

AGENDA
VENETA CITY COUNCIL
MONDAY, OCTOBER 12, 2020 – 6:30 P.M.
 Veneta Administrative Center, 88184 8th Street, Veneta, Oregon

PURSUANT TO GOVERNOR BROWN’S EXECUTIVE ORDER NOS. 20-16 AND 20-27, ALL CITY OF VENETA PUBLIC MEETINGS CAN BE ACCESSED VIA TELECONFERENCE. TO LISTEN TO THIS MEETING, CALL 1- 862-799-9663. TO SUBMIT PUBLIC COMMENTS ELECTRONICALLY, EMAIL COMMENTS TO dhenneman@ci.veneta.or.us BY 3:00 P.M. WEDNESDAY PRECEDING COUNCIL MEETINGS. ALL PUBLIC COMMENTS MUST INCLUDE YOUR NAME AND ADDRESS

ALL CITY OF VENETA PUBLIC MEETINGS WILL BE LIMITED TO NO MORE THAN 16 PEOPLE ATTENDING, INCLUDING STAFF AND ELECTED/APPOINTED OFFICIALS BASED ON SIX FEET OF SOCIAL DISTANCING SEPARATION MASKS ARE REQUIRED TO ENTER CITY HALL

- 6:30 **1. CALL TO ORDER**
- 6:30 **2. PUBLIC COMMENT** - Maximum time 20 minutes. Speakers will be limited to 3 minutes each. The Council will not engage in any discussion or make any decisions based on public comment at this time; however, they may take comments under advisement for discussion and action at a future Council meeting.
- 6:40 **3. CONSENT AGENDA**
 - a. Accounts Payable
 - i. Unpaid Invoices Through October 8, 2020 (pgs. 3-12)
 - b. Planning Activities Report January 2020 to October 2020 (pg. 13)
 - c. Code Enforcement Activity - September 2020 Update (pg. 15)
- 6:45 **4. INTRODUCTION OF AMERICORPS RESOURCE ASSISTANCE TO RURAL ENVIRONMENTS (RARE) PARTICIPANT – BRADLEIGH JENKINS**
- 6:50 **5. COUNCIL BUSINESS AND REPORTS**
 - a. Business
 - (1) Lane County Sheriff’s Office Activity Report (pgs. 17-18)
 - b. Council/Committee Liaison Reports
- 7:00 **6. STAFF REPORTS**
 - a. Management Analyst.....Jana Weaver
 - (1) Request to Authorize Renewal of Transitional Camping Site Permit Agreement with Valley United Methodist Church (pgs. 19-32)
 - b. Finance Directors.....Shauna Hartz & Caitlin Hippler
 - (1) **RESOLUTION No. 1311** – A RESOLUTION AUTHORIZING SIGNERS ON VARIOUS BANKING ACCOUNTS, FOR THE CITY OF VENETA AND REPEALING RESOLUTION NO. 1287 (pgs. 33-34)
 - (2) Amendments to Title 3 Chapter 10 of the Veneta Municipal Code Related To Public Improvements and Special Assessments
 - i. Agenda Item Summary (pgs. 35-47)
 - ii. **ORDINANCE No. 558** – AN ORDINANCE AMENDING VENETA MUNICIPAL CODE TITLE 3 CHAPTER 10, for first and second reading by title only and final enactment of November 12, 2020 (pgs. 49-61)
 - (3) Appropriate Funds from the Oregon Emergency Board Grant/Coronavirus Relief Fund (CRF) to the General Fund
 - i. Agenda Item Summary (pgs. 63-64)
 - ii. **RESOLUTION No. 1312** – A RESOLUTION ACCEPTING A SPECIFIC PURPOSE GRANT AND UNFORESEEN CONTRIBUTION, AND APPROPRIATING EXPENDITURES (pgs. 65-66)

- 7:35 c. City Administrator.....Matt Michel
 (1) Recommendation to Declare a Temporary State of Emergency to Address COVID-19
 i. Agenda Item Summary (pgs. 67-68)
 ii. **RESOLUTION No. 1313** – A RESOLUTION DECLARING A TEMPORARY STATE OF EMERGENCY WITHIN THE BOUNDARIES OF THE CITY OF VENETA AND DELEGATING AUTHORITY TO THE CITY ADMINISTRATOR (pgs. 69-71)
 (2) Questions from Councilors
- 7:50 **7. OTHER**
- 8:00 **8. ADJOURN**

Times are approximate. This meeting will be digitally recorded. Location is wheelchair accessible (WCA). Individuals needing special accommodations, such as sign language or foreign language interpreters, should make such requests by contacting the City Recorder at 541-935-2191(voice) or by e-mail at: dhenneman@ci.veneta.or.us. Requests made after 10:00 a.m. two working days prior to a meeting may not be accommodated.

Los tiempos son aproximados. Esta reunión se grabará digitalmente. La ubicación es accesible para sillas de ruedas (WCA). Las personas que necesiten un alojamiento especial, tales como lenguaje de señas o intérpretes de idiomas extranjeros, deben hacer tales peticiones poniéndose en contacto con el registrador de la ciudad en 541-935-2191 (voz) o por correo electrónico a: dhenneman@ci.veneta.or.us. Las solicitudes hechas después de las 10:00 a.m. dos días hábiles antes de una reunión no pueden ser acomodadas.

To access City Council meeting material please go to <http://www.venetaoregon.gov/meetings>

Invoice Number	Sequence Number	Description	Type	Invoice Date	Due Date	Invoice Amount	Net Invoice Check Amount	GL Account Number	GL Account Description
185 Analytical Laboratory Group									
130903	1	Lab services: wastewater 9	Invoi	09/02/2020	10/13/2020	1,066.50	1,066.50	220-220-53055	System Quality Tests
130903	2	Lab services: Drinking wat	Invoi	09/02/2020	10/13/2020	275.80	275.80	210-210-53055	System Quality Tests
Total 130903:						1,342.30	1,342.30		
Total 185 Analytical Laboratory Group:						1,342.30	1,342.30		
190 Apex Systems									
224312	1	Quarterly alarm system mo	Invoi	09/14/2020	10/13/2020	62.53	62.53	100-100-51050	Building Maint & Janitor
224312	2	Quarterly alarm system mo	Invoi	09/14/2020	10/13/2020	9.07	9.07	100-205-51050	Building Maint & Janitor
224312	3	Quarterly alarm system mo	Invoi	09/14/2020	10/13/2020	8.75	8.75	100-160-51050	Building Maint/Janitoria
224312	4	Quarterly alarm system mo	Invoi	09/14/2020	10/13/2020	9.07	9.07	100-170-51050	Building Maint & Janitor
224312	5	Quarterly alarm system mo	Invoi	09/14/2020	10/13/2020	6.16	6.16	100-195-51050	Building Maint & Janitor
224312	6	Quarterly alarm system mo	Invoi	09/14/2020	10/13/2020	16.85	16.85	130-130-51050	Building Maint & Janitor
224312	7	Quarterly alarm system mo	Invoi	09/14/2020	10/13/2020	13.61	13.61	130-520-51050	Building Maint & Janitor
224312	8	Quarterly alarm system mo	Invoi	09/14/2020	10/13/2020	9.72	9.72	130-530-51050	Building Maint & Janitor
224312	9	Quarterly alarm system mo	Invoi	09/14/2020	10/13/2020	26.24	26.24	140-140-51050	Building Maint & Janitor
224312	10	Quarterly alarm system mo	Invoi	09/14/2020	10/13/2020	58.00	58.00	210-210-51050	Building Maint & Janitor
224312	11	Quarterly alarm system mo	Invoi	09/14/2020	10/13/2020	64.80	64.80	220-220-51050	Building Maint & Janitor
224312	12	Quarterly alarm system mo	Invoi	09/14/2020	10/13/2020	26.89	26.89	230-230-51050	Building Maint & Janitor
224312	13	Quarterly alarm system mo	Invoi	09/14/2020	10/13/2020	7.13	7.13	240-240-51050	Building Maint & Janitor
224312	14	Quarterly alarm system mo	Invoi	09/14/2020	10/13/2020	5.18	5.18	260-110-51050	Building Maint & Janitor
Total 224312:						324.00	324.00		
Total 190 Apex Systems:						324.00	324.00		
245 Banner Bank-CC									
BBCC 9/20	1	United Rentals	Invoi	09/17/2020	10/13/2020	129.00	129.00	100-205-51120	Pop Up Retail
BBCC 9/20	2	MsOnline 9/20	Invoi	09/17/2020	10/13/2020	24.42	24.42	100-100-52045	Computer System Sup
BBCC 9/20	3	MsOnline 9/20	Invoi	09/17/2020	10/13/2020	3.70	3.70	100-205-52045	Computer System Sup
BBCC 9/20	4	MsOnline 9/20	Invoi	09/17/2020	10/13/2020	3.56	3.56	100-160-52045	Computer System Sup
BBCC 9/20	5	MsOnline 9/20	Invoi	09/17/2020	10/13/2020	3.70	3.70	100-170-52045	Computer System Sup
BBCC 9/20	6	MsOnline 9/20	Invoi	09/17/2020	10/13/2020	2.51	2.51	100-195-52045	Computer System Sup
BBCC 9/20	7	MsOnline 9/20	Invoi	09/17/2020	10/13/2020	2.11	2.11	260-110-52045	Computer System Sup
BBCC 9/20	8	MsOnline 9/20	Invoi	09/17/2020	10/13/2020	10.82	10.82	130-130-52045	Computer System Sup
BBCC 9/20	9	MsOnline 9/20	Invoi	09/17/2020	10/13/2020	5.54	5.54	130-520-52045	Computer System Sup
BBCC 9/20	10	MsOnline 9/20	Invoi	09/17/2020	10/13/2020	10.69	10.69	140-140-52045	Computer System Sup
BBCC 9/20	11	MsOnline 9/20	Invoi	09/17/2020	10/13/2020	23.63	23.63	210-210-52045	Computer System Sup
BBCC 9/20	12	MsOnline 9/20	Invoi	09/17/2020	10/13/2020	26.40	26.40	220-220-52045	Computer System Sup
BBCC 9/20	13	MsOnline 9/20	Invoi	09/17/2020	10/13/2020	10.96	10.96	230-230-52045	Computer System Sup
BBCC 9/20	14	MsOnline 9/20	Invoi	09/17/2020	10/13/2020	2.90	2.90	240-240-52045	Computer System Sup
BBCC 9/20	15	MsOnline 9/20	Invoi	09/17/2020	10/13/2020	1.06	1.06	350-350-52045	Computer System Sup
BBCC 9/20	16	OSP	Invoi	09/17/2020	10/13/2020	10.00	10.00	100-100-51010	Admin Supplies & Servi
BBCC 9/20	17	Facebook ads-Pop-Ups	Invoi	09/17/2020	10/13/2020	55.99	55.99	100-205-51095	Public Relations
BBCC 9/20	18	Squarespace	Invoi	09/17/2020	10/13/2020	144.00	144.00	100-205-51010	Admin Supplies & Servi
BBCC 9/20	19	Tank and Barrel	Invoi	09/17/2020	10/13/2020	1,057.84	1,057.84	130-130-53040	Park Maintenance
BBCC 9/20	20	Epic Sports	Invoi	09/17/2020	10/13/2020	41.59	41.59	130-130-53040	Park Maintenance
BBCC 9/20	21	Bi-Mart	Invoi	09/17/2020	10/13/2020	60.00	60.00	100-100-51098	Wellness Program
BBCC 9/20	22	Satin Stitch	Invoi	09/17/2020	10/13/2020	14.16	14.16	100-100-51010	Admin Supplies & Servi
BBCC 9/20	23	Satin Stitch	Invoi	09/17/2020	10/13/2020	2.06	2.06	100-205-51010	Admin Supplies & Servi
BBCC 9/20	24	Satin Stitch	Invoi	09/17/2020	10/13/2020	1.98	1.98	100-160-51010	Admin Supplies & Servi
BBCC 9/20	25	Satin Stitch	Invoi	09/17/2020	10/13/2020	2.06	2.06	100-170-51010	Admin Supplies & Servi
BBCC 9/20	26	Satin Stitch	Invoi	09/17/2020	10/13/2020	1.40	1.40	100-195-51010	Admin Supplies & Servi
BBCC 9/20	27	Satin Stitch	Invoi	09/17/2020	10/13/2020	1.18	1.18	260-110-51010	Admin Supplies & Servi

Invoice Number	Sequence Number	Description	Type	Invoice Date	Due Date	Invoice Amount	Net Invoice Check Amount	GL Account Number	GL Account Description
BBCC 9/20	28	Satin Stitch	Invoi	09/17/2020	10/13/2020	3.82	3.82	130-130-51010	Admin Supplies & Servi
BBCC 9/20	29	Satin Stitch	Invoi	09/17/2020	10/13/2020	3.09	3.09	130-520-51010	Admin Supplies & Servi
BBCC 9/20	30	Satin Stitch	Invoi	09/17/2020	10/13/2020	2.21	2.21	130-530-51010	Admin Supplies & Servi
BBCC 9/20	31	Satin Stitch	Invoi	09/17/2020	10/13/2020	5.95	5.95	140-140-51010	Admin Supplies & Serv
BBCC 9/20	32	Satin Stitch	Invoi	09/17/2020	10/13/2020	13.16	13.16	210-210-51010	Admin Supplies & Servi
BBCC 9/20	33	Satin Stitch	Invoi	09/17/2020	10/13/2020	14.70	14.70	220-220-51010	Admin Supplies & Servi
BBCC 9/20	34	Satin Stitch	Invoi	09/17/2020	10/13/2020	6.10	6.10	230-230-51010	Admin Supplies & Servi
BBCC 9/20	35	Satin Stitch	Invoi	09/17/2020	10/13/2020	1.63	1.63	240-240-51010	Admin Supplies & Servi
BBCC 9/20	36	Finance charge	Invoi	09/17/2020	10/13/2020	63.17	63.17	100-100-51010	Admin Supplies & Servi
Total BBCC 9/20:						1,767.09	1,767.09		
Total 245 Banner Bank-CC:						1,767.09	1,767.09		
305 Brenntag Pacific Inc									
BPI85428	1	Sodium Hypochlorite	Invoi	09/29/2020	10/13/2020	1,588.85	1,588.85	210-210-53020	System Operating Sup
Total BPI85428:						1,588.85	1,588.85		
Total 305 Brenntag Pacific Inc:						1,588.85	1,588.85		
320 Buck's Sanitary Service									
A-147398	1	Fern Park 9/20	Invoi	09/30/2020	10/13/2020	65.00	65.00	130-130-53040	Park Maintenance
Total A-147398:						65.00	65.00		
A-147399	1	City Park 9/20	Invoi	09/30/2020	10/13/2020	65.00	65.00	130-130-53040	Park Maintenance
Total A-147399:						65.00	65.00		
A-147400	1	Skate Park 9/20	Invoi	09/30/2020	10/13/2020	98.50	98.50	130-130-53040	Park Maintenance
Total A-147400:						98.50	98.50		
A-147889	1	Farmers Market 9/20	Invoi	09/30/2020	10/13/2020	275.00	275.00	100-205-51050	Building Maint & Janitor
Total A-147889:						275.00	275.00		
Total 320 Buck's Sanitary Service:						503.50	503.50		
360 Carson Technologies, LLC									
CP-0012690	1	Customer charge	Invoi	09/30/2020	10/13/2020	45.68	45.68	100-100-53030	Equip.Maintenance&R
CP-0012690	2	Customer charge	Invoi	09/30/2020	10/13/2020	91.36	91.36	130-130-53030	Equip.Maintenance&R
CP-0012690	3	Customer charge	Invoi	09/30/2020	10/13/2020	91.36	91.36	230-230-53030	Equip.Maintenance&R
CP-0012690	4	Customer charge	Invoi	09/30/2020	10/13/2020	365.45	365.45	210-210-53030	Equip.Maintenance&R
CP-0012690	5	Customer charge	Invoi	09/30/2020	10/13/2020	319.78	319.78	220-220-53030	Equip.Maintenance&R
Total CP-00126900:						913.63	913.63		
Total 360 Carson Technologies, LLC:						913.63	913.63		
435 Comfort Flow Heating AC & Refrigeration									
SVC231237	1	Check/change filters	Invoi	09/30/2020	10/13/2020	198.80	198.80	100-100-51050	Building Maint & Janitor
SVC231237	2	Check/change filters	Invoi	09/30/2020	10/13/2020	49.70	49.70	140-140-51050	Building Maint & Janitor
Total SVC231237:						248.50	248.50		

Invoice Number	Sequence Number	Description	Type	Invoice Date	Due Date	Invoice Amount	Net Invoice Check Amount	GL Account Number	GL Account Description
Total 435 Comfort Flow Heating AC & Refrigeration:						248.50	248.50		
580 Emerald Peoples Utility District									
104799 9/20	1	Skate Park	Invoi	09/23/2020	10/13/2020	31.00	31.00	130-130-51035	Electricity
Total 104799 9/20:						31.00	31.00		
107383 9/20	1	Pool 9/20	Invoi	09/23/2020	10/13/2020	1,318.05	1,318.05	130-520-54055	Pool Utilities
Total 107383 9/20:						1,318.05	1,318.05		
108974 9/20	1	St lights	Invoi	09/23/2020	10/13/2020	2,818.60	2,818.60	230-230-51035	Electricity
Total 108974 9/20:						2,818.60	2,818.60		
122635 9/20	1	Bulk Water station 9/20	Invoi	09/23/2020	10/13/2020	33.22	33.22	210-210-51035	Electricity
Total 122635 9/20:						33.22	33.22		
136326 9/20	1	8th & Jack Kelly 9/20	Invoi	09/23/2020	10/13/2020	86.45	86.45	220-220-51035	Electricity
Total 136326 9/20:						86.45	86.45		
139282 9/20	1	Attic 9/20	Invoi	09/23/2020	10/13/2020	45.60	45.60	100-205-51050	Building Maint & Janitor
Total 139282 9/20:						45.60	45.60		
51043 9/20	1	C/H	Invoi	09/23/2020	10/13/2020	279.56	279.56	100-100-51035	Electricity
51043 9/20	2	C/H	Invoi	09/23/2020	10/13/2020	93.18	93.18	140-140-51035	Electricity
Total 51043 9/20:						372.74	372.74		
60675 9/20	1	Pine St lift station	Invoi	09/23/2020	10/13/2020	91.02	91.02	220-220-51035	Electricity
Total 60675 9/20:						91.02	91.02		
61380 9/20	1	Terr Hwy/126 Lift station	Invoi	09/23/2020	10/13/2020	32.55	32.55	220-220-51035	Electricity
Total 61380 9/20:						32.55	32.55		
8229 9/20	1	Terr Rd pump	Invoi	09/23/2020	10/13/2020	32.82	32.82	210-210-51035	Electricity
Total 8229 9/20:						32.82	32.82		
Total 580 Emerald Peoples Utility District:						4,862.05	4,862.05		
585 Emerald Pool & Patio									
534046-1	1	Pool chemicals	Invoi	09/21/2020	10/13/2020	121.30	121.30	130-520-54020	Pool Operating Supplie
Total 534046-1:						121.30	121.30		
Total 585 Emerald Pool & Patio:						121.30	121.30		
645 FEI #3011 Waterworks									
51218 9/20	1	System needs	Invoi	09/30/2020	10/13/2020	659.00	659.00	210-210-53040	System Maintenance

Invoice Number	Sequence Number	Description	Type	Invoice Date	Due Date	Invoice Amount	Net Invoice Check Amount	GL Account Number	GL Account Description
Total 51218 9/20:						659.00	659.00		
Total 645 FEI #3011 Waterworks:						659.00	659.00		
655 Fern Ridge School District 28J									
FRSD 9/20	1	Excise tax - Sept 2020	Invoi	09/30/2020	10/13/2020	8,997.60	8,997.60	100-000-20010	Accounts Payable
Total FRSD 9/20:						8,997.60	8,997.60		
Total 655 Fern Ridge School District 28J:						8,997.60	8,997.60		
730 Oregon Government Ethics Commission									
AIE12649	1	Billing year FY2020-21	Invoi	09/16/2020	10/13/2020	121.85	121.85	100-100-51020	Professional Dues
AIE12649	2	Billing year FY2020-21	Invoi	09/16/2020	10/13/2020	18.44	18.44	100-205-51020	Professional Dues
AIE12649	3	Billing year FY2020-21	Invoi	09/16/2020	10/13/2020	17.78	17.78	100-160-51020	Professional Dues
AIE12649	4	Billing year FY2020-21	Invoi	09/16/2020	10/13/2020	18.44	18.44	100-170-51020	Professional Dues
AIE12649	5	Billing year FY2020-21	Invoi	09/16/2020	10/13/2020	12.51	12.51	100-195-51020	Professional Dues
AIE12649	6	Billing year FY2020-21	Invoi	09/16/2020	10/13/2020	10.54	10.54	260-110-51020	Professional Dues
AIE12649	7	Billing year FY2020-21	Invoi	09/16/2020	10/13/2020	54.01	54.01	130-130-51020	Professional Dues
AIE12649	8	Billing year FY2020-21	Invoi	09/16/2020	10/13/2020	27.66	27.66	130-520-51020	Professional Dues
AIE12649	9	Billing year FY2020-21	Invoi	09/16/2020	10/13/2020	53.35	53.35	140-140-51020	Professional Dues
AIE12649	10	Billing year FY2020-21	Invoi	09/16/2020	10/13/2020	117.90	117.90	210-210-51020	Professional Dues
AIE12649	11	Billing year FY2020-21	Invoi	09/16/2020	10/13/2020	131.73	131.73	220-220-51020	Professional Dues
AIE12649	12	Billing year FY2020-21	Invoi	09/16/2020	10/13/2020	54.67	54.67	230-230-51020	Professional Dues
AIE12649	13	Billing year FY2020-21	Invoi	09/16/2020	10/13/2020	14.49	14.49	240-240-51020	Professional Dues
AIE12649	14	Billing year FY2020-21	Invoi	09/16/2020	10/13/2020	5.27	5.27	350-350-51020	Professional Dues
Total AIE12649:						658.64	658.64		
Total 730 Oregon Government Ethics Commission:						658.64	658.64		
800 HD Fowler Company									
222020 9/20	1	System needs	Invoi	10/01/2020	10/13/2020	569.33	569.33	210-210-53040	System Maintenance
Total 222020 9/20:						569.33	569.33		
Total 800 HD Fowler Company:						569.33	569.33		
830 Hunter Communications, Inc									
424 10/20	1	Fiber Internet - Admin	Invoi	10/07/2020	10/13/2020	110.88	110.88	100-100-52050	Internet & Web Site Fe
424 10/20	2	Fiber internet- Court	Invoi	10/07/2020	10/13/2020	15.04	15.04	100-160-52050	Internet & Web Site Fe
424 10/20	3	Fiber internet-Code	Invoi	10/07/2020	10/13/2020	15.60	15.60	100-170-52050	Internet & Web Site Fe
424 10/20	4	Fiber internet - Public Safet	Invoi	10/07/2020	10/13/2020	10.59	10.59	100-195-52050	Internet & Web Site Fe
424 10/20	5	Fiber internet -Parks	Invoi	10/07/2020	10/13/2020	28.97	28.97	130-130-52050	Internet & Web Site Fe
424 10/20	6	Fiber internet - Pool	Invoi	10/07/2020	10/13/2020	23.40	23.40	130-520-52050	Internet & Web Site Fe
424 10/20	7	Fiber internet - Planning	Invoi	10/07/2020	10/13/2020	45.13	45.13	140-140-52050	Internet & Web Site Fe
424 10/20	8	Fiber internet - water	Invoi	10/07/2020	10/13/2020	99.73	99.73	210-210-52050	Internet & Web Site Fe
424 10/20	9	Fiber internet - sewer	Invoi	10/07/2020	10/13/2020	111.43	111.43	220-220-52050	Internet & Web Site Fe
424 10/20	10	Fiber internet - stormwater	Invoi	10/07/2020	10/13/2020	12.26	12.26	240-240-52050	Internet & Web Site Fe
424 10/20	11	Fiber internet - streets	Invoi	10/07/2020	10/13/2020	46.24	46.24	230-230-52050	Internet & Web Site Fe
424 10/20	12	Fiber Internet - Econ Dev	Invoi	10/07/2020	10/13/2020	15.60	15.60	100-205-52050	Internet & Web Site Fe
424 10/20	13	Fiber Internet - Bldg	Invoi	10/07/2020	10/13/2020	8.91	8.91	260-110-52050	Internet & Web Site Fe
424 10/20	14	Fiber Internet - Com Ctr	Invoi	10/07/2020	10/13/2020	16.73	16.73	130-530-52050	Internet & Web Site Fe
Total 424 10/20:						560.51	560.51		

Invoice Number	Sequence Number	Description	Type	Invoice Date	Due Date	Invoice Amount	Net Invoice Check Amount	GL Account Number	GL Account Description
Total 830 Hunter Communications, Inc:						560.51	560.51		
840 Industrial Source									
01806547	1	Pool C02	Invoi	09/30/2020	10/13/2020	83.95	83.95	130-520-54020	Pool Operating Supplie
Total 01806547:						83.95	83.95		
1809226	1	Pool C02	Invoi	10/02/2020	10/13/2020	127.00	127.00	130-520-54020	Pool Operating Supplie
Total 1809226:						127.00	127.00		
Total 840 Industrial Source:						210.95	210.95		
935 Kiwanis of Fern Ridge									
KIWANIS 9/2	1	MMichels - Annual member	Invoi	09/21/2020	10/13/2020	23.13	23.13	100-100-51020	Professional Dues
KIWANIS 9/2	2	MMichels - Annual member	Invoi	09/21/2020	10/13/2020	3.50	3.50	100-205-51020	Professional Dues
KIWANIS 9/2	3	MMichels - Annual member	Invoi	09/21/2020	10/13/2020	3.38	3.38	100-160-51020	Professional Dues
KIWANIS 9/2	4	MMichels - Annual member	Invoi	09/21/2020	10/13/2020	3.50	3.50	100-170-51020	Professional Dues
KIWANIS 9/2	5	MMichels - Annual member	Invoi	09/21/2020	10/13/2020	2.38	2.38	100-195-51020	Professional Dues
KIWANIS 9/2	6	MMichels - Annual member	Invoi	09/21/2020	10/13/2020	2.00	2.00	260-110-51020	Professional Dues
KIWANIS 9/2	7	MMichels - Annual member	Invoi	09/21/2020	10/13/2020	10.25	10.25	130-130-51020	Professional Dues
KIWANIS 9/2	8	MMichels - Annual member	Invoi	09/21/2020	10/13/2020	5.25	5.25	130-520-51020	Professional Dues
KIWANIS 9/2	9	MMichels - Annual member	Invoi	09/21/2020	10/13/2020	10.13	10.13	140-140-51020	Professional Dues
KIWANIS 9/2	10	MMichels - Annual member	Invoi	09/21/2020	10/13/2020	22.38	22.38	210-210-51020	Professional Dues
KIWANIS 9/2	11	MMichels - Annual member	Invoi	09/21/2020	10/13/2020	25.00	25.00	220-220-51020	Professional Dues
KIWANIS 9/2	12	MMichels - Annual member	Invoi	09/21/2020	10/13/2020	10.38	10.38	230-230-51020	Professional Dues
KIWANIS 9/2	13	MMichels - Annual member	Invoi	09/21/2020	10/13/2020	2.75	2.75	240-240-51020	Professional Dues
KIWANIS 9/2	14	MMichels - Annual member	Invoi	09/21/2020	10/13/2020	.97	.97	350-350-51020	Professional Dues
Total KIWANIS 9/20B:						125.00	125.00		
Total 935 Kiwanis of Fern Ridge:						125.00	125.00		
980 Lane County Accounts Receivable									
LCAR 9/20	1	Assessments collected les	Invoi	10/01/2020	10/13/2020	462.40	462.40	100-000-20330	County Assessment Pa
Total LCAR 9/20:						462.40	462.40		
Total 980 Lane County Accounts Receivable:						462.40	462.40		
1005 Lane County Sheriff's Office									
SO7415	1	1st Qtr FY20/21	Invoi	10/01/2020	10/13/2020	243,509.00	243,509.00	120-120-52210	Law Enforcement Contr
Total SO7415:						243,509.00	243,509.00		
Total 1005 Lane County Sheriff's Office:						243,509.00	243,509.00		
1015 Lane Electric Coop Inc									
42002 9/20	1	Community Center	Invoi	09/30/2020	10/13/2020	89.71	89.71	130-130-51035	Electricity
Total 42002 9/20:						89.71	89.71		
42007 9/20	1	Welcome light sign	Invoi	09/30/2020	10/13/2020	145.86	145.86	100-100-51035	Electricity
Total 42007 9/20:						145.86	145.86		
42008 9/20	1	Sewer Plant	Invoi	09/30/2020	10/13/2020	6,281.14	6,281.14	220-220-51035	Electricity

Invoice Number	Sequence Number	Description	Type	Invoice Date	Due Date	Invoice Amount	Net Invoice Check Amount	GL Account Number	GL Account Description
Total 42008 9/20:						6,281.14	6,281.14		
42009 9/20	1	Bolton water tower	Invoi	09/30/2020	10/13/2020	245.78	245.78	210-210-51035	Electricity
Total 42009 9/20:						245.78	245.78		
42012 9/20	1	St Lights	Invoi	09/30/2020	10/13/2020	1,283.65	1,283.65	230-230-51035	Electricity
Total 42012 9/20:						1,283.65	1,283.65		
42013 9/20	1	Hudson & Tidball Pumphou	Invoi	09/30/2020	10/13/2020	1,060.58	1,060.58	210-210-51035	Electricity
Total 42013 9/20:						1,060.58	1,060.58		
Total 1015 Lane Electric Coop Inc:						9,106.72	9,106.72		
1150 Mid-State Industrial Svc									
188532	1	Monthly Contract 9/20	Invoi	09/17/2020	10/13/2020	2,684.29	2,684.29	230-230-53150	Street Sweeping Contr
Total 188532:						2,684.29	2,684.29		
188752	1	Clean jet lines-Cornerstone	Invoi	09/30/2020	10/13/2020	540.00	540.00	220-220-53040	System Maintenance
Total 188752:						540.00	540.00		
Total 1150 Mid-State Industrial Svc:						3,224.29	3,224.29		
1190 Nation's Mini-Mix Inc									
202544,737	1	Cement	Invoi	10/01/2020	10/13/2020	703.00	703.00	210-210-53040	System Maintenance
Total 202544,737:						703.00	703.00		
Total 1190 Nation's Mini-Mix Inc:						703.00	703.00		
1200 Net Assets									
88-202009	1	Lien search fees	Invoi	10/01/2020	10/13/2020	282.00	282.00	100-100-51010	Admin Supplies & Servi
Total 88-202009:						282.00	282.00		
Total 1200 Net Assets:						282.00	282.00		
1245 One Call Concepts Inc									
90510	1	Utility Locates - Water	Invoi	09/30/2020	10/13/2020	25.80	25.80	210-210-51030	Telephone Services
90510	2	Utility Locates - Sewer	Invoi	09/30/2020	10/13/2020	25.80	25.80	220-220-51030	Telephone Services
Total 90510:						51.60	51.60		
Total 1245 One Call Concepts Inc:						51.60	51.60		
1305 Oregon Dept of Consumer and Business									
DCBS 8/20	1	St Surcharges Aug 2020	Invoi	10/01/2020	10/13/2020	375.00	375.00	100-000-20275	Building Surcharges Pa
DCBS 8/20	2	St Surcharges Aug 2020	Invoi	10/01/2020	10/13/2020	197.16	197.16	100-000-20280	Electrical Surcharges P
Total DCBS 8/20:						572.16	572.16		
DCBS 9/20	1	St Surcharges Sept 2020	Invoi	10/01/2020	10/13/2020	103.92	103.92	100-000-20280	Electrical Surcharges P

Invoice Number	Sequence Number	Description	Type	Invoice Date	Due Date	Invoice Amount	Net Invoice Check Amount	GL Account Number	GL Account Description
DCBS 9/20	2	St Surcharges Sept 2020	Invoi	10/01/2020	10/13/2020	1,454.52	1,454.52	100-000-20275	Building Surcharges Pa
Total DCBS 9/20:						1,558.44	1,558.44		
Total 1305 Oregon Dept of Consumer and Business:						2,130.60	2,130.60		
1345 Oregon Dept of Revenue-Court									
ODOR 9/20	1	Unitary Assessments w/ ot	Invoi	10/01/2020	10/13/2020	350.00	350.00	100-000-20320	State Assessments Pay
ODOR 9/20	2	Unitary Assessments w/ ot	Invoi	10/01/2020	10/13/2020	2.00	2.00	100-000-20330	County Assessment Pa
Total ODOR 9/20:						352.00	352.00		
Total 1345 Oregon Dept of Revenue-Court:						352.00	352.00		
1405 O'Reilly Automotive, Inc									
1624482 9/2	1	Various Needs	Invoi	09/28/2020	10/13/2020	46.93	46.93	130-130-53040	Park Maintenance
1624482 9/2	2	Various Needs	Invoi	09/28/2020	10/13/2020	7.98	7.98	220-220-53040	System Maintenance
1624482 9/2	3	Various Needs	Invoi	09/28/2020	10/13/2020	41.78	41.78	230-230-51055	Safety Programs & Sup
Total 1624482 9/20:						96.69	96.69		
Total 1405 O'Reilly Automotive, Inc:						96.69	96.69		
1430 Pacific Ag Systems									
51703	1	Vac truck needs	Invoi	09/28/2020	10/13/2020	44.77	44.77	210-210-53030	Equip.Maintenance&R
51703	2	Vac truck needs	Invoi	09/28/2020	10/13/2020	44.76	44.76	230-230-53030	Equip.Maintenance&R
Total 51703:						89.53	89.53		
51998	1	Big gun repair	Invoi	09/28/2020	10/13/2020	309.51	309.51	220-220-53040	System Maintenance
Total 51998:						309.51	309.51		
Total 1430 Pacific Ag Systems:						399.04	399.04		
1445 Pacific Rubber & Supply									
018496	1	Vactor repair	Invoi	09/30/2020	10/13/2020	37.00	37.00	210-210-53030	Equip.Maintenance&R
018496	2	Vactor repair	Invoi	09/30/2020	10/13/2020	37.00	37.00	220-220-53030	Equip.Maintenance&R
018496	3	Vactor repair	Invoi	09/30/2020	10/13/2020	37.00	37.00	230-230-53030	Equip.Maintenance&R
Total 018496:						111.00	111.00		
Total 1445 Pacific Rubber & Supply:						111.00	111.00		
1505 Pollardwater									
0176584	1	Pump	Invoi	09/30/2020	10/13/2020	96.58	96.58	130-520-54040	Pool Maintenance
Total 0176584:						96.58	96.58		
Total 1505 Pollardwater:						96.58	96.58		
1605 Sanipac									
3656610	1	Trash Haul-Act #2013-200	Invoi	10/01/2020	10/13/2020	114.47	114.47	220-220-53050	WW Plant Maintenance
3656610	2	Trash Haul-Act #2013-200	Invoi	10/01/2020	10/13/2020	135.88	135.88	130-520-51050	Building Maint & Janitor
Total 3656610:						250.35	250.35		

Invoice Number	Sequence Number	Description	Type	Invoice Date	Due Date	Invoice Amount	Net Invoice Check Amount	GL Account Number	GL Account Description
3656635	1	Street debris-Act #2013-30	Invoi	10/01/2020	10/13/2020	534.23	534.23	230-230-53045	Street Maintenance
Total 3656635:						534.23	534.23		
Total 1605 Sanipac:						784.58	784.58		
1665 SiteOne									
103723526-0	1	System needs	Invoi	10/01/2020	10/13/2020	349.61	349.61	230-230-60130	System Expansion
Total 103723526-001:						349.61	349.61		
Total 1665 SiteOne:						349.61	349.61		
1700 Sprint									
886952530-1	1	Cell phones	Invoi	09/27/2020	10/13/2020	33.37	33.37	100-100-51030	Telephone Services
886952530-1	2	Cell phones	Invoi	09/27/2020	10/13/2020	33.37	33.37	130-130-51030	Telephone Services
886952530-1	3	Cell phones	Invoi	09/27/2020	10/13/2020	49.07	49.07	210-210-51030	Telephone Services
886952530-1	4	Cell phones	Invoi	09/27/2020	10/13/2020	49.07	49.07	220-220-51030	Telephone Services
886952530-1	5	Cell phones	Invoi	09/27/2020	10/13/2020	31.41	31.41	230-230-51030	Telephone Services
Total 886952530-178:						196.29	196.29		
Total 1700 Sprint:						196.29	196.29		
1715 Staples Credit Plan									
STAPLES 9/2	1	Various office needs- Gene	Invoi	09/15/2020	10/13/2020	106.06	106.06	100-100-51010	Admin Supplies & Servi
STAPLES 9/2	2	Various office needs - Park	Invoi	09/15/2020	10/13/2020	12.95	12.95	130-130-51010	Admin Supplies & Servi
STAPLES 9/2	3	Various office needs- Plann	Invoi	09/15/2020	10/13/2020	9.23	9.23	140-140-51010	Admin Supplies & Serv
STAPLES 9/2	4	Various office needs - Wate	Invoi	09/15/2020	10/13/2020	153.69	153.69	210-210-51010	Admin Supplies & Servi
STAPLES 9/2	5	Various office needs - Sew	Invoi	09/15/2020	10/13/2020	176.65	176.65	220-220-51010	Admin Supplies & Servi
STAPLES 9/2	6	Various office needs - stree	Invoi	09/15/2020	10/13/2020	14.29	14.29	230-230-51010	Admin Supplies & Servi
STAPLES 9/2	7	Various office needs - Stor	Invoi	09/15/2020	10/13/2020	23.16	23.16	240-240-51010	Admin Supplies & Servi
Total STAPLES 9/20:						496.03	496.03		
Total 1715 Staples Credit Plan:						496.03	496.03		
1735 Napa Auto Parts									
10898 9/20	1	Vehicle needs	Invoi	09/30/2020	10/13/2020	12.49	12.49	230-230-53030	Equip.Maintenance&R
Total 10898 9/20:						12.49	12.49		
Total 1735 Napa Auto Parts:						12.49	12.49		
1805 United Rentals Northwest, Inc.									
74342 9/20	1	System needs	Invoi	09/30/2020	10/13/2020	227.20	227.20	210-210-53040	System Maintenance
Total 74342 9/20:						227.20	227.20		
Total 1805 United Rentals Northwest, Inc.:						227.20	227.20		
1855 Veneta Ace Hardware									
400 9/20	1	Various needs	Invoi	10/01/2020	10/13/2020	91.74	91.74	130-130-53040	Park Maintenance
400 9/20	2	Various needs	Invoi	10/01/2020	10/13/2020	249.47	249.47	130-520-54040	Pool Maintenance
400 9/20	3	Various needs	Invoi	10/01/2020	10/13/2020	20.13	20.13	210-210-53040	System Maintenance
400 9/20	4	Various needs	Invoi	10/01/2020	10/13/2020	44.95	44.95	130-130-51055	Safety Program & Supp
400 9/20	5	Various needs	Invoi	10/01/2020	10/13/2020	56.45	56.45	230-230-53045	Street Maintenance

Invoice Number	Sequence Number	Description	Type	Invoice Date	Due Date	Invoice Amount	Net Invoice Check Amount	GL Account Number	GL Account Description
400 9/20	6	Various needs	Invoi	10/01/2020	10/13/2020	39.96	39.96	230-230-51055	Safety Programs & Sup
400 9/20	7	Various needs	Invoi	10/01/2020	10/13/2020	12.59	12.59	220-220-53040	System Maintenance
400 9/20	8	Various needs	Invoi	10/01/2020	10/13/2020	28.99	28.99	230-230-51515	Small Tools & Equipme
400 9/20	9	Various needs	Invoi	10/01/2020	10/13/2020	39.32	39.32	230-230-60130	System Expansion
Total 400 9/20:						583.60	583.60		
Total 1855 Veneta Ace Hardware:						583.60	583.60		
1875 Veneta Veterinary Hospital									
PER END 9/	1	Spay/neuter feral program	Invoi	09/21/2020	10/13/2020	295.75	295.75	100-170-51122	Animal Control Feral Pr
Total PER END 9/21/20:						295.75	295.75		
Total 1875 Veneta Veterinary Hospital:						295.75	295.75		
1880 Veneta-Fern Ridge Chamber									
3444	1	Pop-up needs	Invoi	09/29/2020	10/13/2020	1,910.57	1,910.57	100-205-51010	Admin Supplies & Servi
Total 3444:						1,910.57	1,910.57		
Total 1880 Veneta-Fern Ridge Chamber:						1,910.57	1,910.57		
1935 Wildish Sand & Gravel									
121690	1	Asphalt	Invoi	09/22/2020	10/13/2020	106.12	106.12	210-210-53040	System Maintenance
121690	2	Asphalt	Invoi	09/22/2020	10/13/2020	106.12	106.12	230-230-53050	StreetRehab.\Preservat
Total 121690:						212.24	212.24		
Total 1935 Wildish Sand & Gravel:						212.24	212.24		
1980 Delta Construction									
PYMNT #1 1	1	4th & Dunham	Invoi	10/01/2020	10/13/2020	32,673.35	32,673.35	230-230-53045	Street Maintenance
PYMNT #1 1	2	4th & Dunham	Invoi	10/01/2020	10/13/2020	32,673.35	32,673.35	310-310-60130	System Expansion
Total PYMNT #1 10/20:						65,346.70	65,346.70		
Total 1980 Delta Construction:						65,346.70	65,346.70		
1989 Cottage Grove, City of									
2066	1	2nd Qtr Building Inspects F	Invoi	10/01/2020	10/13/2020	18,893.50	18,893.50	260-110-52025	Permit Inspections
Total 2066:						18,893.50	18,893.50		
Total 1989 Cottage Grove, City of:						18,893.50	18,893.50		
2101 Executive Cleaning									
9856J	1	Janitorial services	Invoi	09/30/2020	10/13/2020	600.00	600.00	100-100-51050	Building Maint & Janitor
9856J	2	Janitorial services	Invoi	09/30/2020	10/13/2020	250.00	250.00	130-530-51050	Building Maint & Janitor
9856J	3	Janitorial services	Invoi	09/30/2020	10/13/2020	150.00	150.00	140-140-51050	Building Maint & Janitor
Total 9856J:						1,000.00	1,000.00		
Total 2101 Executive Cleaning:						1,000.00	1,000.00		
2106 Earth Engineers, Inc									
20-091-3	1	City Park prjct	Invoi	09/30/2020	10/13/2020	575.17	575.17	130-130-60130	Facilities Expansion

Invoice Number	Sequence Number	Description	Type	Invoice Date	Due Date	Invoice Amount	Net Invoice Check Amount	GL Account Number	GL Account Description
20-091-3	2	City Park prjct	Invoi	09/30/2020	10/13/2020	2,163.75	2,163.75	310-310-60130	System Expansion
Total 20-091-3:						2,738.92	2,738.92		
Total 2106 Earth Engineers, Inc:						2,738.92	2,738.92		
2121 Doug Romine									
ROMINE 10/	1	Community Center deposit	Invoi	09/30/2020	10/13/2020	50.00	50.00	130-530-51105	Refunds
Total ROMINE 10/20:						50.00	50.00		
Total 2121 Doug Romine:						50.00	50.00		
Total :						377,074.65	377,074.65		
Grand Totals:						377,074.65	377,074.65		

Summary by General Ledger Posting Period

GL Posting Period	Debit	Credit	Net
09/20	377,074.65	.00	377,074.65
Grand Totals:	377,074.65	.00	377,074.65

PLANNING ACTIVITIES 2020

Planning Applications	Type	Month												2020 ANNUAL
		January	February	March	April	May	June	July	August	September	October	November	December	
Tree Removal Type 'A'		1	4	1	1	3	0	1	2	1				14
Tree Removal Type 'B'		0	0	0	0	0	0	1	0	0				1
Tree Removal Type 'C'		0	0	0	0	0	0	0	1	0				1
Backyard Chicken	I	0	0	0	0	0	0	0	0	0				0
Pre-Development Application		0	0	0	1	0	0	0	0	0				1
Site Plan Review	II	0	0	0	0	1	0	0	0	0				1
Temporary Use (incl. renewals)		0	1	0	1	0	0	1	0	0				3
Conditional Use	III	0	0	0	0	0	0	0	0	0				0
Variance	III	0	1	0	0	0	0	0	0	0				1
Floodplain Development		0	0	0	0	0	0	0	0	0				0
Property Line Adjustment	I/II	0	0	0	0	0	0	0	0	0				0
Partition	II	0	1	0	0	0	0	0	0	0				1
Subdivision	III	0	0	0	0	0	0	0	1	0				1
Replat	II/III	0	0	0	0	0	0	0	0	0				0
Final Plat	IV	0	1	0	0	0	0	0	0	0				1
Text Amendment	IV	1	0	0	0	0	0	0	0	0				1
Map Amendment	IV	0	0	0	0	0	0	0	0	0				0
Sign Permit	I	2	0	0	0	1	2	1	0	0				6
Planned Development Subzone	IV	0	0	0	0	0	0	0	0	0				0
Other: Building permit review (commercial, residential)	I	1	2	1	3	2	2	3	4	4				22
Total		5	10	2	6	7	4	7	8	5				54

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VENETA CITY COUNCIL AGENDA ITEM SUMMARY

Title/Topic: **Code Enforcement Activity – September Update**

Meeting Date: October 12, 2020
Department: Community Development

Staff Contact: Evan MacKenzie
Email: emackenzie@ci.veneta.or.us
Telephone Number: 541-935-2191

ISSUE STATEMENT

Staff is updating the Council on Code Enforcement trends so far this year.

BACKGROUND

We have consolidating our various actions by general category to simplify interpretation:

- Tall Grass / Weeds
- Animal Control
- Nuisances
- Vehicles

RELATED CITY POLICIES

N/A

COUNCIL OPTIONS

N/A – Material is presented for information only; no action is proposed at this time.

CITY ADMINISTRATOR’S RECOMMENDATION

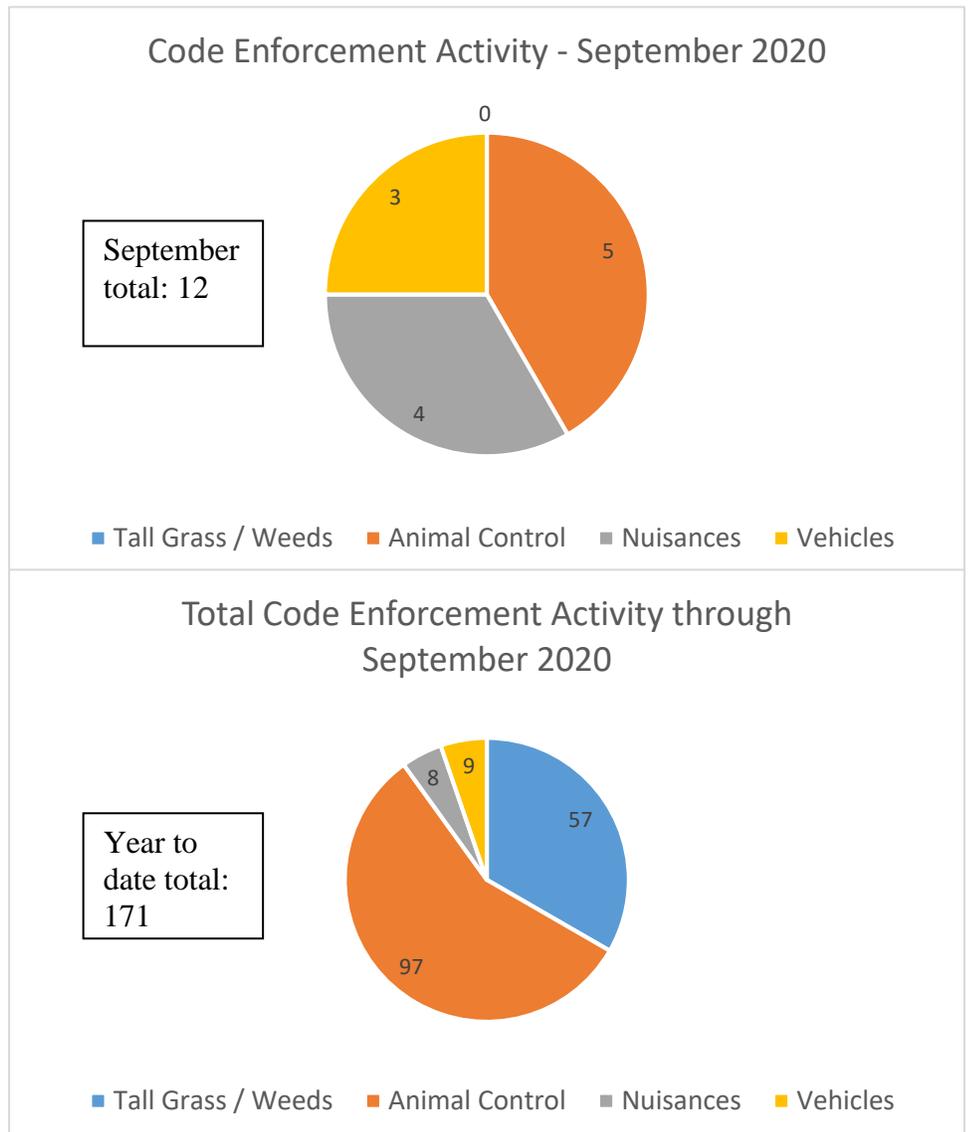
N/A

SUGGESTED MOTION

N/A

ATTACHMENTS

None



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City of Veneta Monthly Police Activity- August 2020

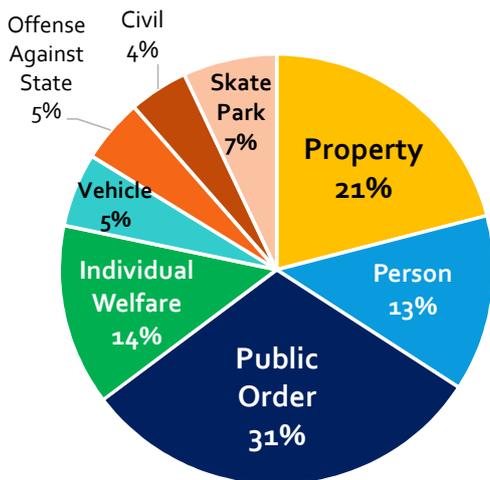
Prepared by Sgt. Steve Sieczkowski, LCSO

Calls for Service by Incident Types:

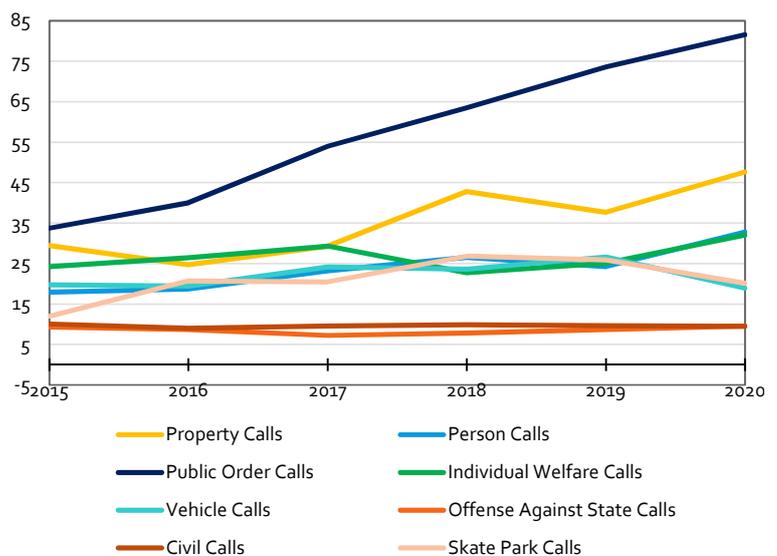
Incident Type	Calls	Same Month of Prior Year	Calls 4-Year Average	Cases	Same Month of Prior Year	Cases 4-Year Average
Property (Thefts, Criminal Mischief, Trespass, UUV, UEMV, Fraud)	57	56	38	16	32	18
Person (Assaults, Menacing, Harassment, Viol. Restraining Order)	36	26	23	12	7	6
Public Order (Disorderly Subjects, Suspicious Vehicles/Persons, Citizen Contacts, Dog/Noise)	83	70	52	2	3	2
Individual Welfare (Welfare Checks, Missing Persons, Overdose, Suicidal Subjects)	37	20	25	8	1	4
Vehicle (DUII, DWS, Illegal Parking/Vehicles, Traffic Hazard)	15	24	25	2	3	4
Offense Against State (Drug, Warrants, Local City Ord)	13	13	9	1	10	5
Civil (Civil Service, Eviction Process)	12	14	13	2	0	1
Skate Park	19	26	19	0	0	0
Total	272	249	205	43	56	38

73 uncounted calls

Current Month Calls by Type



Prior Year Monthly Averages by Call Type



City of Veneta Monthly Police Activity- September 2020

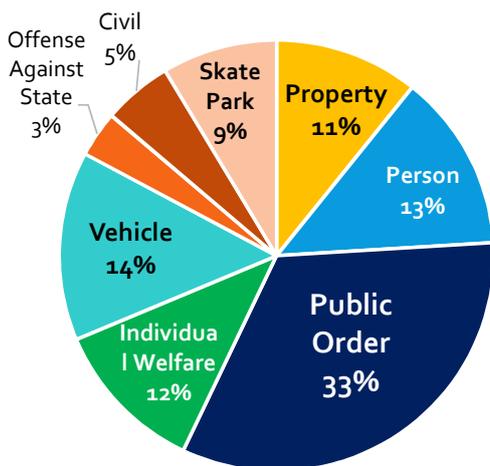
Prepared by Sgt. Steve Sieczkowski, LCSO

Calls for Service by Incident Types:

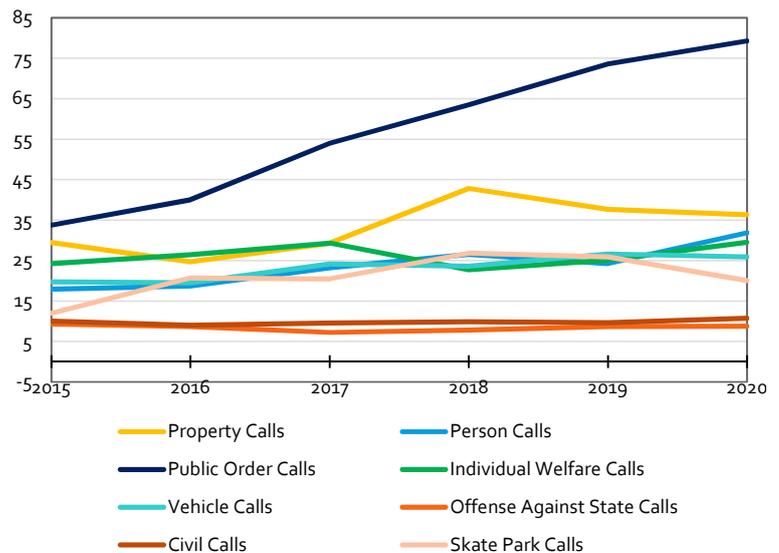
Incident Type	Calls	Same Month of Prior Year	Calls 4-Year Average	Cases	Same Month of Prior Year	Cases 4-Year Average
Property (Thefts, Criminal Mischief, Trespass, UUV, UEMV, Fraud)	25	89	40	8	43	20
Person (Assaults, Menacing, Harassment, Viol. Restraining Order)	31	32	26	3	1	5
Public Order (Disorderly Subjects, Suspicious Vehicles/Persons, Citizen Contacts, Dog/Noise)	77	53	53	0	0	0
Individual Welfare (Welfare Checks, Missing Persons, Overdose, Suicidal Subjects)	27	29	35	9	2	5
Vehicle (DUII, DWS, Illegal Parking/Vehicles, Traffic Hazard)	33	22	25	8	0	4
Offense Against State (Drug, Warrants, Local City Ord)	8	8	8	4	4	5
Civil (Civil Service, Eviction Process)	12	6	8	0	0	0
Skate Park	20	23	25	0	0	0
Total	233	262	219	32	50	38

112 uncounted calls

Current Month Calls by Type



Prior Year Monthly Averages by Call Type



VENETA CITY COUNCIL AGENDA ITEM SUMMARY

Title/Topic: **REQUEST TO AUTHORIZE RENEWAL OF TRANSITIONAL CAMPING SITE PERMIT AGREEMENT WITH VALLEY UNITED METHODIST CHURCH**

Meeting Date: October 12, 2020
Department: Administration

Staff Contact: Jana Weaver
Email: jweaver@ci.veneta.or.us
Telephone Number: 541-935-8841

ISSUE STATEMENT

Should the City Council renew the site permit agreement between the City of Veneta and Valley United Methodist Church (VUMC)?

BACKGROUND

In June 2018, City Council approved Ordinance No. 545 which allows transitional camping at designated places of worship. In August 2019, the Council authorized a site permit agreement that allowed VUMC to begin managing a Transitional Camping Program on VUMC property for one year.

Under the current permit, VUMC operates two campsites and have hosted a total of five transitional campers through camper turn-over. In a conversation with City staff, Pastor Deena Wolfe of VUMC concluded that when the program is utilized how it is intended, the results for the people experiencing homelessness are very positive and make it easier for campers to take steps toward a more stable life.

Currently, there is a couple at one of the campsites that VUMC staff have asked to leave the property for breaking the code of conduct, but the campers have remained.

On Monday, August 10th, 2020, the City Council authorized a two-month extension of the Site Permit in its original form. This extension allowed City staff time to gather additional information to update the Site Permit Agreement, and VUMC to understand its options under the law and assess if it could host the Transitional Camping Program in the future.

After working with the court system and understanding the court orders from the Lane County Circuit Court, VUMC is currently in the process of removing the unruly campers from their property.

Overall, VUMC wishes to continue the transitional camping program for an additional year with updates to the Code of Conduct and a different location for the transitional campsites on their property. VUMC will add to their Code of Conduct and application process requiring drug testing before a camper is accepted into the program as well as random drug testing while staying on site. VUMC has submitted a new site map showing the campsites behind the church building instead of the side of the building in view from the road.

Changes to the Site Permit Agreement have also been made. The Managing Agency Agreement and Site Permit Agreement have been combined into one agreement, and a larger area around the property will be notified of the transitional camping program yearly. The Code of Conduct provided by the managing agency will include clearer eviction and removal procedures in compliance with VMC 9.30.050(1)(c).

The Agreement recognizes that Lane County Sheriff Office will characterize transitional campsites under this agreement as temporary living and landlord/tenant arrangement requiring a court order from the Lane County Circuit Court before trespassing campers or undertaking removal procedures pursuant to VMC 8.05.175. The agreement also states that the City shall not assume responsibility for court action or any associated costs.

RELATED CITY POLICIES

Ordinance No. 545, Allowing Transitional Housing Accommodations On Designated Campgrounds And Overnight Camping On The Property Of Religious Institutions

Ordinance No. 555, Establishing A Limit Of 48 Hours For Parking And Storage Of Recreational Vehicles And Other Non-Passenger Vehicles And Trailers

COUNCIL OPTIONS

1. Authorize a one-year renewal to August 31st, 2021, of the Site Permit Agreement as it stands.
2. Authorize a one-year renewal to August 31st, 2021, of the Site Permit Agreement with additional updates:
 - a. Updating Site Agreement location of campers to the back of the building, and/or
 - b. Updating Code of Conduct provided by the managing agency will include eviction and removal procedures, and/or
 - c. Notice of how LCSO views the agreement as a landlord/tenant arrangement, and/or
 - d. Expanded Renewal notice sent out to nearby residents, and/or
 - e. Other Council directions.
3. Do not authorize renewal of the Site Permit.
4. Request additional information.

CITY ADMINISTRATOR'S RECOMMENDATION

Authorize Updated Site Permit Agreement between Valley United Methodist Church and the City of Veneta.

SUGGESTED MOTION

I make a motion to direct the City Administrator to sign the Updated Site Permit Agreement with Valley United Methodist Church.

ATTACHMENTS

1. Site Permit Agreement Valley United Methodist Church

SITE PERMIT AGREEMENT
BETWEEN THE CITY OF VENETA
AND VALLEY UNITED METHODIST CHURCH
TO OVERSEE DESIGNATED TRANSITIONAL CAMPSITES

THIS AGREEMENT is entered into by and between the City of Veneta, herein referred to as “City,” and Valley United Methodist Church, herein referred to as “Managing Agency.”

WHEREAS, the Managing Agency wishes to oversee transitional campsites at its place of worship; and

WHEREAS, City in partnership with the Veneta Homeless Advocacy Board (VHAB) and Managing Agency aim to recognize, respect, and improve the quality of life for people experiencing homelessness; and

WHEREAS, the 2019 Lane County Point-in-Time Homeless Count identified over 2,165 persons experiencing homelessness including 29 within Veneta City limits; and

WHEREAS, the City wishes to permit transitional camping on designated property(ies) under separate written agreement and application; and

WHEREAS, in accordance with Veneta Municipal Code (VMC) 8.05 and 9.30, the City Council may designate transitional campsites on private property owned and operated by acknowledged places of worship with site conditions through a written agreement signed by both parties; and

WHEREAS, ORS 203.082 authorizes the City to allow religious institutions to offer overnight camping on their property.

NOW, THEREFORE, the parties hereto agree as follows:

A. Definitions.

- a. “Campsite” means any place where any bedding, sleeping bag or other sleeping matter, stove, or fire is placed, established, or maintained, whether or not such place incorporates the use of any tent, lean-to, shack, any other structure, or any vehicle or part thereof.

- b. "Managing Agency" means a designated organization that organizes and manages campers or a designated campground.
- c. "Personal Property" means any item that is reasonably recognizable as belonging to a person and that has apparent utility.
- d. "Place of Worship" means a religious institution with a specially designed structure or property where individuals or a group of people such as a congregation come to perform acts of devotion, veneration, or religious study that has provided articles of incorporation to the Secretary of State as a "religious corporation" in accordance with ORS 65.001(37). Uses for the property include community-oriented services.
- e. "Site" means the location at a place of worship which has been designated for transitional camping.
- f. "To Camp" means to set up, or to remain in or at a campsite, for the purpose of establishing or maintaining a transitional place to live.
- g. "Transitional" means temporary in nature, not permanent.
- h. "Vehicle" means any device in, upon, or by which any person or property is or may be transported or drawn upon a public highway and includes vehicles that are propelled or powered by any means. Vehicle does not mean manufactured structure. [Oregon State Vehicle Code, 801.590] Vehicles must be registered and operational.
- i. "Walkway" means any sidewalk, path, or shoulder available for pedestrians.

B. Establishing Campsite and Standards.

- a. The maximum number of occupants within the campsite shall be determined by taking into consideration the size and conditions of the proposed site; site shall not exceed 12 people and one domestic animal.
- b. The campsite may include no more than three vehicles or camping structures overnight on property at any given time.
- c. The Managing Agency shall take reasonable legal steps to obtain verifiable identification from prospective campsite residents and use the identification to obtain sex offender and warrant checks from the appropriate agency. All legal requirements with respect to prospective residents identified as sex offenders or having warrants shall be followed. If someone is rejected from the camp for

identification and background reasons, Managing Agency shall notify the Lane County Sheriff's Office immediately.

- d. Family camping and children under the age of 18 staying overnight in the camp is not encouraged unless circumstances prevent a more suitable overnight accommodation for the child and parent or guardian. If a child under the age of 18, either alone or accompanied by a parent or guardian, attempts to stay overnight, the Managing Agency shall endeavor to find alternative shelter for the child and any accompanying parent or guardian.
- e. No part of the campsite shall encroach on setbacks between properties. Any tent, canopy, or membrane structure, as defined in the State of Oregon Fire Code, must be located a reasonably safe distance away from any building, parked vehicle, internal combustion engines, or other tent, canopy, or membrane structure.
- f. The proposed transitional camping site will need to be assessed by City staff for suitability.
- g. The site must be screened appropriately from adjacent private property and public right of way. Lighting may not affect or create a glare on adjacent properties (VMC 15.15).
- h. The Managing Agency shall coordinate and supply potable water for the campers.
- i. The Managing Agency shall coordinate and supply solid waste disposal services such as portable toilets in the number required to meet capacity guidelines by the manufacturer, self-contained.
- j. The Managing Agency shall coordinate waste and recycling services.
- k. The Managing Agency shall provide handwashing stations for campers' use near toilets and wherever food and beverages are either dispensed or communally consumed.
- l. The Managing Agency shall ensure compliance with applicable state statutes and regulations and local ordinances concerning, but not limited to, drinking water, solid waste disposal, human waste, outdoor fire or burning, electrical systems, and fire resistant materials.
- m. Exhibit A of this agreement shall be a written code of conduct. The Managing Agency shall provide and enforce a code of conduct, which not only provides for

the health, safety and welfare of the transitional campsite residents, but also mitigates impacts to neighbors and the community. The Code of Conduct shall include eviction and removal procedures in compliance with VMC 9.30.050(1)(c). The procedures shall recognize that Lane County Sheriff Office (LCSO) will characterize transitional campsites under this agreement as temporary living and landlord/tenant arrangement requiring a court proceeding such as a Writ of Assistance, Forcible Entry and Detainer, or comparable order from the Lane County Circuit Court before trespassing approved campers or undertaking removal procedures pursuant to VMC 8.05.175. Managing Agency assumes all responsibility for filing such an action, and all associated legal and other associated costs. City shall not assume responsibility for such an action or any associated costs.

- n. The Managing Agency shall permit inspections of the campsite by City, Lane Fire Authority, Lane County Sheriff, and/or Lane County Health Department.
- o. Site structures over 200 square feet require a building permit.

C. Term.

- a. City shall not extend this agreement longer than a one-year period. This agreement may be renewed at the discretion of the City Council.
- b. The site must be restored to its pre-encampment conditions within 30 days after the agreement expires.

D. Agreement Modification.

- a. Modifications to this agreement may be delegated by the City Council to the City Administrator with proposed standards or procedures that differ from those in this agreement only where, in addition to satisfying all other requirements contained herein, Managing Agency submits a description of the standard or procedure to be modified and can demonstrate to the City Administrator's satisfaction that the amendment will result in a safe campsite, mitigates impacts to neighbors and the community, constitutes an accommodation of protected religious, humanitarian, or charitable exercise by the applicant and would otherwise substantially burden its decisions or actions, as a place of worship.

E. Procedures.

- a. Managing Agency must mail written notice to owners of all real property within 300 feet of any boundary of the proposed site prior to request for site permit. A copy of this notice shall be included in the completed permit application packet.
 - i. Managing Agency is responsible for communication with adjacent property owners and impacted community members and must be responsive to all questions or concerns.
- b. Exhibit B of this agreement shall be a site plan showing the following:
 - i. General location or arrangement of tents and/or vehicles showing setbacks from property lines and structures.
 - ii. Method and location of required screening.
 - iii. Method and location of potable water.
 - iv. Method and location of waste receptacles.
 - v. Location of required sanitary stations including toilets and handwashing facility.
 - vi. Location of on-site parking and number of vehicles associated with the encampment.
 - vii. Access route for emergency vehicles.

F. Indemnification and Hold Harmless.

- a. Managing Agency agrees to indemnify, defend and hold harmless City and its officers, agents, and employees against all liability, loss, and costs arising from actions, suits, claims or demands for the acts or omissions of Managing Agency and Managing Agency's officers, agents, and employees, in performance of this agreement. In accordance with the Oregon Tort Claims Act and the Oregon Constitution, City agrees to indemnify, defend, and hold harmless Managing Agency and its officers, agents, and employees against all liability, loss, and costs arising from actions, suits, claims, or demands for the acts or omissions of City and its officers, agents, and employees, in performance of this agreement.

G. Insurance.

- a. Managing Agency shall obtain, at Managing Agency's expense, and keep in effect during the term of this agreement, Commercial General Liability Insurance covering Bodily Injury and Property Damage on an "occurrence" form. This coverage shall include Contractual Liability insurance for the indemnity provided

under this contract and Product and Completed Operations. Such insurance shall be primary and non-contributory. Coverage shall be a minimum of \$2,000,000 per occurrence and \$2,000,000 aggregate. The City shall be named as an additional insured on the policy.

H. Enforcement.

- a. City will abate substantiated nuisances resulting from said campsite in accordance with VMC Chapter 8.05.

I. Conflict.

- a. In the event that there is a conflict between the provisions of this Agreement and any other City ordinance, the provisions of the City ordinance shall control.

J. Authorization.

- a. By action of the governing bodies of the parties, the following are authorized to sign this Agreement and thereby bind the parties to the terms and conditions of this Agreement.

City of Veneta
Matt Michel
PO Box 458
Veneta, OR 97487

Valley United Methodist Church
Pastor Deena Wolfe
PO Box 337
Veneta, OR 97478

City

Managing Agency

By XXXXXXXXXXXXXXXXXX

By XXXXXXXXXXXXXXXXXX

Date _____

Date _____

Code of Conduct for Transitional Campers at Valley United Methodist Church

The following list is a review of the official rules and is neither complete nor exhaustive. The applicant agrees to abide by all rules and agreements. By initialing the following items, I signify that I Understand and agree to each of them.

1. ____ I agree that my permission to stay at a transitional camping site may be revoked at any time by Valley United Methodist Church for any reason.
2. ____ I agree that if my permission to stay is revoked, I understand I will be given 14 days to leave of my own volition. If I do not leave within that time, the church will have my possessions and vehicle removed from the site.
3. ____ I agree I will only have 1 pet (small dog or cat) and that I will clean up after the animal and am responsible for the animal's behavior and actions. The dog must always be on a leash when outside the trailer.
4. ____ I agree that I will not use marijuana or alcohol or any illegal drugs while staying at a transitional campsite at Valley United Methodist Church. This includes inside my dwelling unit.
5. ____ I agree to an initial drug screen before being permitted to be on the property and understand there will be random drug screens as long as I/we are living on the property. A failed drug screen is grounds for permission to stay on the site to be revoked.
6. ____ I agree if I am struggling with addiction, I will be required to attend AA and/or NA meetings as part of my plan.
7. ____ I agree that I will meet with the managing agent in an initial meeting and set up a case plan to follow concerning goals such as recovery, employment, budgeting and eventually permanent housing. Weekly check-ins will include addressing barriers that are getting in the way and how support best can be given.
8. ____ I agree that I will always keep the site and the surrounding area clean and presentable to the public.
9. ____ I agree I will display no violent or aggressive behavior or physical or verbal abuse at or near the site.
10. ____ I will not panhandle, gamble or display offensive behavior on or near the site.
11. ____ I understand that absolutely no weapons are allowed on the site.
12. ____ I agree to not have loud noise, loud music, parties or gatherings on the site.
13. ____ I will keep my belongings contained to my dwelling unit and not have an accumulation of belongings around my site.
14. ____ I will not allow visitors to park overnight in or around my site, and that if I have a vehicle, I will park it in the paved parking lot provided.
15. ____ I understand I will be held responsible for the actions of my visitors.
16. ____ I understand that no visitors are allowed to stay in my dwelling overnight.
17. ____ I understand that no open fires will be allowed, and cooking will only occur in designated areas.
18. ____ I understand that conflicts with other campers, neighbors, others from Valley UMC or other local patrons may be cause to revoke my permission to stay.
19. ____ I agree that no other assistance (food, money, etc.) should be requested from the pastor or other Valley UMC members, but if offered may be accepted.
20. ____ If not staying in my own vehicle, but rather in a dwelling provided by Valley UMC, I agree to periodic inspections and that an appointed person from Valley UMC be given access to my dwelling space at any time.

X _____

Signature of Resident

X _____

Print Name Legibly

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Valley-Veneta Description of Transitional Housing Site Plan

. General location or arrangement of tents and/or vehicles showing setbacks from property lines and structures.

The single trailer will be set at the back of the property, 6 feet from the West Edge and 8 feet from the back edge tree line. A second space will be made available for another trailer approximately 15 feet from the first, sitting 6 feet from the plant edge.

ii. Method and location of required screening. NA

iii. Method and location of potable water. There is a water spigot located on the north side of the church, near the emergency exits from the church fellowship hall.

iv. Method and location of waste receptacles.

Waste receptacles will continue to be where they have always been located on the East side of the East driveway.

v. Location of required sanitary stations including toilets and handwashing facility.

The portable toilet including handwashing will be approximately 6 feet in front of the first trailer, with the door facing to the East.

v.. Access route for emergency vehicles. Emergency vehicles can access this site from the West driveway of the church and drive straight back to the site.

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CITY OF VENETA

RESOLUTION NO. 1311

A RESOLUTION AUTHORIZING SIGNERS ON VARIOUS BANKING ACCOUNTS FOR THE CITY OF VENETA, AND REPEALING RESOLUTION NO. 1287

WHEREAS, the City of Veneta maintains one or more bank accounts with several financial institutions upon such terms and conditions as may be agreed upon with said institutions; and

WHEREAS, the security of the City's bank accounts are of utmost importance; and

WHEREAS, to maintain the security while conducting City business in an effective and efficient manner;

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

SECTION 1 Account Establishment. The City Administrator and Finance Director of the City of Veneta are hereby authorized to establish bank accounts, as needed.

SECTION 2 Authorized Signers. The individuals listed below are the only authorized individuals to conduct transactions effecting the City of Veneta's banking accounts:

- Keith Weiss, Mayor
- Matt Michel, City Administrator
- Caitlin Hippler, Finance Director
- Kyle Schauer, Public Works Director

SECTION 3 Other Authority. Funds withdrawn, from said bank accounts, on checks of the City of Veneta must be signed by any two of the individuals listed in Section 2, above, and may be payable to bearer, or to the order of, or for the use and benefit of, the signer or signers thereof. Each of said persons is hereby authorized for and on behalf of, and in the name of the City to endorse and deliver to said bank account, for any purpose and to any amount commercial paper of any kind, negotiable or non-negotiable, executed by others and owned or held or payable to the City. The

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authority hereby conferred shall continue in force until notice of its revocation in writing shall have been given to the financial institutions.

SECTION 4 Repealing Clause. Resolution No. 1287 is hereby repealed.

SECTION 5 Effective Date. This Resolution shall take effect on November 1, 2020.

PASSED AND ADOPTED by the Veneta City Council this __ day of October, 2020.

XXXXXXXXXXXXXXXXXXXX
Keith Weiss, Mayor

ATTEST:

XXXXXXXXXXXXXXXXXXXX
Darci Henneman, City Recorder

VENETA CITY COUNCIL

AGENDA ITEM SUMMARY

Title/Topic: Amendments to Title 3 Chapter 10 of the Veneta Municipal Code Related To Public Improvements and Special Assessments

Meeting Date: October 12, 2020
Department: Finance

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

ISSUE STATEMENT

Staff is recommending amendments to Veneta's current Municipal Code (VMC) to improve the policies and practices used to govern the public improvement and special assessment process.

BACKGROUND

The public improvement and special assessment process, which can be initiated by the City Council or by property owners, begins by establishing a need for a local public improvement. Once the need is established, all the properties to benefit from the improvement are identified. This creates a Local Improvement District (LID) in which the improvement will be constructed and funded by the City with the understanding that the property owners of the benefited properties shall reimburse the City for all or part of the project costs. The process from idea/request to securing reimbursement or promise thereof is a long one with many steps laid out in VMC 3.10.

The most recent LID was formed to install sewer infrastructure on E. Bolton Road. Staff followed VMC 3.10 in the implementation of that LID and noted language that needed to be clarified in order to improve the consistency of future implementations. Those changes, appearing in red and blue, are identified in Attachment 1. Also attached to this summary is a sample timeline of the actions and deadlines in the LID process. The timeline, with the dates updated, can be used for the implementation of future LID processes.

RELATED CITY POLICIES

Ordinance No. 475, VMC 13.30

COUNCIL OPTIONS

1. Adopt Ordinance as presented.
2. Adopt Ordinances with suggested changes.
3. Postpone adoption of Ordinances offer guidance to staff.

CITY ADMINISTRATOR'S RECOMMENDATION

Approve Ordinance as presented.

SUGGESTED MOTION

"I make a motion to adopt Ordinance No. 558 Amending VMC3.10, as presented."

ATTACHMENTS

1. Redlined version of Chapter 3.10
2. Sample timeline of local improvement district process

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Chapter 3.10

PUBLIC IMPROVEMENTS AND
SPECIAL ASSESSMENTS

Sections:

- 3.10.010 Definitions.
- 3.10.020 Initiation of proceedings and report from the ~~city~~City ~~engineer~~Engineer.
- 3.10.030 ~~Council~~City Council's action on ~~engineer~~City Engineer's report.
- 3.10.040 Resolution and notice of hearing.
- 3.10.050 Manner of doing work.
- 3.10.060 Hearing.
- 3.10.070 Call for bids.
- 3.10.080 Assessment amount.
- 3.10.090 Method of assessment.
- 3.10.100 ~~Proposed a~~Assessment, ~~ordinance~~.
- 3.10.105 Assessment ordinance.
- 3.10.110 Notice of assessment.
- 3.10.120 Deferred payment of assessments.
- 3.10.130 Deferment eligibility.
- 3.10.140 ~~Financing of Deferment~~ program financing.
- 3.10.150 Interest on deferred assessment.
- 3.10.160 Administration of deferments.
- 3.10.170 Appeals on deferral decision.
- 3.10.180 Termination of deferment.
- 3.10.190 Confidentiality of deferments.
- 3.10.200 Deferred assessment ~~lien~~.
- 3.10.210 Installment payment terms ~~deferred assessments~~.
- 3.10.220 Lien records and foreclosure proceedings.
- 3.10.230 Errors in assessment calculations.
- 3.10.240 Deficit assessment.
- 3.10.250 Rebates.
- 3.10.260 Abandonment of proceedings.
- 3.10.270 Curative provisions.
- 3.10.280 Reassessment.
- 3.10.290 Remedies.

3.10.010**Definitions.**

(1) "Improvement district" means that portion of land affected by a local improvement for which assessments are being apportioned and which includes all benefited property.

(2) "Local improvement" has the meaning as set forth in ORS 310.140(9). (Ord. 475 § 1, 2007)

3.10.020**Initiation of proceedings and report from the ~~city~~City ~~engineer~~Engineer.**

Whenever the ~~council~~City Council shall deem it necessary, upon its own motion or upon the petition of the owners of one-half of the property that benefits specifically—from the improvement, to make any street, sewer, sidewalk, drainage, water line or other public improvement to be paid for in whole or in part by special assessment according to benefits, then the ~~council~~City Council shall, by motion, direct the ~~city~~City ~~engineer~~Engineer to make a survey and written report for such project and file the same with the ~~city~~City ~~recorder~~Administrator or designee. Unless the ~~council~~City Council shall direct otherwise, such report shall contain the following matters:

(1) A map or plat showing the general nature, location and extent of the proposed improvement and the ~~land~~properties to be assessed for the payment of any part of the cost thereof;

(2) Estimates of the work to be done; provided, however, that where the proposed project is to be carried out in cooperation with any other governmental agency, the ~~engineer~~City Engineer may adopt the plans, specifications or estimates of such agency;

(3) An estimate of the probable cost of the improvement including any legal, administrative and ~~engineer~~engineering costs attributable thereto;

(4) An estimate of the unit cost of the improvement to the specifically benefited properties;

(5) A recommendation as to the method of assessment to be used to arrive at a fair apportionment of the whole or any portion of the cost of the improvement to the properties specifically benefited;

(6) The ~~description (which description may be by Lane County map and tax lot numbers only)~~ and assessed value of each lot, parcel of land, or portion thereof, to be specifically—benefited by the improvement with the names of the ~~recorder owners—owners of record~~ thereof and, when readily available, the names of the contract purchasers thereof;

(7) A statement of outstanding assessments against property to be assessed. (Ord. 475 § 2, 2007)

3.10.030

Council/City Council's action on engineer/City Engineer's report.

After the city/City engineer/Engineer's report shall have been filed with the city/City recorder/Administrator or designee, the council/City Council may thereafter by motion approve the report, modify the report and approve it as modified, require the engineer/City Engineer to supply additional or different information for such improvements, or it may abandon the improvement. (Ord. 475 § 3, 2007)

3.10.040

Resolution and notice of hearing.

After the council/City Council shall have approved the report as submitted or modified, the council/City Council shall, by resolution, designate the proposed improvement, declare its intention to make such improvement, provide the manner and method of carrying out the improvement, and shall direct the recorder/City Recorder to give notice of such improvement by two publications one week apart in a newspaper of general circulation within the City/City of Veneta and by mailing copies of such notice by registered or certified mail to the owners of record to be assessed for the payment of any part of the costs thereof; of such improvement, which said notice shall contain the following matters:

(1) That a written report on the improvement is on file ~~in~~ at the Administration Center of the City of Veneta office of the recorder and is subject to available for public examination;

(2) That the council/City Council will hold a public hearing on the proposed improvement at a specified place, time and date, which shall not be earlier than 10 days following the first publication of notice, at which hearing the council/City Council will hear and consider objections and remonstrances to the proposed improvement by any parties aggrieved thereby; and that if, prior to such hearing, there shall be presented to the recorder/City Recorder valid, written remonstrances of the owners of two-thirds of the

property or two-thirds of the front footage of the property to be specifically assessed by-for such improvement, then the improvement will be abandoned for at least six months, unless the improvement is a sidewalk or an improvement unanimously declared by the council/City Council to be needed at once because of an emergency;

(3) A description of the property to be specifically benefited by the improvement (which description may be by Lane County map and tax lot numbers only), the owners of such property, and the estimate of the unit cost of the improvement to the benefited property to be specially benefited, and the total cost of the improvement to be paid for by special assessments to benefited properties. (Ord. 475 § 4, 2007)

3.10.050

Manner of doing work.

The council/City Council may provide in the improvement resolution that the construction work may be done in whole or in part by the City/City of Veneta or by a contract, or by any other governmental agency, or by any combination thereof. (Ord. 475 § 5, 2007)

3.10.060

Hearing.

At the time of the public hearing on the proposed improvement, if the written remonstrances shall represent less than the amount of property owners required to defeat the proposed improvement, if such an improvement is one that can be remonstrated against, then on the basis of such hearing of written remonstrances and oral objections, if any, the council/City Council may, by motion, at the time of said hearing or within 60 days thereafter, order said improvement to be carried out in accordance with the resolution, or the council/City Council may, on its own motion, abandon the improvement. When the council/City Council decides to proceed with the improvement, plans and specifications of the work to be done shall be prepared by the City/City Engineer/Engineer or other authorized person. (Ord. 475 § 6, 2007)

3.10.070

Call for bids.

(1) The ~~council~~City Council may, at its discretion, direct the ~~City~~City ~~Recorder~~Recorder or other authorized person to advertise for bids for construction of all or any part of the improvement project on the basis of the ~~council~~City Council-approved ~~engineer~~City Engineer's report and before the passage of the resolution, or after the passage of the resolution and before the public hearing on the proposed improvement, or at any time after said public hearing; provided, however, that no contract shall be let until after the public hearing has been held to hear remonstrances and oral objections to the proposed improvement. In the event that any part of the work of the improvement is to be done under contract bids, ~~then the council~~City Council shall determine the time and manner of advertisement for bids; and the contracts shall be let to the lowest responsible bidder; provided, that the ~~council~~City Council shall have the right to reject all bids when they are deemed unreasonable or unsatisfactory. The ~~city~~City shall provide for the bonding of all contractors for the faithful performance of any contract let under its authority, and the provisions thereof in case of default shall be enforced by action in the name of the ~~city~~City of Veneta.

(2) If the ~~council~~City Council finds, upon opening bids for the work of such improvement, that the lowest responsible bid is substantially in excess of the ~~engineer~~City Engineer's estimate, it may, in its discretion, provide for holding a special hearing of objections to ~~the~~proceeding with the improvement on the basis of such bid, and it may direct the ~~city~~City ~~recorder~~Recorder to publish one notice thereof in a newspaper of general circulation in the ~~city~~City of Veneta. (Ord. 475 § 7, 2007)

3.10.080

Assessment amount.

If the ~~council~~City Council decides to make the improvement, when the estimated cost thereof is ascertained, the ~~city~~City ~~engineer~~Engineer shall determine the amount of the assessments in accordance with VMC 3.10.090, to each ~~specifically~~benefited lot or parcel in the

improvement district, including a proportionate share of overhead costs, such as the cost of ~~engi-
neer~~engineering, interest on warrants, advertising, postage and supplies for mailing notices of assessments and bonding. (Ord. 475 § 8, 2007)

3.10.090

Method of assessment.

(1) The ~~council~~City Council shall:

(a) Use a fair and reasonable method for determining the extent of the improvement district boundaries that is consistent with the benefits derived.

(b) Use a fair and reasonable method for apportioning the actual cost or estimated cost of the local improvement among the benefited properties.

(2) The ~~council~~City Council may:

(a) Authorize payment by the ~~city~~City of all or any part of the cost of such improvements; provided, that the method selected creates a reasonable relation between the benefits derived by the ~~properties~~specifically benefited and the benefits derived by the ~~city~~City as a whole.

(b) At any time prior to the effective date of the ordinance levying the assessments for any improvement district, modify the method adopted in the resolution forming the improvement district if the ~~council~~City Council determines that a different method is a more just and reasonable method of apportioning the cost of the project to the properties benefited.

(c) Use any other means to finance improvements, including federal or state grants, ~~in aid~~ user charges or fees, revenue bonds, general obligation bonds, or any other legal means of finance to pay either all or any part of the cost of the improvements.

(3) In establishing a fair and reasonable method for apportioning the actual or estimated cost of local improvements among benefited properties, the ~~council~~City Council shall rely upon the following guidelines:

(a) Individual property owners shall pay for public improvements ~~specifically~~benefiting their property. The determination of benefit shall be made irrespective of whether the property is vacant or the owner elects to connect to the local improvements. Special costs or features of the

improvement that benefit a particular parcel of property in a manner peculiar to that parcel shall, together with a share of the overhead for the improvement, be assessed separately against the parcel.

(b) Costs of the improvement to be borne by the cityCity shall be excluded from the assessment before apportionment. The cityCity will pay the cost of:

(i) Extra capacity improvements when the size of the public improvements required exceed the minimum standards established in the specifications and standards for construction of public improvements adopted in accordance with Chapter 13.30 VMC, and the project has been included in the cityCity budget document for the fiscal year during which construction of the improvement is scheduled; or

(ii) Special and unusual costs when the councilCity Council determines that circumstances exist which warrant cityCity payment of all or a portion of the cost of the public improvements.

(4) In establishing a fair and reasonable method for apportioning actual or estimated costs of local improvements among benefited properties, the councilCity Council may, but in no way is required to, rely upon the following guidelines:

(a) Improvement Costs of Streets. Street improvement costs may include all improvements required or as established by the improvement district from right-of-way to right-of-way. Such improvements shall meet the minimum standards adopted under Chapter 13.30 VMC and may include improvement components associated with the street, including but not limited to:

(i) Complete street structure;

(ii) Gutters, catch basins, inlets and other street stormwater improvements;

(iii) Curbs;

(iv) Sidewalks;

(v) Driveways and other access means;

(vi) Lighting; and

(vii) Painting, striping, signals and signage.

Costs shall be applied on a per linear foot basis, unless otherwise directed by the councilCity Council or as interpreted in subsection (4)(h) of this section. Where a property

owner requests or requires supplemental approach construction, the costs associated with that additional construction shall be assessed to the individual property owner.

(b) Improvement Costs of Sidewalks. Parcels abutting a sidewalk shall be liable for a proportionate share of the cost of the sidewalks, based on the front footage of the parcel abutting the sidewalk. Where, however, the councilCity Council finds that construction of a sidewalk on both sides of the street is unnecessary or unfeasible, the cost of the sidewalk on one side of the street may be assessed to both the parcels abutting the sidewalk and the parcels on the opposite side of the street from the sidewalk.

(c) Improvement Costs of Surface Stormwater Water-Management. The cost to be assessed shall be apportioned to each parcel within the improvement district on the basis of its land area that contributes to or otherwise directly benefits from the cityCity's drainage system.

(d) Improvement Costs of Water and Sewer Lines.

(i) The properties specifically-benefited by a sewer main or water pipe shall bear the cost of the system up to and including eight inches of pipe diameter. These costs shall be apportioned to each parcel on the basis of a cost per square foot of benefited property, determined by dividing the total system cost by the total improvement district area.

(ii) In addition to main or pipe costs, each property benefited by a sewer main or water pipe shall be considered to have at least one service line connection point. If more than one service line connection point is provided for a benefited parcel, it shall be assessed for the actual number of service line connection points. All costs related to the service lines, including overhead costs, shall be divided by the total number of service line connection points to determine the cost per service line connection point.

(e) Corner Lots. Corner lots may be exempted from an assessment for the first 100 feet of frontage on the side abutting a local improvement, or for the full length of the side abutting the improvement, whichever is shorter, if

one or more of the following conditions exist and the ~~city council~~City Council grants an exemption:

(i) The local improvement is required to serve a new subdivision or new development, the corner lot is located outside the subdivision or development, and the corner lot will receive no benefit from the local improvement for which the assessment is levied; or

(ii) The corner lot has two sides abutting the local improvement for which the assessment is levied and is being assessed for the full footage of one side abutting the improvement; or

(iii) The ~~council~~City Council determines the corner lot receives no benefit from the local improvement for which the assessment is levied and the property has been previously assessed for the same type of local improvement on the side not abutting the local improvement for which the assessment is levied.

The ~~city council~~City Council need not grant a corner lot exemption if the ~~council~~City Council determines the property will receive a benefit from the local improvement for which the assessment is being levied.

(f) Minimum Frontage. All lots may be assessed for an equivalent front footage of no less than 60 feet.

(g) Benefited Property. A benefited property may be defined as one which is adjacent to any street, easement or right-of-way on which a local improvement is installed or, in the case of a water, ~~surface~~stormwater management, or wastewater sewer improvement, which reasonably is capable of connecting to, or directly benefiting from, the improvement.

(h) Assessment Alternative. Assessment may be made at an average rate per square foot of land benefited, the average rate of assessment being the total assessed costs divided by the total area of land within the improvement district. The total area of land may constitute the total of the lot, parcel or tract of land served by the local improvement, up to a maximum of 100 feet from the street, easement, or right-of-way containing the local improvement.

(i) Equal Assessments. If property owners of all or part of the benefited properties within the improvement district are in unanimous agreement, and so request, then their share of the

improvement costs may be apportioned as an equal amount. (Ord. 475 § 9, 2007)

3.10.100

Proposed aAssessment ordinance.

If the ~~council~~City Council determines that the local improvement shall be made when the estimated cost thereof is ascertained on the basis of the contract award or ~~city~~City departmental or other agency cost, or after the work is done and the cost thereof has been actually determined, the ~~council~~City Council shall determine whether the property benefited shall bear all or a portion of the cost. The ~~recorder~~City Engineer or other person designated by the ~~council~~City Council shall prepare the proposed assessment to the respective ~~lots~~properties within the assessment district and file it ~~in-with~~the City Administrator, or designee, appropriate city office. Notice of such proposed assessment shall be mailed or personally delivered to the owner ~~of record of-for each lot~~property proposed to be assessed, which notice shall state the amounts of assessment proposed on that property and shall fix a date by which time written objections shall be filed with the ~~recorder~~City Recorder. Any such objection shall state the grounds thereof.

3.10.105

Assessment ordinance

The ~~council~~City Council shall consider such objections and may adopt, correct, modify or revise the proposed assessment and shall ~~finalize~~determine the amount of assessment to be charged against each ~~lot~~property within the district, according to the special and peculiar benefits accruing thereto from the improvement, and shall by ordinance ~~spread-apportion and levy~~the final assessments. (Ord. 475 § 10, 2007)

3.10.110

Notice of assessment.

Within 10 days after the ordinance levying assessments has been ~~adopted for final enactment~~passed, the ~~city~~City ~~recorder~~Recorder shall send by registered or certified mail a notice of ~~final~~final assessment to the owner of the assessed property, and shall publish notice of such assessment once a week for two successive weeks in a newspaper of

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general circulation in the ~~city~~City of Veneta, the first publication of which shall be made not later than 10 days after the ~~date of the assessment ordinance levying the assessment has been adopted for final enactment ordinance~~. The notice of ~~final~~assessment shall recite the ~~effective~~ date of the assessment ordinance and shall state that, upon the failure of the owner of the property assessed to ~~pay the assessment in full or to make application to pay the assessment in installments within 20 40 days from the date of the first publication effective date of the ordinance notice of final assessment notice, or upon the failure of the owner to pay the assessment in full within 30 days from the date of the assessment ordinance~~, then interest will commence to run on the assessment and that the property assessed will be subject to foreclosure. The mailed notices shall further set forth a description of the property assessed (which description may be by ~~Lane~~County map and tax lot numbers only), the name of the owner of the property, and the amount of the assessment. The published notice need only describe the project generally, and need not describe the specific properties assessed or the names of the property owners or the amounts of the assessments. (Ord. 475 § 11, 2007)

3.10.120

Deferred payment of assessments.

(1) To the extent that ~~city~~City funds are available and the requirements of this section through VMC 3.10.210 are met, a property owner may request deferred payment of ~~special~~ assessments for local improvements levied by the ~~city~~City.

(2) To be eligible for a deferral, the applicant must meet guidelines as set forth in VMC 3.10.130.

(3) A property owner shall submit an application for deferred payment privileges to the ~~city~~City Administrator, or designee, within ~~20 30~~ days ~~after from the date of the first publication of the notice of final assessment, an assessment is entered in the city~~City lien docket or within such time as the ~~city~~City Administrator may establish; and enter into a contract with the ~~city~~City to pay the assessment when the deferral is terminated. (Ord. 475 § 12, 2007)

3.10.130

Deferment eligibility.

To the extent that ~~City~~City resources are available ~~in the local improvements fund~~, deferral may be accorded eligible real property owners.

(1) Collection of a portion of an ~~an~~ construction assessment may be deferred if:

(a) The assessment is a result of an action by the ~~city~~City ~~council~~City Council;

(b) The real property has the potential for development as more than one lot under applicable ~~city~~City standards and is located either:

(i) In a ~~General Residential~~ or ~~Single Family Residential~~ zone and is undeveloped real property, but not part of a phased development; or

(ii) In any zone and used for an owner-occupied single-family dwelling.

(c) The real property is used for an owner-occupied single-family dwelling, all owners must apply for the deferral and reside on the property as their principal residence, unless required to be absent for medical reasons. ~~A~~ life estate interest will not qualify a resident as an owner. A revocable inter vivos trust may qualify the resident as the owner, so long as the resident is both the trustor and beneficiary of the trust. Any other trust interest will not qualify a resident for a deferral;

(d) A funding source is available from a public entity or any other source approved by the ~~council~~City Council at the time the project is initiated that will provide the ~~city~~City with sufficient funds to ensure construction and that costs to other property owners do not increase; and

(e) The ~~city~~City Administrator finds that the deferral is consistent with ~~council~~City Council goals and policies, and otherwise is in the public interest.

(2) Collection of an assessment for construction of a new or upgraded street opened through action of the ~~council~~City Council may be deferred when the abutting real property does not have driveway access to the street and is not developed for a purpose which makes use of the street. Abutting property taking access from the road over other abutting property shall not be eligible for assessment deferral under this section. The parcel shall be assessed for a minimum

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frontage of 60 feet. The costs for the remaining frontage may be deferred.

(3) Collection of a wastewater, sewer, water, or ~~surface-storm~~water management improvement assessment may be deferred when such improvements are installed that will provide a future benefit to undeveloped real property, as determined by the ~~cityCity council~~City Council, and when connection will not be made immediately upon project completion. Deferral will be allowed only on the undeveloped portion of a parcel. Owners of vacant parcels shall pay a minimum assessment amount equal to that assessed a single-family dwelling. The remainder of the assessment may be deferred.

(4) Notwithstanding a deferral granted under this subsection, the owner of any real property affected by the deferral may elect to pay the assessment at the time it is levied, in the manner provided in this chapter.

(5) Following full payment of the assessment, the public entity or other source providing the temporary funds for construction of the improvement shall be reimbursed the amount it provided. (Ord. 475 § 13, 2007)

3.10.140

Deferment Financing of program financing.

(1) The ~~cityCity~~ of Veneta local improvements fund will be used for the payment of construction costs or for the retirement of debt incurred by the ~~cityCity~~ in connection with local improvement projects on which the payment of assessments has been deferred under this chapter.

(2) The initial funds for the program ~~shall be taken from interest earnings accumulated in the allowable cityCity of Veneta funds as determined by the City Administrator, or designee capital construction fund in an amount not to exceed 40 percent of the total accumulated interest earnings as of June 30th of the preceding fiscal year. The deferral p~~Program resources shall be replenished from time to time by interest payments on deferred accounts, payments made when deferments are terminated, and by additional interest revenue earned within the fund from the capital construction fund.

(3) Deferments shall be granted on a pro rata or otherwise equitable basis, depending upon individual assessment amounts for applications received within the time period set under VMC 3.10.120(3) for submittal to the extent that program funds are available. (Ord. 475 § 14, 2007)

3.10.150

Interest on deferred assessments.

Interest shall accrue at the same rate applicable to installment payments of special assessments under the Bancroft Bonding Act (ORS 223.205 through 223.300), and shall be calculated from the date the original assessments on the project became due. The interest shall accrue on the unpaid balance of any assessment for which payment has been deferred under this chapter and will be paid upon deferral payment or termination. (Ord. 475 § 15, 2007)

3.10.160

Administration of deferments.

(1) The ~~cityCity~~ Administrator, or designee, shall be responsible for the administration of deferrals under this chapter and may:

(a) Adopt reasonable rules and regulations relating to any matter pertaining to special assessment deferral administration;

(b) Prepare and make available all necessary forms. Such forms shall include a statement informing applicants of the possible deferral of special assessments for local improvements under the State of Oregon Department of Revenue Rules and ORS 311.702 through 311.735.

(2) The contract required under VMC 3.10.120(3) shall be in a form satisfactory to the ~~cityCity~~ attorney; shall be binding on the heirs, successors and assigns to whom ownership of the property may be transferred; and may be recorded in the official records of Lane County, Oregon. The ~~cityCity~~ Administrator is hereby authorized to execute such contracts on behalf of the ~~cityCity~~.

(3) In determining eligibility, the ~~cityCity~~ Administrator shall follow the requirements of VMC 3.10.130.

(4) The ~~cityCity~~ Administrator, or designee, shall notify any deferral applicant of the

cityCity administrator's decision in writing. (Ord. 475 § 16, 2007)

3.10.170

Appeals on deferral decision.

Any person aggrieved by a deferral decision of the cityCity Administrator under this chapter may appeal it to the councilCity Council by serving, within 10 days after the date of the notice containing the decision, a notice of appeal in writing to on the cityCity recorderRecorder specifying the grounds for objection to the decision. The councilCity Council shall consider the matter and may sustain, modify or reverse the decision of the cityCity Administrator. (Ord. 475 § 17, 2007)

3.10.180

Termination of deferment.

(1) A deferment shall terminate if:

(a) The property owner defaults in the performance of the terms and provisions of the owner's contract with the cityCity or the contract term expires and is not renewed;

(b) Eligibility requirements are no longer met. This includes, but is not limited to, circumstances such as access to street are established or connection to improvement is made;

(c) Fee title and/or possessory interest in the property is sold or transferred, except sales or transfers to persons related by blood, marriage, or adoption;

(d) Subdivision or partition platting is initiated;

(e) A building permit is issued which allows the property use to intensify; or

(f) The property owner fails to comply with any rule or regulation adopted under this chapter; refuses to provide information to, or hinders any investigation by, the cityCity Administrator into the continued eligibility of the property owner for a deferment; willfully makes any false or misleading statement in order to obtain or retain a deferment; or receives benefits under this chapter with knowledge that the owner does not qualify for such benefits.

(2) Upon termination of the deferral, the owner of the real property shall thereupon be required to

pay the assessment and accrued interest according to the terms of this chapter. (Ord. 475 § 18, 2007)

3.10.190

Confidentiality of deferments.

To the maximum extent possible under the law, the applications, records and other information relating to deferments shall be kept confidential by the cityCity. (Ord. 475 § 19, 2007)

3.10.200

Deferred assessment Lien.

Any assessment for which payment is deferred under this chapter shall continue to be a recorded lien on the affected property, notwithstanding the granting of a deferment. If the deferment is terminated, the lien may be enforced as though no deferment had ever been granted. (Ord. 475 § 20, 2007)

3.10.210

Installment payment terms- deferred assessments.

The allowance of deferment under this chapter shall have no effect on the number of installment payment periods or terms of payment permitted under the Bancroft Bonding Act as they are now or hereafter constituted or amended. Once deferment is terminated, and if an installment agreement is entered into, ~~need clarification on this each installment payment shall accrue at each successive payment period~~ the installment agreement shall be administered as though no deferment had been granted. (Ord. 475 § 21, 2007)

3.10.220

Lien records and foreclosure proceedings.

After passage of the assessment ordinance by the councilCity Council and on or after the effective date of such ordinance, the cityCity recorderRecorder shall enter in the docket of cityCity liens a statement of the unpaid amounts assessed upon each particular lot, parcel of land or portion thereof, together with a description of the improvement, the name of the owners and the effective date of the assessment ordinance. Upon such entry in the lien docket, the amount so

entered shall become a lien and charge upon the respective lots, parcels of land or portions thereof, which have been assessed for such improvement. All assessment liens of the ~~city~~City of Veneta shall be superior and prior to all other liens or encumbrances on property insofar as the laws of the state of Oregon permit. Interest shall be charged at a rate to be fixed by ordinance, not exceeding 10 percent per annum, until paid, on all amounts not paid within ~~1030~~ days from the ~~effective~~ date of such assessment ordinance, and after expiration of 30 days from the ~~effective~~ date of such assessment ordinance, the ~~city~~City may proceed to foreclose or enforce collection of the assessment liens in the manner provided by the general law of the state of Oregon; provided, however, that the ~~city~~City may, at its option, enter a bid for the property being offered at a foreclosure sale, which bid shall be prior to all bids except those made by persons who would be entitled under the laws of the state of Oregon to redeem such property. (Ord. 475 § 22, 2007)

3.10.230

Errors in assessment calculations.

Claimed errors in the calculation of assessments shall be called to the attention of the ~~City Administrator~~ ~~city recorder~~, who shall determine whether there has been an error in fact. If the ~~recorder~~City-Administrator shall find that there has been an error in fact, the ~~recorder~~City-Administrator shall recommend to the ~~council~~City Council an amendment to the assessment ordinance to correct such error, and upon enactment of such amendment, the ~~city~~City ~~recorder~~Recorder shall make the necessary correction in the docket of ~~city~~City liens and send a correct notice of assessment by registered or certified mail. (Ord. 475 § 23, 2007)

3.10.240

Deficit assessment.

In the event that an assessment shall be made before the total cost of the improvement is ascertained, and if it is found that the amount of the assessment is insufficient to defray the expenses of the improvement, the ~~council~~City Council may, by motion, declare such deficit and prepare a proposed deficit assessment. The ~~council~~City

~~Council~~ shall set a time for a hearing of objections to such deficit assessment and shall direct the ~~city~~City ~~recorder~~Recorder to publish one notice thereof in a newspaper of general circulation in the ~~city~~City of Veneta. After such hearing, the ~~council~~City Council shall make a just and equitable deficit assessment by ordinance, which shall be entered in the docket of ~~city~~City liens as provided by this chapter, and notices of the deficit assessment shall be published and mailed and the collection of the assessment shall be made in accordance with VMC 3.10.100 and 3.10.110. (Ord. 475 § 24, 2007)

3.10.250

Rebates.

If, upon the completion of the improvement project, it is found that the assessment previously levied upon any property is more than sufficient to pay the costs of such improvements, then the ~~council~~City Council must ascertain and declare the same by ordinance, and when so declared, the excess amounts must be entered on the lien docket as a credit upon the appropriate assessment. In the event that any assessment has been paid, the person who paid the same, or his legal representative, shall be entitled to the repayment of such rebate credit, or the portion thereof which exceeds the amount unpaid on the original assessment. (Ord. 475 § 25, 2007)

3.10.260

Abandonment of proceedings.

The ~~council~~City Council shall have full power and authority to abandon and rescind proceedings for improvements made under this chapter at any time prior to the final completion of such improvements; and if liens have been assessed upon any property under such procedure, they shall be cancelled, and any payments made on such assessments shall be refunded to the person paying the same, or ~~his~~-~~their~~ assigns or legal representatives. (Ord. 475 § 26, 2007)

3.10.270

Curative provisions.

No improvement assessment shall be rendered invalid by reason of a failure of the ~~engineer~~City Engineer's report to contain all of the information

required by VMC 3.10.020, or by reason of a failure to have all of the information required to be in the improvement resolution, the assessment ordinance, the lien docket or notices required to be published and mailed, nor by the failure to list the name of, or mail notice to, the owner of any property as required by this chapter, or by reason of any other error, mistake, delay, omission, irregularity, or other act, jurisdictional or otherwise, in any of the proceedings or steps herein specified; unless it appears that the assessment is unfair or unjust in its effect upon the person complaining; and the ~~council~~City Council shall have the power and authority to remedy and correct all such matters by suitable action and proceedings. (Ord. 475 § 27, 2007)

3.10.280

Reassessment.

Whenever any assessment, deficit or reassessment for any improvement which has been made by the ~~city~~City has been, or shall be, set aside, annulled, declared or rendered void, or its enforcement restrained by any court of this state, or any federal court having jurisdiction thereof, or when the ~~council~~City Council shall be in doubt as to the validity of such assessment, deficit assessment, or reassessment, or any part thereof, then the ~~council~~City Council may make a reassessment in the manner provided by the laws of the state of Oregon. (Ord. 475 § 28, 2007)

3.10.290

Remedies.

Subject to the curative provisions of VMC 3.10.270 and the rights of the ~~city~~City to reassess as provided in VMC 3.10.280, proceedings for writs of review and suits in equity may be filed no later than 60 days after the passage by the ~~council~~City Council of the ordinance ~~spreading~~levying the assessment; providing that the property owner shall have filed a written objection to the proposed assessment as provided in VMC 3.10.060, and shall not have paid the assessment or signed an application to pay the assessment in installments. Such property owner may commence a suit for equitable relief based on a total lack of jurisdiction on the part of the ~~city~~City; and if notice of the improvement shall

not have been sent to the owner, and if the owner did not have actual knowledge of the proposed improvement prior to the hearing, then the owner may file written objections alleging lack of jurisdiction with the ~~recorder~~City Recorder within 30 days after receiving notice or knowledge of the improvement. No provision of this section shall be construed so as to lengthen any period of redemption, or so as to affect the running of any statute of limitation or equitable defense, including laches. Any proceeding on a writ of review or suit in equity shall be abated if proceedings are commenced and diligently pursued by the ~~city~~City to remedy or cure the alleged errors or defects. (Ord. 475 § 29, 2007)

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**City of Veneta
List of Actions and Timing
For Local Improvement District Project**

Attachment 2

Due Date	Actions	Action to be Taken By	Type of Action
5/23/2016	Need for improvement determined	Staff/Council	Consensus
6/13/2016	Engineer directed to develop and submit survey and written report	Council	Motion
9/11/2016	Approval of Engineer's Report	Council	Motion
9/25/2016	Designate the proposed improvement	Council	Resolution
10/3/2016	Notice of proposed improvement to property owners	City Recorder	Certified Mail
10/3/2016	Notice of proposed improvement published	City Recorder	Publication
10/11/2016	Notice of proposed improvement published	City Recorder	Publication
10/22/2016	Public hearing on proposed improvement	Council	Hearing
10/22/2016	Direct bids to be advertised	Council	Motion
11/26/2016	Contract approved	Council	Motion
11/30/2016	Notice of proposed assessment	City Recorder	Certified Mail
01/10/17	Final assessment (first reading)	Council	Ordinance
01/24/17	Final assessment (second reading)	Council	Ordinance
02/02/17	Notice of final assessment to property owners	City Recorder	Certified Mail
02/02/17	Notice of final assessment published	City Recorder	Publication
02/09/17	Notice of final assessment published	City Recorder	Publication
02/24/17	Ordinance effective date and assessment date		
02/22/17	Deadline for Deferral Application	Property Owner	
02/22-02/28	City reviews deferral applications	City Administrator/Finance Director	Approve or Deny
03/01/17	Applicants notified of decision	City Recorder/Finance Director	Letter Mailed
03/16/17	Deadline for payment of assessment (partial or in full)	Property Owner	
03/16/17	Deadline for Installment Payment Application	Property Owner	
03/17/17	Interest effective date		
03/17/17	Unpaid assessments entered in docket of City liens	City Recorder	Recorded
03/17-03/24	City reviews installment payment agreements	City Administrator/Finance Director	Approve or Deny
3/25/2017	Applicants provided copy of signed payment agreement	City Recorder/Finance Director	Letter Mailed
3/25/2017	Deferral contract	City Recorder/Finance Director	Prepared and Mailed
3/31/2017	Deadline for signed deferral contract	Property Owner	

Note: This timeline includes only the routine actions necessary. See VMC 3.10 for timing on objections, remonstrances, appeals, errors, deficits, rebates, reassessments, and remedies. Some types of LIDs require connection or other commitments-see the portion of the VMC related to the specific system.

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ORDINANCE NO. 558

**AN ORDINANCE AMENDING VENETA MUNICIPAL CODE TITLE 3
CHAPTER 10**

WHEREAS, the current language in Veneta Municipal code (VMC) Title 3, Chapter 10 was primarily established by Ordinance No. 475 in 2007; and

WHEREAS, the City population and practices are substantially different than when Ordinance 475 was adopted; and

WHEREAS, changes to the policies relating to the City's public improvements and special assessments are needed to reflect changes in the City's practices; and

WHEREAS, the current language in some sections is inconsistent or unclear as to responsibility and timing.

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

Section 1. Amending VMC 3.10, Public Improvements and Special Assessments: VMC 3.10 is hereby amended to read as follows:

“Chapter 3.10

PUBLIC IMPROVEMENTS AND SPECIAL ASSESSMENTS

Sections:

- 3.10.010 Definitions.
- 3.10.020 Initiation of proceedings and report from the City Engineer.
- 3.10.030 City Council's action on City Engineer's report.
- 3.10.040 Resolution and notice of hearing.
- 3.10.050 Manner of doing work.
- 3.10.060 Hearing.
- 3.10.070 Call for bids.
- 3.10.080 Assessment amount.
- 3.10.090 Method of assessment.
- 3.10.100 Proposed assessment.
- 3.10.105 Assessment ordinance.
- 3.10.110 Notice of final assessment.
- 3.10.120 Deferred payment of assessments.
- 3.10.130 Deferment eligibility.
- 3.10.140 Deferment program financing.
- 3.10.150 Interest on deferred assessment.
- 3.10.160 Administration of deferments.
- 3.10.170 Appeals on deferral decision.
- 3.10.180 Termination of deferment.
- 3.10.190 Confidentiality of deferments.
- 3.10.200 Deferred assessment lien.
- 3.10.210 Installment payment terms –deferred assessments.
- 3.10.220 Lien records and foreclosure proceedings.
- 3.10.230 Errors in assessment calculations.

- 3.10.240 Deficit assessment.
- 3.10.250 Rebates.
- 3.10.260 Abandonment of proceedings.
- 3.10.270 Curative provisions.
- 3.10.280 Reassessment.
- 3.10.290 Remedies.

3.10.010

Definitions.

- (1) "Improvement district" means that portion of land affected by a local improvement for which assessments are being apportioned and which includes all benefited property.
- (2) "Local improvement" has the meaning as set forth in ORS 310.140(9).

3.10.020

Initiation of proceedings and report from the City Engineer.

Whenever the City Council shall deem it necessary, upon its own motion or upon the petition of the owners of one-half of the property that benefits specifically from the improvement, to make any street, sewer, sidewalk, drainage, water line or other public improvement to be paid for in whole or in part by special assessment according to benefits, then the City Council shall, by motion, direct the City Engineer to make a survey and written report for such project and file the same with the City Administrator or designee. Unless the City Council shall direct otherwise, such report shall contain the following matters:

- (1) A map or plat showing the general nature, location and extent of the proposed improvement and the properties to be assessed for the payment of any part of the cost thereof;
- (2) Estimates of the work to be done; provided, however, that where the proposed project is to be carried out in cooperation with any other governmental agency, the City Engineer may adopt the plans, specifications or estimates of such agency;
- (3) An estimate of the probable cost of the improvement including any legal, administrative and engineering costs attributable thereto;
- (4) An estimate of the unit cost of the improvement to the specifically benefited properties;
- (5) A recommendation as to the method of assessment to be used to arrive at a fair apportionment of the whole or any portion of the cost of the improvement to the properties specifically benefited;
- (6) The Lane County map and tax lot numbers and assessed value of each lot, parcel of land, or portion thereof, to be specifically benefited by the improvement with the names of the owners of record thereof and, when readily available, the names of the contract purchasers thereof;
- (7) A statement of outstanding assessments against property to be assessed.

3.10.030

City Council's action on City Engineer's report.

After the City Engineer's report shall have been filed with the City Administrator or designee, the City Council may thereafter by motion approve the report, modify the report and approve it as modified, require the City Engineer to supply additional or different information for such improvements, or it may abandon the improvement.

3.10.040

Resolution and notice of hearing.

After the City Council shall have approved the report as submitted or modified, the City Council shall, by resolution, designate the proposed improvement, declare its intention to make such improvement, provide the manner and method of carrying out the improvement, and shall direct the City Recorder to give notice of such improvement by two publications one week apart in a newspaper of general circulation within the City of Veneta and by mailing copies of such notice by registered or certified mail to the owners of record to be assessed for the payment of any part of the costs thereof; of such improvement, which said notice shall contain the following matters:

(1) That a written report on the improvement is on file at the Administration Center of the City of Veneta and is available for public examination;

(2) That the City Council will hold a public hearing on the proposed improvement at a specified place, time and date, which shall not be earlier than 10 days following the first publication of notice, at which hearing the City Council will hear and consider objections and remonstrance's to the proposed improvement by any parties aggrieved thereby; and that if, prior to such hearing, there shall be presented to the City Recorder valid, written remonstrance's of the owners of two-thirds of the property or two-thirds of the front footage of the property to be specifically assessed for such improvement, then the improvement will be abandoned for at least six months, unless the improvement is a sidewalk or an improvement unanimously declared by the City Council to be needed at once because of an emergency;

(3) A description of the property to be specifically benefited by the improvement (which description may be by Lane County map and tax lot numbers only), the owners of such property, and the estimate of the unit cost of the improvement to the benefited property and the total cost of the improvement to be paid by assessments to benefited properties.

3.10.050

Manner of doing work.

The City Council may provide in the improvement resolution that the construction work may be done in whole or in part by the City of Veneta or by a contract, or by any other governmental agency, or by any combination thereof.

3.10.060

Hearing.

At the time of the public hearing on the proposed improvement, if the written remonstrance shall represent less than the amount of property owners required to defeat the proposed improvement, if such an improvement is one that can be remonstrated against, then on the basis of such hearing of written remonstrance and oral objections, if any, the City Council may, by motion, at the time of said hearing or within 60 days thereafter, order said improvement to be carried out in accordance with the resolution, or the City Council may, on its own motion, abandon the improvement. When the City Council decides to proceed with the improvement, plans and specifications of the work to be done shall be prepared by the City Engineer or other authorized person.

3.10.070

Call for bids.

(1) The City Council may, at its discretion, direct the City Recorder or other authorized person to advertise for bids for construction of all or any part of the improvement project on the basis of the City Council-approved City Engineer's report and before the passage of the resolution, or after the passage of the resolution and before the public hearing on the proposed improvement, or at any time after said public hearing; provided, however, that no contract shall be let until after the public hearing has been held to hear remonstrance and oral objections to the proposed improvement. In the event that any part of the work of the improvement is to be done under contract bids, the contracts shall be let to the lowest responsible bidder; provided, that the City Council shall have the right to reject all bids when they are deemed unreasonable or unsatisfactory. The City shall provide for the bonding of all contractors for the faithful performance of any contract let under its authority, and the provisions thereof in case of default shall be enforced by action in the name of the City of Veneta.

(2) If the City Council finds, upon opening bids for the work of such improvement, that the lowest responsible bid is substantially in excess of the City Engineer's estimate, it may, in its discretion, provide for holding a special hearing of objections to proceeding with the improvement on the basis of such bid, and it may direct the City Recorder to publish one notice thereof in a newspaper of general circulation in the City of Veneta.

3.10.080

Assessment amount.

If the City Council decides to make the improvement, when the estimated cost thereof is ascertained, the City Engineer shall determine the amount of the assessments in accordance with VMC 3.10.090, to each specifically benefited lot or parcel in the improvement district, including a proportionate share of overhead costs, such as the cost of engineering, interest on warrants, advertising, postage and supplies for mailing notices of assessments and bonding.

3.10.090

Method of assessment.

(1) The City Council shall:

(a) Use a fair and reasonable method for determining the extent of the improvement district boundaries that is consistent with the benefits derived.

(b) Use a fair and reasonable method for apportioning the actual cost or estimated cost of the local improvement among the benefited properties.

(2) The City Council may:

(a) Authorize payment by the City of all or any part of the cost of such improvements; provided, that the method selected creates a reasonable relation between the benefits derived by the properties specifically benefited and the benefits derived by the City as a whole.

(b) At any time prior to the effective date of the ordinance levying the assessments for any improvement district, modify the method adopted in the resolution forming the improvement district if the City Council determines that a different method is a more just and reasonable method of apportioning the cost of the project to the properties benefited.

(c) Use any other means to finance improvements, including federal or state grants, user charges or fees, revenue bonds, general obligation bonds, or any other legal means of finance to pay either all or any part of the cost of the improvements.

(3) In establishing a fair and reasonable method for apportioning the actual or estimated cost of local improvements among benefited properties, the City Council shall rely upon the following guidelines:

(a) Individual property owners shall pay for public improvements specifically benefiting their property. The determination of benefit shall be made irrespective of whether the property is vacant or the owner elects to connect to the local improvements. Special costs or features of the improvement that benefit a particular parcel of property in a manner peculiar to that parcel shall, together with a share of the overhead for the improvement, be assessed separately against the parcel.

(b) Costs of the improvement to be borne by the City shall be excluded from the assessment before apportionment. The City will pay the cost of:

(i) Extra capacity improvements when the size of the public improvements required exceed the minimum standards established in the specifications and standards for construction of public improvements adopted in accordance with Chapter 13.30 VMC, and the project has been included in the City budget document for the fiscal year during which construction of the improvement is scheduled; or

(ii) Special and unusual costs when the City Council determines that circumstances exist which warrant City payment of all or a portion of the cost of the public improvements.

(4) In establishing a fair and reasonable method for apportioning actual or estimated costs of local improvements among benefited properties, the City Council may, but in no way is required to, rely upon the following guidelines:

(a) Improvement Costs of Streets. Street improvement costs may include all improvements required or as established by the improvement district from right-of-way to right-of-way. Such improvements shall meet the minimum standards adopted under Chapter 13.30 VMC and may include improvement components associated with the street, including but not limited to:

- (i) Complete street structure;
- (ii) Gutters, catch basins, inlets and other street storm water improvements;
- (iii) Curbs;
- (iv) Sidewalks;
- (v) Driveways and other access means;
- (vi) Lighting; and
- (vii) Painting, striping, signals and signage.

Costs shall be applied on a per linear foot basis, unless otherwise directed by the City Council or as interpreted in subsection (4)(h) of this section. Where a property owner requests or requires supplemental approach construction, the costs associated with that additional construction shall be assessed to that individual property owner.

(b) Improvement Costs of Sidewalks. Parcels abutting a sidewalk shall be liable for a proportionate share of the cost of the sidewalks, based on the front footage of the parcel abutting the sidewalk. Where, however, the City Council finds that construction of a sidewalk on both sides of the street is unnecessary or unfeasible, the cost of the sidewalk on one side of the street may be assessed to both the parcels abutting the sidewalk and the parcels on the opposite side of the street from the sidewalk.

(c) Improvement Costs of Storm water Management. The cost to be assessed shall be apportioned to each parcel within the improvement district on the basis of its land area that contributes to or otherwise directly benefits from the City's drainage system.

(d) Improvement Costs of Water and Sewer Lines.

(i) The properties specifically benefited by a sewer main or water pipe shall bear the cost of the system up to and including eight inches of pipe diameter. These costs shall be apportioned to each parcel on the basis of a cost per square foot of benefited property, determined by dividing the total system cost by the total improvement district area.

(ii) In addition to main or pipe costs, each property benefited by a sewer main or water pipe shall be considered to have at least one service line connection point. If more than one service line connection point is provided for a benefited parcel, it shall be assessed for the actual number of service line connection points. All costs related to the service lines, including overhead costs, shall be divided by the total number of service line connection points to determine the cost per service line connection point.

(e) Corner Lots. Corner lots may be exempted from an assessment for the first 100 feet of frontage on the side abutting a local improvement, or for the full length of the side abutting the improvement, whichever is shorter, if one or more of the following conditions exist and the City Council grants an exemption:

(i) The local improvement is required to serve a new subdivision or new development, the corner lot is located outside the subdivision or development, and the corner lot will receive no benefit from the local improvement for which the assessment is levied; or

(ii) The corner lot has two sides abutting the local improvement for which the assessment is levied and is being assessed for the full frontage of one side abutting the improvement; or

(iii) The City Council determines the corner lot receives no benefit from the local improvement for which the assessment is levied and the property has been previously assessed for the same type of local improvement on the side not abutting the local improvement for which the assessment is levied.

The City Council need not grant a corner lot exemption if the City Council determines the property will receive a benefit from the local improvement for which the assessment is being levied.

(f) Minimum Frontage. All lots may be assessed for an equivalent front footage of no less than 60 feet.

(g) Benefited Property. A benefited property may be defined as one which is adjacent to any street, easement or right-of-way on which a local improvement is installed or, in the case of a water, storm water management, or wastewater sewer improvement, which reasonably is capable of connecting to, or directly benefiting from, the improvement.

(h) Assessment Alternative. Assessment may be made at an average rate per square foot of land benefited, the average rate of assessment being the total assessed costs divided by the total area of land within the improvement district. The total area of land may constitute the total of the lot, parcel or tract of land served by the local improvement, up to a maximum of 100 feet from the street, easement, or right-of-way containing the local improvement.

(i) Equal Assessments. If property owners of all or part of the benefited properties within the improvement district are in unanimous agreement, and so request, then their share of the improvement costs may be apportioned as an equal amount.

3.10.100

Proposed assessment

If the City Council determines that the local improvement shall be made when the estimated cost thereof is ascertained on the basis of the contract award or City departmental or other agency cost, or after the work is done and the cost thereof has been actually determined, the City Council shall determine whether the property benefited shall bear all or a portion of the cost. The City Engineer or other person designated by the City Council shall prepare the proposed assessment to the respective properties within the assessment district and file it with the City Administrator, or designee. Notice of such proposed assessment shall be mailed or personally delivered to the owner of record for each property proposed to be assessed, which notice shall state the amounts of assessment proposed on that property and shall fix a date by which time written objections shall be filed with the City Recorder. Any such objection shall state the grounds thereof.

3.10.105

Assessment ordinance

The City Council shall consider such objections and may adopt, correct, modify or revise the proposed assessment and shall finalize the amount of assessment to be charged against each property within the district, according to the special and peculiar benefits accruing thereto from the improvement, and shall by ordinance apportion and levy the final assessments.

3.10.110

Notice of final assessment.

Within 10 days after the ordinance levying assessments has been adopted for final enactment, the City Recorder shall send by registered or certified mail a notice of final assessment to the owner of the assessed property, and shall publish notice of such assessment once a week for two successive weeks in a newspaper of general circulation in the City of Veneta, the first publication of which shall be made not later than 10 days after the ordinance levying the assessment has been adopted for final enactment. The notice of final assessment shall recite the effective date of the assessment ordinance and shall state that, upon the failure of the owner of the property assessed to pay the assessment in full or to make application to pay the assessment in installments within 20 days from the effective date of the ordinance, then interest will commence to run on the assessment and that the property assessed will be subject to foreclosure. The mailed notices shall further set forth a description of the property assessed (which description may be by Lane County map and tax lot numbers only), the name of the owner of the property, and the amount of the assessment. The published notice need only describe the project generally, and need not describe the specific properties assessed or the names of the property owners or the amounts of the assessments.

3.10.120

Deferred payment of assessments.

(1) To the extent that City funds are available and the requirements of this section through VMC 3.10.210 are met, a property owner may request deferred payment of assessments for local improvements levied by the City.

(2) To be eligible for a deferment, the applicant must meet guidelines as set forth in VMC 3.10.130.

(3) A property owner shall submit an application for deferred payment privileges to the City Administrator, or designee, within 20 days from the date of the first publication of the notice of final assessment, t or within such time as the City Administrator may establish; and enter into a contract with the City to pay the assessment when the deferment is terminated.

3.10.130

Deferment eligibility.

To the extent that City resources are available, deferral may be accorded eligible real property owners.

(1) Collection of a portion of an assessment may be deferred if:

(a) The assessment is a result of an action by the City Council;

(b) The real property has the potential for development as more than one lot under applicable City standards and is located either:

(i) In a General Residential or Single Family Residential zone and is undeveloped real property, but not part of a phased development; or

(ii) In any zone and used for an owner-occupied single-family dwelling.

(c) The real property is used for an owner-occupied single-family dwelling, all owners must apply for the deferral and reside on the property as their principal residence, unless required to be absent for medical reasons. .A life estate interest will not qualify a resident as an owner. A revocable inter vivos trust may qualify the resident as the owner, so long as the resident is both the trustor and beneficiary of the trust. Any other trust interest will not qualify a resident for a deferral;

(d) A funding source is available from a public entity or any other source approved by the City Council at the time the project is initiated that will provide the City with sufficient funds to ensure construction and that costs to other property owners do not increase; and

(e) The City Administrator finds that the deferral is consistent with City Council goals and policies, and otherwise is in the public interest.

(2) Collection of an assessment for construction of a new or upgraded street opened through action of the City Council may be deferred when the abutting real property does not have driveway access to the street and is not developed for a purpose which makes use of the street. Abutting property taking access from the road over other abutting property shall not be eligible for assessment deferral under this section. The parcel shall be assessed for a minimum frontage of 60 feet. The costs for the remaining frontage may be deferred.

(3) Collection of a wastewater, sewer, water, or storm water management improvement assessment may be deferred when such improvements are installed that will provide a future benefit to undeveloped real property, as determined by the City Council, and when connection will not be made immediately upon project completion. Deferral will be allowed only on the undeveloped portion of a parcel. Owners of vacant parcels shall pay a minimum assessment amount equal to that assessed a single-family dwelling. The remainder of the assessment may be deferred.

(4) Notwithstanding a deferral granted under this subsection, the owner of any real property affected by the deferral may elect to pay the assessment at the time it is levied, in the manner provided in this chapter.

(5) Following full payment of the assessment, the public entity or other source providing the temporary funds for construction of the improvement shall be reimbursed the amount it provided.

3.10.140

Deferment program financing.

(1) The City of Veneta local improvements fund will be used for the payment of construction costs or for the retirement of debt incurred by the City in connection with local improvement projects on which the payment of assessments has been deferred under this chapter.

(2) The initial funds for the program shall be taken from allowable City of Veneta funds as determined by the City Administrator, or designee. The deferral program shall be replenished from time to time by interest payments on deferred accounts, payments made when deferments are terminated, and by additional interest revenue earned within the fund.

(3) Deferments shall be granted on a pro rata or otherwise equitable basis, depending upon individual assessment amounts for applications received within the time period set under VMC 3.10.120(3) for submittal to the extent that program funds are available.

3.10.150

Interest on deferred assessments.

Interest shall accrue at the same rate applicable to installment payments of special assessments under the Bancroft Bonding Act (ORS 223.205 through 223.300), and shall be calculated from the date the original assessments on the project became due. The interest shall accrue on the unpaid balance of any assessment for which payment has been deferred under this chapter and will be paid upon deferral payment or termination.

3.10.160

Administration of deferments.

(1) The City Administrator, or designee, shall be responsible for the administration of deferrals under this chapter and may:

(a) Adopt reasonable rules and regulations relating to any matter pertaining to special assessment deferral administration;

(b) Prepare and make available all necessary forms. Such forms shall include a statement informing applicants of the possible deferral of special assessments for local improvements under the State of Oregon Department of Revenue Rules and ORS 311.702 through 311.735.

(2) The contract required under VMC 3.10.120(3) shall be in a form satisfactory to the City attorney; shall be binding on the heirs, successors and assigns to whom ownership of the property may be transferred; and may be recorded in the official records of Lane County, Oregon. The City Administrator is hereby authorized to execute such contracts on behalf of the City.

(3) In determining eligibility, the City Administrator shall follow the requirements of VMC 3.10.130.

(4) The City Administrator, or designee, shall notify any deferment applicant of the City administrator's decision in writing.

3.10.170

Appeals on deferral decision.

Any person aggrieved by a deferral decision of the City Administrator under this chapter may appeal it to the City Council by serving, within 10 days after the date of the notice containing the decision, a notice of appeal in writing to the City Recorder specifying the grounds for objection to the decision. The City Council shall consider the matter and may sustain, modify or reverse the decision of the City Administrator.

3.10.180

Termination of deferment.

(1) A deferment shall terminate if:

(a) The property owner defaults in the performance of the terms and provisions of the owner's contract with the City or the contract term expires and is not renewed;

(b) Eligibility requirements are no longer met. This includes, but is not limited to, circumstances such as access to street are established or connection to improvement is made;

(c) Fee title and/or possessory interest in the property is sold or transferred, except sales or transfers to persons related by blood, marriage, or adoption;

(d) Subdivision or partition platting is initiated;

(e) A building permit is issued which allows the property use to intensify; or

(f) The property owner fails to comply with any rule or regulation adopted under this chapter; refuses to provide information to, or hinders any investigation by, the City Administrator into the continued eligibility of the property owner for a deferment; willfully makes any false or misleading statement in order to obtain or retain a deferment; or receives benefits under this chapter with knowledge that the owner does not qualify for such benefits.

(2) Upon termination of the deferral, the owner of the real property shall thereupon be required to pay the assessment and accrued interest according to the terms of this chapter.

3.10.190

Confidentiality of deferments.

To the maximum extent possible under the law, the applications, records and other information relating to deferments shall be kept confidential by the City.

3.10.200

Deferred assessment lien.

Any assessment for which payment is deferred under this chapter shall continue to be a recorded lien on the affected property, notwithstanding the granting of a deferment. If the deferment is terminated, the lien may be enforced as though no deferment had ever been granted.

3.10.210

Installment payment terms- deferred assessments.

The allowance of deferment under this chapter shall have no effect on the number of installment payment periods or terms of payment permitted under the Bancroft Bonding Act as they are now or hereafter constituted or amended. Once deferment is terminated, and if an installment agreement is entered into the installment agreement shall be administered as though no deferment had been granted.

3.10.220

Lien records and foreclosure proceedings.

After passage of the assessment ordinance by the City Council and on or after the effective date of such ordinance, the City Recorder shall enter in the docket of City liens a statement of the unpaid amounts assessed upon each particular lot, parcel of land or portion thereof, together with a description of the improvement, the name of the owners and the effective date of the assessment ordinance. Upon such entry in the lien docket, the amount so entered shall become a lien and charge upon the respective lots, parcels of land or portions thereof, which have been assessed for such improvement. All assessment liens of the City of Veneta shall be superior and prior to all other liens or encumbrances on property insofar as the laws of the state of Oregon permit. Interest shall be charged at a rate to be fixed by ordinance, not exceeding 10 percent per annum, until paid, on all amounts not paid within 10 days from the effective date of such assessment ordinance, and after expiration of 30 days from the effective date of such assessment ordinance, the City may proceed to foreclose or enforce collection of the assessment liens in the manner provided by the general law of the state of Oregon; provided, however, that the City may, at its option, enter a bid for the property being offered at a foreclosure sale, which bid shall be prior to all bids except those made by persons who would be entitled under the laws of the state of Oregon to redeem such property.

3.10.230

Errors in assessment calculations.

Claimed errors in the calculation of assessments shall be called to the attention of the City Administrator who shall determine whether there has been an error in fact. If the City Administrator shall find that there has been an error in fact, the City Administrator shall recommend to the City Council an amendment to the assessment ordinance to correct such error, and upon enactment of such amendment, the City Recorder shall make the necessary correction in the docket of City liens and send a correct notice of assessment by registered or certified mail.

3.10.240

Deficit assessment.

In the event that an assessment shall be made before the total cost of the improvement is ascertained, and if it is found that the amount of the assessment is insufficient to defray the expenses of the improvement, the City Council may, by motion, declare such deficit and prepare a proposed deficit assessment. The City Council shall set a time for a hearing of objections to such deficit assessment and shall direct the City Recorder to publish one notice thereof in a newspaper of general circulation in the City of Veneta. After such hearing, the City Council shall make a just and equitable deficit assessment by ordinance, which shall be entered in the docket of City liens as provided by this chapter, and notices of the deficit assessment shall be published and mailed and the collection of the assessment shall be made in accordance with VMC 3.10.100 and 3.10.110.

3.10.250

Rebates.

If, upon the completion of the improvement project, it is found that the assessment previously levied upon any property is more than sufficient to pay the costs of such

improvements, then the City Council must ascertain and declare the same by ordinance, and when so declared, the excess amounts must be entered on the lien docket as a credit upon the appropriate assessment. In the event that any assessment has been paid, the person who paid the same, or his legal representative, shall be entitled to the repayment of such rebate credit, or the portion thereof which exceeds the amount unpaid on the original assessment.

3.10.260

Abandonment of proceedings.

The City Council shall have full power and authority to abandon and rescind proceedings for improvements made under this chapter at any time prior to the final completion of such improvements; and if liens have been assessed upon any property under such procedure, they shall be cancelled, and any payments made on such assessments shall be refunded to the person paying the same, or their assigns or legal representatives.

3.10.270

Curative provisions.

No improvement assessment shall be rendered invalid by reason of a failure of the City Engineer's report to contain all of the information required by VMC 3.10.020, or by reason of a failure to have all of the information required to be in the improvement resolution, the assessment ordinance, the lien docket or notices required to be published and mailed, nor by the failure to list the name of, or mail notice to, the owner of any property as required by this chapter, or by reason of any other error, mistake, delay, omission, irregularity, or other act, jurisdictional or otherwise, in any of the proceedings or steps herein specified; unless it appears that the assessment is unfair or unjust in its effect upon the person complaining; and the City Council shall have the power and authority to remedy and correct all such matters by suitable action and proceedings.

3.10.280

Reassessment.

Whenever any assessment, deficit or reassessment for any improvement which has been made by the City has been, or shall be, set aside, annulled, declared or rendered void, or its enforcement restrained by any court of this state, or any federal court having jurisdiction thereof, or when the City Council shall be in doubt as to the validity of such assessment, deficit assessment, or reassessment, or any part thereof, then the City Council may make a reassessment in the manner provided by the laws of the State of Oregon.

3.10.290

Remedies.

Subject to the curative provisions of VMC 3.10.270 and the rights of the City to reassess as provided in VMC 3.10.280, proceedings for writs of review and suits in equity may be filed no later than 60 days after the passage by the City Council of the ordinance levying the assessment; providing that the property owner shall have filed a written objection to the proposed assessment as provided in VMC 3.10.060, and shall not have paid the assessment or signed an application to pay the assessment in installments. Such property owner may commence a suit for equitable relief based on a total lack of jurisdiction on the part of the City; and if notice of the improvement shall not have been sent to the owner, and if the owner did not have actual knowledge of the

proposed improvement prior to the hearing, then the owner may file written objections alleging lack of jurisdiction with the City Recorder within 30 days after receiving notice or knowledge of the improvement. No provision of this section shall be construed so as to lengthen any period of redemption, or so as to affect the running of any statute of limitation or equitable defense, including laches. Any proceeding on a writ of review or suit in equity shall be abated if proceedings are commenced and diligently pursued by the City to remedy or cure the alleged errors or defects.

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

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

Section 4. Codification. Provisions of this Ordinance shall be incorporated into the City Code, and the words "ordinance" or "section" may be changed to "code," "article," "chapter," "division," or another word, and the sections of this Ordinance may be renumbered or re-lettered, provided however, that any recital clause and boilerplate provisions of this Ordinance (i.e., Section Nos. 2 through 5) will not be codified, and the City Recorder is authorized to correct any cross-references and any typographical errors.

Section 5. Effective Date. This ordinance will go into full force and effect on the 30th after City Council enactment.

READ FOR A FIRST TIME, BY TITLE ONLY, this ____ day of October, 2020, no Council member present having requested that it be read in full.

READ FOR A SECOND TIME, BY TITLE ONLY, this ____ day of October, 2020, no Council member present having requested that it be read in full.

PASSED AND ADOPTED by a ____ vote for and ____ vote against by the Veneta City Council this ____ day of October, 2020.

XXXXXXXXXXXXXXXXXX

Keith Weiss, Mayor
Executed this ____ day of October, 2020.

ATTEST:

XXXXXXXXXXXXXXXXXX

Darci Henneman, City Recorder
Executed this ____ day of October, 2020

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VENETA CITY COUNCIL

AGENDA ITEM SUMMARY

Title/Topic: A Resolution to Appropriate Funds from the Oregon Emergency Board Grant/Coronavirus Relief Fund (CRF) to the General Fund

Meeting Date: 10/12/2020
Department: Finance

Staff Contact: Caitlin Hippler
Email: chippler@ci.veneta.or.us
Telephone Number: 541-935-2191 Ext. 305

ISSUE STATEMENT: Should the City Council adopt a resolution to accept grant funding from the Oregon State Emergency Board to access Coronavirus Relief Fund (CRF) money and appropriate the expenditure of the CRF money?

BACKGROUND:

The Oregon Emergency Board awarded the City of Veneta a grant in the amount of \$141,100.11 to support local government actions in the statewide fight against COVID-19 by providing reimbursement of federally eligible expenses under the Coronavirus Aid, Relief, and Economic Security (CARES) Act. Coronavirus Relief Funds (CRF) may be used to cover costs that are: necessary expenditures incurred due to the public health emergency with respect to COVID-19. The City of Veneta identified grant-qualifying expenditures after adoption of the budget and will continue to have qualifying expenditures in response to the current pandemic.

To lawfully spend money, a local government must follow the requirements of Local Budget Law (ORS 294.338(1), renumbered from 294.326(1)). Often this means adopting a supplemental budget before making expenditures that exceed existing appropriation authority. However, certain situations constitute exceptions to the general requirements of Local Budget Law. The following description applies to the City of Veneta's situation in regard to the CRF grant agreement. Therefore, a supplemental budget is not required.

The expenditure of grants transferred to the local government in trust for a specific purpose may be made after enactment of an appropriation resolution or ordinance authorizing the expenditure (ORS 294.338(2), renumbered from 294.326(2)).

Staff recommends that the City Council act by resolution to allow expenditure of CRF monies to meet Oregon Budget Law requirements.

RELATED CITY POLICIES

Adopted Budget Resolution No. 1305 (06/22/2020)

COUNCIL OPTIONS

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

CITY ADMINISTRATOR'S RECOMMENDATION

Approve as presented.

SUGGESTED MOTION

“I make a motion to adopt Resolution No. 1312, a resolution accepting a specific purpose grant and unforeseen contribution, and appropriating expenditures.”

ATTACHMENTS

None

CITY OF VENETA

RESOLUTION NO. 1312

A RESOLUTION ACCEPTING A SPECIFIC PURPOSE GRANT AND UNFORESEEN CONTRIBUTION, AND APPROPRIATING EXPENDITURES

WHEREAS, the Council adopted the fiscal year 2020-2021 budget on June 22, 2020; and

WHEREAS, the City of Veneta was given the opportunity to access Coronavirus Relief Funds (CRF) from the Oregon Emergency Board; and

WHEREAS, through the CRF, the Coronavirus Aid, Relief, and Economic Security (CARES) Act provides for payments to State, Local, and Tribal governments navigating the impact of the COVID-19 outbreak; and

WHEREAS, the City of Veneta identified grant qualifying expenditures adoption of the budget; and

WHEREAS, the City of Veneta has now been awarded a grant from the Oregon Emergency Board in the amount of \$141,100.11 to support local government actions in the statewide fight against COVID-19 by providing reimbursement of federally eligible expenses under the CARES Act; and

WHEREAS, Coronavirus Relief Funds may be used to cover costs that are: necessary expenditures incurred due to the public health emergency with respect to COVID-19; and

WHEREAS, CRF monies were not accounted for in Veneta's budget most recently approved as of March 27, 2020; and

WHEREAS, eligible expenses were incurred during the period that begins March 1, 2020, and ends on December 30, 2020; and

WHEREAS, in this situation, Oregon Budget Law allows expenditures in the year of receipt/award if the expenditure of grants, gifts, bequests or devises are transferred to a municipal corporation in trust for specific purposes at the disposal of municipal corporations. A municipal corporation may not make an expenditure unless the governing body of the municipal corporation enacts appropriation ordinances or resolutions authorizing the expenditure. (ORS 294.338 (2)).

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

SECTION 1 Acceptance. The City accepts the terms of the \$141,100.11 State of Oregon grant award from the Oregon Emergency Board for expenditures related to the Coronavirus public health emergency.

SECTION 2 Project Timing. The grant is effective and has a grant funding start date as of March 1, 2020, and, unless extended or terminated earlier in accordance with its terms, will expire on December 30, 2020.

SECTION 3 Appropriations. The City Council directs that appropriations be increased in the General Fund for the specific purpose as outlined above:

- under the function of Materials and Services \$141,100.11.

SECTION 4 Unexpended Funds. Any grant funds received by the City that remain unexpended or contractually committed for payment must be returned to the Oregon Emergency Board (Agency) within 30 days of the Agency's written demand.

SECTION 5 Effective Date. This Resolution shall take effect on October ____, 2020.

PASSED AND ADOPTED by the Veneta City Council this ____ day of October, 2020.

XXXXXXXXXXXXXXXXXXXXX
Keith Weiss, Mayor

ATTEST:

XXXXXXXXXXXXXXXXXXXXX
Darci Henneman, City Recorder

VENETA CITY COUNCIL

AGENDA ITEM SUMMARY

Title/Topic: **Recommendation to Declare a Temporary State of Emergency to Address COVID-19**

Meeting Date: October 12, 2020
Department: Administration

Staff Contact: Matt Michel, City Administrator
Email: mmichel@ci.veneta.or.us
Telephone Number: 541-935-2018

ISSUE STATEMENT

Should the Council enact a temporary state of emergency in response to COVID-19?

BACKGROUND

On March 8th the State of Oregon declared a public health emergency due to the threat posed by the COVID-19 virus. On March 13th the federal government declared a national emergency. The State of Oregon continues to issue Executive Orders to address public health concerns and protective measures. Locally, Lane County is the lead public health agency working directly with Oregon Health Authority.

On March 23, 2020 Council adopted a declaration establishing a temporary state of emergency to provide flexibility in offering utility billing relief, access to emergency funding, and staff operations, and other COVID-19 related actions. The Council extended that declaration once on April 27th, and allowed the declaration to expire on June 28th.

DISCUSSION

In August, the Oregon Emergency Board awarded the City of Veneta a federal Coronavirus Relief Fund (CRF) grant to reimburse the City for federally eligible expenses under the Coronavirus Aid, Relief, and Economic Security (CARES) Act. To date, the City has been reimbursed for roughly \$4,500 in expenses for cleaning supplies, remote internet access to the Community Center, and office protective barriers. Recently, in partnership with Lane County, surrounding cities, and Community LendingWorks, the City pledged \$50,000 in CRF money to an emergency small business grant program to benefit qualified Veneta businesses in need. Taken together, there remains approximately \$85,000 remaining in CRF money.

City rules limit spending level authority to \$30,000 without Council approval prior to the expenditure. To provide flexibility in expending the reimbursable CRF money, I recommend that the City declare a temporary state of emergency until December 31, 2020 pursuant to the City of Veneta's Emergency Operations Plan (Resolution 1209, Nov. 14, 2016). On December 30th, CRF reimbursable funds not spent by the City must be returned to the federal government.

The City Attorney has prepared a resolution for Council's consideration.

RELATED CITY POLICIES

Resolution No. 1209, A Resolution Adopting the City of Veneta/Lane Fire Authority Emergency Operations Plan (EOP) (Nov. 14, 2016)

COUNCIL OPTIONS

1. Adopt the temporary resolution.
2. Modify the temporary resolution.
3. Decline to adopt the temporary resolution.

CITY ADMINISTRATOR’S RECOMMENDATION

I recommend that the Council adopt the temporary state of emergency resolution

SUGGESTED MOTION

I make a motion to adopt Resolution No. 1313, A RESOLUTION DECLARING A TEMPORARY STATE OF EMERGENCY WITHIN THE BOUNDARIES OF THE CITY AND DELEGATING AUTHORITY TO THE CITY ADMINISTRATOR.

ATTACHMENTS

None

CITY OF VENETA

RESOLUTION NO. 1313

A RESOLUTION DECLARING A TEMPORARY STATE OF EMERGENCY WITHIN THE BOUNDARIES OF THE CITY OF VENETA AND DELEGATING AUTHORITY TO THE CITY ADMINISTRATOR

WHEREAS, on March 8, 2020, the Governor of the State of Oregon issued Executive Order 20-03 declaring a statewide State of Emergency under ORS 401.025(1) due to the serious public health and safety threat posed by the spread of the COVID-19 virus within our state; and

WHEREAS, on March 16, 2020, the Governor of the State of Oregon issued Executive Order 20-07 “Prohibiting On-Premises Consumption of Food or Drink” due to the serious public health and safety threat posed by the spread of the COVID-19 virus within our state; and

WHEREAS, the City of Veneta (“the City”) has adopted an Emergency Operations Plan, which pertains to the declaration and administration of a City-wide State of Emergency within City boundaries; and

WHEREAS, ORS Chapter 401.309 grants the City additional authority to declare a State of Emergency within the City; and

WHEREAS, the City Council finds that the increasing detection of multiple cases of Coronavirus (COVID-19) within Lane County and the Governor’s Declaration again presents circumstances constituting a present threat of increased human suffering, loss of life, and financial loss within the City’s boundaries; and

WHEREAS, the City Council finds that during this State of Emergency, it is prudent and responsible to delegate certain powers and responsibilities to the City Administrator in order to more efficiently expedite City responses and services; and

WHEREAS, these emergency circumstances require focused and coordinated municipal and community responses beyond that which occur routinely and such coordinated responses cannot be achieved without temporarily amending some of the City’s regular business, emergency, employment, and intergovernmental practices; and

WHEREAS, the emergency circumstances responding to the COVID-19 global pandemic will continue for at least two more months, and may be extended as needed.

NOW, THEREFORE, IT IS DECLARED THAT:

SECTION 1 City-wide State of Emergency. A City-wide State of Emergency hereby exists within the City of Veneta, which includes all of the area within the city boundaries. This State of Emergency shall become effective immediately and shall continue for a period of one month, unless further extended or rescinded by the City pursuant to this Declaration.

SECTION 2 City Authority. During this State of Emergency, the City may take any legal and necessary steps to respond and recover from the emergency, including but

not limited to: requesting assistance, funds, and reimbursement from the State of Oregon and federal agencies; adopting temporary rules and policies regarding City facilities, funds, resources, and staff; entering into contracts for services or aid agreements with other governmental or private entities; and cancelling non-essential City meetings and events.

- a. Emergency procurement of goods, services, and public improvements is hereby authorized pursuant to ORS 279B.080, ORS 279C.320, ORS 279C.380(4), and all other applicable statutes, ordinances, and rules.

SECTION 3 Staff Designation. The City Administrator is directed to identify two additional City staff members who are designated and authorized to serve as the “acting in capacity” City Administrator (City Administrator AIC) in the City Administrator’s absence during this State of Emergency. The City Administrator or designee(s) shall regularly document and report to the Council regarding any actions or orders taken pursuant to this Declaration.

SECTION 4 City Administrator Delegation. During this State of Emergency, the Council hereby delegates to the City Administrator (and to City Administrator designees in the case of the City Administrator’s absence) the authority to implement local, state and federal leave recommendations and mandates; suspend enforcement of adopted polices or the collection of associated fees to equitably respond to emergency mandated closures; take actions and issue orders necessary and reasonable to protect health, safety and welfare of the City and the public and to conduct activities that minimize or mitigate the effect of the emergency. Such delegated authority includes the expenditure of assistance, funds, and reimbursement received from the State of Oregon and federal agencies. Unless otherwise authorized herein, City Administrator actions, orders, and activities taken pursuant to this delegation shall comply with applicable City, state and federal law.

SECTION 5 Effective Date and Duration. This Declaration shall be effective on the date adopted by the City Council and shall remain in effect until December 31, 2020 at 11 p.m., unless further extended by the City Administrator or designee or the City Council.

SECTION 6 Establishing an Emergency. It is hereby adjudged and declared that existing conditions are such that this Declaration is necessary for the immediate preservation of the public peace, health and safety of the City of Veneta, and an

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emergency is hereby declared to exist and this Resolution, and all provisions modifying the Resolution referred to herein, shall take effect in full force and effect when signed by the Mayor.

PASSED AND ADOPTED, by the Veneta City Council this ____ day of October 2020.and approved by the Mayor of Veneta this ____ day of October 2020.

XXXXXXXXXXXXXXXXXXXX
Keith Weiss, Mayor

ATTEST:

XXXXXXXXXXXXXXXXXXXX
Darci Henneman, City Recorder