

# Notice of Public Meeting

## City Council Meeting

### AGENDA

#### CITY COUNCIL - CITY OF FALLS CITY, OREGON

Meeting Location: 320 N Main Street, Falls City, Oregon 97344

Thursday December 8, 2016 7:00 p.m.

Posted on December 2, 2016

- 1) **Call to Order**  
A) Roll Call: Julee Bishop \_\_\_\_ Dennis Sickles \_\_\_\_ Lori Jean Sickles \_\_\_\_ Jennifer Drill \_\_\_\_  
Tony Meier \_\_\_\_ Gerald Melin \_\_\_\_ Terry Ungricht, Mayor \_\_\_\_
- 2) **Pledge of Allegiance**
- 3) **Motion to Adopt the Entire Agenda**
- 4) **Consent Agenda: Motion Action Approving Consent Agenda Items**  
A. Approval of the Bills .....pages 1-5  
B. Approval of November 10, 2016 Council Meeting Minutes .....pages 6-28  
C. Leak adjustment, 58 N Main.....pages 29-30
- 5) **Public Comments:** Citizens may address the Council or introduce items for Council consideration on any matters. Council may not be able to provide an immediate answer or response, but may direct staff to follow up on any questions raised. Out of respect to the Council and others in attendance, please limit your comment to five (5) minutes. Please state your name and city of residence for the record.
- 6) **New Business:**  
A. Clean Water Act and TMDL reporting..... Pages 31-44  
B. Resolution 23-2016 Tree City USA..... pages 45-47  
C. Resolution 24-2016, Arbor Day..... pages 48-50  
D. Michael Harding Park expansion, land use application..... pages 51  
E. Official Election Results..... pages 52-53  
F. Resolution 22-2016, Fire Assistance Grant..... pages 54-80  
G. 200 Church Street Water Service Rate Structure..... pages 81-100
- 7) **Correspondence, Comments, and Ex-Officio Reports**  
A. Mayor Report.....pages 101-102  
B. Council Reports  
    Polk County Sheriff Garton's report.....page N/A  
    Fire Department Monthly Report, January through May.....pages N/A  
    Public Works Department Monthly Report .....pages 103  
    Library Monthly Report .....pages 104
- 8) **Council Announcements**  
A. Next regular Council Meeting, January 12, 2016, 7:00 pm.
- 9) **Adjourn**

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City of Falls City  
**Paid Bills Report**  
As of November 5, 2016

	Date	Memo	Account	Class	Amount
<b>CenturyLink Business Services</b>					
	11/05/2016	October 1390935452	Accounts Payable	01 GENERAL FUND:01.01 Administrati	-2.65
	11/05/2016	October 1390935452-85%	Telephone	20 WATER OPERATING FUND	2.25
	11/05/2016	October 1390935452-15%	Telephone	20 WATER OPERATING FUND	0.40
					0.00
<b>Total CenturyLink Business Services</b>					0.00
<b>CIS Trust</b>					
	11/05/2016	final payment for 2016/17 worker comp	Accounts Payable	01 GENERAL FUND:01.01 Administrati	-456.05
	11/05/2016	Final after audit, credited 5,704.10	Worker's Comp Insurance	01 GENERAL FUND:01.03 Parks	18.24
	11/05/2016	final payment for 2016/17 worker comp	Worker's Comp Insurance	01 GENERAL FUND:01.07 Fire Departm-	13.68
	11/05/2016	final payment for 2016/17 worker comp	Worker's Comp Insurance	01 GENERAL FUND:01.04 Municipal Co	282.75
	11/05/2016	final payment for 2016/17 worker comp	Worker's Comp Insurance	11 STREET FUND	4.56
	11/05/2016	final payment for 2016/17 worker comp	Worker's Comp Insurance	13 SEWER FUND	50.16
	11/05/2016	final payment for 2016/17 worker comp	Worker's Comp Insurance	20 WATER OPERATING FUND	31.92
	11/05/2016	final payment for 2016/17 worker comp	Worker's Comp Insurance	20 WATER OPERATING FUND	54.74
					0.00
<b>Total CIS Trust</b>					0.00
<b>Dallas Auto Parts</b>					
	11/05/2016	Statement 10.31	Accounts Payable	20 WATER OPERATING FUND	-176.64
	11/05/2016	Statement 10.31	Vehicle Maintenance/Repair	11 STREET FUND	112.62
	11/05/2016	Statement 10.31	Vehicle Maintenance/Repair	11 STREET FUND	64.02
					0.00
<b>Total Dallas Auto Parts</b>					0.00
<b>Edge Analytical</b>					
	11/05/2016	16-26359	Accounts Payable	13 SEWER FUND	-120.00
	11/05/2016	16-26359	Lab Analysis Services	13 SEWER FUND	120.00
					0.00
<b>Total Edge Analytical</b>					0.00
<b>Falls City Fire Association</b>					
	11/05/2016	November	Accounts Payable	01 GENERAL FUND:01.07 Fire Departm-	-916.66
	11/05/2016	November	Professional Services	01 GENERAL FUND:01.07 Fire Departm-	916.66
					0.00
<b>Total Falls City Fire Association</b>					0.00
<b>Furrow Pump</b>					
	11/05/2016	Inv 0038981-IN	Accounts Payable	20 WATER OPERATING FUND	-537.83
	11/05/2016	Inv 0031758- in rebuild Chlorine Pump	Maintenance Supplies	20 WATER OPERATING FUND	537.83
					0.00
<b>Total Furrow Pump</b>					0.00
<b>National Hose Testing Specialties, Inc</b>					
	11/05/2016	Inv # 45954	Accounts Payable	01 GENERAL FUND:01.07 Fire Departm-	-870.00
	11/05/2016	Inv # 45954	Equipment Maintenance/Repair	01 GENERAL FUND:01.07 Fire Departm-	870.00
					0.00
<b>Total National Hose Testing Specialties, Inc</b>					0.00
<b>Net Assets Corporation</b>					
	11/05/2016	66-201610	Accounts Payable	13 SEWER FUND	-21.00
	11/05/2016	50% Lien service -66-201610	Professional Services	13 SEWER FUND	10.50
	11/05/2016	50% Lien service -66-201610	Professional Services	20 WATER OPERATING FUND	10.50
					0.00
<b>Total Net Assets Corporation</b>					0.00
<b>Terry Ungricht</b>					
	11/05/2016	October Expenses	Accounts Payable	01 GENERAL FUND:01.01 Administrati	-189.00
	11/05/2016	October Expenses	Travel/Meeting Expense	01 GENERAL FUND:01.01 Administrati	189.00
					0.00
<b>Total Terry Ungricht</b>					0.00
<b>Van Well Building Supply</b>					
	11/05/2016	Inv. 11432471, 11482251	Accounts Payable	11 STREET FUND	-92.02
	11/05/2016	11432471,	Maintenance Supplies	20 WATER OPERATING FUND	65.55
	11/05/2016	11482251	Maintenance Supplies	20 WATER OPERATING FUND	26.47
					0.00
<b>Total Van Well Building Supply</b>					0.00
<b>Verizon Wireless</b>					
	11/05/2016	9774230362	Accounts Payable	01 GENERAL FUND:01.01 Administrati	-37.94
	11/05/2016	November	Telephone	20 WATER OPERATING FUND	18.97
	11/05/2016	November	Telephone	20 WATER OPERATING FUND	18.97
					0.00
<b>Total Verizon Wireless</b>					0.00

**City of Falls City  
Paid Bills Report  
As of November 5, 2016**

	Date	Memo	Account	Class	Amount
<b>Buhler &amp; Meyer CPAs LLP</b>					
	11/15/2016	October	Accounts Payable		-685.60
	11/15/2016	35% Adm'n, October	Professional Services	01 GENERAL FUND:01.01 Administrativ	239.96
	11/15/2016	5% Court	Professional Services	01 GENERAL FUND:01.04 Municipal Co	34.28
	11/15/2016	10% Street	Professional Services	11 STREET FUND	68.56
	11/15/2016	15% Sewer	Professional Services	13 SEWER FUND	102.84
	11/15/2016	35% Water	Professional Services	20 WATER OPERATING FUND	239.96
<b>Total Buhler &amp; Meyer CPAs LLP</b>					0.00
<b>CenturyLink</b>					
	11/15/2016	multiple phone bills November	Accounts Payable		-426.89
	11/15/2016	November	Telephone	01 GENERAL FUND:01.01 Administrativ	183.84
	11/15/2016	multiple phone bills November	Telephone	20 WATER OPERATING FUND	69.99
	11/15/2016	multiple phone bills November	Telephone	01 GENERAL FUND:01.07 Fire Departm	173.06
<b>Total CenturyLink</b>					0.00
<b>Complete Wireless Solutions</b>					
	11/15/2016	S89638	Accounts Payable		-975.00
	11/15/2016	Fire Pagers, S89638	Equipment O&M	01 GENERAL FUND:01.07 Fire Departm	975.00
<b>Total Complete Wireless Solutions</b>					0.00
<b>Consumers Power Inc</b>					
	11/15/2016	Account # 1155301	Accounts Payable		-212.77
	11/15/2016	November Power	Power/Heat	20 WATER OPERATING FUND	212.77
<b>Total Consumers Power Inc</b>					0.00
<b>Delsman Trucking &amp; Excavation</b>					
	11/15/2016	658346	Accounts Payable		-626.44
	11/15/2016	658346	System Maintenance/Repair	11 STREET FUND	626.44
<b>Total Delsman Trucking &amp; Excavation</b>					0.00
<b>Edge Analytical</b>					
	11/15/2016	16-27566	Accounts Payable		-20.00
	11/15/2016	16-27566	Lab Analysis Services	20 WATER OPERATING FUND	20.00
<b>Total Edge Analytical</b>					0.00
<b>Frink's General Store</b>					
	11/15/2016	invoice 0015	Accounts Payable		-49.22
	11/15/2016	0015	Maintenance Supplies	01 GENERAL FUND:01.07 Fire Departm	31.39
	11/15/2016	0015	Maintenance Supplies	20 WATER OPERATING FUND	17.83
<b>Total Frink's General Store</b>					0.00
<b>Government Ethics Commission</b>					
	11/15/2016	dues, invoice #A1E04172	Accounts Payable		-316.88
	11/15/2016	dues, invoice #A1E04172	Education/Training/Dues	01 GENERAL FUND:01.01 Administrativ	316.88
<b>Total Government Ethics Commission</b>					0.00
<b>Guardian Fire Protection</b>					
	11/15/2016	Inv# 133104, 133104, 133105	Accounts Payable		-206.75
	11/15/2016	Inv # 133104	Equipment Maintenance/Repair	01 GENERAL FUND:01.01 Administrativ	33.75
	11/15/2016	Inv # 133105	Equipment Maintenance/Repair	20 WATER OPERATING FUND	83.75
	11/15/2016	Inv # 133103	Equipment Maintenance/Repair	01 GENERAL FUND:01.07 Fire Departm	89.25
<b>Total Guardian Fire Protection</b>					0.00
<b>HBH Consulting Engineering</b>					
	11/15/2016	November	Accounts Payable		#####
	11/15/2016	November	Professional Services	20 WATER OPERATING FUND	5,842.00
<b>Total HBH Consulting Engineering</b>					0.00
<b>Home Comfort, Inc</b>					
	11/15/2016	Inv # 14942	Accounts Payable		-517.50
	11/15/2016	Heater maintenance	City Hall Maint/Repairs	01 GENERAL FUND:01.01 Administrativ	517.50
<b>Total Home Comfort, Inc</b>					0.00
<b>JMS Engineering</b>					
	11/15/2016	217	Accounts Payable		-865.00

**City of Falls City  
Paid Bills Report  
As of November 5, 2016**

	<u>Date</u>	<u>Memo</u>	<u>Account</u>	<u>Class</u>	<u>Amount</u>
Total JMS Engineering John W. Gilbert	11/15/2016	Engineering for South Main St project	Street Projects	11 STREET FUND	865.00
					0.00
Total John W. Gilbert L & L Equipment	11/15/2016	Statement 007	Accounts Payable	01 GENERAL FUND:01.01 Administrativ	-250.00
	11/15/2016	Statement # 007 Community Center Painl Community Center Mantn/Repairs			250.00
					0.00
Total L & L Equipment Mid Willamette Valley COG	11/15/2016	10.31.2016	Accounts Payable	01 GENERAL FUND:01.07 Fire Departm-	-7.61
	11/15/2016	10.31.2016	Equipment Maintenance/Repair		7.61
					0.00
Total Mid Willamette Valley COG Oregon Department of Forestry	11/15/2016	1617140	Accounts Payable	01 GENERAL FUND:01.01 Administrativ	-671.50
	11/15/2016	inv 1617140. land use	Council of Governments Planning		671.50
					0.00
Total Oregon Department of Forestry Pacific Power	11/15/2016	17144	Accounts Payable	01 GENERAL FUND:01.01 Administrativ	-177.75
	11/15/2016	fire protection for land, inv 17144	Miscellaneous Expenses		177.75
					0.00
Total Petro Card Speer Hoyt LLC	11/15/2016	multiple accounts, 21091561-006 2	Accounts Payable	01 GENERAL FUND:01.07 Fire Departm-	#####
	11/15/2016	November	Power/Heat		587.61
	11/15/2016	multiple accounts, 21091561-006 2	Power/Heat	01 GENERAL FUND:01.01 Administrativ	116.93
	11/15/2016	November	Power/Heat	01 GENERAL FUND:01.03 Parks	39.35
	11/15/2016	multiple accounts, 21091561-006 2	Power/Heat	13 SEWER FUND	342.34
	11/15/2016	multiple accounts, 21091561-006 2	Street Lights	11 STREET FUND	626.60
	11/15/2016	multiple accounts, 21091561-006 2	Power/Heat	20 WATER OPERATING FUND	62.62
					0.00
Total Pacific Power Petro Card	11/15/2016	C119726	Accounts Payable	11 STREET FUND	-128.78
	11/15/2016	20% C119726	Vehicle Operation	13 SEWER FUND	25.75
	11/15/2016	20%	Vehicle Operation	20 WATER OPERATING FUND	25.75
	11/15/2016	60%	Vehicle Operation		77.28
					0.00
Total Petro Card Speer Hoyt LLC	11/15/2016	37750	Accounts Payable	01 GENERAL FUND:01.01 Administrativ	#####
	11/15/2016	INV: 37750	Attorney/Special Council		2,261.00
					0.00
Total Speer Hoyt LLC US Bank Visa	11/15/2016	Account Number: 4798 5312 1498 1146	Accounts Payable	01 GENERAL FUND:01.01 Administrativ	-922.20
	11/15/2016	Office supplies	Office Supplies		294.43
	11/15/2016	supplies	Maintenance Supplies	01 GENERAL FUND:01.03 Parks	72.62
	11/15/2016	rebuild pump, misc	Maintenance Supplies	20 WATER OPERATING FUND	544.70
	11/15/2016	misc	Maintenance Supplies	13 SEWER FUND	10.65
					0.00
Total US Bank Visa Valley Electric Company, LLC	11/15/2016	November statement	Accounts Payable	13 SEWER FUND	-251.39
	11/15/2016	November, tank pump re-write	Equipment Maintenance/Repair		251.39
					0.00
Total Valley Electric Company, LLC Xerox Corporation	11/15/2016	inv 086950095	Accounts Payable	01 GENERAL FUND:01.01 Administrativ	-253.94
	11/15/2016	inv 086950095	Maintenance Supplies		165.06
	11/15/2016	inv 086950095	Maintenance Supplies	20 WATER OPERATING FUND	88.88
					0.00
Total Xerox Corporation Xerox Financial Services	11/15/2016	658545	Accounts Payable		-305.75

**City of Falls City  
Paid Bills Report  
As of November 5, 2016**

	<u>Date</u>	<u>Memo</u>	<u>Account</u>	<u>Class</u>	<u>Amount</u>
Total Xerox Financial Services	11/15/2016	lease 10%	Copier Lease/Maintenance	01 GENERAL FUND:01.01 Administrativ	198.73
	11/15/2016	lease 10%	Copier Lease/Maintenance	11 STREET FUND	30.57
	11/15/2016	lease 10%	Copier Lease/Maintenance	13 SEWER FUND	30.57
	11/15/2016	lease 15%	Copier Lease/Maintenance	20 WATER OPERATING FUND	45.88
					0.00
Allied 100 LLC	11/28/2016	AED pads	Accounts Payable	01 GENERAL FUND:01.07 Fire Departm	-365.40
Total Allied 100 LLC	11/28/2016		Medical Supplies		365.40
					0.00
City of Falls City	11/28/2016	Petty Cash	Accounts Payable	01 GENERAL FUND:01.01 Administrativ	-100.00
Total City of Falls City	11/28/2016		Administrative costs		100.00
					0.00
Edge Analytical	11/28/2016	16-27536, 16-25053, 16-28712	Accounts Payable	20 WATER OPERATING FUND	-952.00
	11/28/2016	16-25053	Lab Analysis Services		576.00
	11/28/2016	16-28712, 16-27536,	Lab Analysis Services	13 SEWER FUND	376.00
					0.00
Total Edge Analytical					0.00
Falls City Fire Association	11/28/2016	December, last invoice	Accounts Payable	01 GENERAL FUND:01.07 Fire Departm	-916.66
Total Falls City Fire Association	11/28/2016		Professional Services		916.66
					0.00
King's Pumping Service	11/28/2016	13278	Accounts Payable	13 SEWER FUND	-411.75
	11/28/2016	Inv. 13278	Professional Services		411.75
					0.00
Total King's Pumping Service					0.00
MANOP	11/28/2016	A285083-IN	Accounts Payable	01 GENERAL FUND:01.01 Administrativ	-404.72
Total MANOP	11/28/2016	A285083-IN	Power/Heat		404.72
					0.00
Office Craft	11/28/2016	M99-5113	Accounts Payable	01 GENERAL FUND:01.01 Administrativ	-35.41
Total Office Craft	11/28/2016	M99-5113	Copier Lease/Maintenance		35.41
					0.00
OHA Cashier	11/28/2016	QC 104 50204-51061-2080	Accounts Payable	20 WATER OPERATING FUND	-75.00
Total OHA Cashier	11/28/2016	Cross Connection Fee QC 104 50204-511	Permits		75.00
					0.00
Petro Card	11/28/2016	C000376	Accounts Payable	11 STREET FUND	0.00
	11/28/2016	20% C000376	Vehicle Operation		0.00
	11/28/2016	20%	Vehicle Operation	13 SEWER FUND	0.00
	11/28/2016	60%	Vehicle Operation	20 WATER OPERATING FUND	0.00
					0.00
Total Petro Card					0.00
Walter E. Nelson Co.	11/28/2016	Inv: 43211	Accounts Payable	01 GENERAL FUND:01.01 Administrativ	-486.96
Total Walter E. Nelson Co.	11/28/2016	Community Center 43211	Maintenance Supplies		486.96
					0.00
CenturyLink Business Services	11/30/2016	November 1393725500	Accounts Payable	01 GENERAL FUND:01.01 Administrativ	-1.69
	11/30/2016	November 1393725500-85%	Telephone		1.43
	11/30/2016	November 1393725500-15%	Telephone	20 WATER OPERATING FUND	0.26
					0.00
Total CenturyLink Business Services					0.00
Petro Card	11/30/2016	C125076	Accounts Payable		-62.08

City of Falls City  
**Paid Bills Report**  
 As of November 5, 2016

Date	Memo	Account	Class	Amount
11/30/2016	20% C125076	Vehicle Operation	11 STREET FUND	12.41
11/30/2016	20%	Vehicle Operation	13 SEWER FUND	12.41
11/30/2016	60%	Vehicle Operation	20 WATER OPERATING FUND	37.26
Total Petro Card				0.00
<b>TOTAL</b>				<b>0.00</b>

City of Falls City  
City Council Regular Meeting  
Meeting Minutes  
November 10, 2016 7:00 PM  
Meeting Location: 320 N Main Street, Falls City, Oregon 97344

**Council Present:** Mayor Terry Ungricht, Lori Jean Sickles, Jennifer Drill, Tony Meier, Gerald Melin, Dennis Sickles

**Staff Present:** JoHanna Birr, City Clerk; Don Poe, Public Works Lead Worker

Mayor Ungricht called the meeting to order at 7:08 PM.

**1) Roll Call**

Clerk Protheroe took roll call. Councilor Bishop was absent.

**2) Pledge of Allegiance**

Mayor Ungricht led the pledge.

**3) Motion to adopt the entire Agenda**

A motion was made by Councilor D. Sickles and seconded by Councilor Meier to adopt the entire agenda. Motion carried 5-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Gerald Melin, Dennis Sickles.

**4) Consent Agenda**

Councilor Drill was curious why Council of Governments (COG) billing was high. Mayor Ungricht explained land use activity is aggressive now with a new residence, Valsetz Heights and other items going on in COG charges for their time working and reviewing our land use applications.

Mt. Valley Monitoring and an Intergovernmental Agreement (IGA) with Polk County Sheriff's Office (PCSO) are two other routine bills. Mt. Valley provides security monitoring for the Fire Department and Community Center. The IGA with PCSO is for emergency radio communications and maintenance on our emergency radio system, which PCSO bills separately.

Mayor Ungricht drew Council attention to two (2) handouts supplied to Council. One is an additional Leak Adjustment for Van Horn of 139 East Avenue and a correction to Item C in the Consent Agenda; Leak Adjustment for Lewis of 830 Parry Road. (Exhibits A & B)

A motion was made by Councilor D. Sickles and seconded by Councilor L. Sickles to adopt the Consent Agenda with the additions Item D; 139 East Avenue and corrections on Item C, page 26 b . Motion carried 5-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Gerald Melin, Dennis Sickles.

**5) Public Comments**

Janelle Anzalone, an out of Falls City limits resident of Storybook Farm, brought a petition to Council against the installation of vehicle barriers in Michael Harding Memorial (Falls)Park. She said the petition signatures for designation of formal parking were collected last summer and she was not aware the issue was still on the table. Clerk Birr received Ms. Anzalone's petition. (Exhibit C)

Mayor Ungricht thanked Ms. Anzalone.

6

Randolph Osman of Falls City requested that the north entrance to the Community Center lobby be open to the public for Council Meeting. Mr. Osman explained it is an inconvenience to older people having to walk to the other side of the Center when parking in the north parking lot.

Mayor Ungricht thanked Mr. Osman, his concern was received and the issue will be taken care of in the future.

**6) New Business**

**A. 2015-2016 Budget Audit**

Tom Glogau of Grove, Mueller & Swank, PC conducted the 2015-2016 Falls City audit and prepared the City of Falls City Annual Financial Report Year Ended June 30, 2016. Council was provided hard copies of this report and a brief summary of four (4) key points. He added that the smiley or frowny face next to each point were neither good nor bad. The symbols are simply representative of a deviation of the benchmark one way or the other. (Exhibit D)

1. Mr. Glogau briefly explained findings to Council as an outsider perspective looking in at the city. Rainy Day funds have a benchmark of 6 months. Falls City Rainy Day funds went from 15 months in 2015 to 17 months in 2016's audit. If all money stopped coming into the city as July 1, the city could operate 17 months before closing its doors. Mr. Glogau added the City is in very good financial condition to absorb negative surprises.
2. Debt- are we getting out or going farther into debt? Water is the only outstanding debt and city payments are being made on schedule. Mr. Glogau said the city is cutting the water debt but he reminded Council that debt is not a bad thing. Generally, a city will not get capital improvements without going into debt. Financial fluctuation is to be expected each year.

Mayor Ungricht added that spending on and saving for infrastructure projects would cause a differential from year to year. Mr. Glogau affirmed this is the financial flux we see in the report.

3. Governmental services- This shows who pays for services the city provides such as, current or prior year's recipients. The city should break even on Governmental services, although this does not happen every year. Some years the spending is more avid than savings or visa-versa. This audit showed positive results in this category at 123%, but is a deviation from the benchmark of 95%-105%. This long-term perspective will continue to move from positive to negative.

Mayor Ungricht explained his first years were directed at developing projects and strong saving measures. Next year citizens can expect to see a downturn in this area as spending monies saved last year will increase as infrastructure projects are implemented. Mr. Glogau agreed this is typical and is what causes positive to negative results and it is a natural pattern for a government to go from positive to negative then back to positive. The smiley face indicates it is only a deviation from the benchmark.

4. Revenue Bond Investors and our ability to pay overtime- This represents the ability of the Water fund to make its debt payments. The benchmark ratio of 2.00 shows a deviation currently at 2.13, up from 2.12 in 2015. These numbers indicate the Water fund is well able to cover the debt payments and have some funds on hand for unforeseen repairs, should they occur.

7

In closing, Mr. Glogau touched on the Sewer fund stating there was a close to breakeven mark from operations this year. Breakeven is good until major repairs or improvements are needed. In 2015, there was an Operating income of \$9,206.00, compared to \$21,826.00 in 2014. Operating income for 2016 shows \$98,000.00 in the Sewer fund and \$242,000.00 in the Utility Reserve fund as cushions.

It is important to keep in mind; these figures are from the 2015-2016 fiscal operating year. Many repairs were made using money from the Sewer fund.

Councilor Drill asked about Falls City Capital Asset records. Mr. Glogau explained the City is not required by law to keep Capital Asset records. Insurance providing adequate coverage of all the city's Capital Assets would be sufficient. He further explained it would take too much time and effort to reconstruct the information and academic information. Corvallis has extensive Capital Assets records although it is not clear what purpose they serve.

Council thanked Mr. Glogau for attending and discussing the 2015-2016 Audit. Councilor Drill thanked Mayor Ungricht for a great job on the Audit.

#### **B. Code Enforcement Update**

Mayor Ungricht is in process of working on a plan to bring to Council regarding code enforcement. He has reached out to Western Oregon University and is waiting to hear back. Mayor Ungricht explained the "temporary" definition was removed from Oregon Revised Statute (ORS)197.493; "Placement and Occupancy of a recreational vehicle" in 2005 and no longer applies to RV's in a trailer park requiring them to move as long as they are permanent in nature. "Permanent" is defined as being "hooked up to sewer, water and electricity". With this definition, Green Haven RV Park has 30 permanent and 10 not hooked to sewer. This situation is still under review and Mayor Ungricht hopes to meet with Mr. Bowman(s) of Green Haven, to discuss issues and create attainable solutions. Changes in the ORS definitions will only affect the relevant section of the Green Haven's Conditional Use Permit.

The plan included a Panel with Council and a contracted code enforcement officer is still needed. One citizen is interested and has basic experience with code enforcement. An ordinance may have to be adapted to allow Council to assess liens and fines. Code enforcement has been a long standing goal of Council and the community. Mayor Ungricht will continue to put great effort into finding a workable solution.

#### **C. Resolution 20- 2016 FEMA Dutch Creek funds**

Currently there is no mechanism in place to track funding of the Dutch Creek project. Mayor Ungricht proposed passing Resolution 20-2016, which would modify the Street fund by adding a line to track the drawn funds from FEMA for the amount \$50,000.00.

The project is going well. The engineers have begun the Environmental Study that includes cataloging every species in the area and environmental impacts the project would have effect on.

A motion was made by Councilor D. Sickles and seconded by Councilor L. Sickles to adopt resolution 20-2016, A RESOLUTION OF THE CITY COUNCIL OF FALLS CITY OREGON DECLARING UNFORSEEN REVENUES AND APPROPRIATIONS FOR FEMA DECLARATION 4285-DR-OR AND OREGON INGRASTRUCTURE FINANCE AUTHORITY (IFA) PROJECT NUMBER L17002 GRANT AWARDS FOR THE PERMENANT REPAIRS ON THE DUTCH CREEK CROSSING AND FOR THE FUNDS TO BE TRANSFERRED TO POLK COUNTY PER THE SIGNED CONTRACT 16-137. Motion carried 5-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Gerald Melin, Dennis Sickles.

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**D. Resolution 21-2016 assumption of Falls City Alliance Loan**

Transfer steps of falls property include purchase agreement signing, escrow, a title search for any other outstanding debt attached to the property, and the zoning change as required by the awarded Oregon Parks and Recreations Department grant language to expand Michael Harding Park. Mayor Ungricht added all this will take time and he hopes to have the transaction closed by mid-June of 2017.

A motion was made by Councilor Meier and seconded by Councilor Melin that the City Council of the City of Falls City adopt Resolution 21-2016 – A RESOLUTION ALLOWING MAYOR UNGRICH TO EXECUTE A PURCHASE AGREEMENT BETWEEN FALLS CITY AND FALLS CITY ALLIANCE AND SIGN FOR THE ASSUMPTION OF THE LOAN BETWEEN FALLS CITY ALLIANCE AND POLK COMMUNITY DEVELOPMENT CORPORATION FOR THE PURCHASE OF LOTS 11,12,13,14,15, AND 16 OF BLOCK R, FIRST ADDITION TO FALLS CITY, POLK COUNTY OREGON. Motion carried 5-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Gerald Melin, Dennis Sickles.

**E. New Business License- Falls City Grow Supply**

Kurt Brees, owner of 420 N. Main Street is leasing his property to a greenhouse and garden supply business. Councilor Drill had concerns of the business being marijuana related. There was some brief discussion on the types of products the business would carry and an explanation of hydroponic gardening.

A motion was made by Councilor Meier and seconded by Councilor L. Sickles that the City of Falls City approve the business license application for Falls City Grow Supply. Motion carried 4-1-0. Ayes: Lori Jean Sickles, Tony Meier, Gerald Melin, Dennis Sickles. Nays: Jennifer Drill

**F. Michael Harding Park, Barricades**

Advantage Precast gave a price quote on 24 SF blocks (barricades) of \$250.00 per piece for a total of \$1,000.00. This is one-third of normal cost. They are willing to hold this price for one month. Ole Berman gave a bid of \$1,333.00 to transport, level the area and set them. Cliff Lauder will help with cement work and building a secure heavy-duty gate to be used by Public Works and Emergency vehicles. Mayor Ungricht hopes with volunteers these cost could be reduced.

Mr. Lauder spoke before Council giving an estimate of \$2,000.00 for the cement work needed for the barriers to be made permanently stationary and to include the gate. The barrier cavities and ends would be filled and joined with each weighing roughly 6,000 pounds. He stated this is the most cost effective option as opposed to setting Bollard posts. The posts would require to be set every four feet to eliminate pass through vehicle traffic and would cost \$2,300.00 without figuring the cost of cement.

As of tonight's Council meeting, Citizens have donated \$300.00 toward barriers to eliminate vehicular traffic in the Michael Harding Park and another \$700.00 has been pledged. Mayor Ungricht referred Council attention to Exhibit 1; To-date Park Expenses and Balance on page 41 in the Council meeting packet. Indicating draws on the far right column.

Mayor Ungricht asked how Council would like him spend Park funds. He also asked Council how much of the General fund resources were they willing to spend on parks. The city is repairing vandalism, renting porta potties, assuming the Alliance loan for the falls property and while there is a grant to help acquire the property, a rezoning will need to take place, which will cost

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approximately \$1,500.00. Additionally, property transfer costs will include escrow, title search and other miscellaneous items.

Mayor Ungricht invited Council to take a month and review the information and petition provided at this Council meeting. Councilor Meier questioned if the signatures on the petition were actual citizens of the community. Mayor Ungricht again invited Council to table the item of barriers, review the information and report back at December's Council meeting.

There was some confusion on a previous Council vote on the issue. Mayor Ungricht clarified that Council voted to direct him to research ways to eliminate vehicle traffic in Michael Harding Park and bring costs and a plan to Council before taking action during the August 11, 2016 Council Meeting. The plan would consider safety and emergency vehicle access. This came about as an issue during the August 4, 2016 Joint Work Session with Falls City Council and the Polk County Sherriff's Office.

Randolph Osman of Falls City pledged \$100.00 to the Barrier fund. He offered a challenge of pledging another \$100.00 contribution if a another citizen would donate \$100.00. Mr. Osman specifically requested this challenge be placed in the permanent record of Council minutes for public knowledge. Mayor Ungricht offered to place his challenge in the December Newsletter to increase public awareness. Council thanked Mr. Osman for his generosity.

Mr. Lauder asked how spending the Parks budget of \$3,300.00 through the end of June would affect other needs. Public Works has one decent lawnmower but it will need replacing soon. Councilor L. Sickles was interested in Ms. Anzalone's petition opposing the city eliminating public vehicle traffic from entering Michael Harding Park. Mayor Ungricht instructed Clerk Birr to circulate petition to Council for brief review. She felt more citizens should be involved in the decision making process.

Councilor D. Sickles questioned if the motion passed, would the city still be able to afford porta potties at the park. Mayor Ungricht responded yes, but he cannot predict unforeseen spending due to future vandalism.

A motion was made by Councilor Drill and seconded by Councilor Meier to carry on and proceed in stages with stage number one being the purchasing of precast barriers and work with the community to raise matching funds for the remaining amount. Motion carried 3-2-0. Ayes: Jennifer Drill, Tony Meier, Gerald Melin. Nays: Lori Jean Sickles and Dennis Sickles

Ms. Anzalone opposed the passage of the motion and was disruptive upon leaving. Mayor Ungricht thanked her for coming.

## **7) Correspondence, Comments and Ex-Officio Reports**

### **A. Mayors Report**

Mayor Ungricht extended his congratulations new Council Member's Charles Flynn and Cliff Lauder, and to Dennis Sickles for his re-election to Council. Mayor Ungricht is pleased to have them and looks forward to working with them. New Councilors were given a welcome letter with training information offered by the League of Oregon Cities (LOC). (Exhibit E)

Council and several citizens thanked Mayor Ungricht for the paving of South Main and completing such a wonderful improvement project.

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While Mitchell Street is next in line for improvements, it is dependent of the success of the FLAP grant. If it fails to be awarded, the city will focus efforts on smaller improvements such as 5<sup>th</sup> Street and paving the rest of Sheldon Avenue to the end of town.

Mayor Ungricht has been working with the Fire Department on an application for self-contained breathing apparatus (SCBA's) due November 15, 2016. He apologized he did not have a completed application to present to Council for approval. Lori Albright, who volunteers with the Fire Department, is reworking the numbers to grant specifications. This is for 10 bottles and 10 refills with a 5% buy in to replace the current old and un-refillable stock. Mayor Ungricht will finish and submit the application the evening of November 14, 2016 when he returns from a four-day vacation. Mayor Ungricht asked for a motion allowing him to submit the grant application.

A motion was made by Councilor L. Sickles and seconded by Councilor Meier to move forward and submit the grant application. Motion carried 5-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Gerald Melin, Dennis Sickles

A sewer increase will be added into the budget next year brought before the Budget Committee. It is undesirable but it is necessary. An idea is to implement a property bond on each property in town to stabilize the fund once the project is underway. This will help with the goal of getting all properties on sewer. Mayor Ungricht said he was throwing this out as a red flag so there would be no surprises. He added he was open to any ideas Council or citizens may have.

Sheriff Garton and Deputy M. Smith were present. Mayor Ungricht congratulated Sheriff Garton on his election win for the position of Polk County Sheriff. Sheriff addressed Council regarding his October 2016 Falls City Stats Sheriff's Report. (Exhibit F)

The Deputy stationed at the school will be available for other calls and will provide quick response time.

Sheriff Garton has begun tracking calls at 200 Church Street, which is responsible for 25% of Falls City Sheriff's Department calls. Stats may be skewed because calls are tracked from point of origin. For example, if a call originates on the Northside of town but ends up at 200 Church Street on the Southside, it will not show on the report. Sheriff Garton said for this reason, the number is probably higher. These stats will be given to Council on a regular basis.

Citizens and Council thanked Sheriff Garton for his service and showed their appreciation with applause.

## **B. Council Reports**

Councilor Drill reported no Town Hall meetings would be held until January 2017 due to the holidays. Kimber Townsend with Community Emergency Response Training (CERT) will be available to train anyone interested. Information will be sent for inclusion in the city's December Newsletter. The Christmas Tree Lighting event will be held December 3 at 7:00 pm beginning at 6:00- 6:30 pm cocoa, desert and campfires will be available to enjoy.

Councilor Meier had concerns that now the ORS's have changed to include RV's as permanent housing, that Green Haven's 30 full hookup spots should be paying individually for water. Councilor Meier added that a residential home pays a basic bill and so should other homes.

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Mayor Ungricht replied that staff is working with input from Public Works Committee on a fair and equitable way to bill everyone based on usage. All data needs to be collected and analyzed before presenting a workable solution to Council. An option is to assign utility service multipliers to Green Haven's account in the way that that local apartments and 420 N. Main have in effect. It would allot all users 25,000 gallons as a base. Green Haven has not gone over this amount. This also avoids the costly installation of individual meters. Mayor Ungricht said he could better address this issue at the next Council Meeting.

Councilor Melin announced that since the EDC Committee had no secretary, he has stepped down from the Chair to take the position. Councilor Meier was elected Chair of the EDC Committee.

**8) Council Announcements**

The Community Tree Lighting will be on Saturday December 3, 2016 in the lot of Mt. Gospel Fellowship on N. Main Street.

There will be a quarterly Joint Council/School Board Meeting on December 8, 2016 at 6:30 pm at the Community Center.

December 8, 2016 at 7:00 PM is the next City Council meeting.

**9) Adjourn**

The meeting adjourned at 8:19 pm.

\_\_\_\_\_ Mayor Terry Ungricht

Attested: \_\_\_\_\_ City Clerk JoHanna Birr

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**AGENDA REPORT**

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**TO:** MAYOR AND COUNCIL  
**FROM:** JOHANNA BIRR, CITY CLERK  
**SUBJECT:** LEAK ADJUSTMENT REQUEST – VAN HORN  
**DATE:** 11/07/2016

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**SUMMARY**

Randy Van Horn of 139 East Avenue has requested a leak adjustment for the month of October 2016. He cannot provide a receipt for parts and performed repairs because he performed the repairs himself and used materials he already had on hand. The October 2016 high usage registered at 40,000 gallons amounting to a \$131.21 water charge. The twelve-month average water consumption for this property is 14,000 gallons per month.

Staff has calculated a leak adjustment for Council, using the approved formula.

**BACKGROUND**

To date, we've tested two typical methods of leak adjustments. The first was where we adjusted a customer's bill to 1.5 times the average usage. The Public Works Committee thought the adjustments were too generous using this calculation. To address their concerns, the new trial adjustment calculation considers the 12-month average water charge including the month where the leak occurred.

The trial leak adjustment policy considers an adjustment to a single month water charge, in this case the October 2016 charge of \$131.21.

Average water bill amount over 12 months \$ 67.77  
Multiply the average bill amount by 1.5 times \$ 101.66 = Calculated base for adjustment

Actual water service charge for month of leak \$ **131.21**  
Subtracted by the calculated base for adjustment \$ 101.66

<b>Credit Amount \$ 29.55</b>
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**PREVIOUS COUNCIL ACTION**

The Council has not taken previous action on this request. Past leak requests have been evaluated on a case-by-case basis.

**ALTERNATIVES/FINANCIAL IMPLICATIONS**

The financial impact to the city would be a charge waiver of \$ 29.55.

**STAFF RECOMMENDATION**

Staff recommends this leak request approved by Council.

**EXHIBIT N/A**

**PROPOSED MOTION**

This item is added under the consent agenda. Approving the consent agenda as presented would give approval for the leak adjustment.

11/7/16

I repaired the leak myself with copper tubing and fittings I already had.

Randy Van Horn

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**AGENDA REPORT**

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**TO:** MAYOR AND COUNCIL  
**FROM:** JOHANNA BIRR, CITY CLERK  
**SUBJECT:** CORRECTED LEAK ADJUSTMENT REQUEST - LEWIS  
**DATE:** 11/07/2016

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**SUMMARY**

Bernard Lewis of 830 Parry Rd has requested a leak adjustment for the month of September 2016. He has provided a receipt for parts purchased and performed repairs. The September 2016 high usage registered at 42,000 gallons amounting in a \$136.31 water charge. The twelve-month average water consumption for this property is 18,250 gallons per month.

Staff has calculated a leak adjustment for Council, using the approved formula.

**BACKGROUND**

To date, we've tested two typical methods of leak adjustments. The first was where we adjusted a customer's bill to 1.5 times the average usage. The Public Works Committee thought the adjustments were too generous using this calculation. To address their concerns, the new trial adjustment calculation considers the 12-month average water charge including the month where the leak occurred.

The trial leak adjustment policy considers an adjustment to a single month water charge, in this case the September 2016 charge of \$136.31.

Average water bill amount over 12 months	\$ 80.62	
Multiply the average bill amount by 1.5 times	\$ 120.93	= Calculated base for adjustment
Actual water service charge for month of leak	\$ 136.31	
Subtracted by the calculated base for adjustment	\$ 120.93	
<b>Credit Amount</b>	<b>\$ 15.38</b>	

**PREVIOUS COUNCIL ACTION**

The Council has not taken previous action on this request. Past leak requests have been evaluated on a case-by-case basis.

**ALTERNATIVES/FINANCIAL IMPLICATIONS**

The financial impact to the city would be a charge waiver of \$ 15.38.

**STAFF RECOMMENDATION**

Staff recommends this leak request approved by Council.

EXHIBIT N/A

**PROPOSED MOTION**

This item is added under the consent agenda. Approving the consent agenda as presented would give approval for the leak adjustment.

We the undersigned request formal parking designation in the area of the railroad grade/public space at Michael Harding Park. It is much needed for overflow; it is safer, shadier and offers easier access for elderly and disabled people, as well as strollers and other such things. It keeps the weeds down and eliminates congested foot traffic on the main rocks. We are committed to taking care of it ourselves and also believe the city could generate revenue from it.

We the undersigned request formal parking designation in the area of railroad grade/public space at Michael Harding Park.

Steve Turner Sr.

Tyler Antonucci

Haley Snider

Chasman G. G. G.

Tyler Kullbride

MAY Dvorsky

Marion Morris

NOTICE OF GRIFFIN

Justina Reynolds

Chance Beauchamp

Jennifer Reynolds

Donna's Maxfield

Justin Maxfield

Lonn Smith

Kyle Smith

~~Lon~~ Kobe Smith

Candice Cannella

James Jones

Alex Maxfield

Mark Jones

Jeff Rieger 50 yrs

Nick Thurman

~~Walter Rieger~~

~~Frank Rieger~~

Paul W. Rieger

Ernie Rieger

Benny Rieger

Bob Beachamp

Archie Lutz

Jason Littleton

Mike Murray

Eric D

Hope Mye

David G Graham

VINCENT DOKE

David Russell # Polkcountysucks

Ashley Zollman

Stam Reynoldz

Jennifer Hale

Destiny Hale

~~Royce~~ Royce Hale

Tyrone Hale

Trena Reynolds

Cham Patterson

ZACHARY WHAT

Eli Campbell

Larry Just

Kenn Marshall

Kendra Marshall

Amanda Kehlmann

Katie McIntire

Allyson

Brook Hoffner

Hannah & Stutz

Savannah Wallace

Emily Bering

Kathleen Reynolds

Katrina Reynolds

in E

Grant

Jacob Moore

Gen. Sauter

Ray Pitt

Daniel Davis

Josh Benton put blocks up by walk bridge

Ronald B. Wynn

Joe Patterson

Zacc Clark

Kobe Smith

Adnan Balas

Jabul Rowton

Stephyn Bynnelid

~~Paul Che~~

~~Don~~

Catya White

David Bauer

Mark Jones

Evan Touss

Sam Cross

~~Carly~~

~~Michael~~

Camera Harris

Jose Flores

Deven Lavoie

Levi Swartzendruber

Shane Curry SR.

Sarah Curry

Brook Hobbsman

Christy Vost

Mike Vost

Rickey Burton

Tina Snider

Gracie Snider

Rodger Snider

Colton Thomas

Shane Turner SR.

Josh Rieger

Henley Rieger

Robert Rieger

Jason Littleton

Fisher Mathis

City of Falls City

Explanation of Financial Ratios

**How do our rainy day funds look? 😊 (if all money stopped coming in as of July 1, how many months could we go before having to close the doors?)**

The number increased from the prior year. 17 months is well above the benchmark.

**Are we getting out of debt, or going further in? 😊 (did the amount we owe increase or decrease?)**

Scheduled payments are being made on the Water debt.

**Who paid for this year's governmental services – current recipients or prior years'? 😞 (was what came in more than the cost of providing services, or less?)**

We took in more than we spent – why is that a bad thing? Remember, a frowny face doesn't mean it's bad, it just means it is not within the benchmark. In the long run, the City should break even. But that usually doesn't happen each year.

**Will our revenue bond investors be pleased with our ability to pay them over time? 😊 (how much margin is left for debt service after operating costs are paid?)**

These numbers indicate that the Water fund is well able to cover the debt payments.

**Sewer fund (page 13):** pretty close to breakeven from operations this year. Operating income was \$9,206 in the previous year, \$21,826 the year before. Breakeven is good until some major repairs or improvements are needed. Then, if you don't have enough cushion, there could be trouble. Right now there is \$98,000 in the Sewer fund as a cushion, and \$242,000 in the utility reserve fund as a cushion. So, no imminent danger, just something to think about.

City of Falls City  
 financial ratios  
 June 30, 2016 and 2015

<u>explanation</u>		<u>2016</u>	<u>2015</u>	<u>benchmark</u>
how do our rainy day funds look?	😊	17	15	6 months
are we getting out of debt, or going further in?	😊	(28,761)	(27,804)	negative number
who paid for this year's governmental services - current recipients or prior years'?	😞	123%	109%	95% to 105%
will our revenue bond investors be pleased with our ability to pay them over time?	😊	2.12	2.13	> 2.00



City of Falls City  
299 Mill Street  
Falls City, OR 97344  
Ph. 503.787.3631

**OFFICE OF THE MAYOR  
AND CITY MANAGER  
TERRY UNGRICH**

November 9, 2016

RE: league of Oregon Cities (LOC) new Councilor training

To: Cliff Lauder and Charlie Flynn

Dear Cliff and Charlie,

Congratulations on your election to the position of Falls City Councilor and welcome to the team that sets policy for the City. As you know currently our City is operating out of the normal Oregon governing procedures for Cities with me serving as both Mayor and City Manager. This was a decision of the last Council and will be reviewed at our Goal session meeting.

My focus, at the direction of Council, has been on infrastructure building, standardizing permits to follow the current Falls City Development Code (all citizens are held to the same rules), and doing the day to day business of the City. With our lack of depth in staffing and budget all employees are tasked to work together to keep the City operating in an efficient affordable manner. I believe that my number one accomplishment as Mayor/Manager has been bringing all staff together to discuss and tackle day to day operations. With the limitations on staff there is sometimes that we cannot be proactive on certain aspects of governing; my number one failure has been in designing an affordable code enforcement program. I will look forward to input you can give with ideas to help with this issue and many others.

Council sets the direction of staff, but as of now I feel that staff has been directed to try and accomplish the following;

- 1) Complete a Master Water Plan to bring our Water Department into compliance under State regulations. This is almost completed, we have hired HBH Engineering and they will bring a draft document to Council in December or January. If Council accepts the Document it will go onto State review for approval.
- 2) Remove the drain field on the City Wastewater system from the High School Football field. We have completed an income survey challenging the census numbers, successfully, which allowed us to apply for Community Development Block Grant funding. We were able to submit the application for 2.5 million in grant funding on a 3.4 million dollar project. If we are successful with the application at the full amount, I have identified a program that will loan us the remaining balance and a grant that will cover 50% of that. So if we are successful we will be doing a wastewater upgrade for 3.4 million that the citizens on the system will only be covering around \$400,000.00 in loans. This project will lead to many Council discussions and decisions, it will call for a substantial rate increase but we are making every effort to keep those down as far as possible.

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3) Code Enforcement. We have spent a lot of time discussing and attempting to set a program we can afford. I will keep working on this issue but Council might have to take on more active responsibility on this issue. They might be called on to hear the violations and rule on them. I look forward to hearing your comments as this issue moves forward.

The Council will have a goals setting session to develop guidelines for staff time on projects. The last Council has focused on Infrastructure; I hope that this is where the focus will remain. In the past the focus was on parks, pathways, and professional management.

The League of Oregon Cities represents cities for training, legal advice, legislation development and lobbying. We are a member and they will be offering Elected Essential training (I am including a flier) that is free; I strongly encourage you to try and attend one of the trainings. The LOC also has a very informational website, [orcities.org](http://orcities.org). I encourage you to check it out; the A to Z index is extremely helpful.

We have designed our City website, [fallscityoregon.gov](http://fallscityoregon.gov), to have about every governing document. You can go on there and pull up last year's goals to see what was in them. You can review our nuisance code, zoning and development code, budget, etc. I try to have everything on there, if you see something that should be included let me know.

One thing I would like to stress is that a Councilor has no power, but the Council has all power. So as an individual you almost have less power than a citizen, but if you build a coalition of Councilors' to approve a motion setting a direction for the City, that does not violate Federal or State regulations, that is the direction staff will take.

I can set you each up a City email, we usually do [councilor\(last name\)@fallscityoregon.gov](mailto:councilor(last name)@fallscityoregon.gov). I recommend this, under State law we fall under records retention and open government. Your email is subject to these laws, so if you use your personnel email for City business it is subject to subpoena. Some Councilors use the City address some don't, it is your choice.

I look forward to your help in setting Falls City's direction for the future. Feel free to contact me at [mayorungricht@fallscityoregon.gov](mailto:mayorungricht@fallscityoregon.gov), or 503-787-3631.

Once again congratulations,  
Sincerely

Terry Ungricht  
Mayor/Manager  
City of Falls City

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# LEAGUE OF OREGON CITIES

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TRAINING

LEGISLATIVE

LOC-DATA

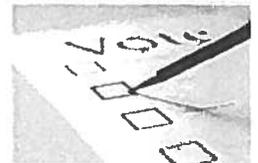
CITY HANDBOOK

CITY NEWS

A-Z INDEX

## ELECTED ESSENTIALS 2017

*Free training for newly-elected and experienced elected officials*



**"Elected Essentials" is a training for new and experienced elected officials. This League training is open exclusively to elected city officials and is free as part of membership in the League.**

### DATES AND LOCATIONS

- January 5 - Happy Valley**  
City Hall, Council Chambers  
16060 SE Misty Dr, Happy Valley, OR 97056
- January 12 - Cannon Beach**  
Cannon Beach Chamber of Commerce Community Hall  
207 North Spruce Street, Cannon Beach, OR 97110
- January 25 - Lebanon**  
Best Western Premier Boulder Falls Inn & Conference Center  
505 Mullins Drive, Lebanon, OR 97355
- January 26 - Coquille**  
Community Center  
115 North Birch St., Coquille, OR 97423
- February 2 - Redmond**  
Deschutes County Fairgrounds Expo Center  
3300 SW Airport Way, Redmond, OR 97756
- February 16 - Central Point**  
The Point Pub & Grill  
311 East Pine Street, Central Point, OR 97502
- March 29 - Hermiston**  
Eastern Oregon Trade & Event Center (EOTEC)  
1705 East Airport Road, Hermiston, OR 97335
- March 30 - Ontario**  
Four Rivers Cultural Center  
676 SW 5th Ave., Ontario, OR 97154

[register here](#)

**Elected officials only -**  
Use the above link to register for *Elected Essentials*.

To register for **only** the Regional Meeting part of the day, [click here](#).

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**Elected Essentials Training (open to elected officials only): 8:30 a.m. - 4:15 p.m.**

**Regional Meeting (open to all city officials): 4:30 p.m. - 6:30 p.m.**

## PRELIMINARY AGENDA

### Draft Schedule:

8:30 a.m. - Coffee, Welcome and Introductions

12:00 p.m. - Lunch

4:15 p.m. - Conclude Elected Essentials Training

4:30 p.m. - Regional Meeting with Legislative Session Update

5:15 p.m. - Round Table Member Networking

6:30 p.m. - Conclude Regional Meeting

<http://www.orcities.org/Training/ElectedEssentials2017/tabid/6770/language/en-US/Default.aspx>

October 2016 Falls City Stats

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Falls City Calls for Service					
911 Hangup					
Accident	1	Fight	1	1	Susp Activity
Animal	2	Domestic Dist	4	1	Susp Person
Area Check	5	Drug	2	1	Susp Vehicle
Assault		FIR	1	1	Theft
Assist Other Agency		Fire/EMS	4	1	Water Res
ATL (attempt to locate)	1	Follow up	2	1	traffic assist
Burglary	2	Found Prop			Traffic Stops
Citizen Contact	7	Fraud	3		Trespass
Civil Paper Service	9	Gen Disturb			Uncon
Criminal Mischief		Harassment	1		Welfare Check
					Misc

Falls City Calls for Service	76	Of the FC Calls for Service	9	involved crimes	
Total Calls for Service (county wide)	1998	FC Cases Cleared by Arrest	4	44.4%	clearance
Falls City % of Total Calls	3.8%	Total Arrests in Falls City	2	2.7%	of total arrests

Total Service Calls (Polk County)	1998	Crimes Occ		Juvenile Arrests	1	(county wide)
Of the calls for service (county wide)	148			Juvenile Arrests	0	(Falls City)
Cases Cleared by arrest	75	50.7%		(only true crimes reported here)		
Total Arrests (county wide)	73					

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**AGENDA REPORT**

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**TO:** MAYOR AND COUNCIL  
**FROM:** JOHANNA BIRR, CITY CLERK  
**SUBJECT:** LEAK ADJUSTMENT REQUEST – K. FRINK  
**DATE:** 11/16/2016

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**SUMMARY**

Kirby Frink of 58 N. Main has requested a leak adjustment for the month of October 2016. He cannot provide a receipt for parts and performed repairs because he performed the repairs himself and used materials he already had on hand. The October 2016 high usage registered at 41,000 gallons amounting to a \$133.76 water charge. The twelve-month average water consumption for this property is 9,500 gallons per month. Mr. Frink requested both September and October be adjusted. City policy adjusts for one (1) month only. Staff has calculated a leak adjustment for Council, using the approved formula.

**BACKGROUND**

To date, we've tested two typical methods of leak adjustments. The first was where we adjusted a customer's bill to 1.5 times the average usage. The Public Works Committee thought the adjustments were too generous using this calculation. To address their concerns, the new trial adjustment calculation considers the 12-month average water charge including the month where the leak occurred.

The trial leak adjustment policy considers an adjustment to a single month water charge, in this case the October 2016 charge of \$131.21.

Average water bill amount over 12 months	\$ 56.84	
Multiply the average bill amount by 1.5 times	\$ 85.26	= Calculated base for adjustment
Actual water service charge for month of leak	\$ <b>133.76</b>	
Subtracted by the calculated base for adjustment	\$ 85.26	

<b>Credit Amount \$ 48.50</b>
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**PREVIOUS COUNCIL ACTION**

The Council has not taken previous action on this request. Past leak requests have been evaluated on a case-by-case basis.

**ALTERNATIVES/FINANCIAL IMPLICATIONS**

The financial impact to the city would be a charge waiver of \$ 48.50.

**STAFF RECOMMENDATION**

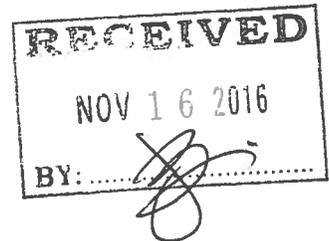
Staff recommends this leak request approved by Council.

**EXHIBIT N/A**

**PROPOSED MOTION**

This item is added under the consent agenda. Approving the consent agenda as presented would give approval for the leak adjustment.

Nov. 16, 2016



Falls City Council,

For the months of Sept and Oct our water bill was higher than normal. We fixed the problem as soon as we realized there was a break. The way the billing cycle runs it affected both months.

The break was under our deck and the break was underground where it went into our wall causing water to run into the basement. We do not use the basement so we did not realize it was filling up with water. We fixed it ourselves and had the supplies on hand and had to pump water out of the basement.

Thank you for your time,

Kirby and Cathy Fripek

A handwritten signature in cursive script, appearing to read "Kirby Fripek".

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## AGENDA REPORT

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**TO:** CITY COUNCIL  
**FROM:** CLERK BIRR THROUGH MAYOR TERRY UNGRICHT  
**SUBJECT:** CLEAN WATER ACT AND TOTAL MAXIMUM DAILY LOAD REPORTING  
**DATE:** 11/21/2016

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### **SUMMARY**

The State of Oregon's Department of Environmental Quality (DEQ) has set Total Maximum Daily Load (TMDL) requirements to be implemented and progress reported by cities each year. These reports in turn serve as DEQ's data for reporting to the Environmental Protection Agency (EPA) at the Federal level.

Reports must be completed on an annual basis and show progressive effort in reducing discharged pollutants in a given Watershed Basin. Falls City's report is due May 31 each year for the Willamette Watershed Basin. Every five (5) years, the city reviews its Matrix. This allows for obstacles to be identified and adjusted with new strategies and for those already accomplished. In turn, DEQ will review Five (5) Year TMDL reports from cities within the Willamette Basin as a whole and report to the EPA as well as helps to develop informed revisions in the Matrix.

Clerk Birr attended a Design Management Agency (DMA) meeting hosted by the City of Harrisburg and Willamette Basin Specialists with the DEQ. The two-hour class was very enlightening.

Each city develops a strategy to achieve goals to reduce pollutants entering waterways. Emphasis is placed on the Measures (pollutants), the Benchmark (strategy) and the progressive Current Status of strategy implemented to reduce or eliminate pollutants entering the waterways.

There are several strategies to comply with the Matrix.

- Implementing one project to cover many areas, such as Trees USA helps cities cover five (5) areas and sub categories of the Matrix requirements. This is extremely cost effective.
- Collaborate with schools on litter projects or relevant educational activities, Luckiamute Watershed and environmentally friendly organizations such as with SOLVe. This allows the actual activity work to be done by the group and the city gets credit on the Matrix.
- Green Space counts. Especially, parks along the river because they act as a buffer zone between human pollutants and the waterway.
- Maintain our Riparian Zone with native shade producing plants.

The City of Lowell has a lot in common with Falls City. Recently they have eliminated all vehicle traffic in their waterfront park and the City of Harrisburg is looking to follow suit. This was due to vandalism mainly, but the act was highly favored by DEQ because it covered so many areas on the Matrix for eliminating pollutants such as fuel, oil and radiator leaks and within the riparian zone from leaching into the waterway.

Harrisburg, a member of Tree City USA and factored in a stand of Poplar trees to shade their wastewater ponds during their last upgrade. They do not discharge into the river, but instead into the Poplar stand as an additional filtration process. This was an ideal accomplishment with DEQ and at least five (5) areas of Matrix coverage.

DEQ is supportive for cities to succeed. They also network with cities and agencies and/or organizations to identify available grants to help complete projects for TMDLs.

### **BACKGROUND**

The Clean Water Act (CWA) of 1972 spurred the creation of a number of laws regarding pollutants discharged into waterways. Limits for each pollutant category were accessed to maintain water quality standards across America. Several amendments to CWA have taken place since its enactment. Division 12 of the Oregon Revised Statutes (ORS 340-12-0055) governs the state and its municipalities' responsibility to adhere to the CWA. State regulated measures include:

1. Temperatures
  - a) Solar Radiation input
  - b) Wastewater treatment plant discharge temperatures
2. Bacteria
  - a) Stormwater Run-off
  - b) Failing septic systems
  - c) Pet waste
  - d) Human waste
  - e) Garbage & litter
3. Mercury
  - a) Erosion and Sedimentation

**PREVIOUS COUNCIL/COMMITTEE ACTION** N/A

### **ALTERNATIVES/FINANCIAL IMPLICATIONS**

Heavy fines and penalties may be imposed on municipalities violating Clean Water Act (CWA) discharge regulations and by delinquent reporting to the Department of Environmental Quality (DEQ).

**STAFF RECCOMENDATION** N/A

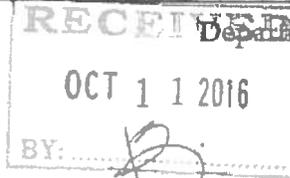
**EXHIBIT A-** 2016 Falls City TMDL Matrix

**PROPOSED MOTIONS** N/A



# Oregon

Kate Brown, Governor



Department of Environmental Quality  
Western Region Eugene Office  
165 East 7th Avenue, Suite 100  
Eugene, OR 97401  
(541) 686-7838  
FAX (541) 686-7551  
TTY 711

October 7, 2016

The Honorable Terry Ungricht  
Mayor of Falls City  
Office of the Mayor  
299 Mill Street  
Falls City, OR 97344

Re: Review and Approval of the 2015-2016 TMDL Implementation Plan Annual Report for Falls City.

Dear Mayor Ungricht,

Thank you for submitting the Falls City 2015-2016 TMDL Implementation Plan Annual Report. The Department has reviewed your report and finds that the city's Annual Report complies with the annual reporting requirement. The city has met its obligation in implementing its TMDL Implementation Plan.

We would like to reaffirm that we are available as a resource to assist you as you move forward with TMDL implementation. Please feel free to contact Nancy Gramlich, Willamette Basin Coordinator (503) 378-5073 or Becky Anthony, TMDL Basin Specialist (541) 686-7719 for assistance.

Best regards,

*Becky Anthony*  
Becky Anthony  
TMDL Basin Specialist

cc: Zach Loboy, Watershed Manager, DEQ  
Nancy Gramlich, Willamette Basin Coordinator, DEQ  
Johanna Birr, City Clerk, Falls City

Table 1: TMDL IMPLEMENTATION TRACKING MATRIX, Falls City, OR 2016 Report

<b>POLLUTANT</b> <i>What pollutants does the TMDL address?</i>	<b>SOURCE</b> <i>What sources of this pollutant are under your jurisdiction?</i>	<b>STRATEGY</b> <i>What is being done, or what will you do to reduce and/or control pollution emanating from this source?</i>	<b>HOW</b> <i>Specifically, how will this be done?</i>	<b>MEASURE</b> <i>How will you demonstrate successful implementation or completion of this strategy?</i>	<b>TIMELINE</b> <i>When will the strategy begin? Be completed?</i>	<b>BENCHMARK</b> <i>What intermediate goals will be achieved, and by when, to know progress is being made?</i>	<b>POTENTIAL FUNDING RESOURCES</b>	<b>2015.12.21 Status</b>
<b>Temperature</b>	1 (a) Maintain existing riparian vegetation.	1 (a) Maintain existing riparian vegetation.	FCZDO 2.207.09 and 3.203(G)(6) contains vegetation protection requirements.	Final site plan and subdivision/partition approvals.	Required with each building permit and projects abutting riparian zones. Community Cleanup takes place annually and is Ongoing.	Periodically review FCZDO 2.207.09 and 3.203(G)(6) to determine if these requirements enable the City to meet the temperature load allocation. Ongoing.	Land Use, Development Review fees and grants as they are available.	Ongoing. City Falls City Council adopted goals to build a pedestrian trail along the Luckiamute. City acquired grant to purchase property expand Falls park. A Master Parks Plan is in progress. Volunteers have been portion trail building along river. Trial connection will depend on available funding. This would allow a buffer (1b) zone between housing and waterway as well as natural/native riparian zone 1 (c). SOLVE (annually) work to keep banks clear of litter 6 (a) and debris. Parks and Rec with volunteers cleared riverbank of non natural/native plants.

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Table 1: TMDL IMPLEMENTATION TRACKING MATRIX, Falls City, OR 2016 Report

<p>1 (b) Partner with the Luckiamute Watershed Council (LWC) and Falls City High School on riparian restoration projects as needed based on consultation with LWC.</p>	<p>Identify a local liaison to the LWC. Build a volunteer support network for local projects. Contact LWC to identify and prioritize potential project sites. Secure funding resources to complete projects.</p>	<p>Monitoring the number of riparian restoration projects completed.</p>	<p>On-going.</p>	<p>At least one riparian tree planting project completed if identified as a need after consulting with LWC.</p>	<p>Watershed restoration grants.</p>	<p>Working with Weyerhouser and LWC on some culvert work to improve water flow, fish habitat and restoration of riparian area near Dutch Creek. (1b &amp; c) Meetings with Polk County Engineer, Weyerhouser. Polk County has taken lead of this project through an IGA in 8/2016. FEMA is assisting with funding for rebuild of bridge/culvert replacement. The project should be completed by end of 2017. Trees USA Program was brought before Park and Recreation Committee 2013 and passed by Council. Committee tabled it in 2014 for lack of members. City</p>
<p>1 (c) Reconsider proposed amendments to Comprehensive Plan and Zoning Ordinance to comply with Goal 5 Safe Harbor protection requirements for riparian corridors.</p>	<p>Initiate amendments by council vote. Notify DLCD and affected property owners. Conduct public hearings before Planning Commission and Council. Adopt proposed amendments by ordinance. Provide notice of adoption to DLCD.</p>	<p>Adoption of an ordinance that complies with the Safe Harbor riparian protection requirements if the review noted in Temperature Management Strategy (1a) above indicates that the City's current vegetation protection requirements are not sufficient for protecting riparian shade.</p>	<p>Beginning in July 2013 Completed in December 2014</p>	<p>If needed after review in Temperature Management Strategy (1a) is completed, copies of public hearing notices and minutes from Council meetings.</p>	<p>General fund.</p>	<p>Trees USA program participation was passed by City Council on 1/9/2014 to implement the process. Parks Committee tabled Trees USA due to lack of members. 1 (b) (d), 2 (b), 5 (a) Tabled by Park &amp; Rec waiting for additional information and to list pros and cons.</p>

1. Solar radiation input

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Table 1: TMDL IMPLEMENTATION TRACKING MATRIX, Falls City, OR 2016 Report

	<p>1 (d) Public education and outreach regarding the importance of riparian restoration conservation. Implementation of Tree City USA program.</p>	<p>Utilize information provided by Tree City USA and DEQ and make available through newsletter, city hall and city's web site. Qualify \$2 per capita financial requirement. Adoption of Arbor Day ordinance and proclamation.</p>	<p>Completed information brochure. Website posting. Newsletter mailing. Review existing tree related ordinances. Qualify \$2 per capita financial requirement. Adoption of Arbor Day ordinance and proclamation.</p>	<p>Beginning in December 2012 and ongoing annually.</p>	<p>Heightened public awareness. Improved riparian vegetation health and lower temperature. Increase in volunteer efforts.</p>	<p>Volunteer work projects, General fund, technical assistance from local watershed council, DEQ.</p>	<p>Ongoing public information distribution on a periodic basis. Falls City has obtained acquisition grant to purchase property along the Luckiamute. It will lessen building impact along the riparian zone. State denied creation of state park due to budget restrictions. The City holds SOLVE cleanup first weekend in September annually to clean river and banks before high waters. (1a &amp; b)</p>	
<p><b>POLLUTANT</b> What pollutants does the TMDL address?</p> <p style="text-align: center; font-size: 2em;">36</p>	<p><b>SOURCE</b> What sources of this pollutant are under your jurisdiction?</p> <p>1. Wastewater treatment plant discharge</p>	<p><b>STRATEGY</b> What is being done, or what will you do to reduce and/or control pollution emanating from this source?</p> <p>1 (d) Maintain low effluent temperatures.</p>	<p><b>HOW</b> Specifically, how will this be done?</p> <p>Meet requirements of DEQ Discharge permit.</p>	<p><b>MEASURE</b> How will you demonstrate successful implementation or completion of this strategy?</p> <p>Monitor effluent temperature.</p>	<p><b>TIMELINE</b> When will the strategy begin? Be completed?</p> <p>Beginning in 2009. On-going.</p>	<p><b>BENCHMARK</b> What intermediate goals will be achieved, and by when, to know progress is being made?</p> <p>Compliance ensures effluent from the FC sewage treatment does not impair the river.</p>	<p><b>POTENTIAL FUNDING RESOURCES</b> Sewer user fees.</p>	<p><b>Status</b> Public Works reads automatic water temps at Glaze &amp; Teal Creeks treatment plant and manual temp reads at the wastewater plant. Influent and Effluent samples are tested 2X monthly or as needed. Water samples from various locations are tested monthly or as needed. 1 (a) (b) 2 (b)</p>
<p><b>POLLUTANT</b> What pollutants does the TMDL address?</p>	<p><b>SOURCE</b> What sources of this pollutant are under your jurisdiction?</p>	<p><b>STRATEGY</b> What is being done, or what will you do to reduce and/or control pollution emanating from this source?</p>	<p><b>HOW</b> Specifically, how will this be done?</p>	<p><b>MEASURE</b> How will you demonstrate successful implementation or completion of this strategy?</p>	<p><b>TIMELINE</b> When will the strategy begin? Be completed?</p>	<p><b>BENCHMARK</b> What intermediate goals will be achieved, and by when, to know progress is being made?</p>	<p><b>POTENTIAL FUNDING RESOURCES</b></p>	<p><b>Status</b></p>

Table 1: TMDL IMPLEMENTATION TRACKING MATRIX, Falls City, OR 2016 Report

2 Wastewater treatment plant discharge	2(a) Implement improvements identified in the Wastewater Facility Plan	Review master plan to identify prioritized improvements. Apply for and secure funding resources.	Monitor wastewater improvement projects completed. Current system upgrade and maintenance.	Beginning in 2009. On-going.	Grant funds secured. Compliance with discharge permit requirements. Addition al user expansion.	Grants, loans, user fees	Grant secured, consultant for master planning identified. Wastewater Facility Plan adopted in 2014. 2(b) City is set to meet with Engineer in January 2016. City is performing an income survey per HUD requirements to secure funding to upgrade capacity of wastewater system.
	2 (b) Reduce illicit municipal waste discharge.	Provide staff training on proper sewage treatment plant maintenance and best management practices. Training and certifications ongoing.	Compliance with DEQ NPDES permit requirements.	Beginning in 2009. On-going.	NPDES permit reviews for the municipal wastewater treatment facility.	General fund.	Public Works takes Influent samples at Glaze/Teal Creeks and Effluent samples at wastewater treatment plant. Both are tested 2X monthly or as needed. Water samples from various locations are tested monthly or as needed. 2 (a)

**Bacteria**

Table 1: TMDL IMPLEMENTATION TRACKING MATRIX, Falls City, OR 2016 Report

<p>2. Stormwater run-off</p>	<p>2 (c) Complete a Stormwater Master Plan.</p>	<p>Identify available grant resources for stormwater plan assistance. Apply for and secure funding resources.</p>	<p>An adopted stormwater master plan.</p>	<p>Beginning in 2009. Project completion subject to securing adequate funding.</p>	<p>List of potential grant resources by March 2014. Completed grant application forms December 2009.</p>	<p>Grants, city funding when available.</p>	<p>Grant application was denied. City seeking other funding opportunities. No new funding sources identified. FCZDO outlines requirements for stormdrainage in new construction. The City budgeted monies along with donations by IWW, West Coast Drillers constructed a groundwater monitoring well. Monitoring equipment was donated by IWW and Bill Mann of In-Situ. 1/2015 it was determined groundwater levels went from bedrock at 13 ft. in October to 2 ft. below ground level in winter. Joe Kemper of OSU presented techniques to decrease stormwater runoff. City budgeting to buy street sweeper 6(a). Currently sweeping 2x per month. Sweeping schedule is posted to <a href="http://www.fallscityoregon.gov">www.fallscityoregon.gov</a></p>
<p><b>POLLUTANT</b> What pollutants does the TMDL address?</p>	<p><b>SOURCE</b> What sources of this pollutant are under your jurisdiction?</p>	<p><b>STRATEGY</b> What is being done, or what will you do to reduce and/or control pollution emanating from this source?</p>	<p><b>HOW</b> Specifically, how will this be done?</p>	<p><b>MEASURE</b> How will you demonstrate successful implementation or completion of this strategy?</p>	<p><b>TIMELINE</b> When will the strategy begin? Be completed?</p>	<p><b>BENCHMARK</b> What intermediate goals will be achieved, and by when, to know progress is being made?</p>	<p><b>POTENTIAL FUNDING RESOURCES</b></p> <p style="text-align: right;"><b>Status</b></p>

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Table 1: TMDL IMPLEMENTATION TRACKING MATRIX, Falls City, OR 2016 Report

<p>2. Stormwater run-off</p>	<p>2 (d) Require new development to manage stormwater run-off.</p>	<p>FCZDO 2.206 Contains stormwater improvement requirements for new development.</p>	<p>As-builds of completed stormwater improvements from new developments.</p>	<p>Beginning in 2014 On-going.</p>	<p>Stormwater plan approvals by City Engineer. Inspections of stormwater improvements by City/County staff.</p>	<p>Development review fees.</p>	<p>Falls City Zoning and Development Code section 2.205.05 outlines requirements for stormwater drainage. 7(a) Culverts and catch basin added to Bridge St. Joe Kemper of OSU presented techniques for decreasing stormwater runoff. (2a) Dutch Creek Crossing is being addressed by Polk County and FEMA to replair storm damages and redesigned to include arched culverts. This will enhance fish habitat, water flows, lower water temperatures, and erosion/sedamentation control. (Est. 2 yr. project.)7(a)(b). Adding catch basin to Sout Main Street.Recent RFP released for City Engineer.</p>
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Bacteria

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Table 1: TMDL IMPLEMENTATION TRACKING MATRIX, Falls City, OR 2016 Report

<p>3 Failing septic systems</p> <p>3 (a) Public education and outreach regarding proper septic maintenance and how to detect failing septic systems.</p>	<p>Utilize outreach/educational materials that DEQ provides and mail out with water bills. Provide a copy of the brochures with new septic permits and make available at city hall and city's web site.</p>	<p>Information received by DEQ. Number of brochures printed and mailed.</p>	<p>Beginning in 2012 and on going.</p>	<p>Heightened public awareness. Fewer septic problems.</p>	<p>General fund, technical assistance from Polk County, DEQ.</p>	<p>Brochures have been provided to residents annually (approximately 450 households) with utility bills and to new account holder when account is established. Septic do's &amp; don't sent in 1/2016 billings. Waste water Facility plan in progress adopted april 2014. 2 (a) Documentation of cleaning and maintenance started. Pumping services provided and scheduled regularly. Polk County performs inspections on new and existing septic systems. Will be ongoing to help identify problem areas. Falls City has low interest loan fund through Polk County Community Development used for low income residents to improve property which includes updating septic systems. Research to fund development. Implimented procedure to track work order types and frequency.</p>
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Table 1: TMDL IMPLEMENTATION TRACKING MATRIX, Falls City, OR 2016 Report

<p>4 Pet waste</p>	<p>4(a) Public education and outreach regarding proper pet waste disposal.</p>	<p>Utilize outreach/educational materials that DEQ provides and make available through newsletter, city hall and city's web site.</p>	<p>Website posting. Newsletter mailing. Postings on Facebook</p>	<p>Beginning in November 2012</p>	<p>Heightened public awareness.</p>	<p>General fund, technical assistance from local watershed council, DEQ.</p>	<p>Begins in November 2012 will be ongoing. Garbage cans added to parks in Fall 2013 for disposal of trash and pet waste. Newsletters are applied to website and hard copies mailed to Approx. 450 utility users monthly. Pet waste stations approved 10/2015 by Public Works Committee. Needs Council approval. This item scheduled to go before Council February 2016. Council agreed to purchase one station as a test pilot item and placed in the lower park - a heavy use area. 2 more will be purchased and placed in additional parks. 3/2016. 4(b) 5(a)</p>
<p>4 (b) Install park improvements such as signage, kiosks and trash receptacles.</p>	<p>Research project costs and identify available funding resources.</p>	<p>Development of a project budget and list of potential grant resources.</p>	<p>Beginning in October 2012 Ongoing</p>	<p>Project budget and list of potential grant resources- Ongoing</p>	<p>Parks funding, General Fund, donations, potential grants.</p>	<p>Three Pet Waste Stations were approved by Council. One has been installed in the Lower Park and seen heavy use. Two more will be installed at separate parks. Park inventory is in process. 4(a), 5(a)</p>	

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Table 1: TMDL IMPLEMENTATION TRACKING MATRIX, Falls City, OR 2016 Report

<p>5 Human Waste</p> <p>5 (a) Public education and outreach regarding proper pet waste disposal.</p>	<p>Utilize outreach/educational materials that DEQ provides and make available through newsletter, city hall and city's web site. Monitor bag consumption for actual usage. Park survey sent to 445 utility users . Feedback for park improvements and additions.</p>	<p>Website posting. Newsletter mailing. Postings on Facebook</p>	<p>Beginning in July 2012</p>	<p>Heightened public awareness. Positive public feedback on station and area cleanliness. Usage.</p>	<p>Notices of toilet locations and availability in city newsletter regularly beginning in 2011 and ongoing. Approx. 450 newsletters mailed annually to utility users. Pet waste stations approved 10/2015 by Public Works Committee. Council Approved three stations. A test pilot was placed in the lower park- a heavy use area 3/20/16. Two more stations will be added to separate parks. 4(a), 4(b) .</p>
<p>5(b). Install park improvements such as portable or permanent restrooms</p>	<p>Research project costs and identify available funding resources. Park survey sent to 445 utility users . Feedback for park improvements and additions.</p>	<p>Development of a project budget and list of potential grant resources. Returned surveys reviewed.</p>	<p>Beginning in October 2010 Ongoing.</p>	<p>Project budget and list of potential grant resources by June 2013</p>	<p>Parks funding, General Fund, donations, potential grants. Volunteers.</p> <p>General fund is provides funding for seasonal (Mid May through Mid October) portable toilets at all (3) riverside parks. A permanent facility is available to the public at the Upper Park. 4 (a) Events are required to supply additional portable facilities based on expected participants.</p>

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**Table 1: TMDL IMPLEMENTATION TRACKING MATRIX, Falls City, OR 2016 Report**

	6. Garbage/litter	6 (a) Steet sweeping and public outreach to reduce littering, placement of trash receptacles.	Utilize the city newsletter, website for public information, sweep streets periodically to remove debris, install trash cans near gathering places and in parks.	Track street sweeping schedule, website posting.	Beginning in August 2012 Ongoing	Reduced litter on streets will be an indicator of messaging success	Parks and general funding.	The City contracts with the City of Dallas for street sweeping at least 2x per month. The City is researching surplus programs to purchase its own to increase cleaning frequency to streets. Trash receptacles are located throughout the City and in each of the four parks. SOLVE event held to clean river banks each September. 1 (a) Spring Clean is held annually in June which provides free removal services to the community for appliances, towing vehicles, metal, tires, hazardous household waste and e-waste and vegetation control. Tonage is reported to the City and included in following monthly newsletter. Sweeping schedule and waste collection event may be viewed at <a href="http://www.fallscityoregon.gov">www.fallscityoregon.gov</a> in the community tab/page.
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<b>POLLUTANT</b> What pollutants does the TMDL address?	<b>SOURCE</b> What sources of this pollutant are under your jurisdiction?	<b>STRATEGY</b> What is being done, or what will you do to reduce and/or control pollution emanating from this source?	<b>HOW</b> Specifically, how will this be done?	<b>MEASURE</b> How will you demonstrate successful implementation or completion of this strategy?	<b>TIMELINE</b> When will the strategy begin? Be completed?	<b>BENCHMARK</b> What intermediate goals will be achieved, and by when, to know progress is being made?	<b>POTENTIAL FUNDING RESOURCES</b>	<b>Status</b>
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Table 1: TMDL IMPLEMENTATION TRACKING MATRIX, Falls City, OR 2016 Report

<p><b>Mercury</b></p>	<p>7 Erosion and sedimentation</p>	<p>7 (a) Limit erosion.</p>	<p>FCZDO requires geotechnical evaluations on properties with steep slopes and an erosion control plan for all new multi-family, commercial and industrial developments.</p>	<p>City and County building review staff will monitor and review compliance with Code requirements.</p>	<p>Beginning in 2009. On-going.</p>	<p>Geotechnical evaluation and erosion control plan approvals. Development inspections by City and County staff.</p>	<p>Development permits and review fees.</p>	<p>Ongoing with new permits for construction. 2 (a) (b) (d) City staff also use rock, straw and grass seeding in culverts as needed to prevent storm erosion. There have been no new developments in sloped areas. Natural vegetation is allowed to grow to prevent erosion in undeveloped steep sloped areas on the north side of the City. 7(b) Tree City USA program to be implemented. 1 (b), (c), (d), Park and Rec tabled progression on Tree City USA a total of four times in 2016. This issue will now go before Council for direction on how to proceed. ODF will attend October Park &amp; Rec with presentation.</p>
	<p>7 (b)</p>	<p>After receiving a Fact Sheet on the 1200-C permit from DEQ, inform developers about 1200c permit requirements and require a copy of the permit to be provided to the city</p>	<p>Copies of land use approvals and 1200 C permits from developments disturbing an acre or more</p>	<p>Beginning in December 2011. On-going.</p>	<p>Include 1200c permit requirements as a condition of development approval.</p>	<p>Development review fees.</p>	<p>Ongoing with new development. One application was received 12/2014 for residential home construct on 1.47 acres. Application granted. Lot previously occupied by manufactured home. No impact.</p>	

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## AGENDA REPORT

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**TO:** CITY COUNCIL  
**FROM:** JOHANNA BIRR, CITY CLERK THROUGH MAYOR UNGRICHT  
**SUBJECT:** RESOLUTION 23-2016 TO APPLY TO BECOME A MEMBER OF TREE CITY USA AND ESTABLISHING THE FALLS CITY PARKS AND RECREATION COMMITTEE AS THE FALLS CITY TREE BOARD.  
**DATE:** 11/29/2016

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### SUMMARY

The Arbor Day Foundation (host of the Tree City USA program) would like to see an official resolution from Council appointing the Park and Recreation Committee as Tree Board for Tree City USA participation. A resolution is the easiest tool to accomplish this according to Kristen Ramstad of the Oregon Department of Forestry. No extra labor would be involved for committee members, as current routine tasks suffice the application requirements for the Tree City USA program. The city would need to hold an Arbor Day celebration in early December of this year to meet the extended December 31 application deadline.

### BACKGROUND

Kristen Ramstad, the Community Assistance Forester and Christine Johnson, Urban Forestry Program Intern with the Oregon Department of Forestry, presented to Parks and Recreation Committee on the subject of Tree City USA (TCUSA). Ms. Ramstad administers the TCUSA program for the state of Oregon.

TCUSA participation was strongly advised by the Department of Environmental Quality (DEQ) and would allow the City to comply in five (5) areas of mandatory DEQ Total Maximum Daily Load(TMDL) requirements for restoring and protecting water quality; Temperature- Solar, Bacteria-Stormwater run-off, Mercury-Erosion and sedimentation. Trees provide shade for cooler temperatures, filtration of heavy metals in the soil and reduce damage to our waterways caused by runoff, erosion and sedimentation.

### PREVIOUS COUNCIL ACTION

Council approved Parks and Recreations request of participation January, 2014. No further action was taken by the Parks and Recreations Committee until November of this year. Committee moved to act as Tree Board and proceed with a Tree City USA application.

### ALTERNATIVES/FINANCIAL IMPLICATIONS

There would be little or no financial impact to the City to participate in the Tree City USA program. The Tree City USA designation has a financial requirement of the City of \$2.00 per capita per year. Falls City has a certified population of 950 according to the most recent census produced by Portland State University. Allocated funds required for this program would amount to \$1,900.00. The city exceeded financial requirements by \$3475.64 in 2016 on several qualifying items listed below:

- budgeted or grant funds for tree care
- volunteer hours
- Watering, leaf removal such as street sweeping staff time and Tree Board (Parks and Recreation) meetings.

Other tree related activities such as tree planting, trimming, feeding and general maintenance. Utility line trimming by Pacific Corp qualifies toward the City's tree care expenses as well. This is because Pacific Corp is a Tree City USA partner listed on the Arbor Day Foundation's website.

**STAFF RECOMMENDATION**

Staff recommends adopting Resolution 23-2016 as a means to easily and inexpensively fulfill five (5) areas of the Falls City 2017 Total Maximum Daily Load (TMDL) Report requirements of DEQ.

**EXHIBIT A-** Resolution 23-2016

**PROPOSED MOTION**

I move that the City Council of the City of Falls City adopt resolution 23-2016, A RESOLUTION ALLOWING FALLS CITY TO APPLY TO BECOME A MEMBER OF TREE CITY USA AND ESTABLISHING THE FALLS CITY PARKS AND RECREATION COMMITTEE AS THE FALLS CITY TREE BOARD.

**RESOLUTION 23-2016**

**A RESOLUTION ALLOWING FALLS CITY TO APPLY TO BECOME A MEMBER OF TREE CITY USA AND ESTABLISHING THE FALLS CITY PARKS AND RECREATION COMMITTEE AS THE FALLS CITY TREE BOARD.**

Findings:

1. The Falls City Parks and Recreation Committee has met with representatives of Tree City USA and finds that Falls City would benefit as a member; and,
2. The Falls City Parks and Recreation Committee recommends to Council to join the Tree City USA program; and,
3. The Falls City Parks and Recreation Committee is willing to take on the responsibilities as serving as the Falls City Tree Board.

**NOW THEREFORE,**

**THE CITY OF FALLS CITY RESOLVES AS FOLLOWS:**

Section 1. The City of Falls City Council hereby proclaims that Falls City become a member of Tree City USA.

Section 2. The City of Falls City Council grants authority for the Falls City Parks and Recreation Committee to act as the Falls City Tree Board.

Section 3. This Resolution was duly PASSED and ADOPTED by the Falls City Council this eighth day (8) day of December, 2016, and takes effect upon signing by the Mayor.

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Terry Ungricht, Mayor/City Manager

Attest:

\_\_\_\_\_  
Date

\_\_\_\_\_  
JoHanna Birr, City Clerk

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## AGENDA REPORT

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**TO:** CITY COUNCIL  
**FROM:** JOHANNA BIRR, CITY CLERK THROUGH MAYOR UNGRICHT  
**SUBJECT:** RESOLUTION 24-2016 DECLARING SUPPORT OF ARBOR DAY AND SETTING A DATE TO CELEBRATE ARBOR DAY FOR 2016.  
**DATE:** 11/29/2016

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### **SUMMARY**

An Arbor Day celebration is one of the steps in the completing the Tree City USA application requirements. Many cities celebrate at different times of the year. Resolution 24-2016 designates December 10<sup>th</sup> as Falls City's Arbor Day to meet the application deadline. This date may be changed at any time in the future to a more desirable time of year.

National Arbor Day is the last Friday in April. Some larger cities designate an entire Arbor Week to educational activities and celebrations generally during the first week in September.

South Carolina celebrates their Arbor Day in December. Communities may have events as simple or as elaborate as they like. Tree planting is not a necessary action.

The Parks and Recreation Committee have planned a celebration event to decorate the two walking bridges.

### **BACKGROUND**

Kristen Ramstad, the Community Assistance Forester and Christine Johnson, Urban Forestry Program Intern with the Oregon Department of Forestry, presented to Parks and Recreation Committee on the subject of Tree City USA (TCUSA). Ms. Ramstad administers the TCUSA program for the state of Oregon.

TCUSA participation was strongly advised by the Department of Environmental Quality (DEQ) and would allow the City to comply in five (5) areas of mandatory DEQ Total Maximum Daily Load(TMDL) requirements for restoring and protecting water quality; Temperature- Solar, Bacteria-Stormwater run-off, Mercury-Erosion and sedimentation. Trees provide shade for cooler temperatures, filtration of heavy metals in the soil and reduce damage to our waterways caused by runoff, erosion and sedimentation.

### **PREVIOUS COUNCIL ACTION**

Council approved Parks and Recreations request of participation January, 2014. No further action was taken by the Parks and Recreations Committee until November of this year. Committee moved to act as Tree Board and proceed with a Tree City USA application.

### **ALTERNATIVES/FINANCIAL IMPLICATIONS**

There would be little or no financial impact to the city.

### **STAFF RECOMMENDATION**

Staff recommends adopting Resolution 24-2016.

**EXHIBIT A-** Resolution 24-2016

### **PROPOSED MOTION**

I move that the City Council of the City of Falls City adopt resolution 24-2016, A RESOLUTION DECLARING SUPPORT OF ARBOR DAY AND SETTING A DATE TO CELEBRATE ARBOR DAY FOR 2016.

## RESOLUTION 24-2016

### A RESOLUTION DECLARING SUPPORT OF ARBOR DAY AND SETTING A DATE TO CELEBRATE ARBOR DAY FOR 2016

#### Findings:

1. The Falls City Parks and Recreation Committee has requested Council support to celebrate Arbor Day; and,
2. The Falls City Parks and Recreation Committee recommends to Council to celebrate Arbor Day on December 10, 2016; and
3. The Falls City Parks and Recreation Committee is willing to take on the responsibilities of organizing the community to celebrate Arbor Day.

#### Recitals:

**Whereas,** In 1872, J. sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

**Whereas,** This holiday, called arbor Day was first observed with the planting of more than a million trees in Nebraska, and

**Whereas,** Arbor Day is now observed throughout the nation and the world, and

**Whereas,** trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate temperature, clean the air, produce life-giving oxygen and provide habitat for wildlife, and

**Whereas,** trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

**Whereas,** trees in our city increase property values, enhance the economic the economic vitality of business areas, and beautify our community, and

**Whereas,** wherever they are planted, are a source of joy and renewal.

#### **NOW THEREFORE,**

#### **THE CITY OF FALLS CITY RESOLVES AS FOLLOWS:**

Section 1. The City of Falls City Council hereby proclaims that December 10, 2016 will be the official celebration for Arbor Day.

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Section 2. This Resolution was duly PASSED and ADOPTED by the Falls City Council this eighth day (8) day of December, 2016, and takes effect upon signing by the Mayor.

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Terry Ungricht, Mayor/City Manager

Attest:

\_\_\_\_\_  
Date

\_\_\_\_\_  
JoHanna Birr, City Clerk

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## AGENDA REPORT

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**TO:** MAYOR AND COUNCIL  
**FROM:** DOMENICA PROTHEROE, THROUGH MAYOR UNGRICHT  
**SUBJECT:** ZONE CHANGE LAND USE APPLICATION FEE  
**DATE:** 11/23/2016 11/23/2016

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### **SUMMARY**

The City of Falls City will submit a land use application for a Comprehensive Plan Map Amendment involving five (5) or fewer adjacent land owners for the falls property.

### **BACKGROUND**

The Type III Land Use application fee is \$1,000.00, or actual cost if greater. Staff requests Council to consider waiving the fee for this application as the City of Falls City is the applicant.

### **PREVIOUS COUNCIL ACTION**

N/A

### **ALTERNATIVES/FINANCIAL IMPLICATIONS**

Land Use fees are intended to cover the cost of the review process. Costs can include, the Council of Governments Land Use Planner, City Attorney, City Engineer, public notice publications, mailings, etc. Council of Governments has estimated that it will cost \$1,500.00 to for the review process. The cost of this application is estimated at \$1,500.00 because it involves public hearings and notice to Department of Land Conservation and Development (DLCD).

Denial of fee waiver requires the City to pay itself for the permit fee and the actual cost of the application.

### **STAFF RECCOMENDATION**

Staff recommends the Council approves the waiver of the land use application fee for the Type III land Use application.

### **EXHIBIT N/A**

### **PROPOSED MOTION**

I move the City Council of the City of Falls City waive the \$1,000.00 Land Use Application.

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## AGENDA REPORT

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**TO:** CITY COUNCIL  
**FROM:** MAYOR TERRY UNGRICHT  
**SUBJECT:** OFFICIAL ELECTION RESULTS  
**DATE:** 11/21/2016

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### **SUMMARY**

The State of Oregon's requires that each municipality read into the official record election results.

### **BACKGROUND**

Falls City had an election on November 8, 2016 for three (3) Council seats and for the Mayor.

On the Mayor election the only certified candidate was Terry Ungricht, he received 375 votes, 92.36%, there were 31 write in, and 88 under votes.

The following certified candidates for Council and their vote tally was;

Dennis Sickles, 304 votes

Cliff Lauder, 241 votes

Charlie Flynn, 208 votes

Shane Curry, 164 votes

Jim Partridge, 156 votes

There were also 17 write in votes and 392 under votes for the Council seats.

The certified election results has Dennis Sickles, Cliff Lauder, and Charlie Flynn as our new Falls City Councilors and Terry Ungricht as the Mayor.

**PREVIOUS COUNCIL/COMMITTEE ACTION** N/A

**ALTERNATIVES/FINANCIAL IMPLICATIONS**

**STAFF RECCOMENDATION** N/A

### **EXHIBIT**

Certified results from Polk County Elections officer Valerie Unger.

**PROPOSED MOTIONS** N/A

Mayor FALLS CITY

(VOTE FOR) 1

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(NON) (NON)  
O V U V  
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S R S

0166 166  
CANDIDATE TOTALS 375 31 0 88  
CANDIDATE PERCENT 92.36 7.63 88

City Councilor FALLS CITY

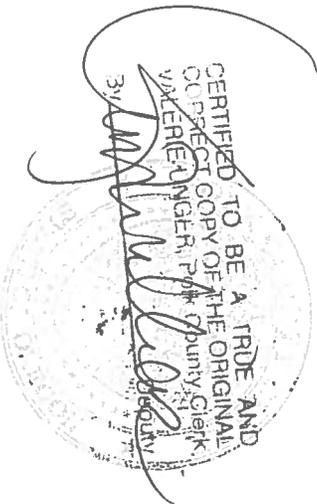
(VOTE FOR) 3

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0166 166  
CANDIDATE TOTALS 208 164 304 241 156 17 0 392  
CANDIDATE PERCENT 19.08 15.04 27.88 22.11 14.31 1.55 392

RECEIVED  
NOV 28 2016  
BY: [Signature]

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## AGENDA REPORT

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**TO:** CITY COUNCIL  
**FROM:** MAYOR UNGRICHT  
**SUBJECT:** RESOLUTION 22-2016 FEMA, FIRE ASSISTANCE GRANT  
**DATE:** 11/28/2016

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### **SUMMARY**

At the November 10, 2016 Falls City Council Meeting, Council motioned for staff to submit a grant application for SCBA's for the fire department.

### **BACKGROUND**

The City of Falls City Fire Department and staff met to discuss the equipment needs of the Department. Self-Contained Breathing Apparatus's were identified as the highest priority for replacement. I mistakenly thought that we had until December 15<sup>th</sup> to finish the application; the due date was November 15<sup>th</sup>. So I requested a motion from Council to submit the application without their review, the motion was granted.

Resolution 22-2016 and the application (exhibit 1) is the result of that motion. We submitted the application for an Emergency Rescue Response Kit, which is used to rescue a downed fire fighter, 10 self-contained breathing apparatuses and 10 extra tanks. The total cost for this equipment is \$69,547; our match is \$3,311 (5%) which will be budgeted in the 2016-17 budget.

### **PREVIOUS COUNCIL ACTION**

Motioned to apply for grant.

### **ALTERNATIVES/FINANCIAL IMPLICATIONS**

Falls City will be able to purchase needed safety equipment valued at \$69,547 for a cost of \$3311 if grant is awarded.

### **STAFF RECOMMENDATION**

Pass Resolution 22-2016.

### **EXHIBIT**

Grant application

### **PROPOSED MOTION**

I move that the City Council of the City of Falls City adopt resolution 22-2016, A RESOLUTION AUTHORIZING AN APPLICATION FOR A FEDERAL EMERGENCY MANAGEMENT ADMINISTRATION (FEMA) FIRE ASSISTANCE GRANT.

**RESOLUTION 22-2016**

A RESOLUTION AUTHORIZING AN APPLICATION FOR A FEDERAL EMERGENCY MANAGEMENT ADMINISTRATION (FEMA) FIRE ASSISTANCE GRANT.

FINDINGS:

1. The City of Falls City desires to apply for A FEMA Fire Assistance grant and to delegate authority for the city Manager to sign the application.

Whereas, the Falls City Fire Department is in need of updated Self Contained Breathing Apparatus's and a new emergency rapid response kit; and

Whereas, the City of Falls City desires make every effort to supply our Fire volunteers with gear that will protect them from injury and loss of life;

Whereas, the City of Falls City cannot afford to update equipment without help from grant funding; and

NOW THEREFORE;

THE CITY OF FALLS CITY RESOLVES AS FOLLOWS:

Section 1. The City Council demonstrates its support for the submittal of a grant application to the FEMA Fire Assistance program.

Section 2. This Resolution was duly PASSED and ADOPTED by the Falls City Council this eighth day (8) day of December, 2016, and takes effect upon signing by the Mayor.

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Terry Ungricht, Mayor

Attest:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Domenica Protheroe, City Clerk

### Entire Application

#### Applicant's Acknowledgements

- I certify the DUNS number in this application is our only DUNS number and we have confirmed it is active in SAM.gov as the correct number.
- As required per 2 CFR § 25, I certify that prior to submission of this application I have checked the DUNS number listed in this application against the SAM.gov website and it is valid and active at time of submission.
- I certify that the applicant organization has consulted the appropriate Notice of Funding Opportunity and that all requested activities are programmatically allowable, technically feasible and can be completed within the award's one (1) year Period of Performance (POP).
- I certify that the applicant organization is aware that this application period is open from 10/11 to 11/18/2016 and will close at 5 PM EST; further that the applicant organization is aware that once an application is submitted, even if the application period is still open, a submitted application cannot be changed or released back to the applicant for modification.
- I certify that the applicant organization is aware that it is solely the applicant organization's responsibility to ensure that all activities funded by this award(s) comply with Federal Environmental planning and Historic Preservation (EHP) regulations, laws, and Executive Orders as applicable. The EHP Screening Form designed to initiate and facilitate the EHP Review is available at: [http://www.fema.gov/media-library-data/1431970163011-80ce3cd907072a91295b1627c56d8fd2/qpd\\_ehp\\_screening\\_form\\_51815.pdf](http://www.fema.gov/media-library-data/1431970163011-80ce3cd907072a91295b1627c56d8fd2/qpd_ehp_screening_form_51815.pdf)
- I certify that the applicant organization is aware that the applicant organization is ultimately responsible for the accuracy of all application information submitted. Regardless of the applicant's intent, the submission of information that is false or misleading may result in actions by FEMA that include, but are not limited to: the submitted application not being considered for award, an existing award being locked pending investigation, or referral to the Office of the Inspector General.

Signed by Terry L. Ungricht on 2016-10-17 15:42:25.0

#### Overview

<p>• Did you attend one of the workshops conducted by an AFG regional fire program specialist?</p> <p>Yes, I have attended workshop</p> <p>• Did you participate in a webinar that was conducted by AFG?</p> <p>No</p>
<p>• Are you a member, or are you currently involved in the management, of the fire department or nonaffiliated EMS organization or a State Fire Training Academy applying for this grant with this application?</p> <p>Yes, I am a member/officer of this applicant</p>

If you answered "No", please complete the information below. If you answered "Yes", please skip the Preparer Information section.

Fields marked with an \* are required.

#### Preparer Information

- Preparer's Name
- Address 1
- Address 2
- City
- State

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Zip

-  
[Need help for ZIP+4?](#)

In the space below please list the person your organization has selected to be the primary point of contact for this grant. This should be a department officer or member of the organization who will see this grant through completion, including closeout. Reminder: if this person changes at any time during the period of performance please update this information. Please list only phone numbers where we can get in direct contact with the POC.

Primary Point of Contact

• Title Mayor/Manager City of Falls City  
 Prefix (select one) N/A  
 • First Name Terry  
 Middle Initial L.  
 • Last Name Ungricht  
 • Primary Phone 503-787-3631 Ext. Type work  
 • Secondary Phone [REDACTED] Ext. Type cell  
 Optional Phone Type  
 Fax 503-787-3023  
 • Email mayorungricht@fallscityoregon.gov

Contact Information

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Alternate Contact Information Number 1

• Title Fire Chief  
 Prefix (select one) N/A  
 • First Name Robert  
 Middle Initial  
 • Last Name Young  
 • Primary Phone 503-787-3767 Ext. Type work  
 • Secondary Phone [REDACTED] Ext. Type cell  
 Optional Phone Type  
 Fax 503-787-3023  
 • Email youngmybr@wildblue.net

Alternate Contact Information Number 2

• Title Volunteer  
 Prefix (select one) N/A  
 • First Name Lori  
 Middle Initial  
 • Last Name Albert  
 • Primary Phone [REDACTED] Ext. Type home  
 • Secondary Phone [REDACTED] Ext. Type cell  
 Optional Phone Type  
 Fax 503-787-3023  
 • Email lorilect@aol.com

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[REDACTED]

[REDACTED]

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**Applicant Information**

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EMW-2016-FO-02163

Originally submitted on 11/15/2016 by Terry Ungricht (Userid: fallscityfd)

**Contact Information:**

Address: 299 Mill Street

City: Falls City

State: Falls City

Zip: 97344

Day Phone: 5037873631

Evening Phone: 5037794132

Cell Phone:

Email: mayorungricht@fallscityoregon.gov

**Application number is EMW-2016-FO-02163**

- Organization Name Falls City Fire Department
- Type of Applicant Fire Department/Fire District
- Fire Department/District, nonaffiliated EMS, and Regional applicants, select type of Jurisdiction Served : City  
If "Other", please enter the type of Jurisdiction

**SAM.gov (System For Award Management)**

• What is the legal name of your Entity as it appears in SAM.gov?

Note: This information must match your SAM.gov profile City of Falls City  
if your organization is using the DUNS number of your Jurisdiction.

• What is the legal business address of your Entity as it appears in SAM.gov?

Note: This information must match your SAM.gov profile if your organization is using the DUNS number of your Jurisdiction.

• Mailing Address 1 299 Mill St

Mailing Address 2

• City Falls City

• State Oregon

• Zip 97344 - 9800  
Need help for ZIP+4?

• Employer Identification Number (e.g. 12-3456789) [REDACTED]  
Note: This information must match your SAM.gov profile.

• Is your organization using the DUNS number of your Jurisdiction? Yes

I certify that my organization is authorized to use the DUNS number of my Jurisdiction provided in this application. (Required if you selected Yes above)

• What is your 9 digit DUNS number? [REDACTED]

(call 1-866-705-5711 to get a DUNS number)

If you were issued a 4 digit number (DUNS plus 4) by your Jurisdiction in addition to your 9 digit number please enter it here.

Note: This is only required if you are using your Jurisdiction's DUNS number and have a separate bank

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account from your Jurisdiction. Leave the field blank if you are using your Jurisdiction's bank account or have your own DUNS number and bank account separate from your Jurisdiction.

• Is your DUNS Number registered in SAM.gov (System for Award Management previously CCR.gov)? Yes

• I certify that my organization/entity is registered and active at SAM.gov and registration will be renewed annually in compliance with Federal regulations. I acknowledge that the information submitted in this application is accurate, current and consistent with my organization's/entity's SAM.gov record.

**Headquarters or Main Station Physical Address**

• Physical Address 1 299 Mill Street  
Physical Address 2  
• City Falls City  
• State Oregon  
• Zip 97344 - 9800  
Need help for ZIP+4?

**Mailing Address**

• Mailing Address 1 299 Mill Street  
Mailing Address 2  
• City Falls City  
• State Oregon  
• Zip 97344 - 9800  
Need help for ZIP+4?

**Bank Account Information**

• The bank account being used is: (Please select one from right)

Maintained by my Jurisdiction

Note: The following banking information must match your SAM.gov profile.

• Type of bank account [REDACTED]  
• Bank routing number - 9 digit number on the bottom left hand corner of your check [REDACTED]  
• Your account number [REDACTED]

**Additional Information**

• For this fiscal year (Federal) is your organization receiving Federal funding from any other grant program that may duplicate the purpose and/or scope of this grant request? No

• If awarded, will your organization expend more than \$750,000 in Federal funds during your organization's fiscal year? If "Yes", your organization will be required to undergo an A-133 audit. Reasonable costs incurred for an A-133 audit are an eligible expenditure and should be included in the applicant's proposed budget. Please enter audit costs only once under any "Additional Funding" in the "Request Details" section of the application. No

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• Is the applicant delinquent on any Federal debt? No

If you answered yes to any of the additional questions above, please provide an explanation in the space provided below:

**Fire Department/Fire District Department Characteristics (Part I)**

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• Is this application being submitted on behalf of a Federal Fire Department or organization contracted by the Federal government which is solely responsible for the suppression of fires on Federal property? No

• What kind of organization do you represent? All volunteer

If you answered "Combination", above, how many career members in your organization? (whole numbers only)

If you answered "Volunteer" or "Combination" or "Paid on-call", how many of your volunteer Firefighters are paid members from another career department? (whole numbers only) 0

• What type of community does your organization serve? Rural

• Is your Organization considered a Metro Department? (Over 350 paid career Firefighters) No

• What is the square mileage of your first-due response area? (whole number only) 1.2

• What percentage of your response area is protected by hydrants? (whole number only) 100 %

• In what county/parish is your organization physically located? If you have more than one station, in what county/parish is your main station located? Polk

• Does your organization protect critical infrastructure? No

If "Yes", please describe the critical infrastructure protected below:

• What percentage of your primary response area is for agriculture, wildland, open space, or undeveloped properties? 0 %

• What percentage of your primary response area is for commercial and industrial purposes? 5 %

• What percentage of your primary response area is used for residential purposes? 95 %

• What is the permanent resident population of your Primary/First-Due Response Area or jurisdiction served? (whole numbers only) 950

• Do you have a seasonal increase in population? No

If "Yes" what is your seasonal increase in population?

• How many active firefighters does your department have who perform firefighting duties? (whole numbers only) 22

• How many members in your department/organization are trained to the level of EMR or EMT, Advanced EMT or Paramedic? (whole numbers only) 10

Does your department have a Community Paramedic program? No

b2

How many personnel are trained to the Community Paramedic level? (whole numbers only) 0

\* How many stations are operated by your organization? (whole numbers only) 1

\* Is your department compliant to your local Emergency Management standard for the National Incident Management System (NIMS)? Yes

\* Do you currently report to the National Fire Incident Reporting System (NFIRS)?  
 Note: You will be required to report to NFIRS for the entire period of the grant. AFG does not require NFIRS reporting for Nonaffiliated EMS Organizations and State Fire Training Academy. Yes

If you answered "Yes" above, please enter your FDIN/FDID 0118

\* How many of your active firefighters are trained to the level of Firefighter I (or equivalent)? (whole numbers only) 14

\* How many of your active firefighters are trained to the level of Firefighter II (or equivalent)? (whole numbers only, include all personnel who have attained Firefighter I) 3

Are you requesting training funds in this application to bring 100% of your firefighters into compliance with NFPA 1001? No

If you indicated that less than 100% of your firefighters are trained to the Firefighter II level and you are not asking for training funds to bring everyone to the Firefighter II level in this application, please describe in the box below your training program and your plans to bring your membership up to Firefighter II.

Falls City Fire Department is an all volunteer department, there is a high retention level of core personnel, but enough turnover that keeping incoming volunteers to immediate levels is a challenge. We hope to apply for training grants in the future.

\* What services does your organization provide?

	Emergency Medical Responder	Rescue Operational Level
	Haz-Mat Operational Level	
Basic Life Support		Structural Fire Suppression
		Wildland Fire Suppression

\* Please describe your organization and/or community that you serve.

Falls City Fire Department (FCFD) is a volunteer department covering 1.2 square miles Of City Limits and surrounding timber and rural farmland, answering about 150 calls for service a year. FCFD personnel include 22 volunteers, including the Chief, and 6 support volunteers. The City of Falls City covers about 1.2 square miles with 950 citizens. Falls City is a low income town that is off the path of any commute, it is literally at the end of the road we are located at the edge of timber land with one paved highway (which ends at Falls City) and two gravel roads that feed into the City. Falls City is surrounded by Federal, State, and Private timber land to the South, West, and East that is located in the Oregon Coastal Range and has limited public access. There are very limited businesses in town, a small grocery store and a bar/restaurant, so we do not have a lot to attract visitors; it is solely a farming/timber community and a bedroom community for surrounding towns.

Falls City is a bedroom community to the larger Salem area, 26 miles away, and is located in Western Polk County against the foothills of the coastal mountain range. Falls City lacks large commercial or industrial business that would generate tax revenue. FCFD is funded by property taxes, which means the majority of the tax burden is placed on the single-family resident. Falls City has 23.5% of its population living at or below the poverty level per American Fact Finder. Portland State University did a survey for Business Oregon and HUD to qualify for Community Block Grants and it showed 55.15% of the population was low to moderate income

Falls City has continued to see an increase in call volume with subsequent increases in costs, while there has been a decrease in revenue. With the increased call volume and maintaining staffing, there has not been money to set aside for safety equipment or apparatus replacement. FCFD volunteers also staff Southwest Polk County Fire District (SWPCFD) apparatus out of the same station. SWPCFD surrounds Falls City and has three stations, one being the Falls City station. Although SWPCFD has apparatus in the station, it has no turnouts or other equipment or 63

volunteers; that is all part of FCFD. This grant is really directly affecting two agencies, and a much larger population and call volume.

**Fire Department Characteristics (Part II)**

	2015	2014	2013
• What is the total number of fire-related civilian fatalities in your jurisdiction over the last three calendar years?	0	0	0
• What is the total number of fire-related civilian injuries in your jurisdiction over the last three calendar years?	0	0	0
• What is the total number of line of duty member fatalities in your jurisdiction over the last three calendar years?	0	0	0
• What is the total number of line of duty member injuries in your jurisdiction over the last three calendar years?	0	0	2
• Over the last three years, what was your organization's operating budget?	55205		
• How much of your TOTAL budget is dedicated to personnel costs (salary, overtime and fringe benefits)?	0		
Does your department have any rainy day reserves, emergency funds, or capital outlay?	No		
If yes, what is the total amount currently set aside?	0		
• What percentage of your annual operating budget is derived from: Enter numbers only, percentages must sum up to 100%	2015	2014	2013
<u>Taxes?</u>	100 %	100 %	100 %
Bond Issues?	0 %	0 %	0 %
<u>EMS Billing?</u>	0 %	0 %	0 %
Grants?	0 %	0 %	0 %
Donations?	0 %	0 %	0 %
Fund drives?	0 %	0 %	0 %
<u>Fee for Service?</u>	0 %	0 %	0 %

\* Applicants should describe their financial need and how consistent it is with the intent of the AFG Program. This statement should include details describing the applicant's financial distress, including summarizing budget constraints, unsuccessful attempts to obtain vehicle and outside funding, and proving the trouble is out of their control.

Falls City is struggling to maintain any type of services. The entire city has four paid employees, two clerks in city hall, two in public works and the Mayor volunteers as City Manager. These employees handle all of the City needs; land use planning, water system, wastewater system, parks, streets, grant writing, budgeting, and complaints. The entire city of Falls City has a total budget of \$392,430 for FY16-17. FCFD has an operating budget of \$79,500 and we receive \$21,000 from an agreement with Polk Southwest Fire District, leaving \$58,500 in operational cost to the general fund; of which half is dedicated to contracted costs such as dispatch and EMS services. The rest of the budget goes to utilities, apparatus maintenance and fuel. The Medical calls have been increasing each year and it is getting difficult to cover costs of medical supplies needed for this service. FCFD has no money for anything else such as hose replacement, turnouts, or capital items.

FCFD is poor enough that it is still using a 1965 pumper as the second out engine for the city. There are many mechanical problems with the vehicle, but we do not have the money to replace it. The main engine is a 1994 that was retired from a large career department recently and sold to the FCFD for very cheap, even though it is a very big step up from the 1965; it is still very well used and requires a lot of maintenance to keep it functional.

We find it very difficult to keep up on needed operational safety items, like the SCBA's. All of our equipment is out dated, except for the turnouts we were able to purchase from the 2014 Fire grant. Our pagers are outdated, we do

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not have enough radios, and the list goes on. We met and prioritized what was most needed and it was unanimous that we needed to find a way to replace the out dated SCBA's, these are critical for the safety of our volunteers to be able to perform building fire suppression.

\* How many vehicles does your organization have in each type or class of vehicle listed below? You must include vehicles that are leased or on long-term loan as well as any vehicles that have been ordered or otherwise currently under contract for purchase or lease by your organization but not yet in your possession. ( Enter numbers only and enter 0 if you do not have any of the vehicles below. )

Type or Class of Vehicle	Number of Front Line Apparatus	Number of Reserve Apparatus	Number of Seated Riding Positions
Engines or Pumpers (pumping capacity of 750 gpm or greater and water capacity of 300 gallons or more): Pumper, Pumper/Tanker, Rescue/Pumper, Foam Pumper, CAFS Pumper, Type I or Type II Engine Urban Interface	1	1	9
Ambulances for transport and/or emergency response:	0	0	0
Tankers or Tenders (pumping capacity of less than 750 gallons per minute (gpm) and water capacity of 1,000 gallons or more):	0	0	0
Aerial Apparatus: Aerial Ladder Truck, Telescoping, Articulating, Ladder Towers, Platform, Tiller Ladder Truck, Quint	0	0	0
Brush/Quick attack (pumping capacity of less than 750 gpm and water carrying capacity of at least 300 gallons): Brush Truck, Patrol Unit (Pickup w/ Skid Unit), Quick Attack Unit, Mini-Pumper, Type III Engine, Type IV Engine, Type V Engine, Type VI Engine, Type VII Engine	0	0	0
Rescue Vehicles: Rescue Squad, Rescue (Light, Medium, Heavy), Technical Rescue Vehicle, Hazardous Materials Unit	0	0	0
Additional Vehicles: EMS Chase Vehicle, Air/Light Unit, Rehab Units, Bomb Unit, Technical Support (Command, Operational Support/Supply), Hose Tender, Salvage Truck, ARFF (Aircraft Rescue Firefighting), Command/Mobile Communications Vehicle	1	0	2

**Fire Department Call Volume**

	2015	2014	2013
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\* Summary of responses per year by category (Enter whole number only. If you have no calls for any of the categories, Enter 0)

Fire - NFIRS Series 100	25	13	22
Overpressure Rupture, Explosion, Overheat (No Fire) - NFIRS Series 200	0	0	0
Rescue & Emergency Medical Service Incident - NFIRS Series 300	95	124	92
Hazardous Condition (No Fire) - NFIRS Series 400	1	1	2
Service Call - NFIRS Series 500	5	5	10
Good Intent Call - NFIRS Series 600	2	4	0
False Alarm & False Call - NFIRS Series 700	4	6	2
Severe Weather & Natural Disaster - NFIRS Series 800	0	0	0
Special Incident Type - NFIRS Series 900	1	0	0

**FIRES**

\* How many responses per year by category? (Enter whole number only If you have no calls for any of the categories, Enter 0)

Of the NFIRS Series 100 calls, how many are "Structure Fire" (NFIRS Codes 111-120)	7	5	5
	3	2	0

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Of the NFIRS Series 100 calls, how many are "Vehicle Fire" (NFIRS Codes 130-138)			
Of the NFIRS Series 100 calls, how many are "Vegetation Fire" (NFIRS Codes 140-143)	15	6	17
What is the total acreage of all vegetation fires?	3	2	4

**RESCUE AND EMERGENCY MEDICAL SERVICE INCIDENTS**

\* How many responses per year by category? (Enter whole number only. If you have no calls for any of the categories, Enter 0)

Of the NFIRS Series 300 calls, how many are "Motor Vehicle Accidents" (NFIRS Codes 322-324)	14	6	7
Of the NFIRS Series 300 calls, how many are "Extrications from Vehicles" (NFIRS Code 352)	0	0	0
Of the NFIRS Series 300 calls, how many are "Rescues" (NFIRS Codes 300, 351, 353-381)	1	0	1
How many EMS-BLS Response Calls	81	100	69
How many EMS-ALS Response Calls	14	24	23
How many EMS-BLS Scheduled Transports	0	0	0
How many EMS-ALS Scheduled Transports	0	0	0
How many Community Paramedic Response Calls	0	0	0

**MUTUAL AND AUTOMATIC AID**

\* How many responses per year by category? (Enter whole number only. If you have no calls for any of the categories, Enter 0)

How many times did your organization receive Mutual Aid?	2	1	1
How many times did your organization receive Automatic Aid?	95	124	92
How many times did your organization provide Mutual Aid?	2	2	3
How many times did your organization provide Automatic Aid?	0	0	0
Of the Mutual and Automatic Aid responses, how many were structure fires?	4	3	3

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**Request Information**

1. Select a program for which you are applying. If you are interested in applying under both Vehicle Acquisition and Operations and Safety, and/or regional application you will need to submit separate applications..

Program Name

Operations and Safety

2. Will this grant benefit more than one organization?

No

3. Enter grant-writing fee associated with the preparation of this request. Enter 0 if there is no fee.

\$0

* 4. Are you requesting a Micro Grant? A Micro Grant is limited to \$25,000 Federal share. Modification to Facilities activity is ineligible for Micro Grants.	No
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**Request Details**

The activities for program Operations and Safety are listed in the table below.

Activity	Number of Entries	Total Cost	Additional Funding
Equipment	1	\$ 4,295	\$ 1
Modify Facilities	0	\$ 0	\$ 0
Personal Protective Equipment	1	\$ 65,250	\$ 1
Training	0	\$ 0	\$ 0
Wellness and Fitness Programs	0	\$ 0	\$ 0

Grant-writing fee associated with the preparation of this request. \$0

**Equipment**

Equipment Details

- 1. What equipment will your organization purchase with this grant? RIT Pack/Cylinder
- \* Please provide a detailed description of the item selected above. RIT pack including bottle, mask, bag, regulator and hoses
- 2. Number of units: (whole number only) 1
- 3. Cost per unit: (whole dollar amounts only; this amount should reflect any volume discounts, rebates, etc.) \$ 4295
- 4. Generally the equipment purchased under this grant program will:

Replace obsolete or damaged equipment that can no longer meet the applicable standards

If you selected "Replace obsolete or damaged equipment" (from Q4) above, please specify the age of equipment in years. 13

5. Will the equipment being requested bring the organization into voluntary compliance with a national standard, e.g. compliance with NFPA, OSHA, etc? Yes

In your Narrative Statement, please explain how this equipment will bring the organization into voluntary compliance.

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- 6. Is your department trained in the proper use of the equipment being requested? Yes
- 7. Are you requesting funding to be trained for these item(s)? (Funding for requested training should be requested in the Equipment Additional Funding section).(Under the Action column select Update Additional Funding) Yes
- 8. If you are not requesting training funds through this application, will you obtain training for this equipment through other sources? No

**Firefighting Equipment - Additional Funding (optional unless you're applying for Training funds)**

Budget Object Class Definitions

	Additional Funding	
a. Personnel	<a href="#">Help</a>	\$ 0
b. Fringe Benefits	<a href="#">Help</a>	\$ 0
c. Travel	<a href="#">Help</a>	\$ 0
d. Equipment	<a href="#">Help</a>	\$ 1
e. Supplies	<a href="#">Help</a>	\$ 0
f. Contractual	<a href="#">Help</a>	\$ 0
g. Construction	<a href="#">Help</a>	\$ 0
h. Other	<a href="#">Help</a>	\$ 0
i. Indirect Charges	<a href="#">Help</a>	\$ 0
j. State Taxes	<a href="#">Help</a>	\$ 0

**Explanation**

Adding \$1.00 to equipment because it will not let me move forward in application

**Firefighting Equipment - Narrative**

\* Section # 1 Project Description: In the space provided below, include clear and concise details regarding your organization's project's description and budget. This includes providing local statistics to justify the needs of your department and a detailed plan for how your department will implement the proposed project. Further, please describe what you are requesting funding for, including budget descriptions of the major budget items, i.e., personnel, equipment, contracts, etc. \*4000 characters

Falls City fire department is requesting funding for a rapid intervention team kit (RIT) for emergency extraction of a fallen fire fighter. We currently have one RIT kit for our department, but it is over 13 years old and needs updating to meet NFPA standards.

The unit we are requesting is the Sea Western metro kit priced at \$4295.00 and will be used to help guarantee the safety of our fire fighters on structural fires and hazmat incidents. This would give peace of mind for our volunteers and their families and will be used to provide a safer environment for our fire fighters.

Without this funding request our fire fighters will have to rely on the out dated RIT pack we currently use.

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\* Section # 2 Cost/Benefit: In the space provided below please explain, as clearly as possible, what will be the benefits your department or your community will realize if the project described is funded (i.e. anticipated savings and/or efficiencies)? Is there a high benefit for the cost incurred? Are the costs reasonable? Provide justification for the budget items relating to the cost of the requested items. \*4000 characters

Falls City Fire Department serves an economically challenged community with excellent volunteers that go out of their way to provide fire and medical services to all of our residents and help to our neighbors that are in the South West Polk Fire District. The community tries to provide proper funding for equipment but it is getting more difficult each budget year. We are requesting this funding for the RIT pack to help make sure our Fire Fighters are kept as save as possible in responding to emergencies in our area.

\* Section # 3 Statement of Effect: How would this award impact the daily operations of your department? How would this award impact your department's ability to protect lives and property in your community? \*4000 characters

Falls City is blessed to have dedicated volunteers to man our Fire Department. The volunteers are all about serving their community in times of need and giving to those less fortunate members of the community. The RIT pack will give the volunteers and their families, assurance that we will be able to save a fallen fire fighter if the need should arise

**Personal Protective Equipment**

Personal Protective Equipment Details

1. Select the PPE that you propose to acquire (select one): SCBA: SCBA Unit includes: Harness/Backpack, Face Piece and 2 cylinders

Please provide a detailed description of the item selected above. Falls City Fire Department's current inventory of SCBA units was donated to us by another City's fire department in 2007; they are the 2002 edition and are two NFPA cycles out of compliance. We are requesting 10 complete MSA G-1 SCBA packs with the harness, mask, and extra tank.

2. Number of units: (whole number only) 10

3. Cost per unit: (whole dollar amounts only; this amount should reflect any volume discounts, rebates, etc.) \$6525

4. Please provide your amount for the appropriate question below: 0

• For turnout requests, what number of your on-duty active members **currently have** PPE that meets applicable NFPA and OSHA standards?

• If you are requesting new SCBA, how many of your seated riding positions **currently have** compliant SCBA assigned to it?

• If you are asking for specialized PPE (e.g., Haz-Mat), how many applicable members **currently have**

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specialized PPE that meets established standards?

5. What is the purpose of this request?

To replace obsolete/damaged PPE/SCBA (it must be a minimum of 10 years or older and two NFPA cycles)

6. Is your organization facing a new risk?

Yes, increase in call volume

What are the specific ages of the type of PPE you are requesting?

Please assure that you've accounted for ALL gear for ALL members declared in Department Characteristics - not just the gear you wish to replace. If you have 30 members then account for 30 sets of PPE.

Age (in Years)	Current Inventory	Being Replaced
Less than 1		
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12	10	10
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25 or more		
Number of members without PPE	0	0

If you have indicated you are requesting SCBA or Cylinders in Question 1, to which edition(s) of the NFPA 1981 standard are

Year	Current Inventory		Being Replaced	
	SCBA	Cylinders	SCBA	Cylinders

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your SCBA or Cylinders compliant? If not requesting SCBA/Cylinders, please select "N/A" and continue on to the next question. <b>Please account for ALL SCBA/Cylinders currently in your department's inventory - not just the SCBA/Cylinders you wish to replace. If you have damaged or inoperable SCBA/Cylinders/Face Pieces please list them in the "Obsolete/Damaged" section.</b>	2013 Edition				
	2007 Edition				
	2002 Edition and older	10	18	10	18
	Obsolete/damaged	0	2	0	2

7. Is your department trained in the proper use of the PPE/SCBA being requested? Yes

8. Are you requesting funding for training for this PPE/SCBA? No

9. If you are not requesting training funds through this application, will you obtain training for this PPE/SCBA through other sources? Yes

**Firefighting PPE - Additional Funding (optional unless you're applying for Training funds)**

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Budget Object Class Definitions

	Additional Funding	
a. Personnel	<a href="#">Help</a>	\$ 0
b. Fringe Benefits	<a href="#">Help</a>	\$ 0
c. Travel	<a href="#">Help</a>	\$ 0
d. Equipment	<a href="#">Help</a>	\$ 1
e. Supplies	<a href="#">Help</a>	\$ 0
f. Contractual	<a href="#">Help</a>	\$ 0
g. Construction	<a href="#">Help</a>	\$ 0
h. Other	<a href="#">Help</a>	\$ 0
i. Indirect Charges	<a href="#">Help</a>	\$ 0
j. State Taxes	<a href="#">Help</a>	\$ 0

**Explanation**

**It kept kicking me to this screen saying that additional funding has to be greater than "0". So I have added \$1.00 to equipment.**

**Firefighting PPE - Narrative**

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\* Section # 1 Project Description: In the space provided below, include clear and concise details regarding your organization's project's description and budget. This includes providing local statistics to justify the needs of your department and a detailed plan for how your department will implement the proposed project. Further, please describe what you are requesting funding for, including budget descriptions of the major budget items, i.e., personnel, equipment, contracts, etc. \*4000 characters

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The Falls City Fire Department is requesting funding for Ten (10) MSA G1 SBA systems that include 4500 PSI Operating system with remote quick connect cylinder system, carrier and harness system with chest strap, cylinder band, and adjustable lumbar pad, G1 regulator with solid cover continuous low pressure hose, G1 amplifier system, pass device, G1 Face piece, G1 High pressure 45 minute cylinder with quick connect fitting, and Ten (10) replacement high pressure cylinders. The total cost for the 10 SCBA's and 10 cylinders comes to \$65,250.00. Currently we are operating with SCBA's that are more than 10 years old and they are two NFPA cycles out of compliance that no longer meet current standards for interoperability or functionality in today's environment. Our current SCBA's are no longer manufactured and have become cost prohibitive to repair and replacement parts are nearly impossible to find. It is hard to find a qualified vendor that will provide annual maintenance and they are out of OSHA compliance. Annual flow tests have not been completed on the packs or masks and the last five year hydrostatic test on air cylinders was completed in 2009. Our air cylinders are past the fifteen year Department of Transportation required life span. Our inventory is prone to malfunctions that have resulted in near miss events and have led to increased property losses to our community. The grant award will greatly increase the safety to our volunteers and strengthen our ability to protect life and property. 100% of our SCBA's are out of compliance by current NFPA and OSHA standards. Our request is to replace all Ten of our SCBA units and have an extra tank for each SCBA. All new equipment will be NFPA and OSHA certified and is 2013 edition compliant.

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\* Section # 2 Cost/Benefit: In the space provided below please explain, as clearly as possible, what will be the benefits your department or your community will realize if the project described is funded (i.e. anticipated savings and/or efficiencies)? Is there a high benefit for the cost incurred? Are the costs reasonable? Provide justification for the budget items relating to the cost of the requested items. \*4000 characters

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The Falls City Fire Department is currently operating with SCBA's that are out of NFPA annual maintenance requirements. These units supply air but have malfunctioning heads-up displays. With our current units no longer being manufactured and most of our regional partners already switched to the newer SCBA's, we cannot interoperate our SCBA's when responding to mutual aid incidents. This creates an unsafe condition to our volunteers and increases the risk when we respond to incidents. We operate with limited income from our City budget and mainly focus on general operations costs such as; insurance, apparatus maintenance, dispatch service, facility maintenance, and day to operating costs. Medical costs are taking more and more of the budget; medical calls where we have to administer medicine are taking a bigger share of the budget. We just ordered epi-pens; we had budgeted \$400.00 for 4 pens and had to pay \$620.00 for just two, as an example. This project if awarded would maximize the benefit to our volunteers in insuring their safety and the City's availability to respond to emergencies in our community. I do not see any way to upgrade this vitally needed equipment, while maintaining operable equipment and medical supplies to respond to our area emergency needs. If we do not receive the award we will continue to experience higher maintenance costs on this equipment and a higher failure rate putting our volunteers at risk. This equipment upgrade will allow us to ensure the safety of our volunteers and respond to emergencies to protect lives and property.

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\* Section # 3 Statement of Effect: How would this award impact the daily operations of your department? How would this award impact your department's ability to protect lives and property in your community? \*4000 characters

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The effect of this funding will be immediate. Upon delivery of this equipment we will train our volunteers in the safe operation and maintenance of the SCBA's. We will experience a boost in moral (it was amazing the pride they took in the new turnouts we received funding for in 2013) which will lead to positive recruitment of new volunteers. We will

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have safer conditions for our volunteers on all incidents, increase interoperability with our neighboring departments, and be able to answer calls in our City and neighboring areas more efficiently. The City of Falls City is committed to funding the cost share and protecting our Fire Department for the future.

If we do not receive the funding we will experience higher maintenance costs on our current SCBA's which will take away funds from other needed areas. It will jeopardize our volunteer's safety and lead to higher risk to our citizens in property loss and bodily injury.

**Budget**

Budget Object Class

a. Personnel	\$ 0
b. Fringe Benefits	\$ 0
c. Travel	\$ 0
d. Equipment	\$ 69,547
e. Supplies	\$ 0
f. Contractual	\$ 0
g. Construction	\$ 0
h. Other	\$ 0
i. Indirect Charges	\$ 0
j. State Taxes	\$ 0
<b>Federal and Applicant Share</b>	
Federal Share	\$ 66,236
Applicant Share	\$ 3,311
Applicant Share of Award (%)	5

\* Non-Federal Resources (The combined Non-Federal Resources must equal the Applicant Share of \$ 3,311)

a. Applicant	\$ 3,311
b. State	\$ 0
c. Local	\$ 0
d. Other Sources	\$ 0

If you entered a value in Other Sources other than zero (0), include your explanation below. You can use this space to provide information on the project, cost share match, or if you have an indirect cost agreement with a federal agency.

**Total Budget** **\$ 69,547**

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**Narrative Statement**

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**For 2011 and on, the Narrative section of the AFG application has been modified. You will enter individual narratives for the Project Description, Cost-Benefit, Statement of Effect, and Additional Information in the Request Details section for each Activity for which you are requesting funds. Please return to the Request Details section for further instructions. You will address the Financial Need in Applicant Characteristics II section of the application. We recommend that you type each response in a Word Document outside of the grant application and then copy and paste it into the spaces provided within the application.**

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**Assurances and Certifications**

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**FEMA Form SF 424B**

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**You must read and sign these assurances. These documents contain the Federal requirements attached to all Federal grants including the right of the Federal government to review the grant activity. You should read over the documents to become aware of the requirements. The Assurances and Certifications must be read, signed, and submitted as a part of the application.**

**Note: Fields marked with an \* are required.**

**O.M.B Control Number 4040-0007**

Assurances Non-Construction Programs

**Note:** Certain of these assurances may not be applicable to your project or program. If you have any questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. Section 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. Sections 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. Section 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. Sections 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Acts of 1968 (42 U.S.C. Section 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Title II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a

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result of Federal or federally-assisted programs. These requirements apply to all interest in real property acquired for project purposes regardless of Federal participation in purchases.

8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. Section 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. Section 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

Signed by Terry Ungricht on 11/15/2016

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Form 20-16C

You must read and sign these assurances.

**Certifications Regarding Lobbying, Debarment, Suspension and Other Responsibility Matters and Drug-Free Workplace Requirements.**

**Note: Fields marked with an \* are required.**

**O.M.B Control Number 1660-0025**

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature on this form provides for compliance with certification requirements under 44 CFR Part 18, "New Restrictions on Lobbying; and 44 CFR Part 17, "Government-wide Debarment and Suspension (Non-procurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Homeland Security (DHS) determines to award the covered transaction, grant, or cooperative agreement.

**1. Lobbying**

A. As required by the section 1352, Title 31 of the US Code, and implemented at 44 CFR Part 18 for persons (entering) into a grant or cooperative agreement over \$100,000, as defined at 44CFR Part 18, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid by or on behalf of the undersigned to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement and extension, continuation, renewal amendment or modification of any Federal grant or cooperative agreement.

(b) If any other funds than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure of Lobbying Activities", in accordance with its instructions.

(c) The undersigned shall require that the language of this certification be included in the award documents for all the sub awards at all tiers (including sub grants, contracts under grants and cooperative agreements and sub contract(s)) and that all sub recipients shall certify and disclose accordingly.

**2. Debarment, Suspension and Other Responsibility Matters (Direct Recipient)**

A. As required by Executive Order 12549, Debarment and Suspension, and implemented at 44CFR Part 67, for prospective participants in primary covered transactions, as defined at 44 CFR Part 17, Section 17.510-A, the applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency.

(b) Have not within a three-year period preceding this application been convicted of or had a civilian judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or perform a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.

(c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification: and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

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B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. Drug-Free Workplace (Grantees other than individuals)

As required by the Drug-Free Workplace Act of 1988, and implemented at 44CFR Part 17, Subpart F, for grantees, as defined at 44 CFR part 17, Sections 17.615 and 17.620:

(A) The applicant certifies that it will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug free awareness program to inform employees about:

- (1) The dangers of drug abuse in the workplace;
- (2) The grantees policy of maintaining a drug-free workplace;
- (3) Any available drug counseling, rehabilitation and employee assistance programs; and
- (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant to be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:

- (1) Abide by the terms of the statement and
- (2) Notify the employee in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

(e) Notifying the agency, in writing within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to the applicable DHS awarding office, i.e. regional office or DHS office.

(f) Taking one of the following actions, against such an employee, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:

- (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
- (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement or other appropriate agency.

(g) Making a good faith effort to continue to maintain a drug free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

(B) The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance

Street	City	State	Zip	Action
320 North Main	Falls City	Oregon	97344 -9793	<a href="#">View</a>

If your place of performance is different from the physical address provided by you in the Applicant Information, press **Add Place of Performance** button above to ensure that the correct place of performance has been specified. You can add multiple addresses by repeating this process multiple times.

**Section 17.630 of the regulations provide that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for DHS funding. States and State agencies may elect to use a Statewide certification.**

Signed by Terry Ungricht on 11/15/2016

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**FEMA Standard Form LLL**

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**Only complete if applying for a grant for more than \$100,000 and have lobbying activities. See Form 20-16C for lobbying activities definition.**

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## Submit Application

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### Application 100% complete, Submitted

Please click on any of the following links to visit a particular section of your application. Once all areas of your application are complete, you may submit your application.

Application Area	Status
Applicant's Acknowledgements	<a href="#">Complete</a>
Overview	<a href="#">Complete</a>
Contact Information	<a href="#">Complete</a>
Applicant Information	<a href="#">Complete</a>
Applicant Characteristics (I)	<a href="#">Complete</a>
Applicant Characteristics (II)	<a href="#">Complete</a>
Department Call Volume	<a href="#">Complete</a>
Request Information	<a href="#">Complete</a>
Request Details	<a href="#">Complete</a>
Budget	<a href="#">Complete</a>
Assurances and Certifications	<a href="#">Complete</a>

**PLEASE READ THE FOLLOWING STATEMENTS BEFORE YOU SUBMIT.**

- **YOU WILL NOT BE ALLOWED TO EDIT THIS APPLICATION ONCE IT HAS BEEN SUBMITTED. If you are not yet ready to submit this application, save it, and log out until you feel that you have no more changes.**
- **When you submit this application, you, as an authorized representative of the organization applying for this grant, are certifying that the following statements are true:**

**To the best of my knowledge and belief, all data submitted in this application are true and correct.**

**This application has been duly authorized by the governing body of the applicant and the applicant will comply to the Assurances and Certifications if assistance is awarded.**

**To sign your application, check the box below and enter your password in the space provided. To submit your application, click the Submit Application button below to officially submit your application to FEMA.**

**Note: The primary contact will be responsible for signing and submitting the application. Fields marked with an \* are required.**

**I, Terry L. Ungricht, am hereby providing my signature for this application as of 15-Nov-2016.**

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**AGENDA REPORT**

**TO:** FALLS CITY COUNCIL  
**FROM:** MAYOR UNGRICH AND DOMENICA PROTHEROE, CITY CLERK  
**SUBJECT:** EVALUATE 200 CHURCH STREET WATER SERVICE RATE STRUCTURE  
**DATE:** 12/01/2016

**SUMMARY**

At the November 10, 2016 Council meeting Council requested a review of Green Have RV Parks Water usage and a review of how the City charges multiple unit dwellings with only one meter. We presented the information to the Public Works Committee for their recommendation and input on how we are currently charging multiple unit dwellings.

The Public Works Committee recommends to City Council that for Green Haven RV Park the City of Falls City use a multiplier of one on all units not considered temporary under State Law ORS 197.493.

The City currently does not have a rate study; a modest rate study will be delivered by HBH by end of year.

The review was triggered by notification of the passage of ORS 197.463. This State Law instructs local government not to prohibit placement or occupancy of an RV or impose any limit the length of occupancy if the trailer is located in a recreational vehicle park; occupied as a residential dwelling; and lawfully connected to water and electrical supply system and a sewer disposal system. (Exhibit A)

In other words, with the passage of ORS 179.493, any RV in the Green Haven RV Park connected to water, electricity and septic, *can* be occupied as a residential dwelling, the dwellings can no longer considered "temporary" housing, as *was* defined by OAR 918.650.0005(21) "temporary" as a time period of six months or less.

Current rate structure and actual consumption and charges. Gross EDU's based on annual usage.

Green Haven RV Park		NCI	2" Meter	Base rate	108.86	Overage \$	3.12	
Current rate structure				EDU	EDU	Charge		
Year	Usage	Charges	Average Monthly charge	5,000	7,500	Per 1,000 gal	↓Avg Gallons per month	
2016 Year to date	1,469,000	\$ 5,515.88	\$ 551.59	29.38	19.59	\$ 3.75	146,900	10 Months
2015	578,000	\$ 2,922.48	\$ 243.54	9.63	6.42	\$ 5.06	48,167	
2014	646,000	\$ 3,059.46	\$ 254.96	10.77	7.18	\$ 4.74	53,833	
2013	409,000	\$ 2,208.65	\$ 184.05	6.82	4.54	\$ 5.40	34,083	

The following sections offer several scenarios followed by the review criteria from Chapter 51-Water from the Falls City Municipal Code.

**Option 1:** Offer Green Haven RV Park individual water meter connections to 30 spaces (spaces that have a water and sewer connection, and have an electrical hookup) in order to charge a base rate to all permanent sites and allows non-occupied sites to be shut off. This is a costly option because the RV Park has a two inch water meter at a base rate of \$108.86 per month, the cost to install 30 water meters, and the cost to run plumbing from the meter to each RV space. All fees would be paid by Green Haven. This scenario provides a monthly base of 150,000 gallons and an annual base of 1,800,000 gallons which exceeds their current use.

Each water meter would be charged the monthly 2" base rate (e.g., 30 meters at \$108.86/month = \$3,265.80/month plus overage charge for each meter. The current fee for a water meter is \$1,250 - \$1,500 multiplied by 30 new meters = \$37,500 to \$45,000.

Green Haven RV Park	NCI	2" Meter	Base rate	108.86	Overage	\$	3.12	indicates variable used in calculation	
"What if" with a multiplier of 30				EDU	EDU	Charge	Multiplier		
Year	Usage	Charges	Average Monthly charge	5,000	7,500	Per 1,000 gal	30	Scenario: 30 dwelling charged a rate of a 2" meter	
2016 Year to date	1,469,000	\$ 32,754.72	\$ 3,275.47	2.94	1.96	\$ 22.30	14,690	10 Months	
2015	578,000	\$ 39,189.60	\$ 3,265.80	0.96	0.77	\$ 67.80	4,817		
2014	646,000	\$ 39,189.60	\$ 3,265.80	1.08	0.86	\$ 60.67	5,383		
2013	409,000	\$ 39,189.60	\$ 3,265.80	0.68	0.55	\$ 95.82	3,408		
				↑ Avg Monthly EDU	↑ Avg Monthly EDU		↑ Average Gallons per Month per multiplier (Units)		

**Option 2:** Assign a fixed number of dwelling units in order to apply a multiplier to the base charge each month. The fixed number of dwelling could be assigned based on the number of RV spaces connected to water (e.g., 30) **or** calculate an average equivalent dwelling units based on usage history.

Please note that Municipal Code Chapter 51: Water, Section 08 METERS **joint services** (Exhibit C) prohibits several customers from taking advantage of the single minimum charges.

*(E) Joint use of meters. The joining of several customers to take advantage of the single minimum charges and large quantity rates shall be prohibited, except under special contract, in writing, with the City Council.*

The Apartments on Mitchell is assigned a rate code of Non Residential Commercial with five dwelling units; the apartments have a one and half inch meter. They pay five base charges each month, and pay and overage charge when usage exceeds 25,000 gallons (5,000 gallons base multiplied by five apartments).

In the first scenario found on the next page, the billing rate has been reduced to a 5/8" meter at a base rate of \$64.64 with a multiplier of 30; this scenario provides a monthly base of 150,000 gallons and an annual base of 1,800,000 gallons which exceeds their current use. The second scenario, the billing rate remains the 2" meter \$108.86 with a multiplier of 10; this scenario provides a monthly base of 50,000 gallons and an annual base of 600,000 gallons. The third scenario, the billing rate remains the 2" meter \$108.86 with a multiplier of 4. This scenario provides a monthly base of 20,000 gallons and an annual base of 240,000 gallons.

Green Haven RV Park NCI 5/8" Meter Base rate				64.64	Overage	\$ 3.12	indicates variable used in calculation	
"What if" with a multiplier of 30				EDU	EDU	Charge	Multiplier	
Year	Usage	Charges	Average Monthly charge	5,000	7,500	Per 1,000 gal	30	
2016 Year to date	1,469,000	\$ 19,488.72	\$ 1,948.87	2.94	1.96	\$ 13.27	14,690	Scenario: 30 dwelling charged a reduced rate of 5/8" meter
2015	578,000	\$ 23,270.40	\$ 1,939.20	0.96	0.77	\$ 40.26	4,817	10 Months
2014	646,000	\$ 23,270.40	\$ 1,939.20	1.08	0.86	\$ 36.02	5,383	
2013	409,000	\$ 23,270.40	\$ 1,939.20	0.68	0.55	\$ 56.90	3,408	
				↑ Avg Monthly EDU	↑ Avg Monthly EDU		↑ Average Gallons per Month per multiplier (Units)	

Green Haven RV Park NCI 2" Meter Base rate				108.86	Overage	\$ 3.12	indicates variable used in calculation	
"What if" with a multiplier of 10				EDU	EDU	Charge	Multiplier	
Year	Usage	Charges	Average Monthly charge	5,000	7,500	Per 1,000 gal	10	
2016 Year to date	1,469,000	\$ 13,909.28	\$ 1,390.93	2.94	1.96	\$ 9.47	14,690	Scenario: 10 dwelling charged a rate of a 2" meter
2015	578,000	\$ 13,131.84	\$ 1,094.32	0.96	0.77	\$ 22.72	4,817	10 Months
2014	646,000	\$ 13,206.72	\$ 1,100.56	1.08	0.86	\$ 20.44	5,383	
2013	409,000	\$ 13,659.12	\$ 1,138.26	0.68	0.55	\$ 33.40	3,408	
				↑ Avg Monthly EDU	↑ Avg Monthly EDU		↑ Average Gallons per Month per multiplier (Units)	

Green Haven RV Park NCI 2" Meter Base rate				108.86	Overage	\$ 3.12	indicates variable used in calculation	
"What if" with a multiplier of 4				EDU	EDU	Charge	Multiplier	
Year	Usage	Charges	Average Monthly charge	5,000	7,500	Per 1,000 gal	4	
2016 Year to date	1,469,000	\$ 9,059.76	\$ 905.98	2.94	4.90	\$ 6.17	36,725	Scenario: 4 dwelling charged a rate of a 2" meter
2015	578,000	\$ 6,279.84	\$ 523.32	2.41	1.93	\$ 10.86	12,042	10 Months
2014	646,000	\$ 6,492.00	\$ 541.00	2.69	2.15	\$ 10.05	13,458	
2013	409,000	\$ 5,752.56	\$ 479.38	1.70	1.36	\$ 14.06	8,521	
				↑ Avg Monthly EDU	↑ Avg Monthly EDU		↑ Average Gallons per Month per multiplier (Units)	

Option 3: Enter into a special contract with Green Haven RV Park for water because of the large quantity of water used. Green Haven was the third largest water user in 2014, 2015 and 2016, behind Luckiamute. Municipal Code Chapter 51.07 (E) defines special contracts “when the applicant’s requirements for water as unusual or large which applies to this account.

*(E) Special contracts. When the applicant's requirements for water are unusual or large, such as an independent water district or necessitate considerable special or reserve equipment or capacity, the Water Department, by authorization of the City Council, reserves the right to make a special contract, the provisions of which are different from and have exceptions to the regularly published water rates, rules, and regulations. This special contract shall be in writing, signed by the applicant, and approved by the City Council and City Attorney and signed by the Mayor and City Recorder/Administrator.*

Option 4: Do nothing.

### **BACKGROUND**

Green Haven RV Park located at 200 Church Street has (approximately) 30 spaces connected to water (sewer & electricity), one manufactured home, one restroom facility, and one office.

Sewer: The onsite sewage disposal system serving Green Haven RV Park is operating on a Water Pollution Control Facility (WPCF) permit issued by DEQ.

1999: DEQ Permit File# 110171 Permit # 10200 was issued for a **40 space RV park**.

2011: DEQ evaluation found that there were **30 spaces with sewer hook ups, 10 dry spaces, one single family dwelling and one office**.

Current Water Rate: Green Haven Water Rate is Non Residential Commercial Inside City Limits (NCI), one two inch meter with a single base rate of \$108.86 (5,000 Gallons) and \$3.12 per unit (1,000) over 5 units (5,000 gallons).

**Review Criteria:** Falls City Municipal Code Chapter 50-Water provides the guidance and a framework for defining and determining water classes and joint connections:

### § 51.07 SERVICES

(D) Classes of service. The classes of service shall be residential, commercial, standby fire, and contract:

(1) Inside city limits or outside city limits; and

(2) Classes:

(a) Residential service. Residential services shall consist of all services for domestic purposes, single-family dwellings, homes, and municipal purposes;

(b) Commercial service. Commercial services shall consist of those services where water is used for commercial services, such as businesses **and multi-family dwellings**;

(c) Standby fire. Standby fire services shall consist of those services where water is available or used for fire protection only; and

(d) Contract service. Contract service shall consist of those services for industrial or independent water district purposes under contracts authorized by the City Council.

(E) Special contracts. **When the applicant's requirements for water are unusual or large**, such as an independent water district or necessitate considerable special or reserve equipment or capacity, the Water Department, by authorization of the City Council, reserves the right to make a special contract, the provisions of which are different from and have exceptions to the regularly published water rates, rules, and regulations. This special contract shall be in writing, signed by the applicant, and approved by the City Council and City Attorney and signed by the Mayor and City Recorder/Administrator.

**Review Criteria:** Joint services connections.

Green Haven RV Park located at 200 Church Street has 30 spaces connected to water (sewer & electricity), one manufactured home, one restroom facility, and one office.

Municipal Code Chapter 51: Water, Section 08 METERS.

(G) Joint service connections. The Water Department may, at its option, serve two or more premises with one connection. On new service connections, the inside diameter of the joint lines shall be sufficient to provide a carrying capacity of not less than the combined capacity of individual service lines of the same size as the meters installed. Service extensions from an existing service to other occupancies or ownerships than that for which the existing service was intended shall not be permitted nor shall separate residences be permitted to receive service through one meter except under special considerations approved by the City Council.

(H) Number of service connections on premises. The owner of a single parcel of property may apply for and receive as many services as he or she and his or her tenants may require, provided his or her application or applications meet the requirements of the policies, rules, and regulations.

(E) Joint use of meters. The joining of several customers to take advantage of the single minimum charges and large quantity rates shall be prohibited, except under special contract, in writing, with the City Council.

**Current practice:** Where property zoned Commercial Residential is used for multiple units and is served by one meter, the City uses a rate multiplier in order to charge a monthly base rate for each unit. I.e., Duplex has one meter and is charged a base rate for two apartments, and the apartment building has one meter and is charged a base rate for five apartments.

**Current practice:** Where property zoned Commercial Residential is used for a single family home the Residential Inside City Limits water rate (RI) is applied. I.e., homes located in the Commercial Residential zone.

**PREVIOUS COUNCIL ACTION**

DIRECTED STAFF TO REVIEW

**STAFF RECOMMENDATION**

N/A

**EXHIBIT**

Exhibit A - ORS 197.493 Placement and occupancy of recreational vehicle

Exhibit B - Falls City Municipal Code Chapter 51: Water

**PROPOSED MOTION**

N/A

**Exhibit A**

**ORS 197.493 PLACEMENT AND OCCUPANCY OF RECREATIONAL VEHICLE**

*197.493 Placement and occupancy of recreational vehicle.*

*(1) A state agency or local government may not prohibit the placement or occupancy of a recreational vehicle, or impose any limit on the length of occupancy of a recreational vehicle, solely on the grounds that the occupancy is in a recreational vehicle, if the recreational vehicle is:*

*(a) Located in a manufactured dwelling park, mobile home park or recreational vehicle park;*

*(b) Occupied as a residential dwelling; and*

*(c) Lawfully connected to water and electrical supply systems and a sewage disposal system.*

*(2) Subsection (1) of this section does not limit the authority of a state agency or local government to impose other special conditions on the placement or occupancy of a recreational vehicle. [2005 c.619 §12]*

Exhibit B

CHAPTER 51: WATER

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Section

***Rules and Regulations***

- 51.01 Short title; scope
- 51.02 Definitions
- 51.03 Service area
- 51.04 Description of service
- 51.05 Application for service
- 51.06 Main extension
- 51.07 Services
- 51.08 Meters
- 51.09 Water rates and charges
- 51.10 Notices
- 51.11 Billing and payments
- 51.12 Meter error
- 51.13 Discontinuance of services
- 51.14 Reconnection of service
- 51.15 Unusual demands
- 51.16 Access to property
- 51.17 Responsibility for equipment
- 51.18 Fire hydrants
- 51.19 Suspension of rules
- 51.20 Easements

***General Provisions***

- 51.35 Water pressure regulators
  
- 51.99 Penalty

***Cross-reference:***

- Cross-Connection Control, see Ch. 52*
- Sewers, see Ch. 50*
- Solid Waste Management, see Ch. 53*

**RULES AND REGULATIONS**

**§ 51.01 SHORT TITLE; SCOPE.**

(A) *Short title.* This subchapter may be referenced to as the *Rules and Regulations of the Falls City Water System*, and may be so cited and pleaded.

(B) *Scope.* The Water Department and all customers receiving services from the Water Department, whether inside or outside the city limits, are bound by these rules and regulations of the Water Department.

(Ord. 98-471, passed 5-4-1998)

**§ 51.02 DEFINITIONS.**

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**APPLICANT.** The person or persons, firm, or corporation making application for water service from the Water Department under the terms of these regulations.

**CITY.** The legally constituted municipal government of the City of Falls City, Polk County, Oregon.

**CITY COUNCIL.** The legally elected group of members composing the City Council, including the Mayor.

**CUSTOMER or USER.** An applicant who has been accepted under the terms of these regulations and who receives water service from the Water Department.

**RESOLUTION OF THE COUNCIL.** Resolution No. 98-06 setting rates and fees as adopted on 1-6-1998, until superseded, in which case it shall mean the most recent resolution of the City Council setting rates and fees.

**SUPERINTENDENT.** The person appointed by the City Council to superintend the affairs of the Water Department or, if none, the City Recorder/Administrator.

**WATER DEPARTMENT.** The City Water Department.

(Ord. 98-471, passed 5-4-1998)

***Cross-reference:***

*Short title; scope, see § 51.01*

**§ 51.03 SERVICE AREA.**

The area served by the Water Department shall be all that area included within the corporate limits of the city, and any other contiguous and neighboring territory as the City Council shall, from time to time, deem necessary to serve.

(Ord. 98-471, passed 5-4-1998)

**§ 51.04 DESCRIPTION OF SERVICE.**

(A) *Supply.* The Water Department will exercise reasonable diligence and care to deliver a continuous and sufficient supply of water to the customer at a reasonable pressure and to avoid, so much as reasonably possible, any shortage or interruption in delivery. The Water Department shall not be liable for damage resulting from the interruption in service or from the lack of service. Temporary suspension of service by the Water Department for improvements and repairs will be necessary occasionally. Whenever possible, and when time permits, all customers affected will be notified prior to shutdowns.

(B) *Quality.* The Water Department will exercise reasonable diligence to supply safe and potable water at all times.

(C) *Ownership of system.* All water mains, water meters, valves, fittings, hydrants, and other appurtenances, except "customer service lines," as defined in § 51.07(A), shall be the property of the Water Department.

(D) *Classes of service.* The classes of service shall be residential, commercial, standby fire, and contract:

(1) Inside city limits or outside city limits; and

(2) Classes:

(a) *Residential service.* Residential services shall consist of all services for domestic purposes, single-family dwellings, homes, and municipal purposes;

(b) *Commercial service.* Commercial services shall consist of those services where water is used for commercial services, such as businesses and multi-family dwellings;

(c) *Standby fire.* Standby fire services shall consist of those services where water is available or used for fire protection only; and

(d) *Contract service.* Contract service shall consist of those services for industrial or independent water district purposes under contracts authorized by the City Council.

(E) *Special contracts.* When the applicant's requirements for water are unusual or large, such as an independent water district or necessitate considerable special or reserve equipment or capacity, the Water Department, by authorization of the City Council, reserves the right to make a special contract, the provisions of which are different from and have exceptions to the regularly published water rates, rules, and regulations. This special contract shall be in writing, signed by the applicant, and approved by the City Council and City Attorney and signed by the Mayor and City Recorder/Administrator.

(F) *Resale of water.* Resale of water shall be permitted only under special contract, in writing, between the City Council and the persons, parties, or corporations selling the water.

(G) *Service preference.* In cases of shortage of supply, the Water Department reserves the right to give preferences in the matter of furnishing service to customers and interest of the Water Department from the standing of public convenience or necessity. Water service to users outside of the city limits shall at all times be subject to the prior and superior rights of the customers within the city limits.

(Ord. 98-471, passed 5-4-1998)

#### § 51.05 APPLICATION FOR SERVICE.

(A) *Application form.*

(1) Each applicant for water service shall sign an application form provided by the Water Department giving the date of application, location of premises to be served, the date the applicant desires

services to begin, purpose for which service is to be used, the address for mailing of the billings, the class and size of the meter service, and any other information as the Water Department may reasonably require. In signing the application, the customer agrees to abide by these rules and regulations of the Water Department. The application is merely a written request for service and does not bind the Water Department to provide service.

(2) Effective as of 3-1-2000, all new applications for water service shall be made by the property owner(s) of record. All new deposits and customer accounts shall be maintained in the name of the property owner(s) of record. For properties being purchased through a land sale contract, the owner(s) of record shall be those designated as "agent" on the rolls of the County Assessor's office.

(B) *Deposits and establishment of credit.* At the time the application for service is made, the applicant shall establish his or her credit with the Water Department.

(1) *Establishment of credit.* The credit of the applicant will be deemed established if the applicant makes a cash deposit with the Water Department to secure the payment of bills for service. The deposit shall be a sum equal to the estimated bill for two-months' service or as otherwise established by resolution of the Council.

(2) *Deposits.* At the time the deposit is given to the Water Department, the applicant will be given a receipt for the same. The deposit is not to be considered as a payment on account. In the event the service is discontinued, the deposit shall be applied to the closing bill and any amount in excess of the closing bill shall be refunded. The Water Department will not pay interest on any deposit.

(3) *Forfeiture of deposit.* If an account becomes delinquent and it is necessary to turn off the service, the deposit shall be applied to the unpaid balance due. Water service will not be restored to that premises or that customer at different premises until all outstanding bills due the Water Department have been paid and the cash deposit replaced, together with the reconnect fee as established by resolution of the Council.

(C) *Application amendments.* Customers desiring a material change in the size, character, or extent of equipment or operation which would result in a material change in the amount of water used shall give the Water Department written notice of the change prior to the change and the application for service shall be amended. Customers desiring a change in the size, location, or number of services shall fill out an amended application.

(Ord. 98-471, passed 5-4-1998; Ord. 477, passed 1-31-2000)

#### **§ 51.06 MAIN EXTENSION.**

(A) *Within the city limits.* Water main extensions to areas within the city limits not presently served with water shall be a minimum of six-inch pipe of a material specified by the city and become the property of the Water Department at the time of installation. Extensions inside the city limits shall be installed by the Water Department or by contractors approved by the Water Department. The installation procedures and materials used shall be in accordance with current City and/or State Health Department standards. Subdividers for newly partitioned properties will assume all costs of main extensions with the approval of the City Council.

(B) *Outside the city limits.* Water mains outside the city limits shall be extended only at the expense of the customers served. The main extensions shall be a minimum of six-inch pipe of a material specified by the city and become the property of the Water Department at the time of installation. Extensions outside the city limits shall be installed by the Water Department or by contractors approved by the Water Department. The

installation procedures and materials used shall be in accordance with current City and/or State Health Department standards. Subdividers for newly partitioned properties will assume all costs of main extensions with the approval of the City Council.

(C) *Locations of extensions.* The Water Department will make water main extensions only on rights-of-way, easements, or publicly owned property. Easements or permits secured for main extensions shall be obtained in the name of the city, along with all rights and title to the main at the time the service is provided to the customer paying for the extension.

(Ord. 98-471, passed 5-4-1998)

#### § 51.07 SERVICES.

(A) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**CUSTOMER SERVICE LINE.** The part of the piping on the customer's property that connects the service to the customer's distribution system.

**SERVICE CONNECTION.** The part of the water distribution system which connects the meter to the main line and shall normally consist of corporation stop, service pipe, curb stop and box, meter, meter yoke, and meter box.

(B) *Ownership, installation, and maintenance.* The Water Department shall own, install, and maintain all services and installation and maintenance shall only be performed by authorized employees of the Water Department. The customer shall own, install, and maintain the service line.

(C) *Service connection charge.* At the time the applicant files for service where no service previously existed, or if he or she is filing for a change in service size or location, he or she shall submit with his or her application the service connection charge. This charge is to cover the actual cost to the Water Department to install the first 100 feet of service from the main line to, and including, the meter and meter housing. The minimum service connection charge shall be as established by resolution of the Council. If the length of main line to the meter location exceeds 100 feet, the applicant shall pay the extra cost of the line on the basis of actual cost to the Water Department for labor, materials, and equipment plus 15%.

(D) *Size of service line.* The Water Department will furnish and install a service line of the size and at the locations as the applicant requests, provided the requests are reasonable and that the size requested is one that is listed by the Water Department. The minimum size of service line shall be three-fourths inch. The Water Department may refuse to install a service line which is undersized or oversized as determined by a study and report of the Superintendent to the City Council.

(E) *Changes in service size.* Permanent changes in the size of the service line requested by the customer shall be paid by the customer on the basis of actual cost to the Water Department for making the change.

(F) *Length of service line.* Where the main line is in a public right-of-way, the meter will be placed at the right-of-way line nearest the property to be served for the standard connection fee, provided the length of service line does not exceed the width of the right-of-way. Where the main line is on an easement or publicly owned property other than designated rights-of-way, the service shall be installed to the boundary of the easement or public property by the Water Department, provided the length of service does not exceed 100 feet. If, in either case cited herein, the length of service line to the meter location exceeds the maximum stated, the

applicant shall pay the extra cost of the line on the basis of actual cost to the Water Department for labor, materials, and equipment plus 15%.

(G) *Joint service connections.* The Water Department may, at its option, serve two or more premises with one connection. On new service connections, the inside diameter of the joint lines shall be sufficient to provide a carrying capacity of not less than the combined capacity of individual service lines of the same size as the meters installed. Service extensions from an existing service to other occupancies or ownerships than that for which the existing service was intended shall not be permitted nor shall separate residences be permitted to receive service through one meter except under special considerations approved by the City Council.

(H) *Number of service connections on premises.* The owner of a single parcel of property may apply for and receive as many services as he or she and his or her tenants may require, provided his or her application or applications meet the requirements of the policies, rules, and regulations.

(I) *Standby fire protection service connections.*

(1) *Purpose.* Standby fire protection service connections of two-inch size and larger will be installed only if adequate provisions are made to prevent the use of water from the services for purposes other than fire extinguishing. Sealed fire sprinkler systems with water-operated alarms shall be considered as having the provisions. The Water Department may require that a suitable detector check meter be installed in the standby fire protection service connections to which hose lines or hydrants are connected. All piping on the customer's premises shall be installed in accordance with the plumbing code of the state.

(2) *Charges for service.* Charges for standby fire protection service will be as established by resolution of the Council. No charge will be made for water used in the standby fire protection services to extinguish accidental fires or for routine testing of the fire protection system. The customers shall pay the full cost of the standby protection service connection, any required detector check meters, and any required special water meter installed for the service to the standby connection.

(3) *Violations of regulations.* If water is used from a standby pipe connection service in violation of these regulations, an estimate of the amount used will be computed by the Water Department. The customer shall pay for the water used at the regular rates, including the minimum charge based on the size of the service connection and subsequent bills rendered on the basis of the regular water rates.

(J) *Fire services connections other than standby.* A service having fire protection facilities on the premises and water for other purposes flowing through the same service connection shall be considered as an ordinary service and metered as such. All water used through that service, regardless of its use, will be charged at the regular rates.

(K) *Temporary service connections.* For water service of a temporary nature, applicants shall be required to pay in advance the estimated cost of installation and removal of metering equipment and materials, plus a reasonable depreciation charge for the use of equipment and material furnished by the Water Department. The applicant shall also pay his or her water bill in advance and based on an estimate of the quantity to be used, or he or she shall otherwise establish satisfactory credit.

(1) *Time limit.* Temporary service connections shall be discontinued and terminated within six months after installation unless an extension of time is granted, in writing, by the Water Department.

(2) *Charge for water served.* Charges for water furnished through a temporary service connection shall be at the same rates as for regular services as established by resolution of the Council.

(3) *Installation charge and deposits.* Applicant for temporary service will be required:

- (a) To pay the Water Department, in advance, the estimated cost of installing and removing all facilities necessary to furnish each service;
- (b) To deposit an amount sufficient to cover bills for water during the entire period the temporary service may be used, or to otherwise establish credit approved by the Water Department; and
- (c) To deposit with the utility an amount equal to the value of any equipment loaned by the Water Department to the applicant under the terms of division (K)(4) below.

(4) *Responsibility for meters and installation.* The customer shall use all possible care to prevent damage to the meter or to any other loaned facilities of the Water Department. If the meter or other facilities are damaged, the cost of making repairs shall be deducted from the deposit fund. If the loaned materials are returned in satisfactory conditions and all bills paid, the full amount of the equipment deposit will be returned to the temporary customer at the termination of service.

(L) *Customer's plumbing.*

(1) *Plumbing code.* The customer's plumbing, which shall include the customer's service line and all plumbing, piping, fixtures, and other appurtenances carrying or intended to carry water, sewer, or drainage shall comply with the plumbing code of the state.

(2) *Control valves.* Customers shall install a suitable control valve in the customer service line as close to the meter as possible, the operation of which will control the entire water supply to the premises served. In the event a customer's service is discontinued for any reason, a control valve must be installed, if none exists, as provided by this section. It shall be a violation of these rules and regulations for the customer to operate, cause, or permit unauthorized operation of the meter stop or any appurtenances on the service connection.

(Ord. 98-471, passed 5-4-1998) Penalty, see § 51.99

**§ 51.08 METERS.**

(A) *Ownership.* The Water Department will own and maintain all water meters. The Water Department will not pay rent or any other charge for a meter or other water facilities, including housing and connections on a customer's premises.

(B) *Installation.* Installation of water meters will be performed only by authorized employees of the Water Department. All meters shall be sealed by the Water Department at the time of installation, and no seal shall be altered or broken except by one of its authorized employees.

(C) *The size and type of meter.* An applicant may request and receive any size meter regularly stocked or furnished by the Water Department, provided the request is reasonable and further provided that the meter is not greatly oversized or undersized, as determined by the Water Superintendent. The Water Department reserves the right to determine the type of meter to be installed.

(D) *Location of meters.* Meters shall normally be placed at the curb or property lines. The meter will be installed wherever the applicant desires within reason, but the location must be approved by the Water Department. The meters will not be located in driveways or other locations where damage to the meter or its related parts may occur.

(E) *Joint use of meters.* The joining of several customers to take advantage of the single minimum charges and large quantity rates shall be prohibited, except under special contract, in writing, with the City Council.

(F) *Changes in size or location.* If for any reason a change in the size of a meter and service is required, the installation will be accomplished on the basis of a new connection, and the customer's application shall be amended. Meters or services moved for the convenience of the customer will be relocated only at the customer's expense.

(Ord. 98-471, passed 5-4-1998) Penalty, see § 51.99

#### § 51.09 WATER RATES AND CHARGES.

The water rates to be charged for each class of service, including minimum charges, charges for water consumption, service connection charges, and all other related fees and charges shall be as established by resolution or ordinance of the Council, as may be amended from time to time.

(Ord. 98-471, passed 5-4-1998; Ord. 493, passed 5-2-2001)

#### § 51.10 NOTICES.

(A) *Notices to customers.* Notices from the Water Department to the customer will normally be given in writing and either mailed to or delivered to him or her at his or her last known address. Where conditions warrant and in emergencies, the Water Department may notify either by telephone or messenger.

(B) *Notices from customers.* Notices from the customer to the Water Department may be given by the customer or his or her authorized representative orally or in writing at the office of the Water Department in the City Hall or to an agent of the Water Department duly authorized to receive notices or complaints.

(Ord. 98-471, passed 5-4-1998)

#### § 51.11 BILLING AND PAYMENTS.

(A) *Meter readings.* Meters will be read and customers billed in arrears on the basis of the meter reading to the last 1,000 gallons. The Water Department will keep an accurate account on its books of all reading of meters and the accounts so kept shall be offered at all times, places, and courts as prima facie evidence of the use of water service by the customer.

(B) *Rendering of bills.*

(1) *Billing period.* All meters shall be read and bills rendered therefor monthly.

(2) *Bills for other than normal billing period.* Opening or closing bills, or bills that for any other reason cover a period containing 10% more days or 10% less days than in the normal billing period shall be pro-rated.

(3) *Bills for more than one meter.* All meters supplying a customer's premises shall be billed separately, except that where the Water Department has for operating purposes installed two or more meters in place of one, the reading may be combined for billing.

(C) *Disputed bills.* When a customer disputes the correctness of any bill, he or she shall submit a written request for a hearing by the City Council at its next regularly scheduled meeting, and deposit the amount of the disputed bill, within ten days of receipt of the disputed bill, pending final settlement of the bill or bills. A

determination of the City Council after a hearing on a disputed bill shall be final. Any subsequent bills shall be paid or placed on deposit in a similar manner until the dispute is heard by the Council. The customer's service shall not be disconnected while the dispute is pending and for ten days after a decision by the Council is made. Failure of the customer to make such a written request and deposit within ten days shall warrant discontinuance of service as provided under division (F) below and the imposition of any other remedies available under § 51.13(B).

(D) *Failure to read meters.* In the event that it shall be impossible or impractical to read a meter on the regular date, the water consumption shall be pro-rated on the basis of 30 days per month and the total water consumption for billing purposes for that period shall be estimated.

(E) *Payment of bills.* Each bill rendered shall contain the final date on which payment is due. If the bill is not paid by that date, the account shall be considered delinquent, unless other arrangements have been made with the Water Department, in writing, that specify another due date.

(F) *Delinquent accounts.*

(1) *Delinquent notice.* A reminder of account delinquency may be sent, at the discretion of the City Recorder/Administrator, to each delinquent account on or about ten days after the account becomes delinquent.

(2) *Turn-off notice.* On or about 15 days after an account becomes delinquent, a turn-off notice may be sent to the customer. The notice shall state a date on which water will be turned off if the delinquent account is not paid in full prior thereto.

(3) *Service turn-off.* On the turn-off date, the meter reader or other agent of the city shall deliver a written notice to the customer stating that the water service is being turned off until all delinquent amounts have been paid. The meter reader or other agent of the city shall immediately thereafter turn off the service. A delivery to the premises served by the meter shall be considered a delivery to the customer.

(4) *Service charge.* In all instances where water has been turned off because of delinquent accounts, a service charge for the reconnection of services and replacement of cash deposit shall be made as established by resolution of the Council. Effective 3-1-2000, water service shall be reconnected only upon application and replacement of cash deposit by the property owner(s) of record, if the customer account was held in a name other than the owner(s) of record when service was turned off.

(G) *Installment payments of delinquent accounts.* In cases of extreme hardship, the City Recorder/Administrator shall have the discretion of renewing service to a delinquent account upon receipt of a satisfactory installment payment agreement for the overdue amount, provided that new billings remain current. (Ord. 98-471, passed 5-4-1998; Ord. 477, passed 1-31-2000)

#### § 51.12 METER ERROR.

(A) *Meter accuracy.* All meters will be tested prior to installation. No meter will be placed in service or allowed to remain in service which is known to have an error in registration in excess of 2% under conditions of normal operations.

(B) *Meter test.*

(1) *Standard test.* Meter tests will be conducted in accordance with standards of practice established by the American Water Works Association.

(2) *On customer request.* A customer may, giving not less than seven-days' notice, request the Water Department to test the meter servicing his or her premises. The Water Department will require the customer to deposit the testing fee. This fee shall be \$25, or as otherwise established by resolution of the Council, for meters three-fourths inch and smaller, and for meters larger than three-fourths inch shall be an estimate of the cost of testing the meter as determined by the Water Superintendent. The deposit will be returned to the customer if the test reveals the meter to over-register more than 2% under the standard test conditions, otherwise, the deposit shall be retained by the Water Department. Customers may, at their option, witness any meter test which they request.

(3) *On Water Department request.* If, upon comparison of past water usage, it appears that a meter is not registering properly, the Water Department may, at its option, test the meter and adjust the charges accordingly if the meter either over-registers or under-registers. No charge for meter testing will be made to the customer for the meter test under these conditions.

(C) *Adjustments of bill for meter error.*

(1) No credit or debits will be borne by the city or the customers should the tested meter show variance high or low, from the accuracy defined in division (A) above.

(2) The Water Department will bill the customer for water consumed while the meter was not registering. The bill will be computed upon an estimate of consumption based either upon the customer's prior use during the same season of the year, or upon a reasonable comparison with the use of other customers receiving the same class of service during the same season and under similar circumstances and conditions. (Ord. 98-471, passed 5-4-1998)

#### **§ 51.13 DISCONTINUANCE OF SERVICES.**

(A) *On customer request.* Each customer about to vacate any premises supplied with water service by the Water Department shall give the Water Department written notice of his or her intentions at least two-days prior thereto, specifying the date service is to be discontinued; otherwise, he or she will be responsible for all water supplied to the premises until the Water Department shall receive notice of the removal. At the time specified by the customer that he or she expects to vacate the premises where service is supplied or that he or she desires service to be discontinued, the meter will be read and a bill rendered which is payable immediately. In no case will the bill be less than the monthly minimum specified in the schedule applying to the class or classes of service furnished.

(B) *Remedies for nonpayment of bills.* A customer's water service may be discontinued if the water bill is not paid in accordance with the procedures listed in § 51.11(C), (F), or (G). Additionally, if any billing for rates, fees, or other charges is not paid within 90 days of the date it became due, or 90 days after the date the Council determined that a disputed bill was due, by any such person, firm, or corporation, the amounts so unpaid may be certified by the city to the County Assessor, and shall be assessed by him or her against the premises served, as provided by law, and shall be collected and paid over to the city in the same manner as other taxes are assessed, collected, and paid over, with interest. Interest on unpaid bills shall run from the due date thereof at the rate of 8% per annum, or as otherwise established by resolution of the Council. The unpaid charges may also be recovered in an action at law in the name of the city, with interest as aforesaid. These remedies are not mutually exclusive and shall be in addition to any penalty assessed under § 51.99.

(C) *Nonpayment of sewer service charges.* If sewer service charges are not paid when due by any such person, firm, or corporation whose premises are serviced or who are subject to the charges herein provided, water service provided to that customer by the City Water Department may be discontinued because of the default in the payment of the sewer service charges.

(D) *Improper customer facilities.*

(1) *Unsafe facilities.* The Water Department may refuse to furnish water and may discontinue service to any premises without prior notice where plumbing facilities, appliances, or equipment using water are dangerous, unsafe, or not in conformity with the plumbing code of the state.

(2) *Cross-connections.* A cross-connection is defined as any physical connection between the Water Department's system and another water supply. The State Health Division and the U.S. Environmental Protection Agency prohibit cross-connections. The Water Department will not permit any cross-connection and will discontinue service to any persons or premises where a cross-connection exists. Service will not be restored until the cross-connection is eliminated. Customers using water from one or more sources in addition to receiving water from the Water Department on the same premises shall maintain separate systems for each; and comply with all aspects of Chapter 52.

(E) *Water waste.* Where water is wastefully or negligently used on a customer's premises, seriously affecting the general service, the Water Department may discontinue service if the conditions are not corrected after due notice by the Water Department.

(F) *Service detrimental to others.* The Water Department may refuse to furnish water and may discontinue service to any premises where excessive demands by one customer will result in inadequate service to others.

(G) *Fraud or abuse.* The Water Department will refuse or discontinue service to any premises where it is deemed necessary to protect the Water Department from fraud or abuse. Discontinuance of service from one or both of these causes will be made immediately upon receipt of knowledge by the Water Department that the condition or conditions exist.

(H) *Unauthorized turn-on.* Where water service has been discontinued for any reason and the water is turned on by a customer or other unauthorized person, the water may then be shut off at the main or the meter removed. The charges for shutting off the water at the main or removing the meter shall be computed at actual cost to the Water Department plus 15% overhead, but not less than \$50, or as otherwise established by resolution of the Council. These charges shall be billed to the offending customer and water shall not be furnished to the premises or customer until the charges are paid and the Water Department has reasonable assurance that the violation will not reoccur.

(I) *Noncompliance with regulations.* The Water Department may, upon five-days' notice, discontinue service to a customer's premises for failure to comply with any of the provisions of these regulations.

(Ord. 98-471, passed 5-4-1998)

#### **§ 51.14 RECONNECTION OF SERVICE.**

Reconnection of service after discontinuance for nonpayment of bills shall be made after payment of current and past due charges and posting a deposit pursuant to § 51.11(F)(4). Reconnection of service after discontinuance of service for any other reason, such as unsafe facilities, water waste, fraud, abuse, or

noncompliance with any of the policies, rules, and regulations will only be made after the irregularity has been corrected and the Water Department has been assured that the irregularity will not reoccur. The reconnection charges shall be made as established by resolution of the Council, plus any other charges or costs due or past due that the Water Department may have incurred to correct the irregularity.

(Ord. 98-471, passed 5-4-1998)

**§ 51.15 UNUSUAL DEMANDS.**

When an abnormally large quantity of water is desired for filling a swimming pool, log pond, or for other purposes, arrangements must be made with the utility prior to taking the water. Permission to take water in unusual quantities will be given only if the Water Department facilities and other customers are not inconvenienced.

(Ord. 98-471, passed 5-4-1998)

**§ 51.16 ACCESS TO PROPERTY.**

All duly appointed employees of the Water Department, under the direction of the Water Superintendent, shall have free access at all reasonable hours of the day to perform all necessary repairs, maintenance, inspections, and meter readings. The Water Department does not, however, assume the duty of inspecting the customer's line, plumbing, and equipment, and shall not be responsible therefor. Denial or hindrance in any way to any city official or employee of the Water Department in the performance of his or her duties shall constitute cause for immediate termination of all service without further notification.

(Ord. 98-471, passed 5-4-1998)

**§ 51.17 RESPONSIBILITY FOR EQUIPMENT.**

(A) *Responsibility for customer equipment.* The Water Department shall not be liable for any loss or damage of any nature whatsoever caused by any defect in the customer's line, plumbing, or equipment, nor shall the Water Department be liable for loss or damage due to interruption of service or temporary changes in pressure. The customer shall be responsible for valves on his or her premises being turned off when the water service is turned on.

(B) *Responsibility for Water Department equipment.* Water Department equipment on the customer's premises remains the property of the Department and may be repaired, replaced, or removed by the Department employees at any time without consent of customer. No payment will be made to the property owner for the right to install, maintain, replace, or remove Water Department equipment on his or her premises. The property owner must keep vicious dogs or other animals secured or confined to avoid interference with the utility operation, maintenance, and reading of meters.

(C) *Damage to Water Department distribution system, facilities, and equipment.* The customer shall be liable for any damage to distribution system, facilities, and equipment owned by the Water Department which is caused by an act of the customer, his or her tenants, agents, employees, contractors, licensees, or

permitees. Damage shall include, but not be limited to, breaking of seals and locks, tampering with meters, injury to meters, injury to distribution lines, including, but not limited to, damage by hot water or steam and damaged meter boxes, curb stops, meter stops, and other appurtenances. Failure to make restitution in full within 90 days of notice and billing shall result in a lien being assessed against the customer's property, as provided for in § 51.13(B).

(Ord. 98-471, passed 5-4-1998) Penalty, see § 51.99

#### **§ 51.18 FIRE HYDRANTS.**

(A) *Operation.* No person or persons other than those designated and authorized by the Water Department shall open any fire hydrant belonging to the Water Department, attempt to draw water from it, or in any manner damage or tamper with it. Any violation of this regulation will be prosecuted according to law. No tool other than special hydrant wrenches shall be used to operate a hydrant valve. In cases where a temporary service has been granted and received water through a fire hydrant, an auxiliary external valve will be provided to control the flow of water.

(B) *Moving a fire hydrant.* When a fire hydrant has been installed in the locations specified by the proper authority, the Water Department has fulfilled its obligation. If a property owner or other party desires to change the size, type, or location of the hydrant, he or she shall bear all costs of the changes. Any changes in the location of a fire hydrant must be approved by the Water Department and the Fire Department.

(Ord. 98-471, passed 5-4-1998) Penalty, see § 51.99

#### **§ 51.19 SUSPENSION OF RULES.**

No employee of the Water Department is authorized to suspend or alter any of the policies, rules, and regulations cited herein without specific approval or direction of the City Council, except in cases of emergency involving loss of life or property or which would place the water system operation in jeopardy.

(Ord. 98-471, passed 5-4-1998)

#### **§ 51.20 EASEMENTS.**

Each applicant and user, as a condition of service, gives and grants to the city an easement and right-of-way in, on, across, and under his or her property for the installation and maintenance of water lines, water meters, and the necessary valves and equipment in connection therewith.

(Ord. 98-471, passed 5-4-1998)

### **GENERAL PROVISIONS**

**§ 51.35 WATER PRESSURE REGULATORS.**

Upon the sale or transfer, by contract, deed, or otherwise, of any property served by the city water system, the new owner of the property shall forthwith cause to be installed a water pressure regulator on the owner's side of the curb cock so as to restrict the amount of water pressure to the property to not more than 80 pounds per square inch. If it is shown that the water pressure to any certain piece of property does not ever exceed 80 pounds per square inch, then this section shall be of no force and effect with respect to the property. (Ord. 395, passed 5-5-1980) Penalty, see § 51.99

**§ 51.99 PENALTY.**

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) Any person violating any of the provisions of §§ 51.01 through 51.20 shall, upon conviction thereof, be punished by a fine not exceeding \$500. Each day's violation constitutes a separate offense. This penalty shall be in addition to any other remedies available to the city.

(Ord. 98-471, passed 5-4-1998)

**Mayor's Report,  
December 8, 2016 Council Meeting**

I have received notice that we did not receive the Community Development Block Grant. IFA, the grants person for the CDBG program, and I are in the process of setting up a meeting to review our submittal and to prepare for reapplying. First impression is since we are not out of compliance the funds went to jurisdictions that were out of compliance. I will argue that we have band-aided our system to work at staying in compliance, but it is past its age expectancy.

With the time limits we were under to complete the application before the deadline, I was expecting not to get the award, but it is still a bummer. I will meet with IFA and USDA to see about grant/loan packages that will allow us to move forward on surveying, identifying the best location, and land purchase. There are a lot of requirements we will have to follow to keep in line with the CDBG funding regulations, but I am hopeful that we can at least get a start on the project. We will also review where we were weak in the application and start the process for the next round of CDBG awards. I now know that LOC and AOC has a spot on the review process, so I will meet with these organizations and explain why it is crucial that we get a CDBG award to be able to update our system. We will not give up on searching for an affordable solution to our City's wastewater needs.

I am closing out the Small Cities Allotment Grant for the South Main project. We will have a year warranty on the paving from Knife River and 3 years on the Engineering from JMS Engineering. The final bill from Knife River was \$51,128.91, which was \$744.79 under their bid, even with the added on shoulder work we requested. We used under what was bided in asphalt. JMS Engineering charged the City \$4295.00 and we had another \$ 2639.83 in cost for the storm drain, so total project costs came to \$58,063.74. We will submit for the \$50,000 grant resulting in a total of \$8,063.74 of City funds for the project. We need to give a huge thank you to Cliff Lauder and Public Works for the work they performed on this project.

The Falls City Public Works Committee has been reviewing the draft of the Master Water Plan and we are requesting a few changes in the priority list. I am expecting HBH Engineering to have a draft of the majority of the plan for Council review in January. If any of the Councilors want an early peek at the draft you can access it at [fallscityoregon.gov](http://fallscityoregon.gov)., public works packets.

It sounds like the Community Thanksgiving Dinner went well, they did an excellent job cleaning up the Community Center except there was a clogged sink in the kitchen and I was not informed. So after three weeks of sitting clogged and growing all sorts of goodies I found out about it. I was able to repair the clog myself, saving on plumber costs, but it would have been nice to hit it when it was a little fresher.

The plan for next meeting is to first do the swearing in of new Councilors, give out proclamations, then ask for a motion to adopt the agenda. I hope all of the outgoing Councilor's can make the meeting to turn over their position to the newly elected officials.

# MONTHLY EXPENSE REPORT

## MAYOR UNGRICHT

11/03/2016: 25 miles, Monmouth, Bank.  
11/07/2016: 20 Miles, Dallas, meet with City Manager.  
11/10/2016: 25 Miles, Monmouth, Bank.  
11/16/2016: 25 Miles, Monmouth, Bank.  
11/17/2016: 20 Miles, Dallas, SWFD.  
11/22/2016: 25 Miles, Monmouth, Bank.  
11/29/2016: 25 Miles, Monmouth, Bank.

165 Miles x .54 = \$89.10 mileage.

**Total reimbursement = \$89.10**

## Public Works Staff Report for November 2016

Tuesday, 1 Abandon, influent septic line 279 Mill Street, owner request.

Wednesday, 2 Made repair on UV system, clean UV flow meter, 464 Frist Avenue water off, 1020 Mitchell reread, lock.

Thursday, 3 South Main Street project done, fill pot holes around town.

Friday, 4 Review Water Master Plan.

Saturday, 5, Sunday, 6 Routine water and sewer.

Monday, 7 through Thursday the 10<sup>th</sup> ditch work on Parry RD.

Friday, 11 Holiday, routine water and sewer, also for the week end.

Monday, 14 Water Master Plan review, took flags down from the holiday.

Tuesday, 15 Master Plan review, 32 South Main, pulled pump, clean and reinstalled.

Wednesday, 16 Master Plan review, deliver shut off notices, Boondocks Tavern septic tank back up, called King Pumping service, came out the falling day.

Thursday, 17 Pump tank, graded roads down town,

Friday, 18 Graded roads on North side of town.

Saturday, 19, Sunday, 20 Routine water and sewer.

Monday, 21 Master Plan review, had eight physical shut offs, two remand off over night.

Tuesday, 22 City Hall, grounds maintenance, lower park and side walk.

Wednesday, 23 Meter reading, office lost the reads, have to do over.

Thursday, 24 Holiday, received over five inches of rain, water and sewer problems, had to shut off WTP and run of reservoir.

Friday, 25 City WWTP, has some very serious I and I problem, Terry and I went into Glaze Cr. Intake, WTP on line that morning.

Saturday, 26, Sunday, 27 Routine water and sewer.

Monday, 28 Finish meters, Hach company under contract with the city, calibrate all instruments at WTP.

Tuesday, 29 Did rereads and high consumption, notified some customers of some very big leaks.

Wednesday, 30 Work at WTP, going over samples with Heath Courtney from OAWU, Valley Electric, also did some work there and at WWTP.

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## Library Director's Report

December 2016

- **Attendance** for the month of November was 126 adults, 86 children (212 total). 131 of those patrons (62%) were at the library for book or research related activity.
- Completed 2016 Ready 2 Read Summer Reading Program Report.
- Attended monthly CCRLS PYM meeting in Salem.
- Have a meeting scheduled with Oregon State Librarian MaryKay Dahlgreen on Wednesday, December 7<sup>th</sup> to talk about funding.
- I have received emails from three library directors regarding their experiences with their libraries' bond/levy, and I have spoken directly with one.
- Attended CCRLS Report Scheduling training in Salem.
- Wagner Library was open until 8:00 as an official ballot box location on December 8<sup>th</sup>. When voting closed I delivered ballot box to elections office.
- I continue to sort out old, obsolete and discarded materials in Wagner's back room space, and I continue to catalogue new books into our collection.

**Andy Rommel – Library Director**