

**John Day City Council Meeting
Tuesday, December 14, 2021
316 S. Canyon Boulevard**

7:15 PM City Council Meeting

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1. **OPEN AND NOTE ATTENDANCE**
2. **APPROVAL OF PRIOR MINUTES**
3. **APPEARANCE OF INTERESTED CITIZENS** – At this time we will welcome the public and ask if there is anything they would like to add to tonight’s agenda.

CONSENT AGENDA

4. **CONSENT AGENDA ITEMS**

Attachments:

- None

ACTION ITEMS

5. **PUBLIC HEARING – RESOLUTION NO. RESOLUTION NO. 21-879-18, A RESOLUTION TO CHANGE BUDGET APPROPRIATIONS BY SUPPLEMENTAL BUDGET**

Attachments:

- Notice of Public Hearing
- Resolution No. 21-879-18
- FY22 Supplemental Budget

6. **FY21 AUDITED FINANCIAL STATEMENTS & AUDIT REPORT**

Attachments:

- FY21 Audited Financial Statements

7. **REVIEW OF THE AQUATICS CENTER DESIGN PROPOSALS, NOTICE OF INTENT TO AWARD & APPEAL OF CUP-21-05**

Attachments:

- Aquatics Center RFP Scoring Matrix – Final

- Notice of Intent to Award

8. REVIEW OF THE PIT STOP PRELIMINARY DESIGN

Attachments:

- Pit Stop Preliminary Design Draft

9. POLICE AGREEMENT & FY21 COPS GRANT AWARD

Attachments:

- Award List – CHP Awards
- 2021 COPS Grant – Funded Award Letter and Conditions
- Email to DHS

10. TREATMENT PLANT UPDATE & OWRD PROVISIONAL AWARD FOR THE JOHN DAY INNOVATION GATEWAY ADAPTIVE WATER REUSE PROJECT

Attachments:

- OWRD Provisional Award
- Adaptive Reuse Project Area Map
- Collection System Alternative 1

11. INDUSTRIAL PARK LAND SALES UPDATE, PRICING FOR GATEWAY BUSINESS PARK AND LETTERS OF INTENT FOR ADDITIONAL LAND SALES

Attachments:

- Airport Industrial Park – Original Subdivision
- Airport Industrial Park – 2021 Replat
- Gateway Business Park Concept Map
- LOI – Shannon Adair
- Ordinance No. 21-192-03

12. KAM WAH CHUNG INTERPRETIVE CENTER / OPRD GLEASON POOL PURCHASE AND SALE AGREEMENT UPDATE

Attachments:

- Grants Summary

13. INFRASTRUCTURE AND JOBS ACT WEBINAR

Attachments:

- None

14. OTHER BUSINESS & UPCOMING MEETINGS

Attachments:

- TBD January 5, City Council Appeal Hearing – CUP-21-05 – Fire Hall
- January 11, City Council Meeting – Fire Hall, 7:00 PM
- January 25, City Council Meeting (State of City Address) – Fire Hall, 7:00 PM
- February 8, City Council Meeting – Fire Hall, 7:00 PM
- February 22, City Council Meeting – Fire Hall, 7:00 PM

TO: John Day City Council
FROM: Nicholas Green, City Manager
DATE: December 14, 2021
SUBJECT: Agenda Item #4: Consent Agenda Items
Attachment(s)

- None

BACKGROUND

No items on the consent agenda.

Item 1) N/A

N/A

Recommendation: N/A

Item 2) N/A

N/A

Recommendation: N/A

TO: John Day City Council

FROM: Nicholas Green, City Manager

DATE: December 14, 2021

SUBJECT: Agenda Item #5: Public Hearing – Resolution No. 21-879-18, A Resolution to Change Budget Appropriations by Supplemental Budget

- Notice of Public Hearing
- Resolution No. 21-879-18
- FY22 Supplemental Budget

BACKGROUND

The City Council will hold a public hearing to adopt Resolution No. 21-879-18, which amends the current fiscal year budget.

DISCUSSION

The amended budget appropriates grant funding received from multiple sources that were announced and/or received after our spring budget process. This amendment also adds several new departments to administer these grant-funded projects.

The proposed amendments will be reviewed with council prior to the hearing and are shown in the attached documentation.

RECOMMENDATION MOTIONS

- 1) “I move to open the public hearing for Resolution No. 21-879-18, A Resolution to Change Budget Appropriations by Supplemental Budget.”

[Accept public comment]

- 2) “I move to close the public hearing for Resolution No. 21-879-18.”

[Council deliberations]

- 3) “I move to adopt Resolution No. 21-879-18, A Resolution to Change Budget Appropriations by Supplemental Budget” [as amended, if any].

TO: John Day City Council

FROM: Nicholas Green, City Manager

DATE: December 14, 2021

SUBJECT: Agenda Item #6: FY21 Audited Financial Statements & Audit Report
Attachment(s)

- FY21 Audited Financial Statements

BACKGROUND

Robert Gaslin, CPA, Gaslin Accounting CPAs, PC will present the audited financial statements for FY21. The electronic copies of the audit report will be uploaded when received.

TO: John Day City Council

FROM: Nicholas Green, City Manager

DATE: December 14, 2021

SUBJECT: Agenda Item #7: Review of the Aquatics Center Design Proposals, Notice of Intent to Award & Appeal of CUP-21-05
Attachment(s)

- Aquatics Center Scoring Matrix – Final
- Notice of Intent to Award

BACKGROUND

Three vendors provided responses to the City’s request for proposals for the design of the aquatics center. The RFP is available on this city website at this link: <https://www.cityofjohnday.com/parksrec/page/john-day-aquatics-center-design>

A five-person committee made up of two members of the parks and recreation district, two members of the city council’s community development committee, and one special advisor from the special districts association independently scored each proposal. A summary of the scores and relative ranks from the proposers is enclosed, along with a notice of intent to award.

A notice of appeal was filed on the planning commission’s decision on CUP-21-05, which now must be heard by a quorum of city councilors. The appeal procedures and proposed hearing date will be discussed at the conclusion of this topic.

DISCUSSION

RFP Responses. Qualifying responses were received from three firms: Cole Architects, Opsis and Schemata. Their average scores and relative rankings are below and detailed scores are shown in the attached scoring matrix.

	Avg. Score	Rank
Opsis	94.8	1
Cole Architects	88.6	2
Schemata	79.4	3

Based on the review committee’s scoring, our recommendation is that the city council issue a notice of intent to award to the highest ranked proposer and enter into negotiations for a design contract. If no agreement is reached, as outlined in the RFP, negotiations will comment with the next highest scorer. A notice of intent to award is enclosed. I am also recommending council authorize the city manager to commence negotiations and sign an award agreement subject to final review by the city attorney if the negotiated fee is equal to or less than the \$550,000 design fee budgeted for in the parks and recreation district’s pool budget. \$200,000 of this cost will come from the proceeds from the Gleason Park and Pool property to OPRD (discussed in Agenda Item 11) with the balance paid from the bridge financing for the Aquatics Center Grant, as discussed in our last council meeting.

Appeal of CUP-21-05. Mr. John Morris, a Grant County resident who participated in the planning commission hearing for CUP-21-05, has filed a notice of intent to appeal the planning commission’s

decision on the application by the parks and recreation district to erect the pool on their property located at 845 ½ NW Bridge Street (upper Belshaw Field at the 7th Street Sports Complex).

Below is the process for the appeal hearings from our code. I will prepare a report for the council and provide notice to Mr. Morris and the Parks and Recreation District, as the applicant, of the appeal hearing. Both parties can present argument but cannot introduce additional evidence that was not presented previously to the Planning Commission. The appellant (Mr. Morris) has the burden of proof to demonstrate that some aspect of the application is not compliant with the City's development code. Arguments not based on the standards and criteria in the Code are not considered in the decision making process.

My recommendation to the city council will be to hold a hearing on the record at a date and time we set (not a normal council night) to allow both parties to submit their arguments in writing and present orally, if they wish to. Depending on the arguments presented, council may choose to leave the record open and allow final, written rebuttal arguments to be submitted after the hearing date but prior to making a decision. The council would then reconvene a public meeting for the purpose of rendering a decision and considering those written comments, but no new testimony would be accepted. The decision to do that will depend on the arguments made at the hearing.

At this point, it's unlikely to happen before Christmas and that will push us into early January. Wednesday, January 5th is available for the fire hall. Please let me know if that works for you during the meeting and your time preference (between 5 and 7 p.m.).

Mr. Morris's appeal of the planning commission's decision has no bearing on the authority of the city council to enter into a design contract for a city-funded project as the city's procurement procedures do not require a land use decision prior to commencing engineering – only prior to construction.

Appeal Procedures:

1. Review on the Record.

1. For the purpose of de novo review on the record under section 3, above, the record shall include the following:
 1. A factual report prepared by the Planning Official;
 2. All exhibits, materials, pleadings, memoranda, stipulations, oral and written testimony and motions submitted to and received or considered by the Planning Commission in reaching the decision under review;
 3. The final order and findings of fact adopted by the Planning Commission;
 4. The Notice of Appeal filed by the appellant; and
 5. The minutes of the Planning Commission's public hearings on the matter, including a transcript of the hearings if requested by or presented to the City Council.
2. All parties to the hearing before the Planning Commission shall receive notice of the proposed hearing on de novo review on the record, indicating the date, time and place of the review, and of the right to present argument to the City Council as provided in subsection c., below.
3. The City Council shall make its decision based upon the record after first granting the right to present argument, but not to introduce additional evidence, to the parties to the hearing before the Planning Commission.
4. In considering the appeal, the City Council need only consider those matters specifically raised by the appellant. The City Council may consider other matters if it so desires.
5. The appellant shall have the burden of proof and persuasion on appeal.

2. The Decision Process.
 1. Basis for decision. Decisions on appeal to the City Council shall be based on standards and criteria in this Code. The decision on such appeal shall relate to the applicable Code standards and criteria.
 2. Findings and conclusions. The written decision shall explain the relevant criteria and standards, state the facts relied upon in rendering the decision, and justify the decision according to the criteria, standards, and facts.
 3. Form of decision. The City Council shall issue a final written order containing the findings and conclusions required in subparagraph b., which either approves, denies, or approves with specific conditions.
 4. Decision-making time limits. A final order on any appeal to the City Council shall be signed by the Mayor or President of the City Council and filed by the City Planning Official within ten (10) business days after the decision is made.
 5. Notice of Decision. Written notice of a decision on an appeal to the City Council shall be mailed to the applicant and to all participants of record within ten (10) business days after the decision is made. Failure of any person to receive mailed notice shall not invalidate the decision or action, provided that a good faith attempt was made to mail the notice.
 6. Final Decision and Effective Date. A decision of the City Council is final on the date it is mailed by the City. The decision is effective on the day after the appeal period for the decision expires.
3. **Further Appeal to LUBA.** The City Council’s decision may be appealed to the State Land Use Board of Appeals pursuant to ORS 197.805 - 197.860.

RECOMMENDED MOTIONS

“I move to authorize the city manager to issue a notice of intent to award for RFP 2021-01, John Day Aquatics Center Design.”

“Provided no protests are received within the 7-day protest window, I move to authorize the city manager to enter into negotiations with Opsis Architecture for the final pool design and to issue a contract for design subject to final review and approval by the city attorney, so long as the total value of the contract does not exceed \$550,000.”

TO: John Day City Council
FROM: Nicholas Green, City Manager
DATE: December 14, 2021
SUBJECT: Agenda Item #8: Review of the Pit Stop Preliminary Design Attachment(s)

- Pit Stop Preliminary Design (Draft)

BACKGROUND

Text

DISCUSSION

Text

RECOMMENDED MOTION

Text

TO: John Day City Council

FROM: Nicholas Green, City Manager

DATE: December 14, 2021

SUBJECT: Agenda Item #9: Police Agreement and COPS Grant Award Attachment(s)

- Award List – CHP Awards
- 2021 COPS Grant – Funded Award Letter and Conditions
- Email to DHS

BACKGROUND

The CHP award list, summary of our 2021 COPS grant award, and my email to the DHS program office are enclosed.

City was awarded \$375,000 in funding by DHS for the 2021 COPS grant. This funding is for three officer positions at our entry level wages and benefits. The wages cannot be increased if the grant is transferred to another agency, but transferring the grant may be possible if the sheriff's office is willing to accept the obligations that come with the grant. We will discuss these obligations during our meeting.

DISCUSSION

The awarded funds require hiring three entry level officers for at least \$68,116.00 per officer in year one, \$70,842.96 per officer in year two, and \$73,676.15 per officer in year three (total salary and benefits of \$637,905.34).

Matching funds of at least \$262,905.00 must be committed over this three year period, in addition to full payment of the officers' salaries and benefits for a fourth year after the grant funding concludes.

Transferring the grant to the GCSO may be a possibility, but they would be held to the same stipulations as our award (i.e. they can use the full grant amount to hire three officers for at least the same wages, but cannot use the full grant to hire one officer. For instance, if the county hired one officer, they would receive 1/3 of the grant award; two officers would be 2/3 of the award value, etc.). My understanding from the review of the program rules is that DHS will not increase the value of an award after it has been issued.

No response to our proposed fund transfer agreement with the county has been received from any member of the court or the county sheriff since it was sent to them on November 8th, other than acknowledging they received it. It has not been presented for discussion on their agendas during the three meetings they have held since that time.

I do not intend to pursue the agreement further unless they make some formal response or I am directed to do so by the city council.

RECOMMENDED MOTION

I have not yet received a response to my email inquiry from the program office and therefore I do not know when the funds would be available or whether it can be transferred. As a result, I do not have a recommended motion for the city council at this time.

TO: John Day City Council

FROM: Nicholas Green, City Manager

DATE: December 14, 2021

SUBJECT: Agenda Item #10: Treatment Plant Update & OWRD Provisional Award for the John Day Innovation Gateway Adaptive Water Reuse Project
Attachment(s)

- OWRD Provisional Award
- Adaptive Reuse Project Area Map
- Collection System Alternative 1

BACKGROUND

The Water Resources Commission met on December 3, 2021 to make a funding award decision on applications to the 2021 Water Project Grants and Loans funding opportunity. Our project application was provisionally awarded, subject to available funding by the Water Resources Commission, which will allow us to complete our reclaimed water distribution system in parallel with the construction of the new wastewater treatment plant.

DISCUSSION

This award, for \$3M, will cover the cost to build the purple pipe network to distribute reclaimed water from the new wastewater treatment plant west to Malheur Lumber and east to the 7th Street Park. It also includes a connection across the Oregon Pine Bridge to the city greenhouse and a 500,000 gallon above ground storage tank to pressurize the system, along with a reclaimed water fill station for non-potable bulk water users.

DEQ has nearly completed their review of our permit application for the WPCF permit and we expect to have the file back this month for a two-week applicant review prior to finalizing the permit.

We are currently working on the final design RFP for the treatment plant itself. I am exploring the option of using progressive design build as our procurement method for the new plant. Under this approach, we would issue one contract to one team that would be responsible for the entire project from final design through construction, as opposed to issuing separate contracts for design engineering and construction.

One reason for pursuing this approach is to simplify the contracting procedures for the city – we would have only one prime contractor to manage the project as opposed to multiple primes working with multiple subs on each project component.

As currently scoped, the progressive design build RFP would consist of the following project components:

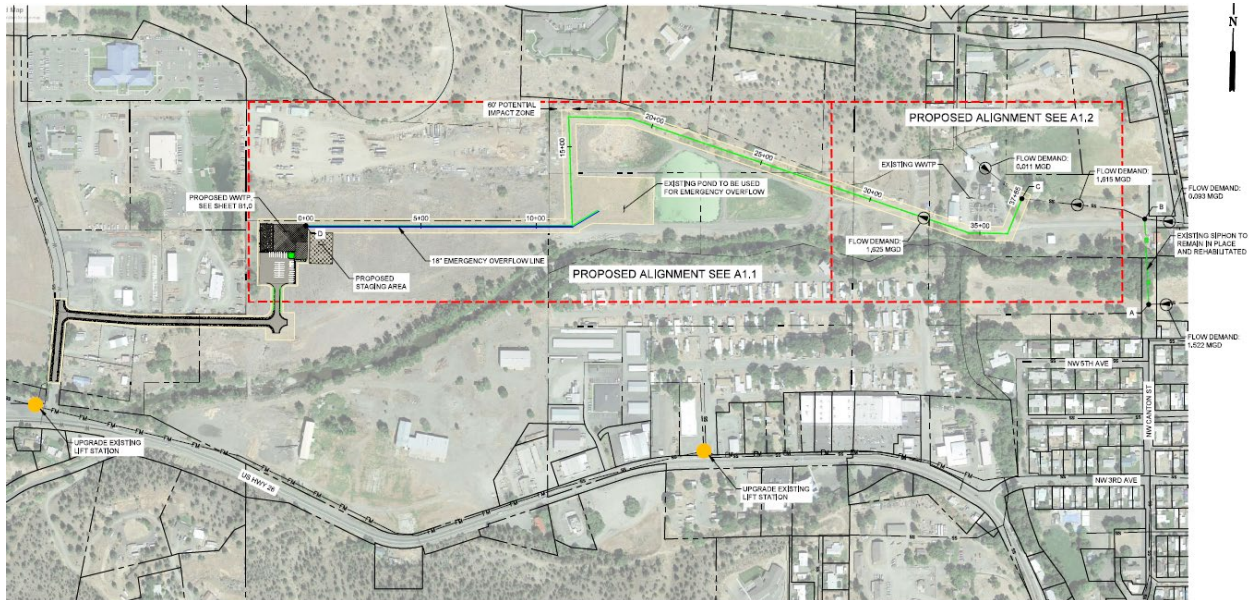
- Package Treatment Plant Fabrication (secondary treatment)
- Wastewater System Improvements (including on-site construction and collection system improvements, headworks, and tertiary treatment)
- Street Improvements to 7th Street and connecting roads (for site access to the plant)

- Demolition, cleanup and removal of the current wastewater treatment plant and site restoration to a useable condition, with completion of appropriate utility and street improvements to 7th Street through the current percolation ponds as shown in the site plan reviewed during our last meeting

These project components are described in greater detail in the Preliminary Engineering Report (PER), which has been updated this month and is available at this link:

<https://drive.google.com/file/d/1Enh0eqYd6zDZUVaShXKCAU5G4X28jroU/view?usp=sharing>.

I am recommending to the council we pursue collection system alternative 1 (shown below and attached).



We originally planned to do alternative 4, which included rehabilitation of the entire collection system. However, in discussions with USDA it became apparent we would have to redo the environmental assessment as the collection system improvements along U.S. 26 were not included in the original environmental scope. This would delay construction of the project. I am also concerned about the timing of highway construction projects and the impacts to the schedule for the treatment plant. I'm therefore recommending we pursue Alt 1, which is the most direct route and the one that was originally included in the environmental, and we revisit the Alt 4 improvements to the collection system upon completion of the treatment plant construction project.

TIMELINE AND NEXT STEPS

Upon completion of DEQ's permit review, we will submit our USDA application for construction funding and begin the procurement process for the new plant. We are on target to have the contracts awarded next spring and for construction to proceed in 2022. An updated timeline will be provided by the vendor selected for the award, which will include program objectives and milestones for the entire design build process and for each project component.

TO: John Day City Council

FROM: Nicholas Green, City Manager

DATE: December 14, 2021

SUBJECT: Agenda Item #11: Industrial Park Land Sales Update, Pricing for Gateway Business Park and Letters of Intent for Additional Land Sales
Attachment(s)

- Airport Industrial Park – Original Subdivision
- Airport Industrial Park – 2021 Replat
- Gateway Business Park Concept Map
- LOI – Shannon Adair
- Ordinance No. 21-192-03

BACKGROUND

We have \$297,000 in sales completed or pending since February 2021 when the council passed the resolution to expedite the land sales for the airport industrial park. Enclosed are the original subdivision plat and the 2021 replat. A second replat is underway to accommodate land sales approved by the city council, as discussed below.

We're seeing significant interest from private developers and business owners in purchasing land at the new Gateway Business Park and on adjacent riverfront properties owned by the city that were purchased from DR Johnson Lumber in 2017. We need to discuss pricing for these properties and I am recommending we follow similar procedures for sales of these properties that we followed for the Airport Industrial Park.

A letter of intent to purchase property in this area has been submitted by Councilor Adair for council review. A second letter is expected later this month from another private developer.

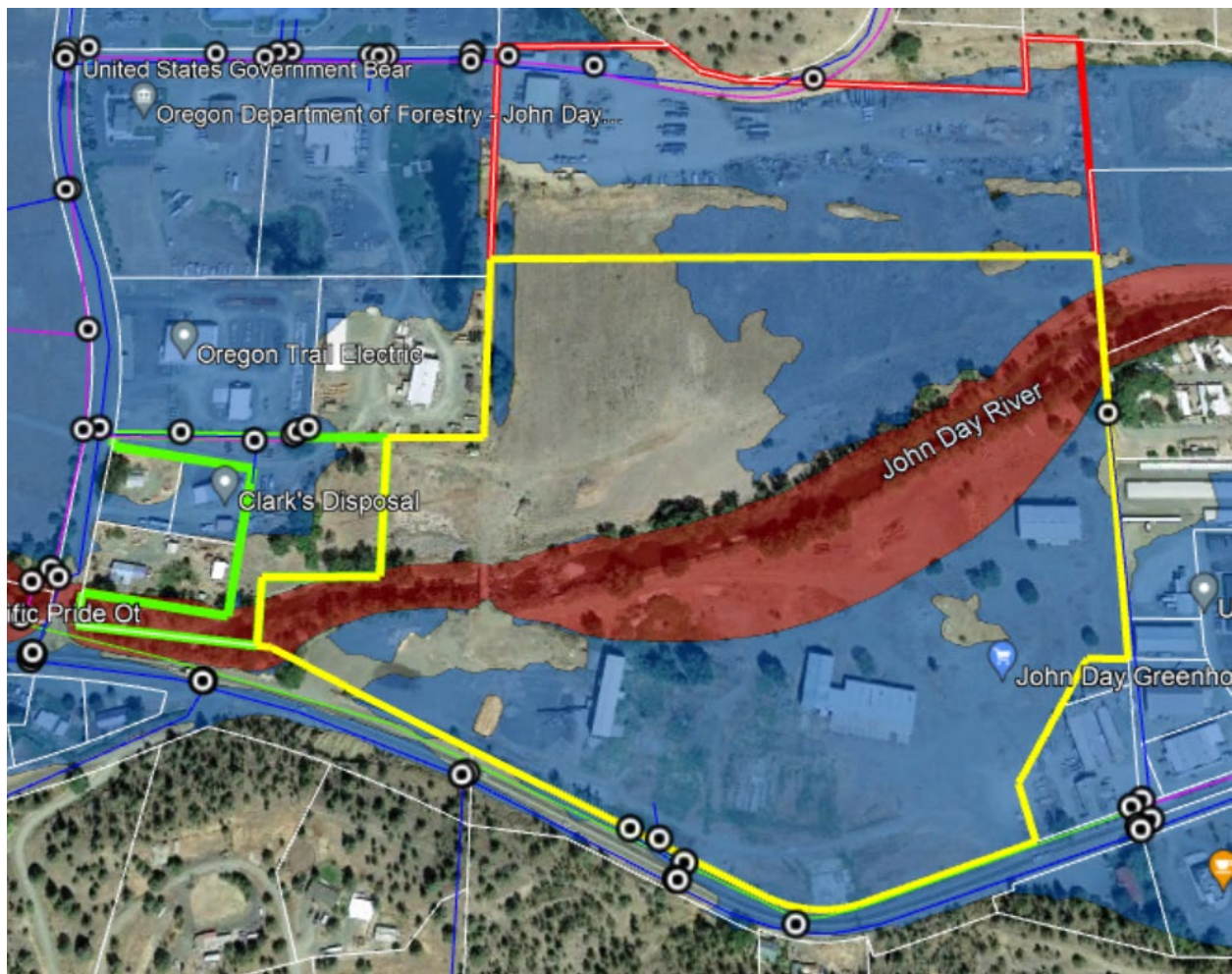
DISCUSSION

Airport Industrial Park. The following summarizes transactions at the airport industrial park.

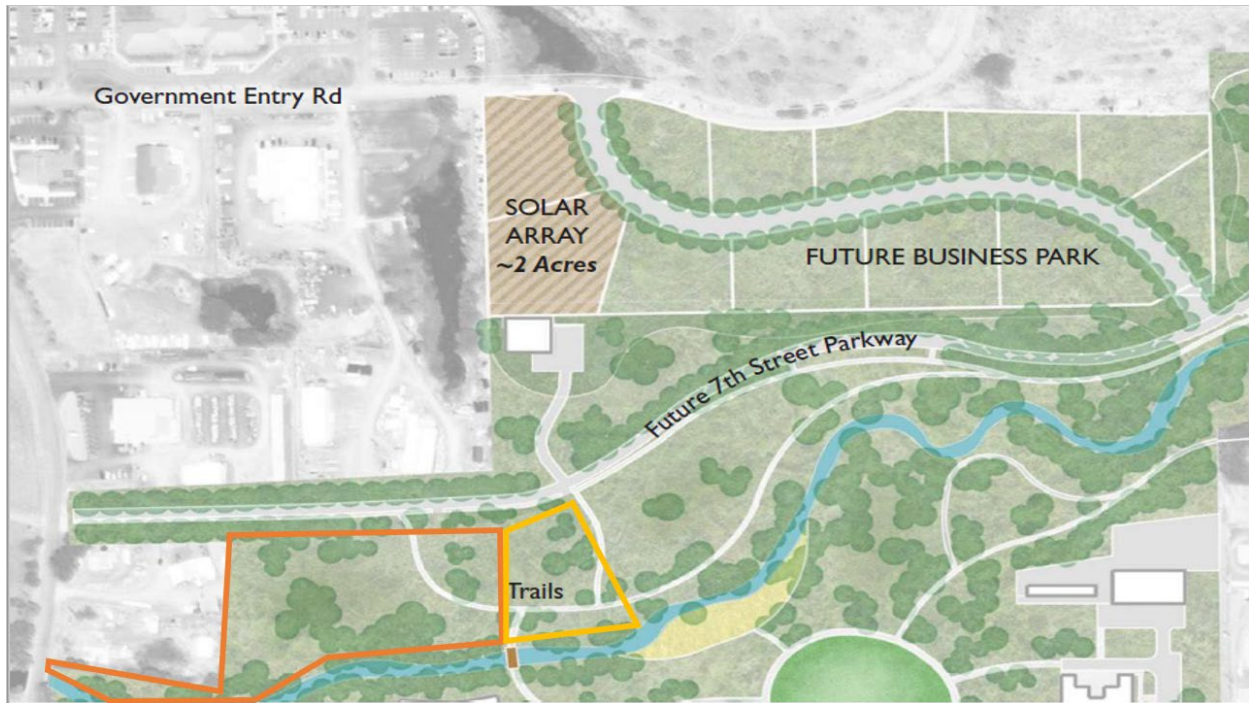
- Lot 1, 2, 3 and lot 31 were sold to Clint and Etoile Bengé and closed on Nov 5, 2021 for \$80,000.
- Lots 4, 5, 6, 7 and the portion of lot 32 behind those lots have a sale pending to the owners of Burnt River Farms LLC for \$112,000. The earnest money has been deposited and the sale will close as soon as the replat is complete for these lots (the remainder of what's currently lot 32 will become a new lot since they are only purchasing the acreage behind lots 4-7).
- Lot 8 has a verbal offer for that lot and the land behind it, sale price of \$27,500; also pending the replat and then we will finalize the written offer and close.
- Lots 9 – 13 are still available (5 acres on the west side of the improved road).
- Lots 14-16 were sold shortly after the park opened and are owned by N&S LLC ([HECS Stealth Screen](#)).
- Lot 17 was sold to Glen and Joanne Mills in March of this year for \$15,500.
- Lot 18 was also sold shortly after the park opened to Mark Moulton, but his shop was purchased last year by Glen and Joanne Mills in a private party transaction.
- Lots 19 and 20 were sold to K2 Ventures for \$31,000 in July of this year.
- Lots 21-23 are still available (3 acres).

- Lots 24 and 25 have a sale pending for \$31,000 to Steve and Toni Foster.
- Lots 26 and 27 were given to Grant County after the original industrial park project was completed for access to the airport.
- Lot 28 is still available (7 acres)
- Lot 29 no longer exists (it was eliminated in the first replat)
- Lot 33 is still available (41 acres) but is undeveloped

Gateway Business Park. We purchased the land for the Innovation Gateway from DR Johnson Lumber as part of a bulk land purchase in 2017 that included the former Oregon Pine Mill site (Map No. 13S31E22D, Tax Lot 300 – apx. 44 acres shown in Yellow) and a portion of DR Johnson Lumber (Map No. 13S31E22C, Tax Lot 1900 – apx. 3 acres shown in Green). In June of 2020, we closed on the purchase of the former Iron Triangle property (Map Number 13S31E22D, Tax Lot 2700 – apx. 14 acres shown in Red).



The purchase price of the DR Johnson and Oregon Pine mill properties was approximately \$9,800 per acre. The purchase price of the land for the former Iron Triangle property was approximately \$20,000 per acre. All three parcels were brownfields that required some site characterization and remediation, which was accomplished through several environmental assessments that are now complete. A complete set of utilities and street improvements is planned for these properties as approved in the 2019 Innovation Gateway Area Plan and shown in the updated Gateway Business Park Concept Map, attached.



Councilor Adair is interested in purchasing approximately 2.5 acres of land (shown in Orange) from the former DR Johnson parcel (tax lot 1900) for a riverfront distillery and eatery – see LOI, attached.

A private developer is interested in developing the area shown in Yellow for Air BnB's (recreational rentals for yurts or cabins) and is amenable to either a purchase agreement or long-term lease of the land adjacent to the eatery. They are also open to leasing back the completed units to the City's contractors so they will have a reserved location for workers to stay during the construction of the treatment plant.

The city council has not established a price for these properties, and they would be difficult to appraise in their current condition since they are now reclaimed and buildable but still largely undeveloped and various portions of the properties are within and outside of the 100-year floodplain.

Additional survey work, right of way dedication for the future 7th Street, and easements for the City's current and planned trails would also need to be in place, along with some lot line adjustments to clean up property lines prior to sale or lease.

I am proposing we set a purchase price of \$1 per square foot (\$43,560 per acre) for land in this area. Councilor Adair's letter of intent reflects this price. A per square foot price also allows us to flex the lot dimensions without having to renegotiate pricing as we address right of way dedication and other land development requirements associated with these parcels.

This approach will allow the city to recover its full purchase price of the land, surveying costs and some of the land development costs, while still keeping the price competitive. Much of our land development and remediation has been funded through grants, and as a result, we do not have to recover those expenses directly. Rather, would see a fairly significant increase in long-term tax revenue and job creation as well as other economic benefits, all of which is in line with our recreation economy for rural communities (RERC) action plan, Innovation Gateway Area Plan, and other documentation related to this development.

The real property disposal procedures adopted by the council earlier this year through Ordinance No. 21-192-03 (attached) can be applied to these properties. This ordinance provides broad latitude and discretion to the council with respect to their future use and sales, including allowing the council to sell directly to a private party and establishing requirements as a condition of the transactions, which include but are not limited to requiring that the real property be developed to a certain standard by a specified date, that the real property not be placed in tax-exempt status for a specified length of time, and/or such other conditions City deems necessary and/or appropriate.

RECOMMENDATION

I am asking the council to discuss these approaches so we can begin to market the property and guide me as we look at future business opportunities, both from a land sale perspective as well as the types of businesses we're trying to encourage in this area.

TO: John Day City Council

FROM: Nicholas Green, City Manager

DATE: December 14, 2021

SUBJECT: Agenda Item #12: Kam Wah Chung Interpretive Center / OPRD Gleason Pool Purchase and Sale Agreement Update
Attachment(s)

- Grants Summary

BACKGROUND

This topic will discuss the status of the sale of Gleason Park and Pool and the new Kam Wah Chung interpretive center and addresses some misunderstandings that are circulating (deliberately?) on social media with regard to this project.

DISCUSSION

The City of John Day received \$1 million in funding from the state legislature to spend on infrastructure and site connectivity improvements for the new Kam Wah Chung Interpretive Center. The city council approved the grant agreement for these funds during the October 12th city council meeting. It was ratified by Department of Administrative Services on October 20th, has been fully executed, and the funds have been transferred to the City.

Council held a public hearing on November 9th to sell Gleason Park & Pool to OPRD for \$222,000, which includes the city demolishing the old pool so that the new interpretive center can be erected in its stead. We are nearly complete with the purchase and sale agreement for Gleason Pool and have begun the archeological notification process needed prior to demolition of the pool.

The state legislature also approved \$50 million in General Obligation bonds for OPRD, which will be divided into two phases, with the first bond sale happening in the first quarter of 2022. The Oregon Parks Commission approved \$3-5 million from the first phase bond sale to construct the new Kam Wah Chung interpretive center during their November 17th meeting (<https://www.oregon.gov/oprd/CAC/Documents/2021-11-8a.pdf>).

As a result of the recent Parks Commission meeting, we now have \$4-6 million in state funds dedicated for the Kam Wah Chung interpretive center, which must be expended within three years. In other words, the Kam Wah Chung site improvements planned for John Day are going to be erected by 2025 provided the bonds fund this spring.

The original appraisal for Gleason Pool from two years ago valued the property at \$85,000. OPRD would not make us an offer at that price and we would not accept an offer at that price for three acres of land with the strategic value of this park. We both felt that the appraisal undervalued the property – in part due to lack of adequate comps in our area for similar parcels.

During my testimony to the state legislature and in discussions with OPRD after the first appraisal was received, I offered to donate the land as our contribution toward the KWC project if the state would assist us with funding to build the site improvements. That offer was made informally but was also rejected because the OPRD officials preferred to have the property reappraised and to make us a new offer.

The new valuation of \$222,000 (as detailed in Real Estate Appraisal AS2021-2492 by Aaron Still Appraisal; dated 09/30/2021) was submitted to the council and approved in October and was subsequently ratified by the Oregon Parks Commission during their November 17th meeting.

We assumed approximately \$22,000 of these funds would be needed for demolition of Gleason Pool and discussed in our last meeting contributing the balance of \$200,000 toward the design cost of the new aquatics center, which is on tonight's agenda.

Some individuals on a certain political action committee social media site are circulating that the city is deliberately sending conflicting messages about these transactions. Nothing could be further from the truth. These were evolving discussions about complex property transactions that occurred over a two year period and that needed multiple sources of funding (capital stacks) from both local and state sources to succeed. Transactions of this nature always evolve until the parties reach an agreement. But once they have (as is the case here), those transactions are disclosed during public meetings and approved by official actions of the legislative bodies – in this case the city council and the Oregon Parks Commission.

I rarely pay attention to negative social media, but in this case, where the social media posts are so egregiously false, some of our councilors asked me to clarify for the record the order of events and how we negotiated these transactions.

SUMMARY

We're fortunate to have such strong support from the state legislature for our community. Of the now 42 grant awards for \$26,758,547.06 in funds the city has been awarded in the last five years (which does not include the State's GO bonds for the new KWC facility), 33 awards have been from state agencies, with a total value of \$18,375,072.06 (over two-thirds of our grant funding).

There are some political action committees and individuals in Grant County whose core platform is anti-government. They persistently criticize and demean local, state and federal officials by claiming they are stupid, incompetent, have abandoned reason, or that their policies and projects are failing. They are especially critical of grant funding and grant-funded programs. Ironically, in some cases these critics are themselves current or former government employees whose agencies depend on state and federal grant funding to operate.

These individuals will logically be disappointed by the City of John Day because the facts don't fit their narrative. Far from failing us, state and federal agencies have been among our strongest and most consistent supporters. We have worked tirelessly to overcome the economic decline facing our community and we've seen phenomenal success in John Day over the last five years as a result of local, state and federal agencies working together.

The combined funding for our new aquatics center and the new Kam Wah Chung interpretive center – complete with state-of-the-art fiber optic internet and reclaimed water systems – are just the most recent examples of state and federal grants having a positive impact for good on our community.

TO: John Day City Council

FROM: Nicholas Green, City Manager

DATE: December 14, 2021

SUBJECT: Agenda Item #13: Infrastructure and Jobs Act Webinar
Attachment(s)

- None

BACKGROUND

The League of Oregon Cities is hosting a webinar on the IIJA. Details are below.

Webinar: Infrastructure Investment and Jobs Act (IIJA) for Local Government Wednesday, December 15, 9:00 a.m. - 10:00 a.m.

What will \$1.2 Billion in additional federal transportation funds mean to Oregon counties and cities?

With the passage of the [Infrastructure Investment and Jobs Act \(IIJA\), H.R. 3684](#) in early November, more than \$1.2 trillion in federal funds will be distributed to states over the next five years. For Oregon, the allocation of IIJA funds will be more than \$5.4 billion over five years, including \$1.2 billion for the Oregon Department of Transportation (ODOT). There are also allocations for water and wastewater programs, along with broadband infrastructure, wildfire mitigation, bridge replacement/repairs, and airport improvement projects.

ODOT has put together a work plan which will rely on existing financing protocols and will move funds mostly through established protocols.

The LOC, along with the Association of Oregon Counties and ODOT, is sponsoring a webinar specifically for local governments on **December 15 from 9-10 a.m.** This webinar will be a deeper dive into the funding process, and city leaders and staff are strongly encouraged to participate. ODOT will spend the first half of the webinar walking through the IIJA, new and expanded programs for counties and cities, and spend the second half taking questions and input.

More details about the water and wastewater component of the IIJA, along with the broadband investments, are expected in 2022. As this information becomes available, the LOC will sponsor additional webinars for members to learn more about how to identify funding for their critical community investments.

AOC, LOC, ODOT Webinar: Infrastructure Investment and Jobs Act (IIJA) for Local Government

When: Wednesday, December 15, 9:00 a.m. - 10:00 a.m.

Zoom Meeting Link: <https://us06web.zoom.us/j/83740191699>

Meeting ID: 837 4019 1699

Passcode: 010130

Phone: 1-888-788-0099

Contact:

Brian Worley, AOC County Road Program Director - bworley@oregoncounties.org;

Jim McCauley, LOC Legislative Director - jmccauley@orcities.org

TO: John Day City Council
FROM: Nicholas Green, City Manager
DATE: October 12, 2021
SUBJECT: Agenda Item #14: Other Business and Upcoming Meetings
Attachment(s)

- None

OTHER BUSINESS

- Current and past issues of the LOC bulletin are available at this link:
<https://www.orcities.org/resources/communications/bulletin>

UPCOMING MEETINGS

- TBD January 5, City Council Appeal Hearing – CUP-21-05 – Fire Hall
- January 11, City Council Meeting – Fire Hall, 7:00 PM
- January 25, City Council Meeting (State of City Address) – Fire Hall, 7:00 PM
- February 8, City Council Meeting – Fire Hall, 7:00 PM
- February 22, City Council Meeting – Fire Hall, 7:00 PM