

**John Day City Council  
August 26, 2014  
7:00 PM  
Council Chambers  
AGENDA**

1. **OPEN AND NOTE ATTENDANCE**
2. **APPROVAL OF CITY COUNCIL MINUTES OF AUGUST 12, 2014.**
3. **APPEARANCE OF INTERESTED CITIZENS – At this time Mayor Lundbom will welcome the general public and ask if there is anything they would like to add to tonight’s agenda.**

**ACTION ITEMS:**

4. **DISCUSS FOR ADOPTION RESOLUTION NO. 14-727-13, A RESOLUTION TO DECLARE ACCOUNTS UNCOLLECTIBLE AND TAKE OFF THE BOOKS AS RECEIVABLE**  
Attachment:
  - Resolution No. 14-727-13
5. **DISCUSS CHANGING THE TIME OF THE SEPTEMBER 9, 2014 REGULAR CITY COUNCIL MEETING TO 6 P.M. IN ORDER TO HOLD A PUBLIC HEARING ON THE CM/GC PROCUREMENT PROCESS FOR THE CONSTRUCTION OF A NEW FIRE STATION**
6. **DISCUSS FILLING VACANT CITY COUNCIL SEAT(S)**  
Attachments:
  - John Day City Charter - Section 20. Vacancies: Filling
  - Application for Boards/Commission

**OTHER BUSINESS:**

7. **OTHER BUSINESS AND UPCOMING MEETINGS**  
Attachment:
  - LOC Bulletin
  - Officer Pelayo Potluck Flyer

**ADJOURN**

**TO:** John Day City Council

**FROM:** Peggy Gray, City Manager

**DATE:** August 22, 2014

**SUBJECT:** Discuss for Adoption Resolution No. 14-727-13, a Resolution to Declare Accounts Uncollectible and Take off the Books as Receivable  
Attachment:

- Resolution No. 14-727-13

**BACKGROUND:**

Resolution No. 14-727-13 is a resolution to declare accounts uncollectible and take them off the books as a receivable and turns them over to the collection agency. These are accounts that were renters before the adoption of our updated Water Regulations Ordinance.

**RECOMMENDATION:**

The John Day City Council adopts Resolution No. 14-727-13, a Resolution to declare accounts uncollectible and take off the books as receivable.

**TO:** John Day City Council

**FROM:** Peggy Gray, City Manager

**DATE:** August 22, 2014

**SUBJECT:** Discuss changing the time of the September 9, 2014 regular City Council meeting to 6 p.m. in order to hold a Public Hearing on the CM/GC Procurement Process for the Construction of a New Fire Station

**BACKGROUND:**

The Construction Management/General Contractor (CM/GC) procurement process is an alternative contracting method, one that the City of John Day has not used previously; this procurement process requires an exemption from the requirement that public improvement contracts be based on competitive bids. In order to exempt a contract from competitive bidding, the City's local contract review board (i.e., the city council) must approve/adopt findings that awarding the contract under the exemption will likely result in substantial cost savings and other substantial benefits to the City.

City Attorney Jeremy Green's associate Paul Taylor of Bryant, Lovlien and Jarvis recommends that since the City has never done a CM/GC Contract, as an alternative to the above method (finding substantial cost savings and other substantial benefits to the City); the Council may make a finding identifying this as a pilot project to determine whether the alternative contracting method actually results in substantial cost savings. Please note that a post-project evaluation of alternative contracting methods is required under ORS 279C.355 already. The post-project evaluation required under the new law requires a particular focus on the actual project costs as compared with original project estimates. The City will need to have a project estimate in place for this later comparison.

Before approving the findings, the City must hold a public hearing at which time interested person may appear and comment on the proposed exemption. Notice of the hearing must be published in the Daily Journal of Commerce at least 14 days prior to the hearing. At the time that the notice is published, the findings in support of the exemption must be available for public review.

In summary, in order to exempt this project, the City will need to complete the following:

1. Prepare findings for submission to the Council.
2. Draft the notice for Daily Journal of Commerce
3. Publish the notice at least 14 days prior to the meeting at which the public hearing will be held. We will also publish notice in the Blue Mountain Eagle and KJDY.
4. Hold the public hearing, take any public comments on the proposed findings/exemption, answer any questions the councilors may have. The Rural Fire District has been invited to attend the public hearing as well. The Council will need to approve the findings and exempt the contract.

**RECOMMENDATION:**

It is our goal to have the findings ready in time to advertise on August 26, 2014 in order to hold the public hearing at the September 9, 2014 council meeting. I would like to have City Attorney Jeremy Green available by speaker phone during the public hearing. As Jeremy has a conflict at 7 p.m.; I would like to begin the September 9, 2014 council meeting at 6 p.m. with the public hearing as our first action item.

During the 14-day period between the advertisement and hearing, I will be working with Paul Taylor and Peter Baer on the RFP and contract documents. Once the RFP and contract documents are ready, we can advertise the RFP solicitation. Paul Taylor stated that in his experience, the RFP process generally takes about 6-8 weeks from advertisement to contractor selection; then the selection is generally approved at the next council meeting.

**TO:** John Day City Council

**FROM:** Peggy Gray, City Manager

**DATE:** August 22, 2014

**SUBJECT:** Discuss Filling Vacant City Council Seat(s)  
Attachments:

- John Day City Charter - Section 20. Vacancies: Filling
- Application for Boards/Commission

**BACKGROUND:**

As you are aware Doug Gochnour resigned his position from the John Day City Council. The Council needs to discuss the filling of his position that expires December 31, 2016. Councilor Gene Officer has informed the City Council that he is moving to Prairie City and this will be his last city council meeting. Gene Officer's council position expires December 31, 2014; a person who fills his seat by appointment would also have to file for that position for the November 4, 2014 election. The filing deadline for persons wishing to run for the open council positions is Friday, August 22, 2014. Currently Councilor Paul Smith has filed for his council position and Mayor Lundbom has filed for the Mayor position.

Attached you will find Section 20. Vacancies: Filling of the John Day City Charter which states as follows:

A vacancy in the council shall be filled by appointment by a majority of the Council. The appointee's term of office runs from the time of his or her qualifying for the office after the appointment and until expiration of the term of the predecessor who has left the office vacant. During a council member's disability to serve on the council or during a member's absence from the city, a majority of the other council members may by appointment fill the vacancy pro tem.

**RECOMMENDATION:**

When a vacancy occurred in the past; the City Council advertised in the local newspaper and radio station announcing the vacancy asking candidates to fill out an application (copy attached) stating their qualifications and the reasons why they think they would make a good city councilor. The City Council reviews the applications and interviews the qualified candidates.

**TO:** John Day City Council  
**FROM:** Peggy Gray, City Manager  
**DATE:** August 22, 2014  
**SUBJECT:** Other Business and Upcoming Meetings  
Attachment:

- LOC Bulletin
- Officer Pelayo Potluck Flyer

**OTHER BUSINESS:**

1. Attached is August 15, 2014 LOC Bulletin for your information and review.
2. Our bid of \$10,100 was the high (and only) bid for the City of Prineville's sewer camera equipment. Prineville has ordered their new sewer camera equipment but would like to keep their old equipment until the new equipment arrives. Prineville will also provide training for our Public Works crew on the sewer camera equipment.
3. The US26/Main St. & S. Canyon Blvd. Sidewalk/Beautification Project is slated to begin Tuesday, September 2, 2014. The project will begin on the east side of S. Canyon Blvd. to 1st Street and north to the intersection. The project will be done in phases with new sidewalks being put in as the project progresses.
4. Included in your council packet is an invitation to Officer Pelayo's going away potluck. Officer Pelayo's final day is August 27, 2014.

**UPCOMING MEETINGS AND EVENTS:**

August 25 – 29, 2014	Annual Audit Council Chambers	
August 27, 2014	6:00 p.m. 7 <sup>th</sup> St. Complex	Potluck for Officer Daniel Pelayo
September 9, 2014	<b>6:00 P.M.</b> <b>Council Chambers</b>	<b>Regular City Council meeting</b> <b>Public Hearing on CM/GC</b>
September 10, 2014	1:00 p.m. Grant County Regional Airport	City Hall Day
September 11 – 26, 2014	City Manager's Vacation	