



2015-6250738 1 of 14

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Umatilla County

Received:2/4/2015

THE BOARD OF COMMISSIONERS OF UMATILLA COUNTY

in the record of instrument
code type DE-ORDER



1025065

STATE OF OREGON

Instrument number 2015-6250738
Fee \$0.00

In the Matter of Transfer of)	
Jurisdiction of County Roads)	Order No. RD2014-29
Located in the City Limits and Urban)	
Growth Boundary of the City of)	
Pendleton from Umatilla County)	
To the City of Pendleton)	

Office of County Records

Records Officer
1025065 P14

WHEREAS all or portions of the following county roads are located within the city limits and urban growth boundary of the City of Pendleton, Oregon: County Road No. 957, Northeast 33rd Place; County Road No. 1003, Northwest Johns Lane; County Road No. 1302, Murietta Road; County Road No. 1304, McKennon Road; County Road No. 1306, Southwest 28th Drive; County Road No. 1100, Stage Gulch Road; County Road No. 1094, Daniel Road; County Road No. 1319, Southwest 27th Street; County Road No. 1307, Southwest 44th Street (Korvola Road); County Road No. 1308, Southwest Kirk Avenue Extension; and County Road No. 981, Northeast 35th Street; and

WHEREAS pursuant to ORS 373.270, jurisdiction over a county road within a city may be transferred to the city from the county when the county governing body deems it necessary, expedient, or for the best interest of the county to surrender jurisdiction over the county road, or a portion of it, within the corporate limits or urban growth boundary of any city, and the city governing body deems it necessary, expedient, or for the best interests of any city to acquire jurisdiction to the same extent as it has over other city public streets, and

WHEREAS on June 26, 2014, Umatilla County and the City of Pendleton entered into an agreement where the City would assume jurisdiction over certain county roads within the city limits and urban growth boundary in return for the County transferring bicycle path funds to the City to fund one half of the 10.27% Local Highway Bridge Program match requirement to replace the Lee Street Grade/8th Street Bridge, a copy of which is attached, and on November 18, 2014, the City of Pendleton approved the acceptance of the roads, and

WHEREAS the Umatilla County Board of Commissioners held a public hearing on December 17, 2014 to consider the transfer and the Board of Commissioners finds it to be in the best interest of the County to transfer jurisdiction over the portions of the above roads described in "Exhibit A" lying within the city limits and urban growth boundary of the City of Pendleton, to the City.

NOW THEREFORE IT IS ORDERED as follows:

1. In accordance with ORS 373.270(5)(a), jurisdiction over those portions of the above roads as described in Exhibit "A" is transferred to the City of Pendleton.

2. Upon the acceptance by the City of Pendleton, improvement, construction, and repair of the roads by the County ceased, and the transfer of jurisdiction to the City of Pendleton is full and absolute for all purposes of repair, construction, improvement, and the levying and collection of assessments.

DATED this 17th day of December, 2014

UMATILLA COUNTY BOARD OF COMMISSIONERS

ABSENT

William J. Elfering, Chair

George L. Murdock

George L. Murdock, Commissioner

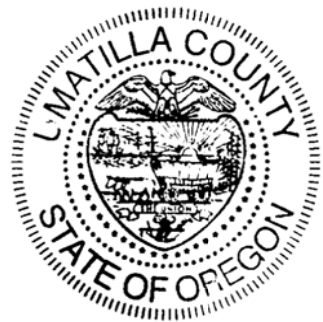
W. Lawrence Givens

W. Lawrence Givens, Commissioner

ATTEST:
OFFICE OF COUNTY RECORDS

Jane Churchill

Records Officer





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EXHIBIT "A"

COUNTY ROAD NO. 957 – N. E. 33RD PLACE (ALSO KNOWN AS TOWER COURT)

A 50-foot wide road right-of-way with a 50-foot radius cul-de-sac at its south end platted in Tower Estates Addition to Umatilla County (Book 12, Page 13, Town Plats) and accepted by the Umatilla County Board of Commissioners as a county road in 1985. The road is located in the Southeast $\frac{1}{4}$ of Section 1, Township 2 North, Range 32 E.W.M. Length of the road is 375 feet (0.07 mile), more or less, from the southerly right-of-way line of Riverside Avenue (County Road 986) to the center of the cul-de-sac. The road has a 33-foot wide paved surface with two 1-1/2 foot wide concrete gutters for a total of 36 feet of travel width. There are 4-1/2 foot wide sidewalks (including curb width) on each side of the road and around the cul-de-sac.

COUNTY ROAD NO. 1003 – N. W. JOHNS LANE

A 60-foot wide road right-of-way located in the East $\frac{1}{2}$ of Section 3, Township 2 North, Range 32 E.W.M. and lying between the east line of Stangier Hills Addition to the City of Pendleton (Book 7, Page 22, Town Plats) and the westerly right-of-way line of North Main. Length of the road is 570 feet (0.11 mile), more or less. The road has a 33-foot wide paved surface with two 1-1/2 foot wide concrete gutters for a total of 36 feet of travel width. There are 4-1/2 foot wide sidewalks (including curb width) on each side of the road.

COUNTY ROAD No. 1302 – MURIETTA ROAD

A 60-foot wide road right-of-way located in the Northeast $\frac{1}{4}$ of Section 7, the North $\frac{1}{2}$ of Section 8, and the Southeast $\frac{1}{4}$ of Section 5, all in Township 2 North, Range 32 E.W.M. and lying between the southeasterly right-of-way line of Rieth Road (County Road 1300) and the southwesterly right-of-way line of U. S. Highway 30 (Westgate). Length of the road is 6340 feet (1.20 miles), more or less. The road has an average paved width of 28 feet from Rieth Road to McKennon Road (1300 feet +/-) and an average paved width of 23 feet from McKennon Road to Westgate (5040 feet +/-) except for approximately 1000 feet at I-84 which widens out to as much as 40 feet and the easterly 600 feet +/- near the Westgate intersection which has a paved surface of approximately 26 feet. The easterly 180 feet +/- lies within property owned by the Oregon Department of Transportation.

COUNTY ROAD NO. 1304 – McKENNON ROAD

A 60-foot wide road right-of-way (50 feet across U. P. R. R. right-of-way) located in the Northwest $\frac{1}{4}$ of Section 8, Township 2 North, Range 32 E.W.M. and lying between the centerline of Murietta Road (County Road 1302) at Engineer's Station 1+89.28 and the westerly line of what is now Tax Lot 800 on Tax Map 2N 32 08B at Engineer's Station 21+60.42. Length of the road is 1971 feet (0.37 mile), more or less. The road has an average paved width of 25 feet.

COUNTY ROAD NO. 1306 – S. W. 28TH DRIVE

A right-of-way with variable width located in the South $\frac{1}{2}$ of Section 9, Township 2 North, Range 32 E. W. M. which begins at the westerly right-of-way line of S. W. Goodwin Avenue and runs northwesterly approximately 900 feet to its intersection with S. W. 30th Street and then continues northwesterly approximately 2300 feet to the southerly extension of the west line of the Overlook Terrace Subdivision (Book 13, Page 74, Town Plats). Length of the road is 3200 feet (0.61 mile), more or less. The road between S. W. Goodwin Avenue and the beginning of the pavement near Pendleton Square I Apartments has a gravel surface averaging 19 feet in width and a 4-foot wide asphalt pedestrian and bicycle path on the south side and is approximately 300 feet long. The road between the

beginning of the pavement near Pendleton Square I Apartments and its intersection with S. W. 30th Street has a paved width of 33 feet together with 1-1/2 foot concrete gutters on each side for a total of 36 feet of travel width and has 4-1/2 foot sidewalks (including curb width) on each side and is approximately 600 feet long. The road from its intersection with S. W. 30th Street northwesterly for approximately 430 feet also has 33 feet of asphalt surface, two 1-1/2 foot concrete gutters, and two 4-1/2 foot (including curb width) sidewalks. The road from this point to the southerly extension of the west line of the Overlook Terrace Subdivision has an average asphalt width of 29 feet with a 1-1/2 foot wide concrete gutter and 4-1/2 foot wide sidewalk (including curb width) on the north side only and is approximately 1870 feet long.

COUNTY ROAD NO. 1100 – STAGE GULCH ROAD

A 60-foot wide road right-of-way, the centerline of which begins at the Northeast Corner of the Southeast ¼ of the Southeast ¼ of the Northeast ¼ of Section 36, Township 3 North, Range 31 E.W.M. and runs north along the line between Sections 25 and 36, Township 2 North, Range 31 E.W.M. and Sections 30 and 31, Township 3 North, Range 32 E.W.M. to the westerly extension of the northerly right-of-way line of County Road 1094, Daniel Road. The beginning of this description is the terminus of the description of the road transferred from the County to the City in 2009 (recorded as Document No. 2010-5610859, Umatilla County Deed Records). Length of the road is 3300 feet (0.63 mile), more or less. The south 1980 feet (+/-) of the road has a new paved surface 36 feet wide. The north 1320 feet (+/-) of the road has a graveled surface approximately 20 feet wide.

COUNTY ROAD NO. 1094 – DANIEL ROAD

A 50-foot wide road right-of-way located in the South ½ of Section 30, Township 3 North, Range 32 E.W.M., the centerline of which begins at the intersection of the north line of the South ½ of the South ½ of said Section 30 with the east right-of-way line of County Road 1100, Stage Gulch Road and runs east along said north line of the South ½ of the South ½ of Section 30 to the eastern boundary of the Airport Business Park. Length of the road is 1320 feet (0.25 mile), more or less. The road has a graveled surface approximately 19 feet wide.

COUNTY ROAD NO. 1319 – S. W. 27TH STREET

A 60-foot wide road right-of-way located in the Southeast ¼ of Section 9 and the Northeast ¼ of Section 16, Township 2 North, Range 32 E.W.M., being a portion of the old route of the Pendleton-John Day Highway transferred from the State of Oregon to Umatilla County in 1946, and lying between the southerly right-of-way line of S. W. Hailey Avenue and the westerly right-of-way line of the Pendleton-John Day Highway (U. S. Highway 395) as now located. Length of the road is 920 feet (0.17 mile), more or less. The road has a paved (macadam) surface averaging 20 feet in width from S. W. Hailey to the access road into Southgate Mini-Mart (470 feet +/-) and 14 feet from the access road into Southgate Mini-Mart to its south end (450 feet +/-)

COUNTY ROAD NO. 1307 – S. W. 44TH STREET (ALSO KNOWN AS KORVOLA ROAD)

A 60-foot wide road right-of-way located in the Northwest ¼ of Section 21, Township 2 North, Range 32 E.W.M., which begins at the intersection of the westerly extension of the south line of Sunrise South Addition (Book 11, Page 27, Town Plats), said point being the southerly terminus of the road transferred from the County to the City in 1991, and runs in a southwesterly direction to its intersection with the southerly extension of the west line of Valley View Estates (Book 12, Page 7, Town Plats). Length of the road is 1870 feet (0.35 mile), more or less. The road from the westerly extension of the south line of Lot 1 of Sunrise South Addition southwesterly to the northwesterly extension of Lot 3 Block

3 of Glendale has a 30-foot paved surface with a 1-1/2 foot wide concrete gutter and 4-1/2 foot wide (including curb width) sidewalk on the east side only and is approximately 250 feet long. The road from this point southwesterly to S. W. Sunset Drive has an average paved width of 22 feet and is approximately 850 feet wide. The road from S. W. Sunset Drive to the southerly extension of the west line of Valley View Estates has a paved width of 24 feet and is approximately 770 feet long.

COUNTY ROAD NO. 1308 – S. W. KIRK AVENUE EXTENSION

A 60-foot wide road right-of-way located in the Northwest $\frac{1}{4}$ of Section 16, Township 2 North, Range 32 E.W.M., the centerline of which begins at a point approximately 525 feet along the section line north of the West $\frac{1}{4}$ Corner of Section 16 and runs east to the westerly right-of-way line of S. W. 37th Street. Length of the road is 1600 feet (0.30 mile), more or less. The road has a graveled surface approximately 22 feet wide except at the bridge over McKay Creek which has an 11-foot roadway width with a 4-foot wide pedestrian path on the north side.

COUNTY ROAD NO. 981 – N. E. 35TH STREET (ALSO KNOWN AS RIVERSIDE SCHOOL ROAD)

A 40-foot wide road right-of-way located in the Southeast $\frac{1}{4}$ of Section 1, Township 2 North, Range 32 E.W.M., the centerline of which begins at the north right-of-way line of Riverside Avenue, County Road No. 986, and runs in a northerly direction to the northerly right-of-way line of Northeast King Place. Length of the road is 1030 feet (0.20 mile), more or less. The road has an average paved width of 16 feet from N. W. Riverside Avenue to N. E. Johns Place (800 feet +/-), and an average paved width of 23 feet with 1-1/2 foot wide gutter (total travel width 25 feet) and 4-1/2 foot wide sidewalk (including curb width) on the east side from N. E. Johns Place to N. E. King Place (230 feet +/-).

AGREEMENT


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I. DATE

The date of this agreement is June 26, 2014.

II. PARTIES

The parties to this agreement are the CITY OF PENDLETON and UMATILLA COUNTY.

III. PURPOSE

These provisions outline a process to transfer roads within the City of Pendleton from the jurisdiction of Umatilla County to the City of Pendleton, incorporating the match for the Lee Street Grade/Eighth Street Bridge grant.

IV. GRANT MATCH

Umatilla County will provide half of the required match for the Local Highway Bridge Program (LHBP) funding for replacement of the Lee Street Grade/Eighth Street Bridge (#59C111). At a matching requirement of 10.27%, the total match required is \$762,034 resulting in the half ascribed to Umatilla County being \$381,017. The match is to be paid annually from bicycle/path funds in the amount of \$75,000 for five years. Upon transfer of the said funds Umatilla County will transfer ownership of the Lee Street Grade/Eighth Street Bridge (#59C111) to the City of Pendleton. In addition, Umatilla County will support annexation, as allowed by land use regulations, of sufficient property on the north access to the bridge to assure that the bridge is wholly within the city limits and available to those residents of the city who live in the area immediately adjacent to the north side of the bridge.

V. TRANSFER OF ROADS

1. City of Pendleton will immediately assume ownership and maintenance of the following roads for portions within the City of Pendleton that are improved to City Standards:
 - a. Road 957, NE 33rd Place (a cul-de-sac);
 - b. Road 1003, NW Johns Lane (paved portion NW 4th to North Main);
 - c. Road 1302, Murietta Road;
 - d. Road 1304, McKennon Road.
 - e. Road 1306, SW 28th Drive (paved portion to end of Overlook Addition);
 - f. Road 1100, Stage Gulch Road, Portion North from terminus in Order No. RD2009-18/Resolution No. 2397, to Daniel Road intersection;
 - g. Road 1094, Daniel Road, Portion from Stage Gulch Road East to eastern boundary of Airport Business Park.

2. The following County Roads are located within areas that are fully developed, but lack any development agreements for improvement of the road. The City will immediately assume ownership and maintenance of the following roads:
 - a. Road 1319, SW 27th Street;
 - b. Road 1306, SW 28th Street (portion between SW 30th and Goodwin);

3. For the following County Roads, when 1/3 of the properties fronting the existing County Road have provided irrevocable consents to participate in an LID to improve to City Standards, the City will enact the LID and/or accept jurisdiction of the County Road:
 - a. Road 986, Riverside Avenue;
 - b. Road 992, Juvenile Detention, paved portion;
 - c. Road 1003, NW Johns Lane (gravel portion North Main to northerly UGB);
 - d. Road 1307, SW 44th Street (39% ICA - triggered);
 - e. Road 1308, SW Kirk Avenue Extension (44% ICA - triggered)

4. For the following County Roads, when 50% of the properties fronting the existing County Road have provided irrevocable consents to participate in an LID to improve to City Standards, the City will enact the LID and/or accept jurisdiction of the County Road:
 - a. Road 981, NE 35th Street (75% ICA - triggered)
 - b. Road 987, Goad Road;
 - c. Road 991, SE 3rd Street;
 - d. Road 1309, [Old] Airport Road;
 - e. Road 1306, SW 28th Drive (gravel portion from end of Overlook Addition to Resource Recover Facility).

5. For the following County Road when 50% of the properties fronting the existing County Road have provided irrevocable consents to participate in an LID to improve to City Standards and when the right of way is at least 50 feet, the City will enact the LID and/or accept jurisdiction of the County Road

Road 982, Mt. Hebron/Nelson Drive

County will be the lead for acquisition of additional right of way. County will also support a one-way residential street standard amendment to the City Transportation System Plan.

6. For the following County Roads, the County will initiate vacation of the right of way or removal of the road from the County Road System and the City will have no objection to the vacation or removal:
 - a. Road 1076, Murphy Road;
 - b. Road 1354, Clopton Road.



VI. JOINT MANGEMENT AGREEMENT

Sections 23 and 24 of the Joint Management Agreement between the City and the County will be replaced with the following:

23. The City will neither accept nor maintain any County road within an annexed area or elsewhere in the UGA unless it meets City Standards in effect at the time and is acceptable to the City's Public Works Department. *When development occurs within the City adjacent to a County road or within the UGA, the developer will be required by the City to improve the road to City standards or sign an irrevocable consent for a future Local Improvement District (LID). When 50% of the properties fronting an existing County road have provided irrevocable consent to participate in a LID to improve to City Standards, the City will enact the LID and/or accept jurisdiction of the County Road.* The County will not relinquish control and responsibility for any such County road and responsibility for any such improved County road and will continue to maintain all existing County roads unless so approved by the County Board of Commissioners.

24. As a condition of annexation, the City will require the applicant to agree to improve to City Standards any included or impacted portion of County roads *by improvement to City Standards prior to any development of the said property or sign for irrevocable consent to a future LID.*

For County roads along the UGA boundary, the City will require 2/3rds improvements to City Standards and the County will require adjoining County property owners to improve to City Standards the additional 1/3rd improvements prior to any further development of said County properties. 2/3rds improvement entails, at a minimum, sidewalk, curb & gutter, parking lane (if required), and two travels lanes (and/or recovery areas) per City requirements. 1/3rd improvement entails, at a minimum, the remaining parking lane (if required), curb & gutter, sidewalk, and possible portion of a remaining travel lane per City requirements.

CITY OF PENDLETON

Phillip W Hawk

6-30-14
Date

UMATILLA COUNTY

William J. Elfering
William J. Elfering, Chair
Board of Commissioners

6/26/14
Date



**CITY COUNCIL MINUTES
CITY OF PENDLETON
June 17, 2014**

A regular meeting of the Pendleton City Council was held in the City Hall Council Chambers at 7:00 p.m., June 17, 2014, with Mayor Houk presiding. Members in attendance were: Brenne, Brown, Hill, May, Plute, Marks, Wood, and Young. Staff members present were: Patterson, Simons, Walker, Burfurd, Chrisman, Corbett, Denton, and Biggerstaff. Representing the media was A. Sierra, East Oregonian.

Rick Rohde inquired about the new nuisance ordinance, specifically regarding yard sale signage. He expressed concern over the lack of ordinance enforcement and showed the Council a handful of signs he had just collected.

Mr. Corbett stated the ordinance went into effect less than 30 days ago and explained to Mr. Rohde that the City does not have sufficient code enforcement staffing to monitor yard sale signs. When put on private property, they must have permission. It is not the responsibility of the City to remove the signs but of the individual who placed the signs up.

PENDLETON CENTER FOR THE ARTS

At the Mayor's request, Mr. May moved and Ms. Marks seconded a motion to add a letter of request from the Pendleton Center for the Arts to the agenda. Motion passed 8-0.

CONSENT AGENDA

Mr. Young asked to pull the Budget Transfer Resolution 2569 from the consent agenda and Ms. Marks asked to pull the Pendleton School District lease renewal.

Mr. May moved the following consent agenda items be approved:

Minutes of June 3, 2014 City Council meeting.

Executive Session pursuant to ORS 192.660(2)(e) real property; and ORS 192.660(2)(h) litigation.

Resolution 2563 authorizing Workers Compensation Coverage for volunteers.

Resolution 2568 canvassing the election results.

PENDLETON SCHOOL DISTRICT LEASE RENEWAL

Ms. Marks asked why we charge \$1800 a year for the lease to the school district for FFA use.

Mr. Patterson stated the water, sewer and upkeep is part of the cost assessment.

Mr. Brown moved and Mr. Brenne seconded the motion to approve the lease renewal. Motion carried 8-0.

RESOLUTION 2569 FOR BUDGET TRANSFER

It was recommended the City Council approve Resolution No. 2569 which authorizes the adjustments in budget appropriations through a budget transfer. This resolution also gives

months.

- Lost or Damaged Materials Processing fee - \$10.00. This new fee is to be added to both the "Lost Materials" and "Damaged Materials" to cover staff expenses.

Mr. Corbett clarified staff was asked to give recommendations for which Ms. Finney proposed the minimal fees.

Mr. Brown moved to approve Resolution 2567 modifying certain fees at the Pendleton Public Library. Mr. Brenne seconded the motion, and it carried 8-0.

PENDLETON CENTER FOR THE ARTS

A letter of request was presented from the Art Center to support funding for paint to replace the mural on the retaining wall located along SW Byers between the Christian Science Building and the River Walk ramp.

Mr. Plute moved to approve supporting the request for \$500. Mr. Brenne seconded the motion. Motion carried 8-0.

JOINT MANAGEMENT AGREEMENT

Bob Patterson, Public Works Director gave the staff report. It is recommended that Council approval of the provisions negotiated for local match participation to be shared between Umatilla County and City of Pendleton for the 8th Street Bridge project. It is also recommended that Council approve the Mayor to execute the amendment form on behalf of the City of Pendleton and Umatilla County that will include these provisions.

The provisions negotiated between Umatilla County and City of Pendleton outline a process to transfer county roads within the city to City of Pendleton jurisdiction. These provisions are one-year in the making. The provisions provide for trigger set-points based on irrevocable consent agreements (ICA) for future local improvement districts (LID). These triggers are outlined in the provisions and align with our local ordinance provisions of thirty-three and one-third percent and past practice of fifty percent ICA secured for properties fronting the road. Once these triggers are reached, Umatilla County will transfer jurisdiction whether the City of Pendleton forms a LID or not. Also called in in the provisions are roads which will immediately be transferred from Umatilla County to the City of Pendleton.

The award for the project was made in May 2013 with a local match requirement of 10.27% for a total match of \$762,034. The resulting half would be \$381,017 for each jurisdiction.

Staff will be able to lead discussion through all of the provisions and answer questions at the meeting.

The provisions of fiscal impact would have Umatilla County contribute \$75,000 per year for 5-years to the City of Pendleton for their portion of the project match.

Mr. Young asked about the "city standards" language. Mr. Patterson replied that is the standard previously established and approved by council.

Mr. Young asked if the Marietta Road would be improved by the City if taken over. Mr. Patterson stated the City is ready to take it on.

Mr. Brown inquired about the total miles of road way included in the agreement. Mr. Patterson stated ten miles and the City currently maintains less than half a mile.

Mr. Brown inquired about an exchange of services between the City and County. Mr. Patterson stated the City exchanges chip sealing and pot hole patching.

Mr. Brown asked what percentage of the roads would be "turnkey". Mr. Patterson said less than half a mile.

Mr. Brown inquired about the paved roads. Mr. Patterson stated the 28th street, which is an estimated 200 feet.

Mr. Brown inquired how does the City repair newly acquired roads if we can't maintain the roads the City currently has responsibility for, and where is the "win" in this for the City. Mr. Patterson stated the "win" comes when the roads become a part of the Urban growth boundaries.

Mr. Plute made the statement the county isn't maintaining the roads. A lot of these roads have been annexed into the City and the City has allowed construction without having the infrastructure in place and adequate. The biggest problem is the mixing up of money for the maintenance of a street. Mr. Plute noted the quote of \$30,000 a mile per year to keep a street maintained. He stated the City continues to depend on the Federal and State government to help pay for the maintenance of the streets. In his opinion the City needs to have a gas tax and live up to the obligation of maintaining its own streets. In addition, Mr. Plute pointed out Barnhart road. Saying it is built, but the City can't maintain it.

Ms. Hill stated this isn't a concept which has been pulled out of thin air, it is already lined out in our agreement with the County. This would be honoring the agreement already made.

Mr. Houk noted it was an agreement which began with the county in 1983.

Ms. Hill stated the City will gain a 10% increase of funds for the maintenance of the roads and will have a plan for the 8th Street Bridge.

Mr. Plute moved to approve the provisions negotiated for local match participation to be shared between Umatilla County and City of Pendleton for the 8th Street Bridge project. Mr. Brenne seconded the motion. The motion carried 5-3 with Mr. Brown, Mr. May and Mr. Young voting in opposition.

LOC PRIORITIES

Mr. Corbett read a letter from the LOC with a request for recommendations of the top four Legislative Priorities. Since there was a missing page from the document, the conversation was tabled until the July 1st meeting.

**CITY COUNCIL MINUTES
CITY OF PENDLETON
November 18, 2014**

A regular meeting of the Pendleton City Council was held in the City Hall Council Chambers at 7:00 p.m., November 18, 2014, with Mayor Houk presiding. Members in attendance were: Marks, Brenne, Young, Hill, Brown, May, Chuck. Plute was absent. Staff members present were: Corbett, Kerns, Denton, Walker, Brown, MacKenzie, Patterson, Cook, Finney, Milne, Smith, Jones and Biggerstaff. Representing the media was A. Sierra, East Oregonian.

JIM SWEARINGTON, 7 SE Patawa Road, requested consideration in updating the ordinance which pertains to mobile home siding standards from 1995.

REX MOREHOUSE, 214 NW 9th, asked where the funds are going to come from to fix the streets brought up at the November 8th meeting by the residents around SW Perkins who voiced the need for improvements in their area.

RICK ROHDE, 2230 SW LADOW Avenue, returned a Volunteer sign which was found on the River Walk Parkway.

SCOUT TROOP #703 Leader Erin Kerns of Scout Troop #703 brought 5 scouts to the City Council meeting to earn a Citizenship badge for which a requirement is to attend a City Council Meeting.

CONSENT AGENDA

Mr. Wood moved to approve the Consent Agenda:

Minutes of the November 4, 2014, City Council meeting.

Executive Session pursuant to ORS 192.660(2)(e) real property; and ORS 192.660(2)(h)(g) litigation; and ORS 192.660(2)(g) trade negotiations.

Mr. Young seconded the motion. The motion carried 7-0.

ORDINANCE NO. 3485, REGARDING UNIFIED DEVELOPMENT CODE.

Mayor Houk opened the public hearing on Ordinance No. 3485 and read the procedure for a legislative hearing.

Evan MacKenzie, City Planner, gave the staff report. It is recommended to adopt the Unified Development Code (UDC) to repeal and replace the Zoning Ordinance, Subdivision Ordinance, and other ordinances regulating Annexation and Development within the City of Pendleton.

The City currently relies on a number of uncoordinated ordinances to regulate development within the City and its Urban Growth Boundary (UGB). The City's Zoning Ordinance (No. 3250) was adopted in 1983, and has been amended almost 60 times, not including recent amendments adopted through Periodic Review. The City's Subdivision Ordinance (No. 3251) was also adopted in 1983, and has been amended 15 times. Ordinance No. 3481, which generally regulates land development, was adopted in 1993 and amended in 2007. Multiple Ordinances and Resolutions govern annexations into the City.

These various ordinances require City staff, elected and appointed officials, and the general public to rely on multiple sources of information to determine what development standards apply to a given



The available capital outlay in FY15 is \$375,000 for Water Fund, \$875,000 for Sewer Fund, and \$800,000 for Streets Fund. Through October 31, 2014, Water and Sewer Funds have expenditures of about \$119,000 and \$136,000, respectively.

Water Fund capital outlay will be extremely tight in FY15. There was about \$120,000 in non-budgeted and unforeseen expenditures in FY14 (\$33,000 for ASR consultant under new OWRD reporting requirements, \$74,000 for broken shaft repair at Well #2, and \$11,300 for pro-rated share of LIDAR flight and imagery done with Umatilla Basin stakeholders). These additional FY14 expenses will be brought to the attention of City Council for the FY14 audit. Water Fund will likely have to address these expenditures within this fiscal year.

Alternatives available for consideration:

- 1) Approve Amendment #1 – recognizing the additional work issues outside the original scope of work; or
- 2) Do not approve Amendment #1 – directing staff and the consultant negotiate delivery of master plans on the basis of the remaining original budget.

Mr. Young asked how there could be a shortfall of over \$150,000. Mr. Patterson stated he felt the frustration as well. At the time of the original proposal staff did not anticipate the extra work that would be needed.

Mr. Wood moved to approve the amendment to the Master Plan Consultant Contract.

Mr. Brenne seconded the motion. The motion passed 7-0.

REQUEST FOR FISCAL YEAR 2014 ROAD INVENTORY ASSET ADOPTION

Bob Patterson, Public Works Director, gave the staff report recommending that City Council approve asset values of \$4,976,440 for paved and \$309,400 for gravel roads and streets.

City staff has been directed by our auditor to bring street and roadway asset values to City Council for approval. Most of the proposed roads for asset value approval were adopted in June 2014 as part of the City / County Joint Management Agreement (JMA) amendments. They are referenced in order of adoption of the JMA amendments in the attached spreadsheet breakdown. Under the amendments, the City adopted about 4.3-miles of County Right-of-Way. Of this, about 3.5-miles are paved and 0.8 miles are gravel.

Additional roads on the list are about 0.5-miles for the paved remnant portion of Stage Gulch Road accepted by the City in 2009, but never assigned an asset value, and the recent new streets completed by hospital in 2013.

Color maps will be handed out at the council meeting for the map reference labeled in the attached spreadsheet breakdown. City staff assigned asset values of \$60/square yard for paved roads and \$30/square yard for gravel roads. Streets completed by the hospital reflect contractor / consultant actual costs.

County staff will be presenting Exhibit "A" for County Commissioner's approval in the near future to transfer Right-of-Way and roads to the City in accordance with the JMA.

The fiscal impact being these roads will be submitted to Oregon Department of Transportation to increase city share of state gas tax. Based on current budget and paved street miles, City may

expect an increase in the neighborhood of about \$40,000 in state revenue sharing. This is well under the amount to fund on-going maintenance and preservation of these streets.

Overall community discussion about forming a street utility and funding it will commence upon completion of the water, sewer, and storm master plans. This will be an encompassing discussion of the funding needs for the city's utility systems.

Mr. Young asked if this was setting asset value to receive money from the state. Mr. Patterson said the asset value is to be noted for the accountants.

Mr. Brenne moved to approve the asset assessment for recently adopted roads.

Mr. Young seconded the motion. The motion passed 7-0.

SOLARIZE PENDLETON LOAN FOR \$79,000 TO WMA HOLDINGS, LLC

Bob Patterson, Public Works Director, gave the staff report. It is recommended that City Council approve a Solarize Pendleton loan in the amount of \$79,000 to WMA Holdings, LLC.

WMA Holdings, LLC, has applied for a commercial solar loan in the amount of \$79,000. The three partners; Byron Wysocki, Jordan McDonald, and Bill Alexander, have executed and provided a notarized Commercial Solar Lien Contract. With the Solarize Pendleton program, this places a voluntary lien against the property and the loan serves as an interim financing with zero interest. The loan will be payable in full this fiscal year on or before May 25, 2015.

WMA Holdings, LLC, is in the process of replacing the roof on their building and installing 50 kiloWatts of solar panels. The building is located at the corner of SE 4th and SE Dorion Avenue. They have an Energy Trust of Oregon Trade Ally performing the installation. They also secured Rural Development funding to assist with the solar project.

This is a non-budgeted item for Fiscal Year 2014-2015, but the overall budget has allowances for these funds to be issued. A supplemental budget request in January 2015 will include this item to allow for the other budgeted items to be spent. No additional commercial or residential solar loans may be done and no additional requests are expected this fiscal year.

Mr. May moved to approve a Solarize Pendleton loan for \$79,000 to WMA Holdings, LLC.

Mr. Brenne seconded the motion. The motion carried 7-0.

PURCHASE PLAY CLIMBERS FOR COMMUNITY PARK EAST

Donnie Cook, Parks & Recreation Director, presented the staff report recommending acceptance of MRC/Gametime's quote for \$40,112.49 for purchase of two play climbers for Community Park East.

The Parks Department will install a new playground at Community Park East, to replace the 1970's wooden structure that has reached the end of its lifespan, is not ADA compliant, and presents safety concerns. The new playground will be larger, have a natural theme, and include naturalized plantings within the play areas.

Competitive quotes were received from four different vendors. Three of the four vendors offered year-end discounts (35-44%) that are a greater percentage than cooperative purchasing contracts (typically 12-18%), which led to the quote process rather than a direct purchase. All vendors were asked for two (2) play climbers, one for ages 2-5 and a second for ages 5-12 with complementary