

"Making a difference through excellence of service"



CITY OF WARRENTON

AGENDA

CITY COMMISSION OF THE CITY OF WARRENTON
REGULAR MEETING

October 9, 2018 – 6:00 P.M.

Warrenton City Commission Chambers – 225 South Main Avenue
Warrenton, OR 97146

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **CONSENT CALENDAR**

- A. Commission Regular Meeting Minutes – 9.25.18
- B. Nuisance Report
- C. Community & Development Dept. Work Program
- D. Monthly Finance Report – August 2018
- E. Liquor License Application – Bohdan's LLC

4. **COMMISSIONER REPORTS**

5. **PUBLIC COMMENT**

At this time, anyone wishing to address the City Commission concerning items of interest may do so. The person addressing the Commission must complete a Public Comment Card, and submit to the City Recorder prior to the meeting. 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.

6. **PUBLIC HEARINGS** – None

7. **BUSINESS ITEMS**

- A. Presentation – Hammond Marina Task Force

8. **DISCUSSION ITEMS**

- A. System Development Charges Update

B. Homestay Lodging Safety Regulations

9. **GOOD OF THE ORDER**

10. **EXECUTIVE SESSION**

11. **ADJOURNMENT**

Warrenton 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 Dawne Shaw, City Recorder, at 503-861-0823 at least 48 hours in advance of the meeting so appropriate assistance can be provided.

3-A

MINUTES
Warrenton City Commission
Regular Meeting – September 25, 2018
6:00 p.m.
Warrenton City Hall - Commission Chambers
225 S. Main
Warrenton, OR 97146

Mayor Balensifer called the meeting to order at 6:00 p.m. and led the public in the Pledge of Allegiance.

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

Staff Present: City Manager Linda Engbretson, Finance Director April Clark, Fire Chief Tim Demers, Public Works Director Collin Stelzig, Public Works Operations Manager Kyle Sharpsteen, Library Site Manager Nettie-Lee Calog, and City Recorder Dawne Shaw

CONSENT CALENDAR

- A. Commission Regular Meeting Minutes – 9.11.18
- B. Fire Department Activity Report – August 2018
- C. Police Department Monthly Statistics – August 2018
- D. Community Library Advisory Board Minutes – 3.08.18

Commissioner Ackley made the motion to approve the consent calendar as presented. Motion was seconded and passed unanimously.

Baldwin – aye; Ackley – aye; Dyer – aye; Balensifer – aye

COMMISSIONER REPORTS

Commissioner Dyer stated he got together with some people about forming a group to work with the city and help clean up properties. He also thanked everyone for coming tonight.

Commissioner Ackley stated she had received impressive statistics from Debbie Morrow on math and science in the Warrenton-Hammond school district; noting the Warrenton-Hammond school district really stood out. She noted she is getting together the notes and recommendations from the Hammond Marina task force. She stated she hopes to have that at the next meeting.

Commissioner Baldwin thanked everyone for coming.

City Manager Linda Engbretson noted the newspaper article regarding Oregon Biop, FEMA and the lawsuit. She noted more information will be coming.

Mayor Balensifer stated the Clatsop County housing task force met this week and it was very informative; he noted some of the zones included in the study for Warrenton - a lot is actually wetland – not developable land. He noted Warrenton is in the process of updating buildable lands inventory. He also noted some sobering statistics on affordability; and that of newly built housing, only 11% is affordable. The affordable housing is older stock that needs work.

PUBLIC COMMENT – Mr. John Washington noted concerns about fire hydrant pressure and asked about the requirements, policy or procedure for testing pressure on fire hydrants. Fire Chief Tim Demers noted there are no pressure tests for fire hydrants. Mr. Washington submitted a letter to the Commission and for the record.

PUBLIC HEARINGS – None

BUSINESS ITEMS

Sheriff Tom Bergin commended the Warrenton Police Department for the great job they are doing keeping up with the city and the expansion. He spoke in regards to the Jail Bond which is on the November ballot, noting the past measures that have failed. He noted the other bonds on the ballot and stated a jail is a necessary function for all communities, to keep them safe. Lieutenant (Jail Commander) Matt Phillips gave a power point presentation which outlined the current jail, statistics, needs and the proposed facility. Sheriff Bergin noted 25% of the inmate population is female, and the current jail was built for males. Discussion continued. Mayor Balensifer allowed questions from the public; there were none.

City Manager Linda Engbretson recognized that Astoria City Manager Brett Estes, and Suzanne Johnson and Monica Steele from Clatsop County are in attendance this evening. She noted Resolution No. 2528, authorizing modification and amendment of the existing Clatsop Enterprise Zone; the City of Astoria is joining Clatsop County, the Port of Astoria, and the City of Warrenton, and the resolution modifies the boundary of the zone by an overall increase of 2.2 miles. She noted on May 8, 2018, Kevin Leahy, CEDR Director, and Mr. Bob Dorn of Hyak Maritime, presented information to the City Commission on Hyak's purchase of Tongue Point property and its plans for expanded vessel repair and fabrication on at the site. The expansion of the zone includes this site, as well as other areas within the city limits of Astoria, as shown on the map. Clatsop County remains the zone manager. Mayor Balensifer clarified that this does not change Warrenton's boundary; and stated this is a big win for the region. Astoria and the Port of Astoria have already adopted a resolution and it goes to the county tomorrow. Ms. Engbretson noted a letter from Sunset Transportation District, which is entered into the record.

Commissioner Dyer made the motion to adopt Resolution No. 2528; Authorizing Modification and Amendment of the Existing Clatsop Enterprise Zone. Motion was seconded and passed unanimously.

Baldwin – aye; Ackley – aye; Dyer – aye; Balensifer – aye

City Manager Linda Engbretson stated the City entered into a short-term lease (one year) with the school district for the current library site. The City has not had time to assess whether or not

MINUTES

Warrenton City Commission
Regular Meeting – 9.25.18
Page: 2

this is the appropriate choice as a permanent site or to look at alternatives. She noted the with the passage of the a new five-year operating levy the City needs time to evaluate programs, hours and capacity. The School District has agreed to a five-year lease with no increase in rent. There is a 60-day clause in the lease that allowed either party the option to terminate. Brief discussion followed, and it was noted there needs to be a discussion on the old site.

Commissioner Ackley made the motion to authorize the Mayor's signature on Lease Amendment No. 1 between the Warrenton-Hammond School District and the City of Warrenton. Motion was seconded and passed unanimously.

Baldwin – aye; Ackley – aye; Dyer – aye; Balensifer – aye

Mayor Balensifer noted he represents the City on the Clatsop Economic Development Resources Board (CEDR). He noted the need for an alternate; and stated it is a great idea for Community Development Director Kevin Cronin to be the alternate; and he appreciates a member of staff having an interest in economic development.

Commissioner Baldwin made motion to appoint Community Development Director Kevin Cronin as City of Warrenton alternate on the CEDR Board of Directors. Motion was seconded and passed unanimously.

Baldwin – aye; Ackley – aye; Dyer – aye; Balensifer – aye

Mayor Balensifer noted a housekeeping measure to appoint Paul Mitchell to Position No. 6 on the Warrenton Business Association (WBA). He noted Mr. Mitchell has served on the WBA for a number of years.

Commissioner Ackley made motion to appoint Paul Mitchell to Position No. 6 on the WBA. Motion was seconded and passed unanimously.

Baldwin – aye; Ackley – aye; Dyer – aye; Balensifer – aye

DISCUSSION ITEMS – Discussion on Transient Room Tax Distribution: City Manager Linda Engbretson stated she wanted to bring to their attention; the city will receive an estimated \$42,000 - \$44,000 from transient room tax. Finance Director April Clark presented an allocation sheet that outlined the current distribution. Discussion followed and it was noted a discussion is needed regarding the percentage going to the visitor center before the next budget season. Ms. Engbretson recommended designating the additional funds to the Hammond Marina; the Commission noted they would take it under advisement.

GOOD OF THE ORDER

City Manager Engbretson noted she will be out of the office later this week for the LOC conference and for a Risk Management conference next week. Mayor Balensifer noted he will also be out of the office for the LOC conference.

Mayor Balensifer stated he will give his 3 minutes to allow Mr. Jim Ray to speak. Mr. Ray thanked the Commission for responding to his previous concerns about the striping on Neptune. He also noted concerns about the added cost that the school bond will have on tax payers. He offered a suggestion to defer the cost of the building the school to people moving into the community; such as a school impaction fee charged on each new house being built.

There being no further business, Mayor Balensifer adjourned the regular meeting at 7:06 p.m. and announced the Commission will now meet in 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*. He stated the Commission is not expected to return to regular session to take action on any item considered in the executive session.

APPROVED:

Henry A. Balensifer III, Mayor

ATTEST:

Dawne Shaw, City Recorder

3-B

Party	Site Address	Status (Tagged, Determination, Noticed)	Deadline/Next Step	Responsible Party
Baumann (Schofield)	228 S Main Ave	CC Noticed: 5 Vehicles	Closed	Owner
Alice Ann Codd	238 S Main Ave	CC Noticed: Tow Fiero/Mowers	Closed	Owner
Wass (Leitch)	925 E Harbor Drive	CC Noticed: Tall Grass/Building	Open: Inspection	Owner
Bill Rice	1062 NW Warrenton	CC Noticed: Five Junk Cars	Closed	CDD
	726 E Harbor Drive	Tagged: Tall Grass/Trash	Closed	
	485 N Main Ave	Tagged: Tall Grass/Trash	Closed	
Cody Russell	71 Alt Hwy 101	Tagged: Building Codes/Nuisance: Closed	BO Inspect	Owner
	615 S Main Ave	Tagged: Fence - Vision Clearance	Closed	
	613 S Main Ave	Finished Garage? Research	Closed	
LTO Properties	719 S Main Ave	CC Noticed: Junk, junk cars	Closed	CDD
Fannie Mae	1339 NW Warrenton D	Tagged: Junk, trailer, porch, tall grass	Clean Up Planned	Broker/Fannie Mae
Duane Viegas	120 SW 2nd Ave	CC Noticed: Tall Grass/Junk Cars (2)	Closed	CDD
Carla Schaefer	566 SW 1st Pl	Tagged: Tall Grass/Junk	Closed	CDD
	Multiple	NW 17th Pl	Letters hand delivered; official notices next	No Further Action
William Harris	566 W Harbor St	Junk, car	Inspected No. 2	CDD
Sherree Larson	173 N Main Ave	1 car	Closed	CDD
SJB Investments	104 & NW 17th Pl	Tall Grass	Closed	CDD
John Kalandar	1005 E Harbor Dr	Tagged: Junk vehicles, tall grass, junk	Yellow Tag	CDD
Michael Smith	980 E Harbor Dr	Tagged: Junk vehicles, tall grass, junk	Yellow Tag	CDD
Louis Burdett	1180 S Main Ave	Tagged: Junk vehicles, tall grass, junk	Yellow Tag	CDD
Mitchell Jurgen	1344 S Main Ave	Tagged: Junk vehicles, tall grass, junk	Yellow Tag	CDD
County Foreclosure	1086 SE Main Ct	Derelict Home: Junk, tall grass	Partnership	County
Randy Russell	127 SW Alder Ct	Tagged: Junk vehicles, tall grass, junk	Yellow Tag	CDD
Rhiana Kelso	1120 S Main Ave	Tagged: Junk vehcile, junk, tall grass	Yellow Tag	CDD
Cinthia Inzunza	115 SW Alder Ct	Tagged: Junk vehicles (4)	Yellow Tag	CDD
Hammond				
Aleta Coop	841 Pacific Dr	Junk cars (3), junk/debris	Yellow Tag	CDD
Andrew Larsen	Fourth & Jetty	Junk cars, tiny home, junk, tall grass	Email Warning	CDD
Michelle Torvik	444 Jetty Ave	Junk cars, junk, duplex deteriorated	Email Warning	CDD
Dog Kennel	King Salmon St	Junk cars, tall grass, debris	Closed	CDD
Dan Sturgell	981 King Salmon Pl	3 Junk cars, debris	Yellow Tag	CDD
Joseph Hudak	1080 King Salmon Pl	2 Junk cars	Yellow Tag	CDD
Zoning				

Timber + Steel
Kilo's Gym

NW Warrenton Dr
140 NW 5th Ave

Zoning Violation: Buisness in R10 Zone
Zoning Violation: Business in Storage Space

Monitor
Open: Inspection

CDD
CDD

Closed: 15

Enforcement Steps

Yellow Tag

Inspection

2nd Inspection

Nuisance Notice

Nuisance Declaration

Nuisance Posting

Inspection

City Clean Up/Lien

3-C

**Community & Economic Development Department | FY 18-19 Work Program
October – 2018**

Development Review	Date	Activity
Pipeline		<ul style="list-style-type: none"> • Trondheim Acres (Nygaard Logging) • Airport Hangar (Lifeflight) • Fisherman's Storage (Leitch) • Lamping B&B (CUP)
Type 2: Admin		<ul style="list-style-type: none"> • Wal Mart Retail Center • Fibre Federal Credit Union
Type 3: Public Hearings Planning Commission	10/11	<ul style="list-style-type: none"> • DCA 18-4: Pac Seafoods Dormitory Amendment
Type 4: Legislative City Commission	08/28	<ul style="list-style-type: none"> • Homestay Lodging Safety Regulations
Code Enforcement		
1339 NW Warrenton Dr		<ul style="list-style-type: none"> • Fannie Mae owned; cleanup crew hired
1086 SE Main Ct		<ul style="list-style-type: none"> • RDI Project: County owned, derelict house
Code Audit		<ul style="list-style-type: none"> • RDI Project: Review code for improvements
Downtown/Hammond		<ul style="list-style-type: none"> • Focus areas of enforcement
AirBnb Enforcement		<ul style="list-style-type: none"> • Focus on vacation rentals
Projects		
Development Review Recommendations		<ul style="list-style-type: none"> ▪ Implement recommendations ▪ Add laptop to counter ▪ Review and establish better phone tree ▪ Buildout website; add forms and project page ▪ Establish outreach strategy; Monthly Breakfast Club
RDI Road Map	Oct/Nov	<ul style="list-style-type: none"> ▪ Schedule meetings and develop PI strategy
TSP/Traffic	Oct 10/11 Nov 8/27	<ul style="list-style-type: none"> ▪ Town Hall/PC Work Session ▪ PC / CC Hearings ▪ Investigate 4 way stop @ OR 104 intersection ▪ Implement Ensign Ln "Do Not Block" intersection ▪ Monitor County improvements on Ensign Ln ▪ Mitigation strategy for Ensign/104 intersection
Housing Needs Analysis		<ul style="list-style-type: none"> ▪ Submitted application to DLCD for assistance on BLI and housing needs strategy
Downtown Task Force		<ul style="list-style-type: none"> ▪ Schedule joint work session to prioritize work program ▪ Sign Code ▪ Design standards for commercial corridor
URA Program		
Landscaping/Plaza Renovation		<ul style="list-style-type: none"> ▪ Work w Pacific Power/ODOT; update advisory committee; Prepare bid package
URA Plan Amendment	Oct 10	<ul style="list-style-type: none"> ▪ Open House: Elaine Howard Consulting
Economic Development		
Fort George Warehouse Port of Astoria CEDR City owned property		<ul style="list-style-type: none"> ▪ Monitor County on mitigation plan ▪ Business development/recruitment ▪ Develop focused traded sector strategy ▪ Asset management and disposition strategy
ADMIN		
Professional Development Communications Strategy	Sept 27-29	<ul style="list-style-type: none"> ▪ LOC 2018: Eugene; Legal Issues Workshop: Dec 7 ▪ Social Media: FB & LinkedIn posts

**Community & Economic Development Department | FY 18-19 Work Program
October – 2018**

Dept Head Tours		▪ Aug - Sept
GRANTS		
Transportation Growth Management Quick Response (Spur 104 Rezone)		Application on hold due to overdemand
MISCELLANEOUS		
DSL Land Use Notice		Coordinate land use notices with Jevra Brown

Volume 12, Issue 2

Monthly Finance Report
August 2018

October 9, 2018

Economic Indicators

	Current	1 year ago
◆ Interest Rates:		
LGIP :	2.25%	1.45%
Prime Rate:	5.00%	4.25%
◆ CPI-U change:	2.7%	1.9%
◆ Unemployment Rates:		
Clatsop County:	3.7%	4.3%
Oregon:	3.8%	4.2%
U.S.:	3.9%	4.4%

Department Statistics

◆ Utility Bills mailed	3,281
◆ New Service Connections	3
◆ Reminder Letters	426
◆ Door Hangers	79
◆ Water Service Discontinued	6
◆ Walk-in counter payments	847
◆ Mail payments	1,311
◆ Auto Pay Customers/pmts	600
◆ Online (Web) payments	646
◆ Phone payments	135

Current and Pending Projects

- ◆ Audit Preparation and reporting
- ◆ SDC Annual Report
- ◆ Landfill Financial Assurance Report
- ◆ Warrenton Urban Renewal Agency Annual Report
- ◆ Community Center Annual Report
- ◆ Water Ordinance Revisions
- ◆ Open Enrollment for Health Insurance

Financial Narrative as of August 31, 2018

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 are \$465,474, which is 11.6% of the budget and are comparable to the prior year amount of \$433,207 which was 11.2% of the budget and are up by \$32,267. Increases are shown in franchise fees, municipal court, miscellaneous, interest and lease receipts and are offset by decreases in prior property taxes, community development fees and police charges.

Expenses year to date amount to \$805,131, which is 17.4% of the budget, compared to the prior year amount of \$763,209, which was 17.5% of the budget and are up by \$41,922. The Admin/Comm/Fin department is tracking over budget due to one time annual payments.

WBA: Business license revenue amounts to \$55,260 compared to \$50,585 last year at this time, a difference of \$4,675. The number of business licenses issued year to date is 550, compared to 480 at this time last year.

Building Department: Permit revenues year to date amount to \$26,223, which is 16.7% of the budgeted amount. Last year to dates permit revenue was \$43,472, which

was 25% of the budgeted amount, a year to date difference of \$17,249.

State Tax Street: State gas taxes received this month amount to \$26,216 for fuel sold in July compared to \$25,681 at this time last year. Receipt of City fuels tax revenue for this fiscal year will begin next month.

Warrenton Marina: Total revenues this month were \$114,141 compared to \$81,542 at this time last year, an increase of \$32,599. Year to date revenues are up by \$67,383. Increases are shown in annual moorage, transient daily moorage, utilities, launch, monthly moorage, parking, overnight stays, interest, miscellaneous and lease receipts, and are offset by decreases in boat storage, hoist, and live aboard fees.

Hammond Marina: Total revenues this month were \$146,425 compared to the prior year amount of \$95,165, an increase of \$51,260. Year to date revenues are up by \$48,428. Increases are shown in transient daily moorage, utilities, launch, monthly moorage, parking, overnight stays, interest and miscellaneous, and are offset by decreases in annual moorage and boat storage.

Water Fund: Utility fees this month are \$209,462 and \$225,708, for in-city and out-city respectively. Total year to date utility fees are \$787,205 and are 26% of

the budget.

Sewer Fund: Utility fees this month are \$204,634 and \$397,811 year to date which is 18.2% of the budget. Shoreline charges are \$10,856. Septage revenue this month amounts to \$32,288 and \$64,347 year to date.

Storm Sewer: Utility fees (20% of the sewer charge) this month are \$40,398 and \$79,570 year to date and are 18.2% of the budget.

Sanitation Fund: Year to date service fees for garbage and recycling are \$171,289 and \$31,890 and are 18.7% and 17.2% of the budget, respectively.

SDC Summary for FYE 2018

	Beginning Fund Balance	Revenues			Ending Fund Balance
		SDC	Interest	Projects & Debt Pmts	
Parks	79,498	48,500	1,650		129,648
Water	112,861	77,865	1,556	85,000	107,282
Sewer	141,598	57,766	2,180	110,367	91,177
Storm	27,979	8,100	456		36,535
Streets	640,637	60,531	11,750		712,918
total	<u>1,002,573</u>	<u>252,762</u>	<u>17,592</u>	<u>195,367</u>	<u>1,077,560</u>

Financial data as of August, 2018

	General Fund			
	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	1,122,945	1,337,045	908,000	147.25
Plus: Revenues	149,992	465,474	4,013,541	11.60
Less: Expenditures				
Municipal Court	9,719	22,935	139,198	16.48
Admin/Comm/Fin(ACF)	56,570	324,987	1,142,969	28.43
Planning	23,544	39,990	219,607	18.21
Police	125,850	274,332	1,894,677	14.48
Fire	47,374	113,846	868,783	13.10
Parks	12,492	29,041	163,659	17.74
Transfers	-	-	204,578	-
Total Expenditures	275,549	805,131	4,633,471	17.38
Ending Fund Balance	997,388	997,388	288,070	346.23

(see details of revenue, page 4)

	WBA			
	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	99,015	65,586	53,000	123.75
Plus: Revenues	1,345	57,460	63,000	91.21
Less: Expenditures	7,756	30,442	98,692	30.85
Ending Fund Balance	92,604	92,604	17,308	535.04

	Building Department			
	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	265,236	272,657	200,000	136.33
Plus: Revenues	11,377	27,117	158,682	17.09
Less: Expenditures	15,169	38,330	315,577	12.15
Ending Fund Balance	261,444	261,444	43,105	606.53

	State Tax Street			
	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	1,794,992	1,809,511	1,500,000	120.63
Plus: Revenues	29,471	32,576	753,057	4.33
Less: Expenditures	28,239	45,863	1,572,100	2.92
Ending Fund Balance	1,796,224	1,796,224	680,957	263.78

	Warrenton Marina			
	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	447,816	195,211	190,000	102.74
Plus: Revenues	114,141	421,042	631,700	66.65
Less: Expenditures	47,218	101,514	711,179	14.27
Ending Fund Balance	514,739	514,739	110,521	465.74

Financial data as of August 2018, continued

	Hammond Marina				Water Fund			
	Current Month	Year to Date	Budget	% of Budget	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	218,564	122,905	119,000	103.28	1,513,856	1,337,636	1,100,000	121.60
Plus: Revenues	146,425	284,261	399,751	71.11	580,530	946,955	4,821,100	19.64
Less: Expenditures	33,633	75,810	457,137	16.58	116,591	306,796	5,297,243	5.79
Ending Fund Balance	<u>331,356</u>	<u>331,356</u>	<u>61,614</u>	<u>537.79</u>	<u>1,977,795</u>	<u>1,977,795</u>	<u>623,857</u>	<u>317.03</u>

	Sewer Fund				Storm Sewer			
	Current Month	Year to Date	Budget	% of Budget	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	1,998,264	1,939,250	1,700,000	114.07	610,556	596,394	375,000	159.04
Plus: Revenues	256,804	500,604	2,698,919	18.55	41,682	81,028	439,800	18.42
Less: Expenditures	151,410	336,196	3,235,301	10.39	13,856	39,040	602,036	6.48
Ending Fund Balance	<u>2,103,658</u>	<u>2,103,658</u>	<u>1,163,618</u>	<u>180.79</u>	<u>638,382</u>	<u>638,382</u>	<u>212,764</u>	<u>300.04</u>

	Sanitation Fund				Community Center			
	Current Month	Year to Date	Budget	% of Budget	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	414,367	417,570	380,000	109.89	15,071	14,375	10,000	143.75
Plus: Revenues	105,620	206,232	1,109,100	18.59	1,110	4,128	18,020	22.91
Less: Expenditures	93,868	197,683	1,301,768	15.19	1,264	3,586	26,241	13.67
Ending Fund Balance	<u>426,119</u>	<u>426,119</u>	<u>187,332</u>	<u>227.47</u>	<u>14,917</u>	<u>14,917</u>	<u>1,779</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	32,772	40,842	40,000	102.11	298,273	297,770	234,692	126.88
Plus: Revenues	633	3,552	226,925	1.57	507	1,010	1,897,622	0.05
Less: Expenditures	7,974	18,963	183,285	10.35	3,364	3,364	2,132,314	0.16
Ending Fund Balance	<u>25,431</u>	<u>25,431</u>	<u>83,640</u>	<u>30.41</u>	<u>295,416</u>	<u>295,416</u>	<u>-</u>	<u>-</u>

Financial data as of August 2018, continued

(\$) Cash Balances as of August, 2018

General Fund	1,230,039	Warrenton Marina	456,694	Storm Sewer	587,101
WBA	88,893	Hammond Marina	329,478	Sanitation Fund	340,224
Building Department	263,153	Water Fund	1,334,577	Community Center	16,622
State Tax Street	1,810,371	Sewer Fund	1,749,546	Library	26,908

Warrenton Urban Renewal Agency

Capital Projects	298,780
Debt Service	1,252,318

General Fund Revenues	Collection Frequency	2018-2019 Budget	Actual as	Collections/Accruals		(over) under budget
			% of Current Budget	Year to date		
				August 2018	August 2017	
Property taxes-current	AP	955,270	0.00	-	-	955,270
Property taxes-prior	AP	35,000	16.56	5,797	6,444	29,203
County land sales	A	-	0.00	-	-	-
Franchise fees	MAQ	551,000	6.69	36,838	31,824	514,162
COW - franchise fees	M	146,621	19.84	29,090	27,304	117,531
Transient room tax	Q	532,696	0.00	-	-	532,696
Liquor licenses	A	700	0.00	-	50	700
State revenue sharing	MQ	162,745	0.00	-	-	162,745
Municipal court	M	104,400	24.49	25,570	17,577	78,830
Community development fees	I	50,000	5.10	2,550	2,919	47,450
Police charges	I	8,500	17.04	1,448	1,870	7,052
Fire charges	SM	97,582	0.00	-	-	97,582
Park charges	I	-	0.00	50	125	-
Miscellaneous	I	1,200	45.67	548	232	652
Interest	M	15,000	21.88	3,282	1,855	11,718
Lease receipts	M	209,858	16.83	35,314	35,270	174,544
Sub-total		2,870,572	4.89	140,487	125,470	2,730,085
Transfers from other funds	I	-	0.00	-	-	-
Overhead	M	1,142,969	28.43	324,987	307,737	817,982
Total revenues		4,013,541	11.60	465,474	433,207	3,548,067

M - monthly

Q - quarterly

SM - Semi-annual in November then monthly

AP - As paid by taxpayer beginning in November

MAQ - Century Link & NW Nat-quarterly, Charter annually in March,
all others monthly

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, 2018. Budget amounts reflect budget adjustments approved by the Commission during the fiscal year. Information and data presented in this report is unaudited.



LIQUOR LICENSE APPLICATION

3-E

<p>LICENSE FEE: Do not include the license fee with the application (the license fee will be collected at a later time).</p> <p>APPLICATION: Application is being made for:</p> <input type="checkbox"/> Brewery <input type="checkbox"/> Brewery-Public House <input type="checkbox"/> Distillery <input type="checkbox"/> Full On-Premises, Commercial <input type="checkbox"/> Full On-Premises, Caterer <input type="checkbox"/> Full On-Premises, Passenger Carrier <input type="checkbox"/> Full On-Premises, Other Public Location <input type="checkbox"/> Full On-Premises, Nonprofit Private Club <input type="checkbox"/> Full On-Premises, For-Profit Private Club <input type="checkbox"/> Grower Sales Privilege <input checked="" type="checkbox"/> Limited On-Premises <input type="checkbox"/> Off-Premises <input type="checkbox"/> Off-Premises with Fuel Pumps <input type="checkbox"/> Warehouse <input type="checkbox"/> Wholesale Malt Beverage & Wine (WMBW) <input type="checkbox"/> Winery	<p align="center">CITY AND COUNTY USE ONLY</p> <p>Date application received <u>9/18/18</u></p> <p>Name of City or County <u>Warrenton</u></p> <p>Recommends this license be ___ Granted ___ Denied</p> <p>By _____</p> <p>Date _____</p>
	<p align="center">OLCC USE</p> <p>Application received by <u>[Signature]</u></p> <p>Date <u>9.13.2018</u></p> <p>License Action: <u>40% CT/N</u></p>

1. LEGAL ENTITY (example: corporation or LLC) or INDIVIDUAL(S) applying for the license:

Applicant #1 Bohdan's LLC	Applicant #2
Applicant #3	Applicant #4

2. Trade Name of the Business (the name customers will see):
Bohdan's

3. Business Location: Number and Street 1140^{SE} Marlin Ave.
 City Warrenton County Clatsop ZIP 97146

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

5. Mailing Address (where the OLCC will send your mail):
 PO Box, Number, Street, Rural Route PO Box 108
 City Netarts State OR ZIP 97146

6. Phone Number of the Business Location: 503-347-9525

7. Contact Person for this Application:
 Name Jeremy Gilhousen Phone Number 503-347-9525
 Mailing Address, City, State, ZIP PO Box 108, Netarts OR 97143
 Email Jeremy@jghomedesign.com

I understand that marijuana (such as use, consumption, ingestion, inhalation, samples, give-away, sale, etc.) is prohibited on the licensed premises.

Signature of Applicant #1 	Signature of Applicant #2 RECEIVED OREGON LIQUOR CONTROL COMMISSION
Signature of Applicant #3	Signature of Applicant #4 SEP 11 2018

SALEM REGIONAL OFFICE

"Making a difference through excellence of service"



CITY OF WARRENTON

AGENDA MEMORANDUM

TO: Warrenton City Commission
 FROM: Kevin A. Cronin, AICP, Community Development Director
 DATE: For the Agenda of October 9, 2018
 SUBJ: System Development Charges Update – Discussion Item

SUMMARY

The City Commission has requested updates to various fee schedules in 2018. The City of Warrenton adopted a System Development Charge program (Ordinance 1165-A) in 2012 and an implementing fee schedule (Resolution 2401) in 2013. Staff provides an estimate of SDC costs as part of the pre-application notes that are created after a pre-application conference. The final amount is assessed as part of the building permit phase and collected prior to issuance of building permits.

The original ordinance allows the annual updates to the fee schedule using a “periodic indexing of SDCs for inflation” as long as it is published by a recognized organization that produces an index and it is adopted as part of a methodology contained in a separate ordinance or resolution. The implementing resolution references the SDC study that was used to establish the rates and recommended an annual adjustment based on the Construction Cost Index of Seattle. The 20-year average cost increase is 2.91%. In addition, the original SDC study included a graduated fee schedule that would increase the rates from Year 1 to Year 5. However, the SDC fee schedule has not been updated.

Attached is a table of current SDC fees and the annual adjustment per year since 2012 using a 2.91% rate. The current SDCs for a single family detached unit is \$3,500. Based on the inflation calculation, the cost would increase to \$4,157. Attached is a second table from the original SDC study that illustrates the rate increases from Year 1 to Year 5. For example, in Year 5, the total cost for single family unit would be \$8,601, which is almost double the inflation adjusted amount.

In addition to the adjustment of the fees, there is a prohibition on using SDCs for new capital improvements in parks other than land acquisition. Staff researched the Oregon Revised Statutes to verify the eligibility of expenditures.

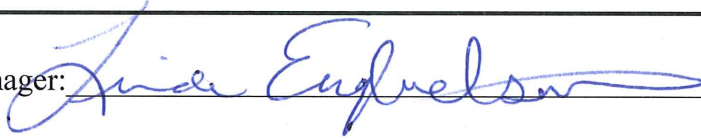
RECOMMENDATION

Staff is requesting feedback on next steps. A fee resolution can be presented for a first reading at a future Commission meeting. A new SDC study would require procurement of a consultant.

FISCAL IMPACT

It is unclear how much SDC revenue would be generated from the adjusted fees, but certainly more than what the City has traditionally collected in years past. All revenue collected will go to the SDC fund for future capital improvements.

Approved by City Manager:

A handwritten signature in blue ink, reading "Linda Engelson", written over a horizontal line.

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

System Development Charges

Adjustment Source: Construction Cost Index - Seattle

Annual Rate: 2.91%

	2012	2013	2014	2015	2016	2017	2018
Water	\$ 1,100	\$ 1,132	\$ 1,165	\$ 1,199	\$ 1,234	\$ 1,270	\$ 1,307
Wastewater	\$ 1,100	\$ 1,132	\$ 1,165	\$ 1,199	\$ 1,234	\$ 1,270	\$ 1,307
Stormwater	\$ 131	\$ 135	\$ 139	\$ 143	\$ 147	\$ 151	\$ 156
Transportation	\$ 669	\$ 688	\$ 709	\$ 729	\$ 750	\$ 772	\$ 795
Parks	\$ 500	\$ 515	\$ 530	\$ 545	\$ 561	\$ 577	\$ 594
Total	\$ 3,500	\$ 3,602	\$ 3,707	\$ 3,815	\$ 3,926	\$ 4,040	\$ 4,157

Single Family

5/8 inch meter	\$ 1,100
5/8 inch meter	\$ 1,100
	\$ 131
	\$ 669
	\$ 500
	\$ 3,500

Net increase: \$457

EDU = Equivalent Dwelling Unit

EXHIBIT A (Option 2)
SDC Schedule

Water

Meter Size	Year 1	Year 2	Year 3	Year 4	Year 5
3/4" x 5/8"	\$ 744	\$ 2,150	\$ 2,863	\$ 2,863	\$ 2,863
1"	1,860	5,375	7,158	7,158	7,158
1-1/2"	3,720	10,750	14,315	14,315	14,315
2"	5,952	17,199	22,904	22,904	22,904
3"	11,903	34,399	45,808	45,808	45,808
4"	18,599	53,748	71,575	71,575	71,575
6"	37,197	107,497	143,150	143,150	143,150
8"	59,516	171,995	229,040	229,040	229,040
10"	92,993	268,741	357,875	357,875	357,875

Wastewater

Meter Size	Year 1	Year 2	Year 3	Year 4	Year 5
3/4" x 5/8"	\$ 692	\$ 2,000	\$ 2,390	\$ 2,390	\$ 2,390
1"	1,730	5,000	5,975	5,975	5,975
1-1/2"	3,460	10,000	11,950	11,950	11,950
2"	5,537	16,000	19,120	19,120	19,120
3"	11,073	32,000	38,240	38,240	38,240
4"	17,302	50,000	59,750	59,750	59,750
6"	34,603	100,000	119,500	119,500	119,500
8"	55,365	160,000	191,200	191,200	191,200
10"	86,508	250,000	298,750	298,750	298,750

Stormwater

	Year 1	Year 2	Year 3	Year 4	Year 5
Per EDU	\$ 131	\$ 131	\$ 131	\$ 131	\$ 131

Transportation

	Year 1	Year 2	Year 3	Year 4	Year 5
Per PHPT	\$ 281	\$ 812	\$ 812	\$ 812	\$ 812
Single-family residence	433	1,252	1,252	1,252	1,252

Parks

	Year 1	Year 2	Year 3	Year 4	Year 5
Per dwelling unit	\$ -	\$ 250	\$ 500	\$ 1,000	\$ 1,965

The SDCs under "Year 1" shall go into effect on the effective date of this resolution. On each of the first four anniversaries of the effective date of this resolution, the SDCs for the next year shall go into effect. Once the SDCs under "Year 5" are in effect, they shall remain in effect until the City Commission adjusts them by resolution.

ORDINANCE NO. 1165-A

AN ORDINANCE relating to system development charges amending Municipal Code Title 3, enacting and imposing system development charges.

THE CITY OF WARRENTON ORDAINS AS FOLLOWS:

1 Purpose.

The purpose of the system development charge is to impose an equitable share of the public cost of capital improvements for water supply, treatment and distribution; sanitary sewer collection, transmission, treatment and disposal; drainage and flood control; transportation; and parks and recreation, upon those developments that create the need for or increase the demand on capital improvements to be constructed, already constructed or under construction.

2 Scope.

The system development charge imposed by this chapter is separate from and in addition to any applicable tax, assessment, charge, fee in lieu of assessment, or fee otherwise provided by law or imposed as a condition of development. A system development charge is to be considered in the nature of a charge for service rendered, a service hookup charge or a charge for services to be rendered.

3 Definitions.

For purposes of this chapter, the following definitions apply:

- A. "Capital improvements" means facilities or assets used for:
 - 1. Water supply, treatment and distribution;
 - 2. Sanitary sewer collection, transmission, treatment and disposal;
 - 3. Drainage and flood control
 - 4. Transportation, including but not limited to streets, sidewalks, bike paths, street lights, street trees, mass public transportation, vehicle parking and bridges; or
 - 5. Parks and recreation, including but not limited to mini-neighborhood parks, neighborhood parks, community parks and other recreational facilities.
- B. "Development" means constructing a building or a structure, conducting a mining operation, making a physical change in the use or appearance of a structure or land, dividing land into two or more parcels (including partitions and subdivisions), and creating or terminating a right of access.
- C. "Improvement fee" means a fee for costs associated with capital improvements to be constructed after the date the fee is adopted pursuant to Section 4 of this chapter.
- D. "Land area" means the area of a parcel of land as measured by projection of the parcel boundaries upon a horizontal plane with the exception of a portion of the parcel within a recorded right-of-way or easement subject to a servitude for a public street or scenic or preservation purpose.
- E. "Parcel of land" means a lot, parcel, block or other tract of land that is occupied or may be occupied by a structure or structures or other use, and that includes the yards and other open spaces required under the zoning, subdivision or other development ordinances.

F. "Qualified public improvements" means a capital improvement that is required as a condition of development approval, identified in the plan adopted pursuant to Section 8 of this chapter, and either:

1. Not located on or contiguous to property that is the subject of development approval; or
2. Located in whole or in part on or contiguous to property that is the subject of development approval and required to be built larger or with greater capacity than is necessary for the particular development project to which the improvement fee is related.

G. "Reimbursement fee" means a fee for costs associated with capital improvements constructed or under construction on the date the fee is adopted pursuant to Section 4 and for which the City Commission determines capacity to exist.

H. "System development charge" means a reimbursement fee, an improvement fee or a combination thereof assessed or collected at any of the times specified in Section 9. It shall also include that portion of a water or sanitary sewer system connection charge that is greater than the amount necessary to reimburse the city for its average cost of inspection and installing connections with water and sanitary sewer facilities. "System development charge" does not include fees assessed or collected as part of a local improvement district or a charge in lieu of a local improvement district assessment, or the cost of complying with requirements or conditions imposed by a land use decision.

4 System development charge established.

A. System development charges for each type of capital improvements may be proposed by the City Manager and shall be established and may be revised by resolution of the City Commission.

B. Unless otherwise exempted by the provisions of this chapter or other local or state law, a system development charge is hereby imposed upon all development within the city, and upon all development outside the boundary of the city that connects to or otherwise uses the water, sanitary sewer, drainage and flood control, transportation or parks and recreation facilities of the city.

5 Methodology.

A. The methodology used to establish the reimbursement fee shall, where applicable, be based on ratemaking principles employed to finance publicly owned capital improvements, prior contributions by then-existing users, gifts or grants from federal or state government or private persons, the value of unused capacity available to future system users or the cost of the existing facilities, and other relevant factors identified by the City Commission. The methodology shall promote the objective that future systems users shall contribute no more than an equitable share of the cost of then-existing facilities and shall be available for public inspection.

B. The methodology used to establish the improvement fee shall, where applicable, demonstrate consideration of the projected cost of capital improvements identified in the plan and list adopted pursuant to Section 8 that are needed to increase the capacity of the systems to which the fee is related and for which the need for increased system capacity will be required to serve the demands placed on the system by future users. Improvement fees shall be calculated to obtain the cost of capital improvements for the projected need for available system capacity for future users.

C. The methodology shall also provide for a credit as authorized in Section 11.

D. The methodology shall also provide for periodic indexing of system development charges for inflation, as long as the index used is

“(A) A relevant measurement of the average change in prices or costs over an identified time period for materials, labor, real property or a combination of the three;

(B) Published by a recognized organization or agency that produces the index or data source for reasons that are independent of the system development charge methodology; and

(C) Incorporated as part of the established methodology or identified and adopted in a separate ordinance, resolution or order."

E. Except when authorized in methodology adopted under subsection C of this section, the fees required by this code which are assessed or collected as part of a local improvement district or a charge in lieu of a local improvement district assessment, or the cost of complying with requirements or conditions imposed by a land use decision are separate from and in addition to the system development charge and shall not be used as a credit against such charge.

F. The methodology used to establish the improvement fee or the reimbursement fee, or both, shall be contained in a resolution adopted by the City Commission.

G. After the effective date of the ordinance codified in this chapter, the city shall maintain a list of persons who have made a written request for notification prior to adoption or amendment of a methodology for any system development charge. Written notice shall be mailed to persons on the list at least ninety days prior to the first hearing to establish or modify a system development charge, and the methodology supporting the adoption or amendment shall be available at least sixty days prior to the first hearing to adopt or amend. The failure of a person on the list to receive a notice that was mailed shall not invalidate the city's subsequent action. The city may periodically delete names from the list, but at least thirty days prior to removing a name from the list the city must notify the person whose name is to be deleted that a new written request for notification is required if the person wishes to remain on the notification list.

6 Authorized expenditures.

A. Reimbursement fees shall be applied only to capital improvements (and not operating expenses) associated with the systems for which the fees are assessed, including expenditures relating to repayment of indebtedness.

B. Improvement fees shall be spent only on capacity increasing capital improvements, including expenditures relating to repayment of debt for the improvements. An increase in system capacity may be established if a capital improvement increases the level of performance or service provided by existing facilities or provides new facilities. The portion of the improvements funded by improvement fees must be related to the need for increased capacity to provide service for future users. A capital improvement being funded wholly or in part from revenues derived from the improvement fee shall be included in the plan adopted by the city pursuant to Section 8.

C. Notwithstanding subdivisions (A) and (B) of this section, system development charge revenues may be expended on the direct costs of complying with the provisions of this ordinance, including the costs of developing system development charge methodologies and providing an annual accounting of system development charge expenditures.

7 Expenditure restrictions.

System development charges shall not be expended for:

A. Costs associated with the construction of administrative office facilities that are more than an incidental part of other capital improvements; or

B. Costs of the operation or routine maintenance of capital improvements.

8 Improvement plan.

Prior to the establishment of a system development charge, the City Commission shall adopt a plan that:

- A. Lists the capital improvements that the City Commission intends to fund in whole or in part with improvement fee revenues;
- B. Lists the estimated cost, and percentage of costs eligible to be funded with revenues from the improvement fee for each improvement; and
- C. Describes the process for modifying the plan. If a system development charge will be increased by a proposed modification of the list to include a capacity increasing capital improvement, the city shall provide, at least 30 days prior to the adoption of the modification, notice of the proposed modification to the persons who have requested written notice under Section 5. The city shall hold a public hearing if a written request for a hearing on the proposed modification is received within seven days of the date the proposed modification is scheduled for adoption. A change in the amount of a reimbursement fee or an improvement fee is not a modification of the system development charge methodology if the change in amount is based on a change in cost of materials, labor or real property applied to projects or project capacity as set forth on the list adopted pursuant to Section 8 or the periodic application of the Construction Cost Index published by the *Engineering News Record* and is incorporated as part of the established methodology or identified and adopted in a separate ordinance, resolution, or order.

9 Collection of charge.

- A. The system development charge is payable upon issuance of:
 1. A building or construction permit of any kind, including any permit or permits issued in connection with the set-up or installation of any trailer, mobile or manufactured home;
 2. A development permit;
 3. A development permit for development not requiring the issuance of a building permit;
 4. A permit to connect to the water system;
 5. A permit to connect to the sanitary sewer system;
 6. A permit to connect to the drainage and flood control system; or
 7. A permit to connect to the transportation system.
- B. If development is commenced or connection is made to the water, sanitary sewer, drainage and flood control or transportation systems without an appropriate permit, the system development charge is immediately payable upon the earliest date that a permit was required.
- C. The City Manager or his designee shall collect the applicable system development charge from the person responsible for or receiving the benefit of the development in accordance with subparagraph A above. The City Manager or his designee shall not issue such permit or allow such connection until the charge has been paid in full, or unless an exemption is granted pursuant to Section 10, or unless arrangements for payment of the charge, under such terms as the City Manager deems reasonable, have been made, pursuant to subsection D, which follows.
- D. The obligation to pay the unpaid system development charge and interest thereon shall be secured by property, bond, deposits, letter of credit or other security acceptable to the City Manager. The net value of security accepted, excluding liens and encumbrances thereon, must be at least double the amount of the system development charge secured thereby.
- E. If the system development charge is not paid upon issuance of the applicable permit, and the applicant chooses to pay the charge in installments and secure the obligation with security acceptable under subsection D above, then there shall be added to the amount owing the following:

1. Interest on the obligation at the rate established by the City Commission for all unpaid assessments;
 2. All costs associated with processing the particular form of security, such as title insurance, escrow fees, recording costs, collection escrow costs and/or any other expense associated with the city accepting such security;
 3. Any and all costs, as determined by the City Manager or his designee, incurred in establishing payment schedules and administering the collections process;
 4. When the charge is secured by bond pursuant to ORS 223.205--223.295, any and all costs associated with administering the bond assessment program and issuing the bonds, as determined by the City Manager or his designee;
 5. The intent of this subsection E is to recognize that the payment of a system development charge by installments increases the administrative expense to the city. It is the intent of this subsection to shift that added expense to the applicant, so that the city will not lose system development charge revenue by accepting installment payments on such charges. Subject to the provisions of this subsection E, all costs added to the system development charge will be determined by the City Manager.
- F. No person may connect to the water or sewer systems of the city unless the appropriate system development charge has been paid or the installment payment method has been applied for and approved.

10 Exemptions.

- A. The following are exempt from system development charges:
1. Structures and uses established and legally existing on or before the effective date of this ordinance are exempt from a system development charge, except water and sewer charges, to the extent of the structure or use then existing and to the extent of the parcel of land as it is constituted on that date. Structures and uses affected by this subsection shall pay the water or sewer charges pursuant to the terms of this ordinance upon the receipt of a permit to connect to the water or sewer system.
 2. Additions to single-family dwellings that do not constitute the addition of a dwelling unit. Dwelling unit means any building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking and sanitation;
 3. An alteration, addition, replacement or change in use that does not increase the parcel's or structure's use of the system to which the system development charge applies;
- B. Any enlargement or change and any new connection or utilization of the system to which a system development charge applies shall not be exempt.

11 Credits.

- A. A system development charge shall be imposed when a change of use of a parcel or structure occurs, but credit shall be given in an amount equal to the existing system development charge as applied to the pre-existing use. The credit so computed shall not exceed the calculated system development charge. No refund shall be made on account of such credit.
- B. An improvement fee credit shall be given for the cost of a qualified public improvement associated with a development, subject to the following:
1. Such credit shall be only for the improvement fee charged for the type of improvement being constructed, and credit for qualified public improvements under Section 3(F)(2) may be granted only for the cost of that portion of such improvement that exceeds the city's minimum standard facility size or capacity needed to serve the particular development property or project. The

applicant shall have the burden of demonstrating that a particular improvement qualifies as a Section 3(F)(2) qualified public improvement.

2. When the construction of a qualified public improvement gives rise to a credit amount greater than the improvement fee that would otherwise be levied against the project receiving development approval, the excess credit may be applied against improvement fees that accrue in subsequent phases of the original development project, if any.
3. Credits shall be used within ten years from the date the credit is given.
4. Credit shall not be transferrable from one development to another or from one type of capital improvement to another.

12 Segregation and use of revenue.

- A. All funds derived from a particular type of system development charge are to be segregated by accounting practices from all other funds of the city. That portion of the system development charge calculated and collected on account of a specific facility system shall be used for no purpose other than those set forth in Section 6.
- B. The City Manager or his designee shall provide the City Commission with an annual accounting, based on the city's fiscal year, for system development charges showing the total amount of system development charge revenues collected for each type of facility and the projects funded, either in whole or in part, from each account.

13 Appeal procedure.

- A. A person aggrieved by a decision required or permitted to be made by the City Manager or his designee under this ordinance or a person challenging the propriety of an expenditure of system development charge revenues may appeal the decision or the expenditure to the City Commission by filing a written request with the City Manager describing with particularity the decision of the City Manager or his designee or the expenditure from which the person appeals.
- B. An appeal of an expenditure must be filed within two years of the date of the alleged improper expenditure. Appeals of any other decision required or permitted to be made by the City Manager must be filed within ten days of the date of the decision.
- C. The City Commission shall determine whether the City Manager's decision or the expenditure is in accordance with this chapter and the provisions of ORS 223.297 to 223.314 and may affirm, modify or overrule the decision. If the City Commission determines that there has been an improper expenditure of system development charge revenues, the City Commission shall direct that a sum equal to the misspent amount shall be deposited within one year to the credit of the account or fund from which it was spent.
- D. A legal action challenging the methodology adopted by the City Commission pursuant to Section 5 shall not be filed later than sixty days after adoption, and shall be contested according to the procedure set forth in ORS 34.010 to 34.100, and not otherwise.

14 Severability.

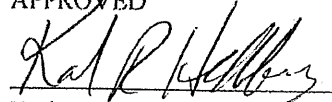
The invalidity of a section or subsection of this chapter shall not affect the validity of the remaining sections or subsections.

15 Effect


This Ordinance shall take effect 30-days after its adoption.

APPROVED and ADOPTED by the City Commission of the City of Warrenton this 8th day of
May, 2012.

APPROVED


Karl R. Hellberg, Mayor

ATTEST


Linda Engbretson, City Recorder

"Making a difference through excellence of service"



AGENDA

CITY OF WARRENTON

MEMORANDUM

TO: The Warrenton City Commission
FROM: Kevin A. Cronin, Community Development Director
DATE: For Agenda of October 9, 2018
SUBJ: **Discussion Item:** Homestay Lodging Safety Regulations

SUMMARY

Homestay lodging was a topic of discussion at the August 14 and August 28 City Commission meetings. The Commission tabled the discussion of adding homestay lodging as a permitted use in the Development Code and directed staff to schedule a work session. As a result of the work session, the City Commission directed staff to bring back safety regulations that would be included in the City Code. Safety regulations, which are intended to encourage neighbor livability and maintain safe and secure accommodations for transient customers, would be required for all homestay lodging businesses located in single family detached homes. The Development Code still needs to be amended to allow homestay lodging in residential zoning districts. Short term rentals (i.e. hotels) are allowed in most commercial zones.

Based on a review of the peer cities, staff has proposed a list of safety regulations for the Warrenton Municipal Code. These safety measures would be verified upon field inspection. There is a fee for homestay lodging in a recently updated fee schedule the City Commission approved in September 2018.

Chapter 8.24 Homestay Lodging Safety Regulations

8.24.010 Definitions:

1. Homestay lodging is a short term rental in an owner occupied, single-family detached unit using up to two bedrooms and is hereby allowed as a permitted use in all residential zoning districts.
2. Vacation rental dwelling is a single family dwelling that is non-owner occupied and is rented on a short term rental basis and hereby prohibited in all residential zoning districts.
3. For all other definitions, refer to Chapter 16.12.

8.24.020 Safety Regulations

1. All homestay lodging businesses shall comply with the following regulations:
 - a. Apply for a homestay lodging permit.
 - b. Comply with Chapter 3.04 Transient Room Tax and Chapter 5.04 Business License.
 - c. Install carbon monoxide (CO) and smoke detector devices in each bedroom for rent.
 - d. Post a tsunami evacuation map in a visible location.
 - e. All electrical outlets will be rated GFCI and have faceplates installed.
 - f. Circuit breaker box will be properly labeled.
 - g. Any bedroom for short term rental will have emergency egress.
 - h. All handrails shall comply with state building code.
 - i. Address numbers shall be visible from the street.
 - j. Garbage and recycling service is required.
 - k. Provide one off street parking space per guest bedroom.
 - l. A permit will not be issued until all outstanding code violations on record or any visible violations are recorded upon on site inspection.
 - m. Homeowners are required to maintain a complaint registry and report problems to the Community Development Director.
 - n. All of the above are required prior to issuance of a homestay lodging permit and verified through an on site inspection.

8.24.030. Transferability. Homestay lodging permits are non-transferable upon sale of the property. However, the new property owner may apply for a homestay lodging permit in accordance with this Chapter and other applicable ordinances.

8.24.040 Enforcement. Any enforcement of Chapter 8.24 shall follow enforcement procedures outlined in Chapter 16.16. In addition, if there are multiple violations that occur within a two year period from the date of issuance, the Community Development Direct may revoke the homestay lodging permit.