



CITY COUNCIL

AGENDA

MONDAY, OCTOBER 13, 2025

COUNCIL CHAMBERS - 180 NE 2ND ST.

Where Life is Sweet

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

Zoom with Meeting ID: 829 0043 5622 Passcode: 417097 Telephone number to join is: 1 253 215 8782; or submitting comments to meetings@hermiston.gov

Please Note: We are experiencing technical difficulties with our AV System. Although we are working diligently to resolve the issue, we may not be able to take verbal comment through Zoom.

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

1. **CALL REGULAR MEETING TO ORDER – 7:00 PM**
2. **DECLARATION OF QUORUM**
3. **FLAG SALUTE**
4. **PROCLAMATIONS AND PRESENTATIONS**

A. Proclamation - Ed Brookshier

B. Presentation- Hermiston School District Updates

C. Presentation- Walk with Purpose

5. **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.

6. CONSENT AGENDA

- [A.](#) New Liquor License Application for: Chipotle Mexican Grill located at 1875 N 1st Street
- [B.](#) Committee Vacancy Announcement
- C. Confirm Appointment to the Library Board- Position 3, 4-year term ending June 30, 2029 to Zaira Sanchez
- [D.](#) Replat Final Plat – Four Bros LLC & City of Hermiston 4N 28 11BA Tax Lots 101 and 102
- [E.](#) Final Plat – James Maret, 395 NE 10th St, 4N 28 11AD Tax Lot 1500
- [F.](#) Minutes of the September 22nd City Council Work Session and Regular Meetings

7. ITEMS REMOVED FROM CONSENT AGENDA

8. OTHER

- [A.](#) Misdemeanor Case Distribution
- [B.](#) Report on Communication/Community Engagement Efforts

9. COMMITTEE REPORTS

A. City Committee and Liaison:

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

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

10. ADJOURN

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

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



PROCLAMATION

James “Ed” Brookshier

Retired Hermiston City Manager

Whereas, James “Ed” Brookshier came to Hermiston to serve as city manager in 1991; and

Whereas, Ed tirelessly served the City of Hermiston for more than two decades from 1991 to 2014; and

Whereas, Ed’s efforts to fuel the regional economy through infrastructure development and business attraction resulted in regional investments totaling more than \$6 Billion; and

Whereas, Ed’s efforts in developing the Regional Water System in conjunction with the Port of Umatilla continues to spur development in the greater Hermiston area; and

Whereas, Ed’s efforts in attracting companies like the Wal-Mart Distribution Center, Corteva Agrisciences and other employers have provided thousands of jobs to workers in the region; and

Whereas, Ed’s efforts to move the Umatilla County Fairgrounds out of the downtown area and create the Eastern Oregon Trade and Event Center (EOTEC) as a regional community asset; and

Whereas, Ed’s efforts to develop the Hermiston Family Aquatic Center and create the Hermiston Parks and Recreation Department show his ability to take the community’s vision and turn it into a positive impact on thousands through swimming lessons and other recreational opportunities; and

Whereas, Ed’s efforts in bringing into existence the Eastern Oregon Higher Education Center have led to higher educational opportunities that improve economic opportunities for Hermiston residents; and

Whereas, Ed’s efforts in creating Hermiston Energy Services as the first municipal electric utility created in decades that provides affordable electric rates to Hermistonians; and

Whereas, Hermiston lost a great community advocate and supporter when Ed passed away on October 4, 2025.

Now, Therefore, Be It Resolved, that I, Mayor Doug Primmer, do hereby proclaim that the City of Hermiston recognizes and expresses heartfelt thanks for the extraordinary commitment made by Mr. Ed Brookshier to the City of Hermiston and its residents.

Signed this 13th day of October 2025

Doug Primmer, Mayor



TO: City Manager Byron Smith
FROM: Chief Jason Edmiston 
DATE: September 19th, 2025
SUBJECT: Liquor License Application – Chipotle Mexican Grill

After review of the liquor license application for Chipotle Mexican Grill at 1875 N 1st Street, 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 Helen Kaminski, Adam Rymer, and John Hartung.

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

NOTE: I did sign the actual application form, but that is contingent upon council approval.



OREGON LIQUOR & CANNABIS COMMISSION

Local Government Recommendation – Liquor License

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

Section 1 – Submission – To be completed by Applicant:

License Information

Legal Entity/Individual Applicant Name(s): Chipotle Mexican Grill, Inc.

Proposed Trade Name: Chipotle Mexican Grill

Premises Address: 1875 N 1st St.

Unit:

City: Hermiston

County: Umatilla

Zip: 97801

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

License Type: Limited On-Premises Liquor License ☐ Additional Location for an Existing License

Application Contact Information

Contact Name: Chipotle, Attn: Licensing

Phone: 614-318-2482

Mailing Address: PO Box 182566

City: Columbus

State: OH

Zip: 43218

Email Address: licensing@chipotle.com

Business Details

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

☐ Manufacturing/Production

☐ Retail Off-Premises Sales

☐ Retail On-Premises Sales & Consumption

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

☒ Indoor Consumption

☐ Outdoor Consumption

☒ Proposing to Allow Minors

Section 1 continued on next page



OREGON LIQUOR & CANNABIS COMMISSION
Local Government Recommendation – Liquor License

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

Legal Entity/Individual Applicant Name(s): Chipotle Mexican Grill, Inc.

Proposed Trade Name: Chipotle Mexican Grill

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

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

Local Government Recommendation Proof of Acceptance

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

City or County Name: City of Hermiston

Optional Date Received Stamp

Date Application Received: 09/19/2025

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

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

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

Name of Reviewing Official: Jason Edmiston

Title: Chief of Police

Date: 09/19/2025

Signature:

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



PUBLIC ANNOUNCEMENT

The City is accepting applications for the following Committees:

1. **Budget Committee**
 - Positions 1, 2, & 3: 3-year term ending December 31, 2028 (Advertised 09/23/2025)
2. **Faith-Based Advisory Committee**
 - Position 5: 3-year term ending December 31, 2028 (Advertised 09/23/2025)
3. **Recreation Projects Fund Advisory Committee**
 - Position 1, Representing Citizens at Large: 3-year term ending December 31, 2028 (Advertised 09/23/2025)
 - Position 2, Representing Chamber of Commerce: 3-year term ending December 31, 2028 (Advertised 09/23/2025)
4. **Parks and Recreation Committee**
 - Positions 4, 5, & 6: 3-year term ending October 31, 2028 (Advertised 06/18/2025)
5. **Library Board**
 - Position 3: 4-year term ending June 30, 2029 (Advertised 04/29/2025)
6. **Airport Advisory Committee**
 - Position 2: Remaining 3-year term ending October 31, 2026 (Advertised 11/08/2024)
 - Position 5: 3-year term ending October 31, 2028 (Advertised 06/18/2025)
7. **Eastern Oregon Trade & Event Center (EOTEC) Committee**
 - Position 7: 3-year term ending June 30, 2028 (Advertised 04/29/2029)

Deadline to apply for Committees: Open Until Filled

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

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



Where Life is Sweet

Mayor and Members of the City Council
STAFF REPORT
 For the Meeting of October 13, 2025

Title/Subject

Replat Final Plat – Four Bros LLC. & City of Hermiston, 4N 28 11BA Tax Lots 101 and 102

Summary and Background

Robert English has submitted a final plat for land located at 678 and 692 E Elm Ave. The replat reconfigures the boundary between two existing parcels and creates a third, new commercial parcel. All parcels are currently vacant. The property is zoned Outlying Commercial (C-2). After replatting, the existing flag providing access to Parcel 2 will shift 100 feet to the west and Parcel 2 will be renumbered as Lot 3. Parcel 1 will decrease in size from 1.43 acres to 0.81 acres (35,169 square feet) and is renumbered at Lot 1. A new Lot 2 of 0.62 acres (26,906 square feet) is also created. The properties are owned by Four Bros LLC and the City of Hermiston.

The replat is necessary for development of a new tire shop on Parcel 1. The owner, city, and ODOT have been working on access permitting for the site. Since E Elm Ave is a state highway (OR 207), the city does not issue access permits which are instead issued by the Oregon Department of Transportation. The lot configuration as platted in 2022 created one lot for commercial development and one flag lot under city ownership for future public purposes. As the development plans have been reviewed by ODOT, state highway spacing standards will not permit a driveway for Parcel 1, a driveway for Parcel 2, and adequate spacing from an existing driveway on private land to the east. The replat is proposed to shift the city's flag to the approximate center of the parcel and then to utilize the flag to provide one point of access for all properties. This relocation of the flag meets spacing standards. Moving the flag to the center of the parcel allows a new parcel to be created which may develop commercially in the future. The first 60 feet of the access flag is then encumbered with an access easement to ensure all parcels have the right to cross this area. All property owners will be jointly responsible for shared maintenance of the first 60 feet of driveway and the city will continue to be responsible for city access beyond the first 60 feet.

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 August 27, 2025. A sign informing the public of the proposal was placed on the property on August 27, 2025.

The criteria that are applicable to the decision to accept the final plat are contained in 154.46 of the Hermiston Code of Ordinances. The final plat findings and conditions of approval are attached to this report as Exhibit A. The map showing the property boundary, adjacent streets, and parcels is attached as Exhibit B. An aerial photo is attached as Exhibit C. The final plat as prepared by the surveyor is attached as Exhibit D.

Tie-In to Council Goals

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

Fiscal Information

The property has an assessed value of \$87,500. Commercial development on Parcels 1 and 2 will substantially increase the assessed value of each site.

Alternatives and Recommendation

Alternatives

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

Recommended Action/Motion

Staff recommends the city council approve the final plat subject to conditions of approval.

Motion to approve the final plat with the conditions of approval.

Submitted By:

C.F. Spencer, Planning Director

Exhibit A
Findings of Fact & Conditions of Approval
Four Brothers LLC Final Plat
678 and 692 E Elm Ave
October 13, 2025

Chapter 154: Subdivisions

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.**

Chapter 157: Zoning

§157.041 Outlying Commercial (C-2)

Parcel 1 is 35,169 square feet or 0.81 acres. Parcel 2 is 26,906 square feet or 0.62 acres. Parcel 3 is 156,966 square feet or 3.6 acres. All parcels are currently vacant. There is an approved development to construct a tire shop on Parcel 1. There is no minimum lot size, width, or depth requirement in the C-2 zone. Uses permitted in the C-2 zone are listed in §157.041(A) and (B) of the Hermiston Code of Ordinances. A tire shop as proposed for Parcel 1 is a permitted use per §157.041(A)(12).

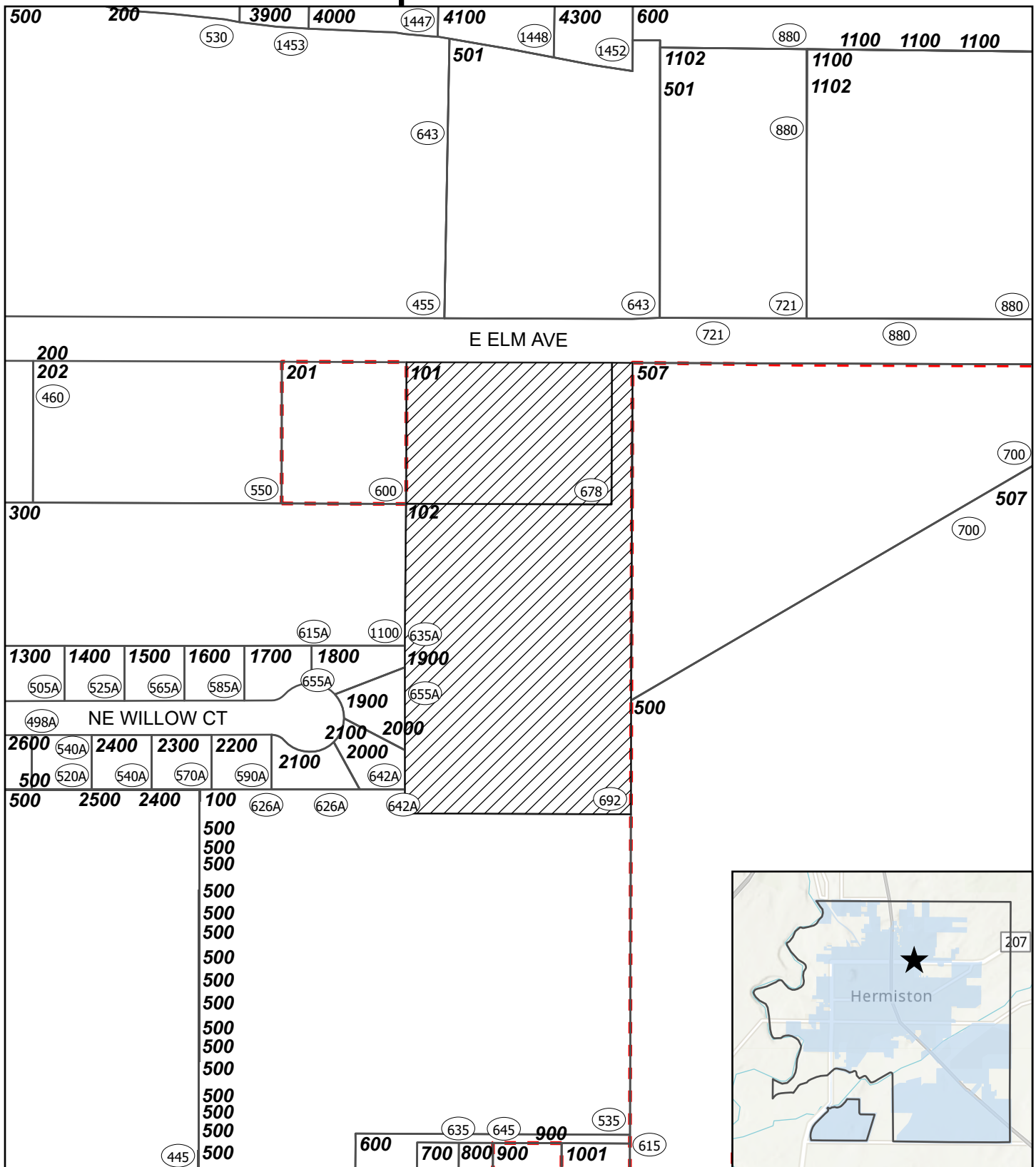
§157.101 Development Hazard Overlay

Comprehensive Plan Figure 12 identifies portions of this subdivision as subject to groundwater pollution hazards due to a high water table. In accord with 157.101 of the Hermiston Code of Ordinances, the City will prohibit the outdoor storage of hazardous chemicals and underground storage of gasoline and diesel fuels. Any additional requirements or prohibitions necessary to mitigate groundwater pollution problems must be developed in conjunction with the Departments of Environmental Quality and Water Resources. At the discretion of the planning commission, the applicant may obtain an exemption to the above requirements if a registered engineer presents documentation which demonstrates that the proposed development will not contribute to potential groundwater pollution.

Conditions of Approval

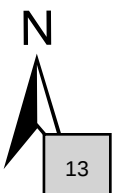
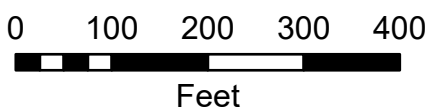
1. Applicant shall work with and receive certification from the Hermiston Irrigation District prior to final plat approval. Applicant should be aware that the City of Hermiston will not sign the final plat until the irrigation district has been satisfied and signs the final plat.
2. All conditions of approval from June 4, 2025 Four Bros tire shop site plan approval remain in effect and are incorporated into the conditions by reference.
3. The property lies within an area subject to potential groundwater pollution hazards due to high water table. Therefore, the outdoor storage of hazardous chemicals and the underground storage of gasoline and diesel fuels are prohibited per §157.101(B) of the Hermiston Code of Ordinances. Per §157.101(D) of the Hermiston Code of Ordinances, a developer may receive an exemption from this requirement upon submission of evidence from a registered engineer that the storage will not contribute to groundwater pollution.

Notice of Proposed Land Use Action



Legend

-  Area of Proposed Land Use Action
 Property Line
 City Limits
 Urban Growth Boundary



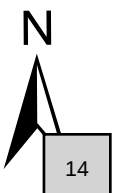
Notice of Proposed Land Use Action



Legend

-  Area of Proposed Land Use Action
 Property Line
 City Limits
 Urban Growth Boundary

A horizontal number line is shown with tick marks at 0, 100, 200, 300, and 400. The word "Feet" is written below the line. A rectangular region is shaded between the 200 and 300 tick marks.





Where Life is Sweet

Mayor and Members of the City Council
STAFF REPORT
 For the Meeting of October 13, 2025

Title/Subject

Final Plat – James Maret, 395 NE 10th St, 4N 28 11AD Tax Lot 1500

Summary and Background

James Maret has submitted a minor partition application for land located at 395 NE 10th Street. The proposed partition will divide the existing 61,000 square foot (1.4 acres) lot into two parcels. The property contains a single-family dwelling and several out-buildings. The property is zoned Low Density Residential (R-1). The proposed partition creates a 27,700 square foot (0.63 acre) parcel for the existing dwelling and shop. A 33,583 square foot (0.77 acre) second parcel containing an existing shop proposed for future residential development is also created. The minimum lot size in the R-1 zone is 8,000 square feet for single and two-family dwellings.

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 August 27, 2025. A sign informing the public of the proposal was placed on the property on August 27, 2025.

The criteria that are applicable to the decision to accept the proposed replat are contained in 154.15 through 154.66, 157.025 and 157.101 of the Hermiston Code of Ordinances. The final plat requirements and findings are attached to this report as Exhibit A. 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

The property has an assessed value of \$220,000. Creation of a second lot will increase the taxable value by a similar amount.

Alternatives and Recommendation

Alternatives

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

Recommended Action/Motion

Staff recommends the city council approve the final 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
Maret Minor Partition
395 NE 10th Street
October 13, 2025

Chapter 154: Subdivisions

Design Standards

§154.15 Relation to Adjoining Street System.

The property is serviced by NE 10th Street. NE 10th Street is partially improved adjacent to Parcels 1 and 2. All street rights of way are already platted and no changes are proposed.

§154.16 Street and Alley Width.

All existing rights of way are 60 feet in width and in compliance with the city standards for collector streets.

§154.17 Easements.

There are existing 5-foot power easements along the rear lot lines of Parcels 1 and 2. There are also two 5-foot power easements running perpendicular to the front and rear lot lines. All easements are shown on the plat. ORS 92.044 only permits cities to require easements abutting a street.

§154.18 Blocks.

Block length is not applicable to this plat.

§154.19 Lots.

Parcel 1 is 27,741 square feet or 0.63 acres. Parcel 2 is 33,583 square feet or 0.77 acres. Parcel 1 contains an existing dwelling and out-buildings. Parcel 2 contains an existing outbuilding. Each lot exceeds the minimum lot size for single- and two-family housing in the R-1 zone. Each lot exceeds the minimum lot width of 60 feet and the minimum lot depth of 80 feet in the R-1 zone. Lot design standards are satisfied.

§154.20 Character of Development.

The development is occupied with a single-family dwelling and out-buildings on Parcel 1. Parcel 2 contains an outbuilding and is intended for additional residential development. Uses permitted in the R-1 zone are listed in 157.025 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 partition.

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

NE 10th Street is partially improved with paving but no curb, gutter, or sidewalk. A non-remonstrance agreement agreeing to participate in a future LID for Parcels 1 and 2 was signed and recorded in January of 2025 for the issuance of a building permit for the outbuilding on Parcel 2. Additionally, at the time of new residential construction on Parcel 2, street improvements consisting of infill paving, curb, gutter, and sidewalk will be required consistent with §157.164(D) of the Hermiston Code of Ordinances.

§154.62 Water Lines

Each parcel is adjacent to municipal water service along the entire parcel frontage. A 12 inch municipal water line is installed in NE 10th Street. Parcel 2 will be required to connect to municipal water service at the time of residential development. The applicant or owner is responsible for all costs associated with connection to water service.

§154.63 Sanitary Sewer System.

Each parcel is adjacent to municipal sewer service along the entire parcel frontage. An 8 inch sanitary sewer line is installed in NE 10th Street. Parcel 2 will be required to connect to sanitary sewer service at the time of residential development. The applicant or owner is responsible for all costs associated with connection to sewer services.

Preliminary Plat

Staff has reviewed the plat and determined the submission of a preliminary plat is not required in accordance with §154.35(B) of the Hermiston Code of Ordinances which

states:

“...Minor partitions containing three lots or less may be exempted from the provisions of this section.”

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 bench marks 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 or 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**

Chapter 157: Zoning

§157.025 Low Density Residential (R-1)

Each lot exceeds the minimum lot size of 8,000 square feet for single and two-family dwellings. Each lot exceeds the minimum lot width of 60 feet and the minimum lot depth of 80 feet. Total coverage of all structures on Parcel 1 and Parcel 2 is less than the 40% maximum lot coverage for each lot. The R-1 development standards are satisfied. Uses permitted in the R-1 zone are listed in §157.025(A) and (B) of the Hermiston Code of Ordinances.

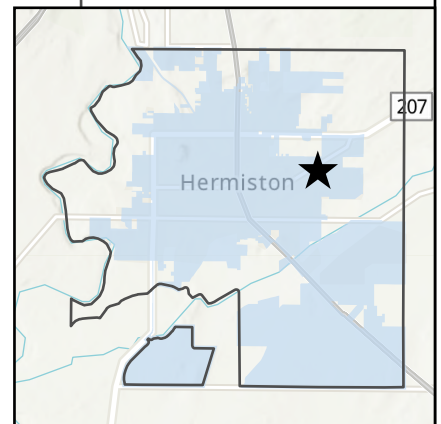
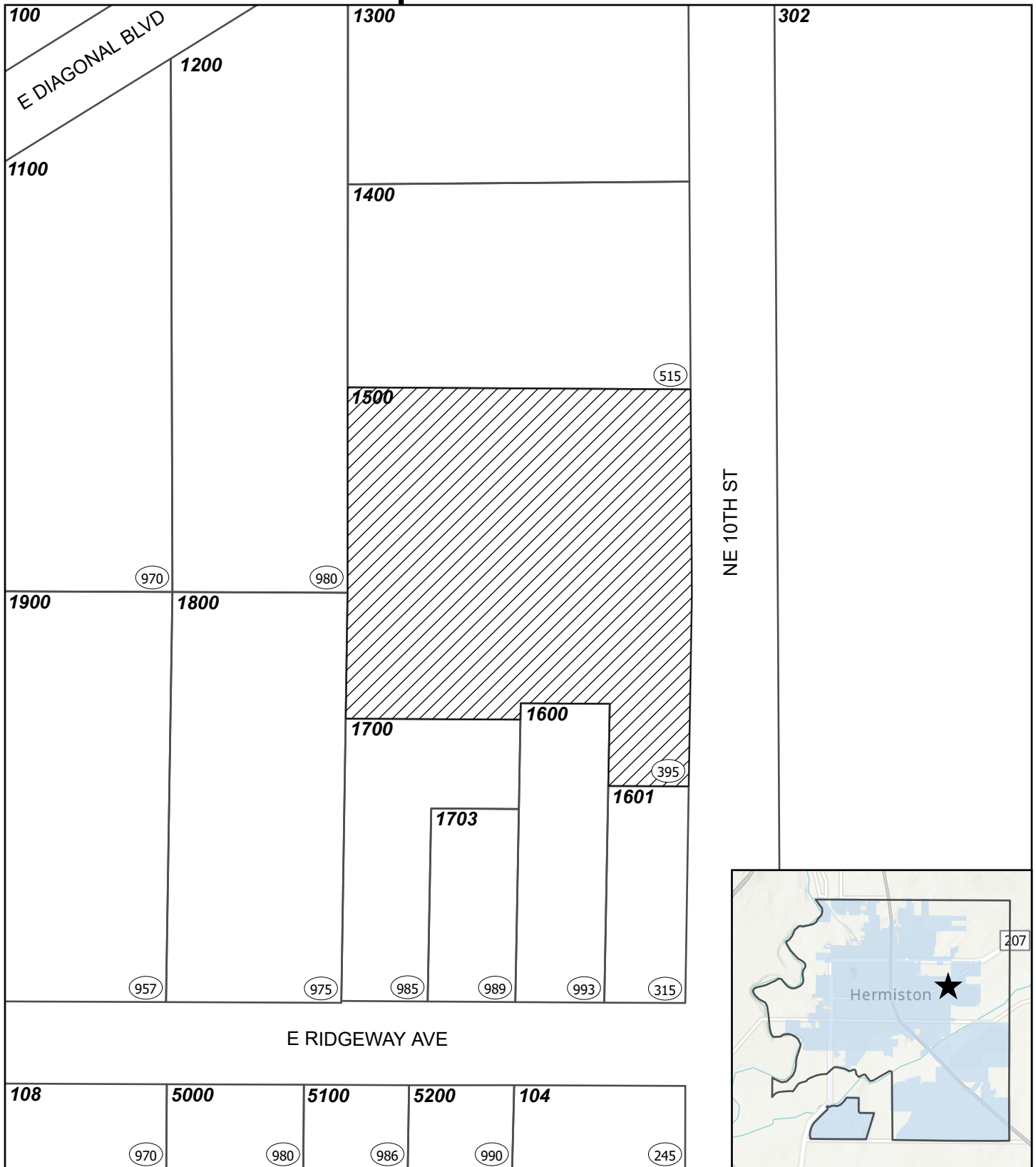
§157.101 Development Hazard Overlay

Comprehensive Plan Figure 12 identifies portions of this subdivision as subject to groundwater pollution hazards due to excessively well-drained soils. In accord with 157.101 of the Hermiston Code of Ordinances, the City will prohibit the outdoor storage of hazardous chemicals and underground storage of gasoline and diesel fuels. Any additional requirements or prohibitions necessary to mitigate groundwater pollution problems must be developed in conjunction with the Departments of Environmental Quality and Water Resources. At the discretion of the planning commission, the applicant may obtain an exemption to the above requirements if a registered engineer presents documentation which demonstrates that the proposed development will not contribute to potential groundwater pollution.

Exhibit B
Conditions of Approval
Maret Minor Partition
395 NE 10th Street
October 13, 2025

1. Applicant shall work with and receive certification from the Hermiston Irrigation District prior to final plat approval. Applicant should be aware that the City of Hermiston will not sign the final plat until the irrigation district has been satisfied and signs the final plat.
2. Comprehensive Plan Figure 12 identifies this site as an area subject to development hazards due to excessively well drained soils. Therefore, the City will prohibit the outdoor storage of hazardous chemicals and underground storage of gasoline and diesel fuels.
3. Parcel 2 will be required to complete street improvements to NE 10th Street, including consisting of infill paving, curb, gutter, and sidewalk will be required consistent with §157.164(D) of the Hermiston Code of Ordinances.
4. A residence shall be constructed on Parcel 2 within 18 months of plat recording. If a residence is not constructed on Parcel 2 within 18 months of plat recording, the property owner shall sign and record with Umatilla County records a covenant not to sell separately if property owner is the same for Parcels 1 & 2 or remove the structure, if property is not held in same ownership as Parcel 1.

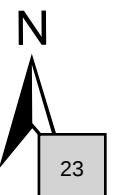
Notice of Proposed Land Use Action



Legend

-  Area of Proposed Land Use Action
-  Property Line
-  City Limits
-  Urban Growth Boundary

0 100 200
Feet

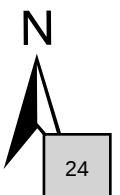
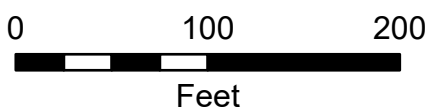


Notice of Proposed Land Use Action

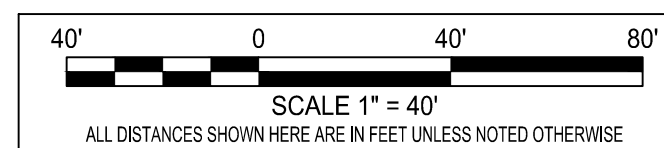
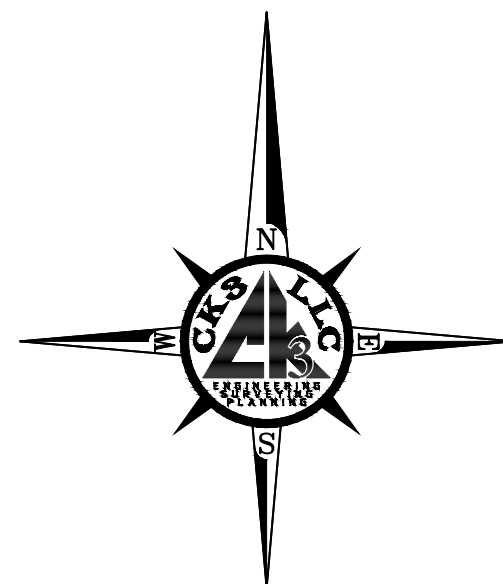


Legend

-  Area of Proposed Land Use Action
 Property Line
 City Limits
 Urban Growth Boundary



CHECKED BY: LCK	FIELDBOOK No. 0-357	PAGE(S): 15-
DRAWN BY: RWF	DWG FILE No.: B-1372	
APPROVED BY: LCK	FILENAME: VO24034.dwg	JOB No.: VO-24034
DATE: 6/17/2025	DATE REVISED:	SHEET: 1 of 1



LINE TABLE		
LINE No.	LENGTH	BEARING
L1	25.20	N0° 39' 58"E
L2(R2)	11.88(11.99)	S0° 06' 59"E
L3(R2)	65.00	S89° 42' 56"W
L4(R2)	60.02(60.00)	N0° 10' 15"W
L5(R2)	55.25(55.74)	S89° 34' 44"W
L6	8.18	N0° 03' 58"E
L7	31.02	N0° 19' 08"W
L8	33.11	N89° 13' 30"E

REFERENCE TABLE

- | | |
|----|--|
| R1 | RECORD OF SURVEY FOR CONNIE MARET, BY EDWARDS SURVEYING, FILED UNDER COUNTY SURVEY No. 13-223-B. |
| R2 | RECORD OF SURVEY LENARD SHUPE, BY EDWARDS SURVEYING, FILED UNDER COUNTY SURVEY No. 96-117-B |
| R3 | SUBDIVISION PLAT FOR PLAT OF RIDGEWAY TRACTS, BOOK 5, PAGE 29, UMATILLA COUNTY RECORDS |
| R4 | BARGAIN AND SALE DEED, INSTRUMENT NO. 2003-4470441 UMATILLA COUNTY RECORDS. |

=====	PARTITION BOUNDARY	()	DATA OF RECORD
=====	NEW PARTITION LINE	[]	CALCULATED DISTANCE
-----	SECTIONAL LINE (SEC.)	⦿	FOUND BRASS CAP REMONUMENTED CS 19-080-C
— — — — —	RIGHT-OF-WAY (ROW)	●	SET 5/8"x30" REBAR WITH RED PLASTIC CAP MARKED PLS 61420
.....	TAX LOT LINES	○	FND. 5/8 IRON BAR SET IN CS 13-223-B
-----	EASEMENT	○	FND. 1/2 IRON BAR SET IN PLAT OF RIDGWAY TRACTS BK 5, PG 29
		●	FND. 1 1/4 IRON PIPE AS PER 13-223-B
		△	CALCULATED POINT

—FOUND 2 1/2" BRASS CAP
SET IN C.S. 19-080-C

**REGISTERED
PROFESSIONAL
LAND SURVEYOR**

OREGON
MAY 10, 2011
LANCE CLARK KING
61420

RENEWS: 6/30/2027

UMATILLA COUNTY OFFICE OF RECORDS

TAX LOT 1400 MAP 4N2811AD
STATUTORY WARRANTY DEED
INSTRUMENT NO.
2007-5210089

②

5' ROW EASEMENT TO PACIFIC POWER & LIGHT CO. BOOK 185, PAGE 435, UMATILLA COUNTY RECORDS

41° 30'E 243.95
N89° 25' 53"E 244.00(R1)

LINE No.	LENGTH	BEARING
L1	25.20	N0° 39' 58"E
L2(R2)	11.88(11.99)	S0° 06' 59"E
L3(R2)	65.00	S89° 42' 56"W
L4(R2)	60.02(60.00)	N0° 10' 15"W
L5(R2)	55.25(55.74)	S89° 34' 44"W
L6	8.18	N0° 03' 58"E
L7	31.02	N0° 19' 08"W
L8	33.11	N89° 13' 30"E

PROPOSED SHOP/BUILDING

PARCEL 2 33,583.1 SF

5' ROW EASEMENT TO PACIFIC POWER & LIGHT CO. BOOK 185, PAGE 435, UMATILLA COUNTY RECORDS

PARCEL 1 27,741.6 SF

5' ROW EASEMENT TO PACIFIC POWER & LIGHT CO. BOOK 185, PAGE 438, UMATILLA COUNTY RECORDS

TAX LOT 1200 MAP 4N2811AD
WARRANTY DEED STATUTORY FORM
INSTRUMENT NO. 2024-00286

TAX LOT 1800 MAP 4N2811AD
WARRANTY DEED STATUTORY FORM
INSTRUMENT NO. 2009-5490561

TAX LOT 1700 MAP 4N2811AD
BARGAIN AND SALE DEED
INSTRUMENT NO. 2018-6730052

TAX LOT 1600 MAP 4N2811AD
WARRANTY DEED STATUTORY FORM
INSTRUMENT NO. 2018-6710646

TAX LOT 1601 MAP 4N2811AD
DEED INSTRUMENT NO.
2019-6890273

TAX LOT 1500 MAP 4N2811AD
BARGAIN AND SALE DEED,
INSTRUMENT NO. 2005-4470441

S00° 01' 57"W 241.90
N00° 10' 01"E 149.88
(N00° 39' 29"E 149.76 (R1))
N00° 03' 58"E 124.68
(N00° 39' 29"E 124.76 (R1))
116.51
S89° 55' 54"W 85.00
10.3'
10.7'
S89° 40' 52"W 160.99'
S89° 39' 20"W 127.88
(S89° 26' 50"E 127.08(R1))
L2(R2)
L3(R2)
L4(R2)
L5(R2)
L6
L7
12.87
142.02
S00° 01' 55"E 164.89
(S00° 01' 55"E 164.69(R1))
S00° 49' 44"E 289.88
S00° 01' 55"E 124.99
(S00° 01' 55"E 124.77(R1))

COMMISSIONER



CITY COUNCIL

Work Session Meeting Minutes September 22, 2025

Mayor Primmer called the work session meeting to order at 6:00pm. Present were Councilors Hayward, McCarthy, Duron, Myers, Barron, Linton, and Kelso. Councilor Roberts was excused. City Staff in attendance included: City Manager Byron Smith, Assistant City Manager Mark Morgan, Finance Director Ignacio Palacios, Chief Jason Edmiston, Captains Scott Clark and Robert Guerrero, and Lieutenants Freddy Sotelo and Patrol Lieutenant Chris Martin.

Public Safety Center Construction Tour

Council, staff, and members of the public toured the Public Safety Center Construction site.

Adjournment

The work session tour ended at 6:40pm and Mayor Primmer stated the City Council would convene for their regular council meeting at 7:00pm in the Council Chambers at City Hall.



CITY COUNCIL

Regular Meeting Minutes September 22, 2025

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

City Manager Byron Smith stated there are Audio Visual issues that staff is currently working to resolve but may continue into the meeting.

Citizen Input on Non-Agenda Items

Mitch Myers, P.O. Box 1230- spoke regarding Hermiston's History, once his five-minutes had been used, he asked Mayor Primmer if he could continue to speak if audience members agreed to give him their allotted time; Mayor Primmer agreed and two members of the audience allowed Mr. Myers to use their time.

Mr. Myers continued, and spoke regarding concerns he has with Umatilla County Health Department who do nothing to stop the illegal food vending going on throughout the City yet harass non-profit organizations who just want to host a potluck, his disappointment with the City that also is not enforcing illegal vending from prepared food, to fruit, to flowers being sold on City sidewalks while not complying with cleanliness and food safety standards, or having to pay for local and state licensing, and asked that the City and County hold property owners responsible for illegal vending as this may be the only way to permanently stop illegal vending.

Mr. Myers asked that the City take disciplinary action against the Code Enforcement Official who made inappropriate remarks regarding the assassination of Charlie Kirk. And more be done regarding graffiti, vandalism, and homelessness in the downtown areas and McKenzie Park as the homeless population actions are repulsive. Mr. Myers stated he does not live in the City but has many businesses in City limits and cares about the community.

Mayor Primmer thanked Mr. Myers for his comments and stated the City is diligently working on a new ordinance to address many of these items.

Julian McNalley, 1850 Vincent Lane- stated he was deeply disturbed by Councilor Linton's Facebook comments regarding the sensitive matter of the Charlie Kirk assassination, and although it is her personal Facebook page, he would have hoped that an elected official would have had more grace. Mr. McNalley stated he was not rude, disrespectful, or aggressive in his Facebook comment letting her know he would be attending the City Council meeting, yet Councilor Linton tried using the Police Department to keep him from attending, stating she was in fear for her life, which is wrong. Mr. McNalley stated he called City Hall, Mayor Primmer, and the Police Department to make sure he could attend tonight's meeting and everyone was polite, informative, and supportive of his presence.

Applause from the audience.



CITY COUNCIL

Regular Meeting Minutes September 22, 2025

Sarah Stone, 1030 Emerald Lane- stated she is a Veteran and community advocate for homeless individuals, Veterans in need, and those struggling with mental health and addiction. Ms. Stone thanked the City for all they do for this population and praised local organizations such as Stepping Stones Alliance, Eastern Oregon Mission, Capeco, Umatilla County Housing Authority and more for their efforts in supporting vulnerable populations, especially for Veterans, but stated there is still a need for coordinated efforts to connect individuals and families with the appropriate care and support systems to save their lives. As a follower of Jesus Christ, she knows that this is what Jesus calls for and quoted Mathew 16, 24-25 from the Bible.

Mayor Primmer asked Ms. Stone to see City Recorder Alarcon-Strong for his contact information so they can schedule a time to speak.

Consent Agenda Items

Councilor Barron asked to remove item D and Councilor McCarthy asked to remove item A from the Consent Agenda. Councilor Myers moved, and Councilor Duron seconded to approve Consent Agenda items B,C, & E, to include:

- B. Committee Vacancy Announcement 1
- C. Confirm appointments to the Ad-Hoc Charter Review Committee as follows: Chair, Dr. David Drotzmann, Members: Monique Brandley, Karyn Jones, Paul Wolverton, Kyndra Stone, Rod Hardin, and Val Hoxie.
- E. Minutes of the September 8th City Council Regular Meeting

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

Items Removed From Consent Agenda

- A. Public Notice of the 2026 Primary Election- Seeking City Official Candidates
- D. Recommend Appointment to the Library Board- Position 3, 4-year term ending June 30, 2029 to Zaira Sanchez

Councilor Barron stated he asked to remove item D to acknowledge Zaira Sanchez as she is in the audience.

Councilor McCarthy stated he asked to remove item A to be read aloud due to its important nature.

City Manager Smith summarized the staff report emphasizing the Primary Election is seeking Ward Council Candidates and Municipal Judge Candidates.

Councilor Hayward moved, and Councilor McCarthy seconded to approve Consent Agenda Items A & D. Motion carried unanimously with Councilors Hayward, Myers, McCarthy, Duron, Linton, Kelso, and Barron voting in favor.



CITY COUNCIL

Regular Meeting Minutes September 22, 2025

Ordinance No. 2371- Creating Local Improvement District No. 323

Mayor Primmer stated Ordinance No. 2371 was presented during the public hearing on September 8th which has been closed, as such, no further evidence or public comment will be received.

City Attorney Tovey read the ordinance by title only. Councilor Hayward moved, and Councilor Myers seconded to adopt Ordinance No.2371 and become effective 30 days after adoption of the City Council. Motioned passed 6-1 with Councilors Hayward, Myers, McCarthy, Duron, Kelso, and Barron voting in favor, and Councilor Linton voting against.

August 2025 Monthly Financial Report

After staff answered questions from the Council, Councilor Myers moved, and Councilor Duron seconded to accept the Monthly Financial Report as presented (PowerPoint Presentation attached) by Finance Director Palacios, Assistant City Manager Morgan, and City Manager Smith. Motion passed unanimously with Councilors Hayward, Myers, McCarthy, Duron, Kelso, Linton, and Barron voting in favor.

Committee Reports

Faith-Based Advisory Committee- Councilor Hayward gave updates regarding a presentation from Stepping Stones Alliance stating the Homeless Shelter is receiving about 14 people per night.

Parks and Recreation Advisory Committee- Councilor Duron and Myers gave updates regarding the lack of committee attendance causing another meeting without a quorum, Recreation Coordinator recruitment efforts, tree inventory, funding, pickleball courts have been seeing about 1,000 players per week from June 14th through August, enclosing Funland playground for children safety and possibly add a bike rack, conversations with Oregon Marina Board regarding more river access, Family Magic Night, Treats on Main, and the grade 6-12 Scary Wood trip.

Mayor's Report

Mayor Primmer spoke regarding:

- Public Safety Center Tour during tonight's work session, thanking the great tour guides from the Police Department and stating the facility looks amazing and is excited for its completion
- More than 800 volunteer hours community members served for the Pendleton Round-Up
- City Chat at Friday's Football Game was well attended with great conversations
- Umatilla County Farm to Square event in Portland was very similar to the Hermiston Watermelon Give Away with lots of produce given away and great participation from local and state representatives
- LOC Conference in Portland
- Commended Daniel Wattenburger for the great job he did creating the Council Cards

Council Presidents Report

Councilor McCarthy spoke regarding:

- Reminded the community to slow down in school zones
- Great opportunity to speak with members of the public during City Chats
- Gave recognition to Committee, Board, and Commission members for all the work they do for the City and Community as a whole



CITY COUNCIL

Regular Meeting Minutes September 22, 2025

Council Reports

Councilor Linton also commended Daniel Wattenburger on the Council Cards and stated she believes the emails sent are micro-aggression's as she was not fighting with anyone on Facebook; wanted to remind the public commenter, Julian McNally, about the 13th, 14th, 15th, and 1st amendments and stated she never told him not to come to the City Council meeting, she only told him that she was going to call the Police Department after the fourth time he commented that he would see her at the Council Meeting which is when she felt harassed and threatened but is glad he also contacted the Police Department; and stated, people can either vote for her or not at the next election.

Councilor Myers thanked the members of the Police Department in the audience for being their Safety Center tour guides during the work session.

Councilor Barron agreed with Councilor Myers sentiments regarding the Safety Center Tour and believes the remodel will be more efficient for staff and thanked the City for the construction updates to the Arc building as these improvements are also benefiting the Inland Northwest Musicians who are housed there. Councilor Barron praised the public who attended the City Chats on Friday stating they were very informed.

Councilor Duron also commended the City on the Council Cards and asked that the City include in-person participation and YouTube viewing options for City Council meetings in the next round of printing. Thanked the City for their efforts in hosting one of the City Chats at Hacienda West Apartments, stating it is a great opportunity for individuals who maybe cannot attend other City Chats to be able to attend one closer to home.

Councilor McCarthy stated there is a QR Code to the YouTube page.

Councilor Hayward spoke regarding the Hermiston High School Performing Arts Collective Fundraising Dinner and Auction he attended stating they did a phenomenal job performing, and thanked Chaplain Terry Cummings and Parks and Recreation Director Artz for their help with the City Prayer and Prayer for the Nation at City Hall on September 11th, stating the event was organized last minute but had a great turn out and he heard repeatedly from community members that it was a wonderful event and should be held more often.

Councilor Kelso spoke regarding the great Hermiston High School venue to hold the latest City Chat, stating he spoke with many constituents, learned a lot, and hopes City continues to hold City Chats well into the future. Attended the regular Board Meeting of Inland Northwest Musicians and was asked to pass along their gratitude for their remodeled space at the Arc. Encouraged the public to run for the four Ward Council Elected positions; stating he knows there are many people who would do a great job as City Councilors and should be involved in their City, stating he has enjoyed his time on the Council and knows others would too.

Youth Advisory Report

Teodoro Delgado stated he had nothing to report.



CITY COUNCIL

Regular Meeting Minutes September 22, 2025

City Manager's Report

City Manager Smith gave information regarding:

- Thanked the Council for the flowers and condolences
- Thanked the Council for their praise on the Council Cards, stating he copied the idea from the City of Florence and created the card with Daniel Wattenburger's help
- Asked the Council to RSVP to City Recorder Alarcon-Strong if they would like to attend any of the upcoming 2025-26 scheduled City Chats

Adjourn

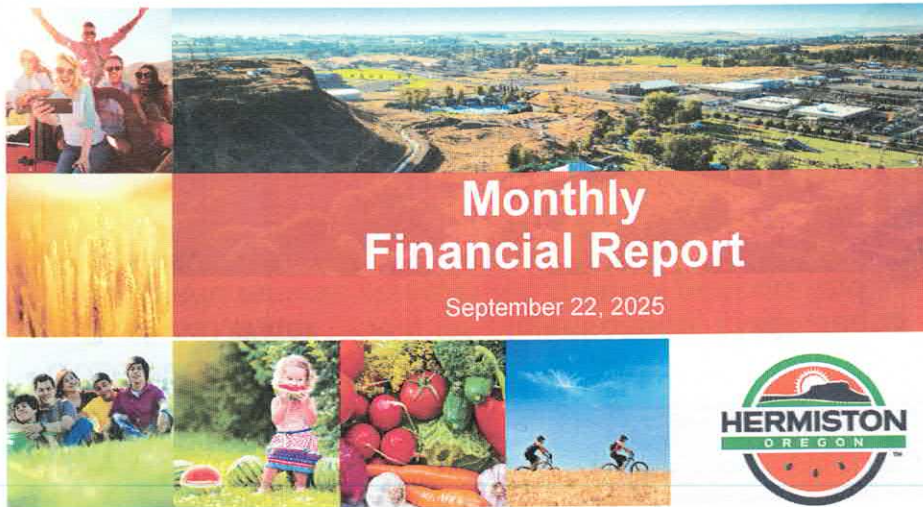
There was no other business and Mayor Primmer adjourned the regular City Council meeting at 8:14pm.

SIGNED:

Doug Primmer, Mayor

ATTEST:

Lilly Alarcon-Strong, CMC, City Recorder



Hermiston Urban Renewal Agency (HURA)

- Hermiston URA split in four funds for fiscal year – General, Downtown, North and South.
- North Hermiston Urban Renewal Area – ROW appraisals complete with anticipated bidding this winter.



General Fund

- Second month (or 16.7%) of 2025-26 fiscal year
- Monthly Revenues ended under projection by ~\$466k
 - Primarily due to change in building fee and grant revenues



General Fund

- Monthly Expenses were over projection by ~\$2.0 million
 - Primarily due transfer of building funds to newly created building inspection fund (~\$2.7 million)
 - City Council, Airport and Non-Departmental are over budget due to annual LOC membership, transfer for projects, and transfer to building inspection fund, respectively.
 - Parks, Parks Utility, Pool and Recreation are over budget due to seasonal activities.



Fund Balance – General Fund

- Minimum Fund Balance for 2025 is \$2.9 million
 - Projected fund balances include the effect of transfer to newly established building inspection fund totaling \$2.7 million.
 - Fund balance projections are adjusted to reflect \$970k general fund reserves held
 - Without the \$2.7 million transfer the budget minimum drops from \$2.9 million to \$2.5 million
 - With adjustments fund balance drops below minimum in June 2026



Special Revenue Funds

- Observations:
 - New Building Inspection fund activity included in special revenue summary
 - EOTEC revenues do not reflect reimbursement from campground project
 - EOTEC activity for personnel and material and services reflect seasonal events (fair, special and private events, etc.)



Utility and Street Funds

- Observations:
 - Regional Water fund over projections by \$125k due to budgeted reserve transfer for planned projects and repairs.



Capital Projects

- A number of projects in design:
 - Geer/Harper Realignment- full design expected by late fall
 - N. 1st Sidewalk (additional ROW with UPRR has begun)
 - RWS Backup Generators – currently in design
 - Well #6 Chlorination Structure
 - Lift Station #5 wet well upgrades – design to begin
 - E. Evelyn Avenue gravity sewer line – design to begin
 - Orchard Water Line replacement – preliminary design underway
- Aquifer Storage/Recovery – final depth reached shifting to construction
- Well #4 Controls – contract awarded, project to ‘commence’ after peak season
- TBD (budgeted and part of CIP):
 - Dogwood Street, SE 10th Street Bridge, and Lift Station #7



Capital Projects

- Hangar Replacement – Roof complete. Fall occupancy.
- Library – Books moved in and initial punch list developed
- The Arc – PD moved in. Sand and finish interior upon PD vacation
- Sherman Park – Construction plans nearly complete
- Public Safety Center – Drywall and insulation taking place



Discussion

Questions?

Where Life is Sweet™



Where Life is Sweet

Mayor and Members of the City Council
STAFF REPORT
 For the Meeting of October 13, 2025

Title/Subject

Misdemeanor Case Distribution

Summary and Background

Summary

The decision of how to proceed with misdemeanor criminal cases cited by Hermiston Police Department is being brought before City Council. Due to state-wide attorney shortage, the Hermiston Municipal Court has been unable to establish a contract for a public defense attorney. Because of this, it is proposed that all misdemeanor cases be sent to the Umatilla County District Attorney's Office/Umatilla County Circuit Court to be handled effective January 1st, 2026.

Background

In January 2024, the Hermiston Municipal Court resumed jurisdiction of A Misdemeanors. In March 2024 the primary contracted defense attorney opted to not renew his contract with the City. A Request for Proposal (RFP) was published and a new defense attorney and the City agreed upon a contract. In February 2025, the primary contracted defense attorney notified Court Administrator Viles that she would not renew her contract due to health and family priorities. In March 2025 an RFP was published. The RFP was shared with the local attorney bar association, the Oregon State Bar Center job listing site and emailed to their members, as well as being shared with the National Association for Public Defense. One attorney submitted a proposal, but it did not include the required information as stated in the RFP. As of October 2025, HMC did not have a primary contracted defense attorney and is utilizing the contracted secondary defense attorney.

In April 2024, the contracted City Prosecutor opted to end his contract with the City to pursue a different full-time job. An RFP was published with no response. In July 2024 the City was able to establish a contract with our current City Prosecutor. City Attorney Tovey had to fill in for the 2-3 months we did not have a City Prosecutor.

Challenges

The difficulty finding criminal attorneys is not a dilemma unique to Hermiston Municipal Court. There are over 5,000 individuals in the state of Oregon that have been charged with a criminal case and do not have a public defense attorney appointed to them ([Oregon Circuit Courts Unrepresented Individuals](#)). Both Umatilla County and Morrow County have had deputy district attorney positions open in their offices for at least a year.

In the past 5 years Oregon has gone through significant reform in public defense services. In 2018, the Sixth Amendment Center published their report and evaluation of Oregon's public defense representation. The Sixth Amendment Center found that the structure of Oregon's public defense system managed by the Oregon Public Defense Services Commission was a flawed system that incentivized attorneys to take on as many cases as possible and to do so quickly, which was in conflict with their ethical duties to provide due process rights to their clients. The report by the Sixth Amendment Center had many other findings and was the driver behind the changes and reform that have occurred in the past 5 years.

One of the changes was to the number of cases a defense attorney can take in one year and the amount paid for a full caseload. For the 2023-2025 biennium the Oregon Public Defense Commission (OPDC) has determined that 300 misdemeanor cases is a full caseload for the year for one full time defense attorney. OPDC has also determined that the annual pay for 1 full time defense attorney is \$213,085 for one year.

While Hermiston Municipal Court (HMC) does not contract with the Oregon Public Defense Commission for public defender services as the Circuit Courts do, Court Administrator Viles has received frequent feedback from local attorneys that HMC does not pay close to what OPDC does and that is why attorneys do not respond to the RFPs. OPDC pays approximately \$710 per misdemeanor case. HMC pays approximately \$450-\$500 per case. Municipal courts on the west side of the state pay \$250-\$400 per misdemeanor case. Because there are fewer attorneys willing to practice on the east side of the state, municipal courts pay more for services.

Proposed Solution

Effective January 1st, 2026, send all misdemeanor cases to Circuit Court to be prosecuted by the Umatilla County District Attorney's Office.

Advantages:

1. Hermiston Municipal Court operations costs would decrease in the next fiscal year.

Disadvantages:

1. Because the DA's office handles all levels of cases, low-level misdemeanor cases may not be a priority. This may result in cases not being filed at all and offenders not being held accountable. Or cases may be filed up to 23 months after the offense date.

City Manager Smith, City Attorney Tovey, and Court Administrator Viles met with Umatilla County District Attorney Dan Primus to discuss the transfer of cases. District Attorney Primus advised his office is short 4 attorneys at this time, but that they would do their best to handle the cases. He also advised that the defense attorney shortage is being felt in Circuit Court as well, with Judges advising misdemeanor cases may be dismissed since there are not enough defense attorneys to appoint to the defendants.

Sending all unfilled misdemeanor cases to Circuit Court would not mean HMC would no longer handle criminal matters, the Court will still continue with criminal case operations until all filed criminal cases are closed. Criminal case operations would slowly wind down and would likely be completely terminated by 2032. Until all criminal cases are finished the City would still need to have a part-time contracted Prosecutor and a contracted Defense Attorney, but the cost would be significantly less.

Tie-In to Council Goals

N/A

Fiscal Information

Sending misdemeanor cases to Circuit Court will result in a decrease of approximately \$50,000-\$100,000 to the court budget in the next fiscal year.

Alternatives and Recommendation

Alternatives

- A. Publish an RFP for defense services equal to the rate and maximum caseload OPDC pays defense attorneys. Defense services would cost the City approximately \$400,000 for FY25-26. *(Current budget \$150,000)*

Advantages:

1. Criminal cases would remain with the Hermiston Municipal Court.
2. The City Prosecutor files approximately 90% of the cases that are cited by HPD.
3. Cases are filed with HMC within a matter of weeks, typically not longer than 3 months meaning offenders are held accountable more quickly.
4. Misdemeanor cases from HPD are less likely to be dismissed as part of negotiations on felony cases.

Disadvantages:

1. A significant cost increase for HMC/City (\$254,000 increase in expenses for FY25-26)
2. Anticipated additional increased costs for the City Prosecutor, Judge, and City Attorney to equitably match the rate of the Defense Attorney.
3. Publishing an RFP for defense services equal to the rate and caseload OPDC does not guarantee an attorney will take the contract.

- B. Effective January 1, 2026, send all misdemeanor cases to Circuit Court to be prosecuted by the Umatilla County District Attorney's Office.

Advantages:

1. Hermiston Municipal Court operations costs would decrease in the next fiscal year.

Disadvantages:

2. Because the DA's office handles all levels of cases, low-level misdemeanor cases may not be a priority. This may result in cases not being filed at all and offenders not being held accountable. Or cases may be filed up to 23 months after the offense date.

Recommended Action/Motion

Motion to send all misdemeanor cases to Circuit Court for potential prosecution effective January 1, 2026

Submitted By:

Jillian Viles, Municipal Court Administrator



Where Life is Sweet

Mayor and Members of the City Council
STAFF REPORT
For the Meeting of October 13, 2025

Title/Subject

Report on Communication/Community Engagement Efforts

Summary and Background

As staff has been evaluating and choosing various communication/community engagement tools and implementing other items to improve communication with the residents of the city, it was important to give the council a report on these various efforts. A presentation will be given at the meeting.

Tie-In to Council Goals

N/A

Fiscal Information

N/A

Alternatives and Recommendation

Informational Only.

Submitted By:

Byron D. Smith, City Manager