



CITY OF CENTRAL POINT

Oregon

City Council Meeting Agenda Thursday, August 25, 2022

Mayor
Hank Williams

Ward I
Neil Olsen

Ward II
Kelley Johnson

Ward III
Melody Thueson

Ward IV
Tanea Browning

At Large
Rob Hernandez

At Large
Michael Parsons

Next Res(1720) Ord (2090)

I. REGULAR MEETING CALLED TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. PUBLIC COMMENTS

Public comment is for non-agenda items. If you are here to make comments on a specific agenda item, you must speak at that time. Please limit your remarks to 3 minutes per individual, 5 minutes per group, with a maximum of 20 minutes per meeting being allotted for public comments. The council may ask questions but may take no action during the public comment section of the meeting, except to direct staff to prepare a report or place an item on a future agenda. Complaints against specific City employees should be resolved through the City's Personnel Complaint procedure. The right to address the Council does not exempt the speaker from any potential liability for defamation.

V. CONSENT AGENDA

A. Approval of August 11, 2022 City Council Minutes

B. OLCC Application - Mazatlan Grill

C. OLCC Application - Purple Parrot

VI. ITEMS REMOVED FROM CONSENT AGENDA

VII. PUBLIC HEARING

Public comments will be allowed on items under this part of the agenda following a brief staff report presenting the item and action requested. The presiding officer may limit testimony.

A. Resolution No. _____, A Resolution to Annex 55.24 Acres Located on Property Identified by the Jackson County Assessor's Map AS 37S2W02D Tax Lot 2001, 37S2W11A Tax Lots 102 AND 28100, 37S2W12B Tax Lots 502 and 505; and 37S2W12C Tax Lots 301 and 805. Applicant: City of Central Point (Holtey)

VIII. BUSINESS

A. Dennis Richardson Memorial - Plaque Review (Jacob)

B. Ballot Measure 114 - Information (Logue)

C. Discussion of Little League Construction Update (Samitore)

IX. MAYOR'S REPORT

X. CITY MANAGER'S REPORT

XI. COUNCIL REPORTS

XII. DEPARTMENT REPORTS

XIII. EXECUTIVE SESSION - ORS 192.660(f) to consider information or records that are exempt from public inspection

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 Under the provisions of the Oregon Public Meetings Law, the proceedings of an executive session are not for publication or broadcast.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

Individuals needing special accommodations such as sign language, foreign language interpreters or equipment for the hearing impaired must request such services at least 72 hours prior to the City Council meeting. To make your request, please contact the City Recorder at 541-423-1026 (voice), or by e-mail to Deanna.casey@centralpointoregon.gov.

Si necesita traductor en español o servicios de discapacidades (ADA) para asistir a una junta publica de la ciudad por favor llame con 72 horas de anticipación al 541-664-3321 ext. 201

CITY OF CENTRAL POINT

Oregon

City Council Meeting Minutes Thursday, August 11, 2022

I. REGULAR MEETING CALLED TO ORDER

The meeting was called to order at 7:00 PM by Mayor Hank Williams

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Attendee Name	Title	Status	Arrived
Hank Williams	Mayor	Present	
Neil Olsen	Ward I	Present	
Kelley Johnson	Ward II	Present	
Melody Thueson	Ward III	Present	
Taneea Browning	Ward IV	Present	
Rob Hernandez	At Large	Present	
Michael Parsons	At Large	Present	

Also present were City Manager Chris Clayton, City Attorney Sydnee Dreyer; Finance Director Steve Weber; Planning Director Stephanie Holtey; Police Captain Scott Logue; Parks and Public Works Director Matt Samitore (remote) and Senior Accountant Rachel Neuenschwander.

IV. PUBLIC COMMENTS

V. CONSENT AGENDA

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Taneea Browning, Ward IV
SECONDER:	Kelley Johnson, Ward II
AYES:	Williams, Olsen, Johnson, Thueson, Browning, Hernandez, Parsons

A. Approval of July 14, 2022 City Council Minutes

Minutes were approved with the following changes, Neil Olsen's name was misspelled, and he did not say that he won the Freedom Run.

VI. BUSINESS

A. Discussion Regarding Proposed Amendments to Chronic Nuisance Ordinance

City Attorney Sydnee Dreyer discussed sections of the chronic nuisance ordinance and recommended changes, and is seeking the direction of the Council as to how they would like to proceed.

Council agreed that making changes to simplify the process for easy understanding for council, staff and the public.

RESULT: FOR DISCUSSION ONLY

B. Bear Creek Greenway Fire Area Master Plan Discussion

Dave Jacobs presented to the Council the Bear Creek Greenway Fire Area Master Plan Update. Mr. Jacobs gave an overview of the Master Plan process and how the Federal Emergency Manage Agency Wildlife Recovery Funds are being spent.

RESULT: FOR DISCUSSION ONLY

C. League of Oregon Cities 2023 Legislative Priorities

City Manager Chris Clayton Presented the League of Oregon Cities 2023 Legislative Priorities.

Council was in agreement on these being the top priorities:

- Full Funding and Alignment for State Land Use Initiatives
- Local Funding to Address Homelessness
- Protecting Public Employees and Officials
- Address Measure 110 Shortcomings
- Property Tax Reform
- Infrastructure Funding to Support Needed Housing
- Community Resiliency and Wildfire Planning
- Cyber Security and Privacy
- Investment in Community Climate Planning Resources

RESULT: FOR DISCUSSION ONLY

D. Planning Commission Report

The Central Point Planning Commission met at their regular meeting on August 2, 2022. There were two information (2) items on the agenda. The first was an update on State Transportation Planning Rule prepared as part of the Climate Friendly & Equitable Communities rulemaking. The second item was an introduction to the Transportation System Plan Amendment currently underway.

RESULT: FOR DISCUSSION ONLY

E. Public Works Operations Center Final Accounting

Finance Director Steve Weber presented the breakdown of costs for the Public Works Operation Center accounting. The total costs including land, buildings, furniture and equipment totaled \$8,617,036.91, the Non-operating resources used to cover the project totaled \$8,001,300.00. In order to make up the difference each of the five operational funds, Parks, Recreation, Water, Storm Water and Streets are taking items out of their operational budgets. The biggest items are the delay of S Haskell waterline project, which will coincide with the street extension proposed for next year's budget, the Hopkins water main and lateral reconfiguration project, a small park project and some street paving that was scheduled for next May.

RESULT: FOR DISCUSSION ONLY

VII. MAYOR'S REPORT

Mayor Hank Williams reported that:

- He attended a meeting with Congressman Cliff Bentz before his Town hall meeting at the fairgrounds.
- He attended the DARE car show.
- He has a table at the Mayors United Dinner Friday October 7th.

VIII. CITY MANAGER'S REPORT

City Manager Chris Clayton reported that:

- He and Dave Jacobs attended a Senior Center Lunch they had about 25 people attending, the Thrift Shop has been open and bringing in \$1000 a month.
- Jewett Storm drain project with delays of utilities in the way, Lumen formally Centurylink is in the process of relocating there infrastructure.
- Measure 114 regarding Local Law Enforcement issuing permits for people to purchase firearms - Captain Logue is going to be giving a presentation at the August 25th meeting.
- Pathway Enterprises has contacted the City about leasing space at the old Public Works facility.
- DARE Cruise was successful.
- There is an Executive Session tonight.

IX. COUNCIL REPORTS

Council Member Melody Thueson reported that:

- She thanked the Police Department for helping with some issues at Don Jones Park
- She met with the HOA president of Bluegrass Downs regarding the Wet Land Park, and will be meeting with Matt Samitore on this issue.

Council Member Mike Parsons reported that:

- He attended the Council Study Session at The Navigation Center.
- He attended the Rogue Valley Sewer Services Board Directors meeting and luncheon.
- He assisted with the Central Point Police Department DARE Day Show & Shine, and assisted with the CPPD Dare Cruise throughout Downtown Central Point. Both of these events were fundraisers to help finance some of the expenses for the D.A.R.E. Program for the 5th grade students in Central Point.
- He attended the Jackson County Fires Dist. 3 Civil Service Commission meeting and was seated as a voted commissioner.

Council Member Rob Hernandez reported that:

- He attended the Council Study Session at The Navigation Center.
- He attended his first Airport Advisory Committee meeting.
- He attended the School District 6 bond over site committee meeting

Council Member Tanea Browning reported that:

- She attended the Water Commission meeting.
- Met with Rogue Valley Workforce Board Executive regarding future visions and training for the workforce.
- She testified in front of the Association of Oregon Counties regarding Measure 110.
- She presented to virtual group for civic involvement for the rural communities.
- She participated in the Envision Bear Creek Greenway steering committee meetings.
- She attended the Study Session at the Navigation Center.

Council Member Kelly Johnson reported that she attended the Study Session at the Navigation Center.

Council Member Neil Olsen reported that:

- He attended the Study Session at the Navigation Center
- He attended the Planning Commission meeting.

X. DEPARTMENT REPORTS

Planning Director Stephanie Holtey reported that:

- They are working on the annexation for Bear Creek Greenway properties.
- They have entered into a contract with Pacific Habitat Services for an inventory on the wetland and riparian that is needed to update the environmental elements so that we can annex properties from the urban growth boundaries.

Finance Director Steve Weber reported that he is waiting to hear from the auditors for an update on fiscal year 20/21 audit, the partner in charge is on vacation this week and he has been working on getting items for the auditors that it is still progressing.

Captain Scott Logue reported that:

- DARE Cruise and Show and Shine was told the held its self-sufficiency.
- Promotional Process of next Lieutenant - Detective Abbot will start that next week.

- Application process for a Police Support Specialist to fill the vacancy of Debby Miller who is retiring this month.

Jackson County Commissioner Dave Dotterer reported that:

- The County approved a UGB expansion with Phoenix.
- The Commissioners signed off on two important letters, one was to City of Talent over the Urban Renewal Plan and they signed off on a letter to the Governor on the Wildfire Risk map.

City Manager Chris Clayton stated there will be an Executive Session tonight under ORS 192.660(2)(a) to discuss employment of a public officer.

XI. EXECUTIVE SESSION pursuant to ORS 192.660(2)(a) to consider the employment of a public officer.

Rob Hernandez moved to adjourn to Executive Session, Kelley Johnson seconded and the meeting was adjourned to Executive Session at 8:11 p.m.

Mr. Clayton stated that no action will be taken after the Executive Session and the regular meeting will adjourn as soon as the session adjourns.

XII. ADJOURNMENT

No further action was taken and the meeting was adjourned at 8:43 p.m.

The foregoing minutes of the August 11, 2022, Council meeting were approved by the City Council at its meeting of _____, 2022.

Dated:

Mayor Hank Williams

ATTEST:

City Recorder

Minutes Acceptance: Minutes of Aug 11, 2022 7:00 PM (CONSENT AGENDA)



155 South Second Street • Central Point, OR 97502

Kristine Allison

Ph: (541) 664-5578 • Fax: (541) 664-2705 • www.centralpointoregon.gov

Chief

Date: 08/17/2022

From: Captain Scott Logue
To: Honorable Mayor Williams
Subject: Request for OLCC License

RE: Mazatlan Group LLC./Persons associated therewith

Files of the Central Point Police Department contain no information pertinent to the request.

Respectfully,

A handwritten signature in black ink, appearing to be "S. Logue", written over a light blue horizontal line.

Captain Scott Logue
Central Point Police Department

Attachment: Mazatlan OLCC letter (1578 : OLCC Application - Mazatlan)

"Dedicated To Service, Committed To Excellence"

LIQUOR LICENSE APPLICATION

Page 1 of 3

Check the appropriate license request option:

New Outlet | Change of Ownership | Greater Privilege | Lesser Privilege

Select the license type you are applying for.

More information about all license types is available online.

Full On-Premises

- Commercial
- Caterer
- Public Passenger Carrier
- Other Public Location
- For Profit Private Club
- Nonprofit Private Club

Winery

- Primary location
- Additional locations: 2nd 3rd 4th 5th

Brewery

- Primary location
- Additional locations: 2nd 3rd

Brewery-Public House

- Primary location
- Additional locations: 2nd 3rd

Grower Sales Privilege

- Primary location
- Additional locations: 2nd 3rd

Distillery

- Primary location
- Additional tasting locations: 2nd 3rd 4th 5th 6th

Limited On-Premises

Off Premises

Warehouse

Wholesale Malt Beverage and Wine

INTERNAL USE ONLY

Application received:

5-24-22

Minimum documents acquired:

5-24-22

LOCAL GOVERNING BODY USE ONLY

City/County name:

City of Central Point

Date application received:

Optional: Date Stamp



Recommend this license be granted

Recommend this license be denied

Printed Name

Date

Return this form to:

Investigator name:

Chad M. Gray

Email:

chad.gray@oregon.gov

Attachment: OLCC Mazatlan 1 (1578 : OLCC Application - Mazatlan)

LIQUOR LICENSE APPLICATION

Page 2 of 3

APPLICANT INFORMATION	
Identify the applicants applying for the license. This is the entity (example: corporation or LLC) or individual(s) applying for the license. Please add an additional page if more space is needed.	
Name of entity or individual applicant #1: Mazatlan Group LLC	Name of entity or individual applicant #2:
Name of entity or individual applicant #3:	Name of entity or individual applicant #4:

BUSINESS INFORMATION		
Trade Name of the Business (name customers will see): Mazatlan Grill		
Business phone number: 541-951-5615	Business email: Mazatlangrill541@gmail.com	
Premises street address (The physical location of the business and where the liquor license will be posted): 98 Freeman Rd.		
City: Medford	Zip Code: 97502	County: Jackson
Business mailing address (where we will send any items by mail as described in OAR 845-004-0065(11.): P.O. Box 5592		
City: Central Point	State: OR	Zip Code: 97502
Does the business address currently have an OLCC liquor license? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Does the business address currently have an OLCC marijuana license? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

APPLICATION CONTACT INFORMATION		
Contact Name: Carlos Zepeda		
Phone number: 541-951-5615	Email: Rosareyes541@gmail.com	
Mailing address: 1080 Garfield street		
City: Medford	Zip Code: 97501	County: Jackson

Please note: liquor license applications are public records.

Attachment: OLCC Mazatlan 1 (1578 : OLCC Application - Mazatlan)

LIQUOR LICENSE APPLICATION

Page 3 of 3

ATTESTATIONS

By signing this form, you attest that each of the following statements are true. I understand the Commission may require a licensee to provide proof of any of the below or below referenced documents at any time.

I understand that marijuana is prohibited on the licensed premises. This includes marijuana use, consumption, ingestion, inhalation, samples, give-away, sale, etc. I attest that all answers on all forms and documents, and all information provided to the OLCC as a part of this application are true and complete.

I affirm that I have read OAR 845-005-0311 and all individuals (sole proprietors) or entities with an ownership interest (other than waivable ownership interest per OAR 845-005-0311(6)) are listed as license applicants in #2 above. I understand that failure to list an individual or entity who has an un-waivable ownership interest in the business may result in denial of my license or the OLCC taking action against my license in the event that an undisclosed ownership interest is discovered after license issuance.

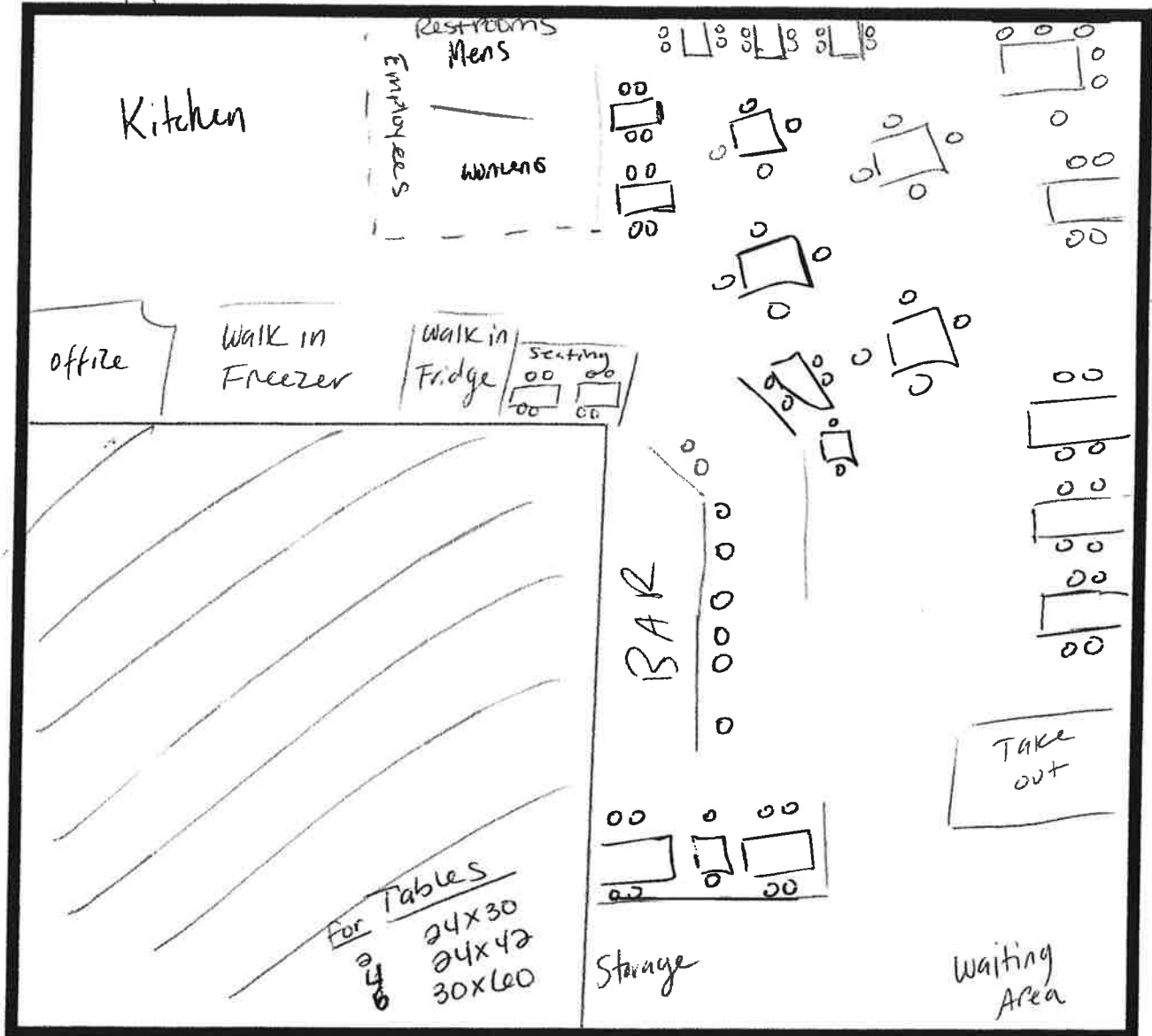
<u>Carlos A Zepeda</u> Print name	<u>CARLOS ZEPEDA</u> Signature	<u>5/24/22</u> Date	_____ Atty. Bar Info (if applicable)
_____ Print name	_____ Signature	_____ Date	_____ Atty. Bar Info (if applicable)
_____ Print name	_____ Signature	_____ Date	_____ Atty. Bar Info (if applicable)
_____ Print name	_____ Signature	_____ Date	_____ Atty. Bar Info (if applicable)

Attachment: OLCC Mazatlan 1 (1578 : OLCC Application - Mazatlan)



OREGON LIQUOR CONTROL COMMISSION FLOOR PLAN

- **Your floor plan must be submitted on this form.**
- Use a separate Floor Plan Form for each level or floor of the building.
- The floor plan(s) must show the specific areas of your premises (e.g. dining area, bar, lounge, dance floor, video lottery room, kitchen, restrooms, outside patio and sidewalk cafe areas.)
- Include all tables and chairs (see example on back of this form). Include dimensions for each table if you are applying for a Full On-Premises Sales license.



Mazatlan Group LLC
 Applicant Name
 Mazatlan Grill
 Trade Name (dba):
 Central point, OR 97502
 City and ZIP Code

-----OLCC USE ONLY-----
 MINOR POSTING ASSIGNMENT(S)
 #2 Bar / #3 Remainder
 Date: 8-16-22 Initials: CMG

1-800-452-OLCC (6522)

Attachment: OLCC Mazatlan 1 (1578 : OLCC Application - Mazatlan)



City of Central Point Staff Report to Council

ISSUE SUMMARY

TO:	City Council	DEPARTMENT:	Administration
FROM:	Deanna Casey, City Recorder		
MEETING DATE:	August 25, 2022		
SUBJECT:	OLCC Application - Purple Parrot		
ACTION REQUIRED:	Consent Agenda Item	RECOMMENDATION:	Approval

The City has received two application for change of ownership for Central Point's Purple Parrot locations.

Purple Parrot #5, 227 E. Pine Street
Purple Parrot #38 1350 Plaza Blvd Ste F

ORS requires new and change of ownership for OLCC applications to be approved by the City Council. The Police Department has run their background check and found no information pertinent to the request.

ATTACHMENTS:

1. OLCC - Purple Parrot #38
2. OLCC Letter Purple Parrot #38
3. OLCC - Purple Parrot #5
4. OLCC Letter Purple Parrot #5

LIQUOR LICENSE APPLICATION

Page 1 of 3

Check the appropriate license request option:

- New Outlet | Change of Ownership | Greater Privilege | Lesser Privilege

Select the license type you are applying for.

More information about all license types is available [online](#).

Full On-Premises

- Commercial
- Caterer
- Public Passenger Carrier
- Other Public Location
- For Profit Private Club
- Nonprofit Private Club

Winery

- Primary location
- Additional locations: 2nd 3rd 4th 5th

Brewery

- Primary location
- Additional locations: 2nd 3rd

Brewery-Public House

- Primary location
- Additional locations: 2nd 3rd

Grower Sales Privilege

- Primary location
- Additional locations: 2nd 3rd

Distillery

- Primary location
- Additional tasting locations: 2nd 3rd 4th 5th 6th

Limited On-Premises

- Off Premises
- Warehouse
- Wholesale Malt Beverage and Wine

INTERNAL USE ONLY

Application received:
08/04/2022

Minimum documents acquired:
08/04/2022

LOCAL GOVERNING BODY USE ONLY

City/County name:

Date application received:

Optional: Date Stamp

- Recommend this license be granted
- Recommend this license be denied

Printed Name	Date

Return this form to:

Investigator name:
Deborah Tenenholz

Email:
deborah.tenenholz@oregon.gov

Attachment: OLCC - Purple Parrot #38 (1581 : OLCC Application - Purple Parrot)

LIQUOR LICENSE APPLICATION

Page 2 of 3

APPLICANT INFORMATION	
Identify the applicants applying for the license. This is the entity (example: corporation or LLC) or individual(s) applying for the license. Please add an additional page if more space is needed.	
Name of entity or individual applicant #1: <i>Lost Creek, LLC</i>	Name of entity or individual applicant #2:
Name of entity or individual applicant #3:	Name of entity or individual applicant #4:

BUSINESS INFORMATION		
Trade Name of the Business (name customers will see): <i>Purple Parrot #38</i>		
Business phone number: <i>541-664-2149</i>	Business email: <i>ap@monarchmg.com</i>	
Premises street address (The physical location of the business and where the liquor license will be posted): <i>1350 Plaza Blvd, Ste F</i>		
City: <i>Central Point</i>	Zip Code: <i>97502</i>	County: <i>Jackson</i>
Business mailing address (where we will send any items by mail as described in OAR 845-004-0065(1)): <i>363 High St.</i>		
City: <i>Engene</i>	State: <i>OR</i>	Zip Code: <i>97401</i>
Does the business address currently have an OLCC liquor license? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Does the business address currently have an OLCC marijuana license? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

APPLICATION CONTACT INFORMATION		
Contact Name: <i>Julie Cole</i>		
Phone number: <i>541-510-3560</i>	Email: <i>julieoja@gmail.com</i>	
Mailing address: <i>363 High St.</i>		
City: <i>Engene</i>	Zip Code: <i>97401</i>	County: <i>Lane</i>

Please note: liquor license applications are public records.

Attachment: OLCC - Purple Parrot #38 (1581 : OLCC Application - Purple Parrot)

PUr

LIQUOR LICENSE APPLICATION


Page 3 of 3

ATTESTATIONS

By signing this form, you attest that each of the following statements are true. I understand the Commission may require a licensee to provide proof of any of the below or below referenced documents at any time.

I understand that marijuana is **prohibited** on the licensed premises. This includes marijuana use, consumption, ingestion, inhalation, samples, give-away, sale, etc. I attest that all answers on all forms and documents, and all information provided to the OLCC as a part of this application are true and complete.

I affirm that I have read OAR 845-005-0311 and all individuals (sole proprietors) or entities with an ownership interest (other than waivable ownership interest per OAR 845-005-0311[6]) are listed as license applicants in #2 above. I understand that failure to list an individual or entity who has an un-waivable ownership interest in the business may result in denial of my license or the OLCC taking action against my license in the event that an undisclosed ownership interest is discovered after license issuance.

<u>Michael Chamberlin</u>	<u></u>	<u>8/3/22</u>	
Print name	Signature	Date	Atty. Bar Info (if applicable)
_____	_____	_____	_____
Print name	Signature	Date	Atty. Bar Info (if applicable)
_____	_____	_____	_____
Print name	Signature	Date	Atty. Bar Info (if applicable)
_____	_____	_____	_____
Print name	Signature	Date	Atty. Bar Info (if applicable)
_____	_____	_____	_____

Attachment: OLCC - Purple Parrot #38 (1581 : OLCC Application - Purple Parrot)



155 South Second Street • Central Point, OR 97502

Kristine Allison

Ph: (541) 664-5578 • Fax: (541) 664-2705 • www.centralpointoregon.gov

Chief

Date: 08/18/2022

From: Captain Scott Logue
To: Honorable Mayor Williams
Subject: Request for OLCC License

RE: Lost Creek LLC Purple Parrot #38 Persons associated therewith

Files of the Central Point Police Department contain no information pertinent to the request.

Respectfully,

A handwritten signature in black ink, appearing to read "S. Logue", written over a horizontal line.

Captain Scott Logue
Central Point Police Department

Attachment: OLCC Letter Purple Parrot #38 (1581 : OLCC Application - Purple Parrot)

"Dedicated To Service, Committed To Excellence"

LIQUOR LICENSE APPLICATION

Page 2 of 3

APPLICANT INFORMATION	
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Name of entity or individual applicant #1: <i>Lost Creek, LLC</i>	Name of entity or individual applicant #2:
Name of entity or individual applicant #3:	Name of entity or individual applicant #4:

BUSINESS INFORMATION	
Trade Name of the Business (name customers will see): <i>Purple Parrot #5</i>	
Business phone number: <i>541-664-9910</i>	Business email: <i>ap@monarchmg.com</i>
Premises street address (The physical location of the business and where the liquor license will be posted): <i>227 E. Pine St.</i>	
City: <i>Central Point</i>	Zip Code: <i>97502</i>
County: <i>Jackson</i>	
Business mailing address (where we will send any items by mail as described in OAR 845-004-0065[1]): <i>363 High St.</i>	
City: <i>Engene</i>	State: <i>OR</i>
Zip Code: <i>97401</i>	
Does the business address currently have an OLCC liquor license? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Does the business address currently have an OLCC marijuana license? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

APPLICATION CONTACT INFORMATION	
Contact Name: <i>Julie Cole</i>	
Phone number: <i>541-510-3560</i>	Email: <i>julieoja@gmail.com</i>
Mailing address: <i>363 High St.</i>	
City: <i>Engene</i>	Zip Code: <i>97401</i>
County: <i>Lane</i>	

Please note: liquor license applications are public records.

Attachment: OLCC - Purple Parrot #5 (1581 : OLCC Application - Purple Parrot)

LIQUOR LICENSE APPLICATION

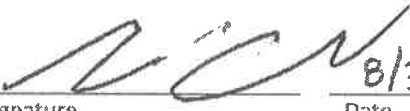
Page 3 of 3

ATTESTATIONS

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I affirm that I have read OAR 845-005-0311 and all individuals (sole proprietors) or entities with an ownership interest (other than waivable ownership interest per OAR 845-005-0311[6]) are listed as license applicants in #2 above. I understand that failure to list an individual or entity who has an un-waivable ownership interest in the business may result in denial of my license or the OLCC taking action against my license in the event that an undisclosed ownership interest is discovered after license issuance.

<u>Michael Chamberlin</u>	<u></u>	<u>8/3/22</u>	_____
Print name	Signature	Date	Atty. Bar Info (if applicable)
_____	_____	_____	_____
Print name	Signature	Date	Atty. Bar Info (if applicable)
_____	_____	_____	_____
Print name	Signature	Date	Atty. Bar Info (if applicable)
_____	_____	_____	_____
Print name	Signature	Date	Atty. Bar Info (if applicable)

Attachment: OLCC - Purple Parrot #5 (1581 : OLCC Application - Purple Parrot)



155 South Second Street • Central Point, OR 97502

Kristine Allison

Ph: (541) 664-5578 • Fax: (541) 664-2705 • www.centralpointoregon.gov

Chief

Date: 08/18/2022

From: Captain Scott Logue
To: Honorable Mayor Williams
Subject: Request for OLCC License

RE: Lost Creek LLC Purple Parrot #5 Persons associated therewith

Files of the Central Point Police Department contain no information pertinent to the request.

Respectfully,

A handwritten signature in black ink, appearing to be "S. Logue", written over a faint rectangular box.

Captain Scott Logue
Central Point Police Department

Attachment: OLCC Letter Purple Parrot #5 (1581 : OLCC Application - Purple Parrot)

"Dedicated To Service, Committed To Excellence"



City of Central Point Staff Report to Council

ISSUE SUMMARY

TO: City Council **DEPARTMENT:** Community Development

FROM: Stephanie Holtey, Planning Director

MEETING DATE: August 25, 2022

SUBJECT: Resolution No. _____, A Resolution to Annex 55.24 Acres Located on Property Identified by the Jackson County Assessor's Map AS 37S2W02D Tax Lot 2001, 37S2W11A Tax Lots 102 AND 28100, 37S2W12B Tax Lots 502 and 505; and 37S2W12C Tax Lots 301 and 805. Applicant: City of Central Point

ACTION REQUIRED: Public Hearing **RECOMMENDATION:** None Forwarded

BACKGROUND INFORMATION:

On January 13, 2022, the Central Point City Council approved Resolution No. 1695, a Resolution of Intent to annex City-owned properties along the Bear Creek Greenway ("Greenway"). The subject properties were impacted by wildfire in 2019. The properties are part of a Fire Area Master Plan that will guide developing this area as park facility with active and passive recreation opportunities while incorporating wildfire mitigation and habitat restoration. To fund and construct the improvements, it is necessary that these properties be annexed into the City limits.

At this time, the City Council is considering a Resolution to annex 55.24 acres within the Bear Creek Greenway (BCG) zone south of Peninger Road, north of Table Rock Rd and east of Interstate 5 (Exhibit "A" and Exhibit "B"). The properties are identified on the Jackson County Assessor's Map as 37S2W02D Tax Lot 2001, 37S2W11A Tax Lots 102 and 28100, 37S2W12B Tax Lots 502 and 505, and 37S2W12C Tax Lots 301 and 805.

FINANCIAL ANALYSIS:

The annexation has incurred costs to prepare the map of survey and legal description. All other costs associated with the annexation are in-kind cost for staff time.

LEGAL ANALYSIS:

ORS 222.125 authorizes annexation of property contiguous to cities when all of the owners of land and a majority of electors consent. CPMC 1.20 vests the City Council with the authority to order the annexation of unincorporated territory in the Urban Growth Boundary into the City of Central Point.

- 1. Written Consent:** This annexation is a 'full consent annexation' since the sole property

owner is the City of Central Point. The City Council has consented to it in writing via Resolution No 1695. Accordingly, pursuant to ORS 222.125 and CPMC 1.24.020, the City Council may order the annexation without notice, hearing or election. However, the Council has elected to proceed with a hearing.

2. **Contiguous to City Limits:** Pursuant to ORS 222.111, territory proposed for annexation must be contiguous to the City or separated from it only by a public right-of-way or a stream, lake or other body of water. The subject annexation area is contiguous to the city limits along several property boundary segments and is separated from the city limits boundary to the west only by Oregon Department of Transportation right-of-way.
3. **Within Urban Growth Boundary (UGB):** The annexation territory is within the Urban Growth Boundary of Central Point and is in compliance with the City-County Urban Growth Boundary and Policy Agreement of September 1984 and amended in 1998.
4. **Orderly Provision of Public Facilities:** The City-County Urban Growth Boundary and Policy Agreement requires that, in considering an annexation, urban facilities and services must be adequate in condition and capacity to accommodate the additional level of growth allowed by the Comprehensive Plan within the annexation area prior to or concurrent with the development. The subject properties are within the Bear Creek Greenway. Services are limited to water, emergency vehicle and pedestrian access. As the site develops as a recreational amenity, it will take advantage of existing services.
5. **Duly noticed and advertised notice of public hearing:** Pursuant to ORS 222.120, notice of the hearing was published for the City Council meeting on August 14, 2022 and August 21, 2022 in the Mail Tribune newspaper and notice was posted in four (4) public locations. In addition, on August 17, 2022 the notice was mailed to property owners within 250-feet of the proposed annexation area.

Due to a timing error in the mailed notice, it will be necessary to continue the public hearing to the September 8, 2022 City Council meeting. This will provide members of the public a minimum of 20-days to provide written and/or oral testimony before the public hearing is closed.

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

Responsible Governance Goal 6: Prepare as a resilient city with the capabilities required across the whole community to prevent, protect against, mitigate, respond to and recover from the threats and hazards that pose the greatest risk.

Comment: The proposed annexation brings land into the city limits that poses a significant wildfire risk to the community. As a result of the proposed annexation, the City will be in a position to acquire and allocate funding to construct improvements that mitigate wildfire risk while restoring habitat along Bear and Elk Creeks and providing active and passive recreation amenities for the community.

Community Investment, Goal 2: Be a city filled with happy, healthy people who are thriving.
Strategy 5: Plan, design, build and maintain a comprehensive system of sustainable facilities, trails and park spaces (setting the highest standards) to provide attractive places people will use and enjoy. Acquire additional lands for active and passive recreation use based on current deficiencies and public demands created by increasing population or the environmental and recreational significance of the area.

Comment: The proposed annexation is a pre-requisite to funding and constructing the parks and

recreation amenities set forth in the Bear Creek Greenway Fire Area Master Plan. The facilities will ultimately align with the aspiration articulated in Strategy 5.

STAFF RECOMMENDATION:

Open a public hearing and consider annexation of 55.24 acres located along the Bear Creek and continue the public hearing to September 8, 2022.

RECOMMENDED MOTION:

No motion is recommended at this time.

ATTACHMENTS:

1. Resolution to Annex BCG Properties
2. Exhibit A - Legal Description
3. Exhibit B - Map of Survey

RESOLUTION NO. _____

**A RESOLUTION TO ANNEX 55.24 ACRES,
LOCATED ON PROPERTY IDENTIFIED BY THE JACKSON COUNTY
ASSESSOR’S MAP AS 37S2W02D TAX LOT 2001, 37S2W11A TAX LOTS 102 AND 28100,
37S2W12B TAX LOTS 502 AND 505; AND 37S2W12C TAX LOTS 301 AND 805.
APPLICANT: CITY OF CENTRAL POINT**

RECITALS:

- A. The City of Central Point owns seven (7) tax lots located within the Bear Creek Greenway generally described by Exhibit A, which are not located within the City of Central Point city limits.
- B. The Central Point City Council (the Council) is authorized under ORS 222.125 to annex property into the City without otherwise holding an election or calling a public hearing where all the owners of land in the territory to be annexed and not less than 50% of the electors, if any, residing in such territory, consent in writing to the annexation of land.
- C. All of the land within the territory is owned by the City.
- D. This annexation is a full consent annexation as the City of Central Point City Council have consented to the annexation in Resolution No. 1695.
- E. Though a public hearing is not required, on August 25, 2022 and September 8, 2022, the Council conducted a duly noticed public hearing on the annexation application, at which time it reviewed the City staff report, heard testimony and comments on the application to annex the 55.24 acre property specifically described in attached Exhibits “A” Legal Description and Exhibit “B” Annexation Map of Survey and find it is in the public interest to annex said property into City limits.
- F. The City Manager, or designee, will transmit a copy of this resolution to the Oregon Secretary of State, and this annexation is effective when filed with the Oregon Secretary of State pursuant to ORS. 222.180.

The City of Central Point resolves as follows:

Section 1: The properties within the Bear Creek Greenway, described in the above recitals and set forth in attached Exhibits “A” and “B” are proclaimed to be annexed to the City of Central Point.

Passed by the Council and signed by me in authentication of its passage this ____ day of September, 2022.

Mayor Hank Williams

ATTEST:

City Recorder

Attachment: Resolution to Annex BCG Properties [Revision 1] (1580 : Bear Creek Greenway Annexation)

EXHIBIT "A"

ANNEXATION DESCRIPTION

All those real properties as described in Instruments Numbered 67-07010, 2022-000383 and 2022-013723, all of the Official Records of Jackson County, Oregon, and being located in the Southwest One-quarter of the Southwest One-quarter of Section 2, and in the Northwest One-quarter and Southwest One-quarter of Section 12, Township 37 South, Range 2 West of the Willamette Meridian, in Jackson County, Oregon. The exterior boundary of said properties is more particularly described as follows:

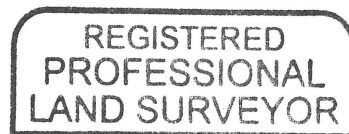
Commencing at the monument marking the Southeast corner of Donation Land Claim Number 56 (DLC 56); thence South 89°39'28" West, along the south boundary of said DLC 56, 1271.13 feet to the northeast corner of said Instrument Number 2022-013723 and being the **TRUE POINT OF BEGINNING**; thence along the easterly boundary of said instrument, the following courses: leaving said DLC 56 boundary, South 38°23'35" East, 254.16 feet; thence North 89°38'04" East, 357.48 feet; thence South 43°57'32" East, 470.00 feet; thence South 49°57'32" East, 268.97 feet; thence North 89°40'23" East, 91.42 feet; thence South 32°49'37" East, 300.00 feet; thence South 00°19'37" East, 365.71 feet to intersect the northerly boundary of Parcel I per said Instrument Number 2022-00383; thence along the northerly and easterly boundaries thereof, the following courses: North 89°40'23" East, 62.10 feet; thence South 00°16'37" East, 209.37 feet; thence North 89°40'23" East, 150.00 feet; thence South 00°16'37" East, 373.37 feet; thence South 00°15'12" East, 300.20 feet; thence South 42°22'29" East, 205.72 feet; thence North 89°32'36" East, 212.38 feet to intersect the westerly right-of-way of Table Rock Road; thence South 00°16'37" East, along said westerly right-of-way, 125.59 feet to an angle point of Parcel II of said Instrument Number 2022-000383; thence continuing along said right-of-way, South 09°48'13" West, along the easterly boundary of said Parcel II, 169.66 feet to intersect the easterly right-of-way of Interstate 5 (Pacific Highway 1); thence leaving said Table Rock Road right-of-way, and along said easterly right-of-way of Interstate 5, being common with the westerly boundaries of said Parcel I and Parcel II of said Instrument Number 2022-00383, the following courses: North 42°21'08" West, 1037.21 feet; thence North 23°36'33" West, 606.75 feet to the northwest corner of said Parcel II, also being the southeast corner of Parcel III, both per said Instrument Number 2022-000383; thence continuing along said easterly right-of-way of Interstate 5, being common with the southerly and westerly boundaries of said Parcel III, the westerly boundary of said Instrument Number 67-07010 and the westerly boundary per Parcel V of said Instrument Number 2022-000383, the following courses: South 89°40'23" West, 572.07 feet; thence North 42°21'08" West, 2287.63 feet to an angle point of said Parcel V, being common with the most southerly corner per Instrument Number 2003-038052 of the Official Records of Jackson County, Oregon; thence leaving said easterly right-of-way and along the westerly boundary of said Parcel V, the following courses: North 01°52'36" East, 242.52 feet; thence North 08°42'14" West, 142.69 feet; thence North 28°45'19" West, 259.88 feet; thence North 17°27'37" West, 210.22 feet; thence North 47°13'50" West, 249.61 feet to the northeast corner per Volume 205 at Page 1 of the Deed Records of Jackson County, Oregon; thence North 00°22'37" West, along the westerly boundaries per Volume 236 at Page 240 and Volume 527 at Page 475, both of the Deed Records of Jackson County, Oregon, 308.42 feet to the northwest corner of said Volume 527 at Page 475; thence North 89°36'06" East, along the northerly boundary per said Volume 527 at Page 475, 347.10 feet; thence along the easterly boundary of said Parcel V, the following courses: South 05°42'34" West, 381.88 feet; thence South 18°49'57" East, 418.95 feet; thence South 26°58'27" East, 365.91 feet; thence South 42°17'20" East, 476.00 feet; thence South 65°23'39" East, 476.22 feet to intersect aforesaid south boundary of DLC 56; thence North 89°39'28" East, along the south boundary of said DLC 56, being common with the northerly boundaries of said Parcel III per Instrument Number and northerly boundary per said Instrument Number 2022-0137823, 235.80 feet to the Point of Beginning.

Containing 55.24 acres, more or less.

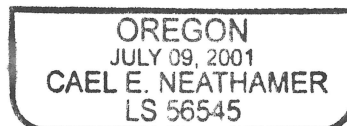
Basis of bearings for this description is Geodetic North referenced to the NAD83 2011 (Epoch 2010.00) datum, projected onto the Oregon Coordinate Reference System, Grants Pass-Ashland Zone (references: OAR 734-005-0005, 734-005-0010 (3) and 734-005-0015(3)(a)). Note that the grid bearings listed herein do not equal geodetic bearings due to meridian convergence.

Prepared by:
NEATHAMER SURVEYING, INC.
3126 State Street, Suite 203
PO Box 1584
Medford, Oregon 97501
Phone: (541) 732-2869
Facsimile: (541) 732-1382
Project Number: 09002-T-46

Date: August 4, 2022



Carl E. Neatham



RENEWAL DEC. 31, 2022

Attachment: Exhibit A - Legal Description (1580 : Bear Creek Greenway Annexation)

EXHIBIT "B"

INTERSTATE 5
(PACIFIC HIGHWAY 1)

120'

PENNINGER ROAD

37 2W 02D
TAX LOT 2901
TRAVEL CENTER DEVELOPMENT, LLC
INST 96-19976

37 2W 02D
TAX LOT 1902
CITY OF CENTRAL POINT
INST 2012-042443

37 2W 02D
TAX LOT 1905
CITY OF CENTRAL POINT
INST 2005-072781

37 2W 02D
TAX LOT 1904
GOOD FORTUNE LLC
INST 2006-001743

37 2W 02D
TAX LOT 2003
CITY OF CENTRAL POINT
INST 2005-072781

37 2W 02D
TAX LOT 2004
GOOD FORTUNE LLC
INST 2006-001743

37 2W 02D
TAX LOT 2001
CITY OF CENTRAL POINT
INST 2022-000383
(PARCEL V)

37 2W 02D
TAX LOT 2002
GOOD FORTUNE LLC
INST 2006-001743

37 2W 02D
TAX LOT 1800
PENNINGER LEASING, LLC
INST 2003-038052

37 2W 02D
TAX LOT 2000
LTM INCORPORATED
INST 2005-067011

37 2W 11A
TAX LOT 101
PENNINGER LEASING, LLC
INST 2003-038052

REGISTERED
PROFESSIONAL
LAND SURVEYOR

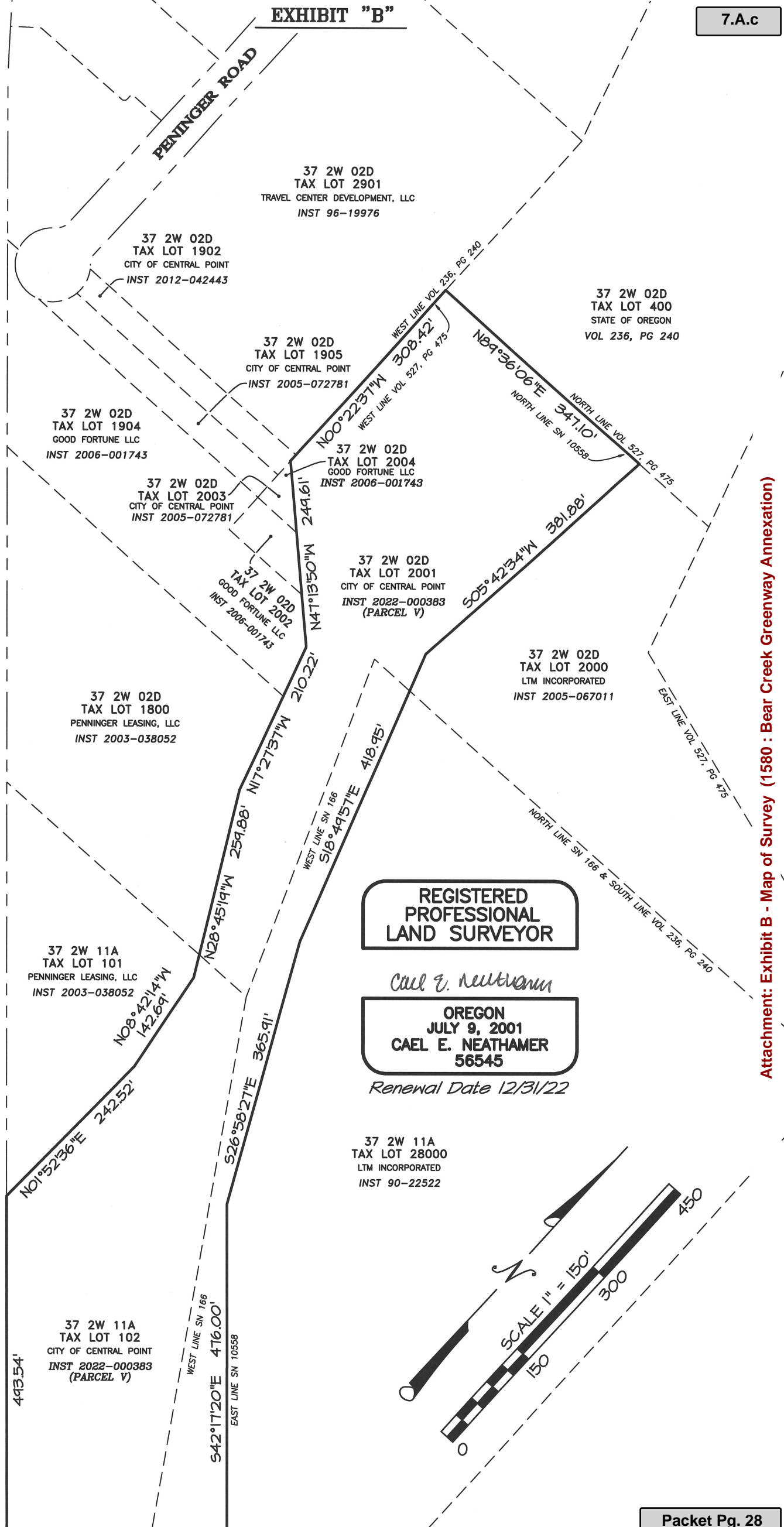
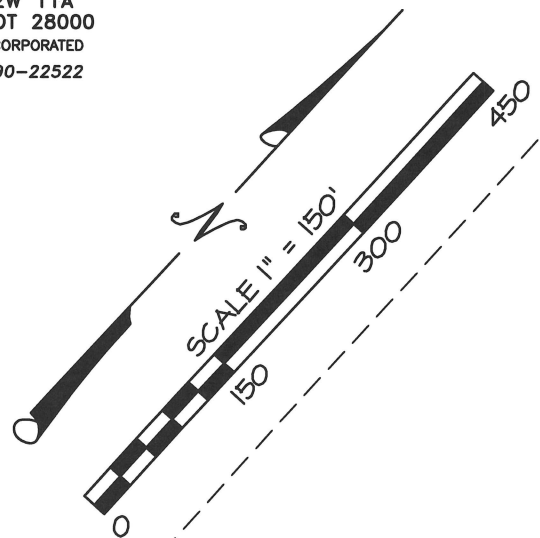
Cael E. Neathamer

OREGON
JULY 9, 2001
CAEL E. NEATHAMER
56545

Renewal Date 12/31/22

37 2W 11A
TAX LOT 28000
LTM INCORPORATED
INST 90-22522

37 2W 11A
TAX LOT 102
CITY OF CENTRAL POINT
INST 2022-000383
(PARCEL V)



Attachment: Exhibit B - Map of Survey (1580 : Bear Creek Greenway Annexation)

37 2W 11A
TAX LOT 28000
LTM INCORPORATED
INST 90-22522

37 2W 11A
TAX LOT 102
CITY OF CENTRAL POINT
INST 2022-000383
(PARCEL V)

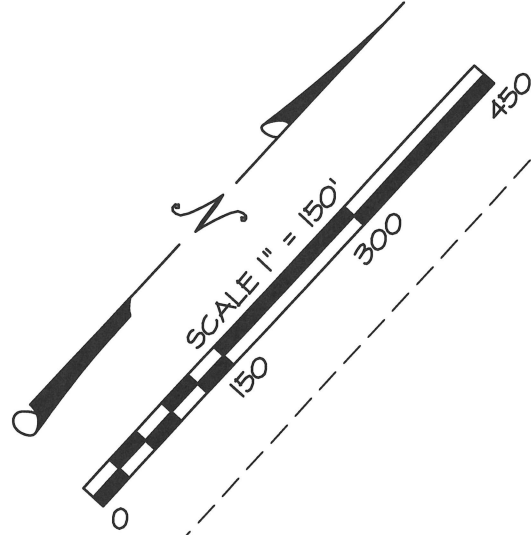
37 2W 11A
TAX LOT 28100
CITY OF CENTRAL POINT
INST 2022-000383
(PARCEL V)

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Cael E. Neathamer

OREGON
JULY 9, 2001
CAEL E. NEATHAMER
56545

Renewal Date 12/31/22



POINT OF
BEGINNING

37 2W 12B
TAX LOT 700
ROGUE RIVER IRRIGATION DISTRICT
INST 67-07010

SN 13425

INTERSTATE 5
(PACIFIC HIGHWAY 1)

N42°21'08"W 2287.63'
1174.57'

230.50'

493.54'

120'

N01°52'36"E 242.52'

WEST LINE SN 166
S42°17'20"E 476.00'
EAST LINE SN 10558

S26°58'27"E 36

S65°23'31"E 476.22'

N89°38'28"E 235.80'

S38°23'35"E 254.16'

N89°38'04"E 357.48'

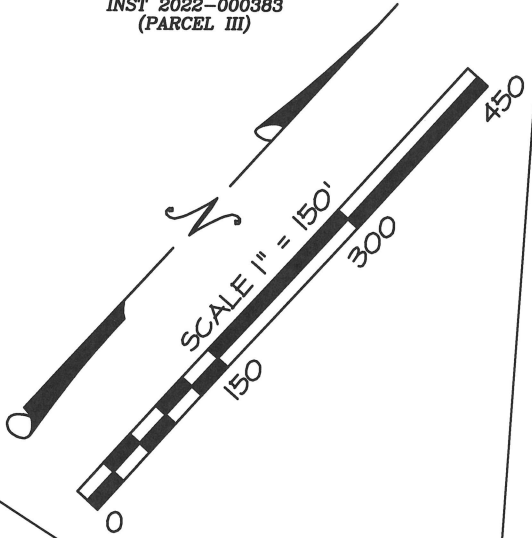
E 470.00'

EXHIBIT "B"

7.A.c

N42°21'08"W 2287.63
1174.57'

37 2W 12B
TAX LOT 502
CITY OF CENTRAL POINT
INST 2022-000383
(PARCEL III)



37 2W 12B
TAX LOT 501
CITY OF MEDFORD
INST 67-07010

37 2W 12B
TAX LOT 600
CITY OF MEDFORD
INST 2022-013723

37 2W 12B
TAX LOT 505
CITY OF CENTRAL POINT
INST 2022-000383
(PARCEL III)

37 2W 12B
TAX LOT 699
CITY OF CENTRAL POINT
INST 2022-013723
(PARCEL IV)

PERMANENT
EXCLUSIVE
EASEMENT PER
INST 2022-013723
(HATCHED AREA)

37 2W 12B
TAX LOT 100
KENNETH C &
GERI L LANE
INST 2005-
077743

37 2W 12B
TAX LOT 1500
ROBERT D & KAROL A WAITS
INST 2001-051803

37 2W 12B
TAX LOT 1700
PAUL D & SHANNON
N KRALIK
INST 2014-
011935

INTERSTATE 5
(PACIFIC HIGHWAY 1)

238.50'

381.03'

120'

S89°40'23"W 572.07'

544.96'

N23°36'53"W 606.75'

S38°23'35"E 254.16'

POINT OF BEGINNING

SOUTH LINE D.L.C. 56

37 2W 12B
TAX LOT 700
ROGUE RIVER IRRIGATION DISTRICT
INST 67-07010

SN 13425

N89°38'04"E 357.48'

S43°51'32"E 470.00'

S49°51'32"E 268.97'

N89°44'42"E 24.19'

S32°49'37"E 300.00'

S00°19'37"E 365.71'

N89°40'23"E 62.10'

S16°37'E 209.37'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Cael E. Neathamer

OREGON
JULY 9, 2001
CAEL E. NEATHAMER
56545

Renewal Date 12/31/22

Attachment: Exhibit B - Map of Survey (1580 : Bear Creek Greenway Annexation)

EXHIBIT "B"

7.A.c

544.96'

INTERSTATE 5
(PACIFIC HIGHWAY 1)

350'

N42°21'08"W 1037.21'

N23°36'53"W 606.75'

S42°22'29"E 205.72'

S00°15'12"E 300.20'

N89°32'56"E 212.38'

37 2W 12C
TAX LOT 805
CITY OF CENTRAL POINT
INST 2022-000383
(PARCEL II)

S09°48'13"W 169.66'

37 2W 12C
TAX LOT 301
CITY OF CENTRAL POINT
INST 2022-000383
(PARCEL I)

37 2W 12C
TAX LOT 300
STAR PROMENADERS, INC
INST 91-12420

S00°16'57"E 123.59'

S00°16'57"E 373.37'

37 2W 12C
TAX LOT 500
JOHN R BESTUL
INST 2021-012940

TABLE ROCK ROAD

S00°16'57"E 209.37'

N89°40'23"E 150.00'

37 2W 12C
TAX LOT 400
VR JONES PROPERTIES LLC
INST 2004-005351

37 2W 12B
TAX LOT 1800
RORY P & JAMIE D WHITE
INST 2003-048195

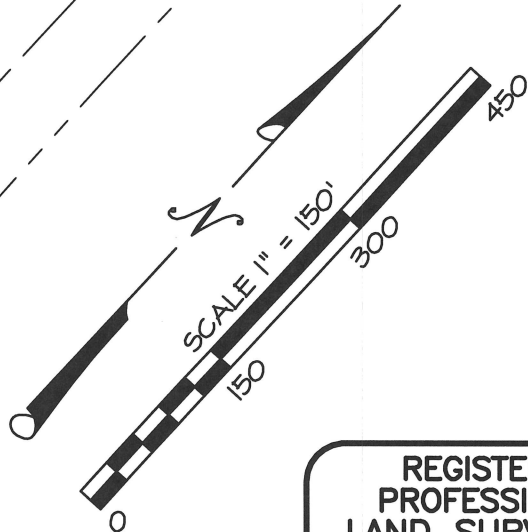
37 2W 12B
TAX LOT 1700
PAUL D & SHANNON
N KRALIK
INST 2014-011935

N89°40'23"E 62.10'

37 2W 12B
TAX LOT 1500
ROBERT D & KAROL A WAITS
INST 2001-051803

S00°19'37"E 365.71'

37 2W 1
TAX LOT 1
KENNETH C
GERI L LAI
INST 200-077743



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Caël E. Neatham

OREGON
JULY 9, 2001
CAEL E. NEATHAMER
56545

Renewal Date 12/31/22

Attachment: Exhibit B - Map of Survey (1580 : Bear Creek Greenway Annexation)



City of Central Point Staff Report to Council

ISSUE SUMMARY

TO:	City Council	DEPARTMENT:	Parks and Recreation
FROM:	Dave Jacob, Park Planner		
MEETING DATE:	August 25, 2022		
SUBJECT:	Dennis Richardson Memorial - Plaque Review		
ACTION REQUIRED:	Motion	RECOMMENDATION:	Approval

BACKGROUND INFORMATION:

Construction of the Dennis Richardson Memorial is expected to begin in early September of this year. As part of the project, it was suggested by staff that a plaque should be included to provide background on Mr. Richardson public life. With assistance from family and those who knew him best, a design and language for the plaque was created. An initial proof of the design is attached for review. A portion of the funds for the plaque will come from the Central Point Parks and Recreation Foundation using funds donated specifically for the memorial. When completed the plaque will be attached to a boulder donated by Bill Leavens owner of L & S Rock Products.

FINANCIAL ANALYSIS:

Total cost for the plaque is \$3,826.00. The Parks and Recreation Foundation has provided \$2,375.00 which was donated specifically for the memorial. The city will pay the additional \$1,451.00 from memorial project construction funds.

LEGAL ANALYSIS:

Not Applicable

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

Not Applicable

STAFF RECOMMENDATION:

Staff recommends approval of the plaque language and design.

RECOMMENDED MOTION:

I move to approve the Dennis Richardson Memorial plaque language and design as presented.

ATTACHMENTS:

1. Richardson Plaque Proof 8-17-22(2)



Dennis Richardson
(July 30, 1949, to February 26, 2019)

This memorial celebrates the life of Dennis Richardson, who served his country as a US Army combat helicopter pilot during the Vietnam War. For this he was honored with eight medals including the Vietnam Cross of Gallantry. Mr. Richardson practiced law in Central Point for over 30 years and served on the Central Point City Council. Later he served in the Oregon House of Representatives from 2002 to 2014 where he was unanimously selected by his colleagues as Speaker Pro Tem and was Co-Chair of the Full Joint Senate-House Ways & Means Committee. Mr. Richardson was the Republican candidate for Governor in 2014, and in 2016 he was elected to be Oregon's 26th Secretary of State. He served in this position until his death in 2019. Mr. Richardson was a devoted and loving husband and father whose service to veterans, to the residents of Central Point, and to the State of Oregon will never be forgotten. The motto he lived by (and often quoted) was the Latin phrase

“Pro Tanto Quid Retribuamus”

meaning

“What shall we give in return for receiving so much?”



City of Central Point **Staff Report to Council**

ISSUE SUMMARY

TO:	City Council	DEPARTMENT:	Police Department
FROM:	Scott Logue, Police Captain		
MEETING DATE:	August 25, 2022		
SUBJECT:	Ballot Measure 114 - Information		
ACTION REQUIRED:	Information/Direction	RECOMMENDATION:	Not Applicable

Oregon Ballot Measure 114, if passed by voters, would require citizens to obtain a permit to purchase firearms. That permitting process is to be conducted by local law enforcement and has several requirements placed upon law enforcement and the applicant. Ballot Measure 114 would also outlaw ammunition magazines capable of holding more than 10 rounds. Ballot Measure 114 does not allocate any funding to local law enforcement for the implementation of the measure.

ATTACHMENTS:

1. Oregon_Measure_114_full_text_(2022)

PREAMBLE

Whereas the People of the State of Oregon have seen a sharp increase in gun sales, gun violence, and raised fear in Oregonians of armed intimidation, it is imperative to enhance public health and safety in all communities; and

Whereas the gun violence in Oregon and the United States, resulting in horrific deaths and devastating injuries due to mass shootings, homicides and suicides is unacceptable at any level, and the availability of firearms, including semiautomatic assault rifles and pistols with accompanying large-capacity ammunition magazines, pose a grave and immediate risk to the health, safety and well-being of the citizens of this State, particularly our youth; and

Whereas Oregon currently has no permit requirements for purchasing a semiautomatic assault firearm or any other type of weapon and studies have shown that permits-to-purchase reduce firearm-related injuries and death and studies further have shown that firearm ownership or access to firearms triples the risk of suicide and doubles the risk of homicide when compared to someone who does not have access, this measure will require that anyone purchasing a firearm must first complete a safety training course, successfully pass a full background check and, only then, will an individual be granted a permit-to-purchase a firearm, so that firearms are kept out of dangerous hands; and

Whereas large-capacity magazines are often associated with semiautomatic assault rifles, and can also be used with many semiautomatic firearms including shotguns and pistols, and estimates suggest that nearly 40% of crime guns used in serious violent crimes, including attacks on law enforcement officers, are equipped with large-capacity magazines; and

Whereas firearms equipped with large-capacity magazines increase casualties by allowing a shooter to continue firing for longer periods of time before reloading, thus explaining their use in all 10 of the deadliest mass shootings since 2009, and in mass shooting events from 2009 to 2018 where the use of large-capacity magazines caused twice as many deaths and 14 times as many injuries, including the 2015 shooting at Umpqua Community College in Roseburg, Oregon in which 10 people were killed and 7 more were injured; and

Whereas restrictions on high-capacity magazines during the 10-year federal ban from 1994-2004 and the ban in over nine (9) states and the District of Columbia have been found to reduce the number of fatalities and injuries in shooting incidents, this measure will enhance the safety of residents, particularly children, of this state by prohibiting the manufacture, sale, or transfer of large-capacity ammunition magazines and regulate the use of such magazines that are currently owned;

Now, therefore:

Be It Enacted by the People of the State of Oregon

SECTION 1. Sections 2 to 11 of this 2022 Act are added to and made a part of ORS 166.210 to 166.490.

SECTION 2. The People of the State of Oregon find and declare that regulation of sale, purchase and otherwise transferring of all firearms and restriction of the manufacture, import, sale, purchase, transfer, use and possession of ammunition magazines to those that hold no more than 10 rounds will promote the public health and safety of the residents of this state and this Act shall be known as the Reduction of Gun Violence Act.

DEFINITIONS

SECTION 3. Definitions. As used in sections 3 to 10 of this 2022 Act:

- (1) "Criminal background check" has the same meaning given to this term in ORS 166.432(1)(a) to (e).
- (2) "Department" means the Department of State Police.
- (3) "Gun dealer" means a person engaged in the business, as defined in 18 U.S.C. 921, of selling, leasing or otherwise transferring a firearm, whether the person is a retail dealer, pawnbroker or otherwise.
- (4) "Permit" or "permit-to-purchase" mean an authorization issued to a person to purchase or acquire a firearm, provided all other requirements at the time of purchase or acquisition are met.
- (5) "Permit Agent" means a county sheriff or police chief with jurisdiction over the residence of the person making an application for a permit-to-purchase, or their designees.
- (6) "Transfer" has the meaning given that term in ORS 166.435(1)(a).
- (7) "Transferor" means a person who is not a gun dealer or licensed as a manufacturer or importer under 18 U.S.C. 923

and who intends to deliver a firearm to a transferee.

PERMIT-TO-PURCHASE PROCESS

SECTION 4.

(1)(a) A person may apply for a permit-to-purchase a firearm or firearms under this section to the police chief or county sheriff with jurisdiction over the residence of the person making the application, or their designees, hereinafter referred to as "permit agent".

(b) A person is qualified to be issued a permit-to-purchase under this section if the person:

(A) Is not prohibited from purchasing or acquiring a firearm under state or federal law, including but not limited to successfully completing a criminal background check as described under paragraph (e) of this subsection;

(B) Is not the subject of an order described in ORS 166.525 to 166.543;

(C) Does not present reasonable grounds for a permit agent to conclude that the applicant has been or is reasonably likely to be a danger to self or others, or to the community at large, as a result of the applicant's mental or psychological state or as demonstrated by the applicant's past pattern of behavior involving unlawful violence or threats of unlawful violence;

(D) Provides proof of completion of a firearm safety course as defined in subsection (8) of this section; and

(E) Pays the fee described in paragraph (b) of subsection (3) of this section.

(c) An application for a permit under this section must state the applicant's legal name, current address and telephone number, date and place of birth, physical description, and any additional information determined necessary by department rules. The application must be signed by the applicant in front of the permit agent.

(d) The permit agent shall verify the applicant's identity with a government-issued form of identification bearing a photograph of the applicant.

(e) The applicant must submit to fingerprinting and photographing by the permit agent. The permit agent shall fingerprint and photograph the applicant and shall conduct any investigation necessary to determine whether the applicant meets the qualifications described in paragraph (b) of this section. The permit agent shall request the department to conduct a criminal background check, including but not limited to a fingerprint identification, through the Federal Bureau of Investigation. The Federal Bureau of Investigation shall return the fingerprint cards used to conduct the criminal background check and may not keep any record of the fingerprints. Upon completion of the criminal background check and determination of whether the permit applicant is qualified or disqualified from purchasing or otherwise acquiring a firearm the department shall report the results, including the outcome of the fingerprint-based criminal background check, to the permit agent.

(2)(a) If during the background check, the department determines that:

(A) A purchaser is prohibited from possessing a firearm under ORS 166.250 (1)(c), the department shall report the attempted application for a permit, the purchaser's name and any other personally identifiable information to all federal, state and local law enforcement agencies and district attorneys that have jurisdiction over the location or locations where the attempted application for a permit was made and where the permit applicant resides;

(B) Based on the judgment of conviction, the permit applicant is prohibited from possessing a firearm as a condition of probation or that the permit applicant is currently on post-prison supervision or parole, the department shall report the attempted application for a permit to the permit applicant's supervising officer and the district attorney of the county in which the conviction occurred.

(C) The permit applicant is prohibited from possessing a firearm due to a court order described in ORS 166.255 (1)(a), the department shall report the attempted application for a permit to the court that issued the order.

(D) The permit applicant is under the jurisdiction of the Psychiatric Security Review Board, the department shall report the attempted application for a permit to the board.

(b) Reports required by paragraphs (A) to (D) of subsection (2)(a) shall be made within 24 hours after the determination is made, unless a report would compromise an ongoing investigation, in which case the report may be delayed as long as necessary to avoid compromising the investigation.

(c) On or before January 31 of each year, beginning in 2024, the department shall annually publish a report indicating for each county the number of applications made to any permit agent, the number of permits-to-purchase issued and the number of permits-to-purchase denied and the reasons for denial. The department may, by rule, include any additional

information that it determines would be helpful to ensuring the permit-to-purchase process is being administered in a consistent and equitable manner.

(3)(a) Within 30 days of receiving an application for a permit under this section, if the permit agent has verified the applicant's identity and determined that the applicant has met each of the qualifications described in paragraph (1)(b) of this section, the permit agent shall issue the permit-to-purchase.

(b) The permit agent may charge a reasonable fee reflecting the actual cost of the process but shall not exceed \$65, including the cost of fingerprinting, photographing and obtaining a criminal background check.

(4)(a) The department shall develop:

(A) A standardized application form for a permit under this section; and

(B) A form in quadruplicate for use by permit agents in issuing permits under this section.

(b) The issuing permit agent shall maintain a copy of each permit issued under this section.

(c) The person named in a permit shall:

(A) Maintain a copy of the permit as long as the permit is valid.

(B) Present a copy of the permit to the gun dealer or transferor of a firearm when required under ORS 166.412, 166.435, 166.436 or 166.438.

(5)(a) The permit agent shall report the issuance of a permit under this section to the department, and shall provide to the department a copy of the permit and any information necessary for the department to maintain an electronic searchable database of all permits issued under this section. A permit agent revoking a permit shall report the revocation to the department at the time that notice of the revocation has been sent to the permit holder.

(b) The department shall maintain the electronic database described in paragraph (a) of this subsection by ensuring that new permits are added to the database, renewed permits are assigned a new expiration date, and expired or revoked permits are marked expired or revoked but retained in the database.

(6)(a) A permit-to-purchase issued under this section does not create any right of the permit holder to receive a firearm.

(b) A permit-to-purchase issued under this section is not a limit on the number of firearms the permit holder may purchase or acquire during the time period when the permit is valid.

(7)(a) A permit-to-purchase issued under this section is valid for five years from the date of issuance, unless revoked.

(b) A person may renew an unexpired permit issued under this section by repeating the procedures set forth in subsection (1) of this section, except:

(A) A full finger print set does not need to be taken again if the original set has been retained by the permit agent or is otherwise available; and

(B) The training course does not need to be completed, provided the course previously taken fully complies with each of the requirements set forth in subsection 8 of this section.

(c) The permit agent may charge a reasonable fee for renewal of the permit, reflecting the actual cost of the process but shall not exceed \$50, including the cost of obtaining a criminal background check and photographing.

(8) As used in this section, "proof of completion of a firearm safety course" means the following:

(a) Proof of completion of any firearms training course or class available to the general public that is offered by law enforcement, a community college, or a private or public institution or organization or firearms training school utilizing instructors certified by a law enforcement agency, and that includes the components set forth in paragraph (c) of this subsection; or

(b) Proof of completion of any law enforcement firearms training course or class that is offered for security guards, investigators, reserve law enforcement officers, or any other law enforcement officers, and that includes the components set forth in paragraph (c) of this subsection;

(c) A firearms training course or class required for issuance of a permit-to-purchase must include:

(A) Review of federal and state laws in place at the time of the class and other safe practices related to ownership, purchase, transfer, use and transportation of firearms;

(B) Review of federal and state safe storage laws in place at the time of the class and other safe practices related to safe storage, including reporting lost and stolen guns;

(C) Prevention of abuse or misuse of firearms, including the impact of homicide and suicide on families, communities and the country as a whole; and

(D) In-person demonstration of the applicant's ability to lock, load, unload, fire and store a firearm before an instructor certified by a law enforcement agency. This requirement may be met separately from the other course requirements in subparagraphs (A), (B) and (C) of paragraph (c), which may be completed in an on-line course, provided the on-line course has been conducted by a trainer certified by law enforcement.

(d) Proof of successful completion of a training course in order to meet the requirements for a concealed handgun license issued under ORS 166.291 and 166.292 may be submitted for a permit as a substitute for the requirements in paragraph (c) of this subsection, provided the completed course included each of the components set forth in paragraph (c) of this subsection.

(9) The department may adopt rules to carry out the provisions of this section.

PERMIT-TO-PURCHASE DUE PROCESS APPEAL

SECTION 5. (1) If the application for the permit-to-purchase is denied, the permit agent shall set forth in writing the reasons for the denial. The denial shall be placed in the mail to the applicant by certified mail, restricted delivery, within 30 days after the application was made. If no decision is issued within 30 days, the person may seek review under the procedures in subsection (5) of this section.

(2) Notwithstanding subsections (1) to (3) of section 4 of this 2022 Act, and subject to review as provided in subsection (5) of this section, a permit agent may deny a permit-to-purchase if the permit agent has reasonable grounds to believe that the applicant has been or is reasonably likely to be a danger to self or others, or to the community at large, as a result of the applicant's mental or psychological state or as demonstrated by the applicant's past pattern of behavior involving unlawful violence or threats of unlawful violence.

(3)(a) Any act or condition that would prevent the issuance of a permit-to-purchase is cause for revoking a permit-to-purchase.

(b) A permit agent may revoke a permit by serving upon the permittee a notice of revocation. The notice must contain the grounds for the revocation and must be served either personally or by certified mail, restricted delivery. The notice and return of service shall be included in the file of the permit holder. The revocation is effective upon the permit holder's receipt of the notice.

(4) Any peace officer or corrections officer may seize a permit-to-purchase and return it to the issuing permit agent if the permit is held by a person who has been arrested or cited for a crime that can or would otherwise disqualify the person from being issued a permit. The issuing permit agent shall hold the permit for 30 days. If the person is not charged with a crime within the 30 days, the permit agent shall return the permit unless the permit agent revokes the permit as provided in subsection (3) of this section.

(5) A person denied a permit-to-purchase or whose permit is revoked or not renewed may petition the circuit court in the petitioner's county of residence to review the denial, nonrenewal or revocation. The petition must be filed within 30 days after the receipt of the notice of denial or revocation.

(6) The judgment affirming or overturning the permit agent's decision shall be based on whether the petitioner meets the criteria that are used for issuance of a permit-to-purchase and, if the petitioner was denied a permit, whether the permit agent has reasonable grounds for denial under subsection (2) of this section. Whenever the petitioner has been previously sentenced for a crime under ORS 161.610 (Enhanced penalty for use of firearm during commission of felony) or for a crime of violence for which the person could have received a sentence of more than 10 years, the court shall grant relief only if the court finds that relief should be granted in the interest of justice.

(7) Notwithstanding the provisions of ORS 9.320 (Necessity for employment of attorney), a party that is not a natural person, the state or any city, county, district or other political subdivision or public corporation in this state, without appearance by attorney, may appear as a party to an action under this section.

(8) Petitions filed under this section shall be heard and disposed of within 15 judicial days of filing or as soon as practicable thereafter.

(9) Filing fees for actions shall be as for any civil action filed in the court. If the petitioner prevails, the amount of the filing fee shall be paid by the respondent to the petitioner and may be incorporated into the court order.

(10) Initial appeals of petitions shall be heard de novo.

(11) Any party to a judgment under this section may appeal to the Court of Appeals in the same manner as for any other civil action.

(12) If the governmental entity files an appeal under this section and does not prevail, it shall be ordered to pay the attorney fees for the prevailing party.

REQUIRES PERMITS FOR LICENSED DEALER SALES

SECTION 6. ORS 166.412 is amended to read:

(1) As used in this section:

(a) "Antique firearm" has the meaning given that term in 18 U.S.C. 921;

(b) "Department" means the Department of State Police;

(c) "Firearm" has the meaning given that term in ORS 166.210, except that it does not include an antique firearm;

(d) "Firearms transaction record" means the firearms transaction record required by 18 U.S.C. 921 to 929;

(e) "Firearms transaction thumbprint form" means a form provided by the department under subsection (11) of this section;

(f) "Gun dealer" means a person engaged in the business, as defined in 18 U.S.C. 921, of selling, leasing or otherwise transferring a firearm, whether the person is a retail dealer, pawnbroker or otherwise; and

(g) "Purchaser" means a person who buys, leases or otherwise receives a firearm from a gun dealer.

(2) Except as provided in subsection ~~s (3)(c) and~~ (12) of this section, a gun dealer shall comply with the following before a firearm is delivered to a purchaser:

(a) The purchaser shall present to the gun dealer current identification meeting the requirements of subsection (4) of this section **and a valid permit issued under section 4 of this 2022 Act.**

(b) The gun dealer shall complete the firearms transaction record and obtain the signature of the purchaser on the record.

(c) The gun dealer shall obtain the thumbprints of the purchaser on the firearms transaction thumbprint form and attach the form to the gun dealer's copy of the firearms transaction record to be filed with that copy.

(d) The gun dealer shall, ~~request~~ by telephone **or computer, verify that the purchaser has a valid permit-to-purchase a firearm issued under section 4 of this 2022 Act and request** that the department conduct a criminal history record check on the purchaser and shall provide the following information to the department:

(A) The federal firearms license number of the gun dealer;

(B) The business name of the gun dealer;

(C) The place of transfer;

(D) The name of the person making the transfer;

(E) The make, model, caliber and manufacturer's number of the firearm being transferred;

(F) The name and date of birth of the purchaser;

(G) The Social Security number of the purchaser if the purchaser voluntarily provides this number to the gun dealer; and

(H) The type, issuer and identification number of the identification presented by the purchaser.

(e) The gun dealer shall receive a unique approval number for the transfer from the department and record the approval number on the firearms transaction record and on the firearms transaction thumbprint form.

(f) The gun dealer may destroy the firearms transaction thumbprint form five years after the completion of the firearms transaction thumbprint form.

(3)(a) Upon receipt of a request of the gun dealer for a criminal history record check, the department shall immediately, during the gun dealer's telephone call or by return call:

(A) Determine, from criminal records and other information available to it, whether the purchaser is disqualified under ORS 166.470 from completing the purchase; and

(B) Notify the gun dealer when a purchaser is disqualified from completing the transfer or provide the gun dealer with a unique approval number indicating that the purchaser is qualified to complete the transfer.

(b) If the department is unable to determine if the purchaser is qualified or disqualified from completing the transfer within 30 minutes, the department shall notify the gun dealer and provide the gun dealer with an estimate of the time when the

department will provide the requested information.

(c) **The dealer may not transfer the firearm unless the dealer receives a unique approval number from the department and, within 48 hours of completing the transfer, the dealer shall notify the state that the transfer to the permit holder was completed.** ~~[If the department fails to provide a unique approval number to a gun dealer or to notify the gun dealer that the purchaser is disqualified under paragraph (a) of this subsection before the close of the gun dealer's next business day following the request by the gun dealer for a criminal history record check, the gun dealer may deliver the firearm to the purchaser.]~~

(4)(a) Identification required of the purchaser under subsection (2) of this section shall include one piece of current identification bearing a photograph and the date of birth of the purchaser that:

(A) Is issued under the authority of the United States Government, a state, a political subdivision of a state, a foreign government, a political subdivision of a foreign government, an international governmental organization or an international quasi-governmental organization; and

(B) Is intended to be used for identification of an individual or is commonly accepted for the purpose of identification of an individual.

(b) If the identification presented by the purchaser under paragraph (a) of this subsection does not include the current address of the purchaser, the purchaser shall present a second piece of current identification that contains the current address of the purchaser. The Superintendent of State Police may specify by rule the type of identification that may be presented under this paragraph.

(c) The department may require that the gun dealer verify the identification of the purchaser if that identity is in question by sending the thumbprints of the purchaser to the department.

(5) The department shall establish a telephone number that shall be operational seven days a week between the hours of 8 a.m. and 10 p.m. for the purpose of responding to inquiries from gun dealers for a criminal history record check under this section.

(6) No public employee, official or agency shall be held criminally or civilly liable for performing the investigations required by this section provided the employee, official or agency acts in good faith and without malice.

(7)(a) The department may retain a record of the information obtained during a request for a criminal history record check for no more than five years, **except for the information provided to the dealer under subsection (2)(d) of this section, sufficient to reflect each firearm purchased by a permit holder, which must be attached to the electronic record of the permit stored by the department. The department may develop a system for removal of the information in subsection (2)(d)(E) of this section, upon proof of sale or transfer of the firearm to another permit holder and for recording of the information to reflect the transfer of ownership to the permit of the new owner.**

(b) The record of the information obtained during a request for a criminal history record check by a gun dealer is exempt from disclosure under public records law.

(c) If the department determines that a purchaser is prohibited from possessing a firearm under ORS 166.250 (1)(c), the department shall report the attempted transfer, the purchaser's name and any other personally identifiable information to all federal, state and local law enforcement agencies and district attorneys that have jurisdiction over the location or locations where the attempted transfer was made and where the purchaser resides.

(d) If the department determines that, based on the judgment of conviction, the purchaser is prohibited from possessing a firearm as a condition of probation or that the purchaser is currently on post-prison supervision or parole, the department shall report the attempted transfer to the purchaser's supervising officer and the district attorney of the county in which the conviction occurred.

(e) If the department determines that the purchaser is prohibited from possessing a firearm due to a court order described in ORS 166.255 (1)(a), the department shall report the attempted transfer to the court that issued the order.

(f) If the department determines that the purchaser is under the jurisdiction of the Psychiatric Security Review Board, the department shall report the attempted transfer to the board.

(g) Reports required by paragraphs (c) to (f) of this subsection shall be made within 24 hours after the determination is made, unless a report would compromise an ongoing investigation, in which case the report may be delayed as long as necessary to avoid compromising the investigation.

(h) On or before January 31 of each year, a law enforcement agency or a prosecuting attorney's office that received a report pursuant to paragraph (c) of this subsection during the previous calendar year shall inform the department of any action that was taken concerning the report and the outcome of the action.

PAGE - 6 New sections are in **boldfaced** type. Matter in amended sections in **boldfaced** type is new; matter ~~[struck through and bracketed]~~ is intended to be omitted.

(i) The department shall annually publish a written report, based on any information received under paragraph (h) of this subsection, detailing the following information for the previous year:

(A) The number of purchasers whom the department determined were prohibited from possessing a firearm under ORS 166.250 (1)(c), arranged by category of prohibition;

(B) The number of reports made pursuant to paragraph (c) of this subsection;

(C) The number of investigations arising from the reports made pursuant to paragraph (c) of this subsection, the number of investigations concluded and the number of investigations referred for prosecution, all arranged by category of prohibition; and

(D) The number of criminal charges arising from the reports made pursuant to paragraph (c) of this subsection and the disposition of the charges, both arranged by category of prohibition.

(8) A law enforcement agency may inspect the records of a gun dealer relating to transfers of firearms with the consent of a gun dealer in the course of a reasonable inquiry during a criminal investigation or under the authority of a properly authorized subpoena or search warrant.

(9) When a firearm is delivered, it shall be unloaded.

(10) In accordance with applicable provisions of ORS chapter 183, the Superintendent of State Police may adopt rules necessary for:

(a) The design of the firearms transaction thumbprint form;

(b) The maintenance of a procedure to correct errors in the criminal records of the department;

(c) The provision of a security system to identify gun dealers that request a criminal history record check under subsection (2) of this section; and

(d) The creation and maintenance of a database of the business hours of gun dealers.

(11) The department shall publish the firearms transaction thumbprint form and shall furnish the form to gun dealers on application at cost.

(12) This section does not apply to transactions between persons licensed as dealers under 18 U.S.C 923.

(13)(a) If requested by a transferor who is not a gun dealer, a gun dealer may request a criminal background check pursuant to ORS 166.435 or 166.438 and may charge a reasonable fee for providing the service.

(b) A gun dealer that requests a criminal background check under this subsection is immune from civil liability for any use of the firearm by the recipient or transferee, provided that the gun dealer requests the criminal background check as described in this section **and also provided that the dealer verifies that the recipient has a valid permit-to-purchase the firearm and the dealer has received a unique approval number from the department indicating successful completion of the background check.**

(14) Knowingly selling or delivering a firearm to a purchaser or transferee who does not have a valid permit-to-purchase a firearm in violation of subsection 2(d) of this section, or prior to receiving a unique approval number from the department based on the criminal background check in violation of subsection 3(c) of this section, is a Class A misdemeanor.

REQUIRES PERMITS FOR PRIVATE TRANSFERS

SECTION 7. ORS 166.435 is amended to read:

(1) As used in this section:

(a) "Transfer" means the delivery of a firearm from a transferor to a transferee, including, but not limited to, the sale, gift, loan or lease of the firearm. "Transfer" does not include the temporary provision of a firearm to a transferee if the transferor has no reason to believe the transferee is

prohibited from possessing a firearm or intends to use the firearm in the commission of a crime, and the provision occurs:

(A) At a shooting range, shooting gallery or other area designed for the purpose of target shooting, for use during target practice, a firearms safety or training course or class or a similar lawful activity;

(B) For the purpose of hunting, trapping or target shooting, during the time in which the transferee is engaged in activities related to hunting, trapping or target shooting;

(C) Under circumstances in which the transferee and the firearm are in the presence of the transferor;

(D) To a transferee who is in the business of repairing firearms, for the time during which the firearm is being repaired;

(E) To a transferee who is in the business of making or repairing custom accessories for firearms, for the time during which the accessories are being made or repaired; or

(F) For the purpose of preventing imminent death or serious physical injury, and the provision lasts only as long as is necessary to prevent the death or serious physical injury.

(b) "Transferee" means a person who is not a gun dealer or licensed as a manufacturer or importer under 18 U.S.C. 923 and who intends to receive a firearm from a transferor.

(c) "Transferor" means a person who is not a gun dealer or licensed as a manufacturer or importer under 18 U.S.C. 923 and who intends to deliver a firearm to a transferee.

(2) Except as provided in ORS 166.436 and 166.438 and subsection (4) of this section, a transferor may not transfer a firearm to a transferee unless the transfer is completed through a gun dealer as described in subsection (3) of this section.

(3)(a) A transferor may transfer a firearm to a transferee only as provided in this section. Except as provided in paragraph (b) of this subsection, prior to the transfer both the transferor and the transferee must appear in person before a gun dealer, with the firearm **and a valid permit-to-purchase issued to the transferee under section 4 of this 2022 Act**, and request that the gun dealer perform a criminal background check on the transferee.

(b) If the transferor and the transferee reside over 40 miles from each other, the transferor may ship or deliver the firearm to a gun dealer located near the transferee or a gun dealer designated by the transferee, and the transferor need not appear before the gun dealer in person.

(c) A gun dealer who agrees to complete a transfer of a firearm under this section shall request a criminal history record check on the transferee as described in ORS 166.412 and shall comply with all requirements of federal law.

(d) If, upon completion of a criminal background check, the gun dealer:

(A) Receives a unique approval number from the Department of State Police indicating that the transferee is qualified to complete the transfer, the gun dealer shall notify the transferor, enter the firearm into the gun dealer's inventory and transfer the firearm to the transferee.

(B) Receives notification that the transferee is prohibited by state or federal law from possessing or receiving the firearm **or that the department is unable to determine if the transferee is qualified or disqualified from completing the transfer**, the gun dealer shall notify the transferor and neither the transferor nor the gun dealer shall transfer the firearm to the transferee. If the transferor shipped or delivered the firearm to the gun dealer pursuant to paragraph (b) of this subsection, the gun dealer shall comply with federal law when returning the firearm to the transferor.

(e) A gun dealer may charge a reasonable fee for facilitating a firearm transfer pursuant to this section.

(4) The requirements of subsections (2) and (3) of this section do not apply to:

(a) The transfer of a firearm by or to a law enforcement agency, or by or to a law enforcement officer, private security professional or member of the Armed Forces of the United States, while that person is acting within the scope of official duties.

(b) The transfer of a firearm as part of a firearm turn-in or buyback event, in which a law enforcement agency receives or purchases firearms from members of the public.

(c) The transfer of a firearm to:

(A) A transferor's spouse or domestic partner;

(B) A transferor's parent or stepparent;

(C) A transferor's child or stepchild;

(D) A transferor's sibling;

(E) A transferor's grandparent;

(F) A transferor's grandchild;

(G) A transferor's aunt or uncle;

(H) A transferor's first cousin;

(I) A transferor's niece or nephew; or

(J) The spouse or domestic partner of a person specified in subparagraphs (B) to (I) of this paragraph.

(d) The transfer of a firearm that occurs because of the death of the firearm owner, provided that:

(A) The transfer is conducted or facilitated by a personal representative, as defined in ORS 111.005, or a trustee of a trust created in a will; and

(B) The transferee is related to the deceased firearm owner in a manner specified in paragraph (c) of this subsection.

(5)(a) A transferor who fails to comply with the requirements of this section commits a Class A misdemeanor.

(b) Notwithstanding paragraph (a) of this subsection, a transferor who fails to comply with the requirements of this section commits a Class B felony if the transferor has a previous conviction under this section at the time of the offense.

REQUIRES PERMITS FOR ALL TRANSFERS AT GUN SHOWS

SECTION 8. ORS 166.436 is amended to read:

(1) The Department of State Police shall make the telephone number established under ORS 166.412 (5) available for requests for criminal background checks under this section from persons who are not gun dealers and who are transferring firearms at gun shows.

(2) Prior to transferring a firearm at a gun show, a transferor who is not a gun dealer ~~[may request]~~ **shall** by telephone **verify that the transferee has a valid permit-to-purchase a firearm under section 4 of this 2022 Act and request** that the department conduct a criminal background check on the recipient upon providing the following information to the department:

- (a) The name , address and telephone number of the transferor;
- (b) The make , model, caliber and manufacturer's number of the firearm being transferred;
- (c) The name, date of birth , race, sex and address of the recipient ;
- (d) The Social Security number of the recipient if the recipient voluntarily provides that number ;
- (e) The address of the place where the transfer is occurring; and
- (f) The type, issuer and identification number of a current piece of

identification bearing a recent photograph of the recipient presented by the recipient. The identification presented by the recipient must meet the requirements of ORS 166.412 (4)(a).

(3)(a) Upon receipt of a request for a criminal background check under this section, the department shall immediately, during the telephone call or by return call:

(A) Determine from criminal records and other information available to it whether the recipient is disqualified under ORS 166.470 from completing the transfer or is otherwise prohibited by state or federal law from possessing a firearm; and

(B) Notify the transferor when a recipient is disqualified from completing the transfer or provide the transferor with a unique approval number indicating that the recipient is qualified to complete the transfer. The unique approval number is a permit valid for 24 hours for the requested transfer. If the firearm is not transferred from the transferor to the recipient within 24 hours after receipt of the unique approval number, a new request must be made by the transferor.

(b) If the department is unable to determine whether the recipient is qualified for or disqualified from completing the transfer within 30 minutes of receiving the request , the department shall notify the transferor and provide the transferor with an estimate of the time when the department will provide the requested information.

(c) The transferor may not transfer the firearm unless the transferor receives a unique approval number from the department and, within 48 hours of the completed transfer, the transferor shall notify the state that the transfer to the permit holder was completed.

(4) A public employee or public agency incurs no criminal or civil liability for performing the criminal background checks required by this section, provided the employee or agency acts in good faith and without malice.

(5)(a) The department may retain a record of the information obtained during a request for a criminal background check under this section for the period of time provided in ORS 166.412 (7), **as amended by this 2022 Act.**

(b) The record of the information obtained during a request for a criminal background check under this section is exempt from disclosure under public records law.

(c) If the department determines that a recipient is prohibited from possessing a firearm under ORS 166.250 (l)(c), the department shall report the attempted transfer, the recipient's name and any other personally identifiable information to all federal, state and local law enforcement agencies and district attorneys that have jurisdiction over the location or locations where the attempted transfer was made and where the recipient resides.

(d) If the department determines that, based on the judgment of conviction, the recipient is prohibited from possessing a firearm as a condition of probation or that the recipient is currently on post-prison supervision or parole, the department shall report the attempted transfer to the recipient's supervising officer and the district attorney of the county in which the conviction occurred.

(e) If the department determines that the recipient is prohibited from possessing a firearm due to a court order described in ORS 166.255 (1)(a), the department shall report the attempted transfer to the court that issued the order.

(f) If the department determines that the recipient is under the jurisdiction of the Psychiatric Security Review Board, the department shall report the attempted transfer to the board.

(g) Reports required by paragraphs (c) to (f) of this subsection shall be made within 24 hours after the determination is made, unless a report would compromise an ongoing investigation, in which case the report may be delayed as long as necessary to avoid compromising the investigation.

(h) On or before January 31 of each year, a law enforcement agency or a prosecuting attorney's office that received a report pursuant to paragraph (c) of this subsection during the previous calendar year shall inform the department of any action that was taken concerning the report and the outcome of the action.

(i) The department shall annually publish a written report, based on any information received under paragraph (h) of this subsection, detailing the following information for the previous year:

(A) The number of recipients whom the department determined were prohibited from possessing a firearm under ORS 166.250 (1)(c), arranged by category of prohibition;

(B) The number of reports made pursuant to paragraph (c) of this subsection;

(C) The number of investigations arising from the reports made pursuant to paragraph (c) of this subsection, the number of investigations concluded and the number of investigations referred for prosecution, all arranged by category of prohibition; and

(D) The number of criminal charges arising from the reports made pursuant to paragraph (c) of this subsection and the disposition of the charges, both arranged by category of prohibition.

(6) The recipient of the firearm must be present when the transferor requests a criminal back-ground check under this section.

(7)(a) Except as otherwise provided in paragraph (b) of this subsection, a transferor who receives notification under this section that the recipient is qualified to complete the transfer of a firearm, has the recipient fill out the form required by ORS 166.438 (1)(a) and retains the form as required by ORS 166.438 (2) is immune from civil liability for any use of the firearm from the time of the transfer unless the transferor knows, or reasonably should know, that the recipient is likely to commit an unlawful act involving the firearm.

(b) The immunity provided by paragraph (a) of this subsection does not apply:

(A) If the transferor knows, or reasonably should know, that the recipient of the firearm intends to deliver the firearm to a third person who the transferor knows, or reasonably should know, may not lawfully possess the firearm; or

(B) In any product liability civil action under ORS 30.900 to 30.920.

REQUIRES PERMITS FOR ALL TRANSFERS AT GUN SHOWS (2015 Amendment)

SECTION 9. ORS 166.438 is amended to read:

(1) A transferor who is not a gun dealer may not transfer a firearm at a gun show unless the transferor:

(a)(A) Verifies with the department that the recipient has a valid permit-to-purchase issued under section 4 of this 2022 Act;

~~(A)B~~ Requests a criminal background check under ORS 166.436 prior to completing the transfer;

~~(B)C~~ Receives a unique approval number from the department indicating that the recipient is qualified to complete the transfer; and

~~(C)D~~ Has the recipient complete the form described in ORS 166.441; or

(b) Completes the transfer through a gun dealer.

(2) The transferor shall retain the completed form referred to in subsection (1) of this section for at least five years and shall make the completed form available to law enforcement agencies for the purpose of criminal investigations.

(3) A person who organizes a gun show shall post in a prominent place at the gun show a notice explaining the requirements of subsections (1) and (2) of this section. The person shall provide the form required by subsection (1) of this section to any person transferring a firearm at the gun show.

(4) Subsection (1) of this section does not apply if the transferee is licensed as a dealer under 18 U.S.C. 923.

(5)(a) Failure to comply with the requirements of subsection (1), (2) or (3) of this section is a Class A misdemeanor.

(b) Notwithstanding paragraph (a) of this subsection, failure to comply with the requirements of subsection (1), (2) or (3) of this section is a Class C felony if the person has two or more previous convictions under this section **at the time of the offense.**

(6) It is an affirmative defense to a charge of violating subsection (1) or (3) of this section that the person did not know, or reasonably could not know, that more than 25 firearms were at the site and available for transfer.

SECTION 10. The amendments to ORS 166.412, 166.435, 166.436 and 166.438 by sections 3 to 9 of this 2022 Act apply to firearm transfers conducted on or after the effective date of this 2022 Act.

PROHIBITIONS/EXCEPTIONS TO LARGE-CAPACITY MAGAZINES

SECTION 11. (1) As used in this section:

(a) "Armed Forces of the United States" has the meaning given that term in ORS 348.282.

(b) "Detachable magazine" means an ammunition feeding device that can be loaded or unloaded while detached from a firearm and readily inserted in a firearm;

(c) "Fixed magazine" means an ammunition feeding device contained in or permanently attached to a firearm in such a manner that the device cannot be removed without disassembly of the firearm action;

(d) "Large-capacity magazine" means a fixed or detachable magazine, belt, drum, feed strip, helical feeding device, or similar device, including any such device joined or coupled with another in any manner, or a kit with such parts, that has an overall capacity of, or that can be readily restored, changed, or converted to accept, more than 10 rounds of ammunition and allows a shooter to keep firing without having to pause to reload, but does not include any of the following:

(A) An ammunition feeding device that has been permanently altered so that it is not capable, now or in the future, of accepting more than 10 rounds of ammunition;

(B) An attached tubular device designed to accept, and capable of operating only with 0.22 caliber rimfire ammunition; or

(C) A tubular ammunition feeding device that is contained in a lever-action firearm.

(e) "Loaded" has the meaning given that term in ORS 166.360;

(f) "Person" means any natural person, corporation, partnership, fire or association.

(2) Notwithstanding ORS 166.250 to 166.470, and except as expressly provided in subsections (3) to (5) of this section, a person commits the crime of unlawful manufacture, importation, possession, use, purchase, sale or otherwise transferring of large-capacity magazines if the person manufactures, imports, possesses, uses, purchases, sells or otherwise transfers any large-capacity magazine in Oregon on or after the effective date of this 2022 Act.

(3) Subsection (2) of the section does not apply during the first 180 days following the effective date of this 2022 Act, with respect to:

(a) A licensed gun dealer that within 180 days of the effective date of this 2022 Act:

(A) Transfers or sells the large-capacity magazines in the gun dealer's inventory to a non-resident gun dealer or other transferee outside of this state;

(B) Purchases or acquires temporary custody from an owner of any large-capacity magazine for permanent removal from this state within the 180 days of the effective date of this 2022 Act;

(C) Permanently alters any large-capacity magazine in the gun dealer's inventory or custody so that it is not capable, upon alteration or in the future, of accepting more than 10 rounds of ammunition or permanently alter the magazine so it is no longer a; or

(D) Permanently disposes of the large-capacity magazines in the gun dealer's custody or inventory.

(b) A firearms manufacturer, properly licensed under federal, state and local law, that is a party to a contract, in existence and binding on the effective date of this 2022 Act, with an entity outside of this state, for the manufacture of large-capacity magazines, provided that:

(A) All manufacturing is completed no later than 180 days after the effective date of this 2022 Act; and

(B) The entity outside of Oregon receiving the large-capacity magazines is made aware in writing on or before the delivery of the ammunition devices of the restrictions pertaining to large-capacity magazines in this state as set forth in this 2022 Act.

(4) Subsection (2) of the section does not apply at any time to:

(a) A firearms manufacturer properly licensed under federal, state and local law that manufactures large-capacity magazines, provided:

(A) The manufacturing is for exclusive sale or transfer to the Armed Forces of the United States or a law enforcement agency and solely for authorized use by that entity related to the official duties of the entity; and

(B) Any large-capacity magazine, permitted to be manufactured under paragraph (a)(A) of this subsection after the effective date of this 2022 Act, shall include a permanent stamp or marking indicating that the large-capacity magazine was manufactured or assembled after the effective date of this 2022 Act. The stamp or marking must be legibly and conspicuously engraved or cast upon the outer surface of the large-capacity magazine. The department may promulgate such rules as may be necessary for the implementation of this section, including but not limited to rules requiring such large-capacity magazine be stamped with information indicating the limitation for use only by military and law enforcement or such other identification to distinguish clearly large-capacity magazines manufactured after the effective date of this 2022 Act. Except as provided in paragraph (3)(b) of this section, no large-capacity magazines without such stamp may be manufactured in this state after the effective date of this Act.

(b) A licensed gun dealer that sells or otherwise transfers large-capacity magazines to the Armed Forces of the United States or a law enforcement agency solely for authorized use by that entity, provided the large-capacity magazines have been engraved as provided in paragraph (a)(B) of this subsection.

(c) Any government officer, agent or employee, member of the Armed Forces of the United States or peace officer, as that term is defined in ORS 133.005, that is authorized to acquire, possess or use a large-capacity magazine provided that any acquisition, possession or use is related directly to activities within the scope of that person's official duties.

(5) As of the effective date of this 2022 Act, it shall be an affirmative defense, as provided in ORS 166.055, to the unlawful possession, use and transfer of a large-capacity magazine in this state by any person, provided that:

(a) The large-capacity magazine was owned by the person before the effective date of this 2022 Act and maintained in the person's control or possession; or

(b) The possession of a large-capacity magazine was obtained by a person who, on or after the effective date of this section, acquired possession of the large-capacity magazine by operation of law upon the death of a former owner who was in legal possession of the large-capacity magazine; and

(c) In addition to either (a) or (b) of this subsection the owner has not maintained the large-capacity magazine in a manner other than:

(A) On property owned or immediately controlled by the registered owner;

(B) On the premises of a gun dealer or gunsmith licensed under 18 U.S.C. 923 for the purpose of lawful service or repair;

(C) While engaging in the legal use of the large-capacity magazine, at a public or private shooting range or shooting gallery or for recreational activities such as hunting, to the extent permitted under state law; or

(D) While participating in firearms competition or exhibition, display or educational project about firearms sponsored, conducted by, approved or under the auspices of a law enforcement agency or a national or state-recognized entity that fosters proficiency in firearms use or promotes firearms education; and

(E) While transporting any large-capacity magazines in a vehicle to one of the locations authorized in paragraphs (c)(A) to (D) of this subsection, the large-capacity magazine is not inserted into the firearm and is locked in a separate container.

(d) The person has permanently and voluntarily relinquished the large-capacity magazine to law enforcement or to a buyback or turn-in program approved by law enforcement, prior to commencement of prosecution by arrest, citation or a formal charge.

(6) Unlawful manufacture, importation, possession, use, purchase, sale or otherwise transferring of a large-capacity magazine is a class A misdemeanor.

SECTION 12. If any provision of this 2022 Act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable. The people hereby declare that they would have adopted this Chapter, notwithstanding the unconstitutionality, invalidity and ineffectiveness of any one of its articles, sections, subsections, sentences or clauses.

SECTION 13. The provisions of this 2022 Act apply to all actions taken on or after the effective date of this 2022 Act, unless expressly stated otherwise herein. This 2022 Act may be known and cited as the Reduction of Gun Violence Act.



City of Central Point Staff Report to Council

ISSUE SUMMARY

TO: City Council **DEPARTMENT:** Public Works

FROM: Matt Samitore, Parks and Public Works Director

MEETING DATE: August 25, 2022

SUBJECT: Discussion of Little League Construction Update

ACTION REQUIRED: Information/Direction **RECOMMENDATION:** Not Applicable

BACKGROUND INFORMATION:

The City Consultants, RH2 Engineering, will present an update to the current design plans, including an update and schedule on Phase 1 of the construction. Phase 1 will consist of a new waterline, sewer extension, and power upgrades to the facility. The current plan is the fall of this year.

FINANCIAL ANALYSIS:

Phase 1 will consist of a new waterline, sewer line extension, and possibly power upgrades. The estimated cost will be presented at the meeting.

LEGAL ANALYSIS:

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

Recreation; Goal 3 - Provide high-quality, age-appropriate recreation programs that benefit all residents of our community. Strategies: (b). Pursue the development and implementation of comprehensive recreation programs in cooperation with governmental bodies/agencies and athletic/recreation organizations

STAFF RECOMMENDATION:

N/A

RECOMMENDED MOTION:

N/A

ATTACHMENTS:

1. Project Update - 08-25-22



08-25-2022

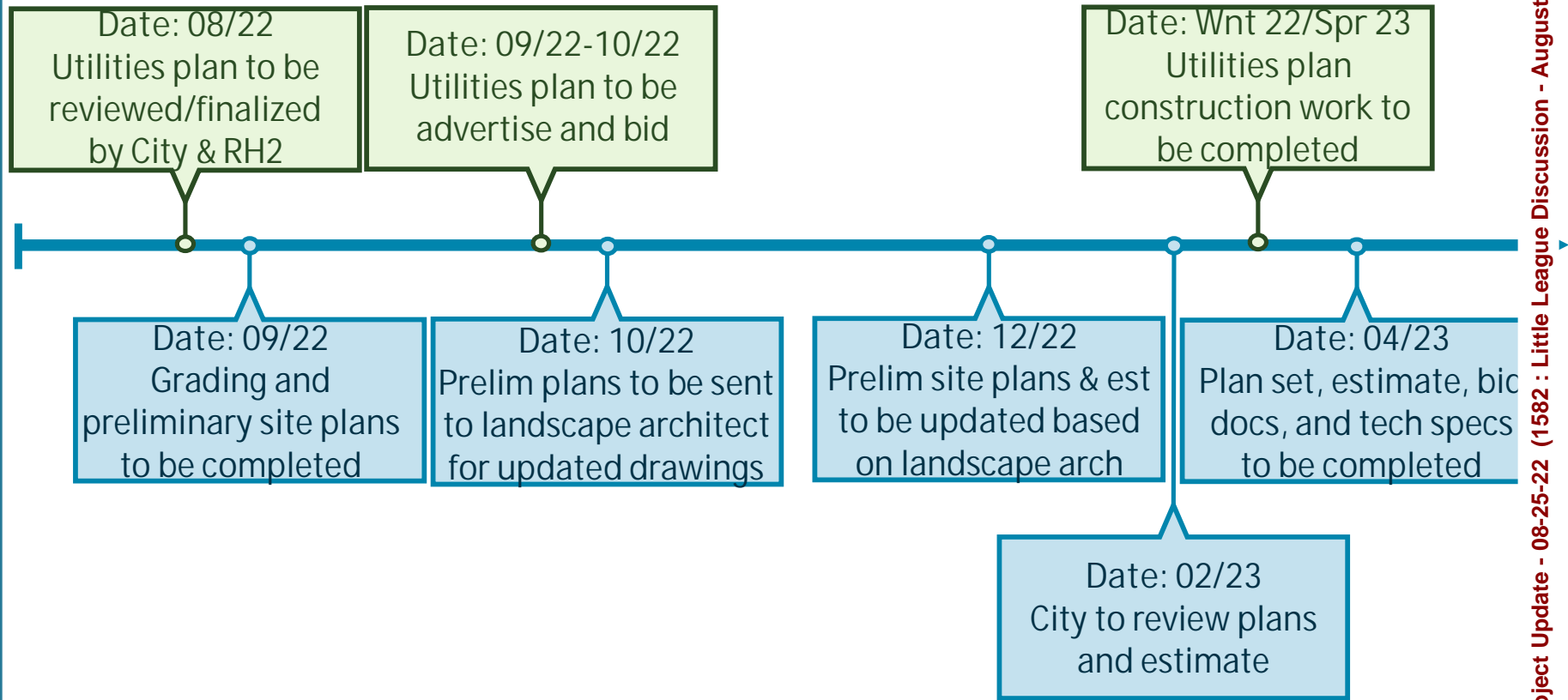


CENTRAL POINT HANLEY ROAD LITTLE LEAGUE FIELDS

RH2 Engineering – Jeff Ballard

Attachment: Project Update - 08-25-22 (1582 : Little League Discussion - August 2022)


Timeline



Attachment: Project Update - 08-25-22 (1582 : Little League Discussion - August 2022)



Utilities Plan




CITY OF CENTRAL POINT

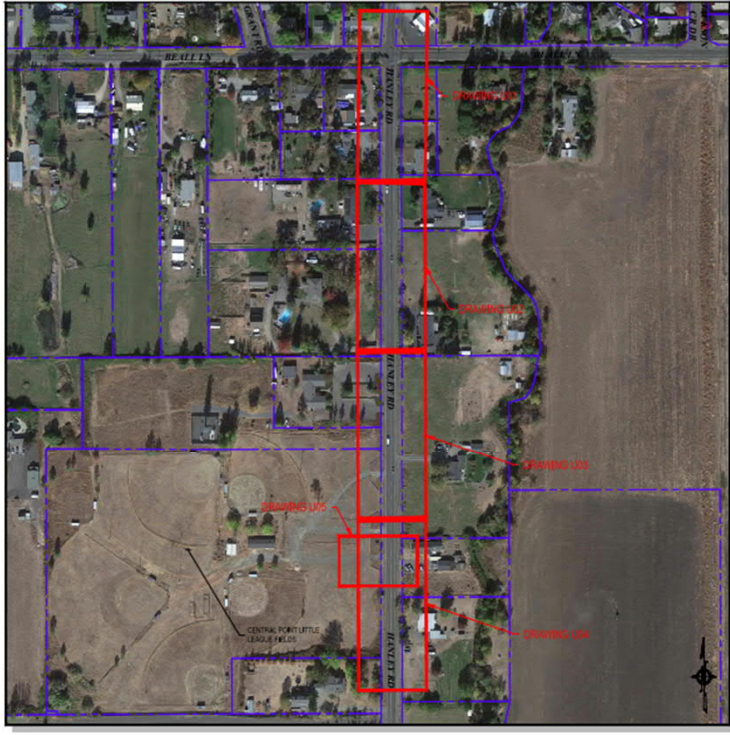
HANLEY BASEBALL COMPLEX - PHASE 1 (UTILITIES)

WINTER 2023

PROJECT VICINITY MAP



PROJECT LOCATION MAP



DRAWING INDEX

Sheet Number	Sheet Title	Day No
01	CORR	0001
02	GENERAL NOTES	0001
03	UTILITIES PLAN & PROFILE - SHEET 1 OF 6	001
04	UTILITIES PLAN & PROFILE - SHEET 2 OF 6	002
05	UTILITIES PLAN & PROFILE - SHEET 3 OF 6	003
06	UTILITIES PLAN & PROFILE - SHEET 4 OF 6	004
07	UTILITIES PLAN & PROFILE - SHEET 5 OF 6	005
08	UTILITIES PLAN & PROFILE - SHEET 6 OF 6	006
09	DETAILS - SHEET 1 OF 3	001
10	DETAILS - SHEET 2 OF 3	002
11	DETAILS - SHEET 3 OF 3	003

CONTACT PERSONNEL

CONTACT	AGENCY	PHONE
JEFF BALLARD, P.E.	RHQ ENGINEERING	541-351-1505
ANDREW PAULDA	RHQ ENGINEERING	541-483-7855
GREG GARVES	CITY OF CENTRAL POINT	541-884-3321 EXT. 225
KECI BARKER	ROAD	541-483-5330
ERIC CHASE	CHARTER	541-210-9827
RYLAN WOOD	PACIFIC POWER	541-855-3254
SHANE WILKINSON	AVISTA	503-641-4055
CAMERON ORTETA	CENTURY LINK	541-324-0549

SECTION AND DETAIL REFERENCES

THE FOLLOWING CONVENTIONS HAVE BEEN USED WITHIN THESE DRAWINGS TO REFER THE READER BETWEEN THE SECTION/DETAIL AND THE PLAN FROM WHICH IT IS REFERENCED. REFERENCE BUBBLES:

- PLAN REFERENCE BUBBLE - REFERS READER BACK TO THE PLAN FROM WHICH THE DETAIL, OR SECTION ORIGINATED.
- DETAIL/SECTION REFERENCE BUBBLE - REFERS READER TO THE DRAWING ON WHICH THE DETAIL, OR SECTION IS LOCATED.

WHERE: ID = SECTION/DETAIL REFERENCE NUMBER
M = DRAWING NUMBER ON WHICH DETAIL ORIGINATED OR RECALLED.

SECTION/DETAIL REFERENCE NUMBER CONVENTIONS:
SECTION OR DETAIL NUMBER SHOULD HAVE A LETTER REFERENCE NUMBER (A THROUGH Z).

SURVEY NOTES

- TOPOGRAPHIC SURVEY WAS PERFORMED BY NEATHAMBER SURVEYING, INC. WITH DRAWINGS COMPLETED ON FEBRUARY 18, 2023.
- THE BAKES OF HORIZONTAL CONTROL FOR THIS SURVEY IS CORS GRANTS PRAIRIE/ASHLAND ZONE MARS (2011) EPOCH2011.0.
- THE BAKES OF VERTICAL CONTROL FOR THE SURVEY IS NAVD83.
- ONE CALL UTILITY LOCATE NUMBER: XXXXXXXX.



CALL 48 HOURS BEFORE YOU DIG ONE CALL 811

ATTENTION: OREGON LAW REQUIRES YOU TO FOLLOW RULES ADOPTED BY THE OREGON UTILITY INFORMATION CENTER. THESE RULES ARE SET FORTH IN OUR REGULATIONS THROUGH OUR WEBSITE. YOU MAY OBTAIN COPIES OF THE RULES BY CALLING THE CENTER AT 800.225.1878.

REPORT SPILLS

ATTENTION: OREGON LAW REQUIRES THAT SPILLS BE REPORTED TO THE FOLLOWING ENTITIES:

OREGON EMERGENCY RESPONSE SYSTEM: 1-800-452-2111
THE NATIONAL RESPONSE CENTER: 1-800-424-9522

Aug. 9, 2023
WALTON, OREGON

GENERAL NOTES

Sheet Title	Day No
SHEET 1 OF 6	001
SHEET 2 OF 6	002
SHEET 3 OF 6	003
SHEET 4 OF 6	004
SHEET 5 OF 6	005
SHEET 6 OF 6	006
DETAILS - SHEET 1 OF 3	001
DETAILS - SHEET 2 OF 3	002

Original Layout



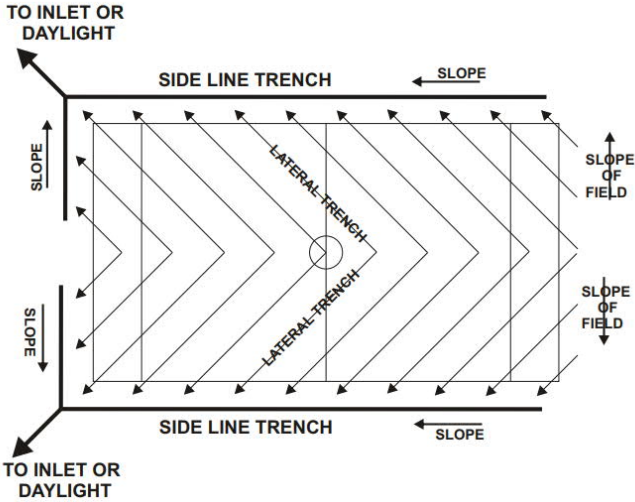
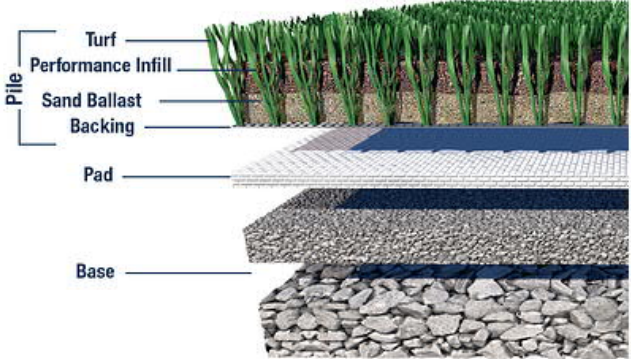
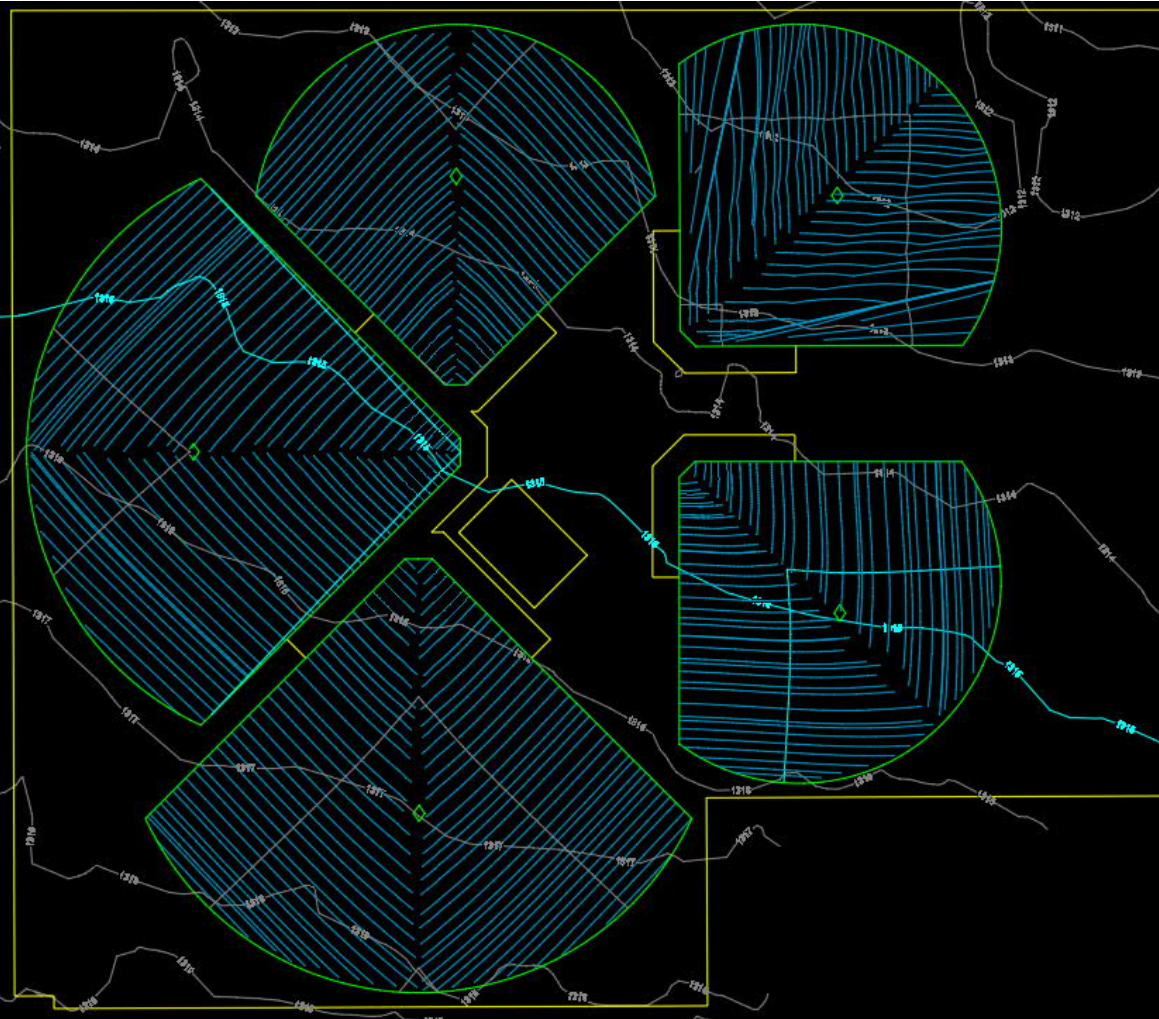
Attachment: Project Update - 08-25-22 (1582 : Little League League Discussion - August 2022)

Revised Layout

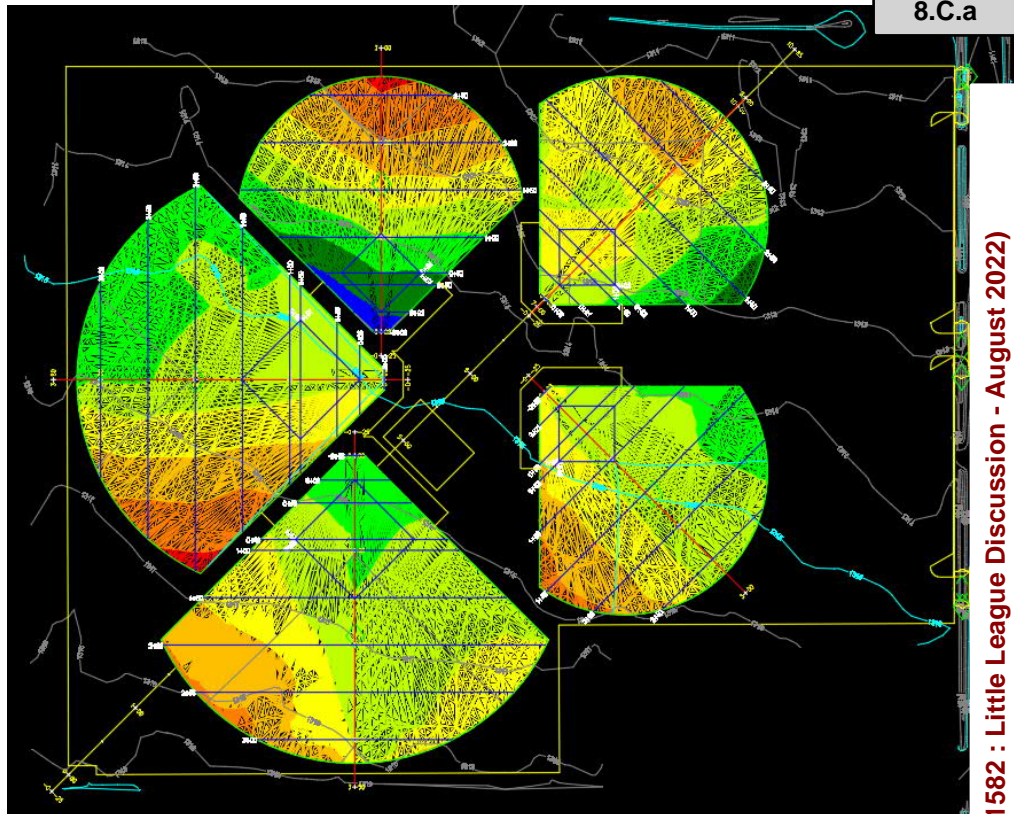


Attachment: Project Update - 08-25-22 (1582 : Little League Discussion - August 2022)

Grading/Drainage

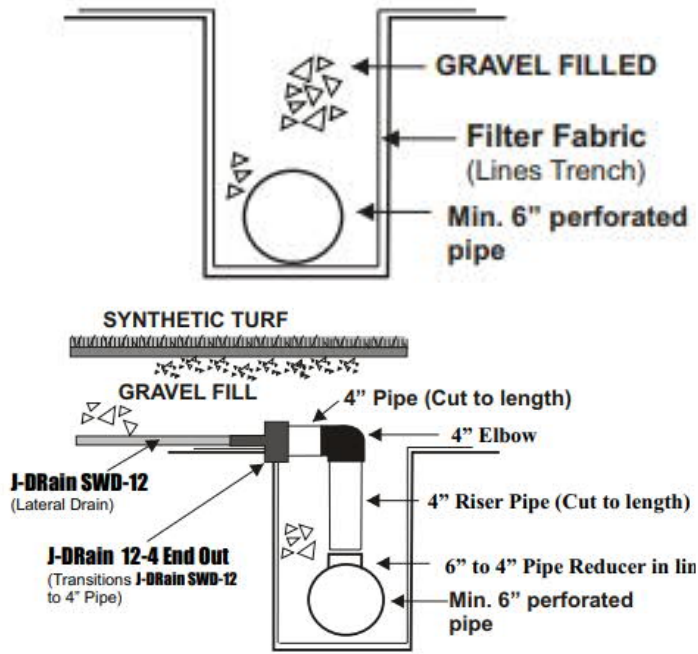


Grading/ Drainage



Attachment: Project Update - 08-25-22 (1582 : Little League Discussion - August 2022)

Grading/Drainage



Attachment: Project Update - 08-25-22 (1582 : Little League Discussion - August 2022)

Next Design Steps



Step 1

- Finalize field grading/drainage
- Update preliminary design estimate

Step 2

- Finalize landscaping
- Grade landscaping areas

Step 3

- Detail drawings

Step 4

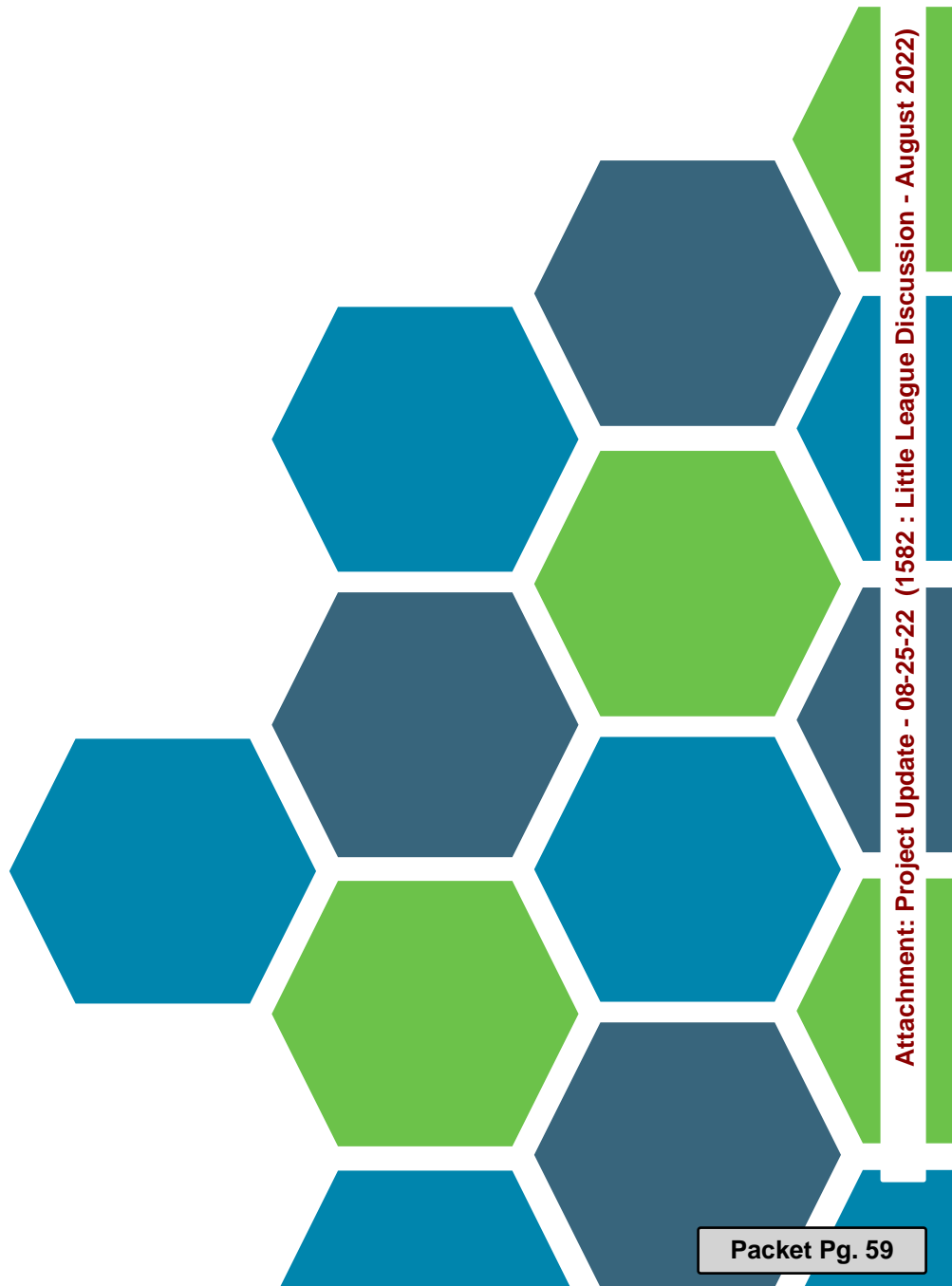
- QA/QC
- Send out preliminary design to City for review



Attachment: Project Update - 08-25-22 (1582 : Little League Discussion - August 2022)



Questions?



Attachment: Project Update - 08-25-22 (1582 : Little League Discussion - August 2022)