

**John Day City Council
February 25, 2014
6:00 PM
Council Chambers
AGENDA**

1. **OPEN AND NOTE ATTENDANCE**
2. **APPROVAL OF CITY COUNCIL MINUTES OF FEBRUARY 11, 2014.**
3. **APPEARANCE OF INTERESTED CITIZENS – At this time Mayor Lundbom will welcome the general public and ask if there is anything they would like to add to tonight’s agenda.**

ACTION ITEMS:

4. **ENTER INTO EXECUTIVE SESSION UNDER ORS 192.660 (2)(f) TO CONSIDER INFORMATION OR RECORDS THAT ARE EXEMPT BY LAW FROM PUBLIC INSPECTION**
5. **DISCUSS FOR ADOPTION ORDINANCE NO. 14-160-01, AN ORDINANCE DECLARING AN ASSESSMENT OF \$3,139.00 AGAINST THE REAL PROPERTY LOCATED AT 405 SE HILLCREST ROAD, JOHN DAY, OREGON FOR DEMOLITION COSTS OF THE DANGEROUS BUILDING LOCATED THEREON AND/OR AGAINST THE BUILDING’S OWNER**
 - Attachments:
 - Redline Ordinance No. 14-160-01
 - Redline Claim of Lien
6. **REVIEW FOR SIGNATURE WEDBUSH SECURITIES FINANCIAL ADVISOR SERVICES AGREEMENT**
 - Attachment:
 - Wedbush Securities Financial Advisor Services Agreement
7. **DISCUSS CITY MANAGER’S ANNUAL EVALUATION**
 - Attachment:
 - City Manager Evaluation Form

OTHER BUSINESS:

8. **OTHER BUSINESS AND UPCOMING MEETINGS**
 - Attachments:
 - February 14, 2014 LOC Bulletin
 - Senator Jeff Merkley, the 2014 Middle Class Agenda

ADJOURN

TO: John Day City Council
FROM: Peggy Gray, City Manager
DATE: February 21, 2014
SUBJECT: Enter into Executive Session under ORS 192.660 (2)(f) to consider information or records that are exempt by law from public inspection

BACKGROUND:

The City of John Day will now meet in executive session. The executive session is held pursuant to ORS 192.660(2)(f) for this session, to consider information or records that are exempt by law from public inspection.

Representatives of the news media and designated staff shall be allowed to attend the executive session. All other members of the audience are asked to leave the room. Representatives of the news media are specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the session as previously announced. No decision may be made in executive session. At the end of the executive session, we will return to open session and welcome the audience back into the room.

Mayor Lundbom will now ask for a motion from the Council to move into executive session under ORS 192.660(2)(f).

TO: John Day City Council

FROM: Peggy Gray, City Manager

DATE: February 21, 2014

SUBJECT: Discuss for Adoption Ordinance No. 14-160-01, an Ordinance declaring an assessment of \$3,139.00 against the Real Property located at 405 SE Hillcrest Road, John Day, Oregon for Demolition Costs of the Dangerous Building located thereon and/or against the Building's Owner

Attachments:

- Redline Ordinance No. 14-160-01
- Redline Claim of Lien

BACKGROUND:

Attached is a revised (redline) copy of Ordinance No. 14-160-01 declaring an assessment against the building located at 405 SE Hillcrest Road, John Day, OR. Notice of the Ordinance and its availability was posted at City Hall and two other sites in John Day and on the City of John Day's website on February 14, 2014. Mayor and City Councilors received a copy of the ordinance via electronic message on February 14, 2014.

Please note the revisions to the Ordinance No. 14-160-01 to the one I emailed to you earlier on February 14, 2014. The revisions are as follows:

- Cost of the demolition was \$3,139.00
- Attached the legal description as Exhibit A
- Revised language in the 6th "whereas statement" to reflect the Council selected S.A. Moore to perform the work
- Revised language in 7th "whereas statement" to reflect the Contractor performed the work on or about November 2013

Also attached is a revised (redline) Claim of Lien. Thirty days or more after the Ordinance is approved; we can have it signed by our Finance Director, have that signature notarized and record the signed and notarized Claim of Lien with the County Clerk.

Please note the revisions to the Claim of Lien to the one I emailed to you earlier on February 14, 2014. The revisions are as follows:

- Cost of the demolition was \$3,139.00
- Deleted the language in the middle of the document that stated "including the Lien for past due insurance premiums"
- Added the City is entitled to reimbursement for all costs and attorney fees incurred related to this matter. The current amount owing for costs and fees is \$5,405.95. Additional amount will continue to accrue.

RECOMMENDATION:

The John Day City Council adopt Ordinance No. 14-160-01.

TO: John Day City Council

FROM: Peggy Gray, City Manager

DATE: February 21, 2014

SUBJECT: Review for Signature Wedbush Securities Financial Advisor Services Agreement
Attachment:

- Wedbush Securities Financial Advisor Services Agreement

BACKGROUND:

Our Bond Counsel recommended the City of John Day and the Rural Fire Protection District hire a financial advisor to serve as the City and the District' fiduciary agent for the placement or issuance of proposed general obligation bonds.

The Contractor will be required to perform the following:

1. Analyze the financing alternatives available to the City for financing the construction, furnishing and equipping of a new fire station (the "Project") in conjunction with the John Day Rural Fire Protection District through the issuance or placement of general obligation bonds (the "Bonds");
2. Size the Bond taking into account construction costs, reimbursements to third parties, if any, and estimated costs of issuance;
3. In cooperation with City, review all documents necessary to implement the Bond financing, including but not limited to the authorizing resolutions, purchase or placement agreement, and the preliminary and final official statements or placement memorandums distributed to potential investors, as required;
4. Advise the City on the timing of the sale or placement of the Bonds in relation to prevailing market conditions and financing needs;
5. Assist in the signing and delivering of the Bonds; and
6. Serve as fiduciary agent of the City and coordinate with all parties so as to consummate the sale and delivery or placement of the Bonds in a timely manner.

Contractor's compensation for bond or loan issues follows.

Compensation

Financial Advisor fees: Fee is a flat fee of \$4,100.

Incidental Expenses: Any travel or other expenses related to Contractor's services will be billed at cost to the City. With the exception of travel expenses, if any, we anticipate no incidental expenses directly related to the provision of our services.

Invoices

Fees and expenses will be billed to the City and are payable at the closing of the Bonds.

It is understood that Wedbush will also serve as the fiduciary agent of the John Day Rural Fire Protection District. The District will have its own contract with Wedbush. Total amount of the Financial Advisor fees is \$7,500 for both districts. Wedbush prorated the amount for the City and the Rural according to the amount of the bond measures. The City's prorated fee is \$4,100; the District's will be \$3,400.

RECOMMENDATION:

The John Day City Council allows the City Manager to sign Wedbush Securities Financial Advisor Services Agreement.

TO: John Day City Council

FROM: Peggy Gray, City Manager

DATE: February 21, 2014

SUBJECT: Discuss City Manager's Annual Evaluation
Attachment:
• City Manager Evaluation Form

BACKGROUND:

According to my contract the City Council shall review and evaluate my performance at least once annually in advance of the adoption of the annual operating budget but no later than March 31st of each year. Attached is a copy of the evaluation form used in the past.

RECOMMENDATION:

Staff recommends the John Day City Council sets a date to complete the City Manager's annual evaluation before March 31, 2014.

TO: John Day City Council

FROM: Peggy Gray, City Manager

DATE: February 21, 2014

SUBJECT: Other Business and Upcoming Meetings

Attachments:

- February 14, 2014 LOC Bulletin
- Senator Jeff Merkley, the 2014 Middle Class Agenda

OTHER BUSINESS:

1. Attached is the February 14, 2014 LOC Bulletin for your information and review.
2. Attached is information from Senator Jeff Merkley's Town Hall meeting held on Sunday, February 16th in Mt. Vernon.
3. The Law Enforcement Agreement with Prairie City was tabled by the Prairie City Council on February 12th. They will reconsider the agreement at their March 12, 2014 regular city council meeting.

UPCOMING MEETINGS AND EVENTS:

March 11, 2014

7:00 p.m.
Council Chambers

Regular City Council meeting