

**Central Point
City Hall
541-664-3321**

City Council

Mayor
Hank Williams

Ward I
Bruce Dinger

Ward II
Kelly Geiger

Ward III
Ellie George

Ward IV
Allen Broderick

At Large
David Douglas
Rick Samuelson

Administration
Chris Clayton, City
Manager
Deanna Casey, City
Recorder

**Community
Development**
Tom Humphrey,
Director

Finance
Bev Adams, Director

Human Resources
Barb Robson, Director

**Parks and Public
Works**
Matt Samitore,
Director
Jennifer Boardman,
Manager

Police
Kris Allison Chief

**CITY OF CENTRAL POINT
City Council Meeting Agenda
August 22, 2013**

Next Res. 1377
Next Ord. 1978

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

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. PUBLIC APPEARANCES - *This time is reserved for citizens to comment on items that are not on the agenda.*

V. CONSENT AGENDA

Page 1 - 9 A. Approval of August 8, 2013 Council Minutes
10 B. Approval of August, 2013 Surplus List

VI. ITEMS REMOVED FROM CONSENT AGENDA

VII. PUBLIC HEARING, ORDINANCES, AND RESOLUTIONS

13 - 24 A. Ordinance No. _____, Amending the Central Point Municipal Code to Add Sidewalk Cafes and to Revise Other Sections as Necessary for Internal Consistency (Humphrey)

26 - 28 B. Resolution No. _____, A Resolution Declaring the City Council's Intent to Initiate an Amendment to the Comprehensive Land-use Plan to Include Amendments to the Urban Growth Boundary (UGB) and the Central Point/Jackson County Urban Growth Boundary and Policy Agreement (Humphrey)

30 - 34 C. Resolution No. _____, A Resolution recommending Adoption of a Memorandum of Intent Between the City of Central Point and the "Other Cities" Customer Group of the Medford Water Commission (Clayton)

VIII. BUSINESS

- 36 A. Battle of the Bones Update (Samitore)

- 38 - 39 B. Run 4 Freedom Allocation (Samitore)

IX. MAYOR'S REPORT

X. CITY MANAGER'S REPORT

XI. COUNCIL REPORTS

XII. DEPARTMENT REPORTS

XIII. 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 Under the provisions of the Oregon Public Meetings Law, the proceedings of an executive session are not for publication or broadcast.

XIV. ADJOURNMENT

Consent Agenda

**CITY OF CENTRAL POINT
City Council Meeting Minutes
August 8, 2013**

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, Rick Samuelson, and David Douglas, were present. Kelly Geiger was excused. Ellie George arrived at 7:13 pm.

City Manager Chris Clayton; City Attorney Sydnee Dreyer; Police Chief Kris Allison; Community Development Director Tom Humphrey; Human Resource Director Barb Robson; Parks and Public Works Director Matt Samitore; Building Department Manager Derek Zwagerman; and City Recorder Deanna Casey were also present.

IV. PUBLIC APPEARANCES - None

V. SPECIAL RECOGNITION

- **Volunteer Recognition**

Police Chief Kris Allison presented Cindy Shindell with a certificate and recognition for 1000 hours of service to the Central Point Police Department. Mrs. Shindell specifically works with the Guardian Angel Program which is very important to many of our aging citizens.

V. CONSENT AGENDA

A. Approval of July 25, 2013 City Council Minutes

Bruce Dingler made a motion to approve the consent agenda as presented. Allen Broderick seconded. Roll call: Mayor Williams, yes; Allen Broderick, yes; Bruce Dingler, yes; David Douglas, yes; and Rick Samuelson, yes. Motion approved.

VI. ITEMS REMOVED FROM CONSENT AGENDA - None

VII. PUBLIC HEARINGS, ORDINANCES AND RESOLUTIONS

A. Ordinance No. 1974, Vacating a Portion of Public Right-of-Way in a Cul-De-Sac Located in the Gray Court PUD Subdivision

Community Development Director Tom Humphrey explained that this is the second reading of an Ordinance vacating a portion of a public right-of-way in a

cul de sac in favor of a fire district approved hammerhead. In 2008 infrastructure improvements were installed in preparation of new housing construction. The Council reviewed this Ordinance at their July 25, 2013 meeting and did not any recommended changes.

Rick Samuelson made a motion to approve Ordinance No. 1974, Vacating a Portion of Public Right-of-Way in a Cul-De-Sac Located in the Gray Court PUD Subdivision. David Douglas seconded. Roll call: Mayor Williams, yes; Allen Broderick, yes; Bruce Dingle, yes; David Douglas, yes; and Rick Samuelson, yes. Motion approved.

B. First Reading – An Ordinance to Amend the Central Point Municipal Code to Add Sidewalk Cafes and to Revise Other Code Sections as Necessary

Community Development Director Tom Humphrey explained that the owner of Bobbio's Pizza has approached the city about serving food and alcoholic beverages outside in front of the restaurant. The City would like to encourage this practice in front of other restaurants in the Downtown area. The City Attorney recommended the introduction of a Sidewalk Café Ordinance which would provide opportunity and safeguards for outdoor dining and drinking.

The proposed Ordinance will add Sidewalk Cafes to Chapter 5 and make subtle changes to Chapters 9.54 Intoxication, and 9.64 Obstructing Public Passage. The City of Ashland has a similar code regarding sidewalk cafes that has worked well for them. The sidewalk café would only allow establishments that provide restaurant type food with alcoholic beverages.

Mayor Williams opened the Public Hearing, no one came forward. The Public Hearing was closed.

There was discussion regarding some wording in the forms section of the Ordinance that should match the rest of the ordinance. In section 5.10 the 6 foot setback allows for the Planning Director to provide a variance if needed for some buildings. The current sidewalk widths would not allow a sidewalk café but the new proposed design will provide space.

Bruce Dingle made a motion to move to second reading an Ordinance to Amend the Central Point Municipal Code to Add Sidewalk Cafes and to Revise Other Code Sections as Necessary. Rick Samuelson seconded. Roll call: Mayor Williams, yes; Allen Broderick, yes; Bruce Dingle, yes; David Douglas, yes; Ellie George, yes; and Rick Samuelson, yes. Motion approved.

C. Resolution No. 1373, Authorizing the Collection of Signatures for the Formation of the Jackson County 4-H, Master Gardeners, and Agricultural Extension Service District

City Manager Chris Clayton explained that the Jackson County Extension and Research Center has traditionally received a portion of its direct financial support

from the County general fund. Jackson County has stated that they will no longer be able to provide that financial support.

To ensure that the service and its many programs will have stable funding a group of concerned citizens is proposing a measure to form a service district be placed on the May, 2014 ballot in Jackson County. Friends of Research and Extension (FORE), is requesting resolutions from all the entities allowing the collection of signatures to put a measure on the ballot creating the formation of the Jackson County 4-H, Master Gardeners, and Agricultural Extension Service District. This is a state requirement for any taxing district prior to submitting the measure to the County Elections office. Each city must authorize signature gathering in order for that city to be included in the district.

Approval of this resolution does not support or oppose the creation of the district; it merely allows the citizens to vote on the measure in May. If approved the service district would be funded by a permanent tax rate of up to \$0.05 per \$1,000 of assessed value to provide operating support for the OSU educational and research office in Jackson County, dedicated to ensuring that the Experiment Station and the Extension Service can continue to serve the citizens of Jackson County.

Mayor Williams asked if anyone from the audience wanted to speak on the subject.

June Brock explained why the city and citizens should be supporting the district. The Council should approve the resolution and allow the citizens to decide if they want to support the district.

Jack Duggan, Chair of Extension Service. Mr. Duggan provided his background with the district and the reasons he feels this should be put to a vote of the people. It should not be up to the County Commissioners to decide the fate of programs that help so many people.

Allen Broderick made a motion to approve Resolution No. 1373, Authorizing the Collection of Signatures for the Formation of the Jackson County 4-H, Master Gardeners, and Agricultural Extension Service District. Ellie George seconded. Roll call: Mayor Williams, yes; Allen Broderick, yes; Bruce Dingler, yes; David Douglas, yes; Ellie George, yes; and Rick Samuelson, yes. Motion approved.

D. Ordinance No. 1975, An Ordinance Amending Section 3.20 Regarding Liquor Licenses

Mr. Clayton explained this is the second reading of an ordinance amending the Liquor License approval process for the City. The original code does not include a process for refusal of a license, or an appeal if a license application is denied by the Council.

In updating the code the fee structure has been removed from the code and will be adopted by Council Resolution. The proposed fee amounts are recommended by the State of Oregon and are in line with the Cities of Medford and Ashland. There were no recommended changes at the first reading.

Allen Broderick made a motion to approve Ordinance No. 1975, An Ordinance Amending Section 3.20 Regarding Liquor Licenses. Roll call: Mayor Williams, yes; Allen Broderick, yes; Bruce Dingler, yes; David Douglas, yes; Ellie George, yes; and Rick Samuelson, yes. Motion approved.

E. Ordinance No. 1976, An Ordinance Deleting Chapter 3.04 Punchboard Tax of the Central Point Municipal Code

Mr. Clayton explained this is the second reading of an ordinance deleting a section of the Central Point Municipal Code regarding a Punchboard Tax that is no longer being collected. There were no recommended changes at the first reading on July 25, 2013.

David Douglas made a motion to approve Ordinance No. 1976, An Ordinance Deleting Chapter 3.04 Punchboard Tax of the Central Point Municipal Code. Ellie George seconded. Roll call: Mayor Williams, yes; Allen Broderick, yes; Bruce Dingler, yes; David Douglas, yes; Ellie George, yes; and Rick Samuelson, yes. Motion approved.

F. Ordinance No. 1977, An Ordinance Deleting Chapter 3.08 Entertainment Device Tax of the Central Point Municipal Code

Mr. Clayton stated that this is the second reading of an Ordinance deleting an Entertainment Device tax that is no longer collected by the City. This is an old code that was discontinued with the implementation of the State Lottery system in 1984.

Rick Samuelson made a motion to approve Ordinance No. 1977, An Ordinance Deleting Chapter 3.08 Entertainment Device Tax of the Central Point Municipal Code. Allen Broderick seconded. Roll call: Mayor Williams, yes; Allen Broderick, yes; Bruce Dingler, yes; David Douglas, yes; Ellie George, yes; and Rick Samuelson, yes. Motion approved.

G. Resolution No. 1374, Adopting Oregon Liquor Control Commission (OLCC) Application Fees for the City of Central Point

Mr. Clayton explained with recent modifications to the Municipal Code and the removal of OLCC Application fees a resolution is in order to set new fees. The proposed fee structure is recommended by the state of Oregon. The recommended fees are consistent with the City of Medford and the City of Ashland.

Allen Broderick made a motion to approve Resolution No. 1374, Adopting Oregon Liquor Control Commission (OLCC) Application Fees for the City of

Central Point. David Douglas seconded. Roll call: Mayor Williams, yes; Allen Broderick, yes; Bruce Dingler, yes; David Douglas, yes; Ellie George, yes; and Rick Samuelson, yes. Motion approved.

H. Resolution No. 1375, Ratifying the Police Bargaining Unit Agreement

Human Resources Director Barbara Robson stated that the negotiated agreement consists of a three year contract with a 1.6% cost of living adjustment being applied to the pay scale retroactive to July 1, 2013. There is an addition of a "Step F" and adjusting the pay scale by 0-4% based on the January 2014 – January 2015 U.S. CPI-U. Other changes include language clarification such as identifying positions that are excluded from this bargaining unit, clarifying management's prerogative to assign shifts for promotional probationary employees, and allowing management more latitude in shift configurations. The new contract tightens up leave bank cap language, and splitting bereavement leave from sick leave while redefining use of sick leave. Also, detective and school resource officer assignments were removed from the classification list since they are assignments and not separate classifications, new language was added to address how pay changes are applied for different job change scenarios, the detective on call pay was changed from a pay rate basis to a flat dollar amount, and management's discretion on the granting of all step increases was clearly codified in the contract language.

Bruce Dingler moved to approve Resolution No. 1375, Ratifying the Police Bargaining Unit Agreement. Allen Broderick seconded. Roll call: Mayor Williams, yes; Allen Broderick, yes; Bruce Dingler, yes; David Douglas, yes; Ellie George, yes; and Rick Samuelson, yes. Motion approved.

I. Resolution No. 1376, Amending Classification Pay Plan

Mrs. Robson stated that the proposed revised pay plan reflects the changes resulting from collective bargaining with the Police Bargaining unit only. There are no other changes in the pay plan. Part B of the pay plan has been updated to reflect a 1.6 % cost of living increase pursuant to the contract. The list of classification titles has been revised to reflect removing the Detective/SRO assignment from the plan because these are assignments, not separate classifications.

Allen Broderick made a motion to approve Resolution No. 1376, Amending Classification Pay Plan. David Douglas seconded. Roll call: Mayor Williams, yes; Allen Broderick, yes; Bruce Dingler, yes; David Douglas, yes; Ellie George, yes; and Rick Samuelson, yes. Motion approved.

VIII. BUSINESS

A. Report on 332 N. 2nd Street Property

City Building Manager Derek Zwagerman completed a special inspection of the subject property and has an extensive list of the improvements that are needed

to the structure. The main items include fixes to the roof, siding, windows and doors. Also, the current owners will need to provide confirmation on the electrical, plumbing and heating for structure.

There was discussion regarding a time-line for completing the repairs. The Council wants to allow enough time to make the improvements but doesn't want this project to drag on for two years. Mr. Zwagerman stated that he was not in the position to give an accurate time frame for the project because they never know when things will be in worse shape than expected. If there is an electrical or plumbing issue that will add time to the improvement schedule.

Patricia Curtin, General Property Goup, LLC, is the agent for the owner. She addressed the Council stating that the owners would like to complete the improvements within a three month time frame. They would like the ability to extend that timeline in case they do run into more issues.

Staff would like direction regarding the Derelict Structure process. It does take time to get to a point where the Council could approve a Resolution calling for the demolition of the structure. There was discussion to begin the process now with a three month time frame to review again regarding continuation. Once a building permit is applied for property owners have 6 months to begin work. Ms. Curtin stated that it would be fair to allow the new owners at least 6 months like any other citizen in the city limits.

Several Council members encouraged the new owners to begin with the outside of the property. The neighborhood has dealt with the property for a number of years in the current condition and Council would like to see a noticeable improvement of the outside right away.

City Attorney Sydnee Dreyer recommended beginning the process now and review at the November 14, 2013 Council meeting. At that time if there is improvement and the Council would like to stop the process they have the ability. If there is no significant improvement in the property the process has begun and will encourage the owners to complete the improvements before the Council has a resolution calling for the demolition of the structure.

Ellie George made a motion directing staff to initiate the process for CPMC Chapter 8.03 Derelict structures in regards to 332 N. 2nd Street with the intent of reviewing the issue on November 14, 2013. Allen Broderick seconded. Roll call: Mayor Williams, yes; Allen Broderick, yes; Bruce Dinger, yes; David Douglas, yes; Ellie George, yes; and Rick Samuelson, yes. Motion approved.

B. Planning Commission Report

Community Development Director Tom Humphrey presented the Planning Commission Report for August 8, 2013:

- Approval of Resolution No. 793, designating an existing communication tower as a Class "A" non-conforming use per CPMC Section 17.56.040, located in the EC, Employment Commercial Zoning District. The Commission determined that since the original approval of the OSP site plan the zoning has changed and in order for the OPS to move or make any other changes or upgrade the tower it had to be re-designated.
- Approval of Resolution No. 794, recommending approval of amendments to the CPMC to add sidewalk cafes and to revise other sections to make sidewalk cafes consistent with drinking in public places and obstructions on streets and sidewalks in commercial zoning districts.
- Approval of Resolution No. 795, declaring the City's intent to amend CPMC regarding sign codes, design standards in the TOD District and TOD Corridor and to use Section 17.75.050 Signage Standards to consolidate all other references to signs in the zoning code. This action directs staff to initiate the process to make amendments to the code.
- Approval of Resolution No. 796, declaring the City's intent to amend CPMC to correct standards in Section 17.65.050 Table 2. The action initiates the process to correct mathematical errors that confuse and discourage development in the MMR, Medium Mix Residential zoning District in the TOD.

IX. MAYOR'S REPORT

Mayor Williams reported that he:

- Attended the Mayors Conference in Corvallis.
- Attended the Medford Water Commission meeting where they discussed the issue of water billing with the City of Medford.
- Attended and participated in the D.A.R.E. Cruise.

X. CITY MANAGER'S REPORT

City Manager Chris Clayton reported that:

- He has been working on the long range financial plan with Finance Director Bev Adams. This should be brought to the council soon for adoption.
- The Governor is about to sign the Medical Marijuana Dispensary bill. Staff will be working on how to approach this issue if someone shows interest in opening a dispensary in Central Point.
- He will provide an advance copy of the Newsletter to the Council in Friday's weekly update.

XI. COUNCIL REPORTS

Council Member Allen Broderick reported that he attended the Central Point D.A.R.E. cruise. He has been riding by the property on North 6th that was complained about last week. He has not seen much of an issue.

Council Member Ellie George reported that she attended the Red, White and Boom in July and was impressed with the quality of the event. She reported that

a client of hers has commented that she enjoys working in the City of Central Point because of all the little details we put into our City and the Downtown Area.

XII. DEPARTMENT REPORTS

Parks and Public Works Director Matt Samitore reported that there has been rumor that the Rostell building has gone into sale pending status. The two parking lot projects should be complete and ready to use by the middle of August.

Police Chief Kris Allison reported that:

- Staff is working on 75 Bush Street. They have cited the property owner 10 times so far to clean up the property. There have been a few improvements but the owner is getting fined each day until it is cleaned up.
- 316 N 6th Street is being evaluated. Currently there have not been as many emergency or nuisance calls as previously reported. The Police Department is working with the tenant and the neighbors to come to a peaceful conclusion.
- The D.A.R.E. cruise was very successful. There seemed to be a lot of people along the sides of the road watching the Cruise. There were 131 vehicles entered this year and everything seemed to go very well.
- She will be taking the Administrative Staff to the incident command center in Glendale where the fires are. It will be very educational to see how a true emergency incident command center is working.
- She participated in the "Shop with a hero" event at Target today. This event provides school close for kids in need.
- She has been notified by email that the Central Point patrol car graphics have been nominated for an article in Law and Order Magazine. The graphics came in second in the nation.
- Joshua Kosmatka has been hired to fill a vacant Patrol Officer position.

XIII. EXECUTIVE SESSION - None

XIV. ADJOURNMENT

Mayor Williams moved to adjourn, Bruce Dingler seconded, all said "aye" and the Council Meeting was adjourned at 8:29 p.m.

The foregoing minutes of the August 8, 2013, Council meeting were approved by the City Council at its meeting of August 22, 2013.

Dated:

Mayor Hank Williams

ATTEST:

City Recorder



STAFF REPORT

August 15, 2013

AGENDA ITEM:

The City would like to surplus the following items

STAFF SOURCE:

Matt Samitore, Director

SUMMARY:

The City has updated its equipment purchases from the approved 2013-2014 budget and from items from other departments. The majority of the items will go to the state surplus, which works with other government agencies first to rehome the items.

RECOMMENDATION

Approve the surplus property list.

Item #	Qty	Make/Model	Description	Notes	Suggested Disp.
3057	1	Husqvarna	Riding Lawnmower	Ser# GTH2548 - Replaced	State surplus
	1	Hand Pipe Bender	Includes all dies	Item replaced	State surplus
	1	Air-Mate	Air Compressor	Old - no longer used	State surplus
	1	Blue Point	Transmission Jack (Air over Hydraulics)	No longer used	State surplus
	1	Norco	Transmission floor Jack	No longer used	State surplus
	16 ea		13Watt fluorescent bulbs	No longer used	Allied / Restore
3108	1	Clemco	Sandblaster	No longer used	State surplus
3093	1	Chicago	Generator Ser#257847	Old - Has been replaced	State surplus
	1		Weight bench	No longer used	State surplus
	1	Kellogg-American	Air Compressor	Old - no longer used	State surplus
	1	Black & Decker	Electric Jack Hammer	Old - no longer used	State surplus
	1	ADK	Air Compressor Ser# 92070070030	Old - no longer used	State surplus
	1	Human Scale	Laptop Holder	No longer used	State surplus
	1	In Focus	Projector w/case	Old - no longer used	State surplus
5388	1	HP Laser Jet 360	Printer	Old - no longer used	State surplus
	1	HPOffice Jet 6500A	Printer	Old - no longer used	State surplus
	1	Polaroid Impulse SE	Camera	Obsolete	State surplus
	Misc	HP	Ink cartridges for HP Laser Jet 360	No longer used	State surplus
	1	Grillzon	Metal BBQ	Old - does not work	Metal bin
	1	Feature Comforts	Small personal heater/fan	No Auto-OFF when tipped	Goodwill
	2		Battery Chargers w/assorted bateries	No longer used rechargables	State surplus
	2		Desk lamps (40 Watt)	No - longer used	State surplus
	1		Wood desk organizer	No - longer used	State surplus
	3		Small blue plasitc bins	No - longer used	State surplus
	3		White boards - various sizes	Old - no longer used	State surplus
	1		Case only (Test gas kit)	No longer used	State surplus
	12 ea		Amber manual barricade lights	Upgraded	State surplus
	1	Epson	Dot matrix printer w/box of paper	SCADA system now digital	State surplus
	2	Radiant Wallmaster	Movie screens (classroom size)	Not used	State surplus
	1		Desk(shell-no drawers) w/drop down tray	Old - no longer used	State surplus
	2	Royal Everlast 8200	Commercial vacuumn	Old - no longer used	Restore
	1	HON	2 drawer file cabinet	Old - no longer used	State surplus
	1		Wood credenza	Old - no longer used	State surplus
	1		Small wood cabinet w/doors	Not used (Shop remodel)	State surplus
	12		Misc. tires	No longer used	State surplus
	1		Office partition	Old - no longer used	State surplus
	1		Small grey metal desk	Old - no longer used	State surplus
	1		Pump pot	Old - no longer used	Goodwill
	1		Range	Old - no longer used	Allied / Restore
	1		Refrigerator	Old - no longer used	Allied / Restore
	1		Traffic counter w/misc. cables	Upgraded to digital counters	State surplus
	1		Dryer	Old - no longer used	Allied / Restore
	3		Cork boards - various sizes	Old - no longer used	State surplus

Ordinance

Adding Sidewalk Cafes to the CPMC



STAFF REPORT

August 22, 2013

AGENDA ITEM:

Second Reading of an Ordinance to Amend to the Municipal Code to Add Sidewalk Cafes and to Revise Other Code Sections as Necessary for Internal Consistency

STAFF SOURCE:

Tom Humphrey, Community Development Director

BACKGROUND:

The Community Development Department was approached by Bobbio's Pizza about serving food and alcoholic beverages outside in front of their business. The City Attorney recommended the introduction of a Sidewalk Café ordinance which would provide both opportunity and safeguards for outdoor dining and drinking.

Staff added Sidewalk Cafés to Chapter 5 and made two subtle changes in Chapters 9.54 (Intoxication) and 9.64 (Obstructing Public Passage) which will make Sidewalk Cafes consistent with the rest of the code. The Council conducted a public hearing at the first reading of the ordinance and the Council has received favorable recommendations from both the Planning Commission and Citizen's Advisory Committee.

ISSUES:

There don't appear to be significant issues with these revisions. The provisions for Sidewalk Cafés have been used successfully in Ashland for years without any negative consequences. Changes to Chapters 5 and 9 are all very straightforward amendments that can be made locally and quickly.

EXHIBITS/ATTACHMENTS:

Attachment "A" – Ordinance No. _____, An Ordinance Amending Title 5, Business Licenses and Regulations and Chapters 9.54 - Intoxication and 9.64 – Obstructing Public Passage

ACTION:

Conduct second reading of the proposed code amendment and either approve as presented or approve with revisions.

RECOMMENDATION:

Conduct the second reading and approve the ordinance amending to the municipal code.

ORDINANCE NO.

AN ORDINANCE AMENDING THE CENTRAL POINT MUNICIPAL CODE TO ADD SIDEWALK CAFES AND TO REVISE OTHER CODE SECTIONS AS NECESSARY FOR INTERNAL CONSISTENCY

RECITALS:

- A.** Pursuant to CPMC, Chapter 1.01.040, the City Council, may from time to time make revisions to its municipal code which shall become part of the overall document and citation.
- B.** On July 9, 2013, by unanimous decision, the Central Point Citizen's Advisory Committee made a recommendation to the Planning Commission and City Council to approve a code amendment allowing sidewalk cafes and making other code amendments as necessary.
- C.** On August 6, 2013, by Resolution No. ____ the Central Point Planning Commission recommended approval of a code amendment allowing sidewalk cafes and making other code amendments as necessary.
- D.** On August 8, 2013, the City of Central Point City Council held a property advertised public hearing; reviewed the Staff Report and findings; heard testimony and comments, and deliberated on approval of the Municipal Code Amendments.

THE PEOPLE OF CENTRAL POINT DO ORDAIN AS FOLLOWS:

SECTION 1. Chapter 5.10, Sidewalk Cafés (Exhibit "A") added as a new section of Title 5, Business Licenses and Regulations of the Central Point Municipal Code.

SECTION 2. Chapter 9.54, Intoxication (Exhibit "B") modified to allow drinking in public places defined as an approved sidewalk café.

SECTION 3. Chapter 9.64, Obstructing Public Passage (Exhibit "C") modified to allow obstructions to streets and sidewalks as part of an approved sidewalk cafe.

PASSED by the Council and signed by me in authentication of its passage this 22nd day of August 2013.

Mayor Hank Williams

ATTEST:

City Recorder

Title 5 BUSINESS LICENSES AND REGULATIONS¹

Chapters:

[5.04](#) Business Licenses

[5.06](#) Yard Sales

[5.08](#) Public Dances

[5.10](#) Sidewalk Cafes

[5.12](#) Electrical Contractors

[5.16](#) Plumbing

[5.20](#) Solicitors, Canvassers and Peddlers

[5.24](#) Adult Businesses

[5.32](#) Mobile Home Parks

[5.33](#) Merchant Police and Private Detectives

[5.34](#) Pawnbrokers and Secondhand Dealers

[5.38](#) Drug Paraphernalia

[5.42](#) Special Event Permits

¹ For statutory provisions authorizing cities to license, regulate and control any lawful business, see ORS 221.916(7).

Chapter 5.10 SIDEWALK CAFES

Sections:

5.10.010	Purpose
5.10.020	Permit Required
5.10.030	Definitions
5.10.040	Application and Permit Fees
5.10.050	Permit Application
5.10.060	Notice Required
5.10.070	Location Rules and Review Criteria
5.10.080	Liability and Insurance
5.10.090	Forms and Conditions of Permit
5.10.100	Denial, Revocation, or Suspension of Permit
5.10.110	Penalties

5.10.010 Purpose. The purpose of this chapter is to permit and encourage sidewalk dining that is compatible with other uses of the public sidewalk. The City finds that sidewalk cafes encourage a pedestrian-oriented environment, help to create a visually attractive atmosphere and streetscape, and promote overall commerce.

5.10.020 Permit Required. Private commercial use of public sidewalks for the purpose of operating a sidewalk café in the City is prohibited unless a permit is obtained from the Community Development Department as provided in this chapter.

5.10.030 Definitions.

A. Abutting property owners and occupants. Any owner or occupant of property which abuts the subject sidewalk café site excluding public right-of-way.

B. Adjacent sidewalk area. That portion of the public sidewalk between the curb line and the property line demarcated by extending the side building lines of the premises until they intersect the curb.

C. Operate a sidewalk café. Serving food or beverage from a restaurant to patrons seated at tables located within the adjacent sidewalk area, including, in the case of a permittee in possession of a valid license for the sale of alcohol beverages covering such sidewalk, the service of such beverages, or providing seating for patrons in the adjacent sidewalk area.

5.10.040 Application and Permit Fees. The application and annual permit fees shall be established by resolution of the City Council and adjusted annually by the CPI for the previous calendar year.

5.10.050 Permit Application.

- A. Application for a permit to operate a sidewalk café shall be made at the Community Development Department on a form provided. The request for permit shall minimally contain:
1. A completed application;
 2. A scale diagram of the area for sidewalk café use, with dimensions shown;
 3. A certificate of insurance and endorsement form; and
 4. The location and description of the tables and materials requested to be in the right-of-way.
- B. Other information shall be provided as required by the Community Development Director to carry out the purpose of this chapter.

5.10.060 Notice Required. Prior to rendering a decision, the Community Development Director shall mail abutting property owners and occupants notice that an application for a sidewalk café has been filed. The notice shall contain a copy of the diagram submitted by the applicant, state whether or not the business is licensed to serve alcoholic beverages which may be served and consumed at the sidewalk café if the permit is granted, and state that all comments concerning the proposed sidewalk café must be received by the Community Development Department within 15 calendar days from the date of mailing the notice. The applicant shall also be required to post a copy of the public notice in a readily visible location on the frontage of the applying business establishment for 15 calendar days.

5.10.070 Location Rules and Review Criteria.

- A. The Community Development Director shall consult with the Public Works Director and the two shall review the application for its compliance with the following criteria:
1. The operation of a sidewalk café is limited to structures which are sited within ten feet of a public sidewalk, and which are located in one of the following zoning districts: TOD-EC (Employment Commercial), TOD G-C (General Commercial), or C-4 (Tourist and Office Professional).
 2. The operation of the sidewalk café shall be such that there is at least six feet from the outermost edge of the sidewalk café to the street curb, that also includes a minimum of five feet clear and unobstructed passageway between the sidewalk café tables, chairs and barriers and street trees, bike racks, lamp posts, sign posts, and any other fixtures or obstructions. The Community Development Director may require increased clearance distances if necessary to protect the public safety. The Director may also reduce these requirement where unusual circumstances exist and where public safety would not be jeopardized.
 3. The sidewalk café may only be located in the adjacent sidewalk area to the applicant's business, but may extend in front of adjacent businesses with the written consent of both the property owner and the business owner, subject to review by the Community Development Director.
 4. The sidewalk café shall be located five feet from driveways and alleys, and ten feet from intersections. These requirements may be modified by the Community Development Director where unusual circumstances exist.
 5. The location of the sidewalk café shall be as approved by the Community Development Director.

B. The Community Development Director shall forward all applications for review by the Police Chief for any business who holds a valid liquor license, or in which alcoholic beverages are intended to be served.

1. The Police Chief upon review of the application will sign the application for concurrence with granting the permit, or;

2. Submit a memorandum of concerns to the Public Works Director for consideration.

C. The Community Development Director shall determine the zoning of the request, and decide whether the proposed use is in conformance with the requirements of the Land Use Ordinance.

5.10.080 Liability and Insurance. Prior to the issuance of a permit, the Permittee shall:

A. Furnish a signed statement, with the application, that the permittee shall defend, indemnify and hold harmless the City, its officers and employees, from any claims for damages to property or injury to persons which may occur in connection with an activity carried on under the terms of the permit.

B. Furnish and maintain such public liability, food products liability, liquor liability and property damages insurance as will protect permittee and City from all claims for damage to property or bodily injury, including death, which may arise from operations under the permit or in connection therewith. Such insurance shall provide coverage of not less than the amount of municipal tort liability under the Oregon Tort Claims Act. Such insurance shall be without prejudice to coverage otherwise existing, and shall name the City, its officers and employees, as additional insured's, and shall further provide that the policy shall not terminate or be canceled prior to the expiration of the permit without 30 days written notice to the City.

5.10.090 Forms and Conditions of Permit.

A. Requirements for all sidewalk cafes:

1. Each permit issued shall terminate December 31st of the year in which it is issued. Requests for renewals shall be filed with the Community Development Department after January 1. The Community Development Director may approve, approve with additional conditions, or deny the request for renewal. No application fee shall be required for renewals. An annual permit fee based on the number of seats authorized is due at the time of the initial application and each renewal.

2. The permit issued shall be personal to the permittee only and is not transferable in any manner.

3. The permit may be temporarily suspended by the Community Development Director if the public interest requires use of the right-of-way for a public event, construction, repair, or any other purpose.

4. The permit is specifically limited to the area approved or as modified by the Community Development Director, and will include a diagram indicating the area approved for the sidewalk café and the location of the tables and materials permitted to be in the right-of-way.

5. The operation of the sidewalk café shall be such that there is at least six feet from the outermost edge of the sidewalk café to the street curb, that also includes a minimum of five feet clear and unobstructed passageway between the sidewalk café tables, chairs and barriers and street trees, bike racks, lamp posts, sign posts, and any other fixtures or obstructions. The Community Development Director may require increased clearance distances if necessary to protect the public safety. The Director may also reduce these requirement where unusual circumstances exist and where public safety would not be jeopardized.

6. The sidewalk and all things placed there shall at all times be maintained in a clean and orderly condition. Only those things authorized by the permit and shown on the diagram may be stored in the public right-of-way when the sidewalk café is not in operation. Should the permittee not utilize the sidewalk as authorized for a period of 48 hours or more, all the tables and materials shall be removed therefrom.

7. The operation of a sidewalk café requires that trash containers be provided on site.

8. All required building modifications or parking improvements shall be completed prior to the commencement of the operation of the sidewalk café.

9. No signs shall be attached to any furniture, umbrellas, awnings, or other structure related to the operation of the sidewalk café.

10. Smoking shall not be allowed in approved sidewalk café areas.

11. Sidewalk cafes shall be continuously supervised by employees of the establishment.

12. Sidewalk cafes shall meet all requirements of the Jackson County Health Department.

13. Tables, chairs, and other structures associated with the sidewalk café shall be kept free of litter and other debris at all times.

14. Sidewalk cafes and adjoining sidewalks shall remain clear of litter, food scraps, and soiled dishes at all times. Where establishments provide take-out or self-service, an adequate number of employees must be maintained to clear sidewalk cafes on a regular basis. Sidewalk and flooring areas must be cleaned daily, including adjacent sidewalk areas.

15. The sidewalk café permit must be visibly displayed during business hours.

16. The City of Central Point has the right to repeal or amend this Chapter and thereby terminate or modify all sidewalk café operations. No permittee shall obtain any property right in the continued private commercial use of the public sidewalk.

B. Businesses which intend to serve alcoholic beverages at the sidewalk café must meet the following additional requirements:

1. The business shall hold a valid Oregon Liquor Control Commission liquor license.

2. Storage of containers commonly used for dispensing alcoholic beverages to customers including but not limited to bottles, pitchers, and carafes must be kept inside the business unless an employee is stationed in the outside area at all times. No taps, kegs, coolers, or other alcoholic beverage storage devices are allowed outside on the sidewalk.
3. Sidewalk cafés where alcoholic beverages are served and consumed require supervision by employees of the license business, as required by the Oregon Liquor Control Commission liquor license.
4. All service and consumption of alcoholic beverages at sidewalk cafes shall discontinue by 11 p.m.
5. All alcoholic beverage service providers must also provide food service in the licensed area.

5.10.100 Denial, Revocation, or Suspension of Permit

- A. The Community Development Director may deny, revoke, or suspend the permit upon finding that any provision of this chapter or condition of approval will be or has been violated.
- B. Upon denial, revocation, or suspension the Community Development Director shall give notice of such action to the applicant or permittee in writing stating the action which has been taken and the reason therefor. The action shall be effective immediately, but the applicant or permittee may make written request, within 10 calendar days after the notice is issued, for a hearing by the City Council. Upon hearing the matter, the City Council shall render a final decision concerning the permit.

5.10.110 Penalties. Any violation of this chapter shall be an infraction as defined by CPMC **1.16.010** and punishable by a fine as set forth in that section. The City Manager or his designee is authorized to issue a citation to any person violating the provisions of this chapter. After two infractions, the sidewalk café permit shall be revoked for a period of at least one year.

**Title 9
PUBLIC PEACE, MORALS AND WELFARE¹**

Chapters:

I. OFFENSES GENERALLY

[9.02](#) Definitions

II. OFFENSES BY OR AGAINST OFFICERS AND GOVERNMENT

[9.04](#) Fire Equipment and Alarms

[9.06](#) Police Officers

[9.08](#) Prisoners

[9.10](#) Public Records and Notices

[9.12](#) Stop and Frisk

[9.14](#) Criminal Attempt

III. OFFENSES AGAINST THE PERSON

[9.20](#) Assault and Battery

[9.22](#) Fraud on Innkeepers

[9.24](#) Accosting for Deviate Purposes

[9.26](#) Occult Arts

IV. OFFENSES AGAINST PUBLIC DECENCY

[9.32](#) Gambling

[9.34](#) Public Indecency

[9.36](#) Obscene Phone Calls

[9.38](#) **Offensive Substances**

[9.40](#) **Pig Sties**

[9.44](#) **Prostitution**

V. OFFENSES AGAINST PUBLIC PEACE

[9.50](#) **Disorderly Conduct**

[9.52](#) **Inhaling Vapors**

[9.54](#) **Intoxication**

[9.56](#) **Vagrancy**

VI. OFFENSES AGAINST PROPERTY

[9.62](#) **Larceny**

[9.64](#) **Obstructing Public Passage**

[9.66](#) **Trespass--Destruction of Property**

[9.68](#) **Rules and Regulations of Public Parks--Defining and Punishing Certain Offenses
against the Public General Welfare**

Chapter 9.54 INTOXICATION¹

Sections:

[9.54.010](#) Drinking in public places.

[9.54.020](#) Drunkenness.

[9.54.030](#) Dealings with intoxicated persons.

9.54.010 Drinking in public places.

It is unlawful for any person to drink any intoxicating liquor upon any street or in any public place; provided however, that nothing contained in this section applies to the drinking of any intoxicating liquor in any establishment **or its associated sidewalk café**, wherein the same may be sold for premises consumption under the laws of the state. (Ord. 306 §9, 1951).

9.54.020 Drunkenness.

It is unlawful for any person to be found in an intoxicated or drunken condition on any street or in any public place. (Ord. 306 §8, 1951).

9.54.030 Dealings with intoxicated persons.

It is unlawful for any pawnbroker, junk dealer, chattel-loan broker or any person to purchase property from any person who is in an intoxicated condition or under the influence of any narcotic drug, or to advance or to loan money to such person or to have any dealings with any such person respecting the title of property. (Ord. 306 §11, 1951).

[1](#)

For statutory provisions regarding public intoxication, see ORS 166.035.

Chapter 9.64 OBSTRUCTING PUBLIC PASSAGE¹

Sections:

- [9.64.010](#) Sidewalks--Obstruction.
- [9.64.020](#) Sidewalks--Driving on.
- [9.64.030](#) Streets--Deposits of injurious substances.
- [9.64.040](#) Streets and sidewalks--Obstruction.
- [9.64.050](#) Building entrances--Obstruction.
- [9.64.060](#) Leaving cellar doors open.

9.64.010 Sidewalks--Obstruction.

It is unlawful for any crowd or collection of persons to gather or to stand upon any sidewalk or street crossing so as to prevent, interrupt or obstruct the travel or free passage over the same by the public or for any person to fail or refuse to disperse or move on when directed to do so by any peace officer. (Ord. 306 §51, 1951).

9.64.020 Sidewalks--Driving on.

It is unlawful for any person to ride any horse or other animal or any motor vehicle upon, over or across any sidewalk except where a proper incline or crossing is provided for that purpose. (Ord. 306 §47, 1951).

9.64.030 Streets--Deposits of injurious substances.

It is unlawful for any person wilfully to place or deposit upon any street or public way any substance tending to mar the appearance or to detract from the cleanliness or safety of such street or public way. (Ord. 306 §62, 1951).

9.64.040 Streets and sidewalks--Obstruction.

It is unlawful for any person to place or deposit upon any street or sidewalk any article which tends to prevent, interrupt or obstruct the travel or free passage of pedestrian and vehicular traffic. (Ord. 306 §52, 1951). **Exceptions may be made where a permit has been approved for a Sidewalk Café per CPMC, Chapter 5.10.**

9.64.050 Building entrances--Obstruction.

It is unlawful for any person to obstruct any entrance to any building or to loiter unnecessarily about or near any entrance, stairway or hall leading to any building. (Ord. 306 §48, 1951).

9.64.060 Leaving cellar doors open.

It is unlawful for any person to keep or leave open any cellar door or grating of any kind in or upon any sidewalk except when the same is necessarily open during the immediate use thereof. During such time such opening shall be properly guarded and protected. (Ord. 306 §55, 1951).

Resolution

Declaring Intent to Initiate Comp Plan and UBG



STAFF REPORT

STAFF REPORT

August 22, 2013

AGENDA ITEM:

Consideration of a Resolution of Intent to Amend the Central Point Urban Growth Boundary and the Central Point/Jackson County Urban Growth Boundary and Policy Agreement.

STAFF SOURCE:

Tom Humphrey, Community Development Director

BACKGROUND:

Following the approval of the Regional Plan and the inclusion of the Tolo Area (CP-1B) as an Urban Reserve Area (URA), *the Community Development Department has met with companies who would like to see the UGB expanded so that additional industrial lands can be annexed.* Pre-requisites to expanding the UGB to include the CP-1B URA involve 1) showing a demonstrated need for additional industrial lands and 2) creating a contiguous boundary from the existing UGB through the CP-4 URA to Tolo. The City recently adopted an updated Economic Element to demonstrate the need for industrial land and to satisfy one pre-requisite.

A UGB Amendment Application, (including Findings of Fact and Conclusions of Law) has been prepared for the City to add CP-4 to the UGB to satisfy another pre-requisite. The application is ready to be submitted to Jackson County for their concurrence. The Community Development Department has also made changes to a City/County agreement and we have initiated a conversation with the County planners to amend this document in order to satisfy a Regional Plan requirement.

ISSUES:

The Council is being presented with the above background information in order to determine whether it wants the City to proceed with an Amendment of its Comprehensive Land-Use Plan.

As the Council is aware, the Department of Land Conservation and Development (DLCD) needs to be notified whenever a city proposes changes to its Comprehensive Plan. If the Council is in support of the changes being proposed with this staff report, and would like to proceed, then a Resolution of Intent (Attachment A) can be adopted to start the amendment process. The specifics of the amendment need not be discussed at this time but opinions can be offered, direction can be given to staff and an amendment can be initiated.

ATTACHMENTS:

Attachment "A" – Resolution No. ____ (Resolution of Intention) A Resolution Declaring the City Council's Intent to Initiate an Amendment to the Comprehensive Land-Use Plan to Include Amendments to the Urban Growth Boundary (UGB) and the Central Point/Jackson County Urban Growth Boundary and Policy Agreement.

ACTION:

Discuss UGB and UGMA and initiate a Comprehensive Land-Use Amendment by Resolution using the provisions in Chapter 17.96.020.

RECOMMENDATION:

Deliberate and 1) Approve a Resolution of Intention to Amend the Comprehensive Land-Use Plan; 2) Defer a Resolution of Intention to a later date.

RESOLUTION NO. _____

RESOLUTION OF INTENTION

A RESOLUTION DECLARING THE CITY COUNCIL’S INTENT TO INITIATE AN AMENDMENT TO THE COMPREHENSIVE LAND-USE PLAN TO INCLUDE AMENDMENTS TO THE URBAN GROWTH BOUNDARY (UGB) AND THE CENTRAL POINT/JACKSON COUNTY URBAN GROWTH BOUNDARY AND POLICY AGREEMENT

WHEREAS, an amendment of the Central Point Comprehensive Land-Use Plan may be initiated by adoption of a resolution of intention by the City Council (Chapter 17.96.020.A); and

WHEREAS, Policy 2.2 of the City of Central Point Economic Element states that the City shall, in collaboration with Jackson County, plan the Exit 35 area – also called “Area CP-1B (Tolo)” – in the Regional Plan Element, to capitalize on economic opportunities, especially for transportation-based economic activity and truck/rail freight support services; and

WHEREAS, the City Council of the City of Central Point deems that the necessity, convenience and the general welfare of the public will benefit by the proposed amendment;

NOW, THEREFORE, THE CITY OF CENTRAL POINT RESOLVES AS FOLLOWS, that it is the intention of the City Council to initiate an amendment to the Comprehensive Land-Use Plan including amendments to the Urban Growth Boundary (UGB) and the Central Point/Jackson County Urban Growth Boundary and Policy Agreement.

PASSED by the City Council and signed by me in authentication of its passage this _____ day of _____, 2013.

Mayor Hank Williams

ATTEST:

City Recorder

Resolution

Memorandum of Intent Between “Other Cities” Customer group



ADMINISTRATION DEPARTMENT

140 South 3rd Street · Central Point, OR 97502 · (541) 664-7602 · www.centralpointoregon.gov

STAFF REPORT

August 22nd, 2013

AGENDA ITEM: Memorandum of Intent for the formation of the Cities Water Cooperative.

Consideration of Resolution No. _____ Recommending: (1) adoption of a memorandum of intent between the City of Central Point and the “other cities” customers group of the Medford Water Commission (MWC). (2) Authorize the City Manager and Mayor to execute the attached memorandum of intent.

STAFF SOURCE:

Chris Clayton, City Manager

BACKGROUND/SYNOPSIS:

The “other cities” customer group of the Medford Water Commission (MWC) has been meeting informally for about two years for various water related purposes. This group, sometimes referred to as the Cities Water Cooperative, has discussed contracts with the MWC, cost of service policy matters, water conservation, water rights of the various cities, funding capital improvements, and other matters which are of major importance to our region.

These meetings between the cities have generated some positive results. The cities have a better understanding of the MWC contracts, the water resources needed to serve a growing population, and the infrastructure needed to meet that need. The group has also been successful in obtaining State grant funds to better address water conservation throughout the area and the group of cities has made some improvements in achieving more equitable wholesale water rates among the various customer groups.

FISCAL IMPACT:

The formation of the Cities Water Cooperative would not create an immediate fiscal impact. However, economic advantages for the citizens of Central Point could be realized as a result of the Cooperative’s long-range efforts

ATTACHMENTS:

1. Resolution adopting a memorandum of intent between the City of Central Point and the “other cities” customer group of the Medford Water Commission (MWC).
2. Memorandum of intent between the City of Central Point and the “other cities” customer group of the Medford Water Commission (MWC).

RECOMMENDATION:

Approve Resolution No. _____ (1) Adoption of a memorandum of intent between the City of Central Point and the “other cities” customers group of the Medford Water Commission (MWC).
(2) Authorize the City Manager and Mayor to execute the attached memorandum of intent.

RESOLUTION NO. _____

A RESOLUTION RECOMMENDING ADOPTION OF A MEMORANDUM OF INTENT BETWEEN THE CITY OF CENTRAL POINT AND THE "OTHER CITIES" CUSTOMER GROUP OF THE MEDFORD WATER COMMISSION

RECITALS:

- A. Oregon Revised Statute Chapter 190 authorizes the City of Central Point to reduce costs and produce public benefit through the use of intergovernmental cooperation.
- B. The City of Central Point and the "other cities" customer group of the Medford Water Commission, deem it to be to their mutual advantage and to be in the best interest of their respective constituencies to enter into this memorandum of intent for the purpose of forming the Cities Water Cooperative.

The City of Central Point resolves:

Section 1. The attached memorandum of intent between the City of Central Point and the "other cities" customer group of the Medford Water Commission for the benefit of the citizens of Central Point is approved.

Section 2. Upon approval of this memorandum by the "other cities" customer group, the attached memorandum of intent shall guide the formation of the Cities Water Cooperative.

The Mayor and City Manager of Central Point are authorized to sign the attached memorandum of intent on behalf of the City of Central Point.

Passed by the Council and signed by me in authentication of its passage this _____ day of _____, 2013.

Mayor Hank Williams

ATTEST:

City Recorder

To: Medford Water Commission and All City Customers
From: Cities of Central Point, Eagle Point, Jacksonville, Phoenix and Talent

RE: Cities Water Cooperative Memorandum of Intent

The “other cities” customer group of the Medford Water Commission (MWC) has been meeting informally for about two years for various water related purposes. This group, sometimes referred to as the Cities Water Cooperative, has discussed contracts with the MWC, cost of service policy matters, water conservation, water rights of the various cities, funding capital improvements, and other matters which are of major importance to our region.

These meetings between the cities have generated some positive results. The cities have a better understanding of the MWC contracts, the water resources needed to serve a growing population, and the infrastructure needed to meet that need. The group has also been successful in obtaining State grant funds to better address water conservation throughout the area and the group of cities has made some improvements in achieving more equitable wholesale water rates among the various customer groups.

Recently, there was a meeting of the cities, at the invitation of the MWC, to discuss coordination on water rights acquisitions. This meeting helped everyone achieve a much better understanding of water rights issues and opportunities for the region. The cities expressed a desire to have more discussions and the MWC staff is arranging a presentation and discussion of the WISE project to satisfy that desire.

The “other cities” would like to take these discussions and the cities’ involvement in the future of water resources in the Rogue Valley a step further. The desire is to have policy level discussions about the formation of a group of cities with the purpose of developing water resources strategies for the benefit of the region. This group would include all of the “other cities,” the City of Medford, and the Medford Water Commission.

The potential benefits for this proposed regional body include:

1. On-going coordination on water conservation strategies.
2. Coordination on water rights to prevent under/over acquisition and appropriation.
3. Strategies for meeting peak water demands through “stored water” rights and regional conservation.
4. Regional collaboration on the WISE project to achieve better use of current resources.
5. Improved cooperation and trust among the major water purveyors in the region.
6. Uniform contracts between cities and the MWC.
7. Coordination with irrigation districts on urbanization of lands served by districts.
8. Influencing State legislative, executive, and administrative bodies regarding water resource issues in the Rogue Valley.

The cities have discussed a number of options to further regional thinking about water resources. The above concept appears to be something that could be achieved within

limitations currently imposed by charters and political jurisdictions. It is consistent with Governor Kitzhaber's emphasis on regionalization. It is consistent with the successful RPS effort that provides a good foundation to guide the growth of our region in the coming decades. This concept is intended to build on the success of RPS, the recent regional work on water conservation, and the desire to coordinate on our water resources.

The following Mayors and Water Commission Chair are encouraged to sign to indicate their support for discussing this concept. If agreement is reached that a Cities Water Cooperative (CWC) should be formed it is proposed that subcommittees be established to lead the process, create bylaws, and form the CWC in 2014.

Central Point

Eagle Point

Jacksonville

Medford

Phoenix

Talent

Medford Water Commission

Business

BOB Update



STAFF REPORT

August 14, 2013

AGENDA ITEM:

Battle of the Bones Final Report 2013

STAFF SOURCE:

Matt Samitore, Director

SUMMARY:

Battle of the Bones 2013 was generally a success; however there are some minor and major modifications that will be needed in order to keep the event viable in the future. There were no major sponsors again for the second year in a row, which is a concern with the current format. The current format is predicated upon having at least a partial meat sponsor in order to keep food costs low.

On the positive side, we again had overwhelming positive responses. We had visitors from 12 states, and Friday night we had a tremendous crowd. The free kid zone was also, again, was very successful and received a lot of positive response.

Total revenue at the event was \$104,289.33, which includes \$21,000 in city funds for employee coverage and music, but had expenses of \$101,101.39, for a approximate event profit of \$4,187. The event is still not covering the 'true' costs of the event. Sunday was one of the main reasons, with historic lows in attendance and was one of the reasons why event sales were not more profitable. Feedback was that regular attendees came on Friday in lieu of Sunday.

In looking at planning for B.O.B. 2014 staff is looking at several changes.

1. Event will only be open Friday Afternoon/Evening and Saturday.
2. Main event will be on Saturday only.
3. Will be following Kansas City BBQ Society rules, which means teams are not required to be part of Peoples Choice Event. This will allow us to draw more teams from out of the area.
4. Would like council to consider this event, a city event and not a fundraiser. The Parks Foundation will operate booths inside the event for fundraising purposes.
5. Will be looking at cutting volunteer positions and city personnel more to make event more profitable.
6. Will be looking at dates for the event. There is a major conflict with Medford Beer Week happening the week before.

Staff would like any feedback from Council or other community members on how to improve upon the event for next year.

Business

Run 4 Freedom Allocation



STAFF REPORT

DATE: JULY 29, 2013
TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: JENNIFER BOARDMAN, MANAGER

SUBJECT: RUN 4 FREEDOM REPORT

The Central Point Parks and Recreation Department in conjunction with Anytime Fitness held the third annual Run 4 Freedom and Kids Fun Run on July 4, 2013. Below are the details regarding event including true costs.

- A. First, the run was very successful and we had many positive comments. While we didn't have a large sponsor this year, we did have several sponsors that helped provided merchandise in the goodie bags for the adult run. The donation totals were valued at over \$2,000.

- B. The Run 4 Freedom and the kids run had the largest number of pre-registered entries in its history. The kids run had a total of 199 participants with 143 that were pre-registered. The adult run also had record pre-registered entries at 117, and a total of 156 runners.

- C. We are asking City Council to review the revenue verses expense and make a determination on the size of donation that will be given to the Crater Foundation this year.

Several factors should be considered:

- Will the City charge the event for the cost of the road closure?
- Will the City charge the event for employee time?
- What level of donation will the City provide to the Crater Foundation?
- Should all the funding be given to the Crater Foundation, or should some be given to another group?

True Costs for Run

Shirt Costs	\$ 825.00
Bibs/bags	\$ 36.00
Road Closure	\$ 2,000.00
Employee costs	\$ 573.03
Total Expenses	\$ 2,861.00

4 employees working 2 1/2 hours @ average \$58 per hour

Income	Entries	Revenue	free reg	process fee
Race Day	39	\$ 780.00		
Pre-registration	118	\$ 2,120.00	\$ (20.00)	\$ (3.25)
Total Registration	157			
Registration Revenue				\$ 2,876.75
Revenue		\$ 2,876.75		
Total Expenses		\$ 2,861.00		
Net Revenue		\$ 15.75		

As you can see from the above listed revenue report, taking into account employee costs and the closure of the road leaves only \$15.75 for a donation. In years past the City has paid for both employee costs and the road closure. If the City Council chooses to pay for expenses as in years past the donation amount increases substantially, making the total available for donation \$2015.75.

Recommendation:

A motion determining the appropriate donation amount from the Run 4 Freedom and name the organization(s) receiving the funds.