



CITY COMMISSION OF THE CITY OF WARRENTON
REGULAR MEETING
October 11, 2016 – 6:00 P.M.
Warrenton City Commission Chambers – 225 South Main Avenue
Warrenton, Or 97146

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **COMMISSIONER COMMENTS/COMMUNICATIONS/AGENDA ADDITIONS**
5. **CONSENT CALENDAR**

- A. Commission Work Session Minutes – 9.27.16
- B. WBA Meeting Minutes – April 2016
- C. WBA Meeting Minutes – May 2016
- D. WBA Meeting Minutes – June 2016
- E. WBA Meeting Minutes – August 2016
- F. Community Center Annual Report – FY 15/16
- G. Monthly Finance Report – August 2016
- H. Planning Dept. Permit Report – January – July 2016

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. Consideration of Street Vacation on Commission's Own Motion – SE Galena Avenue (near Home Depot)

- B. Consideration of Library Board Recommendation for Temporary Library Relocation
- C. Consideration of Financing Application for Meter Replacement
- D. Consideration of Authorization to Issue Request for Qualifications for Water Master Plan
- E. Consideration of SW 3rd Street Project Change Order
- F. Consideration to Award Contract for the SE Ensign Pump Station Rebuild and New Force Main Construction Project
- G. Consideration to Award of Contract for 4th Street Pump Station & Change Order # 1
- H. Consideration of 2nd Reading and Adoption of Ordinance No. 1208A
- I. Update from Public Works Director on FEMA Meeting
- J. Commission Discussion on Ballot Measure 4-181, Charter Amendment Requiring Voter Approval for Transfer of City Assets

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**

Under the authority of ORS 192.660(2)(e); *to conduct deliberations with persons designated by the governing body to negotiate real property transactions.*

9. **ADJOURNMENT**

CITY HALL IS ACCESSIBLE TO THE DISABLED. AN INTERPRETER FOR THE HEARING IMPAIRED MAY BE REQUESTED UNDER THE TERMS OF ORS 192.630, BY CONTACTING LINDA ENGBRETSON AT LEAST 48 HOURS IN ADVANCE OF THE MEETING

5A

MINUTES
Warrenton City Commission
WORK SESSION – September 27, 2016
5:00 p.m.
Warrenton City Hall - Commission Chambers
225 S. Main
Warrenton, Or 97146

Mayor Kujala convened the work session at 5:33 p.m.

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

Staff Present: City Manager Pro tem Linda Engbretson, Fire Chief Tim Demers, Public Works Director Jim Dunn, Public Works Foreman Craig Walter, Finance Director April Clark, Library Director Nettie-Lee Calog and Administrative Assistant Dawne Shaw

Purpose of Work Session: Discussion on Funding – Community Library Temporary Relocation

City Manager Pro tem Linda Engbretson opened the discussion on moving the library, noting the prior public forum that was held and the subcommittee that was formed to search/recommend possible locations for the library. Before further investigation, City Manager Pro tem Linda Engbretson requested to meet with the Commission to confirm funding. The subcommittee has a recommendation; however, the Library Board has not yet met. The discussion continued on how to cover the cost of the temporary home for the rest of the fiscal year. Finance Director April Clark looked at the budget and came up with a few options; the money can come from the contingency fund or suggested using a portion of the \$30,000 budgeted for city hall flooring and making an adjustment to the library fund. The discussion continued and it was agreed the flooring money was a good option. Linda Engbretson followed with discussion on the Library Levy which is up June of 2018. The levy is currently at 9.5 cents. Staff is analyzing revenue at 11 and 15 cents. Commissioner Balensifer stated he is okay with approving the funds transfer, but in regards to the levy, he would like to continue with public forums to get input on the library's future. The discussion moved to the length of time a temporary home would be necessary, and it was noted that it would be best to have a permanent home in 3-5 years. Cost saving measures discussed included moving/reusing the existing metal shelving and using volunteers to help move the library. The Coast Guard Alert will be dry docked and they have expressed an interest in volunteering for community activities; however, they do need to know a time frame soon for their schedule. The Library Board members present thanked the Commission for partnering with them to help find a new home for the library.

There being no further business Mayor Kujala adjourned the meeting at 5:48 p.m.

APPROVED:

Mark Kujala, Mayor

ATTEST:

Dawne Shaw, Administrative Assistant

5B

APPROVED MINUTES
WARRENTON BUSINESS ASSOCIATION
Minutes of meeting on April 13th, 2016

WBA 2016-2017 Goals

*Strengthen Business Involvement

Maintain partnerships with other City of Warrenton committees to achieve common goals.
Maintain involvement with the Chamber of Commerce and plan joint activity that promotes Warrenton businesses to be held in Warrenton.
Promote growth by participation in other local boards or associations including Astoria-Warrenton Chamber of Commerce, CEDR, LCTC, and Warrenton Planning Commission.

*Advertise

Promote the WBA through Warrentonba.com website, Facebook, newspaper, radio, flier with license and signage to encourage more business participation.
Advertise for the Warrenton businesses utilizing existing resources and keep businesses updated on the Warrentonba.com website.

*Support local events and nonprofits

MEMBERS PRESENT: Chair Williams, Treasurer Talamantez, Secretary Moha, members Mitchell, Warren, O'Grady, McGuffin, Bridgens, and Fulton.

MEMBERS ABSENT: None

GUESTS: Skip Hauke, Commissioner Balensifer, Kelsey Balensifer, Jim Servino, Regina Willkie, Collin McDonnell

- I. **CALL TO ORDER:** Meeting was called to order at 5:30 pm by Chair Williams
- II. **GUEST SPEAKER:** Kelsey Balensifer. Need volunteers for Crab Festival.
- III. **PUBLIC COMMENT:** None
- IV. **APPROVAL OF AGENDA:** Motion by O'Grady, second by Bridgens to approve agenda. Motion passed unanimously.
- V. **FINANCIAL REPORTS:** Motion by Moha, second by Bridgens to approve January and February 2016 financials. Motion passed unanimously.
- VI. **APPROVAL OF MINUTES:** Motion by Fulton, Second by Bridgens to approve February and March 2016 minutes. Motion passed unanimously.
- VII. **NEW BUSINESS:**
 - A. **Acceptance of Goals:** Motion make by Moha and second by Talamantez to accept 2016-2017 goals. Motion passed unanimously.
 - B. **Discussion with Chamber about Warrenton:** Skip led a discussion about the Chamber and WBA hosting an event in Warrenton to draw people to town. Event should be held during the "off season" as there is no need to bring more people in during the summer. May good ideas from brainstorming. There is a lot of camping spots open during off season. Two good times that were discussed were the first weekend of spring break and the week after Labor Day. Ideas included a road rally, concert, race, fishing contests, geo hunt, scavenger hunts, and possible multiple day event. All agreed that event should be based around and include help from the local camp grounds and should include our trails and parks. Also an event for families.
 - C. **Event Budget:** On WBA budget line we put aside \$50,000 for events. We need to go to the budget meeting to explain. Will talk about this next meeting.

APPROVED MINUTES
WARRENTON BUSINESS ASSOCIATION
Minutes of meeting on April 13th, 2016

D. Downtown Decorating/Crab Festival: Decorations will go up in a week or two.

E. WBA/Business Promotion

- a. **Radio:** Discussion about radio show. WBA will not be renewing contract for show.
- b. **Columbia Press:** Discussion around how to get the best value for our spending in the Columbia Press. Should we continue what we are doing or go towards more of an advertising layout?
- c. **Website:** Need to officially launch website. Need to get and e-blast out to businesses and public. Colin needs punch lists of what we want done. He will be the main contact for all website support and updates. Colin took pictures but still needs a few bios. Our advertising and promotions need to be more focused on on-line and digital settings and less on radio and paper. We have to have a connection between the website and the ad in the paper.
- d. **Other:** Discussion on what is our mission. Do we need a slogan and what is our message? Promotion of Warrenton is our mission.

VIII. COMMITTEE REPORTS None/Tabled until next meeting.

- A. Chamber of Commerce: Williams, O'Grady.
- B. CEDR: Talamantez, Warren.
- C. Tourism: Moha, Fulton.
- D. Business Recognition: Bridgens.
- E. Publicity: Mitchell, Talamantez.
- F. Events: Williams, Talamantez.
- G. Planning Commission: Mitchell, Bridgens, Moha.

IX. CORRESPONDENCE: None

X. ITEMS TO BE ADDED TO NEXT AGENDA:

XI. ADJOURNMENT: Meeting Adjourned by Williams.

APPROVED MINUTES
WARRENTON BUSINESS ASSOCIATION
Minutes of meeting on May 11th, 2016

50

WBA 2016-2017 Goals

*Strengthen Business Involvement

Maintain partnerships with other City of Warrenton committees to achieve common goals.
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*Support local events and nonprofits

MEMBERS PRESENT: Treasurer Talamantez, Secretary Moha, members Mitchell, Warren, O'Grady, McGuffin, Bridgens, and Fulton.

MEMBERS ABSENT: Williams

GUESTS: Dan Arnolth, Cliff Fick, Jim Servino.

- I. **CALL TO ORDER:** Meeting was called to order at 5:33 by Secretary Moha
- II. **GUEST SPEAKER:** Dan Arnolth and Cliff Fick discussed planned event in Warrenton. Thanked WBA for support of the Regatta.
- III. **PUBLIC COMMENT:** Jim Servino reminded WBA that the chamber is open to events in Warrenton and can help with volunteers. Chamber is recovering from Crab Festival. 16,000+ attendees made it the highest attended ever. Columbia Crossing coming up and sign ups are open.
- IV. **APPROVAL OF AGENDA:** Motion by Talamantez, second by O'Grady to approve agenda. Motion passed unanimously.
- V. **FINANCIAL REPORTS:** Motion by Talamantez, second by Fulton to approve January and February 2016 financials. Motion passed unanimously.
- VI. **APPROVAL OF MINUTES:** Motion by Warren, Second by Talamantez to approve February and March 2016 minutes. Motion passed unanimously.
- VII. **NEW BUSINESS:**
 - A. **Event Budget/Budget Committee Meeting:** Mike and Roxanne will go to budget meeting and present the budget. Paul also sits on committee. Explain \$50,000 for events.
 - B. **Chamber/WBA Event:** Planned concert on August 12th. Discussion of security, advertising, business involvement. Lots of ideas were discussed. Several meetings will take place in the next few weeks with Chamber, WBA, and Regatta. Updates will be put out as needed.

VIII. COMMITTEE REPORTS None/Tabled until next meeting.

APPROVED MINUTES
WARRENTON BUSINESS ASSOCIATION
Minutes of meeting on May 11th, 2016

- A. Chamber of Commerce: Williams, O'Grady.
- B. CEDR: Talamantez, Warren.
- C. Tourism: Moha, Fulton.
- D. Business Recognition: Bridgens.
- E. Publicity: Mitchell, Talamantez.
- F. Events: Williams, Talamantez.
- G. Planning Commission: Mitchell, Bridgens, Moha.

IX. CORRESPONDENCE: None

X. ITEMS TO BE ADDED TO NEXT AGENDA:

XI. ADJOURNMENT: Meeting Adjourned by Moha 6:32.

APPROVED MINUTES
WARRENTON BUSINESS ASSOCIATION
Minutes of meeting on June 8th 2016

5D

WBA 2016-2017 Goals

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*Support local events and nonprofits

MEMBERS PRESENT: Chairwomen Williams Treasurer Talamantez, Secretary Moha, members Mitchell, Warren, McGuffin, Bridgens,.

MEMBERS ABSENT: O'Grady, Fulton

GUESTS: Jim Servino.

I. CALL TO ORDER: Meeting was called to order at 5:30 by Chair Williams

II. GUEST SPEAKER: None

III. PUBLIC COMMENT: Jim Servino reminded WBA of the BAH at McMinimans

IV. APPROVAL OF AGENDA: Motion by Bridgens, second by Mitchell to approve agenda. Motion passed unanimously.

V. FINANCIAL REPORTS: Motion by Bridgens, second by Mitchell to April 2016 financials. Motion passed unanimously.

VI. APPROVAL OF MINUTES: Motion by Moha, Second by Jerry to approve June minutes. Motion passed unanimously.

VII. NEW BUSINESS:

- A. **Event Budget** Discussion on the Concert at the Park. Hotels have been booked and All Rents has been contacted for the stage needs. Invoices have also been submitted. Posters are being made and flyers will also be made. OMG will also promote the show.

VIII. COMMITTEE REPORTS None/Tabled until next meeting.

- A. Chamber of Commerce: Williams, O'Grady.
- B. CEDR: Talamantez, Warren.
- C. Tourism: Moha, Fulton.
- D. Business Recognition: Bridgens.
- E. Publicity: Mitchell, Talamantez.

APPROVED MINUTES
WARRENTON BUSINESS ASSOCIATION
Minutes of meeting on June 8th 2016

- F. Events: Williams, Talamantez.
- G. Planning Commission: Mitchell, Bridgens, Moha.

IX. CORRESPONDENCE: None

X. ITEMS TO BE ADDED TO NEXT AGENDA:

XI. ADJOURNMENT: Meeting Adjourned by Williams 6:35.

APPROVED MINUTES
WARRENTON BUSINESS ASSOCIATION
Minutes of meeting on August 10, 2016

5E

WBA 2016-2017 Goals

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*Support local events and nonprofits

MEMBERS PRESENT: Chairwomen Williams Treasurer Talamantez, Secretary Moha, members Mitchell, Warren, McGuffin, Bridgens, O'Grady, Fulton.

MEMBERS ABSENT: None

GUESTS: Jim Servino, Kelsey Balensifer, Colin McDonald, Commissioner Balensifer

I. CALL TO ORDER: Meeting was called to order at 5:30 by Chair Williams

II. GUEST SPEAKER:

III. PUBLIC COMMENT: Jim Servino reminded WBA of the BAH at the Astoria Art Loft.

IV. APPROVAL OF AGENDA: Motion by Bridgens, second by Mitchell to approve agenda. Motion passed unanimously.

V. FINANCIAL REPORTS: Motion by Moha, second by Talamantez to April 2016 financials. Motion passed unanimously.

VI. APPROVAL OF MINUTES: Motion by Mitchell, Second by Williams to approve August minutes. Motion passed unanimously.

VII. NEW BUSINESS:

- A. **Event Discussion-**Acts are getting what they need. The event is printed to start at 7:30, not 7:00. Everything should be ready to go for sound check, including stage set up and electricity. Everyone should be ready to help by 4 pm. Acts have a choice to eat at Uptown or Baked Alaska. The flower planting ceremony is at 9:30 at the Light House Museum.
- B. **North Coast Christian School Plaque/Banner-**Was decided that a metal plaque will be best. Kristen will check about getting a plaque.
- C.

VIII. COMMITTEE REPORTS

- A. Chamber of Commerce: Williams, O'Grady.

APPROVED MINUTES
WARRENTON BUSINESS ASSOCIATION
Minutes of meeting on August 10, 2016

- B. CEDR: Talamantez, Warren.
- C. Tourism: Moha, Fulton.
- D. Business Recognition: Bridgens.
- E. Publicity: Mitchell, Talamantez. –clarification on newspaper add
- F. Events: Williams, Talamantez.
- G. Planning Commission: Mitchell, Bridgens, Moha.

IX. CORRESPONDENCE: Mr. Balensifer informed the association that the commission is discussing exemption in non-profit Business fees

X. ITEMS TO BE ADDED TO NEXT AGENDA:

XI. ADJOURNMENT: Meeting Adjourned by Williams 6:15.

Warrenton Community Center

Annual Report

For Fiscal Year July 1, 2015 – June 30, 2016

5F

Summary:

This report is a communication to the City of Warrenton Commission regarding the annual results of operations, financial position, and activities of the Warrenton Community Center. This report also summarizes the accomplishments, efforts, and long-term goals of the Center as proposed and carried out by the Warrenton Community Center Advisory Board and management.

Staffing and Oversight:

The center is managed by the Finance Director in conjunction with a part-time staff person that provides oversight, monitors rental activity at the center, and performs light maintenance. The City appoints a five member board to provide input and recommendations to the commission. The Warrenton Community Center Advisory Board meets November, December, January, February, March, April, and May with staff, on the third Thursday of each month to discuss fundraising efforts, operations, and to consider long-term goals and objectives.

Operations:

The Community Center was built with grant funds in 1988. Since then most operational costs were supported entirely by rental fees and the Center, to this day, does not receive any direct property tax revenues. Since July 1, 2011, the Center has received funding derived from City discretionary revenue sources other than Center rental fees for capital projects and major maintenance. The Center did receive a transfer from the General Fund for the first time this fiscal year in the amount of \$7,629.



The Center is rented out to individuals and entities on a per hour basis. Rental rates during the year were \$30.00 and \$40.00 per hour for the facility with non-kitchen and full kitchen use, respectively. A special rate is given to the Warrenton Seniors, Inc. at \$1.00 annually. Revenues are also generated from renting supplies such as the dance floor, silver serving dishes, and charging for cleaning services. Income is also derived from fundraising activities and donations.

For this period ending 2016, the Center was rented a total of 1,332 hours with 396 hours charged at the adopted rates (Seniors used 936 hours) compared to 1,406.5, and 1,567.5 hours in fiscal years ending 2015 and 2014, respectively. Total hours this year decreased 74.5 hours compared to the prior year. The current hour breakdown, by category, for the past three years, is as follows:

	2016	2015	2014
Warrenton Seniors, Inc.	936.00	969.00	945.00
Other Weekday hours	179.00	245.50	220.50
Other Weekend hours	217.00	192.00	376.00
Total	1,332.00	1,406.50	1,567.50

Rental income, for this period, from regular hours rented was \$11,306 and other revenues were \$12,763 for total revenues of \$24,069 for the year. This includes the transfer from the General Fund. Last year total revenues were \$16,658. Current expenses for the year were \$19,807 for a net gain of \$4,262. It should be noted that \$0 was transferred to the capital reserve account. Normal expenses, exclusive of the transfer to the capital reserve, were \$6,940 for personal services, \$963 for supplies, \$22 for printing and advertising, \$8,164 for utilities, \$167 for building maintenance, \$8 for professional services, \$492 for computer support, \$971 for fundraising expenses, and \$2,080 for overhead.

The Community Center will begin the new fiscal year with a beginning fund balance of \$11,801, an increase from the prior year of \$4,262 which is the net gain for the year.

A historical summary of revenues and expenses for the Center are as follows:

	2016	2015	2014	2013	2012
Rental Fees	11,306	11,995	15,924	14,537	15,318
Other Revenue	12,763	4,663	2,598	2,044	1,960
Total Revenues	24,069	16,658	18,522	16,581	17,278
Personal Services	6,940	5,827	6,265	5,514	5,130
Materials and Services	12,867	12,317	12,416	11,813	12,271
Capital Outlay					
Transfers	0	0	0	940	900
Total Expenses	19,807	18,144	18,681	18,267	18,301
Increase (Decrease) in Fund Balance	4,262	(1,486)	(159)	(1,686)	(1,023)
Beginning Fund Balance	7,539	9,025	9,184	10,870	11,893
Ending Fund Balance	11,801	7,539	9,025	9,184	10,870

Fundraising Activities:

For years now, the board has been putting on the Breakfast with the Easter Bunny and Breakfast with Santa. This fiscal year, they also had a Breakfast with Uncle Sam for the 4th of July. These activities not only generate some income for center operations but also provide the community with fun family activities during the holiday seasons.

The following table summarizes net proceeds from the board's fundraising efforts:

	Breakfast with Uncle Sam	Breakfast with Santa	Breakfast with Easter Bunny
Sales	\$ 715	\$ 952	\$ 751
Donations	396	1,033	875
Expenses	(359)	(352)	(339)
Net Proceeds	\$ 752	\$ 1,633	\$ 1,287

Donations:

During the year we received \$550 from Columbia River Bar Pilots, \$175 from VFW, \$175 from Warrenton Fiber, \$150 from Lektro, \$150 from Wauna FCU, \$150 from McCall Tire Center, \$100 from Main Street Market, \$100 from Supermart, \$100 from Warrenton Kia, \$75 from Marcia K. Harper Insurance, \$75 from Ocean Beauty Seafoods, \$75 from Ocean Crest Chevrolet, and \$50 from Costco. These donations were used to help with expenses relating to the Breakfasts and to support Community Center operations. Starbucks donated coffee, the Pig n Pancake donated the pancakes and syrup, Warrenton Deep Sea donated sausage, and Warrenton Mini-Mart donated cups, napkins and candy canes. Also, Mel and Betsy Jasmin donated baskets for the raffle. This has helped tremendously with the breakfast expenses. The Advisory Board donates most of the remaining funds needed for breakfast expenses.

Rates:

The advisory board is very much interested in increasing the rental hours at the center and promoting the Center as a great place to rent. The center is a community asset that should be utilized to its fullest. The challenge is seeking to charge the correct amount of revenue needed in order to cover operating costs and future capital requirements and not out-price our users. As of July 1, 2015, rates were \$40.00 and \$30.00 for kitchen and non-kitchen use, respectively.

The center currently has no long term renters to help stabilize the monthly income and cash flow.

Information about the Community Center is advertised on the City's website.

Wifi:

We have public wifi at the Center. All users are able to connect. This also helps staff connect to City Hall so we can communicate with the center via email. This has helped tremendously with communication. And, most of all, the renters love it, too!

Capital Improvements:

In the fiscal year ending June 2004 budget process, staff created a Community Center Capital Reserve fund to begin accumulating funds for needed major improvements. It was hoped that the rental fee increase would generate excess funds that would be transferred each year to the fund.

Total expenditures from the capital reserve fund this year amount to \$599 for a new refrigerator. The fund started with \$2,186 and now has an ending fund balance of \$1,587 as of June 30, 2016,

which is available for major maintenance and capital improvements to the facility. There were no excess funds to transfer this fiscal year.

Capital improvement and major maintenance history at the Center for the thirteen fiscal years ending is as follows:

1998	none	
1999	none	
2000	none	
2001	New kitchen floor, Aug 2000	\$1,704
2002	New dishwasher, Nov 2001	\$4,027
	Exterior light poles, Feb 2002	\$1,175
2003	none	
2004	none	
2005	interior remodel	\$15,000 (funded by WBA donation)
2006	none	
2007	parking lot striping	\$555
2008	New roof, April 2008	\$12,866 (\$5,000 was funded by the WBA)
	New ceiling tiles	\$1,320
2009	none	
2010	New entryway-donated	\$6,435
2011	Chairs (16), dollies (4), table cart, dance floor cart, window trim, and coat rack	\$2,622
2012	Parking lot striping	\$485
	Fire Suppression System	\$3,249
	(3) Windows	\$925
	Re-siding and paint exterior Completed in FY 2013	\$41,990 (funded entirely by the Facilities Maintenance Fund)
2013	Window Shades (2)	\$437
	Vacuum	\$400
	Building Signage	\$901
2014	Bathroom Paint/Flooring	\$2,129 (\$1,475 was funded by the Facilities Maintenance Fund)
	New Heating Furnace	\$2,580 (funded entirely by the Facilities Maintenance Fund)
2015	New Walk-In Freezer	\$19,920 (funded entirely by the Facilities Maintenance Fund)
	Freezer Room Wall Repair	\$5,385 (funded entirely by the Facilities Maintenance Fund)
	New Commercial Refrigerator	\$4,856 (funded entirely by the Facilities Maintenance Fund)
2016	New Refrigerator	\$599

Funding from the **Facilities Maintenance Fund** contributed the following amounts this year, totaling \$3,000.

Plumbing System Maintenance	\$264
Fire Safety	\$978
Electrical System Maintenance	\$152

Kitchen Equipment Maintenance	\$84
Pest Control	\$750
Lighting	\$190
Clean Gutters	\$250
Interior Paint-Vestibule	\$204
Miscellaneous	\$128

Marketing/Advertising:

No direct efforts this year. Staff continues to deploy an updated brochure and information is available on our website.

Advisory Board Accomplishments, Efforts, and Long-Term Goals:

Every year at Christmas, the board gets together and decorates the Center so that our renters will have a festive environment. The board donates all decorations and supplies. The board sponsored three successful breakfasts for the community at the Community Center this year. The current board members are Frank Becker, Chairman, Carol Snell, Secretary, Marc Silva, Mel Jasmin and Lorna Anderson.

Conclusion:

Staff continues to strive to give our renters excellent customer service hoping that they are satisfied with the center and will use it again and again. We hope they tell their friends and family about the center. We do have repeat customers who enjoy the center very much. They also think the kitchen is great and they seem to be very pleased with the refurbishments.

The advisory board extends an open invitation to the monthly meeting on the 3rd Thursday of the month, November through May, to all commissioners. The meetings are held at the Community Center at 4:00 p.m.

Volume 10, Issue 2

Monthly Finance Report
August 2016

October 11, 2016

Economic Indicators

	Current	1 year ago
◆ Interest Rates:		
LGIP :	.92%	.54%
Columbia Bank:	.05%	.05%
◆ Prime Rate:	3.50%	3.25%
◆ L/T Bond Rate:	2.85%	3.74%
◆ CPI-U change:	1.1%	0.2%
◆ Unemployment Rates:		
Clatsop County:	5.4%	5.7%
Oregon:	5.4%	5.8%
U.S.:	4.9%	5.1%

Department Statistics

◆ Utility Bills mailed	3,268
◆ New Service Connections	2
◆ Reminder Letters	480
◆ Door Hangers	105
◆ Water Service Discontinued	21
◆ Walk-in counter payments	940
◆ Mail payments	1,315
◆ Auto Pay Customers/pymts	544
◆ Online (Web) payments	546
◆ Checks Issued	395

Current and Pending Projects

- ◆ Audit preparation and reporting continues.
- ◆ SDC Annual Report
- ◆ Landfill Financial Assurance Report
- ◆ Warrenton Urban Renewal Agency Annual Report
- ◆ Community Center Annual Report
- ◆ Open Enrollment for Health Insurance

Financial Narrative as of August 31, 2016

Note: Revenues and expenses should track at 2/12 or 16.7% of the budget. Expenditures on pages 2-4 include personnel services, materials and services, and debt service costs as well as transfers to the capital funds. See budget for details.

General Fund: Revenues year to date, in the amount of \$421,794, which is 11.5% of the budget, are comparable to the prior year amount of 424,683, which was 12.07% of the budget and are down by \$2,889. Increases are shown in, franchise fees, state revenue sharing, police charges, park charges, miscellaneous, interest, and lease receipts and are offset by decreases in property taxes, transient room tax, municipal court and planning charges.

Expenses year to date amount to \$723,698, which is 17.37% of the budget, compared to the prior year amount of \$723,991, which was 18.37% of the budget.

WBA: Business license revenue amounts to \$47,000 compared to \$44,715 last year at this time, a difference of \$2,285. The number of licenses issued to date are 517 compared to 488 at this time last year.

Building Department: Permit revenues this month amount to \$16,500 and \$23,399 year to date, which is 11% of the budgeted amount. Last year to date permit revenue was \$22,623, which was 25.9% of the budget, a year to date difference from the prior year of \$776.

State Tax Street: State gas taxes received this month amount to \$24,186 for fuel sold in July compared to \$22,443 at this time last year. \$2,643.38 of city fuels tax was spent on projects this month.

Warrenton Marina: Total revenues this month are \$92,207 compared to the prior year amount of \$99,950, a difference of \$7,743. Increases are shown in annual moorage, hoist, monthly moorage, parking, livaboard fees, overnight stays, interest and leases, which are offset by decreases in transient daily moorage, utilities, launch fees, and boat storage.

Hammond Marina: Total revenues this month are \$105,644 compared to the prior year amount of \$118,746, a difference of \$13,102. Increases are shown in annual moorage, utilities, parking, overnight stays and interest, which are offset by decreases in transient daily moorage, utilities, launch fees, and monthly moorage.

Total receivables outstanding for both marinas is \$97,148. Of the total outstanding receivables, \$24,460 is over 90 days old.

Water Fund: Utility fees this month are \$169,779 and \$190,708 and \$323,726 and 317,842 year to date for in-city and out-city, respectively and totals 641,568 which is 25.84% of the budget.

Sewer Fund: Utility fees this month are \$174,057 and \$346,602 year to date and is 18.4% of the budget. Shoreline Sanitary Fees year to date are \$18,625. Septage revenue this month amounts to \$37,192 and \$68,653 year to date.

Storm Sewer: Utility fees (20% of the sewer charge) this month are \$34,801 and \$69,300 year to date and is 18.4% of the budget.

Sanitation Fund: Year to date service fees charged for garbage and recycling were \$153,677 and \$28,943 year to date and are 18.2% and 17.2%, of the budget, respectively.

	Beginning Fund Balance	Revenues SDC	Interest	Debt Pmt	Ending Fund Balance
Parks	28,562	27,500	51		56,113
Water	113,135	90,245	100	99,000	104,480
Sewer	120,968	60,507	264		181,739
Storm	75,052	22,516	130		97,698
Streets	484,389	85,515	350		570,254
total	822,106	286,283	895	99,000	1,010,284

Financial data as of August 2016

	General Fund				
	Current Month	Year to Date	Budget	% of Budget	
Beginning Fund Balance	1,073,146	1,269,879	950,000	133.67	
Plus: Revenues	137,740	421,794	3,668,832	11.50	(see details of revenue, page 4)
Less: Expenditures					
Municipal Court	7,564	20,473	126,320	16.21	
Admin/Comm/Fin (ACF)	53,309	297,040	1,006,408	29.51	
Planning	9,227	21,958	197,533	11.12	
Police	121,026	251,414	1,702,215	14.77	
Fire	42,812	107,080	833,463	12.85	
Parks	8,973	25,733	171,673	14.99	
Transfers	-	-	129,578	-	
Total Expenditures	242,911	723,698	4,167,190	17.37	
Ending Fund Balance	967,975	967,975	451,642	214.32	

	WBA				Building Department			
	Current Month	Year to Date	Budget	% of Budget	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	166,769	137,741	150,850	91.31	248,025	261,655	230,000	113.76
Plus: Revenues	779	47,223	46,200	102.21	16,597	23,589	213,890	11.03
Less: Expenditures	13,552	30,968	155,047	19.97	16,448	37,070	231,551	16.01
Ending Fund Balance	153,996	153,996	42,003	366.63	248,174	248,174	212,339	116.88

	State Tax Street				Warrenton Marina			
	Current Month	Year to Date	Budget	% of Budget	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	1,403,618	1,421,947	1,180,000	120.50	416,239	195,027	170,000	114.72
Plus: Revenues	25,092	25,917	799,407	3.24	92,207	369,567	489,001	75.58
Less: Expenditures	13,818	32,972	1,842,462	1.79	50,892	107,040	614,841	17.41
Ending Fund Balance	1,414,892	1,414,892	136,945	1,033.18	457,554	457,554	44,160	1,036.13

Financial data as of August 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	257,253	168,011	170,000	98.83	1,237,677	1,140,492	910,000	125.33
Plus: Revenues	105,644	230,264	271,701	84.75	373,607	661,858	4,236,400	15.62
Less: Expenditures	42,734	78,112	389,770	20.04	143,823	334,889	4,761,435	7.03
Ending Fund Balance	<u>320,163</u>	<u>320,163</u>	<u>51,931</u>	<u>616.52</u>	<u>1,467,461</u>	<u>1,467,461</u>	<u>384,965</u>	<u>381.19</u>

	Sewer Fund				Storm Sewer			
	Current Month	Year to Date	Budget	% of Budget	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	1,420,812	1,369,458	1,300,000	105.34	289,010	284,330	210,000	135.40
Plus: Revenues	227,196	444,188	4,226,699	10.51	34,874	69,440	377,960	18.37
Less: Expenditures	90,687	256,325	4,309,630	5.95	15,533	45,419	532,049	8.54
Ending Fund Balance	<u>1,557,321</u>	<u>1,557,321</u>	<u>1,217,069</u>	<u>127.96</u>	<u>308,351</u>	<u>308,351</u>	<u>55,911</u>	<u>551.50</u>

	Sanitation Fund				Community Center			
	Current Month	Year to Date	Budget	% of Budget	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	345,776	354,473	375,000	94.53	10,784	11,801	11,000	107.28
Plus: Revenues	94,098	183,101	1,016,132	18.02	926	2,173	12,515	17.36
Less: Expenditures	76,826	174,526	1,170,371	14.91	972	3,236	21,308	15.19
Ending Fund Balance	<u>363,048</u>	<u>363,048</u>	<u>220,761</u>	<u>164.45</u>	<u>10,738</u>	<u>10,738</u>	<u>2,207</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	25,172	31,129	21,000	148.23	39,575	42,123	19,154	219.92
Plus: Revenues	1,219	1,457	55,727	2.61	2,200,002	2,200,004	4,222,122	52.11
Less: Expenditures	4,867	11,062	60,172	18.38	29,445	31,995	4,241,276	0.75
Ending Fund Balance	<u>21,524</u>	<u>21,524</u>	<u>16,555</u>	<u>130.02</u>	<u>2,210,132</u>	<u>2,210,132</u>	<u>-</u>	<u>-</u>

Financial data as of August 2016, continued

(\$) Cash Balances as of August, 2016

General Fund	1,166,144	Warrenton Marina	379,335	Storm Sewer	261,576
WBA	153,723	Hammond Marina	326,472	Sanitation Fund	273,073
Building Department	250,348	Water Fund	984,016	Community Center	11,356
State Tax Street	1,420,637	Sewer Fund	1,200,046	Library	22,557

Warrenton Urban Renewal Agency

Capital Projects	2,211,387
Debt Service	742,523

General Fund Revenues	Collection Frequency	2016-2017 Budget	Actual as a % of Current Budget	Collections/Accruals Year to date		(over) under budget
				August 2016	August 2015	
Property taxes-current	AP	884,586	0.00	-	-	884,586
Property taxes-prior	AP	35,000	16.44	5,755	6,417	29,245
County land sales	A	-	0.00	-	-	-
Franchise fees	MA	534,000	6.34	33,860	32,761	500,140
COW - franchise fees	M	124,338	19.85	24,677	22,623	99,661
Transient room tax	Q	462,109	0.77	3,540	16,921	458,569
Liquor licenses	A	625	4.00	25	25	600
State revenue sharing	MQ	125,559	0.51	645	620	124,914
Municipal court	M	127,175	12.61	16,034	21,428	111,141
Planning charges	I	55,000	2.92	1,607	5,291	53,393
Police charges	I	6,000	22.67	1,360	905	4,640
Fire charges	SM	92,481	0.00	-	-	92,481
Park charges	I	-	0.00	250	100	-
Housing rehab loans	I	-	0.00	-	200	-
Miscellaneous	I	1,300	38.77	504	182	796
Interest	M	5,000	25.44	1,272	951	3,728
Lease receipts	M	209,251	16.83	35,226	21,348	174,025
Donations	I	-	0.00	-	-	-
Sub-total		2,662,424	4.69	124,755	129,772	2,537,669
Overhead	M	1,006,408	29.51	297,039	294,911	709,369
Total revenues		3,668,832	11.50	421,794	424,683	3,247,038

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, 2017. Budget amounts reflect budget adjustments approved by the Commission during the fiscal year. Information and data presented in this report is unaudited.

5H

PERMITS ISSUED

JANUARY 1ST 2016 – JULY 31ST 2016

COMMERCIAL (4)

1. Astoria Ford
2. Hampton Lumber Mill
3. Panda Express
4. Shamrock Yachats (storage units)

RESIDENTIAL (13) single family dwelling

1. Sunrise Homes Pacific Ridge
2. A & G Builders Kalmia
3. Sunrise Homes Pacific Ridge
4. Steve Ackley Pine
5. Sunrise Homes Pacific Ridge
6. North Coast Classic Homes Birch
7. North Coast Classic Homes Birch
8. C.T. Johnson Eastwind
9. North Coast Classic Homes Eastwind
10. North Coast Classic Homes Eastwind
11. North Coast Classic Homes Eastwind
12. C.T. Johnson Pacific Ridge
13. C.T. Johnson Eastwind

(2) duplexes both Sunrise Homes Hammond

(2) 6 plexes both Joe Barnes Forest Rim

6-A

"Making a difference through excellence of service"



CITY OF WARRENTON

AGENDA MEMORANDUM

TO: The Mayor and Warrenton City Commission
FROM: Linda Engbretson, CMC, City Manager Pro Tem
DATE: July 26, 2016
SUBJ: Street Vacation SE Galena

SUMMARY

I have been working with Mr. Kenneth Yuill, on the behalf of Ken and Mr. John Yuill, for several months on a proposed vacation of a portion of SE Galena. I have attached a map showing the proposed street vacation and the affected property. Consent of the property owners of two-thirds in area of real property affected, which is extending laterally to the next street (or 200 feet) and 400 feet beyond the terminus of the part to be vacated is required. Ken and John Yuill are the owners on both sides of the proposed vacation area; ORS requirements are met for one hundred percent of abutting property owners' consent. This vacation does not appear to affect the Home Depot property; however, it is within the affected area. The email from Mr. Stelzig shows that the Home Depot Consent is needed to meet ORS 271.080(2), the two-thirds requirement.

Mr. Yuill has attempted to contact and gain the consent from Home Depot beginning in February of this year, both at the local level and corporate offices,

including their real estate contact. His continued efforts through August have produced no results.

RECOMMENDATION/SUGGESTED MOTION

In light of the above, the only option to proceed is if the Commission will initiate vacation proceedings, authorized by ORS 271.130, on its own motion. This authorization allows the Commission to initiate without requiring a petition or consent; however, the Yuills have completed the petition requirements, contacting utility companies, neighbors, and the County Assessor's office. In addition, in order for the vacation to be considered, two tax lots were combined into one to prevent a land-lock issue. I know the Commission has indicated this practice is not ideal, but I bring this to you because I believe the Yuills have done their due diligence and have done everything required except they have been unable to get a response from Home Depot.

A motion to set a public hearing date of November 8 is requested.

" I move to set a public hearing date of November 8, 2016, for consideration of the vacation of a portion of SE Galena."

ALTERNATIVE

Deny the request.

FISCAL IMPACT

The Yuills will pay the \$600 fee to cover administrative, printing, and recording costs.

Approved by City Manager: _____

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

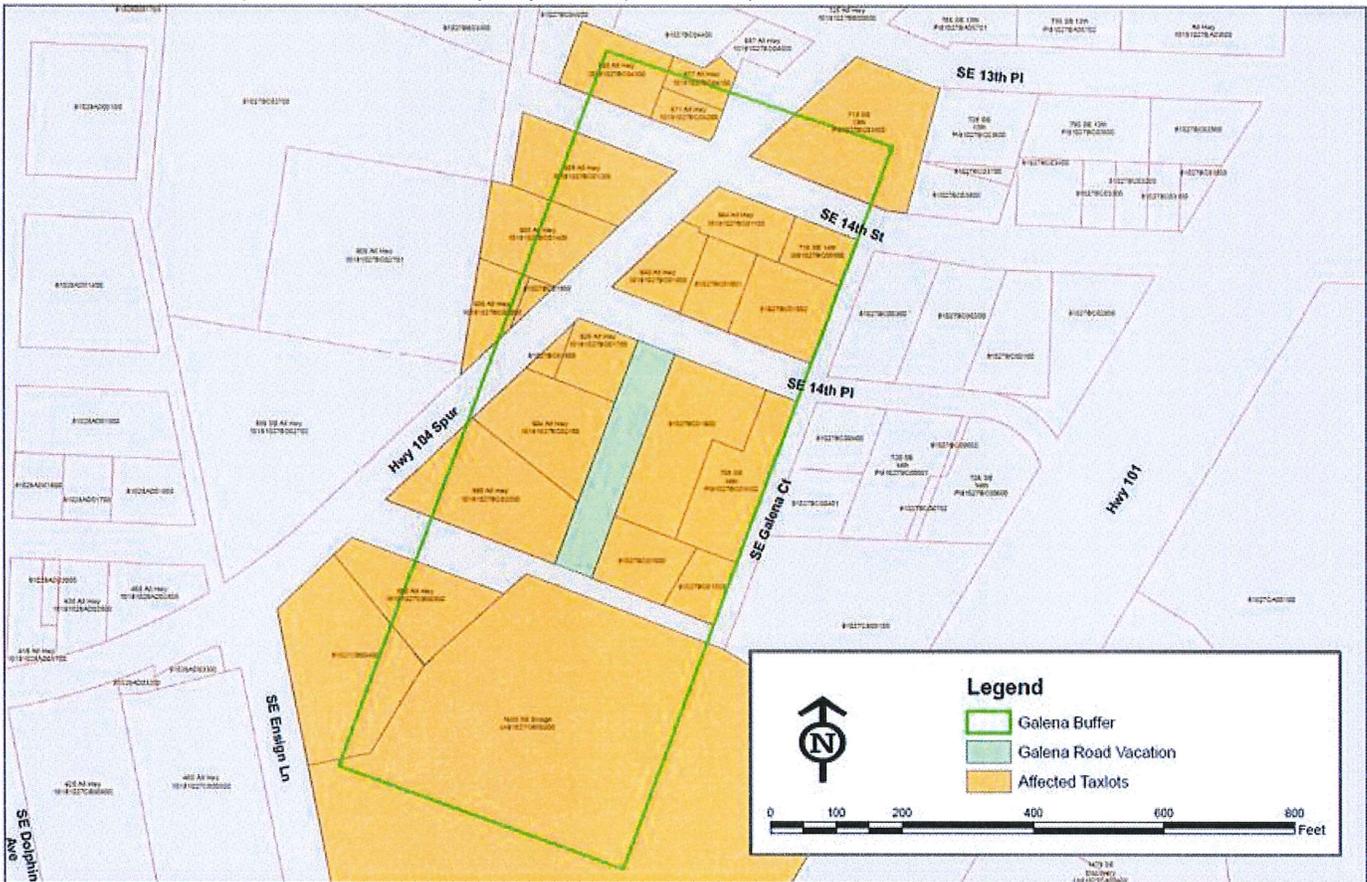
Linda Engbretson

From: Richard Stelzig
Sent: Friday, August 19, 2016 11:37 AM
To: Linda Engbretson
Subject: SE Galena Road Vacation

Linda,

I believe the short answer is, Yuill's will need approval from Home Depot.

I came up with nearly the same boundary as you did (see below),



The Total area of the affected tax lots is 838,127 sqft.

Per OAR the total land area needed is 2/3 (66.7%) of the total, or 558,752 sqft.

The total area minus Home Depot is 377,355 sqft.

So it appears that they will need Home Depot to complete the vacation of SE Galena.

VACATION

ORS 271.080 – 271.230

271.080 Vacation in incorporated cities; petition; consent of property owners. (1) Whenever any person interested in any real property in an incorporated city in this state desires to vacate all or part of any street, avenue, boulevard, alley, plat, public square or other public place, such person may file a petition therefore setting forth a description of the ground proposed to be vacated, the purpose for which the ground is proposed to be used and the reason for such vacation.

(2) There shall be appended to such petition, as a part thereof and as a basis for granting the same, the consent of the owners of all abutting property and of not less than two-thirds in area of the real property affected thereby. The real property affected thereby shall be deemed to be the land lying on either side of the street or portion thereof proposed to be vacated and extending laterally to the next street that serves as a parallel street, but in any case not to exceed 200 feet, and the land for a like lateral distance on either side of the street for 400 feet along its course beyond each terminus of the part proposed to be vacated. Where a street is proposed to be vacated to its termini, the land embraced in an extension of the street for a distance of 400 feet beyond each terminus shall also be counted. In the vacation of any plat or part thereof the consent of the owner or owners of two-thirds in area of the property embraced within such plat or part thereof proposed to be vacated shall be sufficient, except where such vacation embraces street area, when, as to such street area the above requirements shall also apply. The consent of the owners of the required amount of property shall be in writing. [Amended by 1999 c.866 s.2]

271.090 Filing of petition; notice. The petition shall be presented to the city recorder or other recording officer of the city. If found by the recorder to be sufficient, the recorder shall file it and inform at least one of the petitioners when the petition will come before the city governing body. A failure to give such information shall not be in any respect a lack of jurisdiction for the governing body to proceed on the petition.

271.100 Action by council. The city governing body may deny the petition after notice to the petitioners of such proposed action, but if there appears to be no reason why the petition should not be allowed in whole or in part, the governing body shall fix a time for a formal hearing upon the petition.

271.110 Notice of hearing. (1) The city recorder or other recording officer of the city shall give notice of the petition and hearing by publishing a notice in the city official newspaper once each week for two consecutive weeks prior to the hearing. If no newspaper is published in such city, written notice of the petition and hearing shall be posted in three of the most public places in the city. The notices shall describe the ground covered by the petition, give the date it was filed, the name of at least one of the petitioners and the date when the petition, and any objection or remonstrance, which may be made in writing and filed with the recording officer of the city prior to the time of hearing, will be heard and considered.

(2) Within five days after the first day of publication of the notice the city recording officer shall cause to be posted at or near each end of the proposed vacation a copy of the notice which shall be headed, "Notice of Street Vacation," "Notice of Plat Vacation" or "Notice of Plat and Street Vacation," as the case may be; the notice shall be posted in at least two conspicuous places in the proposed vacation area. The posting and first day of publication of such notice shall be not less than 14 days before the hearing.

(3) The city recording officer shall, before publishing such notice, obtain from the petitioners a sum sufficient to cover the cost of publication, posting and other anticipated expenses. The city

recording officer shall hold the sum so obtained until the actual cost has been ascertained, when the amount of the cost shall be paid into the city treasury and any surplus refunded to the depositor. [Amended by 1991 c.629 s.1]

271.120 Hearing; determination. At the time fixed by the governing body for hearing the petition and any objections filed thereto or at any postponement or continuance of such matter, the governing body shall hear the petition and objections and shall determine whether the consent of the owners of the requisite area has been obtained, whether notice has been duly given and whether the public interest will be prejudiced by the vacation of such plat or street or parts thereof. If such matters are determined in favor of the petition the governing body shall by ordinance make such determination a matter of record and vacate such plat or street; otherwise it shall deny the petition. The governing body may, upon hearing, grant the petition in part and deny it in part, and make such reservations, or either, as appear to be for the public interest.

271.130 Vacation on council's own motion; appeal. (1) The city governing body may initiate vacation proceedings authorized by ORS 271.080 and make such vacation without a petition or consent of property owners. Notice shall be given as provided by ORS 271.110, but such vacation shall not be made before the date set for hearing, nor if the owners of a majority of the area affected, computed on the basis provided in ORS 271.080, object in writing thereto, nor shall any street area be vacated without the consent of the owners of the abutting property if the vacation will substantially affect the market value of such property, unless the city governing body provides for paying damages. Provision for paying such damages may be made by a local assessment, or in such other manner as the city charter may provide.

(2) Two or more streets, alleys, avenues and boulevards, or parts thereof, may be joined in one proceeding, provided they intersect or are adjacent and parallel to each other.

(3) No ordinance for the vacation of all or part of a plat shall be passed by the governing body until the city recording officer has filed in the office of the city recording officer or indorsed on the petition for such vacation a certificate showing that all city liens and all taxes have been paid on the lands covered by the plat or portion thereof to be vacated.

(4) Any property owner affected by the order of vacation or the order awarding damages or benefits in such vacation proceedings may appeal to the circuit court of the county where such city is situated in the manner provided by the city charter. If the charter does not provide for such appeal, the appeal shall be taken within the time and in substantially the manner provided for taking an appeal from justice court in civil cases. [Amended by 1995 c.658 s.101]

271.140 Title to vacated areas. The title to the street or other public area vacated shall attach to the lands bordering on such area in equal portions; except that where the area has been originally dedicated by different persons and the fee title to such area has not been otherwise disposed of, original boundary lines shall be adhered to and the street area which lies on each side of such boundary line shall attach to the abutting property on such side. If a public square is vacated the title thereto shall vest in the city. [Amended by 1981 c.153 s.58]

271.150 Vacation records to be filed; costs. A certified copy of the ordinance vacating any street or plat area and any map, plat or other record in regard thereto which may be required or provided for by law, shall be filed for record with the county clerk. The petitioner for such vacation shall bear the recording cost and the cost of preparing and filing the certified copy of the ordinance and map. A certified copy of any such ordinance shall be filed with the county assessor and county surveyor.

RIGHT OF WAY VACATION
Street Vacation Check List

DISCLAIMER: Completion of this application does not constitute approval of the street vacation. The ultimate decision will be made by the Warrenton City Commission.

To help facilitate the street vacation process, you must complete the steps below in the order presented.

- I have read the "Vacating A Street" brochure.
- I have called and spoken to Vance Swenson County Sureyor _____ at Clatsop County's Cartography Department (503/ 325-8522) to see who will own the right-of-way area after the vacation is completed. (In most cases the vacated area is split down the middle and reverts back to the adjacent property owner.) **Please list who receives property:** Ken Yuill John Yuill

- I have talked with all owners of the properties that abut all sides and corners of the portion of right-of-way to be vacated and they will support the vacation request (**objecting property owners will complicate or stop the process**).
- I have contacted private utilities to determine if the companies will support the vacation, with or without special conditions. To ensure that you have a complete understanding of affected utilities, a utility locate should be requested by calling: 800/ 332-2344.

SIGN TO CONFIRM:

I have completed all of the above _____
Signature Date

After you have done all of the above and it appears that a right-of-way vacation may be feasible, a written right-of-way vacation petition (attached) and a Six Hundred Dollar (\$600.00) application fee is required. If multiple streets are involved, or it affects multiple lots, a land use review by the Planning Department and Planning Commission is required. The petition fee is Eight Hundred Dollars (\$800) when it's required to go before the Planning Commission.

Upon receipt of this checklist, the petition, the required fee and all necessary signatures, (see ORS 271.080 – attached), the City Recorder shall review the petition. If petition is deemed incomplete, it will be returned to the petitioner for additional signatures or other required information. If required percentages of consent is confirmed, the matter will be placed on the City Commission's Agenda to consider setting a public hearing or referred to the Planning Commission, if required. Please allow four weeks for the review of the petition.

Page Two (2)

Send the petition along with the petition fee in the form of a check made out to the City of Warrenton and a signed copy of this checklist to:

Mail Form To:
City Recorder
City of Warrenton
P.O. Box 250
Warrenton, OR 97146

or

Deliver Form in Person To:
City Recorder
City of Warrenton
225 S. Main Street
Warrenton, OR 97146

If you have additional questions about the street vacation process, please contact Linda Engbretson, at 503/ 861-0823 or at cityrecorder@ci.warrenton.or.us.

STREET VACATION PETITION
City of Warrenton

Fee: \$600.00

<u>Petitioner</u>	<u>Petitioner's Representative</u>
Name: Kenneth and John Yuill	Name: Kenneth Yuill
Mailing Address: 580 Hwy 101 Alt Warrenton Or 97146	Mailing Address: Same
Phone Number: (503) 861-3887	Phone Number: cell (503) 440-1202
Email Address: kjuill@msn.com	Email Address: same
<p>1. A description of the right-of-way area to be vacated. <i>(Don't forget to include a map highlighting the area. A survey or professionally developed legal description is required).</i></p> <p>Kenneth and John Yuill are requesting to vacate a portion of S.E. Galena Ave. That runs from S.E. 14th Place for a distance of 361.2 feet in Block 2, Sub Tract 3 of Chelsea. This area runs between tax lots 81027BC 01700 and 81027BC 01600. 81027BC 02100, 81027BC 02200 and 81027BC 01500.</p>	
<p>2. Reason for the Vacation Request. <i>(Advise if any buildings/structures will be in the area to be vacated).</i></p> <p>The first reason is to put this property on the tax rolls. The second is this area was plotted in 1889, and was never used as a street. This right-of-way ends 30 feet from the Home Depot if it were to continue into their parking lot they would need to fill in more of the wet lands area. There are no utilities that run thru this area. By vacating this, we will be protecting the remaining wet lands which is the main drainage for most of this acreage.</p> <p style="text-align: center;">Note: If additional room is necessary, please attach extra pages.</p>	
<p>3. Required affidavits.</p> <ul style="list-style-type: none">a. 100% of abutting property owners.b. Two-thirds in area of real property affected by proposal. Refer to <i>ORS Chapter 271</i> (attached).c. List of all abutting and affected property owners, mailing addresses, and corresponding square footage of property owned.	

Kenneth Yuill

Petitioner

Date

Return To:

City of Warrenton
P.O. Box 250
225 S. Main Street
Warrenton, OR 97146

For Questions – Contact:

Linda Engbretson, City Recorder
Phone: 503/ 861-0823
Email: cityrecorder@ci.warrenton.or.us

AFFIDAVIT

STATE OF OREGON)
COUNTY OF CLATSOP)

Dave E. and Janine M. Short

being the owners of the following real property: Tax Lot 81027BC01503

Located in the City of Warrenton Oregon

as a basis of the petition from Kenneth and John Yuill

do hereby consent to the vacation of a portion of S.E. Galena Ave. right- of -way

as described: This area runs from S.E. 14th Place, South for a distance of 361.2 feet.
Block 2, Tract 3 of Chelsea. This area runs between tax lots 81027BC 01700 and 81027BC 01600.
81027BC 02100, 81027BC 02200 and 81027BC 01500.

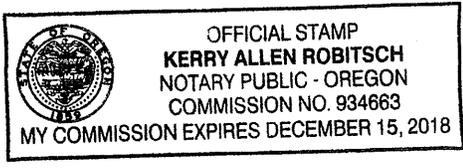
Signature: *Dave Short* Date: 6/27/16

Signature: *Janine M. Short* Date: 6/27/16

On this 27 day of June, 2016, personally appeared before me, a
notary public in and for the State of Oregon, the within named Dave E.
and Janine M. Short acknowledged the following instrument to be an
voluntary act and deed.

Kerry Allen Robitsch
Notary Public for Oregon

My commission expires: 12/15/2018



AFFIDAVIT

STATE OF OREGON)
COUNTY OF CLATSOP)

Eddie J. and kathy L. Hanna

being the owners of the following real property: Tax Lot 81027BC01502

Located in the City of Warrenton Oregon

as a basis of the petition from Kenneth and John Yuill

do hereby consent to the vacation of a portion of S.E. Galena Ave. right-of-way

as described: This area runs from S.E. 14th Place, South for a distance of 361.2 feet.
Block 2, Tract 3 of Chelsea. This area runs between tax lots 81027BC 01700
and 81027BC 01600, 81027BC 02200 and 81027BC 01500.

Signature: *Eddie Hanna* Date: 7-15-2016

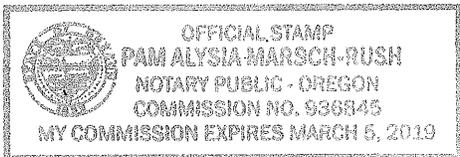
Signature: *Kathy Hanna* Date: 7-15-2016

On this 15 day of JULY, 2016, personally appeared before me, a
notary public in and for the State of Oregon, the within named EDDIE J HANNA
KATHY L. HANNA acknowledged the following instrument to be

voluntary act and deed.

Pam Rush
Notary Public for Oregon

My commission expires: 3-5-19



Attachment (A)

Background

My brother John Yuill and I own all of the connecting lots on the southernmost section of S.E. Galena Avenue. I have lived at my home since 1977 and in this section of Warrenton almost continually since 1965. I have experienced all of the major changes that have occurred in this area. Around 1998, I worked with Pat Heaton to have the sewer system extended into our area. Due to all of the traffic accidents that occurred in the area over the years, I worked hard to have a traffic light located at the intersection of Highway 101 and Ensign when the Home Depot was being developed.

We are now looking to vacate the portion of S.E. Galena Avenue that runs through our property. S.E. Galena Avenue was plotted in 1889 and runs from Harbor Drive south to just about the location of the Home Depot property. Over the course of these many years, a number of sections of this plotted street have been vacated. At their March 22, 2016 meeting, the Warrenton City Commission approved the vacation of a section of Galena Avenue. The area of S.E. Galena just north of S.E. 14th Place was vacated in 1949. The proposed area to be vacated runs through our tax lots and has never been used as a road. This is a right-of-way that goes nowhere and is at the end of the plotted streets in our area. There are no maps showing roads leading out of the Home Depot area from the north side of that property. If Home Depot was to build a road to directly connect to Galena Avenue, they would need to fill in more of the wetland area.

Listed below are the reasons for the vacation request:

- (1) Place the Property on the Tax Rolls. Eddie and Kathy Hanna and I have maintained this area for many years. After purchasing the last of the connecting lots to this right-of-way, we have no need for a 60 foot wide street.
- (2) Our Privacy/Wetlands. By vacating S.E. Galena Avenue there would no longer be any reason to develop that right-of-way thus guaranteeing the privacy that we have enjoyed all these years. In addition, the last of the small wetlands adjacent to my home will be protected. There is a plotted 30 foot right-of-way that starts at S.E. Galena Court (see attachment B) and runs west to Highway 101 Alt. The most western part of this right-of-way is wetlands. In order to develop this into a street, you would need to fill in much of what is left of this wetland area. This wetland once ran from Highway 101 Alt. east for approximately a mile. About 50 years ago, there was the clearing and filling in of the area formally known as the Aluminum Plant site, then came the new section of Highway 101, and the latest was the filling in that Home Depot was allowed to do. This wetland area is now less than 300 feet in length and is still the main drainage for much of the acreage in our area.
- (3) Affected Property Owners. There are only two property owners in this two block area – Eddie and Kathy Hanna and Dave and Jan Short. Both use S.E. Galena Court to access their properties and they would not be affected by the vacation of Galena Avenue. Both the Hannas and Shorts have consented to this request.
- (4) Inadequate Water Supply. Currently, the only water line running up S.E. 14th Place is a two inch line. The Warrenton Fire Chief is requesting that any new homes that are built must have a fire hydrant within 150 feet of them. We cannot afford to upgrade the water service for our area. The water main is located on Highway 101 Alt. and at this time there are a number of lots that cannot be developed. The same is true for the entire area from S.E. 14th Place north until you reach the Ocean Crest Car Dealership. In my opinion, this area has some of the greatest development potential, but this portion of Warrenton is being overlooked.
- (5) If the interest is there this would connect two city blocks into one larger one of about 4 acres in size for more opportunity for commercial development.

Wet land area where
S.F. Galena Exds



The area that is between Highway 101 and the Alternate Highway 101 is out of the flood area and the Tsunami zone. The zoning in this area is a mixture from C-1 commercial, to R-10 intermediate density Residential, to I-1 general industrial.

In 1998, the LID sewer project was finished. The agreement between the city and the property owners in the area was one sewer lateral hookup per tax lot. Because of the commercial development in this area and the problems of having just 2 inch water lines running up S.E. 14th Place and Street this has become the forgotten zone. I still have the option of five more sewer hookups but with the restrictions because of the water issue I have not be able to do anything.

As for the commercial development there is not much more that can go in on the East side of Highway 101. I have been trying to vacate the section of S.E. Galena that runs between my properties off S.E. 14th Place. Linda Engbretson sent me an e-mail showing that our city Engineer has pointed out that the Home Depot is needed to sign off on my request. I am getting no response back from them. I need to point out that with this right-of-way removed; this will make an area of about 4 acres next to the Home Depot. This is including the Hanna's and the Short's properties. They have signed off on the affidavits. I have had people walk the property but without this street vacation I believe more Commercial development in our area will not happen.

On S.E. 14th Place to S.E. 14th Street, Dorrie Caruana is also looking to vacate a section of the S.E. Galena Court and again the Home Depot would need to sign off on this. I have talked her and with the Nygaard's and we are in agreement to work together on this matter.

The question for the Commission is what do they see this area as? If Commercial, can they help? If because of the great need for housing, could Urban Renewal money be used for the needed improvements so more housing can be built?

WARRENTON HOME DEPOT



FEATURES

*Lot 3
They are starting
a dentist office*

- Retail/Service pads immediately adjacent to Home Depot.
- The Astoria/Warrenton area is the oldest U.S. settlement west of the Rocky Mountains.
- The Warrenton retail trade area serves as the regional "big box" shopping district for the entire North Coast, including residents of the southwest Washington Coast.
- Major employers are the U.S. Coast Guard, Georgia-Pacific and Weyerhaeuser. Other industries include fishing, logging and tourism.
- New retailers coming to the trade area: AutoZone, Taco Bell, Chase Bank, Wal-Mart, Staples and O'Reilly Auto.
- Call for pricing and purchase opportunities.

OUTPARCELS FOR SALE : .98 & 1.50 acres

WARRENTON, OREGON



Marc Strabic
503-245-1400 Ext 520
marc@hsmacific.com

HSM Pacific Realty, Inc.
0612 SW Idaho St, Suite 2
Portland, OR 97239
www.hsmacific.com

6B

"Making a difference through excellence of service"



CITY OF WARRENTON

AGENDA MEMORANDUM

TO: The Mayor and Warrenton City Commission
FROM: Nettie Lee Calog, Library Site Manager
DATE: October 11, 2016
SUBJ: Temporary Home for Community Library

SUMMARY

The Warrenton Community Library Advisory Board held a public meeting in August to discuss the library building issues and elicit ideas from the public about solutions. To that end, several community members signed up to be on a subcommittee specifically charged with finding a space into which the library could move as soon as possible. The sub-committee identified the building at 346 S. Main, which is for lease. Library Board members, Building Inspector Chuck Goodwin, City Manager Pro tem Linda Engbretson, and I did a walk-through of the building, which seems to be a fairly good fit for a temporary location. The Library Board held a special meeting on October 3 to discuss making a recommendation to the City Commission.

RECOMMENDATION/SUGGESTED MOTION

Library Advisory Board Chair, Kelsey Balensifer, will be at the meeting to comment and present recommendations.

" I move to authorize City staff to negotiate a lease agreement for the building at 346 S Main as a safe temporary new home for the Warrenton Community Library."

ALTERNATIVE

Other action as deemed appropriate by the City Commission

FISCAL IMPACT

Funds will need to be transferred from the Building Maintenance Fund - Flooring City Hall Line Item, to cover the lease payments through June 30, 2017.

Approved by City Manager:



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

"Making a difference through excellence of service"



**CITY OF WARRENTON
PUBLIC WORKS**

Agenda Item 6C

Agenda Item Memorandum

TO: The Honorable Mayor and Members of the Warrenton City Commission
Linda Engbretson, City Manager

From: James Dunn, Public Works Director

Date: October 11, 2016

Subj: Financing for Meter Replacement

Summary:

Currently, many areas in Warrenton's Water Service Area have manual read meters. These meters are obsolete, difficult to read, and the majority have reached the end of their useful life. We have roughly 30% unaccounted for water loss in our system. Old/obsolete meters do not accurately measure water use and we believe that some of our unaccounted for water is related to the old meters in our system. Our current meter reading program is costly and inefficient. Each year the department budgets \$50,000 for meter replacement. At that rate it will take over 12 years to replace the meters in our system. Recently, staff drafted a Letter of Interest with IFA. IFA responded and the City may now apply for funding. IFA funding will allow the Department to install automated meters; reducing costs, improving reliability and increasing overall productivity (See Attachment A).

Recommendation

Staff recommends the following motions;

"I move to authorize staff to apply for IFA funding for the Meter Replacement Project."

Alternative

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

Fiscal Impact

Funds for this project are budgeted in the current fiscal year's Water Operating Fund under the ongoing meter replacement program 025-430-371004.

Approved by City Manager: _____

(Attachment A) Warrenton Meter Replacement

Our current meter reading program requires 84 hours of staff time each month. Also, the City has implemented a meter replacement program and currently replaces roughly 200 meters per year. However, this program takes up an additional 150 labor hours per year to install 200 meters. At this rate, is estimated it will take 12 years to replace all the outdated/obsolete meters in the system.

To further illustrate please see below the cost estimate of our current program and the proposed funded program.

Current meter replacement program: 1 FTE, 45 minutes per new meter install. \$50K/year budgeted for 200 new meters per year.

(150 labor hours) (Hourly rate + benefits estimate \$35) = \$5250
(150 truck hours) (times hourly rate of \$31.5) = \$4725
Plus \$50K budgeted for new meters = **\$59,975**

Current Meter Reading Cost: 84 labor hours per month.

(Labor hours per year 1008) (Hourly rate + benefits estimate \$35) = \$35,280 (truck hours 504) (times hourly rate 31.5) = \$15,876
Meter reading costs = **\$51,156**

Total annual costs of our current replacement/reading program = \$111,131

Cost of IFA Loan assuming 60% debt forgiveness:

Estimated Loan Amount = \$366,148 Estimated Debt Forgiveness = \$547,852

Estimated yearly payment for 20 years \$20,208

Annual Meter Reading Cost After IFA Funding

(Labor hours per year 192) (Hourly rate + benefits estimate \$35) = \$6720
(truck hours 192) (times hourly rate 31.5) = \$6048
Annual Meter reading costs after IFA Funding = \$12,768

Annual yearly payment = \$20,208

Current program cost total	\$111,131
Funded program cost total	\$ 32,976

Total annual savings of proposed funded program = \$78,155

Annual Labor Hours saved = 816 hours

Note: The annual savings are calculated for illustrative purposes only. The identified labor hours will be redeployed from meter reading and the replacement program. The identified labor hours will not be reduced or removed from the annual operating budget.



775 Summer St NE Suite 200
Salem OR 97301-1280

SAFE DRINKING WATER REVOLVING LOAN FUND APPLICATION

SECTION I A: APPLICANT

City of Warrenton	City
Organization Name	Organization Type
225 S. Main Avenue Warrenton OR 97146	PO Box 250 Warrenton OR 97146
Street Address	Mailing Address
503-861-0912	www.ci.Warrenton.or.us
Office Phone	Web URL

SECTION I B: CONTACTS

Main Contact		Secondary Contact	
Name	Jim Dunn	Name	April Clark
Title	Public Works Director	Title	Finance Director
Email	jdunn@ci.warrenton.or.us	Email	aclark@ci.warrenton.or.us
Phone	503-861-0912	Phone	(503)861-2233

SECTION I C: PROJECT OVERVIEW

Warrenton Meter Replacement

Project Title

Opportunity / Problem

Currently, many areas in Warrenton’s Water Service Area have manual read meters. These meters are obsolete, difficult to read, and the majority have reached the end of their useful life. We have roughly 30% unaccounted for water loss in our system. Old/obsolete meters do not accurately measure water use and we believe that some of our unaccounted (see attachment A)

Proposal / Solution

The City of Warrenton, with funding help from Business Oregon IFA, would like to replace all meters in our system that have reached the end of their useful life as well as all manual read meters in the system with radio or automated read meters. The project would replace approximately 2400 meters.

SECTION I E: PROJECT BUDGET

Budget Line Item	SDWRLF Funds	Other IFA Funds	Non-IFA Funds	Total
Planning				\$0
Design / Engineering				0
Treatment				0
Storage				0
Transmission / Distribution	914,000			914,000
Water Source				0
Land, Easements, Rights-of-Way				0
Restructuring				0
System Purchase				0
Other:				0
Other:				0
Total Project Costs	\$914,000	\$0	\$0	\$914,000

Prepared By:

Richard Stelzig	Engineer
_____ Name	_____ Title
City of Warrenton	27 May 2016
_____ Organization	_____ Date

SECTION I F: FINANCING SOURCES

Source of Funds	Amount	Status	Date Funds Committed or Expected
SDWRLF	\$914,000		
Applicant Funds		Choose an Item	
Other Funds:		Choose an Item	
Other Funds:		Choose an Item	
Other Funds:		Choose an Item	
Other Funds:		Choose an Item	
Total	\$914,000		

For Other Non-IFA Funds, attach Letters of Commitment.

SECTION II: ADDITIONAL PROJECT INFORMATION

- A. Was a feasibility study, certified by a professional architect / engineer registered or licensed in Oregon, completed for the Project? Yes No
If yes, attach a copy of the Project Feasibility Study.
If no, explain: Removing and replacing meters is routine and a common practice.
- B. Has an environmental review been completed for the Project? Yes No
If yes, describe: The City should receive a Categorical Exclusion
If no, provide date Environmental Review is expected: 1 Feb 2017
- C. Is the proposed use at the specific site(s) in conformance with the current acknowledged land use comprehensive plan? Yes No
If yes, attach documentation from the city or county planning department that indicates the Project is consistent with the acknowledged local comprehensive plan.
If no, explain: _____
- D. Have plans and specifications for Project construction been approved by Oregon Health Authority? Yes No
If yes, attach a copy of approved plans and specifications.
If no, provide date regulatory approval is expected: _____
If not applicable, explain: Replacement of existing meters will not require design.
- E. List the permits and regulatory authorizations needed for the Project to be ready to proceed with construction:

Permit Type	Review Agency	Description	Status	Actual or Expected Approval Date
Right of Way	ODOT		Pending	1 Feb 2017
Right of Way	Clatsop Co.		Pending	1 Feb 2017
Right of Way	Warrenton		Pending	1 Feb 2017
			Choose Item	
			Choose Item	

- F. What is estimated useful life of improvements included in the Project? 20 years
 What is the source for the useful life estimate? Current Meter Supplier
- G. Is there documentation of substantial local commitment to the Project's success? *If yes, explain:* Yes No

Commission Resolution
- H. Will a private entity or business have a special legal entitlement to the Project? *If yes, describe:* Yes No

SECTION III: PROGRAM REQUIREMENTS

A. Compliance Objectives

Not Compliance Related

B. Compliance Type *If marked, attach a copy of compliance documentation.*

Not Compliance Related

Notice Date: _____

C. Compliance Category

- | | | | |
|-------------------------------|---------------------------------------------------|-------------------------------------------|-----------------------------------------|
| <input type="radio"/> Arsenic | <input type="radio"/> Other Contaminants: _____ | <input type="radio"/> Microbial Treatment | <input type="radio"/> Condition |
| <input type="radio"/> Copper | <input type="radio"/> Total Coliform | <input type="radio"/> Radionuclides | <input type="radio"/> Consolidation |
| <input type="radio"/> Lead | <input type="radio"/> Disinfection & Disinfectant | <input type="radio"/> State Regulations | <input type="radio"/> Residential Wells |
| <input type="radio"/> Nitrate | <input type="radio"/> Byproduct | <input type="radio"/> Capacity | <input type="radio"/> Security |
| <input type="radio"/> Nitrite | | | |

D. Does the system have other compliance Issues? *If yes, explain:* Yes No

E. Is Project for a new system? Yes No

F. Is Project for consolidation or merger? Yes No

If yes, provide number of systems eliminated: _____

G. Does the Project include land acquisition, easements, or rights-of-way? Yes No

If yes, describe how Uniform Relocation Act requirements have been or will be met as part of the Project:

H. Are any Project cost estimates based on using "force account" labor? Yes No
If yes, explain:

I. Is Applicant requesting IFA approval to reimburse for pre-award planning, preliminary engineering, or other preconstruction costs? *If yes, explain:*

J. Date SAM (System for Award Management) Registration Expires: _____

K. Federal Funding Accountability and Transparency Act (FFATA)

Did your organization receive over 80% of their revenue from federal awards last year? Yes No

Did your organization receive over \$25 million in federal awards last year? Yes No

Public does not have access to executive compensation information via SEC or IRS reports? Yes No

If yes to each of the above in question K, complete the table below:

Officer Name	Officer Compensation

SECTION IV: APPLICANT DETAILS

- A. DUNS # 877004937 Federal Tax ID # 936002276
- B. Congressional District 1 Congressperson Name: Suzanne Bonamici
 State Senate District 16 Senator Name: Betsy Johnson
 State House District 32 Representative Name: Deborah Boone

C. Is the Applicant currently or expected to be a party to any Intergovernmental Agreements related to the Project? Yes No
If yes, attach a copy of the agreement(s).

D. Does the Applicant request any information in this Application be excluded from public disclosure? *If yes, describe:* Yes No

E. Has the Applicant ever defaulted on debt? *If yes, explain:* Yes No

F. Is there any actual or pending litigation that could impair the Applicant's ability to repay debt? *If yes, explain:* Yes No

G. Has the Applicant adopted a budget for the current fiscal year? Yes No
If yes, attach a copy of the current budget. If no, explain:

H. Are the Applicant's audited financial reports for the 3 most recent fiscal years available on the Secretary of State website? *If no, attach a copy of audited financial reports for the 3 most recent fiscal years.* Yes No

SECTION V: WATER SYSTEM DETAILS

A. Water System Identification Number (PWSID): OR 4100932

Attach Map of Water System Service Area

B. Does the water system have a current Water System Master Plan? Yes No
If yes, attach a copy of the Water System Master Plan. If no, explain:

C. Will the Applicant operate and maintain the water system? Yes No
If no, attach a copy of the operating agreement.

D. Does the water system have a current Operations, Maintenance & Replacement (OM&R) manual or plan? Yes No
If no, explain:

Have O&M manuals for replacement schedules for the Water Treatment Plant (WTP) facility, WTP equipment, Raw Water system, the South Water Reservoir and appurtenance

E. Does the water system use asset management tools as part of its operation, maintenance and replacement planning? If yes, describe: Yes No

The City is in the process of setting up CUPSS, and also uses ArcGIS as a tool with an inventory of our water system through which we are developing fields to track such items

F. Does the water system have a meter(s) at the water supply source(s)? Yes No
If no, explain:

G. Does the water system require meter installation on all service connections? Yes No

H. Does the water system have meters installed on all service connections? Yes No
If no, percent not metered: ___%. If no, explain:

I. Does the water system have an operations program to read and maintain the required source and service connection meter(s)? If no, explain: Yes No

J. Does the water system bill its customers based on water usage? Yes No
If yes, attach a copy of the current rate schedule. If no, explain:

K. Does the water system have a formal process for adopting water user rates? If yes, attach a copy of the most recently adopted rate resolution or ordinance. If no, explain: Yes No

Current rate increase on July 1st 2016. Water rates are evaluated annually with every new budget.

SECTION VI: SUMMARY OF CONNECTIONS, USAGE AND POPULATIONS SERVED

User	Connections		Annual Usage (in gallons)
	Current	Future (20 years)	Current
Residential	2,978	4,255	196,237,065
Commercial	249	356	56,119,213
Industrial	10	14	35,623,540
Other	2	2	30,079,000
Totals	3,239	4,627	318,058,818

	All Residents	Permanent Residents	Connections
Number served by system	8,338	8,338	3,239
Number served by the Project	8,338	8,338	3,239

SECTION VII: PRIVATE WATER SYSTEMS

- A. Public Utility Commission (PUC) regulation level: Service Rates N/A
- B. Type of business (Pick only one): Association Limited-Liability Corporation
 Non-Profit Corporation Sole-Proprietorship
 Cooperative For-Profit Corporation Partnership
 Other, Specify: _____
- C. Date business filed / formed: _____
- D. Date present operations commenced: _____
- E. Are any legal actions pending against the water system or principals? Yes No
If yes, provide details:
- F. Has the Applicant, or principals, formed a business which ceased to exist in less than two years from commencing operations, filed bankruptcy, or experienced foreclosure, repossession, debt judgment, or criminal penalty within the last seven years? Yes No
If yes, provide details:
- G. For each principal in the business provide the following:

Name	Title	Address	% Owned
			%
			%
			%
			%
			%
			%
			%
			0 %

SECTION VIII: REPAYMENT SOURCES

- A. Are water system revenues pledged to repay the proposed SDWRLF loan? Yes No
 If yes, is other debt secured by water system revenues? Yes No
 If yes, what is the current annual debt paid by water system revenues? \$ 6,272,272

Ten Largest Customers:

	Customer	Annual Water Usage (in gallons)	% Total Water Usage for System	Annual Revenue Received by System	% Total Annual Revenue Received by System
1	CITY OF GEARHART	29,761,000	9.4 %	\$171,695	8.1 %
2	BIO-OREGON	16,829,000	5.3 %	\$91,106	4.3 %
3	FORT STEVENS PARK-WTR	9,583,000	3.0 %	\$56,306	2.7 %
4	HAMPTON LUMBER MILLS	7,013,300	2.2 %	\$39,595	1.9 %
5	GLENWOOD VILLAGE	5,100,000	1.6 %	\$35,960	1.7 %
6	ASTORIA/SEASIDE KOA	5,469,000	1.7 %	\$27,605	1.9 %
7	POINT ADAMS PACKING	4,312,000	1.4 %	\$26,359	1.2 %
8	PACIFIC COAST SEAFOOD	3,725,000	1.2 %	\$22,003	1.0 %
9	ALDER CREEK MHC, LLC	4,240,200	1.3 %	\$13,207	0.6 %
10	ASTORIA GOLD CLUB	1,439,500	0.5 %	\$12,830	0.6 %

- B. Are property tax revenues pledged to repay the proposed SDWRLF loan? Yes No
 If yes, is other debt secured by property tax revenues? Yes No
 If yes, what is the current annual debt paid by property tax revenues? _____

Ten Largest Property Taxpayers:

	Taxpayer	Type of Business	Total Taxes	Current Assessed Value
1	Hampton Lumber Mills Inc	Lumber Mill	\$427,243	\$35,934,449
2	Kroger Mgmt NMTC-Fred Meyer	Department/Grocery	\$167,821	\$14,115,063
3	Charter Communications	Cable Utility	\$85,845	\$7,220,200
4	Atlas Yougs Bay LLC	Shopping Center	\$71,733	\$6,033,293
5	PacificCorp	Electric Utility	\$65,666	\$5,523,000
6	Bio-Oregon Properties LLC	Fish Feed Producer	\$42,039	\$3,535,776
7	Northwest Natural Gas	Natural Gas Utility	\$41,020	\$3,450,100
8	Shilo Inn Warrenton	Hotel	\$38,408	\$3,230,372
9	EANDM Company One LLC	Apartments	\$36,110	\$3,037,121
10	GCI Communications Corp	Communications	\$33,444	\$2,812,900

SECTION IX: SCHEDULE OF PRO FORMA REVENUES AND EXPENDITURES

A.	Pro Forma	Current FY				Future Years				
		2015	2016	2017	2018	2019	2020			
1	Year (ending June 30)									
2	Beginning Fund Balance	0	0	0	0	0	0	0	0	0
B. Operating Revenues										
3	Primary Revenue Source									
4	Other Revenue Source 1									
5	Other Revenue Source 2									
	Total Operating Revenues	0	0	0	0	0	0	0	0	0
C. Operation, Maintenance & Replacement (OM&R) Expenses										
6	Personal Services									
7	Materials & Services									
8	Other Operating Expenses									
	Total Operating Expenses	0	0	0	0	0	0	0	0	0
D. Debt Services										
	Funds Avail for Debt Service	0	0	0	0	0	0	0	0	0
9	Existing Debt 1									
10	Existing Debt 2									
11	Other Proposed Debt									
	Total Debt Service	0	0	0	0	0	0	0	0	0
E. Other Activities										
	Cash Avail After Debt Service	0	0	0	0	0	0	0	0	0
12	Loan Proceeds / Drawdowns									
13	Capital Outlay									
14	System Replacement Reserves									
15	Other Non-Operating Activity									
	Net Other Activity	0	0	0	0	0	0	0	0	0
16	Net Transfers IN (OUT)									
17	Adjustments									
	Net Transfers & Adjustment	0	0	0	0	0	0	0	0	0
F.	Ending Fund Balance	0	0	0	0	0	0	0	0	0
18	Connections									

Please contact your regional coordinator if you have questions completing this form.

Primary revenue source (e.g., user charges). Include, on lines 4 or 5, revenues such as taxes, hook-up fees and rent / lease income. Do not include interest, SDCs, etc., in this section; rather, enter these revenues on line 15.

Include short-lived asset replacement with a useful life of 15 years or less. Do not include capital outlay, transfers, depreciation, etc; rather, enter these revenues to lines 12-17.

Enter and specify annual debt service amounts for existing and proposed debt support by this fund, including any proposed non-IFA debt for this project, e.g., USDA, DEQ, etc.

Anticipated drawdown schedule for requested loans. Include capital outlay for this project. Anticipated contributions for system replacement. Asset sales, SDCs, interest income (specify).

Include transfers to reserve accounts (specify). Explain any adjustments

G. Describe any assumptions used in calculating above figures, such as changes in user charges, connection growth, loan repayments, operating expenses, transfers, adjustments:

SECTION X: APPLICATION ATTACHMENTS

Attachment I C: Detailed Project Description	Attached?	<input checked="" type="checkbox"/>
Attachment I D: Project Map or Site Plan	Attached?	<input checked="" type="checkbox"/>
Attachment I F: Letters of Commitment	Attached?	<input type="checkbox"/>
Attachment II A: Project Feasibility Study	Attached?	<input type="checkbox"/>
Attachment II C: Land Use Compatibility Documentation	Attached?	<input checked="" type="checkbox"/>
Attachment II D: Approved Plans and Specs	Attached?	<input type="checkbox"/>
Attachment III B: Copy of Compliance Documentation	Attached?	<input type="checkbox"/>
Attachment IV C: Intergovernmental Agreement	Attached?	<input type="checkbox"/>
Attachment IV G: Current Budget	Attached?	<input type="checkbox"/>
Attachment IV H: Most Recent 3-Year Audited Reports	Attached?	<input type="checkbox"/>
Attachment V A: Map of Water System Service Area	Attached?	<input type="checkbox"/>
Attachment V B: Water System Master Plan	Attached?	<input checked="" type="checkbox"/>
Attachment V C: Operating Agreement	Attached?	<input type="checkbox"/>
Attachment V J: Current Rate Schedule	Attached?	<input checked="" type="checkbox"/>
Attachment V K: Most Recently Adopted Rate Resolution	Attached?	<input checked="" type="checkbox"/>
Attachment XI: Signature Authority Documentation	Attached?	<input type="checkbox"/>

SECTION XI: GENERAL CERTIFICATION

I certify to the best of my knowledge that all information contained in this document and any attached supplements is valid and accurate. I further certify that to the best of my knowledge:

1. The application has been approved by the governing body or is otherwise being submitted using the governing body's lawful process, and
2. Signature authority is verified.

Check one:

- Yes, I am the highest elected official. (e.g., Mayor, Chair or President)
- No, I am not the highest elected official so I have attached documentation that verifies my authority to sign on behalf of the applicant. (Document such as charter, resolution, ordinance or governing body meeting minutes must be attached.)

The IFA will only accept applications with proper signature authority documentation.

Signature

Mark Kujala

Date

Mayor

Printed Name

Printed Title

FOR IFA USE ONLY

Investment Type

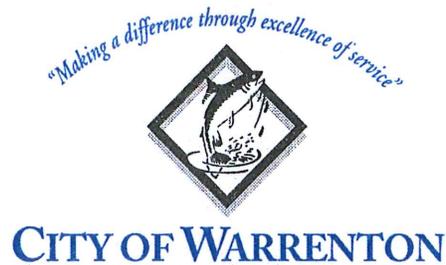
- Water
- Stormwater
- Flood Control
- Multiple / Combined Infrastructure

Project Type

- Planning
- Design
- Construction

Applicant #	Application #	Project #	Invited Date	Received Date	Award Date
Letter of Interest Number SD-2016-126	Rating	Ranking	Letter of Interest Expires Date	Capacity Assessment Start Date	Capacity Assessment Complete

6D



AGENDA MEMORANDUM

TO: The Honorable Mayor and Members of the Warrenton City
Commission

FROM: Public Works Director, James Dunn

DATE: October 11, 2016

SUBJ: Consideration of the Water Master Plan Request for Qualifications

SUMMARY

The City's recent water system Capacity Assessment by the Oregon Health Authority and OAR 333-061-0060 (5) requires a 20 year update to the City's Water Master Plan. The current plan was updated in 1997. To meet these requirements the City will need to update the Water Master Plan by the beginning of 2018. Staff anticipates this work may take up to a year to complete. Staff has developed a draft RFQ for the Commission's review. Public Works is requesting the Commission's approval to complete the RFQ and solicit for professional service providers.

RECOMMENDATION/SUGGESTED MOTION

Staff recommends the following motion;

"I move to approve Staff's request to solicit professional service providers to

develop a new Water Master Plan for the City of Warrenton.”

ALTERNATIVE

1) None Recommended

FISCAL IMPACT

The Water Master Plan update was not provided for in the current budget. Staff estimates development of the plan to have an approximate cost of \$120,000. A portion of that cost may be budgeted during the 17-18 fiscal year. If approved, reductions for the current fiscal year will come from the Water Fund 025-440 and 025-435.

Approved by City Manager: _____

REQUEST FOR QUALIFICATIONS
Consulting Engineering Services
for: Warrenton Water Master Plan

I. Project Background

The City of Warrenton is soliciting the services of a licensed Professional Engineer or Firm, in the State of Oregon, and supporting disciplines to perform civil engineering and economic analysis to produce an updated Water Master Plan for the City of Warrenton, Oregon. The 20 year update must be approved by the State by December 30, 2017.

The City of Warrenton operates a 6 million gallon per day Continuous Microfiltration Water Treatment Plant located south of the City. The City uses surface water collected from four dams on the Lewis & Clark River and its tributaries. The City has a 17.5 million gallon reservoir for raw water. Additionally, the City has two 3.5 and one 0.275 million gallon reservoir tanks for treated water. The City of Warrenton owns and operates a State-regulated municipal water system consisting of 95 miles of underground conveyance piping ranging from 2" – 24" in diameter, 2 booster pumping stations and various other appurtenances. The City supplies all of its own water needs through its treatment plant, but also maintains interties with the city of Gearhart. Water from the City's treatment plant is treated for disinfection purposes through on-site generation of sodium hypochlorite. The system presently serves approximately 3025 residential and 261 commercial customers. The City also serves the City of Gearhart during high demand summer periods.

Funding for operation and maintenance of the City's water system is provided by an enterprise fund (the Water Fund) of the Warrenton municipal budget with the primary source of revenue being water rates. Funding for capacity-enhancing water system improvements is provided by capital project funds or capital reserve funds. In some cases, improvements are also funded wholly or partially by the Water Fund. Extensions of the system associated with new development are often directly funded and executed by respective developers.

The study area for this plan is the current and planned potable water utility service area for the City of Warrenton that includes the current corporate limits of the City as well as the City's unincorporated service areas of Clatsop County. The City's water system is completely mapped schematically in ESRI-based GIS software.

The planning horizon for this study will be 20 years into the future. Development projections in the context of current growth boundaries and urban planning areas indicate moderate growth within that planning horizon.

In 2011, the City of Warrenton completed the *Water system hydraulic model summary report*, with the assistance of WH Pacific, a Portland, OR consulting engineering firm. The City completed a *Water System Master Plan* in 1998 with help from CH2M Hill. The City is also working with GSI Water Solutions, Inc. Corvallis, OR, for a *water right extension*. The City completed a *rate study* in April of 2016, with help from FCS Group. The rate study addressed rates, but SDC and cost of service was not included. Copies of these documents can be found on the City's website at <http://ci.warrenton.or.us/>. Some of the policies, practices, capital improvements and other measures recommended by these documents have been implemented, some have been deferred and in some cases the City has subsequently determined that the measure was not needed. Since 1998, regulatory and fire service requirements have changed for the City, as well as projected development patterns and characteristics; the City's water infrastructure has aged and has experienced significant water loss current estimates are 30%; demand patterns and expectations of the City's water customers have evolved; two major customers, recently the City of Gearhart and Pacific Seafood's have significantly decreased use and the City constructed a new treatment facility in 2002.

The City of Warrenton is now seeking Professional Engineering Services to perform an update of the Water Master Plan and to perform related tasks and analysis. The selected consultant will review the existing master plan and related reports, maps and documentation; meet and coordinate with stakeholders; evaluate the current state of the water system with respect to current demands, system capacity, staffing requirements, system condition, and regulatory requirements; evaluate probable future demands and requirements based on projected development and anticipated regulatory changes; evaluate probable future condition and serviceability of the system due to system aging; perform hydraulic system modeling (compatible w/ existing model) and analysis; identify needed improvements and system preservation/rehabilitation measures maintenance programs and estimate costs for same; analyze the City's system development charge basis and rate structures and make recommendations; and produce a new contemporary master plan, including coordination and compliance with OHA-DWS to ensure compliance with current regulations

<http://public.health.oregon.gov/HealthyEnvironments/DrinkingWater/PlanReview/Documents/PR-MasterPlan.pdf>; recommended policies, practices, staffing needs, capital improvements and other measures for the orderly provision of municipal water service within the City of Warrenton's water service area.

II. Scope of Work

The firm that is selected by the City shall perform the following tasks for this project:

Communicate regularly with City staff regarding project issues via telephone, electronic mail, and post mail. Attend meetings as described in Section IV below. All meetings shall be presented and/or facilitated by the consultant.

Submit monthly progress reports and invoicing to the City. Progress reports will consist of a brief narrative summary accompanying invoice.

Comprehensively review:

- The 1998 *Water Master Plan for Warrenton, OR*,
- The City of Warrenton's 2011 *Water System Hydraulic Model Summary Report and model*,
- The City's *Water Quality Report for 2016*,
- The *City of Warrenton's Capital Improvement Plan*,
- The 2016 *rate study*,
- Water system demand records,
- The city's *water right extension application*,
- The City's *Vulnerability Assessment*,
- *The capacity assessment for the Hammond Waterline*,
- Previous water balance calculations,
- The City's Geographic Information System,
- Topographic maps,
- Population and growth/development projections,
- OHA-DWS, AWWA and EPA staffing requirements to ensure water quality/maintenance programs meet standards
- Budget allocations, and other applicable records and documentation as a starting point, background and basis for the development of a new, contemporary master plan.

Identify data gaps in the City's water system GIS database that will affect preparation of the Plan. Collaborate with City staff or perform necessary investigation and field work to obtain data needed for modeling and analysis associated with preparing the Plan.

Identify stakeholders and regulatory agencies that are affected by or have a direct interest in this master plan. Communicate with stakeholders and regulators to receive and address input and concerns that may affect the Plan.

Project annual and seasonal, average and peak, water supply demands for the City and in total through each year of the planning horizon.

Project water supply capacity under normal operating conditions in each service zone and in total through each year of the planning horizon.

Analyze the City's water rights and permits in conjunction with the operational characteristics and patterns of the respective sources, determine allowable operational scenarios based on available rights and identify any problematic constraints i.e. necessity of a new source.

Project emergency water storage requirements in each service zone and in total through each year of the planning horizon based on 72-hour power outage emergency scenario or as otherwise required by the State of Oregon. Dead storage shall be discounted based on an assumption of 20 psi minimum pressure at point- of-service under emergency water supply conditions.

1. Identify any current or projected future deficiencies including water loss and water supply capacity and/or emergency water storage needs for the City in each service zone and in total through each year of the planning horizon.
2. Project the future roughness coefficients and other distribution system variables affecting model calculations that will change with age through the planning horizon and program future scenarios into the model taking into account these changes in system parameters.
3. Run the model for average and peak operating demands for existing conditions and the future scenarios identified above and identify any areas of deficient flow or pressure in the system. The City's service pressure standard for normal operating conditions is not less than 20 psi at the point of service.
4. Program and execute a series of fire flow model scenarios, for existing conditions and the future scenarios identified above, assuming fire flows at various locations throughout the system. Locations will be geographically distributed to sufficiently evaluate all areas of the system and selected in collaboration with City staff. Compare results with required fire flows at each location, respectively, and identify any deficiencies.
5. Perform an analysis of existing staffing levels and maintenance and operating programs i.e. valve exercising, directional flushing, water quality, and or other programs as compared to industry best management practices, and AWWA, EPA, and Department of Health standards; and recommend staffing adjustments that preserve facilities and provide acceptable levels of service.
6. Identify the system improvements needed to correct deficiencies. Indicate the estimated cost of each proposed improvement.
7. Prepare a map of the water system and summary tables indicating the locations, functional data (size, capacity, material, etc.), estimated costs and implementation timeframes of the improvement projects. These shall constitute the proposed Capital Improvement Plan (CIP) for the City's water system and must be compatible with the City's current GIS data format and projections.
8. Perform an economic analysis through the planning horizon, taking into consideration the estimated costs and timing of the proposed CIP, the City's existing available improvement funds, projected development assessable, interest earning/losses and time-value of money, and forecast required increases or decreases in Water System Development Charge rates to fully fund the CIP. (Note: FCS

- completed a rate study for the City in 2016; however SDC's were not part of that study.)
9. Recommend system preservation measures to prevent system deficiencies that will occur due to system aging (identified above), if preventable; and/or operational/maintenance or administrative practices or policies to offset those deficiencies.
 10. Identify system replacement or rehabilitation that will be required within the planning horizon to correct non-preventable deficiencies due to system aging within the planning horizon. This will constitute the Replacement and Rehabilitation Program for the City's water system.
 11. Perform an economic analysis through the planning horizon, taking into the consideration the estimated costs and timing of the replacement and rehabilitation projects identified above, the City's existing available operation and maintenance funds, projected user-base assessable, interest earning/losses and time-value of money, and forecast required increases or decreases in Water system user fees to fully fund the replacement and rehabilitation program. This analysis will only consider the increment of user fees needed for rehab and replacement and will not require analysis of funds needed for routine operation and maintenance of the system. (Note: FCS completed a rate study for the City in 2016; however changes to the City's existing CIP may necessitate future year's rate adjustments.)
 12. Assess current and probable future drinking water quality regulations that will affect the operation and maintenance of the water system through the planning horizon. Identify improvements, if any that will be required to meet water quality requirements and estimate capital costs as well as annual operational and maintenance costs associated with these improvements.
 13. Prepare a draft "Warrenton Water Master Plan" (the "Plan") that compiles and presents the analyses and findings derived above. See section III for an outline of the minimum Plan document requirements.
 14. Meet with City staff to submit the draft Plan and present an oral summary of the study and its findings.
 15. Distribute copies of the draft Plan to stakeholders and regulatory agencies and receive comments.
 16. Following review of the draft by the City and other stakeholders, meet with City Commission and Staff, to discuss and make revisions as directed by the City.
 17. Provide twenty (20) hard-copies of the finalized Plan and six (6) digital copies in Adobe Acrobat format to the City.
-

III. Deliverables

The Consultant shall provide the following products associated with the Warrenton Water Master Plan project:

1. Monthly progress reports submitted to the City's project manager.
2. Compatible water model fully developed and calibrated for the Warrenton water system, with the completed model read-only data files provided on a CD or DVD. Data must be compatible with the City's current GIS data format and projections and water model.
3. Six (6) copies of the draft Plan for City review. The Plan shall, as a minimum, contain the following sections:
 - Table of Contents
 - List of Figures
 - List of Tables
 - Executive Summary
 - Goals and Objectives
 - Schedule
 - Water System Background and Overview
 - Water Demand and Supply Analysis
 - Modelling Parameters, Scenarios Analysis and Results
 - Regulatory Analysis
 - Recommended Policies and Practices
 - Staffing Recommendations
 - Proposed Capital Improvement Plan, Costs, Priorities, and Phasing

- Proposed Replacement and Rehabilitation Program, Costs, Priorities, and Phasing
 - Proposed Water Quality Improvement and
 - Operational Plans, Costs, Priorities, and Phasing
 - System Development Charge and Rate Analysis (Coordination with FCS)
4. Up to fifteen (15) copies of the draft Plan distributed to stakeholders and regulators.
 5. Twenty (20) hard copies of the finalized Plan.
 6. Six (6) digital copies of the finalized Plan in Adobe Acrobat format on read-only CDs or DVDs.

IV. Meetings

The Consultant shall be required to attend, as a minimum, a kickoff meeting, a minimum of 3 progress meetings, a draft plan submission meeting, a draft Plan review meeting and up to 2 City Commission meetings. Additional meetings may be required, as needed, for collaboration and information sharing between Consultant and City and/or to resolve unforeseen issues or to discuss unforeseen issues.

V. Communication

The Consultant selected will be required to communicate with the City and the Oregon Health Authority, as needed, concerning project-related issues via telephone, electronic mail and post mail.

VI. Project Milestones

Dates indicated are dates the City desires to meet or exceed. However, the firm is strongly encouraged to realistically consider its ability to meet each of these milestones and to submit a schedule that it is confident it can meet.

A. Submittal of Proposal	November 7, 2016
B. Notice of Award	November 22, 2016
C. Execute contract	November 29, 2016
D. Submit draft plan	July 3, 2017
E. Deliver finalized plan	October 30, 2017
F. Final Deadline	December 30, 2017

VII. Proposal Format

The proposal shall contain at a minimum the following:

- A. A cover letter affirming your firm's interest in performing these services and confirming your primary contact person for this project (with his/her phone number and email address).
- B. A project scope and understanding section describing what your firm understands the requirements for the project to be, what the major issues specific to this project will be, giving a complete listing of the major tasks to be performed and critical issues and challenges involved in the project.
- C. A section identifying the individuals, and their roles, that will be assigned to the project; a statement regarding each individual's qualifications (SOQ). Please list the experience and credentials of the added team members.

- D. A study schedule section consisting of a complete schedule, in Gantt chart format, incorporating all tasks under the Scope of Work. The dates indicated in section VI reflect the schedule the City desires to meet. However, the consultant should submit a schedule he/she is confident he/she can meet.

This proposal shall not exceed fifteen (15) pages from cover to cover.

VIII. Proposal Submittal

Please submit your proposal to: Jim Dunn, Public Works Director, 225 S Main Ave / P.O. Box 250, Warrenton OR 97146, or to the front desk at Warrenton City Hall, no later than 3:00 p.m. on Tuesday, November 8, 2016. Please submit three complete hard copies of the proposal. Emailed, faxed or otherwise digitally transmitted proposals will not be accepted.

IX. Questions

Substantive questions regarding this RFQ must be submitted in writing to Jim Dunn at the address above or at jdunn@ci.warrenton.or.us not less than five days prior to the deadline for submitting proposals.

X. Proposal Review

The consultant selection team will consist of: Jim Dunn, Public Works Director, at least two other City staff members to be determined. Selection will be based on the following criteria:

- | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| A. <u>Expertise</u> | 35% |
| Experience and qualifications of the primary person(s) assigned to the project in performing similar work; demonstrated abilities in the individuals' assigned roles, education, training, and credentials. | |
| B. <u>Effort/Responsiveness</u> | 25% |
| The ability and expressed commitment of the proposing firm to meet or exceed the Project Milestones indicated in Section VI. A study schedule section consisting of a complete schedule, in Gantt chart format, incorporating all tasks under the Scope of Work. | |
| C. <u>Project Understanding</u> | 25% |
| Apparent understanding of the tasks required to complete the Scope of Work and the skills and expertise across various disciplines needed to perform those tasks. Also, the understanding and foresight of any critical issues and challenges involved in the project. Describe what your firm understands the requirements for the project to be and give a complete listing of the major tasks to be performed. | |
| D. <u>Other Factors</u> | 15% |
| Reputation of firm, reviewer's past experience with firm, structure of firm or team, positive and/or negative reports from references, proximity/availability/responsiveness, quality/accuracy of SOQ and other factors that the reviewer considers relevant. | |

The City reserves the right to seek clarifications of the proposed project approach, or the assignment of resources, the right to negotiate a final contract which is in the best interest of the City, and the right to reject any or all proposals if it would be in the public interest to do so.

"Making a difference through excellence of service"



**CITY OF WARRENTON
PUBLIC WORKS**

Agenda Item 6E

Agenda Item Memorandum

TO: The Honorable Mayor and Members of the Warrenton City Commission
Linda Engbretson, City Manager

From: James Dunn, Public Works Director

Date: October 11, 2016

Subj: SW 3rd Street Improvement Project Change Order

Summary:

On July 26 the SW 3rd Street Improvement Project was awarded to Big River Excavation. During the construction phase of the project, Big River Construction could not get proper compaction of a section of the road base. A change order was approved in the field so the project would not be significantly delayed.

Attached to this Commission Memo is the change order.

Recommendation

Staff recommends the following motions;

“I move to approve the 3rd Street Project Change Order in the amount of \$4570.10 to Big River Construction.”

Alternative

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

Fiscal Impact

CIP - Storm 028-430 and Streets 040-431.

Approved by City Manager: _____

City of Warrenton Project: SW 3rd St Improvement Project	Contract Section Change Order Form
-------------------------------------------------------------	---------------------------------------

Change Order No.

Date of Issuance: August 20, 2016

Effective Date: October 11, 2016

Owner: City of Warrenton	
Project: SW 3rd St Improvements	City Project #: 28040431620080
Engineer: R Collin Stelzig, P.E.	Engineer's Proj #:
Contractor: Big River Construction	Contractor's #: 147632
Original Contract: \$119,989.00	Notice to Proceed Date: August 3, 2016
City Project Manager: Jim Dunn, Public Works Director	
Project Location: SW 3rd St between SW Main Ct and S Main Ave.	

The Contract Documents are modified as follows upon execution of this Change Order

Description:

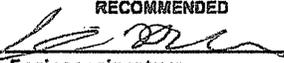
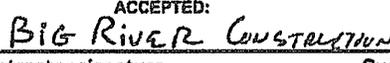
Work shall include:

1. Increase Over excavation, Geo Fabric, and Base Rock (100 Yards - \$6,800)
2. Reduce Asphalt Quantities (26.02 Tons - \$-2,471.90)
3. Increase Concrete Driveways (2.20 Yards - \$242)
- 4.

5. Extend contract days 0 Original contract time Working days Calendar days
45 New contract days 45
Substantial Completion Date: September 17, 2016
This will require substantial completion by: September 17, 2016

Attachments:	Contractor's request and invoices	
Current Contract Price:	\$	119,989.00
Increase of this Change Order:	\$	4,570.10
Contract Price Incorporating this Change Order:	\$	124,559.10

The above prices and specifications of the change order are satisfactory and are hereby accepted. This change order amount and extension of time constitutes total compensation for the change, including compensation for all impacts and delays relating to the change and their cumulative effect on the project to date. All work shall be performed under same terms and conditions as specified in original contract unless otherwise stipulated.

RECOMMENDED	ACCEPTED:	ACCEPTED:
	 BIG RIVER CONSTRUCTION	
Engineer signature	Contractor signature	Owner Signature/Title
<u>10-5-2016</u>	<u>10-5-16</u>	
Date:	Date:	Date:

Approved by Funding Agency (if applicable):
Agency: _____ Title: _____ Date: _____

Project Status Form

Owner: City of Warrenton
 Project: SW 3rd St Improvements
 Engineer: R Collin Stelzig, P.E.
 Contractor: Big River Construction
 Original Contract: \$119,989.00
 City Project Manager: Jim Dunn, Public Works Director
 Project Location: SW 3rd St between SW Main Ct and S Main Ave.

City Project #: 2.80404E+13
 Engineer's Proj #: 0
 Contractor's #: 147632
 Notice to Proceed Date: August 3, 2016

CO	Change Order Amount/ Allowance Amt.	C.O. Days	Commission Date	REASON FOR CHANGE
	New Contract Amount	New Total	New Comp. Date	
#1	\$ 4,570.10	0	October 11, 2016	Severe weak soils and pumping of base rock. If work had not been completed, the new asphalt would fall soon after construction.
	\$124,559.10	45	September 17, 2016	
#2				
#3				
#4				
#5				
#6				
#7				
#8				
Project Summary				
	Contract amount	Contract days	Completion Date	
	\$ 124,559.10	45	September 17, 2016	

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**CITY OF WARRENTON
PUBLIC WORKS**

Agenda Item 6F

Agenda Item Memorandum

TO: The Honorable Mayor and Members of the Warrenton City Commission
Linda Engbretson, City Manager

From: James Dunn, Public Works Director

Date: October 11, 2016

Subj: Award of Contract for the SE Ensign Pump Station Rebuild and New Force Main Construction Project

Summary:

On September 22nd bids were opened for the Ensign Pump Station project. Big River Construction was the lowest responsive bidder.

Attached to this Commission Memo are the bid summary and recommendation for bid award letter for the project.

Recommendation

Staff recommends the following motions;

"I move to approve awarding the contract for the SE Ensign Pump Station Rebuild and New Force Main Construction Project to Big River Construction for the amount of \$1,247,655."

Alternative

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

Fiscal Impact

Funding from Sewer Capital Reserve Fund Loan R94944 (038-430-62011)

Approved by City Manager: _____



4253-A Highway 101 N • seaside, oregon 97138
503.738-3425 • fax 503.738-7455
www.otak.com

September 30, 2016

Collin Stelzig, P.E., City Engineer
City of Warrenton
225 S. Main Avenue
Warrenton, OR 97146

Re: Recommendation for Bid Award for the SE Ensign Pump Station Rebuild and New Force Main Construction Project—Otak Project No. 67411.007

Dear Mr. Selzig:

There were seven (7) qualified plan holders for the above referenced public works project. The public bid opening was held on September 22, 2016, at 2:00 P.M., at which time there were six (6) bids submitted.

Upon review of the bid package submitted, we recommend that the project be awarded to Big River Construction Inc, for the total calculated amount of **\$1,247,655.00**. The Engineer's Opinion of Probable Construction Cost for this project is approximately \$1,600,200.00. The enclosed bid tabulation sheet compares our Engineer's Opinion of Probable Construction Cost with all bids received. Upon your authorization, we will issue the required Notice of Intent to Award the contract to the lowest responsive bidder identified above. Notwithstanding any bid protests that might be submitted within seven days from after the date of the Notice of Intent to Award the contract, we will then award the contract to the lowest responsive bidder identified above.

Please note that Oregon DEQ has reviewed the bid package and forms required for this project. While they are in agreement with the package, we cannot execute the contract completely until we receive the final approval from DEQ.

If you have any questions, regarding this project or the bid process, please feel free to call at your convenience.

Sincerely,
Otak, Inc.,

A handwritten signature in black ink that reads "Jon Forrester". The signature is written in a cursive, flowing style.

Jon Forrester
Project Manager

JGF:jgf

cc: Otak Project file
Enc: Bid tabulation spreadsheet

integrated design = smart solutions

N:\PROJECT\67400\67411\67411.007\SPCS\BIDDING\BID RECOMMENDATION LTR 9-30-16.DOCX

CLIENT: CITY OF WARRENTON, OREGON
PROJECT: SE ENSIGN PS & NEW CORE CONVEYANCE

BY: OTAK - JGF

		CONTRACT - ENG ESTIMATE				Contractor		R & G Excavating		Contractor		Tapart, Inc.		Contractor		Reghlin's		Contractor		JW Fowler Co.		Contractor		Erney & Son's		
Item	Description	Quantity	Unit	Unit Price	Amount	Unit Cost	Total for Item	Unit Cost	Total for Item	Unit Cost	Total for Item	Unit Cost	Total for Item	Unit Cost	Total for Item	Unit Cost	Total for Item	Unit Cost	Total for Item	Unit Cost	Total for Item	Unit Cost	Total for Item	Unit Cost	Total for Item	
1	Bond and Traffic Control should be +/- 5% of total bid.	1	LS	\$7,500	\$7,500.00	\$157,000.00	\$157,000.00	\$157,000.00	\$157,000.00	\$157,000.00	\$157,000.00	\$157,000.00	\$157,000.00	\$157,000.00	\$157,000.00	\$157,000.00	\$157,000.00	\$157,000.00	\$157,000.00	\$157,000.00	\$157,000.00	\$157,000.00	\$157,000.00	\$157,000.00	\$157,000.00	
2	Furnish and Install (F&I) Erosion Control	1	LS	\$7,500	\$7,500.00	\$13,000.00	\$13,000.00	\$13,000.00	\$13,000.00	\$13,000.00	\$13,000.00	\$13,000.00	\$13,000.00	\$13,000.00	\$13,000.00	\$13,000.00	\$13,000.00	\$13,000.00	\$13,000.00	\$13,000.00	\$13,000.00	\$13,000.00	\$13,000.00	\$13,000.00	\$13,000.00	
3	Post-hole subsurface investigation	23	EA	\$200	\$4,600.00	\$172.00	\$3,956.00	\$172.00	\$3,956.00	\$172.00	\$3,956.00	\$172.00	\$3,956.00	\$172.00	\$3,956.00	\$172.00	\$3,956.00	\$172.00	\$3,956.00	\$172.00	\$3,956.00	\$172.00	\$3,956.00	\$172.00	\$3,956.00	
4	Asbestos Pipe Demolition and Disposal	10	LF	\$200	\$2,000.00	\$170.00	\$1,700.00	\$170.00	\$1,700.00	\$170.00	\$1,700.00	\$170.00	\$1,700.00	\$170.00	\$1,700.00	\$170.00	\$1,700.00	\$170.00	\$1,700.00	\$170.00	\$1,700.00	\$170.00	\$1,700.00	\$170.00	\$1,700.00	
5	F & I 12" HDPE SDR 11 pipe, by horizontal directional drilling, geotechnical borings, complete per plans and specifications.	1,110	LF	\$305	\$339,550.00	\$250.00	\$277,500.00	\$250.00	\$277,500.00	\$250.00	\$277,500.00	\$250.00	\$277,500.00	\$250.00	\$277,500.00	\$250.00	\$277,500.00	\$250.00	\$277,500.00	\$250.00	\$277,500.00	\$250.00	\$277,500.00	\$250.00	\$277,500.00	
6	F & I Force main vault and equipment, (+/- Sta 8+62) complete	1	EA	\$12,000	\$12,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	
7	F & I Force main manhole and equipment, (+/- Sta 19+87) complete	1	EA	\$7,500	\$7,500.00	\$11,000.00	\$11,000.00	\$11,000.00	\$11,000.00	\$11,000.00	\$11,000.00	\$11,000.00	\$11,000.00	\$11,000.00	\$11,000.00	\$11,000.00	\$11,000.00	\$11,000.00	\$11,000.00	\$11,000.00	\$11,000.00	\$11,000.00	\$11,000.00	\$11,000.00	\$11,000.00	
8	F & I 10" PVC SDR 26 ASTM D2241 pressure pipe, withdrings, complete per plans (+/- Sta 0+00 - 8+62)	862	LF	\$105.00	\$90,510.00	\$68.00	\$58,616.00	\$68.00	\$58,616.00	\$68.00	\$58,616.00	\$68.00	\$58,616.00	\$68.00	\$58,616.00	\$68.00	\$58,616.00	\$68.00	\$58,616.00	\$68.00	\$58,616.00	\$68.00	\$58,616.00	\$68.00	\$58,616.00	
9	F & I 10" PVC SDR 26 ASTM D2241 pressure pipe withdrings, complete per plans (+/- Sta 19+67 - 47+55)	2,788	LF	\$105.00	\$292,740.00	\$52.00	\$144,876.00	\$52.00	\$144,876.00	\$52.00	\$144,876.00	\$52.00	\$144,876.00	\$52.00	\$144,876.00	\$52.00	\$144,876.00	\$52.00	\$144,876.00	\$52.00	\$144,876.00	\$52.00	\$144,876.00	\$52.00	\$144,876.00	\$52.00
10	F & I 10" DI pipe, Class 52	60	LF	\$150	\$9,000.00	\$94.00	\$5,640.00	\$94.00	\$5,640.00	\$94.00	\$5,640.00	\$94.00	\$5,640.00	\$94.00	\$5,640.00	\$94.00	\$5,640.00	\$94.00	\$5,640.00	\$94.00	\$5,640.00	\$94.00	\$5,640.00	\$94.00	\$5,640.00	
11	F & I Air-release in shallow IMH, assembly (+/- Sta 24+44)	1	LS	\$10,000	\$10,000.00	\$7,300.00	\$7,300.00	\$7,300.00	\$7,300.00	\$7,300.00	\$7,300.00	\$7,300.00	\$7,300.00	\$7,300.00	\$7,300.00	\$7,300.00	\$7,300.00	\$7,300.00	\$7,300.00	\$7,300.00	\$7,300.00	\$7,300.00	\$7,300.00	\$7,300.00	\$7,300.00	
12	F & I Trench foundation (1.5'-4') aggregate	31	CY	\$100	\$3,100.00	\$45.00	\$1,395.00	\$45.00	\$1,395.00	\$45.00	\$1,395.00	\$45.00	\$1,395.00	\$45.00	\$1,395.00	\$45.00	\$1,395.00	\$45.00	\$1,395.00	\$45.00	\$1,395.00	\$45.00	\$1,395.00	\$45.00	\$1,395.00	
13	F & I Control Density Fill (concrete)	72	CY	\$175	\$12,600.00	\$115.00	\$8,280.00	\$115.00	\$8,280.00	\$115.00	\$8,280.00	\$115.00	\$8,280.00	\$115.00	\$8,280.00	\$115.00	\$8,280.00	\$115.00	\$8,280.00	\$115.00	\$8,280.00	\$115.00	\$8,280.00	\$115.00	\$8,280.00	\$115.00
14	F & I Pump Station, includes demolition of site and equipment, installation of new equipment, site piping, vault, valves, manholes, metering vault electrical, site grading. Includes concrete slab on grade for building, and control building complete	1	LS	\$500,000	\$500,000.00	\$409,000.00	\$409,000.00	\$409,000.00	\$409,000.00	\$409,000.00	\$409,000.00	\$409,000.00	\$409,000.00	\$409,000.00	\$409,000.00	\$409,000.00	\$409,000.00	\$409,000.00	\$409,000.00	\$409,000.00	\$409,000.00	\$409,000.00	\$409,000.00	\$409,000.00	\$409,000.00	
15	F & I Auxiliary pump, includes slab-on-grade, site piping, controls, gas service, complete, coordination and installation	1	LS	\$200,000	\$200,000.00	\$98,000.00	\$98,000.00	\$98,000.00	\$98,000.00	\$98,000.00	\$98,000.00	\$98,000.00	\$98,000.00	\$98,000.00	\$98,000.00	\$98,000.00	\$98,000.00	\$98,000.00	\$98,000.00	\$98,000.00	\$98,000.00	\$98,000.00	\$98,000.00	\$98,000.00	\$98,000.00	
16	F & I Asphalt Pavement, complete per plans	96	TONS	\$225	\$21,600.00	\$202.00	\$19,392.00	\$202.00	\$19,392.00	\$202.00	\$19,392.00	\$202.00	\$19,392.00	\$202.00	\$19,392.00	\$202.00	\$19,392.00	\$202.00	\$19,392.00	\$202.00	\$19,392.00	\$202.00	\$19,392.00	\$202.00	\$19,392.00	\$202.00
17	F & I 6.0" Chain Link fencing, complete per plans	1	LS	\$10,000	\$10,000.00	\$9,200.00	\$9,200.00	\$9,200.00	\$9,200.00	\$9,200.00	\$9,200.00	\$9,200.00	\$9,200.00	\$9,200.00	\$9,200.00	\$9,200.00	\$9,200.00	\$9,200.00	\$9,200.00	\$9,200.00	\$9,200.00	\$9,200.00	\$9,200.00	\$9,200.00	\$9,200.00	
18	Record Drawings, Pump Station and Force Main	1	LS	\$3,500	\$3,500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	
					\$1,600,200.00		\$1,247,655.00		\$1,412,272.00		\$1,494,735.00		\$1,541,815.00		\$1,560,000.00		\$1,837,600.00		\$1,837,600.00		\$1,837,600.00		\$1,837,600.00		\$1,837,600.00	

"Making a difference through excellence of service"



**CITY OF WARRENTON
PUBLIC WORKS**

Agenda Item 6G

Agenda Item Memorandum

TO: The Honorable Mayor and Members of the Warrenton City Commission
Linda Engbretson, City Manager

From: James Dunn, Public Works Director

Date: October 11, 2016

Subj: Award of Contracts for: 4th Street Pump Station & Change Order # 1

Summary:

On September 1st a bid opening was held for the 4th Street Pump Station project. Rognlin's Inc. was the lowest responsible bidder. Attached to this Commission Memo are the bid summary and Change order # 1. These two motions effectively reduce the CIP budgeted amount by \$16,000; from \$203,000 (budgeted amount) to 187,000 after change order # 1.

Recommendation

Staff recommends the following motions;

First Motion:

"I move to approve awarding Rognlin's Inc. a contract for the amount of \$229,000 for the 4th Street Pump Station project"

Second Motion:

"I move to approve change order # 1 for the 4th Street Pump Station Project, for a reduction in the amount of \$42,000."

Alternative

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

Fiscal Impact

4th Street Pump Station	
Urban 200-800	\$92,191
Storm 028-430	\$23,001
Storm SDC051-410	\$71,808
Total	\$187,000

Approved by City Manager: _____

"Making a difference through excellence of service"



CITY OF WARRENTON

City Engineer Memo

To: Jim Dunn, Public Works Director
From: Collin Stelzig, PE, City Engineer
Date: March 14, 2008
Copy: Linda Engbretson, City Manager Pro Tem

Regarding – Bid Recommendation for the 4th Street and Main Stormwater Pump Station

There were 4 plan holders for the above referenced public works project. The public bid opening was held on September 1, 2016, at 2:00 PM, at which time there were 3 bids submitted.

The apparent low bidder was Rognlins Inc, for a total bid amount of \$229,000. This low bid exceeded the project budget. Per OAR 279C.340, the City negotiated with Rognlins Inc. to solicit value engineering to bring the contract within our project budget. These negotiations reduced the contract price to \$187,000 and allows us to move forward with this project.

I recommended that the project be awarded to Rognlins Inc for the total calculated amount of \$229,000. I also recommend change order #1 be approved to reduce the contract price by \$42,000 for a total contract amount \$187,000.

279C.340 Contract negotiations. *If a public improvement contract is competitively bid and all responsive bids from responsible bidders exceed the contracting agency's cost estimate, the contracting agency, in accordance with rules adopted by the contracting agency, may negotiate with the lowest responsive, responsible bidder, prior to awarding the contract, in order to solicit value engineering and other options to attempt to bring the contract within the contracting agency's cost estimate. A negotiation with the lowest responsive, responsible bidder under this section may not result in the award of the contract to that bidder if the scope of the project is significantly changed from the original bid proposal. Notwithstanding any other provision of law, the records of a bidder used in contract negotiation under this section are not subject to public inspection until after the negotiated contract has been awarded or the negotiation process has been terminated. [2003 c.794 §106]*



4253-A Highway 101 N . seaside, oregon 97138
 503.738-3425 . Fax 503 738-7455
 www.otak.com

SE 4TH & MAIN - STORMWATER PS

CHANGE ORDER #1

ORS 279C.340

To:	Nick Roglin / Roglin's Inc.
	P.O. Box 307
	321 West State Street
	Aberdeen, WA 98520
Tel/Cell	360-532-5220 / 360-581-9015
Fax:	360-532-5761

Otak Project No:	67411.037	Date:	10/3/2016
Project Name:	SE 4th & Main Stormwater Pump Station Rebuild Project		
Project Location:	Warrenton, OR		
Owner/Client:	City of Warrenton		
Job Phone No:	503-861-2233		

WE HEREBY agree to make the change(s) specified below:

ITEM	DESCRIPTION	QUANTITY	UNITS	UNIT COST	TOTAL
1	Mobilization, Bond and Traffic Control #	1	LS	\$ 25,000.00	\$ 25,000.00
				<i>Price Increase or Decrease</i>	<i>\$ (5,000.00)</i>
2	Temporary Pump Around, Furnish, Install, and Rem.	1	LS	\$ 10,400.00	\$ 10,400.00
				<i>Price Increase or Decrease</i>	<i>\$ -</i>
3	Erosion Control, Furnish, Install and Remove	1	LS	\$ 3,000.00	\$ 3,000.00
				<i>Price Increase or Decrease</i>	<i>\$ -</i>
4	Demolition, and wastehaul	1	LS	\$ 5,000.00	\$ 5,000.00
				<i>Price Increase or Decrease</i>	<i>\$ -</i>
5	Aggregate bases (pit-run) Furnish and Install	202	CY	\$ 50.00	\$ 10,100.00
				<i>Price Increase or Decrease</i>	<i>\$ (10,100.00)</i>
6	Aggregate bases (3/4"-0") Furnish and Install	35	CY	\$ 100.00	\$ 3,500.00
				<i>Price Increase or Decrease</i>	<i>\$ (3,500.00)</i>
7	Elec Equip for P. Stations, Furnish, Install, and test*	1	LS	\$ 169,000.00	\$ 169,000.00
				<i>Price Increase or Decrease</i>	<i>\$ (21,400.00)</i>
8	Project Record Drawings, furnish approved	1	LS	\$ 3,000.00	\$ 3,000.00
				<i>Price Increase or Decrease</i>	<i>\$ (2,000.00)</i>
# Bid Item #1 - Mobilization, Bonds and Traffic Control	Does not include adjusting existing MH to grade				
* Bid Item #7 - Electrical Equipment revisions:	Pump Xylem: NP 3202 LT 3", 45 HP Appendix A, no change				
	Controls; per dwg. EDW-CD-XYL-143, Xylem; in SS cabinet, Appendix B, No Mission, City to install later				

CHECK SUM:

AS-BID	CHANGE ORDER
\$ 25,000.00	\$ 5,000.00
\$ 10,400.00	\$ -
\$ 3,000.00	\$ -
\$ 5,000.00	\$ -
\$ 10,100.00	\$ -
\$ 3,500.00	\$ 10,100.00
\$ 169,000.00	\$ 3,500.00
\$ 3,000.00	\$ 21,400.00
\$ 229,000.00	\$ 2,000.00
\$	\$ 42,000.00

No Overhead light in cabinet, install a receptacle for trouble light	
SS Xylem cabinet mounted on SS uni-struts, no fibreglass shelter, no pump disconnect panel	
Rognlin's to mount manual transfer switch and generator plug on pole next to meter base, no SS, painted, like 1st/Skipanon	
Conduits run directly from control panel to wet-well, no disconnect panel, like 1st/Skipanon	
Pedestrian safety hatch - not traffic rated	
() Indicates negative value	
Subtotal:	\$ 187,000.00
TOTAL:	\$ 187,000.00
WE AGREE hereby to make changes specified above at this price:	
Previous Contract Amount:	\$ 229,000.00
Revised Contract Amount:	\$ 187,000.00

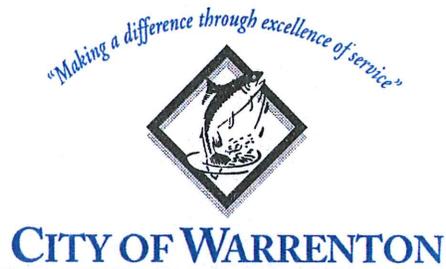
PROJECT TIME - CALENDAR DAYS	
Date work Started or commenced on:	Date
Original Project Duration:	Days
Original Completion Date:	Date
Previous Change Order(s) total time extension:	Days
The above change to the project warrants the following time extension:	Days
New Completion Date:	0

This Change Order becomes part of, and in conformance with, the existing contract.

Authorized Signature (Contractor): _____
Date: _____

ACCEPTED: The above prices and specifications of the change order are satisfactory and are hereby accepted. This change order amount and extension of time constitutes total compensation for the change, including compensation for all impacts and delays relating to the change and their cumulative effect on the project to date. All work shall be performed under same terms and conditions as specified in original contract unless otherwise stipulated.

Owner Signature: _____
Date of Acceptance: _____



AGENDA MEMORANDUM

TO: The Mayor and Warrenton City Commission
FROM: Linda Engbretson, City Manager Pro Tem
DATE: October 11, 2016
SUBJ: \$0.03 Per Gallon Business License Tax on Motor Vehicle Fuel

SUMMARY

The City conducted the first reading by title of Ordinance No. 1208A at its September 27, 2016, meeting. It is presented for second reading and adoption.

RECOMMENDATION/SUGGESTED MOTION

" I move to conduct the second reading of Ordinance No. 1208-A, by title only."

"Ordinance No. 1208A; Amending Section 29, Sunset Clause, of Ordinance No. 1108-A, and Ordinance Concerning a \$0.03 Per Gallon Business License Tax on Motor Vehicle Fuel Dealers, Providing for Administration, Enforcement and Collection of the Tax."

"I move to adopt Ordinance No. 1208A."

ALTERNATIVE

Other action as deemed appropriate by the City Commission

FISCAL IMPACT

The estimated revenue for this tax for FY 2016-2017 is \$307,000. State Highway User Tax revenue is estimated at \$297,407. I have included the State Tax Street Fund budget for FY 2016-2017.

Approved by City Manager:  _____

ORDINANCE NO. 1208-A

INTRODUCED BY ALL COMMISSIONERS

AMMENDING SECTION 29, SUNSET CLAUSE, OF ORDINANCE NO. 1108-A, AN
ORDINANCE CONCERNING A \$0.03 PER GALLON BUSINESS LICENSE TAX ON
MOTOR VEHICLE FUEL DEALERS, PROVIDING FOR ADMINISTRATION,
ENFORCEMENT AND COLLECTION OF THE TAX

WHEREAS, The City of Warrenton adopted Ordinance No. 1108-A on July 24, 2007, Amended by Ordinance No. 1109-A; and

WHEREAS, Section 29 of Ordinance No. 1108-A provided for a Sunset Clause terminating the tax as of July 1, 2017, unless readopted; and

WHEREAS, it is in the best interest of the public to extend the tax in order to be used for the construction, reconstruction, improvement, repair, maintenance, operation, and use of city-owned roads and streets for which the city is contractually or legally obligated to operate and maintain, or roads and streets for which the city has accepted responsibility under intergovernmental agreement,

NOW, THEREFORE, The City of Warrenton Ordains as follows:

- Section 1. Section 29 of Ordinance No. 1108-A, Sunset Clause, is hereby amended by deleting “This Ordinance will terminate as of July 1, 2017, unless re-adopted” and replacing with “This Ordinance will terminate as of July 1, 2027, unless re-adopted.”
- Section 2. All other Sections of Ordinance No. 1108-A, amended by Ordinance No. 1109-A, shall remain in full force and effect.
- Section 2. This Ordinance shall become effective thirty days after its adoption by the Commission.

First Reading: 9/27/16
Second Reading: 10/11/16

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

Approved

Mark Kulaja, Mayor

Attest

Dawne Shaw, Administrative Assistant

ORDINANCE NO. 1108-A

INTRODUCED BY ALL COMMISSIONERS

**AN ORDINANCE CONCERNING A \$0.03 PER GALLON BUSINESS
LICENSE TAX ON MOTOR VEHICLE FUEL DEALERS, PROVIDING FOR
ADMINISTRATION, ENFORCEMENT AND COLLECTION OF THE TAX**

The City of Warrenton Ordains as Follows:

Section 1. Definitions. As used in this Ordinance, unless the context requires otherwise, the following words and phrases shall mean:

City. The City of Warrenton, Oregon.

Dealer. Any person who:

(a) Imports or causes to be imported motor vehicle fuel for sale, use or distribution in the city, but "dealer" does not include any person who imports into the city motor vehicle fuel in quantities of 500 gallons or less purchased from a supplier who is licensed as a dealer hereunder if that dealer assumes liability for the payment of the applicable license tax to the city; or

(b) Produces, refines, manufactures or compounds motor vehicle fuels in the city for use, distribution or sale in the city; or

(c) Acquires in the city for sale, use or distribution in the city motor vehicle fuels with respect to which there has been no license tax previously incurred.

Distribution. In addition to its ordinary meaning, the delivery of motor vehicle fuel by a dealer to any service station or into any tank, storage facility or series of tanks or storage facilities connected by pipelines, from which motor vehicle fuel is withdrawn directly for sale or for delivery into the fuel tanks of motor vehicles whether or not the service station, tank or storage facility is owned, operated or controlled by the dealer.

Highway. Every way, thoroughfare and place of whatever nature, open for use of the public for the purpose of vehicular travel.

Motor Vehicle. All vehicles, engines or machines, movable or immovable, operated or propelled by the use of motor vehicle fuel.

Motor Vehicle Fuel. Includes gasoline, diesel, mogas, methanol and any other flammable or combustible gas or liquid, by whatever name such gasoline, diesel, mogas, methanol, gas or liquid is known or sold, usable as fuel for the operation of motor vehicles, except gas, diesel, mogas, methanol or liquid, the chief use of which, as determined by the tax administrator, is for purposes other than the propulsion of motor vehicles upon the highways.

Person. Includes every natural person, association, firm, partnership, corporation, joint venture or other business entity.

Service Station. Any place operated for the purpose of retailing and delivering motor vehicle fuel into the fuel tanks of motor vehicles.

Tax Administrator. The city manager, the city manager's designee, or any person or entity with whom the city manager contracts to perform those duties.

Weight Receipt. A receipt issued by the Oregon Department of Transportation, stating the combined weight of each self-propelled or motor-driven vehicle.

Section 2. Tax Imposed. A business license tax is hereby imposed on every dealer. The tax imposed shall be paid monthly to the tax administrator. The tax administrator is authorized to exercise all supervisory and administrative powers with regard to the enforcement, collection and administration of the business license tax, including all powers specified in ORS 319.010 to 319.430.

Section 3. Amount and Payment. In addition to any fees or taxes otherwise provided for by law, every dealer engaging in the sale, use or distribution of motor vehicle fuel, shall:

(a) Not later than the 25th day of each calendar month, render a statement to the tax administrator on forms prescribed, prepared and furnished by the tax administrator of all motor vehicle fuel sold, used or distributed by him/her in the city as well as all such fuel sold, used or distributed in the city by a purchaser thereof upon which sale, use or distribution the dealer has assumed liability for the applicable license tax during the preceding calendar month.

(b) Pay a license tax computed on the basis of \$.03 (three cents) per gallon of such motor vehicle fuel so sold, used or distributed as shown by such statement in the manner and within the time provided in this code.

Section 4. License Requirements. No dealer shall sell, use or distribute any motor vehicle fuel until he/she has secured a dealer's license as required herein.

Section 5. License. Applications and Issuance.

(1) Every person, before becoming a dealer in motor vehicle fuel in this city, shall make application to the tax administrator for a license authorizing such person to engage in business as a dealer.

(2) Applications for the license shall be made on forms prescribed, prepared and furnished by the tax administrator.

(3) Applications shall be accompanied by a duly acknowledged certificate containing:

(a) The business name under which the applicant transacts business.

(b) The address of applicant's principal place of business and location of distributing stations and within three miles of the city.

(c) The name and address of the managing agent, the names and addresses of the several persons constituting the firm or partnership or, if a corporation, the name under which the corporation is authorized to transact business and the names and addresses of its principal officers and registered agent, as well as primary transport carrier.

(4) If an application for a motor vehicle fuel dealer's license is complete and accepted for filing, the tax administrator shall issue to the dealer a license in such form as the tax administrator may prescribe to transact business in the city. A license issued hereunder is not assignable, and is valid only for the dealer in whose name it is issued.

(5) The tax administrator shall retain all completed applications with an alphabetical index thereof, together with a record of all licensed dealers.

Section 6. Failure to Secure License.

(1) If a dealer sells, distributes or uses any motor vehicle fuel without first filing the certificate and obtaining the license required by section 5, of this ordinance the license tax on all motor vehicle fuel sold, distributed or used by that dealer shall be immediately due and payable.

(2) The tax administrator shall proceed forthwith to determine, from as many available sources as the tax administrator determines reasonable, the amount of tax due, shall assess the dealer for the tax in the amount found due, together with a penalty of 100 percent of the tax, and shall make its certificate of such assessment and penalty. In any suit or proceeding to collect the tax or penalty or both, the certificate shall be prima facie evidence that the dealer therein named is indebted to the city in the amount of the tax and penalty stated.

(3) Any tax or penalty assessed pursuant to this section may be collected in the manner prescribed in section 10 of this ordinance with reference to delinquency in payment of the fee or by an action at law. (4) In the event any suit or action is instituted to enforce this section, if the City is the prevailing party, the City shall be entitled to recover from the person sued reasonable attorney's fees at trial or upon appeal of such suit or action, in addition to all other sums provided by law.

Section 7. Revocation of License. The City of its authorized agent shall revoke the license of any dealer refusing or neglecting to comply with any provision of this Ordinance. The City or its authorized agent shall mail be certified mail addressed to such dealer or at his last known address appearing on the files, a notice of intention to cancel. The notice shall give the reason for the cancellation. The cancellation shall become effective without further notice if within 10 days from the mailing of the notice the dealer or fuel-handler has not made good its default or delinquency.

Section 8. Cancellation of License.

(1) The tax administrator may, upon written request of a dealer, cancel a license issued to that dealer. The tax administrator shall, upon approving the dealer's request for cancellation, set a date not later than 30 days after receipt of the written request, after which the license shall no longer be effective.

(2) The tax administrator may, after 30 days' notice has been mailed to the last known address of the dealer, cancel the license of dealer upon finding that the dealer is no longer engaged in the business of a dealer.

Section 9. Remedies Cumulative.

Except as otherwise provided in sections 10 and 11, the remedies provided in Sections 6 through 8 of this Ordinance are cumulative. No action taken pursuant to those sections shall relieve any person from the penalty provisions of this code.

Section 10. Payment of Tax and Delinquency.

(1) The license tax imposed by sections 1 to 25 of this chapter shall be paid to the tax administrator on or before the 25th day of each month.

(2) Except as provided in subsections (3) and (5) of this section, if payment of the license tax is not paid as required by subsection (1) of this section, a penalty of 1 percent of such license tax shall be assessed and be immediately due and payable.

(3) Except as provided in subsection (5) of this section, if the payment of the tax and penalty, if any, is not made on or before the 1st day of the next month following that month in which payment is due, a further penalty of 10 percent of the tax shall be assessed. Said penalty shall be in addition to the penalty provided for in subsection (2) of this section and shall be immediately due and payable.

(4) If the license tax imposed by sections 1 to 25 of this code is not paid as required by subsection (1) of this section, interest shall be charged at the rate of .0329 percent per day until the tax, interest and penalties have been paid in full.

(5) Penalties imposed by this section shall not apply if a penalty has been assessed and paid pursuant to section 6. The tax administrator may for good cause shown waive any penalties assessed under this section.

(6) If any person fails to pay the license tax, interest, or any penalty provided for by this section, the tax, interest, and/or penalty shall be collected from that person for the use of the city. The tax administrator shall commence and prosecute to final determination in any court of competent jurisdiction an action at law to collect the same.

(7) In the event any suit or action is instituted to collect the business license tax, interest, or any penalty provided for by this section, if the City is the prevailing party, the City shall be entitled to recover from the person sued reasonable attorney's fees at trial or upon appeal of such suit or action, in addition to all other sums provided by law.

Section 11. Monthly Statement of Dealer.

Every dealer in motor vehicle fuel shall provide to the tax administrator on or before the 25th day of each month, on forms prescribed, prepared and furnished by the tax administrator, a statement of the number of gallons of motor vehicle fuel sold, distributed or used by the dealer during the preceding calendar month. The statement shall be signed by the dealer or the dealer's agent.

Section 12. Failure to File Monthly Statement.

If a dealer fails to file any statement required by section 11, the tax administrator shall proceed forthwith to determine from as many available sources as the tax administrator determines reasonable the amount of motor vehicle fuel sold distributed or used by such dealer for the period unreported, and such determination shall in any proceeding be prima facie evidence of the amount of fuel sold, distributed or used. The tax administrator shall immediately assess the dealer for the license tax upon the amount determined, adding thereto a penalty of 10 percent of the tax. The penalty shall be cumulative to other penalties provided in this code.

Section 13. Billing Purchasers.

Dealers in motor vehicle fuel shall render bills to all purchasers of motor vehicle fuel. The bills shall separately state and describe the different products sold or shipped there under and shall be serially numbered except where other sales invoice controls acceptable to the tax administrator are maintained.

Section 14. Failure to Provide Invoice or Delivery Tag.

No person shall receive and accept motor vehicle fuel from any dealer, or pay for the same, or sell or offer the motor vehicle fuel for sale, unless the motor vehicle fuel is accompanied

by an invoice or delivery tag showing the date upon which motor vehicle fuel was delivered, purchased or sold and the name of the dealer in motor vehicle fuel.

Section 15. Transporting Motor Vehicle Fuel in Bulk.

Every person operating any conveyance for the purpose of hauling, transporting or delivering motor vehicle fuel in bulk shall, before entering upon the public highways of the city with such conveyance, have and possess during the entire time of the hauling or transporting of such motor vehicle fuel, an invoice, bill of sale or other written statement showing the number of gallons, the true name and address of the seller or consignor, and the true name and address of the buyer or consignee, if any, of the same. The person hauling such motor vehicle fuel shall, at the request of any officer authorized by law to inquire into or investigate such matters, produce and offer for inspection the invoice, bill of sale or other statement.

Section 16. Exemption of Export Fuel.

(1) The license tax imposed by section 2 shall not be imposed on motor vehicle fuel:

(a) Exported from the city by a dealer; or

(b) Sold by a dealer for export by the purchaser to an area or areas outside the city in containers other than the fuel tank of a motor vehicle, but every dealer shall be required to report such exports and sales to the city in such detail as may be required.

(2) In support of any exemption from license taxes claimed under this section other than in the case of stock transfers or deliveries in the dealer's own equipment, every dealer must execute and file with the tax administrator an export certificate in such form as shall be

prescribed, prepared and furnished by the tax administrator, containing a statement, made by some person having actual knowledge of the fact of such exportation, that the motor vehicle fuel has been exported from the city, and giving such details with reference to such shipment as the tax administrator may require. The tax administrator may demand of any dealer such additional data as is deemed necessary in support of any such certificate, and failure to supply such data will constitute a waiver of all right to exemption claimed by virtue of such certificate. The tax administrator may, in a case where the tax administrator believes no useful purpose would be served by filing of an export certificate, waive the filing of the certificate.

(3) Any motor vehicle fuel carried from the city in the fuel tank of a motor vehicle shall not be considered as exported from the city.

(4) No person shall, through false statement, trick or device, or otherwise, obtain motor vehicle fuel for export as to which the city tax has not been paid and fail to export the same, or any portion thereof, or cause the motor vehicle fuel or any portion thereof not to be exported, or divert or cause to be diverted the motor vehicle fuel or any portion thereof to be used, distributed or sold in the city and fail to notify the tax administrator and the dealer from whom the motor vehicle fuel was originally purchased of his/her act.

(5) No dealer or other person shall conspire with any person to withhold from export, or divert from export or to return motor vehicle fuel to the city for sale or use so as to avoid any of the fees imposed herein.

(6) In support of any exemption from taxes on account of sales of motor vehicle fuel for export by the purchaser, the dealer shall retain in his/her files for at least three years, an export certificate executed by the purchaser in such form and containing such information as is prescribed by the tax administrator. This certificate shall be prima facie evidence of the exportation of the motor vehicle fuel to which it applies only if accepted by the dealer in good faith.

Section 17. Sales to Armed Forces Exempted.

The license tax imposed by sections 2 and 3 shall not be imposed on any motor vehicle fuel sold to the Armed Forces of the United States for use in ships, aircraft or for export from the city; but every dealer shall be required to report such sales to the tax administrator in such detail as may be required. A certificate by an authorized officer of such Armed Forces shall be accepted by the dealer as sufficient proof that the sale is for the purpose specified in the certificate.

Section 18. Fuel in Vehicles Coming Into City Not Taxed

Any person coming into the city in a motor vehicle may transport in the fuel tank of such vehicle, motor vehicle fuel for his/her own use only and for the purpose of operating such motor vehicle without securing a license or paying the tax provided in sections 2 and 3 or complying with any of the provisions imposed upon dealers herein, but if the motor vehicle fuel so brought into the city is removed from the fuel tank of the vehicle or used

for any purpose other than the propulsion of the vehicle, the person so importing the fuel into the city shall be subject to all the provisions herein applying to dealers.

Section 19. Refunds.

(1) Refunds of tax on motor vehicle fuel will be made pursuant to any refund provisions of Chapter 319 of the Oregon Revised Statutes, including but not limited to ORS 319.280 and 319.831. Claim forms for refunds may be obtained from the Tax Administrator's office.

(2) A holder of a weight receipt that certifies to the city that the motor vehicle fuel upon which the tax was imposed will be used only for fueling vehicles subject to the State of Oregon's weight-mile tax, may apply for a refund of 80 percent of the tax imposed by Section 3 of this code on motor vehicle fuel purchased in bulk for distribution at the weight receipt holder's facility located within the city. This subsection applies only to motor vehicle fuel purchased by the weight receipt holder on or after February 23, 2005.

(3) All claims for refund under subsection (2) of this section shall be filed within 15 months of the date that the fuel was purchased and may not be filed more frequently than quarterly. The minimum claim for refund filed under subsection (2) of this section shall be not less than \$25.00.

Section 20. Examinations and Investigations.

Pursuant to section 2.019 of this code, the tax administrator, or duly authorized agents, may make any examination of accounts, records, stocks, facilities and equipment of dealers, service stations and other persons engaged in storing, selling or distributing motor vehicle fuel or other petroleum product or products within this city, and such other investigations as it considers necessary in carrying out the provisions of sections 1 through 25. If the examinations or investigations disclose that any reports of dealers or other persons theretofore filed with the tax administrator pursuant to the requirements herein, have shown incorrectly the amount of gallonage of motor vehicle fuel distributed or the tax accruing thereon, the tax administrator may make such changes in subsequent reports and payments of such dealers or other persons, or may make such refunds, as may be necessary to correct the errors disclosed by its examinations or investigation. The dealer shall reimburse the city for the reasonable costs of the examination or investigation if the action discloses that the dealer paid 95 percent or less of the tax owing for the period of the examination or investigation. In the event that such an examination or investigation results in an assessment by and an additional payment due to the city, such additional payment shall be subject to interest at the rate of .0329 percent per day from the date the original tax payment was due.

Section 21. Limitation on Credit for or Refund of Overpayment and on Assessment of Additional Tax.

(1) Except as otherwise provided in this code, any credit for erroneous overpayment of tax made by a dealer taken on a subsequent return or any claim for refund of tax erroneously overpaid filed by a dealer must be so taken or filed within three years after the date on which the overpayment was made to the city.

(2) Except in the case of a fraudulent report or neglect to make a report, every notice of additional tax proposed to be assessed under this code shall be served on dealers within three years from the date upon which such additional taxes become due, and shall be subject to penalty as provided in section 10.

Section 22. Examining Books and Accounts of Carrier of Motor Vehicle Fuel.

The tax administrator or duly authorized agents of the tax administrator may at any time during normal business hours examine the books and accounts of any carrier of motor vehicle fuel operating within the city for the purpose of enforcing the provisions of this code.

Section 23. Records to be Kept by Dealers.

Every dealer in motor vehicle fuel shall keep a record in such form as may be prescribed by the tax administrator of all purchases, receipts, sales and distribution of motor vehicle fuel. The records shall include copies of all invoices or bills of all such sales and shall at all times during the business hours of the day be subject to inspection by the tax administrator or authorized officers or agents of the tax administrator.

Section 24. Records to be Kept Three Years.

Every dealer shall maintain and keep, for a period of three years, all records of motor vehicle fuel used, sold and distributed within the city by such dealer, together with stock records, invoices, bills of lading and other pertinent papers as may be required by the tax administrator. In the event such records are not kept within the state of Oregon, the dealer shall reimburse the tax administrator for all travel, lodging, and related expenses incurred by the tax administrator in examining such records. The amount of such expenses shall be assessed in addition to the tax imposed by section 2.

Section 25. Use of Tax Revenues.

(1) For the purpose of this section, net revenue shall mean the revenue from the tax and penalties imposed by sections 1 through 25 remaining after providing for the cost of administration and any refunds and credits authorized herein.

(2) The net revenue shall be used only for the reconstruction, repair, maintenance, operation, and preservation of city-owned roads and streets within the city, roads and streets for which the city is contractually or legally obligated to operate and maintain, or roads and streets for which the city has accepted responsibility under intergovernmental agreement.

Section 26 When Tax shall Take Effect

The tax imposed pursuant to Section 2 shall take effect only after the Tax Administrator has developed the necessary forms and documents to administer the tax. The Tax

Administrator shall declare when the tax shall take effect, and give not less than 15 days notice of the date before the tax may take effect. The Tax Administrator's decision as to the effective date of the tax and the type of notice to provide shall be final and not subject of review.

Section 27. Severability

If any portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this ordinance.

Section 28. Effect Date of Ordinance

This Ordinance shall become effective November 1, 2007.

Section 29. Sunset Clause

This Ordinance will terminate as of July 1, 2017, unless re-adopted.

Adopted by the City Commission of the City of Warrenton this 24th day of July, 2007.

First Reading: July 10, 2007
Second Reading: July 24, 2007

APPROVED


Gilbert Gramson, Mayor

ATTEST


Linda Engbretson, City Recorder

ORDINANCE NO. 1109-A

Amending Ordinance No. 1108-A; An Ordinance Concerning a \$0.03 Per Gallon Business License Tax on Motor Vehicle Dealers, Providing for Administration, Enforcement, and Collection of Tax

The city of Warrenton ordains as follows:

Section 1. Section 17 of Ordinance No. 1108-A is hereby amended to read:

Section 17. Sales to Armed Forces Exempted

The license tax imposed by sections 2 and 3 shall not be imposed on any motor vehicle fuel sold to the Armed Forces of the United States, including the USCG and National Guard, for use in ships, aircraft or for export from the city; but every dealer shall be required to report such sales to the tax administrator in such detail as may be required. A certificate by an authorized officer of such Armed Forces, the USCG or National Guard shall be accepted by the dealer as sufficient proof that the sale is for the purpose specified in the certificate.

Section 2. Section 25(2) of Ordinance No. 1108-A is hereby amended to read:

Section 25. Use of Tax Revenues.

(2) The net revenue shall be used only for the construction, reconstruction, improvement, repair, maintenance, operation, and use of city-owned roads and streets within the city, roads and streets for which the city is contractually or legally obligated to operate and maintain, or roads and streets for which the city has accepted responsibility under intergovernmental agreement.

Section 3. Effective Date.

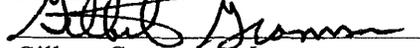
This ordinance shall take effect November 1, 2007.

Adopted by the City Commission this 28th day of August, 2007.

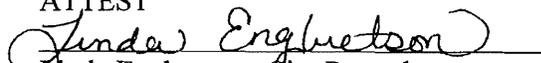
First Reading: August 14, 2007

Second Reading: August 28, 2007

APPROVED


Gilbert Gramson, Mayor

ATTEST


Linda Engbretson, City Recorder