



AGENDA

CITY COMMISSION OF THE CITY OF WARRENTON
REGULAR MEETING
November 28, 2023 – 6:00 P.M.
Warrenton City Commission Chambers – 225 South Main Avenue
Warrenton, OR 97146

Public Meetings will also be audio and video live streamed. Go to <https://www.ci.warrenton.or.us/administration/page/live-stream-public-meetings> for connection instructions.

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **CONSENT CALENDAR**

- A. City Commission Meeting Minutes – 11.14.23
- B. Records Management Policy
- C. Police Department Monthly Report – October 2023
- D. Community Center Advisory Board Meeting Minutes – 10.19.23

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.

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 it 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. Public Comments may also be submitted by email to the City Recorder, at cityrecorder@ci.warrenton.or.us, no later than 4:00 p.m. the day of the meeting. 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. Consideration of Safe Drinking Water Revolving Loan Fund Financing Contract; Amendment #2 - Hammond Transmission Waterline
- B. Consideration of Tide Gate #9 – Financing Contract Amendment #1
- C. Consideration of Second Reading of Ordinance No. 1269; Yuill Street Vacation
- D. Consideration of Consideration of Ordinance No. 1269; Updating Warrenton Municipal Code – Chapter 10.04
- E. Consideration of Public Records Request Policy and Resolutions 2657 & 2658
- F. Consideration of Surplus Chambers Audience Chairs
- G. Consideration of Statement of Intent for Fort Point Development
- H. Consideration of Marina Advisory Committee Recommendation

8. DISCUSSION ITEMS - None

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.

MINUTES
 Warrenton City Commission
 November 14, 2023
 6:00 p.m.
 Warrenton City Hall - Commission Chambers
 225 S. Main
 Warrenton, OR 97146

Acting Mayor Dyer called the meeting to order at 6:08 p.m.

Commissioners Present: Acting Mayor Tom Dyer, Paul Mitchell, and Gerald Poe

Excused: Mayor Henry Balensifer and Mark Baldwin

Staff Present: City Manager Esther Moberg, Police Chief Mathew Workman, Interim Harbormaster Don Beck, Public Works Director Greg Shafer, Public Works Operations Manager Jim McCarthy, Library Director Josh Saranpaa, City Recorder Dawne Shaw, and Deputy City Recorder Hanna Bentley

CONSENT CALENDAR

- A. City Commission Meeting Minutes – 10.24.23
- B. Community Center Advisory Board Minutes – 3.16.23
- C. Monthly Finance Report – September 2023
- D. City Notary Policy and Agreement

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

Poe – aye; Mitchell – aye; Balensifer – aye; Dyer - aye

COMMISSIONER REPORTS

Commissioner Poe noted he attended an LCTC meeting. He noted the remodeling done at the Fort Clatsop Center.

City Manager Esther Moberg requested to add a business item to the agenda as item 7-F – authorization of the Mayor’s signature on Letters of Support for the Oregon Department of Aviation grant request; there were no objections.

PUBLIC COMMENT – None

PUBLIC HEARINGS

Acting Mayor Dyer opened the public hearing on Street Vacation Petition No. 159. Formalities followed. No conflicts of interest or exparte contacts were reported. City Manager Esther Moberg reviewed the staff report. She stated the request met the minimum requirement for a

completed application. She noted there is a recorded private drainage easement running across the parcel that will remain in effect. She stated staff have no issues with the vacation moving forward.

No one spoke in favor or in opposition to street vacation. There being no further comments or discussion, Acting Mayor Dyer closed the hearing.

Commissioner Poe made the motion to conduct the first reading. Motion was seconded and passed unanimously.

Poe – aye; Mitchell – aye; Dyer – aye

Acting Mayor Dyer directed staff to conduct the first reading, by title only, of Ordinance No. 1269. City Manager Moberg proceed with the first reading by title only; an Ordinance Vacating a Portion of an Unnamed and Unimproved Right-of-Way within the subdivision of Tract 3, Chelsea Subdivision in Section 27 of the City of Warrenton, Oregon.

BUSINESS ITEMS

City Manager Esther Moberg requested permission to hire a lobbyist to pursue federal funding and grants for the Wastewater Treatment Plant upgrade. She stated the request is for \$5,000 this fiscal year and \$50,000 for next fiscal year. Acting Mayor Dyer and Commissioner Mitchell noted they think hiring a lobbyist is a good idea. Brief discussion followed.

Commissioner Poe made the motion to approve hiring a lobbyist to pursue federal funding for the Wastewater Treatment Plant, helping the city try to secure grants, earmarks, and/or forgivable loans for our future project. Motion was seconded and passed unanimously.

Poe – aye; Mitchell – aye; Dyer – aye

Interim Harbormaster Don Beck discussed the contract for the Hammond Marina Bank Stabilization; noting they only received one bid from Big River Construction.

Commissioner Poe made the motion to approve the Notice of Intent to Award contract to Big River Construction, Inc., for the Hammond Bank Stabilization project. Motion was seconded and passed unanimously.

Poe – aye; Mitchell – aye; Dyer – aye

Public Works Director Greg Shafer discussed a contract amendment with Consor North America, Inc., for the Hammond Transmission Waterline project. He noted the request came from the funding agency. The change order is need due to the original contract missing a needed clause for managing, tracking, and reporting on labor standards requirements.

Commissioner Mitchell made the motion to approve the attached Change Order #1 – Contract Amendment with Consor North America, Inc., increasing the not-to-exceed

contract amount from \$411,920.00 to \$426,831.00. Motion was seconded and passed unanimously.

Poe – aye; Mitchell – aye; Dyer – aye

Ms. Moberg requested an addendum to her contract for schooling reimbursement for a Master's degree in Public Administration. Acting Mayor Dyer noted he is in favor of the addendum.

Commissioner Mitchell made the motion to approve the addendum to the contract for the City Manager, reimbursing for tuition and books as long as she maintains a B grade or higher. Motion was seconded and passed unanimously.

Poe – aye; Mitchell – aye; Dyer – aye

Ms. Moberg presented a resolution amending the Intergovernmental Agreement (IGA) for the Peterson Property. She noted these changes were discussed at the past joint work session between the Urban Renewal Agency and the Advisory Board.

Commissioner Poe made the motion to approve Resolution No. 2660 and the amendment to the IGA for the Peterson property. Motion was seconded and passed unanimously.

Poe – aye; Mitchell – aye; Dyer – aye

Ms. Moberg reviewed the letters of support to the Oregon Department of Aviation for a grant request that was submitted by the Port of Astoria for repairs and rehab on the aircraft hangar.

Commissioner Poe made the motion to approve the Mayor's letters of support. Motion was seconded and passed unanimously.

Poe – aye; Mitchell – aye; Dyer – aye

DISCUSSION ITEMS - None

GOOD OF THE ORDER

Ms. Moberg asked Mr. Shafer to give a quick update on the SW 9th and Main intersection project. Mr. Shafer proceeded to give an update on the project and noted the hours of the traffic detours. He noted the contractor believes he can get the project done in about 30 working days. This is phase one in a three-phase process for the Safe Routes to School project. Commissioner Mitchell asked Mr. Shafer how long he thinks phase one of the project will take; Mr. Shafer stated the contract is for 60 working days and he believes they can get it done in about half the time. Brief discussion followed.

At 6:31 p.m. Acting Mayor Dyer announced the Commission will now meet in executive session under authority of ORS 192.660(2)(e); *to conduct deliberations with persons designated by the governing body to conduct real property transactions.*

There being no further business, Acting Mayor Dyer adjourned the meeting at 6:38 p.m.

Respectfully prepared and submitted by Hanna Bentley, Deputy City Recorder.

APPROVED:

ATTEST:

Henry A. Balensifer III, Mayor

Dawne Shaw, CMC, City Recorder

DRAFT



AGENDA MEMORANDUM

TO: The Warrenton City Commission
FROM: Dawne Shaw, City Recorder
DATE: November 28, 2023
SUBJ: Records Management Policy Adoption

SUMMARY

As a public body, the City of Warrenton is required to preserve, maintain, and dispose of their public records in accordance with state law. Therefore, the City wishes to establish a citywide Records Management Policy to provide guidelines for the retention and destruction of the City's public records, in compliance with the City Records Retention Schedule established by State of Oregon's Archives Division, and with all applicable Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR) related to City records, and applicable federal laws. This policy will assist staff to identify, maintain, and preserve information as it relates to the conduct of the public's business.

Approved by City Manager: _____

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



CITY OF WARRENTON

RECORDS MANAGEMENT POLICY

DRAFT

Effective: December 1, 2023

ADOPTED: _____

City of Warrenton Records Management Policy

As a public body, the City of Warrenton has the responsibility to care for, maintain, and control information and records relating to the conduct of the public's business.

Purpose:

To establish a standardized citywide records management and retention program for records management. The policy provides guidelines for retention and destruction of City records in accordance with State law and City procedures, and ensures that records are managed consistently citywide to promote efficient and effective customer service. Public records must be maintained and managed in a manner that protects the integrity of the records within the City of Warrenton without regard to the technology or medium used to create or communicate the record, from the time of creation of a public record to the time of final disposition of the public record as determined by their authorized Retention Schedule.

Scope:

This policy applies to all City public records and all City departments. The City Recorder is the official "Records Officer" for the City. The City Recorder's office administers the Records Management Program (RMP).

The City will establish an RMP Committee comprised of a Records Management Team (RMT) representative from each City department designated by the Department Head. The RMP Committee will meet bi-annually, or as needed to review records inventory, compliance, and discuss best practices.

Policy:

The City of Warrenton will comply with ORS (192) and OAR (Chapter 166) guidelines as they pertain to management of public records. The City Recorder's office will rely on advice and direction from the Oregon Secretary of State Archives Division, or the City Attorney's office when guidelines require interpretation.

This policy outlines the process to be used to ensure that applicable City records are retained, preserved, and destroyed in accordance with the Oregon State Archives Retention Schedule, and is in accordance with ORS and OAR guidelines and the City of Warrenton's RMP requirements.

The City will maintain a systematic records management and retention program requiring records to be organized in a standardized manner.

All records, including those stored in electronic media, will be available to the public, unless the content of the record is exempt or subject to an exception under Oregon Public Records laws.

Non-compliance with this policy creates risk-management and liability issues for the City. This policy applies to the “official copy” of a public record. No records may be destroyed prior to the expiration of the established retention period. Further, the City will maintain all Essential Records in a manner that ensures they will not be destroyed in the event of a natural disaster.

Definitions:

All terms used in this Policy, if not defined herein, shall have the same meaning as set forth under ORS 192 or OAR Chapter 166.

Procedures:

1. **Retention Schedule.** The City of Warrenton follows the Oregon Secretary of State City General Records Retention Schedule – Division 200 (OAR 166-200). RMT representatives are responsible for applying the Retention Schedule for all public records in their department. Unless otherwise stated in the Retention Schedule, a retention period shall be calculated from the record’s creation date.
2. **Archiving Official Copies of Records.** The location of archived records that are official copies is determined by the City Recorder and RMT representative.
 - (a) **Custody of short-term records** (records with retention of up to 10 years). Retained and managed by the RMT, except for the following Record Series, which should be forwarded to the City Recorder’s Office:
 - Competitive Bid Records – rejected bids and bid exemptions
 - Contracts and Agreements
 - Grants
 - (b) **Custody of long-term records** (records with retention of more than ten years, but less than 100 years) are retained and managed by the City Recorder’s Office. The RMT representative should contact the City Recorder’s Office for instruction about whether a particular Record Series should be retained and managed by the City Recorder.
 - (c) **Custody of 100 years or more, and permanent records** (permanent records are identified as such in the Retention Schedule). These records have a permanent or enduring historical, administrative, legal, or fiscal value, and must be retained in paper or digital format. RMT representatives will forward permanent records to the City Recorder’s Office, except for certain police, fire, or legal records which are retained in the respective department. Most

records archived by the City Recorder's Office are also scanned into the City's Electronic Records Management (ORMS) program - Content Manager, for easy access, and/or are stored in the City's Records storage facility.

Access by other staff to the records storage facility shall be accomplished through the City Recorder's Office. The City Recorder shall assign each department an area in the storage unit for storing retained departmental records. *(Note: Building/Planning has a separate storage unit.)

3. Electronic Records Retention. Records may be electronically retained in approved formats only. Acceptable formats of electronic records include TIFF for images, PDF for documents, MP3 for audio recordings, and MP4 for video records. The City of Warrenton's approved electronic records management system is Content Manager.

(a) **Short-term records** (records with retention of up to ten years):

Electronic records kept in approved electronic records programs for specific departments (i.e., Building/Planning, Fire and Police departments), is acceptable for storage of official copies provided the following criteria is met:

- 1) The retention capacity of the electronic media will exceed the minimum retention period for the Record Series; and
- 2) The department responsible for managing the records follows the Retention Schedule; and
- 3) There is a process in place to flag the RMT as to when the record's retention period expires so that it can be destroyed.

(b) **Long-term records** (records with retention of more than ten years, but less than 100 years): The pre-approved electronic format is PDF and should be stored in Content Manager. Other electronic formats are acceptable for storage of official copies ONLY if the media meets all five of the following criteria:

- 1) The RMT takes custody of the official copy; and
- 2) The retention capacity of the electronic media will exceed the minimum retention period for the Record Series; and
- 3) Technology will exist that can produce and print out this record for the duration of the retention period without unacceptable loss of quality (consult with Information Technology); and

- 4) There is a process in place by the Records Manager to identify when the record's retention expires so that it can be destroyed; and
 - 5) The City Recorder's Office has approved the format.
 - (c) **Permanent Records.** Official copies of permanent records must be retained in paper form, unless approved by the City Manager and scanned into Content Manager. See City Recorder for clarification.
 - (d) **Social Media.** The City of Warrenton uses a social media archiving application for all city social media accounts. City social media is retained per the City's retention schedule. For other social media, email, and digital records, please refer to the cybersecurity policy for procedures.
4. **Exceptions to the Schedule.** Retaining or destroying records outside of the Retention Schedule exposes the City to risk of litigation; thus, records *must be retained no less* and *should be retained no more* than their Retention Schedule. The only exception that allows retaining records for longer than the minimum retention period is legal holds. If a department determines that a record has substantial or historical value, the record may be retained beyond the minimum Retention Schedule upon approval of the Department Head and City Recorder.
 - (a) **Legal Hold.** In the event a Record Series becomes subject to a legal hold, all disposal must cease, even if the records were retained past their retention date. The City Manager's Office and the City Attorney's Office must be notified immediately upon receipt of a legal hold.
5. **Annual Records Inventory Review.** RMT representatives will review their Department's records inventory on an annual basis. Review will include evaluation of records eligible for disposal.
6. **Purging Records.** RMT representatives should schedule annually (at a minimum) a time for their Department to prepare records for storage during their retention period and/or destruction for records that have met their retention expiration date. This should occur on or near the date of the annual records inventory review.
7. **Records Storage and Disposal – Paper Records.**
 - (a) **Boxes to Storage.** Boxes should be labeled with the Department, Record Series, record date range, destruction date, and the total number of

boxes in the series. A list of boxes shall be submitted to the City Recorder's office before transferring to storage.

- (b) **Disposal.** RMT must complete the Destruction Request form when records are ready to be destroyed. Destruction Requests must include the schedule number; Record Series title, and date destroyed and must be approved by the Department Head and the City Recorder's Office before record disposal. The method of disposal must be in compliance with OAR 166-300. Records stored in the main city records storage unit will be destroyed by the City Recorder's office, per the Retention Schedule and in accordance with any required permissions or methods of disposal as set forth under OAR Chapter 166.

RMT must forward the original final copy of the Destruction Request form to the City Recorder's Office. Departments may keep a copy of the form for their records. Convenience copies, regardless of format, do not require their disposal to be recorded.

The Records Officer will ensure that a record of those paper public records that are destroyed are related to State Archives.

8. Records Storage & Disposal Index – Digital Records.

The process for disposal of Digital Records is as follows:

- 1) The RMT will identify records that are eligible for destruction, and print a report or list. (If records are stored in Content Manager, request ORMS to run a destruction report. City Recorder will review ORMS list, and approve the destruction – to be performed by ORMS.)
- 2) The RMT will review those records and confirm the records are eligible for destruction.
- 3) The RMT will submit the destruction request, with the listed records to the City Recorder for approval before destroying/deleting the eligible records. The destruction request should include the Record Series title, Retention Schedule number and the storage location.
- 4) The RMT will destroy/delete the eligible records.
- 5) The RMT will note on the report the date the electronic records were destroyed/deleted.

- 6) The RMT will submit the completed, signed destruction report to the City Recorder.

A record of destroyed records must be retained and stored by the City Recorder. This is a legal requirement and is vital for the City's efforts to mitigate litigation risk.

9. **Convenience Copies.** Employees are discouraged from keeping convenience copies, as this is a liability and cost issue for the City in the event of Public Records Requests and legal holds. Employees should carefully consider the need for a convenience copy versus the risk and cost of discovery. Employees are responsible to locate their convenience copies (paper or digital), in the event of a public records request or legal hold.
10. **Procedures & Training.** Any staff member that scans records into the Content Manager system must be trained on use of the system. Contact the City Recorder's office for log in and training questions. Further, basic public records training will be completed as a component of the City's new employee orientation training and incorporated as part of regular employee training, completed once a biennium.

RMT representatives are responsible for implementing records management procedures in their Departments which includes: the transfer of custody of official copies of records from the employee to the RMT representative; training current and new employees in their Departments on records management; and attending periodic RMT meetings as scheduled by the City Recorder's Office.



WARRENTON POLICE DEPARTMENT MONTHLY REPORT



TO: The Warrenton City Commission
 FROM: Chief Mathew Workman
 DATE: November 28, 2023
 RE: October 2023 Stats Report

Upcoming Dates:

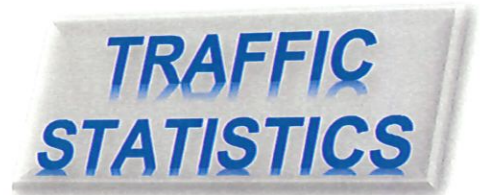
- 12/04 CERT Meeting
- 12/06 911 Subscriber Board
- 12/07 WPD Firearms Qualification
- 12/09 2023 Shop with a Cop at Walmart
- 12/21 LEA Meeting

Highlights Since the Last Report:

- 10/25 911 Subscriber Board
- 10/26 WPD CPR recertifications
- 11/01 Chief Workman attended webinar on 6 "Watchouts" for Law Enforcement
- 11/06 CERT Meeting
- 11/06 CCC CJ Advisory Board Meeting
- 11/07 to 11/09 Sgt. Pierce at OACP Small Agency Conference
- 11/08 Chief Workman attended webinar on "Risk v. Reward" for Traffic Stops & Pursuits
- 11/14 Chief Workman met with new coordinator for CBH Crisis Response
- 11/16 Chief Workman attended webinar on Moral Injury
- 11/20 CMH/Law Enforcement Meeting

Traffic Statistic Highlights:

- One (1) DUII Arrests (1-Alcohol, 0-Drugs)
- Eleven (11) Driving While Suspended Citations/Arrests
- One (1) Hit and Run Citation
- Five (5) Reckless/Careless Driving Arrest/Citation
- Seven (7) Speeding Citations
- Thirteen (13) Insurance Citations
- One (1) Interlock Device Citation
- Two (2) Driver's License Citations
- One Hundred Twenty-Five (125) other Citations and Warnings
- Ten (10) Accident Investigations



Overall Statistics:

Category	October Statistics (% changes are compared to 2023)						
	2023	2022	% Chg	2021	% Chg	2020	% Chg
Calls for Service	755	721	5%	694	9%	662	14%
Incident Reports	196	218	-10%	194	1%	238	-18%
Arrests/Citations	85	101	-16%	166	-49%	179	-53%
Traffic Stops/ Events	166	90	84%	116	43%	188	-12%
DUII's	1	0	100%	2	-50%	2	-50%
Traffic Accidents	9	17	-47%	18	-50%	24	-63%
Property Crimes	97	116	-16%	106	-8%	117	-17%
Person Crimes	62	70	-11%	53	17%	57	9%
Drug/Narcotics Calls	5	5	0%	3	67%	6	-17%
Animal Calls	26	26	0%	23	13%	17	53%
Officer O.T.	217.5	275.5	-21%	175.5	24%	158.4	37%
Reserve Hours	0	0	0%	0	0%	0	0%

Category	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
Calls for Service	717	629	656	724	826	771	853	959	768
Incident Reports	194	182	212	190	211	206	193	232	238
Arrests/Citations	103	122	119	85	127	87	116	156	107
Traffic Stops/ Events	218	208	144	161	258	144	216	285	157
DUII's	3	1	1	2	1	2	1	5	2
Traffic Accidents	25	10	14	20	12	10	16	17	25
Property Crimes	69	94	87	77	91	117	91	102	132
Person Crimes	64	57	61	62	74	60	81	81	74
Drug/Narcotics Calls	5	1	3	5	2	9	9	5	5
Animal Calls	19	22	26	22	30	40	37	36	42
Officer O.T.	144.25	181.5	116.75	63.5	84.25	94	85.25	156.75	197.75
Reserve Hours	0	0	0	0	0	0	0	0	0

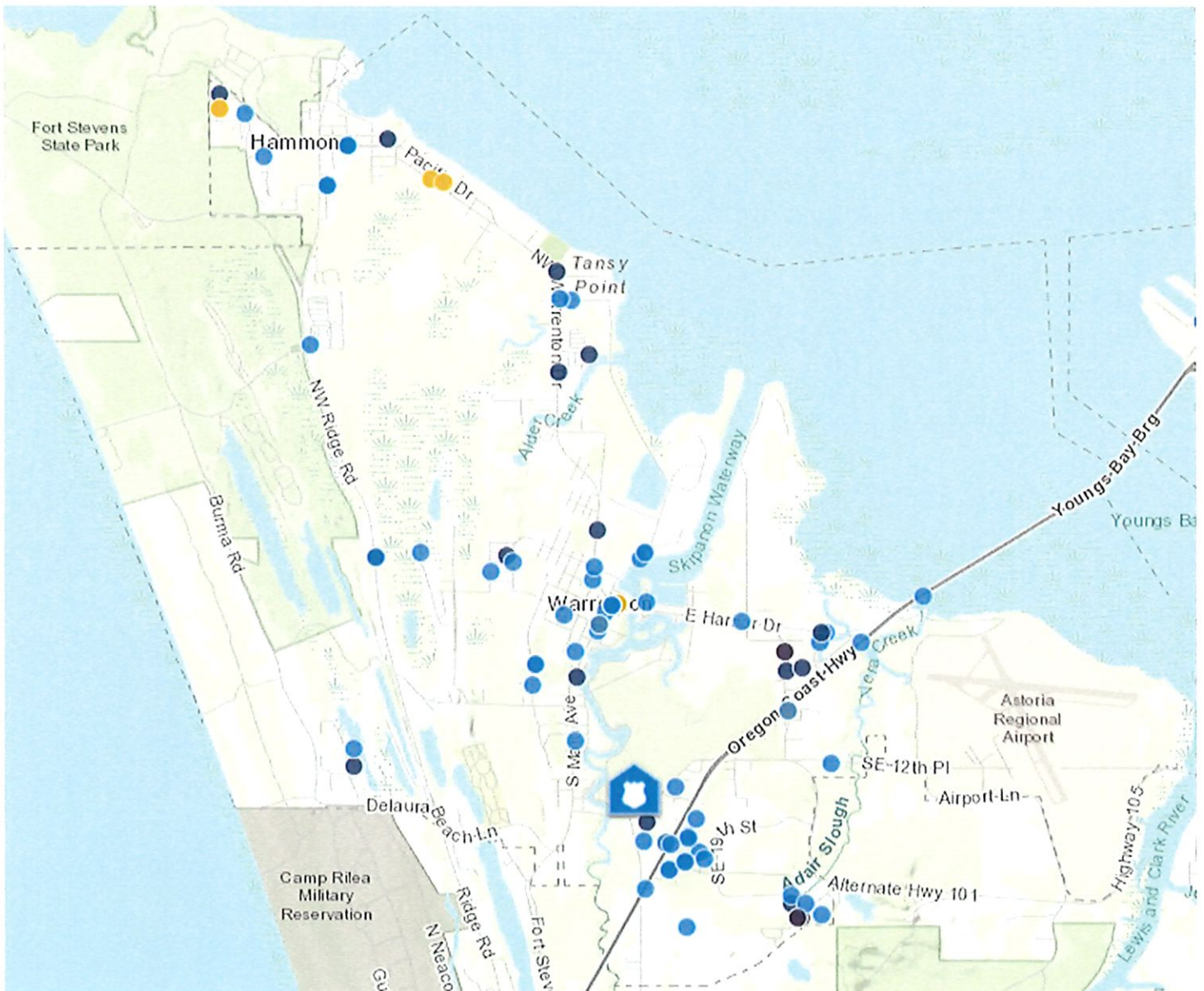
Oct	Nov	Dec	2023 YTD	2023 Estimate	2022	2023 v 2022	2021	2023 v. 2021	2020	2023 v. 2020
755			7658	9190	8050	14%	8669	6%	7955	16%
196			2054	2465	2484	-1%	3160	-22%	2447	1%
85			1107	1328	1602	-17%	2020	-34%	1891	-30%
166			1957	2348	1848	27%	2088	12%	1594	47%
1			19	23	34	-33%	30	-24%	27	-16%
9			158	190	168	13%	182	4%	229	-17%
97			957	1148	1204	-5%	1267	-9%	1192	-4%
62			676	811	811	0%	1013	-20%	830	-2%
5			49	59	40	47%	36	63%	65	-10%
26			300	360	273	32%	253	42%	207	74%
217.5			1342	1610	2212.8	-27%	1503.1	7%	2075.4	-22%
0			0	0	0	0%	0	0%	12.5	-100%

Homeless Incidents	2023	2022	2021	2020
Code 40 (Normal)	44	27	44	47
Code 41 (Aggressive)	7	2	4	0

Elk Incidents	2023	2022	2021
Interaction:	2	2	2
Traffic Accidents:	0	2	2
Traffic Complaints:	1	0	1
Total:	3	4	5

The following is a graphic representation of statistics for **October 2023** using our **CityProtect** membership (formerly [CrimeReports.com](https://www.cityprotect.com)). The "Dots" represent a location of a call and if you zoom in on the map you would see an icon for the type of call and some basic time/date details. Some dots represent multiple calls at one location. If you go to the website (www.cityprotect.com), you can zoom in on each incident for more details.

- | | | | |
|--|--|--|--|
| <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Assault <input checked="" type="checkbox"/> Assault <input checked="" type="checkbox"/> Assault with Deadly Weapon <input checked="" type="checkbox"/> Sexual Offense <input checked="" type="checkbox"/> Sexual Assault <input checked="" type="checkbox"/> Sexual Offense <input checked="" type="checkbox"/> Other Sexual Offense <input checked="" type="checkbox"/> Other Violent Offense <input checked="" type="checkbox"/> Homicide <input checked="" type="checkbox"/> Kidnapping <input checked="" type="checkbox"/> Robbery | <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Property & Theft <input checked="" type="checkbox"/> Property Crime <input checked="" type="checkbox"/> Breaking & Entering <input checked="" type="checkbox"/> Property Crime Commercial <input checked="" type="checkbox"/> Property Crime Residential <input checked="" type="checkbox"/> Other Property Crime <input checked="" type="checkbox"/> Theft <input checked="" type="checkbox"/> Theft from Vehicle <input checked="" type="checkbox"/> Theft of Vehicle <input checked="" type="checkbox"/> Other Theft | <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Disorder/Disturbance <input checked="" type="checkbox"/> Disorder <input checked="" type="checkbox"/> Disorder <input checked="" type="checkbox"/> Drugs <input checked="" type="checkbox"/> Drugs <input checked="" type="checkbox"/> Liquor <input checked="" type="checkbox"/> Liquor <input checked="" type="checkbox"/> Quality of Life <input checked="" type="checkbox"/> Quality of Life | <ul style="list-style-type: none"> <input checked="" type="checkbox"/> 911 or Other <input checked="" type="checkbox"/> Community Events <input checked="" type="checkbox"/> Community Policing <input checked="" type="checkbox"/> Proactive Policing <input checked="" type="checkbox"/> Emergency <input checked="" type="checkbox"/> Emergency <input checked="" type="checkbox"/> Fire <input checked="" type="checkbox"/> Fire <input checked="" type="checkbox"/> Police Calls |
|--|--|--|--|



WARRENTON COMMUNITY CENTER
Advisory Board Meeting
October 19, 2023
5:00 PM

Meeting Date: October 19, 2023

Call to Order: Chairman, Debbie Little, called the regular meeting to order at approximately 5:02 PM. We met in the Commissioners Chambers at City Hall.

Roll Call: Chairman, Debbie Little; Vice Chair, Penny Morris, Secretary, Carol Snell, and Cindy O'Reilly. Absent and excused: April Clark, Financial Director for the City of Warrenton and Dennis O'Reilly.

Introduction of Guests: Guests: None

Public Comment: None

Penny moved to approve the minutes of the regular meeting dated March 16, 2023. The motion was seconded by Carol, minutes were approved as written.

Financial Report: April was absent, the annual report dated June 30, 2023 was distributed. It was decided to wait for April to return before discussing it. April's last day is December 15, 2023. Jessica will take her place on the advisory board. There was some discussion regarding chairs for the Community Center. It was agreed the staff should make the selection.

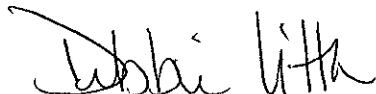
Old Business: April left the flyers for Breakfast with Santa along with the donation letters. They were divided up between Debbie, Perry and Cindy. They will be distributed after November 1, 2023. Tommy will be Santa, Penny is working on the raffle. She will have someone to help her. Carol will do the shopping, donate the food, get a hold of Lorna and check with her family to see if they can help this year. We will have go to boxes again this year. Debbie will check with Starbucks and the Pig n Pancake. Mitch is a question as to dishwasher. Debbie will get the kids from the school to serve and Cindy will help get people to set up the tree.

New Business: Breakfast with the Easter Bunny will be on Sunday March 10, 2024.

Correspondence: None

Next Regular Meeting: November 16, 2023

It was moved and seconded to close the meeting at 5:49 PM



Debbie Little, Chairman



Carol Snell, Secretary



AGENDA MEMORANDUM

TO: The Warrenton City Commission
 FROM: Greg Shafer, Public Works Director
 DATE: November 28th, 2023
 SUBJ: Safe Drinking Water Revolving Loan Fund Financing Contract
 Amendment #2- Hammond Transmission Waterline

SUMMARY

On January 10th, 2017, the City approved and signed the Safe Drinking Water Revolving Loan Fund to secure funding for the Hammond Transmission Waterline. The City has been working with Oregon Business Development Department to extend our project completion deadline and amend the project description to fit our amended phased approach. This amendment will successfully update our current contract to reflect our current phased approach, project description and project budget.

RECOMMENDATION/SUGGESTED MOTION

"I move to approve the attached amendment #2 -Contract Amendment with Oregon Business Development Department.

ALTERNATIVE

1) None recommended

FISCAL IMPACT

The approved 2023 budget has \$2,645,000 allocated to this project. This amendment will have no impact.

Approved by City Manager: _____

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

Amendment Number 2

Project Name: NW Warrenton Drive Transmission Main Replacement

This amendment is made and entered into by and between the State of Oregon, acting by and through the Oregon Infrastructure Finance Authority of the Oregon Business Development Department (“IFA”), and the City of Warrenton (“Recipient”), and amends the Financing Contract between Recipient and IFA, Project Number S17012, dated 02 February 2017, (as amended, “Contract”) for the above-named Project. Capitalized terms not defined in this amendment have the meanings assigned to them by the Contract.

Recital: The purpose of this amendment is to extend Project Completion Deadline and amend the project description.

The parties agree as follows:

1. Amend the following Key Term in Section 1 of the Contract as follows (deletion in ~~strikethrough~~; addition in double underline):
“Project Completion Deadline” means ~~30 April 2023~~ 31 December 2024.
2. Amend Section 11.D - Notices of the Contract as follows (deletion in ~~strikethrough~~; addition in double underline):

D. Notices. All notices to be given under this Contract or any other Financing Document must be in writing and addressed as shown below, or to other addresses that either party may hereafter indicate pursuant to this section. Notices may only be delivered by personal delivery or mailed; postage prepaid. Any such notice is effective five calendar days after mailing, or upon actual delivery if personally delivered.

If to IFA: ~~Program Services Division Manager~~ Deputy Director
~~Infrastructure Finance Authority~~
Oregon Business Development Department
775 Summer Street NE Suite 200
Salem, OR 97301-1280

If to Recipient: ~~Public Works Director~~ Engineering Technician
City of Warrenton
PO Box 250
225 S Main Avenue
Warrenton OR 97146

3. Delete Exhibit C – Project Description in its entirety and replace it with the following:

EXHIBIT C - PROJECT DESCRIPTION

The Recipient shall, with the assistance of a professional engineer licensed in Oregon, design and install an 18-inch drinking water transmission line beginning at the cul-de-sac of NW 13th Street, continuing westward along 13th Street and State Highway 104 to the intersection of Highway 104 and 7th Avenue in Warrenton, Oregon where it will connect to the existing 8-inch water line. The Recipient may also hire a consultant to complete the required labor standards compliance.

No later than the Project Completion Date, Recipient shall:

1. Complete a new water loss study.
 2. Repair the leaking raw water transmission main for the Lewis and Clark source.
 3. Update its records retention policy.
 4. Update protocols for operators certified at less than the required level for the water system.
 5. Install meters on unmetered lines (all unmetered lines are city-owned properties, i.e. parks).
4. Delete Exhibit D – Project Budget in its entirety and replace it with the following:

EXHIBIT D - PROJECT BUDGET

Budget Line Items	IFA Source	Other Funds	Totals
Design / Engineering	\$255,595	\$0	\$255,595
Construction	\$1,161,796	\$0	\$1,161,796
Construction Contingency	\$212,609	\$0	\$212,609
Labor Standards Requirements	\$15,000	\$0	\$15,000
Total	\$1,645,000	\$0	\$1,645,000

5. Delete Exhibit E – Information Required by 2 CRF § 200.332(A)(1) in its entirety and replace it with the following:

EXHIBIT E - INFORMATION REQUIRED BY 2 CFR § 200.332(A)(1)

Federal Award Identification:

- (i) Subrecipient* name (which must match registered name in SAM): WARRENTON, CITY OF
- (ii) Subrecipient’s Unique Entity Identifier (SAM): MXASVPL41FV3
- (iii) Federal Award Identification Number (FAIN): 98009018
- (iv) Federal Award Date: 19 September 2018
- (v) Sub-award Period of Performance Start and End Date: 02 February 2017 to 31 December 2024
- (vi) Sub-award budget period start and end dates: 02 February 2017 to 31 December 2024
- (vii) Total Amount of Federal Funds Obligated by this contract action: \$1,645,000
- (viii) Total Amount of Federal Funds Obligated by the initial Contract and any amendments: \$1,645,000
- (ix) Total Amount of Federal Award committed to the pass-through entity: \$16,232,300
- (x) Federal award project description: Oregon’s Drinking Water State Revolving Fund: This grant increases the capacity of Oregon to ensure that its public water systems continue to provide safe drinking water. This is done by (1) continuing loan financing to public water systems and support for newly proposed priority projects, (2) providing grant support for covering administrative expenses, small public water system technical assistance, State program

management and local assistance, and (3) continuation of the loan fund to finance source water protection project initiatives, including acquiring conservation easements.

(xi) Name of Federal awarding agency, pass-through entity, and contact information for awarding official of the Pass-through entity:

(a) Name of Federal awarding agency: U.S. Environmental Protection Agency

(b) Name of pass-through entity: Oregon Business Development Department

(c) Contact information for awarding official of the pass-through entity: Edward Tabor, Infrastructure and Program Services Director, 503-949-3523

(xii) CFDA Number, Title, Amount: 66.468 Safe Drinking Water State Revolving Fund, Amount: \$1,645,000

(xiii) Is Award R&D? No

(xiv) Indirect cost rate for the Federal award: N/A

* For the purposes of this Exhibit E, "Subrecipient" refers to Recipient and "pass-through entity" refers to OBDD.

IFA will have no obligation under this amendment, unless within 60 days after receipt, the Recipient delivers to OBDD the following items, each in form and substance satisfactory to IFA and its Counsel:

(i) this amendment duly executed by an authorized officer of the Recipient; and

(ii) such other certificates, documents, opinions and information as OBDD may reasonably require.

SIGNATURE PAGE TO FOLLOW

Except as specifically provided above, this amendment does not modify the Contract, and the Contract shall remain in full force and effect during the term thereof. This amendment is effective on the date it is fully executed and approved as required by applicable law.



STATE OF OREGON
acting by and through its
Oregon Infrastructure Finance Authority
of the Oregon Business Development Department



CITY OF WARRENTON

By: _____
Edward Tabor, Infrastructure & Program
Services Director

By: _____
Esther Moberg, City Manager

Date: _____

Date: _____

APPROVED AS TO LEGAL SUFFICIENCY IN ACCORDANCE WITH ORS 291.047:

Not required by OAR 137-045-0050



AGENDA MEMORANDUM

TO: The Warrenton City Commission
 FROM: Greg Shafer, Public Works Director
 DATE: November 28th, 2023
 SUBJ: Tide Gate #9- Financing Contract Amendment #1

SUMMARY

On June 3rd, 2022, the City approved and signed the Tide Gate Grant and Loan Fund Financing Contract to secure funding for the Tide Gate #9 Project. The City has been working with Oregon Business Development Department to extend our project close-out/completion deadline and update the project description. We have advertised two RFQ's for this project and did not receive any responses. Staff worked to revise the scope for a preliminary design and received one response to the third advertised RFQ. This amendment will allow us an additional year to complete this project.

RECOMMENDATION/SUGGESTED MOTION

"I move to approve the attached amendment #1 -Contract Amendment with Oregon Business Development Department for Tide Gate #9.

ALTERNATIVE

1) None recommended

FISCAL IMPACT

This amendment does not have a fiscal impact.

Approved by City Manager: _____

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

TIDE GATE GRANT AND LOAN FUND PROJECT
FINANCING CONTRACT

Amendment Number 1

Project Name: Tide Gate #9

This amendment is made and entered into by and between the State of Oregon, acting by and through the Oregon Infrastructure Finance Authority of the Oregon Business Development Department (“OBDD”), and the City of Warrenton (“Recipient”), and amends the Grant Contract between Recipient and OBDD, Project Number TG2205, dated 03 June 2022, (“Contract”) for the above-named Project. Capitalized terms not defined in this amendment have the meanings assigned to them by the Contract.

Recital: The purpose of this amendment is to extend the Project Close-Out Deadline and Project Completion Deadline and update the Project Description.

The parties agree as follows:

1. Amend the following Key Terms in Section 1 of the Contract as follows (deletion in ~~striketrough~~; addition in double underline):

Project Close-Out Deadline: ~~45 days after the earlier of the Project Completion Date or the Project Completion Deadline~~ 30 June 2024

Project Completion Deadline: ~~June 30, 2023~~ 01 June 2024

2. Remove Exhibit B- Project Description and replace it in its entirety with the following new Exhibit B:

Recipient, with the assistance of a professional engineer licensed in Oregon, shall create a construction plan for the replacement of Recipient’s tide gate #9. Replacing the tide gate and conduit will provide better drainage and flood safety to the Recipient, including roads, residents, businesses, sewer and water systems, and parks.

The Project includes:

- Create a preliminary construction plan for future replacement of the tide gate.
- Complete inspection of the existing tide gate
- Detail the required steps to upgrade/replace the tide gate and the budgetary information needed for the implementation of the construction plan.
- Develop a contingency budget and other budgetary needs.
- Create a project feasibility plan and project alternative analysis.
- Propose a construction timeline.
- Create an operational feasibility analysis including an operation and maintenance plan.

SIGNATURE PAGE TO FOLLOW BELOW

OBDD will have no obligation under this amendment, unless within 60 days after receipt, the Recipient delivers to OBDD the following items, each in form and substance satisfactory to OBDD and its Counsel:

- (i) this amendment duly executed by an authorized officer of the Recipient; and
- (ii) such other certificates, documents, opinions and information as OBDD may reasonably require.

Except as specifically provided above, this amendment does not modify the Contract, and the Contract shall remain in full force and effect during the term thereof. This amendment is effective on the date it is fully executed and approved as required by applicable law.



STATE OF OREGON
acting by and through its
Oregon Infrastructure Finance Authority
of the Oregon Business Development
Department



CITY OF WARRENTON

By: _____
Chris Cummings, Deputy Director

By: _____
The Honorable Henry A. Balensifer III, Mayor

Date: _____

Date: _____

APPROVED AS TO LEGAL SUFFICIENCY IN ACCORDANCE WITH ORS 291.047:

Not required by OAR 137-045-0050




City of Warrenton

Planning Department

225 S Main Avenue ■ P.O. Box 250 ■ Warrenton, OR 97146

Phone: 503.861.0920 Fax: 503.861.2351

Staff Review

TO: Warrenton City Commission
 FROM: Jay Blake, Planning Director 
 DATE: November 28, 2023
 SUBJ: Right-of-way Vacation in Section 27 of the City of Warrenton
 Applicant Ken Yuill
 Public Hearing – Second Reading Ordinance 1269

The city commission conducted a first reading of Ordinance 1269 on November 14, 2023. The item is scheduled for the second reading on November 28, 2023.

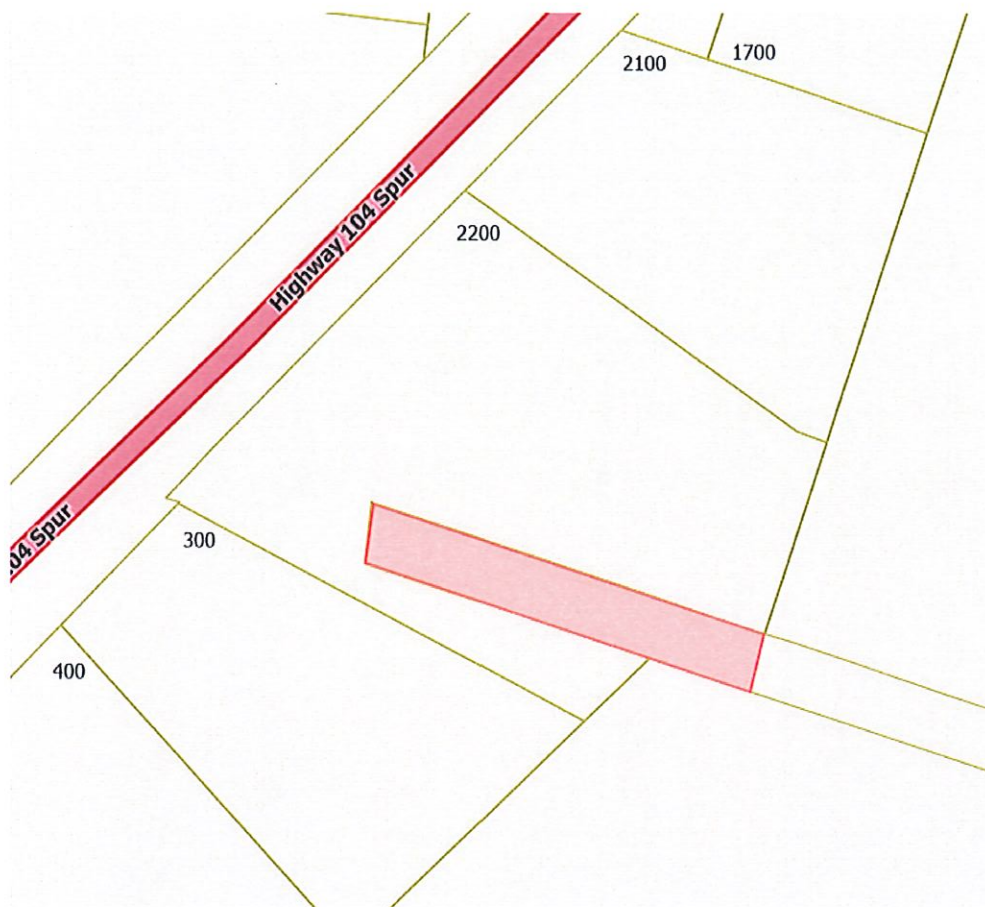
Findings:

1. The request meets the minimum requirements for a completed application for right-of-way vacation as outlined in the Warrenton Municipal Code.
2. The applicant has paid the requisite fees for the vacation.
3. The applicant met with representatives from the Clatsop County Surveyors office to determine the land division provision.
4. The applicant owns land on either side of the proposed vacation and will combine it with his existing tracts. This was a condition of approval for a previously approved lot line adjustment.
5. The applicant has maintained a shed in the right-of-way.
6. There is a recorded private drainage easement running across the proposed parcel which will remain in effect for the Trillium House development.
7. The City published the required public hearing notices in the Astorian Newspaper – the official city newspaper.

8. The property is zoned C-MU Commercial Mixed Use. The resulting lots will meet all zoning district requirements.

The City has not received any written comments related to the request. The Trillium House owners and the property owners to the south have submitted letters of support for the request. Planning Staff concluded that the current right-of-way is not needed for future development of the area.

Area Map



City Commission Options:

Second Reading Motion:

Based on the application materials and staff review memos dated November 14, 2023 and November 28, 2023, I move that the City Commission conduct the Second reading of Ordinance 1269 by title only

AN ORDINANCE VACATING A PORTION OF AN UNNAMED AND UNIMPROVED RIGHT-OF-WAY WITHIN THE SUBDIVISION OF TRACT 3, CHELSEA SUBDIVISION IN SECTION 27 OF THE CITY OF WARRENTON, OREGON

Approval Motion

I MOVE APPROVAL OF ORDINANCE 1269

AN ORDINANCE VACATING A PORTION OF AN UNNAMED AND UNIMPROVED RIGHT-OF-WAY WITHIN THE SUBDIVISION OF TRACT 3, CHELSEA SUBDIVISION IN SECTION 27 OF THE CITY OF WARRENTON, OREGON

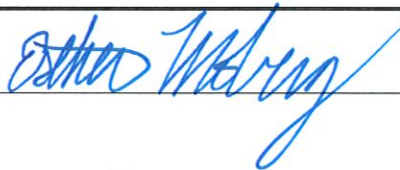
Staff Recommendation:

Staff recommends the Commission conduct the second reading of and adopt Ordinance 1269.

FISCAL IMPACT

N/A

Approved by City Manager: _____



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

ORDINANCE NO. 1269

INTRODUCED BY ALL COMMISSIONERS

AN ORDINANCE VACATING A PORTION OF AN UNNAMED AND UNIMPROVED RIGHT-OF-WAY WITHIN THE SUBDIVISION OF TRACT 3, CHELSEA SUBDIVISION IN SECTION 27 OF THE CITY OF WARRENTON, OREGON

WHEREAS, The Warrenton City Commission deems it to be in the best interest of the City to vacate a portion of an unnamed and unimproved right-of-way within the subdivision of Tract 3, Chelsea Subdivision in Section 27 in the City of Warrenton, County of Clatsop, State of Oregon; and

WHEREAS, a public hearing on the petition was held at the hour of 6:00 p.m. on Tuesday, November 14, 2023, in the Commission's Chambers at Warrenton City Hall; and

WHEREAS, due notice of time and place for said hearing was given, as by law required;

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

Section 1. The public right-of-way in the City of Warrenton, Clatsop County, State of Oregon, described as:

A property description for a portion of an Unnamed Street bounding the southerly limits of the Subdivision of Tract 3, Chelsea, Book 01, Page 13, Maps of the Clatsop County Clerk, contained entirely within the NW ¼ of Section 27, Township 8 North, Range 10 West, Willamette Meridian, City of Warrenton, County of Clatsop, State of Oregon.

To Wit: that portion of said Unnamed Street which is westerly of a southerly projection of the easterly line of Lot 11, Block 2, of said Tract 3, Chelsea as recorded in PLA Deed No 202108571, and as shown on Clatsop County Survey No 13890, Records of the Clatsop County Clerk.

is hereby vacated. Nothing contained herein shall cause or require the removal or obstruction of any drainage ditch, abandonment of any sewer, water main conduit, utility line, pole or any other thing used or intended to be used for any public service.

Section 2. The City Recorder of the City of Warrenton is hereby ordered to make this vacation a matter of public record; and it is expressly provided that the petitioner shall forthwith pay the costs of the necessary changes of public records, as required by law, and it is hereby provided that the City Recorder shall file with the clerk, the assessor, and the surveyor of Clatsop County, a certified copy of this ordinance.

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

Adopted by the City Commission of the City of Warrenton, Oregon this _____ day of _____, 2023.

First Reading: November 14, 2023
Second Reading: November 28, 2023

APPROVED:

Henry A. Balensifer, III, Mayor

ATTEST:

Dawne Shaw, City Recorder



AGENDA MEMORANDUM

TO: The Warrenton City Commission

FROM: Mathew J. Workman, Chief of Police

DATE: November 28, 2023

SUBJ: Chapter 10.04 Code Amendments

SUMMARY

In May 2023 the City Commission adopted Ordinance #1263 and made several amendments to Chapter 10.04 "Traffic Regulations" in the City Code. The amendments and additions had submitted to the City Attorney for review and approval and the City Attorney and the Police Chief worked together to clean up the language in several parts and to make the changes fit with current laws and practices. During a recent review of the Chapter 10.04 the Police Chief found that section 10.04.370 "Hazardous Vehicle Prohibited" had subsections omitted by accident and section 10.04.380 "Storage of Motor Vehicles On Street" had not been added as planned. The attached ordinance includes fixes for both of these errors.

RECOMMENDATION/SUGGESTED MOTION

Review the proposed ordinance that amends the current City Code and then move to have a reading of Ordinance No. 1270 in its entirety and adopted under an emergency.

"I move to approve Ordinance No. 1270 amending Section 10.04.370 the City of Warrenton Municipal Code and adding Section 10.04.380 to the City of Warrenton Municipal Code and to conduct the first reading in its entirety to become effective immediately after its adoption."

ALTERNATIVE

No alternative, the code needs to be amended and fixed.

FISCAL IMPACT

None.

ATTACHMENTS:

- Proposed Ordinance No. 1270.

Approved by City Manager: _____

Esther Moberg

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

ORDINANCE NO. 1270

Introduced by All Commissioners

AN ORDINANCE AMENDING CHAPTER 10.04 "TRAFFIC REGULATIONS" OF THE
WARRENTON MUNICIPAL CODE AND ADDING SECTION
10.04.380 "STORAGE OF MOTOR VEHICLES ON STREETS"
TO THE WARRENTON MUNICIPAL CODE

WHEREAS, the City addressed this chapter of the City's Municipal Code in May 2023; and

WHEREAS, the language of the code needed to be updated to be consistent with current vehicle descriptions, current legal approaches, and current court rulings; and

WHEREAS, an error was made in Ordinance No. 1263 the sections under 10.04.370 "Hazardous vehicles prohibited" were omitted and the entire section 10.04.380 "Storage of motor vehicles on streets was omitted from the ordinance;

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

Section 1. Warrenton Municipal Code Section 10.04.370 Hazardous Vehicles Prohibited is hereby amended to read as follows:

10.04.370 Hazardous Vehicles Prohibited.

- (A) No person shall commit, cause, or allow a hazardous vehicle to be parked or left standing upon the right-of-way of any city, county, or state highway, street or alley or upon any city property.
- (B) The City may impound or dispose of a hazardous vehicle by following the procedures in Section 10.04.300.
- (C) Any person found violating this section 10.04.370 shall be guilty of committing a traffic violation punishable by a fine not to exceed \$265 per occurrence.

Section 2. Warrenton Municipal Code Chapter 10.04.380 Storage of Motor Vehicles on Streets is hereby added to read as follows:

10.04.380 Storage of Motor Vehicles On Streets.

- (A) No person shall store, or permit to be stored on a street, sidewalk, public right-of-way, or other public property without permission of the City for a period in excess of 24 hours.
- (B) A vehicle may be stored on the street adjacent to the address where the vehicle is registered for up to 72 consecutive hours, if parking is permitted on that street, the vehicle is not an abandoned or hazardous vehicle (as defined in 10.04.030), and the vehicle is otherwise compliant under this code.
- (C) If, due to a disaster situation, emergency situation, renovation or other work within a standard parking spot beyond the owner's control, or other circumstances beyond the vehicle owner's control, a vehicle must be stored on the street for longer than the prescribed time limits under this section 10.04.380, then a person can obtain temporary storage permit for the vehicle from the City for longer than the prescribed

time limits in this Section.

- (D) Vehicle(s) that are stored will need to move more than five hundred (500) feet in order to become compliant.
- (E) The City may impound or dispose of a stored vehicle in violation of this section following the procedures of Article VII and Article VIII. Officers shall make a reasonable attempt to contact the registered or current owner prior to removing or towing the vehicle and/or other personal property.
- (F) Any person found violating this section 10.04.380 shall be guilty of committing a traffic violation punishable by a fine not to exceed \$100 per occurrence.

Section 3. This Ordinance shall become effective immediately after its adoption.

First Reading In Its Entirety: November 28, 2023

ADOPTED by the City Commission of the City of Warrenton, Oregon this 28th day of November 2023.

APPROVED

ATTEST

Henry A. Balensifer III, Mayor

Dawne Shaw, CMC, City Recorder



AGENDA MEMORANDUM

TO: The Warrenton City Commission
 FROM: Dawne Shaw, City Recorder
 DATE: November 28, 2023
 SUBJ: Public Records Policy Update (Resolutions 2657 & 2658)

SUMMARY

The City is in the process of implementing new software for the Public Records Request process and as such, there is the need to update the policy. Presented for your consideration is Resolution No. 2657, which adopts the updated policy to reflect these new changes. This policy will go into effect when the software goes live. Also presented, is Resolution No. 2658 which establishes the current fee schedule separate from the policy. Having the fee schedule separate from the policy will provide a cleaner process to update fees in the future, if needed.

RECOMMENDATION/SUGGESTED MOTION

1. *"I move to adopt Resolution No. 2657; a Resolution Updating Policy and Procedures for Public Records and Information Requests, and Repealing Resolution No. 2531."*
2. *"I move to adopt Resolution No. 2658; a Resolution Adopting Public Records Request Fees, and Repealing Resolution No. 2531."*

ALTERNATIVE

Other action as deemed appropriate by the City Commission

FISCAL IMPACT

N/A

Approved by City Manager: _____

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

RESOLUTION NO. 2657

Introduced by All Commissioners

A RESOLUTION UPDATING POLICY AND PROCEDURES FOR PUBLIC
RECORDS AND INFORMATION REQUESTS, AND REPEALING
RESOLUTION NO. 2531

WHEREAS, the City desires to amend the City of Warrenton Public Records Request policies and procedures, pursuant to ORS 192.311 – 192.478; and

WHEREAS, the City of Warrenton recognizes that Oregon Public Records Law (ORS 192.311 - 192.478) gives the public the right to inspect and copy certain public records maintained by the City; and

WHEREAS, the City of Warrenton has recently updated its public records request process and has implemented new software; and

WHEREAS, the City of Warrenton desires to update its Public Records Request Policy, as set forth in the attached Exhibit A; and

WHEREAS, the City of Warrenton will establish the Public Records Fee Schedule in a separate stand-alone resolution;

NOW, THEREFORE, BE IT RESOLVED that the City Commission of the City of Warrenton resolves as follows:

Section 1: The Warrenton City Commission hereby adopts the attached Public Records Request Policy, as attached in Exhibit A.

Section 2: Resolution No. 2531 is repealed and is no longer in effect.

Section 3: This resolution will take effect upon implementation of the new Public Records Request software.

Adopted by the City Commission of the City of Warrenton this _____ day of _____ 2023.

APPROVED

Henry A. Balensifer III, Mayor

ATTEST

Dawne Shaw, CMC, City Recorder



CITY OF WARRENTON

PUBLIC RECORDS REQUEST POLICY

DRAFT

EFFECTIVE: December 1, 2023

ADOPTED: _____

City of Warrenton Public Records Request Policy

Policy and Purpose:

It is the policy of the City of Warrenton to make public records easily accessible to interested parties. The City of Warrenton recognizes that Oregon Public Records Law (ORS 192.311-192.478) gives the public the right to inspect and copy certain public records maintained by the city. The city also recognizes that certain records are exempt from disclosure, or that disclosure may require balancing the right of the public to access the records against individual privacy rights, governmental interests, confidentiality issues and attorney/client privilege. The city is not required under Oregon Public Records Law to create a public records. Additionally, when the city receives a request to inspect or copy public records and there are costs incurred by the city in responding to the request, it is in the public interest to recover those costs incurred.

The purpose of this Public Records Policy is to: **(a)** Establish an orderly and consistent procedure for responding to public records requests; **(b)** Establish the basis for a fee schedule intended to reimburse the city for actual costs incurred in responding to public records requests; and **(c)** Inform citizens of the procedures and guidelines that apply to public records requests.

Procedure:

a. Making a Public Records Request:

All public records requests must be submitted in writing (either electronic or paper format). Persons are encouraged to use the electronic request form available using the city's Public Records portal on the city's website, at: <https://www.warrentonoregon.us>. A printed form may be submitted if computer access is not available to the requester. Printed requests shall be delivered to the City Recorder either by email to cityrecorder@warrentonoregon.us; or may also be delivered in person, by mail, or by fax, to the City Recorder, 225 S. Main Avenue, P.O. Box 250, Warrenton, OR 97146; 503-861-2351 (fax). For Police Department requests, please see Attachment A.

b. Processing a Public Records Request:

Under the Oregon Public Records Laws the city has 5 business days to acknowledge a public records request, and 10 business days to complete the request or provide an update on when the request will be completed.

Public record requests submitted after regular business hours will be considered "received" on the next regular business day. The City Recorder is the designated Records Officer for the City of Warrenton. The City Recorder or their designee shall provide an acknowledgment to the requester within five (5) business days of receiving the request, with at least one of the following responses:

- Confirm that the public body is the custodian of the requested record;
- Inform the requester that the public body is not the custodian of the requested record; or
- Notify the requester that the public body is uncertain whether they are the custodian of the requested record.

As soon as reasonably possible, but no later than ten (10) business days after the request is received, the City Recorder or their designee shall:

- Provide a written estimate of the cost to produce and/or provide the requested records;
- Complete the response to the public records request; or
- Provide a written statement that the public body is still processing the request and a reasonable estimated date by which the public body expects to complete its response based on the current information available.

The City Recorder shall be copied on all communications with the requester.

c. Fees:

Fees charged to the requesting party for fulfilling public records requests shall be reasonably calculated to reimburse the city for its actual costs for processing and responding to the request. These costs shall include, but are not limited to, personnel costs, attorney fees, and costs associated with materials used in processing the request.

- Personnel costs shall include, but are not limited to, employee time spent while locating, reviewing, and copying records and supervising public inspection of records. Costs shall be at an hourly rate equivalent to the salary plus benefits of each employee involved in processing the request.
- Attorney fees will be the fee charged by the attorney to the city for time spent reviewing the public records, and redacting or segregating exempt and nonexempt records.
- If the estimated costs involved in fulfilling your request exceed \$25.00, the city will require your approval before beginning the work.

The fees are set through resolutions adopted by the Warrenton City Commission.

d. Payment of Fees:

The City Recorder or their designee shall provide the requester with an estimate of the cost to produce the requested records. Depending on the volume or difficulty in retrieving the records, and if the estimated cost is over \$25.00, a deposit of at least half of the estimated cost may be required prior to conducting the work. Full payment of the total costs incurred is required before the public records are inspected or released.

e. Fee Waiver:

As provided by Oregon Public Records Law, the city may, but is not required to, waive, or reduce a fee for responding to a request, if doing so is in the public interest because making the record available primarily benefits the general public. A request for a fee waiver or reduction must be submitted in writing to the City Recorder. The City Recorder will review the request and may consider the requester's ability to pay, the requester's identity, the purpose for which the requester intends to use the information, the character of the information, whether the requested information is already in the public domain, whether the requester can demonstrate the ability to disseminate the information to the public, and any financial hardship on the city that might arise from granting the waiver. Anyone who believes there has been an unreasonable denial of a fee waiver or reduction request may petition the district attorney.

f. Exemptions:

Some public records are exempt from disclosure under state law. Many of the exemptions can be found in ORS 192.345 and ORS 192.355; (https://oregon.public.law/statutes/ors_chapter_192). Others may be located in other Oregon statutes. For Police Department requests, please see Attachment A.

g. Definitions:

Public Body: Oregon Revised Statute (ORS) 192.311(4) "Public body" includes every state officer, agency, department, division, bureau, board, and commission; every county and city governing body, school district, special district, municipal corporation, and any board, department, commission, council, or agency thereof; and any other public agency if the state.

Public Record: ORS 192.311 (5)(a) "Public record" includes any writing that contains information relating to the conduct of the public's business, including but not limited to court records, mortgages, and deed records, prepared, owned, used, or retained by a public body regardless of physical form or characteristics. ORS 192.311 (5)(b) "Public record" does not include any writing that does not relate to the conduct of the public's business and that is contained on a privately-owned computer.

Writing: ORS 192.311(7) "Writing" means handwriting, typewriting, printing, photographing, and every means of recording, including letters, works, pictures, sounds, or symbols, or combination thereof, and all papers, maps, files, facsimiles, or electronic recordings.

Attachment A



WARRENTON POLICE DEPARTMENT ADDENDUM TO PUBLIC RECORDS REQUEST



Requests for Police Body Cam Video

A request for police body cam video is regulated and controlled by ORS 192.345. Such recordings are exempt from disclosure *"unless the public interest requires disclosure in the particular instance."* ORS 192.345. In other words, the video will not normally be released, unless the requestor first establishes a public interest that requires such disclosure.

All such public record requests must be subjected to an additional process to determine whether the video must be released under the exception to the ORS 192.345 conditional exemption.

If such an exception is established, further guidelines for ORS 192.345(40) must be followed. Subsections (a), (b) and (c) of Section 40 provide the following:

(a) Recordings that have been sealed in a court's record of a court proceeding or otherwise ordered by a court not to be disclosed may not be disclosed.

(b) A request for disclosure under [ORS 192.345(40)] must identify the approximate date and time of an incident for which the recordings are requested and be reasonably tailored to include only that material for which a public interest requires disclosure.

(c) A video recording disclosed under this subsection must, prior to disclosure, be edited in a manner as to render the faces of all persons within the recording unidentifiable.

This means that the request must identify the date and time of an identified incident and be limited only to those materials justified by the identified public interest. Further, prior to releasing the recording, the faces of **ALL** persons in the recording must be blurred or blocked. Personal information must also be redacted (ex: someone reciting their date of birth or social security number).

In order to meet these conditions, it will take additional time to determine whether a body cam video is subject to disclosure and, if it is, additional time to process the video. It will also mean additional processing costs. You will receive an estimate for this cost before any processing is done and you may be required to put a deposit down prior to any processing. Either way, you will be given an estimate and the opportunity to decide if you want to proceed.

RESOLUTION NO. 2658

Introduced by All Commissioners

A RESOLUTION ADOPTING PUBLIC RECORDS REQUEST
FEES, AND REPEALING RESOLUTIUN NO. 2531

WHEREAS, the City desires to adopt the existing fee schedule for City of Warrenton Public Record Requests in a separate stand-alone resolution; and

WHEREAS, the City of Warrenton recognizes that Oregon Public Records Law (ORS 192.311)-192.478) gives the public the right to inspect and copy certain public records maintained by the City; and

WHEREAS, the City of Warrenton has adopted an updated Public Records Policy with the implementation of new software through Resolution 2657; and

WHEREAS, the City of Warrenton desires to adopt the public records fee schedule separate from the policy; and

WHEREAS, the City of Warrenton is not increasing any fees but rather is adopting the current public record fees, as set forth in Attachment A, in a resolution separate from the policy itself to the; and

WHEREAS, the previous fee schedule has been repealed through Resolution 2657.

NOW, THEREFORE, BE IT RESOLVED that the City Commission of the City of Warrenton resolves as follows:

Section 1: The Warrenton City Commission hereby adopts the Public Records Fee Schedule, as attached in Attachment A.

Section : This resolution will take effect upon the effective date of Resolution 2657 .

Adopted by the City Commission of the City of Warrenton this _____ day of _____ 2023.

APPROVED

Henry A. Balensifer III, Mayor

ATTEST

Dawne Shaw, CMC, City Recorder

Attachment A
Resolution No. 2658

CITY OF WARRENTON
PUBLIC RECORDS FEE SCHEDULE

(Some of these records may be available on the city's website - www.ci.warrenton.or.us)

COPIES OF STANDARD PUBLIC RECORDS

8.5 x 11 per page	\$1.00 +	\$.25
8.5 x 14 per page	\$1.00 +.....	\$.25
11 x 17 per page	\$1.00 +.....	\$.50
Color Copies per page	\$1.00 +.....	\$ 1.50

Audio Recordings.....\$15.00 per CD/DVD/ USB Thumb Drive
 Emailed Records (readily available)..... \$10.00
 Emailed Records (requiring scanning).....\$15.00 up to first ½ hr time; Over ½ hr: Actual staff time (includes benefits and overhead)

Electronic Records (readily available)
 CD/DVD.....\$10.00 up to first ½ hr download time; Over ½ hr: Actual staff time (includes benefits and overhead)
 USB Thumb Drive.....\$15.00 up to first ½ hr download time; Over ½ hr: Actual staff time (includes benefits and overhead)

Digital Photographs.....\$ 5.00 per printed side **OR**
 \$15.00 per CD/DVD/ USB Thumb Drive

COPIES OF POLICE /COURT RECORDS - See "Attachment D" for Police Department Body Cam Video Requests

Misc. Paperwork (see costs for standard public records above)

Police Reports.....\$10.00 (up to 30 pgs)
 \$.25 per page (over 30)

Accident Reports.....\$10.00
 Add Digital Photos.....\$5.00 per page **OR** \$10.00 per CD

Audio/Video.....\$15.00 per CD/DVD or USB Thumb Drive

SPECIAL PUBLICATIONS

Administration

City of Warrenton Code (General Ordinances)..... As charged for standard copying
 City Charter.....\$15.00

Finance

City Budget

Printed.....	\$30.00
CD/USB Thumb Drive.....	\$15.00

City Audit

Printed.....	\$30.00
CD/USB Thumb Drive.....	\$15.00

Business License List.....	\$10.00
----------------------------	---------

Planning/Building

Comprehensive Plan

Printed.....	\$30.00
CD/USB Thumb Drive.....	\$15.00

Development Code

Printed.....	\$30.00
CD/USB Thumb Drive.....	\$15.00

Wetland Conservation Plan

Printed.....	\$30.00
CD/USB Thumb Drive.....	\$15.00

Maps and other large documents are taken to a commercial copy business for reproduction. For documents reproduced at a commercial copy business the fee will be actual cost plus staff time (includes benefits and overhead).

Public Works

Large Format Printing (17x22, 22x34, 34x44).....	B&W \$15.00/per each
	Color \$25.00/per each

Electronic Records (readily available)

CD/DVD.....\$ 10.00 up to first ½ hr download time; Over ½ hr: Actual staff time (includes benefits and overhead)

USB Thumb Drive.....\$15.00 up to first ½ hr download time; Over ½ hr: Actual staff time (includes benefits and overhead)

Scanning Large Format Documents.....\$15.00 up to first ½ hr; Over ½ hr: Actual staff time (includes benefits and overhead)

Printing Large Format Documents..... \$5.00 + Standard Public Record Copying Fees

Maps and other large documents that are taken to a commercial copy business for reproduction; the fee will be actual cost plus staff time (includes benefits and overhead).

Other documents charged at Standard Public Record Copying Fees

Fire Department

All reports.....	\$10.00
------------------	---------

RESEARCH FEES; SUPPLEMENTAL LABOR FEES

If a request requires additional staff time to locate, retrieve, research, or attorney review, additional labor fees may be charged based on the actual cost of the employee performing the work. Actual cost includes hourly payroll rate, benefits, and overhead.

Level 1 Request: Inspection of Records Research Fee: Up to 30 minutes to locate files \$15.00
Over 30 minutes - Actual Employee Cost (including benefits and overhead)

Level 2 Request: Up to 30 minutes of copying/\$15.00 + Copy Cost

Level 3 Request: Over 30 minutes/Copy Cost + Actual Employee/Attorney Cost (including benefits and overhead)

POSTAGE.....Actual Cost



AGENDA MEMORANDUM

TO: The Warrenton City Commission
FROM: Dawne Shaw, City Recorder
DATE: November 28, 2023
SUBJ: Surplus Chambers Audience Chairs

SUMMARY

The City of Warrenton is getting new audience chairs for the Commission Chambers. The new chairs are expected to be delivered the week of December 4th. The city would like to surplus the existing chairs, per Warrenton Municipal Code 3.28.080, Section J2, "Disposal of Property with Minimal Value."

"I move to declare the old chambers audience chairs as surplus and disposed of according to current administrative policies."

ALTERNATIVE

Other action as deemed appropriate by the City Commission

FISCAL IMPACT

N/A

Approved by City Manager: _____

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



AGENDA MEMORANDUM

TO: The Warrenton City Commission
FROM: City Manager, Esther Moberg
DATE: 11/28/2023
SUBJ: Request for Intent to Perform regarding Fort Point Properties

SUMMARY

The Developers of Fort Point Properties have concerns about Sewer Treatment Capacity access. They are asking for an official document stating intent to execute connection to the city utilities after building all their properties. The City Manager recognizes the Preliminary plan for the PUD was approved by the Planning Commission. The City Manager is seeking the approval of the Commission to move forward with an intent to execute document for the Fort Point development. The City Manager is proposing approval that all 450 units will be allowed to move forward within the next 5 years starting in 2024, with the maximum number of units built in 2024-2026 to be no more than 130 units.

RECOMMENDATION/SUGGESTED MOTION

I move that the City sign a statement of intent of connection or other legally binding document of connection to city utilities for the Fort Point development project that has been preliminarily approved.

ALTERNATIVE

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

FISCAL IMPACT

N/A or...budgeted....or how funded

Approved by City Manager: _____

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

City of Warrenton Board Recommendation

November 20, 2023
Marinas Advisory Committee

Summary:

The Committee met today for their regularly scheduled meeting and was presented with a proposal for interest in additional RV parking at both marinas.

Fiscal Impact (if any/known):

To be determined as the City Commission explores the presentation.

RECOMMENDATION(S):

(Recommendation unanimous of 4 in favor, (Malcombe Cotte was not in attendance and was excused)

The committee would like to recommend consideration on the proposal as presented to the Marinas Advisory Committee by the City Commission.

Respectfully Submitted,

Pam Ackley
Chair