



# CITY COUNCIL

## AGENDA

MONDAY, OCTOBER 28, 2024

*Where Life is Sweet*

COUNCIL CHAMBERS - 180 NE 2ND ST.

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*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.

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

A. Hermiston Energy Services (HES) Updates

**2. ADJOURN WORK SESSION MEETING**

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

**4. DECLARATION OF QUORUM**

**5. FLAG SALUTE**

**6. PRESENTATIONS**

A. Presentation- Umatilla County Fire District #1 (UCFD1) Annual Report

**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. Replat - Ludcon Ventures LLC 4N2811CB Tax Lots 11700 & 11702 - 230/240 SE 2nd St
- B.** Recommendation to Reappoint Josh Burns to the Airport Advisory Committee, Position 4, Term Ending October 31, 2027
- C.** Recommendation to Reappoint Jeff Kelso to the Parks and Recreation Advisory Committee, Position 1, Term Ending October 31, 2027
- D.** Recommendation to Reappoint Hunter Tibbals to the Parks and Recreation Advisory Committee, Position 3, Term Ending October 31, 2027
- E.** Recommendation to Appoint Mary Mejia-Weaver to the Parks and Recreation Advisory Committee, Position 2, Term Ending October 31, 2027
- F. Minutes of the September 23, 2024 City Council Regular Meeting
- G. Minutes of the October 14th City Council Work Session and Regular Meeting
- H. Reschedule the 1<sup>st</sup> City Council Meeting in November
- I. New Liquor License Recommendation for: Cuban Family Bakery & More, located at 425 W Hermiston Ave
- J. Change of Ownership Liquor License Recommendation for: One Stop Mart #9, located at 1050 S. Highway 395

## **9. ITEMS REMOVED FROM CONSENT AGENDA**

## **10. PUBLIC HEARINGS**

- A.** Exemption from Public Contracting Competitive Bidding Requirement- Design Build Services, Signage, Various Locations (See Resolution No. 2341)

## **11. ORDINANCES AND RESOLUTIONS**

- A. Resolution No. 2341- Authorize Alternative Procurement Method – Design Build – Signs (Public Hearing)
- B. Resolution No. 2342 - Authorizing a Temporary Easement Across City Property to ODOT
- C. Resolution No. 2343 – Approval of Guaranteed Maximum Price (GMP) Amendments on Civic projects
- D. Resolution No. 2344 – Authorizing a Building Plan Review/Inspection Services Agreement with the City of Umatilla

## **12. OTHER**

- A. Acceptance of Bureau of Justice National Community Court Grand Award
- B. September 2024 Financial Report

**C. Discussion of "City Chats"**

**13. 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, EOTEC, Stepping Stones Alliance (not a City Committee)

**B. Mayor's Report**

**C. Council Report**

**D. Youth Advisory Report**

**E. Manager's Report**

**14. 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.



*Where Life is Sweet*

Mayor and Members of the City Council  
**STAFF REPORT**  
 For the Meeting of October 28, 2024

**Title/Subject**

Replat - Ludcon Ventures LLC 4N2811CB Tax Lots 11700 & 11702 - 230/240 SE 2nd St

**Summary and Background**

Ron McKinnis has submitted a replat application on behalf of Ludcon Ventures LLC for land located at 230 and 240 SE 2<sup>nd</sup> Street. The property is approximately 0.22 acres and contains two commercial structures. The property is described as 4N 28 11CB Tax Lots 11700 and 11702 and is zoned Central Commercial (C-1) with a Downtown Commercial Overlay (DCO). Each lot is owned by Ludcon Ventures LLC and the replat is proposed to reconfigure the existing lot lines within the area and place each existing structure on a separate lot.

The existing property contains three existing lots (Lots 1, 2, and 3) from Block 1 of the Original Town of Hermiston plat, and a small portion of Lot 4, Block 1. The property contains a nine-foot-wide portion of Lot 4 to accommodate the existing commercial building on the southern portion of the site. The replat will place each existing structure on a separate lot and all existing lot lines will be removed. Lot 1 will be a 6,382 square foot lot with a 6,233 square foot structure. Lot 2 will be a 3,093 square foot lot with a 2,370 square foot structure. There is no minimum lot size or lot coverage requirement in the C-1 and DCO zones. As noted, the replat will remove all existing lot lines and create two new lots.

Public notice was provided for the proposed replat. Notice of the proposed land use action was mailed by direct mail to all property owners within 100 feet on September 25, 2024. A sign informing the public of the proposal was placed on the property on September 25, 2024.

The criteria that are applicable to the decision to accept the proposed replat are contained in 154.15 through 154.66, 157.040, and 157.042 of the Hermiston Code of Ordinances. The final plat requirements and findings are attached to this report as Exhibit A. The recommended conditions of approval are attached as Exhibit B. The map showing the property boundary, adjacent streets, and parcels is attached as Exhibit C. An aerial photo is attached as Exhibit D. The final plat as prepared by the surveyor is attached as Exhibit E.

**Tie-In to Council Goals**

Approval of plats is a matter of administration of City ordinances.

**Fiscal Information**

There will be no development or financial change as a result of the partition. The existing improvements on the property have an assessed value of \$544,420.

**Alternatives and Recommendation****Alternatives**

The city council may choose to approve or deny the plat.

**Recommended Action/Motion**

Staff has reviewed the proposed plat and found that it is prepared in accordance with all requirements of 154.35 (B) and 154.46. The planning commission approved the plat on October 9, 2024. Staff recommends the city council approve the plat subject to the conditions of approval.

- Motion to approve the final plat subject to the conditions of approval

**Submitted By:**

C.F. Spencer, Planning Director

**Exhibit A**  
**Findings of Fact**  
**Ludcon Ventures LLC Replat**  
**230 & 240 SE 2<sup>nd</sup> Street**  
**October 28, 2024**

Chapter 154: Subdivisions

Design Standards

§154.15 Relation to Adjoining Street System.

The property is bordered by E Hurlburt Ave and SE 2<sup>nd</sup> Street. Each street is fully improved adjacent to the site. No additional streets are proposed. Each lot has at least 25 feet of frontage on a public street.

§154.16 Street and Alley Width.

No new streets or alleys are proposed as part of the partition. The property is serviced by E Hurlburt Ave and SE 2<sup>nd</sup> St each of which has a right-of-way width of 70 feet.

§154.17 Easements.

No easements are shown on the plat. No easements are required.

§154.18 Blocks.

No additional block access is required.

§154.19 Lots.

Lot 1 is 6,382 square feet and Lot 2 is 3,093 square feet. There is no minimum lot size in the C-1 or DCO commercial zoning. Each lot abuts a public street for a distance of at least 25 feet as required by §157.141 of the Hermiston Code of Ordinances.

§154.20 Character of Development.

Each lot is presently developed with commercial uses. No additional construction is proposed as a result of partitioning. Uses permitted in the DCO zone are listed in §157.042 of the Hermiston Code of Ordinances.

### §154.21 Parks, School Sites and the Like.

The comprehensive plan and parks master plan do not indicate a need for any additional parks or schools in the vicinity of the proposed replat. The site is located within 500 feet of McKenzie Park, Teen Adventure Skate Park, and the Hermiston High School.

### Minimum Improvements Required

#### §154.60 Permanent Markers

Permanent markers shall be set as shown on the final plat in accordance with ORS 92.050 through 92.080.

#### §154.61 General Improvements

All streets are fully improved adjacent to the entire site. No additional improvements are required.

#### §154.62 Water Lines

Each lot is serviceable from an existing 6" water line in SE 2<sup>nd</sup> Street. The building at 240 SE 2<sup>nd</sup> Street on Lot 2 may require a new water meter to be installed as a result of replatting.

#### §154.63 Sanitary Sewer System.

Each lot is serviceable from existing sewer lines in E Hurlburt Ave and SE 2<sup>nd</sup> Street. Sanitary sewer service may require relocation as a result of replatting.

### Final Plat

Per §154.46 of the Hermiston Code of Ordinances, the final plat shall show:

- (A) The boundary lines of the area being subdivided, with accurate distances and bearings. **Shown as required**
- (B) The lines of all proposed streets and alleys with their width and names. **Shown as required**
- (C) The accurate outline of any portions of the property intended to be dedicated or granted for public use. **Shown as required**
- (D) The line of departure of one street from another. **Shown as required**
- (E) The lines of all adjoining property and the lines of adjoining streets and alleys with their widths and names. **Shown as required**
- (F) All lot lines together with an identification system for all lots and blocks. **Shown**

**as required**

- (G) The location of all building lines and easements provided for public use, services or utilities.

**Shown as required**

- (H) All dimensions, both linear and angular, necessary for locating the boundaries of the subdivision, lots, streets, alleys, easements, and other areas for public or private use. Linear dimensions are to be given to the nearest 1/10 of a foot.

**Shown as required**

- (I) All necessary curve data. **Shown as required**
- (J) The location of all survey monuments and benchmarks together with their descriptions. **Shown as required**
- (K) The name of the subdivision, the scale of the plat, points of the compass, and the name of the owners or subdivider. **Shown as required**
- (L) The certificate of the surveyor attesting to the accuracy of the survey and the correct location of all monuments shown. **Shown as required.**
- (M) Private restrictions and trusteeships and their periods of existence. Should these restrictions or trusteeships be of such length as to make their lettering on the plat impracticable and thus necessitate the preparation of a separate instrument, reference to such instrument shall be made on the plat. **No restrictions are proposed and none are referenced on the plat**
- (N) Acknowledgment of the owner or owners to the plat and restrictions, including dedication to public use of all streets, alleys, parks or other open spaces shown thereon, and the granting of easements required. **Shown as required.**
- (O) Certificates of approval for endorsement by the city council and certificate indicating its submission to the planning commission, together with approval for endorsement by other local, county and/or state authority as required by Oregon statutes. **Shown as required.**

*Finding:* All items required for the final plat are shown on the final plat.

Chapter 157: Zoning

§157.040 and 0.42 Central Commercial and Downtown Commercial Overlay

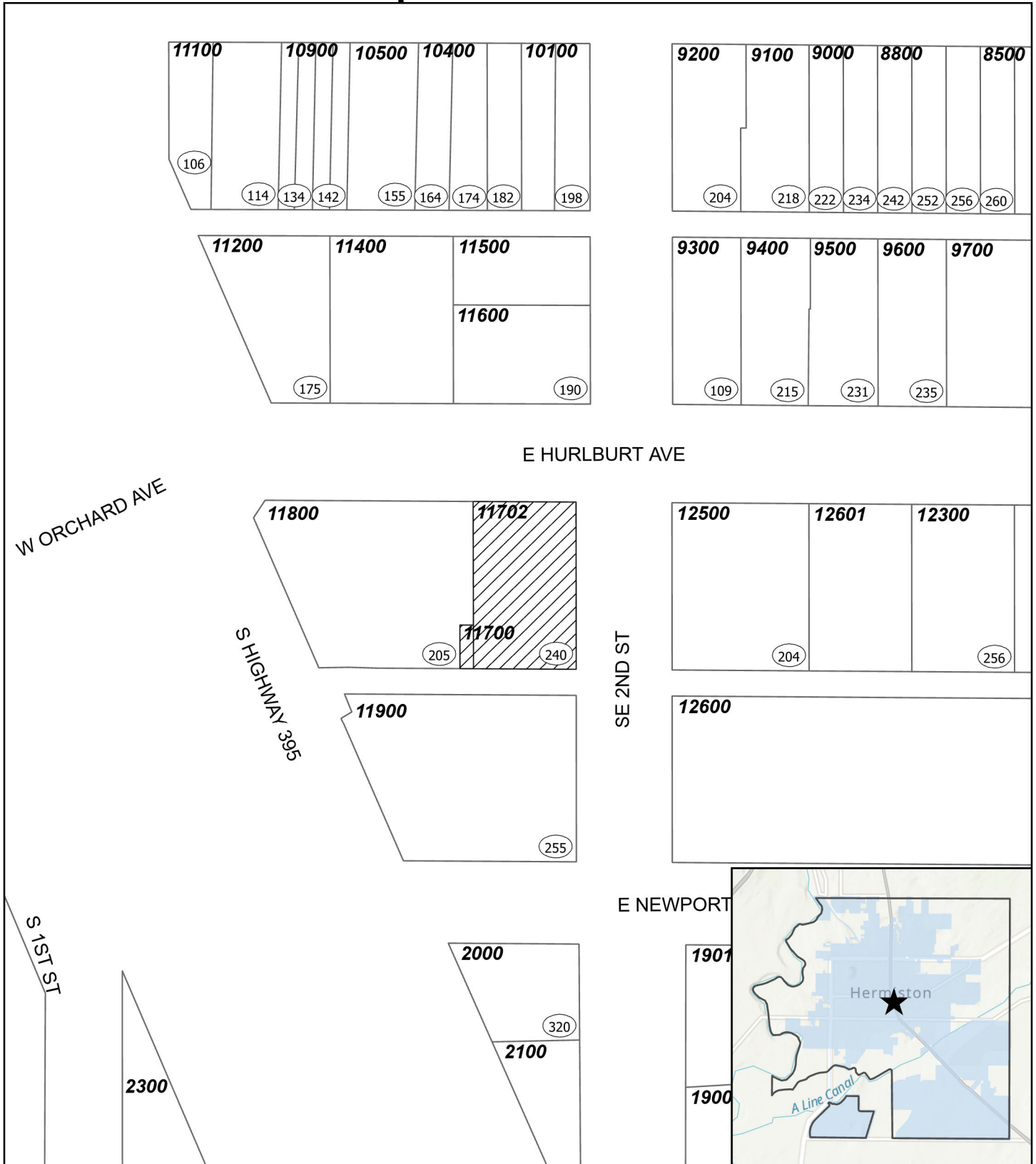
Lot 1 is 6,382 square feet and Lot 2 is 3,093 square feet. There is no minimum lot size in the C-1 or DCO commercial zoning. There are no minimum lot width or depth requirements in the city's commercial zoning. Uses permitted in the DCO zone are listed in §157.042 of the Hermiston Code of Ordinances.

**Exhibit B**  
**Conditions of Approval**  
**Ludcon Ventures LLC Replat**  
**230 & 240 SE 2<sup>nd</sup> Street**  
**October 28, 2024**

Subject to the public hearing and testimony presented to the city council, the following conditions of approval are proposed:

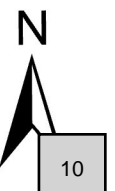
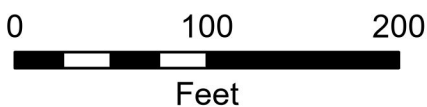
1. The applicant should be aware that the City of Hermiston will not sign the final plat until the Hermiston Irrigation District has signed the final plat.
2. The property owner shall confer with public works staff and shall install new sewer and water connections as required after each structure is placed on a separate lot.

# Notice of Proposed Land Use Action



## Legend

- Area of Proposed Replat
- City Limits
- Property Line
- Urban Growth Boundary

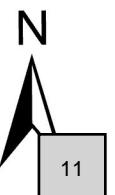




### Legend

-  Area of Proposed Replat
-  City Limits
-  Property Line
-  Urban Growth Boundary

0 100 200  
Feet



# LUDCON VENTURES REPLAT

A Replat of Lots 1, 2, 3, and a Portion of Lot 4, Block 1,  
Original Town of Hermiston

City of Hermiston, Umatilla County, Oregon

Township 4 North, Range 28, East of W.M.

Northwest 1/4 of Southeast 1/4 of Section 11

for:

LUDCON VENTURES, LLC

230 SE 2ND Street

Hermiston, Oregon, 97838

**LEGAL DESCRIPTION: Deed: XXXX-XXXXXXXX**

Lots 1, 2, 3, and the East 9.75 feet of the South 31.80 feet of Lot 4, Block 1, ORIGINAL TOWN,  
now City of Hermiston, located in the Northwest Quarter of the Southeast Quarter of Section 11,  
Township 4 North, Range 28, East of the Willamette Meridian, Umatilla County, Oregon.

The Real Property or its address is commonly known as 230 SE 2ND Street, Hermiston, OR 97838

**SURVEYORS CERTIFICATE & NARRATIVE:**

I, Ronald V. McKinnis, being a Registered Professional Land Surveyor of the State of Oregon, certify that I have correctly surveyed and monumented the lands more particularly described in the Legal Description shown hereon according to Oregon Revised Statutes, Chapter 92 of the State of Oregon. The INITIAL POINT of this survey is a 5/8" Rebar with a Plastic Cap, PLS 2431 set at the Northeast corner of newly created Lot 1 of this Plat.

This Survey is Based on a surveys by Edwards Gandy & Kik, C.S. #97-170-B. My Bearing Base is that of Edwards' along the East Side of Block 1, Original Town of Hermiston. I found the corners of Edwards from both his survey for Gandy & Kik but solos his survey for Peterson, Ken's Replat. I held Edwards work and established the remaining corners of Block 1, specifically for Lots 1, 2, 3, & 4. I then segregated out Lot 2 according to the owner's desires. I established the line between Lots 1 & 2 as the center of the paved roadway between the two building located on the property. This survey was conducted with a Trimble R8 RTK Total Station.

**OWNERS DECLARATION:**

Know All Men By These Presents, that the owners of the lands shown on this plat do hereby acknowledge that they have caused this Plat to be created, they authorizes that this Plat be prepared in accordance with provisions of ORS Chapter 92, and they recognizes this Plat as the Official Map and Plat of the Replat as designated by the County Official, and filed in the County of Umatilla, State of Oregon.

Heather A Bacon  
Member, Ludcon Ventures, LLC

On this \_\_\_\_\_ day of \_\_\_\_\_, 2024, the above individual appeared personally before me and is known to me to be the identical individual who executed this plat and acknowledged that they did so freely and voluntarily of their own will.

Before me: \_\_\_\_\_  
Notary Public for Oregon

My Printed Name is \_\_\_\_\_

My Commission No. is \_\_\_\_\_

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

**APPROVALS:**

I certify that I have examined and approved this Replat on this

\_\_\_\_\_ day of \_\_\_\_\_, 2024

Umatilla County Surveyor

I certify that I have examined and approved this Replat on this

\_\_\_\_\_ day of \_\_\_\_\_, 2024

City of Hermiston  
Planning Commission Chair

I certify that I have examined and approved this Replat on this

\_\_\_\_\_ day of \_\_\_\_\_, 2024

City of Hermiston  
City Council, Mayor

I certify that I have examined and approved this Replat on this

\_\_\_\_\_ day of \_\_\_\_\_, 2024

Hermiston Irrigation District

I certify that I have examined and approved this Replat on this

\_\_\_\_\_ day of \_\_\_\_\_, 2024

Umatilla County Tax Assessor

I certify that I have examined and approved this Replat on this

\_\_\_\_\_ day of \_\_\_\_\_, 2024

Umatilla County Tax Collector

We certify that We have examined and approved this Replat on this

\_\_\_\_\_ day of \_\_\_\_\_, 2024

Umatilla County Commissioner

Umatilla County Commissioner

Umatilla County Commissioner

Umatilla Office of County Records  
Recording Information  
SEAL

**LEGEND**

- SET MONUMENTS - 5/8" X 30" Iron Rebar W/ Yellow Plastic Caps Stamped - L.S. #2431
- Found Monuments - as Noted (R0)
- X Found 'X' Marked in Concrete (R1)
- ⊗ Calculated Point - Not Set
- REPLAT BOUNDARY
- - - Section / Street Center Line
- (000)R0 Record - Per Reference Noted

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

**PRELIMINARY**

OREGON  
RONALD V. MCKINNIS  
JAN. 23, 1990  
2431

Expires 12-31-24

I certify that this is a true and exact copy of the Original Replat as filed for Ludcon Ventures, LLC & Heather Bacon in Umatilla County, Oregon

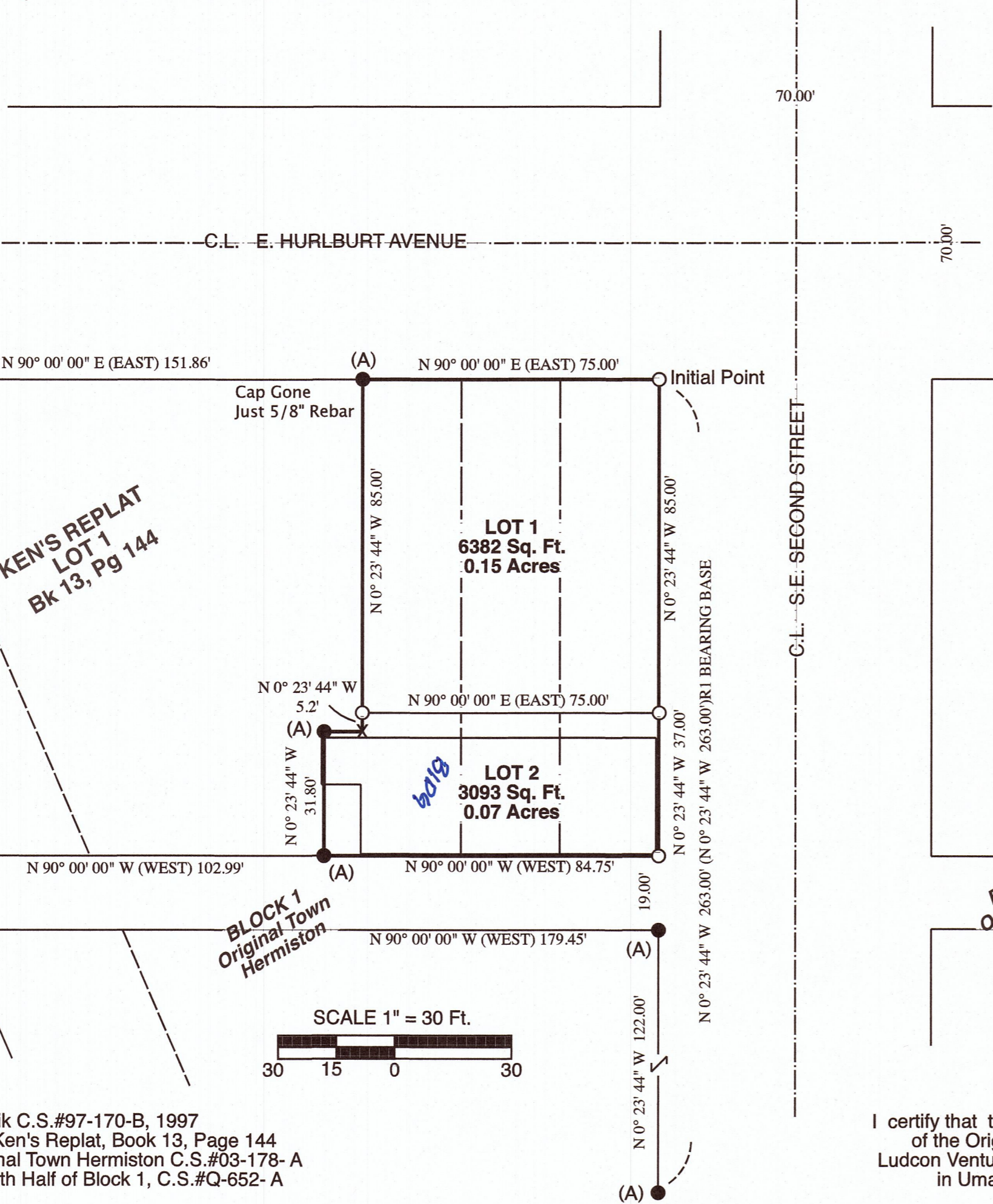
Ronald V. McKinnis, PLS #2431

SCALE 1" = 100 Ft.  
January, 2024

ENGINEERING - LAND SURVEYING - WATER RIGHTS  
**R. V. MCKINNIS ENGINEERING**

79980 Prindle Loop Road  
Hermiston, Oregon 97838  
(541) -567-2017

Rev. 07-29-24



**RECORD SURVEYS:**

- R1 - Edwards for Gandy & Kik C.S.#97-170-B, 1997
- R2 - Edwards for Peterson, Ken's Replat, Book 13, Page 144
- R3 - Harris for Block 1, Original Town Hermiston C.S.#03-178-A
- R4 - Unstamped Survey, North Half of Block 1, C.S.#Q-652-A

**Monuments Found:**

- (A)-Found 5/8" Rebar W/ Plastic Cap, PLS 951, R1
- (B)-Found 5/8" Rebar W/ Plastic Cap, PLS 951, R2



# CITY COUNCIL

## Regular Meeting Minutes September 23, 2024

Mayor Drotzmann called the regular meeting to order at 7:00pm. Present were Councilors Primmer, Peterson, Hardin, McCarthy, Duron, and Barron. Councilors Myers and Linton were excused. City Staff in attendance included: Assistant City Manager Mark Morgan, City Attorney Rich Tovey, Chief Jason Edmiston, Planning Director Clint Spencer, Court Administrator Jillian Viles, Parks and Recreation Director Brandon Artz, and City Recorder Lilly Alarcon-Strong. The pledge of allegiance was given.

### **Citizen Input on Non-Agenda Items**

None given.

### **Consent Agenda Items**

Councilor Primmer moved and Councilor McCarthy seconded to approve Consent Agenda item A-C, to include:

- A. Replat- Diamond Housing LLC 4N2812BB Tax Lots 488 & 489 – 1028 & 1034 NE Emerald Dr
- B. Minutes of the September 9, 2024, Public Infrastructure Advisory Committee meeting
- C. Minutes of the September 9, 2024 City Council Work Session and Regular Meeting

Motion carried unanimously.

**Public Hearing- Exemption from Public Contracting Competitive Bidding Requirement- Design Build Services, Signage, Various Locations** – Mayor Drotzmann Announced that this public hearing has been postponed to the City Council Meeting of October 14, 2024 at 7:00pm as printed in the agenda packet.

**Public Hearing- Annexation- Zamudio 4N2802BC Tax Lot 1500 – 309 E Theater Lane (Ordinance No. 2366)**  
Hearing no declarations of conflict of interest from the Council, Planning Director Clint Spencer read the hearing guidelines and Mayor Drotzmann opened the hearing at 7:04pm.

Planning Director Spencer presented information regarding applicant Melinda Zamudio who has applied to annex 1.5 acres of land located at 309 E Theater Lane. The applicant wishes to annex the property to connect to city services enabling residential development.

There were no proponents, opponents, or neutral parties who wished to provide testimony, and the hearing was closed at 7:07pm.

After some discussion, Councilor Primmer moved and Councilor Hardin seconded to approve the Findings of Fact as presented by City Planner Spencer. Motion carried unanimously. Councilor Primmer moved and Councilor Barron seconded to impose conditions of approval as presented by City Planner Spencer. Motion carried unanimously.

### **Ordinance No. 2366- Annexation- Zamudio 4N2802BC Tax Lot 1500 – 309 E Theater Lane**

Assistant City Manager Morgan stated this information was supplied during the Public Hearing a few moments ago.



## CITY COUNCIL

### Regular Meeting Minutes September 23, 2024

Mayor Drotzmann requested that the first reading be by title only. Hearing no opposition, City Attorney Tovey read the ordinance by title only. Mayor Drotzmann requested that the ordinance be put on for final adoption at this meeting and that the second reading be by title only. After City Attorney Tovey read the ordinance by title only for the second reading, Councilor McCarthy moved and Councilor Myers seconded that Ordinance No. 2366 be adopted and become effective 30-days after adoption by the City Council. Motion carried unanimously.

#### **Resolution No. 2338- Greater Hermiston Enterprise Zone School Support Fee**

Assistant City Manager Mark Morgan presented information (PowerPoint Presentation attached) stating the City and Umatilla County sponsor the Greater Hermiston Enterprise Zone and are asking the Council to approve an agreement between the City of Hermiston, Umatilla County, and the School Districts of Hermiston and Stanfield for future Long Term Rural Enterprise Zone (LTREZ) agreements at a rate of 15% for the school support fee imposed by HB2009.

After further discussion, Councilor Primmer moved and Councilor Hardin seconded to approve Resolution No. 2338 and lay upon the record. Motion carried unanimously.

#### **Resolution No. 2339- Stop Signs at SE 9th & East Penney Avenue**

Assistant City Manager Morgan presented information (PowerPoint Presentation attached) regarding the installation of two new stop signs at the intersection of SE 9th Street and East Penney Avenue, and removal of one existing stop sign. The proposed changes are the result of requests from drivers in that vicinity, as well as significant anticipated changes to traffic volumes as completion of new developments in that area near.

After further discussion, Councilor McCarthy moved and Councilor Primmer seconded to approve Resolution No. 2339 and lay upon the record. Motion carried unanimously.

#### **Resolution No. 2340- ODOT IGA- RRFB Installation on OR207 at Hartley and Joseph**

Assistant City Manager Morgan presented information (PowerPoint Presentation attached) an IGA with the Oregon Department of Transportation (ODOT) to install two Rectangular Rapid Flashing Beacons (RRFB) with the City agreeing to the ongoing maintenance of the RRFB's.

#### **Public Comment**

Josh Roberts, 1709 NE 6<sup>th</sup> Place- Asked if this construction would run concurrently with the ADA crosswalk constructions that will be taking place as presented by ODOT at the last meeting?

After Mayor Drotzmann asked Assistant City Manager Morgan to address the question, Assistant City Manager Morgan stated he does believe ODOT will be doing this work concurrently.

Councilor Duron moved and Councilor Primmer seconded to adopt Resolution No. 2340 and lay upon the record. Motion carried unanimously.



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## CITY COUNCIL

Regular Meeting Minutes  
September 23, 2024

### **August 2024 Financial Report**

After Council discussion, Councilor McCarthy moved and Councilor Barron seconded to accept the August Financial Report as presented (PowerPoint Presentation attached) by Finance Director Ignacio Palacios and Assistant City Manager Morgan. Motion carried unanimously.

### **Committee Reports**

**Parks and Recreation Advisory Committee-** Councilor McCarthy spoke regarding Harrison Park Basketball Courts and area lighting that were recently completed, Community Yard Sale at the Community Center on October 5<sup>th</sup>, and Riverfront Park Story Walk.

Parks and Recreation Director Brandon Artz gave updates regarding the new Pickleball Courts, to include: volunteer efforts in the location the pickleball courts will be placed and fundraising efforts.

**Library Board-** Councilor Duron stated the Library has official moved all items out of the building and staff has been very happy with the moving company that helped them with this transition. It is unknown when demolition and construction of the Library is expected.

**Hispanic Advisory Committee-** Councilor Duron stated the Committee met to finalize planning for the Hispanic Heritage Celebration that took place on Sunday. The event had food vendors, music, dancing, and activities for the entire family.

### **Mayor's Report**

Mayor Drotzmann spoke regarding:

- Attending and representing the League of Oregon City's as President, at the meetings in Gresham and Ashland with specific focus on the Revenue Reform Committee
- Thanked all those who are running for the four At-Large Council seats and participated in the Candidate Forum
- Attending the 1<sup>st</sup> Annual Stepping Stones Alliance Fundraising Gala stating it was a great event with good attendance
  - Councilor Primmer stated he also attended the event and acknowledged Mayor Drotzmann for donating back the 50/50 raffle he won to Stepping Stones Alliance
- Attended yesterday's Hispanic Heritage Month Celebration and was recognized by the Hispanic Advisory Committee for the support he has given the Committee and Hispanic Community throughout the years as Mayor, as well as Kathleen Cathey from Senator Wyden's Office

### **Council Reports**

Councilor Primmer stated the City Council just received an email from City Manager Smith stating the Library demolition is late October and construction is expected to last one year. Councilor Primmer stated he also attended the Candidate Forum and was impressed by all candidates, their answers and is excited to serve with new councilors.



*Where Life is Sweet*

## CITY COUNCIL

Regular Meeting Minutes  
September 23, 2024

Councilor McCarthy encouraged all to attend the Ribbon Cutting of Lucky Start Mobile at the Chamber of Commerce and the Volunteer Fair at the Community Center, and spoke regarding his upcoming LOC Conference in Bend.

Councilor Duron thanked KOHU and the Chamber of Commerce for putting on the Candidate Forum, stating participating was nerve racking but a great way for candidates and the community to get to know each candidate and it was great to be able to have it streamed on YouTube and be able to let people know they can view it there.

Councilor Barron spoke regarding the 9/11 historical event in our County, gave thanks to our first-responders and military, and the opportunity he has to teach this subject to students, and how grateful he is for our Country. Councilor Barron stated he also watched the Candidates Forum on YouTube and is excited to see three new Councilors as he hopes Councilor Duron will retain her Council seat.

### **Assistant City Manager's Report**

Assistant City Manager Morgan stated he attended kindergarten flag football over the weekend at the HEROS Complex at EOTEC and received many compliments regarding the condition of the fields knowing that only a month ago it had been used as a parking lot.

### **Adjourn**

There was no other business and Mayor Drotzmann adjourned the regular City Council meeting at 8:12pm.

SIGNED:

\_\_\_\_\_  
Dr. David Drotzmann, Mayor


ATTEST:

\_\_\_\_\_  
Lilly Alarcon-Strong, City Recorder



# Resolution 2338GHEZ SS

City Council: Sept. 23, 2024

## Overview

- Establish 15% "School Support Fee"
- Long-Term Rural Enterprise Zone (LTREZ)
- City of Hermiston & Umatilla County
- Hermiston School District
- Stanfield School District




## Overview

- Greater Hermiston Enterprise Zone (GHEZ)
  - Area within/around Hermiston
  - Property Tax incentives in exchange for job creation
  - City of Hermiston & Umatilla County = Co-Sponsors
  - City Staff = Zone Manager






- 



- 



- 



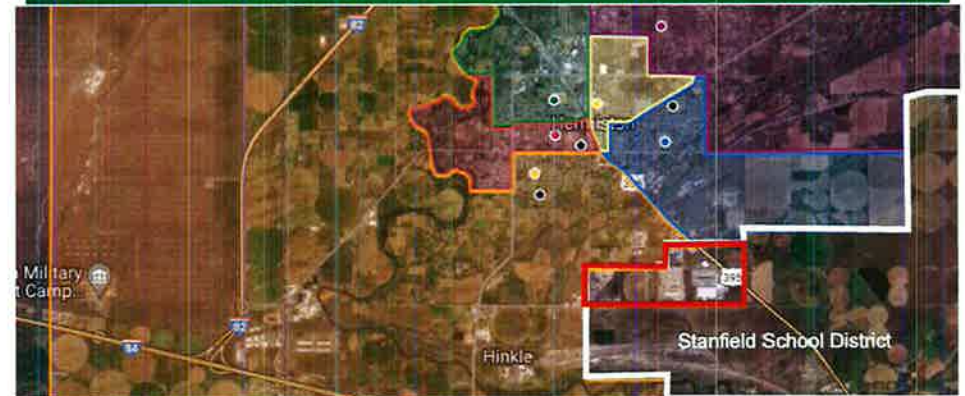
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## HERMISTON GHEZ Boundaries



## HERMISTON Hermiston School Boundary



## HERMISTON Local School Discussions

- Stanfield SD: Approved 15% in March
- Hermiston SD: Approved 15% in September
- City of Hermiston must concur
- Umatilla County must concur



Hypothetical Fiscal Impact: Lamb Weston  
2017 LTREZ

*Where Life is Sweet*



## Lamb Weston LTREZ Facts

- \$290M Investment
- \$1M/yr paid to Umatilla County & City of Hermiston
- 39.2% of projected tax liability
- Net New Employment
  - 141 Jobs
  - \$10.6M/yr net new local wages



## Industrial Tax Function

- Taxable Value(TV) = ~80% initial Investment
- TV: Depreciates ~5% per year

\$290M Investment Year 6 TV: ~\$180M



## Lamb Weston SSF?

- SSF = 15% of TOTAL tax years 6-15
- SSF = \$400k(yr6), \$390k(yr7), etc.
- SSF total sent to Statewide School Fund: ~\$3.3 Million
  - = \$0.37/Student Per Year Statewide
  - = Hermiston School District = +\$2,000/yr
    - 0.003%



## Negotiation Impacts

- Company Accepts \$3.3M Added Cost
  - 39% PILT → 48% PILT
- Company Refuses \$3.3M Added Cost





## Negotiating Leverage?

- Similar Investments at Lamb Weston Since 2019
  - Patterson, WA
  - Richland, WA
  - American Falls, ID
- Locate elsewhere entirely or delay investment



## Negotiating Universe

- Option A: Company Eats \$3.3M Increase
- Option B: GHEZ Eats \$3.3M Loss
- Option C: Impasse Invest Elsewhere



## Local Revenue Negotiation Window



## Takeaways

- LTREZ Deals = Less Valuable Locally
- Local Schools See No Tangible Change





Questions?

*Where Life is Sweet™*

A banner for Resolution 2339. It features a collage of images: a group of people celebrating, a landscape with a river and fields, a field of golden wheat, a family of four, a young girl with watermelon, a basket of fresh vegetables, and two people cycling. The text "Resolution 2339" is prominently displayed in white on a red background, with "City Council: Sept. 23, 2024" below it. The Hermiston Oregon logo, which includes a watermelon slice, is in the bottom right corner.

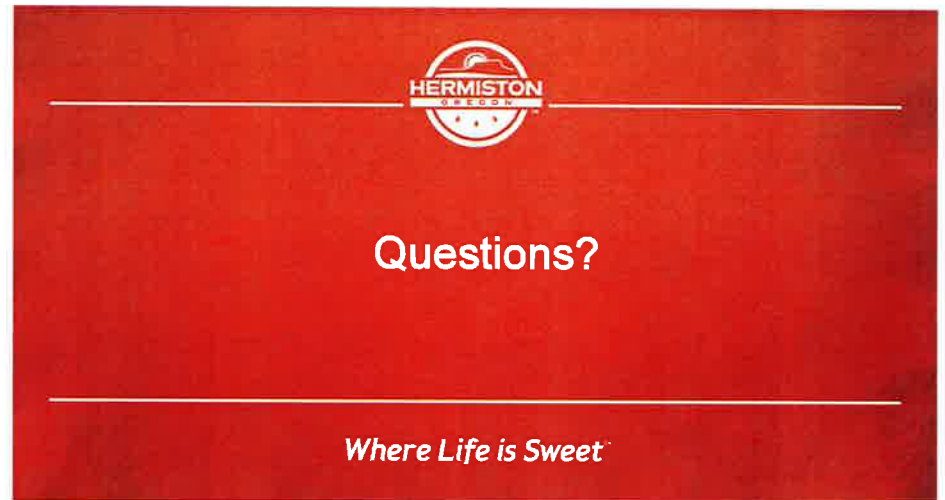
# Resolution 2339

City Council: Sept. 23, 2024

A red slide titled "Overview" with the Hermiston Oregon logo in the top left. It lists two bullet points: "Removes 1 new stop sign at SE 9 & Penney" and "Adds 2 new stop signs at SE 9 & Penney". At the bottom is a horizontal strip of small images showing various scenes from the community, including children, food, and nature.

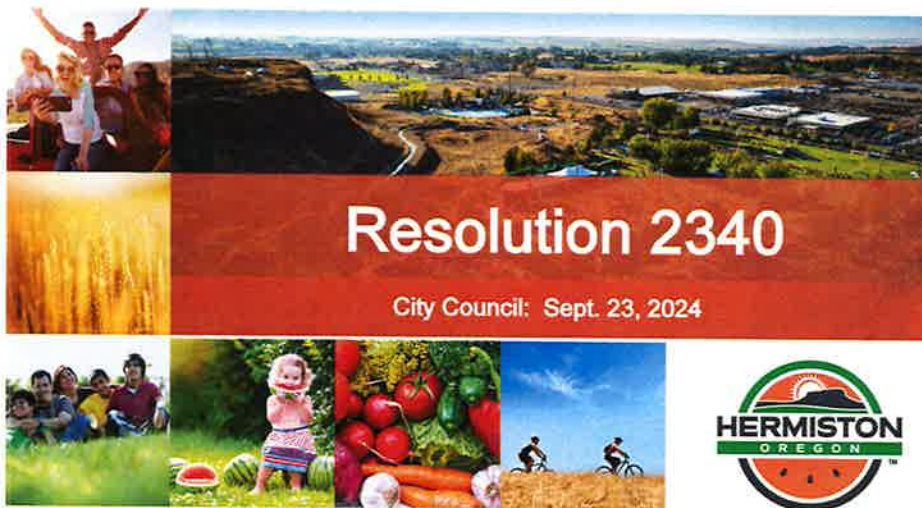
## Overview

- Removes 1 new stop sign at SE 9 & Penney
- Adds 2 new stop signs at SE 9 & Penney

A red slide with the Hermiston Oregon logo at the top center. It features the text "Questions?" in the middle and "Where Life is Sweet" at the bottom, flanked by two horizontal white lines.

## Questions?

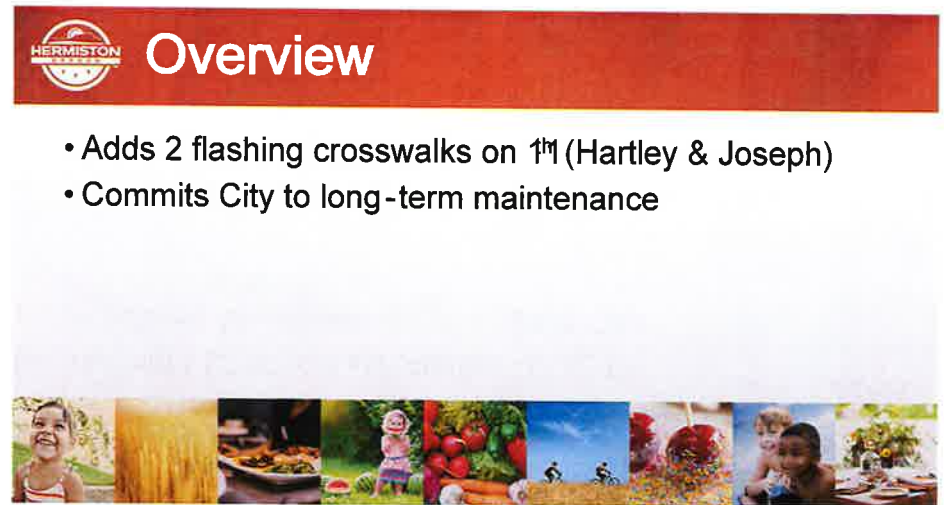
*Where Life is Sweet*



**Resolution 2340**

City Council: Sept. 23, 2024

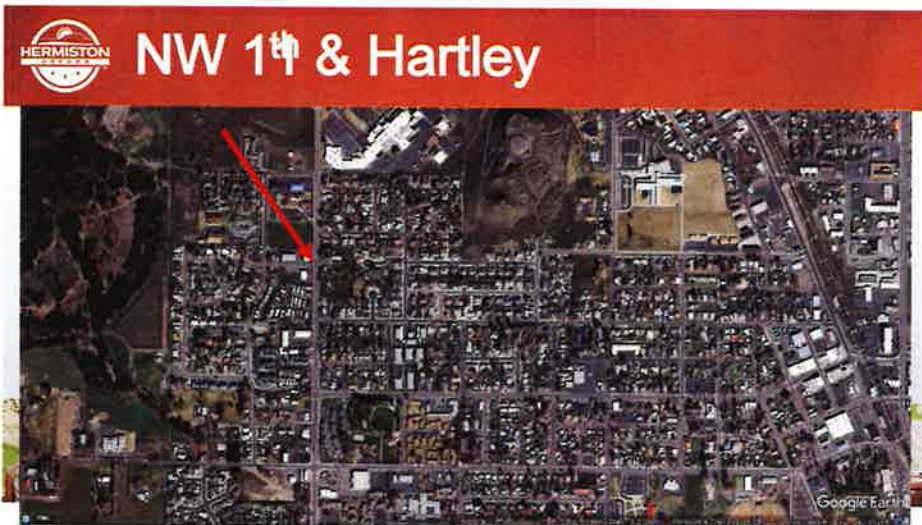
The header graphic features a collage of images: a group of people celebrating, a scenic view of a river valley, a field of golden wheat, a group of people sitting in a field, a young girl in a pink dress, a basket of fresh vegetables, and two people riding bicycles. The Hermiston Oregon logo is also present.



## Overview

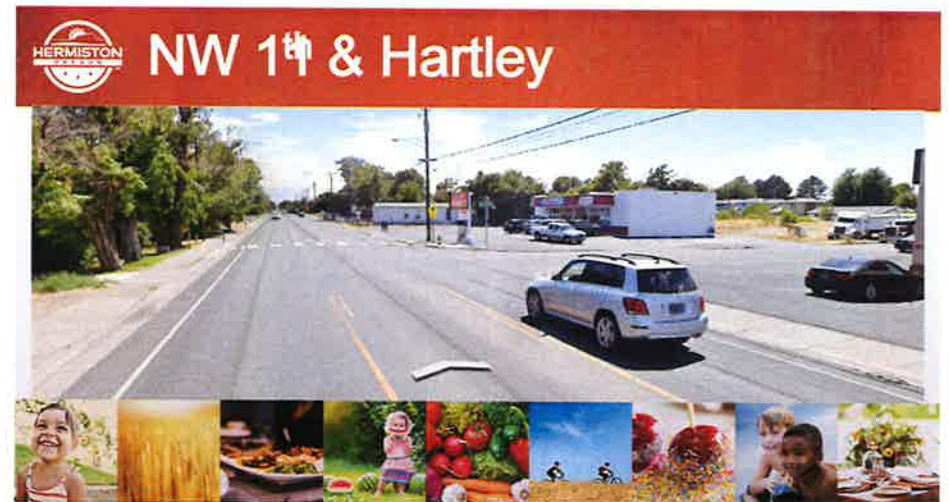
- Adds 2 flashing crosswalks on 1<sup>st</sup> (Hartley & Joseph)
- Commits City to long-term maintenance

The slide features a red header with the Hermiston logo and the word 'Overview'. Below the header is a list of two bullet points. At the bottom of the slide is a horizontal strip of small images, including a smiling girl, wheat, food, a girl in a pink dress, vegetables, bicycles, flowers, and a boy.



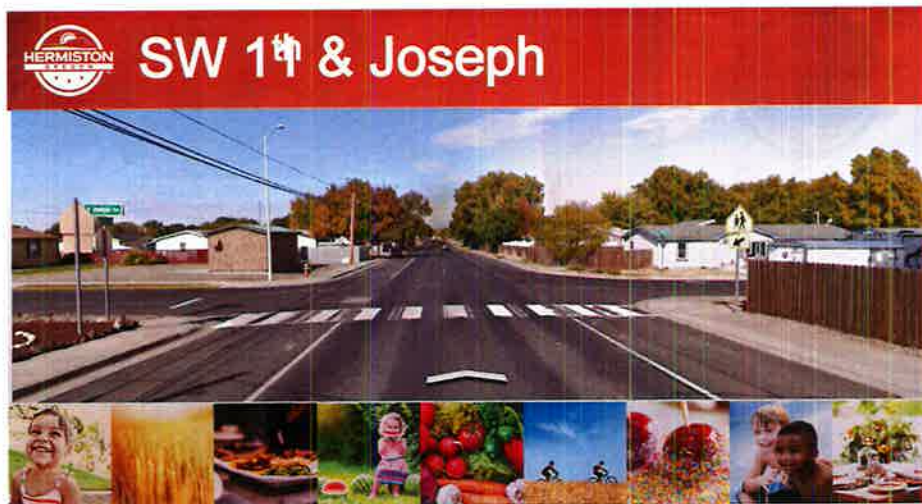
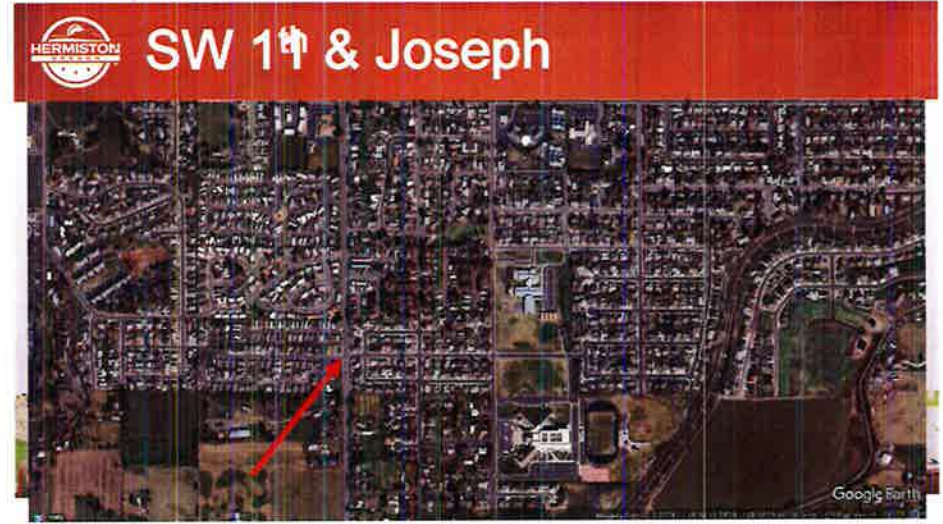
## NW 1<sup>st</sup> & Hartley

This slide shows a satellite map of a residential area. A red arrow points to a specific intersection. The Hermiston logo is in the top left corner, and the Google Earth logo is in the bottom right corner.



## NW 1<sup>st</sup> & Hartley

This slide shows a street-level photograph of a two-lane road with a white SUV driving away. The Hermiston logo is in the top left corner. At the bottom of the slide is a horizontal strip of small images, including a smiling girl, wheat, food, a girl in a pink dress, vegetables, bicycles, flowers, and a boy.



- Upfront \$250,000 installation: ODOT
- Ongoing Maintenance (20 years): City
  - Maximum \$2,500/yr each



Questions?

*Where Life is Sweet™*



## Hermiston Urban Renewal Agency (HURA)

- North Hermiston Urban Renewal Area – Surveying of project area



## General Fund

- Second month of 24-2025 fiscal year
- Monthly Revenues are below projections (~\$468,000)
  - **Primarily due to revenue timing**



## General Fund

- Monthly Expenses below projections by ~\$245,000
  - **Primarily due to expenses not yet incurred for various HPD projects**
  - **Various departments are over budget when compared to Projected**
    - **Transportation, Airport, Parks, Library, Harkenrider Center & Public Safety Center**
    - **When compared to budget to date (2/12 or 17%) only two departments are 'over budget'**
      - **Parks – 21%**
      - **Public Safety Center – 19%**



## Special Revenue Funds

- Law Enforcement and Library Special Revenue Funds closed
  - Three years for reporting to 'fall off'



## Utility and Street Funds

- Observations:
  - Street fund revenues under projections due to timing of gas tax receipts
  - Utility fund ~\$756k over projected revenues
    - Increase services (~100) and usage when compared to same period for FY 2022, 2023 and 2024
    - Annual CPI adjustment
    - Other charges
  - Regional Water fund ~\$35k over projected expenses



## Capital Projects

- A number of projects in design
  - Geer/Harper Realignment- submitted to UP
  - Well #6 Chlorination
  - Well #4 Controls
- Gladys/Main/Newport – Under Construction



## Capital Projects

- Teen Adventure Park – Project Completed
- Airport Hangar – Preparing for hangar construction
- IT Build-out – 99 % Complete including furniture
- Harkenrider – Working on ceiling soundproofing, etc.
- EOTEC Barns expansion project complete



## Capital Projects

- The Arc – Waiting on windows and siding plan
- Public Safety Center
  - **Phase I – Former court renovation on schedule**
  - **Phase II – Start date Oct. 1**





# CITY COUNCIL

## Regular Meeting Minutes

October 14, 2024

Mayor Drotzmann called the regular meeting to order at 7:04pm. Present were Councilors McCarthy, Duron, and Barron. Councilors Primmer, Linton, Myers, Hardin, and Peterson were excused. City Staff in attendance included: City Manager Byron Smith, Assistant City Manager Mark Morgan, City Attorney Rich Tovey, Finance Director Ignacio Palacios, Chief Jason Edmiston, Parks and Recreation Director Brandon Artz, Library Director Mark Rose, and City Recorder Lilly Alarcon-Strong. The pledge of allegiance was given.

City Manager Smith and City Attorney Tovey announced that due to a lack of a quorum, the Council could hear presentations in Section 6 and take citizen input on non-agenda items in Section 7 but hear no other reports or take action on any items.

### **Presentation- Introduction of Youth Advisory Council**

Hermiston High School Social Studies Teacher Aaron Davis stated the Youth Advisory Council is in its fourth year and has many returning student participants. The goal of the Youth Advisory Council is to encourage and engage youth to become involved in their community now and into the future.

Youth Advisory Council members Rebecca Godoy, Flor Silva-Chavez, Sarahi Gutierrez-Ayala, Yaneisy Perez, and Aviana Navejar introduced themselves. Mr. Davis stated Aspyr Inners and Catherin Doherty were unable to be present due to other school activities, and Jeannine Heredia, who was present during the Work Session Meeting, also had to leave due to other school activity engagements.

Mayor Drotzmann thanked Mr. Davis for his leadership helping students get involved in civic engagement.

### **Presentation- Hermiston School District (HSD) Updates**

Athletic Director Larry Usher gave HSD updates to include: Homecoming week activities, Portland Opera will be performing on October 17<sup>th</sup>, the Drama Club will be performing Radium Girls on October 25<sup>th</sup> and 30<sup>th</sup> and November 1<sup>st</sup> and 2<sup>nd</sup>, Dancing with the Hermiston Stars fundraiser event, Dia de los Muertos on November 1<sup>st</sup> at 6:00pm at EOTEC, Parent Square App, new hitting facility, Student First bus information, Salute to Service Night, athletic activities, and more.

### **Citizen Input on Non-Agenda Items**

None given.

### **Adjourn**

There was no other business and Mayor Drotzmann reconvened and adjourned the regular City Council meeting at 7:28pm.

SIGNED:

\_\_\_\_\_  
Dr. David Drotzmann, Mayor

ATTEST:

\_\_\_\_\_  
Lilly Alarcon-Strong, City Recorder



## CITY COUNCIL

### Work Session Meeting Minutes October 14, 2024

Mayor Drotzmann called the regular work session meeting to order at 6:00pm. Present were Councilors McCarthy, Barron, and Duron. Councilor's Primmer, Hardin, Linton, Myers, and Peterson were excused. Staff in attendance included City Manager Byron Smith, Assistant City Manager Mark Morgan, City Attorney Rich Tovey, Finance Director Ignacio Palacios, Chief Jason Edmiston, and City Recorder Lilly Alarcon-Strong. Also present was Student Advisor Jeanine Heredia.

#### **Amazon Web Services Community Engagement Update**

AWS External Affairs Manager Kalie Davis, presented the Council (PowerPoint Presentation attached) with community engagement and economic impacts that AWS has supported, to include: job growth, tax and fee payments as the largest taxpayer in Umatilla County, capital and operating investments, awarding \$100,000 in BMCC Scholarships including immediate job placements for the majority of students enrolled in data center technician programs, and giving back to the community, to include programs for: Library Multicultural Center, Pickleball Courts, UCFD#1 Education Trailer, Agape House Backpack Program, Martha's House, Stepping Stones Alliance, Umatilla County Fair, Farm-City Pro Rodeo, Arbor Day Tree Donation, Pacific Northwest Veteran Alliance, and more.

Josh Burns spoke regarding the HEROS Community Funded Project and how receiving funding from AWS helped complete this project.

(Jeanine Heredia arrived 6:17pm)

#### **Retail Strategies Update**

Portfolio Director Brooke Hill and Retail Development Manager John Boozer from Retail Strategies presented the Council (PowerPoint Presentation attached) with Hermiston's data, demographics, household income, population, and average analysis; what retailers look for when they are looking to develop in an area; opportunity gaps; retail timelines from initial interest to the retailer opening its doors, which typically takes at least three years; previous retail success that Retail Strategies has helped move into Hermiston; current active retail interest in Hermiston; the many outreach efforts Retail Strategies engages in, and more.

Mayor Drotzmann stated community members always tell him they want the following business to be located in Hermiston: Chipotle, Italian restaurant, Applebee's, Costco, and another grocery store option like Fred Meyer. Mayor Drotzmann thanked Retail Strategies representatives for attending and giving information about the time and effort it takes to bring in businesses and that the City is trying to do what they can to help this process.

#### **Adjournment**

Mayor Drotzmann adjourned the work session meeting at 6:52pm and stated the Council will take a short break and then convene for their regular council meeting at 7:00pm.



HERMISTON CITY COUNCIL MEETING

# AWS Community Engagement

## 2024 Update

Kalie Davis

External Affairs Manager  
AWS

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## Economic Impact of AWS in Umatilla County 2012 -2023



\$12.5B

Capital and operating  
investments

2,830

Estimated average full -  
time equivalent (FTE)  
jobs supported at local  
businesses annually in  
Umatilla County 2012 -  
2023

\$20.6M

Tax and fee payments  
to Umatilla County in  
2023

#1

AWS is the largest  
taxpayer in Umatilla  
County

Giving back to the City of Hermiston



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## Hermiston Community Contributions

- Library Multicultural Center
- Pickleball court
- Fire department education trailer
- Agape Backpack Program/Martha's House
- Stepping Stones Alliance
- BMCC Scholarships (\$100K)
  - For 23/24, all but two students got job placements
  - For 22/23, all got job placements
  - For 21/22, all got job placements



*"Seeing my students find jobs and launch their careers is truly the very best part of my work. I'm immensely grateful to AWS for their long-standing and generous support of our students. Thank you."*

-Peter Hemberg

BMCC Data Center Technician Department Head



## Hermiston Community Contributions

- Umatilla County Fair
  - Barn expansion
  - Livestock Show Scholarships
- Farm City Pro Rodeo
- Arbor Day Tree Donation
- HEROS Sports Complex



Dear Amazon Web Services,  
Thank you for your generosity and  
support in helping my goat get  
the Umatilla County Fair. This is  
my 5th year showing and I get  
better every year. I plan to use the  
money for college. Thanks again for  
your support!



## HEROS Sports Complex



## AWS ChangeX Community Fund

## ChangeX Community Fund Updates

- \$350K
- Opens 2x per year Jan 1 and July 1
- Highlight videos

## Pacific Northwest Veterans Alliance



## Grid Alternatives Pilot Program



### Program Overview

- Community solar program
- \$1.2M Initial Fund
- Install Q4 2024



### Who Benefits

- Pilot program includes 10 organizations
- Grid finalizing due diligence for 3 Hermiston locations



### How Does it Work

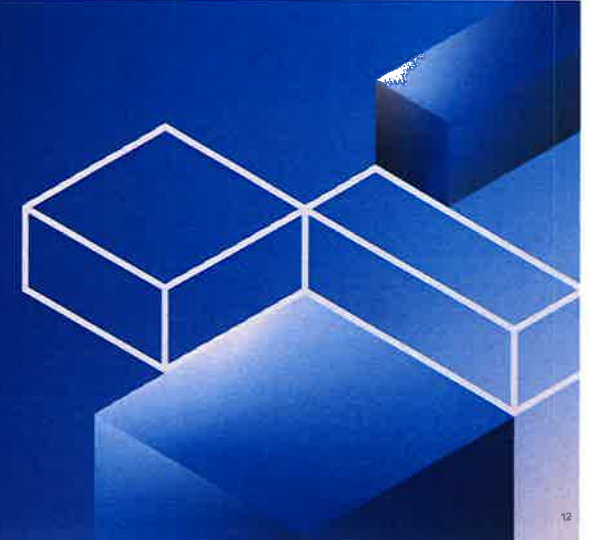
- Solar photovoltaic systems, approx. 25kW each
- Provides energy cost reductions to community organizations
- No cost to participating organizations for install
- All maintenance is provided for free by Grid
- Solar systems fully owned by organization

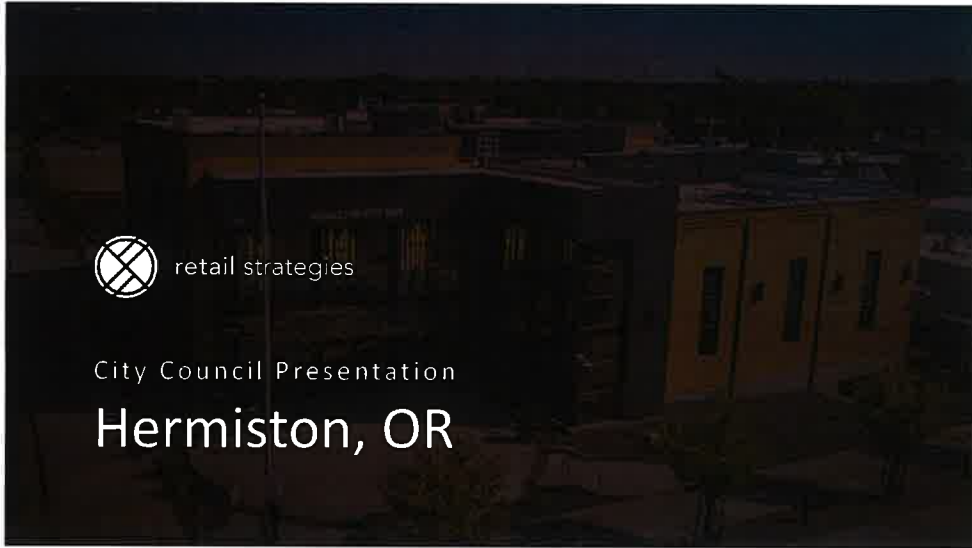
Questions



Thank you!

Kalie Davis  
541-701-5472  
kaliend@amazon.com





## INTRODUCTION

# Retail Strategies

Founded in 2011, Retail Strategies is a full-service advisory firm that works with municipalities on business recruitment through commercial real estate connections and networks.

Our team employs a commercial broker's mindset with a fiduciary responsibility for our municipal clients.



## OUR PROCESS

# Retail Strategies

- **Data & Demographic Analysis:** We refresh data for Hermiston's custom trade area annually. This allows us to see the market from the same perspective as national retailers.
- **Boots on the Ground:** We visit the market annually to update our inventory of real estate assets in Hermiston. Throughout the year we work to develop and nourish relationships with local brokers, developers, and property owners.
- **Trade Show Representation:** We attend ICSC shows to build better working relationships with key industry players, gather current retailer expansion information, and promote Hermiston market opportunities.
- **Pleasant Persistence:** Our team remains pleasantly persistent with national retail brands, and we actively promote viable sites in Hermiston. National retail brand reps are constantly receiving sites from around the country – we put Hermiston at the front of the line.
- **Investment Multiplier:** We act as an extension of Hermiston's ongoing economic development efforts. Our goal is to multiply the results of your team by focusing specifically on retail recruitment.
- **Relationship Agent:** Our team is actively looking for ways to leverage our deep bench of industry relationships in order to promote retail opportunities in Hermiston.



## DISCOVER

# How you see it



Source: Population Research Center (PRC) at Portland State University



DISCOVER

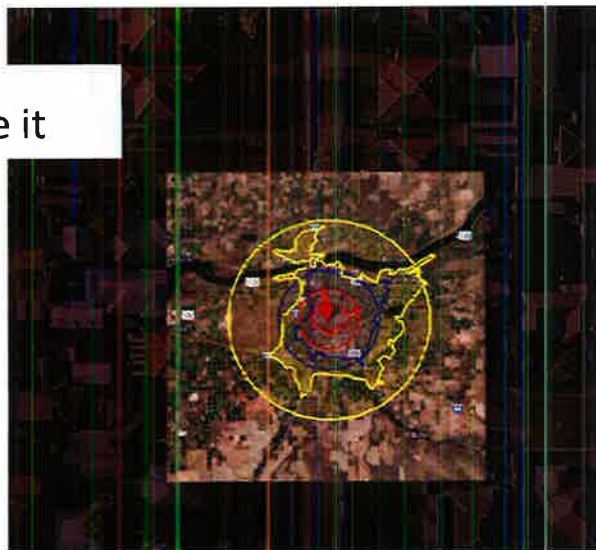
## How retailers see it

### Radius Rings

- 0-3 miles – 24,800 pop.
- 0-5 miles – 31,677 pop.
- 0-10 miles – 40,243 pop.

### Drive Times

- 0-5 min – 14,976 pop.
- 0-10 min – 29,310 pop.
- 0-15 min – 36,933 pop.



DISCOVER

## Customized Trade Area

Mobile Tracking Data from  
Hermiston Walmart



DISCOVER

## Customized Trade Area

55,659  
projected 2027 population



52,699  
2024 estimated population

\$69,450  
Median household income

38  
male average age

39  
female average age

DISCOVER

## Opportunity Gap

**\$125,818,241**

This means more people purchase items outside the defined Hermiston trade area than in the Hermiston-defined trade area for their consumer goods and services. Finding the specific categories where they are leaving the market is the key.



## Property Catalog



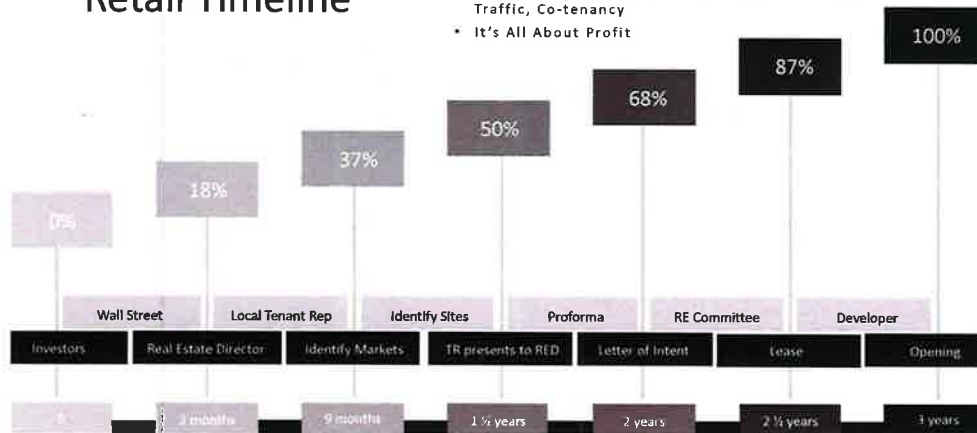
## Highway 395 Corridor

We work closely with the local team to engage with property owners, fostering connections with retailers, brokers, and developers. Our outreach helps to showcase unique opportunities in Hermiston that might otherwise go unnoticed by larger or non-local entities.



## Retail Timeline

- \* The Retailer Drives The Decision
- \* A Small Percentage Of Proposed Sites Equals New Openings
- \* Universal Site Criteria: Visibility, Parking, Access, Traffic, Co-tenancy
- \* It's All About Profit



## Active Retail Interest

Type of Retailer	Deal Status
Grocery User	Market Review
Outdoor Retailer	Reviewing Sites
Cellular Provider	Reviewing Sites
Chicken Fast-Casual	Reviewing Sites
Mexican QSR	In Negotiations



HERMISTON, OR

## Past Retail Success

Before:



After:



HERMISTON, OR

## Past Retail Success



HERMISTON, OR

## Retail Recruitment

### Conference Representation:

- Companywide: 15+
- Regional Team: 2-3



HERMISTON, OR

## Communicating Progress

### Basecamp

- Our main tool for communicating information.
- Functions as a messaging platform and keeps both sides accountable for project management.



### Quarterly Business Reviews (QBRs)

- Quarterly reports covering retail news, industry trends, and recruitment updates.



## Continued Outreach

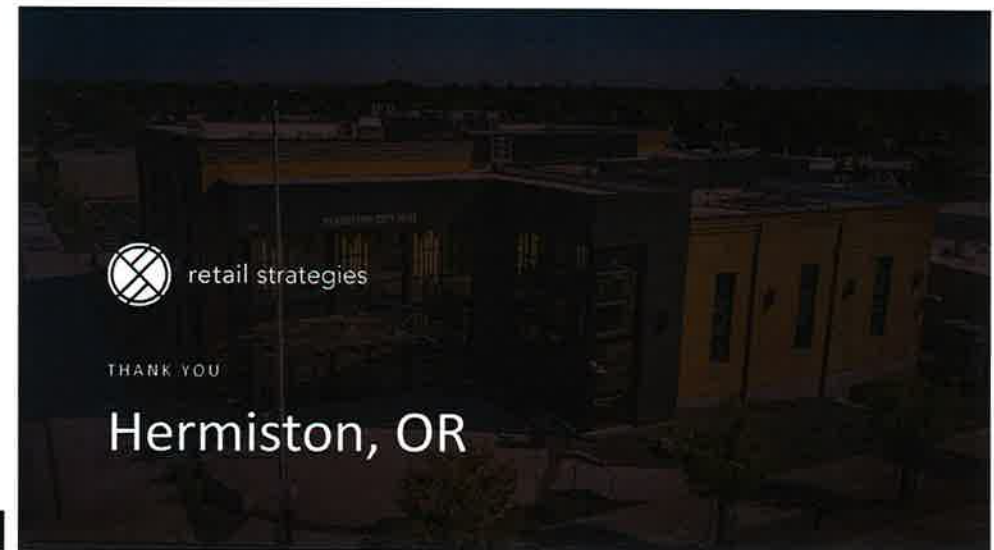
We share a common goal to generate new retail communication that would not otherwise happen and to create market influence in the retail industry.

We have conducted outreach to over 50 retail prospects ranging from: specialty grocers, entertainment concepts, sit-down restaurants, coffee shops, quick serve restaurants, fast casual restaurants, pet stores, clothing and footwear, hotels, home furnishings, and more.

Together, we continue to collaborate and strategize with the local Hermiston Team to think creatively regarding new-to-market retail and available sites.



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*Where Life is Sweet*

Mayor and Members of the City Council  
**STAFF REPORT**  
 For the Meeting of October 28, 2024

**Title/Subject**

Reschedule the 1<sup>st</sup> City Council Meeting in November

**Summary and Background**

Monday, November 11<sup>th</sup> is the Veterans Day Holiday when City offices will be closed. This date is also the second Monday of the month, the day when the City Council would normally hold its first meeting of November. Previously, when this holiday has landed on a regularly scheduled meeting date, the Council has rescheduled this meeting for the following day as many staff and council members are unavailable to meet and a quorum is difficult to achieve.

Staff is requesting the Council reschedule the City Council meeting from Monday, November 11<sup>th</sup> to Tuesday, November 12<sup>th</sup>.

**Tie-In to Council Goals**

NA

**Fiscal Information**

NA

**Recommendation**

**Recommended Action/Motion**

Reschedule the Monday, November 11<sup>th</sup> Meeting to Tuesday, November 12<sup>th</sup>

**Submitted By:**

City Manager Byron D. Smith



TO: City Manager Byron Smith  
FROM: Chief Jason Edmiston  
DATE: October 23<sup>rd</sup>, 2024  
SUBJECT: Liquor License Application – Cuban Family Bakery

After review of the liquor license application for the Cuban Family Bakery & More located at 425 W Hermiston Ave, 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 Naymen Chacon and Rubiel Perez Suarez.

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



## OREGON LIQUOR &amp; CANNABIS COMMISSION

## Local Government Recommendation – Liquor License

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

## License Information

Legal Entity/Individual Applicant Name(s): Naymen Chacon, Rubiel Perez Suarez

Proposed Trade Name: Cuban Family Bakery &amp; More

Premises Address: 425 W Hermiston Ave

Ste: OR

City: Hermiston

County: Umatilla

Zip: 97838

Application Type: ☒ New License Application ☐ Change of Ownership ☐ Change of LocationLicense Type: Limited On-Premises Sales License ☐ Additional Location for an Existing License

## Application Contact Information

Contact Name: Naymen Chacon

Phone: 3058107741

Mailing Address: 1447 NE Kenna Dr

City: Hermiston

State: OR

Zip: 97838

Email Address: Naymendelsa81@yahoo.com

## Business Details

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

- ☐ Manufacturing/Production at this location
- ☐ Retail Off-Premises Sales at this location
- ☒ Retail On-Premises Sales & Consumption at this location

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

- ☒ Indoor Consumption ☐ Outdoor Consumption
- ☒ Malt Beverage/Wine/Cider Consumption ☐ Distilled Spirits 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): Naymen Chacon, Rubiel Perez Suarez

Proposed Trade Name: Cuban Family Bakery & More

After completing section 1, please submit your application to the local government for recommendation

### 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: 10.02.2024

Received by: Lilly Alarcon-Strung, 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:

Title:

Date:

Signature:

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



TO: City Manager Byron Smith  
FROM: Chief Jason Edmiston  
DATE: October 23<sup>rd</sup>, 2024  
SUBJECT: Liquor License Application – One Stop Mart #9

After review of the liquor license application for One Stop Mart #9 located at 1050 S Highway 395, 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 Kam Singh and Gavendeep Samra.

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



**OREGON LIQUOR & CANNABIS COMMISSION**  
**Local Government Recommendation – Liquor License**

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

**License Information**

Legal Entity/Individual Applicant Name(s): GSS Fuel LLC  
 Proposed Trade Name: One Stop Mart #9  
 Premises Address: 1050 Hwy 395 Ste: OR  
 City: Hermiston County: \_\_\_\_\_ Zip: 97838  
 Application Type: ☐ New License Application ☒ Change of Ownership ☐ Change of Location  
 License Type: Liquor License ☐ Additional Location for an Existing License

**Application Contact Information**

Contact Name: Kam Singh Phone: 509-460-7050  
 Mailing Address: 1903 Judwin Ave  
 City: Richland State: WA Zip: 99354  
 Email Address: onestop509@yahoo.com

**Business Details**

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

- ☐ Manufacturing/Production at this location  
☒ Retail Off-Premises Sales at this location  
☒ Retail On-Premises Sales & Consumption at this location

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

- ☐ Indoor Consumption ☐ Outdoor Consumption  
☐ Malt Beverage/Wine/Cider Consumption ☐ Distilled Spirits Consumption  
☐ Proposing to Allow Minors

N/A  
no on-  
Premise  
Consumption

**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): GSS Fuel LLC / Havendeeep Samra

Proposed Trade Name: One Stop Mart #9

After completing section 1, please submit your application to the local government for recommendation

**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: 10/23/2024

Received by: Lilly Alarcon-Strong

**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:

Title:

Date:

Signature:

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



*Where Life is Sweet*

Mayor and Members of the City Council  
**STAFF REPORT**  
 For the Meeting of October 28, 2024

**Title/Subject**

Resolution No. 2341- Authorize Alternative Procurement Method – Design Build – Signs (Public Hearing)

**Summary and Background**

State procurement law allows for alternative methods of constructing a project. The typical process would be to fully design the project and then hire a contractor to build the project according to the plans and specifications. This method is very good for new construction.

One of the available alternatives in Oregon is called Design/Build. This alternative allows an agency to hire a contractor/design professional at the same time. This single firm designs and then constructs the project. Typically, contractors respond to these types of solicitations and then hire a designer as a subcontractor, and they work together to finish the project. The benefits are outlined in the findings of fact. This particular project of building welcome signs lends itself to this method because sign companies often have in house designers and will allow us the chance to build a sign that fits our budget.

**Tie-In to Council Goals**

N/A

**Fiscal Information**

The complete financial impact of this decision is not yet known. In other situations, this method has led to significant cost savings.

**Alternatives and Recommendation**

**Alternatives**

1. Approve Resolution 2341 and authorize city staff to utilize the Design/Build method to build at least one monument sign by going through a selection process to find a contractor to participate in the project.
2. Reject Resolution 2341.

Recommended Action/Motion

Motion to approve Resolution 2341

**Submitted By:**

Byron D. Smith

**RESOLUTION NO. 2341****A RESOLUTION ADOPTING FINDINGS IN SUPPORT OF ALTERNATIVE CONTRACTING METHOD FOR CONSTRUCTION OF AT LEAST ONE MONUMENT SIGN**

WHEREAS, the City of Hermiston ("City") Council adopted Ordinance No. 2104 on March 28, 2005 and amended by Ordinance No. 2237 on December 14, 2015, designating the City Council as the local contract review board for the City, and providing that the Council, acting as the local contract review board, shall have all the powers granted by the Oregon Revised Statutes; and

WHEREAS, ORS 279C.335(1) provides that all public improvement contracts shall be based upon competitive bids; with certain exceptions including an exemption for a specific contract for a public improvement which is approved in accordance with the provisions of ORS 279C.335(2), (3), (4), and (5); and

WHEREAS, the City's Local Public Contracting Regulations authorize the use of alternative contract methods for public improvement contracts as an alternative to the requirement for competitive bidding; and

WHEREAS, ORS 279C.335(2) requires that certain findings be adopted by the Local Contract Review Board in order to grant an exemption from the competitive bidding requirement for an alternative contract method for public improvement contracts; and

WHEREAS, the City desires to use an alternative contracting method known as Design/Build. The Design/Build contracting method utilizes a team approach utilizing a single contractor that also oversees the design professionals used in the project. Selection of the successful Design/Build contractor is by qualitative-based selection process; that is, evaluation/scoring of written proposals, interviews, and the specified profit margins of all Proposers; and

WHEREAS, pursuant to ORS 279C.335(5)(b), the City published notice of a public hearing for the purpose of taking public comment on the City's draft findings for the exemption from the competitive bidding requirement, for more than 14 days prior to the hearing date of October 28, 2024; and

WHEREAS, on October 28, 2024, the City Council acting as the Local Contract Review Board, reviewed the proposed findings, and desires to proceed with granting the exemption from the requirement for competitive bidding pursuant to the provisions of ORS 279C.335 and the City's Local Contract Review Board Rules.

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

1. That the findings in support of the requested exemption, as prepared and attached hereto as Exhibit "A", are hereby approved and adopted.
2. That based upon the findings set forth in Exhibit "A", the exemption from competitive bidding requirements to allow a Design/Build method of contracting for the construction of at least one monument sign is hereby granted.
3. That this Resolution goes into effect immediately.

PASSED by the Common Council this 28th day of October 2024.

SIGNED by the Mayor this 28th day of October 2024.

---

Dr. David Drotzmann, MAYOR

ATTEST:

---

Lilly Alarcon-Strong, CMC, CITY RECORDER

## Exhibit A

### FINDINGS OF FACT FOR THE USE OF THE DESIGN BUILD CONTRACTING METHOD

#### Before the Hermiston City Council

#### Regarding Design Build Services for Signage, Various Locations

The City of Hermiston ("City") is in western Umatilla County, Oregon; Hermiston is a rapidly growing, diverse, inclusive community, built on community engagement and partnerships, livability, and fiscal prudence. The current population is 20,322 citizens.

The scope of work and related budget associated with this Exemption includes signage needs at multiple locations within the City of Hermiston, including but not limited to the monument sign on Highway 395 North and Airport Way; the total anticipated budget for the monument sign at this location is approximately \$75,000.

The project requires attention and diligence from a competent contractor to complete the respective projects within budget and in a timeframe that supports the City's operations and community use. In consideration of these facts, an alternative method of construction should be considered; therefore, under the Oregon Statutes and based upon the following findings, the City Council is authorizing the use of the Design/Build (D/B) method of construction contracting.

The guiding applicable statute is ORS 279C.335 which requires, with certain exemptions, that all public contracts be based on competitive bidding and be awarded to the lowest responsive and responsible bidder. ORS 279A.060, ORS 279C.335(2) and ORS 279.330 permit the City Council to act as the public contract review authority and to grant, under certain conditions and upon certain findings, specific exemptions from the requirement for competitive bidding.

#### Finding of Fact

Use of the Design/Build method to construct the City's signage projects will: (a) result a in more predictable schedule, ensuring that the available construction budget aligns with the scope of work, and reducing the financial risk to the City; (b) will not impact the funding source for the project; and (c) not encourage favoritism nor diminish competition.

Specific findings which substantiate these conclusions are as follows:

1. **Finding:** The City Council finds that the Design/Build method will result in more predictable schedule and construction costs and reduced financial risk to the City.
  - a. **Reduced Financial Risk:** The Design/Build delivery method will result in more predictable costs and less financial risk. Through discussions with the City, the Design/Builder will be able to obtain a complete understanding of the City's needs, the scope of the project, and the operational needs of the City. With the Design/Builder's pre-construction participation, they will offer suggestions for cost savings, value engineering opportunities, and improvements to any proposed design. This will result in a schedule and project scope that fits within the available

## Exhibit A

funds. With the benefit of this knowledge, the Design/Builder will be able to establish and affirm a Guaranteed Maximum Price (GMP) for the scope of work.

- b. **Schedule:** With the Design/Builder managing the entire project, the Design/Builder can develop a schedule with the City as part of the pre-construction phase.
  - c. **Fewer Change Orders:** When the Design/Builder is responsible for the design process, fewer change orders will occur during the construction process. This is due to the Design/Builder's understanding of the City's needs and intent. As a result, the project is more likely to be completed on time and on budget. In addition, fewer change orders reduce project management costs for both the City and the contractor.
  - d. **GMP Savings:** Under the Design/Build delivery method the City will enjoy full savings, if actual costs are below the GMP. When the Design/Builder completes the project, any savings between the actual costs and the GMP are returned to the City.
- 2. **Finding:** The City Council finds that there will be no impact on the funding sources as a result of this exemption. The City's funding sources for this project will remain the same whether accomplished through a traditional design-bid-build process or through the Design/Build process. No adverse impact on the funding source will occur because of this exemption.
- 3. **Finding:** The City Council finds that competition will not be inhibited, nor will favoritism be encouraged because of this exemption. The Design/Build team will be selected through a competitive negotiation process in accordance with the cost and qualification-based process authorized by City Administration and Council.
  - a. **Solicitation Process:** Pursuant to ORS 279C.400 the Design/Build Request for Proposal (RFP) solicitation will be advertised in local and regional publications of general and industry specific circulation.
  - b. **Full Disclosure:** To ensure full disclosure of information, the RFP will include the following information:
    - i. Detailed Description of the Project
    - ii. Contractual Terms and Conditions
    - iii. Selection Process
    - iv. Evaluation Criteria
    - v. Role of the Evaluation Committee
    - vi. Provision for Comments
    - vii. Complaint Process and Remedies
  - c. **Selection Process:** Highlights of the selection process will include:
    - i. During the pre-proposal period, interested parties will, at any time prior to seven (7) business days before the close of the solicitation, be able to ask questions and request clarifications if they believe that any of the terms and conditions of the solicitation are unclear, inconsistent with industry standards or unfair and unnecessarily restrictive of competition.
    - ii. Sealed proposals will be submitted to the City at a time specified in the advertisements.
    - iii. The following evaluation process will be used:

## Exhibit A

1. Proposals will be evaluated for completeness and compliance with the requirements of the RFP.
  2. Proposals considered complete and responsive will be evaluated to determine if they meet the qualifying criteria of the RFP. If a proposal is unclear, the proposer may be asked to provide written clarification. Those proposals that do not meet the requirements will be rejected.
  3. Proposals will be independently scored against predetermined criteria by the voting members of the Evaluation Committee. Scores will be combined and assigned to each proposal.
  4. The Evaluation Committee may convene to select from the highest ranked proposals a finalist(s) for interviews.
  5. The Evaluation Committee may conduct interviews.
  6. The Evaluation Committee may use the interview to confirm the scoring of the proposal and to clarify questions. Based on the revised scoring, the Evaluation Committee will rank the proposals and provide an award recommendation.
  7. The City and legal counsel will negotiate a contract with the top ranked firm. If an agreement cannot be reached, the City will have the option to enter into an agreement with the second-ranked firm, and so on.
- iv. Competing Design/Build firms will be notified in writing of the selection of the apparent successful proposal and will be given seven (7) calendar days after receipt of the notice to review the RFP file and evaluation report at City Hall. Any questions or concerns about the selection process must be delivered to the City within seven (7) calendar days after receipt of the selection notice. No protest of the award selection shall be considered after this time.
  - v. The contract achieved through this process will require the Design/Build team to use an open and competitive selection process for all components of the project.
4. **Finding:** The City Council finds that there will be no adverse impact on the operations, finance, and budget if this exemption is provided. Whether this project is secured through a traditional design-bid-build method or through the Design/Build process, the operations, financial, and budgetary impact will be the same – other than the potential savings mentioned in Finding #1. More importantly, there will be no adverse impact on operations, financial or budgetary data using the Design/Build process.

### Conclusion of Findings of Fact

It is in the best interest of the City of Hermiston to utilize the Design/Build project delivery method. The Design/Build method will (a) result a in more predictable schedule, ensure the available construction budget aligns with the scope of work, and reduces financial risk to the City; (b) will not impact the funding source for the project; and (c) not encourage favoritism nor diminish competition.



*Where Life is Sweet*

Mayor and Members of the City Council  
**STAFF REPORT**  
 For the Meeting of October 28, 2024

**Title/Subject**

RESOLUTION NO. 2342 - AUTHORIZING A TEMPORARY EASEMENT ACROSS CITY PROPERTY TO ODOT

**Summary and Background**

The Oregon Department of Transportation (ODOT) plans to proceed with the Umatilla/Morrow County curb ramps phase 2B project. This project will improve portions of curb ramps/sidewalk within the City of Hermiston. The State of Oregon through ODOT is seeking a temporary easement to complete curb ramp work at the corner of Highway 207 and W. Joseph Avenue. ODOT is offering \$750 for the use of the temporary easement.

**Tie-In to Council Goals**

**Fiscal Information**

**Alternatives and Recommendation**

**Alternatives**

The city council may choose to

- Adopt Resolution No. 2342
- Reject Resolution No. 2342

**Recommended Action/Motion**

Motion to approve Resolution No. 2342

**Submitted By:**

Richard Tovey

**RESOLUTION NO. 2342****A RESOLUTION AUTHORIZING A TEMPORARY EASEMENT ACROSS CITY OWNED PROPERTY TO THE OREGON DEPARTMENT OF TRANSPORTATION**

WHEREAS, the State of Oregon through the Oregon Department of Transportation (“ODOT”) is completing curb ramp repairs on Highway 207 within the City of Hermiston as part of the Umatilla/Morrow County curb ramp phase 2B project (“Project”); and

WHEREAS, ODOT requires a temporary easement across City of Hermiston owned property located at the northwest corner of the intersection at Highway 207 and W. Joseph Avenue in order to construct/reconstruct curb ramps/sidewalk with the terms and design included in the Temporary Easement attached hereto and incorporated by this reference; and

WHEREAS, ODOT has offered the City of Hermiston seven-hundred and fifty dollars (\$750) for the Temporary Easement; and

WHEREAS, City staff believe it is in the best interest of the City to approve and execute the Temporary Easement.

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

1. That the Temporary Easement is hereby approved.
2. That the Mayor is authorized to sign the Temporary Easement.
3. That this resolution is effective immediately upon its passage.

PASSED by the Common Council this 28th day of October 2024.

SIGNED by the Mayor this 28th day of October 2024.

---

Dr. David Drotzmann, MAYOR

ATTEST:

---

Lilly Alarcon-Strong, CMC, CITY RECORDER

### TEMPORARY EASEMENT

**CITY OF HERMISTON, an Oregon municipal corporation**, Grantor, for the true and actual consideration of \$750, does grant to the **STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION**, Grantee, its successors and assigns, a temporary easement for a work area for construction purposes, over and across the property depicted on **Exhibit "A" Drawing dated July, 2024**, attached hereto and by this reference made a part hereof.

IT IS UNDERSTOOD that the temporary easement rights herein granted shall terminate two (2) years from the date hereof or upon completion of the State of Oregon Department of Transportation's construction project, whichever is sooner.

IT IS ALSO UNDERSTOOD that the temporary easement herein granted does not convey any right or interest in the above-described property, except as stated herein, nor prevent Grantor from the use of said property; provided, however that such use does not interfere with the rights herein granted.

Grantor covenants to and with Grantee, its successors and assigns, that Grantor is the owner of said property, and will warrant the easement rights herein granted from all lawful claims whatsoever.

Grantor agrees that the consideration recited herein is just compensation for the property or property rights conveyed, including any and all reduction in value to Grantor's remaining property, if any, which may result from the acquisition or use of said property or property rights. However, the consideration does not include damages resulting from any use or activity by Grantee beyond or outside of those uses expressed herein, if any, or damages arising from any negligence.

**File 10010033V**  
Drawing RW10010M

In construing this document, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this document shall apply equally to corporations and to individuals.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

ACCEPTED as authorized by action of the Hermiston City Council \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
David Drotzmann, Mayor

ATTEST: \_\_\_\_\_  
Lilly Alarcon-Strong, City Recorder

STATE OF OREGON    }  
                                  ss  
County of Umatilla    }

This instrument was acknowledged before me on \_\_\_\_\_, 20\_\_\_\_, by David Drotzmann as Mayor and Lilly Alarcon-Strong as City Recorder of the City of Hermiston, Oregon.

\_\_\_\_\_  
Notary Public for Oregon

My Commission expires \_\_\_\_\_

SEC. 16, T. 4N, R. 28E, W.M.

Charles Daniel Faust  
& Robyn L. Faust  
Doc. No. 2013-6120557  
7,570 ft<sup>2</sup> Rem. ±

W. JOSEPH AVE.

Temp. Ease. -  
Work Area  
242 ft<sup>2</sup> ±



SCALE: 1" = 30'

034V

"HH" S00°53'46"E

HERMISTON HWY

033V

Temp. Ease. -  
Work Area  
393 ft<sup>2</sup> ±

City of Hermiston  
Doc. No. 2010-5730472  
6,992 ft<sup>2</sup> Rem. ±

W. JOSEPH AVE.

**ACTIVE DRAWING**

THIS DRAWING SHOWS THE PROPOSED  
R/W NEEDED TO BE ACQUIRED TO  
SUPPORT THE PROJECT DESIGN

SUBJECT TO CHANGE

OREGON DEPARTMENT OF TRANSPORTATION



**RIGHT OF WAY  
ENGINEERING  
EXHIBIT A**

SECTION	UMATILLA/MORROW CO. CURB RAMPS PHASE 2B		
HIGHWAY	HERMISTON HIGHWAY	SCALE	1" = 30'
COUNTY	UMATILLA	FILE	10010033V, 034V
DATE	JULY, 2024	SEE DRAWING RW10010M	



*Where Life is Sweet*

Mayor and Members of the City Council  
**STAFF REPORT**  
 For the Meeting of October 28, 2024

**Title/Subject**

Resolution No. 2343 – Approval of Guaranteed Maximum Price (GMP) Amendments on Civic projects

**Summary and Background**

On June 26, 2023, the alternative procurement method of a Construction Manager/General Contractor (CMGC) was authorized for the Civic projects (Harkenrider, IT in City Hall and Library). This action was done via Resolution No. 2285. At that same meeting Hacker Architects were hired to be the design professionals on that same group of projects. Their contract was approved by Resolution No. 2284.

Following that approval and a selection process, CB Construction was hired as the CMGC part of this process on August 14, 2023 by Resolution No. 2286. Since that time, the process involving the Public Safety Center project became clearer and the Arc Building project was added to the Civic projects.

The contract process for this CMGC method of construction is that an initial contract is initiated with the CMGC (or Contractor) and a certain amount is agreed upon to pay them for this pre-construction phase. Once the design is completed by the architects, the CMGC then does a bid process and gets an amount to perform the construction as designed. An amendment is then made to the original contract to add the construction amount. This amendment is called a GMP amendment or Guaranteed Maximum Price amendment. We are requesting the ability to sign two GMP amendments with CB Construction related to the Library and the Arc Building Phase II.

**Tie-In to Council Goals**

City Facilities: Public Facilities That Meet The Community Needs Of Today And The Future

**Fiscal Information**

Arc Building Phase II	\$363,922.54
Library	\$3,541,202.13

All funding for these GMP amendments comes from the 2024 FFCO Bonds approved by the City Council and are budgeted for in the FY2024-25 City Budget.

### **Alternatives and Recommendation**

#### **Alternatives**

1. Approve Resolution No. 2343 as written authorizing the City Manager to sign the GMP Amendment for each listed project.
2. Make minor adjustments to the Resolution or the agreements and approve as amended.
3. Direct staff to make major adjustments and return for further consideration.

#### **Recommended Action/Motion**

Recommend approval of Resolution No. 2343 as presented.

#### **Submitted By:**

Byron D. Smith, City Manager

**RESOLUTION NO. 2343****A RESOLUTION APPROVING GUARANTEED PRICE AMENDMENTS FOR THE CMGC CONTRACT WITH CB CONSTRUCTION FOR THE LIBRARY AND ARC BUILDING PROJECTS AND AUTHORIZING THE CITY MANAGER TO SIGN ALL NECESSARY DOCUMENTS ON BEHALF OF THE CITY**

WHEREAS, the City of Hermiston (“City”) has developed the need for the construction at the Hermiston City Library and the Arc Building; and

WHEREAS, this includes a remodel of the library and Phase 2 of the remodel of the Arc Building; and

WHEREAS, the City has done all required processes to utilize the Construction Manager/General Contractor (CMGC) alternative construction method; and

WHEREAS, a Guaranteed Maximum Price (GMP) Amendment for the Library has been submitted for a total of \$ 3,541,202.13; and

WHEREAS, a Guaranteed Maximum Price (GMP) Amendment for the Arc Building has been submitted for a total of \$ 363,922.54.

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

1. That GMP amendments with CB Construction are approved for the above-mentioned portions of the Library and Arc Building remodel projects.
2. That the City Manager be, and is, hereby authorized to execute and deliver the GMP amendments to CB Construction 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 October 2024.

SIGNED by the Mayor this 28th day of October 2024.

---

Dr. David Drotzmann, MAYOR

ATTEST:

---

Lilly Alarcon-Strong, CMC, CITY RECORDER

# DRAFT AIA® Document A133™ – 2019

## Exhibit A

### Guaranteed Maximum Price Amendment

This Amendment dated the «14» day of «October» in the year «2024», is incorporated into the accompanying AIA Document A133™–2019, Standard Form of Agreement Between Owner and Construction Manager as Constructor where the basis of payment is the Cost of the Work Plus a Fee with a Guaranteed Maximum Price dated the «29th» day of «May» in the year «2024» (the “Agreement”)  
(In words, indicate day, month, and year.)

for the following **PROJECT:**  
(Name and address or location)

«City of Hermiston – Civic projects»  
«Hermiston Public Library Renovation»  
« »  
« »

**THE OWNER:**  
(Name, legal status, and address)

«City of Hermiston»  
«180 NE 2<sup>nd</sup> Street, Suite 211»  
«Hermiston, OR 97838-1827»

**THE CONSTRUCTION MANAGER:**  
(Name, legal status, and address)

«CB Construction, Inc.»  
«1202 Adams Avenue»  
«La Grande, OR 97850»  
«541-786-5315»

### TABLE OF ARTICLES

- A.1 GUARANTEED MAXIMUM PRICE
- A.2 DATE OF COMMENCEMENT AND SUBSTANTIAL COMPLETION
- A.3 INFORMATION UPON WHICH AMENDMENT IS BASED
- A.4 CONSTRUCTION MANAGER'S CONSULTANTS, CONTRACTORS, DESIGN PROFESSIONALS, AND SUPPLIERS

#### ARTICLE A.1 GUARANTEED MAXIMUM PRICE

##### § A.1.1 Guaranteed Maximum Price

Pursuant to Section 3.2.6 of the Agreement, the Owner and Construction Manager hereby amend the Agreement to establish a Guaranteed Maximum Price. As agreed by the Owner and Construction Manager, the Guaranteed Maximum Price is an amount that the Contract Sum shall not exceed. The Contract Sum consists of the Construction

#### ADDITIONS AND DELETIONS:

The author of this document has added information needed for its completion. The author may also have revised the text of the original AIA standard form. An Additions and Deletions Report that notes added information as well as revisions to the standard form text is available from the author and should be reviewed.

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

AIA Document A201™–2017, General Conditions of the Contract for Construction, is adopted in this document by reference. Do not use with other general conditions unless this document is modified.

**ELECTRONIC COPYING** of any portion of this AIA® Document to another electronic file is prohibited and constitutes a violation of copyright laws as set forth in the footer of this document.

Manager's Fee plus the Cost of the Work, as that term is defined in Article 6 of the Agreement.

§ A.1.1.1 The Contract Sum is guaranteed by the Construction Manager not to exceed « Three million five hundred forty-one thousand, two hundred two dollars & 13/100 » (\$ «3,541,202.13 »), subject to additions and deductions by Change Order as provided in the Contract Documents.

§ A.1.1.2 **Itemized Statement of the Guaranteed Maximum Price.** Provided below is an itemized statement of the Guaranteed Maximum Price organized by trade categories, including allowances; the Construction Manager's contingency, alternates; the Construction Manager's Fee; and other items that comprise the Guaranteed Maximum Price as defined in Section 3.2.1 of the Agreement.

(Provide itemized statement below or reference an attachment.)

«See attached GMP summary of cost, dated 10/9/2024 »

§ A.1.1.3 The Construction Manager's Fee is set forth in Section 6.1.2 of the Agreement.

§ A.1.1.4 The method of adjustment of the Construction Manager's Fee for changes in the Work is set forth in Section 6.1.3 of the Agreement.

#### § A.1.1.5 Alternates

§ A.1.1.5.1 Alternates, if any, included in the Guaranteed Maximum Price:

Item	Price
NA	\$

§ A.1.1.5.2 Subject to the conditions noted below, the following alternates may be accepted by the Owner following execution of this Exhibit A. Upon acceptance, the Owner shall issue a Modification to the Agreement.

(Insert below each alternate and the conditions that must be met for the Owner to accept the alternate.)

Item	Price	Conditions for Acceptance

#### § A.1.1.6 Unit prices, if any:

(Identify the item and state the unit price and quantity limitations, if any, to which the unit price will be applicable.)

Item	Units and Limitations	Price per Unit (\$0.00)

### ARTICLE A.2 DATE OF COMMENCEMENT AND SUBSTANTIAL COMPLETION

§ A.2.1 The date of commencement of the Work shall be:

(Check one of the following boxes.)

☒ [ « X » ] The date of execution of this Amendment.

☐ [ « » ] Established as follows:

(Insert a date or a means to determine the date of commencement of the Work.)

« »

If a date of commencement of the Work is not selected, then the date of commencement shall be the date of execution of this Amendment.

§ A.2.2 Unless otherwise provided, the Contract Time is the period of time, including authorized adjustments, allotted in the Contract Documents for Substantial Completion of the Work. The Contract Time shall be measured from the date of commencement of the Work.

**§ A.2.3 Substantial Completion** Unless the date of substantial completion is stated in the Agreement:

**§ A.2.3.1** Subject to adjustments of the Contract Time as provided in the Contract Documents, the Construction Manager shall achieve Substantial Completion of the entire Work: [INSERT SUBSTANTIAL COMPLETION DATE IN THE A133 AGREEMENT UNLESS PARTIES AGREE OTHERWISE.]

(Check one of the following boxes and complete the necessary information.)

[ ☐ ] Not later than  (  ) calendar days from the date of commencement of the Work.

[ ☒ ] By the following date:

**§ A.2.3.2** Subject to adjustments of the Contract Time as provided in the Contract Documents, if portions of the Work are to be completed prior to Substantial Completion of the entire Work, the Construction Manager shall achieve Substantial Completion of such portions by the following dates:

Portion of Work	Substantial Completion Date
<input type="text"/>	<input type="text"/>

**§ A.2.3.3** If the Construction Manager fails to achieve Substantial Completion as provided in this Section A.2.3, liquidated damages, if any, shall be assessed as set forth in Section 6.1.6 of the Agreement.

#### ARTICLE A.3 INFORMATION UPON WHICH AMENDMENT IS BASED

**§ A.3.1** The Guaranteed Maximum Price and Contract Time set forth in this Amendment are based on the Contract Documents and the following:

**§ A.3.1.1** The following Supplementary and other Conditions of the Contract:

Document	Title	Date	Pages
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

**§ A.3.1.2** The following Specifications:

(Either list the Specifications here or refer to an exhibit attached to this Amendment.)

« Exhibit A - Specifications »

Section	Title	Date	Pages
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

**§ A.3.1.3** The following Drawings:

(Either list the Drawings here or refer to an exhibit attached to this Amendment.)

« Exhibit B - Drawings »

Number	Title	Date
<input type="text"/>	<input type="text"/>	<input type="text"/>

**§ A.3.1.4** The Sustainability Plan, if any:

(If the Owner identified a Sustainable Objective in the Owner's Criteria, identify the document or documents that comprise the Sustainability Plan by title, date, and number of pages, and include other identifying information. The Sustainability Plan identifies and describes the Sustainable Objective; the targeted Sustainable Measures; implementation strategies selected to achieve the Sustainable Measures; the Owner's and Construction Manager's roles and responsibilities associated with achieving the Sustainable Measures; the specific details about design reviews, testing or metrics to verify achievement of each Sustainable Measure; and the Sustainability Documentation required for the Project, as those terms are defined in Exhibit C to the Agreement.)

Title	Date	Pages
<input type="text"/>	<input type="text"/>	<input type="text"/>

Other identifying information:

§ A.3.1.5 Allowances, if any, included in the Guaranteed Maximum Price:  
(Identify each allowance.)

Item	Price

§ A.3.1.6 Assumptions and clarifications, if any, upon which the Guaranteed Maximum Price is based:  
(Identify each assumption and clarification.)

«NA »

§ A.3.1.7 The Guaranteed Maximum Price is based upon the following other documents and information:  
(List any other documents or information here or refer to an exhibit attached to this Amendment.)

«GMP Summary of Cost  
Addendum 1  
Exhibit A – Specifications  
Exhibit B - Drawings »

#### ARTICLE A.4 CONSTRUCTION MANAGER'S CONSULTANTS, CONTRACTORS, DESIGN PROFESSIONALS, AND SUPPLIERS

§ A.4.1 The Construction Manager shall retain the consultants, contractors, design professionals, and suppliers, identified below:  
(List name, discipline, address, and other information.)

«See Final Bid Sheet summary »

This Amendment to the Agreement entered into as of the day and year first written above.

**CITY OF HERMISTON**

**[CB Construction, Inc.]**

OWNER (Signature)

«Byron Smith, City Manager»

(Printed name and title)

CONSTRUCTION MANAGER (Signature)

«Derek Howard »« President »

(Printed name and title)

# DRAFT AIA® Document A133™ – 2019

## Exhibit A

### Guaranteed Maximum Price Amendment

This Amendment dated the «14» day of «October» in the year «2024», is incorporated into the accompanying AIA Document A133™-2019, Standard Form of Agreement Between Owner and Construction Manager as Constructor where the basis of payment is the Cost of the Work Plus a Fee with a Guaranteed Maximum Price dated the «15» day of «August» in the year «2023» (the “Agreement”)  
(In words, indicate day, month, and year.)

for the following **PROJECT:**  
(Name and address or location)

«City of Hermiston – Civic projects»

«Arc Building Improvements – Phase 2»  
« »

**THE OWNER:**  
(Name, legal status, and address)

«City of Hermiston»  
«180 NE 2<sup>nd</sup> Street, Suite 211»  
«Hermiston, OR 97838-1827»

**THE CONSTRUCTION MANAGER:**  
(Name, legal status, and address)

«CB Construction, Inc.»  
«1202 Adams Avenue»  
«La Grande, OR 97850»  
«541-786-5315»

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### ARTICLE A.1 GUARANTEED MAXIMUM PRICE

#### § A.1.1 Guaranteed Maximum Price

Pursuant to Section 3.2.6 of the Agreement, the Owner and Construction Manager hereby amend the Agreement to establish a Guaranteed Maximum Price. As agreed by the Owner and Construction Manager, the Guaranteed Maximum Price is an amount that the Contract Sum shall not exceed. The Contract Sum consists of the Construction Manager’s Fee plus the Cost of the Work, as that term is defined in Article 6 of the Agreement.

#### ADDITIONS AND DELETIONS:

The author of this document has added information needed for its completion. The author may also have revised the text of the original AIA standard form. An Additions and Deletions Report that notes added information as well as revisions to the standard form text is available from the author and should be reviewed.

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

AIA Document A201™-2017, General Conditions of the Contract for Construction, is adopted in this document by reference. Do not use with other general conditions unless this document is modified.

**ELECTRONIC COPYING** of any portion of this AIA® Document to another electronic file is prohibited and constitutes a violation of copyright laws as set forth in the footer of this document.

§ A.1.1.1 The GMP-03 Contract Sum is guaranteed by the Construction Manager not to exceed «Three hundred sixty-three thousand, nine hundred twenty-two dollars & 54/100» (\$ « 363,922.54 »), subject to additions and deductions by Change Order as provided in the Contract Documents.

§ A.1.1.2 **Itemized Statement of the Guaranteed Maximum Price.** Provided below is an itemized statement of the Guaranteed Maximum Price organized by trade categories, including allowances; the Construction Manager's contingency, alternates; the Construction Manager's Fee; and other items that comprise the Guaranteed Maximum Price as defined in Section 3.2.1 of the Agreement.

(Provide itemized statement below or reference an attachment.)

«See attached GMP summary of cost, dated 08/26/2024»

§ A.1.1.3 The Construction Manager's Fee is set forth in Section 6.1.2 of the Agreement.

§ A.1.1.4 The method of adjustment of the Construction Manager's Fee for changes in the Work is set forth in Section 6.1.3 of the Agreement.

§ A.1.1.5 **Alternates**

§ A.1.1.5.1 Alternates, if any, included in the Guaranteed Maximum Price:

Item	Price
	\$

§ A.1.1.5.2 Subject to the conditions noted below, the following alternates may be accepted by the Owner following execution of this Exhibit A. Upon acceptance, the Owner shall issue a Modification to the Agreement.

(Insert below each alternate and the conditions that must be met for the Owner to accept the alternate.)

Item	Price	Conditions for Acceptance

§ A.1.1.6 **Unit prices, if any:**

(Identify the item and state the unit price and quantity limitations, if any, to which the unit price will be applicable.)

Item	Units and Limitations	Price per Unit (\$0.00)

**ARTICLE A.2 DATE OF COMMENCEMENT AND SUBSTANTIAL COMPLETION**

§ A.2.1 The date of commencement of the Work shall be:

(Check one of the following boxes.)

☒ [ « X » ] The date of execution of this Amendment.

☐ [ « » ] Established as follows:

(Insert a date or a means to determine the date of commencement of the Work.)

« »

If a date of commencement of the Work is not selected, then the date of commencement shall be the date of execution of this Amendment.

§ A.2.2 Unless otherwise provided, the Contract Time is the period of time, including authorized adjustments, allotted in the Contract Documents for Substantial Completion of the Work. The Contract Time shall be measured from the date of commencement of the Work.

**§ A.2.3 Substantial Completion** Unless the date of substantial completion is stated in the Agreement:

**§ A.2.3.1** Subject to adjustments of the Contract Time as provided in the Contract Documents, the Construction Manager shall achieve Substantial Completion of the entire Work: [INSERT SUBSTANTIAL COMPLETION DATE IN THE A133 AGREEMENT UNLESS PARTIES AGREE OTHERWISE.]

(Check one of the following boxes and complete the necessary information.)

[ ☐ ] Not later than  (  ) calendar days from the date of commencement of the Work.

[ ☒ ] By the following date:

**§ A.2.3.2** Subject to adjustments of the Contract Time as provided in the Contract Documents, if portions of the Work are to be completed prior to Substantial Completion of the entire Work, the Construction Manager shall achieve Substantial Completion of such portions by the following dates:

Portion of Work	Substantial Completion Date
<input type="text"/>	<input type="text"/>

**§ A.2.3.3** If the Construction Manager fails to achieve Substantial Completion as provided in this Section A.2.3, liquidated damages, if any, shall be assessed as set forth in Section 6.1.6 of the Agreement.

#### ARTICLE A.3 INFORMATION UPON WHICH AMENDMENT IS BASED

**§ A.3.1** The Guaranteed Maximum Price and Contract Time set forth in this Amendment are based on the Contract Documents and the following:

**§ A.3.1.1** The following Supplementary and other Conditions of the Contract:

Document	Title	Date	Pages
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

**§ A.3.1.2** The following Specifications:

(Either list the Specifications here or refer to an exhibit attached to this Amendment.)

« »

Section	Title	Date	Pages
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

**§ A.3.1.3** The following Drawings:

(Either list the Drawings here or refer to an exhibit attached to this Amendment.)

« Exhibit A - Drawing »

Number	Title	Date
<input type="text"/>	<input type="text"/>	<input type="text"/>

**§ A.3.1.4** The Sustainability Plan, if any:

(If the Owner identified a Sustainable Objective in the Owner's Criteria, identify the document or documents that comprise the Sustainability Plan by title, date, and number of pages, and include other identifying information. The Sustainability Plan identifies and describes the Sustainable Objective; the targeted Sustainable Measures; implementation strategies selected to achieve the Sustainable Measures; the Owner's and Construction Manager's roles and responsibilities associated with achieving the Sustainable Measures; the specific details about design reviews, testing or metrics to verify achievement of each Sustainable Measure; and the Sustainability Documentation required for the Project, as those terms are defined in Exhibit C to the Agreement.)

Title	Date	Pages
<input type="text"/>	<input type="text"/>	<input type="text"/>

Other identifying information:

§ A.3.1.5 Allowances, if any, included in the Guaranteed Maximum Price:  
(Identify each allowance.)

Item	Price

§ A.3.1.6 Assumptions and clarifications, if any, upon which the Guaranteed Maximum Price is based:  
(Identify each assumption and clarification.)

«NA »

§ A.3.1.7 The Guaranteed Maximum Price is based upon the following other documents and information:  
(List any other documents or information here or refer to an exhibit attached to this Amendment.)

«GMP Summary of Cost  
Exhibit A - Drawing »

#### ARTICLE A.4 CONSTRUCTION MANAGER'S CONSULTANTS, CONTRACTORS, DESIGN PROFESSIONALS, AND SUPPLIERS

§ A.4.1 The Construction Manager shall retain the consultants, contractors, design professionals, and suppliers, identified below:  
(List name, discipline, address, and other information.)

«See GMP Summary of Cost »

This Amendment to the Agreement entered into as of the day and year first written above.

**CITY OF HERMISTON**

**[CB Construction, Inc.]**

\_\_\_\_\_  
**OWNER** (Signature)

«Byron Smith, City Manager»

(Printed name and title)

\_\_\_\_\_  
**CONSTRUCTION MANAGER** (Signature)

«Derek Howard »« President »

(Printed name and title)



*Where Life is Sweet*

Mayor and Members of the City Council  
**STAFF REPORT**  
For the Meeting of October 28, 2024

**Title/Subject**

Resolution No. 2344 – Authorizing a Building Plan Review/Inspection Services Agreement with the City of Umatilla

**Summary and Background**

The City of Hermiston has providing Building Plan Review/Inspection Services to the City of Umatilla for many years. The initial agreement was one-directional and was at a “discounted” price in order to assist the City of Umatilla.

Since that time, the City of Umatilla has been able to staff up considerably and do more of their own plan review/inspection services work. Because they have done that and they are now in a better financial position, both cities have agreed to update the agreement to a market rate for reimbursement and make the agreement bi-directional. These changes allow for greater fairness in reflecting the amount of work needed for the respective services and make it possible for the City of Hermiston to receive services if we needed them.

The City of Umatilla approved the attached agreement during their September 3, 2024 city council meeting.

**Tie-In to Council Goals**

N/A

**Fiscal Information**

This agreement increases the hourly rate from \$80/hour to \$90/hour and increases the plan review fee split from 50%/50% to 75%/25% (with 75% going to the agency performing the plan review).

## **Alternatives and Recommendation**

### **Alternatives**

1. Adopt Resolution 2344
2. Amend Resolution 2344 or the attached IGA
3. Table Resolution 2344 and request more information.

### **Recommended Action/Motion**

Motion to adopt Resolution 2344 as proposed.

### **Submitted By:**

Byron D. Smith

**RESOLUTION NO. 2344****A RESOLUTION AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF UMATILLA FOR THE CITY OF HERMISTON TO PROVIDE BUILDING INSPECTION SERVICES AND TO AUTHORIZE THE CITY MANAGER TO SIGN ALL NECESSARY DOCUMENTS ON BEHALF OF THE CITY**

WHEREAS, the City of Hermiston (City) has employees that provide building inspection services; and

WHEREAS, the City has the means to provide building inspection services to additional agencies outside of the City; and

WHEREAS, the City can provide plan review and site built residential/commercial plumbing, structural, mechanical, and electrical inspections; and

WHEREAS, the City of Umatilla has the means to provide building inspection/plan review services for themselves and for additional agencies outside of the City; and

WHEREAS, the City and the City of Umatilla have proposed an Intergovernmental Agreement ("Agreement") to work cooperatively to provide building inspection services to the City and City of Umatilla, the proposed IGA is attached and incorporated by this reference; and

WHEREAS, City staff believe it is in the best interest of the City to approve and execute the Agreement.

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

1. That the Intergovernmental Agreement between the City of Hermiston and the City of Umatilla to provide building inspection services is hereby approved.
2. That the City Manager is authorized to sign the Intergovernmental Agreement.
3. That this resolution is effective immediately upon its passage.

PASSED by the Common Council this 28th day of October 2024.

SIGNED by the Mayor this 28th day of October 2024.

---

Dr. David Drotzmann, MAYOR

ATTEST:

---

Lilly Alarcon-Strong, CMC, CITY RECORDER

# INTERGOVERNMENTAL AGREEMENT City Contract No. \_\_\_\_\_

This Agreement is between the City of Hermiston and the City of Umatilla in accordance with ORS 190.110. The Contract Administrators of this Agreement are:

City of Hermiston	City of Umatilla
Contract Administrator: Byron Smith	Contract Administrator: David Stockdale
Title: City Manager	Title: City Manager
City of Hermiston 180 NE 2 <sup>nd</sup> St. Hermiston, OR 97838 Phone: (541) 567-5521	City of Umatilla 700 Sixth St. Po Box 130 Umatilla, OR 97882 Phone: (541) 922-3226 x102
Email: bsmith@hermiston.gov	Email: david@umatilla.gov

## I. PURPOSE:

The purpose of this Agreement is to ensure that timely plan review and site built residential/commercial plumbing, structural, mechanical, and electrical inspections are performed for both the City of Umatilla and the City of Hermiston under each agency's authority. This work can be requested by either party as needed.

## II. TERM OF AGREEMENT:

This Agreement shall become effective on the date at which every party has signed this Agreement. This Agreement originally expires on July 31, 2026 and automatically extends for two-year periods until officially amended in accordance with Section VI or canceled in accordance with Section VII.

## III. STATEMENT OF WORK

Through this Agreement the two parties agree to perform requested services for plan review and site built residential/commercial plumbing, structural, mechanical, and electrical inspections on behalf of the other party.

Each party shall:

1. Comply with all requirements and regulations of the applicable ORS's and OAR's.
2. Provide State of Oregon certified/licensed inspectors that are employees of either party to perform all inspections.

# **INTERGOVERNMENTAL AGREEMENT** City Contract No. \_\_\_\_\_

3. Perform requested inspections within forty-eight business (48) hours when available and plan reviews within thirty (30) business days when able.
  - a. When these timelines are not able to be met, expected timelines will be communicated.
4. Inspection results shall be recorded in Accela when completed.
5. Comply with the inspection notification requirements of applicable ORS's and OAR's.
6. Provide a request for payment on services rendered each quarter of the calendar year.
  - a. These requests will include a detailed spreadsheet of work performed both inspections and plan review.
7. Both parties reserve the right to reject inspection requests and to reject plan review requests within twenty-four (24) hours of initial request.

## **IV. CONSIDERATION**

- A. The parties agree to pay each other an hourly rate of \$90.00 for building inspections and plan review services provided and 75% of the fees collected for plan reviews. Payment will be based upon the performance of plan review and site built residential/commercial plumbing, structural, mechanical, and electrical inspections performed.
- B. Payment under the terms of this Agreement is separate from and in addition to the payments made under any other existing Agreements between the City of Umatilla and the City of Hermiston.
- C. The parties agree to submit final invoice for work completed under this Agreement no later than thirty (30) calendar days after expiration date of this Agreement.
- D. All requests for payment shall include documentation described in Section III to justify payment under this Agreement and shall be submitted to the building department of the other party.

## **V. TRAVEL AND OTHER EXPENSES**

Hourly rate includes travel expenses. Travel and other expenses of either parties inspectors shall not be reimbursed. Hourly rate will include travel from port to port and office/administrative time spent conducting business with and/or on behalf of the other party.

## **VI. AMENDMENTS**

The terms of this Agreement shall not be waived, altered, modified, supplemented, or amended except by written instrument signed by both parties. This Agreement may be extended upon written amendment. The Agreement not to exceed amount may be increased to reflect any authorized extension period.

## **VII. TERMINATION**

This Agreement may be terminated by mutual consent by both parties or by either party upon thirty (30) calendar days' notice, in writing.

## **VIII. NON-PERFORMANCE**

**INTERGOVERNMENTAL AGREEMENT** City Contract No. \_\_\_\_\_

Neither party shall be held responsible for delay or failure to perform when such delay or failure is due to fire, flood, epidemic, strikes, acts of God or the public enemy, unusually severe weather, legal acts of public authorities, or delays or defaults caused by public carriers, which cannot be reasonably foreseen or provided against. Either party may terminate the Agreement, effective with the giving of written notice, after determining such delays or failure will reasonably prevent successful performance in accordance with the terms of this Agreement.

**IX. ALTERNATIVE DISPUTE RESOLUTION**

The parties should attempt in good faith to resolve any dispute arising out of this Agreement. This may be done at any management level, including at a level higher than persons directly responsible for administration of the Agreement.

**X. INSURANCE**

Each party shall insure or self-insure and be independently responsible for the risk of its own liability of claims within the scope of the Oregon Tort Claim Act (ORS 30.260-30.300).

**XI. SUBCONTRACTOR**

City of Hermiston shall only use inspectors that are an employee of the City of Hermiston. No subcontractors shall work under this Agreement.

**XII. NONDISCRIMINATION**

The parties agree to comply with all applicable requirements of Federal and State civil rights and rehabilitation statutes, rules, and regulations in the performance of this Agreement.

**XIII. COMPLIANCE WITH APPLICABLE LAWS**

The parties agree that both shall comply with all Federal, State, and local laws and ordinances applicable to the work to be done under this Agreement. The parties agree that this Agreement shall be administered and construed under the laws of the State of Oregon.

**XIV. PARTNERSHIP**

Neither party is, by virtue of this Agreement, a partner nor joint venture in connection with activities carried out under this Agreement and shall have no obligation with respect to the other party's debts or any other liability or obligation of the other party of whatever kind of nature.

**XV. AUDIT**

The City of Umatilla reserves the right to audit, at the City of Umatilla's expense, all records pertinent to this Agreement.

**INTERGOVERNMENTAL AGREEMENT** City Contract No. \_\_\_\_\_

## XVI. ENTIRE AGREEMENT

This Agreement constitutes the entire Agreement between the parties concerning the subject matter of this Agreement and supersedes any and all prior or contemporaneous negotiations or Agreements among the parties, if any, whether written or oral, concerning the subject matter of this Agreement which is not fully expressed herein. This Agreement may not be modified or amended except in writing and signed by all parties.

XVII. Execution in Counterparts; Electronic Transmittal. This document may be executed in counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument. Said counterparts may be transmitted by one party to the other by facsimile or electronic mail.

## I. SIGNATURES

City of Hermiston Contract Administrator

City of Umatilla Contract Administrator

---

Byron Smith
Date

David Stockdale Date

Title: City Manager  
180 NE 2nd St.  
Hermiston, OR 97838

Title: City Manager  
700 Sixth St.  
Umatilla, OR 97882



*Where Life is Sweet*

Mayor and Members of the City Council  
**STAFF REPORT**  
 For the Meeting of October 28, 2024

**Title/Subject**

BJA FY24 National Community Court Grant Award Acceptance

**Summary and Background**

During the 2023 City Council Goal Planning, one of the objectives for a Safe & Healthy Community was to explore the possibility of a Community Court. Court Administrator Viles has been actively working on this possibility including applying for a Federal Bureau of Justice Assistance Grant to help launch a Community Court. The City of Hermiston was awarded one of these grants. Along with the grant funding the Court will receive support and assistance from the Center from Court Innovations and other Community Courts as we launch our program.

Community Court Programs help connect offenders of quality-of-life crimes (e.g. theft, criminal trespass, criminal mischief, unlawful camping) connect with social services to help break the cycle of recidivism. Community Courts also leverage agency partnerships to bring the services to the offenders instead of waiting for the offenders to seek the services. We are hoping to partner with Community Counseling Solutions, COPES, Stepping Stones Alliance and possibly other providers.

The Municipal Court is optimistic that the Community Court model will help those in our community struggling with homelessness, substance use, mental health issues and are criminal justice involved. The Program will accept referrals from the Hermiston Police Department and City Prosecutor for individuals cited with committing an eligible misdemeanor or city ordinance violation. The Hermiston Community Court will provide judicial supervision and accountability while simultaneously providing support and encouragement for individuals to engage in treatment and social services. The Program will primarily be pre-adjudication with cases being stayed to allow the participants to engage in services and complete their case plan. Upon successful completion, the underlying offense will be dismissed.

The Hermiston Community Court Program is in the planning stage. Our plan will need to be reviewed by the Bureau of Justice Assistance before we can begin. We are requesting City Council approve acceptance of the grant so we can move forward in the planning process.

**Tie-In to Council Goals**

As mentioned in the councils adopted 2023 Goals Task 2.3 was to Develop a plan, gather data, and explore partnerships for a community court program.

**Livability-** The Community Court Program will not only improve the lives of the citizens that participate in the Program but will work to create a safer community for all residents.

**Partnerships-** The Community Court Program will partner with local agencies and organizations to help provide the services and connections needed for participants.

**Fiscal Prudence-** By utilizing a federal grant, it gives the City an opportunity to try the Program for 4 years without bearing the full financial burden of implementing the Program.

### **Fiscal Information**

The BJA Grant is for \$500,000 over 4 years. It requires a 25% match. This match will be met with in-kind match of Court Staff and Judge time in the amounts already being budgeted for.

### **Alternatives and Recommendation**

#### **Alternatives**

- Decline BJA Community Court program grant
- Approve acceptance of BJA Community Court program grant

#### **Recommended Action/Motion**

Motion to accept BJA Community Court program grant.

#### **Submitted By:**

Jillian Viles, Court Administrator

Byron Smith, City Manager



*Where Life is Sweet*

Mayor and Members of the City Council  
**STAFF REPORT**  
For the Meeting of October 28, 2024

**Title/Subject**

September 2024 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 September 2024 Financial Report as presented.

**Submitted By:**

Ignacio Palacios, Finance Director

Byron Smith, City Manager

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# September 2024 Financial Report

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Department of Finance  
September 2024  
(Unaudited)

# FY2024-2025 Monthly Financial Report

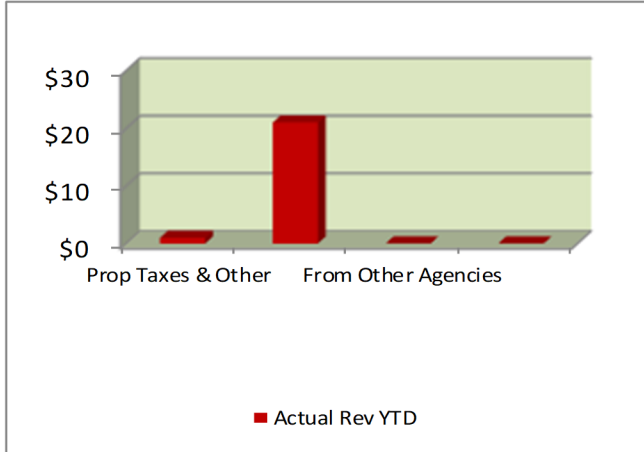
Hermiston Urban Renewal Agency (HURA)

For the Month Ending September 30, 2024

## Resources

Through September 30, 2024

by Category



	Annual Proj Rev	Actual Rev YTD	% Var
Prop Taxes & Other	\$ 302	1	0%
Miscellaneous	\$ -	21	100%
From Other Agencies	\$ 904	-	0%
Cash Fwd	\$ 4,845	-	0%
<b>Total</b>	<b>\$ 6,051</b>	<b>\$ 22</b>	<b>0%</b>

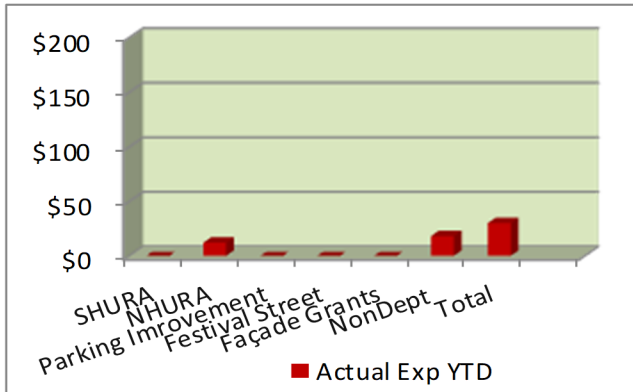
**Note:** Variance is calculated as % of revenue YTD

## Expenditures

Through September 30, 2024

by Character

(in \$1,000)



	Annual Proj Exp	Actual Exp YTD	% Var
SHURA	\$ 600	0	0%
NHURA	\$ 4,900	12	0%
Parking Improvement	\$ 3	0	0%
Festival Street	\$ 3	0	0%
Façade Grants	\$ 60	0	0%
NonDept	\$ 485	18	4%
<b>Total</b>	<b>\$ 6,051</b>	<b>\$ 30</b>	<b>0%</b>

**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 September 30, 2024**

	Ending September 30	YTD Expenditures	Project Budget	Project To-Date Expenditures	% Complete
North First Street Improvement Project	\$ 4,900,000	\$ 11,935	\$ 4,900,000	\$ 33,435	0.24%

**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 project is being surveyed and preliminary engineering has begun. The project is on schedule for a first quarter 2025 bid.

# FY2024-2025 Monthly Financial Report

City of Hermiston, Oregon

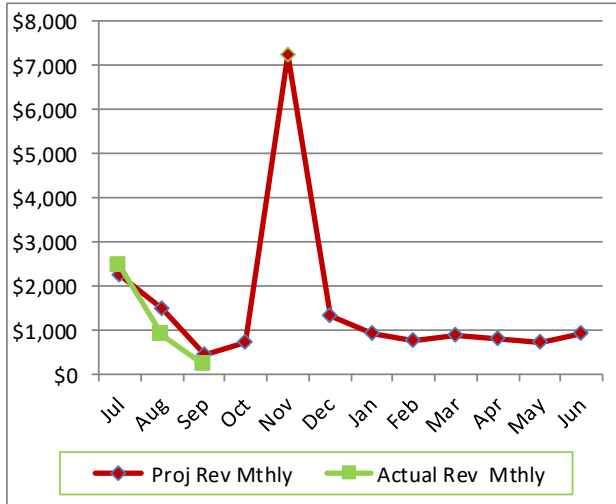
General Fund Resources

For the Month Ending September 30, 2024

## General Fund Resources Summary

Through September 30, 2024

(in \$1,000)



	Proj Rev Mthly	Rev Proj Mthly	Actual Rev Mthly	Var Fav/ (Unfav)	% Var
Jul	\$ 2,235	\$ 2,235	\$ 2,429	\$ 194	9%
Aug	\$ 1,508	\$ 1,508	\$ 885	\$ (623)	-41%
Sep	\$ 447	\$ 447	\$ 228	\$ (219)	-49%
Oct	\$ 729	\$ 729			0%
Nov	\$ 7,244	\$ 7,244			0%
Dec	\$ 1,343	\$ 1,343			0%
Jan	\$ 939	\$ 939			0%
Feb	\$ 750	\$ 750			0%
Mar	\$ 892	\$ 892			0%
Apr	\$ 796	\$ 796			0%
May	\$ 718	\$ 718			0%
Jun	\$ 940	\$ 940			0%
<b>Total YTD</b>	<b>18,541</b>	<b>18,541</b>	<b>3,542</b>	<b>(648)</b>	<b>-3.5%</b>
Cash Fwd	1,261	-	-	-	0%
<b>Total</b>	<b>\$ 19,802</b>	<b>\$ 18,541</b>	<b>\$ 3,542</b>	<b>(648)</b>	<b>-3.5%</b>

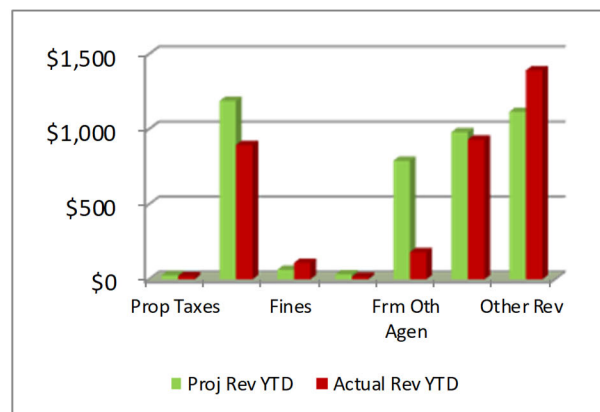
Estimated General Fund revenues for the 2024-25 fiscal year are \$19,801,846. Projected revenues for September were **\$4,190,396** compared to actual revenues of **\$3,542,000** an unfavorable variance of **\$648,396**. This is primarily due to timing of revenues (for example property taxes, prior receipt of one-time payments, etc.).

## General Fund - All Resources

Through September 30, 2024

by Category

(in \$1,000)



	Annual Proj Rev	Proj Rev YTD	Actual Rev YTD	Var Fav/ (Unfav)	% Var
Prop Taxes	\$ 7,643	\$ 26	\$ 20	\$ (5)	-21%
Lic & Fran	\$ 2,046	\$ 1,188	894	(294)	-25%
Fines	\$ 250	\$ 64	109	46	72%
Interest Rev	\$ 250	\$ 32	17	(15)	-47%
Frnm Oth Agen	\$ 1,359	\$ 789	180	(608)	-77%
Svc Chgs	\$ 4,021	\$ 979	931	(48)	-5%
Other Rev	\$ 2,972	\$ 1,114	1,390	277	25%
Cash Fwd	\$ 1,261	\$ -	-	-	0%
<b>Total</b>	<b>\$19,802</b>	<b>\$ 4,190</b>	<b>\$ 3,542</b>	<b>\$ (648)</b>	<b>-15.5%</b>

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

# FY2024-2025 Monthly Financial Report

City of Hermiston, Oregon

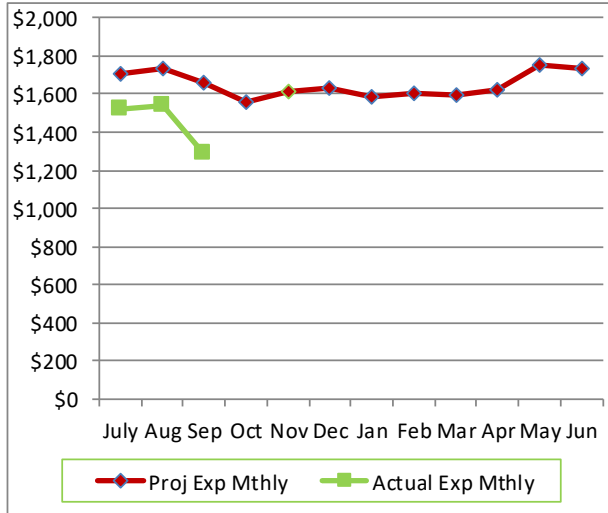
General Fund Expenditures

For the Month Ending September 30, 2024

## General Fund Expenditure Summary

Through September 30, 2024

(in \$1,000)



	Proj Exp Mthly	Proj Exp	Actual Exp Mthly	Var Fav/ (Unfav)	% Var
July	\$ 1,705	\$ 1,705	\$ 1,521	\$ 184	11%
Aug	\$ 1,738	\$ 1,738	\$ 1,543	\$ 195	11%
Sep	\$ 1,658	\$ 1,658	\$ 1,292	\$ 366	22%
Oct	\$ 1,558	\$ 1,558			0%
Nov	\$ 1,612	\$ 1,612			0%
Dec	\$ 1,636	\$ 1,636			0%
Jan	\$ 1,583	\$ 1,583			0%
Feb	\$ 1,603	\$ 1,603			0%
Mar	\$ 1,598	\$ 1,598			0%
Apr	\$ 1,619	\$ 1,619			0%
May	\$ 1,757	\$ 1,757			0%
Jun	\$ 1,735	\$ 1,735			0%
<b>Total YTD</b>	<b>19,802</b>	<b>19,802</b>	<b>4,356</b>	<b>745</b>	<b>3.8%</b>
Contngcy		-	-	-	0%
<b>Total</b>	<b>\$ 19,802</b>	<b>\$ 19,802</b>	<b>\$ 4,356</b>	<b>\$ 745</b>	<b>3.8%</b>

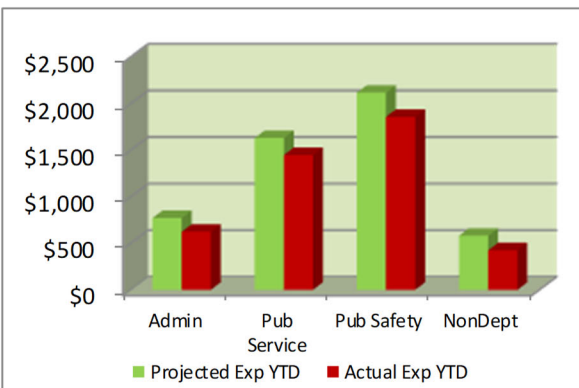
Projected General Fund monthly expenditures for September were **\$5,101,080**. Actual expenditures were **\$4,355,601** which is **\$745,479 less** than projected YTD for a **variance of 14.6%** for the month. This is primarily due to HPD new vehicle leases not yet incurred, upfitting of HPD vehicles, HPD equipment purchases and HPD vacancies, etc.

## General Fund Expenditures

by Consolidated Department

Through September 30, 2024

(in \$1,000)



	Annual Proj Exp	Projected Exp YTD	Actual Exp YTD	Var Fav/ (Unfav)	% Var
Admin	\$ 2,221	772	624	147	19%
Pub Service	4,594	1,631	1,448	183	11%
Pub Safety	7,416	2,118	1,858	260	12%
NonDept	2,675	580	426	155	27%
Unapp	-	-	-	-	0%
<b>Total</b>	<b>\$16,906</b>	<b>\$ 5,101</b>	<b>\$ 4,356</b>	<b>\$ 745</b>	<b>14.6%</b>

**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 September 30, 2024

### General Fund Expenditures by Department

	Annual Projected Exp	Projected Exp YTD	Actual Exp YTD	Var Fav/ (Unfav)	% Var Fav/ (Unfav)
City Council	52,874	19,757	13,481	6,276	0%
City Manager/Legal	1,102,880	275,720	273,214	2,506	1%
City Planning	1,158,589	289,647	155,899	133,748	46%
Finance	746,512	186,553	181,606	4,947	3%
<b>Total Administration</b>	<b>3,060,855</b>	<b>771,677</b>	<b>624,200</b>	<b>147,477</b>	<b>19%</b>
Transportation	552,000	102,691	130,245	(27,554)	-27%
Airport	630,550	165,098	133,426	31,672	19%
Bldg Inspection	615,932	147,171	144,360	2,811	2%
Parks	758,023	242,856	231,719	11,137	5%
Parks/Utility Landscaping	81,590	19,797	18,786	1,011	5%
Pool	619,037	360,138	311,913	48,225	13%
Municipal Buildings	153,238	38,310	23,188	15,122	39%
Library	936,675	244,982	224,249	20,733	8%
Recreation	779,329	246,995	178,552	68,443	28%
Community Center	213,685	44,440	31,312	13,128	30%
Harkenrider Center	94,176	18,808	20,435	(1,627)	-9%
<b>Total Public Services</b>	<b>5,434,235</b>	<b>1,631,285</b>	<b>1,448,185</b>	<b>183,100</b>	<b>11%</b>
Court	944,402	240,658	237,921	2,737	1%
Public Safety Center	38,500	(60,107)	9,481	(69,588)	-116%
Police Operations	8,002,401	1,937,206	1,610,301	326,905	17%
<b>Total Public Safety</b>	<b>8,985,303</b>	<b>2,117,757</b>	<b>1,857,703</b>	<b>260,054</b>	<b>12%</b>
Non-Departmental	2,321,452	580,361	425,513	154,848	27%
Unappropriated	0	0	0	0	0%
<b>Total Non-Dept</b>	<b>2,321,452</b>	<b>580,361</b>	<b>425,513</b>	<b>154,848</b>	<b>27%</b>
<b>Total</b>	<b>19,801,846</b>	<b>5,101,080</b>	<b>4,355,601</b>	<b>745,479</b>	<b>14.6%</b>

#### For September, FY2025

**Total Administration** is \$147,477 less than YTD projected. **Total Public Services** are \$183,100 less than YTD projected. **Public Safety** is \$260,054 less than YTD projected. **Non-Departmental** is \$154,848 less than YTD projected.

# FY2024-2025 Monthly Financial Report

## Fund Balance - General Fund

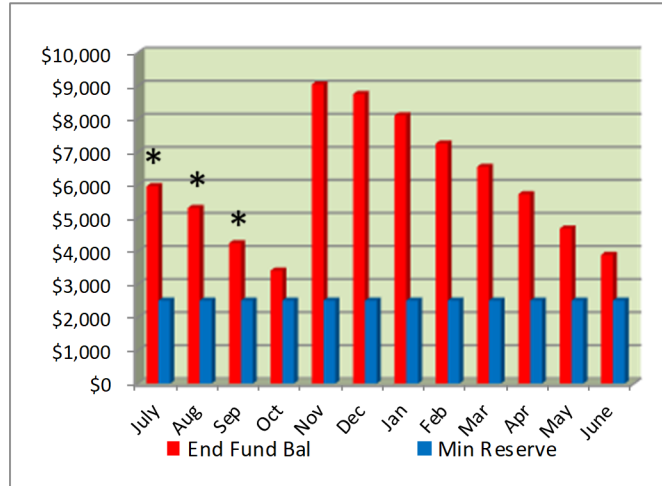
For the Month Ending September 30, 2024

### General Fund

Through September 30, 2024

Ending Fund Balance

(in \$1,000)



Minimum Reserve = \$2,454,300

Last Year Minium Reserve was \$2,513,250

	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	\$ 729	\$ (1,558)	\$ 3,419	PROJ
Nov	\$ 3,419	\$ 7,244	\$ (1,612)	\$ 9,051	PROJ
Dec	\$ 9,051	\$ 1,343	\$ (1,636)	\$ 8,758	PROJ
Jan	\$ 8,758	\$ 939	\$ (1,583)	\$ 8,114	PROJ
Feb	\$ 8,114	\$ 750	\$ (1,603)	\$ 7,261	PROJ
Mar	\$ 7,261	\$ 892	\$ (1,598)	\$ 6,555	PROJ
Apr	\$ 6,555	\$ 796	\$ (1,619)	\$ 5,732	PROJ
May	\$ 5,732	\$ 718	\$ (1,757)	\$ 4,693	PROJ
June	\$ 4,693	\$ 940	\$ (1,735)	\$ 3,897	PROJ
Total	\$ 5,061	\$ 17,893	\$ 19,056	\$ 3,897	

The General Fund balance at the end of September 2024 is approximately **\$4,247,000** which is **1.73 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 September 30, 2024

### Special Revenue Funds

#### Resources & Requirements

	2024-25 Annual Budget	Actual YTD	Remaining Budget
<b>02 Bonded Debt Fund</b>			
Resources	1,400,339	1,095,388	304,951
Expenditures	1,396,659	132,600	1,264,059
Unappropriated Balance	3,680	N/A	N/A
<b>05 Transient Room Tax (TRT)</b>			
Resources	1,279,700	555,490	724,210
Expenditures	1,279,700	49,709	1,229,991
Unappropriated Balance	-	N/A	N/A
<b>08 Reserve Fund</b>			
Resources	36,955,854	1,711,814	35,244,040
Expenditures	36,944,345	1,487,687	35,456,658
Unappropriated Balance	11,509	N/A	N/A
<b>11 Miscellaneous Special Revenue</b>			
Resources	303,000	25,585	277,415
Expenditures	303,000	25,585	277,415
Unappropriated Balance	-	N/A	N/A
<b>19 Christmas Express Special Revenue</b>			
Resources	58,200	-	58,200
Expenditures	58,200	-	58,200
Unappropriated Balance	-	N/A	N/A
<b>20 Law Enforcement Special Revenue</b>			
Resources	104,700	246	104,454
Expenditures	54,700	54,700	-
Unappropriated Balance	50,000	N/A	N/A
<b>21 Library Special Revenue</b>			
Resources	30,600	72	30,528
Expenditures	30,600	31,645	(1,045)
Unappropriated Balance	-	N/A	N/A
<b>23 Enterprise Zone Project Fund</b>			
Resources	3,469,900	-	3,469,900
Expenditures	3,469,900	1,848,289	1,621,611
Unappropriated Balance	-	N/A	N/A
<b>25 EOTEC Operations</b>			
Resources	1,107,500	585,403	522,097
Expenditures	1,107,500	550,909	556,591
Unappropriated Balance		N/A	N/A
<b>26 IT Services</b>			
Resources	1,487,602	392,155	1,095,447
Expenditures	1,487,602	356,938	1,130,664
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

## Utility and Street Funds Report For the Month Ending September 30, 2024

### Utility and Street Funds Report

#### Resources & Expenditures

	2023-2024			Variance	
	Annual Budget	Projected YTD	Actual YTD	Fav/(Unfav)	% Variance
<b>04 Street Fund</b>					
Resources	2,268,728	474,182	416,735	(57,447)	-12%
Expenditures	2,233,728	558,432	377,383	181,049	32%
Contingency	35,000	N/A	N/A	N/A	N/A
<b>06 Utility Fund</b>					
Resources	14,589,000	3,001,375	3,941,159	939,784	31%
Expenditures	12,836,166	3,209,042	2,811,946	397,096	12%
Contingency	1,752,834	N/A	N/A	N/A	N/A
<b>13 HES Fund</b>					
Resources	14,484,295	2,395,323	2,590,666	195,343	8%
Expenditures	12,044,482	3,011,121	2,771,230	239,891	8%
Contingency	2,439,813	N/A	N/A	N/A	N/A
<b>15 Regional Water Fund</b>					
Resources	1,892,600	337,750	340,427	2,677	1%
Expenditures	1,192,638	298,160	317,651	(19,492)	-7%
Contingency	699,962	N/A	N/A	N/A	N/A

All four of these funds are projected on a straight line, 3/12<sup>th</sup> of budgeted expense or revenue per month.

Revenues for the **Street Fund** are **\$57,447 less** than projected. Expenditures are **\$181,049 less** than projected.

Revenues in the **Utility Funds** are **\$939,784 above** projected. Expenditures are **\$397,096 less** than projection.

The **HES Fund** revenue is **\$195,343 more** than projected. Expenditures are **\$239,891 less** than projected.

The **Regional Water Fund** revenues are **\$2,677 more** than projected. Expenditures are **\$19,492 more** than projected.

# FY2024-25 Monthly Financial Report

City of Hermiston, Oregon

Utilities/Streets Capital Projects Report

For the Month Ending September 30, 2024

	2024-25 Budget	YTD Expenditures	Project Budget	Project To-Date Expenditures	% Complete
Geer & Harper Re-alignment	\$ 1,000,000	\$ 1,500	\$ 1,500,000	\$ 135,164	9.01%
Gettman Road Extension ROA	650,000	1,817	650,000	1,817	0.28%
N. 1st Place Reconstruction	2,110,390	178,098	4,110,390	2,168,000	52.74%
AWS System Expansion - RWS	15,449,400	421,110	20,949,400	6,423,388	30.66%
Well #6 Backup Generator	380,000	-	380,000	252,299	66.39%
Well #6 Chlorination	500,000	1,500	500,000	20,000	4.00%
Well #4 Control System	410,000	-	410,000	14,000	3.41%
Gladys & Main Waterline Replacement	2,000,000	689,715	2,100,000	767,367	36.54%
Lift Station #4 Rebuild	600,000	6,333	600,000	6,333	1.06%
Lift Station #5 Rebuild	150,000	-	300,000	37,049	12.35%
E. Evelyn Avenue Gravity SL Replacement	380,000	-	380,000	-	0.00%
AWS Cooling Discharge	805,000	(1,510)	805,000	111,563	13.86%
<b>Total</b>	<b>\$ 24,434,790</b>	<b>\$ 1,298,563</b>	<b>\$ 32,684,790</b>	<b>\$ 9,936,980</b>	<b>30.40%</b>

## **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:** No change in the status of this project. Still waiting for additional right-of-way acquisition.

## **Gettman Road Extension ROA (\$650,000)**

Gettman Road Extension right of way acquisition project.

**Current Update:** Acquisition has closed on approximately 73% of the proposed Right of Way. Outside Counsel has reached a tentative settlement on an additional 3% of the proposed ROW. Negotiation continues on the remaining 24%.

## **North 1<sup>st</sup> Place Reconstruction (4,175,000)**

North 1<sup>st</sup> 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.

## **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 up 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:** The contractor completed discharge piping in Hinkle Road and began work in Feedville.

# FY2024-25 Monthly Financial Report

City of Hermiston, Oregon

Utilities/Streets Capital Projects Report

For the Month Ending September 30, 2024

	2024-25 Budget	YTD Expenditures	Project Budget	Project To-Date Expenditures	% Complete
Geer & Harper Re-alignment	\$ 1,000,000	\$ 1,500	\$ 1,500,000	\$ 135,164	9.01%
Gettman Road Extension ROA	650,000	1,817	650,000	1,817	0.28%
N. 1st Place Reconstruction	2,110,390	178,098	4,110,390	2,168,000	52.74%
AWS System Expansion - RWS	15,449,400	421,110	20,949,400	6,423,388	30.66%
Well #6 Backup Generator	380,000	-	380,000	252,299	66.39%
Well #6 Chlorination	500,000	1,500	500,000	20,000	4.00%
Well #4 Control System	410,000	-	410,000	14,000	3.41%
Gladys & Main Waterline Replacement	2,000,000	689,715	2,100,000	767,367	36.54%
Lift Station #4 Rebuild	600,000	6,333	600,000	6,333	1.06%
Lift Station #5 Rebuild	150,000	-	300,000	37,049	12.35%
E. Evelyn Avenue Gravity SL Replacemen	380,000	-	380,000	-	0.00%
AWS Cooling Discharge	805,000	(1,510)	805,000	111,563	13.86%
<b>Total</b>	<b>\$ 24,434,790</b>	<b>\$ 1,298,563</b>	<b>\$ 32,684,790</b>	<b>\$ 9,936,980</b>	<b>30.40%</b>

## **Well #6 Backup Generator (\$380,000)**

Well No. 6 is the primary well and the only well available that could provide minimal water supply to lower pressure zones in the city during a power outage. The current pump was last repaired in 1994, and the backup pump lacks the capacity to service the pressure zone. The pump covers service area including Walmart Distribution Center, Eastern Oregon Higher Education Center, Pioneer Seed, and EOTEC. Preventative maintenance will avoid significant inconvenience and loss of water to area businesses.

**Current Update:** Awaiting final training from Cummins (generator supplier).

## **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 has slowed as new requirements for possibly reconfiguring Well #6 to accommodate ASR need to be accounted for.

## **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:** Design has slowed as staffing has been reprioritized to accommodate design work for ASR.

## FY2024-25 Monthly Financial Report

City of Hermiston, Oregon

Utilities/Streets Capital Projects Report

For the Month Ending September 30, 2024

	2024-25 Budget	YTD Expenditures	Project Budget	Project To-Date Expenditures	% Complete
Geer & Harper Re-alignment	\$ 1,000,000	\$ 1,500	\$ 1,500,000	\$ 135,164	9.01%
Gettman Road Extension ROA	650,000	1,817	650,000	1,817	0.28%
N. 1st Place Reconstruction	2,110,390	178,098	4,110,390	2,168,000	52.74%
AWS System Expansion - RWS	15,449,400	421,110	20,949,400	6,423,388	30.66%
Well #6 Backup Generator	380,000	-	380,000	252,299	66.39%
Well #6 Chlorination	500,000	1,500	500,000	20,000	4.00%
Well #4 Control System	410,000	-	410,000	14,000	3.41%
Gladys & Main Waterline Replacement	2,000,000	689,715	2,100,000	767,367	36.54%
Lift Station #4 Rebuild	600,000	6,333	600,000	6,333	1.06%
Lift Station #5 Rebuild	150,000	-	300,000	37,049	12.35%
E. Evelyn Avenue Gravity SL Replacement	380,000	-	380,000	-	0.00%
AWS Cooling Discharge	805,000	(1,510)	805,000	111,563	13.86%
<b>Total</b>	<b>\$ 24,434,790</b>	<b>\$ 1,298,563</b>	<b>\$ 32,684,790</b>	<b>\$ 9,936,980</b>	<b>30.40%</b>

### **Gladys & Main Waterline Replacement (\$2,100,000)**

Sections of this water distribution system were installed in the 1920s with steel pipe – some of the oldest pipe in the city water system. This project will eliminate failing, deteriorating and undersized line, reduce repair work, and improve public safety.

**Current Update:** Work completed on Gladys. Work quickly shifted to Hurlburt between 6th & 7th, with work focusing on Main between 5th & 9th through October and mid-November.

### **Lift Station #4 Reconstruction (\$600,000)**

Lift Station No. 4 was built in 1981 and the submersible duplex pump station has experienced corrosion on both metal and brick. Replacement of the wetwell will increase capacity, eliminate porous brick, and safeguard the environment. Ventilation of the structure is poor and electrical systems are nearing the end of their expected lives.

**Current Update:** Onsite work continues according to schedule/plan.

### **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.

## FY2024-25 Monthly Financial Report

City of Hermiston, Oregon

Utilities/Streets Capital Projects Report

For the Month Ending September 30, 2024

	2024-25 Budget	YTD Expenditures	Project Budget	Project To-Date Expenditures	% Complete
Geer & Harper Re-alignment	\$ 1,000,000	\$ 1,500	\$ 1,500,000	\$ 135,164	9.01%
Gettman Road Extension ROA	650,000	1,817	650,000	1,817	0.28%
N. 1st Place Reconstruction	2,110,390	178,098	4,110,390	2,168,000	52.74%
AWS System Expansion - RWS	15,449,400	421,110	20,949,400	6,423,388	30.66%
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<b>Total</b>	<b>\$ 24,434,790</b>	<b>\$ 1,298,563</b>	<b>\$ 32,684,790</b>	<b>\$ 9,936,980</b>	<b>30.40%</b>

### **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 1<sup>st</sup> to discharge into the Hermiston Irrigation District's A-Line Canal. This work will also require development of a separate NPDES Permit for the new discharge.

**Current Update:** Construction of the line in Hinkle Road was completed, with work shifting to the portion on Feedville Road.

**FY2024-25 Monthly Financial Report  
City of Hermiston, Oregon  
Other City Capital Projects Report  
For the Month Ending September 30, 2024**

	<b>2024-25 Budget</b>	<b>YTD Expenditures</b>	<b>Project Budget</b>	<b>Project To-Date Expenditures</b>	<b>% Complete</b>
Airport Improvements	\$ 4,015,000	\$ -	\$ 4,015,000	\$ 28,794	0.72%
Hangar Replacement	1,300,000	90,345	1,300,000	242,393	18.65%
Urban Tree Project (Grant)	850,000	10,609	1,000,000	26,715	2.67%
Cimmaron Park Project	420,000	2,040	420,000	2,040	0.49%
EOTEC Barns Project	250,000	275,225	1,600,000	1,332,056	83.25%
City Hall Basement Remodel (IT)	376,400	38,661	750,000	260,494	34.73%
Library Remodel	3,700,000	30,434	4,500,000	477,825	10.62%
ARC Remodel	375,000	100,318	750,000	104,097	13.88%
Public Safety Building Remodel	5,000,000	140,277	7,500,000	767,500	10.23%
Harkenrider Center Remodel	476,300	72,134	750,000	429,262	57.23%
<b>Total</b>	<b>\$ 16,762,700</b>	<b>\$ 760,043</b>	<b>\$ 22,585,000</b>	<b>\$ 3,671,176</b>	<b>16.25%</b>

**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:** The property acquisition consultant has re-engaged the property owner, and other consultants are completing scopes of work to facilitate detailed components of the purchase.

**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:** Taxilane construction completed in September. Project now awaits delivery of the hangar kit to be assembled.

**Urban Tree Project Grant (1,000,000)**

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

**Current Update:** Requests for proposals for tree planting project(s) have been sent out and will be evaluated in October/November.

**FY2024-25 Monthly Financial Report  
City of Hermiston, Oregon  
Other City Capital Projects Report  
For the Month Ending September 30, 2024**

	<b>2024-25 Budget</b>	<b>YTD Expenditures</b>	<b>Project Budget</b>	<b>Project To-Date Expenditures</b>	<b>% Complete</b>
Airport Improvements	\$ 4,015,000	\$ -	\$ 4,015,000	\$ 28,794	0.72%
Hangar Replacement	1,300,000	90,345	1,300,000	242,393	18.65%
Urban Tree Project (Grant)	850,000	10,609	1,000,000	26,715	2.67%
Cimmaron Park Project	420,000	2,040	420,000	2,040	0.49%
EOTEC Barns Project	250,000	275,225	1,600,000	1,332,056	83.25%
City Hall Basement Remodel (IT)	376,400	38,661	750,000	260,494	34.73%
Library Remodel	3,700,000	30,434	4,500,000	477,825	10.62%
ARC Remodel	375,000	100,318	750,000	104,097	13.88%
Public Safety Building Remodel	5,000,000	140,277	7,500,000	767,500	10.23%
Harkenrider Center Remodel	476,300	72,134	750,000	429,262	57.23%
<b>Total</b>	<b>\$ 16,762,700</b>	<b>\$ 760,043</b>	<b>\$ 22,585,000</b>	<b>\$ 3,671,176</b>	<b>16.25%</b>

**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:** Paperwork and other preparations for this project are taking place in anticipation of a notice from the State to proceed on the project.

**EOTEC Barns Project (\$1,600,000)**

EOTEC Barns project for the extension of two barns. Approximately, \$1.3 million is from Umatilla County and State grants.

**Current Update:** All subgrade improvements have been made and concrete is to be poured the week of October 28<sup>th</sup>.

**City Hall Basement Remodel (IT) (\$750,000)**

City Hall Basement remodel that will house the City's IT department.

**Current Update:** All work is completed apart from final installation of data cabling permanently installed to the cubicles.

**FY2024-25 Monthly Financial Report  
City of Hermiston, Oregon  
Other City Capital Projects Report  
For the Month Ending September 30, 2024**

	<b>2024-25 Budget</b>	<b>YTD Expenditures</b>	<b>Project Budget</b>	<b>Project To-Date Expenditures</b>	<b>% Complete</b>
Airport Improvements	\$ 4,015,000	\$ -	\$ 4,015,000	\$ 28,794	0.72%
Hangar Replacement	1,300,000	90,345	1,300,000	242,393	18.65%
Urban Tree Project (Grant)	850,000	10,609	1,000,000	26,715	2.67%
Cimmaron Park Project	420,000	2,040	420,000	2,040	0.49%
EOTEC Barns Project	250,000	275,225	1,600,000	1,332,056	83.25%
City Hall Basement Remodel (IT)	376,400	38,661	750,000	260,494	34.73%
Library Remodel	3,700,000	30,434	4,500,000	477,825	10.62%
ARC Remodel	375,000	100,318	750,000	104,097	13.88%
Public Safety Building Remodel	5,000,000	140,277	7,500,000	767,500	10.23%
Harkenrider Center Remodel	476,300	72,134	750,000	429,262	57.23%
<b>Total</b>	<b>\$ 16,762,700</b>	<b>\$ 760,043</b>	<b>\$ 22,585,000</b>	<b>\$ 3,671,176</b>	<b>16.25%</b>

**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:** Final numbers have been completed and approval of the Guaranteed Maximum Price (GMP) is on the October 28<sup>th</sup> council agenda.

**ARC Remodel (\$750,000)**

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

**Current Update:** Phase II GMP is on the October 28<sup>th</sup> council agenda. Phase II is siding improvements with complete painting along with new windows and sidewalk/ramp improvements.

**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:** Phase 2 is slated to begin the first part of November.

**Harkenrider Center Remodel (\$750,000)**

Harkenrider Center remodel and improvements to basement area and patio for future community use.

**Current Update:** Light fixtures have been installed and a November turnover is planned.