

**AGENDA**  
**VENETA CITY COUNCIL**  
**MONDAY, AUGUST 8, 2016 – 6:30 P.M.**  
Veneta Administrative Center, 88184 8th Street, Veneta, Oregon

- 6:30 **1. CALL TO ORDER**
- 6:30 **2. PUBLIC COMMENT** - Maximum time 20 minutes. Speakers will be limited to 3 minutes each. The Council will not engage in any discussion or make any decisions based on public comment at this time; however, they may take comments under advisement for discussion and action at a future Council meeting.
- 6:40 **3. CONSENT AGENDA**
- a. Minutes for June 27, 2016 (pgs. 3-11)
  - b. Minutes for July 14, 2016 Special Meeting (pgs. 13-14)
  - c. Minutes for July 25, 2016 (pgs. 15-21)
  - d. Accounts Payable
    - i. To be Paid – Payable through August 2, 2016 (pgs. 23-34)
  - e. Banner Permit Application from Elmira Booster Club – Country Classic Car Show (previously approved by R. Ingham) (pgs. 35-40)
  - f. Banner Permit Application from Mid Lane Cares for Veneta Harvest Festival (pgs. 41-42)
  - g. Mid Lane Cares Street Closure and Noise Variance Permits for the 2016 Veneta Harvest Festival (pgs. 43-44)
- 6:45 **4. COUNCIL BUSINESS AND REPORTS**
- a. Business
    - (1) Community Center Rental Waiver Request from West Lane Technical Learning Center (pgs. 45-46)
    - (2) Community Center Rental Waiver Request from S.A.N.T.A. Project (pgs. 47-48)
    - (3) Request from Veneta-Fern Ridge Chamber of Commerce to Sponsor the 2016 Chili Cook-off (pg. 49)
    - (4) Request from Mid Lane Cares to Sponsor the 2016 Veneta Harvest Festival (pgs. 51-52)
  - b. Council/Committee Liaison Reports
- 7:00 **5. STAFF REPORTS**
- a. Economic Development Specialist.....Claudia Denton
    - (1) Business Assistance Program Adoption
      - i. Agenda Item Summary (pgs. 53-59)
      - ii. **Resolution No. 1203** - A RESOLUTION ADOPTING THE BUSINESS ASSISTANCE PROGRAM (pgs. 61-75)
  - b. Finance Director.....Shauna Hartz
    - (1) **Ordinance No. 537** – AN ORDINANCE AMENDING VENETA MUNICIPAL CODE TITLE 3 CHAPTER 05. For Second Reading by Title Only and Final Enactment (pgs. 77-79)
  - c. Public Works Director.....Kyle Schauer
    - (1) Status of the Wastewater Treatment Plant
  - d. City Administrator.....Ric Ingham
    - (1) **Ordinance No. 538** – AN ORDINANCE ESTABLISHING VENETA MUNICIPAL CODE TITLE 5, CHAPTER 30, TOBACCO RETAIL LICENSING. For First Reading by Title Only. (pgs. 87-96)
      - i. Agenda Item Summary (pgs. 81-85)
      - ii. **Ordinance No. 538** – AN ORDINANCE ESTABLISHING VENETA MUNICIPAL CODE TITLE 5, CHAPTER 30, TOBACCO RETAIL LICENSING. For First Reading by Title Only. (pgs. 87-96)
    - (2) Extension of Charter Communications Microwave Tower Site Lease (pgs. 97-98)
    - (3) Transfer of Verizon Cell Tower Lease to American Tower (pgs. 99-100)
    - (4) Questions from Councilors

8:10 **6. OTHER**

8:15 **7. EXECUTIVE SESSION**  
ORS 192.660(2)(i) – City Administrator Evaluation

8:35 **8. ADJOURN**

Times are approximate. This meeting will be digitally recorded. Location is wheelchair accessible (WCA). Communication interpreter, including American Sign Language (ASL) interpretation, is available if notice is given at least 48 hours prior to the start of the meeting. Contact the City Recorder, Darci Henneman, via phone (541) 935-2191, Email [dhenneman@ci.veneta.or.us](mailto:dhenneman@ci.veneta.or.us), or TTY Telecommunications Relay Service 1-800-735-1232.

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# Minutes of the Veneta City Council

## June 27, 2016

Present: Sandra Larson, Thomas Cotter, Thomas Laing, Laura Ruff, and Tim Brooker

Others: Ric Ingham, City Administrator; Shauna Hartz, Finance Director; Kyle Schauer, Public Works Director; Claudia Denton Economic Development Specialist; Julie Reid, Emergency Operation Specialist; Darci Henneman, City Recorder; Judy Klupenger, Carol LaRue, Jeff Benson, Laurel Laing, Frank Wend; Julilah McAdams; Chris Hogander; Sgt. Billy Halvorson, LCSO; Joan Mariner, Fern Ridge Review,

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### 1. CALL TO ORDER THE VENETA CITY COUNCIL

Mayor Larson called the Veneta City Council to order at 6:33 p.m.

### 2. PUBLIC COMMENT

#### **Judy Klupenger, 88126 Ruby Jean Ln., Veneta, OR**

Ms. Klupenger said she is opposed to constructing a fence around the community garden boxes behind the Community Center and at the end of Ruby Jean Lane. She said is concerned how that large of a fence will impact the area. She said the garden boxes have been there for three years but they're overgrown with thistles and it looks abandoned. She suggested cages or wiring be placed over each individual box to keep the turkeys out. She said she sweeps her sidewalk and driveway daily because the turkeys scratch in her bark she asked if the turkeys could be penned up and relocated.

#### **Carol LaRue, 88114 Ruby Jean Ln., Veneta, OR**

Ms. LaRue said she feels the same way that Ms. Klupenger does. She said they don't want a fence there and the turkeys are a nuisance, they dig in her yard and make a mess.

#### **Jeff Benson, 88125 Ruby Jean Ln., Veneta, OR**

Mr. Benson said he's is attending tonight's meeting for the same reason. The fence they want to put up will be an enormous eye sore and it will look like an industrial area. He said a huge fence will affect the value of the homes and with all the trees gone, it will be a more viewable, unaesthetic area.

#### **Laurel Laing, 88120 Ruby Jean Ln., Veneta, OR**

Ms. Laing said she too is here for the same reason. She is opposed to a fence being built around the garden boxes. It would be an eye sore and it would obstruct her view of a beautiful park. She said neighbors who could not attend tonight's meeting, signed a petition opposing the fence, which Ms. Laing gave to City staff. She said if they get fences to keep out deer and turkeys then everyone should have a fence to protect their yards.

#### **Frank Wend, 88800 Cheryl Ln., Veneta, OR**

Mr. Wend said he is from the Veterans of Foreign Wars local post 9448. He said they are working on getting a Veteran's Memorial built and asked the Council if the City could donate the land for a memorial.

In response to a question from Mayor Larson, Ms. Laing said if the City donated land for the memorial, Post 9448 would apply for grants to fund construction of the memorial.

#### **Julilah McAdams, 88138 8<sup>th</sup> St., Veneta, OR**

Ms. McAdams said she understands the City wants to put sewer lines in 8<sup>th</sup> St. and she wanted to know what made the City to decide to do this project now.

Mayor Larson suggested she come into talk with City staff and they can answer her questions.

#### **Chris Hogander, 25561 Hwy 126, Veneta, OR**

Mr. Hogander said he represents High Cascade Marijuana Dispensary. He said he's happy to be here and thanked the Council for the warm greeting he and his partners received from the City. He said he is in favor

of the marijuana tax going to the voters. Currently the State of Oregon taxes marijuana dispensaries 25% of all retail sales. He said he would like to see some of that revenue go back into the community.

### 3. CONSENT AGENDA

**MOTION:** Thomas Cotter made a motion to approve the consent agenda as presented. Tim Brooker seconded motion.

**VOTE:** Thomas Laing, aye; Thomas Cotter, aye; Sandra Larson, aye; Laura Ruff, aye; Tim Brooker, aye.

The consent agenda as approved included Minutes for June 13, 2016, Accounts Payable - To be Paid – Payable through June 21, 2016, Civic Calendar for July, 2016, Public Works Activity Report for May, 2016.

### 4. COUNCIL BUSINESS AND REPORTS

#### a. Business

##### (1) Lane County Sheriff's Office Activity Report

Ingham said Sgt. Halvorson must have had an emergency because he was not at the meeting when this agenda item came up.

In response to a question from Thomas Cotter, Ingham said deputies are getting out of their cars and self-initiating calls so there was a high number of calls (21) but those types of calls do not get issued a case number.

##### (2) Lane County Sheriff's Office Contract Policing Goals and Expectations

In response to a question from Thomas Laing, Ingham said the training is not expected to have any financial impact.

Mayor Larson said she likes the “develop relationship contacts” section that deputies are getting out of the cars and are more visible to the community.

Sgt. Halvorson arrived at 8:00 p.m. and reviewed his goals. He said now that school is out and the weather is getting nicer, we're seeing more people using the skate park. He also wanted to let the Council know that they are on top of the graffiti in the area and they do have someone in mind but want to make sure it's followed up correctly.

Sgt. Halvorson said he and Ingham continue to update the game plan. He said his memo is an excerpt from an email that he sent to all his Veneta and Creswell deputies. He said community policing is throughout the message which includes increasing deputy face time rather than car time, establishes a presence and to develop relationships and contacts. He said hopefully this approach will work the same way a school resource officer would in building relationships and trust with students. He said he wants to emphasize how important community policing is to the City and Lane County Sheriff's Office. Three neighborhood watch groups are up and running; in Shalimar, the Fern Meadows subdivision, and the third is the Veneta Patrol group, which is a group of volunteers that drive around the community to cover a larger area. He said all three have been a tremendous asset by getting information back to the deputies which in some cases has deterred incidents from happening. He said he, Ingham, and Mayor Larson met with School District officials. He said from now on school principals will contact him directly about any issues they may have. Another goal he's been working on is to increase community awareness and decrease community apathy. He said ultimately as the City grows, he would like to see 24 hour coverage and he feels that works hand in hand with economic growth.

In response to a question from Mayor Larson, Sgt. Halvorson said the City of Creswell supports a community policing district. He said the City of Creswell contracted with Portland State University to prepare a policing report for the City which addressed community policing and how to incorporate it into the community. He said Creswell has also added a \$6.25 public safety fee to the

monthly utility bills that will fund a third deputy. He said there's been a strong movement to get 24 hour coverage in Creswell and the City Administrator feels the lack of coverage has negatively impacted their growth.

In response to a question from Thomas Laing, Sgt. Halvorson said Creswell is looking at an increase of \$1.85 per thousand to cover the cost of six deputies and a lieutenant.

Ingham said Creswell's total assessed value is \$2.84 per thousand and ours is \$5.62 per thousand.

(3) Letter of Support for City of Florence (Handout)

Ingham said the City of Florence is applying for Coast Guard City status. He said all small city mayors were asked by Florence Mayor, Joe Henry to write a letter of support. He said it's more about what the community gives to Coast Guard members and families so he wrote the City's letter in a way that shows support for the men and woman manning the Guard station in Florence.

It was the consensus of the Council for Mayor Larson and Ingham to sign the letter and forward it to the City of Florence.

(4) League of Oregon Cities 2017 Legislative Priorities

Ingham said at the June 13, 2016 meeting, he provided the Council with the League of Oregon Cities legislative recommendation materials for the 2017 session and asked Council members to review the material and pick their top six priorities and return their results to him by June 20<sup>th</sup>. After receiving everyone's recommendations, he tallied the results and the following topics will be forwarded to the League on behalf of the City. 1) Property Tax Reform – Market Value/Local Control, 2) Property Tax Reform – Fairness and Equity, 3) Mental Health Investments; and 4) Transportation Funding and Policy Package.

b. Councilor/Committee Liaison Reports

Thomas Laing said Mid Lane Cares prepared a diversity statement and the Benefit by the Glass fundraising event was very successful. He said the event raised about \$19,680 which will be distributed to three different entities: the Love Project, Emergency Fund, and the Maintenance Fund, and to cover the cost of a new circuit board for walk-in freezer. A new board member was added, Kim Lawrence, who is from Seattle. He said they're asking everyone to donate their Fred Meyer points to Mid Lane. He said they're also gearing up for Zumwalt but they are not providing food because its not cost effective.

In response to a question from Laura Ruff, Thomas Laing said the fence residents referenced during the public comment session, if built, would be around the 15 garden boxes behind the Community Center. He said the boxes are 3 ft. by 8 ft. and can be rented for \$10 per year. He said the community garden organizers want to put up a 10 ft. high chain linked fence to keep the animals out. He said the fence was donated by the School District which was around the tennis court, north of the Veneta Elementary School parking lot. He said Ruby Jean dead ends at the Community Center. He said the fence wouldn't block the walk way but it would be a visual obstruction.

Ingham said Kim Kaufman came before the Council in June 2015 and asked if the Council would support a community garden. Mid Lane provided a sketched map of where the boxes would be located and the Council approved the garden. He said Mr. Kaufman approached the School District about donating the fence. Ingham said Mr. Kaufman was asked to submit a drawing of the fenced area to City staff prior to it being brought to the Council for approval, but he and/or Schauer have yet to see anything. He said the City Council will have a final say about the fence and staff is not in support of a 10 ft. fence around the garden boxes to keep turkeys and deer out.

Ingham said Mid Lane is not providing the food for Zumwalt Campground other than providing ice and brownies. He said none of the service groups (Kiwanis, Lions Club) are providing food for Zumwalt.

Thomas Cotter said he attended the last Chamber meeting. He said the Wineries without Walls program is no longer operating. He said the Veneta Business Community Connect presentation on June 23<sup>rd</sup> was very well attended and, lastly the Chamber is gearing up for the Harvest Festival.

In response to a question from Thomas Cotter, Denton said about 40 people attended the event and after the main presentation, everyone voted for their top two issues, out of seven, that they felt were most important. The top three issues were Work Force, Business Infrastructure, and Business Tools and Resources. She said they brainstormed different ideas on what is possible in connection with those key issues. She said there was a lot of discussion and engagement as well as some networking among community members.

Ingham said hopefully this is the beginning of the next process. He said the Economic Development Committee (EDC) will refine those three focus areas and at the EDC meeting, a strategic plan or action plan will be created, around those three focus areas and in conjunction with the Veneta Business Connect Program.

Laura Ruff said she was excited to see so many people attend the Community Development meeting and the brainstorming process was key to implement the sense of working together.

Ingham said a full report will be presented at the August Council meeting.

## 5. STAFF REPORTS

### a. Economic Development Specialist.....Claudia Denton

#### (1) Business Assistance Fund Program Update

Denton highlighted the changes to the Business Assistance Loan/Grant Application Packet. She said if all goes as planned a resolution adopting the updates will be brought to the Council at the next meeting.

Thomas Cotter complimented Denton on a job well done.

In response to a question from Laura Ruff, Denton said she should be here through the month of August.

There was a consensus of the Council to move forward with the resolution to adopt the updates to the application packet.

### b. Emergency Operation Specialist.....Julie Reid

#### (1) Community Emergency Notification System

Reid said currently if there were to be an emergency in the City, the City Council or City Administrator would contact the dispatch center and they would send out a message through the Integrated Public Alert Warning System (IPAWS). She said this is kind of a catch all and includes the Emergency Alert System which is the one that is broadcast over the television and radio and the Wireless Alert System is sent through satellites and pings cell phones in the cell towers' area. National weather alerts will also be sent out. She said what we're proposing is a community emergency notification system which would not replace anything but add to the IPAWS. She said this service will be free and tied to your home address and cell numbers can be included so you don't have to be home to receive the message. She said once people sign up for the service, it can be customized to fit their needs to proactively stay in touch and receive emergency notifications.

Ingham said Lane County purchased the AlertSense System program a couple of years ago and posted it on their website. She said this a better way to locate and notify people because you don't have to be at home, near a radio, or in the local area to get the information. He said Reid is making great process. He said we'll have a couple months to advertise and get residents signed up for this service.

Reid said the system is County wide and free. She said the flyer will go out in the City's newsletter. Information will also be on the City's Facebook page when it's up and running. She said it would also build some redundancy because land lines are becoming obsolete.

**MOTION: Thomas Cotter made a motion to adopt and promote the use of AlertSense as the City's community emergency notification system. Thomas Laing seconded motion which passed with a vote of 5-0.**

c. Finance Director.....Shauna Hartz

(1) Adoption of Updated Classification and Compensation Plans for Regular Positions

i. Agenda Item Summary

Hartz said Resolution No. 1197 adopts an updated classification and compensation schedule. She said it is the only compensation package change proposed this year and it was included in the approved budget. However, the City Council has the final say on cost of living increases.

ii. **RESOLUTION No. 1197** – A RESOLUTION UPDATING THE COMPENSATION SCHEDULE FOR REGULAR POSITIONS OF THE CITY OF VENETA FOR FISCAL YEAR 2016-17 AND REPEALING RESOLUTION NO. 1179

**MOTION: Thomas Cotter made a motion to adopt Resolution No. 1197. Tim Brooker seconded the motion which passed with a vote of 5-0.**

(2) Adoption of Fiscal Year 2016-17 Budget

i. Agenda Item Summary

Hartz said in order for the City to continue to operate after June 30, 2016, the budget needs to be adopted. After the budget is approved, the City Council is required to hold a public hearing, which took place on June 13<sup>th</sup> and no public comments were received. She said a change is being proposed from the approved budget to add \$30,000 materials and services in the Storm Water Fund. She said this would decrease the unappropriated, so the total budget amount would not change. She said the City has an opportunity to secure professional services to develop a Storm Water Master Plan which staff would like to do. She said we likely won't use all of the \$30,000.

ii. **Resolution No. 1198** – A RESOLUTION ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2016-17; SPECIFYING APPROPRIATIONS; IMPOSING TAXES; AND CATEGORIZING TAXES IMPOSED

**MOTION: Thomas Cotter made a motion to adopt Resolution No. 1198. Thomas Laing seconded the motion which passed with a vote of 5-0.**

(3) State Revenue Eligibility for Fiscal Year 2016-17

i. Agenda Item Summary

Hartz said Resolution Nos. 1199 and 1200 are required in order for the City to remain eligible to receive state shared revenue. The two required public hearings were held; one at the Budget Committee meeting and one at a Council meeting. She said the resolutions verify that we provide four or more services to residents and that we want to continue to receive our share of highway, liquor and cigarette tax. She said no public comments were made or received at either of the public hearings.

In response to a question from Thomas Laing, Hartz said the marijuana tax is not included.

ii. **Resolution No. 1199** – A RESOLUTION CERTIFYING THAT THE CITY PROVIDES FOUR OR MORE MUNICIPAL SERVICES

**MOTION: Thomas Cotter made a motion to adopt Resolution No. 1199. Laura Ruff seconded the motion which passed with a vote of 5-0.**

iii. **Resolution No. 1200** – A RESOLUTION DECLARING THE CITY’S ELECTION TO RECEIVE STATE SHARED REVENUES

**MOTION: Thomas Cotter made a motion to adopt Resolution No. 1200. Thomas Laing seconded the motion which passed with a vote of 5-0.**

In response to a question from Mayor Larson, Ingham said if the voters were to pass a marijuana tax, it would be separate from the share of highway, cigarette and liquor taxes we receive.

In response to a question from Thomas Laing, Ingham said if a marijuana tax is passed, we would likely see around \$10,000 to \$15,000 annually.

(4) Classifying the Transportation Utility Fee (TUF)

i. Agenda Item Summary

Hartz said this is the last step needed to implement the TUF. The ordinance and resolutions have been adopted and now since we’re enacting a new fee, it needs to be classified and is a requirement of the Oregon Revised Statutes (ORS) to make this classification. The TUF is an incurred charge and is not subject to the Measure 5 limits. She said once passed, the notice is published and the public has 60 days to challenge that classification.

ii. **Resolution No. 1201** – A RESOLUTION CLASSIFYING CERTAIN FEES AND CHARGES AS NOT SUBJECT TO LIMITATIONS OF ARTICLE IX, SECTION 11b OF THE OREGON CONSTITUTION (MEASURE 5)

**MOTION: Thomas Cotter made a motion to adopt Resolution No. 1201. Tim Brooker seconded the motion which passed with a vote of 5-0.**

d. Public Works Director.....Kyle Schauer

(1) Award of Contract for the City of Veneta 2016 Pavement Preservation Projects

Schauer said in 2014 the City contracted to do a pavement condition survey that rated all paved surfaces in City limits. He said from that we developed a six year maintenance plan to follow to bring all City streets to compliant levels. He said this project will include overlays on Parkside Drive from 8<sup>th</sup> St. to 10<sup>th</sup> St., Broadway Ave. from 4<sup>th</sup> St. to 6<sup>th</sup> St., 5<sup>th</sup> St. from McCutcheon to Broadway Ave., East Broadway from Territorial Rd. approximately 400 feet east, and Cheney Dr. from Territorial Rd. to East Bolton Rd. He said we received three responses, one from Knife River Corporation, Eugene Sand and Gravel Co., and Wildish Construction Co. The City Engineer recommends we move forward and award the contract to Wildish Construction Co. with a 10% contingency the contract amount will not exceed \$225,000.

In response to a question from Thomas Laing, Schauer said the bids were all fairly close but because Wildish is already out here working on projects, we’re not paying to mobilize the crew and to get equipment out here. He said Wildish has the contract with ODOT to pave Highway 126 from Cornerstone to Torrence Rd. in Noti and they are ready to get started on our project.

In response to a question from Thomas Cotter, Schauer said we gave them a deadline date of October 15th.

**MOTION: Thomas Cotter made a motion to authorize City staff to enter into contract with Wildish Construction Co. to construct the 2016 Pavement Preservation Projects for an amount not to exceed \$225,000. Thomas Laing seconded the motion which passed with a vote of 5-0.**

Schauer said the original plan had us spending about \$400,000 per year so he's working on possibly getting another project done in this summer cycle. He said lower oil costs is one reason why we're seeing lower bids this year, as well as last year. Also the other projects Wildish is doing in the area makes it easy for them to mobilize their crews. He said we may also get a good bid on the 2<sup>nd</sup> and 3<sup>rd</sup> St. improvements.

e. City Administrator.....Ric Ingham

(1) Repealing Prior Recreational Marijuana Tax Ordinance No. 515

i. Agenda Item Summary

Ingham said at the June 13<sup>th</sup> meeting, Council directed staff to work with legal counsel to prepare all the material to place a 3% recreational marijuana tax on the November 8<sup>th</sup>, 2016 general election ballot. He said in order to do that, legal counsel recommended we repeal Ordinance No. 515 because based on House Bill 3400, there is no way to implement the ordinance. He said Ordinance No. 535 would repeal Ordinance No. 515.

In response to a question from Thomas Cotter, Ingham said if we did not repeal Ordinance No. 515, there would be some conflicting language with an ordinance allowing the tax if voters approve it on the November 8<sup>th</sup> ballot. So Ordinance No. 515 needs to be repealed before the marijuana tax is placed on the November ballot.

Laura Ruff thanked Mr. Hogander for supporting the City placing the 3% recreational marijuana tax on the November ballot.

ii. **Ordinance No. 535** – AN ORDINANCE REPEALING ORDINANCE NO. 515

**MOTION: Thomas Cotter made a motion to adopt Ordinance No. 535 for first reading by title only. Thomas Laing seconded the motion which passed with a vote of 5-0.**

Ordinance No. 535 was read into the record for first reading by title only.

(2) Adopting a Resolution Calling on Election for a Tax on Recreational Marijuana Sales

i. Agenda Item Summary

Ingham said based on Council direction at the June 13<sup>th</sup> meeting, Resolution No. 1202 has been prepared to refer a recreational marijuana tax to the November 8<sup>th</sup>, 2016 ballot. He said the ordinance attached to Resolution No. 1202 will be enacted if the voters approve the tax.

ii. **Resolution No. 1202** - A RESOLUTION CALLING AN ELECTION ON NOVEMBER 8, 2016, TO REFER TO THE VOTERS OF THE CITY OF VENETA, OREGON, A THREE PERCENT TAX ON RETAIL SALES OF RECREATIONAL MARIJUANA IN THE CITY OF VENETA AND ADOPTING A BALLOT TITLE AND EXPLANATORY STATEMENT

**MOTION: Thomas Cotter made a motion to adopt Resolution No. 1202. Tim Brooker seconded the motion which passed with a vote of 5-0.**

(3) Process for Conducting City Administrator's Evaluation

Ingham reviewed the evaluation process with the Council. He asked that the Council return their evaluations to Hartz and she can compile the information and provide a summary for an executive session after the August 8, 2016 Council meeting. He said the July 11<sup>th</sup> meeting is cancelled and he will be out of town for the July 25<sup>th</sup> meeting.

After a brief discussion, there was a consensus of the Council to turn in their evaluations to Hartz and the executive session will be August 8<sup>th</sup> after the regular meeting.

(4) Questions from Councilors

In response to a question from Thomas Cotter, Ingham said we think the tagging on the bridge happened Sunday. He said Deputy Nelson made the report and he doesn't feel it's related to last month's tagging. He said after photos were taken it was removed.

In response to a question from Laura Ruff, Schauer said any time you see road hazards like the broken glass she was referring to, please call City Hall and public works will clean it up.

**6. OTHER**

Ingham said with regard to the Community Garden and the fence, Mr. Kaufman was told to prepare a site map and design of what the proposed fencing would look like but he has yet to do that. He said staff is doubtful we'll see anything from Mr. Kaufman this year but he may likely submit something for next year's garden season.

Ingham briefly touched on the following items: staff outreach to the 8<sup>th</sup> St. residents continues, received Oregon Country Fair (OCF) tickets for Council members. The next Council meeting is July 25<sup>th</sup>. For clarification St. Vincent/DePaul did not receive funding for a multi-use building in Veneta. The City received a second year appointment from the Resource Assistance for Rural Environments (R.A.R.E.) program. Staff will conduct interviews for that position in mid-July for a start date in September. Claudia Denton has accepted a full time job at the City of Eugene. She will be working part time with us and part time with the City of Eugene.

Ingham said in regards to a VFW Memorial, he's not sure what the Council wants to do with that. He said we could look at the current work plan for possible modification.

In response to a question from Mayor Larson, Ingham said the first step would be to meet with the Post Committee to see how large of an area they're looking at. He said Bork would look into any zoning issues. He said the post wants a fairly visible location so there's a lot to work through. He said if it's the consensus of the Council to do so, we can meet once in August and again in September and move forward from there.

We received a full subdivision plan for the development off of Cherry St., which includes the property the wigwam is located on.

Mayor Larson said she would like to somehow incorporate the wigwam into Oak Island Park if the owner is willing to work with us.

In response to a question from Mayor Larson, Ingham said we're pretty sure we'll get a second year of funding for the business retention program through RDI.

Hartz said the auditors will be here Thursday and Friday, June 27<sup>th</sup> and 28<sup>th</sup>.

In response to a question from Mayor Larson, Schauer said it's a slow process getting the wastewater plant healthy again. He said one pond was getting better but now both ponds are not doing well at all. He said samples were taken on June 24<sup>th</sup> and he's in touch with DEQ.

In response to a question from Laura Ruff, Schauer said he's not sure what caused it, the way it came in, it seems as though a very toxic substance was dumped into the collection system and turned a very healthy plant into a very sick plant.

In response to a question from Thomas Laing, Schauer said we have not had an accidental discharge. He said we're certainly having issues and we've gone beyond permit limits, but that's out of our control. He said his staff is working very hard to get this fixed.

In response to a question from Tim Brooker, Schauer said there's really no way to monitor the plant with a surveillance system. He said when the problem was first detected, he contacted Biolac and their findings were that something was dumped and we need to get rid of it. He said everything they suggested, we've already tried. He said there's no danger of polluting the Long Tom and he'll keep the Council in the loop. He said we can't say for sure what caused it, it could just be the system reacting to the work they've been doing.

**7. ADJOURN**

Mayor Larson adjourned the Veneta City Council at 8:36 p.m.

XXXXXXXXXXXXXXXXXXXX

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Sandra H. Larson, Mayor

ATTEST:

XXXXXXXXXXXXXXXX

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Darci Henneman, City Recorder  
(Minutes prepared by DHenneman)



# Minutes of the Veneta City Council Special meeting July 14, 2016

Present: Sandra Larson, Thomas Cotter, Thomas Laing, Tim Brooker, and Laura Ruff

Others: Ric Ingham, City Administrator; Darci Henneman, City Recorder; Joan Mariner, Fern Ridge Review

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## 1. CALL TO ORDER THE VENETA CITY COUNCIL

Mayor Larson called the Veneta City Council to order at 5:32 p.m.

Thomas Cotter announced that he would need to leave the meeting at 5:55 p.m.

## 2. APPOINTMENT OF A PRIMARY MEMBER TO THE LANE AREA COMMISSION ON TRANSPORTATION

Mayor Larson said tonight's meeting is being held because the previously appointed member to the Lane ACT, Tim Brooker, had to resign.

Ingham said Lane ACT was formed about 5 years ago as an advisory body to the Oregon Transportation Commission (OTC) to make recommendations for state highway projects. He said Lane ACT's Bylaws clearly state that primary and secondary members shall be appointed by each jurisdiction. The Bylaws also state the primary position must be held by an elected official and the secondary position can be held by a City staff member. Ingham said Tim Brooker had to step down from the primary position a couple of months ago and since that time, he, as City Administrator, has been attending the meetings. On July 20, 2016 the Joint Legislative Committee on Transportation Preservation and Modernization is conducting a public hearing to hear testimony to be used to develop a comprehensive legislative package addressing state-wide transportation issues, identify high priority projects and determine new sources of revenue to fund projects. He said he will be out of town next week but he and Mayor Larson felt it was important to have a representative from the City attend that meeting. At this point Mayor Larson agreed to take on that role.

Ingham said Mayor Larson was put on a list of special invitees he's not sure what exactly that will entail. He said Len Goodwin will have a speaking role and Joan Mariner, along with eight to ten community stakeholders, will also provide testimony. He said the meeting begins at 5:30 and testimony will be heard until 7:30 or 8:00 p.m. He said all City Councilors are invited to attend.

**MOTION: Thomas Cotter made a motion to appoint Sandra Larson to the Lane Area Commission on Transportation. Tim Brooker seconded the motion which passed with a vote of 5-0.**

## 3. OTHER

Ingham said the next two items are informational only and do not require Council action. He said Julie Reid, Emergency Preparedness Specialist, is working through our Emergency Operation Plan which will eventually be adopted by the Council. In order for that Plan to meet all Federal Emergency Management Agency (FEMA) and National Incident Management System (NIMS) requirements, Elected Officials and City staff must go through some training. Staff has worked through the schedule and decided to offer the two to three hour training on August 3<sup>rd</sup> and August 11<sup>th</sup>. He said the Council and the majority of City staff are only required to attend this course. He said in order to receive certification, everyone will be required to take an online test at a later date.

Laura Ruff, Mayor Larson and Thomas Laing all indicated they could attend either training session. Tim Brooker said he can attend the August 11<sup>th</sup> session. Thomas Cotter said he can attend the August 3<sup>rd</sup> session.

Ingham said on October 10<sup>th</sup> there will be a Table Top exercise held in the training room at Lane Fire Authority. He said the room will be considered the command center for basically a mock emergency. He said evaluators will also be there to monitor how well we do.

Ingham said the League of Oregon Cities annual conference registration form and a few other materials were provided tonight. He said if you'd like to attend, please fill out the registration sheet and return it to Darci on or before the August 8<sup>th</sup> Council meeting. He said she will register everyone for the conference on line. He said currently we have reserved three hotel rooms.

In response to a question from Ingham, Laura Ruff said she works Tuesday through Saturday so she is not able to attend, however, she would like to take some on line training or workshops if that is available.

In response to a question from Thomas Cotter, Ingham said the plant had some improvement and some of the water is clearing up a little bit. He said Schauer was hoping by now we'd see more improvement and he doesn't think there's been any contaminate come in since the July 4<sup>th</sup> weekend.

Thomas Laing said he witnessed a man buying paint thinner at local retailer a few days ago. He suggested maybe we should notify local retailers about the contamination.

Tim Brooker suggested conducting public plant tours so residents can see how the plant works.

In response to a question from Mayor Larson, Ingham said the ponds were getting full and fences were moved out. He said we have an access agreement with Oregon Country Fair (OCF) that provides them a 10 day access over our property to reach the Far Side. He said once that access period is over, we'll have more area for the affluent to be placed.

Thomas Cotter excused himself from the meeting at 5:55 p.m.

In response to a question from Thomas Laing, Ingham said he's not sure how many arrests were made during the Oregon Country Fair (OCF). He said he's not sure why arrest numbers from the OCF are made public when there are more arrests made at one Oregon football game then during the entire three day fair.

In response to a question from Tim Brooker, Ingham said Lane County Parks' new online registration process went very well and the contract saved the City about \$5000. He said Mindy's approximately 60 volunteers, along with Inez Brooker, said the process had a few hiccups but for the most part it went well. He said there was no staging area on Cornerstone Rd. and for this first time in about 15 years, there was no traffic backed up on Jeans Rd. Also, there was a lot of positive feedback from campers. He said sometime soon, staff will have a debriefing with Lane County to see how the process can be streamlined even more.

**4. ADJOURN**

Mayor Larson adjourned the Veneta City Council at 6:00 p.m.

XXXXXXXXXXXXXXXXXX

\_\_\_\_\_  
Sandra H. Larson, Mayor

ATTEST:

XXXXXXXXXXXXXXXXXX

\_\_\_\_\_  
Darci Henneman, City Recorder  
(Minutes prepared by DHenneman)

# Minutes of the Veneta City Council

## July 25, 2016

Present: Sandra Larson, Thomas Cotter, Tim Brooker, Thomas Laing, and Laura Ruff

Others: Shauna Hartz, Finance Director; Kay Bork Community Development Director; Kyle Schauer, Public Works Director; Darci Henneman, City Recorder; Joan Mariner, Fern Ridge Review,

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### 1. CALL TO ORDER THE VENETA CITY COUNCIL

Mayor Larson called the Veneta City Council to order at 6:30 p.m.

### 2. PUBLIC COMMENT

#### **Troy McAdams, 88183 and 88182 8<sup>th</sup> St., Veneta, OR**

Mr. McAdams said he and his wife purchased his wife's grandmother's house in 2002 and a few years later they purchased the lot next door because it was originally a part of her grandmother's property. He said he works three part time jobs and his wife also works but their combined income just barely allows them to make their monthly mortgage payment. If they have to pay \$66,000 they won't be able to keep his wife's grandmother's house. He said they're not sure what to do and how to deal with this. He asked if the City could find another way to fund the sewer project.

#### **Julilah McAdams, 88138 8<sup>th</sup> St., Veneta, OR**

Ms. McAdams said she would like to see the infrastructure funded another way.

In response to a question from Thomas Cotter, Mr. McAdams said his wife has talked with the other five neighbors but has not talked with City staff about payment options.

Mayor Larson said it is unfortunate that there are not more properties to spread the cost but its Veneta's mission to provide sewer to all City residents.

Schauer said he would like to talk with them.

### 3. CONSENT AGENDA

**MOTION: Thomas Cotter made a motion to approve the consent agenda as presented.  
Thomas Laing seconded motion.**

**VOTE: Thomas Laing, aye; Thomas Cotter, aye; Sandra Larson, aye; Laura Ruff, aye; Tim Brooker, aye.**

The consent agenda as approved included Accounts Payable - Checks for Approval – Paid through July 14, 2016, To be Paid – Payable through July 18, 2016, Civic Calendar for August, 2016, Banner Permit Application from Kiwanis Club of Fern Ridge for the 2016 Motorcycle Show "N" Shine, Banner Permit Application from St. Catherine for the annual BBQ (previously approved by R. Ingham), Public Works Activity Report for June, 2016.

### 4. COUNCIL BUSINESS AND REPORTS

#### a. Business

##### (1) Lane County Sheriff's Office Activity Report

Sgt. Halvorson said there were 21 incidents at the skate park in June, where deputies had been called, beyond just passing by. He said because school had just released for the summer, he felt it was important for deputies to have a presence there. He said nothing out of the ordinary took place in June. He said property crimes are still high and petty and opportunistic thefts continue; people leaving vehicles unlocked or tools or other valuables left outside. He said Lane County Sheriff's Office (LCSO) received a grant from the State Sheriff's Association through ODOT. He said those grant funds were used to pay for two extra deputies during the Oregon Country Fair

(OCF). He said those extra deputies were also available for calls in City limits. He said there were 14 DUI's during OCF, which is up one from last year. He said the importance of the cooperation between the City, LCSO and the OCF has a lot to do with how things are handled and how little problems stay little.

In response to a question from Laura Ruff, Sgt. Halvorson said the only information he received about the child that accidentally ingested LSD that was dropped on the ground at a private campground, was that he was flown to Doernbecher Children's Hospital and is recovering.

Laura Ruff said she heard that he may have experienced an epileptic seizure. She said its unfortunate that it was connected to the OCF and that's all people will remember.

In response to a question from Thomas Laing, Sgt. Halvorson said he didn't hear an explosion at Veneta Elementary around 10:00 to 11:00 p.m. last night.

- (2) Appointment to Fill Park Board Vacancies (Positions 8 and 9)  
With no objections from the Council, Mayor Larson appointed Bailey Frydendall to position 8 and Brianna Bryant to position 7 on the Veneta Park Board.
- (3) Donation Request from Elmira High School Athletic Department  
Thomas Cotter said he is hesitant to donate to the athletic fund and not to other clubs or organizations at the high school.

Mayor Larson said we provide assistance for pool activities for all of the local schools. She said she's not sure if we can solicit requests for donations. She said the Council reviews all requests but they have to be brought to the Council.

In response to a question from Tim Brooker, Hartz said we haven't spent any of the 2016-17 fiscal year budget amounts, so the full \$5000 budgeted in the Zumwalt Fund, under Council Discretionary, and \$2000 in the General Fund, under Discretionary are available.

Tim Brooker said the funds are there but we can't single out a specific club.

Mayor Larson said she wonders how much of our donation actually goes to the Athletic Dept.

After a brief discussion, it was the consensus of the Council to table the sponsorship request for now and Mayor Larson, as the School District Liaison, will contact the school. She will inform the Booster Club that the City Council appreciates the request but has decided not to donate at this time and prefers to make a direct donation to the Booster Club.

In response to a question from Hartz, Mayor Larson said the Council is directing staff not to respond to this request because the Council prefers to make a direct donation to the Booster Club once we receive a formal request from the Club.

b. Council/Committee Liaison Reports

Thomas Laing said Leonard George has been appointed to Mid Lane Cares Executive Board. He said Mr. George spent 30 years with EWEB and 10 years with Bonneville Power. He said Mid Lanes' insurance company settled the lawsuit brought by Dr. Marta for an undisclosed amount. He said Deanna will step in as Coordinator/Director and Pat will step down and only work 15 hours a week. He said Mid Lane is discontinuing the Zumwalt project. He said there was a lot of complaining and it didn't bring in a lot of money so Mid Lane will concentrate on the Benefit by the Glass event and the Harvest Festival.

In response to a question from Thomas Cotter, Thomas Laing said Mid Lane sold ice, brownies and cupcakes at Zumwalt Campground during the Oregon Country Fair but they didn't do very well this

year. He said the weather was cooler so not a lot of ice was sold. He said the Opportunity Village asked for \$140,000 grant but he did not attend the meeting at the Library.

Mayor Larson said the School Board hasn't met since the Council last met. They elected officers: Twinkle Morton will be Chair and Andrea Larson is Vice Chair. Construction is going on as planned and it sounds like there will be extra funds to be used to make the schools' surfaces look the same and blend the new additions in with the existing buildings. She said she and Bork attended the Joint Committee on Transportation public hearing. She said there were about nine people that specifically talked about Highway 126. She said Len Goodwin did a great job and she and Joan Mariner were on the evening news. She said Ingham did a great job getting people to speak at the hearing. She said Andrea Larson, Joan Mariner, Greg Demers, and Terry Ney were some who spoke at the hearing. She said she attended the Mayor's Conference which every year after the conference, she realizes how fortunate we are to have such a great Council.

## 5. STAFF REPORTS

- a. Community Development Director.....Kay Bork
  - (1) Presentation of Engineer's Report and Adoption of 8<sup>th</sup> Street Sewer Improvement LID Resolution No. 1204

- i. Agenda Item Summary

- Bork said if the Council approves the Engineer's Report, they can pass a resolution declaring the City's intent to make the improvement, to form a local improvement district (LID) to fund the improvement, and set a public hearing on the proposed improvement. She said on June 13, 2016 staff provided the Council with the original Engineer's Report dated May 13, 2016 and Council received the June 27, 2016 revised report tonight. The revised report included a modification to the project that reduced the cost to property owners from \$137,000 to \$102,000. A portion of the project that runs along 8<sup>th</sup> St. to Dunham and to the alley on McCutcheon would be funded by the City and the remainder would be funded through the LID.

In response to a question from Thomas Cotter, Hartz said this LID will follow the same process as the E. Bolton LID. She said once the project is completed, final costs and minimum assessments will be calculated. Property owners will be asked to start making installments payments on the minimum assessment and can defer the remaining assessment for up to 10 years at 8% interest which does not obligate them to make payments during that 10 year period. But they need to start talking with Schauer because there are other things that could reduce the total costs. She said both Bork and Schauer have attempted to meet with Mr. and Mrs. McAdams.

Schauer said this is the first time he has spoken with Mr. McAdam's. He said the Council may recall that Mrs. McAdam's spoke at the June 27<sup>th</sup> meeting and at that time, he gave her his business card and asked that she contact him but she has yet to do so.

Bork said she sent a certified letter to Mr. and Mrs. McAdams and two other property owners about tonight's meeting and the modified engineer's report but she hasn't heard from any of them. She said if the resolution was adopted, the notice would be published to formally form the LID and another notice would be mailed to the affected residents. She said residents were also notified they can remonstrant at the public hearing. She said if they were to remonstrate, public testimony against the LID would be collected which would delay the LID for six months.

In response to a question from Mayor Larson, Bork said only two-thirds of the affected street frontage or acreage is needed to remonstrate and Mr. and Mrs. McAdams alone have that, which if they remonstrated, would delay construction. She said we do not have any irrevocable petitions.

Laura Ruff said the pavement is so poor, so it doesn't make sense to put a lot of money in the road now if we're just going to tear it up later to put the infrastructure in. She suggested maybe we hold off and patch the road until we possibly see an economy change.

Mayor Larson said upgrading the roadway is part of why we want to do the LID but ultimately sooner or later we need to provide sewer to all City residents.

Bork said its staff's recommendation, if the Council took action, to approve the modified engineer's report.

In response to a question from Mayor Larson, Schauer said typically the entire infrastructure required to serve the LID is located within the service area of the LID, but in this case, we need to run past served properties so that's why the City will pay \$36,000 for the cost of the extra infrastructure which will reduce the property owners' LID costs from \$137,000 to \$102,000.

In response to a question from Laura Ruff, Schauer said it's difficult to say when construction will start but we can say it won't get started until next spring or summer.

Bork said the last project took six months just to get the LID established and about a year to get the final assessment figures and pass the LID ordinance.

ii. **Resolution No. 1204** – A RESOLUTION DESIGNATING PROPOSED WASTEWATER COLLECTION SYSTEM IMPROVEMENTS ON 8<sup>TH</sup> STREET AND DECLARING THE CITY'S INTENTION TO FORM A LOCAL IMPROVEMENT DISTRICT TO FUND SUCH IMPROVEMENTS

**MOTION:** Thomas Cotter made a motion to approve the June 27, 2016 Engineer's Report for the 8<sup>th</sup> Street Sewer Improvement LID. Tim Brooker seconded the motion which passed with a vote of 5-0.

**MOTION:** Thomas Cotter made a motion to adopt Resolution No. 1204, a Resolution designating proposed wastewater collection system improvements on 8<sup>th</sup> St. and declaring the City's intention to form a local improvement district to fund such improvements and set a public hearing on the proposed improvement for the second meeting in September, 2016. Tim Brooker seconded the motion which passed with a vote of 5-0.

b. Finance Director.....Shauna Hartz

(1) **Ordinance No. 535** – AN ORDINANCE REPEALING ORDINANCE NO. 515. For Second Reading by Title Only and Final Enactment

Hartz said the purpose of Ordinance No. 535 is to repeal Ordinance No. 515 which will cancel out the action the City took on the marijuana sales tax prior to the state laws coming into effect. She said it was recommended by legal counsel to repeal Ordinance No. 515.

**MOTION:** Thomas Cotter made a motion to adopt Ordinance No. 535, an Ordinance repealing Ordinance No. 515 for second reading by title only and final enactment. Thomas Laing seconded the motion which passed with a vote of 5-0.

Ordinance No. 535 was read into the record for second reading by title only and final enactment.

(2) Amendments to Title 3 of Veneta Municipal Code Related to Disposition of Personal Property  
i. Agenda Item Summary

Hartz said Ordinance No. 537 modifies a part of the code that governs how we handle personal property that the City has taken possession of due to abandonment. For example, a bicycle that was brought in and not claimed. She said currently the code is somewhat complicated because even though this section addresses abandoned property, it also could be interpreted to apply to all City property - purchased, donated and/or abandoned. She said

based on that, legal counsel recommended we'd better separate the type of property that Veneta Municipal Code (VMC) 3.05 applies to. Hartz said as she made those corrections, there were a few other areas that needed some housekeeping. She said she also created a form to make sure we follow all of the required steps.

- ii. **Ordinance No. 537** – AN ORDINANCE AMENDING VENETA MUNICIPAL CODE TITLE 3 CHAPTER 05. For First Reading by Title Only.

**MOTION:** **Thomas Cotter made a motion to adopt Ordinance No. 537, an Ordinance amending Veneta Municipal Code Title 3, Chapter 05 for first reading by title only. Tim Brooker seconded the motion which passed with a vote of 5-0.**

Ordinance No. 537 was read into the record for first reading by title only.

- c. Public Works Director.....Kyle Schauer

- (1) Award of Construction Contract for 2<sup>nd</sup> & 3<sup>rd</sup> St Contract Improvements

Schauer said we only received one bid from Wildish Construction Co. of \$487,034.85 for the improvements to 2<sup>nd</sup> St. and 3<sup>rd</sup> St. Branch Engineering deemed the bid complete and responsive but it's about 20% higher than the engineer's estimate of \$400,000. He said due to the fact that it was the only bid, its difficult to determine if the engineer's estimate was low or if the bid is higher than typical market conditions. He said the engineer's estimate, based on work awarded earlier this year and last year, seemed accurate. He said the 20% overage calculates to almost \$90,000 and the project is budgeted in the 2016-17 at \$517,000 for construction and engineering. Total cost of the project including engineering is expected to be approximately \$512,000. He said adding a 10% contingency for construction projects (which we typically do) would bring the project estimate at \$560,000 which is more than the \$517,000 budgeted. Staff recommended that the budgeted amount does not support the cost estimate and suggested we reject all bids at this time. He said there are a few options we can do to reduce costs; re-advertise and rebid the entire project next February to try to catch the new construction season and get additional bidders. He said we may see some savings if we do the water project this fall and wait until next spring to do the construction and paving.

In response to a question from Mayor Larson, Schauer said the engineer's estimate calls for the water line to be done first even if the water and paving/asphalt work are done together. He said either way the water line would require a temporary patching.

In response to a question from Tim Brooker, Schauer said he was surprised that the bid from Wildish came in so high even though they are already out here and were awarded the 2016 Pavement Preservation project. He said we can alter the scope of work, but he doesn't recommend it. He said we don't want to cut corners.

In response to a question from Thomas Cotter, Schauer said he doesn't think it would be more than a few thousand dollars to rebid the project and have the engineer prepare another report. He said it could come in higher next year but he felt we've just hit the construction cycle wrong.

**MOTION:** **Thomas Cotter made a motion that the City Council reject all bids currently associated with the 2<sup>nd</sup> and 3<sup>rd</sup> Street Improvement Project and that the project be re-advertised for a bid at a different time. Thomas Laing seconded the motion which passed with a vote of 5-0.**

- (2) Added Scope of Work for 2016 Pavement Preservation Project

Schauer said money is available for additional work because the Wildish Construction Co. bid for the 2016 Pavement Preservation project came in almost \$95,000 less than the engineer's estimate. He said with that savings, we could add additional work. Schauer said he requested an

estimate for a change order to add asphalt overlay to a section of 9<sup>th</sup> St. from Parkside through the intersection of Sherwood St. and also a short section of Sherwood St. and all of Dawn Ct. He said this project was scheduled to be done in the next two years of the Pavement Preservation Plan. The estimate for this work came in at \$52,000 with a 15% contingency the contract will not exceed \$60,000 for the additional work. If the Council authorizes the change order for the additional work, the contract with Wildish Construction Co. would be increased to not exceed \$285,000.

**MOTION: Thomas Cotter made a motion to enter into a change order to add additional work proposed to the 2016 Pavement Preservation Project not to exceed \$285,000. Tim Brooker seconded the motion which passed with a vote of 5-0.**

(3) Status of the Wastewater Treatment Plant

Schauer said the treatment plant continues to struggle. He said the unknown substance first entered the ponds almost six weeks ago. He said he's been working with DEQ on a new permit and they've been chlorinating the ponds but its not typical and no E coli was detected as of last weekend. Last weekend the east pond was getting healthy and continued to improve Monday and was almost normal on Tuesday, but on Wednesday it started to die and two days later, it was dead. He said he believes it comes through on the weekend and by the third day we see total devastation. He said today he believes the west pond is coming around and hopefully we can keep it from turning back. He said public works has checked man holes and the Lane County Hazmat Team volunteered to test a sample. He said they have data bases that reference where specific chemicals are being used. He said he also contacted the City of Eugene and after a lengthy conversation, came up with nothing. He said this plant has been running since 2002 and we've never had anything like this happen before. He said the contaminant that's killing off the plant can be as little as a gallon or two. He said everything on the influent appeared normal.

In response to a question from Thomas Cotter, Schauer said there are very few Biolac systems in Oregon. He said it has been determined by DEQ that it has to be some kind of chemical because nothing naturally occurring in the plant will cause this to happen. Schauer said even if we can isolate it, we may not be able to trace it. He said it appears odorless and colorless. He said if we find out what it is, we may be able to trace it, but it doesn't leave a trail.

In response to a question from Laura Ruff, Schauer said DEQ has given us a letter permit through the end of August and we are in violation but due to circumstances beyond our control, DEQ has only given us a warning letter. He said he's not sure what they will do if the problem continues. He said the problem may just go away and we may never know what caused it. He said he's not ready to say it's intentional, but if we get the word out, a resident may realize that they are causing the problem. He said we would continue to work with DEQ if the problem continues but it's beyond his expertise. He said the City of Eugene Industrial Source Team has been asked to come out and take a tour.

In response to questions from Mayor Larson, Schauer said he's talked with deputies and they are watching for anything out of the ordinary. He also talked with some local businesses and it was determined that chemicals they use aren't capable of causing this kind of problem. We don't have much industry so there's not a lot of areas to look. He said a sheen on the pond is visible again and he's not sure if we got hit again but everything is dead. He said the expenses are adding up: a lot of overtime, irrigating from dawn to dusk, and taking more samples. Schauer said this is new to us but the City of Eugene has an entire department that deals with it. He said in our situation, when the plant dies it releases odor.

**6. OTHER**

Hartz reminded Councilors to please complete the City Administrator evaluations if they haven't already done so and return them to her.

Henneman reminded everyone to please contact her if they plan to attend the League of Oregon Cities conference.

Thomas Laing said he will be out of town the entire month of September.

Schauer reminded the Council that Friday, July 29<sup>th</sup> is the Family Fun Night at the pool. He said this is the last pool event for the summer and he invited everyone to attend.

**7. ADJOURN**

Mayor Larson adjourned the Veneta City Council at 7:50 p.m.

XXXXXXXXXXXXXXXXXXXX

Sandra H. Larson, Mayor

ATTEST:

XXXXXXXXXXXXXXXXXXXX

Darci Henneman, City Recorder  
(Minutes prepared by DHenneman)

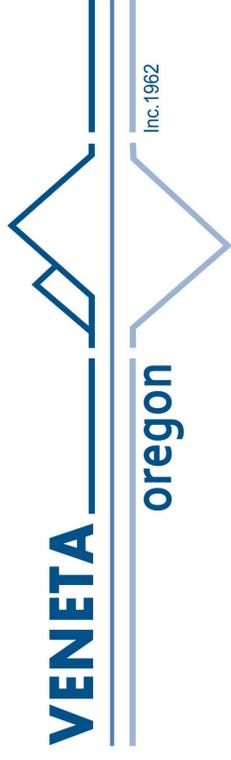


# Accounts Payable To Be Paid Proof List

User: MINDY

Printed: 08/04/2016 - 8:16 AM

Batch: 009-06-2016



Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
AmePro American Promo Events June 2016	07/27/2016	18.29	0.00	08/09/2016	Land Use Application Refund		-	No		0000
140-140-51105 Refunds-Land Use Appl		18.29								
	June 2016 Total:	18.29								
AmePro Total:										
BanBkCC Banner Bank 7/16 FLG	07/18/2016	115.00	0.00	08/09/2016	Oregon State Flag for CH		-	No		0000
100-100-51085 Miscellaneous/Discretionary		115.00								
	7/16 FLG Total:	115.00								
BanBkCC Total:										
CorSta Cornelius Stacy SCornelius 6/16	07/21/2016	11.88	0.00	08/09/2016	Mileage for vendign supplies		-	No		0000
130-520-51075 Travel		11.88								
	SCornelius 6/16 Total:	11.88								
CorSta Total:										
EmePoo Emerald Pool & Patio 418771-1	06/20/2016	327.68	0.00	08/09/2016	Pool chemicals PO 4961		-	No		0000
130-520-54020 Pool Operating Supplies		327.68								
	418771-1 Total:	969.56								
419169-1	06/23/2016	154.39	0.00	08/09/2016	Pool chemicals PO4964		-	No		0000
130-520-54020 Pool Operating Supplies		154.39								
419169-1	06/23/2016	1,123.95	0.00	08/09/2016	Pool chemicals PO4964		-	No		0000
130-520-54040 Pool Maintenance		140.00								
	419169-1 Total:	1,123.95								
419197-1	06/23/2016	140.00	0.00	08/09/2016	Pool chemicals PO4966		-	No		0000
130-520-54020 Pool Operating Supplies		140.00								
	419197-1 Total:	140.00								

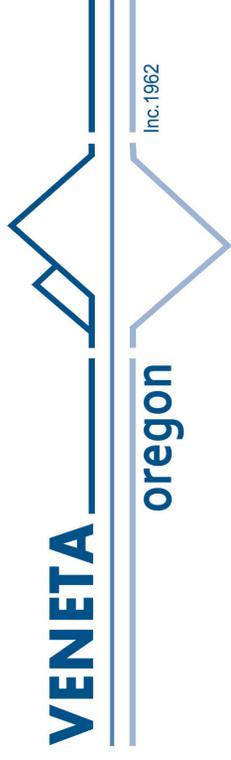
Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
	EmePoo Total:	1,591.63								
FRRev Fern Ridge Review										
16853	07/22/2016	128.00	0.00	08/09/2016	Comprehensive Plan Ad		-	No		0000
100-100-51025	Publishing Costs	128.00								
	16853 Total:	128.00								
	FRRev Total:	128.00								
MurSmi Murray Smith & Associates Inc										
14-1619-12	07/28/2016	693.00	0.00	08/09/2016	Reservoir Improvements SVS thru		-	No		0000
210-210-53040	System Maintenance	693.00			6/30/16					
	14-1619-12 Total:	693.00								
	MurSmi Total:	693.00								
StplsCC Staples Credit Plan										
1597850241	07/15/2016	36.87	0.00	08/09/2016	Various office needs		-	No		0000
100-100-51010	Admin Supplies & Services	4.76								
1597850241	07/15/2016	4.76	0.00	08/09/2016	Various office needs		-	No		0000
130-130-51010	Admin Supplies & Services	5.65								
1597850241	07/15/2016	5.65	0.00	08/09/2016	Various office needs		-	No		0000
130-520-51010	Administrative Supplies	6.27								
1597850241	07/15/2016	6.27	0.00	08/09/2016	Various office needs		-	No		0000
140-140-51010	Admin Services & Supplies	49.09								
1597850241	07/15/2016	49.09	0.00	08/09/2016	Various office needs		-	No		0000
210-210-51010	Admin Supplies & Services	55.12								
1597850241	07/15/2016	55.12	0.00	08/09/2016	Various office needs		-	No		0000
220-220-51010	Admin Supplies & Services	41.81								
1597850241	07/15/2016	41.81	0.00	08/09/2016	Various office needs		-	No		0000
230-230-51010	Admin Supplies & Services	0.63								
1597850241	07/15/2016	0.63	0.00	08/09/2016	Various office needs		-	No		0000
240-240-51010	Admin Supplies & Services	16.97								
1597850241	07/15/2016	16.97	0.00	08/09/2016	Various office needs		-	No		0000
100-195-51010	Admin Supplies & Services	217.17								
	1597850241 Total:	217.17								
	StplsCC Total:	217.17								
	Report Total:	2,774.97								

# Accounts Payable To Be Paid Proof List

User: MINDY

Printed: 08/04/2016 - 8:18 AM

Batch: 008-07-2016



Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
AbvMess Above The Mess, LLC										
1283	07/30/2016	459.90	0.00	08/09/2016	Monthly Contract		-			No 0000
100-100-52055	Janitorial Services Contract									
1283	07/30/2016	114.98	0.00	08/09/2016	Monthly Contract		-			No 0000
140-140-52055	Janitorial Services Contract									
1283	07/30/2016	191.62	0.00	08/09/2016	Monthly Contract		-			No 0000
130-530-52055	Community Ctr Janitorial&Maint									
	1283 Total:	766.50								
	AbvMess Total:	766.50								
AHACons AHA Consulting, Inc										
37	07/21/2016	360.00	0.00	08/09/2016	Annual Website Maint. Support		-			No 0000
100-100-52050	Internet & Web Site Fees									
37	07/21/2016	40.00	0.00	08/09/2016	Annual Website Maint. Support		-			No 0000
100-160-52050	Internet & Web Site Fees									
37	07/21/2016	40.00	0.00	08/09/2016	Annual Website Maint. Support		-			No 0000
100-170-52050	Internet & Web Site Fees									
37	07/21/2016	80.00	0.00	08/09/2016	Annual Website Maint. Support		-			No 0000
120-120-52050	Internet & Website Fees									
37	07/21/2016	40.00	0.00	08/09/2016	Annual Website Maint. Support		-			No 0000
130-130-52050	Internet & Web Site Fees									
37	07/21/2016	40.00	0.00	08/09/2016	Annual Website Maint. Support		-			No 0000
130-520-52050	Internet & Web Site Services									
37	07/21/2016	160.00	0.00	08/09/2016	Annual Website Maint. Support		-			No 0000
140-140-52050	Internet & Web Site Fees									
37	07/21/2016	140.00	0.00	08/09/2016	Annual Website Maint. Support		-			No 0000
210-210-52050	Internet & Web Site Fees									
37	07/21/2016	180.00	0.00	08/09/2016	Annual Website Maint. Support		-			No 0000
220-220-52050	Internet & Web Site Fees									
37	07/21/2016	80.00	0.00	08/09/2016	Annual Website Maint. Support		-			No 0000
230-230-52050	Internet & Web Site Fees									
37	07/21/2016	40.00	0.00	08/09/2016	Annual Website Maint. Support		-			No 0000
240-240-52050	Internet & Web Site Fees									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
37 Total:		1,200.00								
AHACons Total:		1,200.00								
<hr/>										
AnalyLab Analytical Laboratory Group										
80537	07/06/2016	1,827.00	0.00	08/09/2016	Wastewater		-		No	0000
220-220-53055	System Quality Tests									
80537	07/06/2016	140.00	0.00	08/09/2016	Drinking water		-		No	0000
210-210-53055	System Quality Tests									
80537 Total:		1,967.00								
AnalyLab Total:		1,967.00								
<hr/>										
BanBkCC Banner Bank										
7/16 MSONline	07/18/2016	27.30	0.00	08/09/2016	Monthly Fee		-		No	0000
100-100-52045	Computer System Support-Maint									
7/16 MSONline	07/18/2016	2.73	0.00	08/09/2016	Monthly Fee		-		No	0000
100-160-52045	Computer System Support-Maint									
7/16 MSONline	07/18/2016	2.73	0.00	08/09/2016	Monthly Fee		-		No	0000
100-170-52045	Computer System Support/Maint									
7/16 MSONline	07/18/2016	6.37	0.00	08/09/2016	Monthly Fee		-		No	0000
130-130-52045	Computer System Support-Maint									
7/16 MSONline	07/18/2016	2.73	0.00	08/09/2016	Monthly Fee		-		No	0000
130-520-52045	Computer System Support/Maint									
7/16 MSONline	07/18/2016	11.83	0.00	08/09/2016	Monthly Fee		-		No	0000
140-140-52045	Computer System Support-Maint									
7/16 MSONline	07/18/2016	10.92	0.00	08/09/2016	Monthly Fee		-		No	0000
210-210-52045	Computer System Support-Maint									
7/16 MSONline	07/18/2016	16.38	0.00	08/09/2016	Monthly Fee		-		No	0000
220-220-52045	Computer System Support-Maint									
7/16 MSONline	07/18/2016	6.37	0.00	08/09/2016	Monthly Fee		-		No	0000
230-230-52045	Computer System Support-Maint									
7/16 MSONline	07/18/2016	3.64	0.00	08/09/2016	Monthly Fee		-		No	0000
240-240-52045	Computer System Support-Maint									
7/16 MSONline Total:		91.00								
7/16 PNLTY	07/18/2016	4.39	0.00	08/09/2016	Penalties/Interest		-		No	0000
100-100-51110	Penalties/Interest									
7/16 PNLTY Total:		4.39								
7/16 SLSHN	07/18/2016	486.33	0.00	08/09/2016	Mayor Conference		-		No	0000
100-100-51090	Training & Travel-Officials									
7/16 SLSHN Total:		486.33								
BanBkCC Total:		581.72								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
BrenPac Brenntag Pacific Inc										
242557	07/26/2016	-360.00	0.00	08/09/2016	Drum return		-	No		0000
220-220-53020	System Operating Supplies									
	242557 Total:	-360.00								
642997	07/15/2016	2,173.00	0.00	08/09/2016	Sodium Hypochlorite PO 5019		-	No		0000
220-220-53020	System Operating Supplies									
	642997 Total:	2,173.00								
644674	07/21/2016	1,086.50	0.00	08/09/2016	Sodium Hypochlorite_PO 5022		-	No		0000
220-220-53020	System Operating Supplies									
644674	07/21/2016	1,086.50	0.00	08/09/2016	Sodium Hypochlorite_PO 5022		-	No		0000
210-210-53020	System Operating Supplies									
	644674 Total:	2,173.00								
	BrenPac Total:	3,986.00								
BrowMic Brown Michelle										
Brown 7/16	07/18/2016	38.00	0.00	08/09/2016	Swim Lesson Refund		-	No		0000
130-520-51105	Refunds-Pool									
	Brown 7/16 Total:	38.00								
	BrowMic Total:	38.00								
BucSan Buck's Sanitary Service										
A-53270	07/29/2016	53.00	0.00	08/09/2016	Fern Park unit		-	No		0000
130-130-53210	Park Maintenance									
	A-53270 Total:	53.00								
A-53272	07/29/2016	98.50	0.00	08/09/2016	Skate Park unit		-	No		0000
130-130-53210	Park Maintenance									
	A-53272 Total:	98.50								
A-53549	07/29/2016	3,983.00	0.00	08/09/2016	Zumwalt 2016		-	No		0000
350-350-54440	Portable Toilets									
	A-53549 Total:	3,983.00								
A53271	07/29/2016	53.00	0.00	08/09/2016	City Park Unit		-	No		0000
130-130-53210	Park Maintenance									
	A53271 Total:	53.00								
	BucSan Total:	4,187.50								
CorSta Cornelius Stacy										
SCornelius 7/16	07/21/2016	21.60	0.00	08/09/2016	Mileage for vending supplies		-	No		0000
130-520-51075	Travel									
SCornelius 7/16	07/21/2016	150.00	0.00	08/09/2016	DJ Services 7/16		-	No		0000
130-520-54620	Pool Events									
SCornelius 7/16	07/21/2016	66.11	0.00	08/09/2016	Event Prizes/Awards		-	No		0000
130-520-54620	Pool Events									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
SCornelius 7/16 130-520-51075	08/01/2016 Travel	10.80	0.00	08/09/2016	Supplies for Family Fun Night		-	No		0000
SCornelius 7/16 130-520-54620	08/01/2016 Pool Events	171.23	0.00	08/09/2016	Event Prizes/Awards		-	No		0000
	SCornelius 7/16 Total: CorSta Total:	419.74 419.74								
EDMS EDMS Inc 80595	07/25/2016	95.73	0.00	08/09/2016	Property Owner Letter		-	No		0000
210-210-51010 80595	Admin Supplies & Services 07/25/2016	41.63	0.00	08/09/2016	Property Owner Letter		-	No		0000
210-210-51015 80595	Postage 07/25/2016	143.59	0.00	08/09/2016	Property Owner Letter		-	No		0000
220-220-51010 80595	Admin Supplies & Services 07/25/2016	62.44	0.00	08/09/2016	Property Owner Letter		-	No		0000
220-220-51015	Postage	343.39								
	80595 Total: EDMS Total:	343.39 343.39								
EmePoo Emerald Pool & Patio 421346-1	07/20/2016	323.19	0.00	08/09/2016	Pool chemicals PO 4980		-	No		0000
220-220-53020	System Operating Supplies	323.19								
	421346-1 Total: EmePoo Total:	323.19 323.19								
EPUD EPUD 104799 7/16	07/27/2016	24.14	0.00	08/09/2016	Skate Park		-	No		0000
130-130-53110	Territorial Park Electricity	24.14								
107383 7/16 130-520-54055	07/27/2016 Pool Utilities	1,348.59	0.00	08/09/2016	Pool		-	No		0000
	107383 7/16 Total:	1,348.59								
108974 7/16 230-230-51035	07/27/2016 Electricity-Street Lights	2,559.53	0.00	08/09/2016	Various Street Lights		-	No		0000
	108974 7/16 Total:	2,559.53								
122635 7/16 210-210-51035	07/27/2016 Electricity	23.91	0.00	08/09/2016	Bulk Water Station		-	No		0000
	122635 7/16 Total:	23.91								
51043 7/16 100-100-51035	07/27/2016 Electricity	353.36	0.00	08/09/2016	City Hall		-	No		0000
51043 7/16 140-140-51035	07/27/2016 Electricity	88.34	0.00	08/09/2016	City Hall		-	No		0000
	51043 7/16 Total:	441.70								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
60675 7/16	07/27/2016	82.41	0.00	08/09/2016	Pine St Station		-	No		0000
220-220-51035	Electricity									
	60675 7/16 Total:	82.41								
61380 7/16	07/27/2016	69.53	0.00	08/09/2016	Jeans Lift Station		-	No		0000
220-220-51035	Electricity									
	61380 7/16 Total:	69.53								
8229 7/16	07/27/2016	30.82	0.00	08/09/2016	Territorial Rd Pump		-	No		0000
210-210-51035	Electricity									
	8229 7/16 Total:	30.82								
	EPUD Total:	4,580.63								
<b>FaulCon Faulconer Daniel</b>										
Faulconer 7/16	07/21/2016	65.00	0.00	08/09/2016	Unused Bail Return		-	No		0000
100-000-20310	Bail Payable									
	Faulconer 7/16 Total:	65.00								
	FaulCon Total:	65.00								
<b>Ferg3021 FEI #3011 Waterworks</b>										
1055888	07/18/2016	166.00	0.00	08/09/2016	Pump Motor PO 4780		-	No		0000
210-210-53040	System Maintenance									
	1055888 Total:	166.00								
4442390	07/15/2016	80.69	0.00	08/09/2016	Water heater sensor PO4988		-	No		0000
130-520-54040	Pool Maintenance									
	4442390 Total:	80.69								
532039	07/19/2016	1,221.00	0.00	08/09/2016	3/4 Water Meter PO4986		-	No		0000
210-210-53040	System Maintenance									
	532039 Total:	1,221.00								
532041	07/19/2016	1,677.76	0.00	08/09/2016	MXU PO4983		-	No		0000
210-210-53040	System Maintenance									
	532041 Total:	1,677.76								
532044	07/26/2016	436.80	0.00	08/09/2016	Cust side shut off		-	No		0000
210-210-53040	System Maintenance									
	532044 Total:	436.80								
CM092323	07/22/2016	-117.51	0.00	08/09/2016	Credit for piping		-	No		0000
210-210-53040	System Maintenance									
	CM092323 Total:	-117.51								
	Ferg3021 Total:	3,464.74								
<b>FirsStu First Student Inc</b>										
11251793	07/25/2016	5,996.00	0.00	08/09/2016	Zumwalt 2016		-	No		0000
350-350-54470	Shuttle Buses									
	11251793 Total:	5,996.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
	FirsStu Total:	5,996.00								
FRRev Fern Ridge Review										
16837	07/15/2016	200.00	0.00	08/09/2016	Shuttle bus ad for Country Fair		-		No	0000
350-350-51010	Admin Supplies & Services	200.00								
	16837 Total:	56.00	0.00	08/09/2016	Notice of Receipt of ballot Title		-		No	0000
16855	07/22/2016	56.00								
100-100-51025	Publishing Costs	56.00								
	16855 Total:	48.00	0.00	08/09/2016	Resolution No 1201 Ad		-		No	0000
16856	07/22/2016	48.00								
230-230-51010	Admin Supplies & Services	48.00								
	16856 Total:	304.00								
	FRRev Total:									
FRSD28J Fern Ridge School District 28J										
July 2016	08/01/2016	8,270.86	0.00	08/09/2016	School excise tax Per 7/1-7/31/16		-		No	0000
100-000-20010	Accounts Payable	8,270.86								
	July 2016 Total:	8,270.86								
	FRSD28J Total:	8,270.86								
HarmHan Harmony with Hands										
Harmony 7/16	07/20/2016	12.50	0.00	08/09/2016	Overpayment on Buis Registration		-		No	0000
100-100-51105	Refunds	12.50			2016					
	Harmony 7/16 Total:	12.50								
	HarmHan Total:	12.50								
HenDar Henneman Darci										
DHenneman 7/16	07/18/2016	27.49	0.00	08/09/2016	Mayors Basket		-		No	0000
100-100-51010	Admin Supplies & Services	9.45	0.00	08/09/2016	Postage		-		No	0000
DHenneman 7/16	07/28/2016	36.94								
140-140-51015	Postage	36.94								
	DHenneman 7/16 Total:	36.94								
	HenDar Total:	36.94								
IndSour Industrial Source										
1292669	07/26/2016	241.50	0.00	08/09/2016	Pool CO2		-		No	0000
130-520-54020	Pool Operating Supplies	241.50								
	1292669 Total:	241.50								
	IndSour Total:									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
InfoStru Info Structure										
2329198	07/21/2016	398.11	0.00	08/09/2016	Cust #C7930 - City Hall		-	No		0000
100-100-51030	Telephone Services									
2329198	07/21/2016	99.52	0.00	08/09/2016	Cust #C7930 - City Hall		-	No		0000
140-140-51030	Telephone									
	2329198 Total:	497.63								
2329388	07/21/2016	45.81	0.00	08/09/2016	Cust #61227 - WWTP		-	No		0000
220-220-51030	Telephone Services									
	2329388 Total:	45.81								
2329437	07/21/2016	89.04	0.00	08/09/2016	Cust #62054 - Pool		-	No		0000
130-520-54055	Pool Utilities									
	2329437 Total:	89.04								
	InfoStru Total:	632.48								
IngR Ingham R Ric										
RIngham 7/16	08/01/2016	31.70	0.00	08/09/2016	Expense Reimbursement		-	No		0000
100-100-51075	Travel - Staff									
RIngham 7/16	08/01/2016	3.17	0.00	08/09/2016	Expense Reimbursement		-	No		0000
100-160-51075	Travel - Staff									
RIngham 7/16	08/01/2016	6.34	0.00	08/09/2016	Expense Reimbursement		-	No		0000
130-130-51075	Travel									
RIngham 7/16	08/01/2016	15.85	0.00	08/09/2016	Expense Reimbursement		-	No		0000
140-140-51075	Travel - Staff									
RIngham 7/16	08/01/2016	6.34	0.00	08/09/2016	Expense Reimbursement		-	No		0000
210-210-51075	Travel									
RIngham 7/16	08/01/2016	31.70	0.00	08/09/2016	Expense Reimbursement		-	No		0000
220-220-51075	Travel									
RIngham 7/16	08/01/2016	3.17	0.00	08/09/2016	Expense Reimbursement		-	No		0000
130-520-51075	Travel									
RIngham 7/16	08/01/2016	25.36	0.00	08/09/2016	Expense Reimbursement		-	No		0000
230-230-51075	Travel									
RIngham 7/16	08/01/2016	3.17	0.00	08/09/2016	Expense Reimbursement		-	No		0000
240-240-51075	Travel									
RIngham 7/16	08/01/2016	75.00	0.00	08/09/2016	Expense Reimbursement		-	No		0000
100-100-51030	Telephone Services									
	RIngham 7/16 Total:	201.80								
	IngR Total:	201.80								
JohnSon Johnson Derek										
Johnson 7/16	07/27/2016	40.00	0.00	08/09/2016	Unused Bail Return		-	No		0000
100-000-20310	Bail Payable									
	Johnson 7/16 Total:	40.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
	JohnSon Total:	40.00								
KeyBan Key Bank FY 2016-17	07/14/2016	102.75	0.00	08/09/2016	Safety Deposit Box Rent		-	No		0000
100-100-51010 Admin Supplies & Services FY 2016-17 Total:		102.75								
KeyBan Total:		102.75								
KingFinn King Finn King 7/16	08/01/2016	19.98	0.00	08/09/2016	swim meet mileage		-	No		0000
130-520-51075 Travel King 7/16 Total:		19.98								
KingFinn Total:		19.98								
LanCoAc Lane Co Accts Receivable July 2016	08/01/2016	1,095.38	0.00	08/09/2016	Assmnts collected less 15% collection		-	No		0000
100-000-20330 County Fine Assessment Payable July 2016 Total:		1,095.38								
LanCoAc Total:		1,095.38								
MidSta Mid-State Industrial Svc 165465	07/28/2016	1,930.00	0.00	08/09/2016	Monthly Contract		-	No		0000
230-230-53150 Street Sweeping Contract 165465 Total:		1,930.00								
MidSta Total:		1,930.00								
MidVal Mid-Valley Tractor Co 19319	07/30/2016	232.82	0.00	08/09/2016	Walker repair		-	No		0000
130-130-51515 Tools & Small Equipment 19319 Total:		232.82								
MidVal Total:		232.82								
NorSaf Norwest Safety 605188	07/22/2016	19.90	0.00	08/09/2016	Earplugs/Goggles		-	No		0000
210-210-51055 Safety Programs & Supplies 605188	07/22/2016	19.89	0.00	08/09/2016	Earplugs/Goggles		-	No		0000
220-220-51055 Safety Programs & Supplies 605188 Total:		39.79								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
	NorSaf Total:	39.79								
ODOR ODOR - Court										
July 2016	08/01/2016	835.07	0.00	08/09/2016	Unitary Assessment / other St fees		-	No		0000
100-000-20320	State Fine Assessments Payable									
	July 2016 Total:	835.07								
	ODOR Total:	835.07								
OneCal One Call Concepts Inc										
6070506	08/02/2016	17.85	0.00	08/09/2016	Utility locates		-	No		0000
210-210-51030	Telephone Services									
6070506	08/02/2016	17.85	0.00	08/09/2016	Utility locates		-	No		0000
220-220-51030	Telephone Services									
	6070506 Total:	35.70								
	OneCal Total:	35.70								
RousH Roush Julie										
Rousch 7/16	07/21/0216	87.00	0.00	08/09/2016	Unused Bail Return		-	No		0000
100-000-20310	Bail Payable									
	Rousch 7/16 Total:	87.00								
	RousH Total:	87.00								
Sprint Nextel Communications										
886952530-128	07/27/2016	40.30	0.00	08/09/2016			-	No		0000
100-100-51030	Telephone Services									
886952530-128	07/27/2016	40.29	0.00	08/09/2016			-	No		0000
130-130-51030	Telephone Services									
886952530-128	07/27/2016	60.45	0.00	08/09/2016			-	No		0000
210-210-51030	Telephone Services									
886952530-128	07/27/2016	60.45	0.00	08/09/2016			-	No		0000
220-220-51030	Telephone Services									
886952530-128	07/27/2016	40.30	0.00	08/09/2016			-	No		0000
230-230-51030	Telephone Services									
	886952530-128 Total:	241.79								
	Sprint Total:	241.79								
StplsCC Staples Credit Plan										
July 2016 4911	07/03/2016	64.92	0.00	08/09/2016	Zumwalt Supplies		-	No		0000
350-350-51010	Admin Supplies & Services									
	July 2016 4911 Total:	64.92								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
July 2016 4941	07/15/2016	22.69	0.00	08/09/2016	Various office needs		-	No		0000
100-100-51010	Admin Supplies & Services									
July 2016 4941	07/15/2016	2.93	0.00	08/09/2016	Various office needs		-	No		0000
130-130-51010	Admin Supplies & Services									
July 2016 4941	07/15/2016	3.48	0.00	08/09/2016	Various office needs		-	No		0000
130-520-51010	Administrative Supplies									
July 2016 4941	07/15/2016	3.86	0.00	08/09/2016	Various office needs		-	No		0000
140-140-51010	Admin Services & Supplies									
July 2016 4941	07/15/2016	30.21	0.00	08/09/2016	Various office needs		-	No		0000
210-210-51010	Admin Supplies & Services									
July 2016 4941	07/15/2016	33.92	0.00	08/09/2016	Various office needs		-	No		0000
220-220-51010	Admin Supplies & Services									
July 2016 4941	07/15/2016	25.73	0.00	08/09/2016	Various office needs		-	No		0000
230-230-51010	Admin Supplies & Services									
July 2016 4941	07/15/2016	0.39	0.00	08/09/2016	Various office needs		-	No		0000
240-240-51010	Admin Supplies & Services									
July 2016 4941 Total:		123.21								
StplsCC Total:		188.13								
<hr/>										
TherImag Thermo Imaging & Analysis, LLC										
5076	08/01/2016	1,443.00	0.00	08/09/2016	DO Extension		-	No		0000
220-220-53050	WW Treatment Plant Maintenance									
5076 Total:		1,443.00								
TherImag Total:		1,443.00								
<hr/>										
TilgVic Tilghman Victor										
0003	07/24/2016	300.00	0.00	08/09/2016	Lifeguard In-service training		-	No		0000
130-520-54120	Lifeguard Training									
0003 Total:		300.00								
TilgVic Total:		300.00								
<hr/>										
USAblu USA Blue Book										
9550	07/18/2016	115.54	0.00	08/09/2016	C12 Samples		-	No		0000
210-210-53020	System Operating Supplies									
9550 Total:		115.54								
USAblu Total:		115.54								
<hr/>										
Report Total:		44,326.44								



**APPLICATION AND PERMIT TO OCCUPY OR  
PERFORM OPERATIONS UPON A STATE HIGHWAY**

See Oregon Administrative Rule, Chapter 734, Division 55

PERMIT NUMBER

CLASS : KEY#

<b>GENERAL LOCATION</b>			<b>PURPOSE OF APPLICATION (TO CONSTRUCT/OPERATE/MAINTAIN)</b>			
HIGHWAY NAME AND ROUTE NUMBER Territorial HWY - 200			<input type="checkbox"/> POLE LINE	TYPE	MIN. VERT. CLEARANCE	
HIGHWAY NUMBER 200	COUNTY Lane		<input type="checkbox"/> BURIED CABLE	TYPE		
BETWEEN OR NEAR LANDMARKS Luther Lane & Territorial Hwy - across Territorial HWY			<input type="checkbox"/> PIPE LINE	TYPE		
HWY. REFERENCE MAP AML	DESIGNATED FREEWAY <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IN U.S. FOREST <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> NON-COMMERCIAL SIGN		FEE AMOUNT	
APPLICANT NAME AND ADDRESS Territorial Sports Program PO Box 117 Veneta, OR 97487			<input checked="" type="checkbox"/> MISCELLANEOUS OPERATIONS AND/OR FACILITIES AS DESCRIBED BELOW			
<div style="border: 1px solid black; padding: 5px; text-align: center;"> <p>RECEIVED</p> <p>JUL 29 2016</p> </div>			<b>FOR ODOT USE ONLY</b>			
			BOND REQUIRED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	REFERENCE: OAR 734-55-035(2)	AMOUNT OF BOND	
			INSURANCE REQUIRED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	REFERENCE: OAR 734-55-035(1)	SPECIFIED COMP. DATE	

DETAIL LOCATION OF FACILITY (For more space attach additional sheets)									
MILE POINT	TO MILE POINT	ENGINEERS STATION	ENGINEERS TO STATION	SIDE OF HWY OR ANGLE OF CROSSING	DISTANCE FROM		BURIED CABLE OR PIPE		SPAN LENGTH
					CENTER OF PVMT	R/W LINE	DEPTH/VERT.	SIZE AND KIND	
HWY 200	19.70		115+32	90 degrees	varies	varies	banner	banner	

DESCRIPTION AND LOCATION OF NON-COMMERCIAL SIGNS OR MISCELLANEOUS OPERATIONS FACILITIES

Permit is for banner.

SPECIAL PROVISIONS (FOR MORE SPACE ATTACH ADDITIONAL SHEETS)

TRAFFIC CONTROL REQUIRED  YES [OAR 734-55-025(6)]  NO

- OPEN CUTTING OF PAVED OR SURFACED AREAS ALLOWED?  YES [OAR 734-55-100(2)]  NO [OAR 734-55-100(1)]

◆ AT LEAST 48 HOURS BEFORE BEGINNING WORK, THE APPLICANT OR HIS CONTRACTOR SHALL NOTIFY THE DISTRICT REPRESENTATIVE AT TELEPHONE NUMBER: 541-935-7111 OR FAX A COPY OF THIS PAGE TO THE DISTRICT OFFICE AT: \_\_\_\_\_ SPECIFY TIME AND DATE IN THE SPACE BELOW.

◆ A COPY OF THIS PERMIT AND ALL ATTACHMENTS SHALL BE AVAILABLE AT THE WORK AREA DURING CONSTRUCTION.

◆ ATTENTION: Oregon Law requires you to follow rules adopted by the Oregon Utility Notification Center. Those rules are set forth in OAR 952-001-0010 through OAR 952-001-0090. You may obtain copies of the rules by calling the center at (503) 232-1987. CALL BEFORE YOU DIG 1-800-332-2344

COMMENTS - ODOT USE ONLY

Permit and Permission to have banner within ODOT right of way. to be installed on 8-9-16 and removed on 8-15-16 by local utility company. See provisions on page 2.

IF THE PROPOSED APPLICATION WILL AFFECT THE LOCAL GOVERNMENT, THE APPLICANT SHALL ACQUIRE THE LOCAL GOVERNMENT OFFICIAL'S SIGNATURE BEFORE ACQUIRING THE DISTRICT MANAGER'S SIGNATURE.

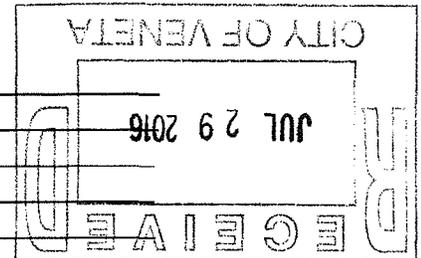
LOCAL GOVERNMENT OFFICIAL SIGNATURE <input checked="" type="checkbox"/> <i>[Signature]</i>	TITLE City Administrator	DATE 08-05-16
APPLICANT SIGNATURE <input checked="" type="checkbox"/> <i>[Signature]</i>	APPLICATION DATE 7/28/2016	TITLE Treasurer
When this application is approved by the Department, the applicant is subject to, accepts and approves the terms and provisions contained and attached: and the terms of Oregon Administrative Rules, Chapter 734, Division 55, which is by this reference made a part of this permit.		TELEPHONE NO. 541-510-3546
DISTRICT MANAGER OR REPRESENTATIVE <input checked="" type="checkbox"/>		APPROVAL DATE

PO Box 458 \* Veneta, OR 97487 \* 541-935-2191 \* Fax 541-935-1838 \* www.venetaoregon.gov

This form must be submitted to Veneta City Hall no later than three weeks prior to the date requested. Applications will be processed on a first come, first serve basis. All banners are subject to appropriate jurisdictional approval. Banners are only allowed for the following entities: governmental entities, special district organizations, non-profit organizations. Banners shall be permitted to promote only the following activities: public service activity which provides benefits to the community as a whole; artistic or literary activities, provided that artistic shall include music and the performing arts; scholastic activities which are defined as activities sponsored by organizations which carry on general education activities. Banners may display the name, slogan, advertising, logo or trademark of any sponsor of the activity. Banners shall not be permitted to advertise the following: promote or be sponsored by any political candidate/party, religious, issue group, or be carried on for the purpose of earning a profit.

1. Organization Information

Entity: Territorial Sports Program  
 Purpose: Falcon Country Classic Car Show  
 Contact Person: Becky Dube'  
 Phone Number: 541-510-3546  
 Email: dubeveneta@msn.com



2. Permit Information

Event Date 8/13/2016  
 Requested time period for banner display: Start Date 8/9/2016 End Date 8/15/2016  
 Requested banner location:

- Luther Ln (Lane Electric Cooperative)
- Territorial Hwy (Emerald PUD)  
 ODOT Banner Application must accompany Veneta permit

**Please attach a copy of the proposed banner.  
 Banner must meet Lane Electric and/or ODOT specifications.**

3. Proof of Insurance

Please attach a copy of proof of insurance listing **both city and the respective utility as additionally insured** for the proposed dates (**ODOT will need to be listed as additionally insured for all Territorial Hwy banners**).

Signature: Becky Dube' Date: 7/28/2016

**City of Veneta use only below line**

Date Received in City Hall: 7.29.16 Time Received: 3:30 p.m.  
 Received By: D. Henneman  
 Public Works Approval: [Signature]  
 Date applicant notified of decision: \_\_\_\_\_  
 Application forwarded to (circle one): ODOT Lane Electric EPUD  
 Further action requested:  Yes  No  
 If yes, explain: \_\_\_\_\_











**APPLICATION AND PERMIT TO OCCUPY OR  
PERFORM OPERATIONS UPON A STATE HIGHWAY**

See Oregon Administrative Rule, Chapter 734, Division 55

PERMIT NUMBER

CLASS:      KEY#

GENERAL LOCATION				PURPOSE OF APPLICATION (TO CONSTRUCT/OPERATE/MAINTAIN)		
HIGHWAY NAME AND ROUTE NUMBER <i>Territorial Hwy.</i>				<input type="checkbox"/> POLE LINE	TYPE N/A	MIN. VERT. CLEARANCE 20'
HIGHWAY NUMBER <i>200</i>	COUNTY 20 = LANE			<input type="checkbox"/> BURIED CABLE	TYPE N/A	
BETWEEN OR NEAR LANDMARKS <i>Luther Lane + Territorial</i>				<input type="checkbox"/> PIPE LINE	TYPE N/A	
HWY. REFERENCE MAP AML	DESIGNATED FREEWAY <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IN U.S. FOREST <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		<input type="checkbox"/> NON-COMMERCIAL SIGN	FEE AMOUNT \$0.00	
APPLICANT NAME AND ADDRESS NAME: <i>Fern Ridge Service Center</i>				<input checked="" type="checkbox"/> MISCELLANEOUS OPERATIONS AND/OR FACILITIES AS DESCRIBED BELOW		
COMPANY OR EVENT: <i>Harvest Festival</i>				FOR ODOT USE ONLY		
MAILING ADDRESS: <i>P.O. Box 344</i>				BOND REQUIRED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	REFERENCE: OAR 734-55-035(2)	AMOUNT OF BOND \$0.00
STATE & ZIP: <i>Veneta OR 97487</i>				INSURANCE REQUIRED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	REFERENCE: OAR 734-55-035(1)	SPECIFIED COMP. DATE
PHONE: <i>541-935-4555</i>						

DETAIL LOCATION OF FACILITY (For more space attach additional sheets)

MILE POINT TO	MILE POINT	ENGINEERS STATION TO	ENGINEERS STATION	SIDE OF HWY OR ANGLE OF CROSSING	DISTANCE FROM		BURIED CABLE OR PIPE		SPAN LENGTH
					CENTER OF PVMT	R/W LINE	DEPTH/VERT.	SIZE AND KIND	
HIGHWAY	<i>Territorial</i>			90°	VARIES	VARIES		BANNER	
HIGHWAY	<i>19.65</i>			90°	VARIES	VARIES		BANNER	

DESCRIPTION AND LOCATION OF NON-COMMERCIAL SIGNS OR MISCELLANEOUS OPERATIONS FACILITIES

PERMIT IS FOR BANNER

SPECIAL PROVISIONS (FOR MORE SPACE ATTACH ADDITIONAL SHEETS)

- TRAFFIC CONTROL REQUIRED:  YES [OAR 734-55-025(6)]       NO
- OPEN CUTTING OF PAVED OR SURFACED AREAS ALLOWED?  YES [OAR 734-55-100(2)]       NO [OAR 734-55-100(1)]
- ◆ AT LEAST 48 HOURS BEFORE BEGINNING WORK, THE APPLICANT OR HIS CONTRACTOR SHALL NOTIFY THE DISTRICT REPRESENTATIVE AT TELEPHONE NUMBER: *541-935-7111*  
OR FAX A COPY OF THIS PAGE TO THE DISTRICT OFFICE AT: *N/A*      SPECIFY TIME AND DATE IN THE SPACE BELOW.
- ◆ A COPY OF THIS PERMIT AND ALL ATTACHMENTS SHALL BE AVAILABLE AT THE WORK AREA DURING CONSTRUCTION.
- ◆ ATTENTION: Oregon Law requires you to follow rules adopted by the Oregon Utility Notification Center. Those rules are set forth in OAR 952-001-0010 through OAR 952-001-0090. You may obtain copies of the rules by calling the center at (503) 232-1987.  
**CALL BEFORE YOU DIG 1-800-332-2344**

COMMENTS - ODOT USE ONLY      APPLICATION TO APPLY FOR A BANNER PERMIT WITHIN ODOT RIGHT OF WAY.  
BANNER TO READ: *Harvest Festival*  
FOR WHAT EVENT?: *same*      EVENT DATE(S): *9-10-2016*  
DATE PLACED IN RIGHT OF WAY: *8/29/16*      DATE TO BE REMOVED: *9-12-2016*

IF THE PROPOSED APPLICATION WILL AFFECT THE LOCAL GOVERNMENT, THE APPLICANT SHALL ACQUIRE THE LOCAL GOVERNMENT OFFICIAL'S SIGNATURE BEFORE ACQUIRING THE DISTRICT MANAGER'S SIGNATURE.

LOCAL GOVERNMENT OFFICIAL SIGNATURE <i>X</i>		TITLE	DATE
APPLICANT SIGNATURE <i>X Lois Reha</i>	APPLICATION DATE <i>8/4/16</i>	TITLE <i>Manager</i> <i>Fern Ridge Serv. Cent.</i>	TELEPHONE NO. <i>541-935-4555</i>
When this application is approved by the Department, the applicant is subject to, accepts and approves the terms and provisions contained and attached; and the terms of Oregon Administrative Rules, Chapter 734, Division 55, which is by this reference made a part of this permit.		DISTRICT MANAGER OR REPRESENTATIVE <i>X</i>	APPROVAL DATE

STREET BANNER PERMIT APPLICATION

City of Veneta  
PO Box 458  
88184 8<sup>th</sup> St  
Veneta, OR 97487  
(541) 935-2191



This form must be submitted to Veneta City Hall no later than three weeks prior to the date requested. Applications will be processed on a first come, first serve basis. All banners are subject to appropriate jurisdictional approval. Banners are only allowed for the following entities: governmental entities, special district organizations, non-profit organizations. Banners shall be permitted to promote only the following activities: public service activity which provides benefits to the community as a whole; artistic or literary activities, provided that artistic shall include music and the performing arts; scholastic activities which are defined as activities sponsored by organizations which carry on general education activities. Banners may display the name, slogan, advertising, logo or trademark of any sponsor of the activity. Banners shall not be permitted to advertise the following: promote or be sponsored by any political candidate/party, religious, issue group, or be carried on for the purpose of earning a profit.

1. Organization Information

Entity: Mid Lane Care  
Purpose: Harvest Festival  
Contact Person: Lois Riba / De Anna Townsend  
Phone Number: 541-935-4555  
Email: fernridge.service.center@gmail.com

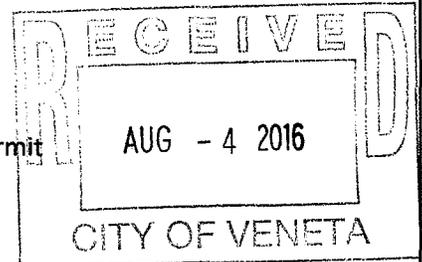
2. Permit Information

Requested time period for banner display: Start Date 8-29 End Date 9-12  
Requested banner location:

Luther Ln (Lane Electric Cooperative)

Territorial Hwy (Emerald PUD)

ODOT Banner Application must accompany Veneta permit



Please attach a copy of the proposed banner.  
Banner must meet Lane Electric and/or ODOT specifications.

3. Proof of Insurance - To forward when Rec'd.  
Please attach a copy of proof of insurance listing **both city and the respective utility as additionally insured** for the proposed dates (**ODOT will need to be listed as additionally insured for all Territorial Hwy banners**).

Signature: Lois Riba Date: 8-4-16

City of Veneta use only below line

Date Received in City Hall: 8-4-16

Time Received: 3:30 p.m.

Received By: D. Henneberry

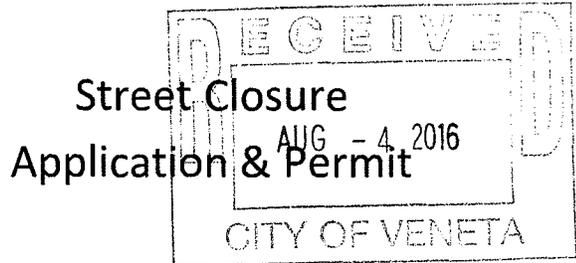
Public Works Approval: [Signature]

Date applicant notified of decision: \_\_\_\_\_

Application forwarded to (circle one):  ODOT  Lane Electric  EPUD

Further action requested:  Yes  No

If yes, explain: \_\_\_\_\_



PO Box 458 \* Veneta, OR 97487 \* 541-935-2191 \* 541-935-1838 \* www.VenetaOregon.gov

Veneta Municipal Code, Chapter 12.15 states that no person may occupy or encroach upon a public right-of-way without the permission of the City in the form of a franchise, license or permit. The City Administrator has authorization to issue the street closure on the City's behalf.

Submission Date: August 4th 2016

Applicant Name: Veneta Harvest Festival Phone: 541-935-4555

Mailing Address: C/o Mid Lane Cares., P.O. Box 344, Veneta, OR 97487

Date of Closure: 9/9/2016 to 9/10/2016 Time of Closure: 4:30 on 9 to 4:00 on 10th

Streets to be closed: West Broadway to 3rd St. & 2nd St. Dunham to Brooker Ln

Will amplified music be played? Yes (if yes, please complete request for temporary variance to VMC 9.20)

Application Checklist - I certify by my initial that the following is true:

- All information on this application is true.
- Site Plan showing cross streets and areas of closure is attached.
- All affected neighbors have been notified.
- Only City approved barricades and road closure signs will be used.
- All trash will be picked by the end of the closure time.
- During the closure a 20 foot emergency access lane will be maintained.
- Attached vendor's insurance certificate naming the City of Veneta as additional insured - *Will Forward when Recd.*
- Enclosed a non-refundable fee of \$40. (*Request Fee to be waived*)

I shall hold the City of Veneta, its officers, agents, and employees free and harmless from any claims for damages to persons or property including legal fees and costs of defending any actions or suits thereon, including appeals therefrom, which may result from granting this permit.

Applicant's Signature Louis Riba Date Aug 4, 2016

APPROVED  NOT APPROVED

Staff Comments: \_\_\_\_\_

City Administrator \_\_\_\_\_ Date \_\_\_\_\_

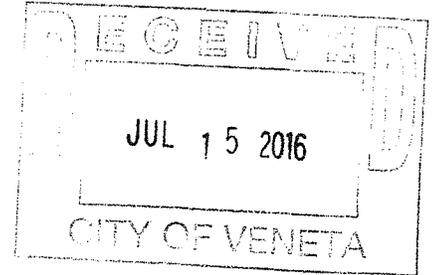




24936 Fir Grove Lane, Elmira, Oregon 97437  
Phone: 541-935-2101 Fax: 541-935-8345  
www.westlanetech.org

July 15, 2016

City Council  
City of Veneta  
Veneta, OR 97487



Dear City Council Members;

The West Lane Technical Learning Center (Charter High School) is seeking to use the Community Center November 18<sup>th</sup> and November 19<sup>th</sup> during the 2016 Country Holiday Bazaar for a fundraiser for our Culinary Arts program.

Students of the program will produce items to hold a bake sale. We would also like to have a host of vendor tables as a part of the bazaar. Each vendor would be asked to make a donation to the fundraiser, rather than be charged a table fee.

We (WLTLC) are asking the City Council for a fee waiver in order to make this fundraiser a successful venture.

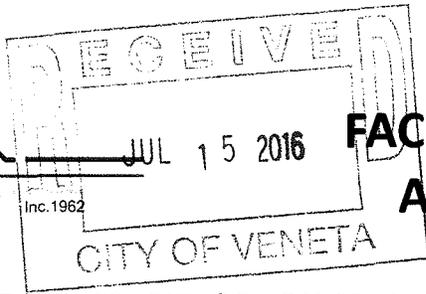
We greatly appreciate your consideration of our request. Should you have any questions feel free to email Sarah Naegeli at [snaegeli@westlanetech.org](mailto:snaegeli@westlanetech.org).

Thank you.

A handwritten signature in black ink, appearing to read 'Ron Osibov'.

Ron Osibov  
Director  
West Lane Technical Learning Center

Attachment: Section 501(c)(3)



PO Box 458 \* Veneta, OR 97487 \* 541-935-2191 \* Fax 541-935-1838 \* www.venetaoregon.gov

Mark one:  Private Party/Individual  Non-commercial  Senior citizen group  Governmental agency  
 Educational program

Name of Organization/Applicant: West Lane Technical Learning Center (Charter School)

Mailing Address: P.O. Box 100 City/Zip: Elmira 97437

Phone (s): (541) 935-2101 Email: snagel@westlanetech.org

Date (s) of Use: Thurs Nov. 17 - Sat. Nov. 19 Time: \_\_\_\_\_ to \_\_\_\_\_  
 (Must include set-up & clean up time)

Estimated attendance: \_\_\_\_\_ Type of Event Fundraiser for WTLTC Culinary Program -  
Location on Holiday Bazaar Trail - Bake  
Sale by Culinary Program & Vendor booths.

**Requested Facility:**

**Community Center** (25192 E Broadway) Not to exceed 100 people (Includes use of full kitchen; 8-8' banquet tables; 4-4' round tables; and chairs for indoor use only.)

<u>Rental Rates:</u>	<u>Number in attendance</u>	<u>Min. Charge (1st 3 hrs.)</u>	<u>Each Add. Hour</u>
	1-10 People	\$35	\$15
	11-50 People	\$45	\$20
	51-100 People	\$55	\$25

- Deposit of \$50.00 required for all rentals even if fee is waived or reduced. Deposit refundable if key is returned and the Community Center is cleaned up as instructed in the Facilities Rental Rules and Agreements.
- Events or group activities sponsored by organized senior citizen groups will receive a 50% discount on above rental fee.
- Scheduled education programs may be scheduled on a 1 hour basis at the rate of \$15.00/hour.
- Non-profit organizations may submit written requests to the City Council for fee reductions or fee waivers for consideration by City staff or City Council.
- Failure to comply with Facilities Rental Rules & Agreements may affect continued and/or future waiver requests.
- Events sponsored by the City of Veneta and/or other governmental agencies may use the Community Center at no cost.
- Fee reductions and waivers do not include the key/cleaning deposit.

I certify that I am the authorized representative of the above group(s), and that the above statements are true to the best of my knowledge, and that myself and the organization I represent, agree to be bound by the rules and agreements regarding use of the Cities facilities. I understand that violation of any of these policies may jeopardize current and future use of the facility. I have been given a copy of the rules and agreements and I and the organization I represent understand and agree to abide by them in their entirety.

Sarah Nagel  
Signature of Applicant

7/15/2016  
Date

FOR OFFICE USE ONLY			
Rental Fee	\$ <u>430<sup>00</sup></u> + \$50.00 Deposit	Amount of Waiver Requested	\$ <u>430<sup>00</sup></u>
Total Due	\$ _____	Council Waiver Approved	<input type="checkbox"/> Yes <input type="checkbox"/> No
Receipt #	_____	Date Approved/Denied	____/____/____

**S.A.N.T.A.**  
"Sharing Among Neighbors Toy Appeal"

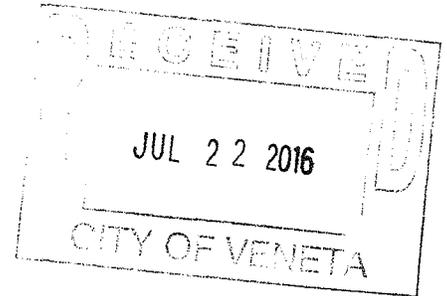


TO: Veneta City Council

FROM: The S.A.N.T.A Project

DATE: July 17, 2016

SUBJECT: Request for Waiver of Community Center Usage Fee



Veneta City Council,

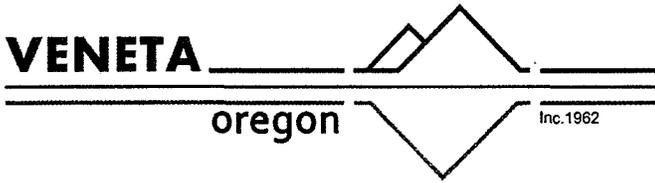
S.A.N.T.A has reserved the Veneta Community Center for a series of meeting from September 2016 - January 2017 to prepare for our annual toy giveaway. We are a non-profit organization and request to have the usage fee for the community center waived to allow us to put more revenue towards purchasing toys for our annual event.

We thank you for your time and consideration. I look forward to hearing from you.

Sincerely,

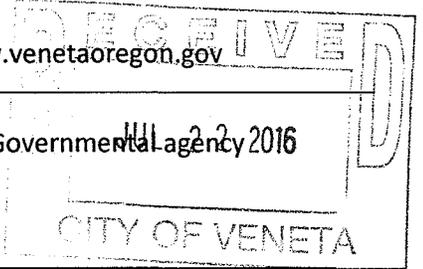
A cursive handwritten signature that reads "Alice Nichols".

Alice Nichols, S.A.N.T.A Board President



# FACILITIES RENTAL APPLICATION

PO Box 458 \* Veneta, OR 97487 \* 541-935-2191 \* Fax 541-935-1838 \* www.venetaoregon.gov



Mark one:  Private Party/Individual  Non-commercial  Senior citizen group  Governmental Agency  Educational program

Name of Organization/Applicant: SANTA

Mailing Address: P.O. Box 263 City/Zip: Veneta, OR 97487

Phone (s): 541-935-3282 Email: \_\_\_\_\_

Date (s) of Use: Sept TO Jan <sup>twice a month</sup> Time: 6:00 to 7:00  
(Must include set-up & clean up time)

Estimated attendance: 10-20 Type of Event Meetings

**Requested Facility:**

**Community Center** (25192 E Broadway) Not to exceed 100 people (Includes use of full kitchen; 8-8' banquet tables; 4-4' round tables; and chairs for indoor use only.)

Rental Rates:	Number in attendance	Min. Charge (1st 3 hrs.)	Each Add. Hour
	1-10 People	\$35	\$15
	11-50 People	\$45	\$20
	51-100 People	\$55	\$25

- Deposit of \$50.00 required for all rentals even if fee is waived or reduced. Deposit refundable if key is returned and the Community Center is cleaned up as instructed in the Facilities Rental Rules and Agreements.
- Events or group activities sponsored by organized senior citizen groups will receive a 50% discount on above rental fee.
- Scheduled education programs may be scheduled on a 1 hour basis at the rate of \$15.00/hour.
- Non-profit organizations may submit written requests to the City Council for fee reductions or fee waivers for consideration by City staff or City Council.
- Failure to comply with Facilities Rental Rules & Agreements may affect continued and/or future waiver requests.
- Events sponsored by the City of Veneta and/or other governmental agencies may use the Community Center at no cost.
- Fee reductions and waivers do not include the key/cleaning deposit.

I certify that I am the authorized representative of the above group(s), and that the above statements are true to the best of my knowledge, and that myself and the organization I represent, agree to be bound by the rules and agreements regarding use of the Cities facilities. I understand that violation of any of these policies may jeopardize current and future use of the facility. I have been given a copy of the rules and agreements and I and the organization I represent understand and agree to abide by them in their entirety.

Signature of Applicant: Alice Nichols

Date: July 20 2016

Rental Fee	\$ <u>105.00</u> + \$50.00 Deposit	Amount of Waiver Requested	\$ <u>105.00</u>
Total Due	\$ _____	Council Waiver Approved	<input type="checkbox"/> Yes <input type="checkbox"/> No
Receipt #	_____	Date Approved/Denied	____/____/____

## Darci Henneman

---

**From:** Amy Klein <amyklein@omtmortgage.com>  
**Sent:** Wednesday, August 03, 2016 10:25 PM  
**To:** Darci Henneman  
**Subject:** Chili cook-off sponsor request

Hi Darci,

My name is Amy Klein and I am on the board of directors at the Fern Ridge Chamber of Commerce. Ric Ingham gave me your contact info to see if the City of Veneta would be interested in being our sponsor for this year's Chili Cook-off at the Harvest Festival coming up next month? Last year was a \$500 donation and we will add you on our marketing flyer. Ric said I would need to send this to you 5 days before your next meeting, so I hope I make the cut! ☺ Please let me know if you need any further information or have questions. Thank you for your time!

*Amy Klein*

Mortgage Loan Officer  
OMT Mortgage  
Office 541.242.8079  
Cell 541.914.3142  
NMLS-494690 ML-4578  
AmyKlein@OMTMortgage.com





## Darci Henneman

---

**From:** Fern Ridge Service Center <fernridgeservicecenter@gmail.com>  
**Sent:** Thursday, August 04, 2016 11:21 AM  
**To:** Darci Henneman  
**Subject:** Harvest Festival

This is a request to be on the City Counsel Agenda:

The Harvest Festival will be September 10th from 10 - 4pm. You have been a sponsor in the past and we are checking to see if that is possible again this year. Last year you were a premier sponsor and we are in hopes that it can be done again this year. We will then include you on our poster.

Thank you for your consideration.

Lois Riha

**2015 Veneta Harvest Festival  
Sponsor Benefit List**

Please respond by August 1, 2015 to receive the benefits of sponsorship.

<b>Event Presence</b>	<b>Sponsor \$500</b>	<b>Supporter \$250</b>	<b>Contributor \$100</b>
Table and your banner	X	X	
Stage Mention	X	X	X
Logo on poster	X		
Logo on Website	X	X	
Link on website	X	X	
Name in news release	X	X	X
Name on website	X	X	X

In-kind donations will receive recognition in the benefit level equal to the cost of the items donated.

Visit our website at [www.midlanecares.org](http://www.midlanecares.org)

**Facebook: midlanecares**

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**We would like to Sponsor the Veneta Harvest Festival 2015**

\_\_\_ \$500 \*Sponsor

\_\_\_ \$250 \*Supporter

\_\_\_ \$100 Contributor

Business Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Contact Person \_\_\_\_\_ Phone \_\_\_\_\_

e-mail \_\_\_\_\_

If you have questions please call Lois or DeAnna @ Fern Ridge Service Center  
#541-935-4555

# VENETA CITY COUNCIL

## AGENDA ITEM SUMMARY

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Title/Topic: Business Assistance Program Adoption

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Meeting Date: August 8, 2016  
Department: Economic Development

Staff Contact: Claudia Denton  
Email: cdenton@ci.veneta.or.us  
Telephone Number: 541-935-2191 Ext. 312

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### ISSUE STATEMENT

Staff presented proposed updates to the Business Assistance Program at the June 27, 2016 City Council meeting. Staff is now asking City Council to adopt the proposed updates by resolution.

### BACKGROUND

The Business Assistance Program has not been updated since its creation in 2011. The City Administrator requested that staff create an update to better reflect the changing needs, conditions, and interests of the City and its local businesses. Contact me if you would like a copy of the original Business Assistance Program Packet.

The most significant changes are in the Targeting Criteria and the focus on job creation or retention. Minor changes to the application checklist and application, which includes a \$100 fee, were also made. These changes were made based on updated information from the Economic Opportunities Analysis 2015, the Economic Development Strategy: Five-Year Action Plan 2015-2019, and directions from the City Administrator and Economic Development Committee.

The program document is Exhibit A of Resolution No. 1203. The updated checklist and application are presented as Attachment A to this AIS for your information.

### COUNCIL OPTIONS

- A. Adopt the update to the Business Assistance Program as presented or with minor revisions.
- B. Provide comments and suggestions for staff to send the Business Assistance Program Packet back to the Economic Development Committee for further review.
- C. Reject changes and continue to use the original 2011 version.

### CITY ADMINISTRATOR'S RECOMMENDATION

- A. Adopt the update to the Business Assistance Program as presented.

### SUGGESTED MOTION

*"I make a motion to adopt Resolution No. 1203, a resolution adopting the Business Assistance Program, as presented."*

### ATTACHMENTS

- A. Business Assistance Program Application checklist and Loan/Grant Application





## Business Assistance Program Application Checklist

PO Box 458 \* Veneta, OR 97487 \* 541-935-2191 \* Fax 541-935-1838 \* [www.venetaoregon.gov](http://www.venetaoregon.gov)

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### Business Assistance Program Application Checklist

#### Before filling out an application:

- Schedule a meeting with staff to discuss the project, providing a project narrative.

#### Application:

1.  BAP Loan/Grant Application Form and Fee (see pg. 7 of packet)

#### Business description:

2.  Completed Business or Strategic Plan  
3.  A history and description of the business  
4.  Résumés of the principals involved in day-to-day management

#### Project description:

5.  Description of project  
6.  Copy of cost estimates  
7.  Use and source of proceeds

#### Financial documents:

8.  Personal financial statement  
9.  Personal credit report(s)  
10.  Personal tax returns for the last 3 years  
11.  Financial statements for the business/organization for the last 3 years  
12.  Current financial statements (within 90 days) for the business/organization  
13.  Business/organization tax returns for the last 3 years  
14.  Projected monthly cash flow for 12 months with assumptions  
15.  Projected annualized income statement for two years with assumptions  
16.  Opening balance sheet  
17.  Schedule of business/organization long term debt  
18.  List of collateral and its value

#### If applicable:

- Articles of Incorporation and Bylaws (if corporation)  
 Articles of Incorporation and Operating Agreement (if LLC)  
 Partnership Agreement (if partnership)  
 Business License and Business Name Statement (if proprietorship)  
 Franchise Agreement (if applicable)  
 Environmental Information (if secured by real estate)  
 Standard Flood Hazard Determination (if secured by real estate)





# Business Assistance Program Loan/Grant Application

PO Box 458 \* Veneta, OR 97487 \* 541-935-2191 \* Fax 541-935-1838 \* www.venetaoregon.gov

*Business Assistance Program Loan/Grant application information and accompanying financial records that are submitted to the City of Veneta will be kept in confidence to the extent permitted by law, and while the City believes that the records will not be subject to disclosure, it is possible that disclosure might be required for some documents.*

APPLICANT						
Full Legal Name of Borrower(s) and/or Company/Organization:				Telephone Numbers:		
				Business:		
				Personal:		
				Fax:		
Primary Contact:			SSN or Tax ID #:			
Street Address:						
City:			State:		Zip:	
Billing Address (If different from above):						
City:			State:		Zip:	
Proposed Business Address (If different from above):						
City:			State:		Zip:	
Nature of Business:				Date Established:	Date Under Current Management:	
Type of Assistance Requested:	<input type="checkbox"/> Microloan	<input type="checkbox"/> Business Assistance Loan	<input type="checkbox"/> Project Assistance Grant			
Type of Entity:	<input type="checkbox"/> Corp.	<input type="checkbox"/> LLC	<input type="checkbox"/> Partnership	<input type="checkbox"/> Sole Prop.	<input type="checkbox"/> S Corp.	<input type="checkbox"/> Nonprofit
COMPANY OWNERSHIP						
<b>(List below all owners, principals and officers; attach schedule of additional names, if necessary) Show 100% of Ownership</b>						
Name			Title		% of Ownership	
					%	
					%	
					%	
						Total: 100%
AFFILIATES						
<b>(List all business concerns in which the Applicant Company/individuals listed in the ownership section above have any ownership. Attach current financial statement and tax return.)</b>						
Company Name			Owner (Applicant Company or Individuals)		% of Ownership	
					%	
					%	

PROJECT				
Purpose of Loan (Provide a brief description of use of funds.)				
Project Cost	Project Costs	Collateral Offered	Present Market Value	Present Loan Balance
Real Estate Acquisition	\$	Land	\$	\$
New Construction/Expansion Repair	\$	Building	\$	\$
Acquisition/Repair of Machinery or Equipment	\$	Machinery & Equipment	\$	\$
Inventory Purchases	\$	Furniture	\$	\$
Working Capital (including Loan Fees)	\$	Fixtures	\$	\$
Acquisition of Existing Business	\$	Accounts Receivable	\$	\$
Other:	\$	Inventory	\$	\$
Other:	\$	Real Estate	\$	\$
Other:	\$	Other	\$	\$
<b>Total Project</b>	\$	<b>Total Collateral</b>	\$	\$
<b>Equity/Capital Injection/Down Payment</b>	\$	Source of Applicant's Equity/Capital Injection:		
<b>Requested Loan Amount</b>	\$			
<b>Requested Repayment Terms</b>	yrs.	mo.		
LEASE INFORMATION				
Do you have a lease for the property your business now occupies?		<input type="checkbox"/> Yes		<input type="checkbox"/> No
Monthly Rent: \$	Years remaining on lease:		Renewal Option:	<input type="checkbox"/> Yes <input type="checkbox"/> No
Renewal option: If answered "yes," provide details; attach a separate sheet if necessary:				
OTHER INFORMATION				
Has the applicant, any of its principals, or any other business in which the principals were principals filed bankruptcy or defaulted on any debts within the past 10 years?			<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is the applicant an endorser, guarantor, or co-maker for obligations not listed in its financial statements?			<input type="checkbox"/> Yes	<input type="checkbox"/> No
Does the applicant use or store any hazardous/toxic materials, or produce hazardous/toxic waste?			<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is applicant or any of its principals a party to any claim or lawsuit? Is any principal or applicant (i) currently under indictment, or on parole or probation; (ii) ever been charged with or arrested for any criminal offense, other than a minor motor vehicle violation; or (iii) ever been convicted of any criminal offense?			<input type="checkbox"/> Yes	<input type="checkbox"/> No
Does the applicant owe any taxes for years prior to the current year?			<input type="checkbox"/> Yes	<input type="checkbox"/> No
Does the applicant maintain key-person life insurance on any owner, officer, or shareholder?			<input type="checkbox"/> Yes	<input type="checkbox"/> No

Life Insurance Agent:	Insurance Company:	Telephone:
Name of Insured:	Beneficiary:	Amount:
		\$
Accountant Name:		Telephone:
Attorney Name:		Telephone:
Business Insurance Agent:		Telephone:
Residential Insurance Agent:		Telephone:
Real Estate Agent:		Telephone:

**AGREEMENT**

- By signing below, you certify that all the information you have given in this application is true and complete. You authorize us to verify all your statements with any source, obtain credit and employment history (including your spouse's, if you live in a community-property state) and exchange information with others about your credit and account experience with us. You agree to provide additional information that we may require to process this application, including but not limited to, true and complete federal income tax returns, employment verification and income verification.
- You also agree to reimburse the City for its expenses incurred in connection with any credit commitment. These expenses include, without limitation, the City's appraisal, environmental services and legal costs, which are payable even though the extension of credit may not be consummated.
- You also represent that if you currently have any indebtedness or other obligations owing to the City, you have no defenses to or setoffs against such indebtedness or obligations. You also represent that you have no claims against the City for any matter regardless of whether or not they are related to this application.
- You acknowledge that you are applying for credit from the City of Veneta.
- **You agree to pay the \$100 non-refundable application fee when submitting your application.**

Authorized Signature	Authorized Signature
Print Name	Print Name
Title	Title
Date	Date
Social Security or Tax ID Number	Social Security or Tax ID Number

**Return with payment to:**  
 Ric Ingham, City Administrator  
 City of Veneta  
 88148 8<sup>th</sup> Street/PO Box 458  
 Veneta, OR 97487

Phone: 541-935-2191  
 Fax: 541-935-1838



**CITY OF VENETA**

**RESOLUTION NO. 1203**

**A RESOLUTION ADOPTING THE BUSINESS ASSISTANCE PROGRAM**

**WHEREAS**, the City of Veneta developed a Business Assistance Program in October, 2011; and

**WHEREAS**, the City completed a Veneta Economic Opportunity Analysis in 2015 and developed a Veneta Economic Development Strategy: Five –Year Action Plan 2015-2019; and

**WHEREAS**, the data in these documents support the need to change the Business Assistance Program to better align with current conditions; and

**WHEREAS**, the Economic Development Committee recommends that the changes be made to be consistent with the focus on job creation and retention

**NOW, THEREFORE, BE IT RESOLVED** by the Veneta City Council that:

**SECTION 1 Adoption.** The Business Assistance Program attached to and incorporated herein as Exhibit A is adopted.

**SECTION 2 Effective Date.** This Resolution shall take effect on August 8, 2016.

PASSED AND ADOPTED by the Veneta City Council this \_\_\_\_\_ day of \_\_\_\_\_ August, 2016.

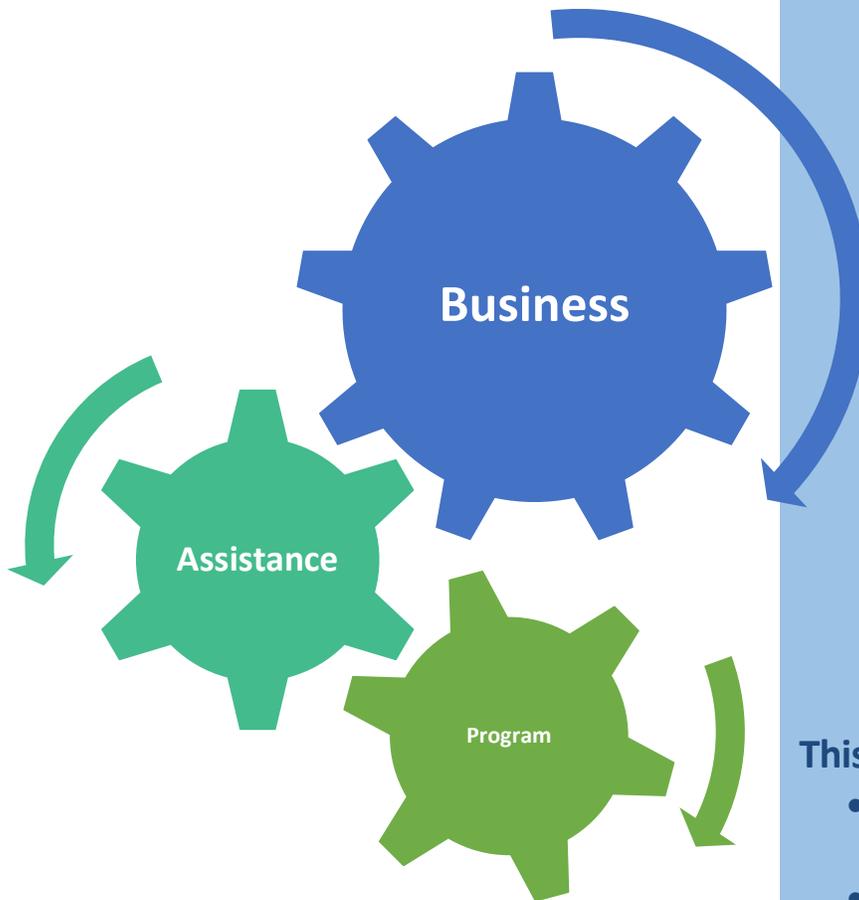
XXXXXXXXXXXXXXXXXXXX  
Sandra Larson, Mayor

ATTEST:

XXXXXXXXXXXXXXXXXXXX  
Darci Henneman, City Recorder



# City of Veneta Business Assistance Program & Application Packet



## This packet includes:

- Explanation of the program
- Funding Criteria
- Checklist
- Application



Adopted Month, Day 2016

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# Program Elements

## A. Background

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The City of Veneta, through its Business Assistance Fund, has a toolkit of loan and grant programs available to businesses and nonprofit organizations within Veneta city limits at the discretion of the Veneta City Council. Originally the Fund was created by Resolution No. 470 with the name of the Housing Rehabilitation Loan Fund. In 1999, via Resolution No. 790, the name changed to the Commercial Loan Fund and the purpose of the fund expanded to include business assistance and economic development as appropriate uses of the money.

In October 2011 the current name was adopted and the purpose was better defined by development of the Business Assistance Program (BAP or Program). The program rules reflect both a traditional loan program as well as the Veneta City Council's discretion to provide grant funding when the Council chooses. The first Business Assistance Program Application Packet was also created in October, 2011.

## B. Goals

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The overall goals of the City of Veneta Business Assistance Program are to encourage business expansions and startups which create or retain job opportunities in Veneta, and add to a vibrant business climate. The method employed to encourage this expansion will be to utilize the BAP and local matching funds to make low interest subordinated or direct loans/grants to small business or local nonprofits. It is highly preferred that loans or grants be made in cooperation with commercial lending institutions or other sources of debt capital or equity capital.

## C. Targeting Criteria

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### Businesses and industries targeted for the City of Veneta BAP include:

The Veneta Economic Opportunities Analysis (2015) states the five industries that fit with the Community's aspirations for growth and are identified as having growth potential in Veneta:

- Food processing – with a focus on specialty items
- Professional, scientific, and technical services – focus on high-tech
- Secondary wood products – focus on niche markets
- Small-scale or specialty agriculture including greenhouse, and floriculture products
- Tourism and wine industry

Additional target businesses and industries:

- Technology transfer/incubator space
- Other activities which represent technology or type of economic enterprise that the Veneta City Council determines are needed to help diversify the community’s economic base.

As a general rule, manufacturing or industrial projects will take precedence over commercial projects due to their relative high employment per dollar ratio and the economic diversification which they provide. Although it is not anticipated that a significant change will occur in the area’s economic composition in the short run, should a vital shift happen, a subsequent realignment of criteria may be instituted with the Veneta City Council’s approval.

## D. Programs

Type of Assistance	Amount	Match Required	Notes
Microloan	\$500 - \$4,999	\$1 match : \$1 BAP	Must be participating in a federal, state or locally recognized business assistance or entrepreneurial development program.
Business Assistance Loan	\$5,000 - \$50,000	\$2 match : \$1 BAP	Supplements other loans and resources by traditional or SBA lenders. Targets businesses that can create, retain, or lead to the creation of, new family-wage jobs.
Project Assistance Grant	\$500 - \$25,000	\$1 match : \$1 BAP	Projects that create or retain jobs are given priority.

The following three definitions are being provided for the purpose of defining the three assistance programs being offered through the BAP.

### Microloans

**A microloan is defined as any amount below \$5,000.** Microloans are intended for existing or newer businesses with five or fewer employees. Applicants should have established good credit but have been deemed non-qualified from a traditional bank or Small Business Assistance (SBA) loan program. Any microloan applicant must be a participating business in a federal, state or locally recognized business assistance or entrepreneurial development

program. Often microloan funds will be utilized for additional capitalization in order for a business to expand. The minimum BAP microloan amount is \$500.

### Business Assistance Loans

**A business assistance loan is defined as any amount from \$5,000 up to \$50,000** that is being utilized to leverage other resources being lent by a traditional or SBA lender. Veneta's loans would be subordinate to other lenders, often placed in a second or third collateral position. Loans would be targeted to those businesses that can create, retain, or lead to the creation of family-wage jobs in the community. Any applicant will need a completed business or strategic plan in order to be invited to submit a full application. Family wage jobs are defined as the most recently calculated median wage (50<sup>th</sup> Percentile Wage) for Lane County, Oregon as published by the State of Oregon Employment Department (ex: \$16.37/hour, \$34,049.60/year in 2015). This criterion can be met by taking an existing lower-wage job and increasing the wage.

### Project Assistance Grants

**A project assistance grant is defined as any amount up to \$25,000** that is intended as an outright grant with no single entity or project likely to receive greater than the maximum eligible grant amount. Both for-profit and nonprofit entities are eligible to apply. Projects that create or retain jobs are given priority. Grants will be targeted towards those enterprises that can be a catalyst for new economic development efforts or that build capacity with existing businesses or targeted industries. Grants will generally be intended for startup operations or for leveraging resources to aid existing activities. Any applicant will need a completed business or strategic plan in order to be invited to submit a full application. The minimum BAP grant amount is \$500.

## **E. Eligibility and Criteria**

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Eligible applicants include private for-profit firms (such as corporations, partnerships, and sole proprietorships) and nonprofit organizations located inside Veneta city limits. Ineligible applicants are entities and organizations other than those described above.

### **Eligible Projects and Activities**

Generally financial assistance, through the BAP, will be available to support the start up or expansion of businesses within Veneta city limits. Activities that may be undertaken include the following:

- Acquisition of machinery, equipment, furniture, and fixtures.
- Acquisition and assembly of land for commercial, industrial, and related uses. Speculative activities, such as land banking and construction of speculative buildings, are not eligible.
- Acquisition of abandoned properties with redevelopment potential, though not for speculation.
- Development of real estate, including redevelopment and rehabilitation of historical buildings for industrial or commercial use.
- Other investments, which will accelerate repurposing of land and facilities for job creating activity, such as assistance to firms to locate or expand in such facilities.
- Improvements to commercial or industrial facilities and streets.
- Working capital needs.

### **Ineligible Projects and Activities**

These include:

- Projects involving the relocation of any firm from one area in the community to another, unless such move meets the job preservation or creation standards elsewhere described herein.
- Projects for which all funds are judged by the City Council to be otherwise available from private lenders or other public agencies at terms which will permit the accomplishment of the project.

### **Eligible Costs**

These include:

- Land costs, such as engineering, legal, grading, testing, site mapping, related costs associated with acquisition, and preparation of land.
- Building costs, such as real estate, engineering, architectural, legal, permit fees, System Development Charges, and related costs associated with acquisition, construction, and rehabilitation of buildings.

- Machinery and equipment costs, including delivery, installation, engineering, architectural, legal, insurance, and related costs associated with acquisition and installation of machinery and equipment.
- Other costs contributing directly to the value of the project fixed assets, such as sales and use taxes, and interest on interim construction financing.
- Adequate contingency reserves.
- Working and startup capital.

### Ineligible Costs

These include:

- Acquisition of equity in private businesses.
- Subsidy of interest payments on existing loans.
- Refinancing or payoff of loans made by other lenders, except if the Loan/Grant Committee's approval is given prior to such loan issuance.

### Loan/Grant Eligibility Criteria

The standards described below apply to the performance of the BAP as a whole. The selection of a business as a recipient of financial assistance will be based on its ability to meet the loan portfolio standards. Individual loans/grants may vary from the loan/grant portfolio standards in a case where a significant economic benefit is available by assisting a particular business. Less than the specified performance on one or all of the standards may be acceptable in such cases.

- **Location**

Projects that have a physical location must be located within Veneta city limits. The organization/applicant receiving funds must be located within, or relocating to, Veneta city limits.

- **Job/Loan Ratio**

One full time equivalent job will be created or retained for each \$25,000 of BAP loan/grant.

- **Types of Jobs Created/Retained**

Preference will be given to businesses that create or retain permanent jobs involving skills related to manufacturing and industrial production.

- **Funding Leverage Ratio (match)**

The funding leverage ratio is described as a [number]:1 match (example: 1:1 or "one to one" match). To calculate the ratio, take the amount you are leveraging and divide by the amount of BAP financial assistance requested. Example: A project that is matching \$20,000 and is requesting \$10,000 ( $20,000/10,000 = 2$ ) has an ROI of 2:1.

- Grants of any amount and microloans of less than \$5,000 require a funding leverage ratio of 1:1, or \$1 of total investment to every \$1 of BAP financial assistance. Financial assistance through the BAP will not exceed one-half of the funding required in a proposed project.
- BAP loans of \$5,000 or more require a funding leverage ratio of 2:1, or \$2 of total investment to every \$1 of BAP financial assistance. The BAP assistance will not exceed one-third of the funding required in a proposed project.

- **Activities to be Financed**

Loans/Grants will be available to small, private, for-profit businesses or nonprofit entities for the purpose of startup, expansion, or improvement of existing operations. For the purposes of the BAP, the definition of a small business will be that used by the U.S. Small Business Administration 504 program.

- **Other Economic Objectives/Benefits**

Other elements which will receive consideration in the selection of loans/grants for the Program are:

- Linkages with the area’s existing economy which would permit a business to absorb displaced or underemployed skilled workers in the area labor force, particularly for the low and moderate income.
- Companies whose markets appear to indicate the opportunity for significant expansion or production, and employment, over the short term.
- Significant opportunities for the development and/or expansion of minority or female-owned and operated small business concerns.

## F. Financing Policies

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### Size

Microloans are for amounts of \$500 - \$4,999. Standard loans are for amounts \$5,000 - \$50,000. Grants are for amounts \$500 - \$25,000.

### Fixed Assets/Working Capital Goal

Not more than 25 percent (25%) of the loan/grant portfolio will be for working capital. Working capital loans will generally only be made in conjunction with fixed assets.

### Loan Repayment Terms

Loan terms will generally not exceed the full useful life of the assets being financed. However, shorter-term loans will be encouraged in order to accelerate the reuse of the BAP dollars. Loan repayment will normally be accomplished in equal monthly installments, including principal and interest over the life of the loan, except that a reasonable number of payments, typically no more than six months’ worth, may be interest only if found necessary to make the project viable. Except in cases of loan renegotiation, standard loan repayment terms will generally be

adhered to. BAP loan terms will normally not exceed the loan term of the participating private lender.

### **Loan Interest Rates**

The maximum BAP loan interest rates will be set at no higher than the then current earnings from the Oregon Local Government Investment Pool plus five percent (5%). The minimum interest rate shall be five percent (5%). Interest rates will be determined at the time of the loan approval and will be fixed over the life of the loan. A known rate contributes to the borrower's understanding of the Program.

### **Special Financing Techniques**

Loans/grants will generally be made on a subordinated basis. This approach will lower the risk for commercial lenders and generally act as an incentive to encourage their participation. Longer amortization with early balloon payments may also be used where appropriate.

### **Restructuring or Modifying Loans/Grants**

Terms and conditions of existing loans/grants may be modified from time to time, as deemed appropriate, particularly to preserve the assets of the business and value of loan/grant collateral, should there be a problem with loan repayment. In general, restructuring a loan will be accomplished in a manner that will produce a reasonable likelihood of repayment, given a current and complete reassessment of conditions. BAP loans/grants will be restructured only when doing so improves a borrower's ability to repay.

### **Fees and Charges**

There will be a \$100 application fee (not to exceed 5% of the requested loan/grant amount). Additionally, borrowers will pay for any direct costs incurred in loan/grant processing and closing, such as recording fees, attorney fees, escrow fees, loan/grant document fees, etc. Payments are considered late 15 days following the due date and will be charged a 5% late fee (minimum of \$15) after that date.

### **Cooperation with Other Financing Programs**

BAP loans/grants will be used to fill gaps in the financing that exists for a wide range of business development purposes. This will be accomplished in a complementary manner to all public and private sources, including SBA-504 and 7(a), Oregon Business Development Fund, Revenue Bonds, Lane Council of Governments Revolving Loan Fund, and others as appropriate.

# Administrative Elements

## **A. Loan/Grant Committee**

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The Program shall have a Committee consisting of three members, one of which shall be a City Councilor, and one alternate; two out of the three members must reside, be employed, or operate a business within the Veneta city limits. The alternate will become a voting member during any temporary absences or conflict of interest disqualification of regular members. Appointments will be made by the Mayor and approved by the Council for terms of two years. Preference will be given, when possible, to the appointment of a commercial lending professional and an accounting professional.

The Program Committee will meet on an “as needed” basis and elect its own Chairperson. A quorum shall consist of three members. In addition, the services of legal counsel may be made available to the Committee. Legal services will be utilized on an “as needed” basis and this individual will not be a regular member of the Committee.

## **B. Staff Operation**

---

The operation of the BAP, or parts thereof, may be performed by the staff of the City of Veneta or by any agent or entity with whom an agreement may be entered into for such purposes.

The primary activities of the staff with respect to the Program are as follows:

- Publicize BAP objectives and availability in the Veneta community.
- Screen all applicants, inviting promising candidates to submit preliminary information.
- Based on preliminary data, invite qualified candidates to submit detailed applications.
- For approved loans/grants, ensure proper execution of documents, compliance with all appropriate regulations, timely loan closing and implementation of project.
- Monitor ongoing operations of loan/grant recipients and recommend loan/grant revisions as appropriate.
- Perform loan/grant servicing and accounting.
- Perform loan/grant collections, with attorney when appropriate, including asset liquidation.
- Provide Program financial reports, including individual account status.

## **C. Loan/Grant Selection and Approval Process**

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The loan/grant selection and approval process includes four stages, as follows:

### **Marketing**

Staff informs community interests about the BAP, as appropriate. Such interests may include the media, area bankers, area businesses, and the Veneta-Fern Ridge Chamber of Commerce.

### **Application**

Normal and prudent lending standards are used in evaluating the strength and ability to repay of both businesses and individuals. However, loans/grants may be made in some cases where, in the Program Committee's judgment, the employment and other potential benefits (and the quality of business planning) outweigh risks that more conservative lenders would be likely to avoid. This would apply, for example, to almost all business startups, which are routinely excluded from consideration by most members of the financial community.

Procedures and flow are as follows:

- Preliminary discussion with staff representatives for likely eligibility with BAP loan/grant criteria. If another lending program is more appropriate, the staff member will make those recommendations.
- Decision by staff representatives to invite preliminary written information or decline loan/grant request at this point. If negative, inform applicant as to reasons for decline and as to actions available for appeal to the Program Committee. If positive, review preliminary information needs with applicant and provide referral for business counseling regarding the applicant's business plan, if appropriate.
- Preparation and submission of preliminary application, information, and supporting documents by applicant.
- Review of preliminary information by staff will be completed within fifteen (15) business days upon receipt of the application.
- Decision by staff to invite formal application or decline loan/grant request at this point. If negative, provide a written explanation of reasons for decline and as to actions available for appeal to the Program Committee. If positive, inform applicant and schedule application conference, if needed.
- Application conference – review in detail the application requirements, financial schedules, and any information determined necessary by staff with applicant.
- Submittal of formal application, all supporting documents, authorization for credit checks, and the application fee by applicant.

## Review and Decision

Procedures and flow are as follows:

- Review by staff for completeness and regulatory compliance, with submittal of additional information by applicant if appropriate.
- Acceptance of formal application by staff representative.
- Detailed review and final recommendation to the Program Committee by staff, based on loan/grant criteria, strength of business and principals, and all other factors. Recommendation will include whether or not to make the proposed loan/grant, and if positive, what the terms and conditions should be. Final review and recommendation will be completed within twenty-five (25) business days once application is deemed complete and formal application has been received.
- Submission of complete package, with recommendations, to the Program Committee.
- Program Committee decides whether to approve or decline the loan/grant request and what terms and conditions should apply.
- Notification to applicant in writing. If declined, include reasons for denial. The applicant has the right to appeal the decision to City Council.

## Loan/Grant Closing

Procedures and flow are as follows:

- Upon Committee approval, preparation of loan/grant closing documents by staff, with attorney's review as necessary.
- Loan/grant closing by staff.
- Filing of liens, as available, and completion of any remaining legal, regulatory, or housekeeping matters, all to be carried out by staff.
- Payment of loan/grant closing fee.
- Disbursement of proceeds by bank or escrow agent according to directions.

## **D. Loan Servicing**

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Policies and procedures will be administratively established for managing and servicing the portfolio of the BAP. This will include closely monitoring payment performance, periodic review of financial data and employment generation, and personal inspections and site visits; all as appropriate.

In general, the City of Veneta wants to be an "understanding" creditor, willing to be flexible, but serious in its desire to be recapitalized by loan repayment from which to re-lend to deserving businesses within the community. Loan monitoring, such as annual financial statement review and employment reporting, insurance premium payments, etc., will be established to assure the activity and regularity.

Because early detection of a potential problem is generally a valuable assistance in correcting it, follow-up communication and monitoring of borrowing businesses may be made after loan closing until full repayment. Should payment monitoring indicate a delinquency, a written notice or reminder will be generated and forwarded promptly 10 days after the due date, and if subsequently needed 20 days after the due date. Thereafter, personal contact will be made, by phone or inspection at the site, for discussion of problems. The follow-up and direction, at this point, will be driven by an assessment of problems after considering all conditions then existing.

If allowing additional time to bring any payments current becomes inappropriate, modification or revision of the loan agreement will be considered if workable and beneficial to the health of the business. Modifications will not be approved unless they enhance the borrower's repayment ability without detriment to the BAP. The borrower must make a good faith effort under these conditions and not have a hopeless situation. While considering the legitimate special needs of the borrower, the BAP will operate in a manner that also protects its assets. Should default occur which does not show reasonable prospects for remedy, the BAP, or City, will move against the loan collateral and assets of the borrower and guarantors, as appropriate.

## **E. Other Requirements**

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In general, staff will obtain assurances of regulatory compliance before a BAP loan is disbursed; monitor for compliance during the payback period; and in a case of confirmed and irremediable non-compliance, call the loan.

## **F. Amendments**

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The Business Assistance Program may be amended at any time by a duly approved resolution of the Veneta City Council.



## ORDINANCE NO. 537

### AN ORDINANCE AMENDING VENETA MUNICIPAL CODE TITLE 3 CHAPTER 05

**WHEREAS**, the current language in Veneta Municipal code (VMC) Title 3, Chapter 05 was primarily established by Ordinance No. 219 in 1981; and

**WHEREAS**, the City on occasion takes personal property into custody; and

**WHEREAS**, the process for disposing of such personal property is different and separate from the process for personal property purchased by or donated to the City; and

**WHEREAS**, the City wishes to clarify the applicability of Title 3 Chapter 05

**NOW, THEREFORE, THE CITY OF VENETA ORDAINS AS FOLLOWS:**

**Section 1. Amending VMC 3.05, Disposition of Personal Property:** VMC 3.05 is hereby amended to read as follows:

“Chapter 3.05

#### **DISPOSITION OF PERSONAL PROPERTY**

Sections:

- 3.05.010 Custody of property.
- 3.05.020 Surrender to true owner.
- 3.05.030 Sale procedure.
- 3.05.040 Bill of sale.
- 3.05.050 Alternative disposal.
- 3.05.060 Dangerous or perishable property.
- 3.05.070 Scope.

#### **3.05.010**

##### **Custody of property.**

Whenever any personal property other than motor vehicles is taken into the custody by any City department by reason of seizure, abandonment, or for any other similar reason, the personal property shall be turned over to and held by the public works department at the expense and risk of the owner or person lawfully entitled to possession of the property.

#### **3.05.020**

##### **Surrender to true owner.**

Within 60 days after such property is taken into possession, except when confiscated or held as evidence, the owner or person lawfully entitled to possession may reclaim the same upon written request to the public works director, or designee, submission of satisfactory proof of ownership or right to possession, and payment of charges and expenses, if any, incurred in the storage, preservation and custody of the property.

### **3.05.030**

#### **Sale procedure.**

(1) At any time after said 60-day period, the public works director, or designee, shall sell at public auction any property which has been taken into custody and not reclaimed and any property which has been confiscated and not ordered destroyed, except such property held as evidence in any legal or court proceeding. Notice of such sale shall be given once by publication in a newspaper of general circulation in the city at least 10 days before the date of sale, giving the time and place of sale and generally describing the property to be sold.

(2) All sales of such property shall be for cash to the highest and best bidder; provided, however, that any person appearing at or prior to such sale and proving ownership or right of possession thereto shall be entitled to reclaim the property upon the payment of the charges and expenses incurred by the city in the storage, preservation and custody of the property and a proportionate share of the costs of advertising the same for sale.

(3) If no bids are entered for the property or if the highest bid entered is less than the costs incurred by the city, the public works director may enter a bid on behalf of the city in an amount equal to such costs. If bid on by the city, the property shall become the property of the city as compensation for the costs incurred or, if no use or value to the city, shall be disposed of in such manner as the city administrator directs.

(4) The proceeds of a sale shall be first applied to payment of the cost of the sale and the expense incurred in the preservation, storage and custody of the property, and the balance, if any, shall be credited to the general fund of the city.

(5) Sales shall be without the right of redemption.

### **3.05.040**

#### **Bill of sale.**

At the time of the payment of the purchase price, the public works director, or designee, shall execute a bill of sale and release of liability in duplicate, the original to be delivered to the purchaser and a copy to be kept on file in the office of the city recorder, which bill of sale shall contain the date of sale, the consideration paid, a brief description of the property, and a stipulation that the city does not warrant the condition or title of such property other than the return of the purchase price in case the title is for any reason invalid.

### **3.05.050**

#### **Alternative disposal.**

In lieu of a sale of the property under the foregoing provisions of this act, the public works director, with the approval of the Veneta city council, may transfer any portion of the unclaimed property to the city for use by the city or may donate the unclaimed property to a worthy charity.

### **3.05.060**

#### **Dangerous or perishable property.**

Any property coming into the possession of the public works department which the public works director, or designee, determines to be dangerous or perishable may be disposed of immediately, without notice, in such manner as is determined to be in the public interest.

**3.05.070**

**Scope.**

This chapter shall apply to all personal property, except motor vehicles, now or hereafter taken into the custody of the city. This chapter shall not apply to personal property purchased by or donated to the City.”

**Section 2. Savings.** Notwithstanding these amendments, the City Code provisions in existence at the time any criminal or civil enforcement actions were commenced shall remain valid and in full force and effect for purposes of all cases filed or commenced during the times said provision(s) or portions thereof were operative.

**Section 3. Severability.** The sections, subsections, paragraphs and clauses of this ordinance and the attached Code provisions are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

**Section 4. Codification.** Provisions of this Ordinance shall be incorporated into the City Code, and the words “ordinance” or “section” may be changed to “code,” “article,” “chapter,” “division,” or another word, and the sections of this Ordinance may be renumbered or re-lettered, provided however, that any recital clause and boilerplate provisions of this Ordinance (i.e., Section Nos. 3 through 7) will not be codified, and the City Recorder is authorized to correct any cross-references and any typographical errors.

**Section 5. Effective Date.** This ordinance will go into full force and effect on the 30<sup>th</sup> day after City Council enactment.

READ FOR A FIRST TIME, BY TITLE ONLY, this 25<sup>th</sup> day of July, 2016, no Council member present having requested that it be read in full.

READ FOR A SECOND TIME, BY TITLE ONLY, this \_\_\_\_ day of August, 2016, no Council member present having requested that it be read in full.

PASSED AND ADOPTED by a \_\_\_\_ vote for and \_\_\_\_ vote against by the Veneta City Council this \_\_\_\_ day of \_\_\_\_\_, 2016.

XXXXXXXXXXXXXXXXXXXXX  
\_\_\_\_\_  
Sandra H. Larson, Mayor  
Executed this \_\_\_\_ day of \_\_\_\_\_

ATTEST:

XXXXXXXXXXXXXXXXXXXXX  
\_\_\_\_\_  
Darci Henneman, City Recorder  
Executed this \_\_\_\_ day of \_\_\_\_\_



# VENETA CITY COUNCIL

## AGENDA ITEM SUMMARY

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### Title/Topic: Adoption of Tobacco Retail Licensing Ordinance

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Meeting Date: August 8, 2016  
Department: City Administration

Staff Contact: Ric Ingham  
Email: [ringham@ci.veneta.or.us](mailto:ringham@ci.veneta.or.us)  
Telephone Number: 541-935-2191 Ext. 306

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### ISSUE STATEMENT(S)

Does the Council wish to enact Ordinance No. 538 that would require all retail outlets in Veneta to secure a Tobacco Retail License before selling tobacco products.

### BACKGROUND

At its meeting on December 14, 2015, the Council heard a presentation by Lane County Public Health explaining changes made to Lane County Code Chapter 9 that enacted a tobacco retail licensing program in unincorporated areas of Lane County. At a January 25, 2016 meeting the Council discussed several policy issues before directing staff and legal counsel to draft an ordinance mirroring Lane County's recently adopted tobacco retail licensing program. Both the City's and Lane County's ordinances and codes establish provisions to regulate tobacco and tobacco paraphernalia sales to minors and to establish a tobacco licensing requirement for all purchasers of tobacco products. The proposed ordinance will also regulate and prohibits the sale and distribution of electronic smoking devises (ESDs) to minors.

As per the direction of the Council at the January 25<sup>th</sup> meeting, staff worked with Lane County to develop an Intergovernmental Agreement (IGA) that would allow Lane County to act on the City's behalf for monitoring and enforcement of the ordinance. A draft of that IGA is attached for the Council's review. The IGA, as well as a resolution establishing the licensing fee, will be presented to Council for adoption at their September 12<sup>th</sup> meeting. That adoption process will coincide with the second reading of Ordinance No. 538.

### RELATED CITY POLICIES

Staff is recommending that the Tobacco Retail Licensing program be adopted under Chapter 5 (Business License and Regulations) of our Veneta Municipal Code. The recently adopted ordinance prohibiting smoking within City Parks was adopted under Chapter 12 (Streets, Sidewalks and Public Places).

### COUNCIL OPTIONS

1. Approve Ordinance No. 538 for first reading.
2. Recommend modifications to Ordinance No. 538 and request a first reading at a future date.
3. Choose not to enact Ordinance No. 538.

**CITY ADMINISTRATOR RECOMMENDATION**

Approve Ordinance No. 538 for first reading, as presented.

**SUGGESTED MOTION**

*“I make a motion to approve Ordinance No. 538 for first reading, by title only”*

**ATTACHMENT**

1. Intergovernmental Agreement with Lane County for Tobacco Retail Licensing

**INTERGOVERNMENTAL AGREEMENT  
FOR  
TOBACCO RETAILING LICENSING  
\_\_\_\_\_, 2016**

This Agreement is entered into between Lane County, a political subdivision of the State of Oregon ("Lane"), and the City of Veneta, an Oregon municipality ("Veneta"), each a unit of local government as defined by ORS 190.003, for the purpose of providing cost effective tobacco retail licensing administrative and enforcement services, as follows:

**RECITALS**

- ORS 190.010 and the Lane County Home Rule Charter provide that units of local governments may enter into agreements for the performance of any or all functions and activities that a party to the agreements, its officers or agents, have authority to perform; and
- Lane and Veneta have the authority to perform the functions and activities set forth in this Agreement; and
- Veneta has adopted Veneta Municipal Code (VMC) Chapter 5.30, establishing a tobacco retail licensing program; and
- Veneta has need for the administration and enforcement of VMC 5.30; and
- Lane has the ability to provide, and experience in providing tobacco retail licensing administrative and enforcement services; and
- There are increased efficiencies through intergovernmental cooperation, which benefit both Veneta and Lane.

**AGREEMENT**

**A. Obligations of the Parties:**

1. In general, Lane agrees to administer and enforce VMC 5.30, regarding tobacco retail licensing within the corporate limits of the City of Veneta. Specifically, Lane will:
  - a. Review applications for retail licenses and verify the appropriateness of and eligibility for issuance, including verification of all standards established in VMC 5.30, including proximity to schools.
  - b. Collect retail tobacco licensing fees and any fines.
  - c. Issue annual retail tobacco licenses, as applied for and approved by Lane.
  - d. Verify compliance with all standards and requirements of VMC 5.30, including at least one on-site visit per retailer, per twelve-month period.
  - e. Issue citations, suspend, revoke or not renew tobacco retail licenses per VMC 5.30.
  - f. Commence legal actions and prosecutions as needed to enforce VMC 5.30, including actions taken against tobacco retailers operating without a valid license.
  - g. Seize all products offered for sale or exchange in violation of VMC 5.30.
  - h. Maintain all records related to the administration and enforcement of VMC 5.30 on behalf of City.

- i. Verify compliance with all VMC 5.30 signage and fixed location requirements, including a posted valid license, required health warnings, Quit Line information, prohibited self-service displays, prohibited free samples, and that the retailer's location is not temporary nor movable.
  - j. Ensure retailer compliance with age verification requirements.
  - k. Verify retailer employee training.
  - l. Verify compliance with all applicable state or federal laws or regulations applicable to the sale of tobacco products or paraphernalia.
  - m. Conduct regular inspections and either conduct or provide for "minor decoy inspections".
  - n. Provide services per this Agreement at no cost to City, relying only upon the collection of fees and fines, as set forth in VMC 5.30 and Section A(1)(b), above.
  - o. Advise City in advance of any proposed fee adjustments to County's Tobacco Retail Licensing Ordinance 15-05.
  - p. Provide annual reporting of regular inspection results and the "minor decoy inspections", within 90 days of conclusion of inspection period.
  - q. Provide City with an annual list of licensed retailers, including license status updates.
  - r. Process all retailer complaints, and apprise City staff of Lane's actions relating to VMC 5.30 administration and the resolution of all complaints filed.
2. City will establish a City staff point of contact and provide Lane with that staff's full contact information in order to allow for the efficient and timely performance of Lane's obligations under this Agreement.

**B. Term & Termination:**

1. This Agreement is effective when signed by all parties and expires on \_\_\_\_\_, unless extended by written mutual agreement.
2. Termination: This Agreement shall continue through its term or until terminated by mutual written agreement or as provided in Section B(3), below.
3. This Agreement may be terminated by either party upon providing written notice to the other party on or before December 31st of each year, effective July 1st of the following year.

**C. Dispute Resolution.** The parties are required to exert every effort to cooperatively resolve any disagreements that may arise under this Agreement. This may be done at any management level, including at a level higher than the persons directly responsible for the administration of this Agreement. In the event that the parties alone are unable to resolve any conflict under this Agreement, the parties agree to use good faith efforts to resolve their differences through mediation, if agreed to by both parties, or binding arbitration.

**D. Indemnification.** To the extent permitted by the Oregon Constitution and by the Oregon Tort Claims Act, and to the extent otherwise provided for in private contracts of insurance, each party agrees to indemnify, defend, and hold the other, its elected officials, agents, officers and employees, harmless from all damages, losses and expenses, including but not limited to

attorney fees, and to defend all claims, proceedings, lawsuits, and judgments arising out of or resulting from that party's performance or failure to perform under this Agreement. However, neither party will be required to indemnify or defend the other for any liability arising solely out of the wrongful acts of its own elected officials, officers, employees, or agents.

- E. Amendments.** This Agreement may only be modified by written agreement signed by all parties.
- F. Waiver.** The failure of any party to enforce any provision of this Agreement does not waive that or any other provision.
- G. Force Majeure.** Neither party will be held responsible for delay nor default due to Force Majeure acts, events or occurrences unless they could have been avoided by the exercise of reasonable care, prudence, foresight, and diligence by that party.
- H. Merger.** This Agreement constitutes the entire agreement between the parties. No waiver, consent, modification, or change of terms of this Agreement binds any party unless in writing and signed by all parties. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this Agreement.

EACH PARTY, BY EXECUTION OF THIS AGREEMENT, HEREBY ACKNOWLEDGES THAT IT HAS READ THIS AGREEMENT, UNDERSTANDS IT, AND AGREES TO BE BOUND BY ITS TERMS AND CONDITIONS.

**Lane County**

\_\_\_\_\_  
Steve Mokrohisky, County Administrator

\_\_\_\_\_  
Date

**City of Veneta**

\_\_\_\_\_  
Ric Ingham, City Administrator

\_\_\_\_\_  
Date

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**CITY OF VENETA**

**ORDINANCE NO. 538**

**AN ORDINANCE ESTABLISHING VENETA CITY CODE TITLE 5, CHAPTER 30  
TOBACCO RETAIL LICENSING**

**WHEREAS**, the City of Veneta wishes to be proactive against minors' observation and potential subsequent use of tobacco products; and

**WHEREAS**, the Veneta City Council has concluded that regulating tobacco retailers will limit minors' exposure to tobacco products and tobacco related paraphernalia; and

**WHEREAS**, the City Council believes that licensing tobacco retailers is an effective means to administer and enforce tobacco retail regulations; and

**WHEREAS**, the City Council desires to adopt a tobacco retail licensing program substantially similar to the County program, which commenced on August 25, 2015; and

**WHEREAS**, the City Council intends to contract with Lane County for the administration and enforcement of the tobacco retail licensing program adopted by this Ordinance.

**NOW, THEREFORE, THE CITY OF VENETA ORDAINS AS FOLLOWS:**

**Section 1 Adoption.** Code provisions establishing a tobacco retail licensing program for the City of Veneta, attached hereto as Exhibit A and incorporated herein by this reference, are hereby adopted and inserted into the Veneta Municipal Code at Title 5, Chapter 30.

**Section 2 Severability.** The sections, subsections, paragraphs and clauses of this ordinance and the attached Code provisions are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

**Section 3 Codification.** Provisions of this Ordinance shall be incorporated into the City Code, and the words "ordinance" or "section" may be changed to "code," "article," "chapter," "division," or another word, and the sections of this Ordinance may be renumbered or re-lettered, provided however, that any recital clause and boilerplate provisions of this Ordinance (i.e., Section Nos. 2 through 4) need not be codified, and the City Recorder is authorized to correct any cross-references and any typographical errors.

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**Section 4 Effective Date.** This ordinance will go into full force and effect on the 30<sup>th</sup> day after City Council enactment.

READ FOR A FIRST TIME, BY TITLE ONLY, this \_\_\_\_ day of August, 2016, no Council person in attendance having requested that it be read in full.

READ FOR A SECOND TIME, BY TITLE ONLY, AND FOR FINAL ADOPTION, this \_\_\_\_ day of \_\_\_\_\_, 2016, no Council person present having requested that it be read in full.

PASSED AND ADOPTED by a \_\_\_\_ vote for and \_\_\_\_ against by the City of Veneta Council this \_\_\_\_, day of \_\_\_\_\_, 2016.

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

\_\_\_\_\_  
Sandra H. Larson, Mayor

Executed on \_\_\_\_\_

ATTEST:

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

\_\_\_\_\_  
Darci Henneman, City Recorder

Executed on \_\_\_\_\_

**Exhibit A**  
**Tobacco Retail Licensing**

5.30.010 Definitions. For the purposes of this chapter, the words and phrases shall have the following meanings:

(1) “Arm’s Length Transaction” means a sale in good faith and for valuable consideration that reflects the fair market value in the open market between two informed and willing parties, neither of which is under any compulsion to participate in the transaction. A sale between relatives, related companies or partners, or a sale for which a significant purpose is avoiding the regulations of this chapter is not an Arm’s Length Transaction.

(2) “Business” means any sole proprietorship, partnership, joint venture, corporation, company, association, or other entity formed for purposes that include profit-making.

(3) “City” means the City of Veneta or designated Person.

(4) “Electronic Smoking Device” (ESD) means any electronic product that delivers nicotine or any other substance to the person inhaling from the device, including, but not limited to an electronic cigarette, e-cigar, e-pipe, vape pen or e-hookah. Electronic Smoking Device includes any component, part, or accessory of such a product, whether or not sold separately. Electronic Smoking Device does not include drugs, devices, or combination products approved for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act.

(5) “Employee” means any Person who is employed by any Employer in consideration for direct or indirect monetary wages or profit, or any Person who volunteers services for an Employer.

(6) “Employer” means any Business or Nonprofit Entity that retains the service of one or more Employees.

(7) “Independent Contractor” means any Person who is retained with a contract by any Employer in consideration for direct or indirect monetary wages or profit.

(8) “Nominal Cost” means the cost of any item imposed for the transfer from one Person to another for less than the total of: (1) twenty-five percent (25%) of the fair market value of the item exclusive of taxes and government fees; plus (2) all taxes and government fees previously paid and all taxes and government fees still due on the item at the time of transfer.

(9) “Nonsale Distribution” means to give, furnish, or cause or allow to be given or furnished, wholly or for sampling, a Tobacco Product at no cost or at Nominal Cost to a Person who is not a Tobacco Retailer.

(10) “Person” means any natural person, Business, employer, nonprofit entity, personal representative, receiver, trustee, assignee, or any other legal entity including a government agency.

(11) “Proprietor” means a Person with an ownership or managerial interest in a business. An ownership interest is deemed to exist when a Person has a ten percent (10%) or greater interest in the stock, assets, or income of a business other than the sole interest of security for debt. A managerial interest is deemed to exist when a Person can or does have or share ultimate control over the day-to-day operations of a business.

(12) “Self-Service Display” means the open display or storage of Tobacco Products or Tobacco Paraphernalia in a manner that is physically accessible in any way to the general public without the assistance of the Tobacco Retailer or employee of the Tobacco Retailer and a direct person-

to-person transfer between the purchaser and the Tobacco Retailer or employee of the Tobacco Retailer. A vending machine is a form of Self-Service Display.

(13) “Smoke” and “Smoking” mean inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, weed, plant, or other tobacco like product or substance in any manner or in any form. “Smoke” and “Smoking” also include the use of an Electronic Smoking Device which creates an aerosol, in any manner or in any form. A lighted smoking instrument includes an activated or “switched on” Electronic Smoking Device.

(14) “Tobacco Paraphernalia” means cigarette papers or wrappers, pipes, cigarette rolling machines, Electronic Smoking Device and any other item specifically designed for the consumption or preparation of Tobacco Products. Tobacco Paraphernalia does not include such items sold at a State licensed medical or recreational marijuana facility.

(15) “Tobacco Product” means any product that is tobacco, made from tobacco or derived from tobacco, which is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled or ingested by any other means, including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, snus, or an Electronic Smoking Device. Tobacco product does not include drugs, devices, or combination products approved for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act.

(16) “Tobacco Retailer” means any Person who sells, offers for sale, or exchange or offers to exchange for any form of consideration, Tobacco Products or Tobacco Paraphernalia. “Tobacco Retailing” means the doing of any of these things. This definition is without regard to the quantity of tobacco, Tobacco Products, or Tobacco Paraphernalia sold, offered for sale, exchanged, or offered for exchange.

#### 5.30.020 Requirements and Prohibitions.

(1) A Person commits a violation of these Tobacco Retail Licensing and Sale Regulations if the Person knowingly engages in the following conduct:

- (a) Selling, offering for sale, or exchanging or offering to exchange for any form of consideration, Tobacco Products or Tobacco Paraphernalia without first obtaining and maintaining a valid Tobacco Retailer’s license under this chapter for each location at which that activity is to occur. Tobacco Retailing without a valid Tobacco Retailer’s license is a nuisance as a matter of law.
- (b) Violating any local, state, or federal law applicable to Tobacco Products, Tobacco Paraphernalia, or Tobacco Retailing in the course of Tobacco Retailing or in the operation of the business or maintenance of the location for which a license was issued.
- (c) Failing to ensure that Employees know how to comply with tobacco control laws. Tobacco Retailers can be held responsible for violations committed by Employees.
- (d) Failing to prominently display a Tobacco Retailer license in a publicly visible location at the licensed location.
- (e) Failing to examine the identification and confirm that the holder is at least 18 years of age, before selling or transferring Tobacco Products or Tobacco Paraphernalia to a natural person who appears to be under 27 years of age.
- (f) Selling, giving, or furnishing, or causing to be sold, given or furnished, a Tobacco Product or Tobacco Paraphernalia to a natural person who is younger than 18 years of age.

- (g) Permitting a natural person who is younger than 18 years of age or younger than the minimum age established by state law for the purchase or possession of Tobacco Products to sell, offer for sale, or exchange or offer to exchange for any form of consideration, Tobacco Products or Tobacco Paraphernalia.
- (h) Engaging in Tobacco Retailing by means of a Self-Service Display.
- (i) Displaying Tobacco Products and Tobacco Paraphernalia to public view without a valid Tobacco Retailer license. The public display of Tobacco Products or Tobacco Paraphernalia in violation of this subsection constitutes Tobacco Retailing without a valid license under Section 5.30.130.
- (j) Displaying any advertisement relating to Tobacco Products or Tobacco Paraphernalia that promotes the sale or distribution of such products from the Tobacco Retailer's location or that could lead a reasonable consumer to believe that such products can be obtained at that location without a valid Tobacco Retailer license.
- (k) Engaging in the Nonsale Distribution of Tobacco Products or Tobacco Paraphernalia.
- (l) Failing to conspicuously post an approved tobacco health warning in an area visible to all customers.
- (m) Failing to conspicuously post signage provided by the City that discloses current referral information about the Oregon Tobacco Quitline 1-800-QUIT-NOW.
- (n) Engaging in Tobacco Retailing within 1000 feet of any school, except as permitted by Section 5.30.030.

(2) By resolution, the Council may provide for an incentive program reducing the annual license fee by \$75 if they: 1) have no tobacco retail violations in the previous year and 2) use a cash register that reads the magnetic strip on drivers' licenses to verify age.

5.30.030 Limits on Eligibility for a Tobacco Retailer License.

(1) No license will be issued to a Tobacco Retailer located within 1,000 feet of any school as follows:

- (a) Except as provided in subparagraph (b) of this subsection, no Tobacco Retailer license will be issued to a Tobacco Retailer located within one thousand (1,000) feet of a school as measured by a straight line from the nearest point of the property line of the lot or parcel on which the school is located to the nearest point of the property line of the parcel on which the applicant's business is located. For the purposes of this chapter, "school" means a public kindergarten, elementary, middle, junior high or high school.
- (b) A Tobacco Retailer that has been in operation at a location consistently since the effective date of this ordinance is exempt from the requirements of subparagraph (a) of this subsection.

(2) No license will be issued to a Tobacco Retailer not located at a fixed location. For example, Tobacco Retailing by Persons on foot or from vehicles or mobile units is prohibited.

5.30.040 Non-Retaliation.

Persons, Tobacco Retailers, and Employers are prohibited from intimidating, threatening any reprisal, or effecting any reprisal, for the purpose of retaliating against another Person that seeks to attain compliance with this chapter.

### 5.30.050 Application Procedure.

Application for a Tobacco Retailer's license must be submitted in the name of each Proprietor proposing to conduct retail tobacco sales and will be signed by each Proprietor or an authorized agent thereof.

(1) It is the responsibility of each Proprietor to be informed regarding all laws applicable to Tobacco Retailing, including those laws affecting the issuance of a Tobacco Retailer's license. The Proprietor will also train all employees in the applicable laws, and is required to provide proof of training with annual recertification.

(2) No Proprietor may rely on the issuance of a license as a determination that the Proprietor has complied with all laws applicable to Tobacco Retailing. A license issued contrary to 5.30.060, contrary to any other law, or on the basis of false or misleading information supplied by a Proprietor will be revoked pursuant to 5.30.120. Nothing in this chapter will be construed to vest in any Person obtaining and maintaining a Tobacco Retailer's license any status or right to act as a Tobacco Retailer in contravention of any provision of law.

(3) All applications will be submitted on a form supplied by the City and will contain the following information:

(a) The name, address, and telephone number of each Proprietor of the business seeking a license.

(b) The business name, address, and telephone number of the single fixed location for which a license is sought.

(c) A single name and mailing address authorized by each Proprietor to receive all communications and notices (the "Authorized Address") required by, authorized by, or convenient to the enforcement of this chapter. If an Authorized Address is not supplied, each Proprietor will be understood to consent to the provision of notice at the business address specified in subparagraph (b) of this subsection.

(d) Whether or not any Proprietor or any agent of the Proprietor has admitted violating, or has been found to have violated, this chapter and, if so, the dates and locations of all such violations within the previous five years.

(4) Such other information as the City deems necessary for the administration or enforcement of this chapter as specified on the application form required by this section.

(5) A licensed Tobacco Retailer must inform the City in writing of any change in the information submitted on an application for a Tobacco Retailer's license within ten (10) business days of a change.

(6) All information specified in an application pursuant to this section is subject to disclosure under the Oregon Public Records Act or any other applicable law, subject to the laws' exemptions.

### 5.30.060 Issuance of License.

Upon the receipt of a complete application for a Tobacco Retailer's license and the license fee required by 5.30.100, the City will issue a license to the applicant unless:

(1) The information presented in the application is inaccurate or false. Intentionally supplying inaccurate or false information will be a violation punishable under the provisions of this chapter.

(2) The application seeks authorization for Tobacco Retailing at a location for which 5.30.030 prohibits issuance of Tobacco Retailer licenses.

(3) The application seeks authorization for Tobacco Retailing for a Proprietor to whom this chapter prohibits a license to be issued.

(4) The application seeks authorization for Tobacco Retailing that is prohibited or unlawful pursuant to this Code or that is unlawful pursuant to any other law.

5.30.070 License Renewal and Expiration.

(1) A Tobacco Retailer's license is invalid if the appropriate fee is not timely paid in full or if the term of the license has expired. The term of a Tobacco Retailer license is one year. Each Tobacco Retailer will apply for the renewal of the Tobacco Retailer's license and submit the license fee no later than thirty days prior to expiration of the term.

(2) A Tobacco Retailer's license that is not timely renewed expires at the end of its term. To renew a license not timely renewed pursuant to subparagraph (a) of this subsection, the Proprietor must:

(a) Submit the license fee and application renewal form; and

(b) Submit a signed affidavit affirming that the Proprietor:

(i) has not sold and will not sell or display any Tobacco Product or Tobacco Paraphernalia after the license expiration date and before the license is renewed; or

(ii) has waited the period of time required by 5.30.130 for Tobacco Retailing without a valid license before seeking renewal of the license.

5.30.080 Licenses Nontransferable.

(1) A Tobacco Retailer's license may not be transferred from one Person to another or from one location to another. A new Tobacco Retailer's license is required whenever a Tobacco Retailing location has a change in Proprietor(s).

(2) Notwithstanding any other provision of this chapter, prior violations at a location will continue to be counted against a location and license ineligibility periods will continue to apply to a location unless:

(a) The location has been transferred to new Proprietor(s) in an Arm's Length Transaction; and

(b) The new Proprietor(s) provide the City with clear and convincing evidence that the new Proprietor(s) have acquired or are acquiring the location in an Arm's Length Transaction.

5.30.090 License Conveys a Limited, Conditional Privilege.

Nothing in this chapter grants any Person obtaining and maintaining a Tobacco Retailer's license any status or right other than the limited conditional privilege to act as a Tobacco Retailer at the location in the City identified on the face of the license. Nothing in this chapter renders inapplicable, supersedes, or applies in lieu of any other provision of applicable law, including but not limited to, any provision of this Code, or any condition or limitation on smoking in an enclosed place of employment under ORS 433.847 and OAR 333-015-0068 or other federal or local ordinances. Obtaining a Tobacco Retailer's license does not make the Tobacco Retailer a certified smoke shop under ORS 433.847 and OAR 333-015-0068.

5.30.100 Fee for License.

The fee to issue or to renew a Tobacco Retailer’s license will be set by resolution of the City Council. The fee will be calculated so as to recover the cost of both the administration and enforcement of this Code, including the cost of issuing the license, administering the license program, Tobacco Retailer education, Tobacco Retailer inspection and compliance checks, documentation of violations, adjudications, convictions, and prosecution of violators. All fees are nonrefundable except as required by law and are permitted to be used exclusively to fund the costs outlined in this chapter. Fees will not be prorated.

5.30.110 Compliance Monitoring.

- (1) The City will monitor compliance with this chapter and may designate any number of additional Persons to assist monitoring compliance. In addition, any peace officer may enforce the penal provisions of this chapter.
- (2) The City will endeavor to inspect each licensed Tobacco Retailer at least one time per twelve month period. Nothing in this paragraph creates a right of action in any licensee or other Person against the City or its agents.
- (3) The City will not enforce any law establishing a minimum age for Tobacco purchases or possession against a natural person serving as a Youth Decoy. A Youth Decoy is a natural person under the age of 18 who:
  - (a) Is participating in an inspection supervised by a peace officer, code enforcement official, or the Person designated by the City to monitor compliance with 5.30.020;
  - (b) Is acting as an agent of a Person designated by the City to monitor compliance with 5.30.020; or
  - (c) Is participating in an inspection funded in part, either directly or indirectly through subcontracting, by the City or the Oregon Health Authority.

5.30.120 Suspension or Revocation of License.

- (1) In addition to any other penalty authorized by law, a Tobacco Retailer’s license will be suspended or revoked if any court of competent jurisdiction determines, or the City finds based on a preponderance of the evidence, after the licensee is afforded notice and an opportunity to be heard, that the licensee, or any of the licensee’s agents or employees, has violated any of the requirements, conditions, or prohibitions of this chapter or has pleaded guilty, “no contest” or its equivalent, or admitted to a violation of any law designated in this chapter above.
  - (a) Upon a finding by the City of a first violation of this chapter at a location within any twenty-four month period, the license will be suspended for ten days or a \$1,650 fine imposed.
  - (b) Upon a finding by the City of a second violation of this chapter at a location within any twenty-four month period, the license will be suspended for thirty days or a \$4,950 fine imposed.
  - (c) Upon a finding by the City of a third violation of this chapter at a location within any twenty-four-month period, the license will be suspended for thirty days.
  - (d) Upon a finding by the City of four or more violations of this chapter at a location within any twenty-four month (24) period, the license will be revoked.
- (2) A decision of the City to suspend or revoke a license is appealable to the City Administrator and any appeal must be filed in writing with the City Administrator within ten days of mailing of the City’s decision. If such an appeal is timely made, it will stay enforcement of the appealed

action. An appeal to the City Administrator is not available for a revocation made pursuant to subsection (3) below.

(3) A Tobacco Retailer's license will be revoked if the City finds, after the licensee is afforded notice and an opportunity to be heard, that one or more of the bases for denial of a license under 5.30.060 existed at the time application was made or at any time before the license issued. The decision by the City will be final. Such a revocation will be without prejudice to the filing of a new license application.

#### 5.30.130 Tobacco Retailing Without a Valid License.

(1) In addition to any other penalty authorized by law, if a court of competent jurisdiction determines, or the City finds based on a preponderance of evidence, after notice and an opportunity to be heard, that any Person has engaged in Tobacco Retailing at a location without a valid Tobacco Retailer's license, either directly or through the Person's agents or employees, the Person will be ineligible to apply for, or to be issued, a Tobacco Retailer's license as follows:

(a) After a first violation of this section at a location within any twenty-four month period, no new license may issue for the Person or the location (unless ownership of the business at the location has been transferred in an Arm's Length Transaction), until thirty days have passed from the date of the violation.

(b) After a second violation of this section at a location within any twenty-four month period, no new license may issue for the Person or the location (unless ownership of the business at the location has been transferred in an Arm's Length Transaction), until ninety days have passed from the date of the violation.

(c) After of a third or subsequent violation of this section at a location within any twenty-four month period, no new license may issue for the Person or the location (unless ownership of the business at the location has been transferred in an Arm's Length Transaction), until two years have passed from the date of the violation.

(2) Tobacco Products and Tobacco Paraphernalia offered for sale or exchange in violation of this chapter are subject to seizure by the City or any peace officer and will be forfeited after the licensee and any other owner of the Tobacco Products and Tobacco Paraphernalia seized is given reasonable notice and an opportunity to demonstrate that the Tobacco Products and Tobacco Paraphernalia were not offered for sale or exchange in violation of this chapter. The decision by the City may be appealed under 5.30.120. Forfeited Tobacco Products and Tobacco Paraphernalia will be destroyed after all internal appeals have been exhausted and the time in which to seek judicial review pursuant to Oregon law has expired without the filing of a lawsuit or, if such a suit is filed, after judgment in that suit becomes final.

(3) For the purposes of the civil remedies provided in 5.30.140, the following constitute separate violations:

(a) Each day on which a Tobacco Product or Tobacco Paraphernalia is offered for sale in violation of this chapter; or

(b) Each instance in which an individual retail Tobacco Product or item of Tobacco Paraphernalia distributed, sold, or offered for sale in violation of this chapter.

#### 5.30.140 Penalties and Additional Remedies.

(1) The remedies provided by this section are cumulative and in addition to any other remedies available at law or in equity.

(2) Violations of this chapter are punishable by a fine per violation as follows:

- a. After a first violation, a \$1,650 fine or suspension of license;
- b. After a second violation, a \$4,950 fine or suspension of license; and
- c. After a third violation, a suspension of license as described in 5.30.120.

Persons found in violation of this chapter will be responsible for all costs associated with the prosecution of those violations.

(3) In addition to all applicable penalties under the Code, any employee involved in tobacco product sales to anyone under 18 years of age is subject to civil action pursuant to ORS 163.575, endangering the welfare of a minor, punishable by a civil fine per violation of not less than \$100 nor exceeding \$500.

(4) Causing, permitting, aiding, abetting, or concealing a violation of any provision of this chapter is punishable in accordance with subsection (2) of this section.

(5) Violations of this chapter are hereby declared to be public nuisances.

(6) In addition to other remedies provided by this chapter or by other law, any violation of this chapter may be remedied by a civil action including, for example, through administrative or judicial nuisance abatement proceedings, civil or criminal code enforcement proceedings, and suits for injunctive relief.

# VENETA CITY COUNCIL AGENDA ITEM SUMMARY

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Title/Topic: Extension of Charter Communications Microwave Tower Site Lease

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Meeting Date: August 8, 2016  
Department: City Administration

Staff Contact: Ric Ingham  
Email: ringham@ci.veneta.or.us  
Telephone Number: 541-935-2191 Ext. 306

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## ISSUE STATEMENT

Does the Council wish to extend the microwave lease agreement with Charter Communications for an additional one-year term?

## BACKGROUND (include prior council or committee action)

Charter Communications has leased a small 10 x 10 foot pad at the City's Dogwood Reservoir site since 2002. The site is used for a microwave dish that is the receiving signal for Charter cable. The City has requested that the renewal of the lease agreement be year-to-year as we continue to negotiate with Charter Communications for deployment of advanced cable and broadband services in the Veneta area.

## RELATED CITY POLICIES (include existing resolutions and ordinances)

Charter Communications is the City's franchised cable provider and currently the only TV/cable provider in the Veneta/Fern Ridge area.

## COUNCIL OPTIONS (include financial impacts)

1. Council may choose to approve the agreement as provided.
2. Request that the agreement be modified.
3. Deny approval of the agreement.

## CITY ADMINISTRATOR'S RECOMMENDATION

Approve the agreement as presented.

## SUGGESTED MOTION

*"I make a motion to approve the microwave lease agreement with Charter Communications for one-year beginning January 2016."*

## ATTACHMENTS

- A. Charter Communications Lease Extension Agreement



**LEASE EXTENSION**

August 1, 2016

City Council Members  
 c/o Mr. R. Ric Ingham, City Administrator  
 City of Veneta  
 P.O. Box 458  
 Veneta, OR 97487  
[ringham@ci.veneta.or.us](mailto:ringham@ci.veneta.or.us)

**RE: Communication Site Agreement dated September 24, 2001, amended by First Amendment to Communication Site Agreement dated October 1, 2006, further amended by Second Amendment to Communication Site Agreement dated September 25, 2007, further amended by Third Amendment to Communications Site Agreement dated August 1, 2009, further amended by Fourth Amendment to Communications Site Agreement dated January 1, 2012, further amended by Fifth Amendment to Communications Site Agreement dated October 13, 2013 and renewed by Lease Renewal letter dated September 8, 2015 between City of Veneta, a unit of local government in the State of Oregon as "Owner" and Falcon Cable Systems Company II, L.P. as "Tenant" for the Premises located at 24741 Dogwood Lane, Bolton Hill Water Tank Tower, Veneta, OR 97487. Charter Communications File ID#OR0091.**

Dear City Council Members:

This letter serves as formal request to extend the Communication Site Agreement for an additional one (1) year term.

**Rent:** Monthly Rent will be as follows:

PERIOD:	MONTHLY RENT:
01/01/2017 - 12/31/2017	\$411.75

All other terms and conditions of the Communication Site Agreement shall remain in full force and effect.

If you have any questions please contact Jennifer Muller at [Jennifer.muller@charter.com](mailto:Jennifer.muller@charter.com) or 720-482-4287.

**TENANT:**

**FALCON CALBE SYSTEMS COMPANY II, L.P.**

By: CHARTER COMMUNICATIONS VII, LLC,  
 Its General Partner

By: CHARTER COMMUNICATIONS INC.,  
 Its Manager

By: \_\_\_\_\_  
 Randy Givan, VP - Real Estate

**LANDLORD:**

**CITY OF VENETA**

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

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

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

# VENETA CITY COUNCIL

## AGENDA ITEM SUMMARY

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Title/Topic: Transfer of Verizon Cell Tower Lease to American Tower

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Meeting Date: August 8, 2016  
Department: City Administration

Staff Contact: Ric Ingham  
Email: ringham@ci.veneta.or.us  
Telephone Number: 541-935-2191 Ext.306

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### ISSUE STATEMENT

Does the Council wish to consent to transfer a lease the City has with Verizon Communications Inc. to American Tower Company?

### BACKGROUND (include prior council or committee action)

The City granted a lease to Verizon Communications Inc. in 2008 for the purpose of constructing a cell tower next to the City's Bolton Hill reservoir. Earlier this year Verizon Communications Inc. entered into a sublease agreement with American Tower Co. for the purpose of transferring responsibility of maintaining and managing the site. As per the City's lease agreement, Verizon Communications Inc. needs the City's consent to complete the sublease transfer.

Signing the sublease consent form will not alter the terms and conditions from the original Verizon lease. The only change is that we'll have a new contact and the lease checks will now come from American Tower Co. To encourage Veneta's consent, American Tower Co. is offering a \$6000 signing bonus. Receipt of the funds should take about 60 days after the agreement is executed.

### RELATED CITY POLICIES (include existing resolutions and ordinances)

Verizon lease is for five (5), five (5) year terms for a 25 year lease. The City can choose to terminate the lease six-months prior to the conclusion of each five-year term.

### COUNCIL OPTIONS (include financial impacts)

1. Council may choose to approve the agreement as provided.
2. Request that the agreement be modified.
3. Deny approval of the agreement.

### CITY ADMINISTRATOR'S RECOMMENDATION

Approve the agreement as presented.

### SUGGESTED MOTION

*"I make a motion to approve the agreement with American Tower Company consenting to the transfer of sublease with Verizon Communications Inc."*

### ATTACHMENTS

- A. American Tower Company Consent Agreement



8/2/2016

City of Veneta(OR)  
PO Box 458  
Veneta, OR 97487

Re: Notice of and consent to sublease of Ground Lease 74783 (“Ground Lease”) and subsequent leaseback of a portion of Site 169044, located at 24601 Bolton Hill Rd., Veneta, OR 97478 (the “Site”)

On February 5, 2015, Verizon Communications Inc. (“Verizon”) entered into an agreement (“Agreement”) with American Tower Corporation (“American Tower”) regarding a portion of Verizon’s tower portfolio (the “Portfolio”), including the right for American Tower to manage and operate the Portfolio. Your Ground Lease and the Site associated with the Ground Lease are part of the Portfolio.

American Tower and Verizon closed the initial transactions contemplated under the Agreement (“Transaction”) effective on March 27, 2015. As part of the Transaction, Verizon’s affiliate party to the Ground Lease desires to:

- (i) sublease the Ground Lease to American Tower’s affiliate entity ATC Sequoia LLC, a Delaware limited liability company and
- (ii) leaseback a portion of the Site from American Tower or one of its affiliates and retain certain rights to continue using such portion of the Site (such sublease and leaseback hereinafter referred to as the “Ground Lease Sublease and Leaseback”).

The Ground Lease Sublease and Leaseback has not yet occurred with respect to your Ground Lease, however, American Tower is operating as the manager of your Ground Lease and Site on behalf of Verizon.

The consent given by signing this letter will be effective upon your receipt of a signing bonus (“Signing Bonus”) in the amount of \$6000.00, which shall be paid to you within thirty (30) days of American Tower’s receipt of this properly executed letter. This condition will be deemed waived if we do not receive the properly executed letter by Aug 30, 2016.

The undersigned consents to the Ground Lease Sublease and Leaseback as set forth above.

**City of Veneta(OR)**

**ATC Sequoia LLC**

By: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

By: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

ATC Site Number: 414865  
ATC Lease Number: VZL74783  
VZ Site Number: 169044  
VZ Lease Number: 74783