CITY COUNCIL

Regular Meeting Minutes
August 10, 2026

Mayor Primmer called the regular meeting to order at 7:00pm. Present were Councilors Hayward, Roberts, Myers, Duron, Linton, and Kelso. Councilors McCarthy and Barron were absent. City Staff in attendance included: City Manager Byron Smith, Assistant City Manager Mark Morgan, City Attorney Richard Tovey, Finance Director Ignacio Palacios, Police Chief Jason Edmiston, Planning Director Clint Spencer, Court Administrator Jillian Viles, Library Director Mark Rose (arrived at 7:10pm), and City Recorder Lilly Alarcon-Strong. The pledge of allegiance was given.

Citizen Input on Non-Agenda Items

Sanitary Disposal Representative spoke regarding recycling updates to include Free Mattress Recycling Event on Saturday, August 15th at Sanitary Disposal and encouraged the public to download their new app and check out their redesigned website for updates, Q&A, and more.

Consent Agenda Items

Councilor Hayward moved and Councilor Roberts seconded to approve Consent Agenda items A & B, to include:

A. Replat- 4N2824A TL 900 & 4N2824B TL 301 Dress Brothers LLP of WA 2550/2500 S Hwy 395
B. Final Plat Henry K's Phase 3 Hermiston Home Works Inc 4N2813BC Tax Lot 3000 SE Columbia Drive/SE Owyn Drive

Motion carried unanimously with Councilors Hayward, Roberts, Myers, Duron, Kelso, and Linton voting in favor.

Ordinance No. 2383- LID 324 Supplemental Discussion

Assistant City Manager Morgan presented information (PowerPoint Presentation attached) regarding the potential formation of Local Improvement District (LID) 324 as presented in the staff report and during the Public Hearing on July 27th.

Public Comment

Tyler Bendixsen- read his statement into the record (emailed public comment attached).

After staff answered questions from the Council, Councilors Linton and Roberts spoke regarding their preference for the Area Methods described stating that just because the City has always used the Base Method does not make it always right; the City has given tax breaks to The Hub and it does not seem right to charge the Base Amount in this circumstance to the owners of such a small tax lot that have had no immediate intentions to develop and making them pay such a high portion can be financially devastating for anyone in their position who were not expecting to pay these fees.

Councilors Myers and Kelso disagreed stating that just because it is a small property doesn't mean it will have a low traffic impact once it is developed, like Dutch Brothers. Additionally, The Bendixsen's can make the property more valuable by building a gas station or minimart and will be made financially whole in the long run as the street development will also raise the property value.

Councilor Myers moved and Councilor Kelso seconded to direct staff to bring an ordinance to form LID 324 utilizing the Base Method- Linear Feet- to the August 24th City Council Meeting. Motion carried 4-2 with Councilors Hayward, Myers, Duron, and Kelso in favor and Councilors Roberts and Linton voting in against.

Resolution No. 2439- PFAS Mitigation Feasibility Study and
Resolution No. 2440- Safe Drinking Water Revolving Loan Fund Application
Assistant City Manager Morgan presented information (PowerPoint Presentation attached) regarding the City's plan to fully remove PFAS from the water system and authorize an application to the Oregon Health Authorities' Safe Drinking Water Revolving Loan Fund as presented in the staff report.

After additional discussion, Councilor Duron moved and Councilor Myers seconded to approve Resolution No. 2439 and lay upon the record. Motion carried unanimously with Councilors Hayward, Roberts, Myers, Duron, Kelso, and Linton voting in favor. Councilor Hayward moved and Councilor Duron seconded to approve Resolution No. 2440 and lay upon the record. Motion carried unanimously with Councilors Hayward, Roberts, Myers, Duron, Kelso, and Linton voting in favor.

2026 Hermiston Public Library Board By-Laws Update
City Manager Smith and Library Director Mark Rose reviewed the draft By-Law updates of the Library as presented in the staff report. After staff addressed questions from the Council Councilor Linton moved and Councilor Hayward seconded to approve the updated by-laws as presented. Motion carried unanimously with Councilors Hayward, Roberts, Myers, Duron, Linton, and Kelso voting in favor.

Committee Reports
Airport Advisory Committee- Councilor Roberts gave Committee updates to include steadily high fuel sales, all hangars are full with a waiting list of individuals who would like to rent hangar space, runway renovations are expected around 2030 with discussions on how the City can fund a runway extension and be able to bring in bigger plans from Walla Walla and Tri Cities.

Mayor's Report
Mayor Primmer spoke regarding:

- Many upcoming events that took place/are taking place in the City to include: National Night Out, Umatilla County Parade, Fair and Farm-City Pro Rodeo, MelonFest, Movies in the Park, and Horizon Park Ribbon Cutting

Council Reports
Councilor Hayward thanked all volunteers who help make the Parade, Fair, Rodeo, and all EOTEC grounds great for these events.

Councilor Roberts stated he attended the ODOT presentation regarding the roundabout at Punkin Center and N HWY 395 and was very please but the good public attendance and clear communication presented and on ODOT's website and asked that the City consider adding a direct link from the City's website to ODOT's website so the public can easily find updates on this project when they occur.

Councilor Linton stated in Parliament Procedures the Council is able to rescind their vote and she would like to do this for Resolutions 2383 and 2384. After reviewing these procedures, City Manager Smith and City Attorney Tovey stated a motion to reconsider must be made at the same meeting or the meeting that directly follows and therefore would not be able to rescind her vote for these items.

Councilor Kelso spoke regarding:

- Kiwanis Club of Hermiston and Pendleton combined to host a BBQ and Pool Party for area foster children and families at the Aquatic Center and gave recognition to Jacobi at the Aquatic Center stating she did a great job handling discrepancies within their reservation
- The Fair Parade went well and thanked HPD for keeping people safe during the event
- Hermiston School District IT will be providing livestreaming of the Livestock Show during the Fair
- Thanked his wife for allowing him to be at tonight's City Council meeting as it is their 30-year wedding anniversary

City Manager's Report

None given.

Adjourn

There was no other business and Mayor Primmer adjourned the regular City Council meeting at 9:04pm.

INCORPORATED HERMISTON OREGON JULY 10, 1907

SIGNED:
____
Doug Primmer, Mayor

ATTEST:
____
Lilly Alarcon-Strong, CMC, City Recorder

From:	Tara Bendixsen
To:	City of Hermiston Meetings
Subject:	Statement for 8/10/27 City Council Meeting Regarding LID 324
Date:	Sunday, August 9, 2026 7:37:17 PM

[EXTERNAL EMAIL] - STOP and VERIFY - This message came from outside of the City of Hermiston

Dear City Council Members,
We would like to provide you with our statement prior to the meeting for your review. Thank you for your time and consideration.

Tara and Tyler Bendixsen

Mayor, Members of the City Council, and City Staff,

Thank you for your time, your service to Hermiston, and your willingness to hear public testimony on this critical issue tonight. My name is Tyler Bendixsen, speaking on behalf of myself and my wife, Tara. We own the one-acre parcel located on East Jennie Avenue.

I want to state our position clearly from the outset: **we do not oppose the extension of East Jennie Avenue, nor are we here to block LID 324.**

We fully acknowledge the non-remonstrance agreement tied to our deed when we purchased the land in 2022. We stand by our obligation to pay a fair, proportional share for street improvements. We support Hermiston's growth, and we understand that responsible growth requires updated infrastructure.

However, we are here tonight to strongly object to staff's recommendation that Council approve a rigid, linear-foot frontage assessment for our parcel. This Council previously directed staff to evaluate alternative allocation methods precisely because you saw that a standard frontage model inflicts a severe, disproportionate financial penalty on our small property. Staff's insistence on sticking with this formula relies on flawed traffic assumptions, overlooks the primary public purpose of the road, and creates an outcome that simply cannot be justified under any standard of fairness.

To understand why a simple frontage formula is entirely improper for our property, we only need to look at Assistant City Manager Mark Morgan's own statements regarding why this project is being built.

When explaining the rationale behind connecting East Jennie Avenue, Mr. Morgan explicitly noted:

"Quite a few folks are going into that area, which will generate quite a bit of traffic... Part of what needs to happen there is making sure we're dispersing traffic throughout the community."

He further detailed that while Diagonal Boulevard carries traffic in certain directions,

"Punching Jennie Avenue through along the north end side will allow for additional dispersion of traffic to the northwest as well as to the east, mainly providing access back and forth with Highway 395 as well as N. First Place off to the west."

That is the exact definition of a **citywide collector street network**. The primary objective of "punching Jennie Avenue through" is to collect, manage, and route heavy regional traffic generated by large-scale surrounding developments onto major arterial corridors like Highway 395 and North First Place.

That function serves a **broad public benefit** to Hermiston's broader transportation network. It is not a special, peculiar benefit concentrated on our single, undeveloped acre. Forcing an individual family to pay $122,000 for a project whose overarching goal is communitywide traffic distribution fundamentally misapplies the purpose of a Local Improvement District.

During the July 27th meeting, Councilor Kelso asked “has anything that the city has done changed the risks the Bendixsens have incurred by investing in that property over the last 4 years”whether circumstances had changed regarding our property since 2022, and staff indicated that nothing had changed.

Factually, the environment around our property changed dramatically.

When we purchased the parcel in 2022, our understanding was that street costs would be triggered when we took steps to develop our land. What changed was the City approving a **$1.3 million tax incentive for The HUB**, paving the way for a 276-unit apartment complex next door.

That high-density development is the direct driver of the regional traffic demand Mr. Morgan described. Had that major project not proceeded with substantial city support, connecting Jennie Avenue for general traffic dispersion would not be on the table today. Our land hasn't changed, but the scale of development surrounding us exploded.

Furthermore, we must firmly correct a major error in the staff report regarding our actual plans for the site.

The report attempts to justify its high assessment by claiming its traffic model assumes our single acre will be developed into a **2,400-square-foot coffee shop and a 3,000-square-foot fast-food restaurant with drive-thrus.**

That claim is completely false. We have no plans, intentions, or commercial backing to build a 5,400-square-foot dual drive-thru complex. Staff generated this high-density brick-and-mortar projection out of thin air, using a preliminary inquiry we once made about the requirements to operate a mobile food truck on the property.

Operating a mobile food truck involves zero permanent building footprint and minimal traffic compared to a massive commercial drive-thru center. Manufacturing a fictional restaurant complex to inflate the theoretical benefit to our land completely undermines the credibility of staff's traffic metrics and assessment justification.

Let us look directly at the numbers the staff is asking you to vote on.

Under the proposed linear-foot calculation, our 292.65 feet of frontage accounts for 12.69% of total district frontage. Staff translates that directly into 12.69% of the $965,000 property-owner portion, assessing our property **$122,412**.

While the math is simple, simple math does not equal a fair or defensible assessment.

Consider this critical fact: across this proposed LID **and** the recent NW 2nd Street LID, **not a single other property owner has been assessed an amount exceeding 50% of their land's real market value.** In virtually every other instance, assessments represent a small fraction of overall property worth.

Yet for our parcel, county records value the entire land at **$94,750**. Staff is asking this Council to levy a **$122,412 assessment—which represents 129% of the total market value of our land.**

This is an extreme outlier. Demanding that a private property owner pay 129% of their land's total worth for a road built to handle traffic from a 276-unit apartment complex, 200 plus mobile home neighborhood, and citywide flow is not proportional. It places an unmanageable financial lien on the property that far exceeds the value of the land itself.

Staff's report cautions Council that altering the allocation formula could create concerns or pushback from larger developers in the district.

We ask the Council to reject that argument and look at basic proportionality.

The developers of The HUB's 276-unit project are building a high-density complex that generates substantial daily vehicle trips. Assessing costs based on overall acreage or development capacity creates a direct, logical connection between a project's real-world impact and its financial responsibility.

By contrast, forcing a single, small acre to pay strictly by linear frontage forces us to subsidize infrastructure built to serve higher-density neighbors. Allocation by land area ensures that every property owner pays in direct proportion to their actual physical footprint and buildable capacity.

Staff has framed departing from linear frontage as an administrative risk. In reality, utilizing **lot area (square footage)** is standard practice in municipalities across Oregon, including Portland, Clackamas County, and Sherwood.

Cities routinely rely on area-based models because they prevent exactly this type of distortion—aligning costs with actual land size rather than arbitrary boundary lines.

Our parcel represents **2.89% of the total land area** in LID 324. Applying an area-based methodology treats every parcel consistently and reduces our assessment to a fair, proportional **$27,800**.

Additionally, under **Hermiston City Code § 34.39**, this Council possesses explicit authority to allocate city funds toward a local improvement when public traffic demands or general equity justify doing so. Code § 34.39 exists precisely for cases like this—where an improvement serves broader citywide traffic dispersion—giving Council the clear mandate to ensure individual property assessments remain reasonable.

Members of the Council, under Chapter 34 of our City Code, **you** hold the final decision-making authority—not city staff.

As Council demonstrated with the NW 2nd Street LID, you have both the authority and the responsibility to intervene when a recommended formula produces an unreasonable and disproportionate hardship on an individual property owner.

We respectfully but firmly ask the Council to take two decisive actions tonight:

Reject staff's recommendation to apply a rigid linear-foot formula that results in an unprecedented 129% land-value assessment on our parcel.

Adopt an area-based cost allocation matrix—or exercise your authority under City Code § 34.39 to account for the public traffic dispersion function of Jennie Avenue—establishing a final assessment that reflects the actual size and real benefit to our property.

Thank you for your time, your leadership, and your commitment to a fair and equitable outcome tonight.

Mr Mayor, we respectfully request the opportunity to answer questions the council may have regarding our statement during the council's discussion.

Thank you.

LID324: Jennie Ave

City Council: August 10, 2026

HERMISTON OREGON

LID324- History

- July 27 Public Hearing- Held/Closed
- No Opposition to LID formation Received
- Request to consider alternate cost assignment
  - **Area/Impact**

Tonight's Process

- Alternate Methodologies
- Receive Direction for Ordinance on Aug. 24

Hermiston LID History

- 323 LID's Initiated since 1907
- Linear Feet is City's established practice
  - **Last 50 LID's Researched (Past 40 Years)**
  - **All Used Linear Feet**

Methodology Complexity

5 Alternatives

- Base Method- Linear Feet
- SDC #1
- SDC #2
- Area #1
- Area #2

Base Method- Linear Feet

- Frontage on to Improvement
- % of Overall Length

SDC Method #1

- Transportation SDC: Based on Trip-Generation
  - **Institute of Transportation Engineers Trip Generation Manual**

		2022
		$ 100.00
Per PM Peak Hour vehicle trip end		

Land Use	Unit of Measure	2022
General Light Industrial	1,000 SFGFA	$ 63.00
Industrial Park	1,000 SFGFA	$ 40.00
Manufacturing	1,000 SFGFA	$ 67.00
Warehousing	1,000 SFGFA	$ 19.00
Mini-Warehouse	1,000 SFGFA	$ 17.00
Utility	1,000 SFGFA	$ 227.00
Specialty Trade Contractor	1,000 SFGFA	$ 197.00
Single-Family Detached Housing	Dwelling Units	$ 99.00
Multifamily Housing (Low Rise)	Dwelling Units	$ 56.00
Mid-Rise Residential with 1st-Floor Commercial	Occupied Dwelling Units	$ 37.00
Mobile Home Park	Dwelling Units	$ 46.00
Senior Adult Housing-Detached	Dwelling Units	$ 30.00
Senior Adult Housing-Attached	Dwelling Units	$ 26.00

SDC Method #1- Assumptions

- Approved Site Plans
- Allowable Uses

SDC Method #1- Assumptions

SDC Method #1

- SDC's Calculated & Summed
  - **Houses + Apartments + Storage + Commercial**
- % of Total Determined
- LID Cost Assigned by % of SDC (Impact) Share

		2022
Per PM Peak Hour vehicle trip end		$ 100.00

Land Use	Unit of Measure	2022
General Light Industrial	1,000 SFGFA	$ 63.00
Industrial Park	1,000 SFGFA	$ 40.00
Manufacturing	1,000 SFGFA	$ 67.00
Warehousing	1,000 SFGFA	$ 19.00
Mini-Warehouse	1,000 SFGFA	$ 17.00
Utility	1,000 SFGFA	$ 227.00
Specialty Trade Contractor	1,000 SFGFA	$ 197.00
Single-Family Detached Housing	Dwelling Units	$ 93.00
Multifamily Housing (Low Rise)	Dwelling Units	$ 50.00
Mid-Rise Residential with 1st-Floor Commercial	Occupied Dwelling Units	$ 37.00
Mobile Home Park	Dwelling Units	$ 48.00
Senior Adult Housing-Detached	Dwelling Units	$ 30.00
Senior Adult Housing-Attached	Dwelling Units	$ 26.00

SDC Method #2- Alt. Access

Area Method #1

Area Method #2

Alternative Methods

Owner	Base Method (Linear Feet)	SDC Method 1	SDC Method 2	Area Method 1	Area Method 2
Owen Lamp TRS	$274,477	$83,734	$62,309	$222,735	$165,908
Cauffman John R & Janet L TRS	$257,277	$206,266	$153,490	$376,722	$526,811
The Hub Hermiston, LLC	$310,835	$343,192	$255,382	$337,596	$251,465
Bendi TNT LLC	$122,412	$331,808	$493,819	$27,947	$20,817

Complexity

- Confused? Contrived? Complex?
- Benefit = Street
- Cost of Street = Linear Feet x Width

QUESTIONS

Where Life is Sweet

Size/Value of Properties

- Have most of the previous LID's involved properties of similar size/value?
- Have prior LID's involved properties of vastly different property values?

LID322 (2020- SHIP LID)

LID322 (2020- SHIP LID)

TABLE 5-1
UMATILLA COUNTY ASSESSOR'S PROPERTY VALUATIONS

Tax Lots / Map	Assessed Value	Real Market Value	Outstanding Tax Assessments	Estimated LID Assessment Total
100 / 4N2823	$14,171	$6,740		$434,913
206 / 4N2823	$824,810	$824,810		$92,750
300 / 4N2814D	$0	$3,163,720		$45,490
401 / 4N282488	$8,910	$8,910	$645.27	$45,341
403 / 4N282488	$7,830	$7,830	$567.05	$39,673
500 / 4N2824B	$20,090	$20,090		$41,385
501 / 4N2824B	$309,500	$309,500		$10,776
503 / 4N2824B	$2,417,500	$2,435,000		$18,763
504 / 4N2824B	$38,750	$93,700		$16,044
505 / 4N2824B	$725,620	$745,640		$15,306
506 / 4N2824B	$34,120	$40,890	$1,126.40	$33,235
507 / 4N2824B	$0	$0		$139,303
600 / 4N282488	$131,130	$153,150		$22,372
700 / 4N282488	$342,120	$360,290		$22,372
800 / 4N282488	$20,150	$22,360		$22,372
900 / 4N282488	$10,000	$11,180		$22,372
1100 / 4N2813C	$180,700	$252,000	$9,426.56	$85,312
1101 / 4N2813C	$5,280	$30,600		$29,600
1103 / 4N2813C	$107,160	$107,160		$17,003
3200 / 4N28248B	$176,330	$209,250		$5,930
Total All	$5,374,231	$9,816,940		$1,161,800

Cost vs "Value" of Properties

- Has there been a situation where an LID was formed on a property where the LID imposed a cost that is higher than the value of the property?

LID322 (2020- SHIP LID)

% to RMV

6,352%

409%

406%

106%

UNK%

0.05%

100%

TABLE 5-1

UMATILLA COUNTY ASSESSOR'S PROPERTY VALUATIONS

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100 / 4N2823	$14,171	$6,740		$434,913
206 / 4N2823	$824,810	$824,810		$82,750
300 / 4N2814D	$0	$3,160,720		$45,480
401 / 4N2824BB	$8,910	$8,910	$645.27	$45,341
403 / 4N2824BB	$7,830	$7,830	$567.05	$38,673
500 / 4N2824B	$20,090	$20,090		$41,505
501 / 4N2824B	$309,500	$309,500		$10,776
503 / 4N2824B	$2,417,580	$2,435,850		$16,765
504 / 4N2824B	$38,750	$95,700		$16,044
505 / 4N2824B	$725,620	$745,640		$15,386
506 / 4N2824B	$34,120	$40,890	$1,128.40	$33,233
507 / 4N2824B	$0	$0		$139,383
600 / 4N2824BB	$151,130	$155,150		$22,372
700 / 4N2824BB	$342,120	$360,290		$22,372
800 / 4N2824BB	$20,130	$22,380		$22,372
900 / 4N2824BB	$10,000	$11,180		$22,372
1100 / 4N2813C	$180,700	$252,000	$9,426.56	$85,512
1101 / 4N2813C	$5,280	$33,680		$29,600
1103 / 4N2813C	$107,160	$107,160		$17,008
3100 / 4N2824BB	$176,330	$209,250		$8,900
Total All	$5,374,231	$8,816,840		$1,161,600

2025 RMV

$751,950

$111,280

$100,500

$3,769,380

$625,070

$219,970

LID324 "Inverted" Property

Account 168622 Assessment Summary

Account | Taxes | Sales History | Value History | Reports | Files | Account History

Values

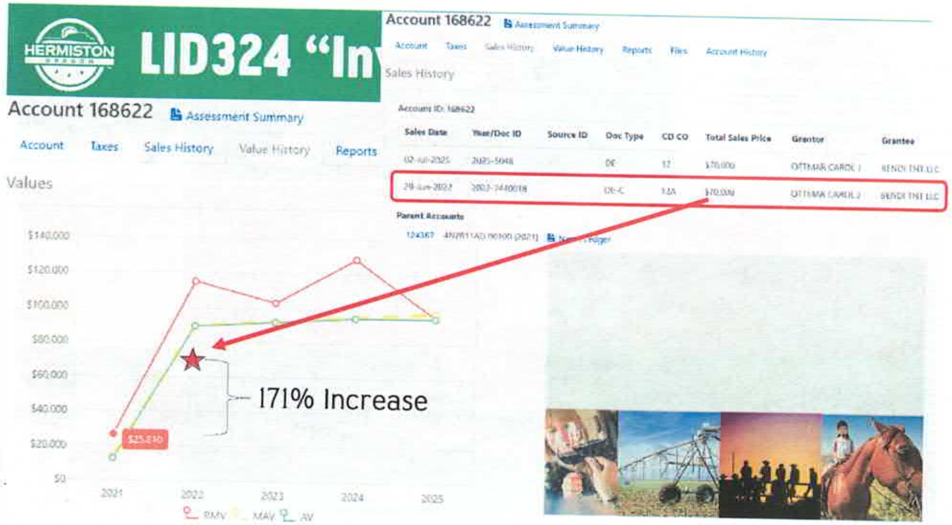
Estimated Assessment: $122,412

LID324 "Inverted" Property

Account 168622 Assessment Summary

Account | Taxes | Sales History | Value History | Reports | Files | Account History

Values


HERMISTON OREGON
LID324 "In
Account 168622
Assessment Summary
Account
Taxes
Sales History
Value History
Reports
Values
$140,000
$120,000
$100,000
$80,000
$60,000
$40,000
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$0
2021
2022
2023
2024
2025
RMV
MAV
AV
171% Increase
$25,840
Account 168622
Assessment Summary
Account
Taxes
Sales History
Value History
Reports
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Account History
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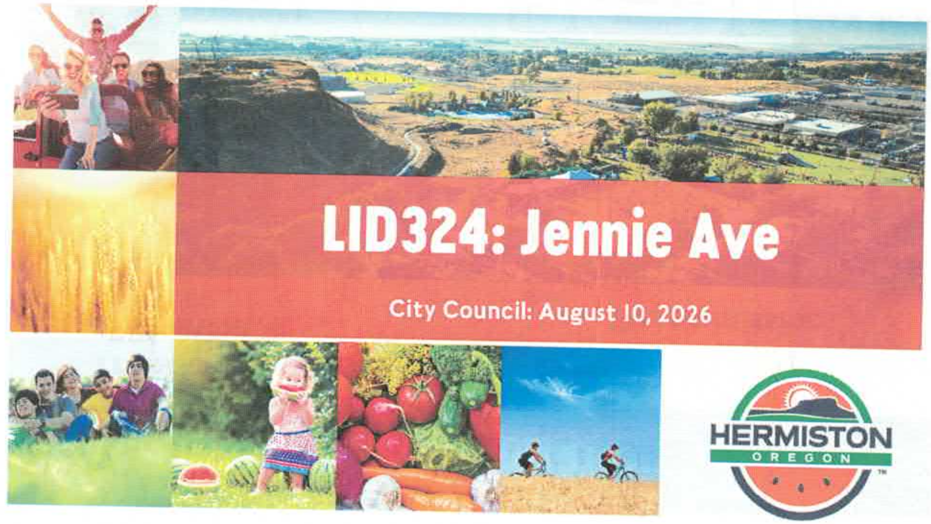
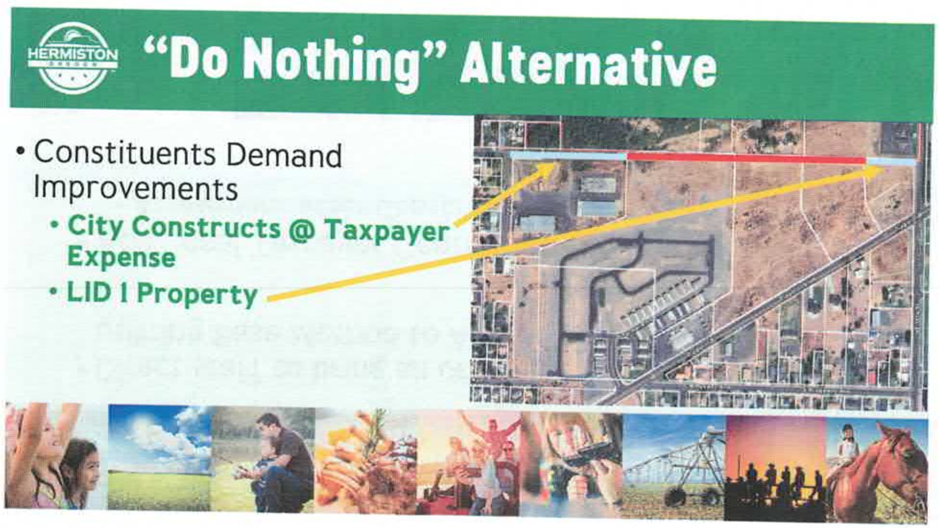
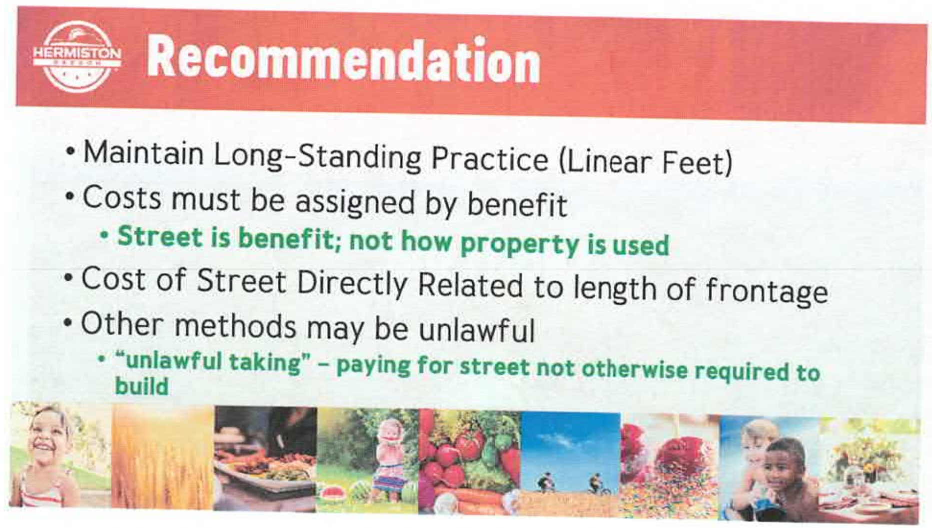
Source ID
Doc Type
CD CO
Total Sales Price
Grantor
Grantee
Parent Accounts


LID324: Jennie Ave
City Council: August 10, 2026
HERMISTON
OREGON


HERMISTON OREGON
"Do Nothing" Alternative
• Constituents Demand Improvements
• City Constructs @ Taxpayer Expense
• LID 1 Property


HERMISTON OREGON
Recommendation
• Maintain Long-Standing Practice (Linear Feet)
• Costs must be assigned by benefit
• Street is benefit; not how property is used
• Cost of Street Directly Related to length of frontage
• Other methods may be unlawful
• "unlawful taking" – paying for street not otherwise required to build

Recommended Motion

- Direct staff to bring an ordinance back to form LID324 utilizing Base Method to August 24 Council Meeting
- Additional Taxpayer Contributions?
  - **Assessment after Construction**

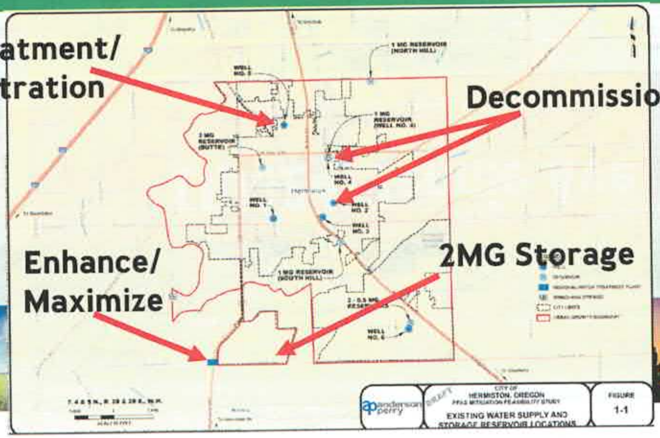
QUESTIONS

Where Life is Sweet

PFAS

August 10, 2026

Final Recommendation



PFAS Mitigation Feasibility Study

- Adopt Similar to Water System Master Plan
- Utilize Plan to pursue funding & begin designs
- Future Financial considerations back to Council

Emerging Contaminants Fund

- Install Treatment at Well #5
- Rehabilitate Regional Water System (30yr old)
- Replace/Expand Well #4 Storage

- $26M; "up to 100%" Forgiven (grant)
- Forgiven amount will drive Scope

Emerging Contaminants Fund

- Deadline Aug. 15
- If awarded, Council will Have to Authorize