



Photo by Kirby Neumann-Rea

HOLIDAY HANDOFF

Rick Thomas of Pacific Power hands a piece of Christmas décor Tuesday to Robin Chambers of City of Hood River as the crew removes lights and garlands from downtown utility poles. Just behind Chambers is a parking sign directing motorists to a nearby pay kiosk; parking enforcement at meters and kiosks is back as of Jan. 5, following a hiatus in December caused by State Street renovations combined with the city's annual Christmas parking amnesty period.

GOT NEWS?

Submitting a news item to Hood River News is easy: send it via e-mail to: hrnews@hoodrivernews.com. Information can also be sent by mail to P.O. Box 390, Hood River, OR 97031. News tips are also welcome by calling the newsroom at 386-1234, or by fax at 386-6796.



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Providence Hood River Memorial Hospital
810 12th St., Hood River
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Monday, Jan. 19, 1 p.m.



¹Medicare evaluates plans based on a 5-star rating system. Star ratings are calculated each year and may change from one year to the next.

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A sales person will be present with information and applications. For accommodation of persons with special needs at sales meetings call 1-855-210-1586 (TTY:711).

H9047_2015PHP72 ACCEPTED

WALMART

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decision. McBride, who in the early 2000s publicly voiced her opposition against what was ultimately an unsuccessful attempt to build a Walmart Superstore just outside the city limits, recused herself from the vote, but was brought back to break a 3-3 council deadlock in a situation known as the "rule of necessity."

Walmart also asserted the city had improperly interpreted its municipal code regarding the discontinuance of nonconforming uses when considering the application — an assignment of error that LUBA did not end up considering.

LUBA ruled the city invoked the rule of necessity "prematurely" and that McBride did not adequately disclose her ex parte communications regarding Walmart prior to her vote. As a result, a significant portion of the Dec. 2014 remand hearing was spent discussing ex parte contacts, as well as entertaining multiple motions in an attempt to vote without calling back McBride and invoking the rule of necessity, which proved futile.

At the end of the hearing following a decision that did not favor Walmart, Hathaway did not indicate whether his client would appeal, but stated for the record that he felt the decision the council made was "based on biased votes and that's just simply unfair."

The notice of intent to appeal is the beginning of a multi-step process for an appeal to be heard at LUBA. Eventually, attorneys for Walmart will have to file a "petition for review" that contains legal arguments as to why the decision should be overturned.

If LUBA does decide to re-

mand the decision for a third time, nearly half the council could be unable to deliberate on the issue as LUBA would likely deem them biased. McBride has already officially been deemed biased by LUBA, and Councilor Mark Zanmiller could be as well as he recused himself during the Dec. 2014 hearing over comments he made in a 2012 News article — prior to his election to council — stating he was opposed to the expansion. Councilor Becky Brun, who was sworn in last week, is almost certainly guaranteed not to participate in council deliberations as she is a party of standing in the Walmart dispute.

Due to the length of procedural timelines, whatever decision LUBA makes likely won't be handed down until sometime this spring.

WALDEN

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and, of course, mail and email. They help me develop my 'to do' list to take back to Washington, D.C. each week. I look forward to answering questions from the public and giving an update on local and national issues, including growing jobs in Oregon's rural communities, reforming federal lands policy, and standing up for America's veterans," Walden said.

Walden will give an update on bipartisan legislation to grow the economy and create jobs in America, including two bipartisan bills passed by the House last week to help veterans find jobs and lift burdens on American workers and small businesses.

In 2014, Walden held 25 town hall meetings, at least one in all 20 counties of Oregon's Second District.

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