



CITY OF CENTRAL POINT

Oregon

City Council Meeting Agenda Thursday, February 13, 2020

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(1606) Ord (2065)

I. REGULAR MEETING CALLED TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. SPECIAL PRESENTATIONS

1. RVCOG Annual Report

V. 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.

VI. CONSENT AGENDA

A. Approval of January 23, 2020 City Council Minutes

- B. Approval of 2020 City Surplus List

- C. Jackson County Deadly Physical Force Plan

VII. ITEMS REMOVED FROM CONSENT AGENDA

VIII. 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. First Reading - An Ordinance Amending the Central Point Zoning Map from TOD-EC (Employment Commercial) to TOD-GC (General Commercial) Zoning on 0.99 Acres Located at the Southeast Corner of Haskell and Pint Streets (37S2W10AA TL 6000 & 6001) (Humphrey)

- B. Resolution No. _____, A Resolution to Annex 3.44 Acres located at 3664 Grant Road and Identified on the Jackson County Assessor's Map as 372W10BC TL 2200 (Humphrey)

IX. ORDINANCES, AND RESOLUTIONS

- A. Resolution No. _____, Supporting a "No-Build" Option for a Proposed interchange at Vilas Road and the Rogue Valley Expressway (Humphrey)
- B. Resolution No. _____, Accepting the Lowest Responsible Bid from Express Excavation, Inc. for the Flannagan Park Parking Lot Project and Authorizing the City Manager to Execute a Contract (Jacob)

X. BUSINESS

- A. Planning Commission Report (Humphrey)
- B. Water Account Change Over Notification Revisions (Weber)

XI. MAYOR'S REPORT

XII. CITY MANAGER'S REPORT

XIII. COUNCIL REPORTS

XIV. DEPARTMENT REPORTS

XV. EXECUTIVE SESSION

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.

XVI. 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, January 23, 2020

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 | |

Staff members present: City Manager Chris Clayton; City Attorney Sydnee Dreyer; Finance Director Steve Weber; Police Chief Kris Allison; Police Captain Dave Croft; Parks and Public Works Director Matt Samitore; Community Development Director Tom Humphrey; and City Recorder Deanna Casey.

IV. SPECIAL PRESENTATIONS

1. Knife River Special Recognition

Parks and Public Works Director Matt Samitore and Council member Rob Hernandez presented a special recognition plaque to Knife River for their willingness to deliver value and excellence to Central Point in regards to the Twin Creeks Rail Crossing. It was a challenging project to step in and complete.

V. PUBLIC COMMENTS - None

VI. CONSENT AGENDA

| | |
|------------------|---|
| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Michael Parsons, At Large |
| SECONDER: | Taneea Browning, Ward IV |
| AYES: | Williams, Olsen, Johnson, Thueson, Browning, Hernandez, Parsons |

A. Approval of January 9, 2020 City Council Minutes

B. 2020 Committee Re-appointments

VII. ITEMS REMOVED FROM CONSENT AGENDA

Minutes Acceptance: Minutes of Jan 23, 2020 7:00 PM (CONSENT AGENDA)

VIII. BUSINESS

A. Presentation and Discussion of Vilas Road Interchange Study and Traffic Analysis by ODOT Staff.

Tom Guevara and Katie Brown from ODOT updated the Council on a proposal to build an interchange at Vilas Road and the Rogue Valley Expressway. They explained the current traffic issues at signals on Table Rock, Hamrick, and Vilas Roads. A study on the proposed interchange indicates that service levels will decrease at these signals if an interchange is built on Vilas Road.

There was discussion that interchanges on the express way would defeat the purpose of an express way. The express way was created to support the longer trip travelers so they could bypass the congestion on Crater Lake Hwy. The study also indicates the cost to the surrounding communities would be delays on the express way, increase in emissions and an increase in crashes due to congestion and traffic getting on and off the express way. ODOT recommends a No-Build on the Vilas Interchange scenario.

If the express way interchange is approved it would affect traffic circulation in Central Point and necessitate improvements to various intersections that the State expects local jurisdictions to pay for and construct. Central Point would be responsible for improvements at the Table Rock/Vilas, Table Rock/Pine-Biddle and Pine/Hamrick intersections. In some cases Transportation System Plans would need to be amended and funding for projects rearranged at the cost of the local jurisdictions.

City Manager Chris Clayton stated that it will be difficult to justify funding the interchange to the citizens of Central Point. If built Central Point, Medford and Jackson County would be required to reevaluate current transportation plans and improvements because funding and grants from ODOT would not be available.

There was discussion that the interchange is working for the purpose it was built. It would be inadvisable to create an interchange and take funds away from other projects in the valley. There was a question about how the Foothills Road improvements could affect the express way.

Larry Martin, TAC Member

Mr. Martin stated that the Foothills project is just widening the road and should not affect the express way. He explained some of the projects that will be affected if funds are not available for the City of Medford.

Michael Parsons moved to direct staff to bring back a resolution for No-Build of the Vilas Road Interchange.

| | |
|------------------|---|
| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Michael Parsons, At Large |
| SECONDER: | Taneeea Browning, Ward IV |
| AYES: | Williams, Olsen, Johnson, Thueson, Browning, Hernandez, Parsons |

B. Water Account Changeover Policy

Minutes Acceptance: Minutes of Jan 23, 2020 7:00 PM (CONSENT AGENDA)

Finance Director Steve Weber explained that there has been some discussion regarding the current policy and code where delinquent account balances become a lien on the property until paid by the responsible party. In most cases that is the property owner. There have been instances where property owners have felt that the City was trying to bill them for a tenant or previous owner's outstanding balance and that their property should not be assessed for someone else's bill. In most cases the concern is over a letter indicating we will lien the property if not paid. City Staff does not always get informed when property changes owners and we send out the notices to the owner on record with us.

An internal process change that occurred was a documentation requirement for starting/stopping water service. This documentation provides us with a listing of who the responsible party will be on the new account as well as the effective date of the change. If a notice is sent to a new property owner they can prove that the outstanding bill does not belong to them. This helps us determine who should be responsible if there is a change in responsible party and they do not come in to discontinue service with the city. Unfortunately title companies do not always do a final check with the city in regards to updated account balances.

There was discussion about how other utilities start/stop service without requiring a lease or settlement statement. There is some concern about the wording in the notice to property owners that their property will be assessed unless the bill is paid. It does not make it clear that the new owner should contact the city to clear up the bill. We have been working with title companies and staff regarding title searches, but there are situations that slip through. This week we are updating our finance software and should have the ability to personalize letters.

Staff should have the authorization to write off balances under a certain amount when the situation warrants it. We can reword the current letter and work on notifications to title companies to make sure they complete their searches. Staff will bring back proposed language for the notices. Mr. Clayton stated that he is not opposed to writing off small amounts, but we need to remember when we do that the other citizens of Central Point are paying for these delinquent bills.

RESULT: FOR DISCUSSION ONLY

C. Central Point Community Center Update

Parks and Public Works Director Matt Samitore presented the conceptual plans for the proposed Community Center. The Adhoc Committee has been working over the last few months to incorporate two multi-use gyms, a competition gym, multi-generational center, classrooms, meeting rooms, administrative offices, a snack bar and warming kitchen. We hope to be able to include a walking track above the multi-use gym but it will depend on our funding options.

He stated that we are ready to start the open house process to receive input from the community. The first open house will be February 20, 2020 with the Parks and Recreation Commission. The second open house will be in March on a Saturday to try and get a larger draw of citizens. Staff will then work on the funding and a budget for presentation to the City Council. After the meetings with the community we will decide if we can move forward with the plan as presented

or if there should be changes. The plan is to design the center with an additional phase to install a community pool if that is what the citizen's request. We do intend to include a spray park at this location similar to Don Jones Spray Park. We may need to redesign the skateboard park to make room for seating in the competition gym. This discussion will be included in the public meetings.

RESULT: FOR DISCUSSION ONLY

IX. MAYOR'S REPORT

Mayor Williams reported that:

- He attended the Medford Chamber Forum.
- Jewett Elementary School is asking the Council to approve a Proclamation for The Great Kindness Challenge Week January 27 - 31, 2020.

A. **Motion to:** Empracing The Great Kindness Challenge Week for January 27 - 31, 2020

Tanea Browning moved to approve The Great Kindness Challenge Week Proclamation encouraging Central Point Citizens to embrace this week with kindness.

| | |
|------------------|---|
| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Tanea Browning, Ward IV |
| SECONDER: | Michael Parsons, At Large |
| AYES: | Williams, Olsen, Johnson, Thueson, Browning, Hernandez, Parsons |

X. CITY MANAGER'S REPORT

City Manager Chris Clayton reported that:

- Our Franchise Agreement with Century Link expired at the end of last year. Staff will be working on an updated agreement and return to Council for approval.
- He attended the Medford Water Commission meeting where they explained how they manage the watershed. He is hoping to get the same presentation for a City Council meeting in the near future.
- He attended the Other Cities Water meeting today. They are finalizing the Water rights strategy.
- There has been a complaint about the two properties next to Don Jones Memorial Parks on Vilas Road. Although the property may need repairs they have cleaned up the accumulation of junk that was there a few years ago when we initiated the forced annexation. The Police Department is continuing to work with the owners to improve the look of the properties.

XI. COUNCIL REPORTS

Council Member Rob Hernandez reported that:

Minutes Acceptance: Minutes of Jan 23, 2020 7:00 PM (CONSENT AGENDA)

- He attended the School Bond Committee meeting. They have a good plan in place right now and are focusing on the old Asante property.
- He attended a School District Board meeting.
- He will be going with the Parks Department to check out the new facility at Southern Oregon University. It is similar to what we are proposing for our community center.

Council Member Tanea Browning reported that:

- She attended an RVCOG meeting. They have been having a problem getting a quorum for the last few meetings.
- She is working on training for the council members.
- The LOC meeting with Governor Brown went well. They had discussed the new ADU requirements and that not every city should have the same rules.

Council Member Michael Parsons reported that he attended the Citizens Advisory Committee Meeting and the RVSS Board meeting.

XII. DEPARTMENT REPORTS

Finance Director Steve Weber reported that the finance software program is being upgraded this week. They are hoping it will be completed enough tomorrow to do some tests and go live with it on the 27th.

Community Development Director Tom Humphrey reported that:

- The Planning Commission meeting will be discussing a few annexations at their next meeting. Their recommendations will be at the next Council meeting.
- The owners of the Rogue Bin are talking with adjoining property owners to split the property among them.
- He updated the Council in regards to expansions and future businesses that are looking to redevelop in Central Point.
- The Urban Growth Boundary expansion is moving forward.

Police Chief Kris Allison reported that she attended a meeting with the Central Point Library regarding safety issues and offering training. She also updated the Council on several services she found out that are available if you have a library card.

Parks and Public Works Director Matt Samitore reported that they will be going to Salem next week for mediation meeting with TYLNN.

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

Tanea Browning moved to Adjourn to Executive Session under ORS 192.660(2)(h) Legal Counsel. Rob Hernandez seconded. All said Aye and the meeting was adjourned into Executive Session at 8:44 p.m.

XIV. ADJOURNMENT

The regular meeting reconvened at 9:30 p.m. no further action was taken.

Tanea Browning moved to adjourn. Neil Olsen seconded. All said aye and the meeting was adjourned at 9:32 p.m.

The foregoing minutes of the January 23, 2020, Council meeting were approved by the City Council at its meeting of _____, 2020.

Dated:

Mayor Hank Williams

ATTEST:

City Recorder

Minutes Acceptance: Minutes of Jan 23, 2020 7:00 PM (CONSENT AGENDA)



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: February 13, 2020

SUBJECT: Approval of 2020 City Surplus List

ACTION REQUIRED: Consent Agenda Item **RECOMMENDATION:** Approval

BACKGROUND INFORMATION:

Public Works Surplus: Attached is the list of recommended surplus from new purchases and consolidations across all departments from March of 2019 through February 2020. No items are being recommended for donation at this time.

| Unit | Year | Mfr | Model | Type | VIN |
|------|------|--------|-----------------|---------|-------------------|
| 2085 | 1996 | Kubota | M4700 | Tractor | 10127 |
| 3019 | 2008 | Ford | F250 Super Duty | Pickup | 1FTSX20558EC89080 |

Both Units have a base value of \$3,000.

Police Department Surplus:

Attached is the list of recommended surplus vehicles from new purchases and consolidations of the Police 2019 fleet vehicles, to include related emergency equipment.

FINANCIAL ANALYSIS: Surplus revenue is considered miscellaneous revenue and is added to the internal services fund. Police Department revenue will be added to the General Fund.

LEGAL ANALYSIS: N/A

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS: N/A

STAFF RECOMMENDATION: Recommend approval of the consent agenda as presented.

RECOMMENDED MOTION: Approve the Consent Agenda as presented.

ATTACHMENTS:

1. PD SURPLUS VEHICLE LIST

2019 Police Fleet Vehicle and Related Emergency Equipment Surplus

| UNIT | YEAR | MAKE / MODEL | VEHICLE ID NUMBER | ASSIGNMENT | ODOMETER | PLATE | LISTED SALE PRICE (based on current market value) |
|-------------------------|--|----------------------|-------------------|------------|------------|---------|--|
| 71 | 1998 | FORD CROWN VICTORIA | 2FAFP71W2WX142433 | VIPS | 141,026 | E237024 | \$1,500 |
| 72 | 2003 | FORD CROWN VICTORIA | 2FAFP71W43X120459 | VIPS | 88,526 | E267553 | \$2,500 |
| CID | 2004 | FORD CROWN VICTORIA | 2FAHP71W44X102943 | CID | 89,443 | 764CAC | \$4,000 |
| 65 | 2006 | FORD CROWN VICTORIA | 2FAHP71W26X110946 | PATROL | 113,304 | E241969 | \$1,500 |
| 68 | 2006 | NISSAN FRONTIER | 1N6AD06U26C420916 | CSO | 106,885 | E234874 | \$6,000 |
| 64 | 2007 | FORD CROWN VICTORIA | 2FAHP71W07X139671 | PATROL | GUAGE INOP | E241970 | \$1,500 |
| NA | 2007 | HONDA ELEMENT | 5J6YH28737L014597 | ADMIN | 90,000 | 874DKQ | \$8,000 |
| GEM | 2007 | GEM 825 UTILITY CART | 5ASAG474X7F044235 | VIPS | NA | E241957 | \$5,000 |
| NA | 2007 | HONDA ELEMENT | 5J6YH28757L016058 | POOL | 68,700 | 841DJH | \$7,500 |
| 60 | 2012 | DODGE CHARGER | 2C3CDXAG8CH267624 | PATROL | 100,000 | E257139 | \$7,000 |
| 62 | 2012 | DODGE CHARGER | 2C3CDXAG1CH267626 | PATROL | 124,746 | E257138 | \$7,000 |
| 61 / K9 | 2012 | DODGE CHARGER | 2C3CDXAGXCH267625 | PATROL/ K9 | 130,600 | E257140 | \$9,000 |
| 73 | 2016 | FORD EXPLORER | 1FM5K8AR8GGC36789 | PATROL | >100,000 | E267571 | \$12,000 |
| 75 | 2016 | FORD EXPLORER | 1FM5K8AR6GGC26603 | PATROL | >100,000 | E267570 | \$12,000 |
| ADDITIONAL ITEMS | | | | | | | |
| 1 | Miscellaneous cable / wire assemblies related to emergency vehicle lighting and equipment. Estimated Value is less than \$1000.00 | | | | | | |
| 2 | Miscellaneous emergency vehicle lighting (lightbar, grill lights, etc). Estimated Value is less than \$5000.00 | | | | | | |
| 3 | Miscellaneous emergency vehicle center consoles, computer mounts, and other interior accessories. Estimated Value is less than \$2000.00 | | | | | | |
| 4 | Miscellaneous vehicle factory seats, seatbelt and door handle assemblies (brand new OEM). Estimated value less than \$3000. | | | | | | |

Attachment: PD SURPLUS VEHICLE LIST (1238 : 2020 City Surplus)



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

ISSUE SUMMARY

| | | | |
|-------------------------|---|------------------------|-------------------|
| TO: | City Council | DEPARTMENT: | Police Department |
| FROM: | Kris Allison, Police Chief | | |
| MEETING DATE: | February 13, 2020 | | |
| SUBJECT: | Jackson County Deadly Physical Force Plan | | |
| ACTION REQUIRED: | Consent Agenda Item | RECOMMENDATION: | Approval |

BACKGROUND INFORMATION:

In 2008 the Governor signed Senate Bill 111 which requires a plan from Counties in Oregon on how the investigation and procedures of a deadly physical force is conducted by law enforcement in their jurisdictions. The plan must be submitted to the governing body of each law enforcement agency in the county for review. The Jackson County District Attorney's office, in collaboration with local law enforcement leaders, drafted the original plan and it was adopted June 3, 2008 and implemented soon after.

During 2018, the Jackson County District Attorney Office revisited the plan with several members of local law enforcement to keep current on standard operating procedures and revisions were made. These revisions were presented to the Jackson County Deadly Force Planning Authority, a few minor adjustments were made to the revised plan and pursuant to SB 111, Chapter 842, Oregon Laws 2007, the planning authority unanimously approved the revised plan.

Prior to the planning authority enacting the newly amended plan, Senate Bill 111 requires the amended be submitted to the governing bodies of all local county and municipal law enforcement agencies.

Attached is the Jackson County Deadly Physical Force Plan for your review.

FINANCIAL ANALYSIS:
No Financial Impact

LEGAL ANALYSIS:
Reviewed by Jackson County District Attorney Beth Heckert

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:
N/A

STAFF RECOMMENDATION:

To approve in the Consent Agenda without revisions

RECOMMENDED MOTION:

Motion to approve the consent agenda

ATTACHMENTS:

1. Jackson County Deadly Physical Force Plan

JACKSON COUNTY DEADLY PHYSICAL FORCE PLAN

Originally adopted June 3, 2008
Revised June 22, 2018

Jackson County, Oregon
Deadly Physical Force Planning Authority

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Members of the Planning Authority

- Beth Heckert, Jackson County District Attorney
- Nathan Sickler, Jackson County Sheriff
- Chief Kris Allison, Central Point Police, police chief representative
- Lt. Jeff Fitzgerald, Oregon State Police, OSP representative
- Det. Tony Young , Medford Police, non-management representative
- David Carter, PSCC, citizen member

On June 22, 2018 this Plan was approved by a unanimous vote of the Planning Authority, and submitted to governing bodies of the following jurisdictions:

- Jackson County Approved _____
- City of Ashland Approved _____
- City of Central Point Approved _____
- City of Eagle Point Approved _____
- City of Jacksonville.....Approved _____
- City of Medford Approved _____
- City of Phoenix Approved _____
- City of Rogue River Approved _____
- City of Talent Approved _____

Upon receiving a vote of approval from all of the above jurisdictions, this Plan was submitted to the Attorney General, who approved the Plan on _____.

Attachment: Jackson County Deadly Physical Force Plan (1242 : Jackson County Deadly Physical Force Plan)

Preamble

The use of deadly physical force by law enforcement personnel is a matter of critical concern both to the public and to the law enforcement community. The purpose of this Plan is not to set the standards for the use of such force, or to be a substitute for agency policy regarding use of force, but rather to provide a framework for a consistent response to an officer's use of deadly physical force that treats the law enforcement officer fairly, and promotes public confidence in the criminal justice system.

The investigation of these incidents presents a unique combination of complexities that have potential social, civil, administrative and criminal consequences. Public interest and scrutiny is acute; employee morale rests in tenuous balance, and legal issues compound. Proper resolution requires the trust and confidence of all concerned that the investigation will be conducted impartially, thoroughly and openly; without undue or unlawful infringement on the rights and privacy of those involved. The affected agencies recognize their responsibilities to meet those demands, which can be accomplished only through effective management of the investigation. This requires an approach that is:

Well coordinated, to eliminate confusion;

Knowledgeable and skillful, to ensure thoroughness;

Defined, so that those involved and the public correctly interpret the investigative process;

Informative, without compromise of the investigation or individual's rights, in order to restrict speculation and rumor by those who have an interest in the investigation.

This Plan has been adopted by the Jackson County Deadly Force Planning Authority, duly constituted pursuant to SB 111, Chapter 842, Oregon Laws, 2007. On June 22, 2018 it was reviewed by the current planning authority with a few adjustments. The Plan was presented to the Public Safety Coordinating Council on June 26, 2018. As such, it sets out, among other things, the manner in which incidents which involve the use of deadly physical force by law enforcement personnel are to be investigated. It is anticipated that each incident will involve unique circumstances, and flexibility must be allowed for minor modifications. This protocol is not intended to increase the civil or criminal liability of member agencies or their employees, and it shall not be construed as creating any mandatory obligations to, or on behalf of, third parties.

SECTION 1: ADMINISTRATION

- A. In the event that a member of the Planning Authority is unable to continue to serve, a replacement shall be appointed as provided in Section 2(1) of Senate Bill 111, Chapter 842, Oregon Laws, 2007.
- B. There shall be six voting members of the Planning Authority. The approval of the Plan, or revisions thereof, shall be by majority vote.
- C. The presence of 2/3 of the voting members shall be required in order to hold any vote.
- D. The final Plan shall be incorporated into the Jackson County Cooperative Policing Manual.

SECTION 2: APPLICABILITY OF THE PLAN

A. Invocation of this Plan

1. Automatic and Immediate

- a) This Plan shall be applicable as set forth herein, to any use of deadly physical force by a law enforcement officer, acting in the course of his/her official duties, occurring within Jackson County.
- b) Investigation of these matters must be performed under two separate investigative formats: (1) the criminal investigation; and (2) the internal administrative investigation.

2. Optional

- a) This Plan may be invoked upon the occurrence of any sensitive or critical event involving a law enforcement officer which may have criminal liability attached. Examples include:
 - (i) A fatality which did not involve the use of deadly physical force by an officer.
 - (ii) An officer-involved motor vehicle incident.
 - (iii) Any death of a person while in law enforcement custody.

- (iv) Anytime when requested by an employer agency.

SECTION 3: DEFINITIONS

A. Law Enforcement Officer or Officer

1. Full-time, part-time and reserve sworn police officers, whether on duty or off duty and when acting in the course of his/her official duties in a law enforcement capacity.
2. Full-time or part-time non-sworn employees who are on duty at the time of an incident.
3. Volunteers who are on duty or are working under the direct control and supervision of a law enforcement officer.
4. Sworn parole and probation officers employed by Jackson County Community Justice, whether on duty or off duty and when acting in the course of his/her official duties.

B. Involved Officer(s)

1. The person who's official conduct, or official order, was the cause in fact of the death of a person. "Involved Officer" also means an officer whose conduct was not the cause in fact of the death, but who was involved in the incident before or during the use of deadly physical force, and this involvement was reasonably likely to expose the officer to a heightened level of stress or trauma.
2. This definition also applies to a situation in which no death occurs, but where the officer used deadly physical force.

C. Employer Agency

The agency by which the involved officer is employed or with which the person is affiliated.

D. Agency of Primary Responsibility

The agency within whose geographical jurisdiction the incident occurs. When an incident crosses jurisdiction boundaries, or occurs in the unincorporated areas of Jackson County, the agency of primary responsibility shall be jointly decided by the supervisors of the involved agencies.

E. Deadly Physical Force

Means physical force that under the circumstances in which it is used is readily capable of causing death or serious physical injury.

F. Serious Physical Injury

Means physical injury which creates a substantial risk of death or which causes serious and protracted disfigurement, protracted impairment of health or protracted loss or impairment of the function of any bodily organ.

G. Criminal Investigators

Those investigators assigned by the agency of primary responsibility, the employer agency, and/or the Major Assault/Death Investigation Unit, to conduct the criminal investigation of the incident.

H. Administrative Investigators

Those investigators assigned by the employer agency to conduct the internal administrative investigation of the incident.

I. Major Assault/Death Investigation Unit or MA/DIU

The Jackson County interagency team that investigates serious assault and murder cases and cases involving the use of deadly physical force by a law enforcement officer.

J. Case Agent

The detective assigned to lead the criminal investigation, issue assignments to other investigators, and gather reports for submission to the District Attorney's office. The case agent should not be from the employer agency.

K. Companion Officer

An uninvolved officer either assigned by the involved officer's agency or requested by the involved officer.

L. Plan

Means the final document approved by the Planning Authority, adopted by two-thirds of the governing bodies employing law enforcement officers, and approved by the Attorney General. Any approved revisions shall become a part of the Plan.

SECTION 4: IMMEDIATE AFTERMATH OF A DEADLY FORCE INCIDENT

A. Scene Procedure

1. Emergency life saving measures and protection of the public have first priority.
2. As soon as possible after the use of deadly physical force, the officer shall immediately notify his or her agency of the use of deadly physical force. The employer agency shall ensure that a MA/DIU call-out has been initiated, as described in Section 5.B.
3. If an injured person is transported to a hospital, an officer should accompany that person in the same vehicle in order to:
 - a) Locate, preserve, safeguard and maintain the chain of custody of physical evidence.
 - b) Obtain a dying declaration, excited utterance or any other statement made by the injured person.
 - c) Maintain custody of the person if that individual has been arrested.
 - d) Provide information to medical personnel about the incident as it relates to treatment.
 - e) Identify relevant people, including ambulance and medical personnel, and obtain from them information that is relevant to the investigation.
 - f) Be available for contacts with the injured person's family, if appropriate.
4. The scene must be secured as soon as possible and a sufficient perimeter established to safeguard evidence. Access to the scene should be limited to those officials who must enter for investigative purposes. A written log should be established to identify all persons entering and leaving the crime scene.
5. Responding officers in shooting incidents should ensure that involved officers maintain their weapons in place, in the same condition as they were at the conclusion of the incident, until surrendered to the evidence officer.

6. A member of the Major Assault/Death Investigation Unit should be designated as evidence officer to ensure that all physical evidence is identified and collected in a legally appropriate manner, providing for an adequate chain of custody.
- B. Transporting Involved Officers
1. Officers who were present at the scene at the time of the incident, whether as involved officers or witnesses, will be relieved of their duties at the scene as promptly as possible and shall be taken to their own police station, unless other suitable arrangements are made for them.
 2. Prior to transport, the officer(s) should be asked to provide information regarding the circumstances as necessary to protect persons and property, preserve any evidence, and to furnish a framework for the investigation.
- C. Assignment of Companion Officer
1. A companion officer shall be assigned by the employer agency to each involved officer, if practicable. The companion officer shall remain with the involved officer until the officer can be interviewed.
 2. The companion officer is present to provide for the involved officer's privacy, to be certain that his/her needs are accommodated, and to ensure the integrity of the involved officer's later statements to investigators.
 3. The companion officer should ensure the involved officer maintain his/her weapon in place, in the same condition as it was at the conclusion of the incident, until an ammunition count is conducted by an assigned MADIU investigator, and in appropriate circumstances surrendered to the MADIU investigator.
 4. The companion officer should encourage the involved officer not to discuss the incident until the investigative interview. However, this is not intended to in any way prohibit the involved officer from speaking to family members.
 5. The involved officer may also wish to speak to attorneys, union representatives, psychotherapists or other similar professionals.
 6. After the involved officer is released from the scene by the officer in charge, the companion officer should remove the involved officer from the scene as soon as possible.
- D. For at least 72 hours immediately following an incident in which the use of deadly physical force by a law enforcement officer resulted in the death of a person, a law

enforcement agency may not return an involved officer to duties that might place the officer in a situation in which the officer has to use deadly physical force.

SECTION 5: THE CRIMINAL INVESTIGATION

A. Investigation Team Composition and Objective

1. The investigative team will be composed of criminal investigators from the Major Assault/Death Investigation Unit. The participating agencies share responsibility for the integrity of the investigation; however, the agency of primary responsibility has the ultimate authority to decide any irreconcilable investigative issues.
2. The criminal investigation has priority over the administrative investigation and it begins immediately after an incident has occurred.
3. The goal of the criminal investigation is to develop all available relevant information about the incident in such a manner as to minimize further trauma to the involved officer. This information will be used in two ways:
 - a) To determine the **PRESENCE OR ABSENCE** of criminal culpability on the part of all those involved in the incident. Specifically:
 - (i) To determine whether the conduct involved is prohibited or authorized by criminal statutes.
 - (ii) If criminal conduct does exist:
 - (a) Determine the identity of the person(s) responsible for that conduct;
 - (b) Determine the type and degree of the crime(s);
 - (c) Determine the existence of any factual or legal defenses to the crime; and
 - (d) Determine the presence or absence of any factors which would mitigate or aggravate punishment for the crime.
 - b) To incidentally provide factual information to the employer agency's management for its internal use. While the criminal investigators do not direct their investigative attention to administrative concerns, it is recognized that the criminal investigation's results are of proper interest to agency management for its internal use, and those results are fully available for that purpose.

4. The criminal investigation is performed in a manner that provides both the appearance and the reality of a thorough, fair, complete and professional investigation which is free of conflicts of interest.

B. Call-out procedure

Upon identifying an occurrence as one involving the use of deadly physical force by an officer, the supervisor of the agency of primary responsibility shall make the following notifications as promptly as possible:

1. When the agency of primary responsibility is the Jackson County Sheriff's Office, the Oregon State Police, the Medford Police Department, Ashland Police Department, Central Point Police Department or Eagle Point Police Department, the supervisor shall determine the number of detectives needed from the Major Assault/Death Investigation Unit. That supervisor will cause MA/DIU detectives to be contacted.
2. When the agency of primary responsibility is not one of those listed above, the on-scene supervisor of the agency of primary responsibility shall contact the Jackson County Sheriff's Office or the Oregon State Police and speak directly to a supervisor regarding the call-out of the Major Assault/Death Investigation Unit and will cause the supervisor of those detectives to be contacted. If a supervisor from the Oregon State Police or the Jackson County Sheriff's Office is unavailable, the on-scene supervisor shall leave a telephone number and wait for a return call, or take other appropriate action.
3. A case agent from the Major Assault/Death Investigation Unit shall be appointed by a supervisor of the agency of primary responsibility when the incident occurs within the jurisdiction of the Jackson County Sheriff's Office, the Oregon State Police, the Medford Police Department, Ashland Police Department, Central Point Police Department or Eagle Point Police Department. In other jurisdictions, the case agent shall be selected by agreement of the unit members. The case agent should not be from the employer agency.
4. As part of the Major Assault/Death Investigation Unit call-out, the following additional notifications shall be made:
 - a) The District Attorney's Office

Notification shall be made to the District Attorney first, and if unavailable, the Chief Deputy. If neither is available, notification should be made to a senior member of the District Attorney's staff.
 - b) The medical examiner in the event of a death.

- c) The forensic laboratory division of the Oregon State Police, when this is determined necessary by the case agent.

C. Interviewing involved officers

1. Interviewees will be considered witnesses unless circumstances dictate otherwise.
2. Prior to conducting the interview, the interviewer shall be briefed by the case agent and, if possible, view the scene.
3. The interview shall be conducted by detectives assigned to the Major Assault/Death Investigation Unit. Each interview shall be conducted by two detectives, at least one of whom shall be from an agency other than the employer agency.
4. Interviews will be conducted separately, and in a comfortable setting. Interviewers must remain aware of the perceptual distortions associated with traumatic incidents, and how these distortions may vary between officers. In-depth interviews may have to occur some time after the incident, depending upon the officer's condition.
5. Interviews should be recorded by stenographer, audio or video.
6. If the interview is custodial in nature, the officer shall be given Miranda warnings.

D. Autopsy

An autopsy shall be performed whenever a death results. A member of the investigative team shall attend the autopsy. A representative from the Oregon State Police Forensic Laboratory will attend the autopsy when appropriate, as determined by the investigative team.

SECTION 6: MEDIA RELEASES

- A. Initial media releases are the responsibility of the agency of primary responsibility, after consultation with the case agent and District Attorney. This responsibility will normally continue until the final police reports are submitted to the District Attorney for review.
- B. The District Attorney will assume responsibility for media releases once the final police reports are submitted to the District Attorney's Office for review. This will

assist in minimizing the release of information that may jeopardize the investigation or subsequent prosecution.

SECTION 7: ACCESS TO REPORTS AND EVIDENCE

- A. Materials created or collected as a result of the criminal investigation will be made available to the employer agency for purposes of the internal administrative investigation at the conclusion of the criminal investigation, unless otherwise directed by the District Attorney. Materials may also be released to the employer agency while the criminal investigation is pending with prior approval of the District Attorney.

Materials may be made available to other agencies or individuals, including the involved officer and the officer's attorney, once the District Attorney had determined that no criminal charges will be brought against any individual as a result of the incident. If any criminal charges are filed, no materials will be released while charges are pending, except to the employer agency, without the approval of the District Attorney.

- B. The materials may include:
1. Reports
 2. Access to physical evidence
 3. Photographs and diagrams
 4. Audio and visual recordings
- C. At the conclusion of the criminal investigation, all reports will be submitted to the District Attorney by the case agent for review.
- D. When the District Attorney's Office concludes that the physical evidence collected by the criminal investigators is no longer needed for criminal law purposes, the employer agency shall be notified of that decision so it can assume responsibility for preservation of such evidence.

SECTION 8: DISTRICT ATTORNEY

- A. When an incident involving the use of deadly physical force by an officer occurs, the District Attorney's Office should be notified by the employer agency, agency of primary responsibility or MA/DIU case agent.

- B. The District Attorney's Office has the following roles in the incident investigation:
1. Participate co-equally with the investigative team performing the criminal investigation. It should be noted that the District Attorney has ultimate authority for the prosecution of criminal cases, and specific shared responsibility with the medical examiner in death investigations.
 2. Assist and advise the investigative team on various criminal law issues which may arise, such as Miranda, voluntariness, search and seizure, probable cause to arrest, detentions and releases, elements of crimes, immunity, legal defenses, etc.
 3. Upon completion of the criminal investigation, analyze the facts of the incident as well as the relevant law to determine if criminal laws were violated.
 - a) The District Attorney will normally present these matters to the Grand Jury for determination of criminal liability on the part of the involved officer. However, not all cases covered by this protocol may rise to a level that merits a Grand Jury determination. The District Attorney has the sole statutory and constitutional duty to make the decision whether to present the matter to a Grand Jury.
 - b) The District Attorney will decide on the issue of criminal liability or present the matter to a Grand Jury as soon as practicable, but not before the District Attorney has determined that sufficient information is available to competently make the decision.
 - c) When the District Attorney has made a final decision concerning criminal liability, or has presented the case to the Grand Jury, the District Attorney shall promptly communicate the result to the agency of primary responsibility, the employer agency, the involved officer's representative and the public.

SECTION 9: INTERNAL ADMINISTRATIVE INVESTIGATION

1. Investigation Priority

While both the criminal investigation and the internal administrative investigation are important and should be pursued, it is recommended that the criminal investigation have investigative priority and be completed before commencing the internal administrative investigation. It is intended that this prioritization will preclude competition between the two formats for access to witnesses, physical evidence and the involved parties. Additionally, it will prevent the criminal investigation from being compromised by an untimely exercise of the employer agency's administrative rights.

2. Information Excluded From the Criminal Investigation

Interview statements, physical evidence, toxicology test results, and investigative leads that are obtained by internal administrative investigators by ordering police agency employees to cooperate, shall not be revealed to criminal investigators.

SECTION 10: DEBRIEFING / MENTAL HEALTH COUNSELING

- A. The use of deadly physical force by an officer has the potential to create strong emotional reactions, which may interfere with an officer's ability to function effectively. These reactions may be manifested immediately, or over time. Further, these reactions may occur not only in an officer directly involved in the incident, but also in other officers within the agency.
- B. The requirements of this section provide a minimum framework, and are not intended to take the place of agency policy. Agencies are encouraged to develop formal procedures to deal with an officer's stress response following a use of deadly force incident. Such policies should include a procedure that is implemented from the time of the incident and continues as long as necessary.
 - 1. If the incident is of such a magnitude that agency-wide morale is implicated, the agency shall take such steps as it deems necessary to ensure professional police services are provided, and to develop strategies to restore morale.
 - 2. Each agency shall provide for a process for any officer to participate in a facilitated critical stress incident debriefing.
 - 3. If available, agencies should encourage officers to take advantage of employee assistance programs and, if needed, agencies should request assistance from other agencies that may have in place formal programs for dealing with critical incidents.
- C. In the six months following a use of deadly physical force incident that results in a death, the agency shall offer each involved officer a minimum of two opportunities for mental health counseling. The officer shall be required to attend at least one session of mental health counseling.
 - 1. At agency expense, the involved officer(s) shall be scheduled for an appointment with a licensed mental health counselor for a counseling session, with a follow-up session scheduled at a date determined by the mental health professional.
 - 2. The counseling sessions are not to be considered fitness for duty evaluations, and are to be considered privileged between the officer and counselor.

SECTION 11: AGENCY USE OF FORCE PLANS, REPORTING, TRAINING AND OUTREACH

- A. Every law enforcement agency must adopt a policy dealing with the use of deadly physical force by its officers. At a minimum, such policies must include guidelines for the use of deadly physical force.
- B. Upon the conclusion of the criminal investigation, the announcement by the District Attorney pursuant to Section 8.B.3.c. of this Plan, and the debriefing, the agency shall complete the Attorney General's report regarding the use of force, and submit the report to the Attorney General.
- C. The Jackson County Deadly Force Planning Authority shall take steps to engage the Jackson County community in a discussion regarding the purpose of the Plan, and the elements contained therein. Such steps may include, but are not limited to, general public release of the draft, discussion with the media, providing the draft to agency employees, union representatives, elected officials, and members of relevant community groups.
- D. Law enforcement agencies within Jackson County are responsible for training their officers on the specifics of their policies regarding the use of deadly physical force. That training should also include information about this Plan. Training may include, but is not limited to, firearms training and shooting scenarios, seminars, briefings, written materials, promulgation of this Plan along with the Patrol Supervisor's and Companion Officer's checklist, wallet cards and other written materials. Training should include suggestions for dealing with challenges that officers may encounter when responding to situations involving persons who appear to be suicidal, or who may have other mental health issues. Periodically, such training should be fashioned to include attorneys employed by state and local governments within the county.
- E. Public outreach regarding law enforcement use of deadly physical force is also an important component of effective and well-received law enforcement policies and of this Plan. Public outreach may be provided in numerous ways, including seminars, citizen's police academies, career day sessions at local schools, media releases, and the promulgation of written materials such as flyers. Entities which should take the lead in such outreach include: Jackson County law enforcement agencies, the Law Enforcement Agencies Heads group, MA/DIU, the Jackson County Public Safety Coordinating Counsel and the Deadly Physical Force Planning Authority.

SECTION 12: FISCAL IMPACT

Jackson County law enforcement agencies have incurred no reimbursable out of pocket costs associated with the development of this Plan. It is estimated that there will not be

ongoing reimbursable costs associated with the implementation of the Plan. However, if any law enforcement agency covered by the Plan does sustain such costs in the future, that agency shall submit to the Department of Justice, in the fiscal year in which said costs are accrued, a report outlining the fiscal impact of each element of the Plan as described in Section 4 and Sections (a) to (e) of Section 2(4) of Senate Bill 111, Chapter 842, Oregon Laws, 2007.

SECTION 13: PLAN REVISION

If a revision of the Plan becomes advisable, the Planning Authority shall meet and discuss such a revision. Proposed revisions should be discussed with the Law Enforcement Agency Heads group, as well as the MA/DIU. If the Planning Authority adopts a revision, such revision shall be submitted to the Attorney General and included in the Jackson County Cooperative Policing Manual.

**POLICE EMPLOYEE-INVOLVED FATAL OR SERIOUS INJURY
Patrol Supervisor's Checklist**

1. Emergency life saving measures and protection of the public have first priority.
2. Request additional patrol officers as necessary.
3. If an injured person is transported to a hospital, an officer should accompany that person in the same vehicle in order to:
 - a) Locate, preserve, safeguard and maintain the chain of custody of physical evidence.
 - b) Obtain a dying declaration, excited utterance, or any other statement made by the injured person.
 - c) Maintain custody of the person if that individual has been arrested.
 - d) Provide information to medical personnel about the incident as it relates to treatment.
 - e) Identify relevant people, including ambulance and medical personnel, and obtain from them information that is relevant to the investigation.
 - f) Be available for contact with the injured person's family, if appropriate.
4. When the agency of primary responsibility is the Jackson County Sheriff's Office, the Oregon State Police, the Medford Police Department, Ashland Police Department, Central Point Police Department or Eagle Point Police Department, the supervisor shall determine the number of detectives needed from the Major Assault/Death Investigation Unit and will cause the supervisor of those detectives to be contacted.
5. When the agency of primary responsibility is not one of those listed above, the onscene supervisor of the agency of primary responsibility shall contact the Jackson County Sheriff's Office or the Oregon State Police and speak directly to a supervisor regarding the call-out of the Major Assault/Death Investigation Unit. That supervisor will cause MA/DIU detectives to be contacted. If a supervisor from the Oregon State Police or the Jackson County Sheriff's Office is unavailable, the on-scene supervisor shall leave a telephone number and wait for a call, or take other appropriate action.
6. Determine what responding/scene officers have learned and what they've done.

Appendix A

7. **LIMIT QUESTIONS** of involved officers and other witnesses to those necessary for public safety and scene management.
8. Arrange for radio broadcasts on outstanding suspect, vehicle, witnesses, etc.
9. Protect sensitive investigative information, including names of involved officers. Use caution on radio broadcasts. Use secure phone when possible.
10. Locate, identify, and sequester civilian witnesses for detectives' interviews.
11. The scene must be secured as soon as possible and a sufficient perimeter established to safeguard evidence. Access to the scene should be limited to those officials who must enter for an investigative purpose. A written log should be established to identify all persons entering and leaving the crime scene.
12. Responding officers in shooting incidents should ensure that involved officers maintain their weapons in place, in the same condition as they were at the conclusion of the incident, until surrendered to the evidence officer.
13. Collect your information and thoughts to brief investigators.

Appendix A

ROLE OF THE COMPANION OFFICER

1. A companion officer shall be assigned by the employer agency to each involved officer if practicable. The companion officer shall remain with the involved officer until the officer can be interviewed.
2. The companion officer is present to provide for the involved officer's privacy, to be certain that his/her needs are accommodated, and to insure the integrity of the involved officer's later statements to investigators.
3. The companion officer should ensure the involved officer maintain his/her weapon in place, in the same condition as it was at the conclusion of the incident, until an ammunition count is conducted by an assigned MADIU investigator, and in appropriate circumstances surrendered to the MADIU investigator.
4. The companion officer should encourage the involved officer not to discuss the incident until the investigative interview. However, this is not intended to in any way prohibit the involved officer from speaking to family members.
5. The involved officer may also wish to speak to attorneys, union representatives, psychotherapists or other similar professionals.
6. After the involved officer is released from the scene by the officer in charge, the companion officer should remove the involved officer from the scene as soon as possible.

tax lots, and a civic school building.

The project area is occupied by an empty industrial/commercial building that is currently being used for storage. Although the proposed zone change will allow for the expansion of the Rogue Creamery within a general commercial district, the character and compatibility between uses as redevelopment occurs will be a function of siting and design per CPMC 17.67, Design Standards- TOD District and TOD Corridor.

- 3. Traffic Impacts/Transportation Planning Rule Compliance.** The State Transportation Planning Rule (TPR) in OAR 660-012-0060 requires changes to land use plans and land use regulations (i.e. Comprehensive Plan Map Amendments and Zoning Map Amendments) to be consistent with the function and capacity of existing and planned transportation facilities. The Rogue Creamery is working with a local engineering group (Ausland) who has evaluated the impact the zone change will have on traffic within the vicinity (Attachment (“C”). Their conclusion is that the highest trip-generating uses permitted in the EC zoning district match those in the GC zoning district. Therefore there is no net increase in Daily Trips by changing one zone category to another in this case. The Planning Department Supplemental Findings (Attachment “B”) reflect the conclusions in the engineer’s analysis.

ISSUES:

There are no issues relative to this application.

ACTION:

Open public hearing and consider the proposed amendment to the Zoning Map, close public hearing and 1) forward the ordinance to a second reading, 2) make revisions and forward the ordinance to a second reading, or 3) deny the ordinance.

RECOMMENDATION:

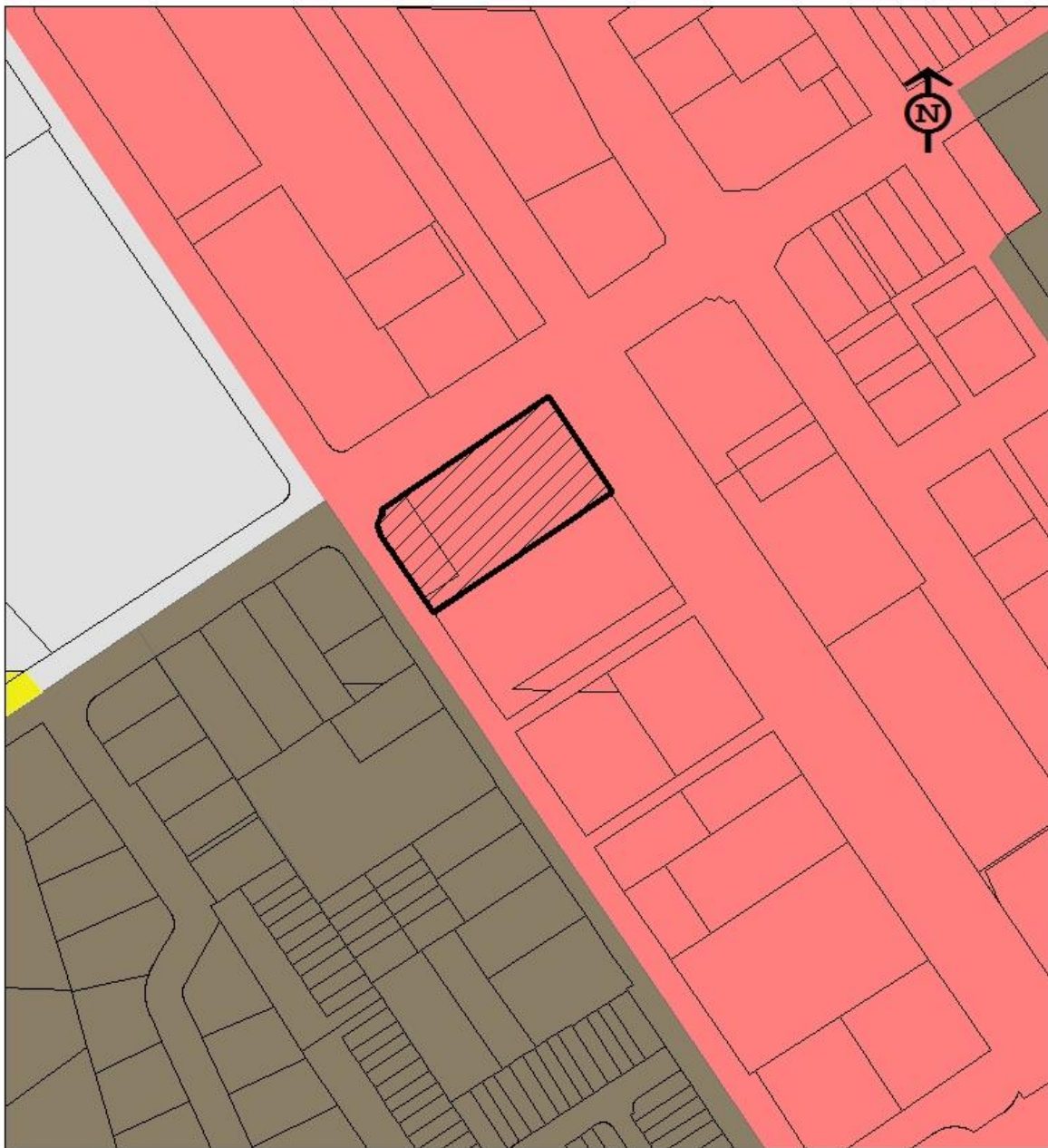
Forward the ordinance approving the Scenic Avenue Minor Zone Map Amendment to a second reading.

ATTACHMENTS:

1. Attachment A - Comprehensive Plan and Zoning Maps
2. Attachment B - Planning Department's Findings
3. Attachment C- Ausland Group Traffic Analysis
4. Attachment D - Planning Commission Resolution
5. Attachment E - City Council Ordinance









ATTACHMENT "A"

Figure 1. Current and Future Comprehensive Plan Map



Current & Future Land Use Designation

Legend

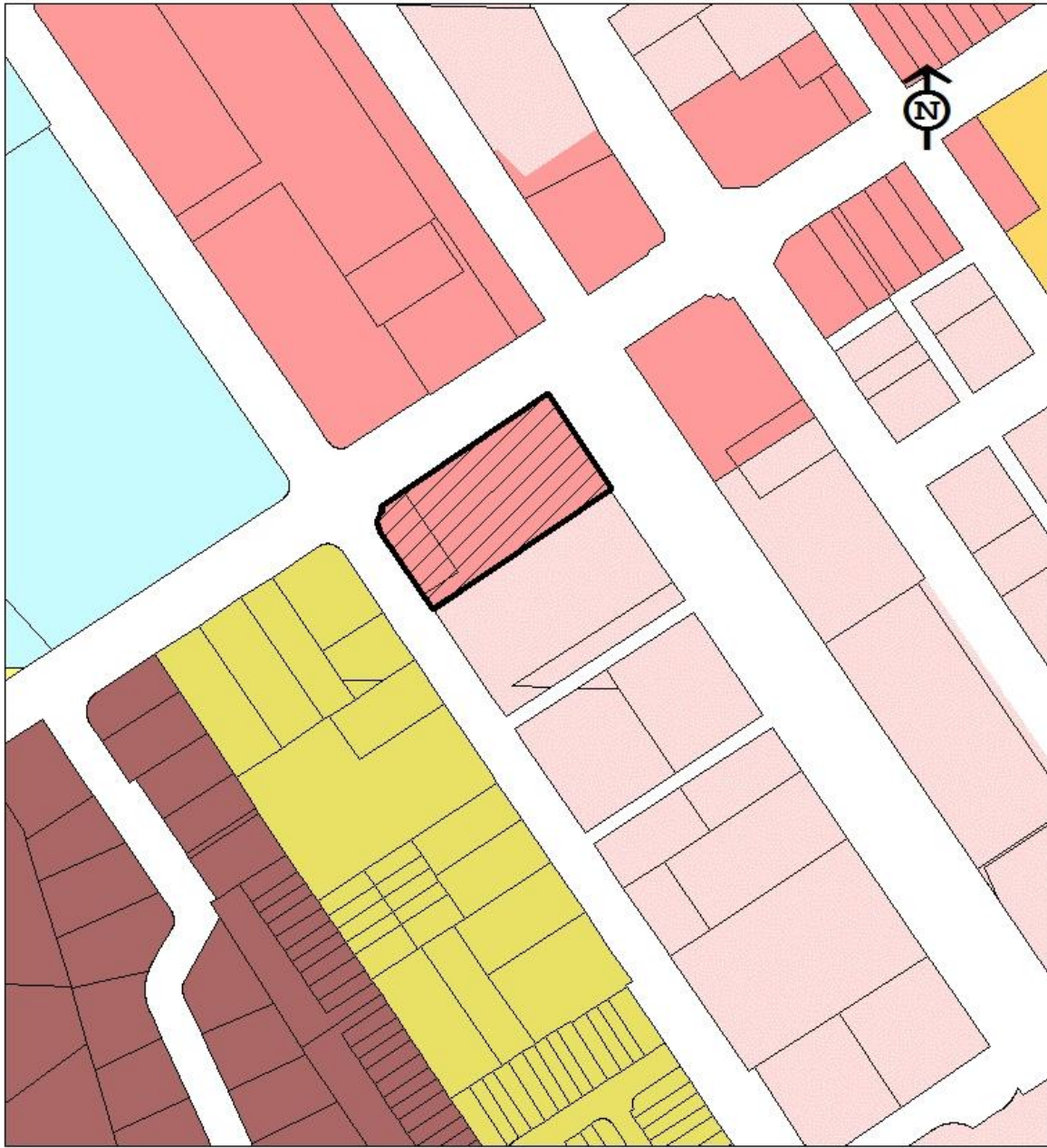
-  Study Area
-  Taxlots
-  Very Low Density
-  Medium Density
-  Low Density
-  High Density
-  Commercial
-  Civic

0 100 200 400 Feet

Created by:
Eileen Mitchell, Community Planner 1
Date: 9/30/2019








Attachment: Attachment A - Comprehensive Plan and Zoning Maps (1245 : Commercial Zone Change)

Figure 2. Current Zone Designation



Current Zoning Designation

Legend

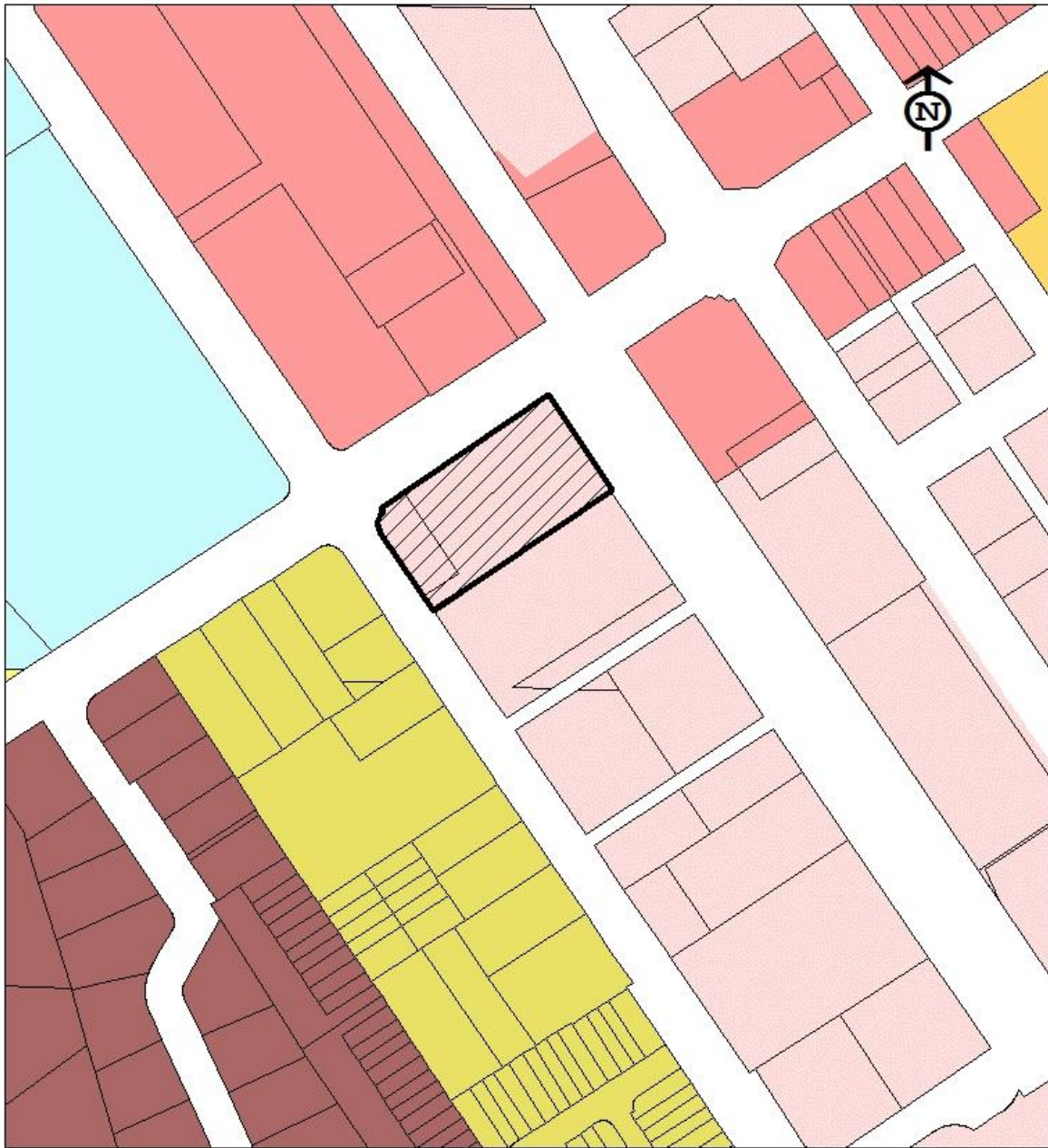
-  Study Area
-  Civic
-  EC (TOD)
-  GC (TOD)
-  HMR (TOD)
-  MMR (TOD)
-  R-3

0 105 210 420 Feet

Created by:
Eileen Mitchell, Community Planner 1
Date: 9/30/2019

Attachment: Attachment A - Comprehensive Plan and Zoning Maps (1245 : Commercial Zone Change)








Figure 3. Proposed Zone Designation



Proposed Zoning Designation



Legend

-  Study Area
-  Civic
-  EC (TOD)
-  GC (TOD)
-  HMR (TOD)
-  MMR (TOD)
-  R-3

0 105 210 420 Feet

Created by:
Eileen Mitchell, Community Planner 1
Date: 9/30/2019

Attachment: Attachment A - Comprehensive Plan and Zoning Maps (1245 : Commercial Zone Change)

**FINDINGS OF FACT
AND
CONCLUSIONS OF LAW
File No: CPA-19008**

INTRODUCTION

Consideration of a Zoning Map Change of the Project Sites Employment Commercial (TOD) zoning to General Commercial (TOD).

Background:

The proposed minor zone map amendments are in reference to the Project Site located on the Jackson County Assessor's map as 37-2W-10AA, Tax Lots 6000 and 6100. The purpose of the minor zone map change is to comply with the comprehensive plan but also to change the zoning to accommodate planned development. The plans are in place for the expansion of the Rogue Creamery, a local business. Changing the zoning map from Employment Commercial (TOD) to General Commercial (TOD) would help accommodate this growth. An amendment will help the area to be developed appropriately and expand in a way that promotes a walkable pedestrian orientation to the general commercial uses along the western side of the downtown corridor.

These findings are prepared in four (4) parts:

1. Legislative Amendment Procedures (CPMC 17.05.400)
2. Zoning Map and Zoning Text Amendments (CPMC 17.10)
3. City of Central Point Comprehensive Plan
4. Transportation Planning Rule (OAR 660-012-0060(1))

PART 1 –CPMC 17.05.400, QUASI JUDICIAL PROCEDURES

CPMC 17.05.400(A). Pre-Application Conference. A pre-application conference is required for all Type III applications. The requirements and procedures for a pre-application conference are described in Section 17.05.600(C).

***Finding, CPMC 17.05.400(A):** Because the City of Central Point initiated this application to amend the zoning map, a pre-application conference is not required and will not be held.*

***Conclusion, CPMC 17.05.400(A):** Not applicable.*

CPMC 17.05.400(B)(1). Application Forms. Type III applications shall be made on forms provided by the community development director or designee for the land development permit requested.

ATTACHMENT “B”

Finding, CPMC 17.05.400(B)(1): *The proposed zoning map amendment is considered a Minor Amendment per Table 17.05.01 and Section 17.10.300(B). As demonstrated by the Findings for CPMC 17.05.400, the proposed text amendments have been processed in accordance with the timelines and requirements for Type III legislative applications.*

TABLE 17.05.1

| LAND DEVELOPMENT PERMIT* | PROCEDURAL TYPE | APPLICABLE REGULATIONS | APPROVING AUTHORITY | 120-DAY RULE |
|--|-----------------|-------------------------------|---------------------|--------------|
| Zoning Map and Zoning and Land Division Code Text Amendments | | | | |
| Minor | Type III | Chapter 17.10 | City Council | Yes |
| Major | Type IV | Chapter 17.10 | City Council | No |

Conclusion, CPMC 17.05.400(B)(1): *Consistent.*

CPMC 17.05.400(B)(2). Submittal Requirements. When a Type III application is required, it shall include;

- a. A completed application form with required attachments;
- b. One copy of a narrative statement (findings and conclusions) that explains how the application satisfies each and all of the relevant criteria and standards in sufficient detail for review and decision-making. Note: Additional information may be required under the specific applicable regulations for each approval as referenced in Table 17.05.1;
- c. The required fee; and
- d. One set of pre-addressed mailing labels for all real property owners of record who will receive a notice of the application as required in subsection C of this section. The records of the Jackson County assessor’s office are the official records for determining ownership. The applicant shall produce the notice list using the most current Jackson County assessor’s real property assessment records to produce the notice list. The city shall mail the notice of application. The failure of a property owner to receive notice as provided in subsection C of this section shall not invalidate such proceedings provided the city can demonstrate by affidavit that such notice was given.

Finding, CPMC 17.05.400(B)(2): *The City of Central Point’s application to amend the zoning map relative to the properties off Pine and Haskell Streets includes the application form, findings, required fee, and pre-addressed mailing labels.*

Conclusion, CPMC 17.05.400(B)(2): *Consistent.*

Attachment: Attachment B - Planning Department’s Findings [Revision 1] (1245 : Commercial Zone Change)

ATTACHMENT "B"

CPMC 17.05.400(C). Notification Requirements.

1. Mailed Notice. The city shall mail the notice of the Type III hearing. Notice of a Type III hearing shall be given by the community development director or designee in the following manner:
 - (a) At least twenty days before the hearing date, or if two or more hearings are allowed, ten days before the first hearing, notice shall be mailed to:
 - i. The applicant and all owners or contract purchasers of record of the property on the most recent property tax assessment roll that is the subject of the application;
 - ii. All property owners of record on the most recent property tax assessment roll within two hundred fifty feet of the site, including tenants of a mobile home or manufactured dwelling park;
 - iii. Any governmental agency that is entitled to notice under an intergovernmental agreement entered into with the city. The city may notify other affected agencies. The city shall notify the county road authority, or ODOT, and rail authority when there is a proposed development abutting or within two hundred fifty feet of an affected transportation facility and allow the agency to review, comment on, and suggest conditions of approval for the application;
 - iv. Owners of airports in the vicinity shall be notified of a proposed zone change in accordance with ORS 227.175;
 - v. Any neighborhood or community organization recognized by the city council and whose boundaries include the property proposed for development;
 - vi. Any person who submits a written request to receive notice;
 - vii. At the applicant's discretion, notice may also be provided to the Department of Land Conservation and Development.

Finding, CPMC 17.05.400(C)(1)(a): *The City of Central Point's application includes a mailed Notice of a Type III hearing. All applicable parties will be mailed within the specified timeframe.*

Conclusion, CPMC 17.05.400(C)(1)(a): *Consistent.*

- (b) Content of Notice. Notice of a Type III hearing shall be mailed per this subsection C and shall contain the following information:
 - i. An explanation of the nature of the application and the proposed land use or uses that could be authorized for the property;
 - ii. The applicable criteria and standards from the zoning and subdivision code and comprehensive plan that apply to the application;

ATTACHMENT “B”

- iii. The street address or other easily understood geographical reference to the subject property;
- iv. The date, time, and location of the public hearing;
- v. A statement that the failure to raise an issue in person, or in writing at the hearing, or failure to provide statements or evidence sufficient to afford the decision-maker an opportunity to respond to the issue prior to the close of the final hearing means that an appeal based on that issue cannot be raised at the State Land Use Board of Appeals;
- vi. The name of a city representative to contact and the telephone number and email address where additional information on the application may be obtained;
- vii. A statement that a copy of the application, all documents and evidence submitted by or for the applicant, and the applicable criteria and standards can be reviewed at the city of Central Point City Hall at no cost and that copies shall be provided at a reasonable cost;
- viii. A statement that a copy of the city’s staff report and recommendation to the hearings body shall be available for review at no cost at least seven days before the hearing, and that a copy shall be provided on request at a reasonable cost;
- ix. A general explanation of the requirements to submit testimony, and the procedure for conducting public hearings; and
- x. The following notice:

Finding CPMC 17.05.400(C)(1)(b): *The content included within the notices conform with CPMC 17.05.400(C). This can be validated within the affidavit of publication.*

Conclusion CPMC 17.05.400(C)(1)(b): *Consistent.*

- (c) The community development director or designee shall prepare an affidavit of notice and the affidavit shall be made a part of the file. The affidavit shall state the date that the notice was mailed to the persons who were sent notice.

Finding CPMC 17.05.400(C)(1)(c): *An affidavit will be published in a newspaper for the proposed zone map amendment, and the DLCD was notified.*

Conclusion CPMC 17.05.400(C)(1)(c): *Consistent.*

- 2. On-Site Posting. Public notice signs shall be posted on the project site for any Type III land use action according to the following:
 - a. Contents of Sign. Notice signs shall include a description of the proposed land use action, the date of the public hearing, and the City of Central Point file number for the proposed land use action.
 - b. Location and Number of Signs. A posted notice sign must be placed on each existing street frontage of the project site. If a frontage is over six hundred feet long, a notice is required for each six hundred feet or fraction thereof. Notice signs must be posted within ten feet of a property line along the street and must be visible to pedestrians and

ATTACHMENT “B”

motorists. Notice signs may not be posted in a public right-of-way unless the land use action specifically pertains to a public right-of-way. If posting must occur in the right-of-way, care should be taken to comply with clear vision area requirements as set forth in Section 17.60.120.

- c. Sign Posting Schedule. The required sign(s) shall be posted not later than twenty-one days prior to the first public hearing date of each body that hears the application. Posted signs shall be removed within ten days following the final decision.
- d. Affidavit of On-Site Posting. The director or designee shall prepare an affidavit of on-site notice posting and the affidavit shall be made part of the file. The affidavit shall state the date that the notice was posted, the number of notices posted and the name of the person(s) who posted the notice.

Finding, CPMC 17.05.400(C)(2): *In accordance with Municipal Code Section 17.05.400(C)(2), notice shall be posted on site concerning the Type III land use action for the zone map amendment.*

Conclusion, CPMC 17.05.400(C)(2): *Consistent.*

D. Conduct of the Public Hearing.

1. At the commencement of the hearing, the hearings body shall state to those in attendance:
 - a. The applicable approval criteria and standards that apply to the application or appeal;
 - b. A statement that testimony and evidence shall be directed at the approval criteria described in the staff report, or other criteria in the comprehensive plan or land use regulations that the person testifying believes to apply to the decision;
 - c. A statement that failure to raise an issue with sufficient detail to give the hearings body and parties an opportunity to respond to the issue means that no appeal may be made to the State Land Use Board of Appeals on that issue;
 - d. Before the conclusion of the first evidentiary hearing, any participant may ask the hearings body for an opportunity to present additional relevant evidence or testimony that is within the scope of the hearing. The hearings body shall grant the request by scheduling a date to finish the hearing (a “continuance”) per subsection (D)(2) of this section, or by leaving the record open for additional written evidence or testimony per subsection (D)(3) of this section.

Finding CPMC 17.05.400(D)(1): *Public hearings are conducted in accordance with state public meeting laws and the procedures in this section as evidenced by the record of proceedings maintained by the City for each meeting including those duly noticed meetings for this application.*

Conclusion CPMC 17.05.400(D)(1): *Consistent.*

2. If the hearings body grants a continuance, the hearing shall be continued to a date, time, and place at least seven days after the date of the first evidentiary hearing. An opportunity shall be provided at the second hearing for persons to present and respond to new written evidence and oral testimony. If new written evidence is submitted at the second hearing,

ATTACHMENT “B”

any person may request, before the conclusion of the second hearing, that the record be left open for at least seven additional days, so that they can submit additional written evidence or testimony in response to the new written evidence.

Finding CPMC 17.05.400(D)(2): *Continuations of the public hearing will abide by the rules and regulations of CPMC 17.05.400.*

Conclusion CPMC 17.05.400(D)(2): *Consistent.*

3. If the hearings body leaves the record open for additional written evidence or testimony, the record shall be left open for at least seven days after the hearing. Any participant may ask the city in writing for an opportunity to respond to new evidence submitted during the period that the record was left open. If such a request is filed, the hearings body shall reopen the record to allow rebuttal evidence.
 - a. If the hearings body reopens the record to admit new evidence or testimony, any person may raise new issues that relate to that new evidence or testimony;
 - b. An extension of the hearing or record for a Type III application pursuant to this subsection D is subject to the limitations of ORS [227.178](#) (“one-hundred-twenty-day rule”), unless the continuance or extension is requested or agreed to by the applicant;
 - c. If requested by the applicant, the hearings body shall allow the applicant at least seven days after the record is closed to all other parties to submit final written arguments in support of the application, unless the applicant expressly waives this right. The applicant’s final submittal shall be part of the record but shall not include any new evidence. For limited land use decisions, the seven-day period shall not be subject to the limitations of ORS [227.178](#) and [227.179](#);
 - d. The record shall contain all testimony and evidence that is submitted to the city and that the hearings body has not rejected;
 - e. In making its decision, the hearings body may take official notice of facts not in the hearing record (e.g., local, state, or federal regulations; previous city decisions; case law). The review authority must announce its intention to take notice of such facts in its deliberations, and allow persons who previously participated in the hearing to request the hearing record be reopened, if necessary, to present evidence concerning the noticed facts;
 - f. The city shall retain custody of the record until the city issues a final decision and all appeal deadlines have passed.

Finding CPMC 17.05.400(D)(3): *If the record is left open for additional evidence or testimony, it shall abide by the rules and regulations of CPMC 17.05.400.*

Conclusion CPMC 17.05.400(D)(3): *Consistent.*

4. Participants in a quasi-judicial hearing are entitled to an impartial review authority as free from potential conflicts of interest and prehearing ex parte contacts (see subsection (D)(5) of this section) as reasonably possible. However, the public has a countervailing right of free access to public officials. Therefore:

ATTACHMENT "B"

- a. At the beginning of the public hearing, hearings body members shall disclose the substance of any prehearing ex parte contacts (as defined in subsection (D)(5) of this section) concerning the application or appeal. He or she shall also state whether the contact has impaired their impartiality or their ability to vote on the matter and shall participate or abstain accordingly. Hearing participants shall be entitled to question hearing body members as to ex parte contacts and to object to their participation as provided in subsection (D)(5)(b) of this section;
- b. A member of the hearings body shall not participate in any proceeding in which they, or any of the following, has a direct or substantial financial interest: their spouse, brother, sister, child, parent, father-in-law, mother-in-law, partner, any business in which they are then serving or have served within the previous two years, or any business with which they are negotiating for or have an arrangement or understanding concerning prospective partnership or employment. Any actual or potential interest shall be disclosed at the hearing where the action is being taken;
- c. Disqualification of a member of the hearings body due to contacts or conflict may be ordered by a majority of the members present and voting. The person who is the subject of the motion may not vote on the motion to disqualify;
- d. If all members of the hearings body abstain or are disqualified, the city council shall be the hearing body. If all members of the city council abstain or are disqualified, a quorum of those members present who declare their reasons for abstention or disqualification shall be requalified to make a decision;
- e. Any member of the public may raise conflict of interest issues prior to or during the hearing, to which the member of the hearings body shall reply in accordance with this section.

Finding CPMC 17.05.400(D)(4): *Public hearings are conducted in accordance with state public meeting laws and the procedures in this section as evidenced by the record of proceedings maintained by the City for each meeting including those duly noticed meetings for this application.*

Conclusion CPMC 17.05.400(D)(4): *Consistent.*

5. *Ex Parte Communications.*

- a. *Members of the hearings body shall not:*
 - i. *Communicate directly or indirectly with any applicant, appellant, other party to the proceedings, or representative of a party about any issue involved in a hearing without giving notice per subsection (C) of this section;*
 - ii. *Take official notice of any communication, report, or other materials outside the record prepared by the proponents or opponents in connection with the particular case, unless all participants are given the opportunity to respond to the noticed materials.*
- b. *No decision or action of the hearings body shall be invalid due to ex parte contacts or bias resulting from ex parte contacts, if the person receiving contact:*

ATTACHMENT "B"

- i. *Places in the record the substance of any written or oral ex parte communications concerning the decision or action; and*
- ii. *Makes a public announcement of the content of the communication and of all participants' right to dispute the substance of the communication made. This announcement shall be made at the first hearing following the communication during which action shall be considered or taken on the subject of the communication.*
- c. *A communication between city staff and the hearings body is not considered an ex parte contact.*

Finding CPMC 17.05.400(D)(5): Ex Parte Communications will abide by the rules and regulations of CPMC 17.05.400(D)(5).

Conclusion CPMC 17.05.400(D)(5): Consistent.

6. Presenting and Receiving Evidence.

- a. The hearings body may set reasonable time limits for oral presentations and may limit or exclude cumulative, repetitious, irrelevant or personally derogatory testimony or evidence;
- b. No oral testimony shall be accepted after the close of the public hearing. Written testimony may be received after the close of the public hearing only as provided in subsection (D)(3) of this section;
- c. Members of the hearings body may visit the property and the surrounding area, and may use information obtained during the site visit to support their decision, if the information relied upon is disclosed at the beginning of the hearing and an opportunity is provided to dispute the evidence under subsection (D)(5)(b) of this section.

Finding CPMC 17.05.400(D)(6): The hearings body will follow rules and regulations within CPMC 17.05.400(D)(6) in regards to presenting and receiving evidence.

Conclusion CPMC 17.05.400(D)(6): Consistent.

CPMC 17.05.400(E).

- 1. Basis for Decision. Approval or denial of a Type III application shall be based on standards and criteria in the development code. The standards and criteria shall relate approval or denial of a discretionary development permit application to the development regulations and, when appropriate, to the comprehensive plan for the area in which the development would occur and to the development regulations and comprehensive plan for the city as a whole;

ATTACHMENT "B"

Finding CPMC 17.05.400(E)(1): At the _____ meeting, the approval of the Type III application was based on standards and criteria in the development code.

Conclusion CPMC 17.05.400(E)(1): Consistent.

2. Findings and Conclusions. Approval or denial shall be based upon the criteria and standards considered relevant to the decision. The written decision shall explain the relevant criteria and standards, state the facts relied upon in rendering the decision, and justify the decision according to the criteria, standards, and facts;

Finding CPMC 17.05.400(E)(2): The approval or denial of the findings were based upon the criteria and standards deemed relevant to the decision and as set forth within Municipal Code.

Conclusion CPMC 17.05.400(E)(2): Consistent.

3. Form of Decision. The hearings body shall issue a written decision containing the findings and conclusions stated in subsection (E)(2) of this section, which either approves, denies, or approves with specific conditions. The hearings body may also issue appropriate intermediate rulings when more than one permit or decision is required;

Finding CPMC 17.05.400(E)(3): On _____, 2020, the hearings body issued a written decision containing the findings and conclusions stated in subsection (E)(2) which approved the decision.

Conclusion CPMC 17.05.400(E)(3): Consistent.

4. Decision-Making Time Limits. The written decision for any Type III action (including an appeal from a Type II decision) shall be filed with the community development director or designee within ten days after the close of the deliberation;

Finding CPMC 17.05.400(E)(4): The written decision was filed within the designated 10 day time limit pursuant to CPMC 17.05.400(E)(3).

Conclusion CPMC 17.05.400(E)(4): Consistent.

5. Notice of Decision. Written notice of a Type III decision shall be mailed to the applicant and to all participants of record within ten days after the hearings body decision. Failure of any person to receive mailed notice shall not invalidate the decision; provided, that a good faith attempt was made to mail the notice.

ATTACHMENT "B"

Finding CPMC 17.05.400(E)(5): *Written notice of decision was mailed to the applicant and to all participants of record within ten days after the hearings body decision pursuant to CPMC 17.05.400(E)(5).*

Conclusion CPMC 17.05.400(E)(5): *Consistent.*

6. Final Decision and Effective Date. The decision of the hearings body on any Type III application is final for purposes of appeal on the date it is mailed by the city. The decision is effective on the day after the local appeal period expires. If an appeal of a Type III decision is filed, the decision becomes effective on the day after the local appeal is decided by the hearings body. Appeal process is governed by Section [17.05.550](#). An appeal of a land use decision to the State Land Use Board of Appeals must be filed within twenty-one days after the city council's written decision is mailed by the city.

Finding CPMC 17.05.400(E)(6): *A decision of the hearings body was made official on February 27th, 2020 when it was effectively mailed by the City.*

Conclusion CPMC 17.05.400(E)(6): *Consistent.*

F. Extensions. The community development director shall, upon written request by the applicant and payment of the required fee, grant a written one-year extension of the original or last extension approval period, provided:

1. The land development permit authorizes extensions;
2. No changes are made to the original application as approved by the city;
3. There have been no changes in the zoning, land division code, or applicable comprehensive plan provisions on which the approval was based. In the case where the plan conflicts with a code or comprehensive plan change, the extension shall be either:
 - a. Denied; or
 - b. At the discretion of the community development director, the request for extension may be re-reviewed as a modification per Section 17.09.400;
4. The extension request is filed on or before the expiration of the original or latest extension approval per subsection (E)(6) of this section;
5. If the time limit expired and no extension request has been filed, the application shall be void. (Ord. 2041 §2, 2017; Ord. 2033 §4, 2017; Ord. 1989 §1(part), 2014; Ord. 1874 §1(part), 2006).

Finding CPMC 17.05.400(F): *There were no extensions requested during the extension approval period.*

Conclusion CPMC 17.05.400(F): *Consistent.*

ATTACHMENT “B”

PART 2- CPMC 17.10, ZONING MAP AND ZONING CODE TEXT AMENDMENTS**17.10.200 Initiation of amendments.**

A proposed amendment to the code or zoning map may be initiated either:

- A. A resolution by the planning commission to the city council;
- B. A resolution of intent by the city council; or for zoning map amendments;
- C. An application by one or more property owners (zoning map amendments only), or their agents, of property affected by the proposed amendment. The amendment shall be accompanied by a legal description of the property or properties affected; proposed findings of facts supporting the proposed amendment, justifying the same and addressing the substantive standards for such an amendment as required by this chapter and by the Land Conservation and Development Commission of the state. (Ord. 1989 §1(part), 2014).

Finding CPMC 17.10.200: The initiation of amendments was made by the planning commission to the city council.

Conclusion CPMC 17.10.200: Consistent.

17.10.300 Major and minor amendments.

There are two types of map and text amendments:

- A. Major Amendments. Major amendments are legislative policy decisions that establish by law general policies and regulations for future land use decisions, such as revisions to the zoning and land division ordinance that have widespread and significant impact beyond the immediate area. Major amendments are reviewed using the Type IV procedure in Section 17.05.500.
- B. Minor Amendments. Minor amendments are those that involve the application of adopted policy to a specific development application, and not the adoption of new policy (i.e., major amendments). Minor amendments shall follow the Type III procedure, as set forth in Section 17.05.400. The approval authority shall be the city council after review and recommendation by the planning commission. (Ord. 1989 §1(part), 2014; Ord. 1874 §3(part), 2006).

Finding CPMC 17.10.300: The proposed zone amendments involve the application of adopted policy instead of the adoption of new policy. The proposed amendments will not have widespread or significant impacts and as such are considered Minor Amendments in accordance with CPMC 17.10.300(B). As evidenced by the Findings in Part I of these Findings, the Minor Amendments are quasi-judicial and have been processed in accordance with the Type III procedures set forth in CPMC 17.05.400.

Conclusion CPMC 17.10.300: Consistent.

17.10.400 Approval criteria.

A recommendation or a decision to approve, approve with conditions or to deny an application for a text or map amendment shall be based on written findings and conclusions that address the following criteria:

ATTACHMENT "B"

- A. Approval of the request is consistent with the applicable statewide planning goals (major amendments only);

***Finding CPMC 17.10.400(A):** The proposed zone amendment is not considered a major amendment.*

***Conclusion CPMC 17.10.400(A):** Not applicable.*

- B. Approval of the request is consistent with the Central Point comprehensive plan (major and minor amendments);

***Finding CPMC 17.10.400(B):** See Part 3 Findings- Central Point Comprehensive Plan.*

***Conclusion CPMC 17.10.400(B):** Consistent.*

- C. If a zoning map amendment, findings demonstrating that adequate public services and transportation networks to serve the property are either available, or identified for construction in the city's public facilities master plans (major and minor amendments); and

***Finding CPMC 17.10.400(C):** The proposal is for a zone amendment. The area is currently zoned Employment Commercial, but intends to become General Commercial. Although the property will be going through a zone change, there will be no comprehensive plan map changes. Similarly, the area is within the main downtown corridor and contains adequate public services and transportation infrastructure.*

***Conclusion CPMC 17.10.400(C):** Consistent.*

- D. The amendment complies with OAR 660-012-0060 of the Transportation Planning Rule. (Ord. 1989 §1(part), 2014; Ord. 1874 §3(part), 2006. Formerly 17.10.300(B)).

***Finding CPMC 17.10.400(D):** As demonstrated in Part 5 Findings- Transportation Planning Rule, the proposed text do not significantly affect existing or planned transportation facilities.*

***Conclusion CPMC 17.10.400(D):** Consistent.*

PART 3- CITY OF CENTRAL POINT COMPREHENSIVE PLAN:

The proposed amendments address land use within the project area near Pine and Haskell Streets. Applicable policies in the comprehensive plan include those in the Land Use Element.

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Land Use Element

Commercial Goal 1: To create an economically strong and balanced commercial sector of the community that is easily accessible, attractive, and meets the commercial needs of the local market area.

Commercial Goal 1 Finding: *The proposed area currently is along the TOD General Commercial Corridor. By amending the zoning district, it will balance the commercial lands and meet the needs of the local market area by realigning the areas purpose with that of the general vicinity.*

Commercial Goal 1 Conclusion: *Consistent.*

Commercial Goal 2: Continue to pursue implementation of the Downtown and East Pine Street Corridor urban renewal plan.

Commercial Goal 2 Finding: *The proposed zone amendment at the corner of East Pine and Haskell Streets lies within the boundaries of the Downtown and East Pine Street Corridor urban renewal plan. Although the plan does not specifically mention the rezoning of the area as a concern, it does mention economic incentives and projects aimed towards the revitalization of the area. The relevant goal within the Plan states its intent to, “Make the Area attractive for the stabilization, expansion, rehabilitation or redevelopment of existing businesses, industries and housing.” By rezoning the property, projects intended for general commercial uses may acquire the land and help redevelop the area.*

Commercial Goal 2 Conclusion: *Consistent.*

Commercial Policy 1: Maintain the zoning of all commercial areas of Central Point as necessary to comply with the Economic Element.

Commercial Policy 1 Finding: *The proposed zone amendment is in compliance with the Economic Element, as well as maintains the zoning of all commercial areas of Central Point. As described in the Economic Element, one of the three exceptionally competitive and growing industries within specialty food manufacturing. Because the property is intended for potential expansion of the Rogue Creamery, this would be considered one of Central Point’s outperforming niche markets. The rezoning will create adequate zoning lands for the expansion of this successful industry.*

Commercial Policy 1 Conclusion: *Consistent.*

Commercial Policy 2: Undertake an in-depth study of the downtown business district and develop a comprehensive improvement plan that would include such considerations as traffic circulation and off-street parking, pedestrian and bicycle facilities and access, structural design guidelines, and guidelines for landscaping and signing.

ATTACHMENT "B"

Commercial Policy 2 Finding: *The proposed zone change does not involve, or otherwise affect, the development of an in-depth study of the downtown business district or a comprehensive improvement plan.*

Commercial Policy 2 Conclusion: *Not applicable.*

Commercial Policy 3: Encourage the development of shared commercial parking areas in the downtown area to be carried out by the local businesses with City assistance.

Commercial Policy 3 Finding: *The proposed zone amendment does not involve, or otherwise affect, the encouragement of the development of shared commercial parking areas in the downtown area.*

Commercial Policy 3 Conclusion: *Not applicable.*

Commercial Policy 4: Promote the planned integration of abutting commercial development for the purpose of more efficient customer parking, better design and landscaping, coordinated signing, and increased retail sales.

Commercial Policy 4 Finding: *The proposed zone amendment does not involve, or otherwise affect, the promotion of planned integration of abutting commercial developments.*

Commercial Policy 4 Conclusion: *Not applicable.*

Commercial Policy 5: For that section of Highway 99 between Beall Lane and the High School implement the 99 Corridor Plan to improve the corridor, traffic circulation, and the overall visual and aesthetic character of the area.

Commercial Policy 5 Finding: *The proposed zone amendment does not involve, or otherwise affect, the implementation of the 99 Corridor Plan to improve the corridor, traffic circulation, and overall visual and aesthetic character of the area of Highway 99 between Beall lane and the High School.*

Commercial Policy 5 Conclusion: *Not applicable.*

PART 4- TRANSPORTATION PLANNING RULE

Section 660-012-0060(1) Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:

ATTACHMENT "B"

- a) Change the functional classification of an existing or planned transportation facility;
- b) Change standards implementing a functional classification system; or
- c) As measured at the end of the planning period identified in the adopted transportation system plan:
 - (A) Allow types or levels of land uses that would result in levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
 - (B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or
 - (C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

Finding Policy: *The proposed zone amendment to the corner of Pine and Haskell Streets from Employment Commercial to General Commercial is minor and will not change the transportation system in any significant way. This finding is reinforced by the analysis completed by the Ausland Group and summarized in Attachment "C" of the staff report, incorporated herein by reference.*

Conclusion Policy: *Consistent.*



ENGINEERS. BUILDERS. CONSULTANTS.

January 21, 2020

City of Central Point
Tom Humphrey AICP
130 S. 3rd. Street
Central Point, OR 97502

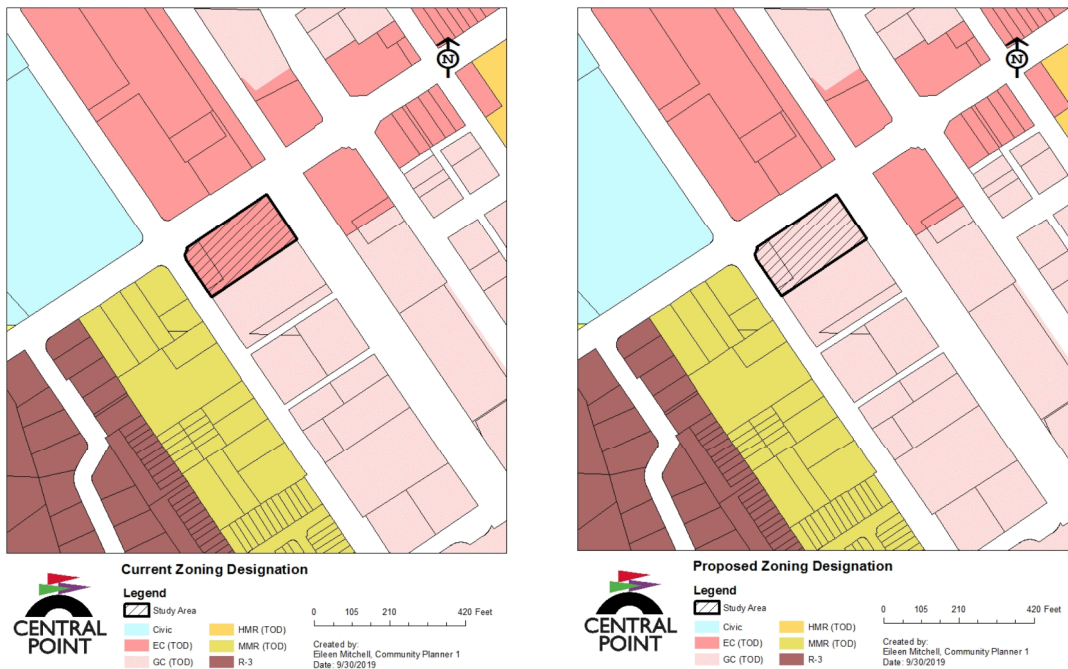
Re: Traffic Impacts of Zone Change for Tax Lots 6000 & 6100 (Map 372W10AA)

Dear Mr. Humphrey,

This letter provides a summary of findings regarding the traffic impact of the pending zone change for the two properties located at the corner of W. Pine and S. Haskell Streets, (map 372W10AA, tax lots 6000 and 6100).

BACKGROUND

A zone change application has been submitted for the subject properties, to change from Employment Commercial (EC) to General Commercial (GC) zoning. The lots are within the Transit Oriented Development (TOD) district, which includes both EC and GC zonings per Article 17.65.040 Land Use – TOD. Both properties are adjacent to both GC zoned property and EC zoned property per the below map.



3935 Highland Avenue
Grants Pass, OR 97526
office: 541.476.3788

321 Mill Street, Ste #3
Eugene, OR 97401
office: 541.345.1094

130 A Street, Ste #6F
Ashland, OR 97520
office: 541.482.0923

WWW.AUSLANDGROUP.COM

TRIP GENERATION ANALYSIS

The pending zone change requires an assessment of the potential traffic increase from the re-zone from Employment Commercial (EC) zoning to General Commercial (GC) zoning. Therefore, we performed an analysis comparing the “highest trip generating use” in both zones to assess the potentiality of a trip generation increase.

We began by assessing all of the allowed uses in both zones for their trip generation potential, by matching up the land use category in Table 1 of the TOD District Land Uses (Central Point Municipal Code), with the most similar classifications in the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 9th Edition. **Per our study of the permitted uses in both zones, the highest trip generating use is the same in each zone, “Retail – Specialty”.** Per ITE classifications (Chart 814, Series 800); Retail – Specialty, is a high trip generating classification. This use relates closest to the Retail – Sales and Service use which is permitted for both zones under the Central Point Municipal Code.

Since the highest trip generating use is the same in both zones, we can already conclude that there is “no impact” on trip generation from the zone change. For clarity, we have summarized the trip generation “worst-case” land use scenario for both zones on Table A below:

Table A – Estimated Trip Generation; Weekday Daily, and AM and PM Hours

TRIP GENERATION ANALYSIS

"Worst-Case" Land Use Scenario

ROGUE CREAMERY
 Northeast Corner of W. Pine Street & S. Haskell Street - Central Point, OR
 January 2020

| | Existing Zoning (EC) | | Proposed Zoning (GC) | | Net Change (Prop-Exist) |
|---|----------------------|------|----------------------|------|-------------------------|
| Tax Lot | Tax Lot 6000 + 6100 | | Tax Lot 6000 + 6100 | | |
| Business Type | Retail - Specialty - | | Retail - Specialty - | | |
| ITE Land Use Code | 814 - | | 814 - | | |
| Building Size (KSF) | 10.00 | 0.00 | 10.00 | 0.00 | 0.00 |
| Dwelling Units | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Lot Size (AC) | 0.99 | - | 0.99 | - | 0.00 |
| Daily Trip Rate (Trip/KSF or Trip/DU) | 44.32 | - | 44.32 | - | |
| Daily Trips | 443.20 | - | 443.20 | - | 0.00 |
| Passby Reduction | 0% | - | 0% | - | |
| Daily Trips w/ Passby Reduction | 443.20 | - | 443.20 | - | 0.00 |
| Daily Trips/Acre | 447.68 | - | 447.68 | - | 0.00 |
| AM Peak Trip Rate (Trip/KSF or Trip/DU) | 6.84 | - | 6.84 | - | |
| AM Peak Trips | 68.40 | - | 68.40 | - | 0.00 |
| AM Peak Trips w/ Passby Reduction | 68.40 | - | 68.40 | - | 0.00 |
| PM Peak Trip Rate (Trip/KSF or Trip/DU) | 2.71 | - | 2.71 | - | |
| PM Peak Trips | 27.10 | - | 27.10 | - | 0.00 |
| PM Peak Trips w/ Passby Reduction | 27.10 | - | 27.10 | - | 0.00 |

References: *Trip Generation Manual*, 8th Ed., Institute of Transportation Engineers, 2008
Trip Generation Handbook, 2nd Ed., Institute of Transportation Engineers, 2004.

Attachment: Attachment C- Ausland Group Traffic Analysis (1245 : Commercial Zone Change)

Conclusion

The highest trip-generating permitted use is the same in both Employment Commercial (EC) and General Commercial (GC) zoning. Therefore there is no increase of traffic impact for the pending zone change on the subject parcels. This includes no net increase of Daily Trips, no net increase of AM Peak Hour trips, and no net increase of PM Peak Hour trips.

Per the City of Central Point Municipal Code Article 17.05.900 Traffic Impact Analysis; a traffic impact analysis (TIA) is required if a non-residential development is projected to generate an increase in peak hour volume of a particular movement to and from the state highway by twenty percent or more, or increase in site traffic volume generation of two hundred fifty (250) average daily trips (ADT) or more. The estimated trip generation differential for the proposed zone change is zero, and therefore will not require a TIA.

Sincerely,



EXPIRES: 12/31/2021

Kelsy Ausland, PE
Ausland Group, President

Attachment: Attachment C- Ausland Group Traffic Analysis (1245 : Commercial Zone Change)

ATTACHMENT "D"

PLANNING COMMISSION RESOLUTION NO. 878

**A RESOLUTION FORWARDING A FAVORABLE RECOMMENDATION TO THE CITY COUNCIL TO APPROVE THE MINOR ZONE MAP AMENDMENT FROM EMPLOYMENT COMMERCIAL (EC) TO GENERAL COMMERCIAL (GC) ON 0.99 ACRES LOCATED AT THE SOUTHEAST CORNER OF HASKELL AND WEST PINE STREETS.
(37S 2W 10AA Tax Lots 6000 & 6001)**

File No. CPA-19008
Applicant: City of Central Point

WHEREAS, the Comprehensive Plan Land Use Map is proposed to re-designate the property identified by the Jackson County Assessor's Map as 37S 2W 10AA Tax Lots 6000 & 6001 as General Commercial; and

WHEREAS, the proposed General Commercial zoning is consistent with the Comprehensive Plan and surrounding land uses; and

WHEREAS, adequate public services and transportation networks are available to the site; and

WHEREAS, the proposed zone change from EC to GC has been determined to be consistent with the State Transportation Planning Rule.

NOW, THEREFORE, BE IT RESOLVED, that the City of Central Point Planning Commission, by this Resolution No. ____, does recommend that the City Council approve the change of zone on the property identified by the Jackson County Assessor's Map as 37S 2W 10AA Tax Lots 6000 & 6001. This decision is based on the Staff Report dated February 4, 2020 including Attachments A through D attached hereto by reference and incorporated herein.

PASSED by the Planning Commission and signed by me in authentication of its passage this 4th day of February, 2020.

Planning Commission Chair

ATTEST:

City Representative

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CENTRAL POINT ZONING MAP FROM TOD-EC (EMPLOYMENT COMMERCIAL) TO TOD-GC (GENERAL COMMERCIAL) ZONING ON 0.99 ACRES LOCATED AT THE SOUTHEAST CORNER OF HASKELL AND PINE STREETS (37S 2W 10AA TAX LOTS 6000 & 6001)

Recitals:

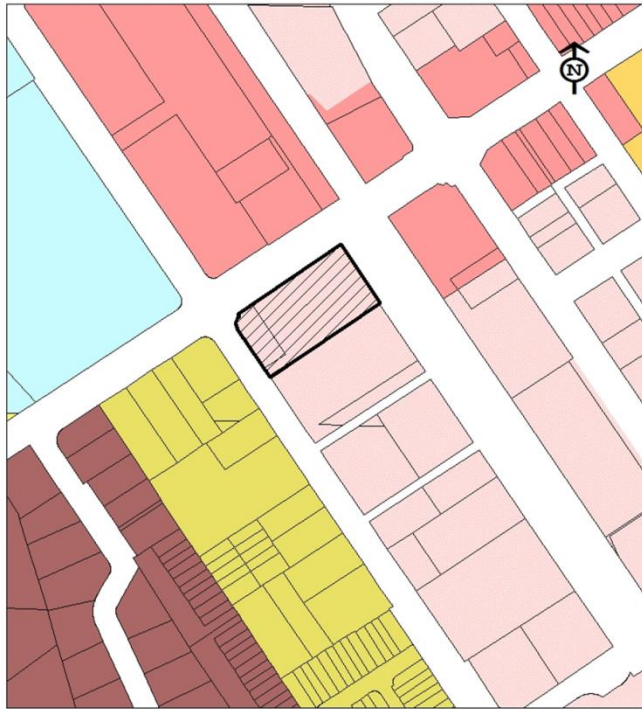
- A. The City of Central Point (City) is authorized under Oregon Revised Statute (ORS) Chapter 197 to prepare, adopt and revise comprehensive plans and implementing ordinances consistent with the Statewide Land Use Planning Goals.
- B. The City has coordinated its planning efforts with the State in accordance 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 February 4, 2020
 - b) City Council hearings on February 13, 2020 and February 27, 2020.

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

Section 1. Based upon all the information received in the record, the City Council adopts the findings of fact and conclusions of law set forth in the City staff report as Attachment “B” incorporated herein by reference; 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.

EXHIBIT 1



Proposed Zoning Designation

Legend

- Study Area
- Civic
- EC (TOD)
- GC (TOD)
- HMR (TOD)
- MMR (TOD)
- R-3

0 105 210 420 Feet

Created by:
Eileen Mitchell, Community Planner 1
Date: 9/30/2019

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 _____, 20____.

Mayor Hank Williams

ATTEST:

City Recorder

1. **Written Consents:** The annexation application includes written consent to annex from 100% of the property owners and a majority of the electors within the annexation territory, who have signed the annexation petition, which is evidence of written consent to annexation (Attachment B). Accordingly, pursuant to ORS 222.125 and CPMC 1.24.020, the City Council may order the annexation without notice, hearing or election.
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 Central Point to the north, east and south.
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. Public Works and Rogue Valley Sewer Services have reviewed the existing public facilities and their proximity to the annexation area and concluded that public facilities can be provided or extended to the site. Any future enhancements of these facilities made necessary by development of the annexation area will be the responsibility of the developer and regulated through the City's land use application process. This will result in an orderly provision of public facilities to the annexation area (Attachment C).
5. **Duly noticed and advertised notice of public hearing:** Pursuant to ORS 222.120 notice of the hearing was published for the Planning Commission meeting on February 4, 2020 and for the City Council meeting on February 13, 2020, in the Mail Tribune newspaper and notice was posted in four (4) public locations. In addition, on January 24, 2020 notice was mailed to each property owner of record within 250 feet of the proposed annexation.

ISSUES:

The City received comments from the Jackson County Roads Department (Attachment D) which are more specific to a development application (residential subdivision) than they are to an annexation. County Engineer Mike Kuntz explained that their responses are typically very thorough and that yes, County recommendations are intended to be imposed at the time of a development application and as long as the County has jurisdiction of Grant Road.

Some residents whose property adjoined the annexation area commented during the public hearing and expressed concern about the impacts that development may have on their property. These issues will be addressed and necessary conditions imposed as stated above under the 'orderly provision of public facilities'.

ACTIONS:

Open public hearing and consider the request to annex approximately 3.16 acres located at 37S 2W 10BC Tax Lot 2200, close the public hearing and 1) approve the annexation; 2) approve with revisions; or 3) deny the application.

RECOMMENDATION:

Approve the Annexation Request (File No. Annex -19001)

ATTACHMENTS:

1. Attachment A - Aerial Illustration
2. Attachment B - Annexation Petition
3. Attachment C - Applicant Findings
4. Attachment D - Jackson County Comments
5. Attachment E - CC Annex Resolution
6. Exhibit Legal - Grant Road Annexation
7. Exhibit Map - Grant Road Annexation



Attachment: Attachment A - Aerial Illustration (1247 : Grant Road Annexation)

ANNEXATION PETITION


The undersigned hereby request and consent to the annexation to the City of Central Point, Oregon, of the real property contiguous thereto described in Exhibit "A" attached hereto and by this reference made a part of the within petition.

By their signature hereto, the undersigned certify that they are either "owners" of land in the territory proposed to be annexed as described in Exhibit "A", or are "electors" registered in the territory proposed to be annexed as described in Exhibit "A".

This petition, containing the request and consent to said annexation, must be filed with the Central Point City Council on or before the date of the public hearing to be held upon the proposed annexation pursuant to ORS 222.120.

"Owner" is defined by ORS 222.120 as meaning the legal owner of record or, where there is a recorded land contract which is in force, the purchaser thereunder. If there is multiple ownership in a parcel of land, each consenting owner shall be counted as a fraction of the same extent as the interest of the owner in the land bears in relation to the interest of the other owners, and the same fraction shall be applied to the parcel's land mass for purposes of the consent petition. If a corporation owns land in a territory proposed to be annexed, the corporation shall be considered to be the individual owner of that land.

"Elector" is defined in said statute as an individual qualified to vote under Article II, Section 2 of the Oregon Constitution, which in turn requires that the individual be 18 years of age or older, a resident of the area in question, and registered to vote as required by applicable state law. Furthermore, ORS 222.270(2) requires that electors petitioning for annexation be registered in the territory proposed to be annexed.

| Name/Address | Elector Or Property Owner? | Signature | Date |
|-----------------------|----------------------------|--|-----------|
| W.L. Moore Const. Inc | Owner |  | 10-9-2019 |
| | | | |
| | | | |
| | | | |

Annexation Petition
Revised 9/26/06
X:\F&SDB\Info Files\City Central Point\Application&Documents\CCP - Annexation
Petition.doc

Attachment: Attachment B - Annexation Petition (1247 : Grant Road Annexation)

FARBER CONSULTING

• FARBER & SONS, INC. • POST OFFICE BOX 5286 • CENTRAL POINT, OR 97502 •

January 26, 2020

Planning Department
City of Central Point
140 S Third Street
Central Point Or 97502

Re: Annexation Criteria Public Facilities, 3664 Grant Road, Assessors Map No 372W10BC-2200.

To whom it may concern:

Orderly Provision of Public Facilities

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. Public Works and Rogue Valley Sewer Services have reviewed the existing public facilities and their proximity to the annexation area and concluded that public facilities can be provided or extended to the site. Any future enhancements of these facilities made necessary by development of the annexation area will be the responsibility of the developer and regulated through the City's land use application process. This will result in an orderly provision of public facilities to the annexation area.

Public services are available to the area proposed for annexation consist of the following per the as built maps available:

Rogue Valley Sewer Services has an 18" main line in Grant Road. This line is adequate and will be tied in to server the proposed annexed area.

The city of Central Point has an easement on the east side of Lot 53 of Country Meadow Estates that provides access to an existing 18" storm drain line that will adequately serve this area.

The City of Central Point has an 8" water line stubbed to the north boundary of the area proposed for annexation. This line will be extended and looped through the future development as needed.

Respectfully,



Herbert A Farber

• HERBERT A. FARBER PRESIDENT
PHONE: 541.664.5599



JACKSON COUNTY Roads

Roads
Engineering

Chuck DeJanvier
Construction Engineer

200 Antelope Road
White City, OR 97503
Phone: (541) 774-6255
Fax: (541) 774-6295
dejanvca@jacksoncounty.org

www.jacksoncounty.org

January 24, 2020

Attention: Tom Humphey
City of Central Point Planning
140 south Third Street
Central Point, OR 97502

RE: Annexation of a lot on
Grant Road—a county-maintained road.
Planning File: A-19001; 37-2W-10BC Tax Lot 2200

Dear Tom:

Thank you for the opportunity to comment on consideration of an Annexation of a parcel in the RR-2.5 zoning district 3.16-acre site at 3664 Grant Road. Jackson County Roads offers the following comments:

1. A Traffic Impact Study that addresses impacts at the site accesses, specifically site distances, and at the intersection of Grant Road and Blue Jay Lane is required. Should the study recommend mitigation, such as right in/right out, or deceleration lanes, they will be required. The Study shall be reviewed and approved by Jackson County.
2. Roads recommend any proposed road be a city road, built to City standards and inspected by the City.
3. Roads requires all existing driveways on Grant Road be closed and replaced with new curb, gutter and sidewalk. If curb, gutter and sidewalk is not existing, it will be required.
4. A Commercial Road Approach Permit from Jackson County Roads is required for any Approaches off Grant Road.
5. The radius for road intersection along a collector road shall be a thirty-foot radius. The road approach shall be perpendicular to Grant Road and aligned directly across from the Blue Jay Lane road approach on the other side of the road as possible.
6. Jackson County Roads has concerns there may be sight line issues with the location of the proposed driveway on Grant Road. The road approach permits may contain special requirements to address this issue.

Attachment: Attachment D - Jackson County Comments (1247 : Grant Road Annexation)

January 24, 2020
Page 2 of 3

7. If frontage improvements are required along Grant Road, they shall be permitted and inspected by Jackson County Roads. Sidewalk placement on Grant Road frontage if required should be directly behind the curb. Jackson County Roads does not maintain planter strips. The developer shall obtain a Minor Road Improvement Permit prior to commencing work in the County right-of-way.
8. If drainage is directed to Grant Road, Jackson County Roads would like to review and comment on the hydraulic report including the calculations and drainage plan. Capacity improvements or on-site detention, if necessary, shall be installed at the expense of the applicant. Upon completion of the project, the developer's engineer shall certify that construction of the drainage system was constructed per plan and a copy of the certification shall be sent to Jackson County Roads.
9. If county storm drain facilities are to be utilized, the applicant's registered Engineer shall provide a hydraulic report and plans for review and approval by Jackson County Roads. Storm drainage runoff is limited to that area currently draining to the County storm drainage system. Upon completion of the project the developer's Engineer shall certify that the construction of the drainage system was constructed per the approved plan. A copy of the certification shall be sent to Chuck DeJanvier at Jackson County Roads.
10. The applicant shall submit construction drawings to Jackson County Roads and obtain county permits if required.
11. We would like to be notified of future development proposals, as county permits may be required.
12. We concur with any right-of-way dedicated.
13. Per Oregon Revised Statute 209.150, any survey monuments of record removed, disturbed or destroyed within the permit area must be referenced prior to construction and replaced after construction by a registered professional land surveyor. All costs associated with this surveying work are the responsibility of the permit holder.
14. Utility Permits are required from Roads for any utility work within the county road right-of-way. On longitudinal trenches within a travel lane 100' or greater in length, unless otherwise approved by the Engineer, the existing pavement shall be removed and replaced to full paving-machine width (normally 10'-12') for a travel lane restoration. Drag boxes or other pull-type asphalt spreaders will not be permitted for longitudinal trench pavement replacement.
15. Grant Road is a County Urban Minor Collector and is maintained by the County. The Average Daily Traffic count was 1,023 150 south of Taylor Road on July 30, 1, 2018.

January 24, 2020
Page 3 of 3

16. Be Advised: other permits from local State or Federal Agencies' or Departments may be required prior to starting work.

Sincerely,



Chuck DeJanvier, PE
Construction Engineer

RESOLUTION NO. _____

**A RESOLUTION TO ANNEX 3.44 ACRES,
LOCATED AT 3664 GRANT ROAD AND
IDENTIFIED ON THE JACKSON COUNTY
ASSESSOR’S MAP AS 37 2W 10BC, TAX LOT 2200.
APPLICANT: WL MOORE CONSTRUCTION, LLC.**

RECITALS:

- A. WL Moore Construction, LLC owns one tax lot at 3664 Grant Road and generally described by Exhibit A, which is not located within the City of Central Point city limits. The Central Point City Council (the Council) is authorized under ORS 222.120 to hold a public hearing for annexation proceedings without an election for annexation.
- B. On February 13, 2020 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 3.44 acre property specifically described in attached Exhibits “A” Written Description and Exhibit “B” Annexation Depiction Map.
- C. 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.
- D. This annexation is a full consent annexation as Bret Moore has consented to the annexation.

The City of Central Point resolves as follows:

Section 1: The property at 3664 Grant Road, described in the above recitals and set forth in attached Exhibits “A” and “B” is 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 _____, 2020.

Mayor Hank Williams

ATTEST:

City Recorder

Resolution No. _____

Attachment: Attachment E - CC Annex Resolution (1247 : Grant Road Annexation)

PROPERTY DESCRIPTION

W. L. MOORE CONSTRUCTION, INC
 ANNEXATION ASSESSOR'S MAP No 372W10BC-2200 AND
 ADJACENT RIGHT OF WAY

BEGINNING AT THE SOUTHEAST CORNER OF LOT 53, COUNTRY MEADOWS ESTATES SUBDIVISION UNIT 3 RECORDED IN VOLUME 25, PAGE 38 OF THE PLAT RECORDS, JACKSON COUNTY, OREGON; THENCE NORTH 89°59'23" WEST, ALONG THE SOUTH LINE OF SAID SUBDIVISION AND THE PROJECTION THEREOF, ALSO BEING THE EXISTING CITY BOUNDARY FOR THE CITY OF CENTRAL POINT, FOR A DISTANCE OF 415.38 FEET TO THE CENTER LINE OF GRANT ROAD; THENCE SOUTH 2°08'31" WEST, ALONG SAID CENTER LINE FOR A DISTANCE OF 178.81 FEET; THENCE SOUTH 14°40'06" EAST, ALONG SAID CENTER LINE FOR A DISTANCE OF 213.78 FEET TO A POINT, SAID POINT BEING ON THE PROJECTION OF THE NORTH LINE OF PARTITION PLAT No. P-57-2006 RECORDED IN THE RECORDS OF JACKSON COUNTY, OREGON, INDEX No., VOLUME 17, PAGE 57 AND FILED AS SURVEY No. 19226 IN THE OFFICE OF THE COUNTY SURVEYOR OF JACKSON COUNTY, OREGON, ALSO BEING ON THE EXISTING BOUNDARY OF THE CITY OF CENTRAL POINT; THENCE NORTH 84°17'24" EAST, ALONG THE NORTH LINE OF SAID PARTITION AND ITS PROJECTION AND SAID BOUNDARY, FOR A DISTANCE OF 369.72 FEET; THENCE NORTH 0°00'27" EAST, ALONG THE WEST LINE OF COUNTRY MEADOWS ESTATES SUBDIVISION UNIT 2, PHASE 2 RECORDED IN VOLUME 27, PAGE 8 AND OF SAID PLAT RECORDS AND THE WEST LINE OF COUNTRY MEADOWS ESTATES SUBDIVISION UNIT 2, PHASE 1 RECORDED IN VOLUME 25, PAGE 4 OF SAID PLAT RECORDS, ALSO BEING THE EXISTING CITY OF CENTRAL POINT BOUNDARY, FOR A DISTANCE OF 348.64 FEET TO THE POINT OF BEGINNING.

ANNEX EXHIBIT MAP

3664 GRANT ROAD
CENTRAL POINT, OREGON 97502

FOR

W L MOORE CONSTRUCTION INC
PO BOX 3577
CENTRAL POINT, OREGON 97502

COUNTRY MEADOW ESTATES
SUBDIVISION UNIT 2, PHASE 1,
VOL 25 P 4 FLAT RECORDS
S/N 16018

372W10BC1904
KOESTER SCOTT/NUMBERLY
LOT 26
LOT 48

372W10BC-1924
HOPKINS BRAD/AULIE
LOT 47

372W10BC1923
MACLAUCHLAN RYAN
SHANE/KRISTINA A
LOT 46

372W10BC1922
TUERS SCOTT /KRISTEN D
LOT 45

372W10BC1921
GARNICA FRED S/ROBIN D
LOT 44

372W10BC1920
HAGA GREG/VALLARIE ANN
LOT 44

372W10BC1915
MARRON JAMES E
LOT 44

372W10BC1918
BECH BARBARA A

COUNTRY MEADOW ESTATES
SUBDIVISION UNIT 1, VOL 25 P 38
FLAT RECORDS S/N 16342

372W10BC 2003
WOLFARD GLENN
HORACE ET AL
TRUSTEE ET AL
LOT 50

372W10BC-2002
DORSETT DACK
E D/BRENDA J
LOT 51

372W10BC 2001
SCHULTZ BRIAN
L/MELISSA C
LOT 52

372W10BC 2000
COONITZ DANIEL
M/REBECCA L
LOT 53

372W10BC 2004
ATRINSON JASON
A/STEPHANIE J
LOT 49

372W034 100
WEDMAN FAMILY LLC

372W10BC-5100
BARAITTA
ANTHONY

52°08'31"W, 178.81

51°40'08"E, 213.78

W.L. MOORE CONSTRUCTION
372W10BC-2200
ANNEXATION AREA
3.44 ACRES
149722 Sq.ft.

CITY BOUNDARY
N0°00'27"E, 348.64

CITY BOUNDARY
N84°17'24"E, 369.72

92.19

COOK LANE

BLUE JAY LANE

PARCEL 2

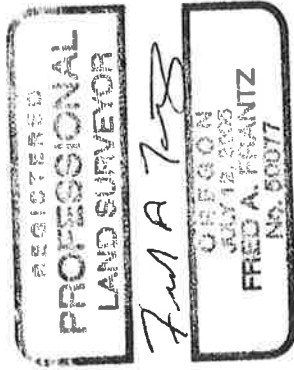
PARITION FLAT NO P-57-2006,
INDEX VOL 17 P 57 S/N 19226

372W10BC 2301
W.L. MOORE
CONSTRUCTION

PARCEL 1

372W10BC 2300
JOHNSON LYLE D
TRUSTEE ET AL

372W10BC-2400 MARTINICH
JESSE/NICOLE



Renewal (2-31-21)

COUNTRY MEADOW ESTATES SUBDIVISION UNIT 2,
PHASE 2, VOL 27 P 8 FLAT RECORDS S/N 18803

APPLICANT/OWNER:
W.L. MOORE CONSTRUCTION INC
PO BOX 3577
CENTRAL POINT, OR 97502

PLANNER:
KEBB FARRER
FARRER CONSULTING
PO BOX 2286
CENTRAL POINT, OR 97502

LAND SURVEYOR:
FRED A FRANTZ, FLS
TERRASURVEY, INC.
274 FOURTH STREET
ASHLAND, OREGON 97520
(541) 482-6474

SITE:
3664 GRANT ROAD
CENTRAL POINT, OR 97502
372W10BC-2200

ZONING: RR-2.5

TERRASURVEY, INC.
PROFESSIONAL LAND SURVEYORS
274 FOURTH STREET
ASHLAND, OREGON 97520
(541) 482-6474
terra@tblsp.net

8.B.g

JOB NO. 1287-19

Attachment: Exhibit Map - Grant Road Annexation (1247 : Grant Road Annexation)

DATE: 12-05-2019

SCALE: 1" = 50'



1-108C TAX LOTS 2200-2301



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

ISSUE SUMMARY

| | | | |
|-------------------------|---|------------------------|-----------------------|
| TO: | City Council | DEPARTMENT: | Community Development |
| FROM: | Tom Humphrey, Community Development Director | | |
| MEETING DATE: | February 13, 2020 | | |
| SUBJECT: | Resolution No. _____, Supporting a "No-Build" Option for a Proposed interchange at Vilas Road and the Rogue Valley Expressway | | |
| ACTION REQUIRED: | Resolution | RECOMMENDATION: | Approval |

City Resolution to Oppose Vilas Road Interchange at Highway 62 Expressway. The Oregon Department of Transportation (ODOT) analyzed the traffic impacts created by a proposed interchange on the OR 62 Expressway at East Vilas Road (Vilas Interchange) and identified transportation improvements that would be needed to support it.

STAFF SOURCE:
Tom Humphrey AICP, Community Development Director

BACKGROUND:
ODOT staff presented the department's findings to the City Council at the January 23rd Council meeting. Council members were given an opportunity to discuss the ODOT analysis and were then asked what the City's position might be regarding a Vilas Interchange. Council members were in agreement with ODOT's findings and did not wish to support a Vilas Interchange which would adversely impact traffic circulation and the residents and businesses in Central Point.

DISCUSSION:
Analysis results shown in the Executive Summary indicate that significant road and intersection improvements would have to be made by Medford, Central Point and Jackson County to maintain Level of Service (LOS) standards with the construction of a Vilas Interchange. Each jurisdiction would be required to re-order their transportation infrastructure priorities to support the proposed interchange. In Central Point's case, the City would also remain obligated to commitments made as part of the Interchange Area Management Plan (IAMP) for Exit 33 at Pine Street.

ISSUES:
A Vilas Interchange would affect traffic circulation in Central Point and necessitate improvements to various intersections that the State expects local jurisdictions to budget for and construct. Improvements would need to be made at Table Rock/Vilas, Table Rock/Pine-Biddle and Pine/Hamrick. The expectation is that Hamrick/Vilas would also have to be re-designated and widened. The City's Transportation System Plan (TSP) would have to be amended and funding for projects rearranged. The State also raises the issue of added interchanges being at

cross purposes with the intent of the Expressway. Their conclusion is that 'the JTA Expressway No-Build Vilas Interchange scenario is the best overall scenario with the most efficient and cost-effective transportation network.

ACTION:

Discuss proposed resolution and 1) adopt the resolution as is; 2) adopt the resolution with changes; or 3) deny the resolution.

RECOMMENDATION:

Adopt Resolution No. ____ A RESOLUTION SUPPORTING A 'NO-BUILD OPTION' FOR A PROPOSED INTERCHANGE AT VILAS ROAD AND THE ROGUE VALLEY EXPRESSWAY

ATTACHMENTS:

1. CC Staff Report ODOT Resolution for Vilas Road 2-13-20

RESOLUTION NO. _____

A RESOLUTION SUPPORTING A ‘NO-BUILD OPTION’ FOR A PROPOSED INTERCHANGE AT VILAS ROAD AND THE ROGUE VALLEY EXPRESSWAY

WHEREAS, on January 23, 2020, the Central Point City Council was presented with the results of the OR62 Expressway: Vilas Road Interchange Study and Traffic Analysis by Oregon Department of Transportation (ODOT) staff; and

WHEREAS, the Analysis indicates that service levels at various Central Point intersections will decrease and adversely affect traffic circulation; and

WHEREAS, the City of Central Point would be required to mitigate decreases to service levels caused by a Vilas Road Interchange and that mitigation would require the reassignment of City transportation funds from other projects of higher priority in the City’s Transportation System Plan (TSP); and

WHEREAS, it is the finding of the Analysis that overall network in the study area functions better without the Vilas Interchange, and that the Vilas Interchange would likely defeat the purpose of the OR62 Expressway, to begin with;

NOW, THEREFORE, THE CITY OF CENTRAL POINT RESOLVES AS FOLLOWS, that the City Council agrees with the findings of the OR62 Expressway: Vilas Road Interchange Study and Traffic Analysis by Oregon Department of Transportation (ODOT).

BE IT FURTHER RESOLVED that the City Council supports NOT building a proposed interchange at Vilas Road and the Rogue Valley Expressway and directs the City Manager and the Community Development Department to oppose efforts to do so.

PASSED by the City Council and signed by me in authentication of its passage this _____ day of _____, 2020.

Mayor Hank Williams

ATTEST:

City Recorder

Attachment: CC Staff Report ODOT Resolution for Vilas Road 2-13-20 (1246 : Vilas Road Interchange Resolution)



City of Central Point Staff Report to Council

ISSUE SUMMARY

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

FROM: Dave Jacob, Park Planner

MEETING DATE: February 13, 2020

SUBJECT: Resolution No. _____, Accepting the Lowest Responsible Bid from Express Excavation, Inc. for the Flannagan Park Parking Lot Project and Authorizing the City Manager to Execute a Contract

ACTION REQUIRED: Resolution **RECOMMENDATION:** Approval

BACKGROUND INFORMATION:

The City conducted a bid letting procedure for the Flannagan Park Parking Lot. The original engineer's estimate for the entire project was under \$50,000. Since the bid amount was below the public bidding threshold, the City utilized an informal process and solicited the bids from a list of previously used contractors. Generally speaking, all contractors who received a request for bid have worked for the City during the past five years. The City received three submissions, from Knife River Materials, Inc., from Pilot Rock Excavation, Inc and Express Excavation, Inc. The low bid was in the amount of \$39,900.00 from Express Excavation Inc., which is below the engineer's estimate of \$50,000. The project is needed as there is currently no parking lot for the established park. The funding for the project was appropriated in the 19/21 FY budget.

FINANCIAL ANALYSIS:

The project was budgeted for in the FY 2019/21 City of Central Point Budget (parks fund). No additional budget appropriation is needed to complete the project.

LEGAL ANALYSIS:

The cost of construction for the Flannagan Park Parking Lot did not meet the legal threshold for public bidding and, therefore, was solicited with known contractors. City of Central Point

Municipal Code allows this informal process as follows:

Intermediate Procurements. Contracts for goods or services with a contract price greater than ten thousand dollars and less than or equal to one hundred fifty thousand dollars are intermediate procurements.

Intermediate procurements shall be by informal written solicitation.

2. **Negotiations.** The city manager may negotiate with an offeror to clarify an informal written solicitation, or to make modifications that will make the quote, proposal or solicitation acceptable or more advantageous to the city.

3. **Award.** If a contract is awarded, the award shall be made to the offeror whose competitive verbal quote or proposal or informal written solicitation the city manager determines will best serve the interests of the city, taking into account price or any other relevant considerations, including, but not limited to, experience, expertise, product functionality, suitability for a particular purpose, delivery and contractor responsibility.

4. **Amendments.** Intermediate procurement contracts may be amended if the cumulative amendments do not increase the total contract price by more than twenty-five percent of the original contract price.

5. **Public Notice.** Public notice is required for intermediate procurements with a contract price equal to or exceeding fifty thousand dollars.

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

Goal 3- Continually update infrastructure plans.

Strategies:

- a) Include pedestrian and bicycle-friendly options in every plan, and retrofit existing streets and neighborhoods whenever possible;
- b) Cooperate with developers to plan future needs for schools and parks;
- c) Take advantage of all opportunities to use environmentally friendly technology in city government and development of new or retrofitted infrastructure.

STAFF RECOMMENDATION:

Approve a resolution awarding the Flannagan Park Playground construction project to Express

Construction.

RECOMMENDED MOTION:

I move to approve Resolution No. ____ accepting the lowest responsible bid from Express Excavation Inc. for \$39,900.00 for the Flannagan Park Parking Lot and authorizing the City Manager to execute a contract.

ATTACHMENTS:

1. Flanagan Park bid tabs
2. Flanagan Park Parking Improvements REVIEW SET 11.21.19
3. resolution

**Flanagan Park Parking Improvements
City of Central Point**

| February 5, 2020 | | | | Engineer Est. | Knife River | Pilot Rock | Express Ex | | | | | |
|--|----------|---|----------|---------------|-------------|-------------|------------|-------------|------------|-------------|------------|-------------|
| Spec. No. | Item No. | Item | Bid Unit | Quantity | Unit Price | Total Price | Unit Price | Total Price | Unit Price | Total Price | Unit Price | Total Price |
| TEMPORARY FEATURES AND APPURTENANCES | | | | | | | | | | | | |
| 00210 | 1 | Mobilization | LS | 1 | | | \$3,217.00 | \$3,217.00 | \$4,000.00 | \$4,000.00 | \$1,841.00 | \$1,841.00 |
| 00225 | 2 | Temporary Work Zone Traffic Control, Complete | LS | 1 | | | \$313.00 | \$313.00 | \$400.00 | \$400.00 | \$780.00 | \$780.00 |
| 00280 | 3 | Erosion and Sediment Control | LS | 1 | | | \$943.00 | \$943.00 | \$250.00 | \$250.00 | \$460.00 | \$460.00 |
| ROADWORK | | | | | | | | | | | | |
| 00305 | 4 | Construction Surveying | LS | 1 | | | \$1,300.00 | \$1,300.00 | \$1,300.00 | \$1,300.00 | \$1,380.00 | \$1,380.00 |
| 00310 | 5 | Removal of structures and obstructions | LS | 1 | | | \$1,300.00 | \$1,300.00 | \$1,500.00 | \$1,500.00 | \$1,400.00 | \$1,400.00 |
| 00320 | 6 | Clearing and Grubbing | LS | 1 | | | \$686.00 | \$686.00 | \$500.00 | \$500.00 | \$300.00 | \$300.00 |
| 00330 | 7 | General Excavation | CY | 200 | | | \$39.50 | \$7,900.00 | \$28.00 | \$5,600.00 | \$23.29 | \$4,658.00 |
| 00350 | 8 | Subgrade Geotextile | SY | 453 | | | \$1.00 | \$453.00 | \$1.00 | \$453.00 | \$2.00 | \$906.00 |
| 00390 | 9 | Loose Rip Rap, Class 50 | CY | 2 | | | \$180.00 | \$270.00 | \$250.00 | \$375.00 | \$200.00 | \$300.00 |
| BASES | | | | | | | | | | | | |
| 00641 | 10 | 1"-0 Aggregate Base | TON | 260 | | | \$31.00 | \$8,060.00 | \$33.00 | \$8,580.00 | \$27.80 | \$7,228.00 |
| WEARING SURFACES | | | | | | | | | | | | |
| 00744 | 11 | Level 2, 1/2 inch, ACP Mixture | TON | 68 | | | \$121.00 | \$8,228.00 | \$130.00 | \$8,840.00 | \$110.00 | \$7,480.00 |
| 00759 | 12 | Concrete Curbs, Curb and Gutter | Foot | 59 | | | \$22.50 | \$1,327.50 | \$19.00 | \$1,121.00 | \$19.00 | \$1,121.00 |
| 00759 | 13 | Concrete Curbs, Straight Curb | Foot | 218 | | | \$20.00 | \$4,360.00 | \$17.00 | \$3,706.00 | \$17.00 | \$3,706.00 |
| 00759 | 14 | Concrete Driveways | SqFt | 163 | | | \$9.00 | \$1,467.00 | \$8.15 | \$1,328.45 | \$8.00 | \$1,304.00 |
| 00759 | 15 | Concrete Walks | SqFt | 107 | | | \$6.50 | \$695.50 | \$5.50 | \$588.50 | \$6.00 | \$642.00 |
| Permanent Traffic Safety and Guidance Devices | | | | | | | | | | | | |
| 00815 | 16 | Removable Bollard | Ea | 1 | | | \$1,200.00 | \$1,200.00 | \$400.00 | \$400.00 | \$1,050.00 | \$1,050.00 |
| 00860 | 17 | 4 Inch Longitudinal Pavement Markings- Paint | Foot | 198 | | | \$0.80 | \$158.40 | \$0.85 | \$168.30 | \$4.50 | \$891.00 |
| 00867 | 18 | Pavement Legend, Type B-HS: Disabled Parking | Ea | 1 | | | \$470.00 | \$470.00 | \$475.00 | \$475.00 | \$850.00 | \$850.00 |
| Right of Way Development and Control | | | | | | | | | | | | |
| 01040 | 19 | Plants | LS | 1 | | | \$1,600.00 | \$1,600.00 | \$2,100.00 | \$2,100.00 | \$2,088.00 | \$2,088.00 |
| 01040 | 20 | Bark Mulch | CY | 4 | | | \$93.00 | \$372.00 | \$70.00 | \$280.00 | \$60.00 | \$240.00 |
| 01040 | 21 | Planting Soil | CY | 17 | | | \$60.00 | \$1,020.00 | \$70.00 | \$1,190.00 | \$75.00 | \$1,275.00 |
| Bid Amount | | | | | | | \$ - | \$45,340.40 | | \$43,155.25 | | \$39,900.00 |

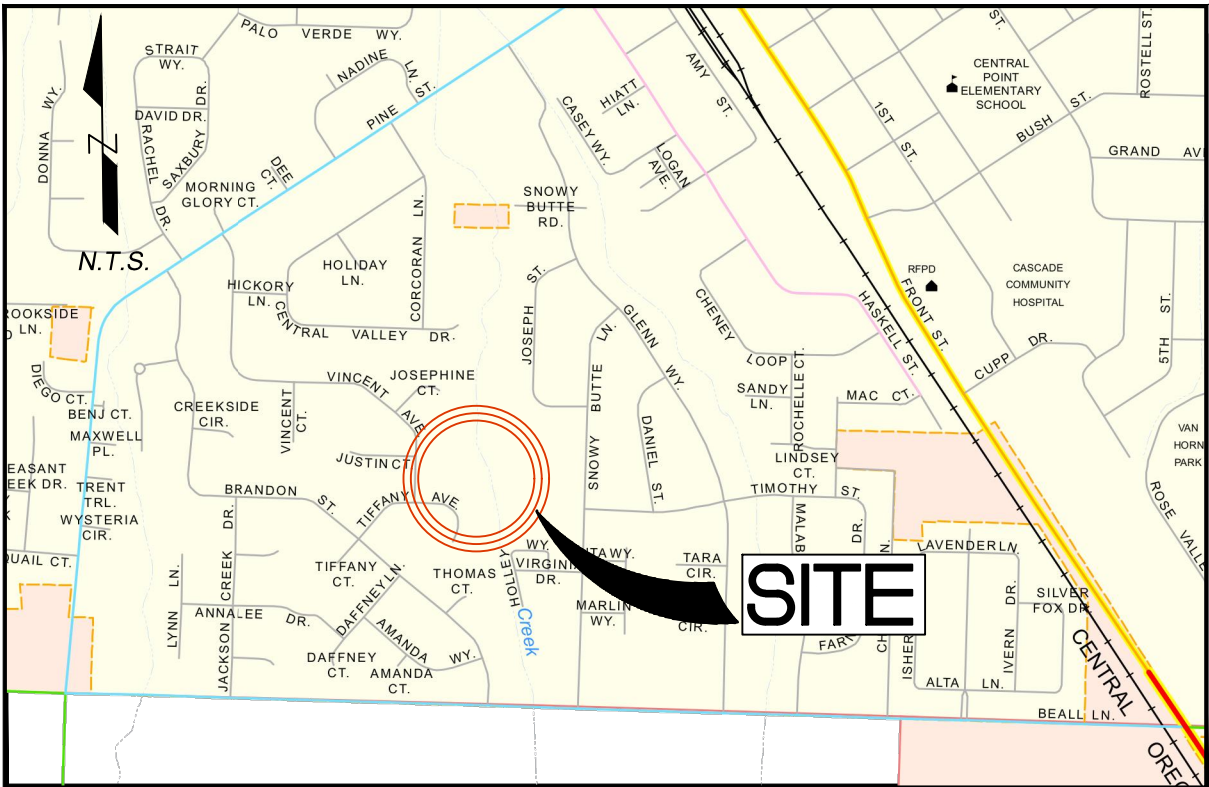
Attachment: Flanagan Park bid tabs (1243 : Flanagan Park Parking Lot Bid Opening)



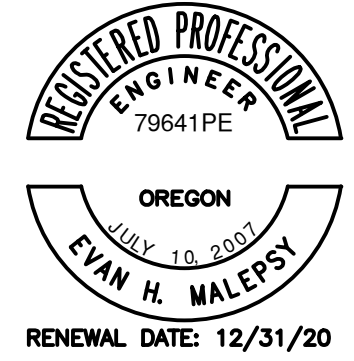
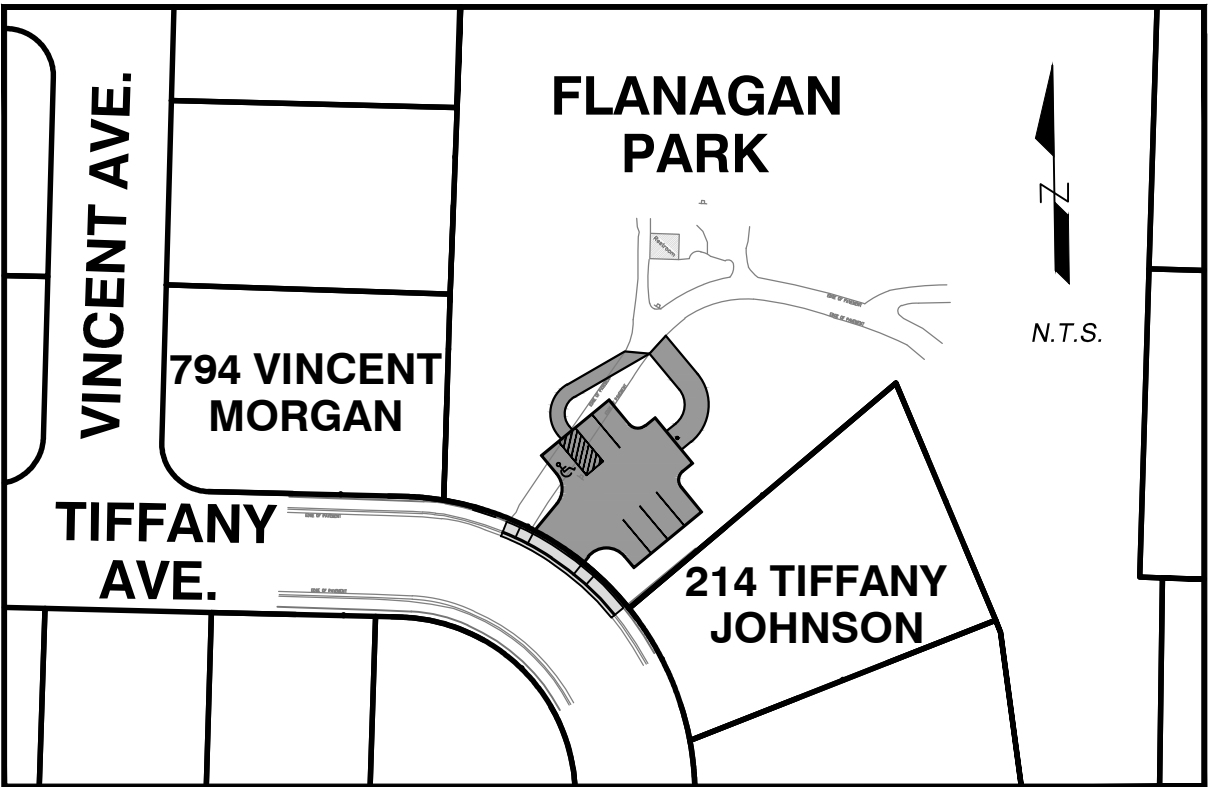
CITY OF CENTRAL POINT FLANAGAN PARK PARKING IMPROVEMENTS



VICINITY MAP



PROJECT OVERVIEW MAP



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Oregon Utility Notification Center
Call Before You Dig

Flanagan Park
Parking
Improvements

TITLE SHEET

CONTACT PERSONNEL

| CONTACT | AGENCY / POSITION | PHONE |
|--------------------|----------------------------|-----------------------|
| GREG GRAVES | CITY OF CENTRAL POINT | 541-665-3321 EXT. 225 |
| EVAN MALEPSY, P.E. | ROGUE CIVIL LLC (ENGINEER) | 541-621-2868 |
| JOHN PARIANI | PARIANI LAND SURVEYING | 541-890-1131 |

DRAWING INDEX

| Sheet No. | Description | Dwg No. |
|-----------|---------------------------|---------|
| 1 | Title Sheet | T1 |
| 2 | Notes | T2 |
| 3 | Site Plan | C1 |
| 4 | Grading and Drainage Plan | C2 |
| 5-8 | Details | D1-D4 |

0" 1"
IF THIS LINE IS NOT 1 INCH
SCALE IS NOT AS SHOWN

Sheet No.
1 of 8

Drawing
T1

Path: F:\Project\Central Point\Flanagan Park\CAD\ Filename: Flanagan Park Parking Improvements Plot date: Nov 21, 2019-04:51:00pm CAD User: Evan Malepsy

Attachment: Flanagan Park Parking Improvements REVIEW SET 11.21.19 (1243 : Flanagan Park Parking Lot Bid Opening)

Path: F:\Project\Central Point\Flanagan Park\CAD\ Filename: Flanagan Park Parking Improvements Plot date: Nov 21, 2019-04:45:46pm CAD User: Evan Malepsy

SURVEY INFORMATION

Survey Notes:
 Horizontal Datum: OREGON STATE PLANE SOUTH ZONE; NAD 83/91; INTERNATIONAL FEET
 Vertical Datum: NAVD88 via RTK GPS US SURVEY FEET

Initial Field Work completed on October 17 2019.
 Utility Locates per One Call Ticket #19288573

Boundary Lines Shown Are Approximate Only and Are Not The Result of A Boundary Survey. To obtain those lines the record information per filed survey 12608 and then moved to the lead plug at the southeasterly corner of subject parcel and rotated to fit the southwesterly corner of the subject parcel.

EROSION AND SEDIMENT CONTROL NOTE

In all circumstances where work may potentially result in erosion or movement of sediment into streets or storm drain systems, the contractor shall conduct work activities with practices that prevent erosion and the transport of sediment into storm water facilities. The contractor shall be responsible for installing and monitoring erosion and sediment control measures as incidental to the work activity, including but not limited to measures that prevent the entry of sediment into storm drain systems, prevent flow of sediment-laden water into streets and prevent tracking of material into public roadways.

Contractor is responsible for erosion and sediment control associated with all construction activities including temporary protection of slopes and disturbed areas until permanent stabilization is established. Contractor to visit site during rain events to monitor and modify erosion and sediment control measures as necessary.


GENERAL NOTES

- CONSTRUCTION SHALL CONFORM TO THE CITY OF CENTRAL POINT STANDARD SPECIFICATIONS AND UNIFORM STANDARD DETAILS, 2019, AND THE 2018 STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION PUBLISHED BY THE OREGON CHAPTER OF APWA, ALONG WITH THE CURRENT AMENDMENTS OF THE APPROVING AGENCY.
- ALL CONCRETE SHALL BE 3000 PSI AT 28 DAYS UNLESS OTHERWISE SPECIFIED.
- CONTRACTOR SHALL BE RESPONSIBLE TO CLEAN AND/OR MAINTAIN EXISTING PUBLIC STREETS OF SOIL OR OTHER DEBRIS DEPOSITED BY CONSTRUCTION OPERATIONS AND REPAIR ALL STREETS DAMAGED BY CONSTRUCTION OPERATIONS IN A TIMELY MANNER TO AVOID INCONVENIENCES OR HAZARDS TO THE PUBLIC.
- CONTRACTOR SHALL NOTIFY OREGON UTILITY NOTIFICATION CENTER AT 1-800-332-2344, AND THE CITY OF CENTRAL POINT PUBLIC WORKS DEPARTMENT AT 665-5233 48 HOURS PRIOR TO BEGINNING WORK.
- ALL CONTRACTORS AND SUBCONTRACTORS SHALL BE PRE-QUALIFIED PRIOR TO ANY CONSTRUCTION OF THIS PROJECT.
- THE CONTRACTOR SHALL SUBMIT A TRAFFIC CONTROL PLAN AND SECURE APPROVAL OF THE PLAN FROM THE AGENCY AT LEAST FIVE (5) WORKING DAYS PRIOR TO STARTING WORK.
- THE CONTRACTOR SHALL NOT PERFORM WORK WITHOUT AGENCY INSPECTIONS WHERE INSPECTIONS ARE REQUIRED BY THE SPECIFICATIONS.
- REQUESTS BY THE CONTRACTOR FOR CHANGES TO THE PLANS MUST BE APPROVED BY THE CONSULTING ENGINEER AND/OR THE AGENCY'S ENGINEER BEFORE CHANGES ARE IMPLEMENTED.
- WHEN PERFORMING EXCAVATIONS, THE CONTRACTOR SHALL COMPLY WITH THE PROVISIONS OF ORS 757.541 TO 757.571, WHICH INCLUDE REQUIREMENTS THAT THE CONTRACTOR HAND-EXPOSE (POTHOLE) UNDERGROUND FACILITIES AND USE REASONABLE CARE TO AVOID DAMAGING THEM.
- PLACEMENT OR STORAGE OF SPOILS FROM THE UTILITY TRENCHES IS NOT PERMITTED ON HARD SURFACE STREETS WITHIN PUBLIC RIGHT-OF-WAY. SPOILS STORED IN OTHER RIGHT-OF-WAY AREAS SHALL BE COVERED TO PREVENT EROSION.
- THE LOCATION AND ELEVATION OF ALL EXISTING UTILITIES ARE SHOWN FOR REFERENCE PURPOSES ONLY. CONTRACTOR SHALL POTHOLE ALL CROSSINGS TO VERIFY LOCATION AND ELEVATION. IF ANY LOCATIONS, VERTICAL OR HORIZONTAL, VARY FROM WHAT IS SHOWN THE CONTRACTOR SHALL NOTIFY PUBLIC WORKS IMMEDIATELY. ANY WORK COMPLETED WITHOUT NOTIFICATION OF INCORRECT LOCATION TO THE ENGINEER MAY BE REMOVED AND RECONSTRUCTED AT THE CONTRACTORS EXPENSE.
- THE ENGINEER DOES NOT EITHER EXPRESSLY OR BY IMPLICATION SEEK TO ESTABLISH OR DELINEATE THE PROPERTY AND/OR RIGHT-OF-WAY BOUNDARIES. THE ENGINEER HAS INCLUDED THE BOUNDARIES ON THE DRAWING BASED ON SURVEY INFORMATION PROVIDED BY THE SURVEYOR. THE BOUNDARIES ARE INCLUDED FOR THE PURPOSE OF ORIENTING THE WORK ONLY.
- THE CONTRACTOR SHALL CONTACT THE APPROPRIATE UTILITY COMPANIES TO COORDINATE RELOCATION OR RECONSTRUCTION OF ANY UTILITIES.



Flanagan Park Parking Improvements

NOTES

0"  1"
 IF THIS LINE IS NOT 1 INCH SCALE IS NOT AS SHOWN

Sheet No.
2 of 8

Drawing
T2

Attachment: Flanagan Park Parking Improvements REVIEW SET 11.21.19 (1243 : Flanagan Park Parking Lot Bid Opening)

CONSTRUCTION NOTES

- ① CONSTRUCT TYPICAL VAN ADA ACCESSIBLE PARKING STALL INCLUDING ADA APPROVED SYMBOL AND SIGN. SEE ADA ACCESSIBLE PARKING STALL DETAIL ON DWG. D3. SEE ADA ACCESSIBLE SYMBOL AND SIGN DETAILS ON DWG. D3.
- ② REMOVE EXISTING SIDEWALK. CONSTRUCT NEW CONCRETE SIDEWALK. SEE DETAIL A-5A ON DWG. D1.
- ③ CONSTRUCT STRAIGHT CURB. SEE DETAIL A-6B ON DWG. D2. EXTEND BASE ROCK 2.0' BEHIND FACE OF CURB.
- ④ REMOVE EXISTING CURB AND GUTTER. CONSTRUCT NEW CURB AND GUTTER. SEE DETAIL A-6B DWG. D2.
- ⑤ CONSTRUCT AC PAVEMENT SECTION, SEE PAVEMENT SECTION (PARKING) ON DWG. C2.
- ⑥ PROPOSED STORMWATER MANAGEMENT BASIN, SEE DWG. C2 AND D4.
- ⑦ REMOVE EXISTING ASPHALT PATH.
- ⑧ RELOCATE EXISTING PARK SIGN.
- ⑨ INSTALL DESIGNATED SYMBOLS AND STRIPING (WHITE PAINT).
- ⑩ INSTALL DRIVEWAY APPROACH (FULLY LOWERED), SEE DETAIL A-6A ON DWG. D2.
- ⑪ CONSTRUCT AC PAVEMENT SECTION, SEE PAVEMENT SECTION (PATHWAY) ON DWG. C2.
- ⑫ INSTALL REMOVABLE BOLLARD. SEE DETAIL ON DWG. D3.
- ⑬ CONSTRUCT LID CONCRETE INLET. SEE DETAIL SD-8 ON DWG. D2.



Flanagan Park
Parking
Improvements

SITE PLAN

0" 1"
IF THIS LINE IS NOT 1 INCH
SCALE IS NOT AS SHOWN

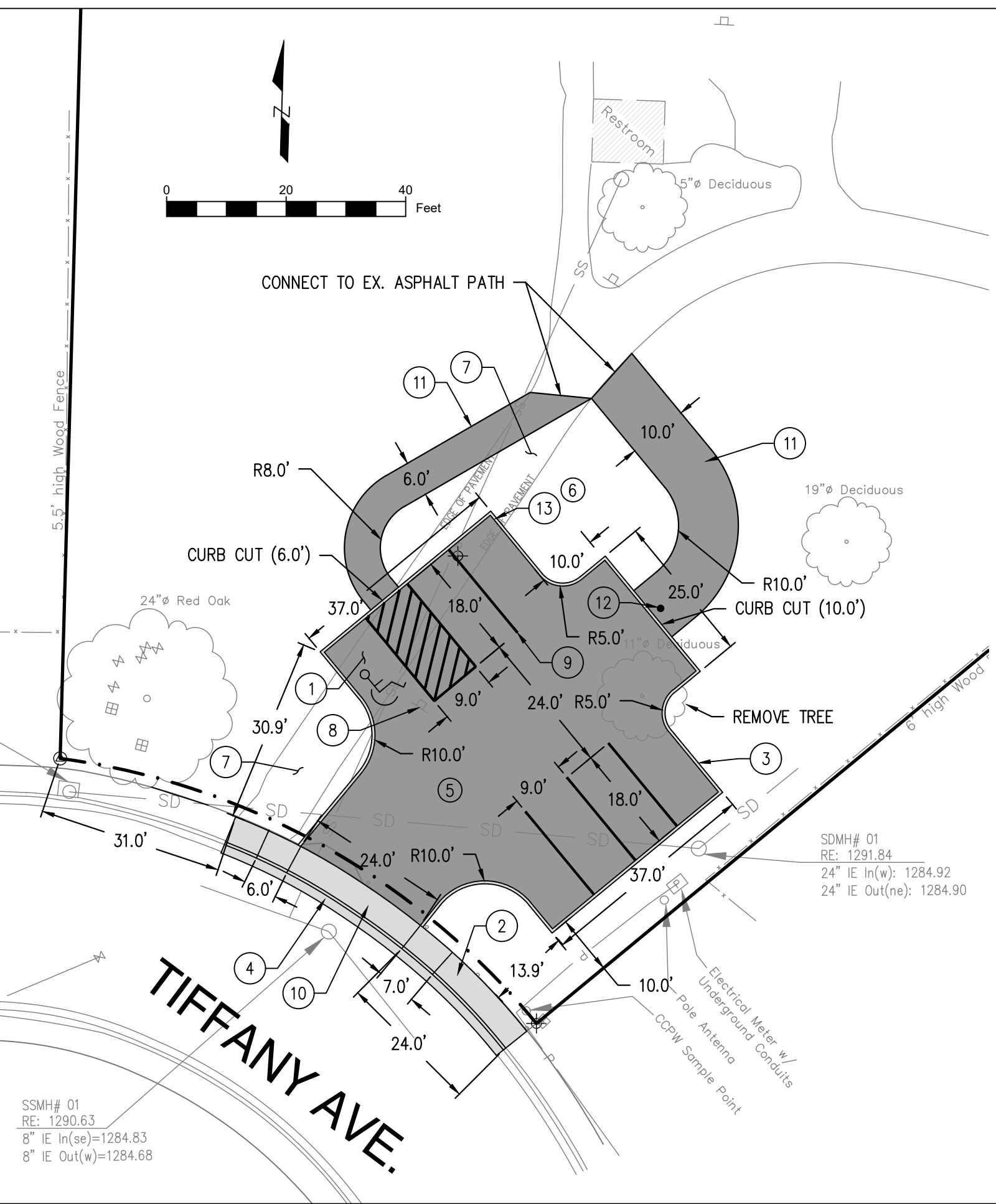
Sheet No.

3 of 8

Drawing

C1

Path: F:\Project\Central Point\Flanagan Park\CAD\ Filename: Flanagan Park Parking Improvements Plot date: Nov 21, 2019-04:45:52pm CAD User: Evan Malepsy



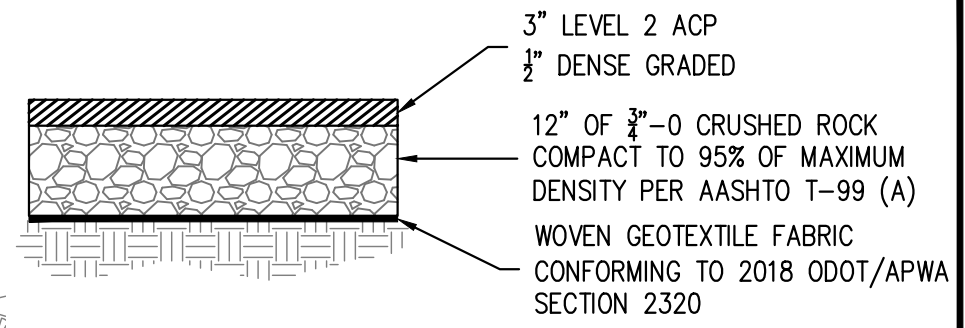
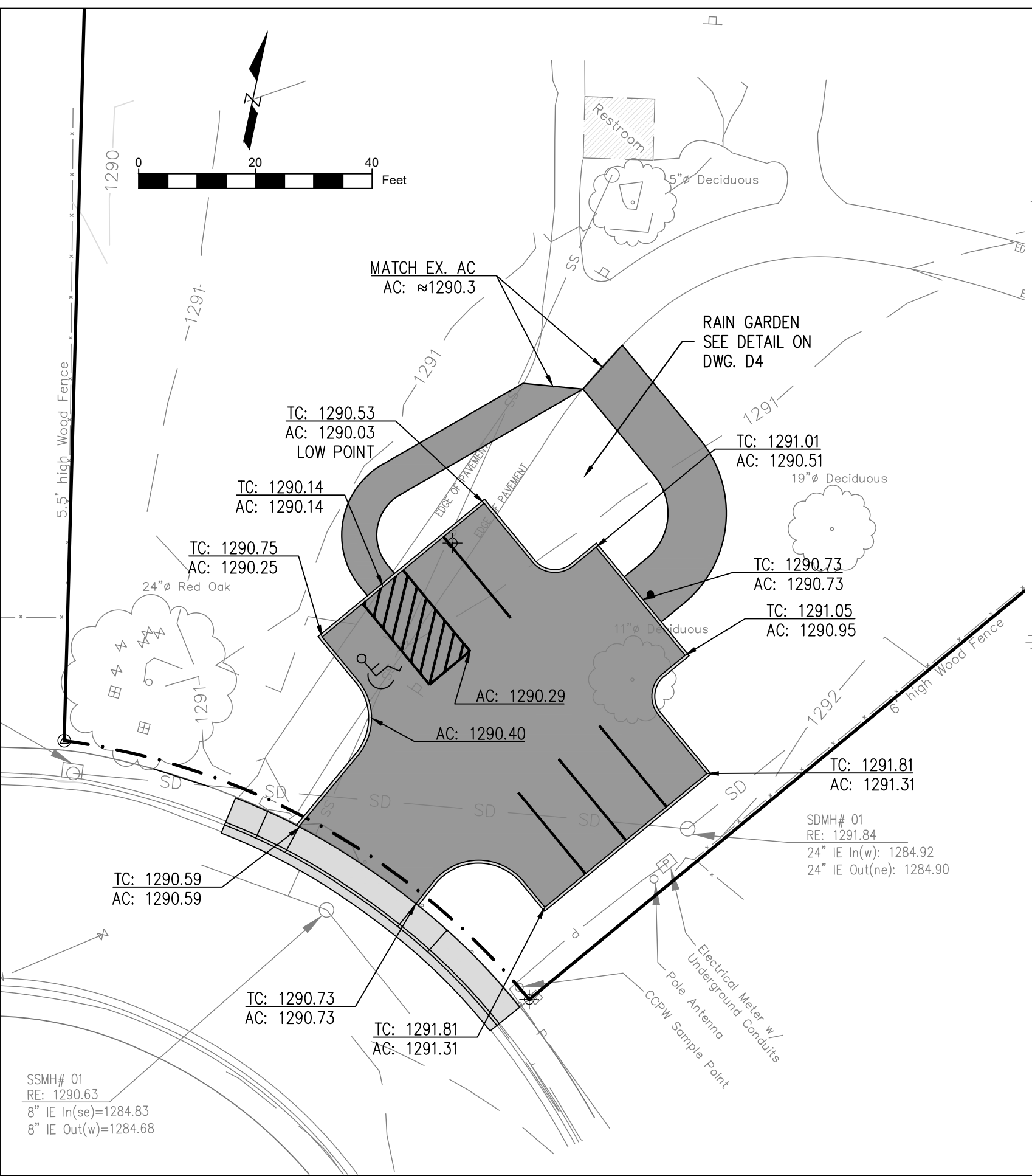
SSMH# 01
RE: 1290.63
8" IE In(se)=1284.83
8" IE Out(w)=1284.68

SDMH# 01
RE: 1291.84
24" IE In(w): 1284.92
24" IE Out(ne): 1284.90

Electrical Meter w/
Underground Conduits
Pole Antenna
CCPW Sample Point

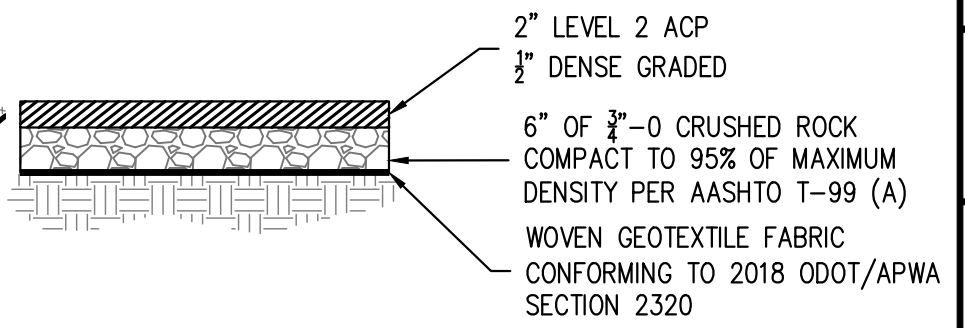
TIFFANY AVE.

Path: F:\Project\Central Point\Flanagan Park\CAD\ Flanagan Park Parking Improvements Plot date: Nov 21, 2019-04:45:56pm CAD User: Evan Malepsy



COMPACT SUBGRADE TO A HARD AND UNYIELDING CONDITION. WHEEL TEST WITH LOADED DUMP TRUCK WILL BE USED TO DETERMINE ADEQUATE COMPACTION. SEE CP SPECIFICATIONS.

EXTEND FABRIC AND BASE ROCK 2.0' BEHIND FACE OF CURB.



COMPACT SUBGRADE TO A HARD AND UNYIELDING CONDITION. SEE CP SPECIFICATIONS.



Flanagan Park
Parking
Improvements

**GRADING AND
DRAINAGE PLAN**

0" 1"
IF THIS LINE IS NOT 1 INCH
SCALE IS NOT AS SHOWN

Sheet No.

4 of 8

Drawing
C2

Attachment: Flanagan Park Parking Improvements REVIEW SET 11.21.19 (1243 : Flanagan Park Parking Lot Bid Opening)



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 Oregon Utility Notification Center
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Flanagan Park
 Parking
 Improvements

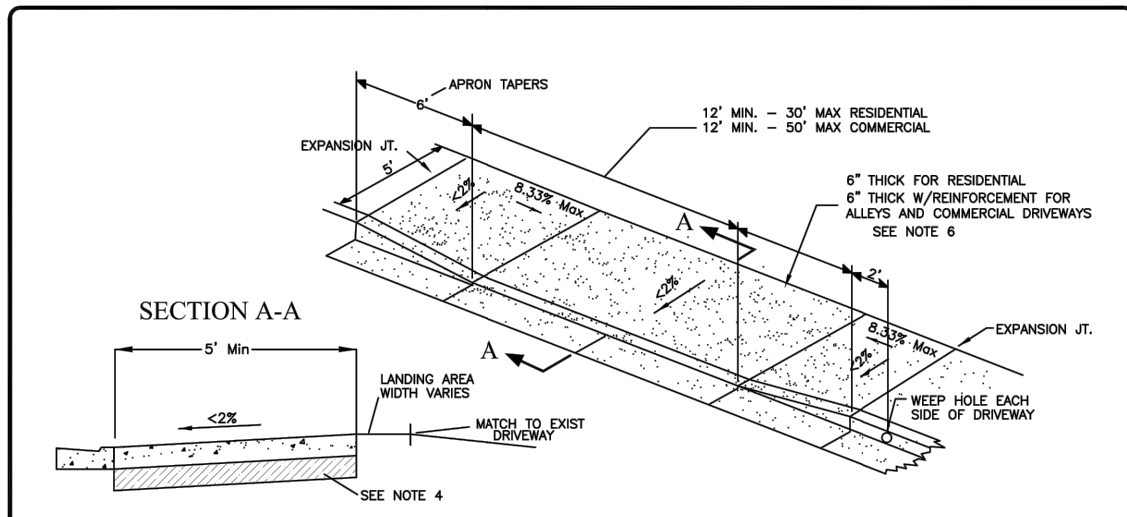
DETAILS

0" 1"
 IF THIS LINE IS NOT 1 INCH
 SCALE IS NOT AS SHOWN

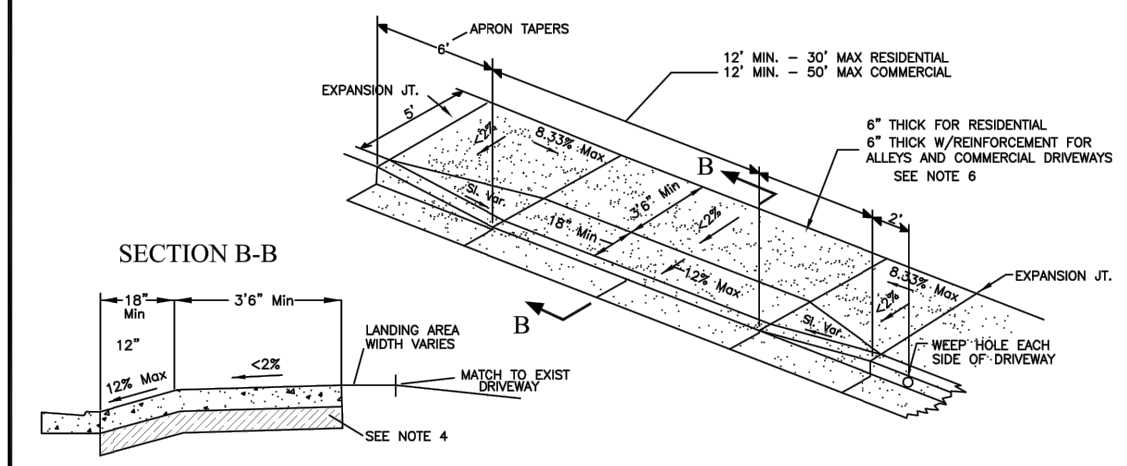
Sheet No.
 5 of 8

Drawing
D1

Attachment: Flanagan Park Parking Improvements REVIEW SET 11.21.19 (1243 : Flanagan Park Parking Lot Bid Opening)



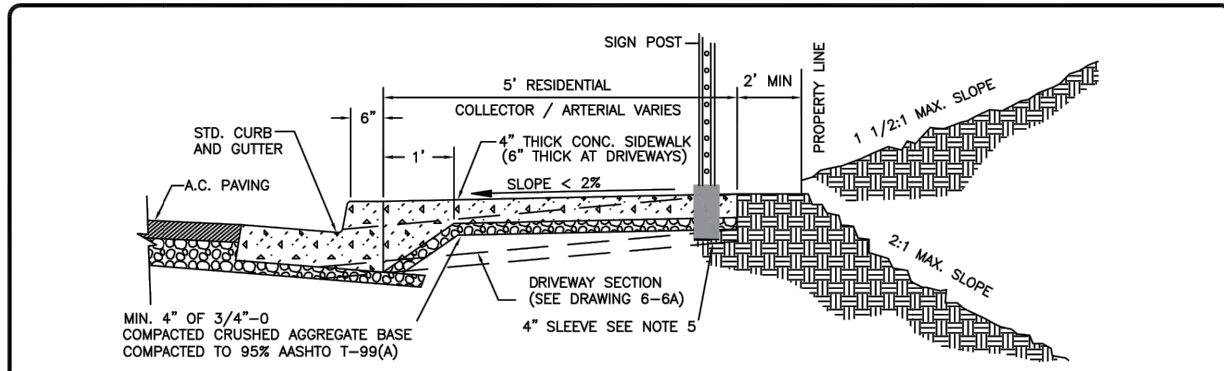
FULLY LOWERED DRIVEWAY/ ALLEY APPROACH



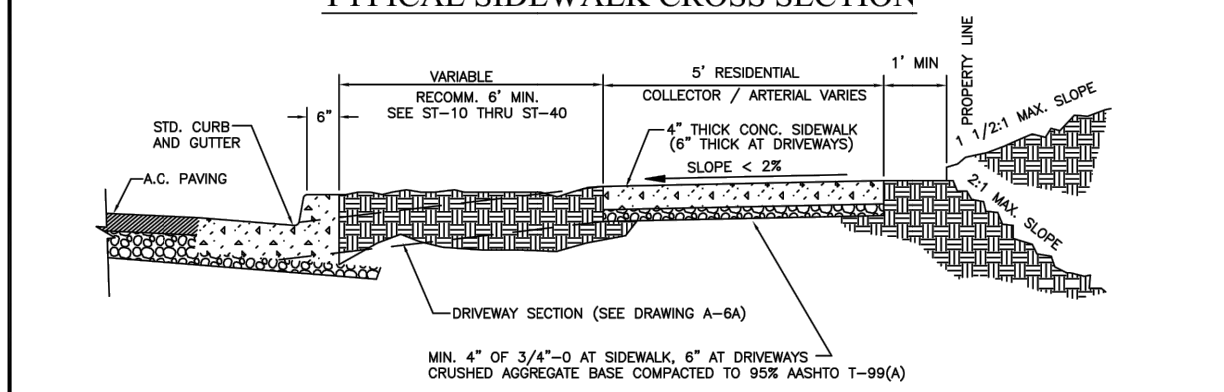
PARTIALLY LOWERED DRIVEWAY/ ALLEY APPROACH

- NOTES:**
- ALL CONCRETE SHALL MEET THE REQUIREMENTS OF SECTION 930.00.00- PORTLAND CEMENT CONCRETE (PCC).
 - ALL WORK AND MATERIALS SHALL CONFORM TO APWA/ODOT STANDARD SPECS.
 - RESIDENTIAL DRIVEWAYS AND SIDEWALK SECTIONS THROUGH DRIVEWAYS SHALL HAVE A NOMINAL THICKNESS OF 6" OF PCC CONCRETE.
 - BASE ROCK MATERIAL SHALL BE 3/4"-0 CRUSHED ROCK CONFORMING SECTION 910.10.02 BASE AGGREGATE.
 - PCC APRONS SHALL BE JOINTED IN ACCORDANCE WITH DRAWING A-5A.
 - ALL COMMERCIAL DRIVEWAYS AND ALLEYS SHALL BE MINIMUM 6" THICK WITH NO. 4 REBAR @ 16-INCH O.C. GRID

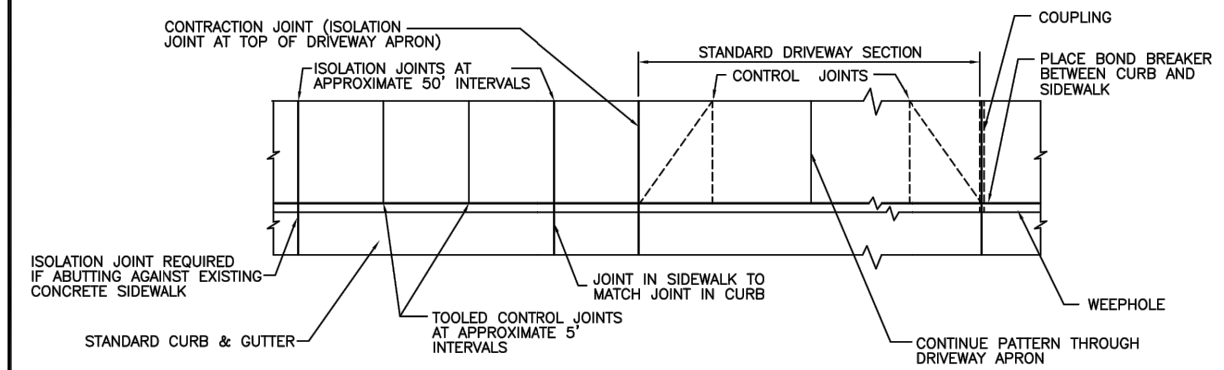
| | | | | |
|--|---|--|---------------------|---------------------|
| CITY OF CENTRAL POINT PUBLIC WORKS DEPARTMENT | UNIFORM STANDARDS FOR PUBLIC WORKS CONSTRUCTION | | REVISED 1/5/2017 | A-6A DRAWING No. |
| | DRIVEWAY AND ALLEY APPROACHES | | | |



TYPICAL SIDEWALK CROSS SECTION



TYPICAL SETBACK SIDEWALK CROSS SECTION



TYP. PLAN VIEW

- NOTES:**
- ALL CONCRETE SHALL MEET THE REQUIREMENTS OF SECTION 930.00.00- PORTLAND CEMENT CONCRETE (PCC).
 - ALL WORK AND MATERIALS SHALL CONFORM TO APWA/ODOT STANDARD SPECS.
 - BASE ROCK MATERIAL SHALL BE 3/4"-0 CRUSHED ROCK CONFORMING SECTION 910.10.02 BASE AGGREGATE.
 - A. 4" MIN. THICKNESS UNDER SIDEWALKS
 - B. 6" MIN. THICKNESS UNDER DRIVEWAYS
 - ASPHALT IMPREGNATED FELT JOINTS ARE REQUIRED AT 50'-FT INTERVALS AND PCR'S AT STREET CORNERS.
 - WHEN SIGN POST ARE PLACED OR EXIST WITHIN SIDEWALK, INSTALL A 4" PLASTIC COLLAR AT BASE TO ALLOW FOR FUTURE REPAIR/REPLACEMENT OF SIGN POST.
 - INSTALL A MIN. OF (2) - 3" WEEP HOLES FOR EACH RESIDENTIAL LOT FOR ROOF DRAINS, EITHER, 2.0' FROM THE END OF THE DRIVEWAY APRON, OR 5.0' FROM THE PROPERTY LINE.

| | | | | |
|--|---|--|---------------------------|---------------------|
| CITY OF CENTRAL POINT PUBLIC WORKS DEPARTMENT | UNIFORM STANDARDS FOR PUBLIC WORKS CONSTRUCTION | | REVISED DATE 2/05/2016 | A-5A DRAWING No. |
| | SIDEWALKS | | | |

Path: F:\Project\Central Point\Flanagan Park\CAD\ Filename: Flanagan Park Parking Improvements Plot date: Nov 21, 2019-04:46:01pm CAD User: Ewan Malepsy

RC
ROGUE CIVIL
 Civil Engineering
 Water Rights

REGISTERED PROFESSIONAL ENGINEER
 79641PE
OREGON
 JULY 10, 2007
EVAN H. MALEPSY
 RENEWAL DATE: 12/31/20

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 Oregon Utility Notification Center
 Call Before You Dig

Flanagan Park
 Parking
 Improvements

DETAILS

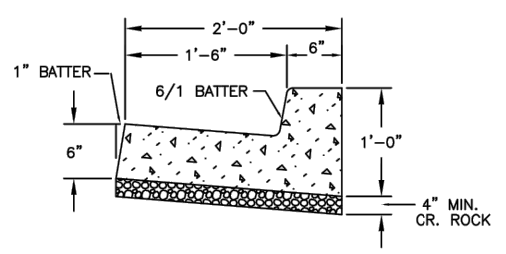
0" 1"
 IF THIS LINE IS NOT 1 INCH
 SCALE IS NOT AS SHOWN

Sheet No.

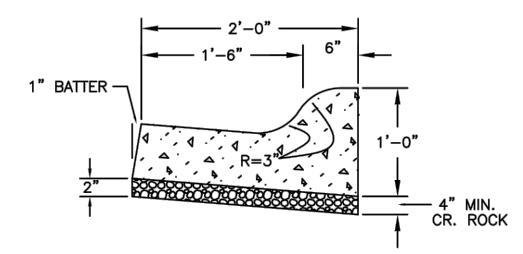
6 of 8

Drawing **D2**

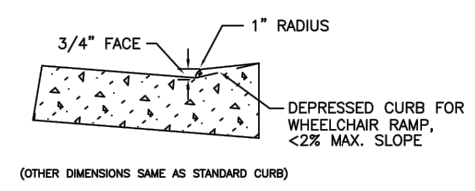
Attachment: Flanagan Park Parking Improvements REVIEW SET 11.21.19 (1243 : Flanagan Park Parking Lot Bid Opening)



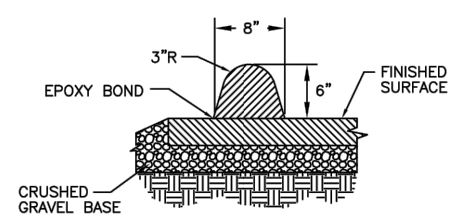
STANDARD CURB AND GUTTER



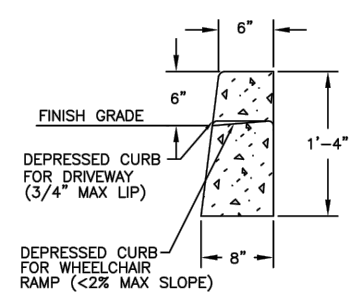
ROLLED CURB AND GUTTER



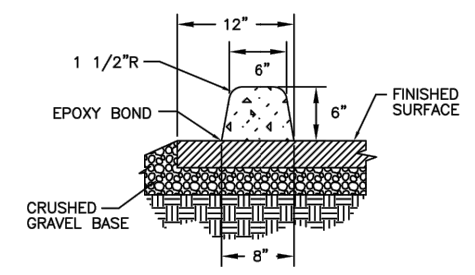
DROPPED CURB AT DRIVEWAYS



EXTRUDED AC BONDED CURB



STRAIGHT CURB

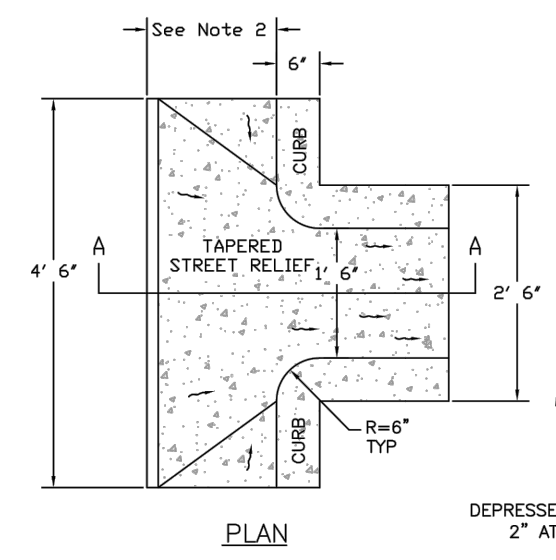


EXTRUDED CONCRETE BONDED CURB

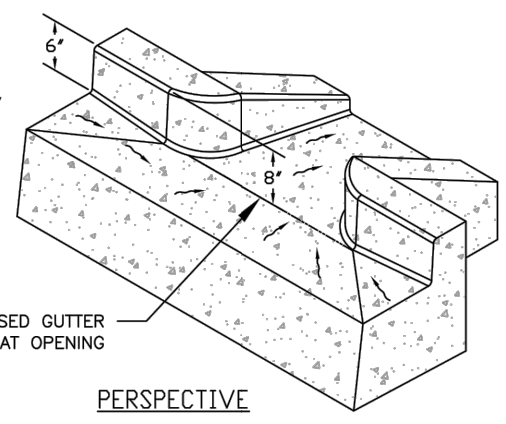
- NOTES:**
1. ALL RADII SHALL BE 3/4" EXCEPT AS OTHERWISE SHOWN.
 2. ISOLATION JOINTS SHALL BE PLACED ONLY AS SPECIFIED.
 3. CONTROL JOINTS SHALL BE PLACED AT 10' INTERVALS AND SHALL EXTEND AT LEAST 50% THROUGH THE CURB OR CURB AND GUTTER.
 4. A CONTROL JOINT SHALL BE PLACED ALONG AND OVER WEEP HOLE THROUGH THE CURB AND THROUGH THE SIDEWALK.
 5. WHEN SIDEWALKS ARE CONSTRUCTED, EXTEND 3" PIPE TO BACK OF SIDEWALK AND INSTALL COUPLING.

FILE: CP-A-6B.DWG

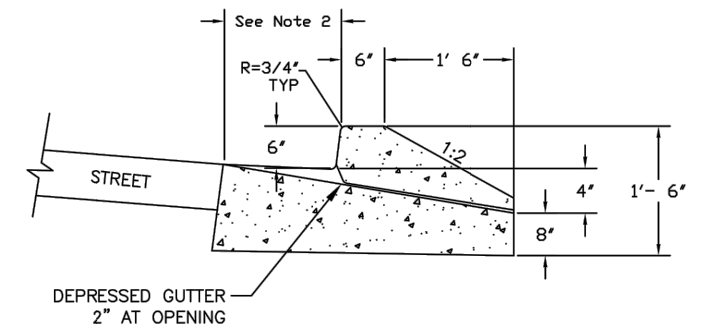
| | | | |
|--|---|--------------------------|----------------------------|
| <p>CITY OF CENTRAL POINT PUBLIC WORKS DEPARTMENT</p> | UNIFORM STANDARDS FOR PUBLIC WORKS CONSTRUCTION | REVISED DATE 2/5/2016 | A-6B DRAWING No. |
| | TYPICAL CURBS & GUTTERS | | |



PLAN



PERSPECTIVE



SECTION A-A

LID Concrete Inlet with Wingwalls
 NTS

- NOTES:**
1. For use with stormwater facilities with side slopes.
 2. Refer to Standard Drawing A-6B. Match gutter pan of adjacent curb and gutter.
 3. Metal Inlet assembly, SD-10, required on high traffic streets.

FILE: CP-SD-8.DWG

| | | | |
|--|---|------------------|---------------------|
| <p>CITY OF CENTRAL POINT PUBLIC WORKS DEPARTMENT</p> | UNIFORM STANDARDS FOR PUBLIC WORKS CONSTRUCTION | CHECKED DATE | SD-8 DRAWING No. |
| | LID Concrete Inlet with Wingwalls | APPROVED DATE | REVISED DATE |

Path: F:\Project\Central Point\Hannagan Park\CAD\ Filename: Hannagan Park Parking Improvements Plot date: Nov 21, 2019-04:46:11pm CAD User: Evan Malepsy

PAVEMENT MARKING STENCIL

Background
C (stroke width)
A
B

Pavement Marking Background: Optional: Blue, Retro-reflective
Pavement Marking Stencil: White, Retro-reflective

| LEGEND | DIMENSIONS (INCHES) | | | | | | |
|---------|---------------------|----|---|---|---|---|---|
| | A | B | C | D | E | F | G |
| MINIMUM | 28 | 24 | 3 | | | | |

The pavement marking stencil shall be used to designate an accessible parking area reserved for vehicles with DMV permits.

MINIMUM STANDARD SINGLE-ACCESSIBLE PARKING SPACE (VAN-ACCESSIBLE DESIGNATION REQUIRED)

Opt. sign location
SIGN R7-8
SIGN R7-8 P
Curb ramp (shall not extend into the access aisle)
ACCESSIBLE ROUTE
sign locations
Wheel stop (Typ)
White 4" wide lines
36° TYP.
36°
4'
3'
2' Typ
Access Aisle
Pavement marking required. See Fig. 1 for dimensions
9' Min.
8' Min.
17' Min.

SIGN DESIGN SIGN NO. R7-8

12"
18"

RESERVED PARKING

Sign Background: White, Retro-reflective sheeting
Sign Legend: Green, Retro-reflective sheeting
Symbol: White on Blue Background, Retro-reflective
Sign: Standard Federal R7-8 without arrow from the Standards Highway and Markings Handbook

The Accessible Person parking sign is used to designate a parking area reserved for vehicles with DMV permit as stated.

SIGN DESIGN SIGN NO. R7-8P

18"
9"
2 1/4"
2" D
1 1/2" D
2 1/4"
1 1/2" R
3/8"
3/8"

VAN ACCESSIBLE

Sign Background: White, Retroreflective sheeting
Sign Legend: Green, Retroreflective sheeting

Refer to the Standard Highway Signs book for details.

The VAN-ACCESSIBLE sign shall only be used with sign R7-8 to designate the parking spaces that have an access aisle 8 ft or wider

NON-REMOVABLE

REMOVABLE

GENERAL NOTES FOR ALL DETAILS:

1. Grind all edges smooth.
2. Prime and paint bollard safety yellow after fabrication.
3. Hot-dip galvanize base assembly after fabrication.
4. All concrete shall be commercial grade concrete.
5. Orient lock assembly parallel with pedestrian traffic.
6. Provide lock, if required.
7. See project plans for details not shown.

RD130.dgn 25-JUL-2017 RD130

ROGUE CIVIL LLC
Civil Engineering
Water Rights

REGISTERED PROFESSIONAL ENGINEER
79641PE
OREGON
JULY 10, 2007
EVAN H. MALEPSY
RENEWAL DATE: 12/31/20

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Oregon Utility Notification Center
Call Before You Dig

Flanagan Park Parking Improvements

DETAILS

0" 1"
IF THIS LINE IS NOT 1 INCH SCALE IS NOT AS SHOWN

Sheet No.
7 of 8

D3

Effective Date: December 1, 2019 - May 31, 2020

Attachment: Flanagan Park Parking Improvements REVIEW SET 11.21.19 (1243 : Flanagan Park Parking Lot Bid Opening)

Path: F:\Project\Central Point\Flanagan Park\CAD\ Filename: Flanagan Park Parking Improvements Plot date: Nov 21, 2019-04:46:16pm CAD User: Ewan Malepsy

General Notes for Vegetated BMPs

1. Excluding construction of the facility itself, exposed treatment area subgrade shall be fenced to prohibit impacts from construction (including materials and equipment storage).
2. Build and vegetate swale as early as possible to establish plantings before directing stormwater runoff to it or divert stormwater around facility. Preferably, vegetation will be given a minimum of 3 months to become established, or per landscape architect/designer guidelines.
3. Call the reviewing agency 48 hours in advance of constructing this facility so construction observation may be performed to identify variations in the field that may affect design and verify proper construction.
4. Over-excavate within the swale to allow for placement of amended or imported soil up to final grade.
5. Placement of amended native or imported soil mix shall occur as follows:
 - a. Place soil in 8 inch maximum lifts (i.e. depths).
 - b. Do not place if soil is saturated.
 - c. Lightly compact each lift, (e.g. a water filled landscape roller) to achieve 85% compaction. Do not compact with heavy machinery or vibratory compaction.
6. Install energy dissipation below all outfalls per approved plans.
7. If unprotected soil has been exposed to rainfall, scarify the surface to a depth of 4 inches to restore filtration capacity.
8. Install ODOT Type E erosion control matting, if specified in approved plans.
9. Landscaping plan must adhere to one of the scenarios in Tables 1 and 2 of section 4.5.2. Plant per Landscaping plan and standard detail 4.5.2C. Contact approving jurisdiction 48 hours in advance of planting so that jurisdiction can review plant placement prior to plant installation.
10. Install mulch, if specified in approved plans. Use either shredded wood chips or coarse compost. Mulch must be dye, pesticide and weed free. Spread in a minimum two inch layer over bare soil or in a ring around plants to increase water retention. Ensure that mulch does not touch plant stems.
11. Side slopes outside of flow area must be permanently stabilized with mulch and vegetation.

STORMWATER GROWING MEDIUM SPECIFICATIONS

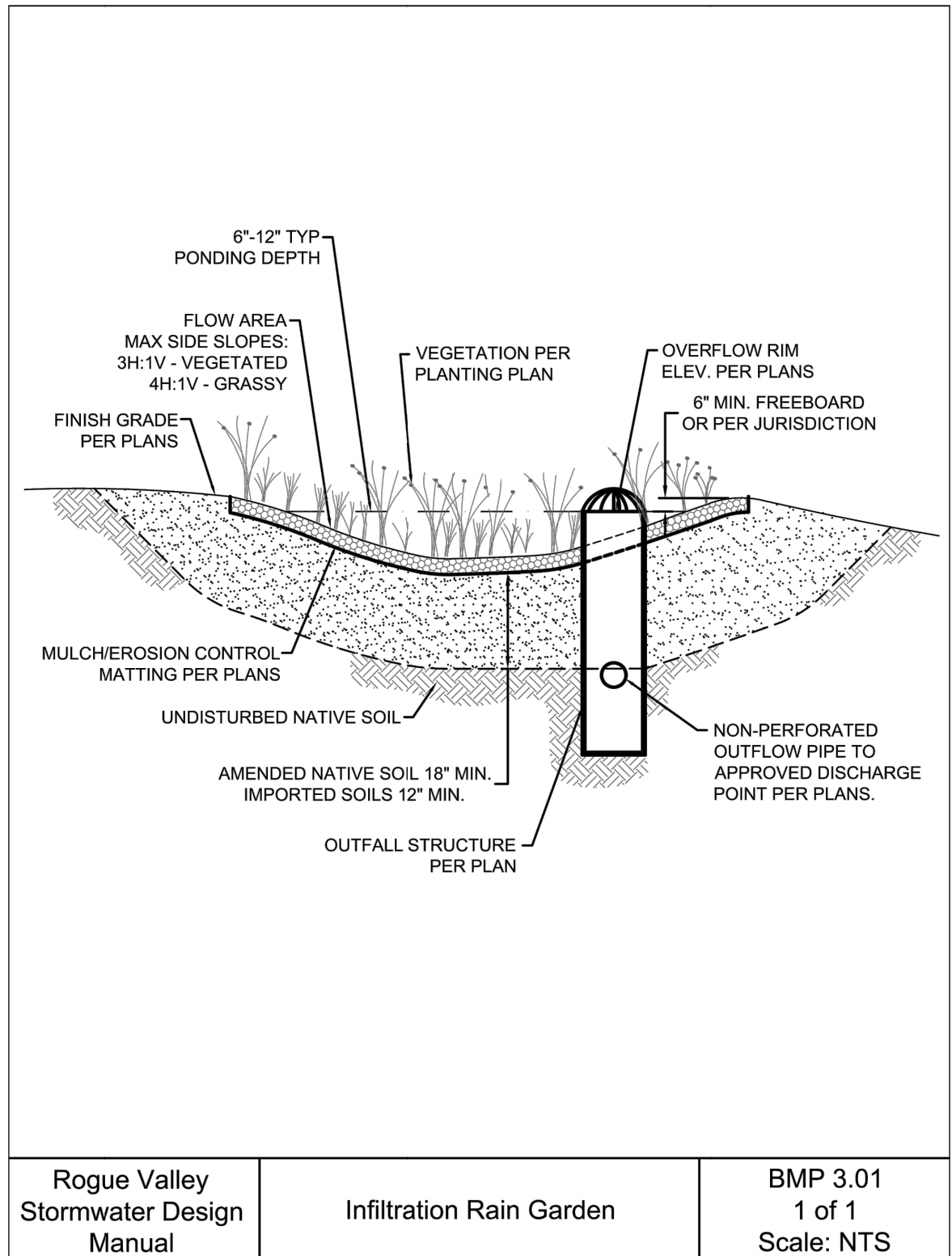
1. Growing Medium Properties:
 - A. Must infiltrate between 0.5 and 12 inches/hour.
 - B. May be either native soil amended with compost or an imported soil mix.
 - C. Imported soil shall be roughly $\frac{1}{3}$ plant derived compost, $\frac{1}{3}$ topsoil and $\frac{1}{3}$ gravelly sand.
 - D. Amended native soil mix shall be created by blending compost into the native soil at a rate of one part compost to two parts soil. Native soil must meet the Soil Properties.
 - E. Must be uniformly mixed
 - F. Free of material larger than 1 inch
 - G. Have no visible free water
2. Gravelly Sand Properties:
 - A. 100% must pass $\frac{1}{2}$ inch sieve
3. Soil Properties required in the existing native or the gravelly sand and topsoil portion of the imported soil:
 - A. pH between 5.5 and 8.0
 - B. Conform to the following gradation:

| US Standard Sieve Size | Percent Passing |
|------------------------|-----------------|
| 3/8" | 100 |
| #4 | 95-100 |
| #10 | 75-90 |
| #40 | 25-40 |
| #100 | 4-10 |
| #200 | 2-5 |
 - C. Soil sampling must follow AASHTO T2
 - D. Sieve analysis must meet requirements of AASHTO T27 and AASHTO T11
4. Compost Properties:
 - A. Must be derived from plant material and fully composted.
 - B. Must be certified weed seed free.
 - C. Organic matter content between 40 and 50 percent.
 - D. pH between 5.5 and 8.0. If the pH isn't quite right, it may be lowered by adding iron sulfate and sulfur, or raised by adding lime. If lime is used, incorporate first into the compost, wet the compost down, and the fold mixture into the soil.
 - E. Soluble salt content shall be less than 6.0mmhos/cm.
 - F. 100% should pass a 1/2-inch screen.
 - G. Stability Test Results shall Be Stable or Very Stable.
 - H. Maturity indicator for emergence and vigor shall be $\geq 80\%$.
 - I. Trace Metals Test Results shall Be Pass.
 - J. Carbon nitrogen ratio between 30:1 and 35:1.

SUBMITTAL

- Agency may request testing data for review and approval prior to placement :
1. Test Data for the soil must be provided by an accredited laboratory with current certification. The date of the analysis must be no more than 90 days prior to the submittal. The report must include the following:
 - a. Name and address of the laboratory
 - b. phone, contact and email address of the laboratory
 - c. test data, including data and name of test procedure
 - d. source of the topsoil
 2. A compost technical data sheet from the vendor. This must conform to the sampling and reporting requirements of the US Composting Council Seal of Testing Assurance.
 3. Testing on the compost must be performed no more than 90 days prior to the data of submittal.

| | | |
|---|----------------------------------|----------------------|
| Rogue Valley Stormwater Design Manual | General Notes for Vegetated BMPs | 1 of 1 Scale: NTS |
|---|----------------------------------|----------------------|



| | | |
|---|--------------------------|----------------------------------|
| Rogue Valley Stormwater Design Manual | Infiltration Rain Garden | BMP 3.01 1 of 1 Scale: NTS |
|---|--------------------------|----------------------------------|



Dig Safely
1-800-332-2344
Oregon Utility Notification Center
Call Before You Dig

Flanagan Park
Parking
Improvements

DETAILS

0" 1"
IF THIS LINE IS NOT 1 INCH
SCALE IS NOT AS SHOWN

Sheet No.
8 of 8

Drawing
D4

Attachment: Flanagan Park Parking Improvements REVIEW SET 11.21.19 (1243 : Flanagan Park Parking Lot Bid Opening)

RESOLUTION NO. _____

A RESOLUTION ACCEPTING THE LOWEST RESPONSIBLE BID FROM EXPRESS EXCAVATION, INC. FOR THE FLANNAGAN PARK PARKING LOT PROJECT AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT.

RECITALS:

- A. The City recently requested bidders/contractors to bid on a contract to construct a new parking lot at Flannagan Park pursuant to the City’s intermediate procurement process.
- B. The City received three bid submittals with the lowest responsible bidder being Express Excavation, Inc. with the lowest base bid of \$39,900.00.
- C. The project was budgeted as part of the 2019-2021 fiscal year budget with an engineer’s estimate of \$50,000.00.

The City of Central Point resolves as follows:

Section 1. The City Council hereby accepts the bid from Express Excavation Inc. in the amount of \$39,900.00.

Section 2. The City Manager is hereby authorized to execute a contract and any related documents necessary to effectuate the acceptance of this award in a form substantially the same as that included in the specifications.

Section 3. This Resolution shall take effect immediately from and after its passage and approval.

Passed by the Council and signed by me in authentication of its passage this _____ day of _____, 2020.

Mayor Hank Williams

ATTEST:

City Recorder

Attachment: resolution [Revision 1] (1243 : Flannagan Park Parking Lot Bid Opening)



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

ISSUE SUMMARY

| | | | |
|-------------------------|--|------------------------|-----------------------|
| TO: | City Council | DEPARTMENT: | Community Development |
| FROM: | Tom Humphrey, Community Development Director | | |
| MEETING DATE: | February 13, 2020 | | |
| SUBJECT: | Planning Commission Report | | |
| ACTION REQUIRED: | Information/Direction | RECOMMENDATION: | Approval |

The following items were presented by staff and discussed by the Planning Commission at its regular meeting on February 4, 2020.

A. Public Hearing to consider a Zone Change (Map) application. The zoning is proposed for change from Employment Commercial (EC) to General Commercial (GC). The project site is located at the southeast corner of West Pine and Haskell Streets and is identified on the Jackson County Assessor's Map as 37S 2W 10AA, Tax Lots 6000 and 6100. File No. CPA-19008. Applicant: City of Central Point. This property has been acquired by the Rogue Creamery and is being considered for business expansion. The Planning Commission conducted a public hearing during which representatives from the Creamery expressed their support. A traffic analysis was completed in order for the zone change to comply with the State's Transportation Planning Rule (TPR). The Commission agreed with the conclusions of the traffic analysis and with the findings in the staff report.

Consequently, the Commission unanimously recommended approval of this proposal.

B. Public Hearing to consider an Annexation Application at 3664 Grant Road to add 3.16 acres of land to the city limits for low density residential development.

The annexation area is identified on the Jackson County Assessor's Map as 37S 2W 10BC Tax Lot 2200. File No. ANNEX-19001. Applicant: WL Moore Construction, Inc. Agent: Herb Farber. This applicant would like to bring the property into the City and change the zoning from County RR-2.5 to City R-1-10 Residential Single Family with the intent of subdividing the property and creating 10,000 square foot lots. The Commission received a letter from Jackson County Roads whose comments were more specific to a future development proposal. The Commission read these into the record and took them under advisement. Two adjoining property owners asked questions about the annexation proposal and expressed their concerns about the impact subsequent development might have on their property. After closing the public hearing, the Commission found that the state and city criteria for annexation could be met and unanimously recommended approval

of the annexation. **Miscellaneous:** Planning staff reviewed Risk Assessment criteria associated with the Hazard Mitigation Plan that the Department is preparing in support of FEMA's Community Rating System (CRS).

City of Central Point, Oregon
140 S Third Street, Central Point, OR 97502
541.664.3321 Fax 541.664.6384
www.centralpointoregon.gov



Finance Department

January 31, 2020

Steve XXXXXX
123 Main Street
Central Point OR 97502

RE: Service Location 550 Mitchell Way

You are receiving this letter as notification of a lien on your property due to an unpaid water account balance for the previous responsible party at the property listed above. This notification is NOT A BILL.

In accordance with Central Point municipal code sections, 11.16.130-11.16.140 *Stormwater Codes*; 11.20.120-11.21.30 *Transportation Codes*; 13.04.130-13.04-140 *Water Codes*; and 3.40 *Liens and Collection Code* (see reverse side) the unpaid utility account balance will remain a lien on the property in the city's lien docket until collected from the previous responsible party. Once the unpaid amount has been collected, the lien will be removed from the property.

Sincerely,

Utility Billing

Attachment: Lien Letter Draft (1239 : Property Lien Letter Draft)

Stormwater Codes (11.16.130-11.16.140), Transportation Codes (11.20.120-11.21.30), Water Codes (13.04.130-13.04.140), Liens and Collections Code (3.40):

Property Liens/Collections

A. If the utilities customer is the owner of the property, water user charges, plus billing service charges, late payment charge, charge for collecting delinquent bills, damages and any other water charges incurred relating to the property shall be a lien against the property served from the date of delinquency. In the case of a closing bill where the property is being sold or transferred, the lien for the closing bill shall attach as of the day preceding the sale or transfer.

B. When a bill for utilities service remains unpaid for 60 days after it has been entered in the customer's billing record or other city water record, and recorded in the city's lien docket, the city may refer the debt to collections. In the alternative, or if collection efforts fail, the lien may be foreclosed in any manner provided by ORS 223.505 to ORS 223.650, or as otherwise provided by law.

Tenant Accounts

A. The city's claim against a tenant is transferred to the owner of the property when the city provides notice of the delinquent status to the tenant and mails a copy of the notice of delinquency by first class mail to the last address of the owner or owner's agent that is on file with the city, within 30 days from the time the payment is due on the account. The transferred claim shall be a lien against the property served from the date the notice of delinquent status is mailed to the owner of the property. The transfer does not relieve the tenant of the obligation to pay the claim.

B. The city may refuse to provide utility services to a tenant if the tenant has a previous unpaid utility bill with the city unless the city and the customer agree to a plan for repayment of unpaid utility bills.

C. The city will provide information to the owner or owner's agent regarding the status of a tenant's account upon request, within a reasonable amount of time. If a request is made verbally, the city shall provide the information verbally. If the city discloses information under this subsection, the city shall not be held responsible for the disclosure of information to a person who is not an owner or owner's agent.

3.40.030 Liens.

A. There shall be an on-line electronic medium to be known as Conduits by which the lien dockets of the City of Central Point can be accessed.

B. The city may, by ordinance, authorize the finance director to create a lien by recording the lien in a lien docket.

C. The finance director shall record in the city's lien dockets:

1. All liens on real property in favor of the city, including but not limited to, liens for:
 - (i) assessments for local improvements,
 - (ii) assessments for financing agreements,
 - (iii) system development charges,
 - (iv) facility charges,
 - (v) delinquent utility bills,
 - (vi) civil penalties, and
 - (vii) nuisance abatements.

City of Central Point, Oregon

140 S Third Street, Central Point, OR 97502
541.664.3321 Fax 541.664.6384
www.centralpointoregon.gov



Finance Department

FINAL DEMAND FOR PAYMENT
1/16/2020

[Redacted]
[Redacted] Alder St
Central Point, OR 97502

| | | |
|-----|-------------------|----------------------------|
| RE: | Account Number | [Redacted] |
| | Account Name | [Redacted] |
| | Service Location | [Redacted] S 5th St |
| | Past Due Amount | \$51.68 |
| | Additional Charge | \$0.00 |
| | Amount Due | \$51.68 |
| | Due Date | Tuesday, February 18, 2020 |

Dear Customer:

According to our records your utility account is seriously past due. Failure to pay by the due date above will result in this account being assigned to Southern Oregon Credit Service for collection. We accept payments by cash, check, Visa, or MasterCard.

If the balance is not paid before turning over to collections, a collection fee will be added.

THERE WILL BE NO FURTHER NOTICE

This notice originates from and is the vehicle of the above named provider and no other party or authority.

Sincerely,
Utility Billing

Attachment: Final Demand Letter (1239 : Property Lien Letter Draft)