



## **AGENDA**

CITY COMMISSION OF THE CITY OF WARRENTON  
REGULAR MEETING  
March 8, 2016 – 6:00 P.M.  
Warrenton City Commission Chambers – 225 South Main Avenue  
Warrenton, Or 97146

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1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **COMMISSIONER COMMENTS/COMMUNICATIONS/AGENDA ADDITIONS**
5. **CONSENT CALENDAR**
  - A. City Commission Regular Meeting Minutes – 2.23.16
  - B. City Commission Work Session Meeting Minutes – 2.23.16
  - C. City of Warrenton Monthly Finance Report – January 2016
  - D. Warrenton Community Center Minutes – Annual Meeting/Quarterly Meeting – January 2016
  - E. Liquor License Application – Super Mart #10 – Lovekesh Kumar

Items on the Consent Calendar have previously been discussed and/or are considered routine. Approval of the Consent Calendar requires a motion, a second, and no discussion, unless requested by a member of the City Commission.
6. **BUSINESS ITEMS**
  - A. Public Hearing – Street Vacation – Portion of 8<sup>th</sup> Street in the plat of The Concourse
  - B. Public Hearing – Supplemental Budget for Quincy Robinson Fund – Resolution 2457

C. Consideration of 2<sup>nd</sup> Reading and Adoption of Ordinance No. 1200A; *Amending the Warrenton Municipal Code Title 6, Adding Chapter 6.09 “Feeding of Wildlife Prohibited.”*

D. Consideration of ICMA 401A Plan Document Adoption

7. **PUBLIC COMMENT**

At this time, anyone wishing to address the City Commission concerning items of interest not already on the Agenda may do so. The person addressing the Commission will, when recognized, give his or her name and address for the record. All remarks will be addressed to the whole City Commission and limited to 3 minutes per person. The Commission reserves the right to delay any action, if required, until such time as they are fully informed on a matter.

8. **EXECUTIVE SESSION**

9. **ADJOURNMENT**

**Warrenton City Hall is accessible to the disabled. If special accommodation is needed, please notify the City Recorder at 503-861-0823, at least 48 hours in advance of the meeting so appropriate assistance can be provided. TDD Users: Please call Oregon Telecommunications relay service at 1-800-735-2900.**

MINUTES

5 - A

Warrenton City Commission  
Regular Meeting - February 23, 2016  
6:00 p.m.  
Warrenton City Hall - Commission Chambers  
225 S. Main  
Warrenton, Or 97146

Mayor Mark Kujala called the meeting to order at 6:12 p.m., then led the public in the Pledge of Allegiance.

Commissioners Present: Tom Dyer, Rick Newton, Henry Balensifer, Pam Ackley, Mayor Mark Kujala

Staff Present: City Manager Kurt Fritsch, City Attorney Harold Snow, City Recorder Linda Engbretson, Police Chief Mathew Workman, Interim Public Works Director Ed Wegner, Public Works Foreman Craig Walter, Wastewater Treatment Plant Superintendent Kyle Sharpsteen, Finance Director April Clark, Fire Chief Tim Demers.

Mayor Mark Kujala introduced Mr. David Goldthorpe. Mr. Goldthorpe explained he is running for Clatsop County Circuit Court Judge. He said he is a Warrenton resident, and he wanted to introduce himself and be a part of the meeting.

COMMISSIONER COMMENTS

Commissioner Dyer - thanked the community for its support relating to the recent death of Officer Goodding and the concern and support shown to law enforcement in general.

Commissioner Balensifer - explained he received a request to place a garbage can on the east side of Hammond Marina for residents who clean up the area.

Commissioner Ackley - Clatsop County Way to Wellville has applied for a grant for technical assistant to look at options for a universal preschool in the county. She said it looks very positive and they've received widespread support.

City Manager Fritsch - said he would like to withdraw item 6A from the Agenda. Legal Counsel has advised the Warrenton School District's Waiver Request is not necessary.

## CONSENT CALENDAR

- A. City Commission Regular Meeting Minutes - 02/09/16
- B. Police Dept. January Statistics Report
- C. Warrenton/Hammond Marinas Monthly Report
- D. Fire Dept. Activity Report - December 2015
- E. Fire Dept. Activity Report - January 2016

Commissioner Balensifer stated he is very appreciative of fire department personnel and how much time the staff and volunteers give to the community. He noted their compassion and professionalism to those in need of their services.

**Commissioner Henry Balensifer made the motion to accept the Consent Calendar as presented. Motion was seconded and passed unanimously.**

**Newton - aye; Dyer - aye; Balensifer - aye; Ackley - aye; Kujala - aye.**

## BUSINESS

Police Chief Mathew Workman presented Ordinance No. 1200A which addresses the feeding of wildlife in the City Limits. He noted incidents last fall between humans and an aggressive elk. Chief Workman reported people have started feeding the elk; they are starting to be domesticated, and this is a very dangerous situation. The proposed ordinance prohibits the feeding of wildlife (animals in addition to elk are defined), but still allows people to enjoy wildlife. He noted the Oregon Department of Fish and Wildlife has reported that the changing patterns (domestication) of the elk are increasing the carnivore activity in populated neighborhoods. Discussion followed that waterfowl is listed in the ordinance. People like to feed the ducks and this would prohibit that, and it would be best to remove that language.

**Commissioner Henry Balensifer made the motion to conduct the first reading of Ordinance No. 1200A, by title only, with waterfowl removed from definition F. Motion was seconded and passed unanimously.**

**Newton - aye; Dyer - aye; Balensifer - aye; Ackley - aye; Kujala - aye.**

**Mayor Mark Kujala conducted the first reading by title of Ordinance No. 1200A; *Amending Warrenton Municipal Code Title and adding section 6.09 "Feeding of Wildlife Prohibited."***

Ordinance No. 1199A, regarding migratory game bird hunting in the city limits, was first introduced at the February 9 meeting where the first reading by title was completed.

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**Commissioner Henry Balensifer made the motion to conduct the second reading by title only of Ordinance No. 1199A. Motion was seconded and passed unanimously.**

**Newton - aye; Dyer - aye; Balensifer - aye; Ackley - aye; Kujala - aye.**

**Mayor Mark Kujala conducted the second reading by title of Ordinance No. 1199A; *Describing those Areas within the City of Warrenton Open to Migratory Game Bird Hunting and Repealing Ordinance No. 905A and 990A.***

**Commissioner Henry Balensifer made the motion to adopt Ordinance No. 1199A. Motion was seconded and passed unanimously.**

**Newton - aye; Dyer - aye; Balensifer - aye; Ackley - aye; Kujala - aye.**

Resolution No. 2456 listing appointments to the Warrenton Community Library Board and setting terms of office was presented for consideration. Commissioner Henry Balensifer noted his wife is on this board, but he will receive no monetary benefit by voting in favor of the resolution.

**Commissioner Pam Ackley made the motion to adopt Resolution No. 2456; *Authorizing Appointments to Fill Positions on the Warrenton Community Library Board and Setting Terms of Office.* Motion was seconded and passed unanimously.**

**Newton - aye; Dyer - aye; Balensifer - aye; Ackley - aye; Kujala - aye.**

#### PUBLIC COMMENT

Mr. Marlin Larsen, stated he is the owner of property near the Hammond Marina. He wanted to advise the Commission of his plans to develop the property. The Commission thanked Mr. Larsen but the Mayor noted it would be inappropriate for them to hear his presentation, as it's a pending land use action that could be heard by the City Commission if a decision from the Planning Commission is appealed.

Mr. Jim Gannaway, co-owner of Gannaway Brothers Jewelers located on Marlin near the proposed crisis respite center expressed his concerns regarding the location of the center. He stated these clients can totally disrupt a business. He asked why it couldn't be out in the country away from businesses.

Kathy Merrick, Warrenton, asked if the City has received anything from the Hearings Officer for the OLNK public hearing. City Manager Fritsch said the City expects to have a package from Mr. Kearns within the next two weeks. Ms. Merrick stated she is against the LNG plant.

Mr. Pat O'Grady, Warrenton Business Owner, presented a letter regarding the Sea Lion

#### MINUTES

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population in the Columbia River. He said he presented a copy of this letter to the Port of Astoria Commission. He said Sea Lions are a huge problem and something needs to be done. He asked that the City Commission provide input to the Port regarding the problems they cause and to seek a solution to getting them out of the river.

At 6:49 p.m., Mayor Kujala adjourned the regular meeting and announced the Commission would meet in an executive session, under the authority of ORS 192.660(2)(h); *to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.* He announced it is likely the Commission would return to the regular session to take action on the item discussed during the executive session.

At 7:08 p.m. Mayor Kujala reconvened the regular meeting and announced that discussion in the executive session related to current litigation and a proposed intergovernmental agreement (IGA) with ODOT.

**Commissioner Henry Balensifer made the motion to approve the City Manager and Mayor to sign the IGA between ODOT and the City pending final drafting by legal counsel. Motion was seconded and passed unanimously.**

**Newton - aye; Dyer - aye; Balensifer - aye; Ackley - aye; Kujala - aye.**

There being no further business, Mayor Kujala adjourned the meeting at 7:10 p.m.

APPROVED

\_\_\_\_\_  
Mark Kujala, Mayor

ATTEST

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Linda Engbretson, CMC  
City Recorder

MINUTES

Warrenton City Commission Work Session

2-23-16

5:30 p.m.

Warrenton City Hall - Commission Chambers

225 S. Main Ave.

Warrenton, OR 97146

Mayor Mark Kujala called the work session to order at 5:30 p.m.

Commissioners Present: Tom Dyer, Henry Balensifer Pamela Ackley, Mayor Mark Kujala  
Excused: Rick Newton.

Staff Present: City Manager Kurt Fritsch, Legal Counsel Harold Snow, City Recorder Linda Engbretson, Police Chief Mathew Workman, Fire Chief Tim Demers.

The purpose of the work session was to meet with Clatsop Behavior Healthcare (CBH) representatives to provide information and answer questions regarding a proposed residential respite facility for people suffering from mental disorders and/or in crisis to be located on Marlin Avenue.

Mayor Mark Kujala introduced Sumuer Watkins, CEO of CBH. Ms. Watkins gave a brief background on the proposed facility and introduced Marc Chinard, the consultant hired by CBH to assist with the start up of the facility. Ms. Watkins stated the intent is to have 16 beds - eight for residential treatment beds and the other eight beds for 24 - 72 hour crisis respite. She stated the 24 -72-hour respite is the primary need in the community, but without the 8 residential beds there is no way to pay for the crisis beds. She recognized concerns and questions regarding "locked" rooms. She explained they can't have locked rooms, but they can have "secure" rooms.

Mr. Chinard explained different classes of residential treatment facilities:

Class 1 is a secure facility which has the capability to prevent people from leaving the facility and has legal certification from the state for seclusion and restraints. They can provide involuntary medication.

Class 2 is a secure facility but is not certified for seclusion and restraints.

Class 3 is an unlocked non secure facility where people can come and go as they please. They are strictly voluntary.

Mr. Chinard stated CBH is planning for a Class 3 facility, but he said a section of the facility (4 beds) could possibly be licensed as Class 2. They can accept people into the facility who are involuntary; those under guardianships, civil commitment, holds, etc. He said they are working

on issues related to Class 2. Class 2 is a recommendation at this point.

Commissioner Balensifer asked what type of patients will be coming and going, “minus the Class 2.” Mr. Chinard said people who are out of control will not be brought to the facility. They will be brought to the hospital. Class 2 patients will have to have medical clearance; however they can be involuntary, i.e., on a hold. Other people are strictly voluntary who need respite or are in crisis.

Commissioner Dyer asked whether or not an officer is required to stay at the facility as they currently do when someone is brought to the hospital. Mr. Chinard explained that if they are voluntary they would stay on their own.

Commissioner Balensifer asked whether the community’s resources were considered when developing this project. Commissioner Dyer said the concern is that officers from other counties will be bringing people to the facility, and then they walk away from the center and are left in our community, causing additional burdens on our emergency departments. Commissioner Balensifer then asked whether police from other counties will be driving people here and leaving them on a hold. Mr. Chinard and Ms. Watkins explained they will have to have medical clearance. Outside counties will have to take them to a hospital first, and they take them to the closest hospital. That won’ be Columbia Memorial or Seaside Providence. Ms. Watkins explained there may be people brought to the facility to transition back into their own community who are stepping down from the state hospital.

Commissioner Dyer noted there will be a cost to our local emergency personnel; however, he stated it is a much needed facility.

Mr. Rich Mays, a CBH Board Member, reported they met with the contractor who is remodeling the building, and he said “it’s doable” to add the four secure rooms. It’s a 16 bed facility, with flexibility to use the four rooms to serve both Class 3 and Class 2. “There are things that can be worked out.” They are optimistic they can move forward in this manner.

Warrenton Police Chief Mathew Workman said that after speaking with other Police Chiefs who have this type of facility in their jurisdiction, he agrees it is unlikely officers from other counties will be bringing clients and leaving them in Warrenton. He stated the Class 2 option is needed.

Commissioner Balensifer asked what happens if a person has an elevation of crisis and needs to stay as a Class 2. Who makes that call, and are the police called anyway? Ms. Watkins stated that if the person is dangerous to staff or others, even if they are in a secure area, they cannot contain them and they would need to go to the hospital as is the current practice.

Chief Workman stated there was some confusion regarding the project and that he and Chief Johnston believed there would be some level of Class 1. But in response to Commissioner Balensifer’s question as to whether or not the facility will be a strain on the department, Chief Workman said, “he wouldn’t call it a strain,” but he believes they will have calls to the facility. Chief Workman stated that in his opinion, as long as the facility has Class 2 options, it is

something the department can support. "The Class 2 section is important."

Mayor Kujala thanked Ms. Watkins and Mr. Chinard. He said Warrenton strongly urges the Class 2 facility. "That's the message we would like to send."

Mayor Kujala adjourned work session at 6:11 p.m.

APPROVED

ATTEST

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Mark Kujala, Mayor

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Linda Engbretson, City Recorder

Volume 9, Issue 7

Monthly Finance Report  
January 2016

March 8, 2016

**Economic Indicators**

	Current	1 year ago
◆ Interest Rates:		
LGIP :	.65%	.50%
Columbia Bank:	.05%	.05%
◆ Prime Rate:	3.50%	3.25%
◆ L/T Bond Rate:	3.41%	3.40%
◆ CPI-U change:	1.4%	-0.1%
◆ Unemployment Rates:		
Clatsop County:	unavail	<u>6.1%</u>
Oregon:	unavail	<u>6.3%</u>
U.S.:	4.9%	5.7%

**Department Statistics**

◆ Utility Bills mailed	3,291
◆ New Service Connections	6
◆ Reminder Letters	454
◆ Door Hangers	98
◆ Water Service Discontinued	13
◆ Walk-in counter payments	752
◆ Mail payments	1,250
◆ Auto Pay Customers/pymts	524
◆ Online (Web) payments	504
◆ Checks Issued	384

**Current and Pending Projects**

- ◆ 2016-2017 Budget Preparation
- ◆ 2017-2022 Capital Improvement Program

**Financial Narrative as of January 31, 2016**

**Note:** Revenues and expenses should track at 7/12 or 58.3% of the budget.

**General Fund:** Year to date revenues amount to \$2,359,524, which is 67% of the budget, compared to the prior year amount of \$2,224,412 and are up by \$135,112. Increases are shown in property taxes, City franchise fees, transient room tax, planning charges, fire charges, lease receipts and donations and are offset by decreases in franchise fees, police charges, municipal court, miscellaneous and state revenue sharing.

Expenses year to date amount to \$2,351,171, which is 59.7% of the budget, compared to the prior year amount of \$2,012,118, up by \$339,053. All departments are tracking at or under budget except the Admin/Fin/Comm and the Planning department. The Admin/Fin/Comm department has large expenditures at the beginning of the year. The Planning department expenditures include higher than anticipated costs attributed to processing Oregon LNG. These costs are recovered from Oregon LNG.

**WBA:** Business license revenue amounts to \$45,717 compared to \$44,685 last year at this time, a difference of \$1,032. The number of licenses issued to date are 528 compared to 528 last year at this time.

**Building Department:** Permit revenues this month amount to \$13,521, and \$101,871, year to date, which is 116.5% of the budgeted amount. Last year to date

permit revenue was \$159,393, a year to date difference of \$57,522. Year to date expenses exceed year to date revenues by \$21,625 and reduces beginning fund balance by same.

**State Tax Street:** State gas taxes received this month amount to \$25,698 for fuel sold in December and \$153,462 year to date. City gas taxes received this month amount to \$24,157 for fuel sold in November and \$134,429, year to date. The fund balance increased by \$29,169. Total gas taxes year to date for the current and prior year are \$287,891 and \$281,877, respectively. ODOT charged the city \$1,380, or \$115 per month, in calendar year 2015 for administering collection and compliance with our city fuel tax law. See page 5.

**Warrenton Marina:** Total revenues to date are \$453,484, 82.6% of the budgeted amount, compared to the prior year amount \$373,519 and was 64.4% of the budgeted amount. There is \$41,520 in moorage receivables outstanding.

**Hammond Marina:** Total revenues to date are \$269,964, 67% of the budgeted amount, compared to the prior year amount of \$242,886 and was 59.8% of the budgeted amount. There is \$2,266 in moorage receivables outstanding.

Of the total outstanding receivables, \$27,682 is over 90 days old.

**Water Fund:** Utility fees charged this

month are \$112,030 and \$60,438 and \$856,374 and \$728,562, year to date, for in-city and out-city, respectively and totals \$1,584,936 and is 66.9% of the budget. Last year at this time year to date fees were \$771,976 and \$614,369, for in-city and out-city, respectively, and totaled \$1,386,345.

**Sewer Fund:** Utility fees this month are \$149,585 and \$1,060,022, year to date, and is 60.8% of the budget. Last year to date fees were \$1,017,301. This month the city began billing Shoreline Sanitary District for sewer services which amount to \$9,043 for the month and year to date. Septage revenue this month amounts to \$22,634 and \$175,170 year to date and is 87.6% of the budget. Last year year to date septage revenues were \$136,765. Total revenues year to date are \$1,262,177 compared to \$1,180,291, at this time last year.

**Storm Sewer Fund:** Utility fees (20% of sewer fees) this month are \$29,930 and \$211,998 year to date and is 60.8% of the budget. Total revenues year to date are \$220,212 compared to \$103,021 at this time last year.

**Sanitation Fund:** Service fees charged this month for garbage and recycling were \$70,583 and \$14,201, and \$501,999 and \$98,660, year to date, and are 61.6% and 59.8% of the budget, respectively. Combined service fees, year to date are \$600,659 and \$586,367 year to date as of this time last year. A transfer in the amount of \$63,996 was made to the capital reserve fund this month.

## Financial data as of January 2016

	General Fund			
	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	1,462,574	1,342,627	950,000	141.33
Plus: Revenues	282,473	2,359,524	3,519,077	67.05
Less: Expenditures				
Municipal Court	8,111	63,341	123,741	51.19
Admin/Comm/Fin (ACF)	63,161	592,529	960,176	61.71
Planning	44,936	158,821	223,682	71.00
Police	168,439	899,944	1,592,493	56.51
Fire	101,455	404,863	729,145	55.53
Parks	7,965	72,166	151,786	47.54
Transfers	-	159,507	159,507	100.00
Total Expenditures	394,067	2,351,171	3,940,530	59.67
Ending Fund Balance	1,350,980	1,350,980	528,547	255.60

(see details of revenue, page 4)

	WBA			
	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	154,743	153,331	166,950	91.84
Plus: Revenues	(132)	45,717	45,660	100.12
Less: Expenditures	1,617	46,054	124,405	37.02
Ending Fund Balance	152,994	152,994	88,205	173.45

	Building Department			
	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	235,781	250,885	250,000	100.35
Plus: Revenues	13,590	102,513	88,134	116.31
Less: Expenditures	20,111	124,138	217,815	56.99
Ending Fund Balance	229,260	229,260	120,319	190.54

	State Tax Street			
	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	1,154,089	1,155,918	1,050,000	110.09
Plus: Revenues	50,457	291,807	691,391	42.21
Less: Expenditures	19,459	262,638	1,386,002	18.95
Ending Fund Balance	1,185,087	1,185,087	355,389	333.46

	Warrenton Marina			
	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	317,946	104,712	78,500	133.39
Plus: Revenues	19,073	453,484	470,272	96.43
Less: Expenditures	36,679	257,856	483,439	53.34
Ending Fund Balance	300,340	300,340	65,333	459.71

## Financial data as of January 2016, continued

	Hammond Marina				Water Fund			
	Current Month	Year to Date	Budget	% of Budget	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	287,411	162,079	140,000	115.77	1,011,488	932,184	900,000	103.58
Plus: Revenues	2,448	269,964	262,881	102.69	184,144	1,658,637	4,116,500	40.29
Less: Expenditures	25,051	167,235	310,298	53.89	114,547	1,509,736	4,331,576	34.85
Ending Fund Balance	<u>264,808</u>	<u>264,808</u>	<u>92,583</u>	<u>286.02</u>	<u>1,081,085</u>	<u>1,081,085</u>	<u>684,924</u>	<u>157.84</u>

	Sewer Fund				Storm Sewer			
	Current Month	Year to Date	Budget	% of Budget	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	1,311,144	1,106,104	1,000,000	110.61	215,240	127,218	140,000	90.87
Plus: Revenues	183,989	1,262,177	3,888,419	32.46	29,956	220,212	350,000	62.92
Less: Expenditures	156,333	1,029,481	4,174,421	24.66	14,992	117,226	437,003	26.82
Ending Fund Balance	<u>1,338,800</u>	<u>1,338,800</u>	<u>713,998</u>	<u>187.51</u>	<u>230,204</u>	<u>230,204</u>	<u>52,997</u>	<u>434.37</u>

	Sanitation Fund				Community Center			
	Current Month	Year to Date	Budget	% of Budget	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	367,135	330,622	300,000	110.21	14,872	7,539	3,600	209.42
Plus: Revenues	84,962	602,864	982,000	61.39	1,645	18,182	18,044	100.76
Less: Expenditures	93,501	574,890	1,079,680	53.25	1,687	10,891	20,691	52.64
Ending Fund Balance	<u>358,596</u>	<u>358,596</u>	<u>202,320</u>	<u>177.24</u>	<u>14,830</u>	<u>14,830</u>	<u>953</u>	<u>-</u>

	Library				Warrenton Urban Renewal Agency Capital Projects Fund			
	Current Month	Year to Date	Budget	% of Budget	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	49,183	28,378	29,000	97.86	15,818	21,848	16,377	133.41
Plus: Revenues	1,394	49,254	49,978	98.55	1	30,009	4,402,122	0.68
Less: Expenditures	5,135	32,190	57,715	55.77	17,416	53,454	4,418,499	1.21
Ending Fund Balance	<u>45,442</u>	<u>45,442</u>	<u>21,263</u>	<u>213.71</u>	<u>(1,597)</u>	<u>(1,597)</u>	<u>-</u>	<u>-</u>

## Financial data as of January 2016, continued

## (\$) Cash Balances as of December, 2015

General Fund	1,610,698	Warrenton Marina	262,308	Storm Sewer	185,216
WBA	152,809	Hammond Marina	269,409	Sanitation Fund	237,460
Building Department	230,761	Water Fund	707,231	Community Center	16,439
State Tax Street	1,185,260	Sewer Fund	1,058,607	Library	46,641

## Warrenton Urban Renewal Agency

Capital Projects	15,818
Debt Service	1,157,789

General Fund Revenues	Collection Frequency	2015-2016 Budget	Actual as a	Collections/Accruals		(over) under budget
			% of Current Budget	Year to date		
				January 2016	January 2015	
Property taxes-current	AP	836,149	95.73	800,478	748,811	35,671
Property taxes-prior	AP	35,000	60.41	21,142	24,624	13,858
County land sales	A	-	0.00	-	-	-
Franchise fees	MA	512,000	40.21	205,852	214,763	306,148
COW - franchise fees	M	119,377	60.63	72,374	68,291	47,003
Transient room tax	Q	411,558	72.66	299,044	253,404	112,514
Liquor licenses	A	600	108.33	650	675	(50)
Grants	S	5,400	0.00	-	-	5,400
State revenue sharing	MQ	135,624	33.79	45,832	66,662	89,792
Municipal court	M	133,645	47.36	63,298	65,187	70,347
Planning charges	I	90,000	92.49	83,241	69,422	6,759
Police charges	I	5,850	44.94	2,629	3,102	3,221
Fire charges	SM	89,302	66.73	59,592	43,350	29,710
Park charges	I			100	100	
Housing rehab loans	I	1,200	57.42	689	600	511
Miscellaneous	I	1,200	617.83	7,414	10,641	(6,214)
Interest	M	5,000	71.36	3,568	3,731	1,432
Lease receipts	M	181,996	53.72	97,767	64,051	84,229
Donations	I		0.00	3,325	1,000	(3,325)
<b>Sub-total</b>		<b>2,563,901</b>	<b>68.92</b>	<b>1,766,995</b>	<b>1,638,414</b>	<b>796,906</b>
Overhead	M	955,176	62.03	592,529	585,998	362,647
<b>Total revenues</b>		<b>3,519,077</b>	<b>67.05</b>	<b>2,359,524</b>	<b>2,224,412</b>	<b>1,159,553</b>

M - monthly

Q - quarterly

SM - Semi-annual in November then monthly

AP - As paid by taxpayer beginning in November

MA - pacificorp-monthly, Century Link-quarterly, others annually in March

S - semi-annual

I - intermittently

MQ - Monthly, cigarette and liquor and Quarterly, revenue sharing

R - renewals due in July and new licenses intermittently

A - annual

Note: Budget columns do not include contingencies as a separate line item but are included in the ending fund balance. Unless the Commission authorizes the use of contingency, these amounts should roll over to the following year beginning fund balance. For budget details, please refer to the City of Warrenton Adopted Budget for fiscal year ending June 30, 2015. Budget amounts reflect budget adjustments approved by the Commission during the fiscal year. Information and data presented in this report is unaudited.

**Financial data as of January 2016, continued**City of Warrenton  
ODOT Fees  
Collection of City Fuel Tax

	Calendar Year								
	November 2007	2008	2009	2010	2011	2012	2013	2014	2015
start up costs	1,486								
annual fees		2,328	912	1,272	960	1,296	912	2,928	1,380
<b>total</b>	<b>1,486</b>	<b>2,328</b>	<b>912</b>	<b>1,272</b>	<b>960</b>	<b>1,296</b>	<b>912</b>	<b>2,928</b>	<b>1,380</b>
gross revenue collected (3 cents per gallon)	41,648	262,576	267,695	264,719	261,260	264,318	280,886	276,314	304,780
fees as a percentage of revenue	3.57%	0.89%	0.34%	0.48%	0.37%	0.49%	0.32%	1.06%	0.45%

5-D

CITY OF WARRENTON  
WARRENTON COMMUNITY CENTER  
ADVISORY BOARD  
Annual Meeting: January 2016

The annual meeting was called to order by Chairman Frank Becker at 4:00 PM on Thursday, January 21, 2016, at the Warrenton Senior Center. The following advisory board members were present: Mel Jasmin, Frank Becker, Carol Snell, Marc Silva, Lorna Anderson and April Clark, Financial Director for the City of Warrenton. Absent and excused: None

Chairman Becker declared a quorum present.

Minutes: The minutes from the January 2015 annual meeting had been approved in February 2015.

Chairman Frank Becker open the nominations for officers of the 2016 calendar year. Mel Jasmin offered a motion to maintain the current slate of officers with the addition of Marc Silva as Vice Chairman. The motion was seconded by Lorna Anderson and passed unanimously.

Officers for 2016 are Chairman, Frank Becker; Vice Chairman, Marc Silva; and Secretary, Carol Snell.

Lorna Anderson moved to close the meeting. The motion was second by Marc Silva and passed. The meeting was adjourned at 4:10 PM.

---

Frank Becker, Chairman

---

Carol Snell

WARRENTON COMMUNITY CENTER  
Regular Advisory Board Meeting

Meeting Date: January 21, 2016

Place: Warrenton Community Center

Call to Order – Chairman, Frank Becker called the meeting to order at 4:15 PM

Roll Call: Chairman, Frank Becker; Vice Chairman, Marc Silva; Secretary, Carol Snell, Mel Jasmin, Lorna Anderson, and Warrenton Finance Director, April Clark. Members absent and excused: None

Introduction of Guests: None

Public Comment: None

Approval of Minutes for the November 21, 2015. A motion was offered, by Lorna Anderson and seconded by Marc Silva, to approve the minutes as submitted. Motion carried.

Financial Report: Finance Director, April Clark, discussed the Center's financial report for the Second quarter ending December 2015. A very successful Christmas breakfast on December 19, 2015 netted the Center \$ 1,632.57. Cash and in-kind donations (16 different sources) totaled \$ 1,985.00. Total rental fees, year to date, are \$ 5,884.10. Total rental hours are 199.5 for an average rental rate of \$ 29.49 per hour. The City transferred \$ 7,629.00 from the General Fund to the Center. Expenses are under budget by \$ 1,618.00. Fund balance totals \$ 14,872.00.

Old Business: The Breakfast with Santa was a huge success. We served 123 adults and 77 children 12 and under. The raffle netted \$ 162.00. It was decided to stick with asking the Warrenton High School to send volunteers to help serve our breakfasts. Lorna thought a few servers from the senior meal site would be willing to help as well. It was great to have the Wauna Federal Credit Union put our event on their outside reader board.

Lorna announced the meal site will be closed on Labor Day, the 4<sup>th</sup> of July and Memorial Day.

The owner of the Bouncy house business knows he can use the Center.

Regarding the inventory, Lorna said to leave things as they are. If something comes up she will bring it up again. April stated everything in the Center belongs to the City.

New Business: Donation letters will go out, for the Easter Breakfast, in February. April will have the flyers ready for the February meeting. Mel will take the flyers to the schools while Frank passes them out in the Community. Carol will ask the Columbia Press and the Daily Astorian to bill the City for printing the flyers. Marc will check with the Chamber about sending out our flyers. As a Chamber member he can put so many things in the letter free but he thinks he has used all of his freebees. If the City is a Chamber member wouldn't they have the same option as Marc?

Frank said he would see about putting the Center on Facebook. We will check with our donors to see if they have banners they would like us to put up around the Center. We also talked about table settings to advertise our donators.

The Christmas breakfast is scheduled for December 17, 2016.

Correspondence: None

Next Meeting: Will be the Easter Breakfast on March 19, 2016.  
Set-up March 18, 2016, at 4 PM. We will start on Saturday the  
19<sup>th</sup> at 7:15 AM.

Congratulations to Marc our new Vice Chairman.

Marc moved to adjourn the meeting at 5:10 PM. The motion was  
seconded by Lorna and carried.

---

Frank Becker, Chairman

---

Carol Snell, Secretary



OREGON LIQUOR CONTROL COMMISSION  
LIQUOR LICENSE APPLICATION

ORIGINAL

5-11

Application is being made for:

LICENSE TYPES

- Full On-Premises Sales (\$402.60/yr)
  - Commercial Establishment
  - Caterer
  - Passenger Carrier
  - Other Public Location
  - Private Club
- Limited On-Premises Sales (\$202.60/yr)
- Off-Premises Sales (\$100/yr)
  - with Fuel Pumps
- Brewery Public House (\$252.60)
- Winery (\$250/yr)
- Other: \_\_\_\_\_

ACTIONS

- Change Ownership
- New Outlet
- Greater Privilege
- Additional Privilege
- Other \_\_\_\_\_

90-DAY AUTHORITY

Check here if you are applying for a change of ownership at a business that has a current liquor license, or if you are applying for an Off-Premises Sales license and are requesting a 90-Day Temporary Authority

APPLYING AS:

- Limited Partnership
- Corporation
- Limited Liability Company
- Individuals

CITY AND COUNTY USE ONLY

Date application received: \_\_\_\_\_

The City Council or County Commission:

(name of city or county)

recommends that this license be:

- Granted
- Denied

By: \_\_\_\_\_ (signature) \_\_\_\_\_ (date)

Name: \_\_\_\_\_

Title: \_\_\_\_\_

OLCC USE ONLY

Application Rec'd by: [Signature]

Date: 2/29/2016

90-day authority:  Yes  No

1. Entity or Individuals applying for the license: [See SECTION 1 of the Guide]

① PAAWAN INC. ⑧ \_\_\_\_\_  
 ② \_\_\_\_\_ ④ \_\_\_\_\_

2. Trade Name (dba): SUPER MART #10

3. Business Location: 1180 PACIFIC DR. HAMMOND CLATSOP OR 97121  
 (number, street, rural route) (city) (county) (state) (ZIP code)

4. Business Mailing Address: P.O. BOX 388 WARRENTON OR 97146  
 (PO box, number, street, rural route) (city) (state) (ZIP code)

5. Business Numbers: 503-994-3031 503-994-3032  
 (phone) (fax)

6. Is the business at this location currently licensed by OLCC?  Yes  No

7. If yes to whom: TYLER Type of License: OFF-PREMISES

8. Former Business Name: WILKYS

9. Will you have a manager?  Yes  No Name: \_\_\_\_\_  
 (manager must fill out an Individual History form)

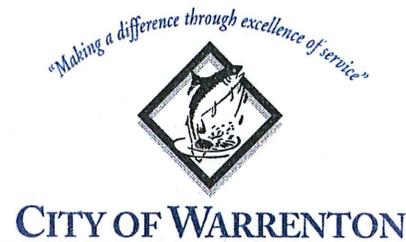
10. What is the local governing body where your business is located? CITY OF WARRENTON  
 (name of city or county)

11. Contact person for this application: LOVEKESH KUMAR 503-994-3046  
 (name) (phone number(s))  
280 S. MAIN AVE, WARRENTON 503-994-3031 \_\_\_\_\_  
 (address) (fax number) (e-mail address)

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant(s) Signature(s) and Date:

① [Signature] Date 2/29/2016 ③ [Signature] Date 2/29/16  
 ② [Signature] Date 2/29/2016 ④ \_\_\_\_\_ Date \_\_\_\_\_



## AGENDA MEMORANDUM

TO: The Warrenton City Commission

FROM: Linda Engbretson, CMC, City Recorder/Asst. to the City  
Manager

DATE: March 8, 2016

SUBJ: Public Hearing – Street Vacation – South 10 Ft. of 8<sup>th</sup>  
Street in the Plat of The Concourse

### SUMMARY

The Commission initiated a street vacation on February 9, 2016, setting the Public Hearing for March 8. The proposed area for vacation is the south ten feet of 8<sup>th</sup> Street located between Block 3 and Block 8. As you recall, this 10 feet was excepted from the street vacation completed in 1952. This is a public hearing, and the public should be given the opportunity to speak either in favor or against the proposed vacation.

Staff has prepared an Ordinance for first reading, if after the Public Hearing, the Commission determines it appropriate to complete the vacation.

**RECOMMENDATION/SUGGESTED MOTION**

“I move to conduct the first reading of Ordinance No. 1201A vacating the south 10 feet of 8<sup>th</sup> Street, between tax lots 81022CB05300 and 5400.”

**ALTERNATIVE**

Not to proceed or other action as deemed appropriate by the Commission.

**FISCAL IMPACT**

Property will go on the County Tax Rolls.

Approved by City Manager:

\_\_\_\_\_

All supporting documentation, i.e., maps, exhibits, etc., must be attached to this memorandum.

## PUBLIC HEARING

This is the time set for the public hearing on the proposed street vacation of a portion of 8<sup>th</sup> Street in the plat of The Concourse, City of Warrenton, County of Clatsop, State of Oregon.

“Are there any conflicts of interest or ex parte contacts to report?”

“At this time I will open the hearing.”

“Will staff please present their report.”

“At this time we will take public comment.”

“Is there anyone present wishing to speak in favor of the proposed vacation.”

Is there anyone present wishing to speak in opposition of the proposed vacation.”

“If there are no additional comments, I’ll close the public hearing at this time.”

(Commission Deliberates and makes decision)

[MapHome](#)   [City Taxlots](#)   [City Zoning Districts](#)   [FEMA Flood Zones](#)   [City Wetland Inventory](#)   [LIDAR Contours](#)   [Warrenton Water](#)   [Sewer and Storm](#)   [Wa W: Dis](#)

B1022CB03700  
296 SE GALENA AVE

B1022CB05400

B1022CB05500

B1022CB05600

B1022CB05700

B1022CB05800

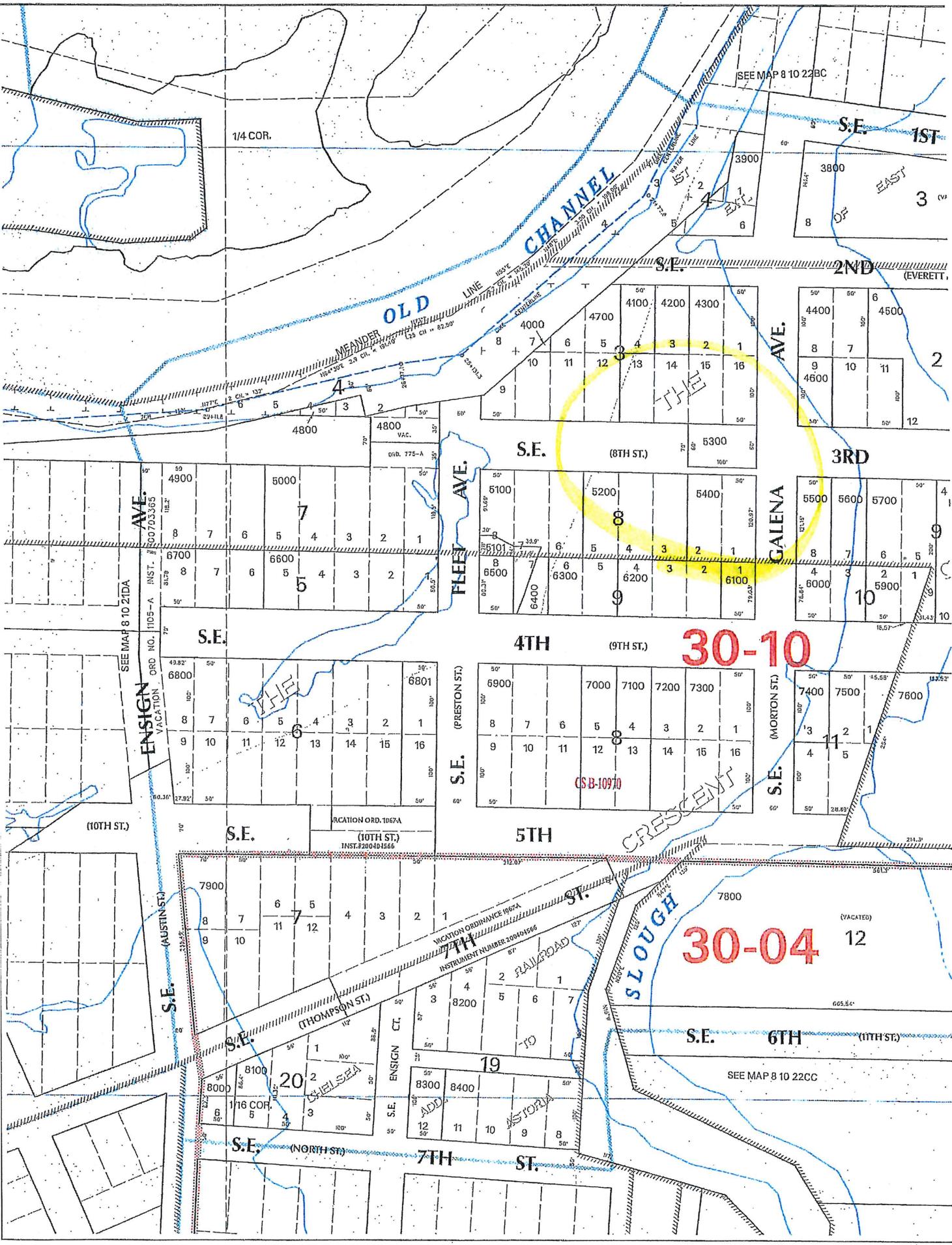
B1022CB05900

B1022CB06000

B1022CB06100

B06200  
GALENA AVE

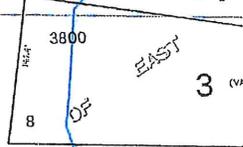
Advanced search   Overview map   Legend   Lists   Print   Helpful Tips



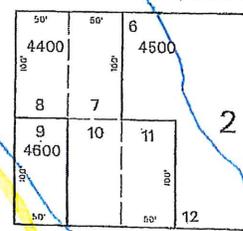
SEE MAP 8 10 22BC

1/4 COR.

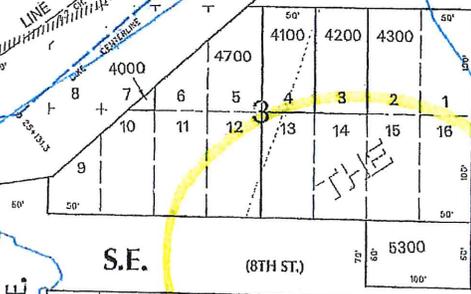
S.E. 1ST



S.E. 2ND (EVERETT)

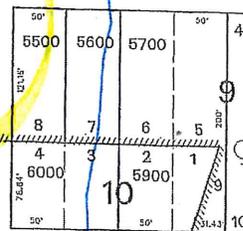


OLD CHANNEL

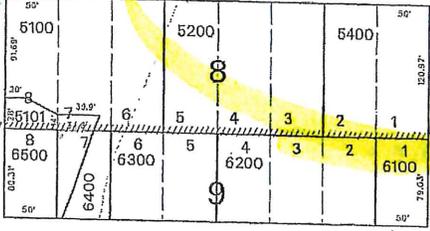


GALENA AVE.

S.E. 3RD



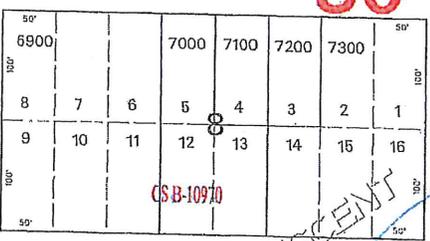
S.E. (8TH ST.)



GALENA

30-10

4TH (9TH ST.)



S.E. (MORTON ST.)



AVE.

SEE MAP 8 10 21DA

ENSIGN VACATION ORD. NO. 1105-A INST. # 800703365

(10TH ST.)

S.E. (AUSTIN ST.)

S.E.

S.E.

S.E. (NORTH ST.)

S.E.

S.E.

S.E.

S.E.

S.E. (PRESTON ST.)

S.E.

S.E.

5TH

7TH ST.

CRESCENT ST.

SLOUGH

30-04

S.E. 6TH (11TH ST.)

SEE MAP 8 10 22CC

VACATION ORD. 1067A INST. # 200104566

VACATION ORDINANCE 1067A INSTRUMENT NUMBER 200404566

ENSIGN CT.

ADD

S.E.

1/16 COR.

S.E.

ORDINANCE NO. 1201-A

INTRODUCED BY COMMISSIONER: \_\_\_\_\_

VACATING A PORTION OF 8<sup>TH</sup> STREET IN THE PLAT OF THE CONCOURSE  
CITY OF WARRENTON, COUNTY OF CLATSOP, STATE OF OREGON

WHEREAS, The Warrenton City Commission deems it to be in the best interest of the City to vacate a portion of 8<sup>th</sup> Street in the plat of The Concourse in the City of Warrenton, County of Clatsop, State of Oregon; and

WHEREAS, the Warrenton City Commission initiated this Street Vacation on its own motion as prescribed in ORS 271.130 on February 9, 2016, and set the date for a Public Hearing for March 8, 2016, causing Public Notice of Vacation as required by ORS 271.110; and

WHEREAS, having held the Public Hearing was held at the hour of 6:00 p.m. on March 8, 2016, in the Commission's Chambers at Warrenton City Hall and finding that the public interest will not be prejudiced by the vacation;

NOW, THEREFORE, the City of Warrenton ordains as follows:

**Section 1.** The south 10 feet of 8<sup>th</sup> Street in the City of Warrenton, Clatsop County, State of Oregon, described below is hereby vacated:

That portion of the south ten feet of 8<sup>th</sup> Street located between the northerly projection of the east boundary of Lot 1 and the northerly projection of the west boundary of Lot 2, Block 8, in the plat of The Concourse, City of Warrenton, Clatsop County, State of Oregon, is hereby vacated. Nothing contained herein shall cause or require the removal or obstruction of any drainage ditch, abandonment of any sewer, water main conduit, utility line, pole or any other thing used or intended to be used for any public service.

**Section 2.** The City Recorder of the City of Warrenton is hereby ordered to file with the clerk, the assessor, and the surveyor of Clatsop County, a certified copy of this ordinance.

**Section 3.** This ordinance will take effect 30 days after its adoption by the Warrenton City Commission.

First Reading: March 8, 2016

Second Reading: March 22, 2016

Adopted by the City Commission of the City of Warrenton, Oregon this 22<sup>nd</sup> day of March 2016.

APPROVED:

\_\_\_\_\_  
Mayor Mark Kujala

ATTEST:

\_\_\_\_\_  
Linda Engbretson, CMC, City Recorder



Agenda Item **6-B**  
PUBLIC WORKS

**CITY OF WARRENTON**

**Agenda Item Memorandum**

TO: The Honorable Mayor and Members of the Warrenton City Commission  
Kurt Fritsch, City Manager

From: Ed Wegner, Interim Public Works Director

Date: March 8, 2016

Subject: Consideration of Supplemental Budget Adjustment for Quincy Robinson Fund for fiscal year  
ending June 30, 2016

---

**Summary:**

Staff is presenting a supplemental budget for your approval in order to amend the current budget to allow for additional spending authority in capital outlay with the use of contingency in the Quincy Robinson Trust Fund in the amount of \$15,000.

During the budet process \$25,000 was approved for playground improvements to the Soccer Fields located at 550 Ridge Road. Due to unexpected additional work not being completed on the ballfields during Fiscal Year 2014-15, some costs were carried over to the current fiscal year causing a shortage in funds available for the playground equipment. This adjustment allows for additional spending for the ballfield projects and for the playground equipment.

**Recommendation**

A public notice of the supplemental budget hearing was published February 26, 2016 and a hearing must be held and public comment must be taken prior to adopting the attached resolution amending the budget.

Staff recommends the following motions;

“I move to approve the adoption of Resolution 2457 Approving and Adopting a Supplemental Budget for the transfer of \$15,000.00 in the Quincy Robinson Fund Contingency to Capital Outlay.

**Alternative**

- 1) Other action as deemed appropriate by the City Commission
- 2) None recommended

**Fiscal Impact**

The budgeted balance in the Quincy and Bessie Robinson Fund will not change, but there will only be \$650.00 available for future purchases and improvements from the Contingency for the duration of the 2015-2016 Fiscal Year with this budget modification.

Approved by City Manager: Burt Lutz

## PUBLIC HEARING

This is the time set for the public hearing on the proposed Supplemental Budget Adjustment for the Quincy Robinson Fund for fiscal year ending June 30, 2016

“Are there any conflicts of interest or ex parte contacts to report?”

“At this time I will open the hearing.”

“Will staff please present their report.”

“At this time we will take public comment.”

“Is there anyone present wishing to speak in favor of the proposed supplemental budget.”

Is there anyone present wishing to speak in opposition of the proposed supplemental budget.”

“If there are no additional comments, I’ll close the public hearing at this time.”

(Commission Deliberates and makes decision)

**RESOLUTION NO. 2457**

**Introduced by All Commissioners**

**APPROVING AND ADOPTING A SUPPLEMENTAL BUDGET BY  
MAKING APPROPRIATIONS FOR MUNICIPAL PURPOSES OF THE CITY OF  
WARRENTON FOR THE FISCAL YEAR COMMENCING JULY 1, 2015 AND ENDING  
JUNE 30, 2016**

WHEREAS, a local government may prepare a supplemental budget under ORS 294.480.

WHEREAS, preparing a supplemental budget does not authorize the governing body to impose additional ad valorem taxes ORS 294.480(5).

The City of Warrenton hereby does resolve as follows:

Section 1. Be it resolved that the Warrenton City Commission, for the City of Warrenton, hereby adopts the supplemental budget for the 2015-2016 fiscal year.

Section 2. This supplemental budget allows for additional spending authority in capital outlay to complete projects for ballfields and purchase of playground equipment in the Quincy Robinson Park Fund and allows the use of contingency in that fund.

Section 3. Be it resolved that the amounts for the fiscal year beginning July 1, 2015, are hereby appropriated for the purposes shown below, as follows:

<u>Fund/Description</u>	<u>Adopted Budget</u>	<u>Change</u>	<u>Amended Budget</u>
<i><b>Quincy Robinson Park Fund:</b></i>			
Capital Outlay	78,250	15,000	93,250
Contingency	15,650	(15,000)	650
<i><b>Total Requirements</b></i>	<u>93,900</u>	<u>0</u>	<u>93,900</u>

This resolution is effective on March 8, 2016.

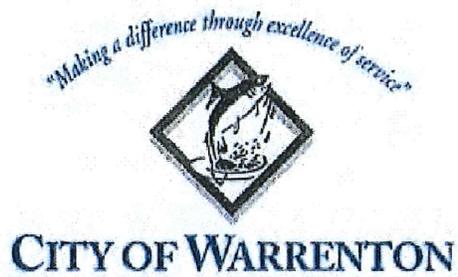
PASSED by the City Commission of the City of Warrenton this \_\_\_\_ day of \_\_\_\_\_, 2016

APPROVED by the Mayor of the City of Warrenton this \_\_\_\_ day of \_\_\_\_\_, 2016

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Recorder



City of Warrenton

Supplemental Budget

Quincy Robinson Trust Fund

Public Notice: February 26, 2016

Public Hearing: March 8, 2016

Proposed Adoption: March 8, 2016

City of Warrenton  
Budget Document

Quincy Robinson Trust Fund 065 (429)

Historical Data			Budget for Fiscal Year 7/1/2015 - 6/30/16					
Actual	Adopted Budget		Resources and Requirements	Proposed by	Approved by	Adopted by	Plus:	
FYE 6/30/13	FYE 6/30/14	FYE 6/30/15		Budget Officer	Budget Committee	Governing Body	Supplemental Budget	Amended Budget
			<b>Resources</b>					
\$ 53,996	\$ 45,625	\$ 108,673	300000	\$ 167,584	\$ 167,584	\$ 167,584		\$ 167,584
482	279	500	361000	300	300	300		300
48,679	102,561	50,000	365000	51,000	51,000	51,000		51,000
218,796			366000					
<u>321,953</u>	<u>148,465</u>	<u>159,173</u>	<b>Total Resources</b>	<u>218,884</u>	<u>218,884</u>	<u>218,884</u>	-	<u>218,884</u>
			<b>Requirements</b>					
			Materials and Services:					
			371000					
			380000					
-	-	-	<b>Total Materials and Services</b>	-	-	-	-	-
			Capital Outlay:					
	57	10,000	620005					
600	2,751		620008					
23,765			620009	25,000	25,000	25,000	1,450	26,450
	3,611	18,250	620010	18,250	18,250	18,250	17,250	35,500
		25,000	620080	25,000	25,000	25,000	(6,700)	18,300
			620084	10,000	10,000	10,000	(10,000)	-
			620079	-	-	-	8,000	8,000
		25,000	620081				5,000	5,000
		5,000	620082					
		15,000	620083					
24,365	6,419	98,250	<b>Total Capital Outlay</b>	<u>78,250</u>	<u>78,250</u>	<u>78,250</u>	<u>15,000</u>	<u>93,250</u>
			Debt Service:					
240,000			801001					
11,963			801002					
<u>251,963</u>	-	-	<b>Total Debt Service</b>	-	-	-	-	-
-	-	19,650	800000	15,650	15,650	15,650	(15,000)	650
276,328	6,419	117,900	<b>Total Expenditures</b>	<u>93,900</u>	<u>93,900</u>	<u>93,900</u>	-	<u>93,900</u>
45,625	142,046	41,273	880001	124,984	124,984	124,984	-	124,984
<u>\$ 321,953</u>	<u>\$ 148,465</u>	<u>\$ 159,173</u>	<b>Total Requirements</b>	<u>\$ 218,884</u>	<u>\$ 218,884</u>	<u>\$ 218,884</u>	<u>\$ -</u>	<u>\$ 218,884</u>

## NOTICE OF SUPPLEMENTAL BUDGET HEARING

- For supplemental budgets proposing a change in any fund's expenditures by **10 percent or more**.

A public hearing on a proposed supplemental budget for City of Warrenton, Clatsop, State of Oregon, for the fiscal year July 1, 2015 to June 30, 2016, will be held at Warrenton City Hall. The hearing will take place on March 8, 2016 at 6:00 pm. The purpose of the hearing is to discuss the supplemental budget with interested persons. A copy of the supplemental budget may be inspected or obtained on or after February 26, 2016 at Warrenton City Hall between the hours of 8:30 am and 5:00 pm.

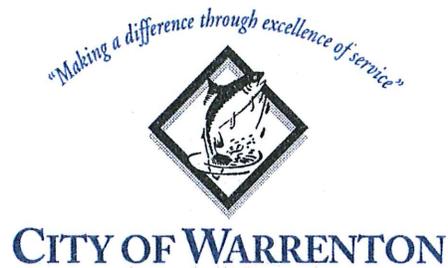
### Summary of Supplemental Budget Publish **only** those funds being modified

FUND: Quincy Robinson Trust Fund

Resource	Amount	Requirement	Amount
1. _____	_____	1. Capital Outlay	15,000
2. _____	_____	2. Contingency	(15,000)
3. _____	_____	3. _____	_____
Total Resources	-	Total Requirements	-

Comments:

To allow for additional spending authority in capital outlay to complete projects in the Quincy Robinson Trust Fund for the ballfields and to purchase playground equipment by allowing the use of \$15,000 from contingency.



## AGENDA MEMORANDUM

TO: The Warrenton City Commission  
FROM: Linda Engbretson, CMC, City Recorder/Asst. to the City Manager  
DATE: March 8, 2016  
SUBJ: Ordinance No. 1200A; *Amending Warrenton Municipal Code Title 6 and Adding Chapter 6.09 "Feeding of Wildlife Prohibited."*

### SUMMARY

The Commission conducted the first reading by title of Ordinance No. 1200A during its February 23, 2016, meeting. As directed by the Commission, "waterfowl" has been removed from the *definition of terms* 6.09.010(F). The ordinance is presented for consideration of second reading and adoption.

### RECOMMENDATION/SUGGESTED MOTION

*"I move to conduct the second reading by title only of Ordinance No. 1200A."*

Title: *"Ordinance No. 1200A; Amending Title 6 of the Warrenton Municipal Code, Adding Chapter 6.09 – Prohibiting the Attracting or Feeding of Wildlife."*

*"I move to adopt Ordinance No. 1200A."*

ALTERNATIVE

N/A

FISCAL IMPACT

N/A

Approved by City Manager:

A handwritten signature in cursive script, appearing to read "Brent Litch", is written over a horizontal line.

All supporting documentation, i.e., maps, exhibits, etc., must be attached to this memorandum.

ORDINANCE NO. 1200-A

INTRODUCED BY COMMISSIONER: \_\_\_\_\_

AMMENDING TITLE 6 OF THE WARRENTON MUNICIPAL CODE  
ADDING CHAPTER 6.09 - PROHIBITING THE ATTRACTING OR FEEDING OF  
WILDLIFE

The City of Warrenton Ordains as follows:

Section 1. Chapter 6.09 is added to the Warrenton Municipal Code to read as follows:

Sections:

609.010 Definitions of terms.  
609.020 Feeding of Wildlife Prohibited  
609.030 Abatement  
609.040 Penalties

**6.09.010 Definitions of terms**

As used in this chapter:

- A. "Attractant" means any substance that draws animals to a particular location and includes, but is not limited to, food, garbage, or salt lick. Attractant does not include lawns, flowers, shrubs, trees, or gardens that are eaten by wild animals.
- B. "City" means the City of Warrenton.
- C. "Feeder" means any device or container used for feeding animals.
- D. "Songbird" means any of a large number of bird species in which the vocal organ is developed in such a way as to provide various sound notes commonly known as a bird song.
- E. "Wildlife" shall include any animal which is not normally domesticated including, but not limited to, bear, cougar, coyote, wolf, deer, elk, feral cats, foxes, groundhogs, opossums, raccoons, squirrels, skunks, and turkeys.

**6.09.020 Attracting of Feeding of wildlife prohibited**

The attracting or feeding of wildlife within the City limits is declared to be a public nuisance and is prohibited at all times. This prohibition includes any manner by which a person places or knowingly allows food or other attractants to be placed on their property or public property with the intent

of attracting or feeding wildlife. Nothing contained in this section shall prohibit the feeding of songbirds or squirrels provided that the food is contained in a feeder which is reasonably designed to avoid access by wildlife and placed in a manner to avoid access by wildlife. This section does not prohibit the feeding of wildlife kept under a valid permit issued by the Oregon Department of Fish and Wildlife (ODFW).

#### **6.09.030 Abatement**

Should the city manager determine that a feeder for songbirds and squirrels is attracting wildlife; the City shall require the removal of such feeder. Failure to remove a feeder within 24 hours from notification shall constitute a separate violation.

#### **6.09.040 Penalties**

Any person violating any provision of this chapter shall be liable to a fine not less than \$50.00 or more than \$250.00 for each offense. A separate offense shall be deemed committed on each day during which a violation occurs or continues.

Section 2. This Ordinance shall become effective thirty days after its adoption by the Commission.

First Reading: 2/23/16  
Second Reading: 3/08/16

ADOPTED by the City Commission of the City of Warrenton this 8th day of March, 2016.

Approved

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Mark Kulaja, Mayor

Attest

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Linda Engbretson, CMC, City Recorder



ICMA RETIREMENT CORPORATION

# GOVERNMENTAL MONEY PURCHASE PLAN & TRUST ADOPTION AGREEMENT



  
**ICMA ARC**  
BUILDING PUBLIC SECTOR  
RETIREMENT SECURITY

**ICMA RETIREMENT CORPORATION  
GOVERNMENTAL MONEY PURCHASE PLAN & TRUST  
ADOPTION AGREEMENT**

Plan Number 107808

The Employer hereby establishes a Money Purchase Plan and Trust to be known as CITY OF WARRENTON  
(the "Plan") in the form of the ICMA Retirement Corporation Governmental Money Purchase Plan and Trust.

This Plan is an amendment and restatement of an existing defined contribution money purchase plan.

Yes                       No

If yes, please specify the name of the defined contribution money purchase plan which this Plan hereby amends and restates:

CITY OF WARRENTON

**I. Employer:** CITY OF WARRENTON

**II. Effective Dates**

1. **Effective Date of Restatement.** If this document is a restatement of an existing plan, the effective date of the Plan shall be January 1, 2007 unless an alternate effective date is hereby specified: \_\_\_\_\_

(Note: An alternate effective date can be no earlier than January 1, 2007.)

2. **Effective Date of New Plan.** If this is a new Plan, the effective date of the Plan shall be the first day of the Plan Year during which the Employer adopts the Plan, unless an alternate Effective Date is hereby specified:  
\_\_\_\_\_

3. **Special Effective Dates.** Please note here any elections in the Adoption Agreement with an effective date that is different from that noted in 1. or 2. above.

Effective Date for Sections V and VI is 07/01/2015

(Note provision and effective date.)

**III. Plan Year** will mean:

- The twelve (12) consecutive month period which coincides with the limitation year. (See Section 5.03(f) of the Plan.)
- The twelve (12) consecutive month period commencing on 07/01 and each anniversary thereof.

**IV. Normal Retirement Age shall be age 60.0 (not to exceed age 65).**

*Important Note to Employers:* Normal Retirement Age is significant for determining the earliest date at which the Plan may allow for in-service distributions. Normal Retirement Age also defines the latest date at which a Participant must have a fully vested right to his/her Account. There are IRS rules that limit the age that may be specified as the Plan's Normal Retirement Age. The Normal Retirement Age cannot be earlier than what is reasonably representative of the typical retirement age for the industry in which the covered workforce is employed. An age under 55 is presumed not to satisfy this requirement, unless the Commissioner of Internal Revenue determines that the facts and circumstances show otherwise.

Whether an age between 55 and 62 satisfies this requirement depends on the facts and circumstances, but an Employer's good

Whether an age between 55 and 62 satisfies this requirement depends on the facts and circumstances, but an Employer's good faith, reasonable determination will generally be given deference. A special rule, however, applies in the case of a plan where substantially all of the participants in the plan are qualified public safety employees within the meaning of section 72(t)(10)(B) of the Code, in which case an age of 50 or later is deemed not to be earlier than the earliest age that is reasonably representative of the typical retirement age for the industry in which the covered workforce is employed.

## V. ELIGIBILITY REQUIREMENTS

1. The following group or groups of Employees are eligible to participate in the Plan:

- All Employees
- All Full Time Employees
- Salaried Employees
- Non union Employees
- Management Employees
- Public Safety Employees
- General Employees
- Other Employees (Specify the group(s) of eligible employees below. Do not specify employees by name. Specific positions are acceptable.) See Addendum

The group specified must correspond to a group of the same designation that is defined in the statutes, ordinances, rules, regulations, personnel manuals or other material in effect in the state or locality of the Employer. The eligibility requirements cannot be such that an Employee becomes eligible only in the Plan Year in which the Employee terminates employment. **Note:** As stated in Sections 4.07 and 4.08, the Plan may, however, provide that Final Pay Contributions or Accrued Leave Contributions are the only contributions made under the Plan.

2. The Employer hereby waives or reduces the requirement of a twelve (12) month Period of Service for participation. The required Period of Service shall be (write N/A if an Employee is eligible to participate upon employment) N/A.

If this waiver or reduction is elected, it shall apply to all Employees within the Covered Employment Classification.

3. A minimum age requirement is hereby specified for eligibility to participate. The minimum age requirement is 18.0 (not to exceed age 21. Write N/A if no minimum age is declared.)

## VI. CONTRIBUTION PROVISIONS

1. **The Employer shall contribute as follows:** (Choose all that apply, but at least one of Options A or B. If Option A is not selected, Employer must pick up Participant Contributions under Option B.)

**Fixed Employer Contributions With or Without Mandatory Participant Contributions.** (If Option B is chosen, please complete section C.)

A. Employer Contributions. The Employer shall contribute on behalf of each Participant See % of Earnings or \$ Addendum for the Plan Year (subject to the limitations of Article V of the Plan).

Mandatory Participant Contributions

are required     are not required

to be eligible for this Employer Contribution.

B. Mandatory Participant Contributions for Plan Participation.

Required Mandatory Contributions. A Participant is required to contribute (subject to the limitations of Article V of the Plan) the specified amounts designated in items (i) through (iii) of the Contribution Schedule below:

Yes                       No

Employee Opt-In Mandatory Contributions. Each Employee eligible to participate in the Plan shall be given the opportunity to irrevocably elect to participate in the Mandatory Participant Contribution portion of the Plan by electing to contribute the specified amounts designated in items (i) through (iii) of the Contribution Schedule below for each Plan Year (subject to the limitations of Article V of the Plan):

Yes                       No

Contribution Schedule.

- (i) \_\_\_\_\_ % of Earnings,
- (ii) \$ \_\_\_\_\_ , or
- (iii) a whole percentage of Earnings between the range of \_\_\_\_\_ (*insert range of percentages between 1% and 20% inclusive (e.g., 3%, 6%, or 20%; 5% to 7%)*), as designated by the Employee in accordance with guidelines and procedures established by the Employer for the Plan Year as a condition of participation in the Plan. A Participant must pick a single percentage and shall not have the right to discontinue or vary the rate of such contributions after becoming a Plan Participant.

Employer "Pick up". The Employer hereby elects to "pick up" the Mandatory Participant Contributions<sup>1</sup> (pick up is required if Option A is not selected).

Yes                       No (*"Yes" is the default provision under the Plan if no selection is made.*)

- C. Election Window (Complete if Option B is selected):  
Newly eligible Employees shall be provided an election window of \_\_\_\_\_ days (no more than 60 calendar days) from the date of initial eligibility during which they may make the election to participate in the Mandatory Participant Contribution portion of the Plan. Participation in the Mandatory Participant Contribution portion of the Plan shall begin the first of the month following the end of the election window.

An Employee's election is irrevocable and shall remain in force until the Employee terminates employment or ceases to be eligible to participate in the Plan. In the event of re-employment to an eligible position, the Employee's original election will resume. In no event does the Employee have the option of receiving the pick-up contribution amount directly.

2. The Employer may also elect to contribute as follows:

- A. Fixed Employer Match of Voluntary After-Tax Participant Contributions. The Employer shall contribute on behalf of each Participant \_\_\_\_% of Earnings for the Plan Year (subject to the limitations of Article V of the Plan) for each Plan Year that such Participant has contributed \_\_\_\_% of Earnings or \$ \_\_\_\_\_. Under this option, there is a single, fixed rate of Employer contributions, but a Participant may decline to make the required Participant contributions in any Plan Year, in which case no Employer contribution will be made on the Participant's behalf in that Plan Year.
- B. Variable Employer Match of Voluntary After-Tax Participant Contributions. The Employer shall contribute on behalf of each Participant an amount determined as follows (subject to the limitations of Article V of the Plan):  
  
\_\_\_\_\_ % of the Voluntary Participant Contributions made by the Participant for the Plan Year (not including Participant contributions exceeding \_\_\_\_% of Earnings or \$ \_\_\_\_\_);

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<sup>1</sup> Neither an IRS advisory letter nor a determination letter issued to an adopting Employer is a ruling by the Internal Revenue Service that Participant contributions that are "picked up" by the Employer are not includable in the Participant's gross income for federal income tax purposes. Pick-up contributions are not mandated to receive private letter rulings; however, if an adopting employer wishes to receive a ruling on pick-up contributions they may request one in accordance with Revenue Procedure 2012-4 (or subsequent guidance).

PLUS \_\_\_\_\_% of the contributions made by the Participant for the Plan Year in excess of those included in the above paragraph (but not including Voluntary Participant Contributions exceeding in the aggregate \_\_\_\_\_% of Earnings or \$ \_\_\_\_\_).

Employer Matching Contributions on behalf of a Participant for a Plan Year shall not exceed \$ \_\_\_\_\_ or \_\_\_\_\_% of Earnings, whichever is \_\_\_\_\_ more or \_\_\_\_\_ less.

3. Each Participant may make a voluntary (unmatched), after tax contribution, subject to the limitations of Section 4.05 and Article V of the Plan:

Yes       No (*"No" is the default provision under the Plan if no selection is made.*)

4. Employer contributions for a Plan Year shall be contributed to the Trust in accordance with the following payment schedule (no later than the 15th day of the tenth calendar month following the end of the calendar year or fiscal year (as applicable depending on the basis on which the Employer keeps its books) with or within which the particular Limitation year ends, or in accordance with applicable law):

SEMI-MONTHLY

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5. Participant contributions for a Plan Year shall be contributed to the Trust in accordance with the following payment schedule (no later than the 15th day of the tenth calendar month following the end of the calendar year or fiscal year (as applicable depending on the basis on which the Employer keeps its books) with or within which the particular Limitation year ends, or in accordance with applicable law):

SEMI-MONTHLY

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6. In the case of a Participant performing qualified military service (as defined in Code section 414(u)) with respect to the Employer:

- A. Plan contributions will be made based on differential wage payments:

Yes       No (*"Yes" is the default provision under the Plan if no selection is made.*)

If yes is selected, this is effective beginning January 1, 2009 unless another later effective date is filled in here:

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- B. Participants who die or become disabled will receive Plan contributions with respect to such service:

Yes       No (*"No" is the default provision under the Plan if no selection is made.*)

If yes is selected, this is effective for participants who died or became disabled while performing qualified military service on or after January 1, 2007, unless another later effective date is filled in here:

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**VII. EARNINGS**

Earnings, as defined under Section 2.09 of the Plan, shall include:

- 1. Overtime  
 Yes                       No
- 2. Bonuses  
 Yes                       No
- 3. Other Pay (specifically describe any other types of pay to be included below)

**VIII. ROLLOVER PROVISIONS**

- 1. The Employer will permit rollover contributions in accordance with Section 4.12 of the Plan:  
 Yes                       No (*"Yes" is the default provision under the Plan if no selection is made.*)
- 2. Direct rollovers by non-spouse beneficiaries are effective for distributions after 2006 unless the Plan delayed making them available. If the Plan delayed making such rollovers available, check the box below and indicate the later effective date in the space provided.  
 Effective Date is \_\_\_\_\_.  
*(Note: Plans must offer direct rollovers by non-spouse beneficiaries no later than plan years beginning after December 31, 2009.)*

**IX. LIMITATION ON ALLOCATIONS**

If the Employer maintains or ever maintained another qualified plan in which any Participant in this Plan is (or was) a participant or could possibly become a participant, the Employer hereby agrees to limit contributions to all such plans as provided herein, if necessary in order to avoid excess contributions (as described in Section 5.02 of the Plan).

- 1. If the Participant is covered under another qualified defined contribution plan maintained by the Employer, the provisions of Section 5.02(a) through (e) of the Plan will apply unless another method has been indicated below.  
 Other Method. (Provide the method under which the plans will limit total Annual Additions to the Maximum Permissible Amount, and will properly reduce any excess amounts, in a manner that precludes Employer discretion.)
- 2. The Limitation Year is the following 12 consecutive month period: \_\_\_\_\_
- 3. Unless the Employer elects a delayed effective date below, Article 5 of the Plan will apply to limitations years beginning on or after July 1, 2007. \_\_\_\_\_  
*(The effective date listed cannot be later than 90 days after the close of the first regular legislative session of the legislative body with authority to amend the plan that begins on or after July 1, 2007.)*

**X. VESTING PROVISIONS**

The Employer hereby specifies the following vesting schedule, subject to (1) the minimum vesting requirements and (2) the concurrence of the Plan Administrator. (For the blanks below, enter the applicable percent – from 0 to 100 (with no entry after the year in which 100% is entered), in ascending order.)

<b>Period of Service Completed</b>	<b>Percent Vested</b>
Zero	100 %
One	%
Two	%
Three	%
Four	%
Five	%
Six	%
Seven	%
Eight	%
Nine	%
Ten	%

**XI. WITHDRAWALS AND LOANS**

1. In-service distributions are permitted under the Plan after a participant attains (select one of the below options):

- Normal Retirement Age
- Age 70½ (*“70½” is the default provision under the Plan if no selection is made.*)
- Alternate age (after Normal Retirement Age): \_\_\_\_\_
- Not permitted at any age

2. A Participant shall be deemed to have a severance from employment solely for purposes of eligibility to receive distributions from the Plan during any period the individual is performing service in the uniformed services for more than 30 days.

- Yes
- No (*“Yes” is the default provision under the plan if no selection is made.*)

3. Tax-free distributions of up to \$3,000 for the direct payment of qualifying insurance premiums for eligible retired public safety officers are available under the Plan.

- Yes
- No (*“No” is the default provision under the Plan if no selection is made.*)

4. In-service distributions of the Rollover Account are permitted under the Plan, as provided in Section 9.07.

- Yes
- No (*“No” is the default provision under the Plan if no selection is made.*)

5. Loans are permitted under the Plan, as provided in Article XIII of the Plan:

- Yes
- No (*“No” is the default provision under the Plan if no selection is made.*)

**XII. SPOUSAL PROTECTION**

The Plan will provide the following level of spousal protection (select one):

- 1. Participant Directed Election. The normal form of payment of benefits under the Plan is a lump sum. The Participant can name any person(s) as the Beneficiary of the Plan, with no spousal consent required.
- 2. Beneficiary Spousal Consent Election (Article XII). The normal form of payment of benefits under the Plan is a lump sum. Upon death, the surviving spouse is the Beneficiary, unless he or she consents to the Participant's naming another Beneficiary. (*"Beneficiary Spousal Consent Election" is the default provision under the Plan if no selection is made.*)
- 3. QJSA Election (Article XVII). The normal form of payment of benefits under the Plan is a 50% qualified joint and survivor annuity with the spouse (or life annuity, if single). In the event of the Participant's death prior to commencing payments, the spouse will receive an annuity for his or her lifetime. (If C is selected, the spousal consent requirements in Article XII also will apply.)

**XIII. FINAL PAY CONTRIBUTIONS**

The Plan will provide for Final Pay Contributions if either 1 or 2 below is selected.

The following group of Employees shall be eligible for Final Pay Contributions:

- All Eligible Employees
- Other: \_\_\_\_\_

**Final Pay shall be defined as (select one):**

- A. Accrued unpaid vacation
- B. Accrued unpaid sick leave
- C. Accrued unpaid vacation and sick leave
- D. Other (*insert definition of Final Pay – must be leave that Employee would have been able to use if employment had continued and must be bona fide vacation and/or sick leave*):  
\_\_\_\_\_

- 1. **Employer Final Pay Contribution.** The Employer shall contribute on behalf of each Participant \_\_\_\_\_ % of Final Pay to the Plan (subject to the limitations of Article V of the Plan).
- 2. **Employee Designated Final Pay Contribution.** Each Employee eligible to participate in the Plan shall be given the opportunity at enrollment to irrevocably elect to contribute \_\_\_\_ % (insert fixed percentage of final pay to be contributed) or up to \_\_\_\_\_% (insert maximum percentage of final pay to be contributed) of Final Pay to the Plan (subject to the limitations of Article V of the Plan).

Once elected, an Employee's election shall remain in force and may not be revised or revoked.

**XIV. ACCRUED LEAVE CONTRIBUTIONS**

The Plan will provide for accrued unpaid leave contributions annually if either 1 or 2 is selected below.

The following group of Employees shall be eligible for Accrued Leave Contributions:

- All Eligible Employees
- Other: \_\_\_\_\_

**Accrued Leave shall be defined as (select one):**

- A. Accrued unpaid vacation
- B. Accrued unpaid sick leave
- C. Accrued unpaid vacation and sick leave
- D. Other (insert definition of accrued leave that is bona fide vacation and/or sick leave):  
\_\_\_\_\_

1. **Employer Accrued Leave Contribution.** The Employer shall contribute as follows (choose one of the following options):

For each Plan Year, the Employer shall contribute on behalf of each Eligible Participant the unused Accrued Leave in excess of \_\_\_\_\_ (insert number of hours/days/weeks (circle one)) to the Plan (subject to the limitations of Article V of the Plan).

For each Plan Year, the Employer shall contribute on behalf of each Eligible Participant \_\_\_\_\_% of unused Accrued Leave to the Plan (subject to the limitations of Article V of the Plan).

2. **Employee Designated Accrued Leave Contribution.**

Each eligible Participant shall be given the opportunity at enrollment to irrevocably elect to contribute \_\_\_\_\_% (insert fixed percentage of accrued unpaid leave to be contributed) or up to \_\_\_\_\_% (insert maximum percentage of accrued unpaid leave to be contributed) of Accrued Leave to the Plan (subject to the limitations of Article V of the Plan). Once elected, an Employee's election shall remain in force and may not be revised or revoked.

**XV.** The Employer hereby attests that it is a unit of state or local government or an agency or instrumentality of one or more units of state or local government.

**XVI.** The Employer understands that this Adoption Agreement is to be used with only the ICMA Retirement Corporation Governmental Money Purchase Plan and Trust. This ICMA Retirement Corporation Governmental Money Purchase Plan and Trust is a restatement of a previous plan, which was submitted to the Internal Revenue Service for approval on April 2, 2012, and received approval on March 31, 2014.

The Plan Administrator hereby agrees to inform the Employer of any amendments to the Plan made pursuant to Section 14.05 of the Plan or of the discontinuance or abandonment of the Plan. The Employer understands that an amendment(s) made pursuant to Section 14.05 of the Plan will become effective within 30 days of notice of the amendment(s) unless the Employer notifies the Plan Administrator, in writing, that it disapproves of the amendment(s). If the Employer so disapproves, the Plan Administrator will be under no obligation to act as Administrator under the Plan.

**XVII.** The Employer hereby appoints the ICMA Retirement Corporation as the Plan Administrator pursuant to the terms and conditions of the ICMA RETIREMENT CORPORATION GOVERNMENTAL MONEY PURCHASE PLAN & TRUST.

The Employer hereby agrees to the provisions of the Plan and Trust.

**XVIII.** The Employer hereby acknowledges it understands that failure to properly fill out this Adoption Agreement may result in disqualification of the Plan.

**XIX.** An adopting Employer may rely on an advisory letter issued by the Internal Revenue Service as evidence that the Plan is qualified under section 401 of the Internal Revenue Code to the extent provided in applicable IRS revenue procedures and other official guidance.

In Witness Whereof, the Employer hereby causes this Agreement to be executed on this 8th day of March, 2016.

EMPLOYER

ICMA RETIREMENT CORPORATION  
777 North Capitol St., NE Suite 600  
Washington, DC 20002  
800-326-7272

By: \_\_\_\_\_

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Attest: \_\_\_\_\_

Attest: \_\_\_\_\_

ICMA RETIREMENT CORPORATION  
GOVERNMENTAL MONEY PURCHASE PLAN & TRUST  
ADDENDUM TO EXISTING ADOPTION AGREEMENT

City of Warrenton, OR 107808

V. Eligibility

1. The following group or groups of Employees are eligible to participate in the Plan:

- City Manager
- Employees who don't qualify for a Health Savings Account with Employee Only Coverage
- Employees who don't qualify for a Health Savings Account with Family Coverage

VI. Contribution Provision:

Fixed Employer Contributions With or Without Mandatory Participation Contribution.

	<u>Employer \$</u>
City Manager	\$16,000
Employee Only Coverage	\$ 1,500
Employee Family Coverage	\$ 3,000