

**CITY OF CENTRAL POINT
City Council Meeting Agenda
June 28, 2012**

Next Res.1839
Next Ord. No.1961

**Central Point
City Hall
664-3321**

City Council

Mayor
Hank Williams

Ward I
Bruce Dingler

Ward II
Kelly Geiger

Ward III
Ellie George

Ward IV
Allen Broderick

At Large
Carol Fischer
Kay Harrison

Administration

Phil Messina, City
Manager
Chris Clayton, Assistant
City Manager
Deanna Casey, City
Recorder

**Community
Development
Department**

Tom Humphrey, Director

Finance Department

Bev Adams, Director

Human Resources

Barb Robson, Director

**Parks and Public Works
Department**

Matt Samitore, Director
Jennifer Boardman,
Manager

Police Department

Jon Zelif, Chief

I. REGULAR MEETING CALLED TO ORDER – 7:00 P.M.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. PUBLIC APPEARANCES

V. SPECIAL PRESENTATION - Change of Command

VI. CONSENT AGENDA

- | | | |
|------------|----|---|
| Page 2 - 7 | A. | Approval of June 24, 2012 Council Minutes |
| 8 - 9 | B. | Approval of Temporary Street Closures for the 4 th of July Parade and Festival |
| 10 - 11 | C. | Approval of Bid Award to Enviro-Clean Equipment, Inc. |

VII. ITEMS REMOVED FROM CONSENT AGENDA

VIII. PUBLIC HEARING, ORDINANCES, AND RESOLUTIONS

- | | | |
|---------|----|---|
| 13 - 19 | A. | Public Hearing - Ordinance No. _____, An Ordinance Amending Chapter 11.16 of the Central Point Municipal Code for the Purpose of Establishing the Water Quality Program Fund and the Water Quality Utility Fee (Samitore) |
| 21 - 25 | B. | Public Hearing - Ordinance No. _____, An Ordinance Amending Chapter 8.28 of the Central Point Municipal Code to Provide for a More Efficient and Timely Drainage Channel Maintenance and Obstruction Abatement (Samitore) |

27 - 28 C. Public Hearing - Resolution No. _____, A Resolution to Approve a Supplemental Budget for the 2011/12 Fiscal Year (Adams)

VIII. MAYOR'S REPORT

IX. CITY MANAGER'S REPORT

X. COUNCIL REPORTS

XI. DEPARTMENT REPORTS

XII. EXECUTIVE SESSION

The City Council may adjourn to executive session under the provisions of ORS 192.660. Under the provisions of the Oregon Public Meetings Law, the proceedings of an executive session are not for publication or broadcast.

XIII. ADJOURNMENT

Consent Agenda

**CITY OF CENTRAL POINT
City Council Meeting Minutes
June 14, 2012**

I. REGULAR MEETING CALLED TO ORDER

Mayor Williams called the meeting to order at 7:00 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL: Mayor: Hank Williams
Council Members: Allen Broderick, Bruce Dingler, Carol Fischer, Kelly Geiger, and Ellie George were present. Kay Harrison was excused.

City Manager Phil Messina; City Attorney Paul Nolte; Police Captain Kris Allison; Community Development Director Tom Humphrey; Parks and Public Works Director Matt Samitore; Finance Director Bev Adams; Human Resource Director Barb Robson; and City Recorder Deanna Casey were also present.

IV. PUBLIC APPEARANCES - None

V. CONSENT AGENDA

- A. Approval of May 24, 2012, City Council Minutes
- B. Approval of D.A.R.E. Street Closure Request

Bruce Dingler made a motion to approve the Consent Agenda as presented. Kelly Geiger seconded. Roll call: Allen Broderick, yes, Bruce Dingler, yes; Kelly Geiger, yes; Carol Fischer, yes; Hank Williams, yes; and Ellie George, yes. Motion approved.

VI. ITEMS REMOVED FROM CONSENT AGENDA - None

VII. PUBLIC HEARINGS, ORDINANCES AND RESOLUTIONS

- A. Resolution No. 1333, A Resolution Certifying the Provision of Municipal Services by the City of Central Point, Oregon**

Finance Director Bev Adams stated that this resolution certifies the provision of City services and is required in order to receive state cigarette, liquor, and highway taxes. The City expects to receive \$1,194,000 from these resources in fiscal year 2012/13.

Allen Broderick made a motion to approve Resolution No. 1333, Certifying the Provision of Municipal Services by the City of Central Point, Oregon. Ellie George seconded. Roll call: Allen Broderick, yes, Bruce Dingler, yes; Kelly

Geiger, yes; Carol Fischer, yes; Hank Williams, yes; and Ellie George, yes. Motion approved.

B. Public Hearing – Resolution No. 1334, A Resolution Electing to Receive State Revenue Sharing Funds for Fiscal Year 2012-13

Mrs. Adams stated the recommended resolution and public hearing are required by the State of Oregon in order to qualify to receive State revenue sharing funds. The city expects to receive \$152,500 from these sources.

Mayor Williams opened the public hearing. No one came forward and the public hearing was closed.

Ellie George made a motion to approve Resolution No. 1334, A Resolution Electing to Receive State Revenue Sharing Funds for Fiscal Year 2012-13.

Carol Fischer seconded. Roll call: Allen Broderick, yes, Bruce Dingler, yes; Kelly Geiger, yes; Carol Fischer, yes; Hank Williams, yes; and Ellie George, yes. Motion approved.

C. Public Hearing – Resolution No. 1335, A Resolution to Adopt the Budget, Make Appropriations and Levy Taxes for Fiscal Year July 1, 2012 to June 30, 2013

Mrs. Adams stated that this is the public hearing and resolution adopting the recommended budget. This resolution makes appropriations and levy's taxes for the 2012/13 fiscal year. The total budget to be appropriated is \$26,865,777. The tax levy is not changing and will remain the same at \$4.47 per thousand of assessed value; with an estimated total of \$4,375,000 current taxes expected to be collected in the fiscal year.

Mayor Williams opened the public hearing. No one came forward and the hearing was closed.

Kelly Geiger made a motion to approve Resolution No. 1335, A Resolution to Adopt the Budget, Make Appropriations and Levy Taxes for Fiscal Year July 1, 2012 to June 30, 2013.

Bruce Dingler seconded. Roll call: Allen Broderick, yes, Bruce Dingler, yes; Kelly Geiger, yes; Carol Fischer, yes; Hank Williams, yes; and Ellie George, yes. Motion approved.

D. Resolution No. 1336, A Resolution Extending the City of Central Point's Workers' Compensation Coverage to Volunteers of the City of Central Point

Human Resource Director Barbara Robson explained that the state allows public entities to provide worker's compensation coverage for volunteer workers, providing the Council approves a resolution designating the categories of volunteer workers. The current resolution adds two categories of volunteers, clerical and child care center and removes the senior center volunteers.

Bruce Dingler made a motion to approve Resolution No. 1336, A Resolution Extending the City of Central Point's Workers' Compensation Coverage to Volunteers of the City of Central Point. Carol Fischer seconded. Roll call: Allen Broderick, yes, Bruce Dingler, yes; Kelly Geiger, yes; Carol Fischer, yes; Hank Williams, yes; and Ellie George, yes. Motion approved.

E. Resolution No. 1337, A Resolution Adopting General Procedures for Fiscal Year 2012-2013

City Manager Phil Messina explained that each year the Council considers a general procedures resolution appointing specific individuals to represent the City in various capacities. The general procedures resolution also establishes general housekeeping items from finance related issues to council expenses.

Allen Broderick made a motion to approve Resolution No. 1337, A Resolution Adopting General Procedures for Fiscal Year 2012-2013. Carol Fischer seconded. Roll call: Allen Broderick, yes, Bruce Dingler, yes; Kelly Geiger, yes; Carol Fischer, yes; Hank Williams, yes; and Ellie George, yes. Motion approved.

F. First Reading – An Ordinance Amending Chapter 11.16 of the Central Point Municipal Code for the Purpose of Establishing the Water Quality Program Fund and the Water Quality Utility Fee

Parks and Public Works Director Matt Samitore explained that the proposed Ordinance establishes the regulatory authority for the city to collect a fee for managing the stormwater program. This will not increase the fee for the residents; it will simply move it from the RVSS bill to the City utility bill. The same methodology will be used for collection so there will be no change in the cost to the residents or businesses in Central Point. Finance staff has been working with RVSS to transfer the appropriate billings, credits and pre-paid customer database to the city financial software. The fee will go into effect at the end of July and being collection in August.

The City has been working with RVSS to publish the change and has established a webpage for questions. An Intergovernmental Agreement is ready to be approved and signed by both parties establishing the final steps in this process. Currently every permit that is at DEQ is on hold. We have been assured that the City will have a permit in place sometime in the early part of 2013.

Bruce Dingler made a motion to move to second reading An Ordinance Amending Chapter 11.16 of the Central Point Municipal Code for the Purpose of Establishing the Water Quality Program Fund and the Water Quality Utility Fee. Carol Fischer seconded Roll call: Allen Broderick, yes, Bruce Dingler, yes; Kelly Geiger, yes; Carol Fischer, yes; Hank Williams, yes; and Ellie George, yes. Motion approved.

G. First Reading – An Ordinance Amending Chapter 8.28 of the Central Point Municipal Code to Provide for a More Efficient and Timely Drainage Channel Maintenance and Obstruction Abatement

Mr. Samitore stated that staff has been in the process of updating our drainage channel maintenance ordinance. The updated changes will be consistent with the newly revised weed abatement process. The current ordinance requires land owners to remove obstructions from natural and manmade channels to prevent obstruction of the natural flow of water. The current process for enforcing the requirements takes several months to complete, similar to the old way we did weed abatements.

Staff has put together a set of internal procedures to handle the obstruction abatements. Each letter sent to property owners will be accompanied by photographs illustrating the obstruction and describing minimum action needed to attain compliance; this is considered the “fix it ticket” process. On day 16 city staff will visit the site and verify the obstruction has been cleared. If it has not been abated, staff will proceed to remove the obstacle and bill the property owner. All appeals would be heard by the City.

There was discussion that the appeal process should include a final appeal to the City Council. Citizens should always have the opportunity to bring these appeals to the Council for a final decision. Staff will make that change for the second reading.

Kelly Geiger made a motion to move to second reading An Ordinance Amending Chapter 8.28 of the Central Point Municipal Code to Provide for a More Efficient and Timely Drainage Channel Maintenance and Obstruction Abatement with the correction that final appeals will come to the City Council. Bruce Dingler seconded. Roll call: Allen Broderick, yes, Bruce Dingler, yes; Kelly Geiger, yes; Carol Fischer, yes; Hank Williams, yes; and Ellie George, yes. Motion approved.

H. Resolution No. 1338, A Resolution Scheduling Biennial Election of Central Point City Officers on November 6, 2012

Mr. Messina explained that the state requires the City Council to officially set the date for the next election of city officers to coincide with the Statewide General Election on Tuesday November 6, 2012. The positions Mayor, Council members at large and from Ward IV will be up for election. The filing period for the election begins on Monday, July 9, 2012 and runs through Tuesday, August 28th, 2012. Election packets will be available in the City Records office.

Allen Broderick made a motion to approve Resolution 1338, A Resolution Scheduling Biennial Election of Central Point City Officers on November 6, 2012. Kelly Geiger seconded. Roll call: Allen Broderick, yes, Bruce Dingler, yes; Kelly Geiger, yes; Carol Fischer, yes; Hank Williams, yes; and Ellie George, yes. Motion approved.

VIII. BUSINESS

A. Intergovernmental Agreement between City of Central Point and Rogue Valley Sewer Services

Mr. Samitore stated the IGA between the Rogue Valley Sewer Services and the City of Central Point describes how the City and RVSS agree to collaborate on stormwater quality management until the City is issued a stand-alone National Pollution Discharge Elimination System (NPDES) Phase II permit. The city will pay RVSS a monthly compensation for services rendered until that time.

The agreement is mutually beneficial to both agencies. The agreement will remain in effect until the Oregon Department of Environmental Quality issues the City's Phase II permit. At that time the City will take on full responsibility for all activities associated with stormwater quality and monthly payments to RVSS will end.

Kelly Geiger made a motion to approve the Intergovernmental Agreement between the City of Central Point and Rogue Valley Sewer Services. Allen Broderick seconded. Roll call: Allen Broderick, yes; Bruce Dingler, yes; Kelly Geiger, yes; Carol Fischer, yes; Hank Williams, yes; and Ellie George, yes. Motion approved.

IX. MAYOR'S REPORT

Mayor Williams reported that he attended:

- The grand opening in the City of Phoenix for a green trucking station.
- The Medford Water Commission Budget hearing.
- The TRADCO meeting where they were lobbying for transportation issues.

X. CITY MANAGER'S REPORT

City Manager Phil Messina reported that the Battle of the Bones is still looking for volunteers to help with the event, there will be a study session on Monday, June 18 to discuss the Comp Plan Elements procedure.

XI. COUNCIL REPORTS

Council Member Allen Broderick reported that he attended the Arts Commission meeting. They provided scholarships to a couple of local students and discussed downtown beautification and the possibility of the two committees joining. He will not be at the June 28th Council meeting.

Council Member Kelly Geiger reported that he attended the rodeo. He will also be absent for the June 28th meeting because he will be on his honeymoon.

Council Member Carol Fischer reported that she attended the Multicultural Committee meeting and the rodeo.

Council Member Ellie George stated that she will not be attending the June 28th meeting.

XII. DEPARTMENT REPORTS

Human Resource Director Barb Robson reported that she has been advertising for the Public Works Administrative Assistant position that was approved in the budget. She has received over 200 applications.

Finance Director Bev Adams expressed concern regarding attendance for the June 28th Council meeting. There will be a supplemental budget resolution which needs to be approved before Chief Zeliff can retire.

Captain Kris Allison reported that they have been very busy with all the events coming up in the City. The change of command will be June 28th, Staff will be having a party in the Council Chambers for Chief Zeliff. Council members are invited to attend. The Police Association provided a few scholarships to Crater High School Students.

Parks and Public Works Director Matt Samitore reported that the Battle of the Bones is a week away. The city is a major sponsor for the Red, White and Boom event at the expo this year.

Community Development Director Tom Humphrey reported that the study session will explain the process for completing the RPS process and adding those elements to our Comprehensive Plan. He updated the Council on the Avigation Easement that has been required by the Airport. It was decided that the LNG project did not require the easement because it would not be inhabited by residents.

XIII. EXECUTIVE SESSION - None

XIV. ADJOURNMENT

Bruce Dingler moved to adjourn, Carol Fischer seconded, all said "aye" and the Council Meeting was adjourned at 8:01 p.m.

The foregoing minutes of the June 14, 2012, Council meeting were approved by the City Council at its meeting of June 28, 2012.

Dated:

Mayor Hank Williams

ATTEST:

City Recorder

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STAFF REPORT

DATE: JUNE 15, 2012
TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: MATT SAMITORE, DIRECTOR

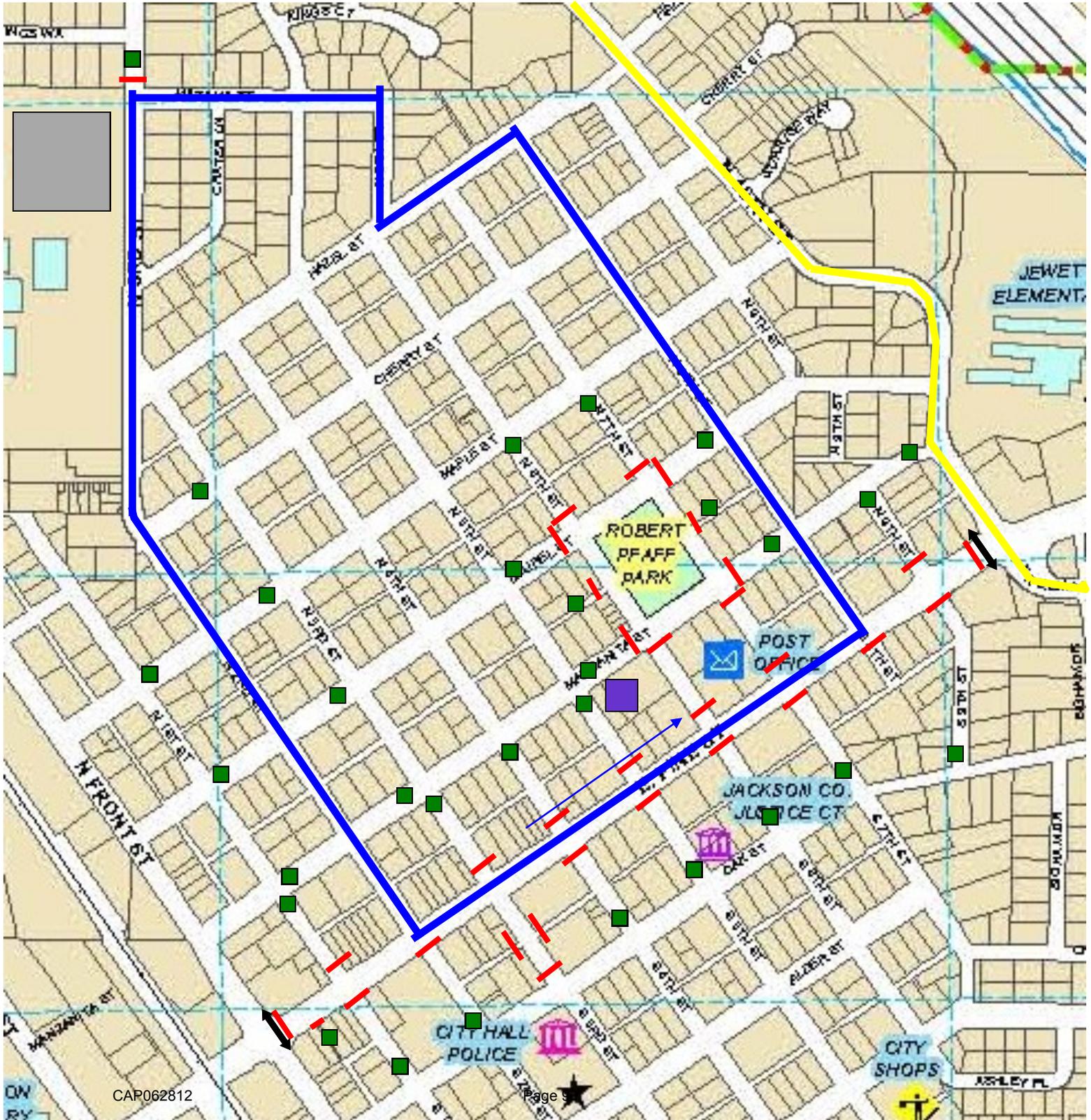
SUBJECT: Temporary Street Closure for Fourth of July Parade/Celebration.

SUMMARY: The City of Central Point in collaboration with the Central Point Chamber of Commerce are holding the annual Fourth of July Parade and Celebration in the park and the second annual fun run. Several downtown streets will be temporarily closed during the event. One northbound lane on Highway 99 shall also be shut down for the adult fun run. An attached map shows the shutdowns and parade route.

RECOMMENDED MOTION: Staff recommends the temporary street closure.

Map Key

- Parade Route
- Detour Route
- Barricades for Street Closures
- Street Signs
- Vendor Parking
- Parade Staging Area





STAFF REPORT

June 20, 2012

AGENDA ITEM:

Award of bid for regenerative street sweeper

STAFF SOURCE:

Matt Samitore, Director

SUMMARY:

The City received a grant from the Congestion Management Air Quality (CMAQ) for a new fuel and emissions efficient street sweeper. The grant is for a \$175,000. The City sent out to bid for a sweeper and received three qualified bids. The final bids are attached. The low bid is from Enviro-Clean Equipment, Inc for a Schwarze A7000 sweeper with a price of \$172,947.00

RECOMMENDATION

Approve the bid of \$172,947.00 street sweeper to Enviro-Clean Equipment, Inc..



City of Central Point
Regenerative Air Street Sweeper
June 18, 2012 4:00 PM

No.	Company Name	Bid Amount
1	Enviro-Clean Equipment, Inc.	\$ 172,947.00
2	Clyde / West	\$ 189,362.00
3	Owen Equipment Co.	\$ 202,196.00
4		
5		\$
6		\$
7		
8		
9		
10		
11		
12		
13		
14		

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Ordinance

**An Ordinance
Establishing a Storm
Water Quality
Program**



STAFF REPORT

June 5, 2012

AGENDA ITEM:

Chapter 11.16 Amendments establishing the Water Quality Program Fund and Water Quality Utility Fee.

STAFF SOURCE:

Matt Samitore, Director

SUMMARY:

In March 2012 the Council authorized the City's application to the Oregon Department of Environmental Quality to obtain a stand-alone National Pollution Discharge Elimination System (NPDES) Phase II permit. The permit is currently held by Rogue Valley Sanitary Services (RVSS) for the City of Central Point. In April the City Council and Budget committee met and, after much discussion, determined the City can efficiently manage the stormwater program to meet the permit requirements.

The ordinance before you establishes the regulatory authority for the city to collect a fee for managing the stormwater program. Establishing this fee would essentially transfer the existing fee collected by RVSS on the sewer bills to the City water bills, resulting in no net increase in fees assessed Central Point residents. RVSS currently charges \$1.00 per equivalent service unit (ESU) for managing the program on the City's behalf. The definition of an ESU is unchanged it is equivalent to one single family home or 3,000 square feet of impervious surface for all other types of property. The same methodology for collection is being used so no change in the cost to the residents or businesses in Central Point will occur. Finance staff has been working with RVSS staff to transfer the appropriate billings, credits and pre-paid customer database to the City financial software. The fee will go into effect on the July water bills that are due in August 2012.

The City has been pro-actively working with RVSS to publish the change and has established a Frequently Asked Question (FAQ) that is on the city website as well as the front counter for those customers who have questions. A copy is attached.

SECOND READING

There were no changes between the first and second reading.

RECOMMENDATION

Approve the second reading amending 11.16 ordinance revising the drainage channel maintenance process.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 11.16 OF
THE CENTRAL POINT MUNICIPAL CODE
FOR THE PURPOSE OF ESTABLISHING THE
WATER QUALITY PROGRAM FUND AND THE WATER QUALITY UTILITY FEE

Recitals:

- A. The City submitted an application to the Oregon Department of Environmental Quality to obtain a stand-alone National Pollution Discharge Elimination System (NPDES) Phase II permit on March 13, 2012; and,
- B. Upon approval of the stand-alone NPDES Phase II permit, storm and surface water quality management responsibility will be transferred from Rogue Valley Sewer Services to the City of Central Point; and,
- C. To facilitate management of stormwater quality, the City Council authorized the transfer of stormwater quality fee assessment collection authority from RVSS to the City; and,
- D. Words ~~lined through~~ are to be deleted and words in **bold** are added.

The people of the City of Central Point do ordain as follows:

Section 1. Section 11.16.010 of the Central Point Municipal Code is amended to read:

11.16.010 Purpose.

A. It is the purpose of this chapter to provide revenue for a stormwater program to plan, manage, construct, maintain, use, and carry out activities related thereto, and to provide revenues by fixing rates and charges. There is hereby created an enterprise fund known as the "City of Central Point Stormwater Fund." All fees and charges imposed ~~herein for the~~ **stormwater program** shall be placed in ~~said~~ **this** fund for the purpose of paying any and all expenses related to the acquisition, installation, addition, improvement, replacement, repair, maintenance, operation, or administration of stormwater program facilities and activities.

B. It is also the purpose of this chapter to provide revenue for a water quality program to pay for any and all expenses related to preventing and reducing water pollution generated within the city limits before it enters and is discharged from the municipal separate storm sewer system (MS4) to local waterways. The City of Central Point Water Quality Program Fund is created as an enterprise fund. All fees and charges imposed for the water quality program shall be placed in this fund for the purpose of paying any and all expenses

related to the operation of the Central Point MS4 to meet the federal Clean Water Act's National Pollution Discharge Elimination System Phase II permit requirements or administration of the water quality program.

Section 2. Section 11.16.030 of the Central Point Municipal Code is amended by adding or amending the following definitions:

"Manager" means the city administrator ~~manager~~ **manager** or designee.

"Service charges" means **either** the stormwater utility fee **or the water quality utility fee, as the context may require**, in an amount to be determined by applying the appropriate rate to a particular parcel of real property based upon factors established by this chapter.

"Water quality program" means the Central Point water quality utility as defined in this chapter.

Section 3. Section 11.16.040 of the Central Point Municipal Code is amended to read:

11.16.040 **Stormwater Utility Fee** Rate structure.

A. Service charges for the stormwater utility fee are hereby authorized and imposed, in amounts and on terms consistent with this chapter.

B. The rates and service charges shall be based on the service provided and the relative contribution of stormwater runoff from a given parcel to the stormwater control facilities. The estimated or measured impervious surface area will be used to determine the relative contribution of stormwater runoff from the parcel.

C. Service charges shall be determined as follows:

1. Undeveloped Parcels. Undeveloped parcels shall not be charged.
2. City Roads. City roads shall not be charged.
3. Single-Family Residences. The monthly service charge for each single-family residence shall be the unit rate for one equivalent service unit.
4. Other Developed Parcels. The monthly service charge for all other developed parcels, including publicly owned properties, shall be computed by multiplying the unit rate times the number of equivalent service units applicable to the parcel minus any approved rate adjustment for the parcel as determined under Section 11.16.060.
5. Minimum Charge. There shall be a minimum monthly service charge for all developed properties equal to the unit rate. (Ord. 1864 §1(part), 2005).

Section 4. The following Section 11.16.045 is added to the Central Point Municipal Code:

11.16.045 Water Quality Utility Fee Rate structure.

A. Service charges for the water quality utility fee are authorized and imposed in amounts and on terms consistent with this chapter.

B. The rates and service charges shall be based on the service provided and the ~~relative contribution of~~ total cost of water quality program implementation. The estimated or measured impervious surface area will be used to determine the relative contribution of stormwater runoff from the parcel.

Service charges shall be determined in the same manner as provided in section 11.16.040.C.

Section 5. Section 11.16.060 is amended to read:

11.16.060 Unit rate established **for the stormwater utility fee.**

The unit rate per equivalent service unit **for the stormwater utility fee** is hereby established at six dollars and fifty cents and may be revised by resolution of the city council from time to time. (Res. 1264, 2010; Ord. 1864 §1(part), 2005).

Section 6. The following Section 11.16.065 is added to the Central Point Municipal Code:

11.16.065 Unit rate established for the water quality utility fee.

The unit rate per equivalent service unit for the water quality utility fee is established at one dollar and may be revised by resolution of the city council from time to time.

Section 7. Section 11.16.080 is amended to read:

11.16.080 Stormwater **or water quality** rate discounts for extreme hardship.

A. Any household in the city with a combined total income falling below the federal poverty level shall be considered eligible to apply for a stormwater **or water quality** rate discount. Persons applying for a stormwater **or water quality** rate discount must be the person who receives the stormwater **or water quality** bill and the head of a household.

B. Any person desiring to receive the stormwater **or water quality** rate discount must submit an application to the city on forms to be provided by the city. Subsequent to initial qualifications for utility discount, any person must reapply on or before June fifteenth of each year thereafter. The city ~~administrator~~ **manager** shall determine whether any applicant meets the qualifications and requirements for discount as set forth in this chapter.

C. The amount of stormwater **or water quality** rate discount for eligible persons, provided under this chapter, shall be equal to the percentage water rate discount for extreme hardship, as established in Central Point Municipal Code Section 13.16.030.

D. It is unlawful for any person to make, assist in making or to derive the benefits from any false application for discounts provided under this chapter. In addition to other penalties provided by law, the city shall be entitled to recover from any person or persons receiving the benefit of discounts as a result of any false statement made in any application the amount therefor, including interest at the rate of nine percent per year from the date such discounts were granted. (Ord. 1864 §1(part), 2005).

Section 8. Section 11.16.090 of the Central Point Municipal Code is amended to read:

11.16.090 Use of funds.

A. Service charges collected under this chapter for the stormwater utility shall be deposited into the city of Central Point stormwater utility fund or funds to be used only for the purpose of paying all or any part of the cost and expense of maintaining and operating stormwater control facilities, all or any part of the cost and expense of planning, designing, establishing, acquiring, developing, constructing, maintaining and improving the stormwater program and drainage facilities. (Ord. 1864 §1(part), 2005).

B. Service charges collected under this chapter for the water quality utility shall be deposited into the city of Central Point water quality utility fund.

Section 9. Section 11.16.100 of the Central Point Municipal Code is amended to read:

11.16.100 Commencement of charges.

For new construction, service charges **for either the stormwater utility or the water quality utility** will commence with the issuance of a building permit, creation of an impervious surface area, or installation of a water meter, whichever comes first. For existing structures, service charges **for the stormwater utility** will commence on the effective date of the ordinance establishing this chapter **and for the water quality utility on the effective date of the ordinance establishing the water quality utility.** (Ord. 1864 §1(part), 2005).

Passed by the Council and signed by me in authentication of its passage this _____ day of _____, 2012.

Mayor Hank Williams

ATTEST:

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City Recorder



Stormwater Management Frequently Asked Questions

May 8, 2012

What is Stormwater?

Stormwater is the surface water runoff that occurs when precipitation from rain and snowmelt events flows over the land and impervious surfaces instead of soaking into the ground. As the stormwater runoff flows over the land or impervious surfaces (paved streets, parking lots, and building rooftops), it accumulates debris, chemicals, sediment or other pollutants that adversely affect water quality when allowed to empty into streams untreated.

Why is Stormwater important?

Urban stormwater runoff is the number one cause of water pollution in the United States. In Central Point, all stormwater runoff is conveyed into the storm drainage system consisting of a series of inlets, manholes, underground pipes, culverts and outfalls. Unlike the sanitary sewer system, the storm drains flow directly into local waterways untreated. Pollutants on roadways, rooftops, parking lots, lawns and gardens can be washed into the storm drain system and lead to adverse impacts to local waterways including water quality, aquatic life and public health.

Stormwater runoff also leads to localized flooding issues that commonly impact residents and businesses in Central Point. During these events, standing water in the streets has destroyed landscaping, damaged homes, and caused delays and safety concerns for traffic. Stormwater management aims to address both issues of water quality and water quantity by using a combination of conventional and low impact development techniques.

Why is Central Point managing Stormwater?

Under the Federal Clean Water Act local municipalities are responsible for the quality of the water that discharges from their storm drainage systems into receiving waterbodies. The National Pollution Discharge Elimination System (NPDES) stormwater program enforces this responsibility through the requirement for communities to obtain a permit for stormwater discharges. The permit requires that a community implement best management practices to reduce pollution to the maximum extent practicable. The overall objective of the program is to improve the quality of water resources to preserve beneficial uses such as swimming, fishing, navigation, drinking water, etc.

For the past several years, Central Point's stormwater has been managed by Rogue Valley Sewer Services. Beginning in July 1, 2012 the City will begin working with RVSS to transfer responsibility for stormwater management to the City. The City is taking on management of its stormwater permit to minimize administrative costs by utilizing existing staff resources and maximize benefits to the community by implementing programs and projects that improve water quality, minimize flooding, and create a sense of place. Despite this change in program administration, the City will continue to collaborate with regional municipalities, including RVSS, on stormwater issues and projects of mutual benefit.

How is Stormwater Management funded?

The existing Stormwater Quality Fee collected by Rogue Valley Sewer Services on your sewer bill will be transferred to your Central Point water bill. The Stormwater Quality Fee is \$1 per month for each single family home and \$1 per month per 3,000 square feet of impervious surface for all other developments (multi-family housing, commercial, mobile home parks, schools, etc.).

For the next fiscal year, the Stormwater Quality Fee will be used to help pay for a Stormwater & Drainage Master Plan that will examine the drainage basins and infrastructure in the City with the goal of identifying and prioritizing projects that will minimize flooding and improve water quality. In addition, funds have been allocated for pollution hot spot identification and retrofit assistance. The goal of this program is to target those areas that have the greatest adverse impact to water quality and help land and/or business owners evaluate and construct pollution reduction alternatives that will provide benefits to them, the community and water quality.

Ordinance

Amendments to

Drainage Channel

Procedures



STAFF REPORT

June 20, 2012

AGENDA ITEM

An ordinance amending chapter 8.28 of the Central Point Municipal Code for a more efficient and timely drainage channel maintenance and obstruction abatement process.

STAFF SOURCE

Stephanie Holtey, CFM
Matt Samitore, Parks & Public Works Director

BACKGROUND

Staff and legal counsel have been in the process of updating our drainage channel maintenance ordinance to simplify and streamline the process. Amendments establish a process that is consistent with the newly revised weed abatement process. The drainage channel maintenance ordinance requires land owners to remove obstructions from natural and manmade channels to prevent obstruction of the natural flow of water. The current process for enforcing the requirements of this chapter takes several months to complete .

The revised ordinance puts in place a “fix it ticket” process. A resident would receive a letter informing them that if they do not abate the obstructions identified within drainage channels on their property within 15 days, they may get a corresponding charge. They can either pay the fee or it will become a lien. If there are circumstances that don’t allow for them to fix the abatement within the 15 day time, then they can appeal for hardship to the City Manager who may grant an extension.

Staff has also put together a set of internal procedures to handle the obstruction abatements. Each letter sent to the property owner will be accompanied by photographs illustrating the obstruction and describing minimum action needed to attain compliance. On day 16, a staff person will visit the site and see if the abatement has been completed and talk to the resident if they are there. If the abatement is complete then it will be reported and the fix it ticket will be waived. If it has not, the staff person will work with either the city crews or a private contractor to perform the work on the 17th or 18th day from the date of the original letter. Photographs will be taken to document the site conditions before and after work is completed and will be filed with the abatement paperwork. Once the work is complete, the resident will receive a bill for the services rendered which must be paid within 30 days or it will become a lien on the property. All appeals will be heard by the City Manager and the City Council will no longer be involved in the process.

SECOND READING CHANGES

The ordinance has been updated to revise the appeal procedure to the City Council. No other changes were made to the document.

RECOMMENDATION

Approve the ordinance revising the drainage channel maintenance process.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 8.28 OF
THE CENTRAL POINT MUNICIPAL CODE TO PROVIDE FOR A MORE EFFICIENT
AND TIMELY DRAINAGE CHANNEL MAINTENANCE AND OBSTRUCTION
ABATEMENT

Recitals:

A. The existing drainage channel maintenance and abatement provisions of the municipal code are cumbersome and lengthy.

B. Drainage channel maintenance is important to prevent increased flood hazards in our community from obstructed drainage channels, to protect beneficial uses of state waters, and to provide an efficient and effective process necessary to reduce flood hazards.

C. Changes to the proposed ordinance considered by the council at its meeting on June 14, 2012, are indicated by ~~lining through~~ words to be deleted from the proposed ordinance and **bolding** words to be added. The city charter requires that any “substantive amendment to a proposed ordinance must be read aloud or made available to the public at the meeting before the council adopts the ordinance.” Changes to the proposed ordinance are indicated in Section 8.28.040.

THE PEOPLE OF THE CITY OF CENTRAL POINT DO ORDAIN AS FOLLOWS:

Section 1. Chapter 8.28 of the Central Point Municipal Code is amended to read:

Chapter 8.28
DRAINAGE CHANNEL MAINTENANCE

Sections:

[8.28.010](#) Purpose.

[8.28.020](#) Nuisance described – Offense punishable.

[8.28.030](#) Notice--Proceedings.

[8.28.040](#) Assessment of costs.

8.28.010 Purpose.

The purpose of this chapter is to prevent obstructions or accumulations of debris within Central Point drainage channels to reduce the adverse impacts of flooding on developed areas; to maximize the efficient conveyance of water through the City’s drainage system; and to conserve, protect and enhance the natural and beneficial uses

of waterways within the city limits to the maximum extent practicable.

8.28.020 Nuisance described – Offense punishable.

A. It is unlawful and a public nuisance for any owner or occupant of real property to cause or allow natural or manmade drainage channels to be obstructed by the accumulation of debris or growth of vegetation in a manner that substantially impedes, diverts or alters water flow from its most efficient course.

B. It is unlawful and a public nuisance for any owner or occupant of real property in Central Point to reduce the capacity of or obstruct natural or manmade drainage channels through the intentional or unintentional disposal of grass clippings, brush, fill trash or other debris; and by allowing excessive non-native vegetation growth. (Ord. 1590 §1, 1987; Ord. 1557 §1(part), 1985).

C. Violation of this section may be abated as provided in this chapter and in addition shall be punishable as an ordinance violation under the general penalty ordinance of the city as set forth in Chapter 1.16 of this code.

8.28.030 Notice--Proceedings.

A. Whenever a condition prohibited by Section [8.28.0120](#) is found to exist, the code enforcement officer may give notice to the owners and occupants of the property by causing the same to be sent by mail to such person as are sought to be charged at their last known address, or if the mailing address of any owner or occupant is not known to the city, it shall be sufficient for the purpose of charging such person that the notice be addressed and sent in care of the person appearing as owner on the records of the county assessor of Jackson County. The notice shall:

1. Shall be directed to all persons shown on the assessor's records or otherwise known to the city to be owners and occupants, whether corporate or otherwise;
2. Shall refer to the premises involved with convenient certainty, the street address, if any, being sufficient;
3. Shall include the name, if any, of the subject drainage;
4. Shall notify the addressees to remove the unlawful growth, blockage and/or debris from the drainage within fifteen days from the date of mailing; and
5. Shall instruct them to comply therewith within fifteen days from the date of the mailing.

The notice shall further inform the owners and occupants that, if the condition is not corrected within that period of time, the owners and occupants may be prosecuted for violation. The mailed notice shall further state that unless the unlawful obstruction or

debris accumulation is removed within fifteen days after the date of the mailed notice, the city may cause the obstruction or debris accumulation to be removed from the premises and will charge the costs to the owners and occupants and make the same a lien against the property.

B. Any owner or occupant may, within ten days after service, appeal to the city manager for relief by filing a petition with the city recorder seeking hearing before the city manager. The petition shall include the facts upon which the petitioner relies for relief from the obligations of this chapter in relation to the property. If the city manager finds that it would work a real and unnecessary hardship upon the petitioner to comply with the terms of this chapter, it may relieve the petitioner of the obligations of the chapter in relation to the particular property, but nothing therein shall be construed as obligating the city to remove or abate the nuisance or hazard to public safety without charging the cost as a lien against the property.

C. If the condition is not corrected within the time limit and no relief has been granted, the city may abate the condition by removing the vegetation, blockage and/or debris from the drainage to such an extent as necessary to remove the potential hazard and ensure the most efficient natural flow of water, with such extent to be determined by the city manager or designee . A formula for abatement fees shall be established by resolution and reviewed annually by the council. The abatement fees, as calculated from the formula, shall thereafter be assessed as a lien against the property as provided in Section 8.28.040.

D. The above remedy shall not be exclusive and, in addition to proceeding by abatement, the city may proceed against the responsible owner or occupant in city court in the manner prescribed by law, or, if the condition is permanent, substantial or continuing, may proceed by suit in equity for mandatory injunction or such other relief as may be afforded by a court of equity. (Ord. 1590 §2, 1987; Ord. 1557 §1(part), 1985).

8.28.040 Assessment of costs.

After the city has abated an unlawful growth of vegetation or accumulation of debris or deposit by removal thereof, the city recorder shall mail a notice of assessment to the owner and occupant of the property from which the city has abated the nuisance. The notice shall be addressed to the owners and occupants at the address shown in the office of the county assessor for said property and, if different, to the street address, if any, of the property. The notice shall contain:

- A. A statement of the total cost, as defined in Section [8.28.030\(C\)](#);
- B. A statement that the cost constitutes a lien against the property, payable within thirty days;
- C. A statement that the owner or occupant may file a written notice of objection with the

city manager within ten days from the date of mailing the notice. Upon expiration of ten days after the date of mailing the notice, objections to the proposed assessment shall be heard and determined by the city ~~manager~~ **council** within 30 days of filing of the written notice. An assessment for the total cost of cutting or removal shall be determined by the city ~~manager~~ **council** and made by resolution and shall thereupon be entered in the docket of city liens, and then shall constitute a lien against the property from which the unlawful blockage, growth and/or debris was removed. The liens shall bear interest at the rate of ten seven percent per year from the date of entry in the lien docket and shall be enforced in the same manner as in the case of liens for local improvements. An error in the name of the owner or occupant shall not void the lien nor will a failure to receive notice of the assessment render it void, but it shall nevertheless remain a valid lien against the property. (Ord. 1557 §1(part), 1985).

Passed by the City Council and signed by me in authentication of its passage this _____ day of _____, 2012.

Mayor Hank Williams

ATTEST:

City Recorder

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Resolution

Approving

Supplemental Budget

for 2011/12



Staff Report

Finance Department
Bev Adams, Finance Director

To: Mayor & Council
From: Bev Adams, Finance Director
Date: June 28, 2012
Subject: Supplemental budget 2011/12 (#2)

Background:

Under Oregon budget law (ORS 294.480) we may amend the 2011/12 budget for “an occurrence or condition that was not known at the time the budget was prepared requiring a change in financial planning or creating a pressing necessity for prompt action.”

Attached is a supplemental budget for the following:

- 1) An unplanned project to change Police radios from analog to digital incurred additional expenses. This radio change became a priority for our Police department when our neighboring community’s radio frequency could no longer be accessed by police staff.
- 2) In spring of 2012, Police Chief Jon Zeliff announced his retirement from the City of Central Point effective June 30, 2012. The reimbursement of all earned and unpaid leave was not budgeted and therefore requires a supplemental budget.

In accordance with Oregon budget law, this supplemental budget has been noticed in the same manner as notice of regular meeting of the governing body; and as it is less than 10% of the Police Department adopted budget no public hearing is required. These changes may be adopted by resolution alone.

Recommendation:

That Mayor and Council approve the attached resolution appropriating a supplemental budget for fiscal year 2011/12 as presented.

Resolution No. _____

**A RESOLUTION TO APPROVE A SUPPLEMENTAL BUDGET
FOR THE 2011/12 FISCAL YEAR**

RECITALS:

- A.** At the request of Emergency Communications of Southern Oregon (ECSO) and in the interest of public safety, the Police Department replaced existing analog radios with digital radios. To cover equipment and installation costs, an addition of \$27,000 will be appropriated into the Police materials and service budget.
- B.** The Police Chief is retiring on June 30, 2012 after 8 years of service to the community. During this time of service, he accrued earned leave for which he will be paid prior to June 30th (the end of our fiscal year) necessitating additional budget appropriation. An appropriation of \$43,000 will be added to Police personnel budget.
- C.** These budget appropriations are covered by General Fund revenues and carryover.

The City of Central Point resolves as follows:

To amend the 2011/12 budget in accordance with ORS. 294.480. As such, the budget changes will appear as follows:

Section 1.

	<u>Appropriation</u>	<u>Revised Budget</u>
<u>General Fund-Police:</u>		
Personnel Services -Salaries & Wages	<u>\$ 43,000</u>	<u>\$2,652,900</u>
Materials & Services – Sm. Equipment	<u>27,000</u>	<u>859,100</u>
<u>Total Revised Police Budget</u>	<u>\$70,000</u>	<u>\$3,512,000</u>

Passed by the Council and signed by me in authentication of its passage this 28th day of June, 2012.

Mayor Hank Williams

ATTEST:

City Recorder

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