

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

City Council

Mayor
Hank Williams

Ward I
Bruce Dingler

Ward II
Michael Quilty

Ward III
Brandon Thueson

Ward IV
Allen Broderick

At Large
Rick Samuelson
Tanea Browning

Administration
Chris Clayton, City
Manager
Deanna Casey, City
Recorder

**Community
Development**
Tom Humphrey,
Director

Finance
Bev Adams, Director

Human Resources
Barb Robson, Director

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

Police
Kris Allison Chief

**CITY OF CENTRAL POINT
City Council Meeting Agenda
May 14, 2015**

Next Res. 1421
Next Ord. 2006

- I. **REGULAR MEETING CALLED TO ORDER – 7:00 P.M.**
- II. **PLEDGE OF ALLEGIANCE**
- III. **ROLL CALL**
- IV. **PUBLIC APPEARANCES** – *Comments will be limited to 3 minutes per individual or 5 minutes if representing a group or organization.*

V. CONSENT AGENDA

- Page 2 - 8 A. Approval of April 9, 2015 Council Minutes
9- 15 B. Acceptance of Third Quarter Financial Statement

VI. ITEMS REMOVED FROM CONSENT AGENDA

VII. PUBLIC HEARING, ORDINANCES, AND RESOLUTIONS

- 17 - 24 A. Public Hearing, First Reading – An Ordinance Amending the Central Point Municipal Code to Add Section 3.25 Park Utility Fee Regarding the Adoption of a Parks Utility Fee for Maintenance of City Parks (Samitore)
- 26 - 32 B. Public Hearing, First Reading – An Ordinance Amending the Central Point Municipal Code to Add Section 3.26 Public Safety Fee Regarding the Adoption of a Public Safety Fee for Increased Funding of Public Safety (Clayton)
- 34 - 36 C. Public Hearing, First Reading – An Ordinance Creating Chapter 1.04.060 Uniform Appeal and Hearing Procedure for Central Point Municipal Code (Clayton)

- 38 - 47 D. Public Hearing, First Reading - An Ordinance Amending Title 8 of the Central Point Municipal Code, by Adding Chapter 8.45 Homegrown and Medical Marijuana (Humphrey)
- 49 - 52 E. Ordinance No. _____, An Ordinance Amending the Central Point Zoning Map at 3292 Grant Road from Residential Single Family (R-1-10) to Residential Single Family (R-1-8)(Humphrey)

VIII. BUSINESS

- 54 A. Parks and Recreation Commission Report (Samitore)
- 56 B. Planning Commission Report (Humphrey)

IX. MAYOR'S REPORT

X. CITY MANAGER'S REPORT

XI. COUNCIL REPORTS

XII. DEPARTMENT REPORTS

XIII. EXECUTIVE SESSION - ORS 192.660(2)(h) Legal Counsel

The City Council will adjourn to executive session under the provisions of ORS 192.660(2)(h) legal counsel. Under the provisions of the Oregon Public Meetings Law, the proceedings of an executive session are not for publication or broadcast.

XIV. ADJOURNMENT

Consent Agenda

CITY OF CENTRAL POINT
City Council Meeting Minutes
April 9, 2015

- i. **Oath of Office** – Mayor Williams presented the Oath of Office to Taneea Browning for the vacant At-Large Council position. Mrs. Browning took a seat at the Council table.
-

I. REGULAR MEETING CALLED TO ORDER

Mayor Williams called the meeting to order at 7:02 p.m.

II. PLEDGE OF ALLEGIANCE

- III. ROLL CALL:** Mayor: Hank Williams
 Council Members: Allen Broderick, Bruce Dingler, Brandon Thueson, Rick Samuelson, and Mike Quilty were present.

City Manager Chris Clayton; City Attorney Sydnee Dreyer; Police Chief Kris Allison; Community Planner II Stephanie Holtey; Parks and Public Works Director Matt Samitore; and City Recorder Deanna Casey were also present.

IV. PUBLIC APPEARANCES

Linda Reel, Citizens Advisory Committee (CAC) member
Mrs. Reel commented that she enjoys being on the CAC. She stated that she is concerned about the future of the Central Point Cemetery and would like to see a plan to continue the maintenance on the property.

Kay Harrison, Planning Commission Member
Mrs. Harrison stated that she is concerned about the Vietnam Memorial going in Don Jones Memorial Park. She was on the City Council when the park was being planned and is concerned that this additional memorial would take up too much of the green space at the Park. It is a busy park and a draw for citizens all over the valley. She does not want to see all the open space taken up by an additional memorial structure. She appreciates that they would want to put the Vietnam Memorial in Central Point but would like to see citizen involvement before the plans are finalized.

V. CONSENT AGENDA

- A. Approval of March 12, 2015 City Council Minutes
- B. Approval of National Service Day Proclamation
- C. Award of City Engineer and Contract Engineers
- D. Approval of Surplus Property List

Mike Quilty moved to approve the Consent Agenda as presented. Brandon Thueson seconded. Roll call: Hank Williams, yes; Bruce Dingler, yes; Brandon

Thueson, yes; Allen Broderick, yes; Taneea Browning, yes; Rick Samuelson, yes; and Mike Quilty, yes. Motion approved.

VI. ITEMS REMOVED FROM CONSENT AGENDA - None

VII. PUBLIC HEARINGS, ORDINANCES AND RESOLUTIONS

A. Resolution No. 1420, A Resolution of the City of Central Point Setting Miscellaneous Water Fees and Street Light Fees

Parks and Public Works Director Matt Samitore explained that the proposed resolution authorizes two new fees. At previous meetings Council directed staff to return with fees for the backflow prevention program and decorative lights. The proposed fees will begin January 2016.

The Backflow prevention fee will be \$1.00 a month for those residents that currently have registered backflow devices registered with the city. This fee will help keep the cost of the annual maintenance check low for all involved. Residents that do not have a registered backflow device will pay \$0.25 per month. It was decided that all citizens benefit from the backflow testing. Commercial, industrial and other high risk properties would not be part of this program and would continue to be required to do an annual test on their own. There are separate state rules for the larger devices. The State of Oregon has given the city a warning regarding the backflow annual checks. We must do a better job at requiring the devices to be checked annually.

The Council recommended waiving the fee associated with putting in a backflow device when property owners have irrigation systems installed. It was discussed that it can be a time consuming and expensive process when installing a backflow. Staff agreed that there may be some promotional items that we can do to encourage people to install the device and register with the city.

The Decorative Street light fee will only be charged to the properties in subdivisions with decorative streetlights. These streetlights are the responsibility of the City to replace when they are damaged. This fee will be \$0.25 per month for new subdivisions that are required to have decorative street lights. The existing subdivisions will have a 5 year walk in program. The schedule will start at \$.05 the first year and increase by \$.05 each year for 5 years.

There was discussion about the Pacific Power Franchise Fee. Mr. Samitore explained that the fee collected for this franchise agreement pays only for the power to light the street lights. It does not have enough funds to cover replacement of the lights. The tall crane neck poles belong to Pacific Power, if something happens to them it is the responsibility of Pacific Power to change the bulbs or the structure. The city is responsible for decorative lights only. This fee would allow the city to recover the costs associated with maintaining the lights. The fee would not support staff time associated with servicing those lights.

Bruce Dingler moved to approve Resolution No. 1420, A Resolution of the City of Central Point Setting Miscellaneous Water Fees and Street Light Fees. Rick Samuelson seconded. Roll call: Hank Williams, yes; Bruce Dingler, yes; Taneea Browning, yes; Brandon Thueson, yes; Allen Broderick, yes; Rick Samuelson, yes; and Mike Quilty, yes. Motion approved.

B. Ordinance No. 2005, Amending CPMC Chapter 13.37, C-2(M); Chapter 17.44, C-4 and Chapter 17.46, C-5, Allowing Medical Marijuana Dispensaries as a Conditional Use and Declaring an Emergency.

City Attorney Sydnee Dreyer explained that the City Council adopted changes to Title 5 which specifies the conditions under which medical marijuana dispensaries may be allowed in specific zoning districts. They also approved the requirements that would allow this to be a conditional use in these zones.

The proposed ordinance reinforces the Council's action by adding language to the zoning chapter's specific for this use. The zoning amendments were sent to the Department of Land Conservation and Development for their review and comment. The City received neither guidance nor objection. The Planning Commission conducted a public hearing on March 4, 2014 and no one spoke either in support or in opposition to the amendment.

Mayor Williams opened the Public Hearing.

Linda Reel, CAC member

Mrs. Reel stated that the CAC did discuss this issue and made a recommendation. She is concerned that there is no plan for disposal or waste management in place for these facilities. She is concerned that the state will not consider this issue when they make their ruling on Measure 91. She has a concern about trash and security of that trash.

City Manager Chris Clayton explained that the conditions for waste management can be included in the Conditional Use permit process. The Planning Commission would have authority to address this if the state has not.

Mrs. Dryer stated that staff will bring back an Ordinance regarding personal grows and will be including regulation for the sale of recreational marijuana in the near future.

Mayor Williams closed the public hearing.

Allen Broderick moved to approve Ordinance No. 2005, Amending CPMC Chapter 13.37, C-2(M); Chapter 17.44, C-4 and Chapter 17.46, C-5, Allowing Medical Marijuana Dispensaries as a Conditional Use and Declaring an Emergency. Mike Quilty seconded. Roll call: Hank Williams, yes; Bruce Dingler, yes; Taneea Browning, yes; Brandon Thueson, yes; Allen Broderick, yes; Rick Samuelson, yes; and Mike Quilty, yes. Motion approved.

C. Public Hearing, First Reading – An Ordinance Amending the Central Point Zoning Map at 3292 Grant Road from Residential Single Family (R-1-10) to Residential Single Family (R-1-8)

Community Planner II Stephanie Holtey explained that this zone change is at the request of the property owner. The requested change would be consistent with surrounding property. There are services available and this will not affect the current utility structure. The Planning Commission recommended approval of the zone change.

Mayor Williams opened the Public Hearing.

Christopher Boivin, Quail Court Resident

Mr. Boivin stated that they were not able to attend the public hearing during the Planning Commission meeting. He is concerned about the amount of houses this will allow on the property. When they purchased the home they knew the property was in the County and are concerned with crowding too many houses in the area. He would like to know what restrictions would be put on the property and what is planned to be built there. It was explained that this is just a rezone hearing. The site plans have not been submitted to the City. There should be more opportunity for public input as the property owner decides what to put on the property.

Mayor Williams closed the public hearing.

Mike Quilty moved to second reading An Ordinance Amending the Central Point Zoning Map at 3292 Grant Road from Residential Single Family (R-1-10) to Residential Single Family (R-1-8). Brandon Thueson seconded. Roll call: Hank Williams, yes; Bruce Dingler, yes; Taneea Browning, yes; Brandon Thueson, yes; Allen Broderick, yes; Rick Samuelson, yes; and Mike Quilty, yes. Motion approved.

VIII. BUSINESS

A. Discussion of Beebe Road Condemnation

Parks and Public Works Director Matt Samitore reported that he is working with the property owner regarding the intersection at Beebe and Hamrick. The owner's biggest concern was fence height along that corner and street light placement. Staff explained the height of the fence will be on the street side so it will be sufficient to allow for privacy and staff will work with him regarding the street light placement. As of last week he is ok with the offer of cash for the property, a block wall around the corner and free water for six years. Once the agreement is signed the City can start working on water to his property.

B. Planning Commission Report

Community Planner II Stephanie Holtey presented the Planning Commission Report from April 7, 2015:

- Approved a Resolution in favor of No-Rise request for portions of Twin Creeks Crossing Phases I-III located within the regulatory floodway. The developer submitted an application for a No-Rise Certification on thirty lots within Twin Creeks Crossing. The objective of the No-Rise Analysis is to demonstrate that development will not aggravate flooding, and will allow the developer to accelerate construction of the affected lots, which are currently within the flood hazard area.
- Approved a Resolution determining similar use for veterinary clinics in C-4 zoning. The city received a request to rezone property in a C-4 zone for the purpose of constructing and operating a veterinary clinic. As an alternative, the City initiated a similar use authorization for veterinary clinics as a use compatible with other general professional uses within the C-4 zoning district.
- Discussed the Gebhard Road alignment analysis. The Planning Commission was presented the same information previously presented to the Development Commission regarding the progress of the Gebhard Road alignment analysis.

C. Results of the Citizen Survey

Mrs. Holtey presented the results of the mailed Citizen Satisfaction Survey. She showed the comparison to the statistically valid telephone survey that was done in January. The city received 243 surveys out of the 6,000 that were sent in February. The survey was also on the website, there were reminders in the Newsletter and on the city Facebook page.

There are consistencies between the survey results, as well as a number of differences. Telephone surveys tend to provide more reliable and accurate responses because the population sample is selected randomly rather than self-selected. The respondents to the mailed survey were predominantly homeowners aged 45 and over. Respondents to the telephone survey, although mostly home owners, were evenly distributed across age groups.

She explained the areas of high satisfaction and the importance of specific services with the mailed survey results. The survey summary will be posted on our website and will be available to citizens.

There was discussion regarding the level of support for the recommended Park and Public Safety fees. They discussed the difference in the questions between the mailed survey and the phone survey and possible changes to wording of future surveys.

IX. MAYOR'S REPORT

Mayor Williams reported that:

- He attended two Medford Water Commission meetings.

- He attended two Fair Board meetings. Today they talked about renaming some of the buildings.
- He attended the Chamber mixer.

X. CITY MANAGER'S REPORT

City Manager Chris Clayton reported that:

- He had a meeting with RVSS regarding a franchise agreement. They do plan to enter into an agreement with the City. They would like to wait to set the fee until after the court ruling. The collection of the fee prior to a ruling has caused problems with record keeping. Staff recommends proceeding with the agreement but stipulate that the fee will not be collected until the court has ruled on this issue. Staff has an agreement ready to be processed.
- Budget meetings begin Monday April 13th at 6:00 pm. The Mail Tribune will be doing an article on our process.

XI. COUNCIL REPORTS

Council Member Mike Quilty reported that:

- Rogue Disposal received a CMAQ grant for a compression fueling station. Jackson County Roads Department will be converting their vehicles to take advantage of this station.
- He attended an Airport Advisory Committee meeting.
- He attended an OMPOCK meeting in Salem where he spoke with legislators regarding infrastructure repair.
- He met with Representative Sal Esquivel and Senator Alan Bates regarding a transportation funding bill.

Council Member Brandon Thueson reported that:

- He attended a Bear Creek Greenway Committee meeting. They talked about funding and what benefit the organizations receive for those funds. They also talked about the bridges that are in need of repair.
- He has been in contact with the owners of the cemetery, they are working to finish the head stone repairs this summer.

Council Member Rick Samuelson reported that he attended:

- an RVCOG meeting.
- an RVSS meeting, they are planning to increase their rates by \$2.50.
- the first of the neighborhood park meetings in Twin Creeks. There were about 20 citizens who attended.
- a Chamber Mixer at BobbiO's.

Council Member Taneea Browning reported that she attended the Chamber Greeters and Mixer and attended the Eggstravaganza event at Twin Creeks.

Council Members Bruce Dingler and Allen Broderick had no report.

XII. DEPARTMENT REPORTS

Parks and Public Works Director Matt Samitore reported that:

- he wanted to thank everyone who participated and attended the Eggstravaganza. It was well attended and organized better this year.
- He has been in contact with the representatives for the Vietnam War Memorial site they have not submitted the drawings yet. We will continue to hold public meetings regarding the memorial and placement in Don Jones Memorial Park.
- We have finished with the water pipes along Freeman Road. There have been issues with the subcontractor. If he can stop them from working on Central Point projects in the future he will. There have been several issues with this subcontractor.
- While trenching along Hwy 99 for the new streetlights they ran across some abandoned lines in front of the Car Wash. They are still working on removing these abandoned lines in order to put the decorative street lights in.

Police Chief Kris Allison reported that the Police Department Facebook page is going well. It seems to be a big success in the community. It is a great way to get communication out to the citizens. DARE Graduations will be in May. Council members are invited to attend.

Community Planner Stephanie Holtey updated the Council on a few planning applications that are currently being reviewed.

XIII. EXECUTIVE SESSION - None

XIV. ADJOURNMENT

Rick Samuelson moved to adjourn, Brandon Thueson seconded, all said "aye" and the Council Meeting was adjourned at 9:02 p.m.

The foregoing minutes of the April 9, 2015, Council meeting were approved by the City Council at its meeting of May 14, 2015.

Dated:

Mayor Hank Williams

ATTEST:

City Recorder

Staff Report



Finance Department
Bev Adams, Finance Director

To: Mayor & Council *[Signature]*
From: Bev Adams, Finance Director
Date: May 14, 2015
Subject: Third Quarter Financial Statements

Background:

Attached are the City of Central Point's financial statements for the period ending March 31, 2015. As of this date we are three-quarters (75%) through the 2014/15 budget year. The next 5 pages are the Revenue and Expenditure statements; and the last page is the Budget Compliance report which recaps expenses by department. In all funds, revenues and expenditures are on track for the time period.

General Fund total revenues received are 87% of budget, with expenditures of 69%. Of the \$5.6 million in total taxes received, \$4.5 million are property taxes. As of March 31st we have received 96.5% of the *budgeted* property taxes, and 90.2% of the property tax *levy*. Typically we receive a large tax turnover in May, and with that payment expect to reach 100% of the *budgeted* tax revenue.

Street Fund revenues are 83% of budget, with expenditures of 63%. An exceptionally high balance in "Miscellaneous Revenue" is the result of an unbudgeted payment of \$125,000 for the Twin Creeks rail crossing project.

The Debt Service Fund has just two payments remaining for the year – a total of \$37,900 in interest due in June.

At this time the Building Fund shows an increase of \$121,000 over the *budgeted* ending balance. Although part of the increase is carryover, with revenues at 99.5% of budget and expenditures of 58% of budget in the third quarter, a year end carryover of \$200,000 or more is very possible.

Water Fund total revenues are 78% of budget, and expenditures at 67% of budget. Charges for Services (which includes water sales) are also at 78% of budget and typical for the period. Water sales in the next quarter will determine whether or not we meet the projected ending fund balance. As we have experienced, weather continues to be a "good news/bad news" story; the good news is that a dry spring and summer help rebuild the water fund reserves - and the bad news is that it isn't so good in other aspects for the area.

Stormwater Fund & the Internal Services Fund are doing well; both have over 75% in revenue collections with less than 67% of *budgeted* expenses.

We continue to closely monitor the financial situation of all funds, and will make adjustments whenever possible to meet the carryover projections in the 2015/17 biennial budget.

Recommended Action:

That Council accept the March 31, 2015 financial statements.

City of Central Point
Council Financial Statements
For period ending March 31, 2015

		<i>Fiscal Year to date</i>	75.00%	
	2014/15 Budget	Year to Date Revenues & Expenditures	Difference	Percentage Received/Used
General Fund - 10				
Revenues				
Taxes	\$6,125,000	\$5,602,054	\$522,946	91.46%
Licenses & Fees	59,500	61,680	(2,180)	103.66%
Intergovernmental	497,100	361,101	135,999	72.64%
Charges for Service	994,500	755,194	239,306	75.94%
Fines and Forfeitures	105,000	78,755	26,245	75.00%
Interest Income	32,500	16,783	15,717	51.64%
Miscellaneous	137,000	49,554	87,446	36.17%
Transfers In	0	0	0	0.00%
Total Revenues	7,950,600	6,925,121	1,025,479	87.10%
Expenditures by Department				
Administration	701,100	520,855	180,245	74.29%
City Enhancement	198,500	104,639	93,861	52.71%
Technical Services	548,400	417,652	130,748	76.16%
Mayor & Council	61,250	40,112	21,138	65.49%
Finance	775,600	553,783	221,817	71.40%
Parks & Recreation - Parks	783,350	569,048	214,302	72.64%
Parks & Recreation - Recreation	522,740	285,204	237,536	54.56%
Planning	403,850	251,990	151,860	62.40%
Police	4,130,910	2,908,606	1,222,304	70.41%
Interdepartmental	95,000	109,705	(14,705)	115.48%
Transfers Out	44,000	44,000	0	100.00%
Contingency	160,000	0	160,000	0.00%
Total Expenditures by Department	8,424,700	5,805,593	2,619,107	68.91%
Net Change in Fund Balance		1,119,528		
Beginning Fund Balance	2,098,460	2,635,169	536,709	
Ending Fund Balance	1,624,360	3,754,697	2,130,337	
 High Tech Crime Task Force Fund				
Revenues				
Intergovernmental Revenue	\$40,000	\$4,377	\$35,623	10.94%
Charges for Services	0	0	0	0.00%
Miscellaneous	0	0	0	0.00%
Interfund Transfers	0	0	0	0.00%
Total Revenues	40,000	4,377	35,623	10.94%
Expenditures				
Operations	38,500	57,780	0	0.00%
Capital Outlay	0	0	0	0.00%
Contingency	0	0	0	0.00%
Total Expenditures	38,500	57,780	0	0.00%
Net Change in Fund Balance		(53,403)		
Beginning Fund Balance	137,755	181,928	44,173	
Ending Fund Balance	139,255	128,525	(10,730)	

City of Central Point
Council Financial Statements
For period ending March 31, 2015

Fiscal Year to date 75.00%

	2014/15 Budget	Revenues & Expenditures	Difference	Percentage Received/Used
Street Fund - 20				
Revenues				
Franchise Tax	\$240,000	\$180,000	\$60,000	75.00%
Charges for Services	550,000	442,961	107,039	80.54%
Intergovernmental Revenue	990,000	740,578	249,422	74.81%
Interest Income	11,000	6,039	4,961	54.90%
Miscellaneous	5,000	129,740	(124,740)	2594.80%
Transfers In	0	0	0	0.00%
Total Revenues	1,796,000	1,499,318	296,682	83.48%
Expenditures				
Operations	1,772,200	\$1,313,373	458,827	74.11%
SDC	253,000	29,039	223,961	11.48%
Contingency	100,000	0	100,000	0.00%
Total Expenditures	2,125,200	1,342,412	782,788	63.17%
Net Change in Fund Balance		156,906		
Beginning Fund Balance	1,594,730	1,737,201	142,471	
Ending Fund Balance	1,265,530	1,894,107	628,577	
Capital Improvement Fund - 30				
Revenues				
Intergovernmental	\$0	\$0	\$0	0.00%
Charges for Services	60,000	108,224	(48,224)	180.37%
Interest Income	700	429	271	61.22%
Total Revenues	60,700	108,653	(47,953)	179.00%
Expenditures				
Parks Projects	0	0	0	0.00%
Parks Projects - SDC	10,000	8,302	1,698	83.02%
Transfers Out	100,000	100,000	0	0.00%
Total Expenditures	110,000	108,302	1,698	98.46%
Net Change in Fund Balance		351		
Beginning Fund Balance	68,625	139,392	70,767	
Ending Fund Balance	19,325	139,743	120,418	

City of Central Point
Council Financial Statements
For period ending March 31, 2015

	2014/15 Budget	Year to Date Revenues & Expenditures	Difference	<i>Fiscal Year to date</i> <hr/> 75.00%
Reserve Fund- 35				
Revenues				Percentage Received/Used
Interest	\$4,000	\$2,139	\$1,861	53.47%
Transfers In	0	0	0	100.00%
Total Revenues	4,000	2,139	0	53.47%
Expenditures				
Facility Improvements	40,000	0	40,000	0.00%
Total Expenditures	40,000	0	40,000	0.00%
Net Change in Fund Balance		2,139		
Beginning Fund Balance	569,800	569,969	169	
Ending Fund Balance	533,800	572,108	38,308	
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Debt Service Fund- 40				
Revenues				
Charges for Service	\$224,000	\$174,007	\$49,993	77.68%
Interest Income	100	619	(519)	619.17%
Intergovernmental	162,870	162,864	6	100.00%
Special Assessments	60,000	32,705	27,295	54.51%
Miscellaneous Revenue	0	55,900	(55,900)	0.00%
Transfers In	199,000	199,000	0	100.00%
Total Revenues	645,970	625,094	20,876	96.77%
Expenditures				
Debt Service	645,600	606,793	38,807	93.99%
Total Expenditures	645,600	606,793	38,807	93.99%
Net Change in Fund Balance		18,301		
Beginning Fund Balance	45,800	41,943	(3,857)	
Ending Fund Balance	46,170	60,244	14,074	
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Building Fund- 50				
Revenues				
Charges for Service	\$144,500	\$144,326	\$174	99.88%
Interest Income	1,500	980	520	65.32%
Miscellaneous	0	0	0	0.00%
Total Revenues	146,000	145,306	694	99.52%
Expenditures				
Personal Services	156,300	91,557	64,743	58.58%
Materials and Services	16,300	10,566	5,734	64.83%
Contingency	3,000	0	3,000	0.00%
Total Expenditures	175,600	102,124	73,476	58.16%
Net Change in Fund Balance		43,182		
Beginning Fund Balance	133,495	182,632	49,137	
Ending Fund Balance	103,895	225,814	121,919	

City of Central Point
Council Financial Statements
For period ending March 31, 2015

		<i>Fiscal Year to date</i>	75.00%	
	2014/15 Budget	Year to Date Revenues & Expenditures	Difference	Percentage Received/Used
Water Fund - 55				
Revenues				
Charges for Services	\$2,885,500	\$2,238,780	\$646,720	77.59%
Interest Income	6,000	5,755	245	95.92%
Miscellaneous	10,000	7,853	2,147	78.53%
Total Revenues	2,901,500	2,252,387	649,113	77.63%
Expenditures				
Operations	3,038,300	2,135,512	902,788	70.29%
SDC Improvements	16,000	0	16,000	0.00%
Contingency	145,000	0	145,000	0.00%
Total Expenditures	3,199,300	2,135,512	1,063,788	66.75%
Net Change in Fund Balance		116,875		
Beginning Fund Balance	1,794,160	1,697,619	(96,541)	
Ending Fund Balance	1,496,360	1,814,494	318,134	
Stormwater Fund - 57				
Revenues				
Charges for Services	\$841,150	\$646,814	\$194,336	76.90%
Interest Income	4,000	3,183	817	79.57%
Miscellaneous	0	5,546	(5,546)	0.00%
Total Revenues	845,150	655,543	189,607	77.57%
Expenditures				
Operations	826,650	504,341	322,309	61.01%
SDC	25,000	17,443	7,557	69.77%
Contingency	43,000	0	43,000	0.00%
Total Expenditures	894,650	521,784	372,866	58.32%
Net Change in Fund Balance		133,759		
Beginning Fund Balance	731,390	850,205	118,815	
Ending Fund Balance	681,890	983,964	302,074	

City of Central Point
Council Financial Statements
For period ending March 31, 2015

		<i>Fiscal Year to date</i>	75.00%	
	2014/15 Budget	Year to Date Revenues & Expenditures	Difference	Percentage Received/Used
<i>Internal Services Fund - 60</i>				
Revenues				
Charges for Services	\$1,115,800	\$848,216	\$267,584	76.02%
Interest Income	2,000	1,168	832	58.40%
Miscellaneous	10,000	712	9,288	7.12%
Total Revenues	1,127,800	850,096	277,704	75.38%
Expenditures				
Facilities Maintenance	254,000	163,083	90,917	64.21%
PW Administration	674,200	470,536	203,664	69.79%
PW Fleet Maintenance	307,100	162,506	144,594	52.92%
Contingency	0	0	0	0.00%
Interfund Transfers	0	0	0	0.00%
Total Expenditures	1,235,300	796,124	439,176	64.45%
Net Change in Fund Balance		53,972		
Beginning Fund Balance	139,000	239,394	100,394	
Ending Fund Balance	31,500	293,366	261,866	

City of Central Point
Budget Compliance Report
For period ending March 31, 2015

		<i>Fiscal Year to date</i>	75.00%		
		2014/15 Budget	Year to Date Expenditures	Percent Used	Difference
General	Administration	\$701,100	\$520,855	74.29%	\$180,245
	City Enhancement	198,500	104,639	52.71%	93,861
	Technical Services	548,400	417,652	76.16%	130,748
	Mayor and Council	61,250	40,112	65.49%	21,138
	Finance	775,600	553,783	71.40%	221,817
	Parks & Recreation - Parks	783,350	569,048	72.64%	214,302
	Parks & Recreation - Recreation	522,740	285,204	54.56%	237,536
	Community Development	403,850	251,990	62.40%	151,860
	Police	4,130,910	2,908,606	70.41%	1,222,304
	Interdepartmental	95,000	109,705	115.48%	(14,705)
HTCTF	Transfers	44,000	44,000	100.00%	0
	Contingency	160,000	0	0.00%	160,000
		8,424,700	5,805,593	68.91%	2,619,107
Street	Materials and Services	38,500	57,780	150.08%	(19,280)
		38,500	57,780	150.08%	(19,280)
	Operations	1,772,200	1,313,373	74.11%	458,827
Capital Projects	SDC Improvements	253,000	29,039	11.48%	223,961
	Contingency	100,000	0	0.00%	100,000
		2,125,200	1,342,412	63.17%	782,788
Debt Service	Park Projects	0	0	0.00%	0
	Park Projects - SDC	10,000	8,302	83.02%	1,698
	Transfers	100,000	100,000	0.00%	0
		110,000	108,302	98.46%	1,698
Building	Debt Service	645,600	606,793	93.99%	38,807
Building	Personnel Services	156,300	91,557	58.58%	64,743
	Materials and Services	16,300	10,566	64.83%	5,734
	Contingency	3,000	0	0.00%	3,000
		175,600	102,124	58.16%	73,476
Water	Operations	3,038,300	2,135,512	70.29%	902,788
	SDC Improvements	16,000	0	0.00%	16,000
	Contingency	145,000	0	0.00%	145,000
		3,199,300	2,135,512	66.75%	1,063,788
Stormwater	Operations	714,650	504,341	70.57%	210,309
	SDC Improvements	25,000	17,443	69.77%	7,557
	Contingency	43,000	0	0.00%	43,000
		782,650	521,784	66.67%	260,866
Internal Services	Facilities Maintenance	254,000	163,083	64.21%	90,917
	PW Administration	674,200	470,536	69.79%	203,664
	PW Fleet Maintenance	307,100	162,506	52.92%	144,594
		1,235,300	796,124	64.45%	439,176
	Total City Operations	\$16,736,850	\$11,476,424	68.57%	\$5,260,426

Ordinance

Park Maintenance

Fee



Parks and Recreation Department

Matt Samitore, Director

STAFF REPORT

To: City Council
From: Matt Samitore, Director, Parks & Public Works
Subject: First reading of an ordinance establishing a Parks Maintenance Fee.
Date: May 14, 2015

AGENDA ITEM:

First reading of ordinance establishing a Parks Maintenance Fee

STAFF SOURCE:

Matt Samitore, Director

SUMMARY:

During the 2015 Budget meetings, discussion occurred on creation of a Parks Maintenance Fee. The fee is being earmarked for repair and replacement of existing park facilities, paying for a new Parks and Recreation Master Plan and potentially new park construction at a time when the existing system maintenance is caught up.

The fee establishment is based upon a model that was put in place by the City of Medford several years ago. The Fee is \$1.00 per month per water meter for all users, except for multi-family which is established on \$0.50 per unit.

Financial Implication:

Based on current customers the fee would generate the following revenue per user class, for a total of \$81,978 annually.

User Class	Number of Units	Monthly	Annually
Commercial/Industrial	231	\$231.00	\$2,772.00
SFR	5945	\$5,945.00	\$71,340.00
Duplex	67	\$134.00	\$1,608.00
Multi-Family	757	\$378.50	\$4,542.00
Senior Housing	286	\$143.00	\$1,716.00
Total		\$81,978.00	

The City of Medford calculates its fee slightly differently. It charges a fee based upon the total number of commercial businesses, not per meter. As an example, with Mountain View Plaza or the downtown there are multiple businesses tied to one water meter. Additionally, Medford does not give a discount for multi-family units.

Project List:

The following are the top five items slated for completion with the use of the funds generated. Only the top two items have been analyzed for cost estimates.

1. Park & Recreation Master Plan - \$100,000
2. Pfaff Park Playground Replacement - \$80,000
3. Fall Material Replacement – Forest Glenn
4. Forest Glenn Playground
5. Don Jones Tennis Court Re-surfacing

PUBLIC HEARING REQUIRED:

Yes –a public hearing is required.

SUGGESTED MOTION:

I move to direct staff as follows.....

1. Approve the first reading of an ordinance establishing the parks maintenance fee and move to a second reading at the next council hearing.
2. Redirect Staff.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE CENTRAL POINT MUNICIPAL CODE TO ADD
SECTION 3.25 PARK MAINTENANCE FEE REGARDING THE ADOPTION OF A
PARKS MAINTENANCE FEE FOR CITY PARKS**

RECITALS:

- A. Pursuant to CPMC, Chapter 1.01.040, the City Council, may from time to time make revisions to its municipal code which shall become part of the overall document and citation.
- B. The City has adopted a budget authorizing the imposition and collection of a utility fee for the continued maintenance of the City's parks.
- C. Section 3.25 is necessary to impose said fee and set forth the standards for collection of such fee and use of the funds generated thereby.
- D. Words ~~lined through~~ are to be deleted and words **in bold** are added.

THE PEOPLE OF CENTRAL POINT DO ORDAIN AS FOLLOWS:

SECTION 1. Chapter 3.25, Parks Maintenance Fee, is adopted herein to be incorporated into the Central Point Municipal Code.

**Chapter 3.25
PARKS MAINTENANCE FEE**

Sections:

- 3.25.010 Creation of Parks Maintenance Fee, Purpose**
- 3.25.020 Definitions**
- 3.25.030 City to Maintain Parks and Related Facilities; Exception**
- 3.25.040 Administrative Officer Designated**
- 3.25.050 Establishment and Revision of Parks Maintenance Fee**
- 3.25.060 Imposition of Parks Maintenance Fee**
- 3.25.070 Rate Adjustment**
- 3.25.080 Billing and Collection of Parks Maintenance Fee**
- 3.25.090 Parks Maintenance Fee Discount for Extreme Hardship**
- 3.25.100 Moneys to be Paid in Parks Maintenance Fee account**
- 3.25.110 Appeal Procedure**

3.25.010 Creation of Parks Maintenance Fee, Purpose

There is hereby created a Parks Maintenance Fee for the purpose of providing for the operation and maintenance of parks and facilities within the City of Central

Ordinance No. _____ (052815)

Point. Fees collected shall be deposited into the City of Central Point general fund park fee account to be used only for purposes identified within this ordinance. The Council hereby finds, determines and declares the necessity of providing operation and maintenance of the City's parks and facilities as a comprehensive Park Maintenance Fee, with such operation and maintenance to include such activities as are necessary in order that the parks and facilities may be properly operated and maintained and that the health, safety and welfare of the City and its inhabitants may be safeguarded.

3.25.020 Definitions

“Developed Property” means property on which improvements have been constructed, as defined in the land use planning code.

“Residential Unit” means a residential structure accommodating one dwelling unit, including manufactured structures and mobile homes. In the case of attached dwelling units such as duplexes, town homes, condominiums, and accessory or ancillary dwelling units which include permanent provisions for sleeping, cooking and sanitation, each unit which is separately metered for water shall be considered a separate Residential Unit for purposes of collecting the fee.

“Multiple Family Unit” means a residential structure with three (3) or more attached dwelling units in one or more structures in which the units are served by common meters for water.

“Nonresidential Unit” means a use of developed property not for personal, domestic accommodation, such as a business, commercial, or industrial enterprise. A Nonresidential Unit which provides facilities for one or more businesses shall be charged as a single unit for purposes of the Parks Maintenance Fee.

“Undeveloped Property” means unimproved land and open space as defined by the city of Central Point land use codes.

“Responsible Person” means the person owing the Parks Maintenance Fee.

3.25.030 City to Maintain Parks and Related Facilities; Exception

The City intends to maintain all accepted parks and facilities, and City easements and may maintain other accepted areas within or adjacent to the City. Such areas specifically exclude private areas and private areas not yet accepted by the City for maintenance. The City Parks Director shall develop and implement a maintenance plan for accepted City parks and facilities to be maintained and that the City's investment therein shall be preserved, insofar as possible to do so with funds available and in accordance with policies adopted by the Council.

3.25.040 Administrative Officer Designated

In addition to such other duties and responsibilities as may be assigned to the Director, the Parks and Recreation Director shall be responsible for developing maintenance programs and standards for the operation and maintenance of parks and related facilities, and all other activities related to the purpose of the Parks Utility Fee, subject to approval by the Budget Committee for any such fee.

3.25.050 Establishment and Revision of Parks Maintenance Fee

The City Council hereby establishes a Parks Maintenance Fee to be paid by the Responsible Party for each developed property within the corporate limits of the City. Such fee shall not be imposed in amounts greater than that which is necessary, in the judgment of the City Council, to provide sufficient funds to properly maintain parks and facilities. Collection of the fee for each property shall be made by a monthly charge which shall commence on the first day of _____, 2015. The City Council may, from time to time, by resolution, change the fee based upon revised estimates of the cost of properly maintaining parks and related facilities, or other factors identified in the ordinance.

3.25.060 Imposition of Parks Maintenance Fee

A. Residential Unit. There is hereby imposed upon developed Residential Units in the City, an initial Parks Maintenance Fee of \$1.00 for each dwelling unit existing on that parcel.

B. Multiple Family Unit. There is hereby imposed upon the Responsible Party for a Multiple Family Unit, an initial Parks Maintenance Fee equal to \$.50 for each separate dwelling unit within the Multiple Family Unit existing on that parcel. By way of example, an apartment complex containing 30 units would be subject to a monthly Parks Maintenance Fee of \$15.00.

C. Nonresidential Unit. There is hereby imposed upon the Responsible Party for a Nonresidential Unit, an initial Parks Maintenance Fee of \$1.00 for each common meter to serve the Nonresidential Unit existing on that parcel.

D. This fee is deemed reasonable and is necessary to pay for the operation and maintenance of parks and facilities within the City. The effective starting date of this fee will be _____ 2015, and will appear on water bills delivered in _____ 2015.

3.25.070 Rate Adjustment

An annual rate adjustment may be made based on the Consumer Price Index (CPI-U) for the Portland, Oregon MSA and index period 1982-1984 = 100. The adjustment shall be the percent change in the CPI for the calendar year ending

December 31 of each year. The adjustment shall be made to the customer's water bill beginning the following March. The first adjustment may be made in March 2016 upon resolution duly adopted and approved by the City Council.

3.25.080 Billing and Collection of Parks Maintenance Fee

A. Parks Maintenance Fees shall be collected monthly on the City water bill per section _____.

B. The person normally responsible for paying the City water charges is responsible for paying the Parks Maintenance Fee, if the property is located within the City limits.

C. In the event a developed property is not served by a domestic water meter, or if water service is discontinued, the Parks Maintenance Fee shall be billed to the persons having the right to occupy the property. If unpaid by the occupants of the property the bill will be the responsibility of the property owner ultimately.

D. A request for water or sewer service, a building permit, or the occupancy of an un-serviced building will automatically initiate appropriate billing for Parks Maintenance Fee.

E. There shall be no charge for an Undeveloped Property until such time as any permit is issued for that property.

F. A late charge shall be attached to any Parks Maintenance Fee not received within 30 days of billing. The charge is established under administrative fees by resolution.

G. Notwithstanding the above, if the Parks Maintenance Fee is not paid for a period of three months, the fee, with any attendant late fees, shall be imposed on the Responsible Party. Unpaid amounts will ultimately become a lien against the property and the responsibility of the property owner. Water is subject to shut-off by the City.

3.25.090 Parks Maintenance Fee Discount for Extreme Hardship

A. Any household in the city with a combined total income falling below the federal poverty level shall be considered eligible to apply for a Parks Maintenance Fee rate discount. Persons applying for a Parks Maintenance Fee rate discount

Ordinance No. _____ (052815)

must be the person who receives the monthly water bill and is the head of a household.

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

C. The amount of Parks Maintenance Fee rate discount for eligible persons, provided under this chapter, shall be equal to the percentage water rate discount for extreme hardship, as established in Section [13.16.030](#).

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

3.25.100 Moneys to be Paid in Parks Maintenance Fee account

All fees collected by the city shall be paid into the Parks Maintenance Fee account. It shall not be necessary that the operations and maintenance expenditures from the account specifically relate to any particular property from which the fees for said purposes were collected. To the extent that the fees collected are insufficient to properly operate and maintain parks and facilities, the cost of the same may be paid from such other City funds as may be determined by the City Council, but the City Council may order the reimbursement to such funds if additional fees are thereafter collected. All amounts on hand in the Parks Utility account shall be invested by the Chief Financial Officer in investments proper for City funds. The fees paid and collected by virtue of this ordinance shall not be used for general or other governmental or proprietary purposes of the City, except to pay for the equitable share of the cost of accounting, management and government which is attributable to the account, which shall not exceed 5% of the gross revenues of the account during any fiscal year. Other than as described above, the fees and charges shall be used solely to pay for the cost of operation, administration, maintenance, repair, improvement, renewal, replacement and reconstruction of the parks and facilities of the City and costs.

3.25.110 Appeal Procedure

A person aggrieved by a decision required or permitted to be made by the Parks Director under this ordinance may appeal the decision or the expenditure to the City Council as provided in Section 1.04.060.

SECTION 2. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word Ordinance may be changed to "code", "article", "section", "chapter", or other word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions need not be codified and the City Recorder is authorized to correct any cross references and any typographical errors.

SECTION 3. Effective Date. The Central Point City Charter states that an ordinance enacted by the council shall take effect on the thirtieth day after its enactment. The effective date of this ordinance will be the thirtieth day after the second reading.

PASSED by the Council and signed by me in authentication of its passage this _____ day of May 2015.

Mayor Hank Williams

ATTEST:

City Recorder

Ordinance No. _____ (052815)

Ordinance

Public Safety

Fee



ADMINISTRATION DEPARTMENT

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

STAFF REPORT

May 14th, 2015

AGENDA ITEM: The first reading of an ordinance amending the Central Point Municipal Code (CPMC) to add chapter 3.26 public safety fee regarding the adoption of a public safety utility fee for increased funding for public safety.

STAFF SOURCE:

Chris Clayton, City Manager

BACKGROUND/SYNOPSIS:

The 2015-2017 budget proposal included a recommendation to establish a public safety utility fee. After discussion and deliberation, the Central Point Budget Committee approved the creation of a public safety utility fee with the intention of dedicating the new revenue to a second Central Point School Resource Officer (SRO) position. During the 2015-2017 budget hearings, the public safety utility fee was presented as \$1.00 per utility account per month. However, this ordinance proposes a 50% reduction of the fee for multi-family dwelling and senior housing units.

Unless directed otherwise by council, all future revenue generated by the public safety utility fee will be dedicated to the city's School Resource Officer (SRO) positions.

FINANCIAL IMPACT:

Based on current customer data, the fee will generate the following revenue per account class for a total of \$81,978 annually.

User Class	Number of Units	Monthly	Annually
Commercial/Industrial	231	\$231.00	\$2,772.00
SFR	5945	\$5,945.00	\$71,340.00
Duplex	67	\$134.00	\$1,608.00
Multi-Family	757	\$378.50	\$4,542.00
Senior Housing	286	\$143.00	\$1,716.00

Although the proposed methodology does not capture \$1.00 per month from every dwelling unit (as proposed during the budget committee hearings, staff believes the reduced rate for higher density housing and senior housing is more equitable. The actual amount of revenue generated will increase proportional to residential and commercial building activity.

CENTRAL POINT STRATEGIC PLAN

The following is listed as a core value in the 2007 City of Central Point Strategic Plan:

Public Safety: “We value a professional service oriented public safety policy that promotes a sense of safety and security in our city.”

ATTACHMENTS:

1. Ordinance amending the Central Point Municipal Code (CPMC) to add chapter 3.26

RECOMMENDATION:

1. Approval of a first reading of an ordinance amending the Central Point Municipal Code to add chapter 3.26 – public safety utility fee.

PUBLIC HEARING REQUIRED:

A public hearing is required on this item.

SUGGESTED MOTION:

I move to approve the first reading of ordinance _____ an ordinance amending the Central Point Municipal Code to add chapter 3.26 – public safety utility fee

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE CENTRAL POINT MUNICIPAL CODE TO ADD
SECTION 3.26 PUBLIC SAFETY FEE REGARDING THE ADOPTION OF A PUBLIC
SAFETY FEE FOR INCREASED FUNDING OF PUBLIC SAFETY**

RECITALS:

- A. Pursuant to CPMC, Chapter 1.01.040, the City Council, may from time to time make revisions to its municipal code which shall become part of the overall document and citation.
- B. The City has adopted a budget authorizing the imposition and collection of a monthly fee for the increased funding of public safety within the City.
- C. Section 3.26 is necessary to impose said fee and set forth the standards for collection of such fee and use of the funds generated thereby.
- D. Words ~~lined through~~ are to be deleted and words **in bold** are added.

THE PEOPLE OF CENTRAL POINT DO ORDAIN AS FOLLOWS:

SECTION 1. Chapter 3.26, Public Safety Fee, is adopted herein to be incorporated into the Central Point Municipal Code.

**Chapter 3.26
PUBLIC SAFETY FEE**

Sections:

- | | |
|-----------------|--|
| 3.26.010 | Creation of Public Safety Fee, Purpose |
| 3.26.020 | Definitions |
| 3.26.030 | Administrative Officer Designated |
| 3.26.040 | Establishment and Revision of Public Safety Fee |
| 3.26.050 | Imposition of Utility Fee |
| 3.26.060 | Rate Adjustment |
| 3.26.070 | Billing and Collection of Public Safety Fee |
| 3.26.080 | Public Safety Fee Discount for Extreme Hardship |
| 3.26.090 | Use of Moneys |
| 3.26.100 | Appeal Procedure |

3.26.010 Creation of Public Safety Fee, Purpose

There is hereby created a Public Safety Fee for the purpose of providing funding for public safety. Fees collected shall be deposited into the City of Central Point general public safety fee account to be used only for purposes identified within this ordinance. The Council hereby finds, determines and declares the necessity of providing funding for both the police

Ordinance No. _____ (052815)

and fire department for the health, safety and welfare of the City and its inhabitants.

3.26.020 Definitions

“Developed Property” means property on which improvements have been constructed, as defined in the land use planning code.

“Residential Unit” means a residential structure accommodating one dwelling unit, including manufactured structures and mobile homes. In the case of attached dwelling units such as duplexes, town homes, condominiums, and accessory or ancillary dwelling units which include permanent provisions for sleeping, cooking and sanitation, each unit which is separately metered for water shall be considered a separate Residential Unit for purposes of collecting the fee.

“Multiple Family Unit” means a residential structure with three (3) or more attached dwelling units in one or more structures in which the units are served by common meters for water.

“Nonresidential Unit” means a use of developed property not for personal, domestic accommodation, such as a business, commercial, or industrial enterprise. A Nonresidential Unit which provides facilities for one or more businesses shall be charged as a single unit for purposes of the Public Safety Fee.

“Undeveloped Property” means unimproved land and open space as defined by the city of Central Point land use codes.

“Responsible Person” means the person owing the Public Safety Fee.

3.26.030 Administrative Officer Designated

The City Manager shall be responsible for the administration of this Fee. The City Manager shall be responsible for developing administrative procedures for the Fee, and all other activities related to the purpose of the Public Safety Account.

3.26.040 Establishment and Revision of Public Safety Fee

The City Council hereby establishes a Public Safety Fee to be paid by the Responsible Party for each developed property within the corporate limits of the City. Such fee shall not be imposed in amounts greater than that which is necessary, in the judgment of the City Council, to provide sufficient funds for public safety. Collection of the fee for each property shall be made by a monthly charge which shall commence on the first day of _____, 2015. The City Council may, from time to time, by resolution, change the fee based upon revised estimates of the costs, or other factors identified in the ordinance.

3.26.050 Imposition of Public Safety Fee

A. **Residential Unit.** There is hereby imposed upon developed Residential Units in the

Ordinance No. _____ (052815)

City, an initial Public Safety Fee of \$1.00 for each dwelling unit existing on that parcel.

B. **Multiple Family Unit.** There is hereby imposed upon the Responsible Party for a Multiple Family Unit, an initial Public Safety Fee equal to \$.50 for each separate dwelling unit within the Multiple Family Unit existing on that parcel. By way of example, an apartment complex containing 30 units would be subject to a monthly Public Safety Fee of \$15.00.

C. **Nonresidential Unit.** There is hereby imposed upon the Responsible Party for a Nonresidential Unit, an initial Public Safety Fee of \$1.00 for each common meter to serve the Nonresidential Unit existing on that parcel.

D. This fee is deemed reasonable and is necessary to fund public safety. The effective starting date of this fee will be _____ 2015, and will appear on water bills delivered in _____ 2015.

3.26.060 Rate Adjustment

An annual rate adjustment may be made based on the Consumer Price Index (CPI-U) for the Portland, Oregon MSA and index period 1982-1984 = 100. The adjustment shall be the percent change in the CPI for the calendar year ending December 31 of each year. The adjustment shall be made to the customer's water bill beginning the following March. The first adjustment may be made in March 2016 upon resolution duly adopted and approved by the City Council.

3.26.070 Billing and Collection of Public Safety Fee

A. Public Safety Fees shall be collected monthly on the City water bill per section _____.

B. Unless another person responsible has agreed in writing to pay and a copy of that writing is filed with the City, the person normally responsible for paying the City water charges is responsible for paying the Public Safety Fee, if the property is located within the City limits.

C. In the event a developed property is not served by a domestic water meter, or if water service is discontinued, the Public Safety Fee shall be billed to the persons having the right to occupy the property. If unpaid by the occupants of the property the bill will be the responsibility of the property owner ultimately.

D. A request for water or sewer service, a building permit, or the occupancy of an unserviced building will automatically initiate appropriate billing for Public Safety Fee.

E. There shall be no charge for an Undeveloped Property until such time as any permit is issued for that property.

F. A late charge shall be attached to any Public Safety Fee not received within 30 days of billing. The charge is established under administrative fees by resolution.

G. Notwithstanding the above, if the Public Safety Fee is not paid for a period of three months, the fee, with any attendant late fees, shall be imposed on the Responsible Party. Unpaid amounts will ultimately become a lien against the property and the responsibility of the property owner. Water is subject to shut-off by the City.

3.26.080 Public Safety Fee Discount for Extreme Hardship

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

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

C. The amount of Public Safety Fee rate discount for eligible persons, provided under this chapter, shall be equal to the percentage water rate discount for extreme hardship, as established in Section [13.16.030](#).

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

3.26.090 Use of Moneys

Fees collected shall be deposited into the City of Central Point general public safety fee account to be used only for purposes identified within this ordinance. It shall not be necessary that the operations and maintenance expenditures from the account specifically relate to any particular property from which the fees for said purposes were collected. To the extent that the fees collected are insufficient to properly fund public safety, the cost of the same may be paid from such other City funds as may be determined by the City Council, but the City Council may order the reimbursement to such fund if additional fees are thereafter collected. All amounts on hand in the general public safety account shall be

Ordinance No. _____ (052815)

invested by the Chief Financial Officer in investments proper for City funds. The fees paid and collected by virtue of this ordinance shall not be used for general or other governmental or proprietary purposes of the City, except to pay for the equitable share of the cost of accounting, management and government which is attributable to the account, which shall not exceed 5% of the gross revenues of the account during any fiscal year. Other than as described above, the fees and charges shall be used solely to pay for the cost of operation, administration, maintenance, repair, improvement, renewal, replacement and reconstruction of public safety areas of the City and costs incidental thereto.

3.26.100 Appeal Procedure

A person aggrieved by a decision required or permitted to be made by the City Manager under this ordinance may appeal the decision or the expenditure to the City Council as provided in Section 1.04.060.

SECTION 3. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word "Ordinance" may be changed to "code", "article", "section", "chapter", or other word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions need not be codified and the City Recorder is authorized to correct any cross references and any typographical errors.

SECTION 4. Effective Date. The Central Point City Charter states that an ordinance enacted by the council shall take effect on the thirtieth day after its enactment. The effective date of this ordinance will be the thirtieth day after the second reading.

PASSED by the Council and signed by me in authentication of its passage this ____ day of May 2015.

Mayor Hank Williams

ATTEST:

City Recorder

Ordinance No. _____ (052815)

Ordinance

Uniform Appeal

Ordinance



ADMINISTRATION DEPARTMENT

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

STAFF REPORT

May 14th, 2015

AGENDA ITEM: An ordinance creating section 1.04.060 uniform appeal and hearing procedure of the Central Point Municipal Code (CPMC).

STAFF SOURCE:

Chris Clayton, City Manager

BACKGROUND/SYNOPSIS:

Prior to 2006, the Central Point Municipal Code (CPMC) contained a procedure for reviewing decisions related to planning, zoning and general land use. However, a series of complex land use decisions during the same time period led to the repeal of CPMC chapter 1.24 and land use decision appeals were integrated into chapter 17 (zoning) of the CPMC. Recently approved, and future, ordinances related to the regulation of marijuana, nuisance activity and chronic nuisance abatement reference a general/uniform appeals procedure. But currently, the city has no alternate “uniform appeal” procedure available for administrative decisions now that land use decision appeals are relegated to the city’s zoning ordinances. Understandably, the city now finds itself in need of a general/uniform appeals ordinance.

In summary, the proposed uniform appeals procedure would create a needed venue for the review of administrative decision making, as provided for in the Central Point Municipal Code.

ATTACHMENTS:

1. Ordinance amending the Central Point Municipal Code (CPMC) to add section 1.04.060 to chapter 1.04

RECOMMENDATION:

1. Approval of a first reading of an ordinance amending the Central Point Municipal Code to add section 1.04.060 – uniform appeal and hearing procedure.

PUBLIC HEARING REQUIRED:

A public hearing is required on this item.

SUGGESTED MOTION:

I move to approve the first reading of ordinance _____ an ordinance amending the Central Point Municipal Code to add section 1.04.060 – uniform appeal and hearing procedure.

ORDINANCE NO. _____

**AN ORDINANCE CREATING SECTION 1.04.060 UNIFORM APPEAL AND HEARING
PROCEDURE OF THE CENTRAL POINT MUNICIPAL CODE**

RECITALS:

A. Prior to 2006 the Central Point Municipal Code contained an appeal ordinance specific to planning, zoning and land use decisions.

B. Land use related appeals are now provided for by the City's zoning ordinances.

C. Recent legislation has manufactured a need for a uniform appeals procedure for review of administrative decisions as provided by the Central Point Municipal Code.

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

SECTION 1. Section 1.04.060 of the Central Point Municipal Code is adopted herein to be incorporated in the Central Point Municipal Code.

Chapter 1.04
General Provisions

Sections:

1.04.060 Uniform Appeal and Hearing Procedure

1.04.060 Uniform Appeal and Hearing Procedure

In this section the word "appellant" means a person appealing from an administrative decision. Except as otherwise provided in this code, a person who is authorized to appeal from an administrative decision under this code shall follow the procedure stated in this section.

A) The appellant shall file with the recorder a written notice of appeal together with a written statement listing the reason for requesting the revocation or modification of the decision within 10 days after the day on which appellant is notified of the administrative decision from which appeal is requested.

B) The council or authorized appellate board shall hear the appeal within 30 days after the recorder receives the notice and statement of appeal, unless the appellant consents to an extension of time.

C) The recorder shall notify the appellant of the time and place of the hearing, along with other persons who have an interest in the subject matter of the hearing.

D) At the hearing the appellant or other parties interested may present witnesses and offer evidence in support of their case and, in the discretion of the council or appellate board, evidence may be heard to sustain the administrative decision.

E) The council or appellate board shall make written findings, recommendations, or orders on any matter heard by it and the recorder shall send a copy thereof to the appellant.

SECTION 2. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word Ordinance may be changed to "code", "article", "section", "chapter", or other word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions need not be codified and the City Recorder is authorized to correct any cross references and any typographical errors.

SECTION 3. Effective Date. The Central Point City Charter states that an ordinance enacted by the council shall take effect on the thirtieth day after its enactment. The effective date of this ordinance will be the thirtieth day after the second reading.

Passed by the Council and signed by me in authentication of its passage this
____ day of _____, 20____.

Mayor Hank Williams

ATTEST:

City Recorder

Pg. 2 Ordinance No. _____ (05/14/2015)

Ordinance

Home Grown and

Medical Marijuana

Ordinance

**STAFF REPORT**

May 14, 2015

AGENDA ITEM:

Consideration of an Amendment to the Municipal Code to Add Chapter 8.45, Restricting Homegrown and Medicinal Marijuana grows in the City Limits to Coincide with the Effective Date of State Law.

STAFF SOURCE:

Tom Humphrey, Community Development Director

BACKGROUND:

This is the first reading of an ordinance the City Attorney prepared to restrict Homegrown and Medicinal Marijuana grows in the Central Point City limits. The code amendments were vetted by the Police and the Community Development Departments and at the direction of the City Manager. This item has been noticed for a public hearing.

The Council has had numerous conversations about the unwanted effects of growing marijuana within the City limits. The odors emanating from these grows, the unsightly appearance of property where grows occur and the invitation for criminal activity are all undesirable.

DISCUSSION:

The City's approach to mitigating the unwanted effects resulting from the Oregon Medical Marijuana Act (OMMA) and passage of Measure 91 is to add Chapter 8.45 which restricts but does not eliminate homegrown and medicinal marijuana grows. As a home-rule municipal corporation and under the Central Point Charter, the Council has determined a limitations to be the best course of action. Council members have received input from their constituents which has lead them to direct City staff to prepare the attached ordinance (Attachment A). Once again, *amendments to Chapter 8 would limit but not prohibit marijuana grows in Central Point.*

ISSUES:

As discussed, the primary issue is how to minimize or eliminate the unwanted consequences of homegrown marijuana whether recreational or medicinal. The Intent and Purpose of the proposed amendment is as follows:

The City Council of the City of Central Point recognizes that citizens of the state of Oregon may engage in both recreational and medicinal use of marijuana in accordance with state law. However, the City Council also recognizes that cultivating, drying, production, processing, keeping or storage of marijuana, without appropriate safeguards in place, can have a detrimental effect upon public safety and neighboring citizens. The City Council finds and declares that the health, safety and welfare of its citizens are promoted by requiring marijuana cultivators engaged in recreational or medicinal cultivation, drying, production, processing, keeping or storage of marijuana to ensure that said marijuana is not accessible, visible or odor causing to other persons or property, or otherwise illegal under Oregon state law.

ATTACHMENTS:

Attachment "A" – Ordinance No. ____ An Ordinance Amending Title 8 of the Central Point Municipal Code, by Adding a Chapter 8.45 Homegrown and Medical Marijuana.

ACTION:

Open public hearing and consider the proposed amendment to the municipal code, close public hearing and 1) move ordinance and amendments to a second reading; 2) move to a second reading with revisions; or 3) deny the proposal.

RECOMMENDATION:

Direct Staff to schedule the second reading for the next City Council meeting (May 28, 2015) to approve the amendment to the municipal code.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE 8 OF THE CENTRAL POINT MUNICIPAL
CODE, BY ADDING CHAPTER 8.45 HOMEGROWN
AND MEDICAL MARIJUANA**

RECITALS:

- A.** In November 1998, Oregon voters approved the Oregon Medical Marijuana Act (OMMA) which allowed medical use and possession of marijuana, and in 2013 the Oregon legislature approved House Bill 3460 amending the OMMA to allow medical marijuana dispensaries (collectively “OMMA”).
- B.** In November 2014, Oregon voters approved Measure 91 (M. 91) legalizing personal possession, growth, processing, delivery and sale of nonmedical marijuana.
- C.** OMMA and M. 91 fail to address local regulation and impact of the growing of medical and homegrown marijuana in city limits, which the City Council has found to be a substantial and important issue implicating health, welfare and safety concerns within the City of Central Point.
- D.** Marijuana plants, whether grown indoors or outdoors, especially as they mature prior to harvest, may produce a distinctive odor that may be detectable far beyond property boundaries.
- E.** The strong smell of marijuana may create an attractive nuisance, alerting persons to the location of the valuable plants, and creating a risk of burglary, robbery and armed robbery; and
- F.** The City of Central Point is a home-rule Municipal corporation; and
- G.** Section 4 of the Central Point Charter provides: “The City shall have all powers which the constitutions, statutes and common law of the United States and of this state expressly or impliedly grant or allow municipalities, as fully as though this charter specifically enumerated each of those powers.”;
- H.** Words ~~lined through~~ are to be deleted and words **in bold** are added.

Ordinance No. _____ (05/14/2015)

THE PEOPLE OF CENTRAL POINT DO ORDAIN AS FOLLOWS:

SECTION 1. Title 8 HEALTH AND SAFETY of the Central Point Municipal Code hereby adds a new Chapter 8.45, restricting homegrown and medicinal marijuana grows in city limits, as follows:

CHAPTER 8.45 **HOMEGROWN AND MEDICAL MARIJUANA**

Sections:

- 8.45.010 Intent and Purpose**
- 8.45.020 Definitions**
- 8.45.030 Homegrown and Medical Marijuana Subject to Regulation**
- 8.45.040 Public Nuisance Remedy**
- 8.45.050 Violation**
- 8.45.060 Conflict of Laws**
- 8.45.070 Severability**

8.45.010 Intent and Purpose

The City Council of the City of Central Point recognizes that citizens of the state of Oregon may engage in both recreational and medicinal use of marijuana in accordance with state law. However, the City Council also recognizes that cultivating, drying, production, processing, keeping or storage of marijuana, without appropriate safeguards in place, can have a detrimental effect upon public safety and neighboring citizens. The City Council finds and declares that the health, safety and welfare of its citizens are promoted by requiring marijuana cultivators engaged in recreational or medicinal cultivation, drying, production, processing, keeping or storage of marijuana to ensure that said marijuana is not accessible, visible or odor causing to other persons or property, or otherwise illegal under Oregon state law.

8.45.020 Definitions

"Homegrown Marijuana" means any marijuana cultivated, dried, produced, processed, kept or stored for personal recreational use by a person 21 years of age or older in accordance with state law.

"Household" means a housing unit, and includes any indoor structure or accessory dwelling unit in or around the housing unit at which the occupants of the housing unit are cultivating, drying, producing, processing, keeping, or storing homegrown marijuana.

"Housing unit" means a house; a mobile home; a manufactured home; and/or a group of rooms, or a single room that is occupied as separate living quarters, in which the occupants live and eat separately from any other persons in the building and which have direct access from the outside of the building or through a common hall including an individual residential unit in an apartment, duplex, townhome, condominium, or senior living facility.

"Indoors/Indoor Structure" means within a fully enclosed and secure structure that complies with the Oregon Residential Specialty Code (ORSC) or Oregon Structural Specialty Code (OSSC), as adopted by the City of Central Point, which has a complete roof enclosure supported by connecting walls extending from the foundation/slab to the roof. The structure must be secure against unauthorized entry, accessible only through one or more lockable doors, and constructed of solid materials that cannot easily be broken through, such as 2" x 4" or larger wood studs covered with 3/8" or thicker weather-resistant siding or equivalent materials. Plastic sheeting, regardless of gauge, or similar products do not satisfy this requirement.

"Marijuana" means all parts of the plant Cannabis family Moraceae, including, but not limited to, its dried leaves and flowers, any marijuana products derived therefrom. The term includes any and all homegrown marijuana, medical marijuana and marijuana products as defined in this section.

"Marijuana cultivator" means a medical marijuana grower, recreational marijuana homegrower, patient, and any landlord or property owner allowing marijuana to be cultivated, dried, produced, processed, kept or stored at a premises.

"Marijuana products" means products that contain marijuana or marijuana extracts and are intended for human consumption.

"Medical Marijuana" means the marijuana cultivated, dried, produced, processed, kept or stored for medicinal use in accordance with the OMMA.

"Medical Marijuana Grower" means any person engaged in the cultivation, drying, production, processing, keeping or storage of medical marijuana in accordance with state law, and includes, but is not limited to the meaning set out at OAR 333-008-0010 (11)&(21).

"Medical Marijuana Grow Site" means a location registered pursuant to ORS 475.304 where medical marijuana is produced for use by a patient.

"Recreational Marijuana Homegrower" means a person 21 years of age and older engaged in the cultivation, drying, production, processing, keeping or storage of homegrown marijuana in accordance with state law.

"Homegrown Marijuana Grow Site" means a location in which a person 21 years of age and older cultivates, dries, produces, processes, keeps or stores homegrown recreational marijuana in accordance with state law.

"Patient" means a person who has been diagnosed by an attending physician with a debilitating medical condition and for whom the use of medical marijuana may mitigate the symptoms or effects of the person's debilitating medical condition, and who has been issued a registry identification card by the Oregon Health Authority.

"Premises" means a household, medical marijuana grow site, homegrown marijuana grow site, and/or primary residence of a patient.

"Property" means any home, business or public right-of-way.

8.45.030 Homegrown and Medical Marijuana Subject to Regulation

A. Marijuana Cultivators shall be allowed to cultivate, produce, process and/or possess homegrown marijuana and medical marijuana subject to the following conditions:

- 1. such cultivation, production, processing, or possession of marijuana must be in full compliance with all applicable provisions of OMMA and M. 91;**
- 2. such cultivation, production, processing or possession of marijuana must be conducted indoors;**

3. the cultivation, production, processing, or possession of such marijuana must not be perceptible from the exterior of the household, housing unit, and/or indoor structure including but not limited to:

- a. common visual observation, which would prohibit any form of signage;**
- b. unusual odors, smells, fragrances, or other olfactory stimulus;**
- c. light pollution, glare, or brightness that disturbs the repose of another;**
- d. undue vehicular or foot traffic, including excess parking within the residential zone; and**
- e. excessive noise that disturbs the repose of another in violation of CPMC 8.04.**

4. such cultivation, production, processing, or possession of marijuana plants shall be within a secure, defined area;

5. such cultivation, production, processing or possession of marijuana shall meet the requirements of all adopted city building and life/safety codes;

6. such cultivation, production, processing or possession of marijuana shall meet the requirements of all adopted water and sewer regulations promulgated by the City or any special district having jurisdiction;

7. disposal of any excess or unused marijuana, marijuana products, or other byproducts thereof, shall meet any and all local and state requirements for disposal, and shall be disposed of in a secure fashion so as to avoid access by children, visitors, casual passersby, vandals or anyone not licensed or authorized to possess medical or homegrown marijuana;

8. such cultivation, production, processing or possession of marijuana in a commercial or industrial structure located in a commercial or industrial zone shall meet the following requirements:

- a. the use must be conducted indoors;**

- b. the premises must not be vacant and there shall be an actual daily presence, use and occupancy of the premises by an owner, tenant, employee or agent thereof;

9. such cultivation, production, processing or possession of marijuana in residential zones or in a housing unit shall meet the following requirements:

- a. such cultivation, production, processing, or possession of marijuana shall only be conducted within the primary residence of the marijuana cultivator;
- b. such marijuana plants shall not be cultivated, processed, produced or possessed in the common areas of a multi-family or attached residential development such as townhomes and condominiums;
- c. for purposes of this ordinance, “primary residence” means the place that a person, by custom and practice, makes his or her principle domicile and address and to which the person intends to return, following any temporary absence, such as vacation. Residence is evidenced by actual daily physical presence, use, and occupancy of the primary residence and the use of the residential address for domestic purposes, such as, but not limited to, slumber, preparation of and partaking of meals, regular mail delivery, vehicle and voter registration, or credit, water, and utility billing. A person shall have only one primary residence, which may include an indoor structure or accessory dwelling unit, provided that the indoor structure or accessory dwelling unit is located on the same tax lot as the primary residence.

10. For purposes of this ordinance, “a secure” area means an area within the primary residence or indoor structure accessible only to the patient or primary caregiver, or marijuana cultivator. Secure premises shall be locked or partitioned off to prevent access by children, visitors, casual passersby, vandals, or anyone not licensed and authorized to possess medical or homegrown marijuana.

B. Licensed commercial grows, as defined in M. 91, are strictly prohibited in all residential zones.

8.45.040 Public Nuisance Remedy

Ordinance No. _____ (05/14/2015)

A. Any household, housing unit, premises, property, building, structure or place of any kind where medical or homegrown marijuana is grown, processed, manufactured, bartered, distributed or given away in violation of state law or this chapter, or any place where medical or homegrown marijuana is kept or possessed for sale, barter, distribution or gift in violation of state law or this chapter, is a public nuisance per Chapter 8.04.

B. In addition to the foregoing, two or more violations in a 30-day period may be deemed a Chronic Nuisance Property subject to the provisions of Chapter 8.02.

C. In addition to any remedies provided in Chapters 8.02 and 8.04, the city may institute an action in municipal or circuit court in the name of the city to abate, and to temporarily and permanently enjoin, such nuisance. The court has the right to make temporary and final orders as in other injunction proceedings. The city shall not be required to give bond in such an action.

8.45.050 Violation

In addition to treatment as a nuisance, all violations of this title are subject to punishment under the general penalty provisions in Chapter 1.16. Each day in which a violation continues shall constitute a separate violation.

8.45.060 Conflict of Laws

In the event of any conflict between the provisions of this Ordinance and the provisions of any other applicable state or local law, the more restrictive provision shall control.

8.45.070 Severability

The sections, subsections, paragraphs and clauses of this Ordinance are severable. The invalidity of one section, subsection, paragraph or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

SECTION 2. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word Ordinance may be changed to "code", "article", "section", "chapter", or other word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions need not be codified and the City Recorder is authorized to correct any cross references and any typographical errors.

SECTION 3. Effective Date. The Central Point City Charter states that an ordinance enacted by the Council shall take effect on the thirtieth day after its enactment. The effective dates of this ordinance will be the thirtieth day after the second reading.

PASSED by the Council and signed by me in authentication of its passage this _____ day of May 2015.

Mayor Hank Williams

ATTEST:

City Recorder

Ordinance

Amending the Zoning Map for 3292 Grant Road



REVISED STAFF REPORT

May 14, 2015

AGENDA ITEM: File No. 15002

Second Reading to consider a Zone (map) Change application from Residential Single Family (R-1-10) to Residential Single Family (R-1-8) for a 0.67 acre parcel located at 3292 Grant Road. The Project Site is identified on the Jackson County Assessor's map as 37S 2W 10C, Tax Lot 1900. **Applicant:** Chris Lewellyn.

STAFF SOURCE:

Tom Humphrey, Community Development Director

BACKGROUND:

The applicant has requested a minor zone map amendment from R-1-10 to R-1-8 with the intent of partitioning the subject property into three (3) parcels. As shown in Table 1, the proposed zone change is needed to achieve the anticipated future density on this site.

Table 1. Proposed Zone Change

Zoning District	Minimum Density	Units	Maximum Density	Units
Current (R-1-10)	2	1.3	4	2.7
Proposed (R-1-8)	3	2.0	5	3.4

ISSUES & NOTES:

There are 4 issues/Notes relative to this application as follows:

1. **Zoning Map and Zoning Code Text Amendments, CPMC Chapter 17.10.** This municipal code section provides standards and procedures for major and minor amendments to the Central Point zoning map. In this case the application was initiated by the applicant and sole owner of the subject property. The action is considered a 'minor' amendment and is being processed using Type III procedures. The amendment should be based on the following criteria; 1) its consistency with the City's Comprehensive Plan, 2) findings demonstrating that adequate public services and transportation networks will serve the property and 3) compliance with the State's Transportation Planning Rule.
2. **Comprehensive Plan Compliance.** Approval of the proposed zone change must be found consistent with the City's Comprehensive Plan Land Use Plan Map. The subject property has a Comprehensive Plan designation of Low Density Residential, which is consistent with both the existing R-1-10 and proposed R-1-8 zoning designations.
3. **Compatibility with Surrounding Land Uses and Zoning.** The subject property is contiguous to lands zoned Residential Single Family (R-1-8) to the north, and Residential Single Family (R-1-10) to the east and south. It should be noted that adjoining properties to the east and south are within the Urban Growth Boundary under the County's jurisdiction.

Lands west of Grant Road are outside of the UGB and are within the County's Rural Residential (RR-2.5) zoning district. Although the proposed zone change provides for an increase in residential density, the overall character will remain consistent with the surrounding residential single family uses per CPMC 17.20.

4. **Transportation Planning Rule (TPR) Compliance, OAR 660-012-0060.** Criteria for TPR compliance is addressed in the findings (Attachment B) demonstrating adequate public services and transportation networks.

CONDITIONS OF APPROVAL:

Although a decision to approve a minor amendment may include conditions, staff has not identified the need to impose any conditions at this time. This item was reviewed and discussed by the City Planning Commission on March 5, 2015 and their unanimous recommendation of approval is attached in Resolution No. 816 with findings (Attachment "B").

ATTACHMENTS:

Attachment "A" – Ordinance No. ___ An Ordinance Amending the Central Point Zoning Map from Residential Single Family (R-1-10) to Residential Single Family (R-1-8) on a 0.67 acre parcel located at 3292 Grant Road.

ACTION:

Consider the proposed amendment to the zoning map, and 1) approve the ordinance; 2) approve the ordinance with revisions; 3) deny the proposal.

RECOMMENDATION:

Approve Ordinance No. ___ An Ordinance Amending the Central Point Zoning Map from Residential Single Family (R-1-10) to Residential Single Family (R-1-8) on a 0.67 acre parcel located at 3292 Grant Road.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CENTRAL POINT ZONING MAP AT 3292 GRANT
ROAD (0.67 ACRES) FROM RESIDENTIAL SINGLE FAMILY (R-1-10) TO
RESIDENTIAL SINGLE FAMILY (R-1-8).
(37S 2W 10C, TL 1900)

Recitals:

- A. The City of Central Point (City) is authorized under Oregon Revised Statute (ORS) Chapter 197 to prepare, adopt and revise comprehensive plans and implementing ordinances consistent with the Statewide Land Use Planning Goals.
- B. The City has coordinated its planning efforts with the State in accordance with ORS 197.040(2)(e) and OAR 660-030-0060 to assure compliance with goals and compatibility with City Comprehensive Plans.
- C. Pursuant to authority granted by the City Charter and the ORS, the City may amend the Central Point Zoning Map which was originally adopted on August 29, 1980 and has been amended at various times since.
- D. Pursuant to the requirements set forth in CPMC Chapter 17.10.100 Zoning Map and Zoning Code Text Amendments – Purpose and Chapter 17.05.010, Applications and Development Permit Review Procedures, the City has accepted an application and conducted the following duly advertised public hearings to consider the proposed amendment:
 - a) Planning Commission hearing on March 5, 2015
 - b) City Council hearings on April 9, 2015 and May 14, 2015.

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

Section 1. Based upon all the information received, the City Council adopts the findings of fact and conclusions of law set forth in the City staff report; determines that changing community conditions, needs and desires justify the amendments and hereby adopts the changes entirely.

Section 2. The City zoning map is hereby amended as set forth in Exhibit 1 which is attached hereto and by this reference incorporated herein.

Section 3. The City Manager is directed to conduct post acknowledgement procedures defined in ORS 197.610 et seq. upon adoption of the changes to the zoning and Comprehensive Plan maps.

Section 4. Effective date. The Central Point City Charter states that an ordinance enacted by the council shall take effect on the thirtieth day after its enactment. The effective date of this ordinance will be the thirtieth day after the second reading.

Passed by the Council and signed by me in authentication of its passage this
____ day of _____, 2015.

Mayor Hank Williams

ATTEST:

City Recorder

Business

Park Commission

Report



STAFF REPORT

Matt Samitore, Director

To: City Council Members
From: Jennifer Boardman, Central Point Parks and Recreation
Subject: Park Commission Review – Meeting 4/21/15
Date: 4/24/15

Items Discussed: Two topics on the agenda brought forward recommendations for city council approval: Removal of the play structure in Cascade Meadows and setting Community Christmas event day/time.

Cascade Meadows: After just nine years of use and many issues with vandalism and repair the play structure at Cascade Meadows Park has been broken beyond repair. The high incidence of vandalism along with no longer being able to purchase replacement parts as well as safety concerns led to the need to replace or remove this structure.

The Parks Commission after discussion determined that removal of the broken equipment at Cascade Meadows Park would be the best course of action at this time.

They suggested that a small piece of equipment like a swing be put in place. This would reduce the chances of vandalism due to the type of material used in swings and still provide a play apparatus for neighborhood kids.

The Parks Department would remove the structure in July and then replace with a smaller more vandal proof piece of equipment.

Community Christmas and Lights Parade: The Parks Commission would like to set the date for Community Christmas and the Lights Parade for the first Saturday in December. They felt that moving the date later in the month would put it too close to Christmas and keeping it on Friday raises too many traffic concerns. They also felt that it was pushing families to have the event on Friday. There had been talk about moving the event to the EXPO and the Parks Commission would like to keep with tradition and have the event in downtown Central Point with the tree lighting at City Hall.

Parks Commission Recommendation: Park Commission recommended removal of the equipment at Cascade Meadows and moving Community Christmas to the first Saturday of December.

Business

Planning Commission

Report

PLANNING DEPARTMENT MEMORANDUM

Date: May 14, 2015

To: Honorable Mayor & Central Point City Council

From: Tom Humphrey AICP, Community Development Director

Subject: Planning Commission Report

The following item was presented by staff and discussed by both the Central Point Planning Commission and the Jackson County Planning Commission at a special joint meeting on May 7, 2015.

- A. Public Hearing to Consider a Resolution forwarding a favorable recommendation to the City Council to Amend the Comprehensive Plan Map (Minor) to add approximately 47 acres to the City of Central Point Urban Growth Boundary (UGB) north of Interstate 5; east and west of Blackwell Road in the vicinity of the Seven Oaks Interchange (Exit 35) including portions of Dean Creek Road. File No. 14009.** The Community Development Department co-presented a private application made by Combined Transport Logistics Group to the City and County Planning Commissions. The proposal expands Central Point's UGB into Urban Reserve Area CP-1B. Both Commissions supported the proposal as did various agencies and property owners who were either asked or chose to comment.