



Location: City Hall – Council Chambers
Date: June 09, 2020
Time: 6:30 PM

City Council Meeting Agenda

Mayor Steve Uffelman, Council Members Jason Beebe, Janet Hutchison, Patricia Jungmann, Gail Merritt, Jeff Papke, Teresa Rodriguez and City Manager Steve Forrester

This meeting will be open to the public by telephonic communications due to commitment to eliminate the exposure and spread of COVID-19. This meeting can be attended by calling 346-248-7799 Meeting ID 947 5839 2608. Please visit our website for additional meeting information.

Call to Order

Flag Salute

Additions to Agenda

Consent Agenda

- [1.](#) Regular Meeting Brief 5-26-2020
- [2.](#) Pine Theater Liquor License
- [3.](#) Sora Sushi Liquor License

Visitors, Appearances and Requests

4. Virtual Swearing in of Sergeant Rich Todd - Chief Dale Cummins
5. Crook County Health Department Update - Muriel DeLaverdene-Brown

Council Business

6. Pacific Power Franchise - Steve Forrester / Eric Klann
- [7.](#) Temporary Expansion of Utility Bill Assistance Related to COVID-19 City Policies - Lori Hooper

Staff Reports and Requests

8. City Manager's Report - Steve Forrester

Committee Reports

Ordinances

- [9.](#) Ordinance No. 1260 - Adding Chapter 156 to COP Code Housing Receivership **(SECOND PRESENTATION)** - Jered Reid



[10.](#) Ordinance No. 1261 - Adopting Changes to Prineville Code Section 50.22 and Adding 50.24 (**FIRST PRESENTATION**) - Jered Reid

Resolutions

Visitors, Appearances and Requests

Adjourn

Agenda items maybe added or removed as necessary after publication deadline



CITY OF PRINEVILLE
Regular Meeting Brief
387 NE Third Street – Prineville, OR 97754
541.447.5627 ph 541-447-5628 fax

Full Meeting Recordings Available at:
<http://cityofprineville.com/meetings/>

City Council Meeting Brief
May 26, 2020

Council Members Present:

Gail Merritt
Janet Hutchison
Steve Uffelman

Patricia Jungmann
Jason Beebe

Council Members Absent

Jeff Papke
Teresa Rodriguez

Additions to the Agenda

None.

Consent Agenda

1. Regular Meeting Brief 5-12-2020
2. Pine Theater Liquor License
3. Prineville Market Liquor License

There were discussions regarding two questions not being answered on the Pine Theater application. Chief Cummins recommended pulling the application from the Consent Agenda.

Councilor Jungmann made a motion to approve the Consent Agenda as amended. Motion seconded. No discussion on motion, motion carried.

Visitors, Appearances and Requests:

Public Appearances

There were no written comments submitted for Public Appearances.

Caroline Ervin signed in as a Budget Committee Member for the Financial Report.

Council Business

4. Intent to Award 2020 Street Rehab Project – Scott Smith

Scott Smith presented staff report and called attention to the engineers estimate being incorrect. No questions from council.

Councilor Hutchison made motion to approve intent to award to Tri-County Paving for \$628,837.50. Motion seconded. No discussions on motion. All in favor, motion carried.

Staff Reports and Requests:

5. Manager’s Report

Steve Forrester, City Manager reported: Projects continue to move forward; the Finance Department successfully negotiated a new refunding rate at less than 2%; Brightwood at Rail Road has started back up; Meadow Lakes has had good golf activity over weekend and a request for bids for the irrigation project is coming out; city parking lot project uncovered an old Ochoco Hotel fuel tank; and the new Sgt. Todd Rich will be joining the Police Department team bringing it to full strength and 24 hour supervisor coverage.

6. Quarterly Financial Report – Liz Schuette / Lori Hooper

Liz Schutte, Finance Director started the power point presentation starting with all city funds and Mrs. Schuette took a few moments to explain the biennial budget, and what columns we will be focusing on for where we stand today.

Ms. Schuette continued with the power point that highlighted: the general fund is on target and went through each line item.

Eric Klann, City Engineer talked about next four slides regarding SDC funds; installing new aeration project at the Waste Water Treatment Plant; a Transportation SDC project and the Elm Street bridge project; and the ASR project is the biggest project going now.

Matt Wiederholt, Railroad manager provided a Railroad activity report on their new office which is being paid for with the Krahl lease; and the effects of COVID-19 and how will see a significant increase in storage fees.

Mr. Forrester gave an update on the Airport news; and the completion of forest service helibase project which improved city services for future expansion in that part of the airport.

Zach Lampert, Golf Pro and Facility Manager, explained things are looking good from remodel; rebounded pretty well in May; the irrigation project will be pushed out to next biennium.

Mrs. Schuette continued with the Finance Report for the Building Facility Fund starting with Public Safety building and the new refinancing which will save money on interest.

Chief Cummins talked about additional funds secured; how it will allow all phases of projects to be completed which would have taken a couple of years to be completed without it; and displayed some demolition photos of the building.

Councilor Merritt explained that she went on the facility tour Friday and went away knowing that we are doing the right thing for them.

There will be budget items the last meeting in June.

Committee Reports

7. COVID-19 Update / Discussion

There were no questions or updates at this time.

Ordinances:

8. Ordinance No. 1260 – Adding Chapter 156 to COP Code Housing Receivership (FIRST PRESENTATION) – Jered Reid

Jered Reid, City Attorney referred to code in the packet and the Ordinance itself distributed earlier, just adopts what is in packet. Mr. Reid provided background information on how this recommended code came about. Mr. Reid explained how the process of receivership, and that it would be a long process to be able to remedy.

Councilor Hutchison asked if it would ever come back to council prior to going to circuit court.

Mr. Reid replied yes, that would happen before it goes from the start and that Council would authorize to enter receivership. However before it even comes to council the property owner would have to not have tried to resolve and all other efforts has not been met successfully.

Councilor Beebe made motion to approve Ordinance No. 1260 for the first presentation. Motion seconded. No discussion on motion. All in favor, motion carried.

Resolutions:

9. Resolution No. 1440 – Providing City Authorization to Efficiently Minimize or Mitigate the Effects of the COVID-19 Pandemic – Jered Reid

Mr. Reid provided the staff report.

There were no questions.

Councilor Merritt made motion to approve Resolution No. 1440. Motion seconded. No discussions on motion. All in favor motion carried.

10. Resolution No. 1441 – Amending Prineville Policies During COVID - 19– Jered Reid

Mr. Reid presented the staff report that highlighted the couple of changes made consistent with Phase I of reopening.

Councilor Beebe made a motion to approve Resolution No. 1441. Motion seconded. No discussion on motion. All in favor, motion carried.

11. Resolution No. 1442 – Amendment Extending Crook County GIS Services IGA – James Wilson

James Wilson, Public Safety IT Manager presented the staff report.

There were no questions.

Councilor Hutchison made a motion to approve Resolution No. 1442. Motion seconded. No discussion on motion. All in favor, motion carried.

12. Resolution No. 1443 – Exempting from Competition a Contract for Construction & Installation of Barnes Butte Pedestrian Bridge – Eric Klann

Mr. Klann presented the staff report.

There were discussions regarding contract timeline; potential grant funding timing and using bridge as match.

There were no other questions.

Councilor Merritt made a motion to approve Resolution No. 1443. Motion seconded. No discussion on motion. All in favor, motion carried.

Visitors Appearances and Requests:

There were no written comments submitted for Public Appearances.

Adjourn

Councilor Hutchison made a motion to adjourn the meeting. Motion seconded. No discussion on motion. All in favor, motion carried.

Meeting adjourned at 7:41 P.M.

Motions and Outcomes:

Motion:	Outcome	Beebe	Hutchison	Jungmann	Merritt	Papke	Rodriguez	Uffelman
Consent Agenda as Amended	PASSED	-	Y	Y	Y	-	-	Y
Approve Intent to Award to Tri-County Paving for \$628,837.50.	PASSED	Y	Y	Y	Y	-	-	Y
Ordinance No. 1260 – Adding Chapter 156 to COP Code Housing Receivership (FIRST PRESENTATION)	PASSED	Y	Y	Y	Y	-	-	Y
Resolution No. 1440 – Providing City Authorization to Efficiently Minimize or Mitigate the Effects of the COVID-19 Pandemic	PASSED	Y	Y	Y	Y	-	-	Y
Resolution No. 1441 – Amending Prineville Policies During COVID - 19	PASSED	Y	Y	Y	Y	-	-	Y
Resolution No. 1442 – Amendment Extending Crook County GIS Services IGA	PASSED	Y	Y	Y	Y	-	-	Y
Resolution No. 1443 – Exempting from Competition a Contract for Construction & Installation of Barnes Butte Pedestrian Bridge	PASSED	Y	Y	Y	Y	-	-	Y
Adjourn Meeting	PASSED	Y	Y	Y	Y	-	-	Y

Public Records Disclosure

Under the Oregon public records law, all documents referred to in this session are available at the City’s website. www.cityofprineville.com. An electronic copy of the meeting packet is available for download at www.cityofprineville.com/packets. A full recording of this meeting is available at www.cityofprineville.com/meetings



LIQUOR LICENSE APPLICATION

PRINT
RESET FORM

1. Application. **Do not include** any OLCC fees with your application packet (the license fee will be collected at a later time). Application is being made for:

License Applied For:	CITY AND COUNTY USE ONLY
<input type="checkbox"/> Brewery 1st Location	Date application received and/or date stamp: 5-14-2020
<input type="checkbox"/> Brewery 2nd Location	
<input type="checkbox"/> Brewery 3rd Location	Name of City or County: _____
<input type="checkbox"/> Brewery-Public House 1st Location	
<input type="checkbox"/> Brewery-Public House 2nd Location	Recommends this license be: <input type="checkbox"/> Granted <input type="checkbox"/> Denied
<input type="checkbox"/> Brewery-Public House 3rd Location	
<input type="checkbox"/> Distillery	By: _____
<input type="checkbox"/> Full On-Premises, Commercial	Date: _____
<input type="checkbox"/> Full On-Premises, Caterer	OLCC USE ONLY
<input type="checkbox"/> Full On-Premises, Passenger Carrier	
<input type="checkbox"/> Full On-Premises, Other Public Location	Date application received: 05/05/2020
<input type="checkbox"/> Full On-Premises, For Profit Private Club	By: Thaspi
<input type="checkbox"/> Full On-Premises, Nonprofit Private Club	License Action(s): N/O
<input type="checkbox"/> Grower Sales Privilege 1st Location	
<input type="checkbox"/> Grower Sales Privilege 2nd Location	
<input type="checkbox"/> Grower Sales Privilege 3rd Location	
<input checked="" type="checkbox"/> Limited On-Premises	
<input type="checkbox"/> Off-Premises	
<input type="checkbox"/> Off-Premises with Fuel Pumps	
<input type="checkbox"/> Warehouse	
<input type="checkbox"/> Wholesale Malt Beverage & Wine	
<input type="checkbox"/> Winery 1st Location	
<input type="checkbox"/> Winery 2nd Location	
<input type="checkbox"/> Winery 3rd Location	
<input type="checkbox"/> Winery 4th Location	
<input type="checkbox"/> Winery 5th Location	

2. Identify the applicant(s) applying for the license(s). ENTITY (example: corporation or LLC) or INDIVIDUAL(S) applying for the license(s):

Pine theater L.L.C.
(Applicant #1)

RECEIVED
(Applicant #2)

(Applicant #3)

Oregon Liquor Control Commission
(Applicant #4) Bend, Oregon

MAY 05 2020

3. Trade Name of the Business (Name Customers Will See)

Pine Theater

4. Business Address (Number and Street Address of the Location that will have the liquor license)

216 W. main st.

City Prineville	County C O K	Zip Code 97754
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LIQUOR LICENSE APPLICATION

5. Trade Name of the Business (Name Customers Will See) <i>Pine Theater LLC.</i>			
6. Does the business address currently have an OLCC liquor license?		<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
7. Does the business address currently have an OLCC marijuana license?		<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
8. Mailing Address/PO Box, Number, Street, Rural Route (where the OLCC will send your mail) <i>216 N. main St.</i>			
City <i>Prineville</i>	State <i>OR</i>	Zip Code <i>97754</i>	
9. Phone Number of the Business Location <i>503-997-1983</i>		10. Email Contact for this Application <i>pinetheater@gmail.com</i>	
11. Contact Person for this Application <i>Ali Mehrabi</i>		Phone Number <i>503-997-1983</i>	
Contact Person's Mailing Address (if different) <i>same</i>	City	State	Zip Code

Please note that liquor license applications are public records. A copy of the application will be posted on the OLCC website for a period of several weeks.

I understand that marijuana (such as use, consumption, ingestion, inhalation, samples, give-away, sale, etc.) is **prohibited** on the licensed premises.

I attest that all answers on all forms, documents, and information provided to the OLCC are true and complete.

Applicant Signature(s)

- Each individual person listed as an applicant must sign the application.
- If an applicant is an entity, such as a corporation or LLC, at least one person who is authorized to sign for the entity must sign the application.
- A person with the authority to sign on behalf of the applicant (such as the applicant's attorney or a person with power of attorney) may sign the application. If a person other than an applicant signs the application, please provide proof of signature authority.

(Applicant#1)

(Applicant#2)

(Applicant#3)

(Applicant#4)



OREGON LIQUOR CONTROL COMMISSION
INDIVIDUAL HISTORY FORM

CLEAR

PRINT

1. Name: (LAST) <u>Mehrabi</u> (FIRST) <u>Ali</u> (MIDDLE) <u>R.</u>		
2. Other Names Used (Maiden, Etc.): <u>N/A</u>		
3. Do you have a Social Security Number (SSN) issued by the U.S. Social Security Administration? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please provide your SSN: _____		
<p>SOCIAL SECURITY NUMBER DISCLOSURE: As part of your application for an initial or renewal license, Federal and State laws require you to provide your Social Security Number (SSN) to the Oregon Liquor Control Commission (OLCC) for child support enforcement purposes (42 USC § 666(a)(13) & ORS 25.785). If you are an applicant or licensee and fail to provide your SSN, the OLCC may refuse to process your application. Your SSN will be used only for child support enforcement purposes unless you indicate below.</p> <p>Based on our authority under ORS 471.311 and OAR 845-005-0312(6), we are requesting your voluntary consent to use your SSN for the following administrative purposes only: to match your license application to your Alcohol Server Education records (where applicable), and to ensure your identity for criminal records checks. OLCC will not deny you any rights, benefits or privileges otherwise provided by law if you do not consent to use of your SSN for these administrative purposes (5 USC§ 552(a)).</p> <p>Do you voluntarily consent to the OLCC's use of your SSN as just described? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>		
4. Date of Birth (MM/DD/YYYY): <u>04 / 29 /</u>	5. Contact Phone: <u>503-997-1983</u>	
6. Driver License or State ID #: _____	7. State: <u>OR.</u>	
8. Residence Address: _____ <u>Prineville, OR 97754</u>		
9. Mailing Address (if different): <u>216 N. main st. Prineville, OR 97754</u>		
10. E-Mail (optional): <u>Pine theater @ gmail</u>		
11. Do you have a spouse or domestic partner? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list his/her full name:		
12. If yes to #11, will this person be involved in the management of, or have control over the business? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		
13. In the past 10 years, have you been convicted ("convicted" includes paying a fine) in Oregon or another U.S. state of driving a car with a suspended driver license or driving a car with no insurance? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (Please include explanation below) <input type="checkbox"/> Unsure (Please include explanation below)		
14. In the past 10 years, have you been convicted ("convicted" includes paying a fine) in Oregon or another U.S. state of a FELONY ? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (Please include explanation below) <input type="checkbox"/> Unsure (Please include explanation below)		
15. Have you ever been in a drug or alcohol diversion program in Oregon or another U.S. state? A diversion program is where you are required, usually by the court or another government agency, to complete certain requirements in place of being convicted of a drug or alcohol-related offense. <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (Please include explanation below) <input type="checkbox"/> Unsure (Please include explanation below)		

16. Do you, or any legal entity that you are a part of, **currently hold** or **have previously held** a liquor license or a recreational marijuana license in Oregon or another U.S. state? (Note: alcohol service permits and marijuana worker permits are not liquor licenses).

No Yes (Please include explanation below) Unsure (Please include explanation below)

Pine theater had a liquor license about 10 years ago
216 W. main st
Prinville or 97754

17. Have you, or any legal entity that you are a part of, **ever** had an application for a license, permit, or certificate **denied or cancelled** by the OLCC or any other governmental agency in the U.S.?

No Yes (Please include explanation below) Unsure (Please include explanation below)

18. Are you applying for a Full On-Premises, Limited On-Premises, Off-Premises, or Brewery-Public House license?

No Please skip questions 19 & 20. Go directly to question 21.
 Yes Please answer questions 19, 20, and 21.

19. Do you or will you have any ownership interest in a business that manufactures, wholesales, or distributes alcohol in Oregon or another U.S. state?

No Yes (Please include explanation below) Unsure (Please include explanation below)

20. Does or will an alcohol manufacturer, wholesaler, or distributor in Oregon or another U.S. state have any ownership interest in your business?

No Yes (Please include explanation below) Unsure (Please include explanation below)

21. Do you currently have, or will you have, any ownership interest in any business in Oregon with a Full On-Premises, Limited On-Premises, Off-Premises, or Brewery-Public House license?

No Yes (Please include explanation below) Unsure (Please include explanation below)

You must sign your own form. Another person, like your attorney or a person with power of attorney, may not sign your form. I affirm that my answers are true and complete. I understand the OLCC will use the above information to check my records, including but not limited to, criminal history. I understand that if my answers are not true and complete, the OLCC may deny my license application.

Name: (LAST)	(FIRST)	(MIDDLE)
Mehrabi	Ali	R.
Signature:		Date:
A. Mehrabi		4-1-20



OREGON LIQUOR CONTROL COMMISSION
INDIVIDUAL HISTORY FORM

1. Name: (LAST) <u>mehrabi</u> (FIRST) <u>oniko</u> (MIDDLE) <u>Varsandor</u>		
2. Other Names Used (Maiden, Etc.):		
3. Do you have a Social Security Number (SSN) issued by the U.S. Social Security Administration? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, please provide your SSN: _____		
<p>SOCIAL SECURITY NUMBER DISCLOSURE: As part of your application for an initial or renewal license, Federal and State laws require you to provide your Social Security Number (SSN) to the Oregon Liquor Control Commission (OLCC) for child support enforcement purposes (42 USC § 666(a)(13) & ORS 25.785). If you are an applicant or licensee and fail to provide your SSN, the OLCC may refuse to process your application. Your SSN will be used only for child support enforcement purposes unless you indicate below.</p> <p>Based on our authority under ORS 471.311 and OAR 845-005-0312(6), we are requesting your voluntary consent to use your SSN for the following administrative purposes only: to match your license application to your Alcohol Server Education records (where applicable), and to ensure your identity for criminal records checks. OLCC will not deny you any rights, benefits or privileges otherwise provided by law if you do not consent to use of your SSN for these administrative purposes (5 USC § 552(a).</p> <p>Do you voluntarily consent to the OLCC's use of your SSN as just described? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>		
4. Date of Birth (MM/DD/YYYY): <u>5/1/13</u>	5. Contact Phone: <u>503-</u>	6. Driver License or State ID #: _____
7. State: _____		8. Residence Address: _____
9. Mailing Address (if different): _____		<u>Prineville, OR</u> <u>97754</u>
10. E-Mail (optional): _____ <u>@yahoo.com</u>		
11. Do you have a spouse or domestic partner? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No if yes, list his/her full name: _____		
12. If yes to #11, will this person be involved in the management of, or have control over the business? <input type="checkbox"/> No <input type="checkbox"/> Yes		
13. In the past 10 years, have you been convicted ("convicted" includes paying a fine) in Oregon or another U.S. state of driving a car with a suspended driver license or driving a car with no insurance? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (Please include explanation below) <input type="checkbox"/> Unsure (Please include explanation below)		
14. In the past 10 years, have you been convicted ("convicted" includes paying a fine) in Oregon or another U.S. state of a FELONY ? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (Please include explanation below) <input type="checkbox"/> Unsure (Please include explanation below)		
15. Have you ever been in a drug or alcohol diversion program in Oregon or another U.S. state? A diversion program is where you are required, usually by the court or another government agency, to complete certain requirements in place of being convicted of a drug or alcohol-related offense. <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (Please include explanation below) <input type="checkbox"/> Unsure (Please include explanation below)		

16. Do you, or any legal entity that you are a part of, **currently hold** or **have previously held** a liquor license or a recreational marijuana license in Oregon or another U.S. state? (Note: alcohol service permits and marijuana worker permits are not liquor licenses).

No Yes (Please include explanation below) Unsure (Please include explanation below)

17. Have you, or any legal entity that you are a part of, **ever** had an application for a license, permit, or certificate **denied or cancelled** by the OLCC or any other governmental agency in the U.S.?

No Yes (Please include explanation below) Unsure (Please include explanation below)

18. Are you applying for a Full On-Premises, Limited On-Premises, Off-Premises, or Brewery-Public House license?

No Please skip questions 19 & 20. Go directly to question 21.
 Yes Please answer questions 19, 20, and 21.

19. Do you or will you have any ownership interest in a business that manufactures, wholesales, or distributes alcohol in Oregon or another U.S. state?

No Yes (Please include explanation below) Unsure (Please include explanation below)

20. Does or will an alcohol manufacturer, wholesaler, or distributor in Oregon or another U.S. state have any ownership interest in your business?

No Yes (Please include explanation below) Unsure (Please include explanation below)

21. Do you currently have, or will you have, any ownership interest in any business in Oregon with a Full On-Premises, Limited On-Premises, Off-Premises, or Brewery-Public House license?

No Yes (Please include explanation below) Unsure (Please include explanation below)

You must sign your own form. Another person, like your attorney or a person with power of attorney, may not sign your form. I affirm that my answers are true and complete. I understand the OLCC will use the above information to check my records, including but not limited to, criminal history. I understand that if my answers are not true and complete, the OLCC may deny my license application.

Name: (LAST) *Mehraebi* (FIRST) *Oniko* (MIDDLE) *Varsawdar*

Signature: *Oniko Varsawdar* Date: *May 1, 2020*



OREGON LIQUOR CONTROL COMMISSION BUSINESS INFORMATION

Please Print or Type

Applicant Name: Ali Mehrabi Phone: 503-997-1983

Trade Name (dba): Pine Theater L.L.C.

Business Location Address: 216 N. main St. Prineville OR

City: Prineville OR ZIP Code: 97754

DAYS AND HOURS OF OPERATION

Business Hours:

Sunday	<u>12p</u> to <u>9p</u>
Monday	<u>3p</u> to <u>8p</u>
Tuesday	<u>3p</u> to <u>8p</u>
Wednesday	<u>3p</u> to <u>8p</u>
Thursday	<u>3p</u> to <u>8p</u>
Friday	<u>12p</u> to <u>10p</u>
Saturday	<u>12p</u> to <u>10p</u>

Outdoor Area Hours:

Sunday	<u>N/A</u> to <u>N/A</u>
Monday	_____ to _____
Tuesday	_____ to _____
Wednesday	_____ to _____
Thursday	_____ to _____
Friday	_____ to _____
Saturday	_____ to _____

The outdoor area is used for:

- Food service Hours: N/A to N/A
- Alcohol service Hours: _____ to _____
- Enclosed, how _____

The exterior area is adequately viewed and/or supervised by Service Permittees.

_____ (Investigator's Initials)

Seasonal Variations: Yes No If yes, explain: Movies are busier during Summer & winter

ENTERTAINMENT

Check all that apply:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Live Music | <input type="checkbox"/> Karaoke |
| <input type="checkbox"/> Recorded Music | <input type="checkbox"/> Coin-operated Games |
| <input checked="" type="checkbox"/> DJ Music | <input type="checkbox"/> Video Lottery Machines |
| <input checked="" type="checkbox"/> Dancing | <input type="checkbox"/> Social Gaming |
| <input type="checkbox"/> Nude Entertainers | <input type="checkbox"/> Pool Tables |
| | <input checked="" type="checkbox"/> Other: <u>Movie Theater</u> |

DAYS & HOURS OF LIVE OR DJ MUSIC

Sunday	_____ to _____
Monday	_____ to _____
Tuesday	_____ to _____
Wednesday	_____ to _____
Thursday	_____ to _____
Friday	_____ to _____
Saturday	_____ to _____

SEATING COUNT

Restaurant: _____ Outdoor: _____

Lounge: _____ Other (explain): _____

Banquet: _____ Total Seating: 169 downstairs
49 upstairs theater

OLCC USE ONLY	
Investigator Verified Seating: _____ (Y) _____ (N)	
Investigator Initials: _____	
Date: _____	

I understand if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: [Signature] Date: 4-1-20



LIQUOR LICENSE APPLICATION

1. Application. **Do not include** any OLCC fees with your application packet (the license fee will be collected at a later time). Application is being made for:

License Applied For:	CITY AND COUNTY USE ONLY
<input type="checkbox"/> Brewery 1 st Location	Date application received and/or date stamp: 5-29-2020
<input type="checkbox"/> Brewery 2 nd Location	
<input type="checkbox"/> Brewery 3 rd Location	Name of City or County: _____
<input type="checkbox"/> Brewery-Public House 1 st location	
<input type="checkbox"/> Brewery-Public House 2 nd location	
<input type="checkbox"/> Brewery-Public House 3 rd location	
<input type="checkbox"/> Distillery	Recommends this license be: <input type="checkbox"/> Granted <input type="checkbox"/> Denied
<input type="checkbox"/> Full On-Premises, Commercial	
<input type="checkbox"/> Full On-Premises, Caterer	By: _____ Date: _____
<input type="checkbox"/> Full On-Premises, Passenger Carrier	
<input type="checkbox"/> Full On-Premises, Other Public Location	OLCC USE ONLY
<input type="checkbox"/> Full On-Premises, For Profit Private Club	
<input type="checkbox"/> Full On-Premises, Nonprofit Private Club	
<input type="checkbox"/> Grower Sales Privilege 1 st location	
<input type="checkbox"/> Grower Sales Privilege 2 nd location	
<input type="checkbox"/> Grower Sales Privilege 3 rd location	
<input checked="" type="checkbox"/> Limited On-Premises	
<input type="checkbox"/> Off-Premises	
<input type="checkbox"/> Off-Premises with Fuel Pumps	
<input type="checkbox"/> Warehouse	
<input type="checkbox"/> Wholesale Malt Beverage & Wine	Date application received: 05/01/2020
<input type="checkbox"/> Winery 1 st Location	By: <i>[Signature]</i>
<input type="checkbox"/> Winery 2 nd Location	License Action(s): N/A
<input type="checkbox"/> Winery 3 rd Location	

2. Identify the applicant(s) applying for the license(s). ENTITY (example: corporation or LLC) or INDIVIDUAL(S) applying for the license(s):

<i>Sora Sushi Japanese Restaurant</i>	<i>Prineville INC</i>	RECEIVED MAY 01 2020
(Applicant #1)	(Applicant #2)	
		Oregon Liquor Control Commission Bend, Oregon
(Applicant #3)	(Applicant #4)	

3. Trade Name of the Business (Name Customers Will See)

Sora Sushi Japanese Restaurant ~~*Prineville INC*~~

4. Business Address (Number and Street Address of the Location that will have the liquor license)

234 N Main ST

City <i>Prineville</i>	County <i>Cro County</i>	Zip Code <i>97754</i>
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LIQUOR LICENSE APPLICATION

5. Trade Name of the Business (Name Customers Will See) <i>Sora Sushi Japanese Restaurant</i>			
6. Does the business address currently have an OLCC liquor license? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
7. Does the business address currently have an OLCC marijuana license? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
8. Mailing Address/PO Box, Number, Street, Rural Route (where the OLCC will send your mail) [Redacted]			
City <i>Happy Valley</i>		State <i>OR</i>	Zip Code <i>97086</i>
9. Phone Number of the Business Location [Redacted]		10. Email Contact for this Application [Redacted]	
11. Contact Person for this Application <i>Shu Chen</i>		Phone Number <i>541-221-8980</i>	
Contact Person's Mailing Address (if different)	City	State	Zip Code

Please note that liquor license applications are public records. A copy of the application will be posted on the OLCC website for a period of several weeks.

I understand that marijuana (such as use, consumption, ingestion, inhalation, samples, give-away, sale, etc.) is **prohibited** on the licensed premises.

I attest that all answers on all forms, documents, and information provided to the OLCC are true and complete.

Applicant Signature(s)

- Each individual person listed as an applicant must sign the application.
- If an applicant is an entity, such as a corporation or LLC, at least one person who is authorized to sign for the entity must sign the application.
- A person with the authority to sign on behalf of the applicant (such as the applicant's attorney or a person with power of attorney) may sign the application. If a person other than an applicant signs the application, please provide proof of signature authority.

[Signature]

(Applicant#1)

[Signature]

(Applicant #2)

(Applicant#3)

(Applicant #4)



OREGON LIQUOR CONTROL COMMISSION
INDIVIDUAL HISTORY FORM

1. Name: (LAST) <u>Chen</u>	(FIRST) <u>Shu</u>	(MIDDLE) <u>Zhen</u>
2. Other Names Used (Maiden, Etc.):		
3. Do you have a Social Security Number (SSN) issued by the U.S. Social Security Administration? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, please provide your SSN: [REDACTED]		
<p>SOCIAL SECURITY NUMBER DISCLOSURE: As part of your application for an initial or renewal license, Federal and State laws require you to provide your Social Security Number (SSN) to the Oregon Liquor Control Commission (OLCC) for child support enforcement purposes (42 USC § 666(a)(13) & ORS 25.785). If you are an applicant or licensee and fail to provide your SSN, the OLCC may refuse to process your application. Your SSN will be used only for child support enforcement purposes unless you indicate below.</p> <p>Based on our authority under ORS 471.311 and OAR 845-005-0312(6), we are requesting your voluntary consent to use your SSN for the following administrative purposes only: to match your license application to your Alcohol Server Education records (where applicable), and to ensure your identity for criminal records checks. OLCC will not deny you any rights, benefits or privileges otherwise provided by law if you do not consent to use of your SSN for these administrative purposes (5 USC§ 552(a).</p> <p>Do you voluntarily consent to the OLCC's use of your SSN as just described? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>		
4. Date of Birth (MM/DD/YYYY): <u>07/11/</u>	5. Contact Phone: <u>541-</u>	
6. Driver License or State ID #:	7. State: <u>OR</u>	
8. Residence Address: <u>OR 97086</u>		
9. Mailing Address (if different):		
10. E-Mail (optional):		
11. Do you have a spouse or domestic partner? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list his/her full name:		
12. If yes to #11, will this person be involved in the management of, or have control over the business? <input type="checkbox"/> No <input type="checkbox"/> Yes		
13. In the past 10 years, have you been convicted ("convicted" includes paying a fine) in Oregon or another U.S. state of driving a car with a suspended driver license or driving a car with no insurance? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (Please include explanation below) <input type="checkbox"/> Unsure (Please include explanation below)		
14. In the past 10 years, have you been convicted ("convicted" includes paying a fine) in Oregon or another U.S. state of a FELONY ? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (Please include explanation below) <input type="checkbox"/> Unsure (Please include explanation below)		
15. Have you ever been in a drug or alcohol diversion program in Oregon or another U.S. state? A diversion program is where you are required, usually by the court or another government agency, to complete certain requirements in place of being convicted of a drug or alcohol-related offense. <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (Please include explanation below) <input type="checkbox"/> Unsure (Please include explanation below)		

16. Do you, or any legal entity that you are a part of, **currently hold** or **have previously held** a liquor license or a recreational marijuana license in Oregon or another U.S. state? (Note: alcohol service permits and marijuana worker permits are not liquor licenses).

No Yes (Please include explanation below) Unsure (Please include explanation below)

owner of sora sushi in bend, Redmond OR
owner of sora sushi in kelso wa

17. Have you, or any legal entity that you are a part of, **ever** had an application for a license, permit, or certificate **denied or cancelled** by the OLCC or any other governmental agency in the U.S.?

No Yes (Please include explanation below) Unsure (Please include explanation below)

18. Are you applying for a Full On-Premises, Limited On-Premises, Off-Premises, or Brewery-Public House license?

No Please skip questions 19 & 20. Go directly to question 21.
 Yes Please answer questions 19, 20, and 21.

19. Do you or will you have any ownership interest in a business that manufactures, wholesales, or distributes alcohol in Oregon or another U.S. state?

No Yes (Please include explanation below) Unsure (Please include explanation below)

20. Does or will an alcohol manufacturer, wholesaler, or distributor in Oregon or another U.S. state have any ownership interest in your business?


No Yes (Please include explanation below) Unsure (Please include explanation below)

21. Do you currently have, or will you have, any ownership interest in any business in Oregon with a Full On-Premises, Limited On-Premises, Off-Premises, or Brewery-Public House license?

No Yes (Please include explanation below) Unsure (Please include explanation below)

owner of sora sushi in bend, Redmond OR
owner of sora sushi in kelso WA

You must sign your own form. Another person, like your attorney or a person with power of attorney, may not sign your form. I affirm that my answers are true and complete. I understand the OLCC will use the above information to check my records, including but not limited to, criminal history. I understand that if my answers are not true and complete, the OLCC may deny my license application.

Name: (LAST)	(FIRST)	(MIDDLE)
chen	Sha	chen
Signature:		Date:
		2-24-20



OREGON LIQUOR CONTROL COMMISSION
INDIVIDUAL HISTORY FORM

1. Name: (LAST) Qin (FIRST) Boyi (MIDDLE)

2. Other Names Used (Maiden, Etc.):

3. Do you have a Social Security Number (SSN) issued by the U.S. Social Security Administration?
 Yes No If yes, please provide your SSN: _____

SOCIAL SECURITY NUMBER DISCLOSURE: As part of your application for an initial or renewal license, Federal and State laws require you to provide your Social Security Number (SSN) to the Oregon Liquor Control Commission (OLCC) for child support enforcement purposes (42 USC § 666(a)(13) & ORS 25.785). If you are an applicant or licensee and fail to provide your SSN, the OLCC may refuse to process your application. Your SSN will be used only for child support enforcement purposes unless you indicate below.

Based on our authority under ORS 471.311 and OAR 845-005-0312(6), we are requesting your voluntary consent to use your SSN for the following administrative purposes only: to match your license application to your Alcohol Server Education records (where applicable), and to ensure your identity for criminal records checks. OLCC will not deny you any rights, benefits or privileges otherwise provided by law if you do not consent to use of your SSN for these administrative purposes (5 USC§ 552(a).

Do you voluntarily consent to the OLCC's use of your SSN as just described? Yes No

4. Date of Birth (MM/DD/YYYY): 12/10/1981 5. Contact Phone: 541-_____

6. Driver License or State ID #: _____ 7. State: OR

8. Residence Address: _____ Bend, OR 97701

9. Mailing Address (if different): _____

10. E-Mail (optional): _____

11. Do you have a spouse or domestic partner? Yes No
 If yes, list his/her full name: Xiao Han

12. If yes to #11, will this person be involved in the management of, or have control over the business?
 No Yes

13. In the past 10 years, have you been **convicted** ("convicted" includes paying a fine) in Oregon or another U.S. state of driving a car with a suspended driver license or driving a car with no insurance?
 No Yes (Please include explanation below) Unsure (Please include explanation below)
In 2018, I was driving with my driver license still in my hand, but police told me it was suspended.

14. In the past 10 years, have you been **convicted** ("convicted" includes paying a fine) in Oregon or another U.S. state of a **FELONY**?
 No Yes (Please include explanation below) Unsure (Please include explanation below)

15. Have you ever been in a drug or alcohol **diversion program** in Oregon or another U.S. state? A diversion program is where you are required, usually by the court or another government agency, to complete certain requirements in place of being convicted of a drug or alcohol-related offense.
 No Yes (Please include explanation below) Unsure (Please include explanation below)

16. Do you, or any legal entity that you are a part of, **currently hold** or **have previously held** a liquor license or a recreational marijuana license in Oregon or another U.S. state? (Note: alcohol service permits and marijuana worker permits are not liquor licenses).

No Yes (Please include explanation below) Unsure (Please include explanation below)

17. Have you, or any legal entity that you are a part of, **ever** had an application for a license, permit, or certificate **denied or cancelled** by the OLCC or any other governmental agency in the U.S.?

No Yes (Please include explanation below) Unsure (Please include explanation below)

18. Are you applying for a Full On-Premises, Limited On-Premises, Off-Premises, or Brewery-Public House license?

No Please skip questions 19 & 20. Go directly to question 21.

Yes Please answer questions 19, 20, and 21.

19. Do you or will you have any ownership interest in a business that manufactures, wholesales, or distributes alcohol in Oregon or another U.S. state?

No Yes (Please include explanation below) Unsure (Please include explanation below)

20. Does or will an alcohol manufacturer, wholesaler, or distributor in Oregon or another U.S. state have any ownership interest in your business?

No Yes (Please include explanation below) Unsure (Please include explanation below)

21. Do you currently have, or will you have, any ownership interest in any business in Oregon with a Full On-Premises, Limited On-Premises, Off-Premises, or Brewery-Public House license?

No Yes (Please include explanation below) Unsure (Please include explanation below)

You must sign your own form. Another person, like your attorney or a person with power of attorney, may not sign your form. I affirm that my answers are true and complete. I understand the OLCC will use the above information to check my records, including but not limited to, criminal history. I understand that if my answers are not true and complete, the OLCC may deny my license application.

Name: (LAST)

Qu

(FIRST)

Boyi

(MIDDLE)

Signature:

mij

Date:

2-24-20



OREGON LIQUOR CONTROL COMMISSION BUSINESS INFORMATION

Please Print or Type

Applicant Name: Sora Sushi Japanese Restaurant Prineville ^{Inc} Phone: 541-221-8950

Trade Name (dba): Sora Sushi Japanese Restaurant

Business Location Address: 234 N Main St

City: Prineville ZIP Code: 97754

DAYS AND HOURS OF OPERATION

Business Hours:

Sunday	<u>11am</u>	to	<u>9pm</u>
Monday	<u>11am</u>	to	<u>9pm</u>
Tuesday	<u>11am</u>	to	<u>9pm</u>
Wednesday	<u>11am</u>	to	<u>9pm</u>
Thursday	<u>11am</u>	to	<u>9pm</u>
Friday	<u>11am</u>	to	<u>9:30pm</u>
Saturday	<u>11am</u>	to	<u>9:30pm</u>

Outdoor Area Hours:

Sunday	_____	to	_____
Monday	_____	to	_____
Tuesday	_____	to	_____
Wednesday	_____	to	_____
Thursday	_____	to	_____
Friday	_____	to	_____
Saturday	_____	to	_____

The outdoor area is used for:

- Food service Hours: _____ to _____
- Alcohol service Hours: _____ to _____
- Enclosed, how _____

The exterior area is adequately viewed and/or supervised by Service Permittees.

(Investigator's Initials)

Seasonal Variations: Yes No If yes, explain: _____

ENTERTAINMENT

Check all that apply:

- | | |
|--|--|
| <input type="checkbox"/> Live Music | <input type="checkbox"/> Karaoke |
| <input checked="" type="checkbox"/> Recorded Music | <input type="checkbox"/> Coin-operated Games |
| <input type="checkbox"/> DJ Music | <input checked="" type="checkbox"/> Video Lottery Machines |
| <input type="checkbox"/> Dancing | <input type="checkbox"/> Social Gaming |
| <input type="checkbox"/> Nude Entertainers | <input type="checkbox"/> Pool Tables |
| | <input type="checkbox"/> Other: _____ |

DAYS & HOURS OF LIVE OR DJ MUSIC

Sunday	_____	to	_____
Monday	_____	to	_____
Tuesday	_____	to	_____
Wednesday	_____	to	_____
Thursday	_____	to	_____
Friday	_____	to	_____
Saturday	_____	to	_____

SEATING COUNT

Restaurant: 60 Outdoor: _____

Lounge: _____ Other (explain): _____

Banquet: _____ Total Seating: _____

OLCC USE ONLY

Investigator Verified Seating: ___(Y)___(N)

Investigator Initials: _____

Date: _____

I understand if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: [Signature] Date: 2-24-20



STAFF REPORT

MEETING DATE:	6/9/2020	PREPARED BY:	Lori Hooper
SECTION:	Staff Reports and Requests	DEPARTMENT:	Finance Department
CITY GOAL:	Fiscal Responsibility, Provide Quality Municipal Services and Programs		
SUBJECT:	Temporary expansion of utility bill assistance in response to COVID-19 City policies		

REASON FOR CONSIDERATION:

As the City of Prineville reopens from COVID-19 closures, delinquent water and sewer balances present a potential problem for customers and the city which staff intends to mitigate.

BACKGROUND:

In March 2020, pursuant to resolution 1430, the City of Prineville temporarily suspended water shut offs for non-payment due to the COVID-19 pandemic. This action allowed several months of past due bills to accumulate for a portion of the City's utility customers. As Oregon reopens and the City prepares to resume standard operation, these customers may find it more difficult to get caught up on their past due balances. Staff believes it is unlikely they will be able to bring their account immediately out of shut-off status, especially if they are experiencing a financial hardship.

City Ordinance provides that delinquent water and sewer bills can be applied as a lien on the property and fall to the property owner if a tenant does not pay their bill. The City recognizes that renters who have become several months behind in their utility payments, may present a financial burden to the landlord if they move out before getting caught up on their water/ sewer bill.

City staff is looking to be proactive in getting these past due balances resolved without shutting off services before customers fall too far behind in their monthly bill. Historically, the city turns off water once a customer is behind in payment by one month. The city has not traditionally offered payment plans or hardship relief credits for utility accounts, however, staff feels that the current situation warrants utilizing these tools.

As of May 12th, 2020, the City had roughly 90 customers who would have been in danger of having their services shut off due to nonpayment. This is trending higher than average when compared to May 2019 when 60 customers were scheduled for shutoff. Staff expects approximately 120 customer accounts to be delinquent and meet policy for having their water shut off due to non-payment once the city resumes standard operations.

In an effort to mitigate the number of customers facing utility shutoff, and to recognize the financial hardship that the COVID-19 pandemic has caused, staff plans to work with customers to resolve past due balances utilizing a payment plan and offering a one-time relief credit. The relief credit will serve as an incentive, once the plan is complete, and the past due balance is paid in full. Staff intends to recover as much past due revenue as possible while minimizing water service disruption for customers to the greatest extent possible.

The proposed program details are included in Exhibit A which includes:

- An example notice to be mailed to delinquent customers
- COVID-19 website posting

FISCAL IMPACT:

Water and sewer revenue reduction of potentially \$15,000 in FY21 provided all qualifying customers utilize the assistance plan to bring their balance current.

Additional hard costs associated with customer noticing are estimated as an additional expense of \$1,500.

It is anticipated that this cost and revenue shortfall will be covered within contingency of the water and sewer funds and may require a budget adjustment.

RECOMMENDATION:

Unless council directs otherwise, staff intends to work with past due customers in an effort to avoid utility shutoff through the use of 4-6 month payment plans and one-time utility relief credits for customers who are experiencing financial hardships due to the COVID-19 pandemic.



CITY OF PRINEVILLE

387 NE Third Street - Prineville, OR 97754
Email: utilities@cityofprineville.com
541.447.5627 ph 541-447-5628 fax

Notice – Past Due Sewer and Water Account Balances

As Oregon enters its re-opening phases, the City will soon be resuming normal operations and will be in contact with you to make arrangements to bring your account current before service suspensions resume due to nonpayment.

The City recognizes the hardship that the COVID-19 pandemic has put on many of its citizens. During the Oregon emergency shutdown, the City did not turn off water service for non-payment of bills, this allowed several months of past due bills to accumulate for several of our customers.

The City wants to work with you to bring your account current. In an effort to support the community in this unprecedented time, the City is willing to include a one-time account credit of \$150.00 in conjunction with an approved monthly payment plan to bring your account current.

Program details:

- Requires a payment plan agreement to get the account brought current.
- After entering into a payment plan agreement, the customer shall pay any new monthly water and sewer bills in full and on time, in addition to making the agreed-upon monthly payments.
- Customers participating in the payment plan agreement will be eligible for a \$150.00 relief credit once the past due amount has reached \$150.00, provided that the customer is not in default of the Agreement.
- Customers shall be limited to one credit.
- Funding for the \$150.00 relief credit is limited and will be awarded on a first come first served basis.
- Payment plan agreement must be entered into by August 10, 2020 to be eligible for the \$150.00 relief credit.

Eligibility requirements:

- Must be a water **and** sewer customer of the City of Prineville (water only or sewer only customers are not eligible for this program).
- Customer account must be active and have a delinquent balance that is no more than 4 months outstanding.

For more information and to discuss your past due balance, please call the Finance Department at City Hall at 541-447-5627.



CITY OF PRINEVILLE

387 NE Third Street – Prineville, OR 97754

Email: utilities@cityofprineville.com

541.447-5627 ph 541-447-5628 fax

COVID-19 Temporary Utility Billing Assistance Program

Temporary Utility Billing Assistance is a City of Prineville Utility program created to assist its customers who have demonstrated an inability in paying their water and sewer utility bills due to hardships associated with the COVID-19 pandemic.

Program details:

- Requires a payment plan agreement to get the account brought current.
- After entering into a payment plan agreement, the customer shall pay any new monthly water and sewer bills in full and on time, in addition to making the agreed-upon monthly payments.
- Customers participating in the payment plan agreement will be eligible for a \$150.00 relief credit once the past due amount has reached \$150.00, provided that the customer is not in default of the Agreement.
- Customers shall be limited to one credit.
- Funding for the \$150.00 relief credit is limited and will be awarded on a first come first served basis.
- Payment plan agreement must be entered into by August 10, 2020 to be eligible for the \$150.00 relief credit.

Eligibility requirements:

- Must be a water **and** sewer customer of the City of Prineville (water only or sewer only customers are not eligible for this program).
- Customer account must be active and have a delinquent balance that is no more than 4 months outstanding.

For more information, please call the Finance Department at City Hall at 541-447-5627.

ORDINANCE NO. 1260

**AN ORDINANCE ADDING CHAPTER 156 TO THE PRINEVILLE CITY CODE
HOUSING RECEIVERSHIP ORDINANCE OF THE CITY OF PRINEVILLE**

WHEREAS, Chapter II, Section 4 of the City of Prineville Charter provides:

Powers. The city has all powers that the constitutions, statutes and common law of the United States and Oregon expressly or impliedly grant or allow the city, as fully as this charter specifically enumerated each of those powers.

WHEREAS, the City of Prineville City Council finds that properties in violation of the Oregon Housing Receivership Act create an undue risk of harm to the City’s public safety officers and firefighters responding to calls at these properties, as well as neighboring citizens.

WHEREAS, the Council declares that the health, safety and welfare of citizens, public safety officers and firefighters are promoted by adopting and implementing the Housing Receivership Ordinance of the City of Prineville.

**NOW, THEREFORE, THE PEOPLE OF THE CITY OF PRINEVILLE DO
ORDAIN AS FOLLOWS:**

1. The Council hereby adopts proposed Chapter 156 attached to this Ordinance to the Prineville City Code.

Presented for the first time at a regular meeting of the City Council held on May, 2020, and the City Council finally enacted the foregoing ordinance this ____ day of June, 2020.

Stephen P. Uffelman
Mayor

ATTEST:

Lisa Morgan, City Recorder

CHAPTER 156: RECEIVERSHIP

156.01 Title, Purpose, and Scope; Findings.

This ordinance shall be known and may be cited as the “Housing Receivership Ordinance of the City of Prineville.” The purpose of the ordinance is to establish the authority and procedures for the use of the Oregon Housing Receivership Act (ORS 105.420 to 105.455), and shall apply to all residential property. The remedies provided for in this ordinance shall be in addition to any other remedy set out in the Code. In addition to the Oregon Legislature’s findings set out at ORS 105.420, the City Council specially finds that properties in violation of the Act create an undue risk of harm to the City’s public safety officers and firefighters responding to calls at these properties, as well as neighboring citizens. The Council declares that the health, safety and welfare of citizens, public safety officers and firefighters are promoted by adopting and implementing the Housing Receivership Ordinance of the City of Prineville.

156.02 Definitions.

- (1) “Abatement” means the removal or correction of any condition at a property including demolition that violates a provision of a City building or housing code, as well as the making of other such improvements or corrections as are needed to affect the rehabilitation of the property or structure, but not including the closing or physical securing of the structure.
- (2) “Building or housing code” means any City law, ordinance or regulation concerning habitability or the construction, maintenance, operation, occupancy, use or appearance of any property.
- (3) “Interested Party” means any person or entity that possesses any legal or equitable interest of record in the property, including but not limited to the holder of any lien or encumbrance of record on the property.
- (4) “Property” means any real property and all improvements thereon including edifices, structures, buildings, unit or part thereof used or intended to be used for residential purpose including single-family, duplex, multi-family, and mixed-use structures which have one or more residential units.

156.03 Authority

- (1) Subject to Council approval, when the City Manager finds that a property is in violation of a building or housing code, and in the exercise of reasonable discretion believes that violation is a threat to the public’s health, safety, or welfare, the City Manager may apply to a court of competent jurisdiction for the appointment of a receiver to perform an abatement.
- (2) In administering the provisions of this ordinance, the City Manager’s approval shall include, but is not limited to:
 - a. The selection of properties, subject to Council approval;

- b. The selection of appropriate receivers, subject to Council approval; and
- c. The establishment of written rules and procedures as are deemed necessary for the administration of this ordinance.

156.04 Selection of Properties.

In selecting properties where the City may seek appointment of a receiver, the City Manager shall consider those properties that have, at a minimum, the following characteristics:

- (1) A violation of a building or housing code that threatens the public health, safety, or welfare; and
- (2) The owner has not acted in a timely manner to correct the violations.

156.05 Notice to Interested Parties and Application

(1) At least 60 days prior to the filing of an application of a receiver, the City Manager shall cause notice to be sent by certified mail to all interested parties.

(2) The notice shall give the date upon which the City has the right to file with the Court for the receiver, and in addition shall:

- a. State the address and legal description of the property;
- b. List the building or housing code violations which give rise to the proposed application; and
- c. Give the name, address, and telephone number of a person who can provide additional information concerning the violations and their remedy.

156.06 Selection of Receivers

In selecting specific receivers, the City Manager shall choose the City agency or department designated by the City as being responsible for the rehabilitation of property, an urban renewal agency, or a private not-for-profit corporation, the primary purpose of which is the improvement of housing conditions within the City. In making the selection, the City Manager shall consider, at a minimum, the following:

- (1) The receiver's experience in rehabilitating and managing this type of property; and
- (2) The receiver's capacity to take on additional property management responsibilities.

156.07 Powers of a Receiver.

A receiver appointed by the Court shall have the authority to take any of the actions provided in ORS 105.435.

156.08 Plan and Estimate

Within 30 days after appointment by the court, a receiver shall submit to the City Manager a written plan for abatement. The City Manager shall approve the plan before the receiver commences work on the abatement.

156.09 Record Keeping

The receiver shall keep a record of all monies received and expended and all costs and obligations incurred in performing the abatement and managing of the property. Records shall be kept in a form as shall be agreed upon by the receiver and the City Manager, and copies shall be provided to the City Manager upon request.

156.10 Purchasing

Excepting any Conflict of Interest policy, all abatement work done pursuant to this ordinance is exempt from the provisions of the City's contracting and purchasing code.

156.11 Lien Enforcement; City Agency or Department as Receiver; Foreclosure

In accordance with ORS 105.440(2), if the costs and obligations incurred due to the abatement have not been paid, the order of the Court shall be filed with the county recorder within 60 days of its filing with the Court and shall thereafter constitute a lien on the property. In addition, unpaid liens shall be entered into the docket of City liens, and shall bear interest at the rate of nine percent (9%) per annum and shall begin to run from the date of entry of the lien in the lien docket. Thereafter, the City may cause the property to be sold as provided in ORS 223.505 to 223.590, or any other method provided by law.

ORDINANCE NO. 1261

AN ORDINANCE ADOPTING CHANGES TO PRINEVILLE CODE SECTIONS 50.22 AND ADDING 50.24

Whereas, on January 14, 2020, the City of Prineville City Council, following a public hearing, which was publicly noticed, adopted Resolution 1421 approving the transfer of the solid waste franchise agreement from Holiday Enterprises, LLC (“Holliday”) to Allied Waste Transfer Services of Oregon, LLC, dba Republic Services of Oregon (“Republic”).

Whereas, Holliday and Republic have executed appropriate transfer documents that were filed with the City Recorder.

Whereas, Republic also has a Franchise Agreement with Crook County; and

Whereas, changes in rate determination are required to the Code to make the Franchise Agreement consistent with the County’s Franchise Agreement.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF PRINEVILLE DO ORDAIN AS FOLLOWS:

1. Section 50.22 is hereby revoked in its entirety and replaced with the language set forth on Exhibit A attached hereto and by reference made a part hereof.
2. Section 50.24 is hereby added to the Code with the language set forth on Exhibit A attached hereto and by reference made a part hereof.

Presented for the first time at a regular meeting of the City Council held on June 9, 2020, and the City Council finally enacted the foregoing ordinance this ____ day of June, 2020.

Stephen P. Uffelman
Mayor

ATTEST:

Lisa Morgan, City Recorder

50.22 Rate Determination

(A) Rates for service shall be those contained in the document marked Exhibit A, attached to Ordinance 1261, passed June 23, 2020 and by this reference hereby incorporated in this chapter.

(B) The franchisee may file an application yearly for an adjustment in rates. In a scheduled public hearing, the City shall act upon the request for rate adjustment no later than 30 days following receipt of request for adjustment. The new rate increase or decrease will begin 30 days following conclusion of the hearing if approval is granted for a rate change. Rates shall be changed by resolution of the City Council. Subject to this section, franchisee may increase each category of its maximum rates for service by a percentage not greater than the lesser of the last reported U.S. Consumer Price Index of trash/garbage services or water/sewer trash services. Prior to implementing such rate increase, franchisee shall provide written notice to customers not less than 30 days before mailing billing statements or invoices utilizing the new rate's bills. Such notice shall clearly explain the relationship between the rate structure and relevant consumer price index. Prior to notifying customers of the rate increase, franchisee shall provide written notice to the City Council of intent to increase rates in accordance with this section.

(C) In the event franchisee wishes to increase maximum rates for service by a percentage greater than the lesser of the last reported U.S. Consumer Price Index of trash/garbage services or water/sewer trash services, franchisee may, by May 1st of each calendar year following the adoption of the ordinance codified in this chapter file an application for an adjustment in rates. In support, the franchisee shall provide the City with all information deemed necessary by the City with respect to the operations of franchisee in order to make a reasonable and rational decision on the application. In a scheduled public hearing, the City Council shall act upon such request for rate adjustment no later than 60 days following receipt of request for adjustment. The new rate increase or decrease will begin 30 days following conclusion of the hearing if approval is granted for a rate change. Rates shall be changed by resolution of the City Council.

(D) In determining the appropriate rate to be charged by the franchisee, the City Council may consider any or all of the following.

- (1) The cost of performing the service provided by the franchisee.
- (2) The anticipated increase in the cost of providing this service.
- (3) The need for equipment replacement and the need for additional equipment to meet service needs; compliance with federal, state, local law, ordinances and regulations; or technological change.
- (4) The investment of the franchisee and the value of the business and the necessity that the franchisee have a reasonable annual rate of return on revenues in the range of eight percent (8%) to twelve percent (12%), with a target of ten percent (10%). Return on investment shall be determined based upon generally accepted accounting principles (GAAP). Franchisee's books shall be made available to City Council upon request to verify profits.

(5) The rates charged in other cities of similar size in surrounding jurisdictions for similar service.

(6) The public interest in assuring reasonable rates to enable the franchisee to provide efficient and beneficial service to the residents and other users of the service.

(7) The local wage scales, cost of management facilities and land fill and disposal of fees or charges.

(8) Any profit or cost savings resulting from recycling, and any additional costs resulting from recycling.

(9) Other factors affecting the cost of providing service.

(E) Rates charged shall not be greater than those established as provided herein, but nothing shall preclude franchisee from charging a lesser rate than the maximum imposed rate provided in the rate schedule approved by City Council. Non-scheduled services may be provided at the reasonable cost of providing the service.

(F) The franchisee shall bill and collect on a current billing basis. When the franchisee has experienced collection problems on a particular account, it may require other than current billing basis. Such other procedures will be according to reasonable business practices and, if objected to by a customer will be subject to disapproval by the City.

(G) If approved in the rate schedule, the franchisee may charge a starting charge to any customer who has been previously terminated for failure to pay for service.

(H) Rates shall be uniform or uniform within zones or classes of service.

(I) Nothing in the above section shall prohibit the franchisee from allowing qualified senior citizen rates. Qualifications for the senior citizen rates shall be determined by the franchisee.

(J) The franchisee may require the owner of rented or leased premises to accept responsibility, upon notification of delinquency, for payment of service to the facilities as a condition for providing the service.

50.24 Franchisee Records and Reports

(A) Franchisee shall keep accurate books of account through the term of this franchise. Franchisee shall produce its books of account for inspection by City at any time during normal business hours, after reasonable notice by the City.

Garbage		
CODE	SVC	CTY
433100	35 SO weekly	\$14.77
433105	35 SO 1st&3rd	
433110	35 SO 1xmo	\$9.94
433120	35 CO weekly- city 70+ or disabled	\$14.77
433125	35 CO 1st&3rd- city 70+ or disabled	
433130	35 CO 1xmo- city 70+ or disabled	\$9.94
436100	65 SO weekly	\$23.36
436105	65 SO 1st&3rd	
436110	65 SO 1xmo	\$13.70
436120	65 CO weekly- city 70+ or disabled	\$23.36
436125	65 CO 1st&3rd- city 70+ or disabled	
436130	65 CO 1xmo- city 70+ or disabled	\$13.70
439100	95 SO weekly	\$30.29
439105	95 SO 1st&3rd	
439110	95 SO 1xmo	\$19.07
439120	95 CO weekly- city 70+ or disabled	\$30.29
439125	95 CO 1st&3rd- city 70+ or disabled	
439130	95 CO 1xmo- city 70+ or disabled	\$19.07
430110	1yd temp-3 days	\$42.24
430115	1 1/2yd temp-3 days	\$77.25
430170	Additional temp days	\$2.45

Recycling

CODE	SVC	CTY
420100	95 recycle	\$0.00
420110	95 CO recycle	\$0.00
420115	addt'l 95 recycle	\$1.12
420125	Yard Debris EOW	\$15.45
420130	Yard Debris 1XMONTH	\$10.30
420210	SWL (per each 35RC)	\$5.15
443200	LEED Billing	\$206.00
420280	1 1/2yd occ	\$11.94
420290	2yd occ	\$23.88
420300	3yd occ	\$23.88
420310	4yd occ	\$35.82
420320	5yd occ	\$35.82
420330	6yd occ	\$35.82
420340	8yd occ	\$47.76
421010	10yd rec monthly rental	
421015	15yd rec monthly rental	
421020	20yd rec monthly rental	
421030	30yd rec monthly rental	
421040	40yd rec monthly rental	
422000	Rec haul fee	
422100	Rec truck time per hour	

Commercial

CODE	SVC	CTY
400100	1yd 1xweek	\$63.35
400110	1yd 2xweek	\$106.40
400120	1yd 3xweek	\$146.62
400130	1yd 4xweek	\$189.66
400140	1yd 5xweek	\$232.93
400150	1 1/2yd 1xweek	\$80.42
400160	1 1/2yd 2xweek	\$139.76
400170	1 1/2yd 3xweek	\$199.09
400180	1 1/2yd 4xweek	\$258.35
400190	1 1/2yd 5xweek	\$328.00
400200	2yd 1xweek	\$101.61
400210	2yd 2xweek	\$187.87
400220	2yd 3xweek	\$268.69
400230	2yd 4xweek	\$349.87
400240	2yd 5xweek	\$430.63
400250	3yd 1xweek	\$132.12
400260	3yd 2xweek	\$251.61
400270	3yd 3xweek	\$318.12
400280	3yd 4xweek	\$423.75
400290	3yd 5xweek	\$480.05
400300	4yd 1xweek	\$160.90
400310	4yd 2xweek	\$297.53
400320	4yd 3xweek	\$396.18
400330	4yd 4xweek	\$515.39
400340	4yd 5xweek	\$634.61
400350	5yd 1xweek	\$199.56
400360	5yd 2xweek	\$371.63
400370	5yd 3xweek	\$461.36
400380	5yd 4xweek	\$600.38
400390	5yd 5xweek	\$790.11
400400	6yd 1xweek	\$238.24
400410	6yd 2xweek	\$442.25
400420	6yd 3xweek	\$551.80
400430	6yd 4xweek	\$718.33
400440	6yd 5xweek	\$884.85
401000	1yd special mt	\$18.92
401010	1 1/2yd special mt	\$24.06
401020	2yd special mt	\$32.65
401030	3yd special mt	\$42.97
401040	4yd special mt	\$48.54
401050	5yd special mt	\$60.52
401060	6yd special mt	\$72.48

Monthly Commercial Bins

CODE	SVC	CTY
401005	1yd Will call	\$15.45
401015	1 1/2yd Will call	\$18.03
401025	2yd Will call	\$20.60
401035	3yd Will call	\$23.18
401045	4yd Will call	\$25.75
401055	5yd Will call	\$28.33
401065	6yd Will call	\$30.90
400105	1yd 1xmo	\$23.00
400155	1 1/2yd 1xmo	\$29.34
400205	2yd 1xmo	\$35.69
400265	3yd 1xmo	\$45.81
400305	4yd 1xmo	\$55.93
400355	5yd 1xmo	\$66.05
400405	6yd 1xmo	\$76.17
400115	1yd 2xmo	\$38.09
400165	1 1/2yd 2xmo	\$51.97
400215	2yd 2xmo	\$65.87
400275	3yd 2xmo	\$91.08
400315	4yd 2xmo	\$116.29
400365	5yd 2xmo	\$141.50
400415	6yd 2xmo	\$166.71

Roll-offs

CODE	SVC	CTY
410110	10yd monthly rental	\$105.05
410115	15yd monthly rental	\$118.18
410120	20yd monthly rental	\$131.31
410130	30yd monthly rental	\$157.58
410140	40yd monthly rental	\$183.84
410210	10yd yearly rental	\$73.53
410215	15yd yearly rental	\$83.08
410220	20yd yearly rental	\$91.93
410230	30yd yearly rental	\$110.30
410240	40yd yearly rental	\$128.70
410310	10yd daily rental	\$4.78
410315	15yd daily rental	\$5.38
410320	20yd daily rental	\$5.97
410330	30yd daily rental	\$7.17
410340	40yd daily rental	\$8.35
410500	Set-up fee	\$41.78
410510	Haul Fee	\$84.98
410520	Truck time per hour	
410525	Truck & Trailer time per hour	
410700	Disposal fee	\$50.00
411000	Inactive box fee	\$92.36
411010	Relocate box fee (county+time)	\$56.32

Extras

CODE	SVC	CTY
440000	Senior Citizen Discount	10%
440010	Extra Trash per can/bag	\$4.12
440020	Extra Trash per yard	\$16.00
440030	Lawn Debris per can/bag	\$4.12
440060	Garbage or glass in recycle cart	\$11.11
440070	1yd occ contaminated with trash	\$18.92
440080	1 1/2yd occ contaminated with trash	\$24.06
440090	2yd occ contaminated with trash	\$32.65
440100	3yd occ contaminated with trash	\$42.97
440110	4yd occ contaminated with trash	\$48.54
440120	5yd occ contaminated with trash	\$60.52
440130	6yd occ contaminated with trash	\$72.48
440140	8yd occ contaminated with trash	\$92.81

Special Services

CODE	SVC	CTY
441000	Sharps Container (commercial only)	\$5.63
442000	Special Services-1 man	\$61.80
442010	Special Services- 2 man	\$82.40
442020	Special Services- 1 man per hour	
442030	Special Services- 2 man per hour	
443000	Refrigerator	\$23.91
443010	Washer or dryer	\$17.92
443020	Stove (Range)	\$17.92
443030	Dishwasher	\$17.92
443040	Freezer	\$23.91
443050	Air-Conditioner	\$23.91
443060	Water Heater	\$17.92
443070	TV (27" approx)	\$8.37
443075	Vacuum	\$8.37
443080	Propane Tank	\$8.37
443090	Couch/Sofa	\$17.92
443100	Loveseat	\$11.95
443110	Recliner/Chair	\$9.56
443120	Mattress or Box spring-twin	\$5.97
443130	Mattress or Box spring-full	\$8.37
443140	Mattress or Box spring-queen	\$11.95
443150	Mattress or Box spring-king	\$14.34
443160	Pass Tire w/o rim	\$3.58
443170	Pass Tire w/ rim	\$9.56
443180	Truck Tire w/o rim	\$9.56
443190	Truck Tire w/ rim	\$16.74

Fees

CODE	SVC	CTY
444000	Go back fee	\$8.45
445000	Stop svc fee-delinquent	\$35.00
445020	RC Rental	\$5.77
445030	NSF check fee	\$30.00
445040	Collection fee	\$10.00
445050	Comm cont pull fee	\$55.00
447000	35 RC purchase (lost/stolen)	\$50.00
447010	65 RC purchase (lost/stolen)	\$55.00
447020	95 RC purchase (lost/stolen)	\$60.00
447100	Equipment damage (per hr + parts)	\$75.00
447110	Locking Lids F/L	\$5.15
447120	Locking Lids Roll Carts	\$1.03
447130	Roll Off Lids Standard	\$10.30
447140	Roll Off Lids High Risk	\$25.75