



Kent Taylor Civic Hall
200 NE Second Street
McMinnville, OR 97128

**City Council Meeting Agenda
Tuesday, December 10, 2019
5:30 p.m. – Executive Session
6:00 p.m. – Work Session
7:00 p.m. – Regular Council Meeting**

Welcome! All persons addressing the Council will please use the table at the front of the Council Chambers. All testimony is electronically recorded. Public participation is encouraged. If you wish to address Council on any item not on the agenda, you may respond as the Mayor calls for Invitation to Citizens for Public Comment.

5:30 PM – EXECUTIVE SESSION- COUNCIL CHAMBERS

1. CALL TO ORDER
2. DISCUSSION ON LITIGATION. Executive Session under ORS 192.660(h): To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.
3. ADJOURNMENT

6:00 PM – COUNCIL WORK SESSION – COUNCIL CHAMBERS

1. CALL TO ORDER
2. DISCUSSION ON FIRE DEPARTMENT COST RECOVERY
3. ADJOURNMENT

7:00 PM – REGULAR COUNCIL MEETING – COUNCIL CHAMBERS

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. INVITATION FOR PUBLIC COMMENT – *The Mayor will announce that any interested audience members are invited to provide comments. Anyone may speak on any topic other than: a matter in litigation, a quasi-judicial land use matter; or a matter scheduled for public hearing at some future date. The Mayor may limit comments to 3 minutes per person for a total of 30 minutes. Please complete a request to speak card prior to the meeting. Speakers may not yield their time to others.*
4. PRESENTATIONS
 - a. City Archive Presentation
 - b. Planning Commission Annual Presentation

5. ADVICE/ INFORMATION ITEMS

- a. Reports from Councilors on Committee & Board Assignments
- b. Department Head Reports
 - 1. Visit McMinnville Agreement
 - 2. Settlement and Services Agreement (Material to be provided at council meeting)
- c. August and September Cash and Investment Reports (in packet)

6. CONSENT AGENDA

- a. Consider request from CS Property Holdings LLC dba The Douglas on Third at 703 NE 3rd St. for an off-premises liquor license.
- b. Consider request from Slake House LLC at 1036 NE Baker St. for a limited on-premises liquor license.
- c. Consider request from Mikey's Pizzeria dba Joysticks Arcade at 211 NE 3rd St. for a limited on-premises liquor license.
- d. Consider **Resolution 2019-64**: A Resolution Approving Appointments for City Recorder and Finance Director.

7. ORDINANCE

- a. Consider first reading with possible second reading of **Ordinance No. 5083**: An Ordinance Amending Ordinance No. 5018 relating to single use bags.

8. RESOLUTIONS

- a. Consider **Resolution 2019-65**: A Resolution adopting a Building Fee Schedule.
- b. Consider **Resolution 2019-66**: A Resolution authorizing City Committee/Commission Appointments.
- c. Consider **Resolution 2019-67**: A Resolution authorizing the City Manager to enter into a contract with Cues, Inc. through the Houston Galveston Area Council Cooperative Purchasing Program (HGAC) for the purchase of a new CCTV Inspection Van.

9. ADJOURNMENT



**City of McMinnville
Fire Department**
175 NE 1st Street
McMinnville, OR 97128
(503) 435-5800
www.mcminnvilleoregon.gov

STAFF REPORT

DATE: December 4, 2019
TO: Jeff Towery, City Manager
FROM: Rich Leipfert, Fire Chief
SUBJECT: Settlement and Services Agreement

Background:

The City elected to enter into a lawsuit with the City of Newberg, Yamhill County, and Tualatin Valley Fire and Rescue against the Metro West Ambulance Service Inc. due to the fact that the Metro West Ambulance Service was in violation of the Yamhill County Ordinances regarding the County Ambulance Service Area Ordinance and Plan.

Discussion:

To avoid the uncertainty of litigation and the expense of litigation, the Parties desire to settle their claims on the terms of this agreement. The settlement agreement discussed in executive session is the subject of this action.

Processes have been agreed to on how Kaiser interfacility transfers that originate in the Yamhill County ASA are managed. In addition the city has agreed to renew the IGA for Metro West Ambulance Service to the Gaston Fire District that resides in Yamhill County.

Fiscal Impact:

None

Recommendation:

Recommend motion authorizing the City Manager to execute the Settlement and Services Agreement



City of McMinnville
Planning Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7311
www.mcminnvilleoregon.gov

STAFF REPORT

DATE: December 10, 2019
TO: Mayor and City Councilors
FROM: Heather Richards, Planning Director
SUBJECT: Planning Commission Annual Report

STRATEGIC PRIORITY & GOAL:



GROWTH & DEVELOPMENT CHARACTER

Guide growth & development strategically, responsibly & responsibly to enhance our unique character.

OBJECTIVE/S: Strategically plan for short and long-term growth and development that will create enduring value for the community

Report in Brief:

This is the Planning Commission's Annual Report to the McMinnville City Council as required by Section 2.32.040 of the McMinnville City Code. The purpose of the annual report is highlight past work and accomplishment of the Planning Commission in 2017 and to discuss upcoming projects planned for 2018.

Background:

The Planning Commission was first established by Ordinance No. 2169 in 1946, and is considered the longest standing city committee serving the City of McMinnville outside of the McMinnville City Council.

Currently Chapter 2.32 of the McMinnville City Code describes the role, responsibilities and power of the Planning Commission.

The purpose of the Planning Commission is to "serve in an advisory role to the City Council on the development and implementation of the City of McMinnville's Comprehensive Plan and its associated planning documents. The Planning Commission also serves in a quasi-judicial capacity on land-use decisions for the City of McMinnville, in order to ensure that the City of McMinnville grows and develops in an orderly fashion with adequate resources for housing, business, industry, transportation, recreation, culture, comfort, health and welfare of its population so that residents and businesses enjoy a high quality of life." (McMinnville City Code, Section 2.32.010)

The Planning Commission is uniquely situated in that it makes quasi-judicial decisions for the City of McMinnville and is authorized to do so by Oregon Revised Statute 227. The Commission renders land-use decisions on current planning projects such as subdivisions, conditional uses, variances and zone

changes. The Planning Commission is also responsible for making recommendations to the McMinnville City Council on long-range planning initiatives and to serve as the Citizen Involvement Committee for the City of McMinnville.

The PC has nine members, representing all three wards of the city. The commission is comprised of both long-term and recent residents, retired professionals and young professionals. Several of the commissioners have served on the commission for several years and several are new appointments in the last two years. Planning Commissioners serve four-year terms and are allowed to serve three full terms.

The current members are as follows:

- **Roger Hall, Chair:** Resident of McMinnville for seventeen years – Ward 2. Retired Financial Services Advisor. Past City Councilor and Mayor in Milwaukie, Oregon. This is Roger's ninth year on the commission.
- **Lori Schanche, Vice-Chair:** Resident of McMinnville for three years – Ward 1. Bachelor of Landscape Architecture. Worked for Anchorage for 25 years as the Non-motorized Transportation Coordinator. This is Lori's third year on the commission.
- **Erin Butler:** Resident of McMinnville for four years – Ward 1. Teacher for many years, now works in the wine industry. This is Erin's third year on the commission.
- **Martin Chroust-Masin:** Resident of McMinnville for thirty-seven years – Ward 1. Retired Yamhill County planner. Bachelor's degree in Architecture and Urban Planning from University of Washington. This is Martin's ninth year on the commission.
- **Sue Dirks:** Resident of McMinnville for three years – Ward 2. Retired academic administrator from Austin, Texas. This is Sue's third year on the commission.
- **Christopher Knapp:** Resident of McMinnville for one years – Ward 3. Graduated from the North Bennett School of Preservation Carpentry. This is Christopher's first year on the commission.
- **Gary Langenwalter:** Resident of McMinnville for seven years – Ward 3. Gary is a University of Oregon alumni with a BA in Industrial Management and a MBA from Michigan State University. He is the founder of the CEO Advisors Board. This is Gary's third year on the commission.
- **Roger Lizut:** Resident of McMinnville for four years – Ward 2. Retired engineer. Previous planning commission experience in Corvallis, Oregon, Walla Walla, Washington and Port Townsend, Washington. This is Roger's third year on the commission.
- **Amanda Perron:** Resident of McMinnville for nine years – Ward 1. Bachelor of Environmental Science and Planning. Works for McMinnville Public Library. This is Amanda's first year on the commission.

Discussion:

Adopted Work Plan:

Although the Planning Commission is responsible for both current and long-range planning for the City of McMinnville, due to budget constraints and staffing reductions, for many years the Planning Commission has been focused primarily on current planning land-use application review and decision-making.

In 2017, the Planning Commission worked with planning staff on assessing the needs of the city's long-range planning program. Due to the significant backlog of past-due long-range planning efforts, commission members made a commitment to increase their meeting times and work with staff on updating the long-range planning program for the City of McMinnville. A work plan was drafted with a five year snapshot that the Planning Commission has been following.

Since resources are still limited in the Planning Department, many of the long range planning efforts will be reliant on grants, academic partnerships and other creative outsourcing to get accomplished.

The work plan is organized by long-range planning initiatives, comprehensive plan amendments, development code text amendments and other initiatives such as necessary training to complete the work.

The adopted work plan is attached to this staff report for your reference.

THE CITY OF MCMINNVILLE MISSION:

The City of McMinnville delivers high-quality services in collaboration with partners for a prosperous, safe and livable community.



THE PLANNING DEPARTMENT ACHIEVES THIS BY:

Providing excellent customer service, public engagement, and proactive planning programs to promote McMinnville as the most livable and prosperous city in the state of Oregon now and into the future.

Work Product	2017-19	2019-21	2021-23
Long-Range Plans	<ul style="list-style-type: none"> • Three Mile Lane • Great Neighborhood Principles • Annexation • BLI – Housing • Historic Preservation Plan • Housing Needs Analysis / Strategy • Economic Development Strategy 	<ul style="list-style-type: none"> • City Center Housing Strategy • Downtown Plan • Urban Reserve Area • Airport Ec Dev Strategy 	<ul style="list-style-type: none"> • UGB Amendment • Parks Master Plan • Highway 99 Corridor Study
Comprehensive Plan Amendments	<ul style="list-style-type: none"> • Citizen Involvement • Park Zone • Public Facility Zone 	<ul style="list-style-type: none"> • Airport Zone • University Zone 	
Zoning Ordinance Amendments	<ul style="list-style-type: none"> • Travel Commercial Zone • Wireless Facilities • Steep Streets • Landscape • Trees • Historic Preservation • Multi-Family Site Design Review • Residential Zone Amendments • Neighborhood Meetings • Accessory Dwelling Units • Cottage Code Developments • Sign Code Enforcement 	<ul style="list-style-type: none"> • Commercial Zone Amendments • Industrial Zones • Site/Design Review 	<ul style="list-style-type: none"> • Planned Development • Land Division Standards



**City of McMinnville
Administration**
230 NE Second Street
McMinnville, OR 97128
(503) 435-5702
www.mcminnvilleoregon.gov

STAFF REPORT

DATE: December 10, 2019
TO: Mayor and City Councilors
FROM: Jeff Towery, City Manager
SUBJECT: Visit McMinnville/City Agreement
STRATEGIC PRIORITY & GOAL:



ECONOMIC PROSPERITY

Provide economic opportunity for all residents through sustainable growth across a balanced array of traditional and innovative industry sectors.

OBJECTIVE/S: Be a leader in hospitality and place-based tourism

Report in Brief:

During review and adoption of the FY19-20 Budget, the City Council requested a Work Session to further explore current and future potential uses of the City's Transient Lodging Tax (TLT) revenue. That Work Session was held on September 18 and this item is presented to give the Council the opportunity to provide any direction related to the current agreement between Visit McMinnville and the City.

Background:

The City of McMinnville established a Transient Lodging Tax in June, 2013 by adopting Ordinance 4970. In the first year of the tax, the City used the 70% of the tax which the law requires to be spent for tourism related purposes to give grants to local organizations to support their outreach efforts. After extensive strategic planning, the Transient Lodging Tax advisory committee, established in the enabling ordinance, recommended to the City Council that the future use of the tourism related funds should be the establishment of a destination marketing organization (DMO) which would be charged with creating an effective mix of marketing, sales, and service programs designed to produce a positive economic impact on visitor spending in McMinnville. As a result, the non-profit Visit McMinnville was incorporated effective July 1, 2015. The City entered into a contract with Visit McMinnville for tourism promotion services and each year since has reviewed and approved an annual work plan and budget. The original agreement had a term of three years with the opportunity for three additional one year extensions. The current year is the second of those extensions. The City and Visit McMinnville each have the opportunity to opt out of the existing agreement by December 31. If neither party does so, the current agreement will automatically renew for one last year and the parties will then have the chance to negotiate a successor agreement that would commence on July 1, 2021.

Discussion:

There have been several discussions between the City and Visit McMinnville representatives since the Work Session about potential next steps. Rather than allowing the final year of the existing agreement to roll over or terminate the agreement, the recommendation is to jointly agree to negotiate a new three year agreement. In addition to continuing the fundamental existing relationship and responsibilities, a new agreement would also set out the parties' commitment to carry out a project to explore the best economic development outcomes for the City using TLT dollars, looking specifically at infrastructure, destination development and business recruitment in addition to marketing efforts.

We propose the formation of a task force made up of Visit McMinnville Board Members and other community stakeholders with economic development backgrounds to lead the effort and to ultimately make recommendations to the City Council. The task force would be supported by City and Visit McMinnville staff. This work would likely include consultant support to conduct research and related studies and would be done over the course of 12 to 18 months, beginning in FY 2020-2021. We believe it is prudent to negotiate a three year agreement to give adequate time to define what work needs to be done, hire consultants, perform and then analyze this work and to initiate implementation. The agreement would include provisions for the City and Visit McMinnville to budget the necessary resources to conduct this work, to provide TLT resources to Visit McMinnville to continue its current work plan and to allow the City to set aside TLT resources that would be used to begin implementation of projects and initiatives that result from the described project.

Because the existing agreement runs through June 30, 2020, City staff and Visit McMinnville further propose that the parties would work together to prepare a detailed project description and charge for the Task Force, including timeline and possible budget implications as well as a new successor agreement that would be presented to the Council for review and initial consideration in a Work Session in late March or early April. Based on feedback from the Council, a new agreement along with a budget and work plan for Visit McMinnville would be presented to the Council for consideration and adoption in May or June of 2020.

Attachments:

1. Visit McMinnville Agreement

Fiscal Impact:

Any fiscal impacts will be initially included in the FY 2020-2021 and any subsequent budgets per a new agreement.

Recommendation:

After the presentation, including questions and comments from members of the Council, direct staff by motion or consensus to initiate negotiations on a successor agreement with Visit McMinnville as presented in this staff report or as amended by the Council.

AGREEMENT BETWEEN

CITY OF McMinnville, OREGON
AND
VISIT McMinnville

FOR TOURISM PROMOTION SERVICES

This Agreement is between the City of McMinnville, an Oregon municipal corporation, (City) and Visit McMinnville, Inc. (Contractor), an Oregon nonprofit corporation.

The City wishes to enter into this Agreement with the Contractor for tourism promotion services for the City. The Contractor is willing to provide the tourism promotion services the City desires. The City will compensate the Contractor with a portion of the Transient Lodging Taxes the City assesses pursuant to Oregon State law and Ordinance No. 4974.

1. Definitions:

- a. "tourism promotion" means any of the following activities:
 - i) advertising, publicizing, or distributing information for the purpose of attracting and welcoming tourists,
 - ii) conducting strategic planning and research necessary to stimulate future tourism development,
 - iii) operating tourism promotion agencies, and
 - iv) marketing special events and festivals designed to attract tourists (ORS 320.300(7)).
- b. "tourism" means economic activity resulting from tourists (ORS 320.300(6)).
- c. "tourist" means a person who, for business, pleasure, recreation, or participation in events related to the arts, heritage, or culture, travels from the community in which that person is a resident to a different community that is separate, distinct from, and unrelated to the person's community of residence, and that trip:
 - i) requires the person to travel more than 50 miles from the community of residence, or
 - ii) includes an overnight stay (ORS 320.300(10)).
- d. "tourism promotion agency" includes:

- i) an incorporated non-profit organization or governmental unit that is responsible for the tourism promotion of a destination on a year-round basis,
- ii) a non-profit entity that manages tourism-related economic development plans, programs, and projects, and
- iii) a regional or statewide association that represents entities that rely on tourism-related business for more than 50 percent of their total income (ORS 320.300(8)).

2. Contractor's Services:

In exchange for the payment provided in Section 6, the Contractor will provide the following tourism promotion services to the City:

- a. Tourism promotion activities: The Contractor will provide functions, activities, programs, literature (develop, arrange for printing, and distribute), advertising, staff, supplies, equipment, and support to promote McMinnville as a destination for tourists and visitors. The Contractor will coordinate its activities, as appropriate, with other organizations such as the McMinnville Area Chamber of Commerce and the McMinnville Downtown Association and other visitor promotion entities.
- b. Administrative and management functions: The Contractor will provide day-to-day management activities including planning and acquisition of services, equipment, supplies, and facilities to fulfill the Annual Business and Marketing Plan (the Business Plan) for Visit McMinnville. The Contractor will be responsible for maintaining capable and competent staff, including management staff. The Contractor's Executive Director or designee will attend any City Council meetings as requested by the City Council to provide updates, information, or other data on Visit McMinnville's plans and services.

3. First Year of the Agreement:

- a. Once the Agreement is fully executed and before it is funded, the City may make payments on behalf of VM for various charges (e.g. insurance premiums, advertising costs for the Executive Director). These payments will be deducted from the funding the City will provide VM when the certificates of insurance are approved by the City.

- b. Once the Agreement is fully executed and acceptable certificates of insurance have been provided to the City, the City will provide VM with funding in the amount of 70% of the Transient Lodging Taxes accrued and unexpended since the inception of the Transient Lodging Tax, minus the City's monthly administrative charges.
- c. No later than September 1, 2015:
 - i) The Contractor will establish an initial high-level budget to enable the Contractor's Board to make informed decisions regarding staff, contract vendors, leases, and other issues and
 - ii) The Contractor will adopt financial policies and procedures.
- d. No later than October 1, 2015, the Contractor will hire an Executive Director.
- e. No later than November 1, 2015, the Contractor will prepare and submit a Business and Marketing Plan (the Business Plan) to the City Council. The Business Plan will contain a detailed description of the services the Contractor proposes to provide during the remainder of the fiscal year, as well as a proposed budget for the remainder of the fiscal year.

The Plan will identify activities and performance goals. The Contractor will be fully responsible for the implementation of services and programs and the City will not control the day-to-day activities and operations of Visit McMinnville and its employees and agents. However, the City may provide general suggestions regarding the funding of various services or programs, which the Contractor will consider in the use of City funds.

The Contractor's proposed 2015-2016 budget will be prepared assuming a total budget for services provided under this Agreement of the amount of accrued and unexpended Transient Lodging Tax collections from previous years paid to VM under the provisions of 3.b. above, plus 70% of projected Transient Lodging Tax collections for the current year, minus the City's monthly administrative charges for the current year. The budget will contain a reserve fund in an amount equal to at least three months of total operating expenses.

- f. The City Council will consider the Business Plan during a Council meeting in the month of November, after which, the Council will determine whether to approve the Plan. If the Council approves the Business Plan, the Council will

authorize continued funding for the remainder of the fiscal year. The Contractor will expend funds received from the City under this Agreement only as set out in and authorized by the Business Plan. If the Council does not approve the Business Plan and the parties can not reach agreement on modification, this Agreement will terminate in the same manner as if the Contractor had defaulted or breached the Agreement, pursuant to Article 13.

- g. No later than February 1, 2016, the Contractor will prepare and submit to the City Council a written progress report on the Business Plan, including the budget. The City Council may request that a representative of the Contractor attend a City Council meeting to provide further information and to answer any questions.

4. Annual Business and Marketing Plan:

- a. Beginning with the 2016-2017 fiscal year, the Contractor will prepare and submit a Business Plan to the City Council no later than two weeks before the first Council meeting of May each year. The Business Plan will contain a review of the previous year's performance and a detailed description of the services the Contractor proposes to provide in the next fiscal year, as well as a proposed budget for the next fiscal year. The Business Plan will identify activities and performance goals. Additionally, the Business Plan will contain a detailed explanation of any amendments the Contractor has made to the Contractor's bylaws. The Contractor will be fully responsible for the implementation of services and programs and the City will not control the day-to-day activities and operations of Visit McMinnville and its employees and agents. However, the City may provide general suggestions regarding the funding of various services or programs, which the Contractor will consider in the use of City funds.
- b. The City Council will consider the Business Plan during a Council meeting in the month of May each year, after which, the Council will determine whether to approve the Plan. If the Council approves the Business Plan, the Council will authorize continued funding of Visit McMinnville for the next fiscal year. The Contractor will expend funds received from the City under this Agreement only as set out in and authorized by the Business Plan. If the Council does not approve the Business Plan and the parties can not reach agreement on modifications, this Agreement will terminate in the same manner as if the Contractor had defaulted or breached the Agreement, pursuant to Article 13.

- c. The Contractor's proposed budget will be prepared assuming a total budget for services provided under this Agreement of 70% of projected Transient Lodging Tax collections for the current year, minus the City's monthly administrative charges for the current year.

The Contractor's annual budget will contain a reserve fund in an amount equal to at least three months of total operating expenses as defined by the Contractor's adopted fiscal policies. The reserve fund may be used in the case of actual revenues being less than forecast and in support of activities included in the approved Business Plan. In no case will expenditures exceed actual funds payable under this Agreement. However, nothing in this section precludes the Contractor using funds secured from sources other than the City in the Contractors' complete and total discretion.

5. Other Reports:

- a. The Contractor will prepare and submit to the City Council three written progress reports each year (in August, November, and February) on the Business Plan, including the budget. These reports will also contain notice of any amendments the Contractor has made to the Contractor's bylaws. The City Council may request that a representative of the Contractor attend a City Council meeting to provide further information and to answer any questions.
- b. If the City's actual collection of Transient Lodging Tax revenues exceeds the amount approved in the Contractor's budget by 20% or more, before the City will provide additional funds to the Contractor, the Contractor will submit a revised Business Plan to the City, describing how the additional funds will be spent on tourism promotion activities.

6. Funding:

The City agrees to compensate the Contractor from Transient Lodging Tax revenues collected by the City. The compensation will be for services provided under this Agreement. The amount paid quarterly (in August, November, February, and May) to the Contractor will be based on 70% of the Transient Lodging Tax collected by the City in the preceding quarter. This amount is subject to the following:

- a. The provisions of Section 5.b above, and

b. Administrative charges by the City.

7. **Administrative Costs:** The Contractor's administrative and management costs, including but not limited to personnel, rent, financial management services, internal budgeting and accounting, purchasing, insurance, maintenance, supervision, legal services, printing, and any other costs will be at the cost and discretion of the Contractor.
8. **Assets:** The Contractor is an independent entity and will be responsible for acquiring and maintaining real and personal property related to the provision of services under this Agreement. The Contractor will own all real and personal property acquired by it. On termination of this Agreement, the Contractor will transfer any intellectual property or promotional materials associated with the provision of services under this Agreement to the City at no cost.
9. **Risk of Loss and Insurance:** The Contractor bears the risk of loss of all its property (as described in Section 8). The Contractor, at its own expense, will procure and maintain general liability insurance to protect the Contractor from claims that may arise out of or result from the services provided under this Agreement. Prior to funding of this Agreement, the Contractor will provide proof that it has acquired this insurance. The insurance will be in an amount per occurrence at least equal to the City's tort claims liability limits under the Oregon Tort Claims Act with a \$3,000,000 aggregate. The policy will name the City, its officers, agents, and employees as additional insureds.

The Contractor and any of its subcontractors will maintain in full force and effect Worker's Compensation insurance and Employer Liability insurance in compliance with Oregon State law.

The Contractor will be responsible for all deductibles, self-insurance retentions, and self-insurance for the insurance required under this section. The Contractor will notify the City thirty days prior to any material change in the Contractor's insurance, or, if that is not possible, immediately upon the Contractor receiving notice of a change.

10. **Annual Review/Audit:** The financial books of VM will be audited or reviewed annually by an independent certified public accountant. The accountant will make a written report of the review/audit to the Board of Directors which will then submit a copy of the report to the McMinnville City Council. The audit or review will be completed as soon as practical after the close of the fiscal year.

11. Records and Accounting: The Contractor will maintain records and accounts that will allow the City to assure that all funds paid for the performance of this Agreement are properly accounted for. Within 72 hours of a written request by the City, the Contractor will make records relating to income and expenditures available for review and audit by the City. The City will have the right during the term of this Agreement, or within 180 days after the expiration or termination of this Agreement, to audit the Contractor's records for the period of three years prior to the audit. The audit may be undertaken by a qualified person or entity selected by the City. The Contractor agrees that it will provide financial records from its accountants to the City every month. These records will include, at minimum, a balance sheet and income and expense reports. The Contractor will maintain these financial records for at least six years after the expiration of this Agreement.
12. Term: This Agreement will be in effect July 1, 2015. It will remain in effect for three years unless terminated earlier under the provisions of Section 3.f (Council fails to approve the Business Plan), Section 4.b (Council fails to approve the Business Plan), Section 13 (default or material breach) or Section 21 (assignment without approval). At the end of the three year term, the Agreement will automatically renew for three one year periods unless either party wishes at any time not to extend the Agreement. If a party wishes not to extend the Agreement, that party will notify the other party that the Agreement will terminate at the end of the current Agreement period. Notification will be in writing and will be delivered no later than January 1 of the year in which the notifying party wishes the Agreement to terminate.
13. Default and Breach: Either party may terminate this Agreement in the event of a default or material breach by the other party. The notifying party must provide written notice to the other party specifying how the other party is not in compliance with the terms of this Agreement. The non-complying party will have thirty days after receipt of a notice of non-compliance to cure the issue(s). Should the correction(s) not be made during this thirty day period, this Agreement may be terminated, at the discretion of the notifying party, unless the correction(s) can not be made within thirty days. If the non-compliance can not be corrected within thirty days, the non-complying party must, at minimum, begin corrective action within thirty days and proceed with due diligence until the correction is completed. This Agreement may be terminated, at the discretion of the notifying party, if the non-complying party either fails to begin to take corrective action within thirty days or fails or ceases to use due diligence to continue with the corrective action.

14. **Equal Opportunity:** The Contractor agrees that it will not discriminate against any employee or applicant for employment on the basis of race, age, color, sex, religion, ancestry, national origin, sexual orientation, gender identity, genetic information, or disability and will take any affirmative action necessary to ensure that all employees and applicants are treated equally. The Contractor and its employees will not, in the performance of this Agreement, discriminate against any customer, potential customer, patron, or other person on the bases listed above in this section and will provide services to all persons equally.
15. **Contractor Indemnification:** The Contractor will defend, protect, indemnify, and hold harmless the City, its officers, agents, and employees from and against any and all claims, losses, damages, injuries, or liability including claims for misapplication of contributions or other funds, state or federal anti-trust violations, personal injury or death, damage to property, liability arising out of the use of materials, concepts, or processes protected by intellectual property rights, and the liens of workmen and material men, regardless how these were caused, if they arose directly or indirectly from the performance of this Agreement by the Contractor, unless caused by the negligence or willful misconduct of the City. The Contractor is not an officer, employee, or agent of the City under ORS 30.285 or 30.287.
16. **Licenses and Taxes:** The Contractor will be responsible for the acquisition and maintenance of all licenses and permits to carry on the Contractor's business.
17. **Independent Contractor:** The Contractor is an independent contractor. The parties intend that an independent contractor relationship will be created by this Agreement. The City is interested only in the results to be achieved. Conduct and control of the work will be the responsibility of the Contractor. The Contractor will not be considered an agent or employee of the City for any purpose, and the employees of the Contractor are neither employees of the City nor are they entitled to any of the benefits that the City provides for its employees.
18. **No Third Party Beneficiaries:** The City and the Contractor are the only parties to this Agreement and are the only parties entitled to enforce its terms. Nothing in this Agreement gives, is intended to give, or will be construed to give or provide any benefit or right, whether directly, indirectly, or otherwise, to third persons unless the third persons are identified by name in this Agreement and expressly described as intended beneficiaries of the terms of this Agreement.
19. **Authority:** As specified in Section 17, the Contractor is an independent contractor in the performance of this Agreement. The Contractor will comply with

all laws regarding unemployment insurance, disability insurance, and worker's compensation. The Contractor will have no authorization, express or implied, to bind the City to any agreement, settlement, liability, or understanding, and agrees not to perform any acts as an agent of the City.

20. Notice: Any notice or notices provided for in this Agreement or by law which must be given or served on either party will be given or served by personal service, certified mail (return receipt requested, postage prepaid), or by e-mail or facsimile followed by certified mailing of the original, in a pre-addressed, stamped envelope, addressed to

City of McMinnville
Martha Meeker
City Manager
230 NE Second Street
McMinnville, OR 97128

Visit McMinnville

Executive Director

21. Assignment: Neither party may assign, subcontract, or otherwise transfer any rights and responsibilities under this Agreement except upon the written consent of the other party. If any assignment is made, both the assigning party and the assignee will be bound by the terms of this Agreement. The City may terminate the Agreement if transferred or assigned without the prior written consent of the City.

22. Amendments: This Agreement may be amended only by written agreement signed by both parties.

23. Laws of Oregon: This Agreement will be governed by the laws of the State of Oregon, both as to the interpretation and performance, and the venue will be Yamhill County.

24. Waiver: The City's failure to enforce a provision of this Agreement will not constitute a continuing waiver, will not constitute a relinquishment of the City's right to performance in the future, and will not operate as a waiver of the City's right to enforce any other provision of this Agreement.

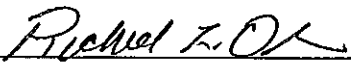
25. Merger: This Agreement constitutes the entire agreement between the parties.

There are no understandings, agreements, or representations regarding this Agreement, whether oral or written, that are not specified in this Agreement.


This contract is entered into by the City of McMinnville and the initial Board of Directors of Visit McMinnville, Inc., effective July 1, 2015.

CITY OF MCMINNVILLE

VISIT MCMINNVILLE, INC.


Richard L. "Rick" Olson, Mayor



Erin Stephenson, Chair

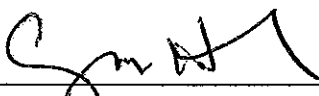

APPROVED AS TO FORM


Maria Stuart, Vice Chair

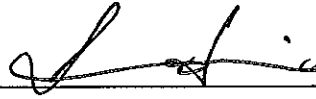

Cassie Sollars, Treasurer-Secretary


Ellen Brittan, Director

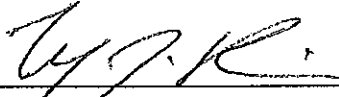

Courtney Cunningham, Director


Emily Howard, Director


Cindy Lorenzen, Director



Carmen Pierano, Director



Ty Rollins, Director



Scott A. Hill, Director (City Councilor)



Martha Meeker, Director (City staff)

CITY OF MCMINNVILLE - CASH AND INVESTMENT BY FUND
August 2019

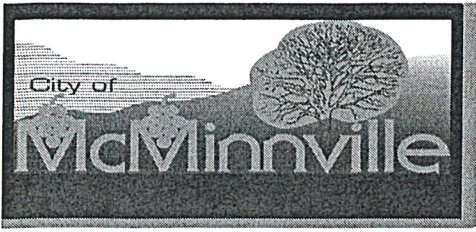
FUND #	FUND NAME	GENERAL OPERATING		TOTAL
		CASH IN BANK	INVESTMENT	
01	General	\$927,187.39	\$3,815,736.11	\$4,742,923.50
05	Special Assessment	881.67	168,618.82	169,500.49
07	Transient Lodging Tax	322.04	4,000.00	4,322.04
10	Telecommunications	863.47	1,030.00	1,893.47
15	Emergency Communications	357.65	111,094.81	111,452.46
20	Street (State Tax)	701.83	1,777,951.21	1,778,653.04
25	Airport Maintenance	541.85	(11,250.97)	(10,709.12)
45	Transportation	197.83	5,843,294.76	5,843,492.59
50	Park Development	477.80	1,526,696.64	1,527,174.44
58	Urban Renewal	381.21	256,995.47	257,376.68
59	Urban Renewal Debt Service	826.17	106,943.31	107,769.48
60	Debt Service	260.87	342,595.85	342,856.72
70	Building	150.73	1,405,500.00	1,405,650.73
75	Wastewater Services	668.10	1,449,200.48	1,449,868.58
77	Wastewater Capital	56.46	29,695,103.65	29,695,160.11
79	Ambulance	240.18	(1,031,164.72)	(1,030,924.54)
80	Information Systems & Services	615.77	218,713.61	219,329.38
85	Insurance Reserve	824.71	1,622,290.54	1,623,115.25
CITY TOTALS		935,555.73	47,303,349.57	48,238,905.30

MATURITY DATE	INSTITUTION	TYPE OF INVESTMENT	INTEREST RATE	CASH VALUE
N/A	Key Bank of Oregon	Checking & Repurchase Sweep Account	0.20%	\$ 935,555.73
N/A	Key Bank of Oregon	Money Market Savings Account	0.02%	4,524,968.22
N/A	State of Oregon	Local Government Investment Pool (LGIP)	2.64%	38,244,352.44
N/A	State of Oregon	Park Improvement Bonds (LGIP)	2.64%	566,084.54
N/A	State of Oregon	Transportation Bond (LGIP)	2.64%	3,047,174.37
N/A	State of Oregon	Urban Renewal Loan Proceeds (LGIP)	2.64%	263,173.21
N/A	MassMutual Financial Group	Group Annuity	3.00%	657,596.79
				<u>\$ 48,238,905.30</u>

CITY OF MCMINNVILLE - CASH AND INVESTMENT BY FUND
September 2019

FUND #	FUND NAME	GENERAL OPERATING		TOTAL
		CASH IN BANK	INVESTMENT	
01	General	\$738,192.63	\$2,773,419.45	\$3,511,612.08
05	Special Assessment	984.30	165,618.82	166,603.12
07	Transient Lodging Tax	702.24	3,000.00	3,702.24
10	Telecommunications	866.89	1,030.00	1,896.89
15	Emergency Communications	186.08	(104,905.19)	(104,719.11)
20	Street (State Tax)	844.84	1,794,490.65	1,795,335.49
25	Airport Maintenance	14.20	42,749.03	42,763.23
45	Transportation	271.80	5,962,956.67	5,963,228.47
50	Park Development	105.25	1,364,822.33	1,364,927.58
58	Urban Renewal	381.21	257,550.21	257,931.42
59	Urban Renewal Debt Service	445.78	102,728.72	103,174.50
60	Debt Service	880.55	355,587.35	356,467.90
70	Building	600.62	1,434,500.00	1,435,100.62
75	Wastewater Services	47.98	1,513,218.18	1,513,266.16
77	Wastewater Capital	361.09	29,838,103.65	29,838,464.74
79	Ambulance	214.29	(996,164.72)	(995,950.43)
80	Information Systems & Services	519.05	220,713.61	221,232.66
85	Insurance Reserve	126.99	1,565,290.54	1,565,417.53
CITY TOTALS		745,745.79	46,294,709.30	47,040,455.09

MATURITY DATE	INSTITUTION	TYPE OF INVESTMENT	INTEREST RATE	CASH VALUE
N/A	Key Bank of Oregon	Checking & Repurchase Sweep Account	0.20%	\$ 745,745.79
N/A	Key Bank of Oregon	Money Market Savings Account	0.02%	4,525,712.10
N/A	State of Oregon	Local Government Investment Pool (LGIP)	2.64%	37,792,784.94
N/A	State of Oregon	Park Improvement Bonds (LGIP)	2.64%	521,160.73
N/A	State of Oregon	Transportation Bond (LGIP)	2.64%	2,533,973.20
N/A	State of Oregon	Urban Renewal Loan Proceeds (LGIP)	2.64%	263,727.95
N/A	MassMutual Financial Group	Group Annuity	3.00%	657,350.38
				<u>\$ 47,040,455.09</u>



City Recorder Use	
Final Action: _____	
<input type="checkbox"/> Approved	<input type="checkbox"/> Disapproved

Liquor License Recommendation

BUSINESS NAME / INDIVIDUAL: CS Property Holdings LLC dba: The Douglas on Third
BUSINESS LOCATION ADDRESS: 703 NE 3rd Street
LIQUOR LICENSE TYPE: Off-Premises

Is the business at this location currently licensed by OLCC

Yes No

If yes, what is the name of the existing business:

Hours of operation: 24 hours 7 days a week

Entertainment: Recorded music

Hours of Music: N/A

Seating Count: 4-5 (1 couch and 2 chairs)

EXEMPTIONS:

(list any exemptions)

Tritech Records Management System Check: Yes No

Criminal Records Check: Yes No

Recommended Action: Approve Disapprove

Chief of Police / Designee

City Manager / Designee



City Recorder Use	
Final Action: _____	
<input type="checkbox"/> Approved	<input type="checkbox"/> Disapproved

Liquor License Recommendation

BUSINESS NAME / INDIVIDUAL: Slake House LLC
BUSINESS LOCATION ADDRESS: 1036 NE Baker Street
LIQUOR LICENSE TYPE: Limited on-premises

Is the business at this location currently licensed by OLCC

Yes No

If yes, what is the name of the existing business:

Hours of operation: Monday-Thursday 3 pm – 9 pm, Friday and Saturday 2 pm – 10 pm, Sunday 2 pm to 9 pm
Entertainment: N/A
Hours of Music: N/A
Seating Count: 41; 25 lounge and 16 outdoors

EXEMPTIONS:
(list any exemptions)

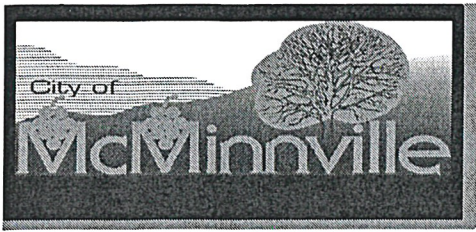
Tritech Records Management System Check: Yes No

Criminal Records Check: Yes No

Recommended Action: Approve Disapprove

Chief of Police / Designee

City Manager / Designee



City Recorder Use
Final Action: _____
<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved

Liquor License Recommendation

BUSINESS NAME / INDIVIDUAL: Mikey's Pizzeria Inc dba Joysticks Arcade
BUSINESS LOCATION ADDRESS: 211 NE 3rd St
LIQUOR LICENSE TYPE: Limited on-premises

Is the business at this location currently licensed by OLCC

Yes No

If yes, what is the name of the existing business:

Hours of operation: Monday-Friday 4 pm to 10 pm, Saturday 12 pm to 11 pm and Sunday 12 pm to 9 pm
Entertainment: Coin operated games, video lottery, TV's
Hours of Music: N/A
Seating Count: 50

EXEMPTIONS:
(list any exemptions)

Tritech Records Management System Check: Yes No

Criminal Records Check: Yes No

Recommended Action: Approve Disapprove

Chief of Police / Designee

City Manager / Designee

RESOLUTION NO. 2019-64

A Resolution Approving the Appointment of a new City Finance Director/Treasurer, Approving Appointment of a new City Recorder and Approving KeyBank Business/Public Entity Depository Certificate Resolution and Authorizing its signing by the Finance Director.

RECITALS:

City Manager Jeffrey R. Towery has conditionally appointed Jennifer Cuellar-Smith as City Finance Director/Treasurer with service commencing on November 25, 2019, and Claudia Cisneros as City Recorder with service commencing on December 9, 2019.

The City intends Ms. Cuellar-Smith to become an "Authorized Officer" under the terms of the KeyBank Business/Public Entity Depository Certificate. She will be authorized to open and close bank accounts and to be a Transaction Signer for accounts opened with the bank.

City Manager Towery has recommended that the City Council approve his recommended appointments as provided by Section 11 of the City Charter.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MCMINNVILLE AS FOLLOWS:

1. City Manager Towery's recommended appointments of Jennifer Cuellar-Smith as City Finance Director/Treasurer with service commencing on November 25, 2019, and Claudia Cisneros as City Recorder with service commencing on December 9, 2019 are hereby approved.
2. The KeyBank Business/Public Entity Depository Certificate is approved.
3. City Finance Director Jennifer Cuellar-Smith is authorized to sign the Certificate.
4. This Resolution will take effect immediately upon passage and shall continue in full force and effect until revoked or replaced.

■ Adopted by the Common Council of the City of McMinnville at a regular meeting held the _____ day of December, 2019, by the following votes:

Ayes: _____

Nayes: _____

Abstain: _____

Mayor

Approved As To Form:

ATTEST:

City Attorney

City Recorder

RESOLUTION NO. 2019-64

A Resolution Approving the Appointment of a new City Finance Director/Treasurer, Approving Appointment of a new City Recorder and Approving KeyBank Business/Public Entity Depository Certificate Resolution and Authorizing its signing by the Finance Director.

RECITALS:

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City Manager Towery has recommended that the City Council approve his recommended appointments as provided by Section 11 of the City Charter.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MCMINNVILLE AS FOLLOWS:

1. City Manager Towery's recommended appointments of Jennifer Cuellar-Smith as City Finance Director/Treasurer with service commencing on November 25, 2019, and Claudia Cisneros as City Recorder with service commencing on December 9, 2019 are hereby approved.
2. The KeyBank Business/Public Entity Depository Certificate is approved.
3. City Finance Director Jennifer Cuellar-Smith is authorized to sign the Certificate.
4. This Resolution will take effect immediately upon passage and shall continue in full force and effect until revoked or replaced.

■ Adopted by the Common Council of the City of McMinnville at a regular meeting held the _____ day of December, 2019, by the following votes:

Ayes: _____

Nayes: _____

Abstain: _____

Mayor

Approved As To Form:

ATTEST:

City Attorney

City Recorder



**City of McMinnville
Administration**
230 NE Second Street
McMinnville, OR 97128
(503) 435-5702
www.mcminnvilleoregon.gov

STAFF REPORT

DATE: December 10, 2019
TO: Mayor and City Councilors
FROM: Jeff Towery, City Manager
SUBJECT: An Ordinance Amending Ordinance No. 5018 Relating to Single Use Bags, Ordinance 5083.

Report in Brief:

This ordinance is intended to comply with House Bill 2059, the State Legislature's mandate related to single use plastic bags.

Background and Discussion:

In passing House Bill 2059 during the 2019 Legislative Session, the State Legislature preempted McMinnville's Ordinance 5018 which was adopted in 2017 and amended in 2018 by Ordinance 5050. While the League of Oregon Cities worked to grandfather regulations for cities which already had limitations on plastic, that effort was unsuccessful and resulted in a one size fits all solution for the whole state. The House Bill does allow cities to set penalties, which this ordinance does, consistent with the Council's prior actions.

Attachments:

Attachment 1 – Ordinance 5083 Amending Ordinance No. 5018
Attachment 2 – Email from the Oregon Department of Environment Quality (DEQ)
Attachment 3 – Frequently Asked Questions handout from DEQ

Fiscal Impact:

There are no expected direct expenditures resulting from this action although it is likely that additional staff time will be required to communicate with businesses about the State's new regulations and answer questions. There may also be confusion generated for businesses already used to complying with the previous City regulations.

Recommendation:

Staff recommends that the City Council adopt the proposed Ordinance.

ORDINANCE NO. 5083

An Ordinance Amending Ordinance No. 5018 relating to single use bags.

RECITALS:

The City of McMinnville has previously passed ordinance 5018 relating to single use plastic bags.

The State Legislature during 2019 passed House Bill 2509 relating to regulation of single-use bags which by its provisions substantially preempted the terms and provisions of Ordinance 5018.

House Bill 2509, which will become effective January 1, 2020, does permit localities to maintain or increase penalties for violations of local ordinances that incorporate the provisions of HB 2509.

Now, therefore, THE COMMON COUNCIL FOR THE CITY OF MCMINNVILLE ORDAINS AS FOLLOWS:

1. The provisions set forth in Exhibit A of Ordinance 5018 are hereby amended to read as set forth on Amended Exhibit A to Ordinance 5018 attached hereto.
2. This ordinance will take effect within 30 days after its passage by the Council.

Passed by the Council on _____, 20____ by the following votes:

Ayes: _____

Nays: _____

Abstained: _____

Approved on _____.

Mayor

Approved as to form:

Attest:

CITY ATTORNEY

CITY RECORDER

AMENDED EXHIBIT A TO ORDINANCE 5018

Chapter 5.36

SINGLE-USE PLASTIC CARRYOUT BAGS

5.36.010. Definitions. For the purpose of this Chapter, the following terms are defined as follows:

- (1) “Garment bag” means a large bag that incorporates a hanger on which garments may be hung to prevent wrinkling during travel or storage.
- (2) “Local provision” means a charter provision, ordinance, resolution or other provision adopted by a city, county or other local government, as defined in ORS 174.116.
- (3) “Recycled paper checkout bag” means a paper bag that contains at least 40 percent post-consumer recycled fiber.
- (4) “Restaurant” means an establishment where the primary business is the preparation of food or drink:
 - (a) For consumption by the public;
 - (b) In a form or quantity that is consumable then and there, whether or not it is consumed within the confines of the place where prepared; or
 - (c) In consumable form for consumption outside the place where prepared.
- (5) “Retail establishment” means a store that sells or for sale goods at retail and that is not a restaurant.
- (6) “Reusable fabric checkout bag” means a bag with handles that is specifically designed and manufactured for multiple reuse and is made of cloth or other machine-washable fabric.
- (7) “Reusable plastic checkout bag” means a bag with handles that is specifically designed and manufactured for multiple reuse and is made of durable plastic that is at least four mils thick.
- (8)(a) “Single-use checkout bag” means a bag made of paper, plastic or any other material that is provided by a retail establishment to a customer at the time of checkout, and that is not a recycled paper checkout bag, a reusable fabric checkout bag or a reusable plastic checkout bag.
 - (b) “Single-use checkout bag” does not mean:
 - (A) A bag that is provided by a retail establishment to a customer at a time other than the time of checkout, including but not limited to bags provided to:
 - (i) Package bulk items such as fruit, vegetables, nuts, grains, greeting cards or small hardware items, including nails, bolts or screws;
 - (ii) Contain or wrap frozen food, meat, fish, flowers, a potted plant or another item for the purpose of addressing dampness or sanitation;
 - (iii) Contain unwrapped prepared food or a bakery good; or
 - (iv) Contain a prescription drug;
 - (B) A newspaper bag, door hanger bag, garment bag, laundry bag or dry cleaning bag; or
 - (C) A bag sold in a package containing multiple bags for uses such as food storage, garbage containment or pet waste collection.

5.36.030 Regulations.

- (1) Except as provided in subsection (2) of this section, a retail establishment may not provide:
 - (a) Single-use checkout bags to customers.
 - (b) Recycled paper checkout bags, reusable fabric checkout bags or reusable plastic checkout bags to customers unless the retail establishment charges not less than five cents for each recycled paper checkout bag, reusable fabric checkout bag or reusable plastic checkout bag.
- (2) A retail establishment may provide:
 - (a) Reusable fabric checkout bags at no cost to customers as a promotion on 12 or fewer days in a calendar year.
 - (b) Recycled paper checkout bags or reusable plastic checkout bags at no cost to customers who:
 - (A) Use a voucher issued under the Women, Infants and Children Program established under ORS 413.500.
 - (B) Use an electronic benefits transfer card issued by the Department of Human Services.
- (3) Except as provided in subsection (4) of this section, a restaurant may not provide:
 - (a) Single-use checkout bags to customers.

(b) Reusable plastic checkout bags to customers unless the restaurant charges not less than five cents for each reusable plastic checkout bag.

(4) A restaurant may provide:

(a) Recycled paper checkout bags at no cost to customers.

(b) Reusable plastic checkout bags at no cost to customers who use an electronic benefits transfer card issued by the Department of Human Services.

5.36.040. Violations and Penalties.

(1) Notwithstanding ORS 153.018 (3), a violation of section 5.36.030 of this Chapter by a restaurant or retail establishment, as those terms are defined in section 5.36.010 above is a Class D violation subject to a maximum fine of \$250 for the first violation in a calendar year; subject to a maximum fine of \$300 for a second violation in the same calendar year; and subject to a maximum fine of \$500 for any subsequent violation within the same calendar year.

(2) Each day that the restaurant or retail establishment commits a violation constitutes a separate offense.

From: [RHOADES Cathie](#)
To: [Brian May \(bmay@co.marion.or.us\)](#); ["Ashley Watkins"](#); [SOLVEDT Jim](#); [Jeffryes, Holly](#); [Mark Saelens](#); [VERRET Greg J](#); [Chris Workman \(chris.workman@philomathoregon.gov\)](#); [Mark Sheppard \(city.manager@corvallisoregon.gov\)](#); [\(rhandler@lincolncity.org\)](#); [Spencer Nebel \(s.nebel@newportoregon.gov\)](#); ["peter.troedsson@cityofalbany.net"](#); [Gary Marks \(gmarks@ci.lebanon.or.us\)](#); [Ray Towry \(rtowry@ci.sweet-home.or.us\)](#); ["eppleyc@keizer.org"](#); ["manager@cityofsalem.net"](#); ["cwurster@silverton.or.us"](#); [Keith Campbell \(kcampbell@ci.stayton.or.us\)](#); ["scott.derickson@ci.woodburn.or.us"](#); ["Ryan Zink"](#); [Greg Ellis \(gellis@ci.independence.or.us\)](#); [clyne.david@ci.independence.or.us](#); [\(smclure@ci.monmouth.or.us\)](#); [Jeff Towerly](#); [joe.hannan@newbergoregon.gov](#); [\(fsheridan@cityofsheridanor.com\)](#)
Cc: [RHOADES Cathie](#)
Subject: House Bill 2509 - Oregon's single use bag ban
Date: Thursday, November 21, 2019 1:41:12 PM
Attachments: [We sent you safe versions of your files.msg](#)
[BagBanFAQ.pdf](#)

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

This message originated outside of the City of McMinnville.

Good afternoon all,

As some of you may be aware, House Bill 2509 passed in 2019 and it will prohibit retail stores and restaurants from providing single-use checkout bags to their customers. This ban goes into effect on January 1, 2020. DEQ has limited direct responsibilities (reporting only) under this law. DEQ is not named as an enforcing authority, and HB 2509 allows local governments to set a penalty for violations. Although our role is limited, we wanted to make you sure that you are aware of these upcoming changes. As a communication tool, we have created a factsheet that helps explain what will be required by this new law. We hope that the attached factsheet can be a resource for you in communicating with the businesses and residents in your jurisdiction.

For specific details, here a link to [HB 2509](#). Thank you, Cat

Cat Rhoades
Department of Environmental Quality
Materials Management Program - Western Region
(503) 378-5089
rhoades.cathie@deq.state.or.us



FAQ

What is the Sustainable Shopping Initiative?

House Bill (HB) 2509, passed in the 2019 Oregon legislative session, prohibits retail stores and restaurants from providing single-use checkout bags to customers, and places restrictions on other checkout bags they may provide. The ban goes into effect on January 1, 2020. After that, a retail store or restaurant may provide only reusable or recycled paper checkout bags to customers. In certain cases, they must charge a fee to customers for providing the bag. The new law repeals ORS 459A.695, which required retail stores providing plastic checkout bags to offer paper bags as an alternative.

Why is this Initiative important?

By encouraging the switch to reusable or recycled paper bags, Oregon can reduce the amounts of single-use bags that are used and thrown out, while addressing a significant problem for Oregon's recycling programs: plastic bags. When plastic bags end up in recycling bins, they can contaminate the recycling stream and endanger the safety of workers who must untangle them from recycling equipment. This is also a positive first step towards addressing the large amount of plastic debris in the oceans, which threatens Oregon's marine wildlife.

What does this mean for consumers?

For consumers who do not bring reusable bags, expect to pay a small fee at the register. This fee helps offset the cost businesses pay to purchase more sustainable bags. This fee can vary by store and city/county. Some bags, such as those for bulk items and privacy purposes, are not covered. Retail stores and restaurants may provide certain reusable bags for free to customers using a WIC voucher or electronic benefits transfer card.

What do businesses and local governments need to know?

After **January 1, 2020**, businesses can no longer provide single-use bags and must charge a fee for certain types of reusable bags.

Definitions

Single-use checkout bag

A bag made of paper, plastic, or other material that is provided to a customer at the time of checkout, and that does not meet the definition of recycled paper checkout bag, reusable fabric checkout bag, or reusable plastic checkout bag.

Reusable Plastic Checkout Bag

A bag with handles, designed and manufactured to be used multiple times, and made of durable plastic that is **at least 4 mils thick**.

Reusable Fabric Checkout Bag

A bag with handles, designed and manufactured to be used multiple times, and made of **cloth or other machine-washable fabric**.

Recycled Paper Checkout Bag

A paper bag made of **at least 40% post-consumer recycled fiber**.



What types of bags require fees?

	 No fee required	 Fee required	 Prohibited
 Retail stores	Reusable fabric bags, if offered as a promotion (no more than 12 days per year)	Recycled paper bags* Reusable plastic bags* Reusable fabric bags	Single-use bags
 Restaurants	Recycled paper bags	Reusable plastic bags*	Single-use bags

**Some exceptions apply*

How much is the fee and where does it go?

Check with local jurisdictions. HB 2509 requires a charge of at least five cents for the “Fee Required” checkout bags, but allows local governments to require higher fees locally. Businesses keep the fee, which allows them to recover costs in providing reusable bags.

Are there any exceptions provided?

The single-use checkout bag ban does not apply to bags provided to customers at a time other than checkout, which includes:

- Bags designed to hold bulk items such as small hardware or for sanitary or privacy purposes;
- Certain specialty bags, such as garment bags;
- Bags sold in a package for uses such as food storage, garbage or pet waste.

Retail stores may provide recycled paper checkout bags or reusable plastic checkout bags for free to customers using a WIC voucher or electronic benefits transfer card. They may also offer reusable fabric bags for free as a promotion on 12 or fewer days in a year. Restaurants may provide reusable plastic checkout bags for free to customers using an electronic benefits transfer.

How will this be enforced?

A violation of the provisions of HB 2509 is a Class D violation subject to a maximum fine of \$250. Class D violations are enforced by law enforcement officers, who may issue a citation to a retailer or restaurant. Each day a retailer or restaurant commits a violation is considered a new offense. HB 2509 allows a different penalty to be set under local provisions, so check with local jurisdictions for specific questions about enforcement. A restaurant or retail store can be charged with a violation under either the local provision or the penalty specified in HB 2509, but not both.

Are there any reporting requirements?

Yes. By September 15, 2024, grocers must provide the Oregon Department of Environmental Quality with information on collection of bag fees and customers’ usage of recycled paper, reusable fabric and reusable plastic checkout bags. DEQ must submit a report about this information to the legislature by September 15, 2025.

What else do local governments need to know?

HB 2509 generally preempts, or overrides, any existing local bag policy. Aside from setting a higher fee and penalty in their jurisdictions, local governments may not adopt local provisions with definitions, requirements or restrictions that differ from HB 2509.



City of McMinnville
Planning Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7311
www.mcminnvilleoregon.gov

STAFF REPORT

DATE: December 10, 2019
TO: Mayor and City Councilors
FROM: Heather Richards, Planning Director
SUBJECT: Resolution No. 2019-65, "Updated Building Fee Schedule"

STRATEGIC PRIORITY & GOAL:



CITY GOVERNMENT CAPACITY

Strengthen the City's ability to prioritize & deliver municipal services with discipline and focus.

OBJECTIVE/S: Gain efficiencies from technology and equipment investments

Report in Brief:

This is the consideration of Resolution No. 2019-65, adopting a Building Fee Schedule for the City of McMinnville. This Resolution repeals all previous resolutions adopting building fee schedules, and adopts the fee schedule on January 1, 2020 with the new fees being effective as of January 1, 2020.

A public hearing will be conducted to solicit public comment per ORS 294.160, and a 45-day notice was provided to the Oregon Building Codes Division, per OAR 918-020-0220(1)(a).

Background:

On December 11, 2018, the City Council approved Resolution No. 2018-62 adopting a new Building Fee Schedule as the result of a fee study conducted May – November, 2018 with Capital Accounting Partners, LLC. (CAP) to ascertain the full cost recovery of providing a building program and as needed to compliant with state regulations.

That fee schedule was estimated to raise building fees by 0 – 15% depending upon the type of permit issued. Over the past year staff monitored the fee increases and generally most building permits increased by 3 – 6% with smaller appliance permits increasing considerably more.

Discussion:

This proposed updated Building Fee Schedule raises all fees by 3% to account for construction CPI increases and strives to readjust the smaller appliance permits in response to the review over the past year.

This fee schedule update also:

- Assumes full cost recovery. The operating cost of the Building Division is the direct cost of operating the Division and the indirect costs in the City's Indirect Cost Allocation Plan.

- Generally, fees will increase three percent across all categories.
- Several fees are reduced for clarity and uniformity within a category.
- The intent of the fee schedule is to maintain a reserve equivalent to 6 – 12 months operating budget.
- The fees identified in the Building Fee Schedule are those charged by the City of McMinnville. Any surcharges or other applicable fees adopted by the State of Oregon or Yamhill County shall be in addition to the above fees.
- The Building Fee Schedule adopted in this resolution shall be the maximum fee schedule for each program and shall not be exceeded without further Council action.

Fiscal Impact:

It is anticipated that the Building Fee Schedule will increase building permits by 3%. The Building Fee Schedule should fully fund the Building Program and allow for a six month reserve build-up over five years.

Attachments:

Resolution No. 2019-65
Proposed 2020 Building Fee Schedule

Council Options:

1. Approve Resolution No. 2019-65.
2. Request more information.
3. Elect to take no action.

Action / Recommended Motion:

"I move to approve Resolution No. 2019-65."



City of McMinnville
Planning Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7311
www.mcminnvilleoregon.gov

STAFF REPORT

DATE: December 10, 2019
TO: Mayor and City Councilors
FROM: Heather Richards, Planning Director
SUBJECT: Resolution No. 2019-65, "Updated Building Fee Schedule"

STRATEGIC PRIORITY & GOAL:



CITY GOVERNMENT CAPACITY

Strengthen the City's ability to prioritize & deliver municipal services with discipline and focus.

OBJECTIVE/S: Gain efficiencies from technology and equipment investments

Report in Brief:

This is the consideration of Resolution No. 2019-65, adopting a Building Fee Schedule for the City of McMinnville. This Resolution repeals all previous resolutions adopting building fee schedules, and adopts the fee schedule on January 1, 2020 with the new fees being effective as of January 1, 2020.

A public hearing will be conducted to solicit public comment per ORS 294.160, and a 45-day notice was provided to the Oregon Building Codes Division, per OAR 918-020-0220(1)(a).

Background:

On December 11, 2018, the City Council approved Resolution No. 2018-62 adopting a new Building Fee Schedule as the result of a fee study conducted May – November, 2018 with Capital Accounting Partners, LLC. (CAP) to ascertain the full cost recovery of providing a building program and as needed to compliant with state regulations.

That fee schedule was estimated to raise building fees by 0 – 15% depending upon the type of permit issued. Over the past year staff monitored the fee increases and generally most building permits increased by 3 – 6% with smaller appliance permits increasing considerably more.

Discussion:

This proposed updated Building Fee Schedule raises all fees by 3% to account for construction CPI increases and strives to readjust the smaller appliance permits in response to the review over the past year.

This fee schedule update also:

- Assumes full cost recovery. The operating cost of the Building Division is the direct cost of operating the Division and the indirect costs in the City's Indirect Cost Allocation Plan.

- Generally, fees will increase three percent across all categories.
- Several fees are reduced for clarity and uniformity within a category.
- The intent of the fee schedule is to maintain a reserve equivalent to 6 – 12 months operating budget.
- The fees identified in the Building Fee Schedule are those charged by the City of McMinnville. Any surcharges or other applicable fees adopted by the State of Oregon or Yamhill County shall be in addition to the above fees.
- The Building Fee Schedule adopted in this resolution shall be the maximum fee schedule for each program and shall not be exceeded without further Council action.

Fiscal Impact:

It is anticipated that the Building Fee Schedule will increase building permits by 3%. The Building Fee Schedule should fully fund the Building Program and allow for a six month reserve build-up over five years.

Attachments:

Resolution No. 2019-65
Proposed 2020 Building Fee Schedule

Council Options:

1. Approve Resolution No. 2019-65.
2. Request more information.
3. Elect to take no action.

Action / Recommended Motion:

"I move to approve Resolution No. 2019-65."

January 1, 2020 Proposed Building Fee Schedule

BUILDING PERMIT FEES

STRUCTURAL PERMIT		
Project Valuation:		
New Construction, Residential:		
The valuation is determined using the ICC Building Valuation Data Table current as of April 1 of each year, multiplied by the square footage of the dwelling, addition, garage or accessory structure. Project value is then applied to the table below to determine the building permit fee.		
<ul style="list-style-type: none"> Residential carports, covered porches, patios and decks use 50% of the value of a private garage (“utility, miscellaneous”) from the valuation table. 		
New Construction, Commercial:		
The valuation is the higher of:		
<ol style="list-style-type: none"> The valuation based on the ICC Building Valuation Data Table current as of April 1 of each year, using the occupancy and construction type as determined by the building official, multiplied by the square footage of the structure; or The value stated by the applicant 		
Project value is then applied to the table below to determine the building permit fee.		
Alteration or Repair:		
The permit fees are calculated based on the fair market value of all construction work for which the permit is issued.		
<i>Definition of Valuation: The valuation to be used in computing the permit fee and plan check fee shall be the total value of all construction work, excluding fire systems, for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, and other permanent work or equipment, and the contractor’s profit.</i>		
Use total value of construction work determined above to calculate the Building Permit fee below:		
Valuation	CURRENT FEE	PROPOSED FEE
\$1 - \$500	\$16.66	\$17.16
\$501 - \$2,000	\$16.66 for the first \$500 plus \$2.16 for each additional \$100 or fraction thereof, to and including \$2,000	\$17.16 for the first \$500 plus \$2.23 for each additional \$100 or fraction thereof, to and including \$2,000
\$2,001 - \$50,000	\$2,001 - \$25,000 – \$49.06 for the first \$2,000 plus \$9.92 for each additional \$1,000 or fraction thereof to and including \$25,000.	\$2,001 - \$25,000 – \$50.53 for the first \$2,000 plus \$10.22 for each additional \$1,000 or fraction thereof to and including \$25,000.
	\$25,001 - \$50,000 – \$277.22 for the first \$25,000 plus \$4.96 for each additional \$1,000 or fraction thereof to and including \$50,000.	\$25,001 - \$50,000 – \$285.54 for the first \$25,000 plus \$5.11 for each additional \$1,000 or fraction thereof to and including \$50,000.
\$50,001 - \$500,000	\$50,001 - \$100,000 \$401.22 for the first \$50,000 plus \$4.96 for each additional \$1,000 or fraction thereof to and including \$100,000	\$50,001 - \$100,000 \$413.26 for the first \$50,000 plus \$5.11 for each additional \$1,000 or fraction thereof to and including \$100,000

	\$100,001-\$500,000 \$649.22 for the first \$100,000 plus \$3.97 for each additional \$1,000 or fraction thereof to and including \$500,000	\$100,001-\$500,000 \$668.70 for the first \$100,000 plus \$4.09 for each additional \$1,000 or fraction thereof to and including \$500,000
\$500,001 and above	\$500,001-\$1,000,000 \$2237.22 for the first \$500,000 plus \$3.37 for each additional \$1,000 or fraction thereof to and including \$1,000,000 \$1,000,001 Plus \$3922.22 for the first \$100,000 plus \$2.58 for each additional \$1,000 or fraction thereof	\$500,001-\$1,000,000 \$2304.34 for the first \$500,000 plus \$3.47 for each additional \$1,000 or fraction thereof to and including \$1,000,000 \$1,000,001 Plus \$4039.89 for the first \$100,000 plus \$2.66 for each additional \$1,000 or fraction thereof
OTHER STRUCTURAL FEES	CURRENT FEE	PROPOSED FEE
Structural Plan Review*	65% of structural permit fee	65% of structural permit fee
Additional Plan Review* - hourly	\$73.00/hr (min of ½ hour)	\$75.00/hr (min of ½ hour)
*For consultation, coordination, and inquiries related to changes, additions, or revisions after initial application submittal.		
Fire Life Safety Plan Review	40% of structural permit fee	40% of structural permit fee
Reinspection – per each	\$73.00	\$75.00 each
Each additional inspection, above allowable – per each	\$73.00	\$75.00 each
Inspections for which no fee is specifically indicated (as required) - hourly	\$73.00/hour	\$75.00/hour
Inspection outside of normal business hours - hourly	\$110.00/hour (minimum of 2 hour)	\$113.00/hour (minimum of 2 hour)
Deferred Submittal Plan Review Fee – in addition to project plan review fees	65% of the building permit fee calculated using the value of the deferred portion with a \$150.00 minimum	65% of the building permit fee calculated using the value of the deferred portion with a \$155.00 minimum
Phased Project Plan Review Fee – in addition to project plan review fees	\$250.00 minimum phasing (application) fee plus 10% of the TOTAL project building permit fee not to exceed \$1500.00 per phase	\$258.00 minimum phasing (application) fee plus 10% of the TOTAL project building permit fee not to exceed \$1545.00 per phase
Structural demolition – complete demolition, not subject to State Surcharge	\$105.00	\$108.00
Structural alteration (<u>not</u> demo) – partial, soft, interior	Fee as per Structural Permit Fee table by valuation.	Fee as per Structural Permit Fee table by valuation.
Seismic Hazard Plan Check Fee (authorized by ORS 455.447(3))	1% of total structure and mechanical specialty code fees for essential and hazardous facilities, and major and special occupancy structures.	1% of total structure and mechanical specialty code fees for essential and hazardous facilities, and major and special occupancy structures.
Temporary Certificate of Occupancy	\$150.00	\$155.00
Structural Minimum Permit Fee	\$127.00	\$131.00

Residential Fire Suppression – Standalone System 13R, fee includes plan review [See Plumbing Fee section for Continuous Loop/Multipurpose System 13D]		
Square Footage of Area to be Covered		
0 – 2000 sq ft	\$174.78	\$180.00
2001 – 3600 sq ft	\$245.00	\$252.00
3601 - 7200 sq ft	\$262.17	\$270.00
7201 sq ft and greater	\$305.86	\$315.00
Commercial Fire Suppression	Fee as per Structural Permit Fee table by valuation	
Solar Structural Installation Permits – <i>separate Electrical Permit application is required</i>		
Solar Permit – Prescriptive Path System, fee includes initial plan review	\$145.65	150.00
Solar Permit – Non-Prescriptive Path System	Fee as per Structural Permit Fee table by valuation to include the solar panels, racking, mounting elements, rails and the cost of labor to install. <i>Solar electrical equipment including collector panels and inverters shall be excluded from the Structural Permit valuation.</i>	Fee as per Structural Permit Fee table by valuation to include the solar panels, racking, mounting elements, rails and the cost of labor to install. <i>Solar electrical equipment including collector panels and inverters shall be excluded from the Structural Permit valuation.</i>
Investigation Fee – hourly	\$73.00/hour (minimum of 2 hour)	\$75.00/hour (minimum of 2 hour)

MANUFACTURED DWELLING PERMIT FEES

MFD DWELLING PLACEMENT	CURRENT FEE	PROPOSED FEE
Manufactured Dwelling Placement Fee *	\$215.00	\$215.00
State (Cabana) Fee	\$30.00	\$30.00
Manufactured Home Awning	Fee as per Structural Permit Fee table by valuation, incurs State Surcharge	Fee as per Structural Permit Fee table by valuation, incurs State Surcharge
Manufactured Home Alteration	Fee as per Structural Permit Fee table by valuation, incurs State Surcharge	Fee as per Structural Permit Fee table by valuation, incurs State Surcharge
Investigation Fee	\$73.00/hour	\$75.00/hour
* Includes the concrete slab, runners or foundations that are prescriptive, electrical feeder and plumbing connections and all cross-over connections and up to 30 lineal feet of site utilities. Decks, other accessory structures, and foundations that are not prescriptive, utility connections beyond 30 lineal feet, new electrical services or additional branch circuits, and new plumbing - may require separate permits. All decks 30" above ground, carports, garages, porches, and patios are based on valuation and may also require separate permits.		
-- See Structural schedule by valuation for non-dwelling modular placements		
MANUFACTURED DWELLING/RV PARKS – AREA DEVELOPMENT PERMIT (ADP)		
The Area Development Permit fee to be calculated based on the valuations shown in Table 2 of OAR 918-600-0030 for Manufactured Dwelling/Mobile Home Parks and Table 2 of OAR 918-650-0030 for Recreational Park & Organizational Camp – and applying the valuation amount to the Structural Permit Fee table included in this schedule.		

MECHANICAL PERMIT FEES

RESIDENTIAL MECHANICAL	CURRENT FEE	PROPOSED FEE
Air conditioner	\$66.00	\$52.00
Air handling unit of up to 10000 cfm	\$66.00	\$52.00
Air handling unit 10001 cfm and over	\$66.00	\$52.00
Appliance of piece of equipment regulated by code but no classified in other appliance categories	\$50.00	\$52.00
Attic or crawl space fans	\$50.00	\$52.00
Chimney/liner/flue/vent	\$50.00	\$52.00
Clothes dryer exhaust	\$50.00	\$52.00
Decorative gas fireplace	\$50.00	\$52.00
Evaporative cooler other than portable	\$50.00	\$52.00
Floor furnace, including vent	\$50.00	\$52.00
Flue vent for water heater or gas fireplace	\$50.00	\$52.00
Furnace – greater than 100000 BTU	\$50.00	\$52.00
Furnace – up to 100000 BTU	\$50.00	\$52.00
Furnace/burner including duct work/vent/liner	\$70.00	\$52.00
Gas or wood fireplace/insert	\$70.00	\$52.00
Gas fuel piping outlets	\$66.00 (1-4 Outlets) \$15 each additional outlet	\$52.00 (1-4 Outlets) \$15 each additional outlet
Heat pump	\$50.00	\$52.00
Hood served by mechanical exhaust, including ducts for hood	\$50.00	\$52.00
Hydronic hot water system	\$50.00	\$52.00
Installation or relocation domestic/type incinerator	\$66.00	\$52.00
Mini split system	\$50.00	\$52.00
Oil tank/gas diesel generators	\$50.00	\$52.00
Pool or spa heater, kiln	\$50.00	\$52.00
Range hood/other kitchen equipment	\$50.00	\$52.00
Repair, alteration, or addition to mechanical appliance including installation of controls	\$50.00	\$52.00
Suspended heater, recessed wall heater, or floor mounted heater	\$50.00	\$52.00
Ventilation fan connected to single duct	\$50.00	\$52.00

Ventilation system not a portion of heating or air-conditioning system authorized by permit	\$50.00	\$52.00
Water heater	\$50.00	\$52.00
Wood/pellet stove	\$50.00	\$52.00
Other heating/cooling	\$50.00	\$52.00
Other fuel appliance	\$50.00	\$52.00
Other environment exhaust/ventilation	\$50.00	\$52.00
If a plan check is required	65% of mechanical permit fee with a \$200.00 minimum.	65% of mechanical permit fee with a \$206.00 minimum.

COMMERCIAL MECHANICAL FEES TABLE		
Valuation	CURRENT FEE	PROPOSED FEE
\$0 - \$5,000	\$1-\$1,000 \$55.00 \$1,001-\$5,000 \$55 for the first \$1,000 plus \$1.60 for each additional \$100 or fraction thereof, to and including \$5,000.	\$1-\$1,000 \$56.65 \$1,001-\$5,000 \$56.65 for the first \$1,000 plus \$1.65 for each additional \$100 or fraction thereof, to and including \$5,000.
\$5,001 - \$10,000	\$5,001-\$10,000 \$119 for the first \$5,000 plus \$10 for each additional \$1,000, or fraction thereof, to and including \$10,000	\$5,001-\$10,000 \$122.57 for the first \$5,000 plus \$10.30 for each additional \$1,000, or fraction thereof, to and including \$10,000
\$10,001 - \$100,000	\$10,001-\$50,000 \$169 for the first \$10,000 plus \$9 for each additional \$1,000 or fraction thereof, to and including \$50,000 \$50,001-\$100,000 \$529 for the first \$50,000 plus \$8 for each additional \$1,000 or fraction thereof, to and including \$100,000.	\$10,001-\$50,000 \$174.07 for the first \$10,000 plus \$9.27 for each additional \$1,000 or fraction thereof, to and including \$50,000 \$50,001-\$100,000 \$544.87 for the first \$50,000 plus \$8.24 for each additional \$1,000 or fraction thereof, to and including \$100,000.
\$100,001 and above	\$929 for first \$100,000 plus \$8 for each additional \$1,000 or fraction thereof	\$956.87 for first \$100,000 plus \$8.24 for each additional \$1,000 or fraction thereof
OTHER MECHANICAL FEES	CURRENT FEE	PROPOSED FEE
Mechanical Plan Review	50% of mechanical permit fee	50% of mechanical permit fee
Additional Plan Review-per hour	\$73.00/hour	\$75.00/hour
Reinspection – per each	\$73.00/per each	\$75.00/per each
Each additional inspection, above allowable – per each	\$73.00/per each	\$75.00/per each
Inspections for which no fee is specifically – per each indicated (as required)	\$73.00/hour, minimum 1 hour	\$75.00/hour, minimum 1 hour
Investigation Fee – hourly	\$73.00/hour (minimum of 2 hour)	\$75.00/hour (minimum of 2 hour)
Mechanical Minimum Permit Fee	\$50.00	\$52.00

PLUMBING PERMIT FEES

RESIDENTIAL NEW CONSTRUCTION	CURRENT FEE	PROPOSED FEE
1 Bath	\$73.00	\$75.00
2 Bath	\$109.00	\$112.00
3 Bath	\$146.00	\$150.00
Additional Bathroom	\$36.00	\$37.00
Additional Kitchen	\$36.00	\$37.00
COMMERCIAL AND NON-NEW RESIDENTIAL	CURRENT FEE	PROPOSED FEE
Sanitary Sewer - First 100 feet or less	\$40.00	\$41.00
Sanitary Sewer - Each additional 100 feet or fraction thereof	\$33.00	\$34.00
Storm – first 100 feet or less	\$40.00	\$41.00
Storm – Each additional 100 feet or fraction thereof	\$33.00	\$34.00
Water – first 100 feet or less	\$40.00	\$41.00
Water – Each additional 100 feet or fraction thereof	\$33.00	\$34.00
FIXTURES – FEE PER EACH	CURRENT FEE	PROPOSED FEE
Absorption valve	\$50.00	\$52.00
Backflow preventer	\$70.00	\$52.00
Backwater valve	\$50.00	\$52.00
Catch basin or area drain	\$50.00	\$52.00
Clothes washer	\$50.00	\$52.00
Dishwasher	\$50.00	\$52.00
Drinking fountain	\$50.00	\$52.00
Ejectors/sump pump	\$50.00	\$52.00
Expansion tank	\$50.00	\$52.00
Fixture cap	\$10.00	\$52.00
Floor drain/floor sink/hub drain	\$50.00	\$52.00
Garbage disposal	\$50.00	\$52.00
Hose bib	\$50.00	\$52.00
Ice maker	\$50.00	\$52.00
Primer	\$50.00	\$52.00
Residential fire sprinklers	\$50.00	\$52.00
Sink/basin/lavatory	\$50.00	\$52.00
Stormwater facility	\$50.00	\$52.00
Swimming pool piping	\$50.00	\$52.00
Tub/shower/shower pan	\$50.00	\$52.00
Urinal	\$50.00	\$52.00
Water closet	\$50.00	\$52.00
Water heater	\$50.00	\$52.00
Other – plumbing	\$50.00	\$52.00
Alternate potable water heating system	\$50.00	\$52.00
Interceptor/grease trap	\$50.00	\$52.00

Manholes	\$50.00	\$52.00
Roof drain (commercial)	\$50.00	\$52.00
If a plan check is required	65% of plumbing permit fee with a \$200.00 minimum.	65% of plumbing permit fee with a \$206.00 minimum.

PLUMBING, MEDICAL GAS – fee based on installation costs and system equipment, including but not limited to inlets, outlets, fixtures and appliances		
Valuation	CURRENT FEE	PROPOSED FEE
\$0 - \$5,000	\$1-\$1,000 \$55.00 \$1,001-\$5,000 \$55 for the first \$1,000 plus \$1.60 for each additional \$100 or fraction thereof, to and including \$5,000.	\$1-\$1,000 \$56.65 \$1,001-\$5,000 \$56.65 for the first \$1,000 plus \$1.65 for each additional \$100 or fraction thereof, to and including \$5,000.
\$5,001 - \$10,000	\$5,001-\$10,000 \$119 for the first \$5,000 plus \$10 for each additional \$1,000, or fraction thereof, to and including \$10,000	\$5,001-\$10,000 \$122.57 for the first \$5,000 plus \$10.30 for each additional \$1,000, or fraction thereof, to and including \$10,000
\$10,001 - \$100,000	\$10,001-\$50,000 \$169 for the first \$10,000 plus \$9 for each additional \$1,000 or fraction thereof, to and including \$50,000 \$50,001-\$100,000 \$529 for the first \$50,000 plus \$8 for each additional \$1,000 or fraction thereof, to and including \$100,000.	\$10,001-\$50,000 \$174.07 for the first \$10,000 plus \$9.27 for each additional \$1,000 or fraction thereof, to and including \$50,000 \$50,001-\$100,000 \$544.87 for the first \$50,000 plus \$8.24 for each additional \$1,000 or fraction thereof, to and including \$100,000.
\$100,001 and above	\$100,001 and above \$929 for first \$100,000 plus \$8 for each additional \$1,000 or fraction thereof	\$956.87 for first \$100,000 plus \$8.24 for each additional \$1,000 or fraction thereof
Residential Fire Suppression – Standalone System 13R, fee includes plan review [See Structural Fee section for Continuous Loop/Multipurpose System 13R]		
Square Footage of Area to be Covered		
0 – 2000 sq ft	\$174.78	\$180
2001 – 3600 sq ft	\$245.00	\$252
3601 - 7200 sq ft	\$262.17	\$270
7201 sq ft and greater	\$305.86	\$315
OTHER PLUMBING FEES	CURRENT FEE	PROPOSED FEE
Plumbing Plan Review – commercial	40% of commercial plumbing permit fee	40% of commercial plumbing permit fee
Re-piping Replacing in-building water supply lines		\$150 for first floor \$38 for each additional story excluding basement
Plumbing Plan Review – residential	40% of commercial plumbing permit fee	40% of commercial plumbing permit fee
Additional Plan Review – per hour	\$73.00/hour	\$75.00/hour
Reinspection – per each	\$73.00/each	\$75.00/each

Each additional inspection, above allowable – per each	\$73.00/each	\$75.00/each
Inspections for which no fee is specifically indicated (as required) – per hour	\$73.00/hour	\$75.00/hour
Inspection outside of normal business hours – per hour	\$110.00/hour (minimum of 2 hour)	\$113.00/hour (minimum of 2 hour)
Investigation Fee – hourly	\$73.00/hour (minimum of 2 hour)	\$75.00/hour (minimum of 2 hour)

MISC FEES

TYPE OF APPLICATION	CURRENT FEE	PROPOSED FEE
Permit Reinstatement fee – to renew already expired permit, as eligible; subject to State Surcharge	\$25.00 + 12% (Reinstate within 60 days)	\$25.00 (Reinstate within 60 days) plus state surcharge
Permit Extension fee – to extend expiration on active permit; not subject to State Surcharge	\$73.00	\$75.00
Copy fees (up to 11"x17")	\$0.10 each	\$0.10 each
Returned Check fee (NSF)	\$25.00	\$25.00
Master Plans – Structural – setup fee	\$291.30	300.00
Master Plans – Structural – second and subsequent reviews	10% of the proposed valuation	10% of the proposed valuation
Seismic Surcharge – Structural/Mechanical – review required on all essential structures	1% of building permit fee	1% of building permit fee
Refund processing fee – not subject to State Surcharge	\$73.00	\$75.00
Scanning & oversized prints	None	Time & materials

January 1, 2020 Proposed Building Fee Schedule

BUILDING PERMIT FEES

STRUCTURAL PERMIT		
Project Valuation:		
New Construction, Residential:		
The valuation is determined using the ICC Building Valuation Data Table current as of April 1 of each year, multiplied by the square footage of the dwelling, addition, garage or accessory structure. Project value is then applied to the table below to determine the building permit fee.		
<ul style="list-style-type: none"> Residential carports, covered porches, patios and decks use 50% of the value of a private garage (“utility, miscellaneous”) from the valuation table. 		
New Construction, Commercial:		
The valuation is the higher of:		
<ol style="list-style-type: none"> The valuation based on the ICC Building Valuation Data Table current as of April 1 of each year, using the occupancy and construction type as determined by the building official, multiplied by the square footage of the structure; or The value stated by the applicant 		
Project value is then applied to the table below to determine the building permit fee.		
Alteration or Repair:		
The permit fees are calculated based on the fair market value of all construction work for which the permit is issued.		
<i>Definition of Valuation: The valuation to be used in computing the permit fee and plan check fee shall be the total value of all construction work, excluding fire systems, for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, and other permanent work or equipment, and the contractor’s profit.</i>		
Use total value of construction work determined above to calculate the Building Permit fee below:		
Valuation	CURRENT FEE	PROPOSED FEE
\$1 - \$500	\$16.66	\$17.16
\$501 - \$2,000	\$16.66 for the first \$500 plus \$2.16 for each additional \$100 or fraction thereof, to and including \$2,000	\$17.16 for the first \$500 plus \$2.23 for each additional \$100 or fraction thereof, to and including \$2,000
\$2,001 - \$50,000	\$2,001 - \$25,000 – \$49.06 for the first \$2,000 plus \$9.92 for each additional \$1,000 or fraction thereof to and including \$25,000.	\$2,001 - \$25,000 – \$50.53 for the first \$2,000 plus \$10.22 for each additional \$1,000 or fraction thereof to and including \$25,000.
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	\$100,001-\$500,000 \$649.22 for the first \$100,000 plus \$3.97 for each additional \$1,000 or fraction thereof to and including \$500,000	\$100,001-\$500,000 \$668.70 for the first \$100,000 plus \$4.09 for each additional \$1,000 or fraction thereof to and including \$500,000
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Fire Life Safety Plan Review	40% of structural permit fee	40% of structural permit fee
Reinspection – per each	\$73.00	\$75.00 each
Each additional inspection, above allowable – per each	\$73.00	\$75.00 each
Inspections for which no fee is specifically indicated (as required) - hourly	\$73.00/hour	\$75.00/hour
Inspection outside of normal business hours - hourly	\$110.00/hour (minimum of 2 hour)	\$113.00/hour (minimum of 2 hour)
Deferred Submittal Plan Review Fee – in addition to project plan review fees	65% of the building permit fee calculated using the value of the deferred portion with a \$150.00 minimum	65% of the building permit fee calculated using the value of the deferred portion with a \$155.00 minimum
Phased Project Plan Review Fee – in addition to project plan review fees	\$250.00 minimum phasing (application) fee plus 10% of the TOTAL project building permit fee not to exceed \$1500.00 per phase	\$258.00 minimum phasing (application) fee plus 10% of the TOTAL project building permit fee not to exceed \$1545.00 per phase
Structural demolition – complete demolition, not subject to State Surcharge	\$105.00	\$108.00
Structural alteration (<u>not</u> demo) – partial, soft, interior	Fee as per Structural Permit Fee table by valuation.	Fee as per Structural Permit Fee table by valuation.
Seismic Hazard Plan Check Fee (authorized by ORS 455.447(3))	1% of total structure and mechanical specialty code fees for essential and hazardous facilities, and major and special occupancy structures.	1% of total structure and mechanical specialty code fees for essential and hazardous facilities, and major and special occupancy structures.
Temporary Certificate of Occupancy	\$150.00	\$155.00
Structural Minimum Permit Fee	\$127.00	\$131.00

Residential Fire Suppression – Standalone System 13R, fee includes plan review [See Plumbing Fee section for Continuous Loop/Multipurpose System 13D]		
Square Footage of Area to be Covered		
0 – 2000 sq ft	\$174.78	\$180.00
2001 – 3600 sq ft	\$245.00	\$252.00
3601 - 7200 sq ft	\$262.17	\$270.00
7201 sq ft and greater	\$305.86	\$315.00
Commercial Fire Suppression	Fee as per Structural Permit Fee table by valuation	
Solar Structural Installation Permits – <i>separate Electrical Permit application is required</i>		
Solar Permit – Prescriptive Path System, fee includes initial plan review	\$145.65	150.00
Solar Permit – Non-Prescriptive Path System	Fee as per Structural Permit Fee table by valuation to include the solar panels, racking, mounting elements, rails and the cost of labor to install. <i>Solar electrical equipment including collector panels and inverters shall be excluded from the Structural Permit valuation.</i>	Fee as per Structural Permit Fee table by valuation to include the solar panels, racking, mounting elements, rails and the cost of labor to install. <i>Solar electrical equipment including collector panels and inverters shall be excluded from the Structural Permit valuation.</i>
Investigation Fee – hourly	\$73.00/hour (minimum of 2 hour)	\$75.00/hour (minimum of 2 hour)

MANUFACTURED DWELLING PERMIT FEES

MFD DWELLING PLACEMENT	CURRENT FEE	PROPOSED FEE
Manufactured Dwelling Placement Fee *	\$215.00	\$215.00
State (Cabana) Fee	\$30.00	\$30.00
Manufactured Home Awning	Fee as per Structural Permit Fee table by valuation, incurs State Surcharge	Fee as per Structural Permit Fee table by valuation, incurs State Surcharge
Manufactured Home Alteration	Fee as per Structural Permit Fee table by valuation, incurs State Surcharge	Fee as per Structural Permit Fee table by valuation, incurs State Surcharge
Investigation Fee	\$73.00/hour	\$75.00/hour
* Includes the concrete slab, runners or foundations that are prescriptive, electrical feeder and plumbing connections and all cross-over connections and up to 30 lineal feet of site utilities. Decks, other accessory structures, and foundations that are not prescriptive, utility connections beyond 30 lineal feet, new electrical services or additional branch circuits, and new plumbing - may require separate permits. All decks 30" above ground, carports, garages, porches, and patios are based on valuation and may also require separate permits.		
-- See Structural schedule by valuation for non-dwelling modular placements		
MANUFACTURED DWELLING/RV PARKS – AREA DEVELOPMENT PERMIT (ADP)		
The Area Development Permit fee to be calculated based on the valuations shown in Table 2 of OAR 918-600-0030 for Manufactured Dwelling/Mobile Home Parks and Table 2 of OAR 918-650-0030 for Recreational Park & Organizational Camp – and applying the valuation amount to the Structural Permit Fee table included in this schedule.		

MECHANICAL PERMIT FEES

RESIDENTIAL MECHANICAL	CURRENT FEE	PROPOSED FEE
Air conditioner	\$66.00	\$52.00
Air handling unit of up to 10000 cfm	\$66.00	\$52.00
Air handling unit 10001 cfm and over	\$66.00	\$52.00
Appliance of piece of equipment regulated by code but no classified in other appliance categories	\$50.00	\$52.00
Attic or crawl space fans	\$50.00	\$52.00
Chimney/liner/flue/vent	\$50.00	\$52.00
Clothes dryer exhaust	\$50.00	\$52.00
Decorative gas fireplace	\$50.00	\$52.00
Evaporative cooler other than portable	\$50.00	\$52.00
Floor furnace, including vent	\$50.00	\$52.00
Flue vent for water heater or gas fireplace	\$50.00	\$52.00
Furnace – greater than 100000 BTU	\$50.00	\$52.00
Furnace – up to 100000 BTU	\$50.00	\$52.00
Furnace/burner including duct work/vent/liner	\$70.00	\$52.00
Gas or wood fireplace/insert	\$70.00	\$52.00
Gas fuel piping outlets	\$66.00 (1-4 Outlets) \$15 each additional outlet	\$52.00 (1-4 Outlets) \$15 each additional outlet
Heat pump	\$50.00	\$52.00
Hood served by mechanical exhaust, including ducts for hood	\$50.00	\$52.00
Hydronic hot water system	\$50.00	\$52.00
Installation or relocation domestic/type incinerator	\$66.00	\$52.00
Mini split system	\$50.00	\$52.00
Oil tank/gas diesel generators	\$50.00	\$52.00
Pool or spa heater, kiln	\$50.00	\$52.00
Range hood/other kitchen equipment	\$50.00	\$52.00
Repair, alteration, or addition to mechanical appliance including installation of controls	\$50.00	\$52.00
Suspended heater, recessed wall heater, or floor mounted heater	\$50.00	\$52.00
Ventilation fan connected to single duct	\$50.00	\$52.00

Ventilation system not a portion of heating or air-conditioning system authorized by permit	\$50.00	\$52.00
Water heater	\$50.00	\$52.00
Wood/pellet stove	\$50.00	\$52.00
Other heating/cooling	\$50.00	\$52.00
Other fuel appliance	\$50.00	\$52.00
Other environment exhaust/ventilation	\$50.00	\$52.00
If a plan check is required	65% of mechanical permit fee with a \$200.00 minimum.	65% of mechanical permit fee with a \$206.00 minimum.

COMMERCIAL MECHANICAL FEES TABLE		
Valuation	CURRENT FEE	PROPOSED FEE
\$0 - \$5,000	\$1-\$1,000 \$55.00 \$1,001-\$5,000 \$55 for the first \$1,000 plus \$1.60 for each additional \$100 or fraction thereof, to and including \$5,000.	\$1-\$1,000 \$56.65 \$1,001-\$5,000 \$56.65 for the first \$1,000 plus \$1.65 for each additional \$100 or fraction thereof, to and including \$5,000.
\$5,001 - \$10,000	\$5,001-\$10,000 \$119 for the first \$5,000 plus \$10 for each additional \$1,000, or fraction thereof, to and including \$10,000	\$5,001-\$10,000 \$122.57 for the first \$5,000 plus \$10.30 for each additional \$1,000, or fraction thereof, to and including \$10,000
\$10,001 - \$100,000	\$10,001-\$50,000 \$169 for the first \$10,000 plus \$9 for each additional \$1,000 or fraction thereof, to and including \$50,000 \$50,001-\$100,000 \$529 for the first \$50,000 plus \$8 for each additional \$1,000 or fraction thereof, to and including \$100,000.	\$10,001-\$50,000 \$174.07 for the first \$10,000 plus \$9.27 for each additional \$1,000 or fraction thereof, to and including \$50,000 \$50,001-\$100,000 \$544.87 for the first \$50,000 plus \$8.24 for each additional \$1,000 or fraction thereof, to and including \$100,000.
\$100,001 and above	\$929 for first \$100,000 plus \$8 for each additional \$1,000 or fraction thereof	\$956.87 for first \$100,000 plus \$8.24 for each additional \$1,000 or fraction thereof
OTHER MECHANICAL FEES	CURRENT FEE	PROPOSED FEE
Mechanical Plan Review	50% of mechanical permit fee	50% of mechanical permit fee
Additional Plan Review-per hour	\$73.00/hour	\$75.00/hour
Reinspection – per each	\$73.00/per each	\$75.00/per each
Each additional inspection, above allowable – per each	\$73.00/per each	\$75.00/per each
Inspections for which no fee is specifically – per each indicated (as required)	\$73.00/hour, minimum 1 hour	\$75.00/hour, minimum 1 hour
Investigation Fee – hourly	\$73.00/hour (minimum of 2 hour)	\$75.00/hour (minimum of 2 hour)
Mechanical Minimum Permit Fee	\$50.00	\$52.00

PLUMBING PERMIT FEES

RESIDENTIAL NEW CONSTRUCTION	CURRENT FEE	PROPOSED FEE
1 Bath	\$73.00	\$75.00
2 Bath	\$109.00	\$112.00
3 Bath	\$146.00	\$150.00
Additional Bathroom	\$36.00	\$37.00
Additional Kitchen	\$36.00	\$37.00
COMMERCIAL AND NON-NEW RESIDENTIAL	CURRENT FEE	PROPOSED FEE
Sanitary Sewer - First 100 feet or less	\$40.00	\$41.00
Sanitary Sewer - Each additional 100 feet or fraction thereof	\$33.00	\$34.00
Storm – first 100 feet or less	\$40.00	\$41.00
Storm – Each additional 100 feet or fraction thereof	\$33.00	\$34.00
Water – first 100 feet or less	\$40.00	\$41.00
Water – Each additional 100 feet or fraction thereof	\$33.00	\$34.00
FIXTURES – FEE PER EACH	CURRENT FEE	PROPOSED FEE
Absorption valve	\$50.00	\$52.00
Backflow preventer	\$70.00	\$52.00
Backwater valve	\$50.00	\$52.00
Catch basin or area drain	\$50.00	\$52.00
Clothes washer	\$50.00	\$52.00
Dishwasher	\$50.00	\$52.00
Drinking fountain	\$50.00	\$52.00
Ejectors/sump pump	\$50.00	\$52.00
Expansion tank	\$50.00	\$52.00
Fixture cap	\$10.00	\$52.00
Floor drain/floor sink/hub drain	\$50.00	\$52.00
Garbage disposal	\$50.00	\$52.00
Hose bib	\$50.00	\$52.00
Ice maker	\$50.00	\$52.00
Primer	\$50.00	\$52.00
Residential fire sprinklers	\$50.00	\$52.00
Sink/basin/lavatory	\$50.00	\$52.00
Stormwater facility	\$50.00	\$52.00
Swimming pool piping	\$50.00	\$52.00
Tub/shower/shower pan	\$50.00	\$52.00
Urinal	\$50.00	\$52.00
Water closet	\$50.00	\$52.00
Water heater	\$50.00	\$52.00
Other – plumbing	\$50.00	\$52.00
Alternate potable water heating system	\$50.00	\$52.00
Interceptor/grease trap	\$50.00	\$52.00

Manholes	\$50.00	\$52.00
Roof drain (commercial)	\$50.00	\$52.00
If a plan check is required	65% of plumbing permit fee with a \$200.00 minimum.	65% of plumbing permit fee with a \$206.00 minimum.

PLUMBING, MEDICAL GAS – fee based on installation costs and system equipment, including but not limited to inlets, outlets, fixtures and appliances		
Valuation	CURRENT FEE	PROPOSED FEE
\$0 - \$5,000	\$1-\$1,000 \$55.00 \$1,001-\$5,000 \$55 for the first \$1,000 plus \$1.60 for each additional \$100 or fraction thereof, to and including \$5,000.	\$1-\$1,000 \$56.65 \$1,001-\$5,000 \$56.65 for the first \$1,000 plus \$1.65 for each additional \$100 or fraction thereof, to and including \$5,000.
\$5,001 - \$10,000	\$5,001-\$10,000 \$119 for the first \$5,000 plus \$10 for each additional \$1,000, or fraction thereof, to and including \$10,000	\$5,001-\$10,000 \$122.57 for the first \$5,000 plus \$10.30 for each additional \$1,000, or fraction thereof, to and including \$10,000
\$10,001 - \$100,000	\$10,001-\$50,000 \$169 for the first \$10,000 plus \$9 for each additional \$1,000 or fraction thereof, to and including \$50,000 \$50,001-\$100,000 \$529 for the first \$50,000 plus \$8 for each additional \$1,000 or fraction thereof, to and including \$100,000.	\$10,001-\$50,000 \$174.07 for the first \$10,000 plus \$9.27 for each additional \$1,000 or fraction thereof, to and including \$50,000 \$50,001-\$100,000 \$544.87 for the first \$50,000 plus \$8.24 for each additional \$1,000 or fraction thereof, to and including \$100,000.
\$100,001 and above	\$100,001 and above \$929 for first \$100,000 plus \$8 for each additional \$1,000 or fraction thereof	\$956.87 for first \$100,000 plus \$8.24 for each additional \$1,000 or fraction thereof
Residential Fire Suppression – Standalone System 13R, fee includes plan review [See Structural Fee section for Continuous Loop/Multipurpose System 13R]		
Square Footage of Area to be Covered		
0 – 2000 sq ft	\$174.78	\$180
2001 – 3600 sq ft	\$245.00	\$252
3601 - 7200 sq ft	\$262.17	\$270
7201 sq ft and greater	\$305.86	\$315
OTHER PLUMBING FEES	CURRENT FEE	PROPOSED FEE
Plumbing Plan Review – commercial	40% of commercial plumbing permit fee	40% of commercial plumbing permit fee
Re-piping Replacing in-building water supply lines		\$150 for first floor \$38 for each additional story excluding basement
Plumbing Plan Review – residential	40% of commercial plumbing permit fee	40% of commercial plumbing permit fee
Additional Plan Review – per hour	\$73.00/hour	\$75.00/hour
Reinspection – per each	\$73.00/each	\$75.00/each

Each additional inspection, above allowable – per each	\$73.00/each	\$75.00/each
Inspections for which no fee is specifically indicated (as required) – per hour	\$73.00/hour	\$75.00/hour
Inspection outside of normal business hours – per hour	\$110.00/hour (minimum of 2 hour)	\$113.00/hour (minimum of 2 hour)
Investigation Fee – hourly	\$73.00/hour (minimum of 2 hour)	\$75.00/hour (minimum of 2 hour)

MISC FEES

TYPE OF APPLICATION	CURRENT FEE	PROPOSED FEE
Permit Reinstatement fee – to renew already expired permit, as eligible; subject to State Surcharge	\$25.00 + 12% (Reinstate within 60 days)	\$25.00 (Reinstate within 60 days) plus state surcharge
Permit Extension fee – to extend expiration on active permit; not subject to State Surcharge	\$73.00	\$75.00
Copy fees (up to 11"x17")	\$0.10 each	\$0.10 each
Returned Check fee (NSF)	\$25.00	\$25.00
Master Plans – Structural – setup fee	\$291.30	300.00
Master Plans – Structural – second and subsequent reviews	10% of the proposed valuation	10% of the proposed valuation
Seismic Surcharge – Structural/Mechanical – review required on all essential structures	1% of building permit fee	1% of building permit fee
Refund processing fee – not subject to State Surcharge	\$73.00	\$75.00
Scanning & oversized prints	None	Time & materials

RESOLUTION NO. 2019-65

A Resolution adopting a Building Fee Schedule and repealing all previous resolutions adopting building fee schedules on the effective date of this fee schedule.

RECITALS:

Per ORS 455.210, the City of McMinnville is authorized to establish full cost recovery fees to administer and manage a building program in the City of McMinnville; and

The State of Oregon, Building Codes Division was provided notice more than 45 days in advance of the fee change effective date; and

Building permit fees were last adjusted January 28, 2019.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MCMINNVILLE, OREGON as follows:

1. That the City of McMinnville's Building Fee Schedule will be as established by the fee schedule attached to this Resolution.
2. That this fee schedule will be adopted by the City of McMinnville on December 10, 2019.
3. That this fee schedule will take effect January 1, 2020.

MISCELLANEOUS PROVISIONS:

The attached Building Fee Schedule –

- Assumes full cost recovery. The operating cost of the Building Division is the direct cost of operating the Division and the indirect costs in the City's Indirect Cost Allocation Plan.
- Generally, fees will increase three percent across all categories.
- Several fees are reduced for clarity and uniformity within a category.
- The intent of the fee schedule is to maintain a reserve equivalent to 6 – 12 months operating budget.
- The fees identified in the Building Fee Schedule are those charged by the City of McMinnville. Any surcharges or other applicable fees adopted by the State of Oregon or Yamhill County shall be in addition to the above fees.
- The Building Fee Schedule adopted in this resolution shall be the maximum fee schedule for each program and shall not be exceeded without further Council action.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the 10th day of December, 2019 by the following votes:

Ayes: _____

Nays: _____

Approved this 10th day of December, 2019.

MAYOR

By 5 PM NOV. 8



APPLICATION FOR SERVICE ON BOARD OR COMMISSION

Thank you for your interest in serving your community. The information on this form will help the Mayor and City Council learn about the background of persons interested in serving on a particular board or commission.

Name: ALAN RUDEN Home Phone: _____
 Address: _____ Cell Phone: _____
MCM 97128 Work Phone: _____
 Email: _____

Board, Commission or Committee for which you are an applicant:

<input type="checkbox"/> Advisory Board	<input type="checkbox"/> Landscape Review Committee
<input type="checkbox"/> Airport Commission	<input checked="" type="checkbox"/> McMinnville Affordable Housing Task Force
<input type="checkbox"/> Board of Appeals	<input type="checkbox"/> McMinnville Urban Renewal Advisory Committee (MURAC)
<input type="checkbox"/> Budget Committee	<input type="checkbox"/> Planning Commission
<input type="checkbox"/> Citizens' Advisory Committee	
<input type="checkbox"/> Historic Landmark Committee	

Ward in which you reside (if applicable): 2

How many years have you lived in McMinnville? 40+

Educational and occupational background: _____
B.S. IN BUSINESS ADMINISTRATION
LINFIELD COLLEGE 1972

Why are you interested in serving? _____
I'VE ENJOYED MY LAST 3 YRS ON THE
COMMITTEE

Date 10/31/19 Signed Alan Ruden

Please return to City Hall, 230 NE Second Street, McMinnville, OR 97128



APPLICATION FOR SERVICE ON BOARD OR COMMISSION

Thank you for your interest in serving your community. The information on this form will help the Mayor and City Council learn about the background of persons interested in serving on a particular board or commission.

Name: Mary Beth Branch
Address: [REDACTED]
McMinnville, Oregon 97128
Email: [REDACTED]

Phone (Home) _____
Phone (cell) [REDACTED]
Phone (work) _____

Board or commission for which you are an applicant:

- Advisory Board
- Airport Commission
- Board of Appeals
- Budget Committee
- Citizens' Advisory Committee
- Historic Landmark Committee
- Landscape Review Committee
- McMinnville Urban Area Management Commission (MUAMC)
- Planning Commission

Ward in which you reside (if applicable): _____

How many years have you lived in McMinnville? 10

Educational and occupational background: I have a Bachelor of Architecture degree from the University of Oregon with minors in Interior Architecture and Art History with an emphasis on historic buildings. I have worked for the past 8 years in McMinnville's downtown historic district and served on committees and the board of directors for the McMinnville Downtown Association during that time. I started my own design business in 2011 and also oversee projects and events for Buchanan Cellars.

Why are you interested in serving? I want to be a part of the commitment our city and organizations have made to protecting and preserving McMinnville's most treasured landmarks. My husband and I are proud to raise our family here and I believe we all owe a debt of service to the place we call home. Serving on the Historic Landmark Committee would allow me to use my education and passion for design and architectural history to strengthen an already dedicated effort towards the prolonged success of our community and protection of our past through an exciting time of growth.

Date 10/21/2016 Signed [Signature]

Please return to City Hall, 230 NE Second Street, McMinnville, OR 97128



APPLICATION FOR SERVICE ON BOARD OR COMMISSION

Thank you for your interest in serving your community. The information on this form will help the Mayor and City Council learn about the background of persons interested in serving on a particular board or commission.

Name: Christopher Knapp
Address: [REDACTED]
McMinnville, OR 97128
Email: [REDACTED]

Home Phone: [REDACTED]
Cell Phone: [REDACTED]
Work Phone: _____

Board, Commission or Committee for which you are an applicant:

<input type="checkbox"/> Advisory Board	<input type="checkbox"/> Landscape Review Committee
<input type="checkbox"/> Airport Commission	<input type="checkbox"/> McMinnville Affordable Housing Task Force
<input type="checkbox"/> Board of Appeals	<input type="checkbox"/> McMinnville Urban Renewal Advisory Committee (MURAC)
<input type="checkbox"/> Budget Committee	<input type="checkbox"/> Planning Commission
<input type="checkbox"/> Citizens' Advisory Committee	
<input checked="" type="checkbox"/> Historic Landmark Committee	

Ward in which you reside (if applicable): 3

How many years have you lived in McMinnville? 1

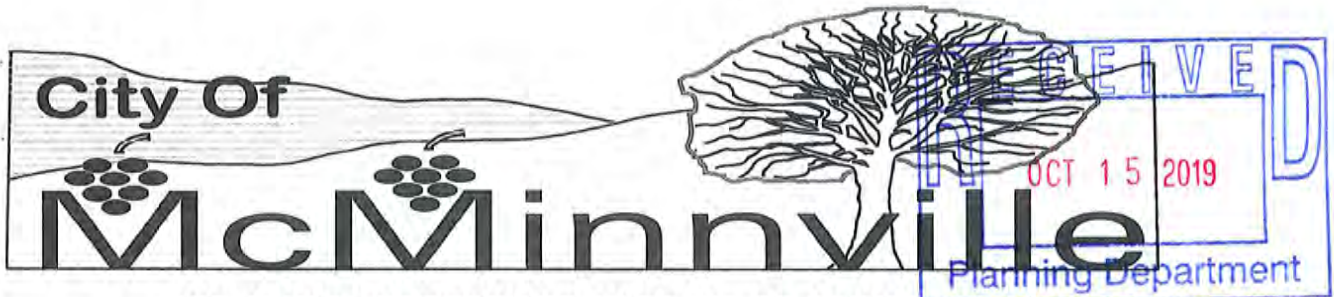
Educational and occupational background: Having graduated from the North Bennett School for preservation carpentry in Boston, MA, I have extensive experience in preservation carpentry work. During my 12 plus years in the field, I have worked on a variety of public-facing projects, including the Paul Reserve House (1680), the Josiah Quincy House (1770), the Otis House (1796), among others.

Why are you interested in serving? I have greatly enjoyed my time on the Planning Commission and I hope to continue to serve the community in an area in which I am truly passionate about and have devoted my life to its cause. I am interested in increasing public awareness and understanding of historic preservation.

Ensuring local landmarks are protected and celebrated is an important role the committee plays and one for which I am excited to assist.

Date Nov 5th, 2019 Signed [Signature]

Please return to City Hall, 230 NE Second Street, McMinnville, OR 97128



APPLICATION FOR SERVICE ON BOARD OR COMMISSION

Thank you for your interest in serving your community. The information on this form will help the Mayor and City Council learn about the background of persons interested in serving on a particular board or commission.

Name: John A. Hall

Home Phone: _____

Address: _____

Cell Phone: _____

McMinnville, OR 97128

Work Phone: _____

Email: _____

Board, Commission or Committee for which you are an applicant:

- | | |
|---|---|
| <input type="checkbox"/> Advisory Board | <input checked="" type="checkbox"/> Landscape Review Committee |
| <input type="checkbox"/> Airport Commission | <input type="checkbox"/> McMinnville Affordable Housing Task Force |
| <input type="checkbox"/> Board of Appeals | <input type="checkbox"/> McMinnville Urban Renewal Advisory Committee (MURAC) |
| <input type="checkbox"/> Budget Committee | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Citizens' Advisory Committee | |
| <input type="checkbox"/> Historic Landmark Committee | |

Ward in which you reside (if applicable): _____

How many years have you lived in McMinnville? 20

Educational and occupational background: BA Biology, MA Ecology Cal State University, LA

Post graduate studies in Forest Fire Ecology PhD program University of Arizona

Linfield College: Senior Director of Facilities Services 11 years, Director of Capital Planning and Development 5 years

Occidental College: Assoc. Director of Facilities Services 5 yrs. 8 years as Landscape Director for two national Property Management Companies, LA, CA

Landscape designer&contractor California, 8 years desert ecologist BLM

Why are you interested in serving? Spent 10+ years on Landscape committee and now retired and wish to return and provide service to the community and share past experiences

Date 10/12/2019

Signed John A. Hall

Please return to City Hall, 230 NE Second Street, McMinnville, OR 97128

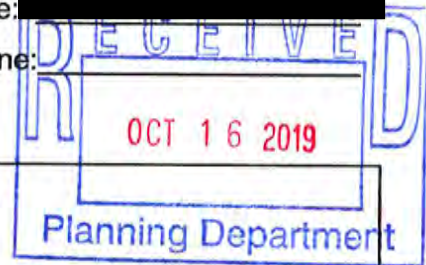


APPLICATION FOR SERVICE ON BOARD OR COMMISSION

Thank you for your interest in serving your community. The information on this form will help the Mayor and City Council learn about the background of persons interested in serving on a particular board or commission.

Name: ROGER LIZUT
Address: [REDACTED]
McMINNVILLE OR 97128
Email: _____

Home Phone: _____
Cell Phone: [REDACTED]
Work Phone: _____



Board, Commission or Committee for which you are an applicant:

- | | |
|---|---|
| <input type="checkbox"/> Advisory Board | <input type="checkbox"/> Landscape Review Committee |
| <input type="checkbox"/> Airport Commission | <input type="checkbox"/> McMinnville Affordable Housing Task Force |
| <input type="checkbox"/> Board of Appeals | <input type="checkbox"/> McMinnville Urban Renewal Advisory Committee (MURAC) |
| <input type="checkbox"/> Budget Committee | <input checked="" type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Citizens' Advisory Committee | |
| <input type="checkbox"/> Historic Landmark Committee | |

Ward in which you reside (if applicable): 2

How many years have you lived in McMinnville? 4

Educational and occupational background: SEE ATTACHED

Why are you interested in serving? SEE ATTACHED

Date 10/16/2019

Signed Roger Lizut

Please return to City Hall, 230 NE Second Street, McMinnville, OR 97128

Educational & Occupational Background

- BS Physics, New Mexico State University, 1968
- MS Operations Research, Southern Methodist University, 1972
- MS Systems Management, University of Southern California, 1974
- Registered Professional Engineer, State of New Mexico, #8512
- Certified Professional Project Manager, Project Management Institute, #1994

- Project Management, System Evaluation, Facilities Operations & Management

Interest In Serving

- I retired in 2003 and moved to the Pacific Northwest. I wanted to use my professional experience in volunteering. That activity has been applied primarily in citizen Boards and Commissions, for Social Services non-profit organizations, and City Commissions and Committees.
- I offer the following participation activities as a basis for my contributing to the activities of the City of McMinnville Planning Commission
 - Currently serve on the City of McMinnville Planning Commission
 - Served on the City of Corvallis Planning Commission, 2011-2015
 - Served on the City of Walla Walla Planning Commission, 2007-2010
 - Served on the City of Port Townsend Planning Commission, 2003-2006
- The only property I own in Oregon is my residence at 510 NW 9th St, McMinnville. As a member of the Planning Commission, I am required to annually certify that to the State of Oregon
- Due to my current participation in the Planning Commission, I am involved in addressing major issues facing City Planning, such as Buildable Land Inventory and Affordable Housing Analysis. I would like to continue working on those and other issues that will come before the Planning Commission.



City of McMinnville
Planning Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7311
www.mcminnvilleoregon.gov

STAFF REPORT

DATE: December 10, 2019
TO: Mayor and City Councilors
FROM: Heather Richards, Planning Director
SUBJECT: Resolution No. 2019 – 66, “Board, Committee and Commission Appointments”

STRATEGIC PRIORITY & GOAL:



ENGAGEMENT & INCLUSION

Create a culture of acceptance & mutual respect that acknowledges differences & strives for equity.

OBJECTIVE/S: Grow City's employees and Boards and Commissions to reflect our community

Report in Brief:

This is the consideration of Resolution No. 2019-66, appointing volunteers to City boards, committees and commissions.

Background:

The City of McMinnville has many boards, committees and commissions that support the City’s work on a volunteer basis. The City Council makes annual appointments to these boards, committees and commissions at their meeting in December of each year to fill those positions that are being vacated by people whose terms have expired or have resigned from their position.

The City solicits applications by advertising the vacancies in October in the News Register. The applications are then reviewed and interviews conducted by the Mayor, Council President, and the board, committee or commission chair, who then make recommendations to the City Council for appointment.

Discussion:

AFFORDABLE HOUSING TASK FORCE
(3-year term)

Alexandra Hendgen
(Non-Profit / Housing Provider)
Alan Ruden
(Developer / Builder)

Expires December 31, 2022

Expires December 31, 2022

AIRPORT COMMISSION
(4-year term)

Stephen Leonard

Expires December 31, 2023

HISTORIC LANDMARKS COMMITTEE
(4-year term)

Mary Beth Branch
Christopher Knapp

Expires December 31, 2023

Expires December 31, 2023

LANDSCAPE REVIEW COMMITTEE
(3-year term)

Rob Stephenson
John Hall

Expires December 31, 2022

Expires December 31, 2022

PLANNING COMMISSION
(4-year term)

Roger Lizut, (Ward 2)

Expires December 31, 2023

_____ (Ward 1)

Expires December 31, 2023

_____ (At Large)

Expires December 31, 2023

Fiscal Impact:

There is no anticipated fiscal impact to the City of McMinnville with this decision.

Attachments:

Resolution No. 2019 - 66

Council Options:

1. **APPROVE** Resolution No. 2019 – 66
2. **REQUEST** more time and/or information.
3. **DO NOT APPROVE** Resolution No. 2019-66, directing staff to post notice of continued vacancies and the city’s interest in soliciting new applications.

Recommendation/Suggested Motion:

“I MOVE TO APPROVE RESOLUTION NO. 2019 – 66 APPOINTING THE FOLLOWING PEOPLE TO THE FOLLOWING COMMITTEES AND COMMISSIONS:

Alexandra Hendgen and Alan Ruden to the Affordable Housing Task Force to serve a three year term that expires on December 31, 2022.

Stephen Leonard to the Airport Commission to serve a four year term that expires on December 31, 2023.

Mary Beth Branch and Christopher Knapp to the Historic Landmarks Committee to serve a four year term that expires on December 31, 2023.

Rob Stephenson and John Hall to the Landscape Review Committee to serve a three year term that expires on December 31, 2022.

Roger Lizut to the Planning Commission representing Ward 2 to serve a four year term that expires on December 31, 2023.

_____ to the Planning Commission representing Ward 1 to serve a four year term that expires on December 31, 2023.

_____ to the Planning Commission representing an At-Large position to serve a four year term that expires on December 31, 2023.

RESOLUTION NO. 2019 - 66

A Resolution appointing and re-appointing members to the various Boards, Committees, and Commissions.

RECITALS:

The City of McMinnville has several Boards, Committees, Commissions, and Task Forces made up of volunteers; and

The City Council is responsible for making appointments and re-appointments.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF McMINNVILLE, OREGON as follows:

1. The City Council appoints the following volunteers the various Boards, Commissions, and Committees as detailed below.

AFFORDABLE HOUSING TASK FORCE
(3-year term)

Alexandra Hendgen Expires December 31, 2022
(Non-Profit / Housing Provider)

Alan Ruden Expires December 31, 2022
(Developer / Builder)

AIRPORT COMMISSION
(4-year term)

Stephen Leonard Expires December 31, 2023

HISTORIC LANDMARKS COMMITTEE
(4-year term)

Mary Beth Branch Expires December 31, 2023

Christopher Knapp Expires December 31, 2023

LANDSCAPE REVIEW COMMITTEE
(3-year term)

Rob Stephenson Expires December 31, 2022

John Hall Expires December 31, 2022

PLANNING COMMISSION
(4-year term)

Roger Lizut (Ward 2) Expires December 31, 2023

_____ (Ward 1) Expires December 31, 2023

_____ (At Large) Expires December 31, 2023

2. This Resolution and these appointments will take effect January 1st, 2020.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the 10th day of December, 2019 by the following votes:

Ayes: _____

Nays: _____

Approved this 10th day of December, 2019.

MAYOR

Approved as to form:

City Attorney



APPLICATION FOR SERVICE ON BOARD OR COMMISSION

Thank you for your interest in serving your community. The information on this form will help the Mayor and City Council learn about the background of persons interested in serving on a particular board or commission.

Name: Alexandra Hendgen Home Phone: _____
 Address: _____ 2 _____

 Email: _____

Board, Commission or Committee for which you are an applicant:

- | | |
|---|---|
| <input type="checkbox"/> Advisory Board | <input type="checkbox"/> Landscape Review Committee |
| <input type="checkbox"/> Airport Commission | <input checked="" type="checkbox"/> McMinnville Affordable Housing Task Force |
| <input type="checkbox"/> Board of Appeals | <input type="checkbox"/> McMinnville Urban Renewal Advisory Committee (MURAC) |
| <input type="checkbox"/> Budget Committee | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Citizens' Advisory Committee | |
| <input type="checkbox"/> Historic Landmark Committee | |

Ward in which you reside (if applicable): _____

How many years have you lived in McMinnville? I grew up in McMinnville.

Educational and occupational background: Education - Western Mennonite High School, Seattle Pacific University
Bachelors in Science of Health Sciences. Occupational Background - For the past 10+ years I have worked with service based
NPO's in the greater Seattle area that address the health and wellbeing of vulnerable populations. Individuals and families served fell
below 300% FPL. I recently relocated to Oregon to serve as the Executive Director of YCAP in McMinnville. YCAP is a community action
NPO serving vulnerable populations in Yamhill County experiencing the effects of poverty, offering pathways to self-sufficiency.

Why are you interested in serving? YCAP is an agency that offers a significant amount of services and support
related to housing. Over 55% of that goes to residents of McMinnville. YCAP would like to continue to be a part of
community discussion and planning around housing challenges and needs. This taskforce would provide an avenue
for YCAP to share its experience, as well as be present to learn from other leaders and innovators in the community.

Date November 25, 2019 Signed Alexandra Hendgen

Please return to City Hall, 230 NE Second Street, McMinnville, OR 97128

From: Jamie Fleckenstein Jamie.Fleckenstein@mcminnvilleoregon.gov @
Subject: Landscape Review Committee Term Expiring
Date: October 7, 2019 at 4:50 PM
To: Rob Stephenson [REDACTED]
Cc: Sarah Sullivan Sarah.Sullivan@mcminnvilleoregon.gov

Hi Rob [REDACTED],

This email is to let you know that your terms on the Landscape Review Committee are expiring at the end of 2019. If you'd like to re-apply for another 3 year term running from 2020-2023, the committee application is attached and would need to be completed and returned to the Planning Department by Friday, November 8, 2019.

The Planning Department will advertise the vacancies in Friday's News-Register to solicit applications. If by chance you are not interested in re-applying for the LRC and know someone who may be interested, please let me know, or have them contact me for more information.

Thank you,

Jamie Fleckenstein, PLA
Associate Planner

City of McMinnville
231 NE 5th Street
McMinnville, OR 97128
(503) 474-4153
jamie.fleckenstein@mcminnvilleoregon.gov



APPLICATION FOR SERVICE ON BOARD OR COMMISSION

Thank you for your interest in serving your community. The information on this form will help the Mayor and City Council learn about the background of persons interested in serving on a particular board or commission.

Name: Rob Stephenson Home Phone: [REDACTED]
Address: [REDACTED] Cell Phone: [REDACTED]
[REDACTED] 97128 Work Phone: _____
Email: [REDACTED]

Board, Commission, or Committee for which you are an applicant:

<input type="checkbox"/> Advisory Board	<input checked="" type="checkbox"/> Landscape Review Committee
<input type="checkbox"/> Airport Commission	<input type="checkbox"/> McMinnville Affordable Housing
<input type="checkbox"/> Board of Appeals	

- Budget Committee
- Citizens' Advisory Committee
- Historic Landmark Committee

- Task Force
- McMinnville Urban Renewal Advisory Committee (MURAC)
- Planning Commission

Ward in which you reside (if applicable): _____

How many years have you lived in McMinnville? 48

Educational and occupational background: Grad of Linfield
College (Art + English) Post Baccalaureate
Oregon State in landscape Architecture
Started and ran Cascadia Landscaping for
28 years

Why are you interested in serving? Because I care about the
aesthetics of our community, and I
know my subject matter

Date 10/11/19

Signed



Please return to City Hall, 230 NE Second Street, McMinnville, OR 97128



City of McMinnville
Community Development Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7312
www.mcminnvilleoregon.gov

STAFF REPORT

DATE: December 10, 2019
TO: Jeff Towery, City Manager
FROM: Larry Sherwood, Engineering Services Manager
SUBJECT: Purchase of CCTV Inspection Van

Report in Brief:

The 1998 Ford CCTV inspection van used by the Collection System Maintenance team is past its useful life expectancy and is due for replacement. The CCTV inspection van is used on a daily basis and is a critical piece of equipment that prevents backups in sanitary sewer lines and storm drains by performing routine condition assessment inspections. Collection System staff went through an extensive process to select Cues, Inc. as the preferred vendor for replacement of the van, and requests approval to enter into a contract with Cues, Inc. through the Houston-Galveston Area Council Cooperative Purchasing Program (HGAC) for this purchase.

Background:

The Collection System Maintenance team began researching replacement CCTV vans in March of 2018. Five different vendors were identified and each brought in multiple times to demonstrate the capabilities of their products. During demonstrations, each collection crew member evaluated the pros and cons of each vendor's product and a comparison matrix was established to assist in the selection of the preferred vendor. In addition, references were checked from different end users following a template of specific reliability and service related questions.

Although all the vendors had their pros and cons and are comparatively priced, Cues repeatedly stood out in reference checks as having the most responsive and timely service, the most rugged and reliable equipment, the closest repair facility, and the best loaner program. We are currently using Cues equipment which will provide seamless integration with our existing cameras, familiarity with small repairs and maintenance, and continuity in the use of our current software. The CCTV van and all associated components include warranties which have been reviewed and are acceptable to Collection System staff. Warranty information is available for review at the Engineering Department.

Discussion:

It was brought to our attention by Cues, Inc. that the CCTV van meeting our specific requirements was competitively bid through Sealed Bid Solicitation #SC01-18 conducted by HGAC (see attachment 2). Research was completed which verified that purchases for goods and services made through Interstate Cooperative Procurements such as HGAC meet purchasing requirements as established by Oregon Revised Statutes 279A. As required by ORS 279A, a "Notice of Intent" was published in the November 20, 2019 Daily Journal of Commerce and no comments were received. The City's legal team reviewed the specific procurement solicitation documents and concurred that ORS requirements have been met.

We also confirmed that other municipalities such as Beaverton, Portland, Tualatin, Salem, and Albany have successfully used this procurement option.

The price for the Cues van directly from the local Cues dealer is \$ 283,089. Using the HGAC procurement option, the competitive bid price total is \$223,369.

The following steps are needed to complete this procurement:

1. Confirm the City of McMinnville is registered with HGAC. **(Complete)**
2. Meet with the vendor and agree on the equipment base plus published and unpublished options on Contract Pricing Worksheet. **(Complete - see attachment 3)**
3. Coordinate with the Information Systems Department to verify the computer hardware and compatibility of the software. **(Complete - Staff from Information Services was involved in the procurement process and have verified that the proposed equipment is appropriate)**
4. Advertise a "Notice of Intent" to award the Contract to Cues, Inc. in the Daily Journal of Commerce. **(Complete – see attachment 4)**
5. Present a Staff Memo and Resolution to City Council recommending the City Manager enter into a contract with Cues for the Purchase of the new CCTV van and associated components. **(Current Step, December 10, 2019 Council Meeting)**
6. Complete a purchase order to Cues, with payment due upon delivery and acceptance of the products. **(Next Step)**

Attachments:

1. Resolution
2. Legal Advertisement - Sealed Bid Solicitation #SC01-18
3. Contract Pricing Worksheet and Cues Quote
4. Public Notice "Intent to Award" Affidavit of Publication

Fiscal Impact:

The adopted FY19-20 budget includes \$225,000 in the Wastewater Capitol Fund 77 for the replacement of the CCTV inspection van. Using the HGAC procurement option the competitive bid pricing is \$223,369.

Recommendation:

Staff recommends that the City Council adopt the attached resolution authorizing the City Manager to enter into a Contract with Cues, Inc. for \$223,369 for the purchase of a new CCTV inspection van through Sealed Bid Solicitation #SC01-18 conducted by the Houston-Galveston Area Council Cooperative Purchasing Program.



City of McMinnville
Community Development Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7312
www.mcminnvilleoregon.gov

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TO: Jeff Towery, City Manager
FROM: Larry Sherwood, Engineering Services Manager
SUBJECT: Purchase of CCTV Inspection Van

Report in Brief:

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Background:

The Collection System Maintenance team began researching replacement CCTV vans in March of 2018. Five different vendors were identified and each brought in multiple times to demonstrate the capabilities of their products. During demonstrations, each collection crew member evaluated the pros and cons of each vendor's product and a comparison matrix was established to assist in the selection of the preferred vendor. In addition, references were checked from different end users following a template of specific reliability and service related questions.

Although all the vendors had their pros and cons and are comparatively priced, Cues repeatedly stood out in reference checks as having the most responsive and timely service, the most rugged and reliable equipment, the closest repair facility, and the best loaner program. We are currently using Cues equipment which will provide seamless integration with our existing cameras, familiarity with small repairs and maintenance, and continuity in the use of our current software. The CCTV van and all associated components include warranties which have been reviewed and are acceptable to Collection System staff. Warranty information is available for review at the Engineering Department.

Discussion:

It was brought to our attention by Cues, Inc. that the CCTV van meeting our specific requirements was competitively bid through Sealed Bid Solicitation #SC01-18 conducted by HGAC (see attachment 2). Research was completed which verified that purchases for goods and services made through Interstate Cooperative Procurements such as HGAC meet purchasing requirements as established by Oregon Revised Statutes 279A. As required by ORS 279A, a "Notice of Intent" was published in the November 20, 2019 Daily Journal of Commerce and no comments were received. The City's legal team reviewed the specific procurement solicitation documents and concurred that ORS requirements have been met.

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5. Present a Staff Memo and Resolution to City Council recommending the City Manager enter into a contract with Cues for the Purchase of the new CCTV van and associated components. **(Current Step, December 10, 2019 Council Meeting)**
6. Complete a purchase order to Cues, with payment due upon delivery and acceptance of the products.**(Next Step)**

Attachments:

1. Resolution
2. Legal Advertisement - Sealed Bid Solicitation #SC01-18
3. Contract Pricing Worksheet and Cues Quote
4. Public Notice "Intent to Award" Affidavit of Publication

Fiscal Impact:

The adopted FY19-20 budget includes \$225,000 in the Wastewater Capitol Fund 77 for the replacement of the CCTV inspection van. Using the HGAC procurement option the competitive bid pricing is \$223,369.

Recommendation:

Staff recommends that the City Council adopt the attached resolution authorizing the City Manager to enter into a Contract with Cues, Inc. for \$223,369 for the purchase of a new CCTV inspection van through Sealed Bid Solicitation #SC01-18 conducted by the Houston-Galveston Area Council Cooperative Purchasing Program.

RESOLUTION NO. 2019 - 67

A Resolution authorizing the City Manager to enter into a contract with Cues, Inc. through the Houston Galveston Area Council Cooperative Purchasing Program (HGAC) for the purchase of a new CCTV Inspection Van.

RECITALS:

The 1998 Ford CCTV inspection van used by the Collection System Maintenance team is past its useful life expectancy and is due for replacement. The CCTV inspection van is used on a daily basis and is a critical piece of equipment that prevents backups in sanitary sewer lines and storm drains by performing routine condition assessment inspections.

The Collection System Maintenance team went through an extensive evaluation process to select Cues, Inc. as the preferred vendor for a new CCTV Inspection Van. Cues repeatedly stood out in reference checks as having the most responsive and timely service, the most rugged and reliable equipment, the closest repair facility, and the best loaner program. In addition, we are currently using Cues equipment which will provide seamless integration with our existing cameras, familiarity with small repairs and maintenance, and continuity in the use of our current software.

Cues products that meet our specific needs were competitively bid through Sealed Bid Solicitation #SC01-18 conducted by HGAC, and it has been verified that purchases for goods and services made through HGAC meet purchasing requirements as established by Oregon Revised Statutes.

Funding for the new CCTV Inspection van is included in the adopted FY19-20 Wastewater Capitol Fund (77).

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF McMinnville, OREGON, as follows:

1. That entry into Contract with Cues, Inc. through the Houston-Galveston Area Council Cooperative Purchasing Program (HGAC) for the purchase of a new CCTV inspection Van in the amount of \$223,369 is hereby approved.
2. The City Manager is hereby authorized and directed to execute the Contract with Cues, Inc.
3. That this resolution shall take effect immediately upon passage and shall continue in full force and effect until revoked or replaced.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the 10th day of December 2019 by the following votes:

Ayes: _____

Nays: _____

Approved this 10th day of December 2019.

MAYOR

Approved as to form:

CITY ATTORNEY

RESOLUTION NO. 2019 - 67

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Ayes: _____

Nays: _____

Approved this 10th day of December 2019.

MAYOR

Approved as to form:

CITY ATTORNEY

Legal Notices

To place legal notices
email legals@chron.com or call 713.224.6868.

NOTICE TO CREDITORS

Notice To Creditors Ad

\$74.00*

Call the Legals Team
713-224-6868
Ext. 6435 or 4204

*\$74.00 includes first 36 lines and 1 Affidavit of Publication
*\$1.92 per line over 36 lines

BIDS & PROPOSALS

NOTICE TO BIDDERS

BIDS & PROPOSALS

The Houston Housing Authority ("HHA"), is soliciting proposals with the intent to partner with entities to acquire, rehabilitate, construct, or develop several affordable housing developments, in accordance with the requirements and terms and conditions specified in RFP 17-17 Development Partners.

Interested parties who wish to respond by the established due dates specified in Attachment F of RFP 17-17, must submit the required documents in a sealed envelope to Houston Housing Authority Attn: LaTasha Cotten Subject: RFP 17-17 Development Partners DO NOT OPEN 2640 Fountain View Drive Suite 100 Houston, Texas 77057.

RFP 17-17 can be obtained by going to the doing business with HHA section of HHA's website at www.housingforhouston.com, or by sending an e-mail to HHA's Procurement Dept. at Purchasing@housingforhouston.com with RFP 17-17 in the subject line.

A Fair and Equal Employment Opportunity Agency. For assistance: Individuals with disabilities may contact the 504/ADA Administrator at 713-260-0528, TTY 713-260-0574 or 504ADA@housingforhouston.com

LEGAL NOTICES

LEGAL NOTICE

BakerRipley, formerly known as Neighborhood Centers Inc., a non-profit human services organization, announces a Request for Proposal (RFP) # 17-07 for **Direct Mail Fundraising Services.**

The RFP will be posted on our website at <http://www.bakerripley.org/about/vendors> on **June 20, 2017.**

Interested Vendors can submit a proposal for Direct Mail Fundraising Services to cgrant@bakerripley.org. The deadline for submitting a proposal is **Thursday, July 20, 2017 by 10:00 a.m. (CDT).**

BAKERRIPLY ENCOURAGES SMALL AND HISTORICALLY UNDERUTILIZED BUSINESSES TO APPLY.

BIDS & PROPOSALS

Sealed Bid Solicitation #GR01-18 Houston-Galveston Area Council Cooperative Purchasing Program Grounds & Turf Equipment

Pre-Bid Conference: 07/06/17 @ 9 am
Response Deadline: 09/07/17 @ 1pm
Public Opening: 09/07/17 @ 2pm
3555 Timmons Lane, Houston, TX.
Per ADA, reasonable accommodation provided with 24-hour priority notice. 832-681-2592 or www.hgacbuy.org for info.

LEGAL NOTICES

LEGAL NOTICES

CAUSE NUMBER: 2016- 75545

IN THE 281ST JUDICIAL DISTRICT COURT OF HARRIS COUNTY, TEXAS

Plaintiff: HERNANDEZ, PABLO

vs.

Defendant: MUNOZ, MANUEL
ORDER FOR CITATION BY PUBLICATION

THE STATE OF TEXAS
County of Harris

To: MANUEL MUNOZ

YOU ARE HEREBY COMMANDED to be and appear before the **281ST JUDICIAL DISTRICT COURT** of Harris County, Texas in the Courtroom in the city of Houston, Texas at or before 10:00 o'clock A.M. Monday, the **26TH day of JUNE, 2017**, being the Monday next after the expiration date of forty-two days after this citation is issued, and you are hereby commanded and required then and there to appear and file written answer to the Plaintiff's Original Petition, filed in said Court on the **31ST day of OCTOBER, 2016**, in suit number **2016-75545** docket of said court, wherein, **PABLO HERNANDEZ AND GLORIA HERNANDEZ** are the Plaintiff(s) and **MANUEL MUNOZ** is the Defendant, the nature of plaintiff's demand and the said petition alleging: Quiet Title

ORDER FOR CITATION BY PUBLICATION

On this day, the Court considered Plaintiff's Motion for Citation by Publication on Manuel Munoz, the record title holder of the property, the subject matter of this suit. The Court having considered the Motion for Citation by Publication, and the supporting information finds the Motion should be GRANTED.

It is therefore, ORDERED that Plaintiff shall serve the Defendant, Manuel Munoz, with citation by publication in the manner prescribed by the Texas Rules of Civil Procedure § 114 - 1116. Said publication shall state that Plaintiff(s), Pablo Hernandez and Gloria Hernandez have filed a claim against Defendant, Manuel Munoz in the 281st Judicial District and seek a judgment

"The following described condominium unit, limited common elements appurtenant thereto, together with an undivided interest in the general common Elements located in and being part of Memorial Springs Townhouses, a Condominium project in the City of Houston, Harris County, Texas, as fully described in and as located, delineated and as defined in the condominium declaration for Memorial Springs Townhouses, together with the survey play, by-laws and exhibits attached thereto, recorded in Volume 35, Page 127, et seq., of the condominium records of Harris County, Texas:

That part of Memorial Springs Townhouses being apartment unit number 2, in Building lettered "M," and the space encompassed by the boundaries:

An undivided 3.8081 percent ownership interest in and to the general common element of the condominium project known as Memorial Springs Townhouses, together with the limited common elements appurtenant thereto.

Notice hereof shall be given by publishing this Citation once a week for four consecutive weeks previous to the day of **JUNE 26th, 2017**, in some newspaper published in the County of Harris, if there be a newspaper published therein, but if not, then the nearest county where a newspaper is published, and this Citation shall be returned on the **19TH day of JUNE, 2017**, which is forty two days after the date it is issued, and the first publication shall be at least twenty-eight days before said return day.

HEREIN FAIL NOT, but have before said court on said return day this writ with your return thereon, showing how you have executed same.

WITNESS: Chris Daniel, District Clerk, Harris County Texas

GIVEN UNDER MY HAND AND SEAL OF SAID COURT at Houston, Texas this 8th day of MAY, 2017.

Newspaper: **Houston Chronicle**

(SEAL)

CHRIS DANIEL, District Clerk
Harris County, Texas
201 Caroline Street, Houston, Texas 77002
P.O. Box 4651, Houston, Texas 77210

By: **S/S/ Sarah Anderson**
SARAH ANDERSON, Deputy District Clerk

Issued at the request of:
Yolanda Navarro Flores
4801 Irvington Blvd.
Houston, TX 77009
Bar Number: 07169200
Tel. (713) 691-0019

LEGAL NOTICES

Sealed Bid Solicitation #SC01-18 Houston-Galveston Area Council Cooperative Purchasing Program Sewer Cleaning, Hydro-Excavating, Inspection Equipment and Miscellaneous Services

Pre-Bid Conference: 07/11/17 @ 9am
Response Deadline: 09/05/17 @ 1pm
Public Opening: 09/05/17 @ 2pm
3555 Timmons Lane, Houston, TX.
Per ADA, reasonable accommodation provided with 24 hour priority notice. 832-681-2554 or www.hgacbuy.org for info

LEGAL NOTICES

LEGAL NOTICES

REQUEST FOR COMPETITIVE SEALED PROPOSALS

KISD ES FRONT ENTRANCE PROJECT

The Klein Independent School District will accept Competitive Sealed Proposals from qualified contractors until 2:00 p.m. on Thursday, June 29, 2017 at the KISD Administration Building, 7200 Spring-Cypress Road, Klein, Texas, 77379. Scope of work includes addition / renovation of administrative spaces for Northampton and Haude elementary schools. A Pre-Proposal Conference will be held Wednesday, June 21, 2017 at 2:00 p.m. Klein Independent School District Administration Building, 7200 Spring-Cypress Road, Klein, Texas, 77379. Plans and specifications will be released Wednesday, June 14, 2017, and can be obtained in PDF format from Brown Reynolds Watford Architects (BRW) FTP Site at www.brwarch.com, 281-361-3800. Plans and specifications will also be available at various plan rooms throughout the area. The cost for printing hard copies (as needed), handling and shipping shall be the responsibility of the Contractors or associated subcontractors.

NOTICE TO BIDDERS

The Metropolitan Transit Authority of Harris County, Texas (METRO) is planning to issue the procurement documents listed in this advertisement.

IFB No. 4017000198: For Purchase and Delivery of Stemco Wheel Parts for METRO's Transit Vehicles.

Solicitation will be available on or about 06/12/2017

Prospective bidders/proposers can view and download these solicitations by visiting METRO's website at <https://www.ridemetroapp.org/procurement/>

If you are unable to download the documents or having difficulty, please contact METRO Plan and Bid Room at (713) 739-4881.

LEGAL NOTICES

LEGAL NOTICES

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY NOTICE OF APPLICATION AND PRELIMINARY DECISION FOR TPDES PERMIT FOR MUNICIPAL WASTEWATER RENEWAL

PERMIT NO. WQ0012209001

APPLICATION AND PRELIMINARY DECISION. Harris County Municipal Utility District No. 127, c/o Strawn and Richardson, P.C., 6750 West Loop South, Suite 865, Bellaire, Texas 77401, has applied to the Texas Commission on Environmental Quality (TCEQ) for a renewal of Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0012209001, which authorizes the discharge of treated domestic wastewater at an annual average flow not to exceed 1,150,000 gallons per day. TCEQ received this application on October 26, 2016. The facility is located at 19201 Gummert Road, in Harris County, Texas 77449. The treated effluent is discharged to Harris Flood Control District (HCFCD) ditch U102-02; thence to Bear Creek thence to South Mayde Creek; thence to Buffalo Bayou Above Tidal in Segment No. 1014 of the San Jacinto River Basin. The unclassified receiving water uses are minimal aquatic life use for HCFCD ditch U102-02-00 and intermediate aquatic life use for Bear Creek. The designated uses for Segment No. 1014 are limited aquatic life use and primary contact recreation. This link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice. For the exact location, refer to the application.

https://www.tceq.texas.gov/assets/public/hb610/index.html?i=27_856944&lng=-95.69972&zoom=13&type=

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision on this permit. If issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Montgomery County Memorial Library, Central Branch, 104 Interstate Highway 45 North, Conroe, Texas.

PUBLIC COMMENT/PUBLIC MEETING. You may submit public comments or request a public meeting about this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ holds a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

OPPORTUNITY FOR A CONTESTED CASE HEARING. After the deadline for submitting public comments, the Executive Director will consider all timely comments and material, or significant public comments. Unless the application is directly referred for a contested case hearing, the response to comments will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting a contested case hearing or reconsideration of the Executive Director's decision. A contested case hearing is a legal proceeding similar to a civil trial in a state district court.

TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name, address, phone number; applicant's name and proposed permit number; the location and distance of your property/activities relative to the proposed facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period; and the statement "(I/we) request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the proposed facility or activity; explain how and why the member would be affected; and explain how the interests of the group seek to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn. If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law relating to relevant and material water quality concerns submitted during the comment period. TCEQ may act on an application to renew a permit for discharge of wastewater without providing an opportunity for a contested case hearing if certain criteria are met.

EXECUTIVE DIRECTOR ACTION. The Executive Director may issue final approval of the application unless a timely contested case hearing request or request for reconsideration is filed. If a timely hearing, request or request for reconsideration is filed, the Executive Director will not issue final approval of the permit and will forward the application and request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

MAILING LIST. If you submit public comments, a request for a contested case hearing or reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county; or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

All written public comments and public meeting requests must be submitted to the Office of the Chief Clerk, MC 105, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, TX 78711-3087 or electronically at www.tceq.texas.gov/about/comments.html within 30 days from the date of newspaper publication of this notice.

INFORMATION AVAILABLE ONLINE. For details about the status of the application, visit the Commissioners' Integrated Database at www.tceq.texas.gov/goto/cid. Search the database using the permit number for this application, which is provided at the top of this notice.

AGENCY CONTACTS AND INFORMATION. Public comments and requests must be submitted either electronically at www.tceq.texas.gov/about/comments.html or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Any personal information you submit to the TCEQ will become part of the agency's record; this includes email addresses. For more information about this permit application or the permitting process, please call 1-800-687-4040 or visit their website at www.tceq.texas.gov/goto/pep. Si desea informacion en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from Harris County Municipal Utility District No. 127 at the address stated above or by calling Ms. Jennifer Elms, P.E. EHR, at (713) 784-4500. Issuance Date: May 18, 2017

LEGAL NOTICES

LEGAL NOTICES

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY NOTICE OF RECEIPT OF APPLICATION AND INTENT TO OBTAIN WATER QUALITY PERMIT AMENDMENT PERMIT NO. WQ00084976000

APPLICATION. Enterprise Products Operating LLC, P.O. Box 424, Houston, Texas 77210, which owns a facility that transfers liquefied petroleum gas products between ships and barges, has applied to the Texas Commission on Environmental Quality (TCEQ) to amend Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0004976000 (EPA ID. No. TX0133353) to authorize the ability to use site specific criteria associated with total aluminum in water quality limit screening for Outfall 001. The facility is located at 15402 Jacintoport Boulevard, Houston in Harris County, Texas 77015. The discharge route is from the plant site to a series of manmade ditches; thence to the Houston Ship Channel Tidal. TCEQ received this application on April 26, 2017. The permit application is available for viewing and copying at North Channel Branch Library, 1741 Wallisville Road, Houston, Texas. This link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice. For exact location, refer to application. http://www.tceq.texas.gov/assets/public/hb610/index.html?i=27_856944&lng=-95.13666&zoom=13&type=

The application is subject to the goals and policies of the Texas Coastal Management Program and must be consistent with the applicable Coastal Management Program goals and policies.

ADDITIONAL NOTICE. TCEQ's Executive Director has determined the application is administratively complete and will conduct a technical review of the application. After technical review of the application is complete, the Executive Director will prepare a draft permit and will issue a preliminary decision on the application. Notice of Application and Preliminary Decision will be published and mailed to those who are on the county-wide mailing list and to those who are on the mailing list for this application. That notice will contain the deadline for submitting public comments.

PUBLIC COMMENT / PUBLIC MEETING. You may submit public comments or request a public meeting on this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ will hold a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

OPPORTUNITY FOR A CONTESTED CASE HEARING. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. Unless the application is directly referred for a contested case hearing, the response to comments will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting reconsideration of the Executive Director's decision and for requesting a contested case hearing. A contested case hearing is a legal proceeding similar to a civil trial in state district court.

TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name, address, phone number; applicant's name and proposed permit number; the location and distance of your property/activities relative to the proposed facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period; and the statement "(I/we) request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the proposed facility or activity; explain how and why the member would be affected; and explain how the interests of the group seek to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn. If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law relating to relevant and material water quality concerns submitted during the comment period. TCEQ may act on an application to renew a permit for discharge of wastewater without providing an opportunity for a contested case hearing if certain criteria are met.

EXECUTIVE DIRECTOR ACTION. The Executive Director may issue final approval of the application unless a timely contested case hearing request or request for reconsideration is filed. If a timely hearing, request or request for reconsideration is filed, the Executive Director will not issue final approval of the permit and will forward the application and request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

MAILING LIST. If you submit public comments, a request for a contested case hearing or reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county; or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

All written public comments and public meeting requests must be submitted to the Office of the Chief Clerk, MC 105, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, TX 78711-3087 or electronically at www.tceq.texas.gov/about/comments.html within 30 days from the date of newspaper publication of this notice.

INFORMATION AVAILABLE ONLINE. For details about the status of the application, visit the Commissioners' Integrated Database at www.tceq.texas.gov/goto/cid. Search the database using the permit number for this application, which is provided at the top of this notice.

AGENCY CONTACTS AND INFORMATION. Public comments and requests must be submitted either electronically at www.tceq.texas.gov/about/comments.html or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Any personal information you submit to the TCEQ will become part of the agency's record; this includes email addresses. For more information about this permit application or the permitting process, please call 1-800-687-4040 or visit their website at www.tceq.texas.gov/goto/pep. Si desea informacion en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from Harris County Municipal Utility District No. 127 at the address stated above or by calling Ms. Jennifer Elms, P.E. EHR, at (713) 784-4500. Issuance Date: May 18, 2017

BIDS & PROPOSALS

REQUEST FOR COMPETITIVE SEALED PROPOSAL

Klein I.S.D. Facility and School Services Department is accepting competitive sealed proposals for the **2017 Softball Field Lighting Replacement at Klein Forest and Klein High School** on Thursday, July 20, 2017 at 2:00 p.m. The approximate budget for this project is \$1 million. Proposals will be received at the Klein I.S.D. Central Office, Room 214, 7200 Spring Cypress Road, Klein, TX 77379. Prequalification requirements and proposal documents may be obtained from Salas-O'Brien Engineers, Inc., 10930 W. Sam Houston Pkwy. N., Suite 900, Houston, TX 77064 (281) 664-1910. The Klein Independent School District reserves the right to postpone, to accept or reject any or all requests for proposals as it deems to be in its best interest and to waive formalities and reasonable irregularities in this proposal.

LEGAL NOTICES

LEGAL NOTICES

Texas Commission on Environmental Quality NOTICE OF APPLICATION AND PRELIMINARY DECISION FOR TPDES PERMIT FOR MUNICIPAL WASTEWATER RENEWAL

PERMIT NO. WQ0011419001

APPLICATION AND PRELIMINARY DECISION. Aqua Texas, Inc., 1106 Clayton Lane, Suite 400W, Austin, Texas 78723, has applied to the Texas Commission on Environmental Quality (TCEQ) for a renewal of Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0011419001 which authorizes the discharge of treated domestic wastewater at a daily average flow not to exceed 120,000 gallons per day. TCEQ received this application on December 7, 2016. The facility is located at 14407 West Lee Shore Drive, in Montgomery County, Texas 77318. The treated effluent is discharged directly to Lake Conroe in Segment No. 1012 of the San Jacinto River Basin. The designated uses for Segment No. 1012 are high aquatic life use, public water supply and primary contact recreation. All determinations are preliminary and subject to additional review and/or revisions. This link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice. For the exact location, refer to the application. http://www.tceq.texas.gov/assets/public/hb610/index.html?i=30_45001&lng=-95.56528&zoom=13&type=

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision on this permit. If issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Montgomery County Memorial Library, Central Branch, 104 Interstate Highway 45 North, Conroe, Texas.

PUBLIC COMMENT/PUBLIC MEETING. You may submit public comments or request a public meeting about this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ holds a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

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TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name, address, phone number; applicant's name and proposed permit number; the location and distance of your property/activities relative to the proposed facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period; and the statement "(I/we) request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests of the group seek to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn. If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law relating to relevant and material water quality concerns submitted during the comment period. TCEQ may act on an application to renew a permit for discharge of wastewater without providing an opportunity for a contested case hearing if certain criteria are met.

EXECUTIVE DIRECTOR ACTION. The Executive Director may issue final approval of the application unless a timely contested case hearing request or request for reconsideration is filed. If a timely hearing, request or request for reconsideration is filed, the Executive Director will not issue final approval of the permit and will forward the application and request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

MAILING LIST. If you submit public comments, a request for a contested case hearing or reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county; or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

All written public comments and public meeting requests must be submitted to the Office of the Chief Clerk, MC 105, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, TX 78711-3087 or electronically at www.tceq.texas.gov/about/comments.html within 30 days from the date of newspaper publication of this notice.

INFORMATION AVAILABLE ONLINE. For details about the status of the application, visit the Commissioners' Integrated Database at www.tceq.texas.gov/goto/cid. Search the database using the permit number for this application, which is provided at the top of this notice.

AGENCY CONTACTS AND INFORMATION. Public comments and requests must be submitted either electronically at www.tceq.texas.gov/about/comments.html or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Any personal information you submit to the TCEQ will become part of the agency's record; this includes email addresses. For more information about this permit application or the permitting process, please call 1-800-687-4040 or visit their website at www.tceq.texas.gov/goto/pep. Si desea informacion en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from Aqua Texas, Inc. at the address stated above or by calling Mr. Abel Babin at (281) 651-0174. Issuance Date: May 25, 2017

NOTICE TO BIDDERS

The Texas Department of Criminal Justice (TDCJ) invites bids to **"Replace Concrete Drive-Back Gate"** at the Terrell Unit located in Rosharon, Texas. A Pre-Bid Conference will be held at 2:00 P.M. on **Tuesday, June 20, 2017** at the project site.

Bid Documents can be purchased at a cost of \$60.00 (Sixty Dollars, non-refundable) per set, inclusive of mailing/delivery costs, or they may be viewed at various plan rooms. Payment checks for documents should be made payable to the TDCJ.

Texas Department of Criminal Justice
Attn: Teresa Rhodes
Two Financial Plaza, Suite 525
Huntsville, Texas 77340
Ph. (936) 437-7055
Email: teresa.rhodes@tdcj.texas.gov

Sealed request for proposals addressed to Spring Branch Independent School District, ATTN: Director of Purchasing will be received in the SBISD Purchasing Office at 1031 Witte Rd, BLDG T-1A, Houston, TX 77055-6016 until:

JULY 13, 2017 @ 1:30 PM FOR: ANNUAL CONTRACT FOR ATHLETIC FIELD MAINTENANCE & SERVICES (11691)

Sealed request for proposals will be publicly opened and read at 1031 Witte Road, Building T-1A, Houston, TX 77055, immediately following the deadline for the receiving of the proposals.

For information contact the SBISD Purchasing Department at (713) 251-1107

Proposers may download documents from SBISD website on or after 6/12/2017 at: <http://cms.springbranchisd.com/skin2/purchasing/tabid/16019/default.aspx>

COMPETITIVE SEALED PROPOSALS WILL BE RECEIVED BY PROCUREMENT SERVICES, PORT OF HOUSTON AUTHORITY EXECUTIVE OFFICE BUILDING, ATTN: BID/PROPOSAL RECEIPT DEPARTMENT, 111 EAST LOOP NORTH, HOUSTON, TEXAS 77029 UNTIL 11:00 A.M., ON JULY 5, 2017 FOR THE FOLLOWING:

MAINTENANCE AND REPAIR SERVICES FOR ELEVATORS AT BARBOURS CUL TERMINAL, BAYPORT CONTAINER TERMINAL AND EXECUTIVE BUILDING

A PRE-BID MEETING WILL BE HELD AT THE PORT OF HOUSTON AUTHORITY BAYPORT ADMINISTRATION BUILDING, 12621 SHADY PASADE, TEXAS 77586 ON JUNE 22, 2017 10:00 AM SO THAT THE PROSPECTIVE PROPOSERS MAY ASK QUESTIONS CONCERNING THIS PROJECT.

SPECIFICATIONS MAY BE OBTAINED FROM PORT HOUSTON'S ePROCUREMENT WEBSITE <https://buyspep.poha.com/bso/>.

PROPOSALS WILL BE OPENED AT 11:30 A.M. OF THE DAY DUE IN THE PROCUREMENT SERVICES OF THE EXECUTIVE OFFICE BUILDING, 111 EAST LOOP NORTH, HOUSTON, TEXAS. THE PORT AUTHORITY RESERVES THE RIGHT TO REJECT ANY OR ALL PROPOSALS OR RESPONSES.

NOTICE TO BIDDERS

The Texas Department of Criminal Justice (TDCJ) is inviting bids to Replace Roof-Security Ops Building at the Huntsville Unit located at 815 12th Street, Huntsville, Texas. A **Pre-bid Conference** will be held at 10:00 a.m. on **Tuesday, June 27, 2017** at the Huntsville Unit, followed by a **Site Visit**.

Bid Documents can be purchased from the Contract Administrator at a cost of \$60.00 (Sixty Dollars), non-refundable per set, inclusive of mailing/delivery costs, or they may be viewed at various plan rooms. Payment checks for documents should be made payable to TDCJ and sent to:

Texas Department of Criminal Justice
Attn: Lynne Pippio, CTP
M. CTCM
Contracts & Procurement
Two Financial Plaza, Suite 525
Huntsville, Texas 77340
Phone: (936) 437-7114
Email: lynnepippio@tdcj.texas.gov

LEGAL NOTICES

Sealed Bid Solicitation #SC01-18 Houston-Galveston Area Council Cooperative Purchasing Program Sewer Cleaning, Hydro-Excavating, Inspection Equipment and Miscellaneous Services

Pre-Bid Conference: 07/11/17 @ 9am
Response Deadline: 09/05/17 @ 1pm
Public Opening: 09/05/17 @ 2pm
3555 Timmons Lane, Houston, TX.
Per ADA, reasonable accommodation provided with 24 hour priority notice. 832-681-2554 or www.hgacbuy.org for info

To place bids or proposal notices email legals@chron.com

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Legal Notices

To place legal notices
email legals@chron.com or call 713.224.6868.

BIDS & PROPOSALS

ADVERTISEMENT FOR BIDS CONSTRUCTION MANAGER-AT-RISK Klein Forest HS CTE & Fieldhouse - ADDITION & RENOVATION KLEIN INDEPENDENT SCHOOL DISTRICT (HISD)

Satterfield & Pontikes Construction, Inc. as Construction Manager-at-Risk for KISD, in accordance with Texas Government Code 2269, will receive bids or proposals from all qualified subcontractors for the **Klein Forest CTE & Fieldhouse Addition - PLUMBING** Package only.

There will be no Pre-Proposal Conference but you are encouraged to talk directly with Charles Reagan and/or Eric Blakenship with S&P.

Bids or proposals are due **July 11, 2017 at 2pm**, and bids or proposals should be emailed to Houstonbids@satpon.com, faxed to 713-690-2299, or mailed/delivered to the **Satterfield & Pontikes Construction, Inc., 11000 Equity Drive, Suite 100, Houston Texas 77041**. Late bids will not be accepted.

There will be no public opening of bids or proposals. All bids or proposals shall be available after award of contract, or the 7th day after final selection of bids or proposals, whichever is later. After receipt of bids or proposals, Satterfield & Pontikes Construction, Inc. will conduct its evaluation of the subcontractor bids or proposals in relation to the project requirements and will select the bid(s) or proposal(s) that offers the best value to KISD.

KISD, the Owner, reserves the right to waive any informality and/or to reject any, or all bids, or proposals.

Contact Charles D. Reagan at creagan@satpon.com or Eric Blakenship at ebakenship@satpon.com for additional information on this project

Drawings and specifications will be available Monday April 3, 2017 on www.satpon.com and in the **Satterfield & Pontikes Construction, Inc.** office located at **11000 Equity Drive, Suite 100, Houston, Texas 77041**.


Drawings and Specifications may also be reviewed at:

Associated General Contractors, 3825 Dacoma Street, Houston, TX 77092, (713) 843-3700
McGraw Hill Construction/Dodge, www.construction.com
Virtual Builders Exchange, 3910 Kirby, #131, Houston, TX 77098, (832) 613-0201

The Houston Housing Authority ("HHA"), is soliciting proposals with the intent to partner with entities to acquire, rehabilitate, construct, or develop several affordable housing developments, in accordance with the requirements and terms and conditions specified in RFP 17-17 Development Partners.

Interested parties who wish to respond by the established due dates specified in Attachment F of RFP 17-17, must submit the required documents in a sealed envelope to Houston Housing Authority Attn: LaTasha Cotten Subject: RFP 17-17 Development Partners DO NOT OPEN 2640 Fountain View Drive Suite 100 Houston, Texas 77057.

RFP 17-17 can be obtained by going to the doing business with HHA section of HHA's website at www.housingforhouston.com, or by sending an e-mail to HHA's Procurement Dept. at Furchasing@housingforhouston.com with RFP 17-17 in the subject line.

 A Fair and Equal Employment Opportunity Agency. For assistance: Individuals with disabilities may contact the 504/ADA Administrator at 713-260-0528, TTY 713-260-0574 or 504ADA@housingforhouston.com.

LEGAL NOTICE

Notice is hereby given that Beta Academy Charter School intends to accept bids from food service management companies. The food service management company must mirror our passion on supplying our scholars with healthy nutritious food. We are looking for a Food Service Management company to manage our Food Nutrition Program that has a reputation for providing quality customer service.

No offer of intent should be construed from this legal notice that Beta Academy Charter School intends to enter into a contract with any party for vendored food service unless, in the sole opinion of the charter school, it is in the charter school's best interest to do so.

All costs involved in submitting alternatives to Beta Academy Charter School's current food service program shall be borne in full by the interested party and should be included in a total price for each meal. A copy of the **Request for Proposal** can be obtained by sending an email to:

Contact Name: Afrion Crawford
Title: Child Nutrition Program Manager
Beta Academy Charter School
acrawford@betaacademy.org

Proposals will be accepted no later than Friday, July 7, 2017 and will be awarded on Tuesday, July 11, 2017. Proposal will also be reviewed by the Chief Business Officer.

Beta Academy Charter School reserves the right to accept any proposal which it deems most favorable to the interest of the district/charter school and to reject any or all proposals or any portion of any proposal submitted which, is not in the best interest of the district/charter school.

Beta Academy Charter School

By: Afrion Crawford

Title: Child Nutrition Manager

Publication Dates: June 21st and June 25th
Houston Chronicle

COMPETITIVE SEALED PROPOSALS WILL BE RECEIVED BY PROCUREMENT SERVICES, PORT OF HOUSTON AUTHORITY EXECUTIVE OFFICE BUILDING, ATTN: BID/PROPOSAL RECEIPT DEPARTMENT, 111 EAST LOOP NORTH, HOUSTON, TEXAS 77029 UNTIL 11:00 A.M., ON JULY 5, 2017 FOR THE FOLLOWING:

MAINTENANCE AND REPAIR SERVICES FOR ELEVATORS AT BARBOURS CUT TERMINAL, BAYPORT CONTAINER TERMINAL AND EXECUTIVE BUILDING

A PRE-BID MEETING WILL BE HELD AT THE PORT OF HOUSTON AUTHORITY BAYPORT ADMINISTRATION BUILDING, 12621 PORT ROAD, PASADENA, TEXAS 77586 ON JUNE 22, 2017, 10:00 AM SO THAT THE PROSPECTIVE PROPOSERS MAY ASK QUESTIONS CONCERNING THIS PROJECT.

SPECIFICATIONS MAY BE OBTAINED FROM PORT HOUSTON'S ePROCUREMENT WEBSITE <https://buyspeed.poha.com/bsa/>.

PROPOSALS WILL BE OPENED AT 11:30 A.M. OF THE DAY DUE IN THE PROCUREMENT SERVICES OF THE EXECUTIVE OFFICE BUILDING, 111 EAST LOOP NORTH, HOUSTON, TEXAS. THE PORT AUTHORITY RESERVES THE RIGHT TO REJECT ANY OR ALL PROPOSALS OR RESPONSES.

REQUEST FOR COMPETITIVE SEALED PROPOSAL

Klein I.S.D. Facility and School Services Department is accepting competitive sealed proposals for the **2017 Southall Field Lighting Replacement at Klein Forest and Klein High School** on Thursday, July 20, 2017 at 2:00 p.m. The approximate budget for this project is \$1 million. Proposals will be received at the Klein I.S.D. Central Office, Room 214, 7200 Spring Cypress Road, Klein, TX 77379. Prequalification requirements and proposal documents may be obtained from Salas-O'Brien Engineers, Inc., 10930 W. Sam Houston Pkwy. N., Suite 900, Houston, TX 77064 (281) 664-1900. The Klein Independent School District reserves the right to postpone, to accept or reject any or all requests for proposals as it deems to be in its best interest and to waive formalities and reasonable irregularities in this proposal.

REQUEST FOR COMPETITIVE SEALED PROPOSALS

KISD ES FRONT ENTRANCE PROJECT

The Klein Independent School District will accept Competitive Sealed Proposals from qualified contractors until 2:00 p.m. on Thursday, June 29, 2017 at the KISD Administration Building, 7200 Spring-Cypress Road, Klein, Texas, 77379, room 216. Scope of work includes addition / renovation of administrative spaces for Northampton and Haude elementary schools. A Pre-Proposal Conference will be held Wednesday, June 21, 2017 at 2:00 p.m. Klein Independent School District Administration Building, 7200 Spring-Cypress Road, Klein, Texas, 77379, room 215. Plans and specifications will be released Wednesday, June 14, 2017, and can be obtained in PDF format from Brown Reynolds Watford Architects (BRW) FTP Site at www.brwarch.com, 281-361-3800. Plans and specifications will also be available at various plan rooms throughout the area. The cost for printing hard copies (as needed), handling and shipping, shall be the responsibility of the Contractors or associated subcontractors.

REQUEST FOR PROPOSAL #303-8-20606 HOUSTON

The Texas Facilities Commission seeks a lease of approx. 7,670 sq. ft. of office space in Houston, TX for the Railroad Commission (RRC). Proposal deadline is July 25, 2017. For details contact Evelyn Esquivel at (512) 463-6494 or go to http://esbd.pca.state.tx.us/bid_show.cfm?bidid=141806.

LEGAL NOTICES

PUBLIC INPUT for the Houston-Galveston Area METROPOLITAN TRANSPORTATION PLANNING PROCESS CERTIFICATION REVIEW - June 27-29, 2017

Federal regulations require the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) conduct a joint planning certification review at least once every four years for large metropolitan areas.

For the Houston-Galveston Area, the metropolitan transportation planning process is conducted by the Transportation Policy Council of the Houston-Galveston Area Council, as the Metropolitan Planning Organization (MPO) for the Houston-Galveston Area. This process is done in cooperation with the region's transportation providers (e.g., Houston METRO, Harris County Toll Authority, etc.) as well as other local governments throughout the region. Products of this process include the Regional Transportation Plan, which identifies regional transportation projects and goals for a 20 year period, and Transportation Improvement Program, which lists upcoming transportation projects for a four year period.

Representatives from the Federal Highway Administration and the Federal Transit Administration will conduct a Public Listening Session on June 28, 2017, from 5:00 pm to 7:00 pm at the Metropolitan Transit Authority of Harris County (METRO), 1900 Main Street, Houston, TX 77002, to receive public comment on the metropolitan transportation planning process via the following three example questions:

- 1) Do you have any comments regarding the H-GAC Transportation Policy Council's performance in carrying out the responsibility of the region's Metropolitan Planning Organization (MPO)?
- 2) Is H-GAC doing an overall good job of providing the public with a reasonable opportunity to provide input and participate as part of the metropolitan transportation planning process? Yes/No
- 3) Are there specific areas you feel H-GAC could improve?

You may mail or phone your comments to one of the Federal contact persons listed below:

FHWA JOSE CAMPOS FEDERAL HIGHWAY ADMINISTRATION TEXAS DIVISION 300 EAST 8TH STREET, RM 826 AUSTIN, TX 78701 (512) 536-5932 jose.campos@dot.gov	FTA MELISSA FOREMAN FEDERAL TRANSIT ADMINISTRATION REGION 6 819 TAYLOR STREET, ROOM 14A02 FORT WORTH, TX 76102 (817) 978-0554 melissa.foreman@dot.gov	FTA PEARLIE TIGGS FEDERAL TRANSIT ADMINISTRATION REGION 6 819 TAYLOR STREET, ROOM 14A02 FORT WORTH, TX 76102 (817) 978-0567 pearlie.tiggs@dot.gov
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Please provide your comments to FHWA or FTA no later than July 28, 2017.

NOTICE TO CREDITORS

LEGAL NOTICES

CAUSE NUMBER: 2016- 75545

IN THE 281ST JUDICIAL DISTRICT COURT OF HARRIS COUNTY, TEXAS

Plaintiff: **HERNANDEZ, PABLO**

vs.

Defendant: **MUNOZ, MANUEL**
ORDER FOR CITATION BY PUBLICATION

THE STATE OF TEXAS
County of Harris

To: **MANUEL MUNOZ**

YOU ARE HEREBY COMMANDED to be and appear before the **281ST Judicial District Court** of Harris County, Texas in the Courthouse in the city of Houston, Texas at or before 10:00 o'clock A.M. Monday, the **26TH day of JUNE, 2017**, being the Monday next after the expiration date of forty-two days after this citation is issued, and you are hereby commanded and required then and there to appear and file written answer to the Plaintiff's Original Petition, filed in said Court on the **31ST day of OCTOBER, 2016**, in suit numbered **2016-75545** docket of said court, wherein, **PABLO HERNANDEZ AND GLORIA HERNANDEZ** are the Plaintiff(s) and **MANUEL MUNOZ** is the Defendant, the nature of plaintiff's demand and the said petition alleging: Quiet Title

ORDER FOR CITATION BY PUBLICATION

On this day, the Court considered Plaintiff's Motion for Citation by Publication on Manuel Munoz, the record title holder of the property, the subject matter of this suit. The Court having considered the Motion for Citation by Publication, and the supporting information finds the Motion should be GRANTED.

It is therefore, ORDERED that Plaintiff shall serve the Defendant, Manuel Munoz, with citation by publication in the manner prescribed by the Texas Rules of Civil Procedure § 114 - §116. Said publication shall state that Plaintiff, Pablo Hernandez and Gloria Hernandez have filed a claim against Defendant, Manuel Munoz in the 281st Judicial District and seek a judgment for title and possession of the real property which is the subject matter of this suit with the following legal description:

"The following described condominium unit, limited common elements appurtenant thereto, together with an undivided interest in the general common Elements located in and being part of Memorial Springs Townhouses, a Condominium project in the City of Houston, Harris County, Texas, as fully described in and as located, delineated and as defined in the condominium declaration for Memorial Springs Townhouses, together with the survey plat, by-laws and exhibits attached thereto, recorded in Volume 35, Page 127, et seq., of the condominium records of Harris County, Texas:

That part of Memorial Springs Townhouses being apartment unit number 2, in Building lettered "M," and the space encompassed by the boundaries:

An undivided 3.8081 percent ownership interest in and to the general common element of the condominium project known as Memorial Springs Townhouses, together with the limited common elements appurtenant thereto.

Notice hereof shall be given by publishing this Citation once a week for four consecutive weeks previous to the day of **JUNE 26th, 2017**, in some newspaper published in the County of Harris, if there be a newspaper published therein, but if not, then the nearest county where a newspaper is published, and this Citation shall be returned on the **19TH day of JUNE, 2017**, which is forty two days after the date it is issued, and the first publication shall be at least twenty-eight days before said return day.

HEREIN FAIL NOT, but have before said court on said return day this Writ with your return thereon, showing how you have executed same.

WITNESS: Chris Daniel, District Clerk, Harris County Texas

GIVEN UNDER MY HAND AND SEAL OF SAID COURT at Houston, Texas this 8th day of MAY, 2017.

Newspaper: **Houston Chronicle**
(SEAL)

CHRIS DANIEL, District Clerk
Harris County, Texas
201 Caroline Street, Houston, Texas 77002
P.O. Box 4651, Houston, Texas 77210

By: /s/ Sarah Anderson
SARAH ANDERSON, Deputy District Clerk

Issued at the request of:
Yolanda Navarro Flores
4801 Irvington Blvd.
Houston, TX 77009
Bar Number: 07169200
Tel. (713) 691-0019

LEGAL NOTICE

Harris County Department of Education (HCDE) will be accepting Request for Qualifications (RFQ) for the following:

• RFQ # 17/048MR Legal Services for Harris County Department of Education

All proposals are due **August 25, 2017 @ 2:00 pm Central Time**. Interested proposers may go to <https://hcedeid.onwave.net/Login.aspx> and register to download the solicitation or call 713-696-2112. It is HCDE policy not to discriminate on the basis of race, color, national origin, gender, limited English proficiency or handicapping condition in its programs.

View legal notices at
chron.com/legals

LEGAL NOTICES

Texas Commission on Environmental Quality NOTICE OF APPLICATION AND PRELIMINARY DECISION FOR TPDES PERMIT FOR MUNICIPAL WASTEWATER RENEWAL PERMIT NO. WQ0014357001

APPLICATION AND PRELIMINARY DECISION. Aqua Texas, Inc., 1106 Clayton Lane, Suite 400W, Austin, Texas 78723, has applied to the Texas Commission on Environmental Quality (TCEQ) for a renewal of Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0014357001 which authorizes the discharge of treated domestic wastewater at a daily average flow not to exceed 300,000 gallons per day. TCEQ received this application on December 7, 2016.

The facility is located at 301 Parkhaven Circle, in Montgomery County, Texas 7731G. The treated effluent is discharged directly to Lake Conroe in Segment No. 1012 of the San Jacinto River Basin. The designated uses for Segment No. 1012 are high aquatic life use, public water supply, and primary contact recreation. All determinations are preliminary and subject to additional review and/or revisions.

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision on this permit. If issued, it meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Montgomery County Central Branch Public Library, 104 Interstate Highway 45 North, Conroe, Texas. This link to an electronic map of the site and facility's general location is provided as a public courtesy and is not part of the application or notice. For the exact location, refer to the application.

<http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=30.358055&lng=-95.602222&zoom=13&type=r>

PUBLIC COMMENT / PUBLIC MEETING. You may submit public comments or request a public meeting about this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ holds a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

OPPORTUNITY FOR A CONTESTED CASE HEARING. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant, public comments. Unless the application is directly referred for a contested case hearing, the response to comments will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting a contested case hearing or reconsideration of the Executive Director's decision. A contested case hearing is a legal proceeding similar to a civil trial in a state district court.

TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name, address, phone number; applicant's name and proposed permit number; the location and distance of your property/activities relative to the proposed facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period; and the statement "I/we request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility 01 activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn. If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law relating to relevant and material water quality concerns submitted during the comment period. TCEQ may act on an application to renew a permit for discharge of wastewater without providing an opportunity for a contested case hearing if certain criteria are met.

EXECUTIVE DIRECTOR ACTION. The Executive Director may issue final approval of the application unless a timely contested case hearing request or request for reconsideration is filed. If a timely hearing request or request for reconsideration is filed, the Executive Director will not issue final approval of the permit and will forward the application and request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

MAILING LIST. If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

All written public comments and public meeting requests must be submitted to the Office of the Chief Clerk, MC 105, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, TX 78711-3087 or electronically at www.tceq.texas.gov/about/comments.html within 30 days from the date of newspaper publication of this notice.

INFORMATION AVAILABLE ONLINE. For details about the status of the application, visit the Commissioners' Integrated Database at www.tceq.texas.gov/otofcid. Search the database using the permit number for this application, which is provided at the top of this notice.

AGENCY CONTACTS AND INFORMATION. Public comments and requests must be submitted either electronically at www.tceq.texas.gov/about/comments.html, or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Any personal information you submit to the TCEQ will become part of the agency's record; this includes email addresses. For more information about this permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at 1-800-687-4040 or visit their website at www.tceq.texas.gov/otofcid. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from Aqua Texas, Inc. at the address stated above or by calling Mr. Abel Bautista at (281) 651-0174. Issuance Date: June 8, 2017

HOUSTON CHRONICLE

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HoustonChronicle.com/YourNews

To place a
legal notice
e-mail
legals@
chron.com



CONTRACT PRICING WORKSHEET For Standard Equipment Purchases		Contract No.: SCO1-18	Date Prepared: 10/2/2019
This Worksheet is prepared by Contractor and given to End User. If a PO is issued, both documents MUST be faxed to H-GAC @ 713-993-4548. Therefore please type or print legibly.			
Buying Agency: McMinnville, OR	Contractor: Elxsi dba CUES		
Contact Person:	Prepared By: Robin Guthrie		
Phone:	Phone: 800-327-7791 ext 224		
Fax:	Fax:		
Email:	Email:		
Product Code: G017	Description: HI-CUBE VAN TV INSPECTION VEHICLE		
A. Product Item Base Unit Price Per Contractor's H-GAC Contract:			\$154,800.00
B. Published Options - Itemize below - Attach additional sheet if necessary - Include Option Code in description if applicable (Note: Published Options are options which were submitted and priced in Contractor's bid.)			
Description	Cost	Description	Cost
MZ300 OZIII in lieu of Niote Lite	\$3,852.00	MD604/MD603 - wired and wireless controllers	\$630.00
CZ308 built in sonde	\$2,408.00	WM350 Compact Steerable Transporter	\$24,075.00
551010 Motorized Crane	\$5,361.00	WM308-2 8" steel wheels	\$2,112.00
WB100/WD20 washdown system/workbench in equipment room	\$3,806.00	TR1113 - LED arrow Stick	\$1,395.00
MD380-1 Summit System upgrade	\$6,313.00	TR795 Hideaway Strobes	\$1,334.00
MD320 Auto payout feature	\$3,772.00	WM330 Electric lift for Compact Steerable Transporter	\$6,629.00
TR1262 Transporter Drawer/Kickplate drawers	\$2,663.00	WM325 Rear view camera for Transporter	\$3,745.00
SEE- Safe Entry/Exit bumper	\$2,500.00	GNETPREM GraniteNet Premium software package	\$21,564.00
TR1225B Rear Monitor in wall	\$1,574.00		
VUE - Tru Vue System	\$4,995.00	Subtotal From Additional Sheet(s):	
TR1249 back up camera for chassis	\$1,110.00	Subtotal B:	99838
C. Unpublished Options - Itemize below - Attach additional sheet if necessary (Note: Unpublished options are items which were not submitted and priced in Contractor's bid.)			
Description	Cost	Description	Cost
Electric Awning	\$1,995.00		
Restroom	\$4,500.00		
MP+ System	\$9,261.00		
Install customer supplied power cord	\$495.00		
		Subtotal C:	16251
Check: Total cost of Unpublished Options (C) cannot exceed 25% of the total of the Base Unit Price plus Published Options (A+B).		For this transaction the percentage is:	6%
D. Total Cost before any other applicable Charges, Trade-Ins, Allowances, Discounts, Etc. (A+B+C)			
Quantity Ordered: 1	X	Subtotal of A + B + C: 270889	=
		Subtotal D:	270889
E. Trade-Ins / Special Discounts / Other Allowances / Freight / Installation / Miscellaneous Charges			
Description	Cost	Description	Cost
Delivery	3546		
Less Return Customer Discount	-58066		
		Subtotal E:	-54520
Delivery Date: 90-120 days	F. Total Purchase Price (D+E):		216369

(Includes \$7,000 trade in of Existing Van if desired by City)



CUES

October 30, 2019

Joe Rinkes
City of McMinnville
3500 NW Clearwater Drive
McMinnville, OR 97128

RE: 2019 Cues van purchase

Dear Joe,

Here is the pricing information you requested for purchasing a new Cues CCTV inspection van next year. All of your existing equipment will still work on the new van. See attached component list for greater detail.

Cues CCTV van

- Ford E450 with 16' box – gas
- Strobes in grill and below rear brake lights
- SEE bumper system with folding steps
- Light weight package to include PVC subfloor and backless cabinets and omit bulkhead shelves (add tie down points.)
- Traffic director – rear
- Power boom crane
- Electric awning in rear
- Pull out drawer beneath reel
- Transporter storage drawer with wash-down grate – locking
- 2 drawer aluminum pull out tool storage in bumper
- Evo 3 interior package with LED lighting
- Custom cabinet work per layout drawings
- Slotted wall on passenger side – EQ room – omit overhead cupboard
- Workbench on top of reel
- Full height walkthrough into cab
- Roof mount AC
- Side door with folding steps
- Electric heater in control room
- Bathroom in equipment room with LED lighting on 12 volt timer
- Closet in control room
- Bench seat in control room
- Chassis back up camera
- 32" rear monitor mounted in bulkhead wall
- 7kw gas generator – Onan commercial
- Compact Pipe Ranger (CPR)
- OZ3 camera with sonde
- 6", 8", 10-15" and large pneumatic rubber tire kits
- 8" steel spiked wheels for low traction situations
- Rear view camera for CPR
- Electric camera lift on CPR
- Summit wireless electronics
- Wireless and wired controllers
- Gnet premium software

- Gnet hardware
- CAT 5 connection on outside of van – driver’s side
- 1 year Gnet support
- Top and downhole equipment
- Tru Vue remote monitor with tripod
- Install and wire in customer supplied power cord reel
- Delivery
- Training

Total \$283,089

Grand Total with HGAC \$214,108

Optional:

MP+ 200’, self-leveling camera with sonde, wireless interface to van \$9,261

Total with Options = \$223,369

Trade in of 1998 van w/out camera and transporter (\$7,000) if desired.

Terms:

FOB: Destination

Terms: Net 30 (municipality)

Delivery: 90 – 120 days ARO

Cues equipment comes with 1-year warranty. Cues loaners are free for the lifetime of your equipment. Equipment from Ford, or Onan comes with their manufacturer’s standard warranty (3 years, 36,000 for example n Ford.)

Let me know if you have any questions,

Sincerely,

Gillian Wilson
Cues NW Territory Manager



CUES STANDARD WARRANTY

CUES ("CUES") warrants that all parts, components, and equipment manufactured by CUES shall be free from defects in material and workmanship under normal use and service for which it was intended for a period of twelve (12) months from the date of shipment of materials by CUES to the purchaser. CUES' obligation under this warranty is limited, at CUES' option, to replacing or repairing, free of charge, any defective materials returned, freight prepaid, to the CUES designated service facility. For all warranty claims, the materials must be returned in accordance with CUES Material Return Policy.

Major items of equipment, such as vehicles, generators, etc., furnished, but not manufactured by CUES, will be covered only under the warranty of the third party manufacturer of such equipment. Expendable parts, such as light bulbs, fuses, connectors, etc., are excluded from this warranty.

Purchaser must notify CUES of a breach of warranty not later than the last day of the warranty period; otherwise, such claims shall be deemed waived.

CUES does not warrant the materials to meet the requirements of the safety codes of any federal, state, municipal or other governmental or administrative jurisdiction. Purchaser assumes all risk and liability whatsoever resulting from the use of its products, whether used singly or in combination with other products, machines or equipment.

This Warranty shall not apply to any materials, or parts thereof, which have; (a) been repaired or altered by anyone other than CUES without CUES' written consent; (b) been subject to misuse, abuse, negligence, accident, or damage; (c) not been installed or operated in accordance with CUES' printed instructions, or; (d) been operated under conditions exceeding or more severe than those set forth in the specifications of design tolerance of the equipment.

THIS WARRANTY AND THE OBLIGATION AND LIABILITIES OF CUES HEREUNDER ARE EXCLUSIVE AND IN LIEU OF (AND PURCHASER HEREBY WAIVES) ALL OTHER WARRANTIES, GUARANTEES, REPRESENTATIONS, OBLIGATIONS, OR LIABILITIES, EXPRESSED OR IMPLIED, ARISING BY LAW OR OTHERWISE, INCLUDING ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, REGARDLESS WHETHER OR NOT OCCASIONED BY CUES' NEGLIGENCE.

CUES SHALL NOT BE LIABLE FOR ANY LOSS OR DAMAGE RESULTING, DIRECTLY OR INDIRECTLY, FROM THE USE OR LOSS OF USE OF THE MATERIALS, OR FOR SPECIAL, INDIRECT, OR CONSEQUENTIAL DAMAGES, ECONOMIC LOSSES, LOSS OF PROFITS, LOSS OF BUSINESS, OR LOSS OF BUSINESS OPPORTUNITY. Without limiting the generality of the foregoing, this exclusion from liability embraces Purchaser's expenses for downtime or for making up downtime, damages to property, and injury to or death of any persons.

CUES neither assumes nor authorizes any person (including employees, agents, or representatives of CUES) to assume for it any other liability, guarantee, or warranty in connection with the sale or use of the materials, and no oral agreements, warranties, or understandings exist collateral to or affecting this warranty.

This warranty shall not be extended, altered, modified, or waived except by a written instrument signed by CUES.

AFFIDAVIT OF PUBLICATION

DJC



921 S.W. Washington St. Suite 210 / Portland, OR 97205-2810
(503) 226-1311

STATE OF OREGON, COUNTY OF MULTNOMAH--ss.

I, **Michelle Ropp**, being first duly sworn, depose and say that I am a **Principal Clerk** of the **Daily Journal of Commerce**, a newspaper of general circulation in the counties of CLACKAMAS, MULTNOMAH, and WASHINGTON as defined by ORS 193.010 and 193.020; published at Portland in the aforesaid County and State; that I know from my personal knowledge that the Goods and Services notice described as

Case Number: NOT PROVIDED

Closed-Circuit Television (CCTV) Van and related equipment

City of McMinnville; Bid Location McMinnville, OR, Yamhill County;

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for 1 time(s) in the following issues:

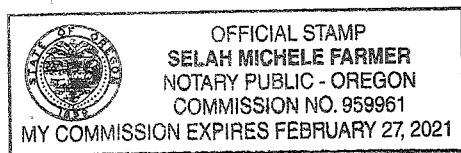
11/20/2019

State of Oregon
County of Multnomah

SIGNED OR ATTESTED BEFORE ME
ON THE 20th DAY OF November, 2019

Michelle Ropp

Notary Public-State of Oregon



Larry Sherwood
City Of McMinnville
231 NE 5th St
McMinnville, OR 97128-4998

**CITY OF MCMINNVILLE
PUBLIC NOTICE OF COOPERATIVE
PROCUREMENT
NOTICE OF INTENT**

Notice is hereby given that the City of McMinnville intends to enter into a contract to purchase a Closed-Circuit Television (CCTV) Van and related equipment through an interstate cooperative procurement established by the Houston-Galveston Area Council (H-GAC) with CUES, Inc., Orlando, Florida, in accordance with ORS 279A.220. The aggregate purchase is not to exceed \$223,369.

The 1998 Ford CCTV inspection van used by the Collection System Maintenance team is past its useful life expectancy and is due for replacement. The CCTV inspection van is used on a daily basis and is a critical piece of equipment that prevents backups in sanitary sewer lines and storm drains by performing routine condition assessment inspections.

Staff conducted an evaluation of sewer inspection van manufacturers to identify which vendor could provide the best value, the most responsive and timely service, the most rugged and reliable equipment, the closest repair facility, the best loaner program, and continuity in the use of the City's current software. It was determined that a contract awarded to CUES through HGAC issued Sealed Bid Solicitation No. SC01-18 best met these specifications. The City is a member of H-GAC's cooperative purchasing program.

The purpose of this notice is to provide information to the public and to invite interested persons an opportunity to submit written comments. Any person may submit comments specific to this notice within seven days of the date of this public notice. Written comments shall provide a detailed statement of the legal and factual grounds to support such comments. The comments shall demonstrate how the procurement process is contrary to law, and the relief requested. Comments received shall be handled pursuant to OAR 137-046-0470; ORS 279A.225, and ORS 279B.400 through 279B.425.

Written comments must be delivered to Larry Sherwood, Engineering Services Manager, 231 NE 5th Street, McMinnville, OR 97128, no later than 1:00 p.m. Wednesday, November 27,