



CITY COUNCIL

AGENDA

MONDAY, APRIL 28, 2025

Where Life is Sweet

COUNCIL CHAMBERS - 180 NE 2ND ST.

*Other ways of viewing or participating in live meetings are available through:
YouTube at: <https://bit.ly/HermistonYoutube>*

Zoom with Meeting ID: 816 1088 9740 Passcode: 531951 Telephone number to join is: 1 253 215 8782; or submitting comments to meetings@hermiston.gov

For written electronic public comments to be part of the official record, sender must provide their full name and place of residence and comments must be received within the time frame given for the item under discussion. The City Recorder will respond/confirm to sender that their electronic comment was received and will be made part of the record; or, if their electronic comment is not able to be made part of the record, the City Recorder will respond to the sender and state the reason(s) why.

1. CALL COUNCIL/CITY MANAGER WORK SESSION MEETING TO ORDER - 6:00 PM

A. City Committee Review

2. ADJOURN WORK SESSION MEETING

3. CALL REGULAR MEETING TO ORDER – 7:00 PM

4. DECLARATION OF QUORUM

5. FLAG SALUTE

6. PROCLAMATION

A. Proclamation- National Correctional Employees Week

7. CITIZEN INPUT ON NON-AGENDA ITEMS

Anyone wishing to bring anything before the council that is not on the agenda is asked to please do the following: 1. Please limit comments to not more than FIVE minutes; 2. State your name and address; 3. Direct your comments to the Chair.

8. CONSENT AGENDA

- A. Committee Vacancy Announcement
- B.** Confirmation to reappoint members of the Planning Commission as follows: Annette Kirkpatrick to Position 1; Philip Hamm to Position 2; and Benjamin Doherty to Position 3. All terms expiring March 31, 2028.
- C.** Confirmation to appoint members to the Hispanic Advisory Committee as follows: Maryanna Hardin to Position 1, term expiring June 30, 2026, and Carolina Delgado to Position 4, expiring June 30, 2028.
- D.** Confirmation to appoint Joseph Sharon to Position 4 of the Faith-Based Advisory Committee, term expiring December 31, 2027
- E.** Recommendation to appoint Janizee Serrano to Position 4 of the Planning Commission with a term expiration of March 31, 2026.
- F. Liquor License Application for Off-Premises Sales/Change of Ownership for Metro Mart located at 1120 W Highland Ave.
- G. Minutes of the April 14th Work Session and Regular Meeting of the City Council

9. ITEMS REMOVED FROM CONSENT AGENDA

10. ORDINANCES AND RESOLUTIONS

- A. Resolution No. 2366- Establish a No Parking Zone on the West Side of NE 2nd St-Festival Street
- B. Resolution No. 2367- Taxi Transit Contract
- C. Resolution No. 2368 – Agape House – Community Development Block Grant (CDBG) Professional Services Agreement Award.
- D. Ordinance No. 2370- Regulating Vehicles for Hire within the City

11. OTHER

- A. March 2025 Financial Report
- B.** Moving the City Council Meeting of Monday May 26, 2025 to Tuesday May 27, 2025 due to the Memorial Day Holiday

12. COMMITTEE REPORTS

- A.** City Committee and Liaison:

Airport Advisory, Budget, Hispanic Advisory, Library Board, Parks and Recreation, Planning Commission, Recreation Projects Fund, Faith-Based Advisory, Community Accountability, Public Safety, Public Infrastructure, Transit Planning, EOTEC, Stepping Stones Alliance (not a City Committee)
- B.** Mayor's Report

- C. Council President Report
- D. Council Report
- E. Youth Advisory Report
- F. Manager's Report

13. ADJOURN

**** AMERICANS WITH DISABILITIES ACT NOTICE****

Please contact Hermiston City Hall, 180 NE 2nd Street, Hermiston, OR 97838 (Phone No. 541-567-5521) at least 48 hours prior to the scheduled meeting time if you need an accommodation. TTY and TDD users please call Oregon Telecommunications Relay Service at 1-800-735-2900 or 711.



PROCLAMATION NATIONAL CORRECTIONAL EMPLOYEES WEEK

Whereas, in 1984, President Ronald Reagan issued Proclamation 5187, entitled “National Correctional Officers Week,” formally recognizing the corrections profession and the dangers they face associated with their career, and

Whereas, correctional employees play an instrumental role in the safety and security of their community by providing supervision while also advancing programs and services aimed at rehabilitation, reentry, and the reduction of reoffending, and

Whereas, our correctional employees are well-trained professionals who regularly face challenging situations, but remain dedicated to providing safe, humane, and equitable care to all under their care, and

Whereas, the sacrifices of correctional employees and their families often go unnoticed, yet their contributions to the community are invaluable.

Now, Therefore, Be It Resolved, that I, Mayor Doug Primmer, declare the week of May 4th - 10th 2025, to be National Correctional Employees Week in Hermiston, and invite the community to join in sharing our appreciation and gratitude to these dedicated public servants who work tirelessly to keep our community safe.

SIGNED this 28th day of April, 2025

Doug Primmer, Mayor



PUBLIC ANNOUNCEMENT

The City is accepting applications for the following Committees:

1. Planning Commission

- **Position 4: Remaining 3-year term ending March 31, 2026** (Advertised as of 03/24/2025)

2. Airport Advisory Committee

- **Position 3: 3-year term ending October 31, 2027** (Advertised as of 07/08/2024)
- **Position 2: Remaining 3-year term ending October 31, 2026** (Advertised 11/08/2024)

3. Eastern Oregon Trade & Event Center (EOTEC) Committee

- **Position 5: 3-year term ending June 30, 2028** (Advertised 03/24/2025)

Deadline to apply for all Committees: Open Until Filled

Interested persons are asked to submit an application to City Hall, 180 NE 2nd Street, Hermiston, or at lalarcon-strong@hermiston.gov. Application forms are available at City Hall or on the City's website at <https://hermiston.or.us/volunteer>. If you have questions, please call Lilly Alarcon-Strong at 541-567-5521.

Proposed appointment and confirmation of these positions are made by the City Council. All appointments to city boards and commissions shall be made in accordance with the ordinances and city charter. Appointees shall not be full-time employees of the city, shall not be elected officials of the city, shall not be appointed to more than two boards or commissions at a time, and shall not sell to the city or its boards and commissions over which the council has appointive powers and budget control either directly as a prime contractor or supplier, or indirectly as a first-tier subcontractor or supplier. Sales shall be construed to mean sales, services or fees aggregating \$20,000 or more in any one calendar year. Preference for appointees shall be given to city residents.



TO: City Manager Byron Smith
FROM: Chief Jason Edmiston
DATE: April 16th, 2025
SUBJECT: Liquor License Application – Metro Mart

After review of the liquor license application for Metro Mart located at 1120 W Highland Avenue, Hermiston, I find nothing of substance after performing a criminal history check consistent with established parameters utilized by the city, to deny the application submitted by Haryodh Mahal and Jaspinder Dhillon.

It is my recommendation this information/request be presented to the City Council.



OREGON LIQUOR & CANNABIS COMMISSION

Local Government Recommendation – Liquor License

Annual Liquor License Types

Off-Premises Sales	Brewery-Public House
Limited On-Premises Sales	Brewery
Full On-Premises, Caterer	Distillery
Full On-Premises, Commercial	Grower Sales Privilege
Full On-Premises, For Profit Private Club	Winery
Full On-Premises, Non Profit Private Club	Wholesale Malt Beverage & Wine
Full On-Premises, Other Public Location	Warehouse
Full On-Premises, Public Passenger Carrier	

Section 1 – Submission – To be completed by Applicant:

License Information

Legal Entity/Individual Applicant Name(s): METRO MART INC

Proposed Trade Name: METRO MART 4

Premises Address: 1120 W HIGHLAND AVE

Unit:

City: HERMISTON

County: UMATILLA

Zip: 97838

Application Type: ☐ New License Application ☒ Change of Ownership ☐ Change of Location

License Type: OFF PREMISE SALES

☐ Additional Location for an Existing License

Application Contact Information

Contact Name: HARY MAHAL

Phone: 5096198797

Mailing Address: 520 E COLUMBIA DR

City: KENNEWICK

State: WA

Zip: 99336

Email Address: MAHALHARY@YAHOO.COM

Business Details

Please check all that apply to your proposed business operations at this location:

☐ Manufacturing/Production

☒ Retail Off-Premises Sales

☐ Retail On-Premises Sales & Consumption

If there will be On-Premises Consumption at this location:

☐ Indoor Consumption

☐ Outdoor Consumption

☐ Proposing to Allow Minors

Section 1 continued on next page



OREGON LIQUOR & CANNABIS COMMISSION

Local Government Recommendation – Liquor License

Section 1 Continued – Submission - To be completed by Applicant:

Legal Entity/Individual Applicant Name(s): METRO MART INC

Proposed Trade Name: METRO MART 4

IMPORTANT: You MUST submit this form to the local government PRIOR to submitting to OLCC.
Section 2 must be completed **by the local government** for this form to be accepted with your CAMP application.

Section 2 – Acceptance - To be completed by Local Government:

Local Government Recommendation Proof of Acceptance

After accepting this form, please return a copy to the applicant with received and accepted information

City or County Name: City of Hermiston

Optional Date Received Stamp

Date Application Received: 04/10/2025

Received by: Lilly Alarcon-Strong, CMC, City Recorder

Section 3 – Recommendation - To be completed by Local Government:

- ☐ Recommend this license be granted
- ☐ Recommend this license be denied (Please include documentation that meets OAR 845-005-0308)
- ☒ No Recommendation/Neutral

Name of Reviewing Official: Jason Edmiston

Title: Chief of Police

Date: 04/16/2025

Signature:

After providing your recommendation and signature, please return this form to the applicant.



CITY COUNCIL

Work Session Meeting Minutes April 14, 2025

Mayor Primmer called the work session meeting to order at 6:00pm. Present were Councilors Hayward, Roberts, McCarthy, Duron, Myers, Barron, and Kelso. Councilor Linton was excused. City Staff in attendance included: City Manager Byron Smith, Finance Director Ignacio Palacios, Chief Jason Edmiston, Senior IT Engineer Sam Allen, and City Recorder Lilly Alarcon-Strong.

Library Construction Tour

City Manager Smith asked those present who wished to tour the Library to follow him to begin the tour.

Adjournment

Mayor Primmer adjourned the work session meeting at 6:01pm to begin their tour and then convene for their regular council meeting at 7:00pm.



CITY COUNCIL

Regular Meeting Minutes

April 14, 2025

Mayor Primmer called the regular meeting to order at 7:00pm. Present were Councilors Hayward, Roberts, McCarthy, Duron, Myers, Barron, and Kelso. Councilor Linton was excused. City Staff in attendance included: City Manager Byron Smith, Assistant City Manager Mark Morgan (via Zoom), City Attorney Rich Tovey, Finance Director Ignacio Palacios, Chief Jason Edmiston, Parks and Recreation Director Brandon Artz, City Planner Clint Spencer, Court Administrator Jillian Viles, and City Recorder Lilly Alarcon-Strong. The pledge of allegiance was given.

Mayor Primmer stated that due to technical issues YouTube was not available, but Zoom is. Mayor Primmer asked that the Council allow changes to the Agenda to include allowing item 6B to be presented after 6C with a prior presentation from Umatilla County Dispatch Captain, Karen Primmer. The Council agreed.

Proclamation- National Day of Prayer

Mayor Primmer read aloud the National Day of Prayer Proclamation.

Employee Service Recognition

City Manager Smith stated each year the City recognizes employees with five-year anniversaries with a small gift of appreciation for their dedication and commitment to the City. City Manager Smith read aloud employees with 20, 25, 30, and 35 years working for the City as disclosed in the staff report.

Mayor Primmer thanked all those who were named as they are very deserving of the recognition and stated the employment longevity says a lot of amazing things about the City as an employer.

Proclamation- National Public Safety Telecommunicators Week

Umatilla County Sherriff's Office Dispatch Manager, Captain Karen Primmer, gave information (attached) and spoke regarding National Public Safety Telecommunicators Week with specific mentions and acknowledgments to the Umatilla County Sherriff Office 911 Telecommunicators stating they are the unseen heroes of emergencies, the calm voices in the chaos, and the lifeline between those in need and the help they desperately require. The UCSO Dispatch took in 113,127 calls in 2024 with 93.97% of all 911 calls being answered within 10 seconds, higher than the national standard. Captain Primmer also recognized UCSO Dispatchers who received a Stork Award for delivering a baby via pre-arrival instructions and a Victor G. Atiyeh Award from the Department of Public Safety Standards and Training Academy and asked that the community give appreciation to the dedication and professionalism of telecommunicators.

Mayor Primmer also recognized Captain Primmer for receiving the 2023 911 Manager of the Year Award from the Oregon Chapter of Association of Public-Safety Communications Officials.

Councilor Roberts stated he was a dispatcher for a brief time in 1998 and encourages the public to take time to experience what they do stating it is a wonder to be watched.



CITY COUNCIL

Regular Meeting Minutes

April 14, 2025

Citizen Input on Non-Agenda Items

Amy Palmer, 1007 SW 19th Court- Thanked the Mayor for the many years of Proclamations the City has supported and formally invited all to attend the National Day of Prayer event (information attached).

Kelsey Mueller, 82460 Salmon Point Lane- Asked that the Council consider adding an additional one or two Type 2 Annual Vending Cart Licenses, stating her family would like to park their food cart in Hermiston instead of Boardman, however, the seven annual licenses in Hermiston have already been issued.

Mayor Primmer asked Mrs. Mueller to meet with City Manager Smith regarding this issue.

Gail Cherry stated she is the Pastor at Hermiston Solid Rock Community Church, 160 SW 2nd St- And asked that the City consider moving the bus stop from her Church address as transit users are destroying church property as they wait for the bus.

Mayor Primmer asked Ms. Cherry to meet with City Manager Smith regarding this issue.

Consent Agenda Items

Councilor Barron asked when the Council would be presented with information regarding the Transit Committee Meeting.

City Manager Smith stated it will be presented at the next City Council Meeting.

Councilor Hayward moved, and Councilor McCarthy seconded to approve Consent Agenda item A-H to include:

- A. Committee Vacancy Announcement
- B. Recommendation to reappoint members of the Planning Commission as follows: Annette Kirkpatrick to Position 1; Philip Hamm to Position 2; and Benjamin Doherty to Position 3. All terms expiring March 31, 2028.
- C. Recommendation to appoint members to the Hispanic Advisory Committee as follows: Maryanna Hardin to Position 1, term expiring June 30, 2026, and Carolina Delgado to Position 4, expiring June 30, 2028.
- D. Recommendation to appoint Joseph Sharon to Position 4 of the Faith-Based Advisory Committee, term expiring December 31, 2027
- E. Hermiston Urban Renewal Agency (HURA) Annual Report
- F. Liquor License Application for Off-Premises Sales for Tienda El Chapin located at 905 W Hermiston Ave.
- G. Minutes of the March 24th City Council Work Session and Regular Meeting
- H. Minutes of the March 27 Transit Advisory Committee Meeting

Motion carried unanimously.



CITY COUNCIL

Regular Meeting Minutes April 14, 2025

Resolution No. 2365- Airport RPZ property Purchase Offer

City Manager Smith gave information regarding purchasing 140.06 acres of land for the Airport's Runway Protection Zone with City contributions totally approximately \$100,000 after the FAA and Oregon Department of Aviation financial contributions.

After further discussion and answering questions from the Council, Councilor McCarthy moved, and Councilor Roberts seconded to approve Resolution No. 2365 and lay upon the record. Motion carried unanimously.

Adoption of 2025 Council Goal Setting Report

City Manager Smith presented and reviewed the Goal Setting Report as supplied in the agenda packet specifically addressing each proposed goal as established during the two-day Goal Setting Session.

Public Comment

Karyn Jones, 1010 W Highland Ave- Asked that the Council reconsider moving forward with the Aquatic Center and Broadband proposed projects, stating that the budget for these items are not financially responsible for citizens.

After further discussion, Councilor Hayward moved and Councilor McCarthy seconded to adopt the report as presented. Motion carried unanimously.

Discussion of Potential Adult Business Regulations

Planning Director Spencer and City Attorney Tovey presented information (PowerPoint presentation attached) regarding implementation of potential adult business regulations as the Council had received several citizen requests on this issue, Oregon rules as well as State Supreme Court rulings regarding adult oriented businesses and second order effects, defining adult businesses, examples of cities who do and do not regulate adult businesses, potential paths to regulate adult businesses, and potential legal implications.

The Council spoke regarding mirroring similar adult regulations passed in Rainier Oregon, impacts these businesses have near schools and daycares, as well as issues with sex trafficking and other illegal activities. The Council also discussed if more efforts should be made to gain community feedback on this issue and how far the Council is prepared to go to defend their stance on this issue in court if it goes in that direction.

Public Comment

Karyn Jones, 1010 W Highland Ave- Stated her neighbors do not want these businesses in the City and encouraged the City to seek additional public involvement and feedback on this issue stating that many people do not know about agenda items.

After further discussion and answering questions from the Council, the Council directed City Manager Smith to return to the Council after being able to receive additional information from public input and gathering additional information on if/how many other cities have had to go to court for this issue.



CITY COUNCIL

Regular Meeting Minutes

April 14, 2025

City Manager Smith stated he will need a minimum of 30-days or more to gather this information to present to the Council.

Discussion of Transient Room Tax (TRT) Distribution

City Manager Smith presented information as supplied in the agenda packet regarding TRT revenues, distribution of funds, and recent adopted changes, as the Council agreed to further review this topic in the Council Goal Setting to discuss potential funding increases to the Harkenrider Senior Center.

Councilor McCarthy asked that the Council also consider potential funding increases to the Greater Hermiston Chamber of Commerce; while declaring he is the current Chamber President but does not receive any financial compensation for this role.

Councilor Kelso stated based on the information provided it is clear that reallocating funds would mean the City would need to take money away from one to give to another.

Councilor McCarthy stated he understands this and believes the Chamber is more deserving of these funds than others.

Councilor Roberts recommended that these funds be left as-is for the 2025-26 budget and this subject be revisited in the Fall for the 2026-27 budget, to give the City time to meet with stake holders and gather additional information. The Council agreed.

Committee Reports

Faith-Based Advisory Committee- Councilor Hayward spoke regarding Stepping Stones Alliance needs food and dinner, National Night Out, and National Day of Prayer.

Parks and Recreation Advisory Committee- Councilor Myers stated the Committee will meet on Thursday.

Hispanic Advisory Committee- Councilor Duron stated a member of the public gave kudos to the City as she witnessed a Customer Service Clerk on the first floor give very thorough information in Spanish.

EOTEC Advisory Committee- Councilor Barron stated the Committee did not have a quorum but they were given information regarding operations.

Mayor's Report

Mayor Primmer spoke regarding:

- Most recent City Chat, stating there was a great attendance with really good questions asked and comments received
- Senator Merkley's recent Town Hall
- High School Rodeo's being held at EOTEC
- LOC Spring Conference
- And events being held in the City to include: Annual Easter Egg Hunt now being held at EOTEC instead of Butte Park, Spring Bazaar, Cinco de Mayo, I Love My City and Recycling event



CITY COUNCIL

Regular Meeting Minutes

April 14, 2025

Council Presidents Report

Councilor McCarthy stated Good Shephard Health Care System will be hosting their Family Fitness Day at EOTEC.

Council Reports

Councilor Hayward stated his church welcomed a guest speaker pastor visiting from San Diego, and that pastor had great things to say about Hermiston.

Councilor Duron thanked the City for allowing her to attend the Conference in Washington DC; stating, as an immigrant, it was a privilege and honor to attend and speak with legislators. Councilor Duron thanked staff at the Police Department and Library for their patience and flexibility as they work through construction at each of their buildings

Councilor Barron spoke regarding attending the most recent City Chat, SEI Filing Deadline, and his most recent trip to the community of Heppner and how beautiful it is.

Councilor Kelso thanked the committee volunteers listed on the consent agenda, stated he attended the City Council meeting in Boardman and it was very interesting hearing a presentation from the County's Assessors Office, and plans to attend the Stanfield's City Council meeting as well.

Youth Advisory Report

None present.

City Manager's Report

City Manager Smith gave a brief summary of the City Chats event on April 9th at 2pm at the Next Chapter Book Store stating it was the most attended City Chat event with many great questions and feedback from the community.

Adjourn

There was no other business and Mayor Primmer adjourned the regular City Council meeting at 9:11pm.

SIGNED:

Doug Primmer, Mayor

ATTEST:

Lilly Alarcon-Strong, CMC, City Recorder

Participating Text-to-911 Partners

Umatilla County 911
Dispatch Center



Milton-Freewater
Police Department



Grant County (OR)



911 Agencies

*Provide superior public safety
dispatch services in a skilled,
expedient and respectful
manner to the citizens and
agencies we serve.*

*With a commitment to
excellence and through
continuing education and
improved technology, we
help save lives, protect
property and proudly
know we make
a difference.*

SERVICE

RESPECT

TRUST

UNDERSTANDING

Text-to-911 Services





**Call If You Can,
Text If You Can't.**

**Remember, Voice Is
Best, If Possible.**

Things to Remember

Voice calls are preferred, if possible, because 911 can communicate more quickly with you.

Know your location.

Text-to-911 can only receive words and punctuation. 911 CANNOT receive emoticons, emoji, pictures or videos.

Your message may not be interpreted correctly if you use "text speak" or abbreviations. Examples of these types of abbreviations are: "TTYL" or "LOL".

Please text in English only.

At this time, interpretation services aren't available for text. 911 dispatchers will do their best to assist you, using Google Translate, if you aren't able to text in English.

Text-to-911 service doesn't raise your wireless bill. It is funded by an existing fee that is already included in your phone service fees.

You must have text messaging included on your wireless plan with a participating carrier to use text-to-911 services.

What Is Text-to-911?

Text-to-911 is the ability to send text messages to local 911 dispatch centers during an emergency.

Text messaging is one of the primary ways people communicate today, especially younger people and members of the deaf and hard of hearing and speech disabilities communities.

How Does It Work?

Your wireless carrier sends your text messages to a "Text Control Center" which then forwards them to local 911 centers. Our 911 centers receive your information via an internet-based application.

If, for some reason, the internet is down, you will receive a message telling you that text-to-911 is currently not available in your area.

To use text-to-911 in an emergency, you simply open up your text messaging screen, enter "911" (with no dashes or spaces) in the "TO" field, type your message, and hit "SEND".

Do NOT send your message to multiple people in a group text because this will stop the message from reaching the 911 dispatcher.

If you are within an area that does NOT yet offer text-to-911 services, you will receive a return message that states services are not available. If that happens, place a voice call to 911 to report your emergency.

Will the 911 Dispatcher Know My Location?

Most likely, no. It's important that you ALWAYS know your location to provide to 911 Dispatch.

For More Information

www.nwtext911.info

ALL ARE WELCOME TO JOIN US IN PRAYER & A TIME OF WORSHIP!

A DAY TO GATHER TOGETHER AND LIFT UP OUR NATION IN PRAYER

POUR OUT TO THE GOD OF HOPE AND BE FILLED!

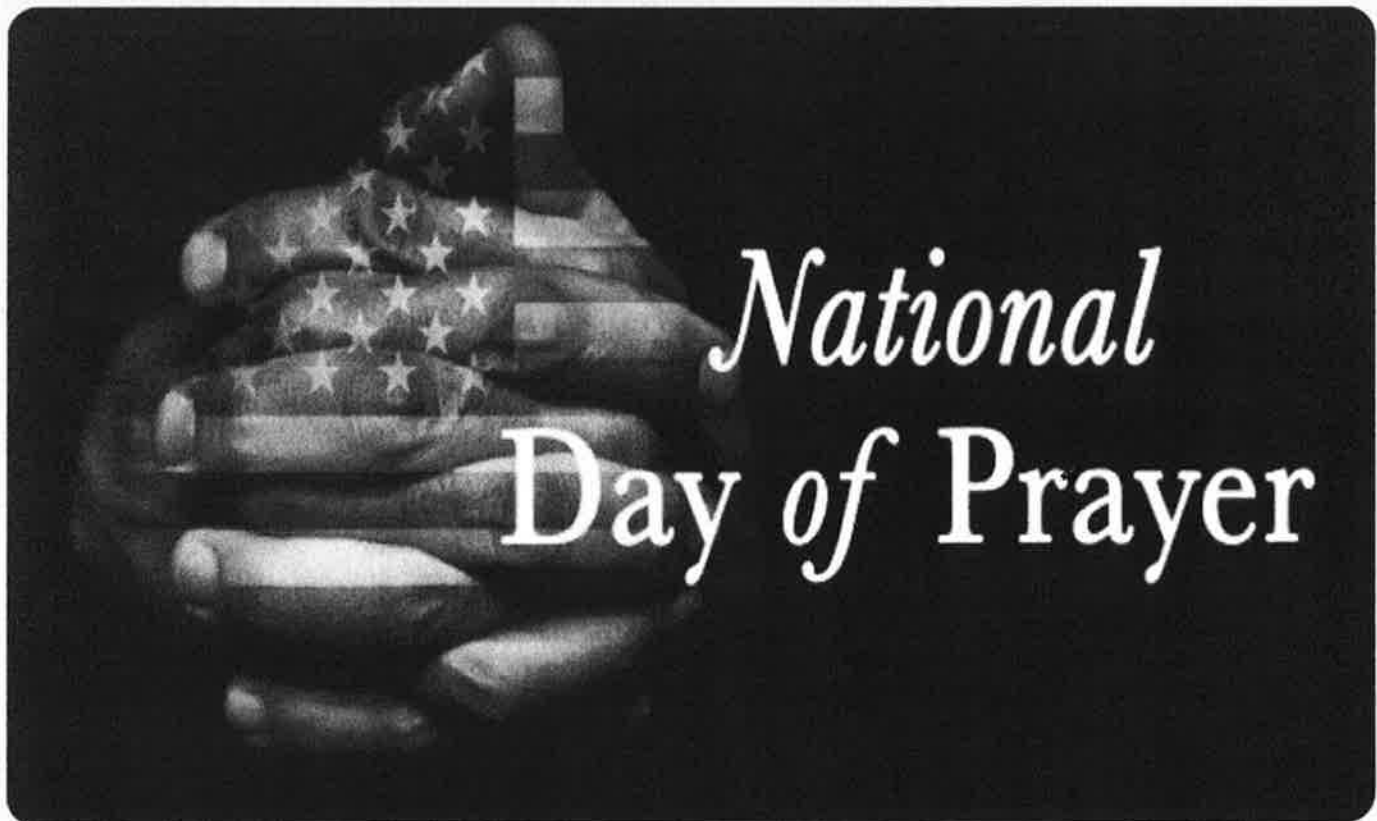
"Now may the God of hope fill you with all joy and peace in believing, so that you will abound in hope by the power of the Holy Spirit." Romans 15:13

6:00 TO 7:30 PM

**855 W Highland Ave., Hermiston, OR
Seventh Day Adventist Church**

THURSDAY

MAY 1, 2025





Background

- The city council has directed staff to research and report back on regulating adult businesses in Hermiston
- Council has received several citizen requests on this issue
- Oregon rules are more permissive than federal rules, granting more leeway to adult businesses in the state than nationally
 - *This will be discussed in more detail later*
- There is no one size fits all solution for this issue and cities vary on regulation from no regulation at all to requiring public hearings and conditional use permits for each instance



The Oregon Rules

- Oregon Supreme Court rulings have held that the Oregon constitution is the guiding law and Article I, Section 8 requires
- *"...no law be passed that restrains the free expression of opinion, or restricting the right to speak, write or print freely on any subject whatever; but every person shall be responsible for the abuse of this right"*

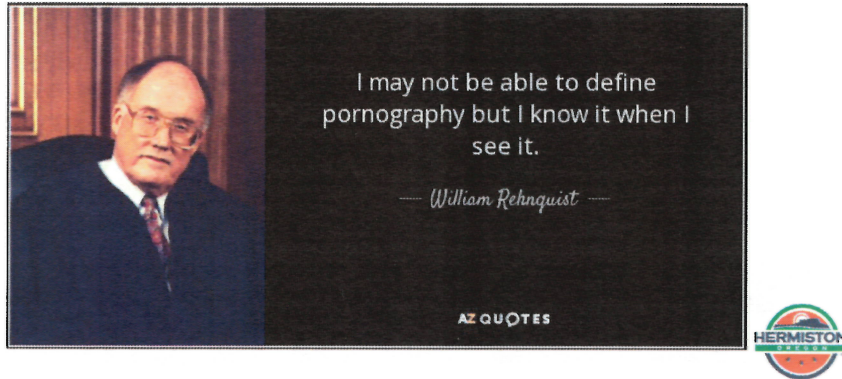


The Oregon Rules

- Based on the state Supreme Court rulings, cities can regulate adult oriented businesses to address second order effects, such as nuisances, noise, etc. but cannot regulate adult oriented businesses based upon the content of the business itself
- In practice government rules must be content neutral and not subject adult businesses to differing rules than a similar business of a non-adult nature
 - *For example, an adult bookstore cannot be subject to hour restrictions or distance rules not applied to a standard bookstore*
- Adult businesses must be allowed to operate *somewhere* in a city. Blanket prohibitions do not pass constitutional muster



Defining Adult Businesses



Defining Adult Businesses

- "I'll know it when I see it" does not work in a regulatory environment
- Develop a clear, concise, and objective definition of adult business
- Apply that definition fairly to the city as a whole



Defining Adult Businesses

- Potential definitions:
- *City of Umatilla*
- Adult entertainment business or use: A business or use that provides sexually oriented entertainment, services or products which make up a substantial or significant portion of the establishment's activities or merchandise. Adult entertainment businesses or uses exclude minors by virtue of age under the laws of the State of Oregon, whether or not such minors are accompanied by a consenting parent, guardian or spouse. Types of uses include, but are not limited to: adult motion picture theaters, video arcades, massage parlors, nude modeling studios, lotion studios, adult bookstores, adult paraphernalia shops, nude photography studios, or eating and drinking establishments that have sexually oriented entertainment such as nude dancers, strippers, or other similar entertainers.



Defining Adult Businesses

- Potential definitions:
- *City of Central Point*
- "Adult business" includes any adult arcade, adult bookstore, adult cabaret, adult theater, sexual encounter center, or other businesses which are characterized by an emphasis on sexually explicit material
- "Adult bookstore" means any store having a significant portion of its stock in trade, books, magazines, newspapers, or other printed or written material or any pictures, drawings, photographs, motion pictures, or other pictorial representations which are distinguished by their emphasis on matter depicting, describing or relating to "specified anatomical areas" or "specified sexual activities," as defined in this section
- "Adult cabaret" is an establishment having as its primary attraction live exhibition (either for direct viewing, closed circuit viewing, or viewing through a transparent partition) for patrons either individually or in groups, where a substantial portion of the material presented is characterized by an emphasis on "specified anatomical areas" or "specified sexual activities" and excludes minors as a legal or prevailing business practice
- "Adult theater" means any theater or similar facility which is used primarily for presenting material with an emphasis on matter depicting, describing or relating to "specified anatomical areas" or "specified sexual activities," for observation by patrons therein



Defining Adult Businesses

- Hermiston can develop definitions that fit well in our community
- Umatilla chose to develop an all-encompassing definition
- Central Point chose to be more concise but to further refine with additional definitions
- These choices are made as a result of the regulatory approach
 - Some cities do a blanket regulation in the zoning code
 - Some cities regulate in a separate chapter applying to business rules and then implement in the zoning
 - Some cities approach through licensing only



Oregon's Environment

- Reviewed rules in 42 Oregon cities, ranging in size from 1,617 (John Day) to 39,572 (Grants Pass)
 - Focus on cities either in the NE region or between 10,000 and 30,000 in population
- 26 cities do not regulate at all
 - Assume for purposes of research that no regulation in code equals a blanket approval since there is no regulatory mechanism to limit location
- 16 cities have some form of regulation



Oregon's Environment

- 16 cities have adult business regulations
 - Six regulate only through business licenses
 - Licensing may be business licensing or employee licensing (age and background check)
 - Licensing may still involve a distance requirement from schools, parks and residences
 - 9 cities regulate through conditional use process in zoning ordinance
 - One allows outright in commercial zone
 - Three limit to only one commercial zone (an outlying or general commercial zone)
 - 10 cities have established a distance requirement from schools, parks, or residences
 - 6 cities regulate outward appearance of adult businesses (not allowing the public to see in in most cases)
 - 5 cities have a time restriction not allowing operation all night



Oregon's Environment

- Why do cities choose not to regulate?
 - Oregon's permissive legal environment opens cities to legal challenges
 - May consider the time and cost of administration/enforcement plus cost of defending ordinance to be a poor use of resources
 - Citizens may not perceive an issue with adult businesses
- Why do cities choose to regulate?
 - Protection of public good where there is a compelling public interest in protection of property and/or reduction of blight
 - Licensing may reduce potential human trafficking (as noted some cities require all employees to be licensed, presumably to verify the status of dancers)
 - Control of potential nuisances (loitering, littering, noise)



Where to Next?

- The city council has requested an overview of how other cities approach this issue
 - **No one-size-fits-all approach in the state**
 - **Direct staff to pursue an amendment to the zoning ordinance to specify a proper zone and process for permitting future adult businesses**
 - **Direct staff to develop a special license for adult businesses in the business license ordinance**
 - **Direct staff to develop an amendment to the nuisance ordinance requiring termination of a business license if more than three nuisance offenses occur in six months**
 - **Direct staff to not pursue the issue further**



Where to Next?

- Addressing this issue through code amendments will require advice and assistance from outside legal counsel
- Potential path to regulate in zoning ordinance through conditional use process establishing location requirements
 - **Regulatory process must be content neutral**
 - **Address the effects of adult businesses rather than the business itself**





Where Life is Sweet

Mayor and Members of the City Council
STAFF REPORT
 For the Meeting of April 28, 2025

Title/Subject

Resolution 2366 – Designate No Parking Festival Street West Side

Summary and Background

This resolution will designate the west side of Festival Street (NE 2nd Street) between E Gladys Ave and E Mains Street as a “No Parking” zone. When the city undertook the Festival Street project in 2017, the street was intended to be narrowed to two travel lanes with diagonal parking on the east side of the street. The Festival Street project remodeled the street which had parallel parking on the east and west sides of the street and in essence moved all parking to the east side of the street. Converting from parallel parking to diagonal parking resulted in no loss of parking in this block. The remaining travel portion of the street was reduced to two travel lanes of twelve feet in width. The seat walls which bracket the travel lanes were intended to create a visual indication of the extents of the travel lanes and that no parking was intended along the west side of the street. However, city staff are continuing to monitor vehicles parked on the west side of the street, sometimes even facing the flow of traffic. The overall narrowness of the street, combined with the unsafe conditions created when southbound traffic must enter the northbound lane to avoid parked vehicles on the west side of the street necessitates that the city must designate the street as a no parking zone.

The No Parking designation is recommended at this time to assist in discouraging unsafe parking and aiding in enforcement. Although the overall design of the street and seat walls clearly delineate areas intended for vehicular travel and parking, illegal parking is regularly occurring, and no parking signs are required in order to improve driver education and to issue citations.

Tie-In to Council Goals

The designation of this street as no parking ties into the council’s focus area for public safety.

Fiscal Information

There is no fiscal impact beyond the cost of sign installation.

Alternatives and Recommendation

Alternatives

The council may choose to:

- Adopt Resolution 2366
- Reject Resolution 2366

Recommended Action/Motion

Motion to adopt Resolution 2366

Submitted By:

Clinton Spencer, Planning Director

RESOLUTION NO. 2366**A RESOLUTION TO ESTABLISH A NO PARKING ZONE ON NE 2ND STREET**

WHEREAS, pursuant to HMC §70.03, the City Council for the City of Hermiston shall exercise all local traffic authority to regulate the parking and standing of vehicles; and

WHEREAS, the west frontage of NE 2nd Street between E Main Street and E Gladys Ave has seen ongoing issues with illegal parking of vehicles and equipment; and

WHEREAS, it has been requested by City staff that a “No Parking Zone” be established on the west side of NE 2nd Street to assist in abating ongoing nuisance parking.

NOW, THEREFORE, THE CITY OF HERMISTON RESOLVES AS FOLLOWS:

1. That it is expedient and necessary to establish “No Parking Zones” on the west side of NE 2nd Street between E Main Street and E Gladys Ave for vehicular traffic regulation in accordance with the provisions outlined in Section 70.03 of the Hermiston Municipal Code.
2. That this resolution is effective immediately upon its passage.


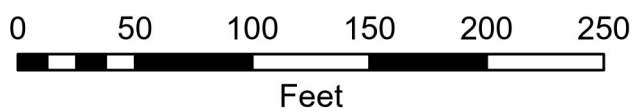
PASSED by the Common Council this 28th day of April 2025.

SIGNED by the Mayor this 28th day of April 2025.

Doug Primmer, MAYOR

ATTEST:

Lilly Alarcon-Strong, CMC, CITY RECORDER





Where Life is Sweet

Mayor and Members of the City Council
STAFF REPORT
 For the Meeting of April 28, 2025

Title/Subject

Resolution 2367- Taxi Transit Contract

Summary and Background

Resolution 2367 will approve a new 2-year contract with Hermiston Taxi, LLC to provide two subsidized transit programs; specifically the Senior & Disabled Taxi program, and the WORC program.

HISTORY

The City of Hermiston has subsidized taxi rides throughout city limits for seniors and residents with disabilities since the 1960's. In it's simplest terms, this program allows qualifying participants to use taxis for mobility throughout the community with the public subsidizing a portion of the cost. The cost-share has always been a combination of rider-paid fares supplemented by grant funding from the State of Oregon and the City of Hermiston's General Fund.

With the passage of HB2017 in 2017, the State of Oregon implemented a 0.1% payroll tax on all workers throughout the state in order to fund public transit; with 90% of that revenue guaranteed to go back to local transit agencies. In the absence of a local transit agency in our area, that revenue goes through Umatilla County in about \$1.1M per year (as of 2019). At the time, this new revenue source was expressly prohibited from simply back-filling existing transit services, which is why the City of Hermiston chose to stand-up a new program called the West-End On-Demand Ride Cooperative (WORC). The WORC is modeled entirely off of the same system of subsidizing taxi rides, but specifically for anyone in the general public to get to or from their place of employment (as verified by paystubs).

Hermiston Taxi, LLC has had the contract to provide the Senior/Disabled and WORC programs since 2015 and 2017 respectively. Simultaneously, the taxi company has operated the only public for-hire taxi service in the community. The City has therefore had a financial interest in protecting the financial solvency of the taxi company as it's only provider for the subsidized transit services that it provides. This has taken the form of protecting the local taxi industry from competition from new service models (i.e. online ride-sharing platforms).

Societal changes toward taxi ridership/usage have been taking place to the point that by 2024, it had become evident that the City, in protecting its financial interests with regard to cost containment of the transit services, was facing direct challenges with its public safety interests in ensuring broadly available commercial transportation options.

A high-level analysis of the situation shows that under the current system:

1. Requires the taxi company to operate during many hours of the day when there is very little general taxi demand (i.e. Midnight on a Tuesday).
2. Allows riders of the subsidized system to use a taxi any time that the taxi is required to operate.
3. Results in unnecessary costs and low service quality during certain times of the day.
4. Prevents ride-sharing platforms from offering private-sector capacity during certain times of the day.

As a result, it was determined that the time had come to de-couple the transit programs from the general taxi/ride-share issue. Therefore, in January, 2025, a Request for Proposals was issued to provide the subsidized transit services. Specifically, the RFP focused on cost-containment and service reliability of the transit service while remaining agnostic of any other impacts to general taxi business. The RFP requested respondents to outline the amount/level of service that they could provide for these programs at a cost not to exceed \$415,000 per year. This necessarily meant that the request explicitly allowed for cuts to service level (hours of operation) in order to guarantee the best level of service during the actual service hours at a cost which is acceptable to the City budget.

RFP

City staff reached out to, and received legitimate interest from:

Hermiston Taxi
 Uber
 Mid-Columbia Bus
 First Student
 Kayak Public Transit

Multiple other entities made inquiries, but did not progress beyond initial discussions. Finally full formal proposals were actually received from Hermiston Taxi, and Uber.

TRANSIT COMMITTEE REVIEW

The City Council's Transit Committee reviewed the submissions from Uber and Hermiston Taxi on March 27. The committee noted that there were significant benefits and drawbacks from both proposals. Ultimately, the committee agreed that it is most prudent to proceed with awarding the contract to Hermiston Taxi while opening up the general public taxi options to allow ride-sharing companies like Uber to begin operating in the community, with the understanding that the contract would be re-advertised again in the future, and by that point some of the drawbacks of both options would be more clearly apparent.

CHANGE IN SERVICE LEVEL

This contract, effective July 1, will appear as though it is a major reduction in service level for the Senior and Disabled taxi program; however, that appearance is likely to be more on paper

than actually impactful to a meaningful number of riders. This contract will reduce the service hours from 6am to 10pm seven days per week down to 7:30am to 7:30pm Monday through Friday.

It is important to note that the City conducted user surveys annually from 2016 through 2020, to attempt to understand user habits. Generally speaking, it was apparent that the vast majority of rides take place between 10am and 4pm, with over half of those rides going to/from Wal-Mart. Therefore, cuts to service hours after 7:30pm are likely to impact a relatively small number of riders.

SERVICE LEVEL MITIGATING FACTORS

It is important to understand that there are a number of alternatives which are available during the times which service hours are being reduced; many of which didn't realistically exist just a few years ago:

- Subsidized Taxi: The Taxi Company will still be operating the WORC program 7 days per week. Therefore, customers may still be able to receive a subsidized ride during those times, they will just have to understand that the WORC program will take priority, so wait times may be significantly longer.
- Un-Subsidized Taxi or Ride-Share: Assuming that changes to the Taxi Code are approved to allow for Ride-Shares, then customers will always have the option of calling a taxi, or ordering a ride-share; those would just be at market rate and not taxpayer subsidized.
- Grocery Delivery: There has been an extreme proliferation in grocery delivery services since the COVID-19 pandemic. Given that a majority of the Senior/Disabled taxi rides are to the grocery store, many current transit program riders may easily be able to transition to simply receiving groceries on the weekend or outside of program hours through a delivery service at a comparable out of pocket price to the subsidized taxi service. A basic test conducted by city staff showed that the delivery fee for groceries within city limits is very comparable to the \$6 round-trip out of pocket cost to the customer to take a taxi to get groceries.

It is worth noting that a single round-trip to Wal-Mart on the Senior/Disabled Taxi program currently costs the taxpayers \$19. Therefore, it is likely cost-effective to consider running some promotional programming to incentivize riders to use grocery delivery.

Tie-In to Council Goals

Transportation: Improve Mobility and Transportation

Fiscal Information

State Taxpayer Funding:	\$334,000
Rider Fares:	\$72,000
City General Fund:	\$9,000
Total Contract Cost:	\$415,000

Alternatives and Recommendation

Alternatives

1. Approve resolution 2367
2. Reject resolution 2367

Recommended Action/Motion

Motion to approve Resolution 2367

Submitted By:

Mark Morgan

CITY OF HERMISTON SUBSIDIZED TRANSPORTATION SERVICE

An agreement made this _____ day of _____, 2025 by and between the City of Hermiston, a Municipal Corporation of the State of Oregon, hereafter referred to as "CITY," and ___Hermiston Taxi, LLC, hereafter referred to as "CONTRACTOR."

SECTION 1: SERVICES

1.1 **SERVICES:** The following services shall be provided by the Contractor

- A. **Subsidized Public Transportation Program in the City of Hermiston:** Contractor shall provide transportation service as described in Exhibits A & B.
- B. **Service Hours:** Transportation services as identified in Exhibits A and B will be available-
 - a. WORC Program: 7 days per week. 5:30am to 10pm.
 - b. Senior/Disabled Program: Monday through Friday. 7:30am to 7:30pm.
 - c. At least one primary vehicle and driver will be available during service hours at all times. Contractor may provide Senior/Disabled rides outside of the minimum required times, provided that WORC rides are not disrupted.
- C. **Minimum Standards:** Service shall be provided as detailed in the adopted Transit Program Manual.
- D. **City Agrees to Pay for Service:** City shall pay contractor according to rates established in Exhibits A & B.
- E. **Program Fraud and False or Fraudulent Statements or Related Acts:** The Contractor certifies or affirms the truthfulness and accuracy of any statement it has made, it makes, it may make, or causes to be made, pertaining to this contract. In addition to other penalties that may be applicable, the Contractor further acknowledged that if it makes, or causes to be made, a false, fictitious, or fraudulent claim, statement, submission, or certification, the City of Hermiston reserves the right to withhold future payments proportionate to the claims and terminate this contract immediately.
- F. **Termination:**
 - a. Termination for Convenience (General Provision) the City may terminate this contract, in whole or in part, at any time by written notice to the Contractor when it is in the Government's best interest. The Contractor shall be paid its costs, including contract close-out costs, and profit on work performed up to

the time of termination. The Contractor shall promptly submit its termination claim to City to be paid the Contractor. If the Contractor has any property in its possession belonging to the City, the Contractor will account for the same, and dispose of it in the manner the City directs.

- b. Opportunity to Cure: (General Provision) the City, in its sole discretion may, in the case of a termination for breach or default, allow the Contractor [an appropriately short period of time] in which to cure the default. In such case, the notice of termination will state the time period in which cure is permitted and other appropriate conditions.

If Contractor fails to remedy to City's satisfaction the breach or default of any of the terms, covenants, or conditions of this Contract within [10 days] after receipt by Contractor of written notice from City setting forth the nature of said breach or default, City shall have the right to terminate the Contract without any further obligation to Contractor. Any such termination for default shall not in any way operate to preclude City from also pursuing all available remedies against Contractor and its sureties for said breach or default.

- c. Termination for Default: (Supplies and Service) If the Contractor fails to deliver supplies or to perform the services within the time specified in this contract or any extension or if the Contractor fails to comply with any other provisions of this contract, the City may terminate this contract for default. The City shall terminate by delivering to the Contractor a Notice of Termination specifying the nature of the default. The Contractor will only be paid the contract price for supplies delivered and accepted, or services performed in accordance with the manner of performance set forth in this contract.

1.2 COMPLIANCE: Contractor shall comply with the following service standards

- A. Efficiency: Subject to vehicle availability, Contractor is responsible for choosing the best combination of riders on each vehicle trip and the shortest distance/time combinations for each trip to maximize the efficiency of the service.
- B. In-Vehicle Time: Qualified users shall not spend more than 30 minutes in a vehicle per trip. Contractor shall provide a minimum of 95% of trips fewer than 30 minutes in duration each.
- C. Reservations For Demand Response Service: Contractor is responsible for providing an employee to answer and/or respond to requests for demand response services. The employee may also be a driver and it shall not be necessary for Contractor to employ more than one driver/reservation processor during contracted time periods; however, Contractor is responsible to hire a back-up driver to avoid a disruption in service. If driver/reservation processor is working with a cell phone system, or other

electronic devices, contractor shall ensure that said devices are not in use while driving, unless utilizing a “hands-free” device.

1.3 FARES AND OTHER PROGRAM REVENUES:

- A. The City Council shall establish and approve all fares for service and other program revenue. Contractor may not require additional payment from program riders.
- B. Contractor shall collect senior and disabled tickets for each one-way transit service. Contractor shall be responsible for management procedures that will insure an accurate accounting of program tickets, and the reporting of these to the City.
- C. Contractor shall be responsible for ensuring that WORC ride punch-cards are properly punched at the time that service is provided.
- D. Suspected passenger fraud and abuse of the ticket system shall be reported promptly.

1.4 RIDER ATTENDANTS: Contractor is not required to supply attendants, but must allow a rider to be accompanied by an attendant, if so requested.

1.5 SCHEDULING AND DISPATCH: Contractor will provide program intake scheduling and dispatch. Scheduling and service must be available from 6:00 a.m. to 10:00 p.m., Monday through Sunday. Dispatch service will be available during all operational hours.

1.6 DATA COLLECTION: All requests for service shall be documented by the Contractor

- A. Contractor shall maintain and provide on request monthly ridership logs showing number of riders differentiating senior and disabled ridership, origins and destinations, as well as scheduling and dispatch logs showing number of riders per trip, tickets collected, trip denials and the reasons for the denial, time of request, time scheduled, time of pickup, missed trips and no-show, mileage, and other data and information needed to comply with all laws, rules and regulations applicable to the funding for this contract.
- B. Contractor shall provide quarterly mileage reports on each vehicle and the data shall be presented and tracked in a way to separately show mileage for the programs provided through Exhibit A and B. The mileage reports may not include any other mileage which contractor may incur as part of other business activities.

1.7 PREVENTATIVE AND DAILY VEHICLE MAINTENANCE:

- A. Contractor shall provide the City with a preventative maintenance plan for approval of all contractor-owned vehicles provided for the City's service.
- B. Vehicles shall be clean at all times during service hours. Contractor shall be responsible for a minimum of weekly cleaning of the inside and outside of all vehicles.
- C. Contractor shall conduct daily pre-run vehicle inspections. Vehicles failing to meet the daily inspection shall not be used in service until the reason for failure is corrected. City reserves the right to require that vehicles are in safe operating condition.

1.8 DRIVER QUALIFICATIONS:

- A. Contractor shall ensure that all drivers meet the minimum qualifications for Taxi Drivers according to Hermiston Municipal Code Chapter 117.

1.9 STAFFING: Contractor shall supply a sufficient number of employees to perform all necessary tasks associated with the service. Contractor shall be responsible for training employees and making sure that all policies and procedures are understood.

1.10 DRIVER TRAINING: Contractor shall provide driver training in at least the following areas:

- A. Defensive driving including emergency situations.
- B. Passenger sensitivity and customer service.
- C. Basic knowledge of Americans with Disabilities Act responsibilities of drivers.
- D. Use of accessible equipment such as lifts, tie-downs, etc.
- E. All drivers must receive the following training and show proof of successful completion of a minimum of 20 hours cumulative training including: behind the wheel (defensive driving) training including classroom instruction; rider assistance training; drug and alcohol training; emergency procedure training.
- F. All costs associated with employee training shall be the responsibility of the Contractor. Contractor shall be responsible for ensuring that each driver is properly acquainted with the requirement of the services to be provided under this contract and his/her responsibilities as a driver.

- G. All driver training must be completed no more than 90 days after any given driver begins providing service under the Contract. Contractor shall provide a schedule for refresher training.
- 1.11 DRIVER HISTORY CHECKS: Contractor shall conduct, as a minimum, annual evaluations that will include updated driver history checks and provide copies to the City. The drivers' records shall be obtained from the Oregon Department of Motor Vehicles and reviewed by Contractor to ensure compliance with the following driving policies:
- A. No more than two moving violations for each year of the last three years prior to the application of this program (personal and commercial records inclusive);
 - B. If a driver license has ever been suspended, the driver must have three full subsequent years with no violations;
 - C. If a driver license has ever been revoked, the driver must have three subsequent years with no violations;
 - D. Contractor shall require that every driver must inform his or her supervisor of every conviction for a moving traffic violation immediately after such conviction. Failure to provide proper disclosure may be grounds for suspension or dismissal of driver.
- 1.12 COMPLAINTS, COMPLIMENTS AND OTHER COMMENTS: Contractor shall collect and provide to the City copies of any and all complaints and resolutions to complaints, compliments, comments and other information provided by riders and the general public regarding the City's Transportation system.
- 1.13 EMERGENCY EQUIPMENT: Contractor shall equip all vehicles with emergency equipment to be defined in consultation with the City. The minimum equipment includes a fire extinguisher, a flashlight, a seat belt cutter, and a blanket suitable to bear the weight of 200 lbs.
- 1.14 FUEL: Contractor will be responsible for all fuel used under the program.
- 1.15 MAINTENANCE AND REPAIRS: Contractor shall be responsible to pay for all vehicle maintenance and repairs.

- 1.16 INSPECTION: Contractor shall permit representatives from ODOT, and representatives from the City to inspect all vehicles, facilities, equipment, and all relevant data and records pertaining to the use of the equipment.
- 1.17 PLANNING, ADMINISTRATION, GRANT WRITING AND MARKETING: Contractor shall provide assistance with program planning, administration, grant writing, and marketing as established in Exhibit C.

SECTION 2: SPECIAL PROVISIONS

2.1 INSURANCE:

- A. General Indemnity; Reimbursement for Damages: Contractor must agree to indemnify, and hold harmless the City from and against, and reimburse the City for any and all actual or alleged claims, damages, expenses, costs, fees, fines and/or penalties which may be imposed upon or claimed against or incurred by the City which, in whole or in part, directly or indirectly, arise from or are in any way connected with any of the following, unless exclusively resulting from the City's gross negligence or willful misconduct: (i) any act, omission or negligence of Contractor; (ii) any breach, violation or nonperformance of any of Contractor's obligations under this Contract; (iii) any damage caused by Contractor; or (iv) physical and/or mental abuse (including but not limited to sexual abuse), corporal punishment, molestation (including but not limited to sexual molestation), discrimination of any kind, and/or harassment (including but not limited to sexual harassment). For purposes of this Section "Contractor" shall be deemed to include Contractor and Contractor's subcontractors and licensees, and all of their respective partners, officers, directors, agents, employees, invitees, contractors, successors and assigns.
- B. Insurance Requirements: Contractor must list the City as an additional insured on all policies and must be able to provide the City with Insurance Certificates; any Notices of cancellation on or before the Effective Date and thereafter during the Contract Term, Contractor shall provide the City with current certificates of insurance, executed by a duly authorized representative of each insurer, as evidence of all insurance policies required under this subsection.
- C. General Liability Insurance: At all times during this Contract, Contractor shall provide and maintain comprehensive general liability insurance coverage that is acceptable to the City for the term of the Contract in the amount equal the limits on liability of local public

bodies for personal injury and death as established by the Oregon Tort Claims Act (ORS 30.272). "Claims made" coverage will not be acceptable.

- D. Business Automobile Insurance: Contractor must be able to obtain and maintain a business automobile policy or policies listing the City as additional insured, the value of which shall continually equal the limits on liability of local public bodies for personal injury and death as established by the Oregon Tort Claims Act (ORS 30.272).
- E. Workers' Compensation Insurance: Contractor must have or be able to obtain workers' compensation insurance for all employees in accordance with all requirements of Oregon law. Contractor shall also maintain employer's liability coverage in an amount that is acceptable to the City. Required limits are \$500,000/\$500,000/\$500,000.
- F. Accident Records and Reports: Contractor must be able to provide the City with loss/accident information for all general liability and automobile claims in a form acceptable to the City. Contractor must report all accidents as soon as possible to the City.

SECTION 3: ADDITION: In addition, Contractor agrees to comply with the following requirements:

- 3.1 ACCESS AND RETENTION OF RECORDS. Contractor will allow access by the State, City or any of their duly authorized representatives, to any books, documents, papers and records of Contractor which are directly pertinent to this agreement for the purpose of making audit, examination, excerpts and transcriptions. Contractor shall retain all information and records required by the regulations or directives issued pursuant thereto for three years after the City makes final payments and all other pending matters are closed. Where any information is required of Contractor is the exclusive possession of another who fails or refuses to furnish this information, Contractor shall so certify to the City or to the FTA as appropriate, and shall set forth what efforts it has made to obtain the information.
- 3.2 SANCTIONS FOR NONCOMPLIANCE. In the event of Contractor's noncompliance with the provisions of this contract, City shall impose such contract sanctions as it may determine to be appropriate, including, but not limited to:
 - a. Withholding of payments to Contractor under the contract until Contractor complies, and/or

b. Cancellation, termination or suspension of the contract, in whole or in part.

3.3 SUBLEASE. Contractor shall not assign, transfer, sublet or lease any of its rights or obligations under this agreement without prior written consent of the City.

SECTION 4: TRANSPORTATION TICKET AND PUNCH-CARD DEFINED

A valid ticket, or punch-card, shall be one issued by the City.

SECTION 5: ARRANGEMENT

This agreement constitutes the entire arrangement between the parties and may not be amended, modified or changed in any manner except in writing signed by both parties. Failure or forbearance by either party to exercise any right or privilege under the contract, or any waiver of any breach of any such terms, rights, or privileges which shall continue and remain in full force and affect the same as if no such forbearance or waiver had occurred. No waiver of any breach of any term or condition of this lease shall be construed to be a waiver of any proceeding or succeeding breach of the same or any other term or condition.

SECTION 6: TERM

This agreement shall be in effect from July 1, 2025 through June 30, 2027 and until changed or terminated as hereinafter provided. Contract may be opened only to negotiate charge per trip inside the incorporated city boundaries.

SECTION 7: RIGHTS

Both the City and Contractor have the right to cancel this agreement for cause and convenience at any time upon a 60-day written notification to the other party.

SECTION 8: INTERPRETATION

This agreement shall be interpreted and construed in accordance with the laws of the State of Oregon. In the event any provision contained herein may be in conflict with any statute, ordinance, or regulation thereof, then such provision shall be deemed null and void, but without invalidating any remaining provisions hereof.

In Witness Whereof, the parties hereto have executed this Agreement this _____ day of _____, 2025

CITY OF HERMISTON

Hermiston Taxi, LLC

Byron Smith
City Manager

Sundi Marquez
Managing Member

State of Oregon
County of Umatilla
Date _____

Signed or attested before me on this date by _____.

Notary Public for Oregon
My Commission Expires: _____

State of Oregon
County of Umatilla
Date _____

Signed or attested before me on this date by _____.

Notary Public for Oregon
My Commission Expires: _____

EXHIBIT A (WORC Program)

1. West-End On-Demand Ride Cooperative (WORC) Program

The WORC program provides rides to and from a rider's place of employment to another destination within one of four pre-defined areas.

2. Rider Employment Eligibility

Riders shall provide proof of employment, and location of work location, to City to become eligible for the WORC program. All rides for that rider shall begin or end at that work location and shall remain wholly within the service area of the punch-card purchased by the rider.

3. Service Areas

Punch-cards shall be color-coded to correspond to the following areas:

- a. "Hermiston City to Work"- Within the City Limits of the City of Hermiston
- b. "Zip Taxi 97838"- Within the geographic area of the 97838 Zip Code
- c. "Hermiston Plus Taxi"-Within the geographic area of either the 97882 (Umatilla) zip code or 97875 (Stanfield) zip code, provided that the trip either begins or ends within the City Limits of the City of Hermiston.
- d. "West End"- Within the geographic area of the 97838, 97882, and 97875 zip codes.

4. Rider Payment

City shall collect all payment from riders for the WORC program, and in exchange issue an approved punch-card associated with the service area purchased. Punch cards shall be equal to 10 one-way rides within the service area and include 10 areas for contractor to punch-out as service is provided.

5. Fare Payment

Contractor shall honor all approved punch-cards, and provide one-way service within that service area. Contractor shall accept as payment from the rider the ability to punch-out one ride from an approved punch-card.

6. Service Minimum Standards

Contractor shall adhere to all minimum standards and service hours as specified in the adopted WORC Program Service Manual.

7. Compensation

City shall compensate Contractor monthly for the amount of punch-cards purchased in the previous month. Contractor shall receive

- \$125 per punch-card: "Hermiston City to Work"
- \$175 per punch-card: "Zip Taxi 97838"
- \$225 per punch-card: "Hermiston Plus Taxi"
- \$300 per punch-card: "West End"

Exhibit B (Senior/Disabled Program)

1. Senior & Disabled Taxi Ticket Program

The Senior & Disabled Taxi Ticket Program provides rides within the City Limits of Hermiston to qualified senior and disabled residents.

2. Rider Eligibility

Riders shall provide proof of eligibility, through age or disability status, to City to become eligible for the Senior & Disabled Taxi Ticket Program.

3. Service Areas

The Senior & Disabled Taxi program rides shall be limited to within the City Limits of the Hermiston.

4. Rider Payment

City shall collect payment from all riders in exchange for one ticket. City shall retain the right to revise fees per ticket.

5. Fare Payment

Contractor shall honor all approved tickets issued by City. Contractor shall accept an approved ticket as payment from the rider.

6. Contractor Payment

Contractor shall submit all tickets within their possession to City at the end of each month. City shall verify the number of tickets submitted and pay contractor \$12.50 per ticket, plus a flat \$5,000 per month baseline payment related to the Senior Program.

7. Service Minimum Standards

Contractor shall adhere to all minimum standards and service hours as specified in the adopted Senior & Disable Taxi Ticket Program Service Manual.

DRAFT

RESOLUTION NO. 2367**A RESOLUTION AWARDDING A CONTRACT FOR SUBSIDIZED TRANSPORTATION SERVICES PROGRAM AND AUTHORIZING THE CITY MANAGER TO SIGN THE CONTRACT ON BEHALF OF THE CITY**

WHEREAS, the City of Hermiston (“City”) has subsidized taxi rides throughout city limits for seniors and residents with disabilities since the 1960’s; and

WHEREAS, the City also provides transportation services for the West-End On-demand Ride Cooperative (“WORC”); and

WHEREAS, the City desires to enter into a contract with a transportation service provider to provide transportation services for both the Senior/Disabled and the WORC programs: and

WHEREAS, a Request for Proposals was published, and proposals were received from the Hermiston Taxi, LLC and Uber, and after review the City Council’s Transit Committee recommends awarding the contract to Hermiston Taxi, LLC ; and

WHEREAS, the City has funds available for this project.

NOW, THEREFORE, THE CITY OF HERMISTON RESOLVES AS FOLLOWS:

1. That the contract for the City of Hermiston Subsidized Transportation Services program is awarded to Hermiston Taxi, LLC.
2. That the City Manager be, and is, hereby authorized to execute and deliver a contract for Subsidized Transportation Services to Hermiston Taxi, LLC with such changes, additions, deletions, and modifications as the City Manager may approve.
3. That this resolution is effective immediately upon its passage.

PASSED by the Common Council this 28th day of April 2025.

SIGNED by the Mayor this 28th day of April 2025.

Doug Primmer, MAYOR

ATTEST:

Lilly Alarcon-Strong, CMC, CITY RECORDER



Where Life is Sweet

Mayor and Members of the City Council
STAFF REPORT
 For the Meeting of April 28, 2025

Title/Subject

Resolution No. 2368 – Agape House – Community Development Block Grant (CDBG) Professional Services Agreement Award.

Summary and Background

CDBG requires that professional services like architects and engineering services are required to go through a selection process. The City's selection process went as outlined below:

- Request for Proposals (RFP) released on February 24, 2025
- Voluntary Site Visit on March 17, 2025 at Agape House
- Responses Due April 4, 2025
- Review Committee met to complete scoring – April 22, 2025
- Selection recommendation to city council – April 28, 2025

The review committee for the submitted proposals was made up of the following individuals:

- Byron Smith, City of Hermiston
- Nate Rivera, City of Hermiston
- Mark Gomolski, Eastern Oregon Mission/Agape House
- Brian Misner, Eastern Oregon Mission/Agape House

The City received responses to the RFP from the following five firms:

- Design West Architects
- KDA Architecture
- Jackola Engineering and Architecture
- Cole Architects
- Columbia Engineering Group

The City was pleased to have this level of interest in the project and to have five firms submit proposals.

The review committee recommends Columbia Engineering Group to do this project. This firm has experience with similar projects and has previously done work in our region.

Tie-In to Council Goals

From the 2040 Vision Values

PARTNERSHIPS: We collaborate with community organizations to leverage expertise and resources to best serve the public.

Fiscal Information

This selection process is one where price is not a factor. It is a qualifications-based selection. All costs of the Agape House project are being paid for from an awarded CDBG grant.

Alternatives and Recommendation**Alternatives**

1. Accept the review committee's recommendation and award the contract to Columbia Engineering Group.
2. Re-Advertise.

Recommended Action/Motion

Motion to award the professional services agreement for the CDBG Agape House project to Columbia Engineering Group.

Submitted By:

Byron D. Smith

RESOLUTION NO. 2368

**A RESOLUTION AWARDING A CONTRACT FOR DESIGN AND ENGINEERING SERVICES
AND AUTHORIZING THE CITY MANAGER TO SIGN ALL NECESSARY DOCUMENTS ON
BEHALF OF THE CITY**

WHEREAS, the City of Hermiston ("City") has been awarded a grant from the Community Development Block Grant Program ("CDBG") for the Agape House Storage Project; and

WHEREAS, the CDBG program funding is provided for the City to design and construct the project in collaboration with the Eastern Oregon Mission; and

WHEREAS, the City requires design and engineering services to complete the project; and

WHEREAS, a request for proposals was advertised with five proposals being received. Columbia Engineering Group of Vancouver, Washington was selected as the contractor for this project.

NOW, THEREFORE, THE CITY OF HERMISTON RESOLVES AS FOLLOWS:

1. That Columbia Engineering Group is awarded the contract to provide design and engineering services to complete the Agape House Storage project.
2. That the City Manager be, and is, hereby authorized to execute and deliver the contract to Columbia Engineering Group with such changes, additions, deletions, and modifications as the City Manager may approve.
3. That this resolution is effective immediately upon its passage.

PASSED by the Common Council this 28th day of April 2025.

SIGNED by the Mayor this 28th day of April 2025.

Doug Primmer, MAYOR

ATTEST:

Lilly Alarcon-Strong, CMC, CITY RECORDER



Where Life is Sweet

Mayor and Members of the City Council
STAFF REPORT
For the Meeting of April 28, 2025

Title/Subject

Ordinance 2370- Regulating Vehicles for Hire within the City

Summary and Background

BACKGROUND

The City of Hermiston has a public safety interest in regulating the “vehicle for hire” industry, which has historically pertained mainly to taxis. Public interests in regulating the industry included ensuring the safety of passengers who are in a vulnerable/trusting position by receiving transportation from a driver, but also in ensuring a stable and solvent business environment for transportation operators such that the public is reasonably assured that transportation options will be available during reasonable times.

Historically, regulations on the industry took the form of granting an exclusive franchise to operate a taxicab business, which protected legitimate operators from being undermined by ‘poaching’ of rides during the most lucrative times of day, and ensuring taxi service availability during periods of low demand.

Although the technology which facilitates online ‘ride-sharing’ companies has existed for some time, it was unclear whether, in a market as small as Hermiston, opening the vehicle for hire industry to this option would be capable of sustaining reliable and affordable service throughout all times of the day and week. The ride-sharing ecosystem, like all industries, operates off of supply and demand, which means that to be successful, the system needs riders, but also drivers who are willing and able to provide rides during both the slow and peak times of day.

The COVID-19 pandemic accelerated adoption of various online services, such as food and grocery delivery in the Hermiston area. This trained a significant number of users (demand) with using online delivery services, but more importantly attracted a significant number of drivers (supply) willing and able to leverage their private vehicles and to go through the necessary requirements in order to provide these types of services. Therefore, it is staff’s opinion that the local community has reached a point where making this transition is feasible.

ORDINANCE 2370

This ordinance is modeled off of many similar vehicle-for-hire ordinances from around the state of Oregon. One of the benefits of making this shift now is that there appears to be a fairly clear and consistent 'template' which is being utilized by communities our size across the state. Some of the highlights:

- TNC's: The ordinance regulates all TNC's the same, which means that this would provide a consistent framework for any online ridesharing company which wishes to do business in Hermiston to do so.
- Background Checks: The ordinance outlines various background requirements for drivers to protect the public, and it then makes conducting those background checks a requirement for the transportation companies for them to be in compliance as a qualified "Transportation Network Company" (TNC). Disqualifying standards for drivers include:
 - o Being on a sex offender registry
 - o Felony Conviction within the previous 7 years
 - o Conviction within the previous 7 years for:
 - DUII
 - Crimes involving physical harm, or attempted physical harm
- Licensing: The ordinance requires obtaining a license through the City of Hermiston for both individual drivers as well as the TNC's. Copies of example licensing applications from the City of Pendleton, which is one of the cities whose code largely follows the same template as Ordinance 2370, are included in the packet. Pending approval of this ordinance, City of Hermiston forms will be developed.
- Fees/Charges: Ordinance 2370 does not establish a dollar amount for fees or charges, but references that fees will be established by resolution. If the ordinance is approved, then fees and charges will be brought forward as part of a future fee resolution. It is recommended that the fee/charge process follows a similar process as in Pendleton, which requires:
 - o \$50 per year per driver application fee (paid by the driver)
 - o \$1,000 per year per TNC application fee (paid by the TNC)
 - o Normal City of Hermiston Business License (paid by the driver)
 - \$100 per year

Tie-In to Council Goals

Transportation: Improve Mobility and Transportation

Fiscal Information

It is recommended that the fee structure be set up purely as a cost-recapture format as outlined above. Upon market stabilization, it is anticipated that this will generate somewhere in the range of \$5,000 to \$7,000 per year in revenue to offset the costs of administering the program. That would assume two TNC's and somewhere between 20 to 30 drivers.

Alternatives and Recommendation

Alternatives

1. Approve Ordinance 2370
2. Reject Ordinance 2370

Recommended Action/Motion

Motion to approve Ordinance 2370

Submitted By:

Mark Morgan

ORDINANCE NO. 2370

AN ORDINANCE REGULATING VEHICLES FOR HIRE WITHIN THE CITY; REPEALING ORDINANCE NO. 2230

Whereas, it is in the public interest to provide for and promote the safety and welfare of the general public and to allow fair competition by regulating vehicles for hire within the City of Hermiston, as authorized by ORS 221.485 and 221.495. Nothing contained in this chapter is intended or shall be construed to create any liability on the part of the City or its employees for any injury or damage related to any provisions of this chapter, or by reason or in consequence of any act or omission in connection with the implementation or enforcement of this chapter on the part of the City or its employees; and

Whereas, under the authority of ORS 221.495, the City of Hermiston hereby regulates transportation services to best provide for the safety, welfare and accessibility of transportation services which are vital to the general public: and

Whereas, the regulation of transportation providers, with various hours and requirements for various providers, are intended to provide opportunity for providers while meeting the overall transportation needs of the public. Now therefore:

THE CITY OF HERMISTON ORDAINS AS FOLLOWS:

SECTION 1. Ordinance No. 2230, enacted as Hermiston Municipal Code Chapter 117, TAXICABS, is hereby repealed.

SECTION 2. Hermiston Municipal Code Chapter 117, RIDESHARE AND TAXICAB SERVICES, is hereby enacted as fully set out as follows:

Chapter 117: Rideshare and Taxicab Services

117.01 PURPOSE. The purpose of this chapter is to provide for and promote the safety and welfare of the general public by regulating rideshare and taxicab services within the City of Hermiston, as authorized by ORS 221.485 and ORS 221.495. Nothing contained in this chapter is intended or shall be construed to create any liability on the part of the City or its employees for any injury or damage related to any provisions of this chapter, or by reason or in consequence of any act or omission in connection with the implementation or enforcement of this chapter on the part of the City or its employees.

117.02 DEFINITIONS. As used in this ordinance, the following words, except where the context clearly indicates otherwise, mean:

- A. Digital dispatch system.** An internet-based software application, website, platform, or interface that allows for the solicitation, arrangement, or provision of vehicle for hire services and the display of rates, calculation of fares, or acceptance of payment for vehicle for hire services.

- B. Limousine.** Any luxury motor vehicle for hire whose chassis and wheelbase have been lengthened beyond the original manufacturer's specifications, whether at the time of production or after.
- C. Limousine Company.** Any person operating one or more limousines for hire, other than as a driver, regardless of the legal form of the entity and regardless of whether the limousines so operated are owned by the company, leased, or owned by individual members of an entity.
- D. Person.** Any natural person, firm, corporation, partnership, or association.
- E. Street.** As used herein, every road, highway, thoroughfare, alley, and place, including bridges, viaducts, and other structures within the boundaries of this City, used or intended for use of the general public for vehicles, except the terms do not include any road or thoroughfare or property in private ownership.
- F. Taxi.** A motor vehicle for hire, other than a limousine or transportation network vehicle.
- G. Taxi Company.** Any person operating one or more vehicles for hire, other than as a Driver, regardless of the legal form of the entity and regardless of whether the taxis so operated are owned by the company, leased, or owned by individual members of an entity. Taxi Companies do not include Transportation Network Companies.
- H. Transportation Network.** One or more Drivers working as independent contractors and utilizing a digital dispatch system and using personal motor vehicles in the provision of transportation services.
- I. Transportation Network Company ("TNC").** A person that operates or facilitates a transportation network.
- J. Transportation Network Vehicle.** A personal motor vehicle which is used as a vehicle for hire and is part of a transportation network.
- K. Vehicle for Hire.** A motor vehicle used for the ground transportation of passengers for compensation within the City, including taxis, limousines and transportation network vehicles. The following vehicles shall not be considered vehicles for hire for the purposes of this ordinance, and are forbidden from operating as a taxi, limousine, or transportation network vehicle:
 - a. Ambulances equipped and staffed so as to be capable of providing emergency medical services in conjunction with passenger transportation;
 - b. Courtesy vehicles used by a hotel, motel, car rental company, residential home, parking facility, or other business to transport that business' clients when transportation is secondary to the business' primary purpose and the transportation is free or contained in the general overhead of the business;
 - c. Non-motorized vehicles such as horse-drawn vehicles;
 - d. Delivery vehicles used for delivering property exclusive of passenger transportation;
 - e. Shuttle vehicles and buses used for providing passenger transportation over a fixed route and time schedule or under a contract with City for bus services;

- f. Volunteer-driven vehicles and vehicles operated by a driver who is reimbursed for basic mileage expenses and who does not receive wages, salary, or other compensation;
 - g. Vehicles operated by or for public entities;
 - h. Busses operated by volunteers or leisure travel commercial companies;
 - i. State and local government subsidized transit provider vehicles.
- L. Vehicle for Hire Agency.** A business or individual natural person engaged in furnishing or providing one or more vehicles for hire, including taxis, limousines, and transportation network companies, through a digital dispatch system or by any other means, regardless of whether such business has employees or delivers its services through independent contractors.
- M. Vehicle for Hire Driver.** Any individual person who operates a vehicle for hire within the City.

117.03 LICENSE, APPLICATION AND FEES. A Transportation Vehicle for Hire license is required for the provision of vehicle for hire taxi companies and transportation network companies within the City of Hermiston.

- A. The City may issue an annual license to a Taxi Company and TNC if the company certifies on a form acceptable to the City that it is in compliance with all requirements of this chapter, including but not limited to driver and insurance requirements, operating standards, certification of acceptable background checks of all drivers and any other requirements of the code or the City, and meets all applicable standards and requirements.
- B. The license issued under this chapter is valid for a period beginning February 1 and ending the following January 31. Any renewal must be approved by the City prior to the expiration date in order for the Vehicle for Hire Agency to continue providing vehicle for hire services within the City.
- C. The application fee shall be based on the number of drivers for the Taxi Company and TNC at the time of the application, and shall be intended to account for the City's costs in administering the requirements of this chapter. The fee amounts shall be set by City Council resolution as part of the City's fee schedule. The application will include certification that all vehicle for hire drivers are qualified under the standards set forth in Section 4.
- D. The application fee shall be paid to the City at the time of submitting both initial and renewal license applications.
- E. All Vehicle for Hire Agencies must comply with the City's business license requirements of HMC 119.

117.04 VEHICLE FOR HIRE DRIVER REQUIREMENTS.

- A. All vehicle for hire drivers shall be at least 21 years of age and shall possess a valid driver's license, proof of motor vehicle registration, and proof of current automobile liability insurance that meets the requirements of this chapter and state law.

- B. Every Vehicle for Hire Agency shall maintain accurate, current records for all drivers employed by, contracting with, or otherwise affiliated with the company, including all drivers accessing the company's digital network to operate in the City. The records shall include the driver's name, date of birth, address, social security number, criminal background check results, driver's license information, motor vehicle registration, and automobile insurance. Those agencies shall provide a person in compliance with this Section written notice of compliance, who shall then submit the notice to the City as part of the business license application required by HMC 119.
- C. Prior to permitting a person to operate as a driver, and annually thereafter, the Vehicle for Hire Agency shall conduct, or have a qualified third-party conduct, a criminal background check for each employee or operator. The criminal background check shall include a search of no less than seven years of criminal database history, unless prohibited by law, in which case the duration of the search shall be the maximum number of years permitted by law. The criminal background check shall include local, state, and national criminal history databases and all accessible sex offender registries. Any person who is on a sex offender registry or has a record of a felony conviction within the previous seven years may not act as a driver. A record of a conviction of any of the following within the previous seven years will also disqualify a person from acting as a driver: crimes involving driving under the influence of alcohol or controlled substances, sexual offenses, or crimes involving physical harm or attempted physical harm to a person. The agency shall maintain records of criminal background checks for a period of at least two years. For purposes of this section, the term "conviction" includes convictions, bail forfeitures, and other final adverse findings.
- D. Every Vehicle for Hire Agency shall certify in its application or renewal of license to the City that an annual background check has been conducted and the status of each operator. The agency must revoke a driver's authority to operate as a driver for their company and inform the City if it finds at any time that the standards set forth in this section are no longer being met by the driver. The company shall only reinstate a driver upon a finding by the company that all standards are again being met by the driver.
- E. Notwithstanding the standards of this section, upon application by a Vehicle for Hire Agency, the Hermiston Chief of Police has authority to allow a person to act as an operator or driver if the Chief determines public safety would not be compromised.
- F. All Transportation Network Drivers must have a current City Business license as required by HMC 119.

117.05 INSURANCE REQUIREMENTS.

- A. For all required insurance, every Vehicle for Hire Agency shall provide certificates of insurance naming the City, its officers, agents, and employees as additional insured parties and give at least 30 calendar days' notice to the City before a policy is canceled, expires, or has any reduction in coverage.

- B.** Insurance requirements of this section shall be satisfied by insurance issued by a licensed insurer or an eligible surplus lines insurer in the State of Oregon.
- C.** The insurance limits for both TNCs and Taxi Companies are subject to statutory changes as to maximum limits of liability imposed on municipalities of the State of Oregon during the permit's term, other statutory changes, or other changes deemed necessary by the City.
- D.** The adequacy of insurance coverage is subject to the review and approval of the City.
- E.** Every Vehicle for Hire Agency shall maintain continuous, uninterrupted coverage for the duration of the license and any operations in the City. Any lapse in insurance coverage, even if it is later backdated by the insurance company, is a violation of this chapter.
- F.** Every Vehicle for Hire Agency shall secure and maintain commercial general liability insurance with limits of not less than \$1,000,000 per occurrence and \$2,000,000 aggregate for claims arising out of, but not limited to, bodily injury and property damage incurred in the course of operating in the City.
- G.** Limousine Companies operating any motor vehicles shall secure and maintain commercial automobile liability insurance covering those vehicles, with a combined single limit of not less than \$1,000,000 per occurrence for claims arising out of, but not limited to, bodily injury and property damage incurred in the course of operating in the City.
- H.** TNC Service Periods Defined.
 - a. Period 1: The TNC driver has logged into the app or is otherwise connected to the TNC's digital network, but has not yet accepted a request for a ride from a passenger. For example, the app is open and the driver is waiting for a match.
 - b. Period 2: A passenger match has been accepted, but the passenger is not yet picked up (for example, the driver is on the way to pick up the passenger).
 - c. Period 3: The passenger is in the vehicle.
- I.** Upon City request or as part of an application, TNCs shall provide proof of current, valid insurance for City approval covering all affiliated TNC drivers and vehicles for hire operating for such company and satisfying the minimum requirements of Periods 1, 2, and 3.
- J.** All TNCs shall maintain and provide the City with proof of the following automobile liability coverages:
 - a. Primary insurance coverage during Period 1 with minimum liability limits of \$50,000 per person for death and injury, \$100,000 per incident for death and injury, and \$25,000 for property damage, plus any other state compulsory coverage.
 - b. Primary insurance coverage during Periods 2 and 3 with minimum liability limits of \$1,000,000 in combined single limit coverage for death, personal injury and property damage per incident; and \$1,000,000 in combined single limit

under/uninsured motorist coverage for death, personal injury and property damage per incident.

- c. The required automobile liability insurance shall specifically recognize the driver's provision of TNC and vehicle for hire services and shall comply with the laws of the State of Oregon and/or other applicable governing bodies.

K. TNC drivers shall be responsible for maintaining all personal automobile liability insurance required by State law.

117.06 OPERATIONAL REQUIREMENTS.

- A.** TNCs shall maintain records of all trips made by all drivers for at least one year from the date of the trip. The data may be aggregated and/or anonymized, and shall include the locations by ZIP code of trip origination and destination, vehicle miles traveled, trip origination and completion times, trip duration, and passenger wait times from a driver's acceptance of a request to passenger pick-up. The City may require the TNC to enter a data sharing agreement in order to receive a license.
- B.** All vehicles operating for or affiliated with a TNC or Taxi Company shall be clearly marked with the company name or logo. Vehicles operated for TNC services shall be marked with a customary "trade dress" type of identification, such as a sticker or placard. The TNC's software application or website shall display for the passenger the make, model, and license plate number of the TNC vehicle.
- C.** Drivers operating a transportation network vehicle may not accept street hails and may only accept rides arranged through a TNC's digital network.
- D.** Vehicle for Hire Agencies shall implement and maintain at all times a zero-tolerance policy on the use of drugs or alcohol applicable to all drivers employed by or affiliated with the company while providing vehicle for hire services. Companies shall provide notice of the zero-tolerance policy on their website and/or have it clearly displayed in each vehicle. The notice must include contact information to report a complaint about a driver for possible violation of policy. A company shall immediately suspend a driver upon receipt of a passenger complaint alleging a violation of the zero-tolerance policy, for at least the duration of the investigation of the complaint. An agency shall notify the City within 48 hours of receiving any complaint which is criminal in nature against an affiliated driver.
- E.** Drivers shall not operate a vehicle for hire for more than 12 continuous hours in any given 24 period.
- F.** Vehicles for Hire may charge fares based upon minimum fee per call, mileage, additional passengers, waiting time, additional stops, and delivery charges.

117.07 REASONABLE ACCOMMODATIONS.

- A.** Vehicle for Hire Agencies must provide reasonable accommodations to passengers with disabilities, including passengers accompanied by a service animal, passengers with

hearing and visual impairments, and passengers with mobility devices, and must comply with all applicable requirements of the Americans with Disabilities Act.

- B.** Vehicle for Hire Agencies and the drivers shall provide services in a manner that ensures the equal protection, treatment and representation of all persons and shall not discriminate against any person for any reason, including but not limited to, age, citizenship status, color, familiar status, gender identity or expression, marital status, mental disability, nation origin, physical disability, race, religion, sex, sexual orientation, and source or level of income.

117.08 AUDIT OF RECORDS. The City may audit the records of any Vehicle for Hire Agency no more than once per calendar year to review compliance with this chapter. An audit shall occur at a time and location designated by the City. In addition to an audit, the City may require a company to produce records related to an investigation of a specific allegation of a violation of this Code or other applicable law, or to evaluate a complaint. Production of records for an investigation or to evaluate a complaint does not count toward the once-per-year auditing limit.

117.09 REVOCATION AND SUSPENSION. In addition to any other enforcement options provided by the code, the City may suspend, revoke, or refuse to issue a license if the Vehicle for Hire Agency or its agent has violated or not met any of the provisions of this Code. A violation includes any failure to meet or maintain any of the requirements or qualifications set forth in this Code, including the procedures and requirements for obtaining and maintaining a license, as well as the making of any materially false statement or representation. The decision to suspend, revoke or refuse to issue a license may be appealed to the City Council, which will conduct a hearing where the company and the City may present evidence and argument. The company shall have the burden of proving it has complied with all requirements of this Code necessary to obtain or maintain the license. The decision of the City Council on the appeal shall be the final decision of the City.

117.10 ENFORCEMENT. The City has the administrative authority to implement and enforce this chapter, including adoption of rules, regulations, policies and impose operating conditions in licenses issued. This provision shall not be construed to abrogate or limit the jurisdiction or authority of the Hermiston Police Department or any law and code enforcement agency.

117.11 EFFECTIVE DATE. Anyone with a Taxicab Company certificate or taxicab driver permit under previous Chapter 117, Taxicabs, valid as of the effective date of the ordinance repealing the previous chapter and creating this chapter, may continue operating under the standards and conditions in place prior to the effective date of this ordinance and is exempt from Chapter 117, Rideshare and Taxicab Services, until February 1, 2026, unless the certificate or permit holder wishes to apply under the new chapter at an earlier date. All existing taxicab company certificates and taxicab driver permits issue prior to the effective date of the ordinance creating this section will expire automatically on January 31, 2026.

117.11 VIOLATION.

- A.** A violation of any provision of this Ordinance shall be punishable by fine not to exceed Five Hundred (\$500.00) Dollars.
- B.** Separate Violations. A separate offense is committed each day that a violation of this Ordinance is permitted or permitted to continue.
- C.** Individual and Corporate Enforcement. An individual person or other legal entity may act in violation of this ordinance. In the event that the party acting in violation of this ordinance is an entity, the entity shall be subject to fine or revocation of license. In such case where an entity is the offending party, a citation may be served upon the entity by serving an officer of the entity, or a person acting on behalf of or for the benefit of the entity at the time the citation is issued. A representative of the entity shall appear in court at the time indicated on the citation. The entity shall be named as the defendant on the citation. In the event that a representative fails to appear as required by the citation the city attorney may seek appropriate remedies for the failure to appear against the officers of the entity as allowed by law. For the application of this section, the term "entity" shall also include partnerships, limited liability companies or partnerships, associations, sole proprietorships and other similar forms of business entities.

SECTION 3. Ordinance No. 2230, enacted as Hermiston Municipal Code Chapter 117, TAXICABS, which is repealed by this ordinance, shall remain in force and full effect until the effective date of this ordinance. All other provisions of the Hermiston Municipal Code remain unchanged and in full effect.

SECTION 4. The City Recorder is hereby authorized to correct any scrivener's errors and to conform the revisions to the Hermiston Municipal Code with appropriate numbering.

SECTION 5. This ordinance shall take effect on the 30th day after its adoption.

ADOPTED by the Common Council this 28th day of April 2025.

SIGNED by the Mayor this 28th day of April 2025.

Doug Primmer, Mayor

ATTEST:

Lilly Alarcon-Strong, CMC City Recorder



DRIVER

CITY OF PENDLETON
Transportation Director
500 SW Dorion Ave
Pendleton OR 97801
541-966-0207
Fax: 541-966-0352

DRIVER APPLICATION/RENEWAL TNC/TAXI/LIMOUSINE

TNC/TAXI/LIMOUSINE DRIVER APPLICATION/ANNUAL RENEWAL FEE \$50.00 (non-refundable)
License period is February 1 of each year to January 31 of the following year

APPLICANT INFORMATION:

Full Legal Name: _____

Physical Address: _____

Mailing Address (if different): _____

Phone Number: _____ Email: _____

TNC/Taxi/Limousine Companies Driving for: _____

TNC/Taxi/Limousine Company Contact and Phone Number: _____

REQUIRED MATERIALS:

- ☐ Copy of Valid Driver's License
- ☐ Copy of Motor Vehicle Registration (TNC Drivers Only)
- ☐ Copy of Automobile Insurance (TNC Drivers Only)
- ☐ Copy of Eligibility to Drive for TNC (TNC Drivers Only)
- ☐ City of Pendleton Business License No. _____

I certify I have read and examined this application and know the same to be true and correct. I certify that I have knowledge of the provisions of City of Pendleton Ordinance 3987 governing the license for which I am applying.

Applicant Signature: _____ Date: _____

Applicant Printed Name: _____

OFFICE USE ONLY

License # _____

License Fee: \$ _____

Additional Fee: \$ _____

Receipt No. _____

Receipt Date: _____

Initials: _____



TAXI/LIMO COMPANY

CITY OF PENDLETON
Transportation Director
500 SW Dorion Ave
Pendleton OR 97801
541-966-0207
Fax: 541-966-0352

Section 10, ItemD.

VEHICLE FOR HIRE APPLICATION/RENEWAL TAXI/LIMOUSINE COMPANY

TRANSPORTATION NETWORK COMPANY APPLICATION/ANNUAL RENEWAL FEE \$100.00

License period is February 1 of each year to January 31 of the following year

APPLICANT INFORMATION:

Taxi Company Name: _____

Taxi Company Address: _____

Taxi Company Mailing Address (if different): _____

Taxi Company Phone Number: _____ Email: _____

Taxi Company Owner's Name and Phone Number: _____

REQUIRED MATERIALS:

- ☐ Certificate of Insurance – Commercial General Liability: City of Pendleton Ordinance 3987
- ☐ Certificate of Insurance – Automobile Liability Coverage for Service Periods 1, 2, & 3: City of Pendleton Ordinance 3987
- ☐ City of Pendleton Business License No. _____
- ☐ Applicant certifies that a criminal background check as described in section 4.C of the ordinance has been conducted for each driver and that each driver is found qualified.

I certify I have read and examined this application and know the same to be true and correct. I certify that I have knowledge of the provisions of City of Pendleton Ordinance 3987 governing the license for which I am applying.

Authorized Signature: _____ Date: _____

Authorized Printed Name: _____ Title: _____

OFFICE USE ONLY

License # _____

License Fee: \$ _____

Receipt No. _____

Additional Fee: \$ _____

Receipt Date: _____

Initials: _____



NETWORK COMPANY

CITY OF PENDLETON
Transportation Director
500 SW Dorion Ave
Pendleton OR 97801
541-966-0207
Fax: 541-966-0352

TRANSPORTATION NETWORK COMPANY (TNC) APPLICATION/RENEWAL

TRANSPORTATION NETWORK COMPANY APPLICATION/ANNUAL RENEWAL FEE \$1,000.00
License period is February 1 of each year to January 31 of the following year

APPLICANT INFORMATION:

TNC Name: _____
TNC Address: _____
TNC Mailing Address (if different): _____
TNC Phone Number: _____ Email: _____
TNC Contact Name and Phone Number: _____

REQUIRED MATERIALS:

- ☐ Certificate of Insurance – Commercial General Liability
- ☐ Certificate of Insurance – Automobile Liability Coverage for Service Periods 1, 2, & 3
- ☐ City of Pendleton Business License No. _____
- ☐ Applicant certifies that it maintains accurate, current records for all drivers employed by, contracting with, or otherwise affiliated with the company, including all drivers accessing the company's digital network to operate in the City. The records shall include the driver's name, date of birth, address, social security number, criminal background check results, driver's license information, motor vehicle registration, and automobile insurance.
- ☐ Applicant certifies that a criminal background check as described in section 4.C of the ordinance has been conducted for each driver and that each driver is found qualified.

I certify I have read and examined this application and know the same to be true and correct. I certify that I have knowledge of the provisions of City of Pendleton Ordinance 3987 governing the license for which I am applying.

Authorized Signature: _____ Date: _____

Authorized Printed Name: _____ Title: _____

OFFICE USE ONLY

License # _____

License Fee: \$ _____
Additional Fee: \$ _____

Receipt No. _____
Receipt Date: _____
Initials: _____



Where Life is Sweet

Mayor and Members of the City Council
STAFF REPORT
For the Meeting of April 28, 2025

Title/Subject

March 2025 Financial Report

Summary and Background

This is the monthly overview of the previous month's financial position reflecting year-to-date activity.

Tie-In to Council Goals

Fiscal Prudence

Fiscal Information

See Report

Alternatives and Recommendation

Alternatives

NONE

Recommended Action/Motion

Recommend/Request acceptance of the March 2025 Financial Report as presented.

Submitted By:

Ignacio Palacios, Finance Director

Byron D. Smith, City Manager

March 2025 Financial Report



Department of Finance
March 2025
(Unaudited)

FY2024-2025 Monthly Financial Report

Hermiston Urban Renewal Agency (HURA)

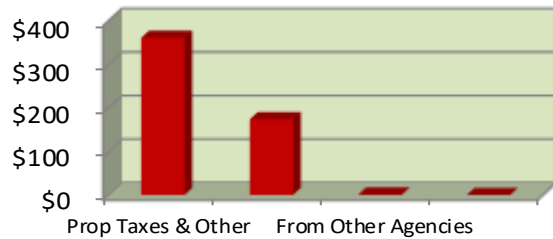
For the Month Ending March 31, 2025

Resources

Through March 31, 2025

by Category

(in \$1,000)



■ Actual Rev YTD

	Annual Proj Rev	Actual Rev YTD	% Var
Prop Taxes & Other	\$ 302	361	120%
Miscellaneous	\$ -	174	100%
From Other Agencies	\$ 904	1	0%
Cash Fwd	\$ 4,845	-	0%
Total	\$ 6,051	\$ 536	9%

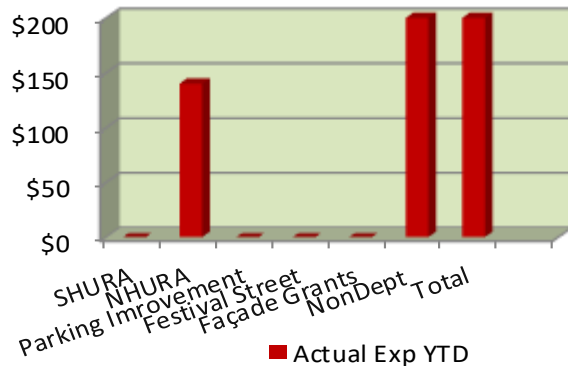
Note: Variance is calculated as % of revenue YTD

Expenditures

Through March 31, 2025

by Character

(in \$1,000)



■ Actual Exp YTD

	Annual Proj Exp	Actual Exp YTD	% Var
SHURA	\$ 600	0	0%
NHURA	\$ 4,900	140	3%
Parking Improvement	\$ 3	0	0%
Festival Street	\$ 3	0	0%
Façade Grants	\$ 60	0	0%
NonDept	\$ 485	343	71%
Total	\$ 6,051	\$ 483	8%

Note: variance is calculated as % of expenses YTD.

The FY2024-25 budget for the Urban Renewal Agency is \$6,050,642. This includes \$600,000 for the beginning of the SHURA project, \$4,900,000 for the NHURA projects, \$3,000 for parking improvements, \$3,000 for the Festival Street, \$60,000 for façade grants, and \$484,642 for Non-Departmental expenses.

FY2024-2025 Monthly Financial Report
Hermiston Urban Renewal Agency (HURA)
HURA Capital Projects Report
For the Month Ending March 31, 2025

	Ending March 31	YTD Expenditures	Project Budget	Project To-Date Expenditures	% Complete
North First Street Improvement Project	\$ 4,900,000	\$ 139,667	\$ 4,900,000	\$ 367,167	2.85%

North First Street Improvement Project (\$4,900,000)

The project will build a new street connecting N. First Street and NE4th Street, extending between NE Aspen Drive and the Home Depot access drive.

Current Update: The signal analysis and right of way acquisition is delaying the project.

FY2024-2025 Monthly Financial Report

City of Hermiston, Oregon

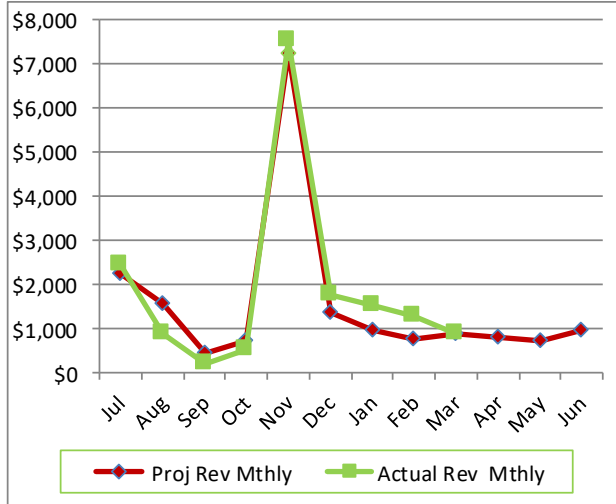
General Fund Resources

For the Month Ending March 31, 2025

General Fund Resources Summary

Through March 31, 2025

(in \$1,000)



	Proj Rev Mthly	Rev Proj Mthly	Actual Rev Mthly	Var Fav/ (Unfav)	% Var
Jul	\$ 2,249	\$ 2,249	\$ 2,429	\$ 181	8%
Aug	\$ 1,549	\$ 1,549	\$ 885	\$ (664)	-43%
Sep	\$ 462	\$ 462	\$ 228	\$ (235)	-51%
Oct	\$ 743	\$ 743	\$ 527	\$ (216)	-29%
Nov	\$ 7,256	\$ 7,256	\$ 7,541	\$ 286	4%
Dec	\$ 1,356	\$ 1,356	\$ 1,768	\$ 413	30%
Jan	\$ 950	\$ 950	\$ 1,512	\$ 562	59%
Feb	\$ 770	\$ 770	\$ 1,303	\$ 532	69%
Mar	\$ 909	\$ 909	\$ 891	\$ (18)	-2%
Apr	\$ 805	\$ 805			0%
May	\$ 739	\$ 739			0%
Jun	\$ 956	\$ 956			0%
Total YTD	18,745	18,745	17,085	840	4.5%
Cash Fwd	1,261	-	-	-	0%
Total	\$ 20,006	\$ 18,745	\$ 17,085	840	4.5%

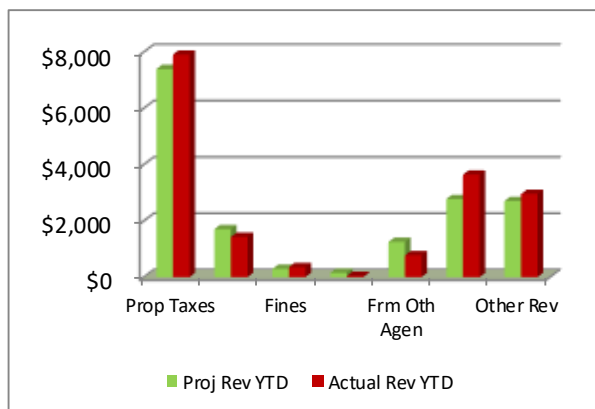
Estimated General Fund revenues for the 2024-25 fiscal year are \$20,006,156. Projected year-to-date revenues were **\$16,244,730** compared to actual revenues of **\$17,084,513** a favorable variance of **\$839,783**. This is primarily due to increase in building and planning, grant and transfer revenues.

General Fund - All Resources

by Category

Through March 31, 2025

(in \$1,000)



	Annual Proj Rev	Proj Rev YTD	Actual Rev YTD	Var Fav/ (Unfav)	% Var
Prop Taxes	\$ 7,643	\$ 7,387	\$ 7,901	\$ 514	7%
Lic & Fran	\$ 2,046	\$ 1,698	1,427	(271)	-16%
Fines	\$ 400	\$ 292	350	58	20%
Interest Rev	\$ 250	\$ 150	43	(107)	-71%
Frms Oth Agen	\$ 1,413	\$ 1,248	774	(474)	-38%
Svc Chgs	\$ 4,021	\$ 2,770	3,640	870	31%
Other Rev	\$ 2,972	\$ 2,699	2,950	251	9%
Cash Fwd	\$ 1,261	\$ -	-	-	0%
Total	\$20,006	\$ 16,245	\$ 17,085	\$ 840	5.2%

Note: variance is calculated as a percent of the projected revenue YTD.

FY2024-2025 Monthly Financial Report

City of Hermiston, Oregon

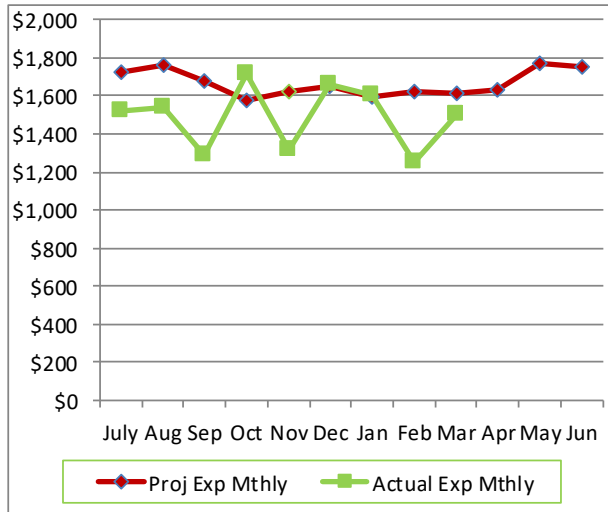
General Fund Expenditures

For the Month Ending March 31, 2025

General Fund Expenditure Summary

Through March 31, 2025

(in \$1,000)



	Proj Exp Mthly	Proj Exp	Actual Exp Mthly	Var Fav/ (Unfav)	% Var
July	\$ 1,725	\$ 1,725	\$ 1,521	\$ 204	12%
Aug	\$ 1,758	\$ 1,758	\$ 1,543	\$ 215	12%
Sep	\$ 1,676	\$ 1,676	\$ 1,292	\$ 384	23%
Oct	\$ 1,573	\$ 1,573	\$ 1,719	\$ (146)	-9%
Nov	\$ 1,627	\$ 1,627	\$ 1,320	\$ 307	19%
Dec	\$ 1,652	\$ 1,652	\$ 1,661	\$ (9)	-1%
Jan	\$ 1,599	\$ 1,599	\$ 1,606	\$ (7)	0%
Feb	\$ 1,619	\$ 1,619	\$ 1,253	\$ 366	23%
Mar	\$ 1,613	\$ 1,613	\$ 1,503	\$ 111	7%
Apr	\$ 1,634	\$ 1,634			0%
May	\$ 1,775	\$ 1,775			0%
Jun	\$ 1,755	\$ 1,755			0%
Total YTD	20,006	20,006	13,417	1,424	7.1%
Contngcy		-	-	-	0%
Total	\$ 20,006	\$ 20,006	\$ 13,417	\$ 1,424	7.1%

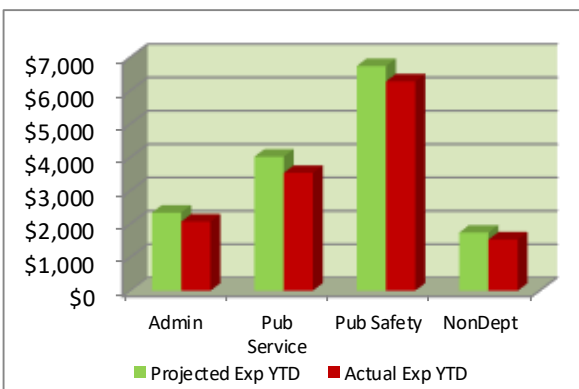
Projected General Fund year-to-date expenditures were **\$14,841,587**. Actual expenditures were **\$13,417,338** which is **\$1,424,249** less than projected YTD for a **variance of 7.1%**. This is primarily due to differences between the projected average for the period compared to budget to actual to date.

General Fund Expenditures

by Consolidated Department

Through March 31, 2025

(in \$1,000)



	Annual Proj Exp	Projected Exp YTD	Actual Exp YTD	Var Fav/ (Unfav)	% Var
Admin	\$ 3,126	2,342	2,072	270	12%
Pub Service	5,478	4,020	3,533	487	12%
Pub Safety	9,081	6,738	6,277	461	7%
NonDept	2,321	1,741	1,534	207	12%
Unapp	-	-	-	-	0%
Total	\$20,006	\$ 14,842	\$ 13,417	\$ 1,424	9.6%

Note: variance is calculated as a percent of the projected expenditures YTD.

FY2024-2025 Monthly Financial Report

General Fund Expenditure Detail

For the Month Ending March 31, 2025

General Fund Expenditures by Department

	Annual Projected Exp	Projected Exp YTD	Actual Exp YTD	Var Fav/ (Unfav)	% Var Fav/ (Unfav)
City Council	52,874	37,262	39,199	(1,937)	-5%
City Manager/Legal	1,102,880	827,160	830,222	(3,062)	0%
City Planning	1,170,089	877,567	650,634	226,933	26%
Finance	800,512	600,144	552,313	47,831	8%
Total Administration	3,126,355	2,342,133	2,072,368	269,765	12%
Transportation	552,000	398,350	411,274	(12,924)	-3%
Airport	630,550	444,335	364,127	80,208	18%
Bldg Inspection	615,932	452,814	405,981	46,833	10%
Parks	753,823	541,751	563,238	(21,487)	-4%
Parks/Utility Landscaping	81,590	32,315	24,147	8,168	25%
Pool	641,337	464,378	381,252	83,126	18%
Municipal Buildings	153,238	114,929	70,927	44,002	38%
Library	936,675	702,138	643,097	59,041	8%
Recreation	779,329	624,042	505,485	118,557	19%
Community Center	244,985	181,155	105,784	75,371	42%
Harkenrider Center	88,076	64,038	57,851	6,187	10%
Total Public Services	5,477,535	4,020,245	3,533,163	487,082	12%
Court	1,034,912	759,239	709,578	49,661	7%
Public Safety Center	38,500	37,148	27,106	10,042	27%
Police Operations	8,007,401	5,941,738	5,540,740	400,998	7%
Total Public Safety	9,080,813	6,738,125	6,277,424	460,701	7%
Non-Departmental	2,321,452	1,741,084	1,534,383	206,701	12%
Unappropriated	0	0	0	0	0%
Total Non-Dept	2,321,452	1,741,084	1,534,383	206,701	12%
Total	20,006,156	14,841,587	13,417,338	1,424,249	9.6%

For March, FY2025

Total Administration is \$269,765 less than YTD projected. **Total Public Services** are \$487,082 less than YTD projected. **Public Safety** is \$460,701 less than YTD projected. **Non-Departmental** is \$206,701 less than YTD projected.

FY2024-2025 Monthly Financial Report

Fund Balance - General Fund

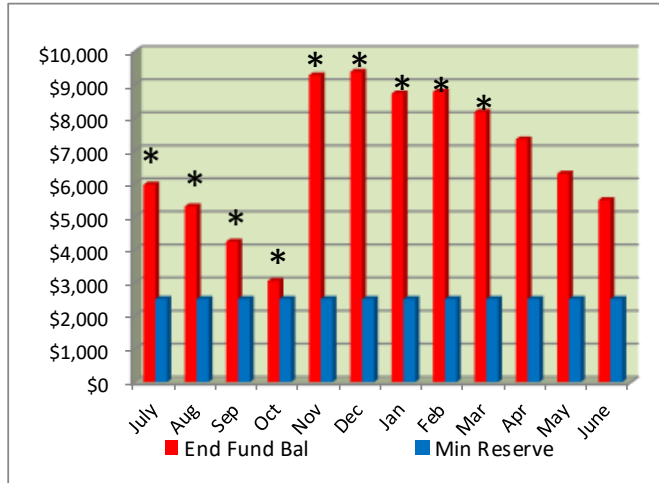
For the Month Ending March 31, 2025

General Fund

Through March 31, 2025

Ending Fund Balance

(in \$1,000)



Minimum Reserve = \$2,454,300

	Begin Fund Bal	Revenue	Expense	End Fund Bal	ACT/PROJ Fund Bal
July	\$ 5,061	\$ 2,429	\$ (1,521)	\$ 5,969	ACT*
Aug	\$ 5,969	\$ 885	\$ (1,543)	\$ 5,312	ACT*
Sep	\$ 5,312	\$ 228	\$ (1,292)	\$ 4,247	ACT*
Oct	\$ 4,247	\$ 527	\$ (1,719)	\$ 3,056	ACT*
Nov	\$ 3,056	\$ 7,541	\$ (1,320)	\$ 9,277	ACT*
Dec	\$ 9,277	\$ 1,768	\$ (1,661)	\$ 9,384	ACT*
Jan	\$ 9,384	\$ 950	\$ (1,606)	\$ 8,729	ACT*
Feb	\$ 8,729	\$ 1,303	\$ (1,253)	\$ 8,778	ACT*
Mar	\$ 8,778	\$ 891	\$ (1,503)	\$ 8,167	ACT*
Apr	\$ 8,167	\$ 805	\$ (1,634)	\$ 7,338	PROJ
May	\$ 7,338	\$ 739	\$ (1,775)	\$ 6,302	PROJ
June	\$ 6,302	\$ 956	\$ (1,755)	\$ 5,503	PROJ
Total	\$ 5,061	\$ 19,024	\$ 18,582	\$ 5,503	

The General Fund balance at the end of January 2024 is approximately **\$8,167,000** which is **3.33 times** the current Minimum Reserve requirement of **\$2,454,300**.

The General Fund reserve policy is to maintain **15% fund balance** of total expenditures based on the prior fiscal year activity.

FY2024-2025 Monthly Financial Report

Special Revenue Funds Report

For the Month Ending March 31, 2025

Special Revenue Funds

Resources & Requirements

	2024-25 Annual Budget	Actual YTD	Remaining Budget
02 Bonded Debt Fund			
Resources	1,400,339	1,235,692	164,647
Expenditures	1,396,659	1,050,192	346,467
Unappropriated Balance	3,680	N/A	N/A
05 Transient Room Tax (TRT)			
Resources	1,301,500	1,281,667	19,833
Expenditures	1,301,500	1,069,088	232,412
Unappropriated Balance	-	N/A	N/A
08 Reserve Fund			
Resources	42,122,854	13,859,072	28,263,782
Expenditures	42,111,345	14,018,384	28,092,961
Unappropriated Balance	11,509	N/A	N/A
11 Miscellaneous Special Revenue			
Resources	303,000	131,248	171,752
Expenditures	303,000	131,248	171,752
Unappropriated Balance	-	N/A	N/A
19 Christmas Express Special Revenue			
Resources	58,200	28,454	29,746
Expenditures	58,200	13,712	44,488
Unappropriated Balance	-	N/A	N/A
20 Law Enforcement Special Revenue			
Resources	104,700	-	104,700
Expenditures	54,700	54,700	-
Unappropriated Balance	50,000	N/A	N/A
21 Library Special Revenue			
Resources	30,600	72	30,528
Expenditures	30,600	31,645	(1,045)
Unappropriated Balance	-	N/A	N/A
23 Enterprise Zone Project Fund			
Resources	3,469,900	-	3,469,900
Expenditures	3,469,900	2,169,257	1,300,643
Unappropriated Balance	-	N/A	N/A
25 EOTEC Operations			
Resources	1,607,500	1,184,897	422,603
Expenditures	1,607,500	1,365,311	242,189
Unappropriated Balance		N/A	N/A
26 IT Services			
Resources	1,549,602	1,048,025	501,577
Expenditures	1,549,602	956,689	592,913
Unappropriated Balance		N/A	N/A

Beginning with the 2016-17 fiscal year the City began distinguishing within the funds some part of ending fund balance as contingency and some as reserved for future expenditure. The contingency is included in appropriations while the reserve for future expenditures is unappropriated.

The City uses multiple Special Revenue funds to account for revenues that are restricted to expenditure for particular purposes. They include funds for debt service, economic development, parks and recreation, capital projects, and grants. Since these funds are not operational in nature and used for specific purposes from year-to-year, their expenditures do not typically follow a predictable pattern so budget variances are not calculated for them.

FY2024-2025 Monthly Financial Report

Eastern Oregon Trade and Event Center (EOTEC) Fund

For the Month Ending March 31, 2025

EOTEC Fund

	2024-2025		Actual YTD	Variance	
	Annual Budget	Projected YTD*		Fav/(Unfav)	% Variance
Grants	375,000	281,250	715,816	434,566	155%
Events	406,000	304,500	250,912	(53,588)	-18%
TRT/TPA	240,000	180,000	204,112	24,112	13%
Misc.	586,500	439,875	14,057	(425,818)	-97%
Total Revenues	1,607,500	1,205,625	1,184,897	(20,728)	-2%
Personnel	485,132	363,849	361,865	1,984	1%
Materials and Services	299,579	224,684	366,751	(142,067)	-63%
Capital	750,000	562,500	569,794	(7,294)	-1%
Transfers	66,900	50,175	66,900	(16,725)	-33%
Contingency	5,889	4,417	-	4,417	100%
Total Expenses	1,607,500	1,205,625	1,365,311	(159,686)	-13%

This fund is projected on the straight-line, 9/12th revenue or expense per month.

Projected revenues to date are **\$1,205,625** and actual year-to-date revenues are **\$1,184,897** or an **unfavorable variance of 2%**.

Projected expenditures to date are **\$1,205,625** and actual year-to-date revenues are **\$1,365,311** or an **unfavorable variance of 13%**.

FY2024-2025 Monthly Financial Report

Utility and Street Funds Report

For the Month Ending March 31, 2025

Utility and Street Funds Report

Resources & Expenditures

	2024-2025			Variance	
	Annual Budget	Projected YTD	Actual YTD	Fav/(Unfav)	% Variance
04 Street Fund					
Resources	2,268,728	1,422,546	1,567,721	145,175	10%
Expenditures	2,233,728	1,675,296	1,277,503	397,793	24%
Contingency	35,000	N/A	N/A	N/A	N/A
06 Utility Fund					
Resources	15,316,500	9,549,750	10,097,752	548,002	6%
Expenditures	13,563,666	10,172,750	8,739,721	1,433,029	14%
Contingency	1,752,834	N/A	N/A	N/A	N/A
13 HES Fund					
Resources	14,484,295	7,185,970	7,826,696	640,726	9%
Expenditures	12,044,482	9,033,362	8,884,747	148,615	2%
Contingency	2,439,813	N/A	N/A	N/A	N/A
15 Regional Water Fund					
Resources	1,927,600	1,039,500	1,121,028	81,528	8%
Expenditures	1,227,638	920,729	886,159	34,570	4%
Contingency	699,962	N/A	N/A	N/A	N/A

All four of these funds are projected on a straight line, 9/12th of budgeted expense or revenue per month.

Revenues for the **Street Fund** are **\$145,175 more** than projected. Expenditures are **\$397,793 less** than projected.

Revenues in the **Utility Funds** are **\$548,002 above** projected. Expenditures are **\$1,433,029 less** than projection.

The **HES Fund** revenue is **\$640,726 more** than projected. Expenditures are **\$148,615 more** than projected.

The **Regional Water Fund** revenues are **\$81,528 more** than projected. Expenditures are **\$34,570 less** than projected.

FY2024-25 Monthly Financial Report

City of Hermiston, Oregon

Utilities/Streets Capital Projects Report

For the Month Ending March 31, 2025

	2024-25 Budget	YTD Expenditures	Project Budget	Project To-Date Expenditures	% Complete
Geer & Harper Re-alignment	\$ 1,000,000	\$ 5,914	\$ 1,500,000	\$ 145,465	9.70%
Gettman Road Extension ROA	650,000	75,772	650,000	427,781	65.81%
N. 1st Place Reconstruction	2,110,390	179,305	4,110,390	2,976,187	72.41%
RWS Backup Generators	400,000	-	400,000	-	0.00%
AWS System Expansion - RWS	15,449,400	9,304,359	20,949,400	18,963,790	90.52%
Aquifer Recharging Project	4,490,000	-	4,490,000	-	0.00%
Well #6 Chlorination	500,000	3,529	500,000	25,529	5.11%
Well #4 Control System	410,000	17,620	410,000	41,620	10.15%
Lift Station #5 Rebuild	150,000	-	150,000	-	0.00%
E. Evelyn Avenue Gravity SL Replacement	380,000	14,000	380,000	14,000	3.68%
AWS Cooling Discharge	805,000	36,570	805,000	437,920	54.40%
Total	\$ 26,344,790	\$ 9,637,069	\$ 34,344,790	\$ 23,032,292	67.06%

Geer & Harper Re-alignment (\$1,500,000)

This intersection needs to be reconstructed to improve traffic/pedestrian access and ensure connectivity to property east of N. 1st Place. The current configuration makes access difficult for large trucks and traffic backs up on Harper Road during busy times during the day.

Current Update: Preliminary Design Comments received from Rail-Pros (UPRR) in February. Full Design anticipated to begin in Spring.

Gettman Road Extension ROA (\$650,000)

Gettman Road Extension right of way acquisition project.

Current Update: Acquisition has closed on approximately 76% of the proposed Right of Way. Negotiations continue on the remaining 24%.

North 1st Place Reconstruction (\$4,175,000)

North 1st Place is a critical secondary north/south arterial in Hermiston's transportation system. The existing road is cracking, there are no sidewalks and there is unrestricted access to the roadway from parking and undeveloped areas.

Current Update: Additional Right of Way Acquisition process has begun with UPRR.

RWS Backup Generators (\$5,000,000)

To provide backup power supply to the regional water system.

Current Update: Anderson Perry is finalizing the design scope. Finance has begun to collect monthly assessment charges from the users to cover their portions.

FY2024-25 Monthly Financial Report

City of Hermiston, Oregon

Utilities/Streets Capital Projects Report

For the Month Ending March 31, 2025

	2024-25 Budget	YTD Expenditures	Project Budget	Project To-Date Expenditures	% Complete
Geer & Harper Re-alignment	\$ 1,000,000	\$ 5,914	\$ 1,500,000	\$ 145,465	9.70%
Gettman Road Extension ROA	650,000	75,772	650,000	427,781	65.81%
N. 1st Place Reconstruction	2,110,390	179,305	4,110,390	2,976,187	72.41%
RWS Backup Generators	400,000	-	400,000	-	0.00%
AWS System Expansion - RWS	15,449,400	9,304,359	20,949,400	18,963,790	90.52%
Aquifer Recharging Project	4,490,000	-	4,490,000	-	0.00%
Well #6 Chlorination	500,000	3,529	500,000	25,529	5.11%
Well #4 Control System	410,000	17,620	410,000	41,620	10.15%
Lift Station #5 Rebuild	150,000	-	150,000	-	0.00%
E. Evelyn Avenue Gravity SL Replacemen	380,000	14,000	380,000	14,000	3.68%
AWS Cooling Discharge	805,000	36,570	805,000	437,920	54.40%
Total	\$ 26,344,790	\$ 9,637,069	\$ 34,344,790	\$ 23,032,292	67.06%

AWS System Expansion- RWS (\$20,949,400)

Amazon Web Services is paying to extend the City-owned 16" water main in Feedville Road approximately 7,000 feet to connect with the City's other existing water infrastructure in Kelli Blvd. This project will also upgrade various pumps and motors in the Regional Water System and chlorinate and perform the necessary functions to convert the line to carry potable water. AWS is also paying the City to design a second, permanent, 24" non-potable water main in Feedville Road.

Current Update: Two of the four rail borings were completed in March for the pipelines project. Significant progress at the River Intake Station for the Pumps & Motors Project.

Aquifer Recharging Project (\$8,500,000)

Current Update: The Contractor mobilized and began initial site-prep, with drilling anticipated to begin in April.

Well # 6 Chlorination (\$500,000)

The chlorine room at Well No. 6 is 5 feet by 8 feet and too small for its current use and is constructed of fiberglass. It was originally constructed to occasionally store chlorination equipment. It is now in constant use and has been damaged during the exchange of chlorine cylinders. A larger building will allow more efficient operation of the well.

Current Update: Design nearing completion with project advertisement in Spring.

Well #4 Control System (\$410,000)

The 2,500-gallon per minute Well No. 4 pump was designed in the 1960s and is obsolete. The control system is unreliable and inefficient, and the piping system has been dismantled to use for parts in other systems. The station experiences large pressure fluctuations and configuring the pump control valve is challenging. The pump house also needs to be updated to ensure reliability during peak demands.

Current Updates: Contract Awarded. Initial onsite may begin in June, but significant work will be held off until after the peak summer demand season.

FY2024-25 Monthly Financial Report

City of Hermiston, Oregon

Utilities/Streets Capital Projects Report

For the Month Ending March 31, 2025

	2024-25 Budget	YTD Expenditures	Project Budget	Project To-Date Expenditures	% Complete
Geer & Harper Re-alignment	\$ 1,000,000	\$ 5,914	\$ 1,500,000	\$ 145,465	9.70%
Gettman Road Extension ROA	650,000	75,772	650,000	427,781	65.81%
N. 1st Place Reconstruction	2,110,390	179,305	4,110,390	2,976,187	72.41%
RWS Backup Generators	400,000	-	400,000	-	0.00%
AWS System Expansion - RWS	15,449,400	9,304,359	20,949,400	18,963,790	90.52%
Aquifer Recharging Project	4,490,000	-	4,490,000	-	0.00%
Well #6 Chlorination	500,000	3,529	500,000	25,529	5.11%
Well #4 Control System	410,000	17,620	410,000	41,620	10.15%
Lift Station #5 Rebuild	150,000	-	150,000	-	0.00%
E. Evelyn Avenue Gravity SL Replacement	380,000	14,000	380,000	14,000	3.68%
AWS Cooling Discharge	805,000	36,570	805,000	437,920	54.40%
Total	\$ 26,344,790	\$ 9,637,069	\$ 34,344,790	\$ 23,032,292	67.06%

Lift Station #5 Wetwell Upgrades (\$300,000)

Lift Station No. 5 is one of the city's newer lift stations. There is paint flaking on the pumps and hydrogen sulfide corrosion on interior surfaces from the raw sewage. Without upgrades, the mechanical equipment will need premature replacement.

Current Update: Design will begin soon.

E. Evelyn Avenue Gravity Sewer Line Replacement (\$380,000)

Multiple deficiencies exist in the pipe segments, including structural failures, sagging, root intrusions, and separated joints that cause blockages hindering sewer flow and require the City to clean this line monthly. Newly installed pipe will save maintenance costs and drastically reduce the likelihood of blockages, mitigating the potential for sewage backing up into local residences.

Current Update: Design will begin soon.

AWS Cooling Discharge (\$805,000)

Amazon Web Services is paying the City to design a discharge solution for their non-contact cooling water which is used to cool their facilities. This solution will require installation of a lift station and approximately 10,600 feet of a new discharge water Main in Feedville and South 1st to discharge into the Hermiston Irrigation District's A-Line Canal. This work will also require the development of a separate NPDES Permit for the new discharge.

Current Update: DEQ Permitting appears close to the issuance of an initial draft. Final outfall structure awaiting final permitting.

**FY2024-25 Monthly Financial Report
City of Hermiston, Oregon
Other City Capital Projects Report
For the Month Ending March 31, 2025**

	2024-25 Budget	YTD Expenditures	Project Budget	Project To-Date Expenditures	% Complete
Airport Improvements	\$ 4,015,000	\$ 16,989	\$ 4,015,000	\$ 219,792	5.47%
Hangar Replacement	1,300,000	369,857	1,300,000	521,905	40.15%
Urban Tree Project (Grant)	850,000	30,234	1,000,000	46,340	4.63%
Cimmaron Park Project	420,000	2,040	420,000	2,040	0.49%
Library Remodel	3,700,000	1,117,297	4,500,000	1,588,147	35.29%
ARC Remodel	375,000	339,638	750,000	343,417	45.79%
Public Safety Building Remodel	5,000,000	1,773,929	7,500,000	2,401,152	32.02%
Total	\$ 15,660,000	\$ 3,649,984	\$ 19,485,000	\$ 5,122,793	26.29%

Airport Improvements (\$4,015,000)

Ott Road currently runs through the Runway Protection Zone (RPZ). This project will acquire property east of Ott Road to facilitate future realignment of Ott Road out of the RPZ. 90% of the project will be paid for with FAA funding, and the balance of the project funded through future lease revenue for agricultural use.

Current Update: Appraisals and appraisal-reviews completed; Council briefed, authorization to present fair market value offer anticipated in April.

Hangar Replacement (\$1,300,000)

Previous "Open-T Hangar" will be removed, and replaced by a new 10-unit enclosed T-Hangar, with approximately 90% of the project costs paid for by State and Federal Grant Funding. Total project cost will be approximately \$1.73 million – including the city's 10% match.

Current Update: Foundation construction began.

Urban Tree Project Grant (1,000,000)

Federal grant for purpose of urban tree projects for tree planting throughout Hermiston

Current Update: A contract has been signed and the contractor will be in Hermiston over the next few weeks doing an initial inventory and assessment of our trees. They will then return later in the year to make sure which trees come out of winter in good condition. ***(This work has been paused until future actions of the federal government are more clear.)***

Cimmaron Park Project (\$420,000)

Cimmaron Park is to be built on land purchased from and donated by the developer. The park will include a nature trail and a natural playground system. The City was recently awarded a state grant for a large portion of this project. This project will develop a 0.61-acre park featuring a playground, gazebo, pathways, and landscaping. The park will be adjacent to the existing 8.61-acre Cimmaron Recreation Area, which includes a trail encircling the wetlands.

Current Update: Design of the park is on-going. A community engagement effort is taking place to name the park.

**FY2024-25 Monthly Financial Report
City of Hermiston, Oregon
Other City Capital Projects Report
For the Month Ending March 31, 2025**

	2024-25 Budget	YTD Expenditures	Project Budget	Project To-Date Expenditures	% Complete
Airport Improvements	\$ 4,015,000	\$ 16,989	\$ 4,015,000	\$ 219,792	5.47%
Hangar Replacement	1,300,000	369,857	1,300,000	521,905	40.15%
Urban Tree Project (Grant)	850,000	30,234	1,000,000	46,340	4.63%
Cimmaron Park Project	420,000	2,040	420,000	2,040	0.49%
Library Remodel	3,700,000	1,117,297	4,500,000	1,588,147	35.29%
ARC Remodel	375,000	339,638	750,000	343,417	45.79%
Public Safety Building Remodel	5,000,000	1,773,929	7,500,000	2,401,152	32.02%
Total	\$ 15,660,000	\$ 3,649,984	\$ 19,485,000	\$ 5,122,793	26.29%

Library Remodel (\$4,500,000)

Library building remodel to modernize and provide for improved space for community use. As well as, improved children's library area.

Current Update: Work is moving forward on all aspects of the project. Final demolition is taking place this week and next week to the front ramp and the front window area.

ARC Remodel (\$750,000)

Remodel of the ARC building to temporarily house police operations during the public safety building remodel.

Current Update: PD administration is now using the Arc Building. Painting has taken place and a few touch items are being completed.

Public Safety Building Remodel (\$7,500,000)

Public Safety Building remodel to the existing shared facility with the fire district. Building remodel will provide needed usable space as well as seismic upgrades.

Current Update: Interior framing is started and work constructing the sally port addition is underway.