



AGENDA

CITY COMMISSION OF THE CITY OF WARRENTON
REGULAR MEETING
June 9, 2020 – 6:00 P.M.
Warrenton City Commission Chambers – 225 South Main Avenue
Warrenton, OR 97146

Public Meetings will be conducted in the Commission Chambers with a limited seating arrangement. To adhere to social distancing recommendations, meetings may now 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 Work Session Minutes – 5.26.20
- B. City Commission Regular Meeting Minutes – 5.26.20
- C. City Recorder Activity Report

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 email their comments to the City Recorder, at cityrecorder@ci.warrenton.or.us, no later than 5:00 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**

- A. Street Vacation – Section of SE 15th Place

7. **BUSINESS ITEMS**

- A. Consideration of Conditions of Use Authorization – Forest Rim Neighborhood Park
- B. Consideration of Nuisance Determination – 838 E. Harbor Dr.
- C. Consideration of Budget Adjustment – Resolution No. 2569; Community Development Application Processing Fees
- D. Consideration of Safe Routes to School – Letter of Intent

8. DISCUSSION ITEMS

- A. Updating City Park Ordinance – No Smoking
- B. Utility Bills/Water Shut offs

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
 Work Session – May 26, 2020
 5:30 p.m.
 Warrenton City Hall - Commission Chambers
 225 S. Main
 Warrenton, OR 97146

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

City Commissioners Present: Mayor Balensifer, Mark Baldwin, Pam Ackley (via Zoom), Rick Newton (via Zoom) – arrived at 5:47

Excused: Commissioner Tom Dyer

Staff Present: City Manager Linda Engbretson, Community Development Director Kevin Cronin, RARE Participant Morgan Murray, Public Works Director Collin Stelzig, Public Works Operations Manager Kyle Sharpsteen, Police Chief Mathew Workman, and City Recorder Dawne Shaw

Mr. Cronin introduced RARE Participant, Morgan Murray, and gave an opening speech regarding the work Ms. Murray has produced. Ms. Murray gave a power point presentation. She explained there are three sections to the power point: Parks Master Plan update, Forest Rim Concept Plan, and Grant Opportunity. She began presenting the Parks Master Plan update and noted the Parks Master Plan should be updated every ten years. She continued to note the number of citizens involved throughout the process. Mayor Balensifer noted that the number of citizens involved in the process was very impressive. He pointed out that the Hammond Marina is not entirely a park when Seafarer's Park does not encompass the entire marina. He would like the documentation to be clear on that. Ms. Murray clarified. Mayor Balensifer stated that any map or document that the city puts out to the public should be accurate – so all is aligned in terms of what we are presenting to people. He also asked about recommendation 2.6 (chapter 5.3). Ms. Murray noted the recommendations came from the 2010 plan and clarified the reasoning behind the recommendation being carried over into the new Parks Master Plan. Mayor Balensifer stated he does not have a problem with a parks commission being set up and he doesn't have a problem with giving them independent expenditure authority with oversight provided a plan is established through the commission if and only if the Parks Board can present its monetization policies and can raise its own funds independent of the General Fund. He continued to expand on the issue. He also noted recommendation 2.9 and gave his thoughts on the matter. Brief conversation continued. Mayor Balensifer noted section 2.11 and wanted to know if the community garden was going to continue, we do not own that land; 2.14 – community compost, he noted that he received constituent mail asking about having curbside compost and noted it is worth looking into. He asked if this section could be defined further. Ms. Murray stated this section came from a special work session with the Parks Advisory Board. They had been receiving comments from the community about having a community compost.

Mayor Balensifer asked what the new additions are to the Parks Master Plan. Ms. Murray noted there were at least 8 new recommendations. Discussion followed on the soccer fields. Ms. Murray explained the maps; what is city owned and what is county owned, etc. Discussion continued. Mayor Balensifer and Commissioner Newton asked for clarification on section 3.25. Mayor Balensifer asked about the parking lot at Forest Rim. Ms. Murray clarified. Mayor Balensifer suggested using better maps and stated public documents should not be confusing to people. He also asked about Pacific Drive Park – and why the NOAA space is included, noting it is federal property. Ms. Murray clarified it is maintained by the city. Mayor Balensifer noted there should be a better way to capture and accurately reflect Pacific Drive Park. Mr. Cronin explained the reasoning this was left from the previous Parks Master Plan. Mayor Balensifer noted that he was okay with this section being left as is. Ms. Murray thanked Trisha Hayrynen for her work on the GIS maps.

Ms. Murray continued with a review of the Forest Rim Park concept plan. She noted we anticipate a lot line adjustment, but we currently have 3 acres of designated parkland inside the Forest Rim area. She reviewed the power point presentation as presented in the meeting packet material. Commissioner Newton asked for clarification on what constitutes as a permanent structure. Ms. Murray clarified. Brief conversation continued.

There being no further business, Mayor Balensifer adjourned the work session at 6:09 p.m.

Respectfully submitted by Lindsay Duarte, Deputy City Recorder.

APPROVED:

Henry A. Balensifer III, Mayor

ATTEST:

Dawne Shaw, City Recorder

MINUTES
Warrenton City Commission
May 26, 2020
6:00 p.m.
Warrenton City Hall - Commission Chambers
225 S. Main
Warrenton, OR 97146

Mayor Balensifer called the meeting to order at 6:09 p.m. and led the public in the Pledge of Allegiance.

Commissioners Present: Mayor Balensifer, Mark Baldwin, Pam Ackley (via Zoom), and Rick Newton (via Zoom)

Excused: Commissioner Tom Dyer

Staff Present: City Manager Linda Engbretson, Community Development Director Kevin Cronin, RARE Participant Morgan Murray, Library Director Kelly Knudsen, Public Works Director Collin Stelzig, Public Works Operations Manager Kyle Sharpsteen, Police Chief Mathew Workman and City Recorder Dawne Shaw

CONSENT CALENDAR

- A. City Commission Regular Meeting Minutes – 5.12.20
- B. Police Department Monthly Statistics – April 2020
- C. Monthly Finance Report – April 2020

Mayor Balensifer asked about the stats on DUIs in Warrenton. Chief Workman clarified.

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

Baldwin – aye; Ackley – aye; Balensifer – aye; Newton - aye

COMMISSIONER REPORTS – None

PUBLIC COMMENT – None

PUBLIC HEARING – None

BUSINESS ITEMS

Mayor Balensifer noted the work session for the Parks Master Plan was conducted prior to this Commission Meeting. He continued to note that his concern is adopting the Parks Master Plan when it is not finalized. He stated that if we have to approve it for the grant, he can approve it provisionally. Mr. Cronin noted that we have to have the Forest Rim Concept Plan approved to show Pacific Power that the City Commission is in support. The Parks Master Plan is not necessary to approve tonight. Mr. Cronin stated that he can bring back the Parks Master Plan at the June meeting for approval. Mayor Balensifer asked if there was consensus from the commission on tabling the Parks Master Plan Update until it is finalized. There was consensus. Mayor Balensifer asked about phase 1 for the Forest Rim Concept Plan-if there will be a phase 2 and 3. Mr. Cronin noted that unless the City Commission can find funds in the budget, he does not foresee the phases happening anytime soon.

Commissioner Ackley made the motion to approve the concept plan for Forest Rim Park. Motion was seconded and passed unanimously.

Baldwin – aye; Ackley – aye; Balensifer – aye; Newton – aye

Mr. Cronin explained the Environment, Civic and Community Enhancement Grant and noted it is due mid-June. He explained the city has in-kind services lined up for this project and gave specifics. Mayor Balensifer stated that if the city is awarded the grant, and the project moves forward, he would like a letter prepared thanking all the in-kind contributors with the signatures of all commission.

Commissioner Baldwin made the motion to authorize staff to apply for the Environment, Civic and Community Enhancement Grant and to authorize the mayor's signature on a letter of support. Motion was seconded and passed unanimously.

Baldwin – aye; Ackley – aye; Balensifer – aye; Newton – aye

Library Director, Kelly Knudsen, gave a summary of Resolution No. 2562, and presented it for its second reading and adoption. Mayor Balensifer asked for confirmation that our library services are defined by our city limits, not by the school district limits. Ms. Knudsen stated that is correct. She noted that if there is a budget issue for families, there is the option to purchase a \$10 Library card for the Warrenton Library access only. Commissioner Newton noted that all ROCC cards are free for kids.

Commissioner Ackley made the motion to conduct the second reading, by title only, of Resolution No. 2562. Motion was seconded and passed unanimously.

Baldwin – aye; Ackley – aye; Newton – aye; Balensifer – aye

Mayor Balensifer conducted the second reading, by title only, of Resolution No. 2562; a Resolution Setting Fees and Fines for Library Services and Repealing all Resolutions in Conflict.

Commissioner Baldwin made the motion to adopt Resolution No. 2562. Motion was seconded and passed unanimously.

Baldwin – aye; Ackley – aye; Newton – aye; Balensifer – aye

Police Chief, Mathew Workman, noted he was approached last fall by Parks Board member, Jim Dutcher, to allow E-bikes on the trails; as State Parks allow them. Chief Workman continued to note the process that he and Jim Dutcher went through to complete the Ordinance. Mayor Balensifer noted an error. Chief Workman noted additional scribes' errors that will be corrected before the second reading. Mayor Balensifer asked to have the proposed ordinance revised to have "shall" and shall not" outlined in sections; so, the law is clear. Conversation continued on the proposed sections of the document. Chief Workman noted he will make the corrections and separate it into two sections. Mayor Balensifer asked for clarification on the section regarding sidewalks – specifically First and Second Street. Chief Workman noted bicycles were only prohibited on sidewalks in business areas, not residential areas. Mayor Balensifer continued to ask for clarification – discussion continued. Mayor Balensifer noted Section 10.04.230 E. He discussed his opinion on that matter and suggested we change the section from 60 days to 30 days. Discussion on the fees ensued. Chief Workman suggested that if the police department takes in bikes/ bike parts that amount to less than \$200.00 they can dispose of them how they see fit. If the bikes or parts are over the \$200.00 amount the department would go through a contracting ordinance or public auction. Discussion continued. There was consensus from commission on changing 10.04.230 E from 60 days to 30 days. Mayor Balensifer noted he thought we were not going to allow e-bikes on trails. Chief Workman noted he could not speak to that. Discussion continued. Mayor Balensifer asked the Commissions' pleasure on how much should be charged on impounded bikes. Commissioner Newton asked for clarification on what an impounded bike was defined as. Chief Workman clarified. Commissioner Newton suggested increasing the fee to \$50. Commissioner Ackley and Commissioner Baldwin both agreed.

Commissioner Ackley made the motion to table Ordinance No. 1240 until such time amendments can be made; clarifying the language of "shall" and "shall not", 30 day claiming period and a \$50.00 impound fee. Motion was seconded and passed unanimously.

Baldwin – aye; Ackley – aye; Newton – aye; Balensifer – aye

Chief Workman suggested having Jim Dutcher attend when Ordinance No. 1240 comes back. Mayor Balensifer concurred. Ms. Engbretson recommended the Parks Board make a recommendation as a whole, not just Jim Dutcher. There was consensus. Mayor Balensifer will reach out and Ms. Engbretson will talk to Nancy Claterbos.

Chief Workman discussed his research on public safety fees. He noted the need to do this

equitably and stated that charging the fee through utility usage seems to be the most equitable. He continued to review the research data as outlined in the meeting packet material. Discussion continued. Mayor Balensifer asked if a large business such as Walmart would have a high RME. Mr. Stelzig noted that larger businesses have really added amenities that are low on water usage. He would suggest not basing the fees on water, he would suggest basing the fee on transportation. Commissioner Baldwin suggested the fire flow. Mr. Stelzig noted that's not metered. Mayor Balensifer noted for the record that utilizing a traffic-based method would account for both the tourism traffic and the local traffic combined. He asked what commission's thoughts were. Commissioner Baldwin asked how the larger stores are not being metered for their fire line Mr. Stelzig clarified how the fire line works. Commissioner Newton noted that LCTC brings people to our area and we do not have the facilities to take care of them because they do increase our call volume. He noted that he isn't sure what option distributes the costs equitably, but he does want to look at options to where the people visiting somehow help pay for the police services because it is not fair to load the fees onto the citizens. Commissioner Ackley agreed. Commissioner Baldwin noted that he agrees, and he would suggest meters sized one inch and under be exempt. Mr. Stelzig noted the Airbnb's. Commissioner Baldwin noted we could add the stipulation of "unless it is run as a commercial entity. Discussion continued. Chief Workman noted he will do some more research. Mayor Balensifer thanked Chief Workman for his work and having a starting point to the conversation. Commissioner Newton asked for a legal clarification.

Public Works Director, Collin Stelzig, discussed both Item 7G and Item 7H as they are connected. He discussed the Force Main Project. He stated the City went out to bid and received two bids back for the SE 2nd Street & Marlin Drive Force Main Replacement project. He explained pipe bursting projects. He stated he has no question that with the change order that it will work, and we are still under the amount. Discussion continued. Commissioner Baldwin asked why if the contractor said he can do it, are we offering more money -they will need it. Mr. Stelzig explained why he proceeded with the change order. Discussion continued. Mayor Balensifer asked for clarification on a circumstance of the contractor's machine breaking down mid-way. Mr. Stelzig clarified its not on us to cover that with a change order. Commissioner Newton noted for the record that he has close ties with the contractor, and it will not in any way effect his decision. Mayor Balensifer thanked Commissioner Newton for the disclosure and noted it is not conflict of interest. Commissioner Newton noted his issue with change orders. Commissioner Ackley concurred with Commissioner Newton and suggested approving the bid with North Pacific Excavation subject to potentially having to go with cost if its going to take more than one pull. Mayor Balensifer summarized Mr. Stelzig's reasoning behind obtaining a change order: this is not a project he can come back with a change order. Mr. Stelzig stated correct. He noted the city manager has authority under emergency management. Commission will approve the contract without the change order. Commissioner Newton noted he would like a well written explanation of why additional pulls are needed so we are not taken advantage of. Discussion continued. Mayor Balensifer stated he feels comfortable awarding the bid with a single pull.

Commissioner Ackley made the motion to approve the contract for Services for the SE 2nd Street & Marlin Drive Force Main Replacement project with North Pacific Excavation. Motion was seconded and passed unanimously.

Baldwin – aye; Ackley – aye; Newton – aye; Balensifer – aye

Commissioner Baldwin made the motion to postpone indefinitely item 7H.

Baldwin – aye; Ackley – aye; Newton – aye; Balensifer – aye

Mayor Balensifer noted the County will be reviewing their emergency order and issuing one on Friday. City Manager, Linda Engbretson, noted Resolution No. 2568 extends the State of Emergency Order to June 9, 2020. She noted we submitted approximately \$14,000 for reimbursement and outlined the expenses.

Commissioner Ackley made the motion to adopt Resolution No. 2568; A Resolution of the Warrenton City Commission Extending the State of Emergency Because of the COVID-19 Outbreak. Motion was seconded and passed unanimously.

Baldwin – aye; Ackley – aye; Newton – aye; Balensifer – aye

DISCUSSION ITEMS - None

GOOD OF THE ORDER

Commissioner Ackley – noted they had the meeting with Spruce Up Warrenton regarding the Back to the Future/end of pandemic party. She noted the art submissions received. She disclosed other ideas that are in the works. Ms. Engbretson noted she will get back to Commissioner Ackley on the procession honoring the first responders.

Commissioner Newton – noted Jim Pierce does such a great job for the City of Warrenton, he is a very good asset. He noted Commissioner Dyer suggested suspending the Commissions stipend for a while to help with the COVID-19 short falls. Brief discussion followed on how to donate the money back to the city. He continued to note several realtors and businesses in the area that do not have business licenses, and after we are clear of covid-19 he would like to go after those individuals. He noted a show he has seen and suggested ideas.

Mayor Balensifer gave an update; He noted a conference call with Speaker, Tina Kotek, and Oregon Business & Industries. There was a lot of discussion on when legislature will get together. Mayor Balensifer summarized the concerns he took away from the conference call, noting they are trying to develop legislation that makes a presumptive standard for workers comp

MINUTES

Warrenton City Commission
Regular Meeting – 5.26.2020
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claims. Assuming that if any person who is still working receives a COVID-19 health care related expense that it is workplace related and shifting cost responsibilities from government to the businesses and stated it is frankly a low blow. He continued to state that he is concerned with how legislature is strategizing, and he thought commission should be aware of it. They also talked about the Columbia River Crossing because there is going to be some maintenance next year on the I-5 Bridge that will require its closure. He also touched on setting up a place for tolling to help pay for the project. Commissioner Baldwin noted his opinion on the legislatures position on the workman's comp issue. Mayor noted that once he gets a copy of the standard concept he will forward it off to the commission to read and make comments if they wish. Brief conversation continued.

City Manager, Linda Engbretson noted the executive session will be postponed. She reported that we are researching guidelines on opening city facilities. She is shooting to have a soft opening on June 8. We will continue to do telework and encourage people to conduct business in other ways.

There being no further business, Mayor Balensifer adjourned the regular meeting at 7: 28 p.m.

Respectfully prepared and submitted by Lindsay Duarte, Deputy City Recorder

APPROVED:

Henry A. Balensifer III, Mayor

ATTEST:

Dawne Shaw, CMC, City Recorder



STAFF REPORT

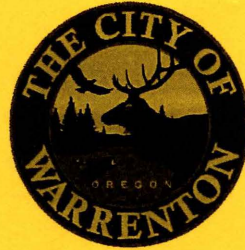
TO: The Warrenton City Commission
FROM: Dawne Shaw, City Recorder
DATE: June 9, 2020
RE: City Recorder Activity Report; Jan. – May 2020

The following is an activity report from the City Recorder's office outlining activities and statistics for January – May 2020. Deputy City Recorder, Lindsay Duarte has been instrumental in completing these projects and activities, and her resignation will factor in greatly in my future workload.

- **Technology upgrades:** Implemented upgrades to increase internet speed; and upgraded chambers technology to facilitate electronic public meetings in response to COVID-19 pandemic
- **Policies & Procedures:** Wrote and implemented new policies and procedures - Recruitment Procedures; and Telework Policy & Agreement
- **Meetings:** 20 Meetings - includes regular commission meetings, work sessions, URA meetings, Budget meetings and WURAC meetings. (includes preparing agendas, packets, staff reports, press notices, minutes, attendance, etc.)
- **Implementation of Electronic Records "Webdrawer"** – Public Documents are now accessible to the public through a webdrawer link on the city website. We will continue to add more documents to the webdrawer as time allows.
- **Public Records Requests:** 20 Public Records Requests to date

- **Notary Services:** 26 Notarizations to date
- **Quarterly E-Newsletter:** 2 Editions published – 160 Subscribers to date

This report is not fully inclusive of all activities of the city recorder's office. Other projects and activities include but are not limited to – Assistant to the City Manager; Human Resources Coordinator duties; Management & maintenance of the City website and social media accounts; Responding to citizens' concerns and complaints; Filing insurance claims; Records management, retention & destruction per Secretary of State guidelines.



WARRENTON CITY COMMISSION PUBLIC COMMENT FORM

NAME: Stan Johnson

ADDRESS: 92732 Fern Hill Rd Astoria

EMAIL: ds

DOES YOUR COMMENT HAVE TO DO WITH AN AGENDA ITEM: (Y or N) N

BRIEFLY DESCRIBE YOUR TOPIC: street vacation

PLEASE GIVE THIS CARD TO THE CITY RECORDER PRIOR TO THE MEETING



AGENDA MEMORANDUM

TO: The Honorable Mayor and Warrenton City Commission
FROM: Linda Engbretson, City Manager
DATE: For the Agenda – June 9, 2020
SUBJ: **PUBLIC HEARING: Street Vacation Request / Section of SE 15th Place**

SUMMARY

The Warrenton Planning Commission approved a site design review application on February 13, 2020, for a 16-unit multifamily apartment project adjacent to Spur 104 and the Skipanon River. A condition of approval requires Stan Johnson – the developer of the project – to apply for a street vacation to vacate a small portion of SE 15th Place.

Typically, once the petition is deemed complete it is submitted to the City Commission to determine whether a public hearing shall be set. ORS 271.100 states “*if there appears to be no reason why the petition should not be allowed in whole or in part, the governing body shall fix a time for a formal hearing upon the petition.*” The public hearing was scheduled and advertised for this date. We have some housekeeping to meet ORS:

- 1) consider the petition to conduct a hearing
- 2) vote to hold the hearing
- 3) conduct the hearing

Based on the petition and staff report, if the Commission determines it is not in the City's interest to vacate the ROW the Mayor should announce the Commission won't be conducting the hearing, and we can pull the item from the agenda after step 1 above.

Staff will be meeting with Mr. Johnson prior to your meeting to discuss opportunities and issues related to this vacation as currently presented. As noted, Public Works has commented on the need to reserve the levee ROW. It is likely staff will be recommending something less than as

currently presented in your Agenda Packet. The Commission may also consider continuing the hearing until June 23 to obtain additional information.

RECOMMENDATION/SUGGESTED MOTION

"I move to conduct the public hearing on Street Vacation Petition, No. 152."

Conduct the Public Hearing (see script) or Open the Hearing and continue the hearing.

"I move to continue the public hearing on Street Vacation Petition, No. 152 to June 23."

ALTERNATIVE

Determine it is not in the best interest of the City to consider this street vacation. No action.

FISCAL IMPACT

The applicant has paid the street vacation filing fee of \$650.00.

/

STREET VACATION PETITION
City of Warrenton

Fee: \$750.00

<u>Petitioner</u>	<u>Petitioner's Representative</u>
Name: STAN JOHNSON	Name:
Mailing Address: 92732 Fernhill Rd ASTORIA OR 97103	Mailing Address:
Phone Number: 503-325-0883 503-741-6165	Phone Number:
Email Address: ASTORIANWHomeS@charter.net	Email Address:
<p>1. A description of the right-of-way area to be vacated. <i>(Don't forget to include a map highlighting the area. A survey or professionally developed legal description is required).</i></p>	
<p>2. Reason for the Vacation Request. <i>(Advise if any buildings/structures will be in the area to be vacated).</i></p> <p style="font-family: cursive;">INCREASE Lot size To Allow For SIDE YARD set BACK, CREATE A SPACE FOR A BUFFER BETWEEN DIFFERENT ZONINGS IT IS ALL WET LANDS NEVER TO BE BUILT ON.</p> <p style="text-align: center;">Note: If additional room is necessary, please attach extra pages.</p>	
<p>3. Required affidavits.</p> <p>a. 100% of abutting property owners. JUDY KUJALA</p> <p>b. Two-thirds in area of real property affected by proposal. Refer to <i>ORS Chapter 271</i> (attached).</p> <p>c. List of all abutting and affected property owners, mailing addresses, and corresponding square footage of property owned.</p>	

Steve Flynn President 3-24-2020
Petitioner Date
Astoria Northwest Homes

Return To:	City of Warrenton P.O. Box 250 225 S. Main Street Warrenton, OR 97146
For Questions – Contact:	Kevin Cronin, City Planner Phone: 503- 861-0920 Email: cityplanner@ci.warrenton.or.us

RIGHT OF WAY VACATION
Street Vacation Check List

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

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

I have read the "Vacating A Street" brochure.

I have called and spoken to VANCE SWANSON COUNTY SURVEYOR NOAM NILES-CARTOGRAPHER at Clatsop County's Cartography Department (503-325-8522) to see who will own the right-of-way area after the vacation is completed. (In most cases the vacated area is split down the middle and reverts back to the adjacent property owner.) Please list who receives property: STAN JOHNSON

JUDY KUJALA 50/50

I have talked with all owners of the properties that abut all sides and corners of the portion of right-of-way to be vacated and they will support the vacation request (**objecting property owners will complicate or stop the process**).

I have contacted private utilities to determine if the companies will support the vacation, with or without special conditions. To ensure that you have a complete understanding of affected utilities, a utility locate should be requested by calling: 800-332-2344.

SIGN TO CONFIRM:

I have completed all of the above Stanley Johnson 3-24-2020
Signature Date

After you have done all of the above and it appears that a right-of-way vacation may be feasible, a written right-of-way vacation petition (attached) and a Seven Hundred and Fifty (\$750.00) application fee is required. If multiple streets are involved, or it affects multiple lots, a land use review by the Planning Department and Planning Commission is required. The petition fee is One Thousand Dollars (\$1000.00) when it's required to go before the Planning Commission.

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

Street Vacation Check List
Page Two (2)

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

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

or

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

If you have additional questions about the street vacation process, please contact Kevin Cronin, at 503-861-0920 or at cityplanner@ci.warrenton.or.us.

SURVEY NARRATIVE

THE PURPOSE OF THIS EXHIBIT IS TO SHOW AND DESCRIBE THAT PORTION OF SPRAGUE STREET PROPOSED FOR VACATION, AND TO SHOW THAT REAL PROPERTY AFFECTED PER ORS 271.080(2).

THE BASIS OF BEARING FOR THE PROPOSED VACATION IS NORTH 89°46' EAST, ALONG THE SOUTH LINE OF BLOCK 19 PER SAID PLAT OF SPOKANE ADDITION.

THAT PORTION OF SPRAGUE STREET AS PROPOSED FOR VACATION AND AS SHOWN HEREON IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF BLOCK 21, FROM WHICH THE SOUTHEAST CORNER OF BLOCK 19 BEARS NORTH 0°14' WEST, 60 FEET;

THENCE ALONG THE NORTH LINE OF SAID BLOCK 21 TO THE NORTHWEST CORNER THEREOF, SOUTH 89°46' WEST 200';

THENCE TO THE SOUTHWEST CORNER OF BLOCK 19, NORTH 0°14' WEST 60';

THENCE ALONG THE SOUTH LINE OF SAID BLOCK TO THE SOUTHEAST CORNER THEREOF, NORTH 89°46' EAST, 200 FEET;

THENCE TO THE POINT OF BEGINNING, SOUTH 0°14' EAST, 60 FEET.

AREA OF SAID PROPOSED VACATION IS 12,000 SQUARE FEET, MORE OR LESS;

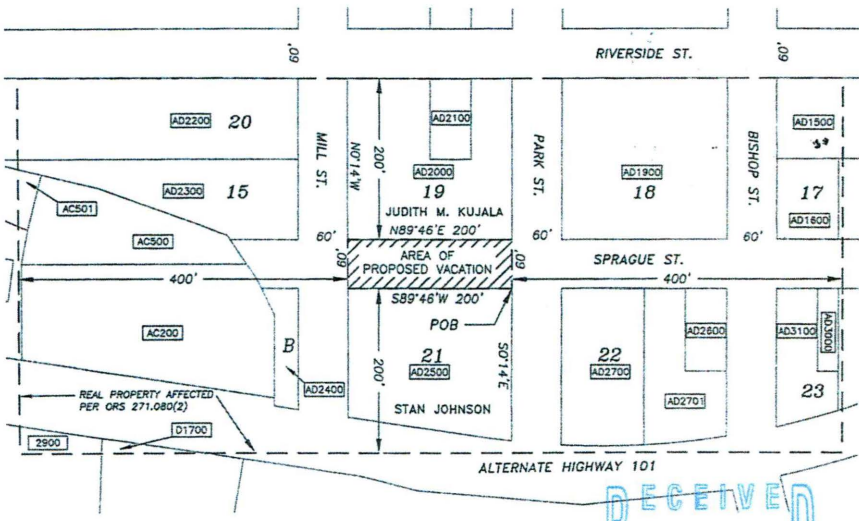
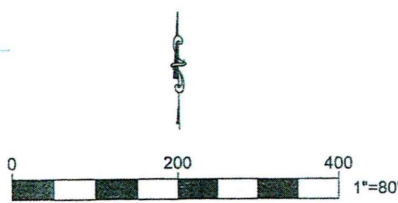
EXHIBIT FOR STREET VACATION

FOR STAN JOHNSON & JUDITH M. KUJALA
 BEING A PORTION OF SPRAGUE STREET,
 BOUNDED ON THE EAST BY PARK STREET, ON THE SOUTH BY BLOCK 21,
 ON THE WEST BY MILL STREET AND ON THE NORTH BY BLOCK 19,
 PLAT BOOK 5, PAGE 12, SPOKANE ADDITION TO WARRENTON
 NE 1/4 OF SEC. 28, T8N, R10W, W.M.
 CITY OF WARRENTON, COUNTY OF CLATSOP, STATE OF OREGON

MARCH 29, 2020

MAGYAR LAND SURVEYING, LLC
 559-86-3633
 171703
 1309 ASTORIA, ORE.
 (503) 338-3633

REGISTERED PROFESSIONAL LAND SURVEYOR
Michael Magyar
 OREGON
 JULY 12, 2015
 MICHAEL G. MAGYAR
 PLS 90788
 EXPIRES: DEC. 31, 2020



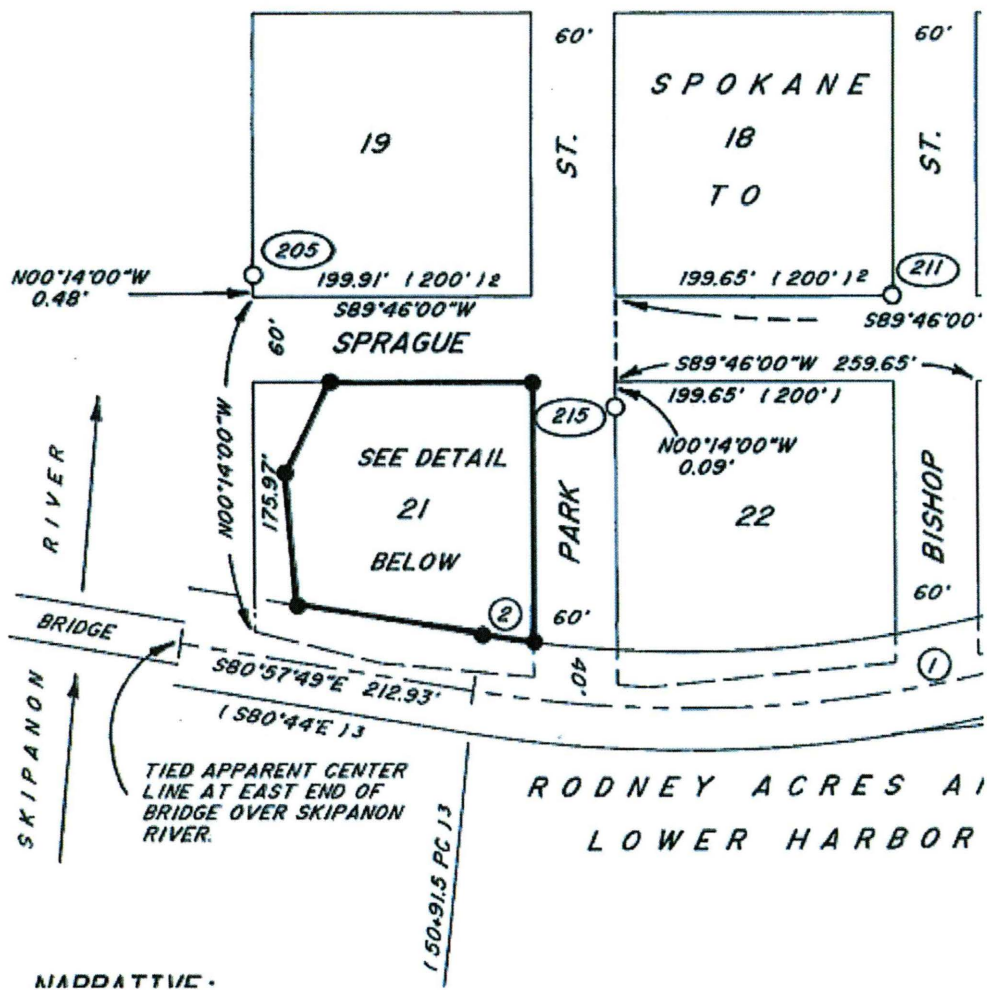
RECEIVED

BY: CITY OF WARRENTON

From: Richard Stelzig <rstelzig@ci.warrenton.or.us>
 Sent: Thursday, May 21, 2020 4:19 PM
 To: Kevin Cronin <cityplanner@ci.warrenton.or.us>
 Cc: Nancy Claterbos <nclaterbos@ci.warrenton.or.us>; Kyle Sharpsteen <kyle@ci.warrenton.or.us>;
 Trisha Hayrynen <thayrynen@ci.warrenton.or.us>; Brian Crouter <bcrouter@ci.warrenton.or.us>
 Subject: RE: VS-20-1 STAN JOHNSON STREET VACATION

Kevin,

There is actually an issue in this area concerning levee ROW. We should ask the applicant to include the existing levee ROW in the exhibit map and not include this area in the street vacation. Below is a sketch of a portion of the existing levee ROW:

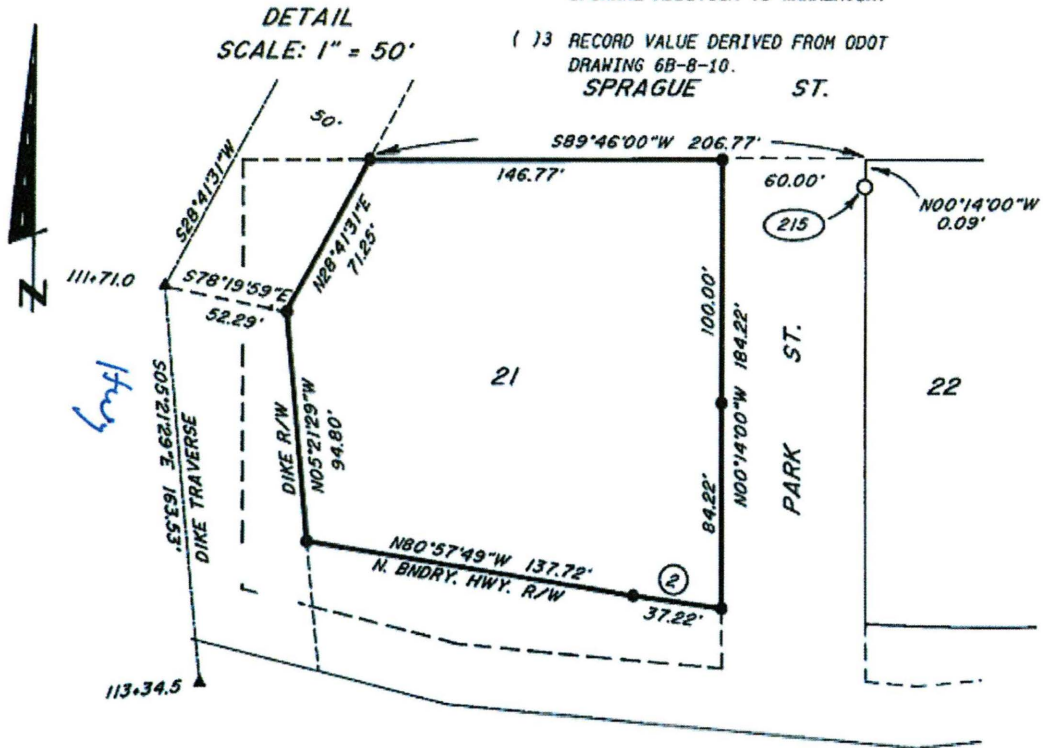


CITY

RECORDED IN BOOK 142, PAGES 657
THROUGH 662, DEED RECORDS.

(12 RECORD VALUE DERIVED FROM PLAT OF
SPOKANE ADDITION TO WARRENTON.

(13 RECORD VALUE DERIVED FROM ODOT
DRAWING 6B-8-10.
SPRAGUE ST.



DESCRIPTION OF FOUND MONUMENTS (CONT.):

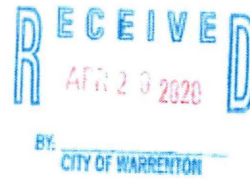
206 FOUND 1-1/4" BOLT WITH 2" SQUARE NUT, TOP FLUSH WITH GROUND, REPORTED ON C.S. 445 AS HAVING BEEN SET BY VINCE HAGERUP IN PLACE OF ORIGINAL CORNER. CORNER POSITION NOTED AS "RESET" ON COUNTY SURVEY 402. HELD AS

To Warrenton City Planning:

I am in agreement with Stan Johnson, of Astoria Northwest Homes, Inc. to vacate 15th Street,
West of Chinook Street, between blocks 19 and 21 in Warrenton Oregon.

SPRAGUE
PARK
Dennis Faletti D. J.

Lot 2701



ALL PARTIES
HAVE SIGNED
OFF
Stan

STAN JOHNSON
503-325-0883

5

To Warrenton City Planning:

I am in agreement with Stan Johnson to vacate 15th Street, west of SE Chinook St. between our properties. Between blocks 19 and 21 in Warrenton, Oregon.

Judith M Kujala, March 9, 2020

To Warrenton City Planning:

I am in agreement with Stan Johnson, of Astoria Northwest Homes, Inc. to vacate 15th Street,
West of Chinook Street, between blocks 19 and 21 in Warrenton Oregon.

MSB ✓

4/28/2020

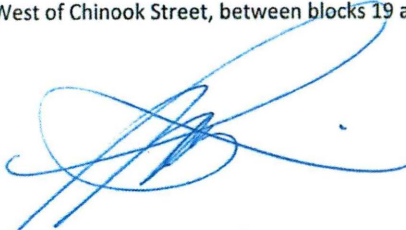
415 Highway 101 Alt

8 102 28 AD

Lots	2600
	3100
	3000
	1600

To Warrenton City Planning:

I am in agreement with Stan Johnson, of Astoria Northwest Homes, Inc. to vacate 15th Street,
West of Chinook Street, between blocks 19 and 21 in Warrenton Oregon.

 4-27-20
THOMAS H. MORRISON

81028 AD
Lot 2700

To Warrenton City Planning:

I am in agreement with Stan Johnson to vacate 15th Street, west of SE Chinook St. between our properties. Between blocks 19 and 21 in Warrenton, Oregon.

Jedith M Kujala, March 9, 2020

8 #028 AD

lots ~~2500~~
2000
2100
1900
1500

**NOTICE OF PUBLIC HEARING
FOR THE VACATION OF A PORTIONS OR ALL
OF UNDEVELOPED STREET
IN SPOKANE ADDITION**

The City of Warrenton received a petition from Stan Johnson on April 2, 2020 to vacate a portion of SE 15th Place (aka "Sprague Street") in the plat of Spokane Addition.

A public hearing on this request will be conducted by the Warrenton City Commission at 6:00 p.m. on Tuesday, June 9, 2020, in the Commission Chambers at Warrenton City Hall, 225 S. Main Avenue, Warrenton. Any interested person may appear or present written or oral statements, in favor of, or in opposition to, said vacations. Any written remonstrance filed with the City prior to the time of hearing will be presented to the City Commission for its consideration. For more information, please call:

Kevin A. Cronin, Assistant City Manager
City of Warrenton
PO Box 250
Warrenton, Oregon 97146
(503) 861-0920
cityplanner@ci.warrenton.or.us

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Kevin A. Cronin, Assistant City Manager
City of Warrenton
PO Box 250
Warrenton, Oregon 97146
(503) 861-0920
cityplanner@ci.warrenton.or.us

Published in: The Columbia Press

DATE: May 22 & 29, 2020



AGENDA MEMORANDUM

TO: The Warrenton City Commission
FROM: Morgan Murray, Project Manager | RARE AmeriCorps Member
CC: Kevin A. Cronin, AICP, Assistant City Manager | Development Director
DATE: For Agenda of June 9, 2020
SUBJ: Conditions of Use Authorization | Forest Rim Neighborhood Park

SUMMARY

The Forest Rim Neighborhood Park exists within an easement with Pacific Power. In order to begin construction on the property both the City of Warrenton and Pacific Power must sign the Consent to Use Agreement outlining the accepted and restricted uses of the property.

The restricted uses do not impact the concept plan for the Forest Rim Neighborhood Park, accepted by City Commission on May 26, 2020.

RECOMMENATION/ACTION

Staff is requesting authorization to apply and a letter of support from the Mayor. No other action is needed or requested.

Suggested Motion

I move to authorize staff signature on the Pacific Power Consent to Use Agreement.

Alternative Motion

I move to allow additional testimony and deliberate at the next City Commission meeting.

Approved by City Manager:

A handwritten signature in blue ink, appearing to read "Linda Eyzels", is written over a horizontal line.

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

After recording return to:
Pacific Power
Attn: Right of Way, Ste. 1700
825 NE Multnomah Street
Portland, OR 97232

Pacific Power File Number: **20200203**

CONSENT TO USE AGREEMENT

THIS CONSENT TO USE AGREEMENT (the "Agreement") is entered into by and between PacifiCorp, an Oregon corporation ("PacifiCorp"), and The City of Warrenton (the "User"), with reference to the following:

- A. The real property to which this Agreement applies is described as follows and further depicted on the attached Exhibit A (the "Property").

Assessor Parcel No.: 81027DD02100

- B. PacifiCorp reserved that certain right of way easement by Bargain and Sale Deed, dated May 2, 1968 and recorded on May 7, 1968 in book 305, page 81, in Clatsop County, State of Oregon (the "Easement").
- C. PacifiCorp has the right to own, operate and maintain certain transmission line facilities ("PacifiCorp Facilities") in an area described in the Easement (the "Easement Area").
- D. User has requested PacifiCorp's permission to use a portion of the Easement Area, as depicted on Exhibit B1 and B2 (the "Use Area") for the installation, use and maintenance of User's Improvements, as defined below.
- E. PacifiCorp grants such permission subject to the terms and conditions set forth herein.

AGREEMENT

NOW THEREFORE, PacifiCorp and User agree to the following terms and conditions:

1. PacifiCorp consents to User's non-exclusive use of the Use Area solely for the purpose of installation, use and maintenance and removal of a public park with park amenities in the location shown on Exhibit B1 and B2, (such improvements, "User's Improvements" and such use, the "Permitted Use"), such consent is expressly conditioned on the ongoing satisfaction of the following:

- a. User's Improvements and the Permitted Use must be in compliance with all applicable regulations, codes and laws, including, without limitation, those promulgated by utility commissions or boards that regulate such use.
- b. User shall locate User's Improvements in the location specifically identified in Exhibit B1 and B2. PacifiCorp must approve any modifications in writing in advance.
- c. User will be responsible for adherence to all conditions and requirements of this Agreement by User and all User's contractors, employees, agents and representatives who will access the Use Area.
- d. User will defend, indemnify, protect and hold harmless PacifiCorp and its directors, officers, employees, contractors representatives and agents (collectively "PacifiCorp Indemnified Parties") against and from any and all claims, demands, suits, losses, costs and damages of every kind and description, including attorneys' fees and/or litigation expenses brought or made against or incurred by the PacifiCorp Indemnified Parties resulting from, arising out of, or in any way connected to User's or any User's Representative's use of the Use Area or adjacent property or User's Improvements. This section shall survive any termination of this consent.
- e. User will conduct the Permitted Use at User's sole risk and expense. User shall be responsible for any damage to PacifiCorp Facilities, which, at PacifiCorp's election, will be repaired at PacifiCorp's direction or by PacifiCorp. In the event PacifiCorp performs the repairs, User will promptly reimburse PacifiCorp for all costs associated with such repairs.
- f. Construction of an additional transmission line within the currently vacant position of this Easement Area may occur. Should your use interfere with the construction, use, or maintenance of said line, you shall be required to remove such interference at no expense to PacifiCorp.
- g. All equipment, machinery and vehicles must at all times maintain a minimum distance of fifteen (15) feet from PacifiCorp's overhead conductors (wires).
- h. All park structures must at all times maintain a minimum distance of twenty (20) feet from PacifiCorp's overhead conductors (wires).
- i. Trees (landscaping) shall not exceed twelve (12) feet in height, obstruct access to structures, or be planted within twenty-five (25) feet of any structure or conductors. Trees (landscaping), which violate this permit, may be removed by PacifiCorp personnel at any time.
- j. The Use Area may be traversed by PacifiCorp's heavy vehicles, which may be in excess of thirty-five (35) tons, and User will install User's Improvements in a manner able to withstand such weight.

- k. Access gates must be at least fourteen (14) feet wide for maintenance and emergency situations.
 - l. User will not place or store any flammable materials nor refuel vehicles or equipment within the Use Area.
 - m. Ground elevation within the Easement Area shall not be increased more than three (3) feet.
 - n. Barbeque pits are not to be placed within twenty-five (25) feet from the transmission centerline.
 - o. PacifiCorp's need for immediate access could result in the destruction or removal of fences or other structures in the Easement Area.
 - p. PacifiCorp will not be liable for any damage to User's Improvements which might occur as a result of the PacifiCorp's use of its Easement.
2. PacifiCorp may immediately terminate this Agreement for any reason at any time. User will be responsible for any costs incurred by PacifiCorp resulting from any default. User shall promptly remove all User's Improvements in the Use Area all at User's sole cost and expense upon any termination.
3. TO THE FULLEST EXTENT PERMITTED BY LAW, EACH OF THE PARTIES HERETO WAIVES ANY RIGHT IT MAY HAVE TO A TRIAL BY JURY IN RESPECT OF LITIGATION DIRECTLY OR INDIRECTLY ARISING OUT OF, UNDER OR IN CONNECTION WITH THIS AGREEMENT. EACH PARTY FURTHER WAIVES ANY RIGHT TO CONSOLIDATE, OR TO REQUEST THE CONSOLIDATION OF, ANY ACTION IN WHICH A JURY TRIAL HAS BEEN WAIVED WITH ANY OTHER ACTION IN WHICH A JURY TRIAL CANNOT BE OR HAS NOT BEEN WAIVED. THIS PROVISION SHALL SURVIVE THE TERMINATION OF THIS AGREEMENT.
4. This Agreement may be recorded at any time by either party in the real property records of Clatsop County, Oregon.

5. All notices must be in writing and be sent to the following addresses:

If to PacifiCorp:

**PacifiCorp
Attn: Right of Way
825 NE Multnomah St, Ste. 1700
Portland, OR 97232**

If to User:

**City of Warrenton
P.O. Box 250
Warrenton, OR 97146**

Either party may designate a different address for itself by notice similarly given. Any notice sent hereunder shall be deemed effective when received by the receiving party.

[SIGNATURE PAGE FOLLOWS]

DRAFT

PACIFICORP

PACIFICORP, an Oregon corporation

Deanna Adams
Director, Real Estate Management

Dated _____

STATE OF OREGON)
)ss
COUNTY OF MULTNOMAH)

This instrument was acknowledged before me on this _____ day of _____, 2____,
by Deanna Adams, Director, Real Estate Management, of PacifiCorp, an Oregon corporation.

Notary Public
My commission expires: _____

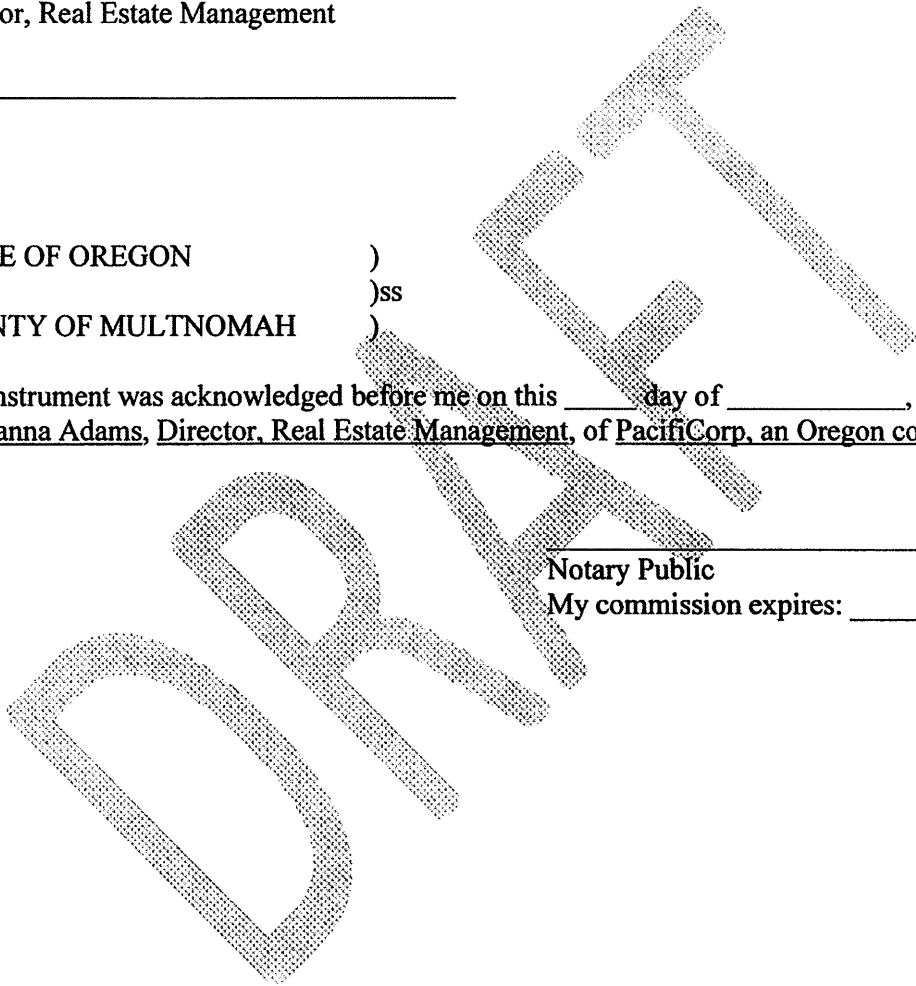


EXHIBIT A
The Property

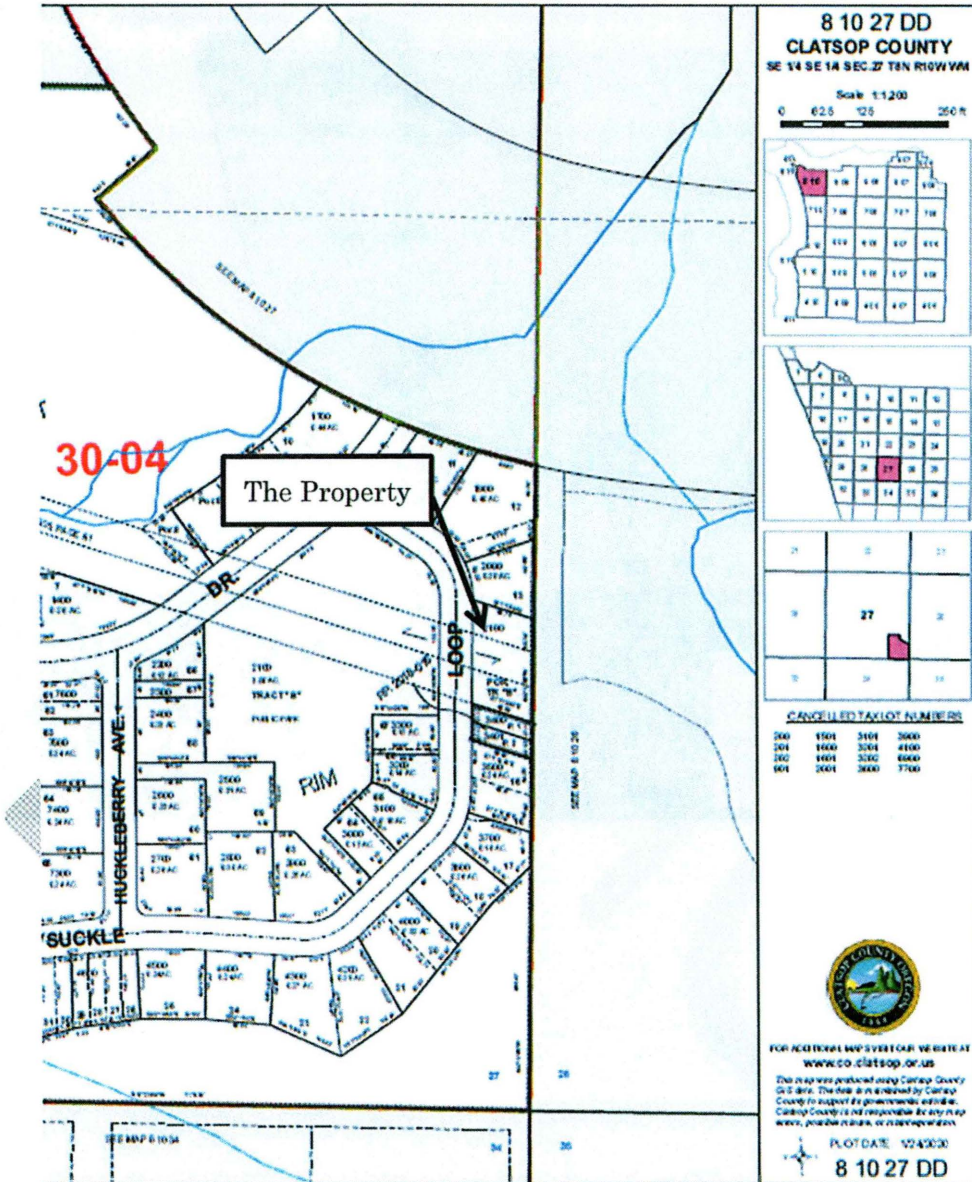


Exhibit B1
 (Use Area, User's Improvements and/or Permitted Use)

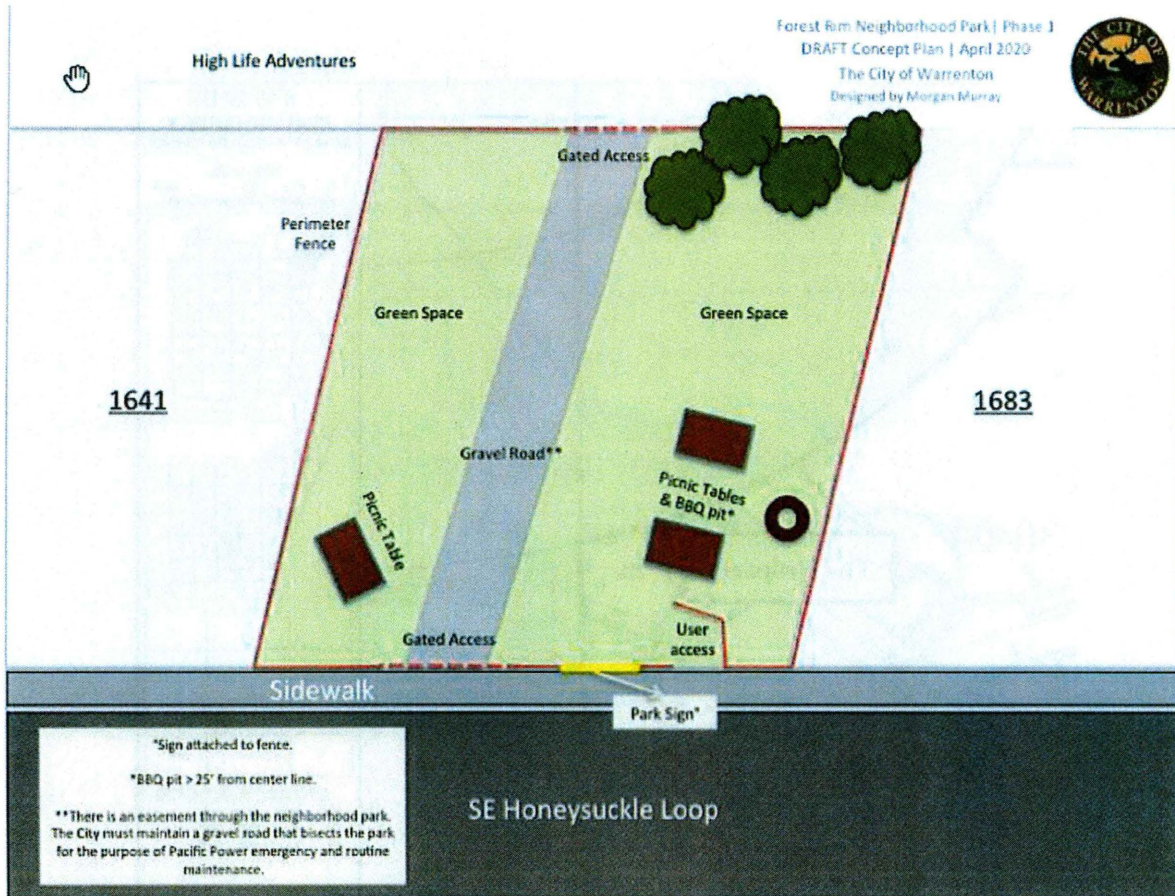
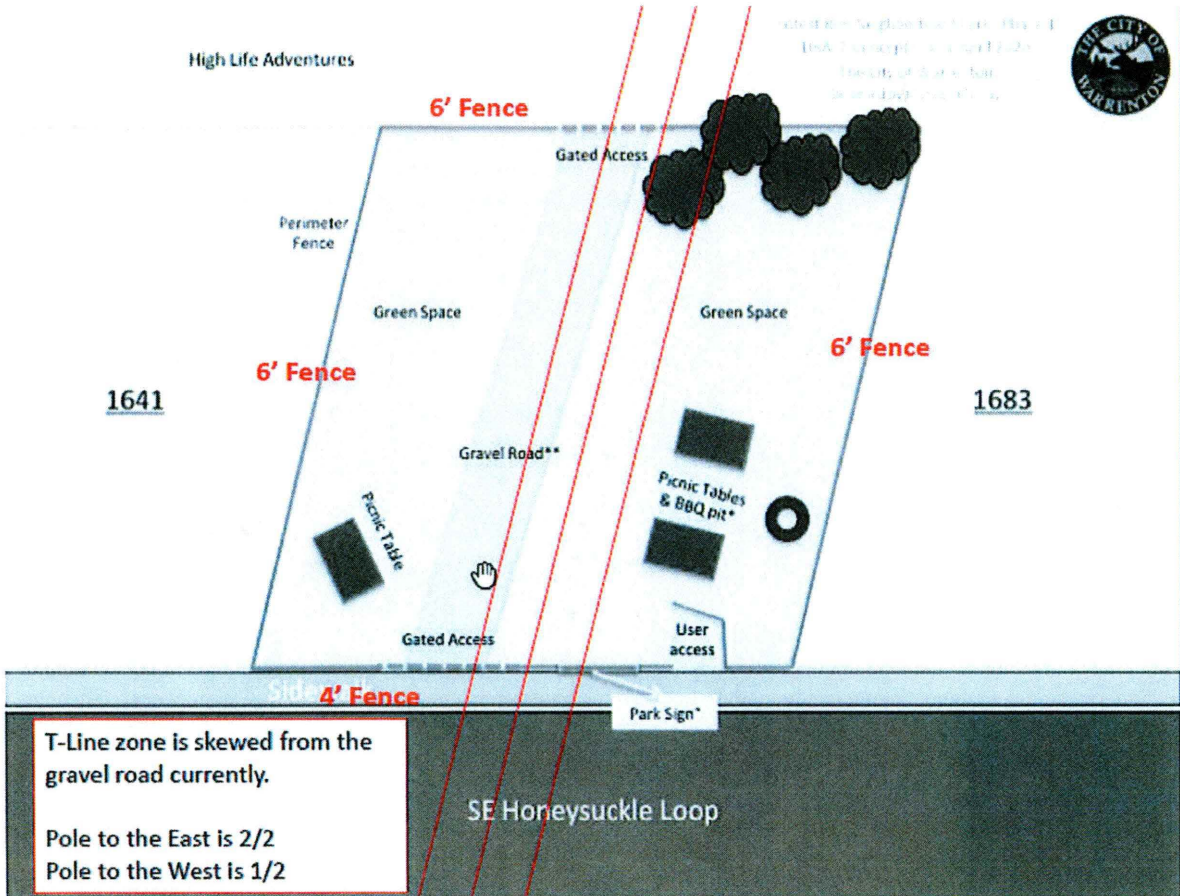


Exhibit B2
(Use Area, User's Improvements and/or Permitted Use)





AGENDA MEMORANDUM

TO: The Warrenton City Commission
FROM: Kevin A. Cronin, Community Development Director
DATE: For the agenda of June 9, 2020
SUBJ: Determination of Nuisance—838 E Harbor Dr (“Singer”)

SUMMARY

Warrenton Municipal Code 8.16.020 states that “No person shall cause or permit a nuisance affecting public health on property owned or controlled by the person.” Nuisances listed in this section include accumulations of debris, rubbish, manure and other refuse that are not removed within a reasonable time and that affect the health of the City.

WMC 8.16.040 Attractive Nuisances states that no owner, or person in charge of property shall permit “unguarded machinery, equipment or other devices that are attractive, dangerous and accessible to children.

WMC 8.16.060 Scattering rubbish prohibits persons from depositing on public or private property, rubbish, trash, debris, refuse or any substance that would mar the appearance, create a stench or fire hazard, detract from the cleanliness or safety of the property or would be likely to injure a person, animal or vehicle traveling on a public way.

WMC 8.16.120 Junk prohibits keeping junk outdoors on a street, lot, or premises. “Junk” means and includes all old motor[s], old motor vehicle parts, abandoned automobiles, old machinery, old machinery parts, old appliances, parts, old iron or other metal, glass paper, lumber, wood or other waste or

discarded material.

WMC 8.16.140 Unenumerated nuisances declares that the conditions described above are public nuisances and may be abated as established in WMC 8.16.150 through 8.16.210. In addition to the nuisances specifically enumerated in this chapter, every other thing, substance or act that is determined by the City Commission to be injurious or detrimental to the public health, safety or welfare of the City can be declared a nuisance and may be abated.

The yard at the subject property is chronically filled with rubbish, trash, junk, and multiple junk vehicles. The City has provided two separate warnings to the tenants and a first notice was sent by certified mail for the March 24 City Commission meeting. As a result, some progress has been made. However, the enclosed photographs (May 26, 2020) show junk vehicles and scattered debris. We conclude that conditions at the subject address are consistent with and meet the intent of the descriptions of various nuisances, both enumerated and unenumerated.

The City Commission is charged with the responsibility and authority to determine whether a nuisance exists. This must be done in a public meeting, and after five days notice by letter to the owner or person in charge of the property. A letter of notification was mailed on May 26, 2020 by certified mail to the owner as identified in Clatsop County Assessor's records that this would be an agenda item at the June 9 City Commission meeting. The Police Department posted the site on May 26.

RECOMMENDATION/SUGGESTED MOTION

I move to declare that enumerated and unenumerated nuisances exist at 838 E Harbor Drive, and direct staff to commence actions to notify the owner of record and person responsible for the property to abate the nuisances within 10 days as prescribed in WMC 8.16.160.

ALTERNATIVE

None recommended

FISCAL IMPACT

A potential fiscal impact exists, but cannot be quantified at this time. Should the owner or person responsible not abate the nuisance within the time allowed by code, the Commission may cause the nuisance to be abated by city personnel. The cost of performing that action would be based on the amount of time for collecting the material and the cost of disposal. This expense may be recovered by providing an invoice for the expense to the owner and persons responsible. WMC 8.16.200 authorizes the city place a lien on the property for the amount of the invoice if the invoice is not paid.

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: Kevin A. Cronin, AICP, Assistant City Manager/Community Development Director
DATE: For the Agenda of June 9, 2020
SUBJ: Resolution 2569 - Approving and Adopting Increases to the 2019-2020 Budget | Community Development - Application Processing Fees

BACKGROUND

The FY 19-20 Community Development Budget has \$35,000 budgeted in Materials & Services for application processing fees, which are collected from developers to offset the cost of engineering review by a third party contractor. A few months ago, the Community Development Director hired a traffic engineering consultant to help review traffic studies for development review, which increased our costs but was offset by developer deposits. In addition, the level of development activity exceeded the projected amount that was set last year for this year's budget. As a result, staff recommends a budget adjustment of \$15,000 for a new total of \$50,000. The FY 20-21 Proposed Budget includes an increase to cure this issue for next fiscal year.

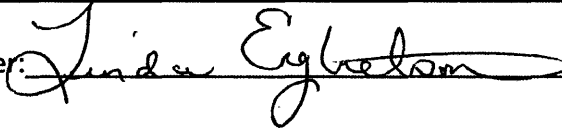
RECOMMENDATION/SUGGESTED MOTION

Adjust the budget accordingly to help offset the cost of engineering review.

I move to approve Resolution No. 2569; Approving and Adopting Increases to the 2019-2020 Budget by increasing appropriations for a request for services, which will be paid by another entity.

Fiscal Impact Statement: In this case, budgeted expenditures in the Community Development Department are increased by \$15,000 with a corresponding \$15,000 increase in revenues in the General Fund. There is no overall fiscal impact as these additional expenses are recovered from developers.

Approved by City Manager:

A handwritten signature in cursive script, reading "Linda Egelson", written over a horizontal line.

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

RESOLUTION NO. 2569

Introduced by All Commissioners

**APPROVING AND ADOPTING INCREASES TO THE 2019-2020 BUDGET BY
INCREASING APPROPRIATIONS FOR A REQUEST FOR SERVICES, WHICH WILL BE
PAID BY ANOTHER ENTITY**

BE IT RESOLVED that the City Commission of the City of Warrenton hereby adopts the following 2019-2020 budget changes for a request for services to be reimbursed by another entity.

Whereas, the city has established the use of consultants in the review of development applications and authorized assigning those costs to the applicant and,

Whereas, expenditures and revenues were estimated at the time of budget preparation and are expected to exceed estimated budgeted amounts and,

Whereas, it remains the responsibility of the applicant to reimburse the costs of processing land use and development applications, and these funds will be recorded in the General Fund along with the associated expenditures in the Community Development Department in the estimated amount of \$15,000:

<u>General Fund</u>	<u>Adopted</u>	<u>Changes</u>	<u>Amended</u>
Total Resources	<u>5,043,122</u>	<u>15,000</u>	<u>5,058,122</u>
Municipal Court	147,246		147,246
Administration/Commission	1,184,564		1,184,564
Community Development	241,244	15,000	256,244
Police	1,967,073		1,967,073
Fire	866,876		866,876
Parks	196,314		196,314
Contingency	234,634		234,634
Transfers to Other Funds	94,578		94,578
Total Expenditures	<u>\$ 4,932,529</u>	<u>\$ 15,000</u>	<u>\$4,947,529</u>

PASSED by the City Commission of the City of Warrenton this ____ day of _____, 2020

APPROVED by the Mayor of the City of Warrenton this ____ day of _____, 2020

This resolution is effective on June 9, 2020.

Mayor

ATTEST:

City Recorder



AGENDA MEMORANDUM

TO: The Warrenton City Commission
 FROM: Collin Stelzig, P.E., Public Works Director
 DATE: June 9th, 2020
 SUBJ: Safe Routes to School - Letter of Intent

SUMMARY

Oregon Department of Transportation is seeking letters of intent from prospective grantees for the Safe Routes to School (SRTS) Competitive Capital Construction Grant Program. Conversations with ODOT Region 2 staff indicate they would support and application for a new pedestrian route along Maine Avenue from 9th Street (near Warrenton Grade School) and Warrenton Highschool. Attached is the online submittal for the Letter of Intent as well as a memorandum from OTAK that includes grant highlights and project information.

Public Works is seeking Commission approval to submit the Letter of Intent for the SRTS program. Letters of Intent are due by June 15th and formal applications are due August 31st, 2020.

RECOMMENDATION/SUGGESTED MOTION

I move to approve the submittal of a Letter of Intent to the Oregon Safe Routes to School Competition Capital Construction Grant program.

ALTERNATIVE

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

FISCAL IMPACT


This project has been approved by the City Commission and is included in the City of Warrenton 2019-2020 Adopted Budget.

Approved by City Manager:

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



Memorandum

To: City of Warrenton
From: Chuck Green, PE 
Copies: File
Date: May 26, 2020
Subject: Main Avenue/OR 104 Pedestrian Way Safe Routes to School Letter of Intent
Otak Project #: 19434

The State of Oregon, through the Oregon Department of Transportation (ODOT), is seeking letters of intent (LOI) from prospective grantees for the Safe Routes to School (SRTS) Competitive Capital Construction Grant Program. The program has over \$26 million to apportion statewide in a competitive process. Conversations with ODOT Region 2 staff indicate they would support an application for a new pedestrian route along Main Avenue from 9th Street (near Warrenton Grade School) and Warrenton High School, and believe that this project would be competitive.

Letters of Intent are due by June 15 and are submitted on-line. This memo is to request City staff seek City Commission approval to submit the Letter of Intent for the SRTS program. Formal applications are due August 31, 2020 and a similar request to the City Commission is anticipated.

Project Eligibility and Grant Highlights

The Main Avenue route has been determined to be eligible and the requisite coordination with ODOT has taken place. They indicated they would support an application. The following are how the Main Avenue/OR 104 Pedestrian Route meets program requirements:

- **Be within the public right-of-way:** the entire route is within ODOT right-of-way along OR 104. No new right of way is expected to be acquired, although there may be a few scattered temporary construction easements to tie in private driveways and frontage work.
- **Be within one-mile radius of a school:** the route is entirely within one mile of Warrenton Grade School as well as Warrenton High School
- **At or within program grant funding requirements of \$60,000 (minimum) and \$2 million (maximum):** Conceptual design has been underway and an order-of-magnitude cost estimate developed with contingencies. The LOI will include a grant request range of \$1.5 – 2.0 million, which is within the grant funding requirements.
- **Have adequate local match:** the expected grant match requirement is 20%, as the school being served by the project (Warrenton Grade School) has more than 40% of its students eligible for free and reduced price lunches, and the pedestrian crossings of Main Avenue/OR 104 are in locations where the posted speed exceeds 30 mph and the crossing distances exceed 30 feet. There is a possibility that ODOT would have some funds to contribute to the local match. The remaining local match would be included in the City's 2021 budget request and is anticipated to come from the Downtown Renewal District pool, which has sufficient balance to cover the expected local match.

- **Have school district support:** Warrenton-Hammond School District officials and staff at the Grade and High Schools have indicated support of establishing a safe pedestrian route along Main Avenue over the past several years.
- **Provide a safety benefit:** there are currently no dedicated pedestrian routes along Main Avenue between 9th Street and the High School. Students frequently walk to and from school along the shoulder, drainage ditch or even in the bike lane. This project would improve student pedestrian safety by establishing a dedicated pedestrian route along the west side of Main Avenue down to a crossing over to the High School, and would include enhanced pedestrian crosswalks at 9th Street and at the High School.
- **Be included in or aligned with a plan:** the Main Avenue pedestrian route is included in the City's Transportation System Plan.
- **Commitment to outreach:** City staff and their consultant team commit to an outreach and education program in coordination with the school district and ODOT should the project receive construction funding.

Project Information

The following is information that would be included in the Letter of Intent:

- **Project description and limits:** the project would construct a 6-7' dedicated pedestrian path on the west side of Main Avenue/OR 104 from 9th Street (connecting to the existing sidewalk system on both Main Avenue and 9th Street) south for approximately 3,000 feet to the High School. The northern terminus at 9th Street is within easy walking distance of the Grade School. Enhanced pedestrian crossings (with some type of actuated device such as a rapid flashing beacon) would be built at 9th Street and at the High School.
- **Project map:** see below for a route and alignment map.
- **Anticipated grant request:** category is the \$1.5 – 2.0 million range. This includes final design, permitting, construction and contingencies. It should be noted this can be adjusted for the formal grant application due in August. The anticipated cash match is 20% (reduced from 40% due to the school which it serves having over 40% of its students eligible for free or reduced price lunches, and speed and crossing distance characteristics of Main Avenue).
- **Problem being solved:** There is a substantial amount of walking to and from Warrenton Grade School along Main Avenue/OR 104. The Grade School is immediately adjacent to the corridor. There is no dedicated walkway along the 35 mph route and students must walk on the shoulder, bike lane and drainage ditch.

Action Requested

City Commission approval to submit Letter of Intent to the Oregon Safe Routes to School Competition Capital Construction Grant program.

Project Map



V:\PROJECTS\19434\CADD\GIS\MAPS\19434_ROUTE_ALIGNMENTS.MXD

**ROUTE B
ALIGNMENTS**

WARRENTON PEDESTRIAN ROUTES | 19434
CITY OF WARRENTON, OR

LEGEND

- Alignment Lines
- Tax Lot



0 500 1,000 feet

DISCLAIMER:
THE INFORMATION SHOWN IN THIS MAP IS
ASSEMBLED GIS DATA CREATED AND ACQUIRED
BY OTAK, INC. THIS DATA IS NOT TO SURVEY ACCURACY
AND IS MEANT FOR PLANNING PURPOSES ONLY.

NOTE: DATA IS PROVIDED BY ESRI, CLATSOP COUNTY,
AND THE CITY OF WARRENTON.





2020 Safe Routes to School Competitive Construction Grant Program Letter of Intent

Description of Letter of Intent

PROGRAM DESCRIPTION: The Safe Routes to School Competitive Construction Grant Program is intended to fund bicycle and pedestrian projects that address a barrier to students walking and rolling to school. Read more about project eligibility and scoring criteria in the Program Guidelines. <https://www.oregon.gov/odot/Programs/Pages/SRTS-Competitive-Infrastructure-Grant.aspx>

DEADLINE: The REQUIRED Letter of Intent will be accepted until 11:59 p.m. on June 15, 2020.

HOW TO SAVE YOUR LETTER OF INTENT: You can save your progress at any time by clicking the "save" button at the bottom of the form. You will then be emailed a link to resume your progress.

Applicant Information

<p>Applicant Name *</p> <input type="text" value="Chuck Green, PE"/>	<p>Title *</p> <input type="text" value="Consultant Senior Project Manager"/>
<p>Agency *</p> <input type="text" value="City of Warrenton"/>	<p>Phone *</p> <input type="text" value="(360) 449-2132"/>
<p>Email *</p> <input type="text" value="Chuck.green@otak.com"/>	
<p>Will the applicant deliver the project? *</p> <p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>	
<p>In which ODOT Region is your project located? *</p> <input type="text" value="Region 2"/>	

Resource: [ODOT Region maps](#).

Does your project touch ODOTs right of way? *

Yes No

If yes, work with your Region's [Active Transportation Liaison](#) to coordinate. You will need to coordinate when filling out your application and during the construction of your project.

Eligibility Requirements

Does your project reduce barriers to children walking or bicycling to and from school? *

Yes No

Is your project identified in or consistent with a plan (e.g. Transportation System Plan, other locally adopted plan, Safe Routes to School Action Plan, etc.)? *

Yes No

Is your project in the public road right of way or will you widen the right of way to accommodate your project? *

Yes No

Note: Public right of way refers to publicly owned land: Surface, shoulders, ditches, other drainage facilities in the border between the ditches.

Do you have the support of the primarily affected school or school district? *

Yes No

Is your project within a 1-mile radius of a public school? *

Yes No

Note: One-mile radius means one mile in a straight line.

Optional Resource: [SRTS map includes crash data and school data](#)

Have you secured or identified the required cash match? *

Yes No

Note: "Cash Match" is actual funds provided by the applicant that are reasonable, necessary and directly related to the project and funded by the applicant. Cash match may include project expenditures made 60 months prior to the application deadline. Education and outreach efforts at the school do not constitute cash match. Examples of "cash match" include engineering, design, utility, right of way, and construction costs.

In general, the cash match requirement is 40%. See [Program Guidelines](#) to determine if your project may be eligible for a reduced match of 20%.

Do you and your key school contact commit to providing outreach to the primarily affected school community? This outreach at minimum will include a press release, a school newsletter article, and flyers sent home to students' families. Templates will be provided by ODOT. *

Yes No

The school commitment letter template contains language that gives the school community an opportunity to commit to helping.

Project Information

Location Information

Note: Project may include a bundle of locations. Add additional locations as needed.

✖ Location 1

Street Name and Cross Streets: *

Main Avenue (OR 104) at 9th Street (Northern Terminus)

City/County: *

Warrenton, Clatsop County

✖ Location 2

Street Name and Cross Streets: *

Main Avenue (OR 104) at Warrenton High School (Southern T

City/County: *

Warrenton, Clatsop County

➔ Add Location

Upload a project area map: *

Upload

or drag files here.

Optional Resource: Use map generated from the [Safe Routes to School Web Application](#).

Provide a high-level PROBLEM statement that describes the barriers to children walking or bicycling to school. Provide a summary of the problem in a concise manner that can be used on a website or in a publication. *

There is a substantial amount of walking to and from Warrenton Grade School (9th Street) immediately adjacent to the project corridor. There is no dedicated walkway along the 35 mph Main Avenue (OR 104) from 9th Street south to Warrenton High School.

Note: Maximum 250 characters.

Provide a high-level description of your PROJECT. Project should be a viable solution to the above problem. Provide a summary of the project in a concise manner that can be used on a website or in a publication. *

Project will provide a separated, ADA-accessible paved walkway on the west side of OR 104 in the ODOT right-of-way. Also included are enhanced crosswalks crossing OR 104 to serve the grade and high schools.

Note: Maximum 250 characters.

Primarily Affected School Name *

Warrenton Grade School

Example: Sample Elementary

Is the primarily affected school a Title I school (40% or more students eligible for free and reduced lunch)? *

Resource: [Oregon School Report Cards](#)

Yes No

Note: Schools with high rates of students eligible for free or reduced price lunch will be favored, but it is not a requirement of eligibility. Data from the past two completed school years may be considered.

School type

Optional Resource: [SRTS map- includes crash data and school data](#)

- This school includes students from pre-kindergarten through 8th grade or any combination.
- This school does not include students from pre-kindergarten through 8th grade or any combination.

Note: Pre-kindergarten through 8th grade will be favored, but it is not a requirement of eligibility.

For what range of funds do you expect to apply? *

1.5 million - 2 million

What do you anticipate the source of the matching funds to be? *

5/28/2020

2020 Safe Routes to School Competitive Construction Grant Program Letter of Intent

City

Note: "Cash Match" is actual funds provided by the applicant that are reasonable, necessary and directly related to the project and funded by the applicant. Cash match may include project expenditures made 60 months prior to the application deadline. Education and outreach efforts at the school do not constitute cash match. Examples of "cash match" include engineering, design, utility, right of way, and construction costs.

Upon submitting this form you will receive an email containing your submission. For efficiency, it is recommended that you save that email as some of the questions are replicated on the 2020 Safe Routes to School Competitive Construction Grant Application.

Submit

Save



June 8, 2020

To the City Commission of Warrenton:

I respectfully request unanimous consent from the City Commission to enable the resumption of non-essential meetings, gatherings and committee/board activities effective immediately.

Clatsop County is effectively under Phase 2, and local emergency orders are effectively lifted, with the exception of the County 60% cap on lodging establishments until June 25, at which point all locally imposed measures will have been lifted. This does not abrogate the state requirements for government buildings, but it should enable the city to get as close to back to normal as is legal.

Sincerely,

Henry A. Balensifer III
Mayor



June 12, 2020

Pacific Power Foundation
825 NE Multnomah Street
Portland, OR 97232

Dear Pacific Power Foundation:

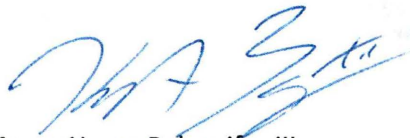
As Mayor of the City of Warrenton, I fully support the construction of the Forest Rim Neighborhood Park. This neighborhood is underserved by our parks system. We made it a priority to provide appropriate recreation opportunities within the area, however we are operating with a limited budget for park improvements—especially now in the wake of COVID-19.

The project has garnered immense community support with close to 90% of the impacted residents participating in our planning process. We also have our beloved Park Champions; a group of property owners who lead the volunteers and support with park maintenance in the neighborhood. Property owners and renters alike recognize that our kids need a safe place to play, socialize, and grow with nature.

On May 26, 2020 the City Commission approved the Concept Plan for the Forest Rim Neighborhood Park making it the first new park in Warrenton in over 20 years.

Thank you for the opportunity to apply for funds to help improve the appearance and amenities within our developing park.

Sincerely,

A handwritten signature in blue ink, appearing to read 'H. Balensifer III', written in a cursive style.

Mayor Henry Balensifer III

City of Warrenton

RESOLUTION NO. 2573

A RESOLUTION OF THE WARRENTON CITY COMMISSION EXTENDING THE STATE OF EMERGENCY BECAUSE OF THE COVID-19 OUTBREAK.

WHEREAS, Coronaviruses are a group of viruses that can cause respiratory disease, with the potential to cause serious illness or loss of life, and the novel coronavirus COVID-19 has been found to carry particular risks for certain groups of people; and

WHEREAS, on March 8, 2020, Governor Brown declared a state of emergency due to the COVID-19 outbreak in Oregon, finding that COVID-19 has created a threat to public health and safety, and constitutes a statewide emergency; and

WHEREAS, COVID-19 was declared a pandemic by the World Health Organization on March 11, 2020; and

WHEREAS, On March 13, 2020, President Trump declared a national emergency due to the proliferation of COVID-19 outbreaks throughout the United States; and

WHEREAS, the City Commission found conditions required the need for the City to exercise its authority to declare a State of Emergency; and

WHEREAS, the City Commission Declared a State of Emergency on March 21, 2020; and

WHEREAS, the State of Emergency is currently set to remain in effect through June 9, 2020; and

WHEREAS, based on ongoing circumstances related to handling the the COVID-19 outbreak, the City Commission finds it necessary to extend the State of Emergency beyond June 9, 2020;

NOW, THEREFORE, THE CITY RESOLVES AS FOLLOWS:

Section 1: A local state of emergency declared to exist throughout the City of Warrenton via Resolution No. 2564 (the "Emergency Declaration") remains in effect.

Section 4: Based on the unknown duration of the COVID-19 outbreak, and the City's ongoing efforts to address it, the Emergency Declaration shall remain in effect until July 29, 2020.

Section 5: The City Manager's authorization to close any and all City buildings and facilities to the public, as appropriate, to minimize and slow the spread of COVID-19, and exercise all other powers vested in the City Manager under ORS Chapter 401 and the EOP, is extended until July 29, 2020. The City Manager's authorization to request assistance, funds, and reimbursement from the State of Oregon and federal

agencies; adopt temporary rules and policies regarding City facilities, funds, resources, and staff; and enter into contracts for services or aid agreements with other governmental or private entities is extended until July 29, 2020.

Section 6. This Resolution is and shall be effective from and after its enactment by the City Commission.

ADOPTED by the City Commission of the City of Warrenton this 9th day of June, 2020.

APPROVED:

Henry Balensifer III, Mayor

ATTEST:

Dawne Shaw, City Recorder

RESOLUTION NO. 2572

INTRODUCED BY ALL COMMISSIONERS

**A RESOLUTION UPDATING CITY OF WARRENTON
WATER/SEWER/SANITATION FRANCHISE FEES TO 5%, AND
REPEALING ALL RESOLUTIONS IN CONFLICT**

WHEREAS, all entities without a franchise agreement who occupy the city's streets, alleys and public places in the City of Warrenton for delivery of utility services should pay the City a franchise fee; and

WHEREAS, the City of Warrenton owns and operates a water utility, sewer utility, and sanitation service that should be paying a fee for the use of the City's streets, alleys and public places; and

WHEREAS, the City Commission established a franchise fee on the City's water/sewer/sanitation systems for the right to construct, maintain, and operate in, under, along and across certain streets, alleys and public places in the City of Warrenton; and

WHEREAS, the City Commission desires to increase previously established franchise fees to 5%; and

WHEREAS, the City Commission desires that this franchise fee on the City's water/sewer/sanitation systems shall be used for the City Public Safety Services, which are funded through the City's General Fund.

NOW, THEREFORE, the City Commission of the City of Warrenton does hereby resolve:

Section 1. For the right to operate in, upon, and under the right-of-way and street system of the City, a franchise fee is here by imposed upon and shall be collected monthly from the water fund, sewer fund, and sanitation fund, and be placed in the City's General Fund.

Section 2. The fee shall be in an amount equal to five percent (5%) of the gross revenues from each of the water, sewer, and sanitation funds.

Section 3. This resolution shall be effective July 1, 2020.

ADOPTED by the City Commission of the City of Warrenton this 9th day of June 2020.

APPROVED

Henry A. Balensifer III, Mayor

ATTEST

Dawne Shaw, CMC, City Recorder