



MINUTES
October 14, 2013
CITY COUNCIL MEETING

Note: These minutes are a near-verbatim transcript of the meeting.

- Call to order:** **Time: 6:34 pm**
1. **The pledge of allegiance**
 2. **Roll Call:**

	<i>Present</i>	<i>Absent</i>
<i>Mayor Karl Popoff</i>	<i>X</i>	
Council Position #1 <i>Melinda McVey</i>	<i>X</i>	
<i>Council Position #2 Larry Brennan</i>	<i>X</i>	
<i>Council Position #3 Brice Gregory</i>	<i>X</i>	
<i>Council Position #4 Doug Brand</i>		<i>X</i>
<i>Council Position #5 Tamie Kaufman</i>	<i>X</i>	
<i>City Administrator Jodi Fritts</i>	<i>X</i>	
<i>Student Liaison Vacant</i>		

3. **Special Orders of Business:**
 - a. *Curry Health District: Dale Thomas & Andrew Bair: to discuss hospital bond measure*

Andrew Bair, CEO Curry Health Network and Dale Thomas, co-chair of The Friends of Curry General Hospital PAC. We are talking about a new hospital in this neighborhood. We need a \$.74/\$1000 levy for a 10 million bond to help fund this \$20 million dollar project. Each property owner would receive a \$150 credit voucher for health care services for 5 years to help ease the burden to our taxpayers. One of the reasons we need this project now is to attract physicians as well as jobs. We also need an emergency room in order to stabilize in order to transport. Time is of the essence in a heart attack as well as other medical emergencies. There are code violations from the Health Department and State Fire Marshall which must be addressed. They will not turn a blind eye to our code violations anymore and we must bring the building up to code. The timeline is about 3 years to get this hospital up to code. Closure of the hospital would have a serious negative effect on the community. A new design can gain efficiencies in the floor plan, reduce staffing cost and facilitate teamwork between departments. Improving our hospital will keep health care here in our community rather than have going to other communities. This ballot measure is only for Gold Beach and Port Orford additional services. We are pursuing a grant for a critical access hospital. A critical access hospital is only for 25 beds or less or at least no other hospital within a 35 mile radius.

Councilor Larry Brennan: As far as this project, I am 1,000 % for it. My only question is that you mentioned that Brookings was pursuing an ER. Wouldn't that have to have a hospital attached to it, and wouldn't that interfere with the 35 mile radius?

Bair: It probably does. We think that a satellite 2 bed facility of our hospital could work like the model in Brandy. If Brookings does this the question becomes, who will fund this? The answer is it will for Brookings, not the folks up here. Our concern is the short timeline we have to get our hospital funded and moving forward.

Councilor Gregory Brice: Why are we bringing up Brookings in all this?

Bair: Because there will be a lot of questions. So, I thought being transparent would be the way to go.

Mayor Karl Popoff: I want to thank two gentlemen that I have a lot of respect for Dr. Rush and Mr. Thomas. I just want to thank the both of you for all the work you have done for this city.

Female Audience: Have you considered refurbishing the building we have?

Bair: Yes we have. First of all the building is 60 years old and the average life of a hospital is 40 years. This building was not built for the technology that exists today. One of the fire requirements is to have a fire wall down the middle of the building. So, when you start looking at bringing such an old building up to code the cost is virtually the same as building a new facility without losing a lot of the efficiency modifications of a new building design.

Mayor Popoff: I hope to see you all October 22nd at 6:30pm. I'm sure Dale will have quite a good presentation for us. Thank you very much gentlemen. I really appreciate this.

b. *County Commissioner David Smith: to discuss County public safety tax levy*

County Commissioner David Smith: I believe you have the newsletter in your packet. There are 99 employees at the County right now. Six or seven years ago there were over 200. We are able to merge each personal tax bill with a pie chart depicting where their tax dollars are going. As you the county only get 5.6% of that \$2000, the health district and library district get more of that pie than we do. We only collect that money for all the agencies funded by their county taxes. Here is our financial problem. 66% of Curry County is managed by federal timber. We have never owned it so we don't have the ability to go take it back. 22% is private timber forest and approximately 7% of that is farm. Private timber and farm land is subsidized and has a lower tax rate. Out of \$0.59 we are only going to capture about 4.5% of our property in Curry County. So, that is why your Commissioner and board are working on a Healthy Forest Collaborative which you have already heard about. We are also working with State and Federal elected officials to move legislation forward so we can have a permanent fix.

Mayor Popoff: Permanent fix in what way? Are you talking just O & C land or are you talking about opening up federal land that is not being used at this time? If you are talking O&C land alone that only generates 300 to 500 hundred thousand dollars which is not nearly enough.

Commissioner Smith: No sir. It is roughly 4.5 million.

Mayor Popoff : Yes, you are talking about the O & C money that would cover all 18 counties?

Commissioner Smith: No sir. Oh, you are talking about the emergency authorization.

Mayor Popoff: Exactly.

Commissioner Smith: One hundred million dollars for counties, it would be 5% less than what Curry County got last year which would be right around one million dollars. That still causes a 2.2 million dollar budget short fall. When we built the 13/14 fiscal budget for Curry County some of the budget members wanted to try to spread the money. The committee as a whole decided that our current level of service is already dilapidated and we need to keep the current level of service. Come July 1, 2014 the County will only have less than one million dollars to operate on. Now, we will have another million. It costs roughly \$420,000 per month to operate the County at current levels of service. We will still have to borrow some revenue to get to November when tax dollars flow into the coffers. So, if you move to the second page you can see the alarming trend. They are both the same graph just put into different perspectives. You can see how the big timber and property taxes have declined. You have the budget in a nutshell. We have a total budget of 5.3 million dollars and you can see the deficit of 3.2 million dollars that we modeled the levy at. The next page breaks down grants and fees that we received. There is no pork in these numbers at all. The last page shows the property tax rate compared to property tax per household. Your average household tax per home is \$94. Compared to Wasco County which is roughly the same size they have a 4.25/1000 tax rate with a household tax of \$575 per home.

Mayor Popoff: That is sort of apples and oranges there. Wasco and Curry are very different communities. If I am not mistaken it was Measure #5 and subsequent measures after that that established our rate at \$0.59. My question is if the levy does pass we have 3 years of operating expenses. What then is going to take its' place as a permanent solution after these 3 years have been completed?

Commissioner Smith: We are in a very unique situation Federally. Senator Wyden is the chairman of the Energy and Natural Resources Committee. Congressman DeFazio is the ranking member of the like House committee. Senator Wyden is going to be leaving the Natural Resources Committee within about a year to take the chairmanship of the Finance Committee. So, when I last spoke with Senator Wyden I pointed out to him that we are in a unique position right now to solve our O&C problems I said "If you institute your plan which has already passed the House (HR1526, the Doc Hasting bill) then when you go to the Finance Committee you will be able to direct the dollars. You will never have this opportunity again." There will be a minimum of 3 years before any revenue is received. This tax that we are voting on this November will not affect our citizens until November of 2014. So, that 3 year bridge will give us our last payment in November 2016 which will fill our budget until July 2017.

Mayor Popoff: Thank you sir. Any questions from the Council?

Councilor Gregory: I agree with everything you have said. The only question I have is when it comes to privatized forest and farm land they pay a much lower tax rate than we pay.

When it comes to Menasha and other big forest companies, what's to stop us from raising their tax rate?

Commissioner Smith: Actually, that is not the Assessor it is the State.

Councilor Tamie Kaufman: That is because they are forestry timber zoned.

Commissioner Smith: The alternative is to implement #3453 which neither Senator Kitzhaber nor I have any desire to do. This is the States solution to a County and Public Safety distress. Similar to the hospital, the Fire Marshall has written up the County on its jail. It is a linear jail that does not meet the Federal guidelines for size, no sprinkler system and does not meet code either. They are letting us by because of the serious situation that we are in. I have made it a priority to have the fire suppression system put in. The last thing we need in Curry County is what happened in Josephine County where the Federal government closed the jail and forced the tax payers to build a new one. With #3453 there is an income tax and or a telecommunication tax. Everyone pays \$0.75 on every line that they have access to 911 telecommunication. The language in #3453 states that since that telecommunication tax is imposed without a vote of the people to fund one Public Safety department it can be increased to fund another Public Safety department. Since the State can set income tax rates without a vote of the people, they can then impose an income tax on the citizens of the county to pay for Public Safety services without a vote of the electorate. We were able to get language into the bill that has the State pick up 50% of that bill. In taking with Mr. Bair about the hospital, if the State increase income tax by another 12% on top of one of the highest income tax rates in the nation it is going to be hard to attract new physicians. It will be difficult as well for people on a fixed income.

Councilor Gregory: It will be difficult for people to stay here.

Commissioner Smith: Correct. Measure 8-73 keeps the doors open and the lights on. There is not even enough money in there to wrap a bow around it.

Mayor Popoff: Will it keep the Sheriffs' Department manned at the same level we are currently at?

Commissioner Smith: Yes sir. We have six deputies budgeted. We have always had six deputies budgeted, we just haven't been able to fill them.

Mayor Popoff: Yes, because they would like to know that they will have a job six month from now.

Commissioner Smith: There was a little more relief after the States solution was passed and signed by the Governor.

Councilor Gregory: Your alternative, doesn't that require the Commissioners to agree to it?

Commissioner Smith: That is another amendment that I got into the Bill. It was coined at the State as the Nuclear Option to what is now called the Commissioner Recall Bill. Measure #5 & #15 hindered us greatly. But, yes the Commissioners do have to approve the

passage of that. You all remember the 2.1 budget scenario we went through last time. If you look at Josephine County and where they are at with two Sheriff's Deputies and they have been whittled down. Now their burglary rate is up 1526%. Property insurance is going up and up. I'm not saying how I would vote if we were faced with that situation, but I still have to sleep at night knowing that I have done my best to protect the citizens of Curry County. I will use every means at my disposal to see that that happens.

Councilor Brennan: I think that the alternative needs to be stressed for everybody to understand. A 12% increase in their income tax is probably going to be a lot more than what this levy would be. I don't know that that has been publicized.

Commissioner Smith: Thank you Councilor Brennan, I appreciate that. The Mayor of Port Orford and I drafted a joint letter. They consider it scare tactics and I consider it reality. We have three more shots at this. There is a March, a May and then September. I can tell you that it can't be less than what it is. I can tell you that after November the Governor and I will begin our conversations on what those minimally adequate levels of public safety are. I guarantee you that it will not be six rural deputies. When it comes to the State's solution, it will be more expensive. Because of the hospital measure there has not been a big push from the County on its measure. We have tried different ways of mailing this information out, as with the property tax statements. We have to keep the jail open and we have to keep law enforcement in Curry County.

Mayor Popoff: Any further questions from the Council? Any questions from the Audience?

Commissioner Smith: Mayor, thank you for the opportunity to speak to you.

Mayor Popoff: Thank you Commissioner Smith for coming tonight. Let's take a 5 minute recess and reconvene @ 7:35pm.

RECESS 7:30 to 7:35pm

c. Request to appoint Lyndsey Dixon as Student Liaison to the Council

City Administrator Jodi Fritts: Lyndsey was our Student Liaison the year before last and did a very nice job.

MOTION: Councilor Larry Brennan made the motion to appoint Lyndsey Dixon as Student Liaison. Councilor Tamie Kaufman seconded the motion.

Mayor Popoff called for discussion or debate. Hearing none, he called the vote.

Record of Vote	Ayes	Nays	Abstain
Council Position #1 Melinda McVey	X		
Council Position #2 Larry Brennan	X		
Council Position #3 Brice Gregory	X		
Council Position #4 Doug Brand	ABSENT		
Council Position #5 Tamie Kaufman	X		
MOTION CARRIES UNANIMOUSLY			

Mayor Popoff: Come on up Lyndsey and take a chair. Thank you so much for volunteering to do this. There was a time when I used to go into the schools and teach City Government. It is nice to see students come in and learn some of these things themselves.

- 4. **Consent Calendar**
None scheduled
- 5. **Citizens Comments**
As presented to the Mayor at the beginning of the meeting
- 6. **Public Hearing**
None scheduled
- 7. **Citizen Requested Agenda Items**
None scheduled
- 8. **Public Contracts and Purchasing**
None scheduled
- 9. **Ordinances & Resolutions**
 - a. *Second Reading Ordinance 649 alley vacation*

Mayor Popoff: May I have a motion please to read by title only.

MOTION: Councilor Tamie Kaufman made a motion to read Ordinance 649 by title only. Councilor Brice Gregory seconded the motion.

Mayor Popoff called for discussion or debate. Hearing none, he called the vote.

Record of Vote	Ayes	Nays	Abstain
Council Position #1 Melinda McVey	X		
Council Position #2 Larry Brennan	X		
Council Position #3 Brice Gregory	X		
Council Position #4 Doug Brand	ABSENT		
Council Position #5 Tamie Kaufman	X		
MOTION CARRIES UNANIMOUSLY			

CA Fritts: I will read the title into the record which will be our second and final reading and it will go into effect on the third day from today. Ordinance 649, An Ordinance to vacate an undeveloped alley located within the boundaries of the City of Gold Beach located in the SE quarter of the SE quarter of section 36 of township 36 S range 15 W Willamette meridian Curry County, Oregon and repealing any Ordinances which may be in conflict.

- 10. **Miscellaneous Items (including policy discussions and determinations)**
 - a. *Possible Dangerous Building*

CA Fritts: We had a dangerous building hearing late last year that carried into this year. The way it is written, if staff believes it meets the dangerous building definition we bring it to the Council and set a hearing date. We have to publish notice in the paper and do a couple of other things. So, that is what I am doing this evening. This is another structure that I believe meets the definition.

Councilor Melinda McVey: Where is Button Lane?

Mayor Popoff: It is up 11th right?

CA Fritts: Yes, it is right off of Skunk Run.

Councilor Kaufman: I thought we vacated Button Ln some time ago.

CA Fritts: Yes, but it is still on the maps.

Councilor Kaufman: I don't think it has been mowed in 20 years.

CA Fritts: There are other issues that need to be dealt with on the property that we will deal with as part of the nuisance code that the Council doesn't need to. But, the dangerous building portion does need to be directed by the Council.

Councilor Gregory: So, if we were to vote that it is a dangerous building what would be the next step.

CA Fritts: You would not make that determination tonight. If you decide to proceed with the hearing then we would start that process.

Councilor Gregory: Let's say we don't get any push back from the landowner.

Mayor Popoff: If we had to tear it down the landowner would have to pay us or a lien put on the property.

CA Fritts: If we have to clean the property it would be handled like other properties where we have the work done and then file a lien against the property. The person who owns the property still lives in town, but they don't live there.

Mayor Popoff: Council, do you have any questions for the CA? Would anyone like to make a motion on how to direct staff to proceed?

MOTION: Councilor Tamie Kaufman made a motion to direct staff to begin the dangerous building hearing process. Councilor Melinda McVey seconded the motion.

Mayor Popoff called for discussion or debate. There is discussion.

Councilor Gregory: So, what brought this to light? What was the deciding factor to start the process?

CA Fritts: We had nuisance abatement on a neighboring property. When we went out there we saw that this property has become significantly worse over time.

Councilor McVey: What are we looking at here? This is a home, what is this other thing?

CA Fritts: There are two vehicles and tires; I believe a pickup canopy shell.

Councilor Kaufman: I get more complaints about this property than I do any other in town. They don't think the City cares because we have never done anything about this one.

Mayor Popoff: It is a shame that we have to let property get into such a state before we can step in.

Councilor McVey: It is going to cost money to do whatever we have to do. Are the people who own the property going to be responsible for that expense?

Mayor Popoff: Yes, we put a lien on the property. We will initially do the work at our own expense.

Councilor Kaufman: The last two the owners did do the repairs and the last one sold his property. There are other options.

CA Fritts: If next month you order the property be abated within the ordinance there is a time frame that the owner has to complete that abatement. If it is not completed within the set time frame then that is when we would have to make arrangements to have the property cleaned up.

Mayor Popoff: The landowner can come to the Council and make a direct plea and at times get an extension if they are showing an honest effort to rectify the problem.

Mayor Popoff called for further discussion or debate. Hearing none, he called the vote.

Record of Vote	Ayes	Nays	Abstain
Council Position #1 Melinda McVey	X		
Council Position #2 Larry Brennan	X		
Council Position #3 Brice Gregory	X		
Council Position #4 Doug Brand	ABSENT		
Council Position #5 Tamie Kaufman	X		
MOTION CARRIES UNANIMOUSLY			

CA Fritts: So, this will come back to you next month.

b. Vacant and Abandoned property nuisance abatement

CA Fritts: We have an issue that we did not have previous to the depression with abandoned properties. People are just walking away from their homes and going back and forth with their lending institutions, sometimes for years, neither one of them wanting the property anymore. In the meantime, the properties get run down, the doors get kicked in, the windows get broken out. Then it becomes an enforcement issue with transients hanging out in them, it's not just a nuisance issue anymore. We don't have a provision in our Nuisance Code to deal specifically with this issue. I have talked with our Attorney and we are going to bring, hopefully next month, an amendment to our Nuisance Code to deal with these. Or, I have provided Ord from other cities that deal with this. I would like to know from you this evening if you would like us to put another section into the Nuisance Code or would you like

to do what the City of Cornelius and Central Point have done and have a whole separate Ord dealing with abandoned properties?

Councilor McVey: CA Fritts what is your opinion between the two options. You have obviously studied this more then we have.

CA Fritts: My preference would be to put another section into our Nuisance Code or even a chapter. That will also involve an Ordinance change which is a process.

Mayor Popoff: How specific would that be then? These samples you gave us are pretty detailed handling virtually every scenario.

CA Fritts: When I spoke with the Attorney about it we both felt like, yes, there is some good language in there, but realistically we are going to be in the same situation that we are with this other property. Chances are we are probably going to have to do the work ourselves and lien the property. So, the fancy language sounds good on paper, but the reality is probably going to be the City paying for it.

Councilor Kaufman: It seems to me that there is as much lien as the law allows. If the owner/occupant/lender does not take care of the property, does not pay the water/sewer bill that the responsible party must pay the monies owed before transferring property, before a foreclosure,, before a default, we get paid first. If they can do that with property taxes, I think we can get away with it because we are a City. Otherwise, our other payers are paying for it and that is not fair.

CA Fritts: Right and that is exactly the discussion I had with the Public Works Director, Will Newdall. Our good citizens are ultimately paying for cleaning up our not so good citizens' property. That is not fair.

Councilor Kaufman: I think if we don't do a separate Ordinance we are going to have to put it in our Utility Code also since they stop paying water/sewer also.

CA Fritts: I will clarify that with the Attorney.

Councilor Kaufman: Is there anything else they should be paying us for?

CA Fritts: The banks duck it because they say they don't want to do anything on the property until it is formerly theirs because of liability.

Councilor Kaufman: Fine, then we will do it, but this is what your bill is going to be.

CA Fritts: Yes, there will be a price tag attached to it.

Councilor Kaufman: Hopefully we can collect it.

Councilor McVey: You are certainly in the right business.

Councilor Kaufman: I see a lot of this.

CA Fritts: Because of the other issue from Executive Session which will be revisited next month I may push this to the month after. There is a section of unremunerated nuisance that I can deal with in the interim which will give us another month to work on this. The other issue is more pressing, I believe.

Councilor Kaufman: You are going to hit the Attorney with a two for one.

CA Fritts: Yes, and that is what I usually do.

c. Discussion request from Councilor Brand--RE: bus shelters

CA Fritts: Because Councilor Brand is not here tonight he wanted me to bring this topic to you to discuss tonight in his absence.

Mayor Popoff: This is in regards to bus shelters.

CA Fritts: The specific situation he described to me was the corner of Gauntlett and Turner there used to be a large tree there that the children stood under to catch the bus. Well, the tree has been taken down. He felt that the City should try to have some sort of bus shelter for the kids. The only comment I have regarding this is that if this is something that you want to discuss it would have to be for everybody, not just one bus stop gets a bus shelter.

Councilor McVey: I have two statements; first it should be Plexiglas, not wood for transparency and safety. Second, maybe this is something that the citizens or perhaps the children's parents could do a fund raiser for. Then the City won't be nailed for each and every bus shelter that needs to be built.

Mayor Popoff: That's a good point. Anything further?

Councilor Brennan: My only comment is how many bus stops are there in the City and how many years have the City existed without bus shelters?

Mayor Popoff: In the past the only bus shelter we had, and it wasn't much of one, was when the Greyhound Bus was running and it was right in front of the Library.

Councilor McVey: On Hunter Creek Loop alone there are four bus stops.

Mayor Popoff: Anything further? Commissioner Smith, you have a comment?

Commissioner Smith: In your packet of information you have some Resolutions of support. I don't want to push my luck, but I humbly request you consider our Res 8-73 as well. This is the language right out of the ballot title. As we are only 1 ½ weeks away I was hoping that there would be consensus from the Council to support 8-73. I'm sorry I didn't get this to you before today.

Councilor Kaufman: Do you remember the last time the City did one of these?

Mayor Popoff: Why?

Councilor Kaufman: I don't remember the City ever doing one.

CA Fritts: We usually do proclamations in support of organizations.

Mayor Popoff: As far as proclamations, yes we have done that in the past. As for coming out and endorsing a particular levy we have done that too, but they have had something to do with us personally such as the fire truck levy. As far as doing something like this, no we have not at least not in my time.

Councilor Gregory: So, just to play devil's advocate, you wouldn't say that this is affecting us personally? It isn't our city, but it is our county.

Mayor Popoff: I think, quite frankly, that we should endorse this. I don't want the State to come in and dictate to us. We are the ones who should maintain County control. I am more than willing to sign this. It is not the best of fixes, but it keeps it at home. The best of fixes would be to create some jobs to create that income coming in as opposed to taking it out of our pockets once again. The warnings that you gave are quite real. We have precedence for that in other counties. I do not want to see this County naked before the criminal element, not do I want the State to come in and charge us more and more for protection. I don't want to see home insurance rates go up.

Commissioner Smith: I don't want to see the Brookings Police Department bring an arrestee up here and drop him off in Gold Beach; he gets a ticket and is loose in Gold Beach. That is my biggest concern for this Community.

Mayor Popoff: Yes, they won't have the money to house these criminals so they will be booked and released, back into our community. The County does not provide transportation back to the city of arrest.

Commissioner Smith: Neither does the City of Brookings.

Councilor Kaufman: I would like to provide bus tickets.

Commissioner Smith: We have the same situation in Port Orford as you can imagine.

Mayor Popoff: Council, are you willing to go ahead and back this Resolution?

Councilor McVey: Aye

Councilor Brennan: Yes

Councilor Kaufman: This is a hard one for me. If we do this one, do we back the hospital or the others? I have no problem personally supporting this, but as an entity I struggle with it.

Commissioner Smith: We have no PAC like the hospital does. The leadership of that PAC prefers the income tax option, which is not an option that I think a majority of the citizens prefer. So, that is the situation we are in.

Councilor McVey: We will support yours if Port Orford, which it doesn't right now, supports the hospital.

Commissioner Smith: Unfortunately, I have no control over Port Orford.

Councilor Brennan: I guess my comment on all three issues is, when it came time to build our sewer treatment plant due to years of neglect, we had to dip in and build a new one. Our infrastructure is old and falling apart. We are either going to have everyone leave here or we are going to have to rebuild it. We don't have any choice.

Councilor Kaufman: We have never done this before. I think if we do this we should discuss doing them all.

Mayor Popoff: Ok, on to Councilor McVey

Councilor McVey: I am going to pass at this point. You have heard how I feel. I am in favor of all three of them.

Councilor Brennan: I understand that we have not done this before, but with the situation we are in at this point I think we need to step up and say it is worth it this time. If it will be worth it for the next resolution that comes down the pike, who knows. It will depend on what it is.

Councilor Gregory: Well, I don't know what you mean by flagrantly do all of them. Do you think that is what this will open the doors to?

Councilor Kaufman: It sets a precedent. We have been asked before, but to my knowledge we have never approved one before. We have never had a resolution supporting a ballot measure.

Mayor Popoff: It may have happened during the four years that I was off, but to knowledge we have never done this before. Although, we are living in a time that is setting a precedent all by itself now that we did not have in the past.

Councilor Gregory: What is your fear?

Councilor Kaufman: Everybody will come and ask us to support their political agenda in the future.

Mayor Popoff: That is a valid fear.

Commissioner Smith: We have never been in a situation where public safety has been at such great risk. We have never been in a situation where the State has passed legislation to come in and impose taxes. I think we are in a unique place in Curry County. I appreciate you concerns and they are valid. However, we are in a situation where we don't have much of a choice.

CA Fritts: I have a question or thought. I don't want an answer I just want you to ponder it. Does it matter to our citizens one way or another whether you support or don't support this? One any of the three measures. I think that the idea is to have a resolution that you are in support of is that you hope your citizens will follow you. Will they?

Mayor Popoff: I'm going to give you an answer real quick. We are the elected leaders of this City and I think that we do have a responsibility to lead and to set the way. On occasion we do go out on a limb to take a stand and that is what we are here for.

CA Fritts: That is the point I was trying to make.

Commissioner Smith: If I could talk to each citizen of the county I would, but I can't. What I can do is give you the information to disseminate in your community.

Mayor Popoff: It is the consensus of this Council as far as I can determine that we will indeed endorse you levy.

Commissioner Smith: Thank you sir and thank you Councilors.

CA Fritts: Ok, then my next question is, since we did not have this formally on the agenda, do you want it to be a letter of support or actually be a resolution? If it is just a letter of support I will format it as such and we can have the Mayor sign it. If it is a resolution we have to add it to the agenda and then we need to have a vote on it.

Mayor Popoff: The difference between a letter and a resolution.

CA Fritts: The resolution holds more weight in that it will be a formal part of our permanent City records; whereas a letter of support will eventually be gone somewhere.

Councilor McVey: After Tamie's comments, maybe a letter would be more appropriate under the circumstances. What is your opinion?

Councilor Kaufman: I'm flexible.

Commissioner Smith: I think Councilor Kaufman is almost ready to make the motion to add it to the agenda.

Mayor Popoff: Councilor Kaufman, are you indeed ready to make a motion to add this to the agenda?

MOTION: Councilor Tamie Kaufman made the motion to add to the agenda a resolution supporting the Curry County Law Enforcement Levy. Councilor Larry Brennan seconded the motion.

Mayor Popoff called for discussion or debate.

Discussion about supporting both the county and the hospital measures.

Mayor Popoff again called for discussion or debate. Hearing none, he called the vote.

Record of Vote	Ayes	Nays	Abstain
Council Position #1 Melinda McVey	X		
Council Position #2 Larry Brennan	X		
Council Position #3 Brice Gregory	X		
Council Position #4 Doug Brand	ABSENT		
Council Position #5 Tamie Kaufman	X		
MOTION CARRIES UNANIMOUSLY			

CA Fritts: Now we need a motion to adopt the proposed resolution.

MOTION: Councilor Brice Gregory made a motion to adopt Resolution R1314-05, a resolution in support of the Curry County law enforcement levy. Councilor Melinda McVey seconded the motion.

Mayor Popoff called for discussion or debate. Hearing none, he called the vote.

Record of Vote	Ayes	Nays	Abstain
Council Position #1 Melinda McVey	X		
Council Position #2 Larry Brennan	X		
Council Position #3 Brice Gregory	X		
Council Position #4 Doug Brand	ABSENT		
Council Position #5 Tamie Kaufman	X		
MOTION CARRIES UNANIMOUSLY			

d. Upcoming meetings and trainings

CA Fritts: Discussion of upcoming meetings. Our next Council Meeting falls on Veterans Day, so do you want to have it then or on a different day?

Mayor Popoff: Different Day.

Councilor Gregory: The first Monday the 4th?

CA Fritts: Or we can have it on a Thursday.

Mayor Popoff: I'd like to keep it on a Monday if we can. People are used to it being on a Monday.

CA Fritts: The 4th or the 18th, whichever you prefer.

Councilor Kaufman: Will you have time to get everything done if the meeting is on the 4th?

CA Fritts: The reason Tami is asking is because I have to publish in the paper and I think it requires 10 days. So, I would be more comfortable with the 18th so I can get it into this week's edition.

CA Fritts: Ok, so Nov 18th is the next Council Meeting.

11. *City Administrator's Report*
To be presented at meeting

CA Fritts: Reported given. Attached to minutes.

12. *Mayor and Council Member Comments*

a. *Mayor Karl Popoff Thank everyone for attending, Commissioner Smith and the hospital. Does anyone in the audience wish to make a comment or address the City Council?*

b. *Councilors*

- 1) *Melinda McVey No*
- 2) *Larry Brennan No*
- 3) *Brice Gregory No*
- 4) *Doug Brand Absent*
- 5) *Tamie Kaufman*

Councilor Kaufman: I respectfully request that we add a resolution to this agenda in support of the hospital.

Mayor Popoff: We will need a motion to add this to the agenda.

MOTION: Councilor Kaufman made a motion to add a resolution to this agenda in support of the hospital levy. Councilor Melinda McVey seconded the motion.

Mayor Popoff called for discussion or debate. Hearing none, he called the vote.

Record of Vote	Ayes	Nays	Abstain
Council Position #1 Melinda McVey	X		
Council Position #2 Larry Brennan	X		
Council Position #3 Brice Gregory		X	
Council Position #4 Doug Brand	ABSENT		
Council Position #5 Tamie Kaufman	X		
MOTION CARRIES 3ayes 1 nay			

CA Fritts: I can craft a resolution, but I need to know what you would like to see in it.

Councilor Kaufman: I think that procedurally, if we don't all agree that we can't add it to the agenda.

CA Fritts: It says that in order to add an agenda you need a majority vote.

Mayor Popoff: Not unanimous? Well, good. Thank you for looking that up.

Commissioner Smith: As a matter of procedure, the City Administrator can't handle the Resolution.

CA Fritts: That's right. One of you will have to draft it.

Councilor Kaufman: OK, I think I can make this simple. Using the “Save the General” hand out each bullet would be a whereas.

MOTION: Councilor Tamie Kaufman made a motion approve Resolution R1314-06. Councilor Larry Brennan seconded the motion.

Mayor Popoff called for discussion or debate. Hearing none, he called the vote.

Record of Vote	Ayes	Nays	Abstain
Council Position #1 Melinda McVey	X		
Council Position #2 Larry Brennan	X		
Council Position #3 Brice Gregory		X	
Council Position #4 Doug Brand	ABSENT		
Council Position #5 Tamie Kaufman	X		
MOTION CARRIES 3 ayes 1nay			

c. *Student Liaison, Vacant*

13. **Citizens Comments**
As presented to the Mayor at the beginning of the meeting

14. **Executive Session**
An executive session will be held at 6PM prior to the regular meeting. A separate agenda has been prepared for the Executive Session.

The next scheduled meeting of the Gold Beach City Council is Monday, October 28, 2013 at 6:30PM in the Council Chambers of City Hall, 29592 Ellensburg Avenue, Gold Beach, Oregon.

Mayor Popoff: May I have a motion to adjourn?

MOTION: Larry Brennan made the motion to adjourn. Councilor Brice Gregory seconded the motion.

Record of Vote	Ayes	Nays
Council Position #1 Melinda McVey	X	
Council Position #2 Larry Brennan	X	
Council Position #3 Brice Gregory	X	
Council Position #4 Doug Brand	ABSENT	
Council Position #5 Tamie Kaufman	X	
MOTION CARRIES UNANIMOUSLY		

15. *Adjourn Time: 8:37 pm*

Approved March 10, 2014



Candy Cronberger, City Recorder

ATTACHMENT TO THE MINUTES FOR OCTOBER 14, 2013

ORIGINAL COUNCIL AGENDA PACKET



AGENDA
October 14, 2013, 6:30PM
 CITY COUNCIL CHAMBERS, CITY HALL
 29592 ELLENSBURG AVE
 GOLD BEACH OR 97444

Call to order: **Time:** _____

1. **The pledge of allegiance**
2. **Roll Call:**

	Present	Absent
Mayor Karl Popoff		
Council Position #1 Melinda McVey STARTING VOTE		
Council Position #2 Larry Brennan		
Council Position #3 Brice Gregory		
Council Position #4 Doug Brand		
Council Position #5 Tamie Kaufman		
City Administrator Jodi Fritts		
Student Liaison Vacant		

3. **Special Orders of Business:**
 - a. Curry Health District: Dale Thomas & Andrew Bair: to discuss hospital bond measure
 - b. County Commissioner David Smith: to discuss County public safety tax levy
 - c. Request to appoint Lyndsey Dixon as Student Liaison to the Council
4. **Consent Calendar**
None scheduled
5. **Citizens Comments**
As presented to the Mayor at the beginning of the meeting
6. **Public Hearing**
None scheduled
7. **Citizen Requested Agenda Items**
None scheduled
8. **Public Contracts and Purchasing**
None scheduled
9. **Ordinances & Resolutions**
 - a. Second Reading Ordinance 649 alley vacation

The City of Gold Beach is dedicated to enhancing quality of life, while promoting health, safety, and welfare of our citizens, businesses, and visitors in the most fiscally responsible manner. In doing this, the City will respect the past, respond to current concerns, and plan for the future, while maintaining environmental sensitivity in our beach oriented community

10. Miscellaneous Items (including policy discussions and determinations)

- a. Possible Dangerous Building
- b. Vacant and Abandoned property nuisance abatement
- c. Discussion request from Councilor Brand--RE: bus shelters
- d. Upcoming meetings and trainings

11. City Administrator's Report

To be presented at meeting

12. Mayor and Council Member Comments

- a. Mayor Karl Popoff
- b. Councilors
 - 1) Melinda McVey
 - 2) Larry Brennan
 - 3) Brice Gregory
 - 4) Doug Brand
 - 5) Tamie Kaufman
- c. Student Liaison, Vacant

13. Citizens Comments

As presented to the Mayor at the beginning of the meeting

14. Executive Session

An executive session will be held at 6PM prior to the regular meeting. A separate agenda has been prepared for the Executive Session.

The next scheduled meeting of the Gold Beach City Council is Monday, October 28, 2013 at 6:30PM in the Council Chambers of City Hall, 29592 Ellensburg Avenue, Gold Beach, Oregon.

15. Adjourn Time: _____

The location of the hearing/meeting is accessible to the disabled. Advance notice is requested if special accommodations are needed. Call 541-247-7029 so that appropriate assistance can be provided. The City of Gold Beach is an affirmative action EEOE and complies with section 504 of the rehab act of 1973. Complaints of discrimination should be sent to: USDA, Attention Director, Office of Civil Rights, Washington, D.C. 20250-9419

The City of Gold Beach is dedicated to enhancing quality of life, while promoting health, safety, and welfare of our citizens, businesses, and visitors in the most fiscally responsible manner. In doing this, the City will respect the past, respond to current concerns, and plan for the future, while maintaining environmental sensitivity in our beach oriented community



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SPECIAL ORDERS OF BUSINESS

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**



Agenda Item No. 3. a.

TITLE: Request to address the Council: Curry General Hospital

SUMMARY AND BACKGROUND:

Andrew Bair and Dale Thomas from the Curry Health District have asked to address the council regarding the proposed hospital bond measure.

FINANCIAL IMPACT:

None specifically to the City

DOCUMENTS ATTACHED:

- Information regarding the proposed bond measure

REQUESTED MOTION/ACTION:

No staff requested action

COPY OF REPORT AND ATTACHMENTS SENT TO:

Council

What Happens When the Only Rural Hospital Closes?

Grandfathered Building and Fire Codes Expire in July 2016

Prohibitive Requirements May Force Closure

- Average community wages drop 4.0%.
- Unemployment rises 1.6%.
- Property values drop, in some instances 10%.
- School class size drops.
- Younger health professionals with Families move.
- Travel cost and time to access health care increases.
- The "Golden Hour" to get to emergency care is at risk.
 - Emergency Rooms must be part of a hospital.
 - Life flights from Gold Beach Airport would cease.
- More retirees leave and fewer come.
- Less new businesses relocate or start-up.

**SAVE Curry General Hospital VOTE to
REPLACE the GENERAL**

Curry General Hospital Replace the GENERAL in Gold Beach

- Curry General Hospital is over 60 years old.
- It is way overdue for replacement.
- Make sure it's always in Gold Beach for you.
- Even with exceptional care provided by highly qualified staff, the hospital does not meet building code and new technology is difficult to accommodate.
- The \$10 million bond (\$0.74/\$1,000 for 30 years) will be matched by federal funds and ALL of the funds will be spent in Gold Beach for the new hospital and in Port Orford for Curry Family Medical clinic improvements in service.
- The hospital is the largest employer in Gold Beach with the best opportunity to grow even more FAMILY WAGE JOBS. The new hospital will provide new services and more physicians and staff when completed, with dozens of local jobs during construction.
- A new hospital will attract and retain physicians, with new specialties. The result will be a more comprehensive LOCAL health care system for all Curry County residents, with improved health care and reduced patient travel times.
- Recent repairs and the temporary operating room closure have cost more than the dollars needed to service the annual debt for a new hospital in Gold Beach. Let's invest those dollars in a future of better health care and not keep using our funds to repair the past. It's a solid investment in your family's health, and in your community's future.
- Plus, a property owner will get an annual \$150 credit for health care services for 5 years.

Curry General Hospital Economic Impacts

- **New Construction creates 200 jobs, 50 locally.**
- **Construction Workers would spend over \$1,000,000 in our businesses, like lodging, restaurants and retail stores.**
- **There would be Protections in Construction Contracts to provide and insure Local Jobs.**
- **Expanded services & more Physician Specialists in Gold Beach save hundreds on health care travel costs.**
- **The Hospital as the largest employer in Gold Beach with 139 employees, 204 total, offers our best opportunity to grow more FAMILY WAGE JOBS with good benefits.**
- **A new Hospital will attract and retain more physicians, with new specialties. Each new physician is estimated to create 8.4 new direct and indirect jobs.**
- **In single hospital rural towns health care typically makes up 15% to 20% of their local economies.**
- **Recent repairs & temporary closure of the operating room have cost more than the dollars needed to service the annual debt for a new Hospital in Gold Beach.**
- **Let's invest those dollars in a future of better health care and not keep using our limited funds to repair the past. It's a solid investment in your family's health, and in your community's future.**
- **Plus, a property owner household will get an annual \$150 credit for health care services for 5 years.**

"We are trying to revitalize the whole community. Throughout the country, health care, safety and jobs trump everything. That's what we are offering to Gold Beach and Port Orford." Kenneth Landau, CFO/COO, Curry Health Network

"Without a hospital in Gold Beach, we will lose retirees. We will lose young people. A keystone function in a community is having a hospital." Bryan Grummon, Ophir

"It is certain that Curry General Hospital is tired and cannot survive another decade. Our plan is to replace the facility in Gold Beach ... period. Its poor condition impedes our efforts to attract and retain doctors to relocate here."

**Andrew Bair, CEO
Curry Health Network**

"The Emergency Room at Curry General Hospital has saved the lives of many loggers over the years, including mine."

Marvin Zuber, Ophir

"With a new hospital we'll get more doctors, which we definitely need. There is no reason that we can't make the cash to service the debt."

**Marlyn Schafer,
Curry Health District Board**

"No one likes new bond measures, but your future self will most likely thank you for this new hospital bond for Gold Beach."

Dale Thomas, Wedderburn

"I've been involved with Curry General Hospital since the 70's, and we're now at a time when real change is possible. CEO Andrew Bair's inclusive leadership style and management integrity offers all of us associated with the hospital the opportunity to set aside our differences from years past, and to come together. We're dealing with the future of our new hospital, and that is critical. Now we're all pulling in the same direction." Dr. Reg Williams

**VOTE to
REPLACE the GENERAL
Curry General Hospital**

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**



Agenda Item No. 3. b.

TITLE: Request to address the Council: County Commissioner David Smith

SUMMARY AND BACKGROUND:

County Commissioner David Smith has asked to address the council regarding the County's proposed public safety tax levy.

FINANCIAL IMPACT:

None specifically to the City

DOCUMENTS ATTACHED:

- Information regarding the proposed tax levy

REQUESTED MOTION/ACTION:

No staff requested action

COPY OF REPORT AND ATTACHMENTS SENT TO:

Council

WILD RIVERS COAST REVIEW

Curry County News

Special Edition

Service
Spotlight

Measure 8-73 & County Public Safety

Frequently Asked Questions:

Why has Measure 8-73 been placed on the ballot? 66% of land within Curry County is managed by Federal agencies. Timber revenues that have historically financed County Services from these lands have decreased by more than 80%. Coupled with the current \$.59 cents per \$1,000.00 assessed value property tax rate, the County is unable to fund the current decreased levels of services to the citizens without a funding bridge.

Why can't Curry County take back the Federal land? Neither Curry County nor the State of Oregon ever owned the land. The U.S. citizens own the land and the Federal agencies manage the resources for their benefit. Currently, Congress is constructing legislation for a long term solution; although even with passage, funds will not be realized for at least 3 years. Measure 8-73 will provide a 3 year fiscal bridge that will fund the current levels of County Services for the citizens.

Why is the levy for Public Safety? County Services have been decimated over the last few years with the decline of Timber Revenues. Other departments have already been "cut to the bone" and function minimally. Public Safety has been left relatively whole as long as possible but there are no more funds to support the current Public Safety Service levels.

My taxes are high enough, where is the money going? The County only receives \$.59 cents per \$1,000.00 assessed value in property taxes to fund County Services that are used by all citizens; such as the Jail, D.A., Clerk, Elections, Parole & Probation. The only amount paid the County for all County Services is the "County General" line on your Property Tax Statement. The other tax lines do not fund any County Services. The County provides the service that assesses, collects and distributes these funds to the appropriate agency listed as an unfunded mandated service.

I have to live within my budget, why can't the County live within its budget? Historically, the County has lived within its means. Reserves were set aside and other revenues were used to assist other agencies for citizen benefit, such as building Brookings City Hall and the Port of Brookings. The \$.59 cents per \$1,000 assessed tax rate was set and the budget deficit was historically bridged by timber revenues that have dried up leaving the County to use the reserves to keep the current minimal levels of services functioning for the citizens. The reserves are now depleted and the \$2.1 million collected in new annual revenue from current taxes and fees will not support the current levels of service that cost \$5.3 million. Measure 8-73 will provide the \$3.2 million dollar 3 year fiscal bridge.

What are the State's alternatives?

The State Legislature passed, and the Governor signed into law, H.B. 3453 in July of 2013. This bill allows for State intervention, and that the Governor may proclaim a public safety fiscal emergency when conditions exist or are imminent in one or more

counties that compromise a county's ability to provide a minimally adequate level of Public Safety Services. Public Safety Services would then be funded through income & excise taxes, a tax on telecommunications services with access to the 9-1-1

system, any assessment the County is lawfully capable of imposing or any combination of these sources. H.B. 3453 also provides that the imposed tax may take effect without a vote of the County electors.

Veterans Service Office- VSO: Kimberly O'Neil

Over 16% of Curry County citizens are Veterans and Curry County has the highest number of Veterans per capita in Oregon.

The one person VSO Office receives funding from the state via a baseline grant and Federal SB 1100 funds with a County Match.

In the year 2013, the Curry County Veterans Service Office's efforts have resulted in over \$800 thousand dollars in new recoveries for our County's disabled veterans.

Retired & Senior Volunteer Program: Vicky McGuinness

RSVP is funded by a Federal grant with a County Match.

18 RSVP Volunteers assisted 14,669 patients at Curry General Hospital, donating 1638 hours from April 2012 thru March 2013.

23 RSVP Volunteers donated 4,070 hours to the Brookings Food Bank from July 2012 thru March 2013.

18 RSVP volunteers donated 2,330 hours to the Sheriff's Substation in Brookings-Harbor.



Working For You

Public Safety & Measure 8-73: What will it Cost You?

[this area is for Property Owner Name]

For the property at: [Property Address]

Account# [for tax account number]

Your current tax to fund County Services: [Tax amount]

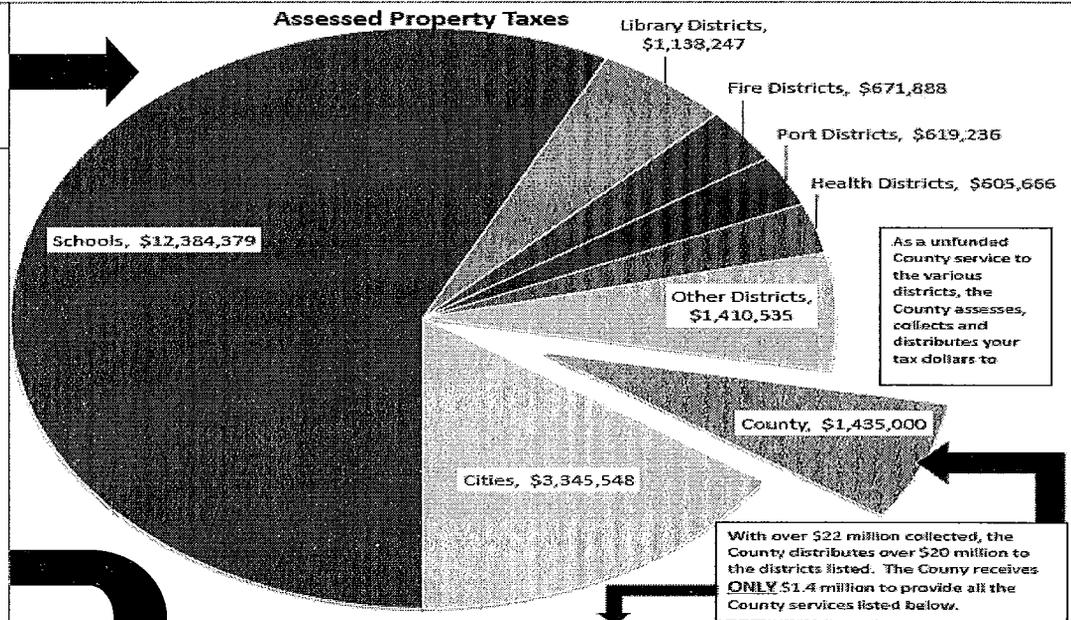
Measure 8-73 Curry County Law Enforcement 3-year
Operating levy estimated 2014 additional tax would be:

[additional tax]

The Board of County Commissioners affirm that revenue from passage of Measure 8-73 will only be used to sustain current service levels in the Sheriff, District Attorney & Juvenile Offices. These Public Safety Services are used by all County citizens and they include: Jail, Investigations, Parole & Probation, Emergency Services, Criminal Prosecution, Victims Assistance, Child Advocacy, Juvenile Justice, Detention, Probation, Court Supervision & Operations. The Board of Commissioners also affirms to reduce this tax in any year in which Federal Safety Net related payments are received.

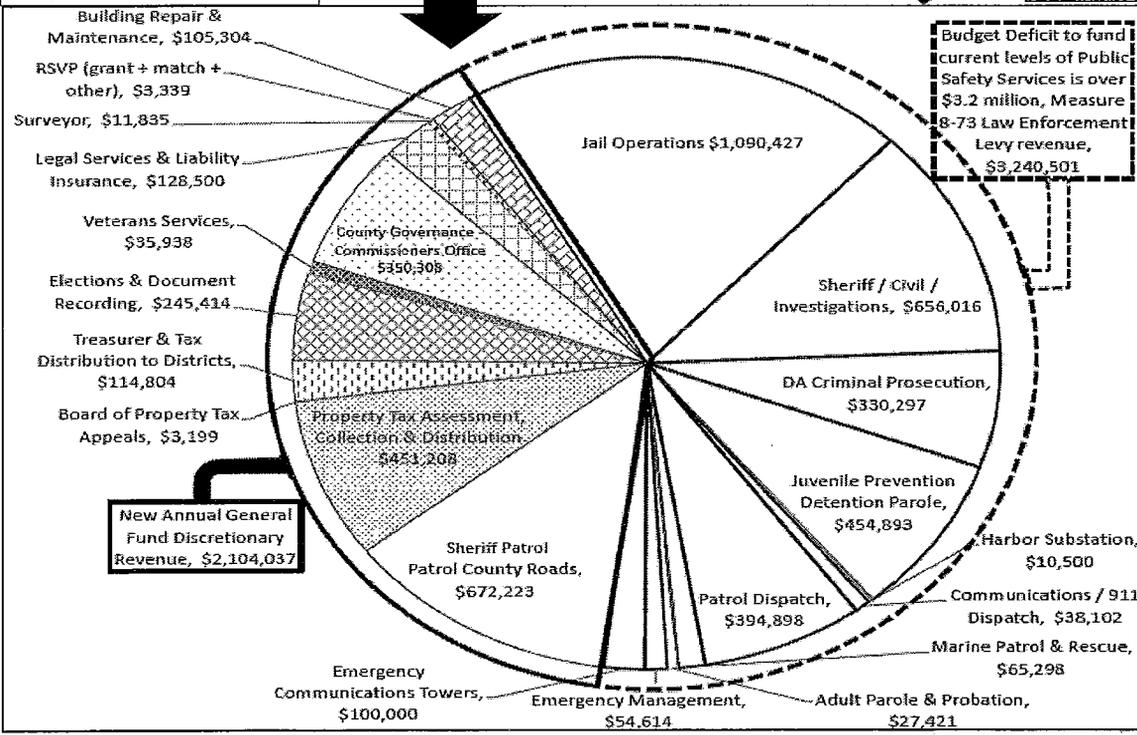
Where's the Money

The graph to the right shows where your tax dollars go and what they fund. Each individual line on your Tax Statement funds one piece of the pie to the right. The **ONLY** amount paid the County for all County Services is the "County General" line on your Property Tax Statement that generates 26% of the revenue needed to fund all County services, which are comprised of over 70% Public Safety Services to citizens.



As a unfunded County service to the various districts, the County assesses, collects and distributes your tax dollars to

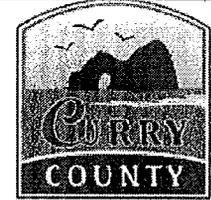
With over \$22 million collected, the County distributes over \$20 million to the districts listed. The County receives **ONLY** \$1.4 million to provide all the County services listed below.



Budget Deficit to fund current levels of Public Safety Services is over \$3.2 million, Measure 8-73 Law Enforcement Levy revenue, \$3,240,501



Watch Meetings on Channel 99
We're on the Web for more information visit
www.co.curry.or.us
Sign up for our E-Newsletter by emailing
News@co.curry.or.us



Working For You

BEFORE THE BOARD OF COUNTY COMMISSIONERS
IN AND FOR THE COUNTY OF CURRY, OREGON

In the Matter of a Resolution)
Supporting the Purposed Curry)
County Law Enforcement Three) RESOLUTION
Year Operating Levy)

WHEREAS, the Board of Curry County Commissioners (Board) has determined that a three year levy should be submitted to the qualified voters of the County as established by Section 11, Article XI of the Oregon Constitution for the Curry County Sheriff's Office, District Attorney's Office, and Juvenile Department (law enforcement) ; and

WHEREAS, the Curry County Board of Commissioners and all of the undersigned Elected Officials of Curry County, consider funding to maintain law enforcement as necessary and in the public interest; and

WHEREAS, passage of a three year local option tax levy will provide funding for the Sheriff's Office: County jail, investigations, search & rescue, emergency services (such as wild land fire and tsunamis), adult parole and probation and operations; District Attorney's Office: criminal prosecution, victim's assistance, child advocacy and operations; Juvenile Department: juvenile detention, probation, court supervision and operations; and

WHEREAS, the Board has determined that it is appropriate to place a three year levy at the rate of \$1.3450 per \$1,000 of assessed value on the ballot to the registered voters of Curry County, Oregon; and

WHEREAS, this levy will help provide for law enforcement;

NOW, THEREFORE, THE BOARD OF CURRY COUNTY COMMISSIONERS AND THE UNDERSIGNED ELECTED OFFICIALS OF CURRY COUNTY HEREBY RESOLVES:

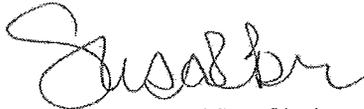
The Board of Curry County Commissioners and the Elected County Assessor, County Clerk, County District Attorney, County Sheriff, County Surveyor and County Treasurer fully support with this resolution, Curry County's Law Enforcement Levy to be presented to the electorate for approval on Tuesday, November 5th, 2013, to fund the Sheriff's Office: County jail, investigations, search & rescue, emergency services (such as wild land fire and tsunamis), adult parole and probation and operations; District Attorney's Office: criminal prosecution, victim's assistance, child advocacy and operations; Juvenile Department: juvenile detention, probation, court supervision and operations.

DATED this 2nd day of October, 2013.

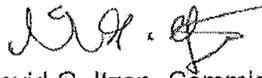
BOARD OF CURRY COUNTY COMMISSIONERS



David Brock Smith, Chair

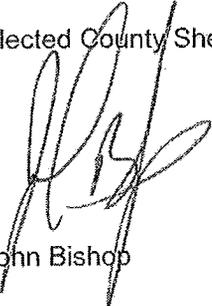


Susan Brown, Vice Chair



David G. Itzen, Commissioner

Elected County Sheriff



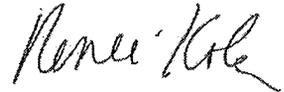
John Bishop

Elected County District Attorney



Everett Dial

Elected County Clerk



Renee Kolen

Elected County Assessor



Jim Kolen

Elected County Surveyor



Bryan Flavin

Elected County Treasurer



Debbie Crumley

Port Orford-Langlois School District 2CJ

Resolution of support for

Curry County's Law Enforcement Levy

WHEREAS, the Board of Curry County Commissioners (Board) has determined that a three year levy should be submitted to the qualified voters of the County as established by Section 11, Article XI of the Oregon Constitution for the Curry County Sheriff's Office, District Attorney's Office, and Juvenile Department (law enforcement) ; and

WHEREAS, the Curry County Board of Commissioners and the Port Orford-Langlois School District 2CJ considers funding to maintain law enforcement as necessary and in the public interest; and

WHEREAS, passage of a three year local option tax levy will provide funding for the Sheriff's Office: County jail, investigations, search & rescue, emergency services (such as wild land fire and tsunamis), adult parole and probation and operations; District Attorney's Office: criminal prosecution, victim's assistance, child advocacy and operations; Juvenile Department: juvenile detention, probation, court supervision and operations; and

WHEREAS, the Board has determined that it is appropriate to place a three year levy at the rate of \$1.3450 per \$1,000 of assessed value on the ballot to the registered voters of Curry County, Oregon; and

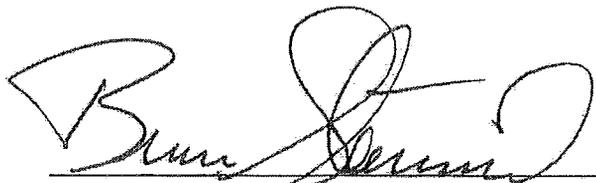
WHEREAS, this levy will help provide for law enforcement;

NOW, THEREFORE, THE PORT ORFORD-LANGLAIS SCHOOL DISTRICT 2CJ HEREBY RESOLVES:

1. The Port Orford-Langlois School District 2CJ supports with this resolution, Curry County's Law Enforcement Levy to be presented to the electorate for approval on Tuesday, November 5th, 2013, to fund the Sheriff's Office: County jail, investigations, search & rescue, emergency services (such as wild land fire and tsunamis), adult parole and probation and operations; District Attorney's Office: criminal prosecution, victim's assistance, child advocacy and operations; Juvenile Department: juvenile detention, probation, court supervision and operations.

DATE

8/15/13



Board Chair

GOLD BEACH CITY COUNCIL AGENDA REPORT



Agenda Item No. 3. c.

TITLE: Request to appoint Student Liaison to the Council

SUMMARY AND BACKGROUND:

We have not had a Student Liaison since last school year. I would like to respectfully request that the Mayor and Council re-appoint Miss Lyndsey Dixon, who served as Liaison last year, as our Liaison for fiscal year 2013-2014. She was an involved participant when she served before and has expressed interest in serving again.

FINANCIAL IMPACT:

None specifically to the City

DOCUMENTS ATTACHED:

- None

REQUESTED MOTION/ACTION:

Appointment of Miss Dixon as GBHS Student Liaison to the Council

COPY OF REPORT AND ATTACHMENTS SENT TO:

Council



ORDINANCES & RESOLUTIONS

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**



Agenda Item No. **9. a.**

First Reading Hearing Date: September 9, 2013

Original Council Hearing Date: August 12, 2013

TITLE: Second Reading Ordinance 649 - alley vacation

SUMMARY AND BACKGROUND:

This has been on the agenda for the past few months. I have not included the prior reports since this is the second and final reading of the ordinance.

FINANCIAL IMPACT:

There is no actual alley. The cost to the City for the vacation is just the process it: publication, hearing, and then recording the documents with the County.

DOCUMENTS ATTACHED:

- Ordinance 649 and maps

REQUESTED MOTION/ACTION:

SUGGESTED MOTION:

I make the motion to approve the second reading of Ordinance 649 by title only.

Staff will read the title of the ordinance into the record and this completes the ordinance adoption process. The ordinance will go into effect in 30 days.

COPY OF REPORT AND ATTACHMENTS SENT TO: Council, Will Newdall PW Superintendent

ORDINANCE NO. 649

AN ORDINANCE TO VACATE AN UNDEVELOPED ALLEY LOCATED WITHIN THE BOUNDARIES OF THE CITY OF GOLD BEACH, LOCATED IN SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 36 SOUTH, RANGE 15 WEST, WILLAMETTE MERIDIAN, CURRY COUNTY OREGON AND REPEALING ANY ORDINANCES WHICH MAY BE IN CONFLICT

RECITALS:

1. The City had determined that a platted but undeveloped alley located in the vicinity of Walker and Third Streets, adjacent to tax lots 300, 400, 500, and 501 of Assessor Tax Map 3615-36DD is surplus to the needs of the City.
2. The City has determined the 10' X 200' undeveloped alley could benefit the adjacent property owners.
3. The City has given notice of the proposed vacation pursuant to the requirements of ORS 271.110 and a public hearing on the vacation was held on August 12, 2013.

NOW, THEREFORE, THE CITY OF GOLD BEACH ORDAINS AS FOLLOWS:

Pursuant to ORS 271.130, and following a public hearing, the City of Gold Beach hereby vacates the undeveloped alley as show on the attached EXHIBIT A. The subject property is located within the boundaries of the City and is located in the southeast quarter of the southeast quarter of Section 36, Township 36 South, Range 15 West, Willamette Meridian, Curry County, Oregon.

The title to the vacated alley shall attach to the lands bordering the alley in equal portions. The properties bordering the alley are tax lots 300, 400, 500, and 501 of Curry County Assessor Tax Map 3615-36DD and shown on the map attached EXHIBIT A.

All ordinances in conflict herewith are hereby repealed.

PASSED and ADOPTED by the City Council of the City of Gold Beach, State of Oregon, on this _____ day of _____ 2013.

Karl Popoff, Mayor

ATTEST:

Jodi Fritts, City Administrator

NARRATIVE:

THE PURPOSE OF THIS SURVEY IS TO MONUMENT THE VACATED ALLEYWAY PER ORDINANCE 648 BY THE CITY OF GOLD BEACH. THIS ALLEYWAY IS NOT PART OF A PLATTED SUBDIVISION, BUT WAS CREATED BY INDIVIDUAL DEEDS WHICH PROVIDED A 10-FOOT STRIP OF LAND BETWEEN THE ADJACENT PROPERTIES. NEW CORNERS WERE SET FOR THE PERIMETER OF THE VACATED ALLEYWAY AS WELL AS THE CENTERLINE WHICH WILL DEFINE THE NEW PROPERTY LINE BETWEEN THE ADJOINING PROPERTIES. THIS VACATION IS LOCATED IN SE 1/4 OF SECTION 36, T. 36 S. R. 15 W. W.M., CITY OF GOLD BEACH, CURRY COUNTY, OREGON.

I HELD AND FOUND CORNERS PER CS 36-182 AS NOTED ON THE MAP. I ALSO FOUND AND HELD THE 1" IRON PIPE WHICH AGREES WELL WITH THE CORNERS SET BY NEWHOUSE.

BASIS OF BEARINGS:
FOUND MONUMENTS PER CS 36-182 (ASSUMED)

REFERENCE SURVEYS:
CS 36-182 NEWHOUSE 1972
CS ERICKSON 2013

EQUIPMENT USED:
TRIMBLE S6 ROBOTIC
LISCAD SOFTWARE
AUTOCAD LAND DEVELOPMENT DESKTOP 2006

ASSISTING IN SURVEY:
JIM McDONALD

DATE OF SURVEY: SEPTEMBER 4, 2013

LEGEND

- ⊙ FOUND MONUMENTS AS NOTED
- MONUMENTS SET - 5/8" X 30" IRON ROD W/ PLASTIC CAP INSCRIBED "DYER PARTNER LS 2340" UNLESS OTHERWISE NOTED
- (R&M) RECORD & MEASURED
- CALCULATED

REGISTERED PROFESSIONAL LAND SURVEYOR

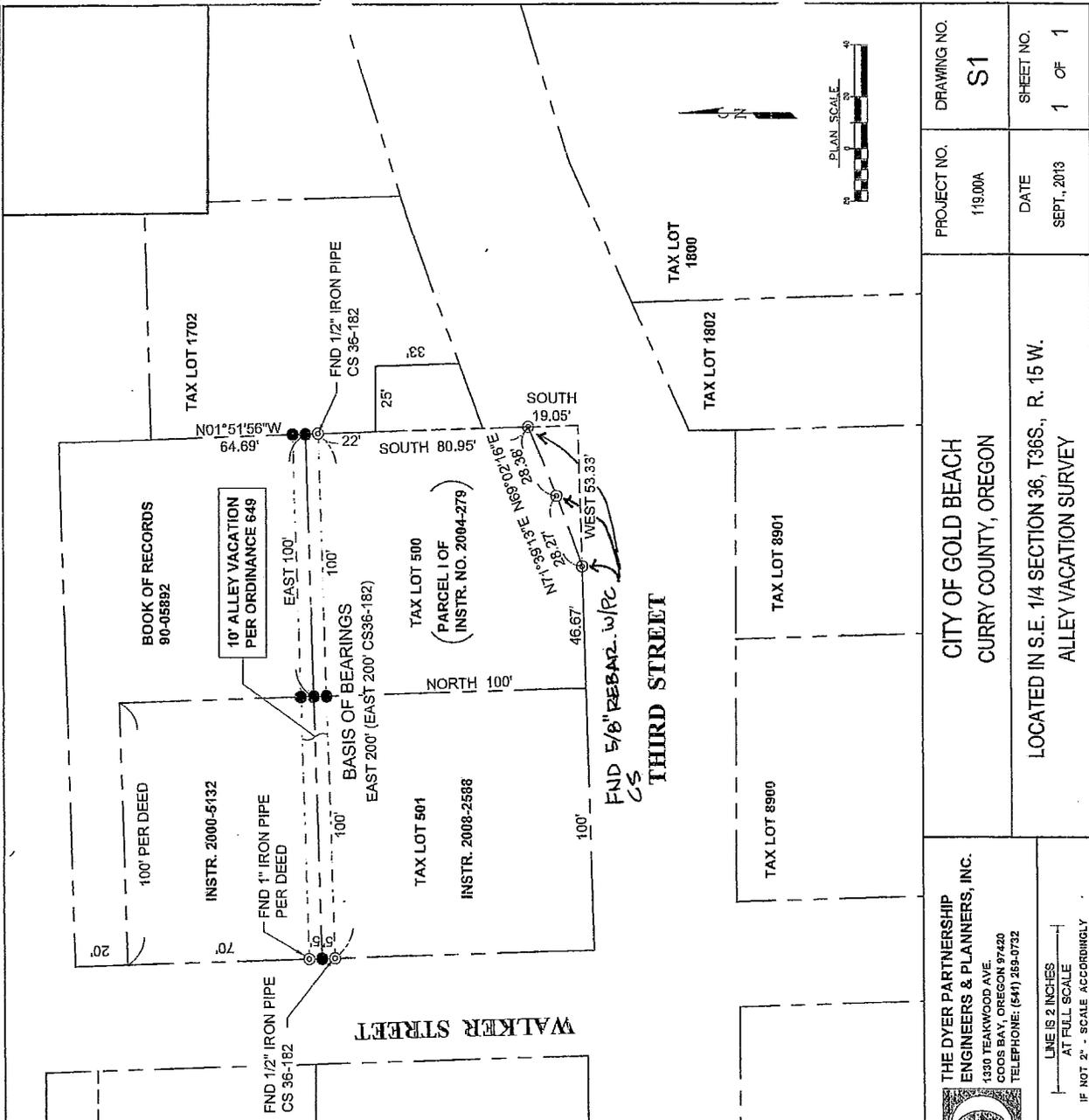
Michael W. Erickson

OREGON
JULY 28, 1988
MICHAEL W. ERICKSON
2340
EXPIRES: 12-31-13

THE DYER PARTNERSHIP ENGINEERS & PLANNERS, INC.

1330 TEAKWOOD AVE.
COOS BAY, OREGON 97420
TELEPHONE: (541) 265-0732

LINE IS 2 INCHES AT FULL SCALE
IF NOT 2" - SCALE ACCORDINGLY



CITY OF GOLD BEACH
CURRY COUNTY, OREGON

LOCATED IN S.E. 1/4 SECTION 36, T36S., R. 15 W.
ALLEY VACATION SURVEY

PROJECT NO.
119.00A

DATE
SEPT., 2013

DRAWING NO.
S1

SHEET NO.
1 OF 1





MISC ITEMS

(INCLUDING POLICY DISCUSSIONS &
DETERMINATIONS)

GOLD BEACH CITY COUNCIL AGENDA REPORT



Agenda Item No. 10 a.

TITLE: Possible Dangerous Building

SUMMARY AND BACKGROUND:

Pursuant to City Code Section 5.365 staff conducted an inspection of property located at 94270 Button Lane. Staff is of the opinion that the structure on the subject property meets the definition of Dangerous Building (5.350(1)(d)). Staff is reporting that opinion to the Council for the purpose of determining whether the Dangerous Building Hearing process should be initiated.

FINANCIAL IMPACT:

None at this time.

DOCUMENTS ATTACHED:

- City Code: Dangerous Buildings
- Photographs of structure

REQUESTED MOTION/ACTION:

Direct staff on how the Council wishes to proceed regarding a hearing on the subject structure.

COPY OF REPORT AND ATTACHMENTS SENT TO:

**Council
Police Chief Dixon Andrews
Public Works Superintendent Will Newdall**

City Code Section 5.350-5.398

DANGEROUS BUILDINGS

5.350 Definitions.

For the purpose of this Code:

- (1) The term “dangerous buildings” shall include:
 - (a) A structure which, for the want of proper repairs or by reason of age and dilapidated condition or by reason of poorly installed electrical wiring or equipment, defective chimney, defective gas connections, defective heating apparatus, or for any other cause or reason, is especially liable to fire and which is so situated or occupied as to endanger any other building or property or human life.

- (b) A structure containing combustible or explosive material, rubbish, rags, waste, oils, gasoline or inflammable substance of any kind especially liable to cause fire or danger to the safety of such building, premises or to human life.
 - (c) A structure which shall be kept or maintained or shall be in a filthy or unsanitary condition, especially liable to cause the spread of contagious or infectious diseases.
 - (d) A structure in such weak or weakened condition, or dilapidated or deteriorated condition, as to endanger any person or property by reason of probability of partial or entire collapse.
- (2) The term “person” shall include every natural person, firm, partnership, association or corporation.
 - (3) “City official” means any Councilor, mayor, city employee, or any agency or employee of any agency under contract to the City for services.

5.355 General Regulations.

- (1) Administration. The City building official is the primary city official authorized to enforce the provisions of this Code, but any other city official may act under the authority of this Code.
- (2) Inspections. The City building official or another city official is hereby authorized to make such inspections and take such actions as may be required to enforce the provisions of this Code.
- (3) Right of Entry. Whenever necessary to make an inspection to enforce any of the provisions of this Code and whenever the City building official or another city official has probable and reasonable cause to believe that there exists in any building any condition that would make such building a dangerous building as defined herein, then said city official, including the building official, may enter into such building at reasonable times to inspect said premises for any violations of this Code.

5.360 Nuisance.

Every building or part thereof which is found by the Council to be a dangerous building is hereby declared to be a public nuisance; and the same may be abated by the procedures herein specified, or a suit for abatement thereof may be brought by the City.

5.365 Initial Action.

Whenever a city official shall find or be of the opinion that there is a dangerous building in the City, it shall be his duty to report the same to the City Council. Thereupon, the Council

shall, within a reasonable time, fix a time and place for a public hearing thereon.

5.370 Hearing; Mailed Notice.

By certified or registered mail, return receipt requested, the City Administrator shall notify the owner of record of the premises whereon the building in question is located, that a hearing will be held concerning the nuisance character of the property and the time and place of the hearing. A copy of this notice shall also be posted on the property in addition to notices prohibiting entry into building. At the hearing the Council shall determine by resolution whether or not the building is dangerous. The Council may, as a part of the hearing, inspect the building; and the facts observed by the Council at such inspection may be considered by it in determining whether or not the building is dangerous. At the hearing the owner or other person interested in the property or building shall have the right to be heard. At such hearing the Council shall have the power to order any building declared to be dangerous removed and abated, if in its judgment such removal or abatement is necessary in order to remove the dangerous condition; or the Council shall have the power to order the building made safe and to prescribe what acts or things must be done to render the same safe.

5.375 Published and Posted Notices.

Ten (10) days' notice of any hearing shall be published in a newspaper of general circulation in the City or by posting notices thereof in three (3) public places in the City. If the last-mentioned notice be published or given as herein required, no irregularity or failure to mail notices shall invalidate the proceedings.

5.380 Council Orders; Notice.

Five (5) days' notice of findings made by the Council at a hearing and any orders made by the Council shall be given to the owner of the building, the owner's agent or other person controlling the same, and if the orders be not obeyed and the building rendered safe within the time specified by the order (being not less than five (5) days), then the Council shall have the power and duty to order the building removed or made safe at the expense of the property on which the same is situated.

5.385 Abatement by City.

In the event that the Council orders are not complied with, the Council must specify with convenient certainty the work to be done and shall file a statement thereof with the City Administrator, and shall advertise for bids for the doing of the working the manner provided for advertising for bids for street improvement work. Bids shall be received, opened and the contract let.

5.390 Assessment.

The Council shall ascertain and determine the probable cost of the work and assess the same against the property upon which the building is situated. The assessment shall be entered in the docket of city liens and shall thereupon be and become a lien against the property. The

creation of the lien and the collection and enforcement of the cost shall all be performed in substantially the same manner as in the case of the cost of street improvements, but irregularities or informalities in the procedure shall be disregarded.

5.395 Summary Abatement.

The procedures of this Code pertaining to Council declaration of a dangerous building need not be followed where a building is unmistakably dangerous and imminently endangers human life or property. In such an instance, the chief of the fire department, the fire marshal or the Chief of Police may proceed summarily to abate the building.

5.398 Penalty.

Any person who shall be the owner of, or shall be in possession of, or in responsible charge of any dangerous building within the City and who shall knowingly suffer or permit the building to be or remain dangerous beyond the time specified in the order of the Council pursuant to Section 5.380, shall be guilty of a violation of this Code and shall, upon conviction thereof, may be fined a maximum amount as set by resolution of the City Council for the first and all subsequent offenses. Each day's violation of a provision of this Code constitutes a separate offense.

GOLD BEACH CITY COUNCIL AGENDA REPORT



Agenda Item No. 10 b.

TITLE: Vacant Properties and Nuisance Abatement

SUMMARY AND BACKGROUND:

Due to the recession, a new issue we have not experienced before has become an increasing problem: abandoned properties. Our current nuisance code does not specifically address properties that are simply abandoned. The Dangerous Building section is for the truly extreme cases. The real problem is the properties that are in reasonably good shape but are neglected and then attract squatters or vandalism.

The State this year enacted a law trying to address the neglected foreclosed properties but this doesn't really address those in-limbo properties where the owner has abandoned the home but the lender/bank has not assumed the property. This can take months and sometimes years—in the meantime the properties decline and become a haven for criminal activity. It costs the city real dollars in lost utility revenue and in staff time for code enforcement.

Some other cities have adopted neglected/distressed properties sections to their codes. I would like to discuss this possibility for Gold Beach, or at least get direction from the Council on how to best address these properties. There is a section in the Nuisance Code for “unenumerated nuisances”:

Section 5.280(2): In addition to the nuisances specifically enumerated within this Code, every other thing, substance or act that is determined by the Council to be injurious or detrimental to the public health, safety or welfare of the City is declared a nuisance and may be abated as provided in this Code.

In the short term these properties could be addressed by this section.

FINANCIAL IMPACT:

There is definitely a financial impact currently. It is difficult to quantify the staff \$\$ wasted, but for nuisance abatement and utility services related to abandoned properties we currently have 13 property liens totally over \$12,000. We will be filing another one next week. This does not include the \$29K Dangerous Building lien we have on the former Nelson property. This is an unprecedented amount.

DOCUMENTS ATTACHED:

- Ordinance/Code Sections from the cities of Central Point and Cornelius

REQUESTED MOTION/ACTION:

Direct staff on how the Council wishes to address the in-limbo abandoned properties.

COPY OF REPORT AND ATTACHMENTS SENT TO:

Council

Police Chief Dixon Andrews

Public Works Superintendent Will Newdall

AN ORDINANCE ADDING CHAPTER 8.40 TO THE CENTRAL POINT MUNICIPAL CODE FOR THE PURPOSE OF REQUIRING REGISTRATION OF VACANT RESIDENTIAL PROPERTIES

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

Section 1. The following chapter and sections are added to the Central Point Municipal Code:

Chapter 8.40

Vacant Residential Property Registration

Sections.

8.40.010	Title and Purpose
8.40.020	Definitions
8.40.030	Inspection
8.40.040	Registration
8.40.050	Maintenance Requirements
8.40.060	Security Requirements
8.40.070	Additional Authority
8.40.075	Additional Remedies; Lien Against Property.
8.40.080	Violation; Penalty
8.40.090	Appeals.

8.40.010 Title and Purpose. This ordinance shall be known and may be cited as the "Vacant Residential Property Registration Ordinance of the City of Central Point." The purpose of this vacant residential property registration program is to protect neighborhoods from becoming blighted through the lack of adequate maintenance and security of vacant properties.

8.40.020 Definitions. As used in this chapter:

"Borrower" means any person who becomes obligated on a real estate loan agreement, either directly or indirectly, and includes, but is not limited to, mortgagors, vendees under conditional land sales contracts and grantors under trust deeds.

"Evidence of vacancy" means any condition that on its own, or combined with other conditions present, would lead the Chief of Police or designee to believe that the property is vacant. Such conditions include, but are not limited to, overgrown or dead vegetation; accumulation of newspapers, circulars, flyers and/or mail; past due utility notices or disconnected utilities; accumulation of trash, junk and or debris; the absence of window coverings such as curtains, blinds and or shutters; the absence of furnishings or personal items consistent with residential habitation; evidence of trespass or criminal mischief; or

statements by neighbors, passers-by, delivery persons, or government employees that the property is vacant.

"Lender" means any person who makes, extends, or holds a real estate loan agreement and includes, but is not limited to, mortgagees; beneficiaries under trust deeds; vendors under conditional land sales contracts; trustees and a successor in interest to any mortgagee, beneficiary, vendor or trustee. The term also includes any mortgagee, beneficiary or trustee that accepts a deed in lieu of foreclosure.

"Notice of default" means a written notice to a borrower stating that a default on a real estate loan agreement has occurred and that legal action may be taken.

"Out of area" means outside of Jackson County.

"Real Estate Loan Agreement" means any agreement providing for a loan on residential property, secured in whole or in part by real property located within the City of Central Point, or any interest therein, and includes, but is not limited to mortgages, trust deeds and conditional land sales contracts.

"Vacant" means a subject property that is not legally occupied.

8.40.030 Inspection.

A. Immediately upon default of the borrower, but no later than prior to recording a notice of default with the Jackson County Clerk's Office, a lender shall perform an inspection of the property that is the security for the real estate loan agreement.

B. If the property is found to be vacant or shows evidence of vacancy, the lender shall, within ten days of the inspection, register the property with the Chief of Police or designee.

C. If the property is occupied but remains in default, the property shall be inspected by the lender on a monthly basis until the borrower remedies the default. If an inspection reveals that the property is vacant or shows evidence of vacancy, the lender shall, within ten days of the inspection, register the property with the Chief of Police or designee.

D. This chapter also applies to properties that have been the subject of a foreclosure sale where title has transferred from one lender to another lender; and to a property transferred under a deed in lieu of foreclosure.

8.40.040 Registration.

- A. The registration shall contain the following information:
1. The name of the lender;
 2. The direct mailing address of the lender. Post office boxes are not acceptable;
 3. The direct contact name and phone number for the lender;

4. The physical address for the lender's agent authorized to receive service of process, if applicable; and

5. The direct contact information for the local property management company responsible for security, maintenance and marketing of the property, if applicable.

B. No registration fee shall be imposed. A lender that has registered a property under this chapter shall report any change of information contained in the registration within ten days of the change. Properties subject to this chapter shall remain under the registration requirement as long as the property remains vacant.

C. Registration forms shall be available at the Central Point Police Department and online at the City's website.

8.40.050 Maintenance Requirements.

A. A lender shall maintain properties subject to this chapter. Maintenance includes all of the following:

1. Ensuring that the condition of the subject property does not, in the opinion of the Chief of Police or designee, constitute a public nuisance or a chronic public nuisance as described in Central Point Code Chapters 8.02, 8.03, 8.04, 8.08, 8.28 and 10.12;

2. Regular watering, irrigation, cutting, pruning and mowing of the subject property and the removal of all trimmings, as applicable to the property;

3. Pools and spas shall be kept in working order, so that water remains clear and free of pollutants and debris; or drained and kept covered. In either case, subject properties with pools or spas shall comply with the City's minimum security fencing requirements.

B. If the property is owned by an out of area lender, a local property management company shall be contracted to perform weekly inspections to verify the requirements of this section, and to ensure any other applicable laws, are being met. The property management company shall post a direct contact name and 24-hour contact phone number for persons to report problems or concerns, and the posting shall be placed on the interior of a window facing the street to the front of the property so it is visible from the street. If no such area exists, then the posting shall be placed on the exterior of the property in a location visible from the street to the front of the property. An exterior posting shall be constructed of and printed with weather resistant materials.

C. Adherence to this section does not relieve a person subject to this chapter of any obligations set forth in any covenants, conditions and restrictions which may apply to the subject property.

8.40.060 Security Requirements.

A. The lender shall maintain a subject property in a secure manner so as not to be accessible to unauthorized persons, and includes the securing of windows, doors,

gates and any other opening of such size that may allow a child to access the interior of the property. Broken windows shall be boarded or related.

B. If the property is owned by an out of area lender, a local property management company shall be contracted to perform weekly inspections to verify the requirements of this section, and to ensure any other applicable laws are being met. A property management company shall be subject to the same posting requirements as provided for in section 8.40.050.B.

8.40.070 Additional Authority. The Chief of Police or designee shall have the authority to require the lender to implement any additional maintenance or security measures including, but not limited to:

- A. Installation of additional security lighting;
- B. Increasing on-site inspection frequency;
- C. Employment of an on-site security guard; and
- D. Any other measures as may be reasonably required to prevent the decline of the property.

8.40.075 Additional Remedies; Lien Against Property. In addition to other penalties or enforcement specified in this chapter, if a lender fails to maintain or secure the property as provided in sections 8.40.050, 8.40.060 and 8.40.070, the Chief of Police or designee may give notice of such failure by first class mail.

A. The notice:

1. Shall be directed to the lender and all persons shown on the assessor's records or otherwise known to the city to be owners;
2. Shall refer to the premises involved with convenient certainty, the street address, if any, being sufficient;
3. Shall notify the addressees to comply with the maintenance and security requirements in sections 8.40.050, 8.40.060 and 8.40.070 within fifteen days from the date of mailing; and
4. Shall further inform the lender and owners that if the condition is not corrected within the fifteen days, the city may cause the property to be maintained and secured as provided in sections 8.40.050, 8.40.060 and 8.40.070 and will charge the costs to the lender and owners and make the same a lien against the property.

B. A lender or any owner may, within fifteen days after mailing of the notice, appeal to the city council for relief by filing a petition with the city recorder seeking hearing before the council. The petition shall include the facts upon which the petitioner relies upon for relief from the obligations of this chapter in relation to the property. If the council finds that it would work a real and unnecessary hardship upon the petitioner to comply with the terms of this chapter, then it may relieve the petitioner of the obligations of the chapter in relation to the particular property, but nothing therein shall be construed as obligating the city to remove or abate the nuisance without charging the

cost as a lien against the said property.

C. If the condition is not corrected within the time limit and no relief has been granted, such agent of the city as may be designated by the city administrator may provide the maintenance and security necessary to bring the property into compliance. The city administrator shall maintain an accurate record of the expenses incurred by the city in providing such maintenance and security and shall include an overhead charge for the cost of administration. The total cost, including overhead, shall thereafter be assessed as a lien against the property.

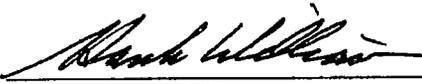
8.40.080 Violation; Penalty.

A. A lender that violates any provision of this chapter shall be subject to the general penalty in section 1.16.010. Every day in which the violation is caused or permitted to exist constitutes a separate infraction,

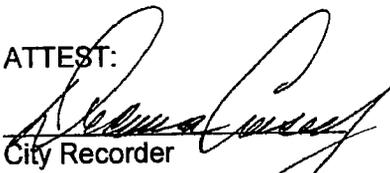
B. Citations for violation of any provision of this chapter may be mailed by first class mail to the lender or lender's registered agent.

8.40.090 Appeals. A lender that is required to implement additional maintenance or security measures as provided for in section 8.40.070 shall have the right to appeal to the City Council. The appeal shall be filed in writing within ten business days of being notified of the requirement to implement additional maintenance or security measures under section 8.40.070.

Passed by the City Council and signed by me in authentication of its passage this 27th day of May, 2010.

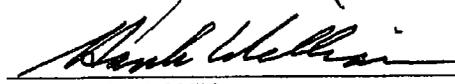


Mayor Hank Williams

ATTEST:


City Recorder

Approved by me this 27th day of May, 2010



Mayor Hank Williams

**ORDINANCE NO. 2013-005
CORNELIUS, OREGON**

**AN ORDINANCE ADDING CHAPTER 8.25 ENTITLED
“DISTRESSED RESIDENTIAL PROPERTY REGISTRATION”.**

FINDINGS:

1. The Council believes vacant foreclosed residential properties have an adverse and deleterious impact on the vitality and livability of the areas in which they are located and on the general well-being of the City and its residents; and
2. The Council has been informed that significant numbers of vacant and foreclosed residential properties in Cornelius are owned and/or controlled by entities and/or individuals outside the Portland metropolitan area and as such, those entities and individuals may be reluctant to voluntarily incur the cost and expense of adequately maintaining those properties to the standard found in the areas surrounding the property; and
3. The Council believes it necessary that certain registration and maintenance requirements be imposed on the owners of abandoned and vacant residential real property in order to minimize if not eliminate some of the adverse effects those properties have on the City and its residents

NOW THEREFORE, BASED ON THE FOREGOING, THE CITY OF CORNELIUS ORDAINS AS FOLLOWS:

A new Chapter 8.25 entitled “Distressed Residential Property Registration” is added to the Cornelius City Code as follows:

Chapter 8.25
DISTRESSED RESIDENTIAL PROPERTY REGISTRATION

- 8.25.010. Definitions.
- 8.25.020. Registration, Security and Maintenance Obligation.
- 8.25.030. Registration Requirements; Information Required; Change in Ownership
- 8.25.040. Maintenance Obligations
- 8.25.050. Security Obligations.
- 8.25.060. Inspection Requirement.
- 8.25.070. City authorized to act; Enhanced Penalty.
- 8.25.080. Appeals.

8.25.010 Definitions

The following definitions apply unless inconsistent with the context:

ABANDONED RESIDENTIAL PROPERTY means:

A. Residential property that is both vacant and subject to either a pending judicial execution sale under ORS 18.901 (2012) et seq., or to nonjudicial foreclosure pursuant to ORS 86.740 to 86.755 (2012); or

B. Residential property that is both vacant and was the subject of either a judicial execution sale under ORS 18.901 (2012) et seq., or nonjudicial foreclosure pursuant to ORS 86.740 to 86.755 (2012) where legal title is retained by the beneficiary(ies) of a foreclosed trust deed or was otherwise transferred to beneficiary(ies) pursuant to a deed in-lieu-of- foreclosure.

CHIEF means the chief of police or authorized designate thereof.

FORECLOSED RESIDENTIAL PROPERTY means residential property an owner obtains as a result of:

- A. Foreclosing a trust deed on the residential property;
- B. Obtaining a judgment foreclosing a lien on the residential property; or
- C. Purchasing the residential property at a trustee's sale or a sheriff's sale.

LOCAL means within 30 road/driving miles distance of residential property.

OWNER means any natural person, partnership, association, corporation or other entity identified as having or claiming a lien interest either as a mortgagee under a mortgage or as a trustee or beneficiary under a trust deed in abandoned residential property or vacant foreclosed residential property.

RESIDENTIAL PROPERTY is property as defined in ORS 18.901 (2012).

VACANT means condition(s) indicative of residential property being uninhabited, vacant or abandoned including (but are not limited to):

- A. Visibly overgrown and/or dead vegetation at the property;
- B. Accumulation of newspapers, circulars, flyers and/or mail;
- C. Visible accumulation of trash, junk and/or debris;
- D. Absence of typical household furnishing consistent with active residential habitation;
and/or
- E. Statements by neighbors, delivery agents, government employees that the property is uninhabited or vacant.

8.25.020 Registration, security and maintenance obligation

All owners of abandoned residential property and vacant foreclosed residential property are obligated to continuously comply with the registration, security, maintenance and inspection requirements imposed by CCC Chapter 8.25.

8.25.030 Registration requirements—Information required—Change in ownership

A. Residential property shall be registered by the owner(s) thereof with the recorder in the event:

1. Of an anticipated judicial foreclosure of the property, no earlier than the commencement of any of the actions described by ORS 18.904, 18.906, 18.908 (2012) and not later than the date first set for the execution sale described in ORS 18.930 (2012);

2. Of an anticipated nonjudicial foreclosure of the property done pursuant to ORS 86.740 to 86.755 (2012) not later than the date of service or mailing of the notice of sale described in ORS 86.740 (2012); or

3. An owner receives written notice from the chief that the chief believes the residential property is vacant.

B. Each registration shall be on a form approved by the recorder and contain, at a minimum the following:

1. The name of the trustee or mortgagee;

2. The name of the beneficiary (if different) under the trust deed;

3. The street/office mailing address(es) of the trustee/mortgagee and, if there is one, the beneficiary under the trust deed;

4. The name, mailing address and contact information of a local individual or entity charged with responsibility by the trustee, mortgagee and/or beneficiary for ensuring compliance with the obligations imposed by CCC 8.25.040 through CCC 68.25.060.

C. Each registration shall be accompanied by payment of a registration fee which amount is to be set by council resolution.

D. The recorder shall maintain a current list of registered residential properties and deliver a copy thereof to the office of the chief.

E. In the event ownership of a registered residential property changes, notice of the change shall be sent to the recorder not later than 30 days after the change.

8.25.040 Maintenance obligations

A. The owners of residential property determined to be or registered as abandoned residential property or vacant foreclosed residential property shall cause the property to be maintained in a generally kempt condition generally found on surrounding occupied residential property and free of weeds, dead vegetation, graffiti, trash, accumulated newspapers, circulars, flyers, discarded personal items and other items/conditions that give the appearance the property is vacant or abandoned.

B. In the event there are outdoor pools or spas at abandoned residential property or vacant residential property, they shall either be kept in working order or drained and kept dry.

8.25.050 Security obligations

A. The owners of residential property determined to be or registered as abandoned residential property or vacant foreclosed residential property shall cause the property to be secured (including closure and locking of windows, doors, gates and other opening(s) allowing access to the dwelling) and thereafter maintained so as not to be readily accessible to unauthorized persons.

B. Residential property subject to CCC 8.25.050(A) shall be continuously posted with a notice (printed and legible with a font size no less than 12 point) listing the name and contact information of the local individual or entity identified in the city’s registration form along with the following phrases completed with the appropriate identification and contact information.

“THIS PROPERTY MANAGED BY _____.”

“TO REPORT PROBLEMS OR CONCERNS CALL _____.”

The posting shall be placed either on the interior of the dwelling or secured to the exterior of the dwelling. Exterior posting must be constructed of and printed on weather resistant materials.

8.25.060 Inspection requirement

The local individual or entity identified in the registration required by CCC 8.25.030 shall inspect the residential property on not less than a monthly basis to ensure that the requirements imposed by the terms of CCC 8.25.040 to CCC 8.25.050 are met.

8.25.070 City authorized to act—Enhanced penalty

A. In the event the chief believes an owner has failed to meet the registration, maintenance, security and inspection obligations of CCC 8.25, the chief shall send notice of said failure to the owner at the address listed on the tax rolls of the county maintained consistent with ORS 311.560 (2012) or at such other address as may be known to the chief. The notice shall set out the nature of the failure(s) to be corrected and shall give the owner not less than 14 working days from the date of the notice to correct them. In the event the owner fails to remedy the matters within the time

set out in the notice (or make, in the view of the chief, adequate arrangements otherwise) the city may then enter the property and cause the failures to be corrected, charging the costs thereof to the property as a lien.

B. In addition to the foregoing, the city may enforce the terms of CMC 8.25 as provided elsewhere in this code or in state law.

C. If the chief believes an owner's failure to comply with the requirements of CMC 8.25 is willful or purposeful, the chief may authorize the appropriate enforcement personnel to seek an enhanced penalty of up to \$1,000.00 per day in addition to the general penalty provided for in CCC 1.05.120.

8.25.080 Appeals

A. In the event an owner is notified that residential property under their ownership is subject to the terms of CCC 8.25 but believes the property should not be, they may appeal said determination to the chief.

B. Any appeal by an owner shall be:

1. In writing;

2. Received by the chief within 10 working days of the date the owner was notified that their residential property was subject to CCC 8.25; and

3. Setting out in summary form the basis for their belief that their residential property should not be subject to CCC 8.25.

C. Upon receipt of an appeal, the chief shall review the matter and provide the owner an opportunity to give additional information if the chief believes that additional information could better inform the decision on whether to affirm, deny or modify the notification. After the owner had been given the opportunity to provide additional information, the chief shall within 10 days of the receipt of that information, affirm, deny or modify the notification as to the applicability of CCC 8.25 to the residential property in writing.

The chief's decision is final subject only to judicial review pursuant to ORS 34.010 et seq.

PASSED AND ADOPTED this 1st day of July, 2013.

City of Cornelius, Oregon

By: _____
Jeffrey C. Dalin, Mayor

ATTEST:

By: _____
Debby Roth, MMC
City Recorder-Treasurer

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**



Agenda Item No. 10. d.

TITLE: Upcoming Meetings and Trainings

DATE	TIME	EVENT	LOCATION
October 17 th	10:17AM	The Great Oregon Shake Out: http://shakeout.org/oregon/ Drop! Cover! Hold On! Earthquake Drill	City Hall offices
October 17 th	5:00PM	League of Women Voters-Voters Forum regarding tax measures on the ballot	City Hall Council Chambers
October 28 th	6:30PM	2 nd Council Meeting: LOC conference debrief	City Hall Council Chambers
Oct 28 th - Nov 1 st	ALL DAY	Auditors Here for field work	Council Chambers
Nov 5 th -6 th	9AM- 4PM	Rural Tourism Studio second set of workshops	Docia Sweet at Fairgrounds
Nov 11 th		Veterans Day Normal Council Meeting Day—should we adjust November meeting?	

Sun 10/13 Mon 10/14 Tue 10/15 Wed 10/16 Thu 10/17 Fri 10/18

Time	Sun 10/13	Mon 10/14	Tue 10/15	Wed 10/16	Thu 10/17	Fri 10/18
9am		CITY COUNCIL CIS OPEN ENROLLMENT Columbus Day			PROMO MTG 1pm - COASTAL PLANNERS	
10am			AWRC 9am - 11am	DISASTE R WORKSH OP COOS BAY 9am - 4: 30pm		
11am					SHAKE OUT 10:17	
2pm						
3pm	Date Time	Event	Location	CHAMBE R BOARD MTG 3pm - 5pm		
4pm						
5pm						LWV FIRE TRUCK LEVY 5pm - 6pm
6pm				FIC MTG 6pm - 9pm		
7pm		COUNCIL MTG 6:30pm - 8:30pm				
8pm						

Sat 10/19

Sun 10/20

Mon 10/21

Tue 10/22

Wed 10/23

Thu 10/24

PC MTG

RONS B'DAY

JUDGE FALLMAN
TODAY

5am

6am

7am

8am

9am

10am

11am

12pm

1pm

2pm

3pm

4pm

DR DRYLAND
1pm - 2pm

HAIRCUT
7:30am - 8am

Fri 10/25

Sat 10/26

Sun 10/27

Mon 10/28

Tue 10/29

Wed 10/30

Show with lame

RUTH'S B-DAY

CANDY'S B-DAY

AUDITORS HERE
NEEDED

2ND CNTG IF
NEEDED

SOVA MTG GRANTS
PASS

BRUCES B-DAY

FORD PAYER PARTY
9am - 1pm

COUNCIL LOC
UPDATE
5:30pm - 8pm

9am						
10am						
11am						
12pm						
1pm						
2pm						
3pm						
4pm						
5pm						
6pm						
7pm						

Thu 10/31

Fri 11/1

Sat 11/2

Sun 11/3

Mon 11/4

Tue 11/5

AUDITORS HERE

Halloween

Daylight Saving Time Ends

DANS BDAY

Election Day

RTS IN GB
8:30am - 4pm

Kellers party
3:30pm - 6:30pm

DR MAEYANS
4pm - 6pm

8am					
9am					
10am					
11am					
12pm					
1pm					
2pm					
3pm					
4pm					
5pm					
6pm					

dmatsfilly@gmail.com, Contacts' birthdays and events, US Holidays Wed Nov 6 – Mon Nov 11, 2013 (Pacific Time)

Wed 11/6 Thu 11/7 Fri 11/8 Sat 11/9 Sun 11/10 Mon 11/11

PREPARE COUNCIL
PACKETS

CITY COUNCIL
Veterans Day

Time	Wed 11/6	Thu 11/7	Fri 11/8	Sat 11/9	Sun 11/10	Mon 11/11
7am						
8am						
9am	RTS IN GB 8:30am - 4pm					
10am						
11am						
12pm						
1pm						
2pm						
3pm						
4pm						
5pm						

Jodi Fritts

From: Andrew Bair <abair@curryhealth.org>
Sent: Tuesday, October 08, 2013 7:23 AM
To: Jodi Fritts
Subject: Re: Council Agenda

Thanks,

I appreciate your help.

Andrew P. Bair, RN/MBA
CEO- Curry Health Network
541-247-3108
abair@curryhealth.org

-----Original Message-----

From: "Jodi Fritts" [jfritts@goldbeachoregon.gov]
Date: 09/30/2013 02:36 PM
To: abair@curryhealth.org
Subject: Council Agenda

Hi Andrew:

I will be out of the office until later today but will try to call you when I get back. The next council date is Monday, October 14th at 6:30pm. I will block out some space for you on the agenda.

Jodi Fritts-Matthey

City Administrator

City of Gold Beach



"If we open a quarrel between the past and the present we shall find we have lost the future."

Sir Winston Churchill