

**AGENDA**  
**VENETA CITY COUNCIL**  
**MONDAY, JUNE 22, 2015 – 7:00 P.M.**  
Veneta Administrative Center, 88184 8th Street, Veneta, Oregon

- 7:00 **1. CALL TO ORDER THE JOINT MEETING OF THE VENETA CITY COUNCIL AND LOCAL PUBLIC CONTRACTING REVIEW BOARD**
- 1.a. PUBLIC HEARING FOR AMENDMENTS TO THE PUBLIC CONTRACTING RULES**
- a. Open Public Hearing
  - b. Staff Report – Shauna Hartz
  - c. Public Comment
  - d. Questions from the Council
  - e. Close of Hearing
  - f. Council/Board Deliberation
- (1) Amendment to the Public Contracting Rules for the City of Veneta
- i. Agenda Item Summary
  - ii. **Resolution No. 1176** - A JOINT RESOLUTION OF THE CITY COUNCIL AND LOCAL PUBLIC CONTRACT REVIEW BOARD OPTING OUT OF THE ATTORNEY GENERAL'S MODEL PUBLIC CONTRACTING RULES AND AMENDING PUBLIC CONTRACTING RULES FOR THE CITY OF VENETA AND REPEALING RESOLUTION NO. 1116.

**The above items were delivered Friday, June 12<sup>th</sup>.**

- 1.b. ADJOURN THE JOINT MEETING OF THE VENETA CITY COUNCIL AND LOCAL PUBLIC CONTRACTING REVIEW BOARD**
- 7:20 **2. CALL TO ORDER THE VENETA CITY COUNCIL**
- 7:25 **3. 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.
- 7:30 **4. PUBLIC HEARING – DANGEROUS ANIMAL BEHAVIOR PROVISIONS**
- a. Open Public Hearing
  - b. Staff Report – Kay Bork
  - c. Public Comment
  - d. Questions from the Council
  - e. Close of Hearing
  - f. Council Deliberation
- (1) Dangerous Animal Behavior Provisions
- i. Agenda Item Summary (pgs. 1-17)
  - ii. **ORDINANCE No. 521** – AN ORDINANCE AMENDING CHAPTER 6.05 – ANIMAL REGULATIONS OF THE VENETA MUNICIPAL CODE AND DECLARING AN EMERGENCY (pgs. 19-23)
- 7:50 **5. CONSENT AGENDA**
- a. Minutes for June 8, 2015 (pgs. 25-30)
  - b. Civic Calendar for July 2015 (pg. 31)
  - c. Quarterly Community Development Department Activity Report (pgs. 33-34)

- 7:55 **6. COUNCIL BUSINESS AND REPORTS**
- a. Business
    - (1) Lane County Sheriff's Office Activity Report April (pg. 35)
  - b. Councilor/Committee Liaison Reports
- 8:15 **7. STAFF REPORTS**
- a. City Administrator.....Ric Ingham
    - (1) Approval of Lane County Sheriff's Office (LCSO) Public Safety Contract (pgs. 37-42)
  - b. Community Development Director.....Kay Bork
    - (1) Dangerous Building Update – 25044 McCutcheon Ave. and 87646 Trek Dr. (pgs. 43-44)
  - c. Finance Director.....Shauna Hartz
    - (2) Appropriations Transfer for FY 2014-15
      - i. Agenda Item Summary (pgs. 45-47)
      - ii. **RESOLUTION No. 1177** – A RESOLUTION TRANSFERRING APPROPRIATIONS FOR THE 2014-15 FISCAL YEAR (pg. 49)
    - (3) Proposed Storm Water Drainage Fee Increase
      - i. Agenda Item Summary (pgs. 51-53)
      - ii. Public Comment
      - iii. **RESOLUTION No. 1178** – A RESOLUTION ESTABLISHING STORM WATER DRAINAGE FEES FOR THE CITY OF VENETA AND REPEALING RESOLUTION NO. 1151 (pgs. 55-56)
    - (4) Compensation Plan Update for Regular Positions
      - i. Agenda Item Summary (pgs. 57-59)
      - ii. **RESOLUTION No. 1179** – A RESOLUTION UPDATING THE COMPENSATION SCHEDULE FOR REGULAR POSITIONS OF THE CITY OF VENETA FOR FISCAL YEAR 2015-16 AND REPEALING RESOLUTION NO. 1167 (pgs. 61-62)
    - (5) Adding a new Position to the City's Classification Plan and Approval of a Revised Compensation Plan for Hourly, Temporary and Seasonal Positions of the City of Veneta
      - i. Agenda Item Summary (pgs. 63-68)
      - ii. **RESOLUTION No. 1180** - A RESOLUTION TO ADD A NEW POSITION TO CLASSIFICATION PLAN AND ADOPT REVISED COMPENSATION PLAN FOR HOURLY, TEMPORARY AND SEASONAL POSITIONS AND REPEALING RESOLUTION NO. 1164 (pgs. 69-70)
  - d. Public Works Director.....Kyle Schauer
    - (1) Award of Construction Contract for Air Piping (pgs. 71-73 )
- 9:35 **8. OTHER**
- (1) City Administrator Evaluation Process
  - (2) Zumwalt Intergovernmental Agreement with Lane County Parks
  - (3) Reminder: Council meetings will begin at 6:30 beginning with the July 13, 2015 meeting.
  - (4) Questions from Councilors
- 9:55 **9. ADJOURN**

Times are approximate. This meeting will be digitally recorded. (A) - indicates an attachment. 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 City Recorder, Darci Henneman, via phone (541) 935-2191, Email dhenneman@ci.veneta.or.us, or TTY Telecommunications Relay Service 1-800-735-1232.

To access City Council meeting materials please go to <http://www.venetaoregon.gov/meetings>  
**PUBLIC HEARINGS** - Please observe the following rules.

**WRITTEN TESTIMONY:**

Written comments received seven (7) days prior to the meeting have been incorporated in the staff report. All comments, including those received up until the meeting, are presented to the Planning Commission members to be considered in their decision.

**ORAL TESTIMONY:**

If you wish to testify with regard to a matter which has been set for *Public Hearing* please observe the following rules:

1. **State your name and address.**
2. **Limit your testimony to three (3) minutes. Testimony must be specific to the issue at hand. Keep your comments brief and to the point. Comments can be in favor, against, or neutral regarding the proposal.**

The City Council considers all public comments, staff reports, and City ordinances in arriving at a final decision.  
**Staff reports are available for review at Veneta City Hall - 88184 8th Street - Veneta, Oregon.**



# VENETA CITY COUNCIL

## AGENDA ITEM SUMMARY

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### Title/Topic: Adoption of Ordinance 521 - Proposed Amendments to Veneta Municipal Code Chapter 6.05 Animal Regulations

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Meeting Date: June 22, 2015  
Department: Code Enforcement

Staff Contact: Teresa Warrick  
Email: twarrick@ci.veneta.or.us  
Telephone Number: 541-935-2191 Ext.309

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#### ISSUE STATEMENT(S)

Staff is presenting an adopting Ordinance No. 521 with proposed amendments to the Veneta Municipal Code Chapter 6.05 to develop a dangerous animal behavior definition, dangerous animal level system, and restrictions that can be imposed prior and after court proceedings.

#### BACKGROUND

May 11, 2015 the City Council held a work session to review proposed amendments to the Veneta Municipal Code to create dangerous animal behavior definition, dangerous animal level system, and restrictions that can be imposed prior and after court proceeding.

At the May 11, 2015 City Council meeting, Council gave staff approval to draft amendments to the Municipal Code to update and redefine sections 6.05.010 Definitions, 6.05.120 Dangerous Animal Behavior, 6.05.125 Dangerous Animal Restrictions and 6.05.145 Restrictions imposed after quarantine. Staff worked with legal counsel to draft amendments to Municipal Code, 6.05 which are attached to this memo. The proposed language is shown in bold underline and strikeout in Attachment 1. An adopting Ordinance has been prepared for Council consideration.

#### RELATED CITY POLICIES

Veneta Municipal Code – Chapter 6.05 Animal Regulations

#### COUNCIL OPTIONS

1. Adopt amendments to the Veneta Municipal Code 6.05, Sections 6.05.010, 6.05.120, 6.05.125, and 6.05.145 as presented.
2. Adopt amendments to the Veneta Municipal Code 6.05 with Council suggested amendments.
3. Do not adopt amendments to the Veneta Municipal Code 6.05, Sections 6.05.010, 6.05.120, 6.05.125, and 6.05.145.

#### CITY ADMINISTRATOR'S RECOMMENDATION

1. Adopt amendments to the Municipal Code 6.05, Sections 6.05.010, 6.05.120, 6.05.125, and 6.05.145 as presented.

#### SUGGESTED MOTION

1. *"I make a motion by first reading and title only to adopt Ordinance No. 521 an Ordinance amending Chapter 6.0, Animal Regulations of the Veneta Municipal Code; and declaring an emergency."*
2. *"I make a motion by second reading and title only to adopt Ordinance No. 521 an Ordinance amending Chapter 6.0, Animal Regulations of the Veneta Municipal Code; and declaring an emergency."*

#### ATTACHMENT

1. Proposed code amendments to VMC - 6.05 Animal Regulations.

## PROPOSED AMENDMENTS

### Chapter 6.05 ANIMAL REGULATIONS\*

#### Sections:

- 6.05.010 Animal control – Definitions.
- 6.05.020 Animals running at large prohibited.
- 6.05.030 Barking and nuisance dogs prohibited.
- 6.05.040 Animal waste matter.
- 6.05.050 Licenses, fees, and exceptions.
- 6.05.060 Abandoned animals.
- 6.05.070 Sick or injured animals.
- 6.05.080 Impoundment of animals.
- 6.05.090 Impounding regulations and disposition of impounded animals.
- 6.05.100 Impoundment – Redemption and sale.
- 6.05.110 Killing and chasing livestock, pets or wildlife.
- 6.05.120 Dangerous animals and behavior.
- 6.05.125 Dangerous behavior restrictions.
- 6.05.130 Reporting of biting dogs or other animals.
- 6.05.140 Biting and rabid animals – Quarantine.
- 6.05.145 Restrictions imposed after quarantine.
- 6.05.150 Dead animals – Removal of carcasses.
- 6.05.160 Exotic animals.
- 6.05.170 Entry on sidewalk or street.
- 6.05.180 Entry onto private land.
- 6.05.190 Enforcement authority.
- 6.05.200 Exemption for law enforcement animals.
- 6.05.210 Penalties.

\*Prior legislation: Ords. 379 and 423.

#### **6.05.010 Animal control – Definitions.**

As used in this chapter, the following words and phrases, unless the context otherwise requires, shall mean:

(1) “Abandoned animal” means any animal which appears to have been neglected; left without proper food and water for a period of over 24 hours; any sick or injured animal which appears to have been left without care or treatment for over 24 hours; any barking dogs which appear to have been without supervision for a period of over 24 hours; or any unlicensed dog running at large.

(2) “Animal” means any nonhuman mammal, reptile, bird, amphibian, or fish.

(3) "Animal control authority" means the animal control enforcement authority appointed by this city and empowered to enforce the provisions of this chapter.

(4) "Animal control officer" means any person or government entity employed or contracted by this city's animal control authority.

(5) "Animal keeper" means any person who owns or harbors an animal or who has the animal in the person's care, possession, custody, or control, or who knowingly permits an animal, other than a wild animal, to remain on premises occupied by the person. Except for the purposes of VMC 6.05.020, 6.05.030, 6.05.040, 6.05.060, 6.05.070, 6.05.100, 6.05.110, 6.05.120, 6.05.140 and 6.05.160, a "keeper" does not include veterinarians or commercial kennel operators temporarily maintaining animals on their premises for a period of not more than 30 days.

(6) "Barking dog" means a dog which persistently barks or howls and thereby unreasonably deprives any person of peace and quiet, as defined by resolution adopted by the city council.

(7) "Cattery" means a place of business, establishment, premises, or residence used for the care of cats, including but not limited to the boarding, grooming, breeding, show breeding, training, or selling of cats, but not including an animal hospital, veterinary clinic, or animal shelter.

"(8) 'City' means the City of Veneta, Lane County, Oregon."

(9) "Commercial dog kennel" means a place of business, establishment, premises, or residence used for the care of dogs, including but not limited to the boarding, grooming, breeding, show breeding, training, or selling of dogs, but not including an animal hospital, veterinary clinic, or animal shelter.

(10) "Dangerous animal" means any animal, including a dog, which has the propensity to bite or attack any person without provocation and the capacity to inflict serious harm on that person. It shall be presumed that any animal which has injured a human being on one occasion without provocation is a dangerous animal. "Dangerous animal" also includes any animal used as a weapon in the commission of a crime.

(11) "Domestic animal" means an animal typically kept as a pet.

(12) "Estrus" means the time during the reproductive cycle in animals when the female displays interest in mating. In most cases the animal is about to or has just ovulated, and is therefore impregnable.

(13) "Euthanasia" means the act of destroying or putting an animal to death in a humane manner by a licensed veterinarian or a certified euthanasia technician.

(14) "Exotic animal" means (a) any lion, tiger, leopard, cheetah, cougar, or other wild large cat species; (b) any nonhuman primate; (c) any wolf, except animals declared by their keeper to be wolf-dog hybrids; or (d) any other animal defined by the Oregon Revised Statutes as being exotic.

(154) "Feral cat" means a wild and untamed offspring of a domestic or stray cat that has not been neutered or spayed.

(16) "Habitually" means happening on two or more occasions, within a one-week period.

**(17) "Impound" means to take into possession, seize and hold in the custody of the City or City agents**

(18) "Leash" means any humane device constructed of rope, leather strap, chain or other sturdy material not exceeding 20 feet in length, held by a person capable of controlling the animal to which the device is attached.

(19) "Livestock" means cattle, sheep, horses, goats, swine, fowl, poultry, and any fur or feather-bearing animal bred and maintained commercially or otherwise within pens, cages, or hutches.

**(20) "Menace" means lunging, growling, snarling or other behavior by a dog that would cause a reasonable person to fear for person's safety.**

(21) "Muzzle" means a device constructed of strong, soft material or metal, used to cover an animal's mouth. The muzzle must be made in a manner that will not cause injury to the animal or interfere with its vision or respiration, but must prevent it from biting any person or animal.

(22) "Neutered" means the removal of the ovaries and uterus, ovarian hysterectomy, in female dogs, also known as "spaying"; the removal of the male gonads in male dogs.

(23) "Noncommercial dog kennel" means an establishment or premises where three or more dogs over four months of age are boarded, kept, or maintained for the hobby of the householder, but not including an animal hospital.

(24) "Nuisance dog" means any dog which habitually chases vehicles or persons, damages or destroys property of persons other than the keeper of the dog, scatters garbage, has been cited for barking or running at large on more than three occasions, or is a female in heat and running at large.

(25) "Person" means any individual, firm, partnership, association, or corporation.

**(26) "Physical injury" means impairment of physical condition or substantial pain. (26) Run at Large. An animal "runs at large" when the animal is off or outside the premises from which the keeper may lawfully exclude others and is not under the keeper's control by adequate leash. Any animal fully enclosed within a vehicle shall not be considered to be at large.**

(27) Run at Large. An animal "runs at large" when the animal is off or outside the premises from which the keeper may lawfully exclude others and is not under the keeper's control by adequate leash. Any animal fully enclosed within a vehicle shall not be considered to be at large.

(28) "Secure enclosure" means an enclosure, not including a residence, in which an animal is confined in such a way that the animal does not have access to humans or other animals. The enclosure shall not be less than eight feet long, four feet wide, and five feet tall. If the floor is not concrete, the outside walls must extend into the ground not less than one foot to prohibit the digging out of the animal. The top of the enclosure must be covered.

**(29) "Serious physical injury" means physical injury which creates a substantial risk of death or which causes serious and protracted disfigurement, protracted impairment of health, or protracted loss or impairment of the function of any bodily organ.**

(30) "Stray animal" means an animal that was once a domesticated pet but then became lost or abandoned.

(31) "Watchdog" means a dog for which a permit has been issued pursuant to VMC [6.05.050](#)(6) (c) and which is trained to attack intruders or which is confined at a business or commercial establishment to protect merchandise, inventory, or equipment.

(32) "Wild animal" means any animal living in a natural, undomesticated state but does not include feral cats or stray animals. (Ord. 500 § 1, 2011)

**6.05.020 Animals running at large prohibited.**

No animal keeper shall permit an animal, other than a cat, to run at large. (Ord. 500 § 2, 2011)

**6.05.030 Barking and nuisance dogs prohibited.**

(1) No person shall keep a barking or howling dog. The city council shall adopt complaint procedures and penalties for the keeping of barking or howling dogs by resolution.

(2) No person shall keep a nuisance dog. (Ord. 500 § 3, 2011)

**6.05.040 Animal waste matter.**

It shall be unlawful for an animal keeper, other than a cat keeper, to allow the animal to deposit solid waste matter on any improved property other than premises from which the keeper may lawfully exclude others, unless the animal keeper immediately and completely removes the solid waste. (Ord. 500 § 4, 2011)

**6.05.050 Licenses, fees, and exceptions.**

(1) Dog Licenses.

(a) Every keeper of a dog which has a set of permanent canine teeth or which has attained the age of six months, whichever event occurs first, shall immediately obtain a license for the dog. If the dog keeper moves into this city of Veneta, the keeper must obtain a city license not later than 30 days after moving into this city or the expiration of a valid license previously issued to the dog by another jurisdiction in this state.

(b) Licenses shall be valid for one, two or three years from the date of issuance or until the person who obtained the license ceases to be the dog's keeper, whichever occurs first.

(c) No license shall be issued until a certificate of vaccination for rabies, valid for the term of the license, is presented to the animal control authority.

(d) Dog keepers shall renew the dog license before it becomes delinquent for as long as they keep the dog.

(e) A license tag issued to a dog keeper shall be attached securely to a collar or harness on the dog for which it was issued. If the license tag is lost, the keeper may obtain a duplicate license upon satisfactory proof of loss and payment of the required fee.

(f) Except as provided in subsections (3) and (4) of this section, no dog keeper shall be entitled to obtain licenses for more than three dogs, and no more than three dogs of licensing age may be kept or maintained at any one residence, regardless of who is the keeper of the dogs; provided, however, that the dog keepers shall be entitled to obtain licenses for up to five dogs, if all such dogs are kept on property which is not less than one acre in size and which is zoned as rural residential property in accordance with the Veneta land development ordinance. No more than five dogs of licensing age may be kept on any such property.

(g) Notwithstanding the provisions of subsection (1)(f) of this section, any dog keeper shall be entitled to obtain licenses for all dogs properly licensed as of the effective date of the ordinance codified in this chapter. However, if the total number of dogs kept by a keeper or at any one residence exceeds the number permitted by subsection (1)(f) of this section, neither the dog keeper nor any other person residing on said premises shall be permitted to keep or license individually any dogs other than those which were kept on the effective date of the ordinance codified in this chapter, until such time as the total number of dogs kept upon such premises drops below the maximum number of dogs allowed under subsection (1)(f) of this section.

(2) Cats.

(a) Cats must be licensed if the city so requires by resolution. If a resolution is not in effect for cats, a keeper may voluntarily purchase a license for their cat under subsection (1) of this section as a way to help identify their cat if it becomes lost.

(b) No person shall keep more than three cats over the age of four months, nor shall more than three cats over the age of four months be kept at any one residence, regardless of who is the keeper of the cats; provided, however, that up to five cats may be kept if they are maintained on property which is not less than one acre in size and which is zoned rural residential in accordance with the Veneta land development ordinance.

(c) Notwithstanding the provisions of subsection (2)(b) of this section, all cats kept at any one residence upon the effective date of the ordinance codified in this chapter may, if licensed within 90 days of the effective date of any city resolution requiring cats to be licensed, continue to be kept until their deaths or until the cats cease to be kept by the person in possession of the residence. However, if the total number of cats kept at any one residence exceeds the number permitted by subsection (2)(b) of this section, neither the cat keeper nor any other person residing on such premises shall be permitted to keep any cats other than those kept upon the effective date of the ordinance codified in this chapter, until such time as the total number of cats kept upon such premises drops below the maximum number permitted in subsection (2)(b) of this section.

(d) No person shall operate a cattery without a cattery license. A license under this section shall not permit any cats kept, maintained, or boarded on the premises licensed for the cattery to be at large.

(e) Cattery licenses will be issued only for premises which are not less than one acre in size and zoned rural residential property in accordance with the Veneta land development ordinance, and such licenses may be revoked in accordance with the procedure set forth in subsection (3)(d) of this section.

### (3) Commercial Kennel License.

(a) No person shall operate a commercial kennel without a commercial kennel license. Commercial kennel licenses shall be valid for one year from the date of issuance.

(b) Commercial kennel licenses function in lieu of individual dog licenses. Dogs licensed under this subsection (3) must at all times be confined to the kennel premises so as not to be at large.

(c) No commercial kennel license will be issued under this subsection (3) to anyone not in conformity with applicable zoning statutes and ordinances. Commercial kennel licenses will be issued only for property which is not less than one acre in size and in accordance with the Veneta land development ordinance.

(d) The following provisions shall govern revocation of kennel licenses:

(i) Three or more violations of this chapter within a period of 12 calendar months shall result in revocation of licenses granted under this subsection (3).

(ii) Such revocation may occur only after a hearing before the municipal court judge and after the licensee has been mailed a notice of a time to appear at least five days in advance of the hearing. The notice shall include a general statement of the reasons for the revocation proceedings.

(iii) If the license is revoked, the licensee shall have 10 days in which to file a written appeal, on a form to be provided by the animal control authority, to this city council. Should no appeal be made, the revocation is effective upon the expiration of the appeal period.

(4) Noncommercial Kennel License. Noncommercial kennel licenses are not permitted in the city of Veneta.

(5) Fees. The dog and cat license fees which are due and payable upon the issuance of a license, and the other fees required to be paid under the provisions of this chapter shall be set by separate resolution adopted by the council.

(6) License Fees – Exceptions.

(a) No license fee shall be required for any dog kept by a disabled person who uses the dog as a guide or aide. A license shall be issued for such dog upon proper proof of rabies vaccination and upon filing of an affidavit by the blind person showing such dog comes within this exemption. Such affidavit shall be filed with the animal control authority.

(b) One-half price individual dog and cat licenses will be provided for animals which have been spayed or neutered. Dog and cat keepers applying for this reduced fee must present to the animal control authority a certificate from a licensed veterinarian stating that the animal to be licensed has been spayed or neutered.

(c) After application upon a form to be provided by the animal control authority, a permit may be issued to the keeper of a dog to use that dog as a watchdog. The fee for such permit shall be in addition to the individual dog license fee.

(d) An additional 50 percent discount off the reduced fee for individual dog and cat licenses will be provided for any dog or cat kept by a person 65 years of age or older upon proof of rabies vaccination, proof the dog has been spayed or neutered, and proof of person's age.

(7) Late Fee. A late fee established by resolution of the council will be charged if the license is not renewed within 30 days of the expiration date of the license. (Ord. 500 § 5, 2011)

**6.05.060 Abandoned animals.**

No animal keeper shall permit an animal for which the keeper is responsible to be neglected or abandoned. Any law enforcement officer or animal control officer may:

(1) Provide food or water to abandoned animals. The fee for such services shall be set by separate resolution of the city council.

(2) Impound any abandoned animal. As soon as practical, notice of impoundment under this section shall be posted at the house or be mailed to the keeper or, if the keeper is unknown, to the address at which the animal is found and impounded. (Ord. 500 § 6, 2011)

**6.05.070 Sick or injured animals.**

(1) Any sick or injured animal found by a law enforcement officer or animal control officer off the premises of its keeper shall be delivered to its keeper if it is feasible to do so. Any sick or injured animal whose

keeper is either unknown or cannot be reached after reasonable attempts to do so may be impounded. If the animal control officer or law enforcement officer determines that the animal is too severely injured to move, the animal control officer or law enforcement officer may elect to destroy or have the animal immediately destroyed by any humane method permitted under state law. If the method of destruction is to be euthanasia, this will be performed by a licensed veterinarian or technician. If the animal control officer believes that the animal should not be destroyed and that treatment is necessary, the animal may be delivered to a veterinarian for medical treatment. If the veterinarian determines that treatment should be given, such treatment may be given; provided, however, the animal may be euthanized if not claimed by its keeper within 72 hours after being delivered to the veterinarian.

(2) The city may contract for veterinarian services to be provided under this section.

(3) The keeper of any animal treated under this section shall pay the cost of such veterinary treatment, together with all costs of moving, euthanizing, or disposing of an animal in accordance with this section. (Ord. 500 § 7, 2011)

#### **6.05.080 Impoundment of animals.**

(1) Any law enforcement officer, animal control officer, or city employee may impound any animal which is in violation of this chapter.

(2) The animal control authority shall impound an animal if the keeper of the animal has not paid a fine for a violation of this chapter imposed by the municipal judge. The notice and disposition of an animal seized pursuant to this subsection shall be as described in VMC [6.05.090](#) and [6.05.100](#).

(3) Any person whose property has been trespassed upon by any animal in violation of this chapter may immediately apprehend that animal upon his property and hold the animal until delivery to an animal control officer, city employee, or to any law enforcement officer. Any person who so impounds an animal shall immediately notify the animal control authority of such impoundment.

(4) If an animal control officer or a law enforcement officer has probable cause to believe that any animal which is in an unoccupied motor vehicle may be in danger of harm or death, the animal control officer or law enforcement officer may enter the motor vehicle and impound the animal. (Ord. 500 § 8, 2011)

#### **6.05.090 Impounding regulations and disposition of impounded animals.**

(1) Except as provided in VMC [6.05.070](#), the animal control authority shall keep any animal impounded for the period of time specified in this subsection (1). A daily record of animals impounded by the animal control authority shall be kept at the place of impoundment and shall be made available to the public upon request. Unless the animal's keeper files an appeal with the municipal court pursuant to subsection (3) of this section, the animal control authority shall dispose of such animals in accordance with the following provisions:

(a) Unlicensed animals or animals for which the keeper is unknown and which have not been redeemed within 72 hours after impoundment may be sold, released to a new keeper, or euthanized.

(b) A licensed animal or animal for which the keeper is known which has not been redeemed within 120 hours of notification of the keeper by telephone contact, mailing of impoundment notice, or delivery of impoundment notice to the keeper's residence may be sold, released to a new keeper or euthanized.

(2) Except as provided in VMC [6.05.070](#) or in subsection (1)(a) of this section, the animal control authority shall notify the keeper by telephone, by mailing an impoundment notice to the keeper's residence, or by delivering an impoundment notice to the keeper's residence as soon as practicable after impoundment. If the keeper's residence and telephone number are unknown or the city is unsuccessful in contacting the keeper by telephone after not less than two attempts, notice of impoundment shall be posted at Veneta City Hall. The impoundment notice shall advise the keeper of the place where the animal is kept, the procedures required for the redemption of the animal, the fees for the impoundment, daily care and redemption, and the consequences of failure to redeem the animal.

(3) Except as provided in VMC [6.05.070](#), an animal keeper whose animal is impounded, within the period described in subsection (1)(a) or (b) of this section, whichever is applicable, may appeal the seizure and impounding by applying to the municipal judge for the release of the animal, and the municipal judge shall thereupon set a time and place for hearing the appeal and shall notify the impounding officer; and upon a summary hearing at such time and place, the municipal judge shall have full power to determine whether the animal has been wrongfully impounded and whether the animal shall be returned to its keeper, and upon what terms. Payment of the impoundment fee shall not prejudice an animal keeper's right to appeal from an allegedly wrongful impoundment. (Ord. 500 § 9, 2011)

**6.05.100 Impoundment – Redemption and sale.**

(1) No animal accused of chasing, killing, wounding or injuring livestock, biting or attempting to bite a human being, or carrying any dangerous disease, shall be redeemed except upon order of the municipal court entered after hearing pursuant to VMC [6.05.090](#)(3). The municipal court may impose conditions of redemption to prevent any further violation of this chapter, including but not limited to requirements that the animal be confined, quarantined, de-fanged, de-clawed, examined, muted, or trained.

(2) Redemption of an impounded animal shall be made by the keeper of the animal who exhibits satisfactory proof that the person is the animal's keeper and pays the following required fees and charges, which shall be set by separation resolution of the city council:

- (a) Impoundment fee.
- (b) Daily care fee.
- (c) License and rabies vaccination fees, if required.
- (d) Medical care fees, if required.

(3) The animal control authority or municipal court may require that an impounded animal be vaccinated for rabies and licensed as a condition of redemption.

(4) No impoundment charge shall be made for an animal released because the municipal court determines that no violation occurred.

(5) Impounded animals may be sold after the amount of time specified in VMC [6.05.090](#)(1) has passed. When an animal is sold by the animal control authority, the purchaser shall pay any required license and rabies vaccination fees.

(6) No live animal shall be sold by the animal control authority for surgical or medical demonstration or vivisection.

(7) Except as otherwise provided, 72 hours after impoundment the animal may be sold, released to a new keeper, or euthanized. (Ord. 500 § 10, 2011)

**6.05.110 Killing and chasing livestock, pets or wildlife.**

(1) No animal keeper shall permit his animal, while off the premises owned or under the control of the animal keeper, to chase, kill, wound or injure livestock, pets or wildlife not belonging to the animal keeper.

(2) If any animal, not under the control of its keeper, is found chasing or feeding upon the warm carcass of livestock, pets or wildlife not the property of such keeper, it shall be deemed (prima facie) as engaged in killing, wounding, or injuring livestock.

(3) Except as provided in subsection (4) of this section, any animal, whether licensed or not, which, while off the premises owned by or under control of its keeper, kills, wounds, or injures any livestock, pet or wildlife not belonging to the keeper of such animal is a public nuisance and may be killed immediately by any person. However, nothing in this section applies to any animal acting under the legal direction of its keeper, or the agents or employees of such keeper, as long as such direction is not in violation of any state statute or city ordinance.

(4) No person shall kill any animal wherever located for killing, wounding, injuring, or chasing chickens within the corporate limits of this city.

(5) No person shall keep any animal with knowledge that it has killed or wounded livestock, pets or wildlife.

(6) No keeper shall permit an animal to be at large and to chase, kill, wound, or injure livestock, pets or wildlife not belonging to the animal keeper.

(7) An animal found to have chased, killed, wounded or injured livestock, pets or wildlife in violation of this section may be impounded and disposed of in accordance with VMC [6.05.090](#) and [6.05.100](#). (Ord. 500 § 11, 2011)

6.05.120 Dangerous animals and behavior

~~(1) No person shall keep a dangerous animal, except for a licensed watchdog.~~

It is the intent of the city to promote a safe coexistence between pet owners and citizens and to apply restrictions only in those instances where there is a need to protect public safety, health and welfare. The purpose of this section is to establish a procedure whereby dogs and other animals that pose a reasonably significant threat of causing serious injury to humans, domestic animals, or property are identified and subjected to reasonable restrictions. For the purpose of this section, "animal" means dogs, domestic animals or livestock, not including cats.

- (1) Level 1 dangerous behavior is established if an animal at large, without provocation, is found to have menaced, displayed threatening or aggressive behavior, or otherwise threatened or endangered the safety of any domestic animal or livestock.
- (2) Level 2 dangerous behavior is established if an animal at large, without provocation, is found to have menaced, displayed threatening or aggressive behavior, or otherwise threatened or endangered the safety of any person.
- (3) Level 3 dangerous behavior is established if an animal, without provocation, is found to have:
  - (a) While at large, bitten or caused physical injury to any domestic animal which is not livestock;
  - (b) Bitten any person;
  - (c) While at large, killed any domestic animal; or
  - (d) While at large, bitten or caused physical injury to livestock; or
  - (e) Whether or not at large , caused serious injury to or the death of any person.
- (4) Notwithstanding section 6.05.120(1) through (3) above, the Animal Control Officer shall have discretionary authority to refrain from prosecuting a violation, even if the animal has engaged in the behaviors specified in section 6.05.120 (1) through (3) above, if the Animal Control Officer determines that the behavior was a result of the victim abusing or tormenting the animal or other extenuating circumstances.
- (5) No violation shall be found under section 6.05.120(1) through (3) if:
  - (a) the behavior is question was directed against a trespasser on the property of a business with a licensed watchdog; or

(b) the behavior in question was directed against a trespasser that has illegally entered any residence.

(6) (2) A dangerous animal may be impounded by any law enforcement officer, animal control officer, or city employee, and disposed of in accordance with VMC 6.05.090 and 6.05.100.

(7) (3) A dangerous animal running at large which, because of its disposition or diseased condition, reasonably appears to be hazardous to apprehend may be destroyed by any humane method permitted under state law by any law enforcement officer, animal control officer, or city employee. A dangerous animal running at large may be destroyed by any humane method permitted under state law by any other person upon property owned or controlled by such person if such person reasonably believes such action is necessary to prevent imminent physical harm to any person.

~~(4) Notwithstanding subsection (1) of this section, the animal control officer need not declare an animal to be dangerous or to have exhibited dangerous behavior if the animal control officer determines that the behavior displayed by the animal was the result of extenuating circumstances such as a trespasser illegally entering onto the property of the keeper or that while on the property of the keeper the victim provoked the animal by abusing or tormenting it. In such cases the animal control officer may require the keeper of the animal to muzzle their animal under certain circumstances or keep the animal in a secure enclosure. (Ord. 500 § 12, 2011)~~

#### 6.05.125 Dangerous Behavior Restrictions.

(1) For the purpose of this section, “animal” means dogs, domestic animals, and livestock, not including cats.

(2) In addition to the other penalties and requirements of these Animal Control Regulations, the court may impose one or more of the following restrictions on an owner of a dangerous animal, the owner of an animal that has committed dangerous behavior as described in section 6.05.120 may be ordered by the court to comply with the following restrictions in addition to any other restrictions the court deems reasonable under the circumstances if the animal is found to have engaged in:

(a) Level 1 dangerous behavior pursuant to section 6.05.120(1):, the animal shall be i) restricted animal with by a physical device or structure that prevents the animal from reaching any public right-of- way or adjoining property; ii). not permit the animal to be off the owner’s property unless the animal is restrained by an adequate leash, not to exceed six (6) feet in length, and under the control of a capable person over the age of 18. Whenever the animal is off the owner’s property, the animal shall be on a leash not to exceed six (6) feet in length and under control of a capable person over the age of (18) eighteen.

**(b) Level 2 dangerous behavior pursuant to section 6.05.120(2), or if the animal has engaged in Level 3 dangerous behavior pursuant to section 6.05.120(3)(a):, the owner shall meet the requirements of i) comply with section 6.05.125(21)(a); ii) and shall confine the animal within a secure enclosure or inside the home; and iii). The animal owner shall also post warning signs on the property where the animal is kept.**

**(c) Level 3 dangerous behavior pursuant to section 6.05.120(3)(b):, i) comply with the owner shall meet the requirements of section 6.05.125(2)(a)(1) and (2)(b); and ii) and shall, additionally, not permit the animal to be off the owner's property unless the animal is muzzled and restrained by an adequate leash, not to exceed six (6) feet in length, and under the control of a capable person over the age of 18.**

**(d) Level 3 dangerous behavior pursuant to section 6.05.120(3)(c) through (e): , the animal may be euthanasia.**

**(e) Level 3 dangerous behavior pursuant to section 6.05.120(3)(e): suspend, for a period of time, the animal owner's right to possess any animal within the City of Veneta, including animals currently owned by that person.**

**(3) To ensure correct identification, all animals that have engaged in dangerous behavior described in section 6.05.120 shall be required to wear an identifying collar and ID tag, to be issued by the City, in addition to any other license fees and other requirements.**

**(4) In addition to the normal licensing fees established in section 6.05.050, there shall be an additional licensing and supervision fee for dogs that have been determined to have engaged in dangerous behavior pursuant to section 6.05.120 in amounts provided by rResolution of the city council. This additional fee shall first be payable at the time that determination is made. Renewals are due upon the anniversary of the determination."6.05.130 Reporting of biting dogs or other animals.**

#### **6.05.130 Reporting of biting dogs or other animals.**

(1) The keeper of an animal which bites a human being shall immediately notify the animal control authority of such bite, the time and circumstances of such bite, and the name and address of the person bitten, if known.

(2) Any person who is bitten by an animal shall forthwith notify the animal control authority of such bite, giving a description of the animal, the time and circumstances of the bite, and the name and address of the keeper, if known.

(3) When a doctor, veterinarian, hospital employee, emergency medical technician, or other person, has information that a person has been bitten by an animal, such person shall forthwith notify the animal control authority. (Ord. 500 § 13, 2011)

**6.05.140 Biting and rabid animals – Quarantine.**

(1) When either the animal control authority or the Department of Public Health and Human Services or Department of Public Safety of Lane County has grounds to suspect that an animal is infected with the disease of rabies, there shall be delivered to the keeper of the animal a written notice thereof, if the keeper's name and address are known to the animal control authority. Upon receipt of the notice, the keeper shall be required to quarantine the animal for 10 days, or such other time period as the animal control authority may designate, at a location designated by the animal control authority. The biting of any person by an animal shall constitute adequate grounds for suspecting the animal to be infected with rabies, even if the animal has a current rabies vaccination. The delivery of the notice to the keeper's residence or usual place of abode, or the premises where the animal is usually kept, shall be considered delivery of notice to the keeper. If the animal is quarantined in a veterinary hospital, kennel, or other institution, the keeper shall pay a fee for the quarantine which shall be set by separate resolution of the city council.

(2) Any animal which has been bitten by another animal proved to be rabid shall be destroyed by any humane method permitted under state law.

(3) If an animal exhibits symptoms of rabies while it is under quarantine, the Director of Public Health may order in writing that it be euthanized and that its head be submitted to the Oregon State Public Health Laboratory. (Ord. 500 § 14, 2011)

**6.05.145 Restrictions imposed after quarantine.**

**(1) The purpose of this section is to establish optional restrictions which the Veneta Municipal Judge may impose upon owners and keepers of animals that have been cited into Veneta Municipal Court for a violation of 6.05.120(1), (2) or (3) prior to their Court arraignment date on the issued citation.**

**(2) The Municipal Judge shall have the authority to determine whether any animal has engaged in the behaviors for which the citation was issued based upon affidavit testimony provided by City staff, officers, or other witnesses who personally observed the behavior.**

**(3) Based upon the Municipal Judge's independent investigation conducted pursuant to section 6.05.145(2), as a precautionary measure prior to a court arraignment, the Municipal Judge may impose one or more of the following restrictions: listed below;**

**(a) The animal shall be confined by a physical device or structure that prevents the animal from reaching any public right-of-way or adjoining property.**

**(b) The animal shall be on a leash not to exceed six (6) whenever off the owner's property and under control of a capable person over the age of eighteen (18).**

**(c) The animal shall be confined within a secure enclosure or inside the home.**

**(d) The animal shall not be allowed off the owner's property unless the animal is muzzled.**

**(e) The owner shall post warning signs on the property where the animal is kept.**

**(f) The owner and dog shall attend and complete a dog behavior class approved by the court.**

**(g) The owner shall spay or neuter the dog.**

**(h) The owner shall not sell, destroy or remove the animal from city limits without prior approval from the Court.**

**(4) The Municipal Judge shall provide written notice to the animal's owner or keeper of the precautionary restrictions place upon the animal by certified mail or personal service, identifying the citation, as well as the specific behavior meriting the precautionary restrictions. The notice shall also inform the owner or keeper that he or she may contest the behavior in question in court, on the day provide on the issued citation.**

**(5) If the keeper of the animal fails to comply with the restrictions imposed by the Court, under this Section 6.05.145, any law enforcement officer, animal control officer, or city employee may impound the animal.**

**6.05.150 Dead animals – Removal of carcasses.**

No person shall knowingly permit an animal carcass owned by him to remain on public property or to be exposed on private property for more than 24 hours. (Ord. 500 § 15, 2011)

**6.05.160 Exotic animals.**

No person shall keep an exotic animal within the city limits of Veneta. (Ord. 500 § 16, 2011)

**6.05.170 Entry on sidewalk or street.**

No animal shall be picketed or tied in such a manner that it may go onto a public sidewalk or into a public street. (Ord. 500 § 17, 2011)

**6.05.180 Entry onto private land.**

Any law enforcement officer, animal control officer, or city employee may enter onto private property in order to enforce the terms of this chapter. This privilege shall be exercised by the officer or employee within applicable legal authorizations. (Ord. 500 § 18, 2011)

**6.05.190 Enforcement authority.**

Officers of any animal control authority contracted or appointed by the city, and all city employees, are hereby empowered to enforce the provisions of this chapter, and said officers shall enforce such ordinance by citing alleged violators to appear in Veneta municipal court. (Ord. 500 § 19, 2011)

**6.05.200 Exemption for law enforcement animals.**

An animal owned by a law enforcement agency is exempt from the provisions of this chapter, so long as the animal is under the care and control of a law enforcement officer. (Ord. 500 § 20, 2011)

**6.05.210 Penalties.**

(1) A person violating any section of this chapter or an order issued under authority of this chapter shall, upon conviction, be punished by a fine not to exceed either \$500.00 or the applicable amount set forth by separate resolution setting the fees and fines for violations of this chapter. Each day during which violation of this chapter continues or occurs shall constitute a separate violation.

(2) Notwithstanding subsection (1) of this section, if the conduct violating this chapter also violates provisions of a state statute identical to the provisions of this chapter and to which a lesser penalty attaches under state law, punishment of the violation shall be limited to the lesser penalty prescribed by state law. (Ord. 500 § 21, 2011)



**ORDINANCE No. 521**

**AN ORDINANCE AMENDING CHAPTER 6.05 – ANIMAL REGULATIONS OF THE VENETA MUNICIPAL CODE; AND DECLARING AN EMERGENCY**

WHEREAS, the City wishes to add provisions to the municipal code to define a dangerous animal and behavior, identify and define levels of dangerous behavior, and add procedures and restrictions that can be imposed prior to a court appearance once a citation has been issued for a dangerous animal; and

WHEREAS, The City Council finds that the restrictions will only be applied in those instances where there is a need to protect public safety, health and welfare; and

WHEREAS, the City Council finds the code revisions will promote a safe coexistence between pet owners and citizens.

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

**Section 1.** The term “peace officer” as used in Veneta Municipal Code (VMC) Chapter 6.05, Sections 6.05.060, 6.05.070, 6.05.080, and 6.05.180 is hereby amended to read as, “law enforcement officer”.

**Section 2.** VMC 6.05.010, Animal control – Definitions, is hereby amended to insert the following definitions in alphabetical order and renumber existing sections accordingly:

“(8) ‘City’ means the City of Veneta, Lane County, Oregon.”

“(17) ‘Impound’ means to take into possession, seize and hold in the custody of the City or City agents.”

(20) ‘Menace’ means lunging, growling, snarling or other behavior by a dog that would cause a reasonable person to fear for person’s safety.

“(26) ‘Physical injury’ means impairment of physical condition or substantial pain.

“(29) ‘Serious physical injury’ means physical injury which creates a substantial risk of death or which causes serious and protracted disfigurement, protracted impairment of health, or protracted loss or impairment of the function of any bodily organ.”

**Section 3.** VMC 6.05.120 is hereby amended as follows:

**“6.05.120 Dangerous animals and behavior**

It is the intent of the city to promote a safe coexistence between pet

owners and citizens and to apply restrictions only in those instances where there is a need to protect public safety, health and welfare. The purpose of this section is to establish a procedure whereby dogs and other animals that pose a reasonably significant threat of causing serious injury to humans, domestic animals, or property are identified and subjected to reasonable restrictions. For the purpose of this section, "animal" means dogs, domestic animals or livestock, not including cats.

(1) Level 1 dangerous behavior is established if an animal at large, without provocation, is found to have menaced, displayed threatening or aggressive behavior, or otherwise threatened or endangered the safety of any domestic animal or livestock.

(2) Level 2 dangerous behavior is established if an animal at large, without provocation, is found to have menaced, displayed threatening or aggressive behavior, or otherwise threatened or endangered the safety of any person.

(3) Level 3 dangerous behavior is established if an animal, without provocation, is found to have:

- (a) While at large, bitten or caused physical injury to any domestic animal which is not livestock;
- (b) Bitten any person;
- (c) While at large, killed any domestic animal; or
- (d) While at large, bitten or caused physical injury to livestock; or
- (e) Whether or not at large, caused serious injury to or the death of any person.

(4) Notwithstanding section 6.05.120(1) through (3) above, the Animal Control Officer shall have discretionary authority to refrain from prosecuting a violation, even if the animal has engaged in the behaviors specified in section 6.05.120 (1) through (3) above, if the Animal Control Officer determines that the behavior was a result of the victim abusing or tormenting the animal or other extenuating circumstances.

(5) No violation shall be found under section 6.05.120(1) through (3) if:

- (a) The behavior in question was directed against a trespasser on the property of a business with a licensed watchdog; or
- (b) The behavior in question was directed against a trespasser that has illegally entered any residence.

(6) A dangerous animal may be impounded by any law enforcement officer, animal control officer, or city employee, and disposed of in accordance with VMC 6.05.090 and 6.05.100.

(7) A dangerous animal running at large which, because of its disposition

or diseased condition, reasonably appears to be hazardous to apprehend may be destroyed by any humane method permitted under state law by any law enforcement officer, animal control officer, or city employee. A dangerous animal running at large may be destroyed by any humane method permitted under state law by any other person upon property owned or controlled by such person if such person reasonably believes such action is necessary to prevent imminent physical harm to any person.”

**Section 4.** VMC 6.05 is hereby amended to insert a new section 6.05.125, Dangerous Behavior Restrictions, as follows:

**“6.05.125 Dangerous behavior restrictions.**

(1) For the purpose of this section, ‘animal’ means dogs, domestic animals, and livestock, not including cats.

(2) In addition to the other penalties and requirements of these Animal Control Regulations, the court may impose one or more of the following restrictions on an owner of a dangerous animal:

- (a) Level 1 dangerous behavior pursuant to section 6.05.120(1): i) restrict animal with a physical device or structure that prevents the animal from reaching any public right-of-way or adjoining property; ii) not permit the animal to be off the owner’s property unless the animal is restrained by an adequate leash, not to exceed six (6) feet in length, and under the control of a capable person over the age of 18.
- (b) Level 2 dangerous behavior pursuant to section 6.05.120(2) or Level 3 dangerous behavior pursuant to section 6.05.120(3)(a): i) comply with section 6.05.125(2)(a); ii) confine the animal within a secure enclosure or inside the home; and iii) post warning signs on the property where the animal is kept.
- (c) Level 3 dangerous behavior pursuant to section 6.05.120(3)(b): i) comply with section 6.05.125(2)(a) and (2)(b); and ii) not permit the animal to be off the owner’s property unless the animal is muzzled and restrained by an adequate leash, not to exceed six (6) feet in length, and under the control of a capable person over the age of 18.
- (d) Level 3 dangerous behavior pursuant to section 6.05.120(3)(c) through (e): euthanasia.
- (e) Level 3 dangerous behavior pursuant to section 6.05.120(3)(e): suspend, for a period of time, the animal owner’s right to possess any animal within the City of Veneta, including animals currently owned by that person.

(3) To ensure correct identification, all animals that have engaged in dangerous behavior described in section 6.05.120 shall be required to wear an identifying collar and ID tag, to be issued by the City, in addition to any other license fees and other requirements.

(4) In addition to the normal licensing fees established in section 6.05.050, there shall be an additional licensing and supervision fee for dogs that have been determined to have engaged in dangerous behavior pursuant to section 6.05.120 in amounts provided by resolution of the city council. This additional fee shall first be payable at the time that determination is made. Renewals are due upon the anniversary of the determination.”

**Section 5.** Veneta Municipal Code (VMC) 6.05 is hereby amended to insert a new section, 6.05.145, Restrictions imposed after quarantine, as follows:

**“6.05.145 Restrictions imposed after quarantine.**

(1) The purpose of this section is to establish optional restrictions which the Veneta Municipal Judge may impose upon owners and keepers of animals that have been cited into Veneta Municipal Court for a violation of 6.05.120(1), (2) or (3) prior to their Court arraignment date on the issued citation.

(2) The Municipal Judge shall have the authority to determine whether any animal has engaged in the behaviors for which the citation was issued, based upon affidavit testimony provided by City staff, officers, or other witnesses who personally observed the behavior.

(3) Based upon the Municipal Judge’s independent investigation conducted pursuant to section 6.05.145(2), as a precautionary measure prior to a court arraignment, the Municipal Judge may impose one or more of the following restrictions:

- (a) The animal shall be confined by a physical device or structure that prevents the animal from reaching any public right-of-way or adjoining property.
- (b) The animal shall be on a leash not to exceed six (6) feet in length whenever off the owner’s property and under control of a capable person over the age of eighteen (18).
- (c) The animal shall be confined within a secure enclosure or inside the home.
- (d) The animal shall not be allowed off the owner’s property unless the animal is muzzled.
- (e) The owner shall post warning signs on the property where the animal is kept.

- (f) The owner and dog shall attend and complete a dog behavior class approved by the court.
- (g) The owner shall spay or neuter the dog.
- (h) The owner shall not sell, destroy or remove the animal from city limits without prior approval from the Court.

(4) The Municipal Judge shall provide written notice to the animal's owner or keeper of the precautionary restrictions place upon the animal by certified mail or personal service, identifying the citation, as well as the specific behavior meriting the precautionary restrictions. The notice shall also inform the owner or keeper that he or she may contest the behavior in question in court, on the day provided on the issued citation.

(5) If the keeper of the animal fails to comply with the restrictions imposed by the Court under this Section 6.05.145, any law enforcement officer, animal control officer, or city employee may impound the animal."

**Section 6.** All unamended provisions within Chapter 6.05 shall remain in full force and effect.

**Section 7. Emergency Declared.** It is hereby adjudged and declared that existing conditions are such that this Ordinance is necessary for the immediate preservation of the public peace, health, and safety of the City of Veneta, and an emergency is hereby declared to exist. This Ordinance and all provisions modifying the Ordinance referred to herein shall take full force and effect upon its passage by the Council and approval by the Mayor.

READ FOR A FIRST TIME, BY TITLE ONLY, this \_\_\_\_day of June, 2015, 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 June, 2015 no Council person present having requested that it be read in full.

PASSES AND ADOPTED by a \_\_\_\_\_ for and a \_\_\_\_vote against by the Veneta City Council this \_\_\_\_\_day of June, 2015.

XXXXXXXXXXXXXXXXXXXX

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

ATTEST:  
XXXXXXXXXXXXXXXXXXXX  
\_\_\_\_\_  
Darci Henneman, Assistant City Recorder



# Minutes of the Veneta City Council

## June 8 2015

Present: Sandra Larson, Tim Brooker, Thomas Cotter, Victoria Hedenstrom, Calvin Kenney, and Robbie McCoy

Absent: Thomas Laing

Others: Ric Ingham, City Administrator; Shauna Hartz; Finance Director; Kyle Schauer, Public Works Director; Darci Henneman, City Recorder; Kim Kaufman, Mid Lane Cares; and Joan Mariner, Fern Ridge Review

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

Mayor Larson called the City Council to order at 7 p.m. and immediately recessed the City Council.

### 2. CALL TO ORDER THE URBAN RENEWAL AGENCY BUDGET COMMITTEE

a. Approval of May 14, 2015 Urban Renewal Agency Budget Committee Meeting Minutes

**MOTION: Tim Brooker made a motion to approve the May 14, 2015 Urban Renewal Agency Budget minutes. Calvin Kenney seconded motion which passed with a vote of 6-0.**

Committee Chair, Thomas Cotter, adjourned the Urban Renewal Agency Budget Committee.

### 3. CALL TO ORDER THE CITY OF VENETA BUDGET COMMITTEE

a. Approval of May 14, 2015 Budget Committee Meeting Minutes

**MOTION: Tim Brooker made a motion to approve the May 14, 2015 Budget Committee minutes. Calvin Kenney seconded motion which passed with a vote of 6-0.**

Committee Chair, Thomas Cotter, adjourned the City of Veneta Budget Committee.

Mayor Larson reconvened the Veneta City Council.

### 4. IF I WERE MAYOR CONTEST WINNERS

Mayor Larson said the winners of the 2015 Oregon Mayor's Association if "I were Mayor" Contest were 4<sup>th</sup> grade student Mackenzie Corbett and 10<sup>th</sup> grade student Riley Craig. Both students received a certificate. Additionally, Mackenzie received a \$25 gift card to Dari Queen and Riley received a \$50 VISA card. Mayor Larson said both entries will be entered in the statewide contest.

Calvin Kenney took pictures of the winners with Mayor Larson.

### 5. USES OF STATE SHARED REVENUE

a. **PUBLIC HEARING** – Uses of State Shared Revenue

1) Mayor Larson opened the Public Hearing at 7:09 p.m.

2) Staff Report

Hartz said in order to continue collecting state highway, cigarette and liquor taxes, the City is required to hold two public hearings to allow for public comment. The first was held on May 14<sup>th</sup> by the Budget Committee and the second is today. She said funds from the highway taxes are restricted to street uses. The liquor and cigarette taxes have no restrictions and will be put into the General fund and Parks and Recreation fund. Hartz asked if there were any questions.

3) Public Comment  
None

- 4) Questions from Council  
None
- 5) Mayor Larson closed the Public Hearing at 7:10 p.m.
- 6) Council Deliberation  
None

**6. APPROVED BUDGET FOR FISCAL YEAR 2015-16**

**a. PUBLIC HEARING – Approved Budget for Fiscal Year 2015-16**

- 1) Mayor Larson opened the Public Hearing at 7:11 p.m.
- 2) Staff Report  
Hartz said according to budget law, the City is required to adopt a new operating budget before June 30, 2015. She said the budget was approved by the Budget Committee on May 14<sup>th</sup> and noticed in the Fern Ridge Review on May 27, 2015.
- 3) Public Comment  
None
- 4) Questions from Committee  
None
- 5) Mayor Larson closed the Public Hearing at 7:12 p.m.
- 6) Committee Deliberation  
None

**7. PUBLIC COMMENT**

None

**8. CONSENT AGENDA**

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

**VOTE: Thomas Cotter, aye; Sandra Larson, aye; Victoria Hedenstrom, aye; Tim Brooker, aye.**

The consent agenda as approved included minutes for March 9, 2015 Joint Meeting of the City Council and Planning Commission, minutes for April 27, 2015 Work Session, minutes for April 27 2015, minutes for May 11, 2015 Work Session, minutes for May 11, 2015, minutes for May 21, 2015, Accounts Payable - Checks for Approval – Paid through May 19, 2015, To be Paid – Payable through June 2, 2015, and the Public Works Activity Report for May, 2015.

**9. COUNCIL BUSINESS AND REPORTS**

**a. Business**

- (1) Appointment to Fill Park Board Vacancies (Position 6)  
Mayor Larson appointed Jody Kenney to position 6 on the Veneta Park Board.
- (2) Request from Mid Lane Cares to provide Liability Insurance for the Community Garden Project  
Ingham said Mid Lane Cares is requesting the City provide liability insurance for the Community Garden Project. He said Mr. Kaufman approached the City last year about Mid Lane Cares starting a garden to provide fresh vegetables for the Tuesday and Thursday lunches at the Service Center. He said staff assisted with finding the location and the City will contribute the water. Mr. Kaufman came back this year with the idea of a community garden rather than a specific garden for Mid Lane Cares. Ingham said as with any use of City property, the City requires liability insurance. Mr.

Kaufman said it would cost Mid Lane over \$500 to provide liability insurance for the garden. Ingham said from a risk management standpoint, staff suggested rather than providing liability insurance to Mid Lane, the City could reimburse them for the cost to provide their own insurance.

Thomas Cotter and Tim Brooker agreed it was a good idea and they would like to see a community garden take hold in our community.

Mayor Larson said she's sure there are many possibilities and she said it's important that the garden would not just be for the Service Center but for the entire community.

Mr. Kaufman said any excess produce will be donated to the food boxes and to the Service Center kitchen. He said the culinary program at West Lane Technical Learning Center has been assisting with the Tuesday and Thursday lunches at the Service Center and they would like to grow some of their own vegetables and herbs for their culinary class.

In response to a question from Victoria Hedenstrom, Mr. Kaufman said they're working on getting grant funds to erect a fence around the garden including a locking gate.

**MOTION: Thomas Cotter made a motion to reimburse Mid Lane Cares, from the Council Discretionary Fund, for the cost of liability insurance (NTE \$510) for the community garden. Tim Brooker seconded motion which passed with a vote of 4-0.**

b. Councilor/Committee Liaison Reports

Thomas Cotter said the Wineries without Walls (WwW) project was discussed at the last Chamber Board meeting. He said Jason Gard provided a profit and loss statement and the board will meeting tomorrow to decide on the design of the banner for the WwW tasting room. He said the Board and the operator of WwW felt they could draw more people in from the highway if a WwW banner was installed on the building. He said the current banner displays the Chamber office as a visitor's center but they want to advertise wine and local micro brews tasting on the weekends. He said the next Chamber luncheon is Wednesday, June 10<sup>th</sup>.

In response to a question from Mayor Larson, Ingham said the new banner will replace the current sign. He said we don't know what the banner will cost and the City could contribute funds from the Rural Tourism Marketing Program (RTMP) but if the banner is \$4000 to \$6000, the Council needs to decide if they want to commit that much. He said the WwW operator may also contribute funds.

Tim Brooker said he attended the Lane Area Commission on Transportation (LACT) orientation on May 26<sup>th</sup> which was about 90 minutes long. He said he found it very informative because it answered many of his questions. He said he has not had an opportunity to review the meeting materials for this Wednesday's meeting.

Victoria Hedenstrom provided the Council with a Park Board update. She said the Earth Day event at Veneta Elementary was a huge success and had 14 booths and entertained 400 school age and preschool age kids. She said it was decided that Movie Night will be put on hold for many reasons; the Bolton Fields may be too large of a venue and the Park Board member that spearheaded the event has moved on. The Park Board talked about having a booth at the Harvest Festival, and assisting the pool staff with the summer pool events. She said with Jody Kenney joining the Park Board, there is only one vacancy on the Board. She said the Fall Tree planting event will be in October and the pine needle baskets would be a great youth event for the Harvest Festival or the Fall Tree Planting.

Mayor Larson said the Veneta Crime Watch group met at the library and the meeting was well attended and very productive. She said on Saturday, June 6<sup>th</sup> the Veneta Founder's plaque was dedicated and is on display at Applegate Pioneer Museum. She said the event was well attended and many descendants of the Hunter family also attended. She thanked Ric, Kyle, Kip and Andy for all of their

help. Mayor Larson said the Benefit by the Glass event was yesterday which went well. She said there were many local school graduation ceremonies last week. She said West Lane Technical Learning Center graduated 12 students and Elmira High School graduated 106 students. She said over the last four years local students have received over 1.5 million dollars in grants and scholarships. She said there will be a groundbreaking ceremony at 12:30 p.m. at Veneta Elementary tomorrow for their new building additions. She said Fern Ridge Middle School (FRMS) students will be released from school early for the cardboard boat races at the Community Pool and the 8<sup>th</sup> grade graduation ceremony is also tomorrow.

**10. STAFF REPORTS**

a. Finance Director.....Shauna Hartz

(1) Adoption of Budget and State Revenue Eligibility for Fiscal Year 2015-16

i. Agenda Item Summary for Resolution Nos. 1173, 1174, 1175

Hartz said her agenda item summary includes all three resolutions. She said Resolution No. 1173 adopts the approved budget for FY 2015-16. Hartz said in order to receive state shared revenue, the City must approve Resolution No. 1174 certifying that we provide four or more municipal services; and Resolution No. 1175 declaring the City's election to receive state shared revenue. She said there is a minor change to Resolution No. 1173 which she reviewed with the Council. She asked the Council if there were any questions.

ii. **RESOLUTION No. 1173** – A RESOLUTION ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2015-2016; SPECIFYING APPROPRIATIONS; IMPOSING TAXES; AND CATEGORIZING TAXES IMPOSED

**MOTION: Thomas Cotter made a motion to approve Resolution No. 1173, a resolution adopting the operating budget for fiscal year 2015-2016; specifying appropriations; imposing taxes, and categorizing taxes imposed and including the changes previously mentioned. Tim Brooker seconded motion which passed with a vote of 4-0.**

iii. **RESOLUTION No. 1174** – A RESOLUTION CERTIFYING THAT THE CITY PROVIDES FOUR OR MORE MUNICIPAL SERVICES

**MOTION: Thomas Cotter made a motion to approve Resolution No. 1174, a resolution certifying that the City provides four or more municipal services. Victoria Hedenstrom seconded motion which passed with a vote of 4-0.**

iv. **RESOLUTION No. 1175** – A RESOLUTION DECLARING THE CITY'S ELECTION TO RECEIVE STATE SHARED REVENUES

**MOTION: Thomas Cotter made a motion to approve Resolution No. 1175, a resolution declaring the City's election to receive state shared revenue. Victoria Hedenstrom seconded motion which passed with a vote of 4-0.**

b. Public Works Director.....Kyle Schauer

(1) Award of Contract for East Bolton Road Sanitary Sewer Project

Schauer said the City received three bids for construction of the E. Bolton Rd. Sanitary Sewer Project. He said the lowest responsive bid came from H & J Construction, Inc. which was lower than the City Engineer's estimate. He said the City Engineer recommended the contract be awarded to H & J Construction, Inc. for a not to exceed amount of \$235,000 which includes a 20% contingency.

**MOTION: Thomas Cotter made a motion to authorize City staff to enter into contract with H & J Construction, Inc. to construct the East Bolton Road Sanitary**

**Sewer project for an amount not to exceed \$235,000. Tim Brooker seconded the motion which passed with a vote of 4-0.**

In response to a question from Tim Brooker, Schauer said he's not sure how long it will take to complete this project but H & J specializes in pipe laying so they are familiar with this type of construction.

Ingham said soon staff will notify E. Bolton residents of the project timeline.

c. City Administrator.....Ric Ingham

(1) Prohibition Smoking in City Parks

i. Agenda Item Summary

Ingham said staff is requesting the Council adopt Ordinance No. 520 for first and second reading by title only tonight with an effective date of July 8, 2015.

ii. Public Comment  
None

iii. **Ordinance No. 520 - AN ORDINANCE AMENDING VENETA MUNICIPAL CODE CHAPTER 12.10 PROHIBITING SMOKING WITHIN CITY PARKS**

**MOTION: Thomas Cotter made a motion to approve Ordinance No. 520 for first reading by title only. Tim Brooker seconded motion which passed with a vote of 4-0.**

Ordinance No. 520 was read into the record for first reading by title only.

**MOTION: Thomas Cotter made a motion to approve Ordinance No. 520 for second reading by title only and final enactment on July 8, 2015. Tim Brooker seconded motion which passed with a vote of 4-0.**

Ordinance No. 520 was read into the record for second reading by title only for final enactment of July 8, 2015.

After a brief discussion, it was brought to staff's attention that the title read into the record was incorrect.

**MOTION: Thomas Cotter withdrew his motions approving Ordinance No. 520 for first and second reading.**

**MOTION: Thomas Cotter made a motion to approve Ordinance No. 520 for first reading by title only. Victoria Hedenstrom seconded motion which passed with a vote of 4-0.**

The correct title of Ordinance No. 520 was read into the record for first reading by title only.

**MOTION: Thomas Cotter made a motion to approve Ordinance No. 520 for second reading by title only and final enactment on July 8, 2015. Tim Brooker seconded motion which passed with a vote of 4-0.**

The correct title of Ordinance No. 520 was read into the record for second reading by title only for final enactment of July 8, 2015.

(2) Questions from Councilors

Tim Brooker said he would like to address fireworks and suggested a flyer be included in the upcoming utility bills to encourage fireworks be lit in the street and not in yards.

Victoria Hedenstrom would like to discuss, at a later time, wood burning stoves in Veneta.

**6. OTHER**

Ingham said representatives from the Army Corps of Engineers and the Oregon Dept. of Fish and Wildlife will be attending the Wednesday Chamber meeting to discuss how long Fern Ridge Reservoir will be at full pool. He encouraged elected officials to attend if possible.

In response to a question from Victoria Hedenstrom, Ingham said he will try to take thorough notes from the meeting that he will forward to her.

Ingham said he would like to informally discuss, with a couple of Councilors, Lane County's desire for the City to use the County's reservation system to purchase Zumwalt Campground tickets during the Oregon Country Fair. He said after the meeting, staff will bring information back to the full Council.

Thomas Cotter and Tim Brooker volunteered to discuss the issue.

Ingham said the League of Oregon Cities annual conference is in September and hotel reservations can be made starting July 1<sup>st</sup>. He asked the Council to let him know by then if they would like to attend.

Hartz said she is very pleased with the new City auditors and their process. She provided a letter from the auditor and two questionnaires for Councilors to complete independent of staff. She asked that the questionnaires be completed and mailed directly to Accuity, LLC by the end of the month. Hartz said the auditors were here for two and a half days.

**7. ADJOURN**

Mayor Larson adjourned the Veneta City Council at 8:13 p.m.

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Sandra H. Larson, Mayor

ATTEST:

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

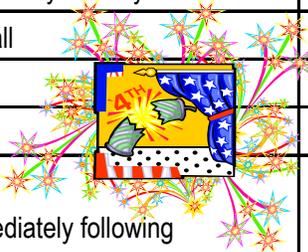
Darci Henneman, City Recorder  
Minutes prepared by DHenneman)



**CITY OF VENETA - CIVIC CALENDAR - JULY 2015**

Veneta Administrative Center - 88184 8th Street, Veneta, Oregon

<b>1</b>	Veneta Park Board Meeting - City Hall	Cancelled
<b>3</b>	City Hall closed in Observance of Independence Day Holiday	Closed
<b>7</b>	Veneta Planning Commission Meeting - City Hall	7:00 p.m.
<b>9</b>	Zumwalt Campground Opens	2:00 p.m.
<b>12</b>	Zumwalt Campground Closes	11:00 p.m.
<b>13</b>	Veneta City Council Meeting - City Hall Veneta Urban Renewal Agency Meeting - Immediately following City Council Meeting	6:30 p.m.
<b>16</b>	Municipal Court - City Hall	8:30 a.m.
<b>17</b>	Night Waves Teen Party	8:30 p.m. to 10:00 pm.
<b>27</b>	Veneta City Council Meeting - City Hall	6:30 p.m.



Calendar updates will be posted on the City's website at [www.venetaoregon.gov](http://www.venetaoregon.gov)  
 This Civic Calendar was sent to: Fern Ridge Review, Fern Ridge School District 28J,  
 Fern Ridge Public Library, and Lane Fire Authority



# VENETA CITY COUNCIL

## AGENDA ITEM SUMMARY

### TITLE/TOPIC: Quarterly Community Development Department Activity Report

Meeting Date: June 22, 2015  
 Department: Community Development

Staff Contact: Lisa Garbett  
 Email: lgarbett@ci.veneta.or.us  
 Telephone Number: 541-935-2191 Ext.304

The following is a summary update of planning and building activities for the year 2015 from January to June.

#### Current Planning Activity Summary

The table below summarizes 2015 Land Use applications and inquiries approved or in process as of June 13, 2015. The most significant applications for the year so far include the Applegate Landing Phase 3 Final Plat and Site Plan Review Amendments for the West Lane Technical Learning Center and Veneta Elementary School.

Planning Applications & Inquiries for 2014-2015		
Application Type	2014 Total	Year to Date 2015 Total
Amendment	3	0
Subdivisions	2	0
Final Plat (Subdivision)	0	1
Site Plan Reviews	2	0
Site Plan Amendment	0	2
Partitions	0	1
Property Line Adjustments	0	0
Variances	3	0
Temporary Use Permits Renewal	2	1
Temporary Use Permit	0	0
Conditional Use Permits	0	0
Zone Changes	0	0
Appeals	0	0
Tree Removal Type A	8	10
Tree Removal Type B	4	2
Sign Permits	6	3
Chicken Permits	8	1
Inquiries	216	47
<b>Total Permits/Applications</b>	<b>251</b>	<b>64</b>

**Building Permit Activity Summary**

The table below summarizes building permits issued for each calendar year. In 2015, the City issued 8 single family residential permits and 23 other building permits so far. The City has collected \$139,458.67 in System Development Charges since January 2015.

<b>Building Permits Issued By Year</b>			
<b>YEAR</b>	<b>New SFR</b>	<b>Other</b>	<b>Total</b>
1999	23	72	95
2000	10	73	83
2001	35	140	175
2002	56	71	127
2003	115	67	182
2004	126	79	205
2005	112	108	220
2006	120	112	232
2007	55	125	180
2008	25	79	104
2009	23	64	87
2010	15	59	74
2011	12	63	75
2012	11	58	69
2013	30	81	111
2014	14	84	96
2015	8	23	31

**Long Range Planning Activities Summary**

The Draft Residential Buildable Lands Inventory was adopted in 2015. The Economic Opportunity Analysis is planned to be adopted in August.

Below are the tasks to be completed in 2015 as part of the work plan.

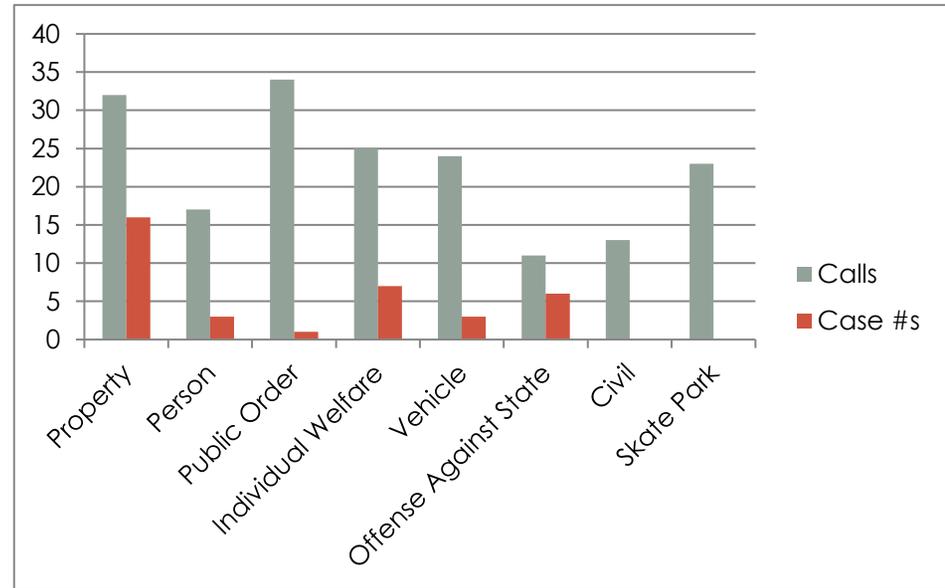
1. Comprehensive Plan Amendments; Adoption of amendments as a result of EOA and Residential BLI
2. Code Amendments: Tree Felling, Greenway, Stormwater and Recreational Marijuana

# City of Veneta Monthly Police Activity- May 2015

Prepared by Sgt. Billy Halvorson, LCSO

## Calls for Service by Incident Types:

<u>Incident Type</u>	<u>Calls</u>	<u>Case #s</u>
<b><u>Property</u></b>	32	16
<b><u>Person</u></b>	17	3
<b><u>Public Order</u></b>	34	1
<b><u>Individual Welfare</u></b>	25	7
<b><u>Vehicle</u></b>	24	3
<b><u>Offense Against State</u></b>	11	6
<b><u>Civil</u></b>	13	0
<b><u>Skate Park</u></b>	23	
<b><u>Total</u></b>	<b>179</b>	<b>36</b>



**Property** (Thefts, Criminal Mischief, Trespass)

**Person** (Assaults, Menacing, Harassment, Viol. Restraining Order)

**Public Order** (Disorderly Subjects, Suspicious Vehicles/Persons)

**Individual Welfare** (Welfare Checks, Missing Persons, Overdose, Suicidal Subjects)

**Vehicle** (DUII, DWS, Illegal Parking/Vehicles, Traffic Hazard)

**Offense Against State** (Drug, Warrants)

**Civil** (Civil Service, Eviction Process)



# VENETA CITY COUNCIL

## AGENDA ITEM SUMMARY

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Title/Topic: Approval of Lane County Public Safety Agreement

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Meeting Date: June 22, 2015  
Department: 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 approve the Lane County Public Safety Agreement for law enforcement coverage during the 2015-16 fiscal year?

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

Annually the City enters into an agreement/contract with Lane County Sheriff's Office for public safety coverage within the City limits. This year the coverage includes four deputies and 50% of a supervisory sergeant's time. The contract also includes costs associated with a Communications Officer (dispatch) and a Records Officer time.

The contract has increased \$37,069, over the current year's contract, to \$843,375. Much of the increase is the result of increasing the sergeant's time from 33% to 50%. Staff will continue to work with Sheriff Trapp, his staff, and our assigned sergeant to continue implementing community policing best practices into the duties assigned to our contract.

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

The City Council identified Public Safety as its highest priority when it revised the Council Goals this past January.

### COUNCIL OPTIONS (include financial impacts)

1. Approve the agreement as presented.
2. Suggest modifications to the agreement.
3. Choose not to have a contract with Lane County Sheriff's Office for public safety coverage.

### CITY ADMINISTRATOR'S RECOMMENDATION

I recommend that the Council approve the agreement as presented.

### SUGGESTED MOTION

"I make a motion to approve the 2015-16 Public Safety Agreement with the Lane County Sheriff's Office as presented."

### ATTACHMENTS

- A. Public Safety Agreement



## LANE COUNTY

### INTERGOVERNMENTAL AGREEMENT

Contract Title: Law Enforcement Services for City of Veneta  
 Contract Number: 51875-0

This Agreement is entered into by and between Lane County, Oregon, a political subdivision of the State of Oregon ("County"), and the City of Veneta, a municipal corporation ("City").

#### 1. RECITALS

- 1.1 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.
- 1.2 The parties to this Agreement desire that a certain level of police services be provided to City through an agreement with County.
- 1.3 County is willing to provide police services to City.

#### 2. COUNTY'S OBLIGATIONS. The County shall:

- 2.1 Provide four (4) certified police officers (Deputy Sheriffs) as defined by ORS 161.015 (2011) to work full time and one (1) supervisory police officer (Sergeant) to work an average of 50% of full time within the City limits or on City business outside the City limits.
- 2.2 Appoint an employee of the Sheriff's Office and City will appoint an official of the City who will act as coordinating agents to provide correspondence and communications between the parties to this Agreement.
- 2.3 Determine the appropriate working hours for the officers assigned to City subject to the maximum hours as hereinafter provided.
- 2.4 Cooperate with City to maximize, to the extent possible, the police protection that may be afforded within the city limits. Employ a community policing philosophy within the City, with assigned Deputy Sheriffs giving priority under normal working conditions to the pursuit of community policing goals and implementation of community policing best practices.
- 2.5 County agrees that whenever there is an assignment opening under this Agreement, and where there are multiple deputy sheriff candidates available for assignment to the City under this Agreement, City may be involved in the selection process to screen and determine a suitable candidate for assignment under this Agreement. The screening and evaluation process will be established and managed by County.
- 2.6 Extended Absences under 2.7 below notwithstanding, the circumstances identified below are considered extended absences:
  - 2.6.1 Deputy Sheriff is absent from duty under this Agreement due to using Time Management, Personal Time, or Compensatory Time leave beyond the amount of such leave the Deputy accrues during the Agreement period (July1, 2015 through June 30, 2016).
  - 2.6.2 Deputy Sheriff is absent from duty under this Agreement exceeding two consecutive work weeks (14 days) while on Short or Long Term Disability, FMLA or Training.
  - 2.6.3 Deputy Sheriff is absent from duty under this Agreement due to a County initiated administrative leave due to an internal disciplinary investigation or fitness evaluation.
  - 2.6.4 Deputy Sheriff is absent from duty under this Agreement due to a County initiated administrative leave associated with a use of force

- incident which did not occur while performing official duties under the provisions of this Agreement.
- 2.6.5 Deputy Sheriff is reassigned and unable for duty under this Agreement leaving the staffing level less than agreed in the in Agreement. In this case, the extended absence is determined to begin on the day following the last day the City contract deputy performed duties under this Agreement.
  - 2.6.6 In these cases of extended absence, County, if resources allow, will provide a replacement deputy to assume the duties of the contract deputy in the absence of normally assigned contract deputy. County will not bill City for deputy services during the described extended absence periods when County is unable to provide a replacement deputy.
  - 2.6.7 It is understood that the employees performing duties required by this contract including Deputy Sheriffs, Sergeant and other employees of the Lane County Sheriff's Office remain County employees.
- 2.7 Assign four (4) certified Deputy Sheriffs to work full time and one (1) Sergeant to work 50% of full time within the City limits or on City business outside the City limits. In the event of a mutual aid request from another law enforcement officer, the Deputies and/or Sergeant may be temporarily sent outside of the City limits until such time as the emergency is resolved. Full time, as used herein, means a work week of forty (40) hours each week, less that time normally given a Deputy Sheriff as annual vacation, personal days, sick or injury leave, court appearances, and training.
  - 2.8 Provide vehicles and basic law enforcement equipment to be used by the Deputy Sheriffs. Whenever a County patrol vehicle is permanently placed into service under this Agreement it will be prominently marked in such a way as to indicate it is a vehicle assigned under this Agreement.
  - 2.9 Provide training, as necessary, for assigned Deputy Sheriffs in order that they may properly carry out their law enforcement responsibilities.
  - 2.10 Cooperate with City and generally carry out the recommendation of City while control and final decision-making authority with regard to the manner of operation of the Deputy Sheriffs remains with the Lane County Sheriff or the Sheriff's designee.
  - 2.11 When data is easily accessible, County shall provide City with requested monthly and annual activity reports.
  - 2.12 At the request of the City, the Sheriff or designee will meet with City representatives to discuss issues arising from the implementation of the Agreement.
  - 2.13 Assigned Deputy Sheriffs shall enforce all laws, rules and regulations and City ordinances, except for dog or animal ordinances, which normally fall within the purview of City Animal Control. County will administer violations according to ORS Chapter 153, and in the manner consistent with present Sheriff's Office policies and procedures.
  - 2.14 Coordinate with the City Administrator to schedule overtime coverage as requested during assigned Deputy Sheriff absences due to annual vacation, personal days, sick or injury leave, court appearances, training and all other leave not defined as "Extended Absence". This type of overtime coverage will be considered "backfill overtime". Such overtime is not mandatory, but filled as County staffing levels allow. County will bill City for the costs of backfill overtime separately but on the same quarterly basis as other service invoices. "Incidental overtime" is considered overtime described as, but not limited to, Deputies handling calls near the end of their shift, report writing, transporting persons in custody to the Jail, and other such normal police activities that may incur overtime. County will include incidental overtime in its normal billing invoices for services.
  - 2.15 County may share, as approved by City, office space provided by City with officers from Lane County Parole and Probation for official duties related to community supervision of adult offenders sentenced to probation or released on parole.

3. CITY'S OBLIGATIONS. The City shall:
  - 3.1 Pay County the rate established in Exhibit A in four (4) equal payments for the services provided. County shall invoice City each quarter during the months of September, December, March, and June. City agrees to make payment of the amount billed within thirty (30) days from the date of billing. City agrees to make payment of the amount billed for services provided under Sections 2.1 – 2.15 within thirty (30) days. The parties agree that the compensation amounts payable to County will be renegotiated annually to the mutual satisfaction of both parties. In the event the parties cannot come to agreement on a revised compensation amount, either party may elect to terminate this Agreement according to Section 7 below.
  - 3.2 Provide office space in City Hall, telephone service and office equipment for use by the officers in carrying out their duties.
  - 3.3 Pay any additional costs incurred by County in enforcing City ordinances other than City ordinances that adopt state law by reference as a result of this contract (e.g. towing charges, ambulance and medical fees for incidents which occur within the City limits).
  
4. DOCUMENTS FORMING THE AGREEMENT
  - 4.1 The Agreement comprises this document and all attachments, including the exhibits listed below. In the case of any conflict between the terms and conditions of this document and any of the attachments, the terms and conditions of this document prevail.
  - 4.2 With this document, the following exhibits are incorporated into the Contract:  
Exhibit A – FY2015-2016 City of Veneta - Law Enforcement Services Rates
  - 4.3 The applicable provisions of the Lane Manual setting forth standard provisions for public contracts (LM 21.130) are incorporated by this reference as if fully set forth here.
  
5. TERM. This agreement shall be effective July 1, 2015 and shall continue through June 30, 2016.
  
6. MODIFICATION. Modifications or amendments to this Contract are effective only if in writing and executed by both parties.
  
7. TERMINATION. This agreement may be terminated by either party provided written notice is given to the other party at least thirty (30) days prior to the termination date. Upon the receipt of notice of termination, the parties shall commence negotiations as to the equitable disposition of the improvements made and any outstanding fees and revenues.
  
8. INDEMNITY. Each of the parties agrees to defend, indemnify and hold the other harmless from and against all claims, suits, actions, losses, damages, liabilities, costs and expenses, resulting from or arising out of any negligent performance or failure to perform on the part of the indemnifying party, its officers, employees or agents. The parties' indemnity and hold harmless obligations are subject to the limitations of the Oregon Tort Claims Act and any applicable limitations of the Oregon Constitution.
  
9. MISCELLANEOUS PROVISIONS
  - 9.1 Waiver. Failure of the County to enforce any provision of the Contract does not constitute a waiver or relinquishment by the County of the right to such performance in the future nor of the right to enforce that or any other provision of this Contract.
  - 9.2 Severability. If any provision of this Contract is declared by a court to be illegal or in conflict with any law, the validity of the remaining terms and provisions will not be affected; and the rights and obligations of the parties are to be construed and enforced as if the Contract did not contain the particular provision held to be invalid.
  - 9.3 Survival. The provisions of this Contract with respect to governing law, indemnity, insurance for completed products and operations, warranties, guarantees and, if included in the Contract, attorney fee provisions and limitations, will survive termination or completion of the Contract.

- 9.4 Time is of the Essence. The parties agree that time is of the essence with respect to all provisions of this Contract.
- 9.5 Dispute Resolution. The parties are required to exert every effort to cooperatively resolve any disagreements that may arise under this Contract. This may be done at any management level, including at a level higher than the persons directly responsible for administration of the Contract. In the event that the parties alone are unable to resolve any conflict under this Contract, they are encouraged to resolve their differences through mediation or arbitration, using such process as they may choose at the time.

CITY:

CITY OF VENETA, OREGON

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

City Administrator

Date: \_\_\_\_\_

COUNTY:

LANE COUNTY, OREGON

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

County Administrator

Date: \_\_\_\_\_

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

Lane County Sheriff

Date: \_\_\_\_\_

**EXHIBIT "A" - LANE COUNTY CONTRACT #51875**

**FY 2015-2016**

**CITY OF VENETA - LAW ENFORCEMENT SERVICES RATES**

4.00	Deputies	2080 Hrs	\$75.52 Per Hr	\$628,326	
0.50	Sergeant	2080 Hrs	\$85.58 Per Hr	<u>\$89,003</u>	
			TOTAL REGULAR HOURS:	\$717,330	
			TOTAL OVERTIME:*	<u>\$30,000</u>	
<b><u>OVERTIME:</u></b>					
Deputy hours at \$98.94/ hour					
Sergeant hours at \$113.28/ hour					
			Actual Costs	Discount	Total
	Records support		\$111,121	\$79,092	\$32,029
	Dispatch		\$78,046	\$14,029	\$64,017
			TOTAL SUPPORT:		<u>\$96,045</u>
			<b>TOTAL CONTRACT AMOUNT:</b>		<b><u><u>\$843,375</u></u></b>

# VENETA CITY COUNCIL

## AGENDA ITEM SUMMARY

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### **TITLE/TOPIC: Dangerous Building Update - 25044 McCutcheon Ave and 87646 Trek Drive**

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Meeting Date: June 22, 2015  
Department: Community Development

Staff Contact: Kay Bork, Director  
Email: kbork@ci.veneta.or.us  
Telephone Number: 541-935-2191 Ext.314

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#### **ISSUE STATEMENT**

Staff is updating Council on the abatement proceedings for 87646 Trek Drive and 25044 McCutcheon Drive and asking for a motion to solicit bids for demolition of 87646 Trek Drive.

#### **BACKGROUND**

On April 13, 2015, City Council held a public hearing and declared the referenced buildings dangerous and prescribed abatement orders. The Council ordered the following:

- Council declared 87646 Trek Dr. a dangerous building and ordered the structure be made safe according to City building code by June 13, 2015. If that dead line was not met the City will order to demolish the structure at the expense of the property owner.
- Council declared 25044 McCutcheon Ave. a dangerous building and ordered the structure be made safe by June 13, 2015 based on the City Building Official's letter. Council said it would like to discuss whether or not to make the building safe at the City's expense if work was not completed by the deadline.

As of June 13, 2015 the abatement orders for both buildings have not been met. Staff is recommending the following for 87646 Trek Drive:

- Solicit bids from contractors to demolish 87646 Trek Drive. Staff estimate bids between \$5,000 - \$7,000.
- Bring demolition contract back to Council in July for approval.
- Proceed with demolition work.
- Follow Dangerous Building code provisions to assess property owner the costs of demolition.

Staff is recommending the same procedure for 25044 McCutcheon Ave once work for Trek has been completed. The Building Official believes the building can be made safe by removing the dilapidated awning from the front of the building. The City may choose complete the work once costs are known or cite the property owner for allowing a dangerous building to remain. The City has the authority to cite and fine the property owner for who allows a building to remain dangerous past the time established in the notice (June 13, 2015). See code provision below.

#### **RELATED CITY POLICIES**

***“Veneta Municipal Code 15.10.090 - Abatement of Dangerous Building***

*“(1) The city shall serve upon the owner, by registered or certified mail, or personal service, a notice stating:*

- (a) The total cost of abatement, including the administrative costs;*
- (b) That the costs as indicated will be assessed to and become a lien against the property unless paid within 30 days from the date of the notice;*
- (c) That if the owner objects to the cost of the abatement as indicated, a written notice of objection may be filed with the city not more than 10 days from the date of the notice.*

*(2) No sooner than 10 days after the date of the notice of costs, the city council, in the regular course of the business, shall hear and make a decision on the objections to the costs assessed.*

*(3) If the costs of the abatement are not paid within 30 days from the date of the notice of costs or, if an objection was filed, within 10 days from the council determination, an assessment of the costs, as stated or decided by the council, shall be made by resolution and shall be entered in the docket of city liens. When the entry is made, it shall constitute a lien on the property from which the nuisance was removed or abated.*

*(4) The lien shall bear interest at a rate set by the council at the time of assessment. The interest shall begin to run from the date of entry of the lien in the lien docket.*

*(5) Collection of the lien shall be in accordance with ORS 223.510 through 223.595. (Ord. 290 § 9, 1987)”*

**“15.10.120 Violation – Penalty.**

*A person who owns a dangerous building and who allows the building to remain dangerous past the time established in the notice described in VMC 15.10.070 may be fined not more than \$1,000. Each subsequent day that the violation continues shall be considered a separate offense.”*

**CITY ADMINISTRATOR’S RECOMMENDATION**

Proceed as presented by staff.

**SUGGESTED MOTIONS**

“I make a motion to direct staff to solicit bids for the demolition of 87646 Trek Drive.”

**ATTACHMENTS**

None.

# VENETA CITY COUNCIL

## AGENDA ITEM SUMMARY

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**Title/Topic:**        **APPROPRIATION TRANSFERS FOR FISCAL YEAR 2014-15**

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Meeting Date: June 22, 2015  
Department: Finance

Staff Contact: Shauna Hartz  
Email: shartz@ci.veneta.or.us  
Telephone Number: 541-935-2191 Ext. 305

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### ISSUE STATEMENT

Adjust adopted budget appropriations to better match current knowledge.

### BACKGROUND

The formulation of plans and cost calculations for each year's budget takes place in the preceding February and March. Starting this early in the year is necessary in order to meet State requirements and have the budget adopted by June 30<sup>th</sup>. The early planning requires the use of estimates and assumptions. As the fiscal year progresses and projects are started the actual figures become known and assumptions are proven (or not), unknown needs show up and priorities change. Oregon Budget Law allows entities to respond to those developments by several methods. One method is to pass a resolution that transfers existing appropriations from one expenditure classification to another within the same fund. These transfers do not change the total budget figure nor does it change the total appropriated for expenditures in any fund. Neither revenue nor ending fund balances are affected.

The resolution being presented includes transfers in three funds. They are listed below along with a summary of the need.

**Street Fund:** Contingency to Capital Outlay. The Hunter sidewalk project was budgeted for and completed in fiscal year 2013-14. Unfortunately, there was disagreement as to the total amount due for the project. The negotiations went beyond June 30, 2014 and the resulting final payment occurred in fiscal year 2014-15; however, it was not included in the budgeted amount.

**Sewer Fund:** Contingency to Capital Outlay. There was a slight shift in the type of sewer projects undertaken during the year. During the budget process the projects were primarily maintenance in nature and budgeted under Materials and Services accordingly. During the year it became more important to work on expansion and improvement type projects.

**Planning Fund:** Contingency to Materials and Services. The City received two large land use applications during the fiscal year. These applications required many hours of review time by staff, the City's engineer and in some cases by the City's legal counsel. The City incurs these professional service charges as an expenditure and then bills the applicants who later reimburse the City. The expectation, during the budget process was that we would incur \$5,500, in actuality through May 26, 2015, the City has incurred \$24,146.

**RELATED CITY POLICIES**

Policy and practice to abide by Oregon Budget Law.

Resolution No. 1145 Adoption of Fiscal Year 2014-15 Budget

**COUNCIL OPTIONS**

1. Approve the resolution as presented.
2. Approve the resolution with suggested changes.
3. Not approve the resolution and provide direction to staff.

**CITY ADMINISTRATOR'S RECOMMENDATION**

Approve the resolution as presented.

**SUGGESTED MOTIONS**

"I make a motion to approve Resolution No. 1177, a resolution transferring appropriations for the fiscal year 2014-15, as presented."

**ATTACHMENTS**

- A. ORS 294.463

(A) One or more of the taxpayers withdraws from the proceedings, and five or more of the taxpayers do not withdraw, the court shall nevertheless retain jurisdiction to hear the matter; or

(B) One or more of the taxpayers withdraws from the proceedings, and fewer than five of the taxpayers remain parties and do not withdraw, the court shall not retain jurisdiction to hear the matter but shall dismiss the case with prejudice.

(b) The complaint shall state the facts and the grounds upon which the plaintiff contends the tax should be voided or modified. The case shall proceed thereafter in the manner provided in ORS 305.405 to 305.494.

(3) If the tax court finds that the budget and the tax certification in question were not prepared and made in substantial compliance with ORS 294.305 to 294.565 and any other applicable law relating to the making of ad valorem property taxes, it shall declare void or modify any such tax and shall direct that such action be taken, all as in the circumstances it shall deem appropriate. [Formerly 294.485]

**294.463 Transfers of appropriations within fund or between funds.** Subject to the provisions of the charter of a city or county or a law relating to municipal corporations:

(1) Except as provided in subsection (2) of this section, transfers of appropriations may be made within a fund when authorized by ordinance or resolution of the governing body of a municipal corporation. The ordinance or resolution must state the need for the transfer, the purpose for the authorized expenditure and the amount transferred.

(2) Transfers of general operating contingency appropriations that in aggregate during a fiscal year or budget period exceed 15 percent of the total appropriations of the fund contained in the original budget adopted by the governing body of the municipal corporation for the fiscal year or budget period may be made only after adoption of a supplemental budget prepared for the purpose.

(3) Transfers of appropriations or of appropriations and an equal amount of budget resources may be made between funds of the municipal corporation when authorized by ordinance or resolution of the governing body. The ordinance or resolution must state the need for the transfer, the purpose for the authorized expenditures in the appropriation and the amount transferred.

(4) This section applies only to transfers made after a budget has been approved and during the fiscal year or budget period for which the appropriations are made. [Formerly 294.450]

**294.465** [1963 c.576 §29; repealed by 1999 c.632 §30]

**294.466 Appropriation of pass-through revenues.** (1) A municipal corporation imposing taxes, fees or charges that in accordance with applicable law or an intergovernmental agreement under ORS chapter 190 must be paid on a pass-through basis to another municipal corporation shall include the taxes, fees or charges in its budget and appropriate the estimated amount generated by the taxes, fees or charges.

(2) The appropriation required under subsection (1) of this section must take the form of an expense of the municipal corporation imposing the taxes, fees or charges.

(3) If the actual amount collected from the taxes, fees or charges during a fiscal year or budget period exceeds the estimated amount included in the budget of the municipal corporation imposing the taxes, fees or charges for the fiscal year or budget period, upon determining that the excess exists, the governing body of the municipal corporation shall appropriate the excess by means of an ordinance or resolution and no further action is required under ORS 294.305 to 294.565 to budget, appropriate or expend the excess. [2011 c.473 §18]

**Note:** 294.466 was added to and made a part of 294.305 to 294.565 by legislative action but was not added to any 2011 Revised Statutes. See Preface to Oregon Revised Statutes for further explanation. 47



**CITY OF VENETA**

**RESOLUTION NO. 1177**

**A RESOLUTION TRANSFERRING APPROPRIATIONS FOR THE 2014-2015 FISCAL YEAR**

**WHEREAS**, expenses of certain City of Veneta programs, purchases and projects were appropriated without actual components, timelines nor costs being known; and

**WHEREAS**, certain opportunities were not foreseen at the time of budget preparation; and

**WHEREAS**, Oregon Budget Law allows for an appropriation in the expenditure classification entitled "Contingency" to use for uncertain expenses; and

**WHEREAS**, the Contingency appropriation cannot be spent directly. Rather the appropriation must be transferred to another expenditure classification;

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

**SECTION 1 Transfer of Appropriations.** The appropriation transfers shown below shall be accomplished as allowed by ORS 294.463.

- Street Fund: \$5,000 from Contingency to Capital Outlay
- Planning Fund: \$10,000 from Contingency to Materials and Services
- Sewer Fund: \$100,000 from Contingency and \$150,000 from Materials and Services to Capital Outlay

**SECTION 2 Resulting Appropriations.** The transfers shown above in Section 1 of this Resolution change the Fiscal Year 2014-15 Adopted Budget as follows:

<b><i>Street Fund</i></b>			
Appropriation Type	Original Appropriation	Change	New Appropriation
Capital Outlay	7,250	10,000	17,250
Contingency	100,000	(10,000)	90,000
<b><i>Planning Fund</i></b>			
Appropriation Type	Original Appropriation	Change	New Appropriation
Materials and Services	67,350	10,000	77,350
Contingency	10,000	(10,000)	0
<b><i>Sewer Fund</i></b>			
Appropriation Type	Original Appropriation	Change	New Appropriation
Materials and Services	531,467	(150,000)	381,467
Capital Outlay	41,500	250,000	291,500
Contingency	100,000	(100,000)	0

PASSED AND ADOPTED by the Veneta City Council this \_\_\_\_\_ day of \_\_\_\_\_ 2015.

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

\_\_\_\_\_  
Sandra Larson, Mayor

ATTEST:

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

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



# VENETA CITY COUNCIL

## AGENDA ITEM SUMMARY

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**Title/Topic:            PROPOSED STORM WATER DRAINAGE FEE INCREASE**

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Meeting Date: June 22, 2015  
Department: Finance

Staff Contact: Shauna Hartz  
Email: shartz@ci.veneta.or.us  
Telephone Number: 541-935-2191 Ext. 305

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### **ISSUE STATEMENT**

The resolution being presented at this time increases the rate by 2% or .04/month for residential accounts and .13/month for commercial accounts.

### **BACKGROUND**

In 2004 the City recognized the need for development and improvement of the City's drainage system. A master drainage plan was prepared. One of the recommendations from the master plan was to implement a storm water drainage fee. The council adopted Resolution No. 876 setting the fees at \$1.95 per month for residential accounts and \$5.95 for commercial and industrial accounts. The money was to be used for operations, maintenance and for future improvements as allowed and needed. All the fee revenue and expenses related to the drainage system are tracked in the Storm Water Drainage Fund.

In June of 2007 the Council adopted Resolution No. 947 increasing the fees to \$2.00 and \$6.00 respectively. Using the Consumer Price Index for Urban Wage Earners (CPI-U) in the Portland-Salem area as a guide the fees were increased by .20/month for residential accounts and .60/month for commercial in January 2013. The primary purpose of that increase was to "catch" the City up with the inflation rate (10% change in the CPI-U from 2007 to 2013) to cover operational costs. The last increase of 5% (.11/month for residential accounts and .33/month for commercial) took effect on July 1, 2014. The 2% increase proposed at this time will likely continue the accumulation of money for future drainage improvement projects.

### **RELATED CITY POLICIES**

Ordinance No. 446\_“Storm Water Drainage”

### **COUNCIL OPTIONS**

1. Approve the resolution as presented.
2. Approve the resolution with suggested changes.
3. Deny the resolution and provide direction to staff.

### **CITY ADMINISTRATOR'S RECOMMENDATION**

Approve the resolution as presented.

### **SUGGESTED MOTIONS**

“I make a motion to approve resolution No. 1178 as presented.”

### **ATTACHMENTS**

- A. History of Storm-Water Rates
- B. Accumulative Change in Rate

City of Veneta  
 Schedule of Actual and Proposed Increases  
 For Storm-Water (Drainage) Rates

*Note: Information in Italics is Unofficial*

<i>Proposed Rate Increase</i>					<i>2%</i>
<i>Proposed Effective Date of Increase</i>					<i>7/1/2015</i>
Actual Rate Increase: Base		2.5%	10%	5%	
Resolution #	876	947	1111	1151	
Date Approved	7/26/2004	6/11/2007	12/9/2012	6/9/2014	
Effective Date for New Rates	7/1/2004	7/1/2007	1/1/2013	7/1/2014	
<b><u>Residential</u></b>					
Base per Month	1.95	2.00	2.20	2.31	2.35
<b><u>Commercial and Industrial</u></b>					
Base	5.85	6.00	6.60	6.93	7.06

City of Veneta  
Accumulative Change in Storm-Water Rates  
Since Initial Enactment January 1, 2004

Type of Service	Initial Fee Enacted January 1, 2004	Change in Rate on July 1, 2007	Change in Rate on January 1, 2013	Change in Rate on July 1, 2014	Accumulative Change since Initial Enactment
<b>Residential</b>					
(per month)	1.95	0.05	0.20	0.11	0.36
<b>Commercial and Industrial</b>					
(per month)	5.85	0.15	0.60	0.33	1.08



**CITY OF VENETA**

**RESOLUTION NO. 1178**

**A RESOLUTION ESTABLISHING STORM WATER DRAINAGE FEES  
FOR THE CITY OF VENETA  
AND REPEALING RESOLUTION NO. 1151**

**WHEREAS**, the City Council of Veneta recognized the need for development and improvement of the City's storm water drainage system and a funding mechanism; and

**WHEREAS**, the Council adopted Ordinance No. 446 in July 2004 creating a Storm Water Drainage Program and Storm Water Drainage Fund; and

**WHEREAS**, Section 5(B) of Ordinance No. 446 authorizes the establishment of storm water drainage fees by resolution; and

**WHEREAS**, the City Council understands that rate increases are necessary to keep pace with the costs and/or accumulate money for future drainage improvement projects; and,

**WHEREAS**, the fees were last amended, .11 (eleven cents) per month for Residential accounts and .33 (thirty-three cents) per month for Commercial accounts in July of 2014; and

**WHEREAS**, the City Council has provided an opportunity for public comment as required by ORS 294.160;

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

**SECTION 1 STORM WATER DRAINAGE SYSTEM FEES.** It is the users' and/or property owners' responsibility to notify the City when there is any kind of a change in status (i.e. active to non-active), number of units, and/or change of user and/or property owner(s).

The following storm water drainage fees shall be paid by all users of the Veneta Municipal Water and/or Sewer System:

1. Residential  
Residences, Churches and all other non-commercial users shall be billed a storm water drainage fee of **\$2.35** per unit per month. This per unit charge will apply to all "active" accounts whether or not usage is charged.
2. Commercial and Industrial  
Commercial and Industrial users shall be billed a storm water drainage fee of **\$7.06** per unit per month. This per unit charge will apply to all "active" accounts whether or not usage is charged.

3. Monthly Billing

All storm water drainage fees outlined in 1 and 2 above will be for the month being billed (i.e., September 30 billing covers the period September 1 through September 30). Drainage fees will be pro-rated for partial months, when the City is notified of a change in user and/or owner(s).

**SECTION 2 REVIEW.** The City Budget Committee and City Council may review the storm water drainage fees, revenues and drainage system operation and maintenance expenditures annually during the budget process.

**SECTION 3 EFFECTIVE DATE.** This resolution shall take effect with the billing period beginning July 1, 2015.

**SECTION 4 REPEALING CLAUSE.** Resolution No. 1151 is repealed upon the effective date of this resolution.

PASSED AND ADOPTED by the Veneta City Council this \_\_\_\_\_ day of June, 2015.

XXXXXXXXXXXXXXXXXXXXX  
Sandra Larson, Mayor

ATTEST:

XXXXXXXXXXXXXXXXXXXXX  
Darci Henneman, City Recorder

# VENETA CITY COUNCIL AGENDA ITEM SUMMARY

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Title/Topic: **ADOPTION OF UPDATED CLASSIFICATION AND COMPENSATION PLANS FOR REGULAR POSITIONS OF THE CITY OF VENETA FOR FY2015-2016**

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Meeting Date: June 22, 2015  
Department: Human Resources

Staff Contact: Shauna Hartz  
Email: shartz@ci.veneta.or.us  
Telephone Number: 541-935-2191 Ext. 305

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## ISSUE STATEMENT

Does the Council approve a 2.4% cost-of-living increase and thereby updating the Classification Plan and Compensation Schedule for regular positions?

## BACKGROUND

Classification Plan and Compensation Schedules are revised periodically for a variety of reasons. One reason is to grant a cost-of-living increase. This type of increase is made to the pay ranges for all regular positions and each step within the ranges.

The Employee Handbook states that a determination will be made as to whether economic conditions warrant a cost-of-living adjustment primarily based on the previous calendar year's CPI-U Portland (Consumer Price Index, Portland). During 2014 the Portland CPI-U increased 2.4%. It was determined that the economic conditions support an adjustment and; therefore, a 2.4% cost-of-living increase was included in the FY2015-2016 Proposed Budget. This is the only Compensation Package change requested by City staff.

The Proposed Budget was approved May 14, 2015 and adopted June 8, 2015; however, the City Council, per Resolution No. 1153, makes the final decision regarding cost-of-living adjustments.

## RELATED CITY POLICIES

The recently adopted Resolution No. 1167 which revised the Classification Plan and Compensation Schedule will be repealed. Resolution No. 1153, A Resolution to Amend the Employee Handbook of the City of Veneta and Repealing Resolutions No. 1114 and 1135.

## COUNCIL OPTIONS

1. Adopt the proposed resolution with no changes.
2. Adopt the proposed resolution with specific changes.
3. Reject the proposed resolution.

## CITY ADMINISTRATOR'S RECOMMENDATION

Adopt the resolution as currently written.

## SUGGESTED MOTION

*"I move that the Council adopt Resolution No. 1179 as written, updating the Classification Plan and Compensation Schedule of Regular Positions for Fiscal Year 2015-2016 and repealing Resolution No. 1167."*

## ATTACHMENTS

- A. CPI-U Information Sheet
- B. Section 9.40.10 of Employee Handbook

U.S. DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS  
 Western Information Office, 90 7th St., Suite 14-100, San Francisco, CA 94103  
 Information Staff (415) 625-2270 / Fax (415) 625-2351

02/25/15

PORTLAND-SALEM  
 Consumer Price Index, All Items, 1982-84=100 for All Urban Consumers (CPI-U)

SEMI-ANNUAL AVERAGE				OVER-THE-YEAR PERCENT CHANGE			
YEAR	1st Half	2nd Half	ANNUAL AVERAGE	YEAR	1st Half	2nd Half	ANNUAL AVERAGE
1987	109.9	111.9	110.9	1987	1.7	3.3	2.5
1988	113.6	115.9	114.7	1988	3.4	3.6	3.4
1989	119.3	121.6	120.4	1989	5.0	4.9	5.0
1990	124.9	129.8	127.4	1990	4.7	6.7	5.8
1991	132.8	135.1	133.9	1991	6.3	4.1	5.1
1992	138.8	140.9	139.8	1992	4.5	4.3	4.4
1993	143.6	145.8	144.7	1993	3.5	3.5	3.5
1994	147.7	150.1	148.9	1994	2.9	2.9	2.9
1995	152.5	153.9	153.2	1995	3.2	2.5	2.9
1996	157.2	160.0	158.6	1996	3.1	4.0	3.5
1997	162.6	165.5	164.0	1997	3.4	3.4	3.4
1998	166.1	168.1	167.1	1998	2.2	1.6	1.9
1999	170.8	174.4	172.6	1999	2.8	3.7	3.3
2000	176.4	179.5	178.0	2000	3.3	2.9	3.1
2001	181.2	183.6	182.4	2001	2.7	2.3	2.5
2002	183.5	184.0	183.8	2002	1.3	0.2	0.8
2003	186.0	186.5	186.3	2003	1.4	1.4	1.4
2004	189.8	192.5	191.1	2004	2.0	3.2	2.6
2005	194.5	197.5	196.0	2005	2.5	2.6	2.6
2006	199.8	202.5	201.1	2006	2.7	2.5	2.6
2007	206.653	210.460	208.556	2007	3.4	3.9	3.7
2008	214.619	216.159	215.389	2008	3.9	2.7	3.3
2009	214.102	217.191	215.647	2009	-0.2	0.5	0.1
2010	217.508	219.179	218.344	2010	1.6	0.9	1.3
2011	223.105	226.077	224.590	2011	2.6	3.1	2.9
2012	228.746	230.811	229.779	2012	2.5	2.1	2.3
2013	233.735	237.322	235.528	2013	2.2	2.8	2.5
2014	239.751	242.679	241.215	2014	2.6	2.3	2.4

Table of over-the-year percent increases. An entry for 2ndHalf 2005 indicates the percentage increase from 2ndHalf 2004 to 2ndHalf 2005 (in this example 2.6 percent).

**From City of Veneta Handbook  
Resolution No. 1153, June 2014**

**9.40. Wage Adjustments**

9.40.10. Cost of Living Adjustments.

- A. Each year, during the budget process, determination will be made whether or not economic conditions warrant a cost-of-living adjustment. The amount of such an adjustment will be determined primarily by using the CPI-U Portland from the previous calendar year.
- B. The City Administrator, or designee, shall assist the budget committee in their decision by gathering information and assisting with the analysis.
- C. If granted, cost of living adjustments shall be for all positions and steps within the City's Compensation Plan and generally, will be effective the first day of a new fiscal year.
- D. The City Council has final decision regarding cost of living adjustments.



**CITY OF VENETA**

**RESOLUTION NO. 1179**

**A RESOLUTION UPDATING THE CLASSIFICATION AND COMPENSATION PLAN FOR REGULAR POSITIONS OF THE CITY OF VENETA FOR FISCAL YEAR 2015-2016 AND REPEALING RESOLUTION NO. 1167**

**WHEREAS**, the City of Veneta desires to comply with Federal and State labor laws and maintain a fair compensation plan for its employees; and

**WHEREAS**, pursuant to the City of Veneta Employee Handbook paragraph 9.40.10(A) each year, during the budget process, determination will be made whether or not economic conditions warrant a cost-of-living adjustment. The amount of such an adjustment will be determined primarily by using the CPI-U (Consumer Price Index, Portland) from the previous calendar year; and

**WHEREAS**, pursuant to the City of Veneta Employee Handbook paragraph 9.40.10(D) the City Council has final decision regarding cost of living adjustments; and

**WHEREAS**, the 2014 CPI-U for the Portland metro area was 2.4%;

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

**SECTION 1 Adoption.** The Veneta City Council adopts the Classification and Compensation Plan for regular positions attached hereto as Exhibit A.

**SECTION 2 Effective Date.** This Resolution shall take effect on July 1, 2015.

**SECTION 3 Repealing Clause.** Resolution No. 1167 is to be repealed on June 30, 2015.

PASSED AND ADOPTED by the Veneta City Council this \_\_\_\_ day of June, 2015.

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

ATTEST:

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

Positions By Classification	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
<b>Skilled: Level I (non-exempt)</b>										
High school diploma (or equivalent), relevant experience and/or certifications or assigned one or two concentrations (see list below)										
Office Support Specialist I	2,505	2,605	2,709	2,817	2,930	3,047	3,169	3,296	3,428	3,565
Utility Worker I	2,719	2,828	2,941	3,059	3,181	3,308	3,440	3,578	3,721	3,870
<b>Skilled: Level II (non-exempt)</b>										
Associate's degree, Bachelor's degree, minimum of 3 years relevant experience or two any two of the following certifications (Water Treatment I, Water Distribution II, Wastewater Treatment II or Wastewater Collection II) or assigned two or three concentrations (see list below)										
Assistant City Recorder	2,932	3,049	3,171	3,298	3,430	3,567	3,710	3,858	4,012	4,172
Office Support Specialist II	2,710	2,818	2,931	3,048	3,170	3,297	3,429	3,566	3,709	3,857
Utility Worker II	2,955	3,073	3,196	3,324	3,457	3,595	3,739	3,889	4,045	4,207
<b>Skilled: Level III (non-exempt)</b>										
Associate's degree, Bachelor's degree, minimum of 5 years relevant experience, or all of the following certifications (Water Treatment I, Water Distribution II, Wastewater Treatment II, Wastewater Collection II) or assigned three or more concentrations (see list below)										
Assistant Planner	3,197	3,325	3,458	3,596	3,740	3,890	4,046	4,208	4,376	4,551
City Recorder	2,989	3,109	3,233	3,362	3,496	3,636	3,781	3,932	4,089	4,253
Office Support Specialist III	2,989	3,109	3,233	3,362	3,496	3,636	3,781	3,932	4,089	4,253
Utility Worker III	3,223	3,352	3,486	3,625	3,770	3,921	4,078	4,241	4,411	4,587
<b>Professional/Supervisory: (exempt)</b>										
Bachelor's degree, minimum of 3 years relevant experience (including supervisory), and relevant certifications										
Associate Planner	3,595	3,739	3,889	4,045	4,207	4,375	4,550	4,732	4,921	5,118
Management Analyst	3,595	3,739	3,889	4,045	4,207	4,375	4,550	4,732	4,921	5,118
Public Works Superintendent	4,306	4,478	4,657	4,843	5,037	5,238	5,448	5,666	5,893	6,129
<b>Management: (exempt)</b>										
Bachelor's degree, Master's degree, or minimum of 5 years relevant experience										
Community Development Director	4,695	4,883	5,078	5,281	5,492	5,712	5,940	6,178	6,425	6,682
Finance and Administrative Services Director	4,481	4,660	4,846	5,040	5,242	5,452	5,670	5,897	6,133	6,378
Public Works Director	5,286	5,497	5,717	5,946	6,184	6,431	6,688	6,956	7,234	7,523

**List of "concentrations" that can be assigned to any Office Support Specialist at Level I, II, or III**

- |                         |                              |                       |                       |
|-------------------------|------------------------------|-----------------------|-----------------------|
| Accounts Payable        | Cash Receipts                | Finance Assistant     | Payroll               |
| Accounts Receivable     | City Administrator Assistant | Human Resources       | PW/Planning Assistant |
| Animal Control          | Communications               | IT                    | Reception             |
| Assistant City Recorder | Court                        | Ordinance Enforcement | Utility Billing       |
| Building/Electrical     |                              |                       |                       |

# VENETA CITY COUNCIL

## AGENDA ITEM SUMMARY

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**Title/Topic:** ADDING A NEW POSITION TO THE CITY'S CLASSIFICATION PLAN and APPROVAL OF A REVISED COMPENSATION PLAN FOR HOURLY, TEMPORARY AND SEASONAL POSITIONS OF THE CITY OF VENETA

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Meeting Date: June 22, 2015  
Department: Human Resources

Staff Contact: Shauna Hartz  
Email: shartz@ci.veneta.or.us  
Telephone Number: 541-935-2191 Ext. 305

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### ISSUE STATEMENT

Authorize addition of a Senior Guard position to the City's Classification Plan and approve revised Compensation Plan for Hourly, Temporary and Seasonal Positions.

### BACKGROUND

Management, over the past two summers, has come to realize that the responsibilities assigned to the Pool Manager position are unrealistic for one full-time position. The volume of customers and program/event are expected to rise which will put more and more pressure upon the person in this position. In addition to the unrealistic expectations of the Pool Manager position the current Classification Plan does not include a position to "back up" the Pool Manager. Management strives to have at least two people trained in all critical functions.

The solution being proposed is to add a new position entitled "Senior Guard" to the City's Classification Plan. The organization chart, a key component of the Classification Plan, with the proposed new position is Attachment A. The rest of the Classification Plan includes job descriptions for each position. Attachment B is the newly created job description.

If the new position is approved, an employee returning for the 2015 Pool Season will be promoted to the new position.

### RELATED CITY POLICIES

Resolution No. 1164 effective March 1, 2015

### COUNCIL OPTIONS

1. Adopt the proposed resolution with no changes.
2. Adopt the proposed resolution with specific changes.
3. Reject the proposed resolution.

### CITY ADMINISTRATOR'S RECOMMENDATION

Adopt the resolution as currently written.

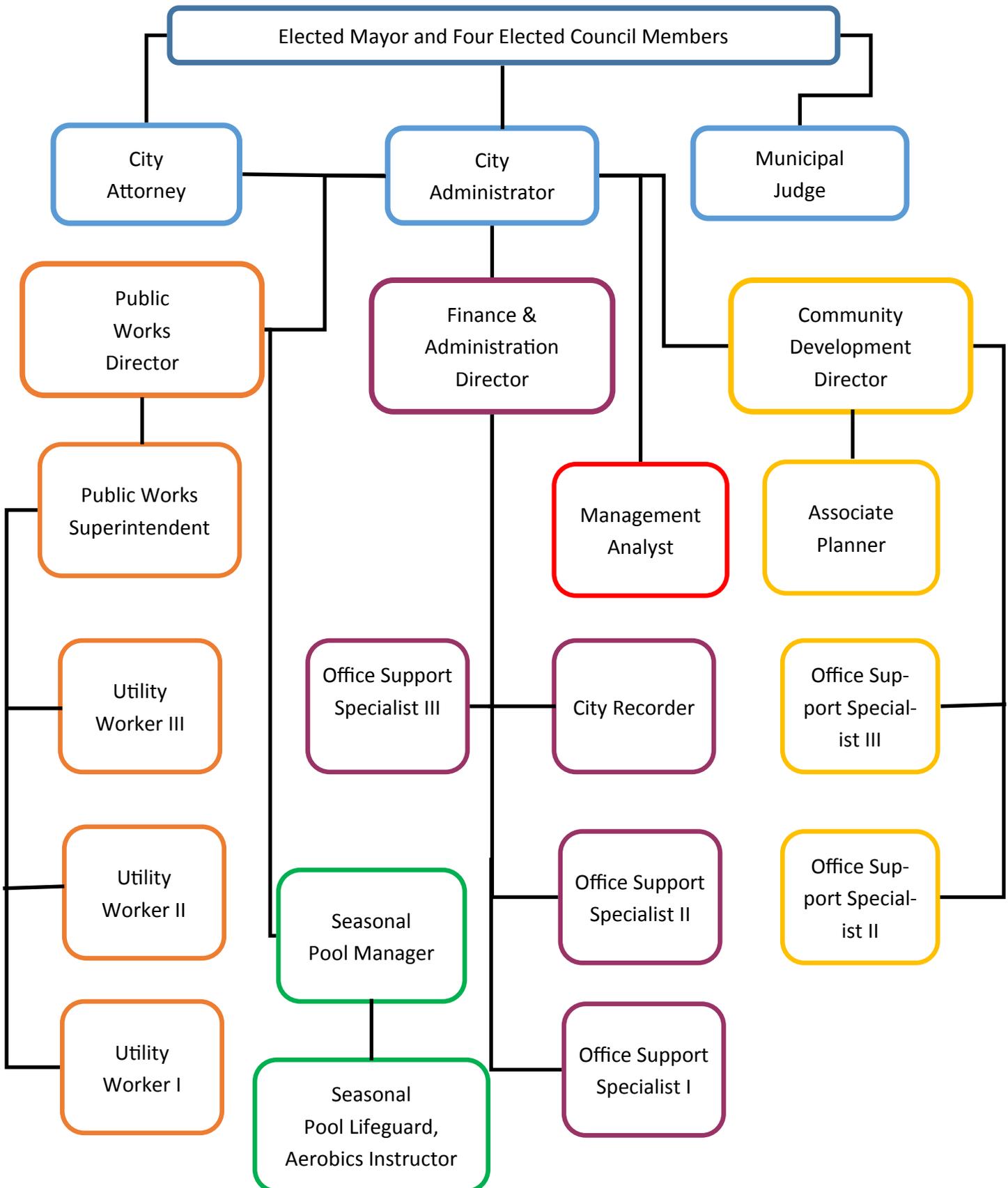
### SUGGESTED MOTION

*"I move that the Council adopt Resolution No. 1180 as written, updating the Classification Plan and Compensation Plan of Hourly, Temporary and Seasonal Positions and repealing Resolution No. 1164."*

### ATTACHMENTS

- A. Organizational Chart
- B. New job description

# City of Veneta Organization Chart



## JOB DESCRIPTION SENIOR GUARD

Department: Public Works  
 Classification: Temporary, Non-Exempt  
 Reports to: Pool Manager  
 Work Schedule: Part-time (20-40 hours/week June-August); as needed February-May, September. Days, evenings, weekends.

### General Statement of Responsibility

Assists Pool Manager in operation of the seasonal community pool, performs a variety of specialized administrative, supervisory, instructional, and water safety duties.

### Essential Responsibilities

- Assist the Pool Manager in daily operation of the pool facility and aquatics programs.
- Oversee specific program areas as assigned.
- Assist in scheduling, training, and evaluating staff.
- Oversee aquatics facility including water quality, temperature, hourly chemical testing, general pool maintenance, safety and cleanliness of the facility.
- Maintain the pool area, deck, locker rooms, building, and equipment at the pool for cleanliness, safety and usage.
- Provide effective customer service, assist with reception duties, and diffuse concerns as they arise.
- Think independently and problem solve with minimal supervision.
- Perform all duties of a lifeguard and/or instructor.
- Enforce pool policies and regulations and convey community program objectives and facility services with pool patrons, user groups, City staff, and the general public.
- Plan, organize, implement, and coordinate aquatics programs, activities, and special events including but not limited to group and private swim lessons, lap swim, water aerobics, and recreational swim.
- Ability to prepare routine administrative paperwork.
- Communicate effectively both orally and in writing and develop written reports.
- Attend all necessary meetings and trainings.
- Perform other duties as assigned.

### Auxiliary Expectations

- Follow all City safety rules and procedures at all times.
- Maintain proficiency by attending trainings and meetings, reading materials, and networking.
- Make use of available resources to keep abreast of upcoming or new regulations and legislation within areas of responsibility.
- Practice common courtesy and respect with fellow employees especially related to work schedule, work load, time-off coordination, use of council room, and other shared equipment and areas.
- Ability to follow routine verbal and written instructions.
- Maintain work area in a clean and orderly manner.

- Maintain a clean, neat, and paraprofessional appearance and dress in an appropriate manner for the work being performed.

**Position Qualifications**

Mandatory

- CPR/AED for the Professional Rescuer Certified.
- Current Certification as Lifeguard by a recognized source of training.
- Flexible availability to accommodate scheduling requirements, including evenings and weekends.
- Ability to pass a pre-employment physical skills evaluation as stipulated by the department.

Desirable

- Previous supervisory experience.
- Ability to react calmly and effectively in emergency situations.
- Skill in the application of lifeguarding surveillance and rescue techniques.
- Knowledge of CPR and emergency medical procedures.
- Knowledge of customer service standards and procedures.
- Water Safety Instructor (WSI) certification.

**Physical Demands of Positions**

The Americans with Disabilities Act requires that we identify the general aptitudes and physical requirements needed to perform the job listed above. Individuals who have the position must be able to perform all essential job functions unaided or with reasonable accommodation. In addition to the demands listed below, Senior Guards are required to possess sufficient physical fitness and specialized abilities to perform the duties required of lifesaving personnel. Such duties include swimming, diving, lifting and other activities associated with water rescue situations.

Motor Coordination

- |  |  |
|--|--|
| <input type="checkbox"/> Use multi-line telephone      | <input checked="" type="checkbox"/> Manipulate computer keyboard and mouse |
| <input type="checkbox"/> Use radio/console             | <input type="checkbox"/> Type ____ words per minute                        |
| <input checked="" type="checkbox"/> Use a calculator   | <input type="checkbox"/> Use postage machine                               |
| <input checked="" type="checkbox"/> Use a copy machine | <input checked="" type="checkbox"/> Use hand tools                         |
| <input type="checkbox"/> Use a fax machine             | <input checked="" type="checkbox"/> Use power tools                        |
| <input type="checkbox"/> Use a scanner                 | <input checked="" type="checkbox"/> Other: Cash Register                   |

Sensory Requirements

- |   |   |
|---|---|
| <u>Sight</u>  | <u>Hearing</u>  |
| <input checked="" type="checkbox"/> Peripheral vision | <input checked="" type="checkbox"/> Distinguish between different tones     |
| <input checked="" type="checkbox"/> Focus             | <input checked="" type="checkbox"/> Hear warning alarms, bells and whistles |
| <input checked="" type="checkbox"/> Color perception  | <input checked="" type="checkbox"/> Hear phone ringing and radio pages      |
| <input checked="" type="checkbox"/> Depth perception  |   |

Lifting, Pushing, Pulling, Holding and Carrying

Movement	Ability to move materials / equipment (lbs.)						Frequency of Manipulation		
	<5	5-10	10-15	15-25	25-50	50+	Occasionally	Frequently	Continuously
Lift				<b>X</b>			<b>X</b>		
Push/Pull				<b>X</b>			<b>X</b>		
Hold/Carry				<b>X</b>			<b>X</b>		
Reaching				<b>X</b>			<b>X</b>		

Movement done from: (check all that apply)

- Ground to waist     Waist to shoulder     Above shoulder

Climbing

	Ladders	Stairways
<b>X</b>	<input type="checkbox"/> Step stool	<b>X</b> <input type="checkbox"/> less than 1 flight
	<b>X</b>	

<input type="checkbox"/> 7' to 10' step ladder	<input type="checkbox"/> 1-2 flights
<input type="checkbox"/> Extension ladder	<input type="checkbox"/> more than 3 flights
<input checked="" type="checkbox"/> Other: <u>Lifeguard chair</u>	<input type="checkbox"/> Other: _____
<input type="checkbox"/> ladder _____	<input type="checkbox"/> Not essential to job function
<input type="checkbox"/> Not essential to job function	

**Standing, Sitting, Walking, and Running**

	Duration (hrs./day)						Frequency		
	0-1	1-3	3-5	5-7	7-9	9+	Occasionally	Frequently	Continuously
Stand			X					X	
Sit		X						X	
Walk		X						X	
Run	X						X		

Running and Walking done on:  Flat surface     Uneven surface     Other: wet surfaces

**Driving**

Vehicle Type	Standard	Automatic	Multi-Gears
Light passenger car/van	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pickup	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dump Truck	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Truck with trailer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Heavy Equipment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Not essential to job function	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (list) _____			

**Working Conditions**

Work is performed indoors and outdoors. When work is performed outdoors, there is full exposure to the elements and incumbent may be exposed to heat and cold. When work is performed in an office environment it can require sitting for prolonged periods of time. The noise level in the work environment is usually moderate.

**Supervision Exercised**

Assists Pool Manager in supervision of all personnel at the pool including recreation coordinator, lead guards, lifeguards, instructors, and swim aides. Assists with annual/season-end evaluations of each employee at the pool with directions on how to re-apply next season where appropriate.

**Supervision Received**

Works under the direct supervision of the Pool Manager. Also may receive instruction from the Public Works Director as it relates to events and operation of the pool.

**Signatures**

This document has been reviewed between the Supervisor and the Incumbent. I understand that this document is intended to describe the most significant essential and auxiliary duties performed by the job/position for illustration purposes, but does not include other occasional work, which may be similar, related to, or a logical assignment for the position. This job/position description does NOT constitute an employee agreement between the employer and employee, and is subject to change by the employer as the organizational needs and requirements of the job change.

Incumbent Name

Incumbent Signature

Date

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Supervisor Name

Supervisor Signature

Date

**CITY OF VENETA**

**RESOLUTION NO. 1180**

**A RESOLUTION TO ADD A NEW POSITION TO CLASSIFICATION PLAN AND ADOPT REVISED COMPENSATION PLAN FOR HOURLY, TEMPORARY AND SEASONAL POSITIONS AND REPEALING RESOLUTION NO. 1164**

**WHEREAS**, the City of Veneta desires to maintain a Classification Plan that includes realistic expectations for each position and to maintain a Compensation Plan that reflects the level of responsibilities and expectations for each position; and

**WHEREAS**, the expectations of the Pool Manager position have become unrealistic creating a need for a new position; and

**WHEREAS**, pursuant to the City of Veneta Employee Handbook paragraph 9.30.20 supervisors are responsible for notifying the City Administrator of any changes in the responsibilities and/or expectations of a position; and

**WHEREAS**, such notification has taken place from the Public Works Department; and

**WHEREAS**, a new job description has been created; and

**WHEREAS**, the expectations of the new description are above and beyond the scope of the existing Recreation Assistant/Lifeguard position; and

**WHEREAS**, it is in the City’s best interest to establish a new position reflective of the expectations entitled “Senior Guard”; and

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

**SECTION 1 Classification Plan.** A new position entitled “Senior Guard” shall be added to the City’s Classification Plan and Organizational Chart.

**SECTION 2 Compensation Plan.** The City’s Compensation Plan for Hourly, Temporary and Seasonal Positions, Exhibit A attached hereto, will be revised to include a compensation range for the new “Senior Guard” position.

**SECTION 3 Effective Date.** This Resolution shall take effect for the July 1, 2015 pay date.

**SECTION 4 Repealing Clause.** Resolution No. 1164 is hereby repealed.

PASSED AND ADOPTED by the Veneta City Council this \_\_\_\_ day of \_\_\_\_\_, 2015.

XXXXXXXXXXXXXXXXXXXXX  
Sandra H. Larson, Mayor

ATTEST:

XXXXXXXXXXXXXXXXXXXXX  
Darci Henneman, City Recorder

## Compensation Plan Hourly, Temporary & Seasonal Positions \*

Effective Date: 12-Jun-15  
 Increase between Steps: 3.00%  
 Minimum Wage: \$ 9.25

Positions By Department	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
<b>Administrative</b>										
Office Support Specialist/ Utility Clerk	13.57	13.98	14.40	14.83	15.27	15.73	16.20	16.69	17.19	17.71
Recreation & Events Coordinator	10.92	11.24	11.58	11.93	12.29	12.66	13.04	13.43	13.83	14.24
<b>Community Development</b>										
Administrative Intern	9.25	9.53	9.82	10.11	10.41	10.72	11.04	11.37	11.71	12.06
Planning / Program Specialist	13.14	13.53	13.94	14.36	14.79	15.23	15.69	16.16	16.64	17.14
<b>Public Works</b>										
Seasonal Grounds Laborer	9.53	9.81	10.10	10.40	10.71	11.03	11.36	11.70	12.05	12.41
Wastewater Plant Intern	9.25	9.53	9.82	10.11	10.41	10.72	11.04	11.37	11.71	12.06
Pool Manager	16.95	17.46	17.98	18.52	19.08	19.65	20.24	20.85	21.48	22.12
Recreation Assistant / Lifeguard	9.25	9.53	9.82	10.11	10.41	10.72	11.04	11.37	11.71	12.06
Aerobics Instructor	11.47	11.81	12.16	12.52	12.90	13.29	13.69	14.10	14.52	14.96
Senior Guard	13.29	13.69	14.10	14.52	14.96	15.41	15.87	16.35	16.84	17.35

\*These positions can be full or part-time.  
 Part-time positions receive reduced benefits.  
 All positions are non-exempt for overtime purposes.

# VENETA CITY COUNCIL AGENDA ITEM SUMMARY

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Title/Topic: Award of Contract for the City of Veneta Air Piping and Efficiency Improvement Project

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Meeting Date: June 22, 2015  
Department: Public Works

Staff Contact: Kyle Schauer  
Email: [kschauer@ci.veneta.or.us](mailto:kschauer@ci.veneta.or.us)  
Telephone Number: 541-935-2191 Ext. 313

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## ISSUE STATEMENT

Will the City Council authorize staff to enter into contract with Cascade Water Works, Inc. to construct the City of Veneta Air Piping and Efficiency Improvement Project?

## BACKGROUND

On June 4th, bidding for the City of Veneta Air Piping and Efficiency Improvement Project closed. The project consists of the installation of approximately 135' of concrete trenching and approximately 370' of ductile iron piping for the compressed air delivery system, installation of dissolved oxygen sensors in each of the aeration basins, actuated valves and flow sensors, and new controls in the control building for improving efficiency of treatment process.

The City received four bids for the project. They were as follows:

P.C.R. Inc	\$562,110.00
Stettler Supply Company	\$529,805.00
Pacific Excavation, Inc	\$483,627.00
Cascade Water Works, Inc	\$466,300.00

Cascade Water Works, Inc.'s bid of \$466,330.00 is the lowest, most responsive bid. The City's contract engineering firm-Civil West Engineering Services, Inc has vetted out the bids and have recommended awarding the bid to Cascade Water Works, Inc.

It is also recommended that the City add a contingency of about 5% to the budget for a total request not to exceed \$490,000.

## RELATED CITY POLICIES

The project is budgeted for construction under the Sewer Fund in both this current budget year and fiscal year 2015-2016.

## **COUNCIL OPTIONS**

1. Authorize staff to enter into contract with Cascade Water Works, Inc. and proceed with the project.
2. Deny the request.
3. Postpone decision pending more information.

## **CITY ADMINISTRATOR'S RECOMMENDATION**

The City Council authorize staff to enter into contract with Cascade Water Works, Inc. to construct the City of Veneta Air Piping and Efficiency Improvement Project for an amount not to exceed \$490,000.

## **SUGGESTED MOTION**

*"I make a motion to authorize City staff to enter into contract with Cascade Water Works, Inc. to construct the City of Veneta Air Piping and Efficiency Improvement Project for an amount not to exceed \$490,000."*

## **ATTACHMENTS**

1. Recommendation to Award letter from Civil West Engineering Services, Inc



June 9, 2015

Mr. Kyle Schauer  
City of Veneta  
88184 8<sup>th</sup> Street  
Veneta, OR 97487

**RE: Bid Results for the City of Veneta – Air Piping and Efficiency Improvements**

Dear Mr. Schauer:

The Bid opening for the City of Veneta – Air Piping and Efficiency Improvements was held and read aloud at 2:00 p.m. on Thursday, June 4<sup>th</sup>, 2015 at the City Hall, City of Veneta, Oregon.

A total of four (4) bids were received for the project with prices ranging from a low of \$466,300.00 as submitted by Cascade Water Works, Inc., to a high of \$562,110.00

Based on the determination of responsible bidders, per ORS 279C.375 and the above mentioned Bid results and observations, it is our recommendation that the City of Veneta award the Air Piping and Efficiency Upgrades to Cascade Water Works, Inc. for a total of \$466,300.00.

Upon approval from you, Civil West Engineering will issue a "Notice of Intent to Award a Contract" to all bidders stating the City's intent. Per ORS 279C.375(2) the Notice of Intent should be issued at least 7 days prior to awarding the contract.

Please feel free to contact me with any questions you may have concerning this projects.

Respectfully,  
**Civil West Engineering Services, Inc.**

A handwritten signature in blue ink that reads "Matt Wadlington". The signature is fluid and cursive.

Matt Wadlington, PE  
Project Manager

cc: file

Encl.  
Bid Tabulation