stage is provided during business meetings and should be used to show how individuals with disparate points of view can find common ground and seek compromise designed to benefit the community as a whole.

b. Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of democracy in action.

7.3 Council Relations With Citizens, Other Public Agencies, Community Organizations and Media.

a. Councilmembers should not ask citizens to appear at a Council meeting to state a complaint or question that has not been previously presented to staff. As a first step, Councilmembers should refer the citizen with questions, complaints or suggestions to the City Administrator or the appropriate Department Head. Councilmembers may further explain that if the citizen is not satisfied with the results, they may present their issue during the public input portion of the next Council meeting. Councilmembers should always inform the City Administrator upon receipt of a citizen inquiry or complaint for which some type of follow up is necessary.

b. Councilmembers should be welcoming to citizens and other non-staff speakers at public meetings. Councilmembers should ask for clarification where necessary and avoid debate and argument with any member of the public.

c. In unofficial and non-public meetings or encounters with constituents and other members of the public, Councilmembers should never expressly or impliedly promise Council or staff action of any kind or make any admissions of fault or responsibility on behalf of the City.

d. All outside communications that represent a Councilmember's individual interests and opinions in opposition to the Council position must clearly indicate that the communication is not representative of the Council position and is the Councilmember's personal position.

e. If a Councilmember represents the City or Council before another governmental agency, a community organization, or the media, the Councilmember should first state the Council majority position and then may, thereafter, state the minority position. Personal opinions and comments should be expressed only if the Council member makes clear that the opinions and comments are their own.

f. A Councilmember should obtain appropriate permission before representing another Councilmember's view or position in public.

g. Councilmembers should use discretion in disseminating staff opinions, correspondence or other staff reports regarding on-going issues prior to the issues being resolved. This is particularly important because disclosure of a document

or information may result in the document or information losing any protected or privileged status it may have had under the Public Records Law or other law.

SECTION 8: CODE OF ETHICS

- 8.1 Impartiality and Fairness. Councilmembers are encouraged to conduct themselves so as to bring credit upon the City as a whole, and to set an example of good ethical conduct for all citizens of the community. Councilmembers should constantly bear in mind these responsibilities to the entire electorate, and refrain from actions benefiting any individual or interest group at the expense of the City as a whole. Councilmembers should likewise do everything in their power to insure impartial application of the law to all citizens, and equal treatment of each citizen before the law, without regard to race, national origin, sex, age, gender, social station or economic position.
- 8.2 Oregon Statutes on Government Standards and Practices. All Council members are individually responsible for compliance with the Oregon Revised Statutes governing the ethical conduct of public employees and officials. Violation of these statutes may result in personal liability.

SECTION 9: COUNCIL MEETING STAFFING

- 9.1 City Administrator. The City Administrator will attend all Council meetings unless excused. The City Administrator may make recommendations to the Council and shall have the right to take part in all Council discussions but shall have no vote.
- 9.2 City Attorney. The City Attorney will attend Council meetings when requested for a legal issue on the agenda as determined by the Mayor and City Administrator. A consensus of Council may also request the City Attorney's presence at a Council meeting. Legal work desired by a Councilmember that is beyond routine items shall be previously negotiated for scope and cost and require a consensus of Council for execution. The Presiding Officer assisted by the City Recorder has the authority to rule on questions of order or to answer parliamentary inquiries.
- 9.3 City Recorder. The City Recorder will attend all Council meetings unless excused and keep the official minutes and perform other such duties as may be needed for the orderly conduct of the meeting.
- 9.4 Other Staff. The City Administrator will determine any other department heads that may need to attend Council meetings.

SECTION 10: COMMITTEES

- 10.1 Appointment, Removal, and Replacement Generally.

a. Citizens interested in serving on a City Committee shall submit a letter of interest to the Mayor for his or her consideration. The Mayor is responsible for appointing members to said committees and all appointments are subject to Council approval.

b. Committee Members may be removed by the Mayor after missing three consecutive meetings without excuse. Removal of Planning Commissioners however will be given special consideration and conducted in accordance with ORS 227.030. Notice of removal to the affected committee member shall be handled with respect and courtesy.

c. Filling Vacancies for Committees shall be conducted in accordance with procedure established by the City Administrator and approved by the Mayor.

i. The vacancy for Committees shall be posted at least two weeks before the vacancy is filled. The Mayor may make a determination regarding filling the vacancy in the event business is being delayed by the vacancy.

d. The Mayor shall make a determination regarding relatives or members of the same household on the same committee when making individual appointments.

10.2 Liaisons/Representatives to Other Agencies.

a. The Mayor may appoint City liaisons or representatives to all committees and task forces of other agencies and community organizations for which participation of an elected or appointed official from the City is determined to be necessary or beneficial to the City. The Mayor may remove the liaison or representative upon consensus of the Council.

b. The primary role of an appointee is to facilitate communication between the relevant committee and the Council and to represent the City's interests as determined by a majority of the Council.

10.3 Organization of the Committee System.

1. Committees should be identified as a Standing or Temporary Committee.

a. Standing Committees are created by ordinance with the exception of the Budget Committee, which is created by Statute. These Committees can only be dissolved by repeal of the ordinance that created them. The existing Standing Committees are Tourism, Museum, Planning, and Parks and Recreation. Each of these Committees has seven members with the exception of Planning, which has five members.

b. Temporary Committees are created by the Mayor. When creating a Temporary Committee, the Mayor shall:

i. Write a statement of purpose detailing the task(s) of the Committee.

- ii. Establish a timeline for the duration of the Committee. Generally Temporary Committees would remain in service for one year, but depending on the circumstances and at the Mayor's discretion, there may be variations in the duration of the Committee.
 - iii. Determine whether the Committee will consist of five or seven members.
- c. Temporary Committees that do not meet and report agendas and minutes to Council for three consecutive months will be dissolved.
 - d. Temporary Services Committees:
 - Public Works
 - City Light
 - Emergency Services
 - Cemetery

10.4 Guidelines for Committee Operation.

1. Each Committee should operate under the same guidelines. These guidelines should be given to each Committee Member when they are appointed to the Committee. When possible a Committee training session will be offered.
2. Along with established guidelines, each Committee should have the following common traits:
 - a. An agenda for every meeting posted at least 24 hours before the meeting.
 - b. Minutes taken at every meeting. Staff will take minutes for Budget Committee and Planning Commission. A Committee Member for all other committees shall take minutes.
 - c. The Chairperson of the Committee should preside over the meeting and create the agenda for each meeting so as to be responsive to direction from the Council. The Committee will elect the Chair.
 - d. A written or oral report shall be given to the Council at the next Council meeting after the Committee meeting.
 - e. There shall be a joint workshop with the Council at least once per year.
3. Committee meetings shall be held at City Hall or another accessible public location in Cascade Locks.

10.5 Committee Goal Setting.

1. The committee should propose goals to the Council at least once per year. These proposed goals would be subject to Council approval.

SECTION 11: USE AND DISCLOSURE OF CONFIDENTIAL INFORMATION

- 11.1 Definition. For the purposes of this section, “confidential” means anything done or communicated in a manner denoting confidence or secrecy, including, but not limited to, information designed to be held in trust or labeled as confidential; information not subject to public disclosure under the State public records or public meetings laws; information disclosed during or in connection with a privileged or protected relationship, such as between an attorney and client; and other information determined to be essential to the fiduciary duties of an elected official to the City. All matters properly discussed in executive session are confidential.
- 11.2 Disclosure of Confidential Information. Councilmembers must keep in complete confidence confidential information to insure that the City’s position is not compromised. Confidential information may be disclosed or otherwise released to the public upon a consensus determination by the Council that confidentiality is no longer necessary, or if otherwise instructed by the City Attorney.
- 11.3 Improper Disclosure. Improper disclosure of confidential information is deemed an act outside the course and scope of disclosing the Councilmember’s agency relationship with the City and may subject the Councilmember to forfeiture of the protections under the Oregon Tort Claims Act, including the right to defense and indemnification, for any damages or liability resulting from or relating to the disclosure of the confidential information.
- 11.4 Statements Relating to Confidential Matters. All public statements, information, or press releases on confidential matters will be made by designated staff or Council representative.
- 11.5 Written Materials. Council members must keep all confidential written materials in complete confidence.
- 11.6 Executive Session. Council members may not communicate any information from any executive session to the media or anyone who was not present at the executive session unless authorized by a consensus of the Council. Information from an executive session does not include information or direction made after the executive session is closed and the regular meeting resumed. If staff is given direction to proceed with negotiations or litigation in a specific matter, Council members may not have any contact or discussion on the matter or subject with any other party or its representative, or otherwise take steps that might interfere with the direction given to staff by Council.

SECTION 12: MEDIA

- 12.1 Open Meetings. All public meetings of the Council and its committees are required by Oregon law to be open to the media, freely subject to recording by any electronic means or photographic means at any time, provided that the arrangements do not interfere with the orderly conduct of the meeting. The Council does have discretion, however, to determine who or what constitutes “the media.”

- 12.2 Media Attendance at Executive Sessions. Media representatives are allowed to attend most Council executive sessions subject to the understanding that issues will not be reported. Upon opening the executive session, the Mayor/Presiding Officer specifies what may or may not be reported. The public meetings statute allows the general subject of the discussion to be disclosed. Media representatives are not allowed to tape or video record executive sessions. Media representatives may be restricted from attending executive sessions involving deliberations with persons designated by Council to carry on labor negotiations.

SECTION 13: SUSPENSION OR AMENDMENT OF COUNCIL RULES

- 13.1 Suspension. Any provision of these rules not governed by State law, the City Charter or City Code may be temporarily suspended by a majority vote of the Council
- 13.2 Amendment. These Rules are in effect from adoption until amended or repealed. Amendments, deletions, additions, or repeal to the Council Rules are made by resolution adopted by the Council.

SECTION 14: EXPENSES AND REIMBURSEMENT FOR MAYOR AND COUNCILORS.

- 14.1 Expenses and Reimbursement. Councilors will follow the same rules and procedures for reimbursement as those which apply to City employees, as established by City Policy. Councilor expenditures for other than routine reimbursable expenses (e.g., conference registration, travel, etc.) must require advance Council approval according to the purchasing rules which apply citywide.

A Councilor who will be traveling on City business may make his or her own reservations for travel and lodging in accordance with City policy. Upon request to the City Recorder, travel accommodations for Councilors will be made by City Staff.

The City does not reimburse Councilor for expenses incurred by their spouses.

APPENDIX

PROCEDURE FOR PUBLIC HEARINGS

1. Quasi-Judicial Hearings—Ex Parte Contacts and Disqualification.

a. Ex parte contacts are an issue only in quasi-judicial proceedings. The term “ex parte” is defined as; “on one side only; by or for one party; done for, in behalf of, or on the application of, one party only”. An ex parte contact is more often a conversation or other contact with the applicant or a witness concerning an application or other quasi-judicial matter. It is not a conversation with staff, or conversation between two Council members or Planning Commission members. It is a conversation between a Council member and a Planning Commission member, or discussion of an application at an unnoticed public meeting, a letter received individually, or a conversation with the applicant or a person interested in the proceeding. Site visits and attendance at a Planning Commission public hearing on a quasi-judicial matter are also ex parte contacts.

b. The existence of an ex parte contact or bias will not render the decision void so long as the ex parte contact is disclosed on the record as provided below.

c. All ex parte contacts must be disclosed on the record at the first hearing following the communication. The disclosure must explain the substance of the communication, not just the existence. The disclosure must also be public, giving interested persons or parties the right to rebut the substance of the communication. The Councilmember must also state whether the ex parte contact affects the Councilmember’s impartiality or ability to vote on the matter. The Councilmember must state whether he or she will participate or abstain.

d. Bias of hearing body member may result from ex parte contacts, or conflicts of interest, or something else. The public and other hearing body members always have the opportunity to challenge a hearing body member’s ability to be impartial.

e. Although a Councilmember may choose to participate, notwithstanding an ex parte contact or bias, the Councilmember may be disqualified from the hearing by a majority vote of the Council. The Councilmember disqualified shall not participate in the debate, shall step down from the bench for that portion of the meeting and cannot vote on that motion.

f. A Councilmember who was absent during the presentation of evidence cannot participate in any deliberations or decisions regarding the matter unless the Councilmember has reviewed all the evidence and testimony received, and disclosed for the record that they have done so.

2. Conducting Legislative Hearings. The following is the general order of legislative public hearing proceedings:

- a. The Mayor, or Presiding Officer, announces the convening of the Public Hearing and announces the nature of the matter to be heard as it is set forth on the agenda.
 - b. Discussion of Conflict of Interest of any members of Council.
 - c. The Mayor/Presiding Officer declares the hearing to be open and invites members of the audience to be heard in the following order:
 1. Staff Report
 2. Correspondence
 3. Persons to speak in support of the matter
 4. Persons to speak in opposition of matter
 5. Persons to speak neither for nor against the matter
 6. Staff Rebuttal
 - d. The Mayor/Presiding Officer closes the public hearing.
 - e. The Mayor/Presiding Officer calls for deliberations to start.
 - f. Council deliberations and vote.
3. Conducting Quasi-Judicial Land Use Hearings. The following is the general order of quasi-judicial public hearing proceedings:
- a. Conduct of Quasi-Judicial Hearings for land use hearings must conform to the requirements in Oregon Revised Statutes (ORS Ch. 197 and 227).
 - b. The Mayor/Presiding Officer announces prior to opening the hearing the nature of the matter to be heard as set forth on the agenda and the procedure to be followed for the hearing.
 - c. The Mayor/Presiding Officer gives notice that failure to address criteria or raise any other issue with sufficient specificity precludes an appeal on that criteria or issue.
 - d. Discussion of jurisdiction and impartiality of the Council.
 - e. The Mayor/Presiding Officer then declares the hearing to be open and invites members of the audience to be heard in the following order:

1. Staff Report/Introduction of the Appeal
2. Correspondence
3. Applicant or Appellant's Presentation
4. Other Testimony in support of the application or appeal
5. Testimony in opposition of matter
6. Testimony neither for nor against the matter
7. Applicant or Appellant's rebuttal and recommendation
8. Staff's rebuttal and recommendation
9. Questions from Council to staff

f. The Mayor/Presiding Officer closes the hearing and takes no further testimony from the audience. Under certain circumstances, the record may be left open. Consult with staff.

g. If the hearing is not continued, Council deliberates and votes.

h. The Council has the discretion to adopt the findings or direct the staff or prevailing party to submit proposed findings for Council consideration and adoption at a future meeting.



RESOLUTION NO. 1224

**A RESOLUTION ESTABLISHING RULES FOR THE MEETINGS,
PROCEEDINGS AND BUSINESS OF THE CITY COUNCIL OF THE CITY OF
CASCADE LOCKS, OREGON AND REPEALING RESOLUTION NO. 1210.**

**THE COMMON COUNCIL FOR THE CITY OF CASCADE LOCKS, HOOD
RIVER COUNTY, OREGON, RESOLVES AS FOLLOWS:**

SECTION 1. Authority. As authorized by the City Charter, Cascade Locks City Council establishes the following rules as attached as Exhibit A for its meetings, proceedings and business. These rules shall remain in effect upon their adoption by the Council until such time as they are amended, or new rules are adopted.

SECTION 2. Subjects Not Covered. Any subject not covered above shall be governed by Ordinance or by ORS.

SECTION 3. Effective Date. This resolution shall become effective upon adoption.

SECTION 4. Expiration. These rules shall remain in effect upon their adoption by the Council until such time as they are amended, or new rules are adopted.

ADOPTED by the City Council this **26th** day of **September**, 2011.

APPROVED by the Mayor this **26th** day of **September**, 2011.

ATTEST:

City Recorder

Mayor

