



CITY COUNCIL AGENDA
February 8, 2016, 6:30PM
Regular Meeting

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		
Council Position #2 Larry Brennan		
Council Position #3 Becky Campbell		
Council Position #4 Doug Brand		
STARTING VOTE		
Council Position #5 Tamie Kaufman		
City Administrator Jodi Fritts		
Student Liaison VACANT		

3. **Special Orders of Business:**

- a. Request from City of Roseburg to support the Oregonians for Rural Health coalition

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**

- a. Request to address the Council and Mayor regarding recent press on potential Medical Marijuana shop on 4th Street
- b. Agency request (Tobacco Prevention Education Coordinator) Curry Community Health regarding City tobacco policies
- c. Citizen request to consider amending City Code(s) to allow for "Tiny House" provisions

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

- 8. Public Contracts and Purchasing**
Bid review and possible award of contract for removal of Dangerous Building at 29448 Russell Street

- 9. Ordinances & Resolutions**
 - a. R1516-07 resolution awarding Dangerous Building abatement contract
 - b. R1516-08 resolution amending traffic offenses presumptive fine schedule
 - c. R1516-09 resolution amending City Fee Schedule

- 10. Miscellaneous Items (including policy discussions and determinations)**
 - a. Update on Water Rate Study
 - b. Update on possible bag ban ballot initiative

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

- 12. Mayor and Council Member Comments**
 - a. Mayor Karl Popoff
 - b. Councilors
 - 1) Melinda McVey
 - 2) Larry Brennan
 - 3) Becky Campbell
 - 4) Doug Brand
 - 5) Tamie Kaufman
 - c. Student Liaison, Vacant

- 13. Citizens Comments**
As permitted by the Mayor

- 14. Executive Session**
No Executive Session Scheduled

The next scheduled meeting of the Gold Beach City Council is **Monday, March 14, 2016, 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

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SPECIAL ORDERS OF BUSINESS

GOLD BEACH CITY COUNCIL AGENDA REPORT



Agenda Item No. 3 a.
Council Hearing Date: February 8, 2016

TITLE: Request from Roseburg City Manager for formal support of Oregonians for Rural Health coalition

SUMMARY AND BACKGROUND:

Lance Colley, City Manager for the City of Roseburg, sent the Mayor and me a request for the City to formally support Oregonians for Rural Health coalition. The text of his email request is below. I have attached the information he provided with the email.

FROM ROSEBURG CITY MANAGER, Lance Colley
Dear Mayor Popoff and Administrator Fritts-Matthey,

Oregon's economy has made sizable gains post-recession, especially in Portland and other urban areas of the state. Yet, Southern Oregon's economy continues to struggle and lag behind as it has for decades. Federal timber payments that have provided some relief are declining and will likely come to an end soon. And, adding to our economic hardships, growing shortages of healthcare professionals across Southern and rural Oregon are limiting access to critical physical and mental health services.

Several years ago, local businesses and community leaders in Roseburg began to explore new solutions to revitalizing our economy. The idea of building a regional college in Roseburg that would serve high-demand medical fields such as nursing and mental health came to the forefront. Capitalizing on the "recession-proof" vitality of healthcare and education, the college can serve as a stable economic engine, providing sorely needed stimulus, quality jobs and job training for our youth and young families. Also critically important for our region, the college will focus on addressing rural healthcare workforce needs, while providing residents and professionals with the financial ability to live where they choose. By training tomorrow's rural healthcare workforce, we can reverse growing gaps in local care.

Local funding from the City of Roseburg, Douglas County, Mercy Medical Center and others financed an in-depth feasibility study. It reinforced what our local healthcare organizations have been telling us: the need for expanded healthcare training is real and growing, across the region and surrounding western states. We are forming a coalition, Oregonians for Rural Health, to help make the college a reality. We invite you to support the effort by joining other Southern Oregon mayors/county commissioners in signing the attached letter that will be used in our efforts. Please also let us know if you would be willing to serve as a voice for the effort and to help in expanding our coalition. Please send the signed letter back to me if you are able to join us in support.

An FAQ about the regional medical college is attached, in addition to a support letter from the Dept. of Veterans Affairs that reinforces the growing need for more trained healthcare professionals just in the VA system alone. Our aim is to secure all signatures for the letter by Feb. 10th. Please contact me with any questions, or to discuss.
Thank you for your consideration,
Lance Colley

REQUESTED MOTION/ACTION:

Discuss and decide whether to formally support the request.

Oregonians for Rural Health

A new path for Southern & Rural Oregon... regional medical college is an investment in prosperity and growth

Southern Oregon needs long-term solutions to revitalize our ailing economy. Our once robust timber industry has dwindled over the last 40 years, resulting in unemployment rates consistently higher than state and national averages. Renewal of federal timber payments that have provided relief to our region will soon end. And, adding to economic hardships, growing shortages of healthcare professionals are limiting access to critical physical and mental health services.

Today, we stand at a crossroads. Innovative solutions are needed to put us on a path toward prosperity and growth. Building a regional medical college to train tomorrow's healthcare workforce will serve as a new economic engine for our region, while ensuring healthcare access.

Southern Oregon City Managers & Mayors

Please sign here, including full name and city

Economic Renewal Now

Oregon's state economy continues to improve post-recession, but widespread disparities in unemployment rates and job growth exist between urban and rural areas. Capitalizing on healthcare's largely "recession proof" vitality will provide jobs, local revenue and greater long-term economic stability. Plus, the college will have a net positive impact on retaining and attracting business to our region by providing well-trained professionals to deliver essential healthcare services.

Create Job Training Opportunities

Southern Oregon is experiencing a large exodus of its youth and young families as they leave in search of jobs elsewhere. Yet, job vacancies exist in a range of healthcare fields and are projected to grow. Low education levels and the lack of local training opportunities are part of the problem. The region needs new job training opportunities that give our youth and young families a reason to stay and for others to relocate to the region.

Reverse Healthcare Shortages & Ensure Access

Most of Oregon's Southern and Rural counties are in fragile healthcare situations, experiencing provider shortages in both physical and mental care. Many cities are considered to be in medically-underserved areas. And, demand for healthcare services is projected to increase both in our region and nationally. A "silver tsunami" of soon-to-retire baby boomers will put an even greater strain on our healthcare system. A minimum of 350,000 new healthcare professionals in the college's target medical fields will be needed in the western U.S. by 2022. It is projected that Oregon alone will need over 11,000 new nurses over the next six years.



**DEPARTMENT OF VETERANS AFFAIRS
NORTHWEST HEALTH NETWORK (VISN20)
PO BOX 1035
PORTLAND, OR 97207
(360) 619-5925**

AUG 20 2015

Umpqua Economic Development Partnership, Inc.
522 SE Washington Ave., Ste 107
Roseburg, OR 97470

To Whom It May Concern:

The purpose of this letter is to express support for the establishment of a multiprofessional health sciences university located in Roseburg, OR. VISN 20 needs more well trained healthcare professionals for our growing facilities. In order to support this endeavor, VISN 20 may do the following:

- Provide annual data on projected VISN 20 healthcare workforce needs so that the university may use this data to help inform enrollment targets
- Assist the university in creating affiliation agreements with VISN 20 facilities to facilitate potential clinical experiences in our facilities
- Assist trainees who engage in clinical experiences in VISN facilities locate VA employment opportunities
 - Highly qualified healthcare professionals who are completing training programs in VA facilities may be hired non-competitively, streamlining the process for both the trainee and VA

We look forward to working with you to ensure highly qualified healthcare professionals for VA and the Nation.

Sincerely,

Lawrence H Carroll
Network Director, VISN 20

Oregonians for Rural Health

Regional Medical College Frequently Asked Questions

Today, Southern and Rural Oregon stands at a crossroads. Innovative solutions are needed to put us on a path toward improved economic prosperity and growth. Building a regional medical college to train tomorrow's healthcare workforce will serve as a new economic engine for our region, while reversing healthcare provider shortages and ensuring access to critical care.

The following are frequently asked questions about the regional medical college.

Q: Is this regional medical education college really viable?

A: Southern Oregon, like so many communities across the U.S., faces increasing healthcare provider shortages. This significantly decreases access to physical and mental healthcare for families, seniors and other vulnerable community members. Building a skilled healthcare workforce today will work to reverse growing access issues. This is a matter of great concern to the medical care industry. In turn, the salaries received in the field can justify the cost of higher education in a way that many other professions do not. Oregonians for Rural Health has done extensive research on college finances and models; while many higher education institutions are facing financial difficulties this is not the case in allied health fields.

Q: Are healthcare shortages real?

A: As baby boomers age, their demand for healthcare services continues to increase. The net result of this "silver tsunami" is a greater strain on our healthcare system. Shortages are being felt in a number of medical fields from nursing and pharmacy to physical therapy and laboratory services. Because of new demand for services and expected retirements, about 350,000 new healthcare professionals in the college's target fields will be needed by the year 2023 in the western United States alone. The U.S. Bureau of Labor Statistics projects that 526,800 more nurses will be needed across the nation by 2022 in order to keep up with patient growth and replace those who leave. It is projected that Oregon will need over 11,000 new nurses alone by 2022.

Smaller communities and rural areas are being hit especially hard. Most of Oregon's rural counties are in fragile healthcare situations, experiencing severe provider shortages in both physical and mental care. Douglas County, where Roseburg is located, is designated as a Governor's Certified Shortage Area. Roseburg itself is considered one of Oregon's medically-underserved areas. And, Oregon is not alone. Of the 2,050 rural U.S. counties, 77 percent are designated as health professional shortage areas.

Oregonians for Rural Health

Q: Will building this college really help the local economy?

A: An economic impact study, conducted by independent experts (Johnson Economics), concluded the college will serve as a stable economic engine for the area. The college is expected to be largely “recession proof” as are most higher education providers and especially given the healthcare focus. The college will provide a much needed boost to employment in the area. A total of over 500 permanent jobs could be created at the college’s largest potential capacity, driven by both direct employment and demands for services by the students who would enter the area. It is estimated that the college, at its top projected enrollment, would generate almost \$40 million in payroll and locally-purchased services. Altogether, including student spending and other impacts, the college would add \$52 million in economic activity per year in Douglas County. In addition, the college will have a net positive impact on local and regional healthcare by providing trained professionals to fill open job vacancies. This will aid in retaining and attracting businesses to the area.

Health care training institutions provide a significant boost to the local economy. There are several examples of this throughout the nation; however one local example stands out. In 2011, the College of Osteopathic Medicine of the Pacific Northwest (COMP-Northwest) began training Osteopathic Physicians in small town Lebanon, Oregon. Now look at what Lebanon area leaders are saying about the College and its economic impacts:

- Lebanon Mayor Paul Aziz: *“When COMP-Northwest came to Lebanon, it was a game changer. The partnership with COMP-Northwest and the city of Lebanon shows what can be done to turn a community around. You cannot measure the value that having the medical school brings to Lebanon.”*
- Linn County Commissioner Roger Nyquist: *“Lebanon is the envy of many rural communities in Oregon. Without COMP-Northwest, there likely is no medical campus as we know it, no veterans home and it’s doubtful that the new conference center, lodging facility and restaurant would be realities.”*
- Lebanon City Manager Gary Marks: *“In many ways, the arrival of COMP-Northwest in Lebanon was a watershed event in the economic turnaround of the community.”*

Q: Will the college help to improve healthcare access?

A: Many students graduating from the college are expected to stay in the local and regional area and fill growing job vacancies. This will provide a more stable, reliable source of skilled healthcare professionals to serve in a variety of high-demand medical positions. The net result will be increased access to physical and mental healthcare services both locally and in many rural areas struggling to provide critical services. It has been found that rural healthcare can be best served by training students within a rural context. Evidence for this can be found in OHSU’s training in Klamath Falls where about 85% of graduates go on to jobs in rural areas.

Oregonians for Rural Health

Q: Why Roseburg?

A: Roseburg is a well-suited location to build the college. It is well-situated on the I-5 corridor and accessible, but also a rural community positioning the college to address the most acute healthcare workforce problems: those faced in rural communities. An extensive feasibility study completed in 2014 confirmed that there are multiple sites that would accommodate a multi-building college campus. Strong local support from city and county government, the business community and healthcare organizations, including Mercy Medical Center and the Roseburg VA Medical Center, exists to support the college and make it a reality.

Q: Why now?

A: We need to start generating long-term solutions now to Southern Oregon's economic crisis. Renewal of the federal timber payments that have provided economic relief to the region for nearly a decade are expected to come to an end. Unemployment rates in Southern Oregon are consistently higher than the state average. For more than 20 years unemployment rates in Southern Oregon have been higher than the national and state average. New job training opportunities are needed. And, with healthcare provider shortages increasing in Southern Oregon and many other areas, this is an ideal opportunity to spearhead a new path toward improved economic prosperity. Furthermore, it is also critical that we get ahead of growing healthcare provider shortages to ensure Oregonians have access to physical and mental care.

Q: What programs are expected to be offered at the college?

A: The college would serve multiple high-demand medical fields, such as nursing, pharmacy, radiology and imaging, laboratory services, physical and occupational therapy, and mental health. The specific mix of programs offered by the college will depend, in part, on the academic partner. Priority will be given to higher-demand medical fields.

Q: Would the new college compete with Umpqua Community College?

A: No. The college is a partner in this effort. None of the proposed programs are offered or currently contemplated by UCC. In addition, the college has been modeled with no 100- or 200- level coursework, creating the possibility to drive additional course demand at UCC.

Q: Will there be enough students interested in attending the college?

A: Compared to the growing demand for healthcare professionals in physical and mental care, there are currently limited training opportunities, especially in Southern and rural Oregon. It is expected that students will come from the regional area and across Oregon, plus Southern Washington and Northern California. Regional physical therapy programs, as an example, regularly receive applications from several times the number of qualified applicants as they have slots for.

Oregonians for Rural Health

Q: How many students is the college expected to serve?

A: The feasibility study modeled a college that would serve over 1,500 students annually once all programs were phased in.

Q: What happened to the initial academic partner?

A: Mercy College of Health Sciences in Des Moines (MCHS DM) was considered to be a likely academic partner during the feasibility study. MCHS DM leadership provided extensive technical expertise for the feasibility study conducted on the college and participated on the project steering committee. Unfortunately, shortly after the feasibility study was completed, MCHS DM withdrew from the project in order to focus its attention on its own operations. A local competitor had announced that it would be opening a new allied health college in MCHS DM's own service area.

Q: What are the chances that a new academic partner can be found?

A: This project presents a key opportunity for an academic organization to expand its operations in an area with strong local and regional support and the necessary amenities. Additionally, demand for the college is expected to remain strong as the need for skilled healthcare professionals continues to grow across our region and the western United States.

Q: Didn't this project stall out? What's being done now to advance the college forward?

A: Shortly after the feasibility study was completed the academic partner we had anticipated, Mercy College of Health Sciences in Des Moines, withdrew from the project in order to focus on its own operations. A local competitor had announced that it would be opening a new allied health college in MCHS DM's own service area. This required a re-focusing of our efforts to build a broad-based coalition in order to attract a new academic partner and to secure the funding needed to make the college a reality.

Q: How much funding is needed to build the college?

A: It is estimated that about \$180 million is needed to build the college at its largest potential capacity. The total amount of initial funding needed will depend on how the college is configured once a new academic partner is secured. The college could be built in phases in order to reduce the initial funding requirements.

Oregonians for Rural Health

Q: How do you expect to raise the capital needed to support building the college?

A: We are building a broad-based coalition to attract a new academic partner and secure the funding needed to make this college a reality. A combination of public and private funding will be sought to build the college.

Q: Why isn't OHSU involved?

A: We have approached OHSU as a possible partner and would welcome OHSU as a partner anytime.



CITIZEN REQUESTED AGENDA ITEMS



SECTION 7.

CITIZEN REQUESTED AGENDA ITEMS

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**

Agenda Item No. 7. a.

Council Meeting Date: February 8, 2016

TITLE: Citizen request to address the Council regarding potential medical marijuana facility on 4th Street as announced by the Curry County Economic Development Department

SUMMARY AND BACKGROUND:

Thanks to the inspired brilliance and complete lack of communication/coordination, the Curry County Economic Development Department issued a press release on January 28th without our knowledge (with the headline “The Buzz in Gold Beach”—I’m not kidding) about an “economic development project” in our jurisdiction. That “project” has ZERO planning, building code, utility, access, or other code compliance/approval. The business is a medical marijuana dispensary proposing a drive-thru. The story didn’t just make local and regional news. The Oregonian picked it up and then it went national. I have attached a sample of the GREAT PRESS Gold Beach is getting in print, digital, and TV media thanks to the County. I haven’t included any of the social media chatter. It is unconscionable for a neighboring jurisdiction to provide inaccurate information to the media on our behalf. There is no way to un-ring this ridiculous bell in the media. Because of all the media attention, several persons contacted me this week requesting to address the Council about the dispensary.

After I started receiving phone calls at home last Saturday about the Pilot story, I contacted the County Commissioners office to obtain a copy of the MOU/Contract whereby the City deferred its development authority to the County. That request was initially met with silence. Because I again asked for a copy of the agreement, by Friday the situation had devolved into a County Commissioner calling me “bizarre”, “irrational” and “juvenile”, and the ED Director deeming me unprofessional and stating they would not engage in “he said, she said” attacks. I know there isn’t an agreement or contract—that was kind of the point. Subtly was lost on them.



SECTION 7.

CITIZEN REQUESTED AGENDA ITEMS

The owner of the potential business has not contacted any City staff members about development requirements within the City and the County failed to notify the City that they had been in discussions with the owner about their business plan and the proposed drive-thru. As just a starting point—a drive-thru would never be approved at this location—and that has nothing to do with the nature of their business—if it were a coffee kiosk or a restaurant the answer would be the same. I am attempting to contact the owner of the business to ensure they are in compliance with all our City development codes prior to their opening of the business since we have had no contact with them. One of media outlets reported that the business was to have had a “soft opening” yesterday. I can’t confirm that.

The Mayor and I have an appointment with the ED Director on Monday.



Julie A. Schmelzer
Director of Administration and Economic Development

94235 Moore Street/Suite #122
Gold Beach, OR 97444
Ph. 541-247-3253
schmelzerj@co.curry.or.us
www.co.curry.or.us

PRESS RELEASE

For Immediate Release: 01/28/2016

The Buzz in Gold Beach

Gold Beach will soon be home to the city's first cannabis store and home delivery service. The new outlet is an upscale retail store offering cannabis products, inspired art, and a lot of fun.

The number 420, known historically in cannabis culture as "4/20" as a day to engage in consumption, is also symbolic for 4:20, the uniform time of day known by many consumers as the time to 'light up'. In the spirit of fun, every day at 4:20, the new store will subtly flash its lights of various colors. Although the store opens February 5, the grand opening is officially piped in for April 20.

The store, "Green Life Oregon", is conveniently located across from the hospital in Gold Beach. Regional Dispensary Manager Jeremy Paulson said, "We want to make sure people have the opportunity for natural alternatives to pain medicine, as well as offer a product the voters of Oregon support. We also are firm believers that a reliable dispensary can help keep black market marijuana off the streets thereby reducing crime."

Economic Development Director Julie Schmelzer noted, "I've seen the business plan, I've met the investors, and I believe this venture is going to be quite an asset to the area. Their plans for expansion and other amenities can help Gold Beach, and the southwestern coast, become a destination for those interested in the new green tourism we are fortunate to be a part of. Economics don't lie—there is green in the new green", referring to the money and taxes to be made off cannabis products.

"I'm quite impressed with the investors. They've reached out to the other retailers carrying similar products to make sure they were not competing with each other, rather complementing each other. Working together minimizes destructive competition, while building a cohesive market that can be a tourist attraction, as well as a message of cultural acceptance. They have big plans for the area, and I'm anxious for the community to capitalize on what these guys can bring to Gold Beach. I'm also glad to see they will be offering a discount to Veteran's that have a medical card" she added.

An open house for the new store is set for April 20, 2016. It will include music, food, and of course, cannabis products. The store is located at 94233 Fourth Street in Gold Beach. A drive through is also being planned—the first of its kind in the nation.

<http://www.currypilot.com/News/Local-News/Drive-up-pot-store-in-Gold-Beach-the-first-in-the-nation>

Drive-up pot store in Gold Beach the first in the nation

By Jayati Ramakrishnan, Pilot staff writer | January 30, 2016 12:14 am

Gold Beach will soon be home to the city's first cannabis store — with a twist.

Green Life Oregon, located on Fourth Street across from the hospital, will feature cannabis products, inspired art — and a drive-up window, the first of its kind in the nation.

"I've seen the business plan, I've met the investors, and I believe this venture is going to be quite an asset to the area," said Curry County Economic Development Director Julie Schmelzer. "Their plans for expansion and other amenities can help Gold Beach and the southwestern coast become a destination for those interested in the new green tourism we are fortunate to be a part of."

The store joins one in Wedderburn, three in Brookings and two in Harbor.

And it's not coincidence that dispensary manager Jeremy Paulson located the store adjacent to Curry General Hospital.

"We want to make sure people have the opportunity for natural alternatives to pain medicine, as well as offer a product the voters of Oregon support," he said. "We also are firm believers that a reliable dispensary can help keep black market marijuana off the streets, thereby reducing crime."

He worked with other vendors so they will complement services, rather than compete, Schmelzer said.

"I'm quite impressed with the investors," she said. "They've reached out to the other retailers carrying similar products to make sure they were not competing with each other. Working together minimizes destructive competition, while building a cohesive market that can be a tourist attraction, as well as a message of cultural acceptance."

In the spirit of fun, the store will hold its grand opening on April 20 — 4/20. In the cannabis culture, 4/20 symbolizes the time of day to imbibe. Every day at 4:20 p.m., the store will subtly flash its lights in various colors.

Schmelzer hopes the green herb will pay off in green returns.

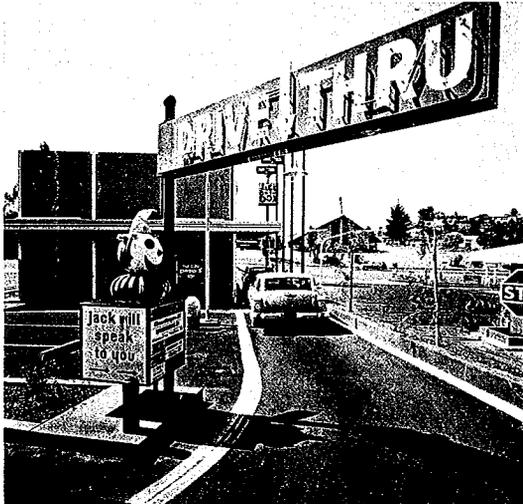
"Economics don't lie — there is green in the new green," she said of taxes that can be garnered and business that can be brought to town. "They have big plans for the area, and I'm anxious for the community to capitalize on what these guys can bring to Gold Beach."

Paulson will also offer a discount to veterans who carry cannabis medical cards.

<http://www.wweek.com/2016/01/30/oregon-coast-town-of-gold-beach-getting-a-marijuana-drive-thru/>

Oregon Coast Town of Gold Beach Getting a Marijuana Drive-Thru

It claims to be nation's first, but isn't: Detroit has several along 8 Mile.



It claims to be nation's first, but isn't: Detroit has several along 8 Mile.

Not the drive-thru in question, obviously. (George on Flickr)

By Aaron Mesh

Updated February 1 at 5:50 PM

Published January 30 at 3:35 PM

Would you like highs with that?

A rural Oregon coastal town is getting a recreational marijuana store with a drive-thru window.

Green Life Oregon plans to open this April in Gold Beach, a town in the economically strapped timberlands of Curry County.

The owners bragged this morning to the local newspaper, the Curry Coastal Pilot, that Green Life Oregon's drive-thru window will be the nation's first.

That's almost certainly not true. A medical-marijuana dispensary in Olympia, Wash., added a drive-thru window in 2012. As recently as last September, Detroit officials were fretting about several dispensaries with weed drive-thrus.

"Dozens of dispensaries line 8 Mile and other major thoroughfares in the city," wrote the Detroit Free Press, "and a Free Press investigation found that at least three offer drive-through service."

Green Life Oregon can still probably claim a spot as Oregon's first weed drive-thru: The state's medical marijuana program had barred drive-up and cart sales of cannabis.

<http://www.oregonlive.com/pacific-northwest-news/index.ssf/2016/01/oregons-first-marijuana-drive-.html>

Oregon's first marijuana drive-thru coming to Gold Beach



By [Joseph Rose | The Oregonian/OregonLive](#)

[Email the author](#) | [Follow on Twitter](#)

on January 31, 2016 at 5:20 AM, updated February 01, 2016 at 2:18 PM

OK, that's one order of cannabis. Would you like fries with that?

Oregon's adventure into the world of legal retail marijuana is apparently about to get a quintessentially American convenience – a pot store with a drive-thru.

The Curry Coastal Pilot reported Saturday that Green Life Oregon in the coastal town of Gold Beach will soon open a dispensary with a drive-up window across the street from the hospital.



Cannabis, rather than Arby's, would pass hands at a marijuana drive-thru planned for Gold Beach. (The Oregonian)

Joseph Rose | The Oregonian/OregonLive

"I've seen the business plan, I've met the investors, and I believe this venture is going to be quite an asset to the area," Curry County Economic Development Director Julie Schmelzer told the newspaper. "Their plans for expansion and other amenities can help Gold Beach and the southwestern coast become a destination for those interested in the new green tourism we are fortunate to be a part of."

The depressed former timber boomtown could certainly use the cash expected to be generated by new dispensaries opening in the county.

The owners of Green Life Oregon told the newspaper they intentionally located the new store near the hospital. "We want to make sure people have the opportunity for natural alternatives to pain medicine, as well as offer a product the voters of Oregon support," manager Jeremy Paulson said.

The drive-thru is set to open on ... wait for it, April 20. The Curry Coastal Pilot reported the drive-thru will be the first of its kind in the nation. In reality, it won't even be the first in the Northwest. In 2012, Sonshine Organics in Olympia started allowing medical-marijuana customers to pull up in their cars and order from a menu.

Meanwhile, as the Willamette Week notes, drive-thrus have been sprouting up like crazy at dispensaries along 8 Mile in Detroit.

But it's probably safe to say Green Life Oregon will have the state's first weed drive-thru.

No word on whether they'll be offering a pot Happy Meal. Actually, what is the reefer equivalent of French fries?

http://www.kdrv.com/news/Dispensary_Aims_to_Open_Marijuana_Drive-Thru_in_Gold_Beach_.html

Dispensary Aims to Open Drive-Thru in Gold Beach

By Julia Moore Feb. 4, 2016

 Like  Share  143

 Tweet



GOLD BEACH, Ore. – A marijuana drive-thru could soon be on the Oregon coast.

The soft opening for a new dispensary, Green Life Oregon, is planned for Friday. The store is located on 4th Street in Gold Beach.

Green Life Oregon will also provide delivery services.

The owner says they are working with the OLCC to add a drive-thru that they hope to open on Apr. 20.

- See more at: http://www.kdrv.com/news/Dispensary_Aims_to_Open_Marijuana_Drive-Thru_in_Gold_Beach_.html#sthash.K8llam1y.dpuf

<http://wjactv.com/news/nation-world/first-marijuana-drive-thru-to-open-in-oregon>

First marijuana drive-thru to open in Oregon

BY ELIZABETH RIECKEN | THURSDAY, FEBRUARY 4TH 2016

ADVERTISEMENT

GOLD BEACH, Ore.-- The first drive-thru marijuana establishment in the United States will be opening in Oregon

Dispensary Green Life Oregon in Gold Beach has been working alongside the Oregon Liquor Control Commission to open a drive-thru window on 4th street.

Owner and regional manager of Green Life Oregon Jeremy Paulson says the drive thru will be a economic boost for the small town.

Paulson says he plans for the drive-thru to be open by April 20th.

With months to go before the opening, news outlets have already started picking up the story.

<http://time.com/money/4202187/marijuana-drive-thru-oregon/>

EVERYDAY MONEY MARIJUANA

Nation's First Drive-Thru Recreational Marijuana Shop Opens This Spring

Ethan Wolff-Mann @ewolffmann Feb 1, 2016



It opens 4/20, with fast food-style convenience.

Recreational marijuana is now legal in Oregon, and some of its residents apparently can't get the stuff fast—and conveniently—enough. In Gold Beach, down by the California border on the Pacific, however, a cannabis dispensary is opening that doesn't require you to leave your car.

Set to open on pot-culture approved date of April 20th, Gold Beach's drive-thru window won't be the country's first drive-thru pot shop. There's apparently one in Olympia, and others in Detroit. Those, however, are medical-only dispensaries. This seems to be the first of its kind in that it features purely recreational sales—no prescription required.

The concept is not nearly as ridiculous as it sounds. It's not intended for some dude to snake a baggie to hotbox his vintage Volkswagen bus. The drive-up window is located across from a hospital and is designed to be akin to a drive-thru pharmacy.

Of course, drive-thru weed is not just for the infirm. Surely, the location—just across the border from California, where marijuana is still not sold legal on a recreational basis—was selected because of the strong potential to attract tourists.

“I believe this venture is going to be quite an asset to the area,” Curry County Economic Development Director Julie Schmelzer told Oregon Live, which reported the story. Schmelzer added that this could “help Gold Beach and the southwestern coast become a destination for those interested in the new green tourism.”

The dispensary could breathe some new life into the small coastal town, which, according to Oregon Live, has experienced some economic hardship of late.

<http://extract.suntimes.com/news/10/153/14361/oregon-drive-thru-marijuana-dispensary-gold-beach>

Marijuana drive-thru coming to Oregon

© WRITTEN BY EMILY GRAY BROSIOS POSTED: 02/01/2016, 01:54PM

Embed from Getty Images



Drive-thru marijuana dispensary to offer convenient pickup.

Oregon is about to up its marijuana convenience game with one of the most American of all retail features — a drive-thru window.

Green Life Oregon is planning to open a drive-thru marijuana dispensary in Gold Beach soon, according to the Curry Coastal Pilot.

The state's first drive-thru dispensary will sell cannabis products and cannabis-inspired artwork from its location on Fourth Street, right across the street from Curry General Hospital.

Dispensary manager Jeremy Paulson says the dispensary's location is no accident.

"We want to make sure people have the opportunity for natural alternatives to pain medicine, as well as offer a product the voters of Oregon support," he told the Curry Coastal Pilot.

"We also are firm believers that a reliable dispensary can help keep black market marijuana off the streets, thereby reducing crime," Paulson said.

Curry County Economic Development Director Julie Schmelzer says the drive-thru dispensary could be a major economic asset to the area and could help Gold Beach become a "destination for those interested in the new green tourism."

This may be the first drive-thru marijuana dispensary slated to open in Oregon, but it's not the first drive-thru dispensary to open in the country.

At least three medical dispensaries with drive-thru services were operating in Detroit as of September 2015, according to the Detroit Free Press, although Mayor Mike Duggan had been pushing to close such establishments.

Drive-thru pot shops aren't the only innovation in dispensary convenience these days either. In September 2015, a Colorado marijuana dispensary chain announced plans to open a chain of hybrid gas station-marijuana dispensaries across the state.

We most recently discussed marijuana regulation at the January meeting:

FROM JANUARY 2016 REPORT: We have discussed medical and recreational marijuana many, many times in the past few years--most recently in November. At that time we talked about whether to impose a tax on recreational sales or to adopt any land use regulation in the zoning code related to marijuana businesses.

Legal Counsel has kept me updated on changes on the state level as they are being discussed and adopted. Below is a summary of items she suggested we discuss and consider.

- The Council can adopt up to a 3% tax on recreational retail marijuana sales, **but it won't take effect unless and until it is approved by the voters in November 2016.** There is no rush but we will need to move on it sometime before summer to comply with election time lines.
- If the Council wants to stop medical dispensaries and/or recreational facilities from locating in the City, they could adopt an ordinance banning those facilities now. **The ordinance would not take effect unless and until it is approved by the voters in November 2016,** but OHA and OLCC will stop issuing licenses in Gold Beach immediately.
- If the Council wants to enact land use regulations for recreational vendors they should start thinking about what those regulations might look like sooner rather than later. After making a quick review of our current zoning ordinance this is what she found:
 - ✓ Medical dispensaries and recreational retail would not be allowed in residential zones (1-R, 2-R and 3-R).
 - ✓ Recreational grows would be allowed on sites of at least an acre in all three residential zones (outright permitted in 1-R and 3-R, and conditionally permitted in 2-R).
 - ✓ Certain types of medical and recreational processors would likely be allowed as home occupations (either outright permitted or conditionally permitted) in all three zones.
 - ✓ Recreational and medical processors, recreational wholesalers, recreational retailers and medical dispensaries are all outright permitted in the commercial and industrial zones. If you consider grows to be "manufacturing," they are outright permitted as well.

Applicable state laws:

- Medical dispensaries are not allowed to locate within 1000 feet of a school or 1000 feet of each other, and may not locate in a residential zone.
- Recreational retail outlets may not locate within 1000 feet of a school (cities can add other reasonable buffers but may not require that recreational retail outlets locate MORE than 1000 feet from each other) and may not locate in a residential zone.
- Medical and recreational processors that process extracts may not be located in a residential zone.
- Recreational marijuana wholesalers may not be located in a residential zone.

Other considerations:

- Other cities have looked at adopting buffers around parks, libraries, and day care centers. Gold Beach could also as long as the buffers are not too big and they don't effectively prohibit marijuana facilities from locating in town.
- Staff was concerned about ineffective State/OLCC regulation and oversight. The Council could discuss adoption of some of the OLCC requirements (such as security measures) as City requirements so that the City has enforcement authority if OLCC does not step up.

THE "T" WORD!:

Lots of cities adopted taxes on both medical and recreational marijuana before Measure 91 was enacted, in the hope that the legislature would grandfather in pre-existing city taxes. **Instead, the legislature adopted HB 3400, which provides that cities only have the authority to tax recreational retail marijuana sales, and only if the city tax is approved by the voters in November of 2016.**

HB 3400 says that except for local taxes expressly authorized by HB 3400 (i.e. up to 3%, must be approved by the voters) the authority to impose taxes on marijuana belongs only to the Legislature.

At the request of Senator Prozanski, the Office of Legislative Counsel (the lawyers for the Legislature) recently issued an opinion that cities do not have the authority to tax medical marijuana. The opinion does not spend much time discussing taxation of recreational marijuana, presumably because Senator Prozanski's question focused on taxation of medical marijuana, but Legislative Counsel appears to conclude that cities have no authority to tax medical marijuana and the only authority cities have to tax recreational marijuana is the authority provided by HB 3400 (i.e. up to a 3% tax on recreational retail sales, if approved by the voters of the City in November of 2016).

I have attached a copy of legal opinion.

REQUESTED MOTION/ACTION:

Direct staff on how to proceed.

- **Tax Recreational?**
 - **Prepare an ordinance for adoption and begin election process for November**
- **Land Use Regulations? Time and place? Buffers?**
 - **Start the planning commission process**
- **City enforcement? Adopt some of the state security requirements as the City's?**
 - **Prepare an ordinance for adoption**



SECTION 7.

CITIZEN REQUESTED AGENDA ITEMS

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**

Agenda Item No. 7. b.
Council Meeting Date: February 8, 2016

TITLE: Agency request to address the Council regarding City tobacco policies

SUMMARY AND BACKGROUND:

Kaitlyn Coleman the Curry Community Health Tobacco Prevention Education Coordinator requested to be allowed to address the Council regarding the City's tobacco policy and a request to adopt a proposed Tobacco Free Facilities & Grounds Policy (attached).

I ran the draft policy past legal counsel to ensure it would not discriminate against our employees or the public. Legal Counsel suggested reviewing the TPEP draft policy and discuss what parts, if any, the Council feels should be appropriate to prohibit or regulate in City owned buildings or on City property. Once you have given me some direction I will work with legal counsel on a policy to adopt.

Our current Administrative and Personnel Policies state the following regarding tobacco:

218.8 Smoking/Tobacco Products

The city seeks to promote a safe, healthy and pleasant work environment for all employees and the public. All city facilities, including city-owned buildings, vehicles, individual employee offices or other facilities rented or leased by the city are smoke free. In accordance with state law, designated locations outside of the buildings will be established for employees to smoke.

Visitors to any city facility will be required to comply with the city's efforts to maintain a smoke free environment. Visitors failing to comply may be asked to leave the facility.



SECTION 7.

CITIZEN REQUESTED AGENDA ITEMS

Introduction and request from Ms. Coleman:

Hi Everyone!

My name is Kaitlyn Coleman and I am the new TPEP (Tobacco Prevention Education Programs) Coordinator with Curry Community Health. You may have spoken with my predecessor (Devon) before. We are working to reduce the use of tobacco and educate our population about how devastating the use of tobacco and secondhand smoke is. As you probably know at the beginning of the month the Indoor Clean Air Act was amended to include the use of inhalant delivery systems (e-cigarettes). Do you have a copy available of the City's tobacco policy that you would be able to share with me? I would love to see both the county and the city buildings have a high standard tobacco free policy because we are setting the bar for the rest of the business owners around Curry county.

Another issue that I would love to discuss with the city council is the price of tobacco. I know that raising taxes is not something that can be done at the local level, and raising prices is a very touchy subject, but there are simple things that can alter the price and therefore availability of tobacco without actually changing the price. Raising the price of tobacco is one of the most effective strategies for reducing tobacco initiation, decreasing consumption and increasing cessation.

Facts: (Available on smokefreeoregon.com)

*Curry County had 82 tobacco related deaths in 2014

*\$1.04 was the average price of a single, flavored little cigar (That's less than a soda, and barely more than a candy bar!)

*3 in 4 retailers sold tobacco at discounted prices

*cigarette smoking among adults is 10% higher in Curry County than average of the rest of Oregon (29% vs 19%)

*Cigarette smoking among pregnant women is 10% higher in Curry County than the average of Oregon and the US (21% vs 11% and 9%)

*Youth tobacco use stats:

-8th grade: 6% smoke cigarettes

8% non-cigarette tobacco use

-11th grade: 15% smoke cigarettes

23% non-cigarette tobacco use

We can lower these statistics simply by banning the use of coupons, discounts, sales and sampling.

I would love to hear the council's thoughts on this and have your support.



SECTION 7.

CITIZEN REQUESTED AGENDA ITEMS

Kaitlyn Coleman
Tobacco Prevention Education Specialist
Curry Community Health
94235 Moore St., Suite 121
Gold Beach, OR 97444

Tobacco Free Facilities and Grounds Policy

Purpose

Chronic diseases, such as heart disease, stroke, cancer, diabetes and arthritis, are among the most common, costly, and preventable of all health problems in Curry County and the U.S. The U.S. Surgeon General has determined that exposure to secondhand tobacco smoke and the use of tobacco are significant health hazards. Tobacco use is the leading modifiable health risk factor responsible for much of the illness, suffering, and early death related to chronic disease.

Death and disability resulting from tobacco use costs Curry County lives and dollars. In 2014, the economic burden of tobacco use in Curry County was \$16.3 million in direct medical costs and \$13.1 in productivity loss due to premature tobacco related deaths.

Establishing tobacco free campuses will protect the public and employees from exposure to secondhand smoke, help people to quit and stay quit, as well as promote healthy community norms.

Definitions

For the purpose of policy:

- **Tobacco:** Includes any smoking or smokeless product intended for human consumption that is comprised of or contains tobacco, and nicotine-delivery devices, such as electronic smoking devices, excluding FDA-approved nicotine replacement therapy products for the purpose of tobacco cessation.
- **City of Gold Beach Property:** All interior spaces and vehicles and all outside property, including but not limited to parking areas, owned or controlled by the City of Gold Beach.

Scope: This policy applies to all City of Gold Beach employees, volunteers, clients, visitors, vendors and contractors on property owned or controlled by the City of Gold Beach.

Policy: Effective February 9, 2016, the use, distribution, sale or advertising of tobacco products is not permitted at any time in and on City of Gold Beach owned or controlled property including: a) within any interior spaces of facilities, b) on all outside property or ground, including parking areas; and c) in vehicles owned by the City of Gold Beach. If questions arise regarding the actual physical parameters of the prohibition for any particular City of Gold Beach property, the _____ or designee shall provide a final determination.

Exceptions

This policy does not apply to the use of noncommercial tobacco use for ceremonial, cultural, religious or medicinal activities that are in accordance with the American Indian Religious Freedom Act, 42 U.S.C. section 1996. Exceptions for the ceremonial, cultural, religious or medicinal tobacco use must be pre-approved by _____.

Communication of Policy

Signs stating the City of Gold Beach's tobacco-free policy are considered the first line of enforcement for this policy. Signs will be clearly posted on the perimeter of the property, at all entrances and exits, and in other prominent places. This policy is the shared responsibility of all City of Gold Beach personnel. Employees are authorized and encouraged to communicate this policy with courtesy, respect and diplomacy to the public, vendors, volunteers or others.

Compliance

Any person who observes an employee violating the policy is encouraged to address the noncompliance with the employee in question. If difficulties arise with the compliance, an employee shall notify a management-level staff member. Management and supervisory staff are responsible for ongoing compliance with this policy within their respective work areas. In addition, management and supervisory staff are expected to adhere to standard practice in resolving any issues of noncompliance.

Cessation Assistance

The City of Gold Beach is committed to assisting employees, volunteers, clients, visitors, vendors and contractors in overcoming tobacco dependency. Employees, as well as members of the public, volunteers, interns, and clients may be referred to Oregon's Tobacco Quitline, 1-800-QUIT NOW, which is a free tobacco cessation resource.



SECTION 7.

CITIZEN REQUESTED AGENDA ITEMS

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**

Agenda Item No. 7. c.
Council Meeting Date: February 8, 2016

TITLE: Citizen request to consider Tiny Home code provisions

SUMMARY AND BACKGROUND:

In the past few years (since the recession began) we are frequently asked about “tiny home” standards and whether they are permitted within the City of Gold Beach. Our zoning code currently prohibits this type of mobile dwelling. A citizen brought me information about how the City of Fresno is addressing the homes. He requested that the information be provided to the Council for your consideration. I have attached an article about the new Fresno rules and below you will find the text of the code went into effect January 3, 2016.

REQUESTED ACTION:

Direct staff on whether to pursue amending the zoning code to allow for the tiny houses.

<http://www.californiatinyhouse.com/new-zoning-code/>

New Zoning/Development Code Details

The City of Fresno enacted a new Development Code in November 2015 which is very favorable to tiny homes and tiny homes on wheels on single family residential lots of 6000 sq ft or more (5000 sq ft if corner lot) as secondary dwelling units.

Specifically, Code Section 15-2754 Second Dwelling Units, Backyard Cottages, and Accessory Living Quarters, sets forth regulations for siting such units and further adds a definition in the code to include “tiny homes on wheels” as an acceptable “backyard cottage.” This new ordinance, which goes in affect January 3, 2016, becomes a template that can be used by other cities and counties for permitting tiny homes and tiny homes on wheels.

We must give a great deal of thanks to Fresno Council Member Esmeralda Soria for carrying forward such progressive legislation in the Development Code update. We at California Tiny Homes are proud that Member Soria represents our business in her Council district. We were



SECTION 7.

CITIZEN REQUESTED AGENDA ITEMS

pleased that Fresno Mayor Ashley Swearingin is a supporter of the tiny home movement and, with assistance from the City's Development Department, moved forward to make the code changes a reality. The Fresno City Council unanimously accepted these amendments for tiny homes on wheels.

Below is a complete copy of the relevant sections of the City of Fresno Development code:

Recently enacted City of Fresno Development Code Requirements for Second Dwelling Units, Backyard Cottages (including Tiny Homes on Wheels), and Accessory Living Quarters (Effective January 3, 2016)

15-2754 Second Dwelling Units, Backyard Cottages, and Accessory Living Quarters

A. Purpose. The purpose of this section is to:

1. Maintain the character of single-family neighborhoods;
2. Ensure that new units are in harmony with developed neighborhoods; and
3. Allow Second Dwelling Units as an accessory use to Single-Unit Dwellings, consistent with the Government Code (Section 65852.2).

B. Architectural Compatibility. If visible from a public street or park, the architectural design, roofing material, exterior materials and colors, roof pitch and style, type of windows, and trim details of the Second Dwelling Unit, Backyard Cottage, or Accessory Living Quarters shall be substantially the same as and visually compatible with the primary dwelling.

C. District Standards. Second Dwelling Units, Backyard Cottages and Accessory Living Quarters may be established on any lot in any residential district where single-unit dwellings are permitted. Only one Second Unit, Backyard Cottage or Accessory Living Quarters may be permitted on any one lot. Minor Deviations and/or Variances to meet the minimum lot sizes are not permitted.

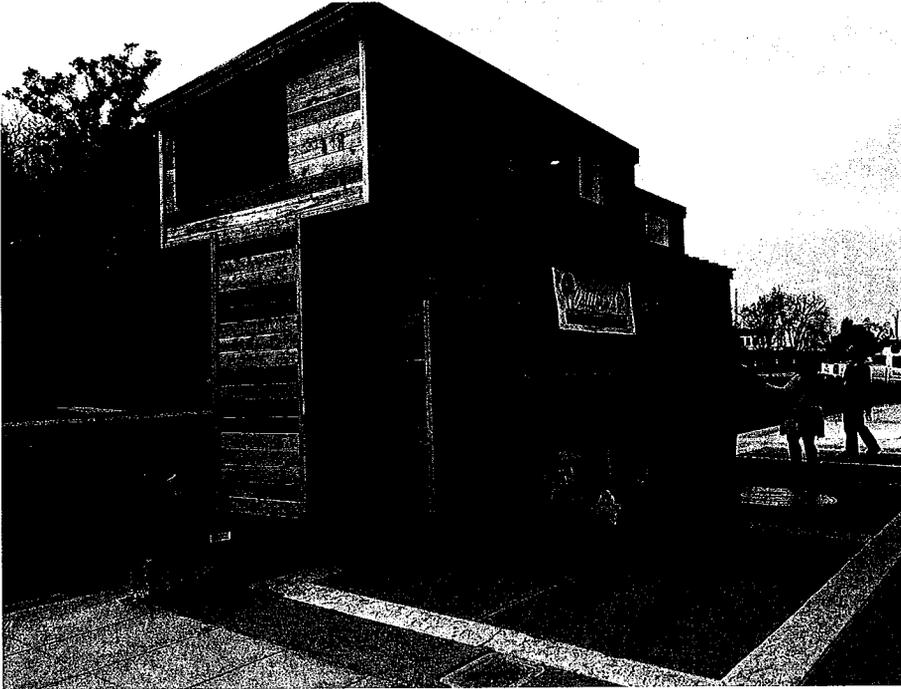
D. Minimum Lot Sizes.

1. Second Dwelling Unit. 6,200 square feet.
2. Backyard Cottage.
 - a. *Interior Lot Size:* 6,000 square feet.
 - b. *Corner Lot Size:* 5,000 square feet.
3. Accessory Living Quarters. 5,000 square feet.

E. Type of Unit.

1. Second Dwelling Unit. May provide separate, independent living quarters for one household. Units may be attached, detached, or located within the living areas of the primary dwelling unit on the lot, subject to the standards of this subsection. Kitchens, including cooking devices are permitted.
2. Backyard Cottage. May provide separate, independent living quarters for one household. Units may be attached, detached, or located within the living areas of the primary dwelling unit on the lot, subject to the standards of this subsection. Kitchens, including cooking devices are permitted. Backyard Cottages shall be located behind the primary dwelling unit, unless attached and integral to the primary dwelling unit.
 - a. A Tiny House may be considered a Backyard Cottage if it meets all the requirements of this section.
 - b. The Director shall review the design of the Tiny House to insure that the structure is compatible with the main home and the neighborhood.

Fresno Passes Groundbreaking 'Tiny House' Rules



By Sasha Khokha
JANUARY 19, 2016

It may seem surprising that Fresno, better known for sprawling new developments, is paving the way when it comes to rules for eco-conscious tiny houses.

"We are the first city in the nation to actually write into its development code authorization for 'tiny homes,' " says Mayor Ashley Swearingen. "If there's one thing that Californians should know about Fresno, it's that we are full of surprises. And just when you've think you've pegged us to be one type of community, we'll surprise you."

Fresno's new rules specifically pertain to tiny homes on wheels, which are often treated like RVs in other cities. So that means there are limits on where and how long they can be parked. That's angered some tiny-house activists, like the folks at "Containertopia" in the Bay Area. I spoke with them recently for a BBC documentary about reducing Californians' carbon footprint.

Some counties, like Alameda, Contra Costa and Napa, allow cottages on wheels as caregiver dwellings in the backyard of someone who needs assistance. Here's a list of California rules from the American Tiny House Association.

“This is an important step forward for the tiny house movement because it sets a precedent for other jurisdictions nationwide,” says Amy Turnbull, one of the directors of the American Tiny House Association. “This ordinance sends a clear message: we need to adapt our codes to accommodate new housing models and we need to do it quickly and decisively.”

Fresno’s zoning code now allows any homeowner to park this kind of tiny home on wheels as a permanent second dwelling, either for use by the homeowner or as a rental unit.

“This is a hot new trend in the United States housing market,” says Swearingen. “It attracts people who are drawn to the prospect of a simpler lifestyle with less stuff, and more financial freedom.”

Some of Swearingen’s motivation comes from wanting to support local jobs and manufacturing. A new Fresno company, California Tiny House, is now building these custom homes for people all over the state. It recently held an unusual open house to celebrate Fresno’s new rules, parking a 270-square-foot cottage on wheels in front of City Hall.

Nick Mosley is the 28-year-old entrepreneur behind California Tiny House. He gave me the five-minute complete tour, featuring the compact fridge, composting toilet and combined washer-dryer.

“It does the whole cycle, washes and dries,” Mosley explained. “All the water that you use through the house goes back to the water table. It’s all gray water.”

I nearly bumped into Fresno resident Cheryl Spencer as I stooped to check out the tiny upstairs loft with a built-in bed.

“You’re not intimidated that your head could hit the ceiling?” I asked her. “No, ‘cuz I’m short,” she laughed.

Spencer says the fact that new custom-built tiny homes like these start at \$45,000 could really be a game-changer, especially in a city that was hit hard during the foreclosure crisis.

“More and more families are having to combine into one household,” Spencer told me as she admired the built-in cupboards. “This is ideal, a way a lot of people could afford a home that otherwise couldn’t.”

That’s not to say Fresno is a tiny-house mecca yet. So far, all the tiny houses manufactured here have gone to Santa Cruz, Napa and other California cities.



SECTION 7.

CITIZEN REQUESTED AGENDA ITEMS

3. Accessory Living Quarters. Accessory Living Quarters provide dependent living quarters. They may be attached, detached, or located within the living areas of the primary dwelling unit on the lot, subject to the standards of this subsection. Accessory Living Quarters may not provide kitchen facilities, however a bar sink and an undercounter refrigerator are allowed, but no cooking devices or other food storage facilities are permitted. Accessory Living Quarters shall not be located in front of the primary single-family dwelling.

F. Maximum Floor Area. The following are the maximum square footages of habitable area. The following calculations only include habitable floor space. Minor Deviations and/or Variances are not permitted to increase the maximum floor areas.

1. Second Dwelling Units. 1,250 square feet.

2. Backyard Cottages. 440 square feet.

3. Accessory Living Quarters. 500 square feet or 30 percent of the primary single-family dwelling, whichever is less.

G. Development Standards. Units shall conform to the height, setbacks, lot coverage and other zoning requirements of the zoning district in which the site is located, the development standards as may be modified per this subsection, other requirements of the zoning ordinance, and other applicable City codes.

H. Lot Coverage. Per the underlying zone district.

I. Setbacks.

1. Front Yards. Per the underlying zone district.

2. Side Yards/Street Side Yards. Per the underlying district.

3. Rear Yards. Shall be separated from the main home by a minimum of six feet.

a. *Second Dwelling Unit*. Per the underlying zone district.

b. *Backyard Cottage and Accessory Living Quarters*.

i. Alley Present. Three feet.

ii. No Alley Present.

(1) *Abutting an RS*. 10 feet.

c. A tandem parking space may also be used to meet the parking requirement for the Second Dwelling Unit, providing such space will not encumber access to a required parking space for the primary single-unit dwelling.

d. An existing two vehicle garage and/or carport may not be provided in-lieu of these parking requirements unless the parking spaces are accessed from different garage doors.

3. Backyard Cottage. No additional parking required.

4. Accessory Living Quarters. No additional parking required.

O. Access. Vehicular access shall be provided in the following manner:

1. Driveways. Shall be provided per the underlying district.

2. Pedestrian access. An all-weather surface path to the Second Dwelling Unit, Backyard Cottage, or Accessory Living Quarters shall be provided from the street frontage.



SECTION 7.

CITIZEN REQUESTED AGENDA ITEMS

P. Mechanical Equipment. Mechanical equipment shall be located on the ground or, in the case of a tiny house on wheels, incorporated into the structure, but shall in no case be located on the roof.

Q. Utility Meters/Addresses.

1. Second Dwelling Units. Separate gas and electric meters may be permitted if approved by the Building Official and Pacific Gas & Electric.

2. Backyard Cottage and Accessory Living Quarters. Separate utility meters and/or addresses are not permitted.

R. Home Occupations. Home occupations are permitted pursuant to Section 15-2735, Home Occupations.

S. Airports. All applications shall comply with operative airports plans.

T. Owner Occupancy Requirements. The following shall apply prior to the issuance of a building permit.

1. Second Dwelling Unit and Backyard Cottage.

a. Either the primary dwelling unit, the Second Dwelling Unit, or the Backyard Cottage shall be owner-occupied.

b. The property owner shall enter into a restrictive covenant with the City, which shall be recorded against the property.

c. The covenant shall confirm that either the primary dwelling unit, the Second Dwelling Unit, or the Backyard Cottage shall be owner-occupied and prohibit rental of both units at the same time.

d. It shall further provide that the Second Dwelling Unit or Backyard Cottage shall not be sold, or title thereto transferred separate and apart from the rest of the property.

Definition of Tiny House added to City of Fresno Development Code

Tiny House. A structure intended for separate, independent living quarters for one household that meets these six conditions:

- Is licensed and registered with the California Department of Motor Vehicles and meets ANSI 119.2 or 119.5 requirements;
- Is towable by a bumper hitch, frame-towing hitch, or fifth-wheel connection. Cannot (and is designed not to) move under its own power. When sited on a parcel per requirements of this Code, the wheels and undercarriage shall be skirted;
- Is no larger than allowed by California State Law for movement on public highways;
- Has at least 100 square feet of first floor interior living space;
- Is a detached self-contained unit which includes basic functional areas that support normal daily routines such as cooking, sleeping, and toiletry; and
- Is designed and built to look like a conventional building structure.



PUBLIC CONTRACTING & PURCHASING

GOLD BEACH CITY COUNCIL AGENDA REPORT



Agenda Item No. **8. a./9. a.**
Council Hearing Date: February 8, 2016

TITLE: Review of bids for Dangerous Building abatement: 29448 RUSSELL ST

SUMMARY AND BACKGROUND:

FEBRUARY 2016

UPDATE FROM FORECLOSURE COMPANY: Attached is an email from the foreclosure company. They said a contractor was coming from Springfield to clean-up the property this past week. I did a site visit Saturday and very little has been done. It appeared to me the only thing different was that the old refrigerator was gone. Nothing else looked changed.



Pursuant to Section 5.385 of the City Code, the Council directed me at the January 2016 meeting to advertise for bids for abatement of the Dangerous Building located at 29448 Russell Street. The advertisement stated the Council was seeking bids for the following work:

- 1) Removal of the structure,
- 2) General clean-up of the area under and around the structure,
- 3) Removal of the debris on the lot,
- 4) Securing of the utilities services

Attached is a copy of the notice that was published in the paper to solicit the bids. The bidding process was open until 5PM on Friday, February 5th.

At the close of the bidding we received a total of five bids. I have attached the bid proposals and provided a brief narrative on each bid. Because this is not a Public Works contract, the Council has more latitude in deciding which bid to award--meaning the Council is not required to accept the lowest bid simply on cost. The Council has the latitude to determine which proposal most closely matches the desires of the Council in regards to the clean-up and safety of the parcel.

BID #1: Duane Rath Excavating BID: \$19,740

Rath provided a bid for all four work items. He included a copy of his Oregon CCB license and City of GB business license (for brevity I only included bid)

BID #2: Sandy's Backhoe & Construction BID: \$6,075

Sandy's provided a bid for all four work items

BID #3: Agness Company BID: \$9,792

Agness Company provided a bid for all four work items. They included a copy of their Oregon CCB license and a copy of their bid bond

BID #4: Benny Hempstead Excavating, Inc. BID: \$13,850

Hempstead provided a bid for all four work items. Hempstead also included former demolition experience and references, current CCB license, City of GB business license, a copy of their Public Works bond, and a copy of the current liability insurance.

BID #5: Halco Contracting LLC BID: \$32,525

Halco provided a bid for all four work items.

All of the contractors are licensed and bonded and we have hired all of them in the past for various public works projects. All of the contractors have the equipment and ability to perform the work. I have included a resolution to award the contract which we can insert the contractor name to award.

REQUESTED MOTION/ACTION:

Review the bids and determine which contractor (if any) to award the contract to.

SUGGESTED MOTION:

I make the motion to adopt Resolution R1516-07, a resolution awarding a contract to abate the Dangerous Building located at 29448 Russell Street.

Jodi Fritts

From: Violations <Violations@nationalfieldnetwork.com>
Sent: Monday, February 1, 2016 8:28 AM
To: Jodi Fritts
Subject: RE: 29448 RUSSELL ST-GOLD BEACH, OR || L15030R

Good Morning,

In regards to the above mentioned property, I just wanted to provide an update. A work order has been issued to complete a debris removal at the property. The contractors are traveling from Springfield, OR, so they advised they tentatively plan to be at the property Wednesday and Thursday to complete this work.

I just wanted to keep you updated, as I know this property has been a nuisance for some time now.

Please feel free to contact me with any questions or concerns.

Thank you,

Corrine Alley
Violations Department
National Field Network
4581 Route 9, Suite 100
Howell, NJ 07731

732-276-5563 Ext 323

CONFIDENTIALITY NOTICE: This E-Mail transmission (and/or the documents accompanying it) is for the sole use of the intended recipient(s) and may contain information protected by client privilege or other applicable privileges or confidentiality laws or regulations. If you are not an intended recipient, you may not review, use, copy, disclose or distribute this message or any of the information contained in this message to anyone. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of this message and any attachments.

From: Jodi Fritts [jfritts@goldbeachoregon.gov]
Sent: Friday, January 15, 2016 1:22 PM
To: Violations
Cc: Jodi Fritts
Subject: 29448 RUSSELL ST-GOLD BEACH, OR

Thanks for getting in touch with me today.

I have attached some info for your records:

- Request for abatement bids ad that will begin running tomorrow
- Copy of the January 11th council packet on the status of the property
- Email correspondence regarding the property

The property is in violation of the following sections of the municipal code:

There is an abandoned vehicle (large RV) but there is a different process we have to go through to deal with that since it's not technically part of the property.

VIOLATIONS SPECIFIC TO THE STRUCTURE AND PROPERTY:

THE HOUSE: Section 5.350 DANGEROUS BUILDINGS

The house in such a state of disrepair that it was determined by the Council in September to meet the definition of Dangerous Building. The council gave the mortgage company until November 1st to get the house repaired/removed and to clean up the property debris. No action has been taken. The Council voted on Monday to begin the abatement process as outlined in Section 5.385-5.398. Advertisement for bids to clean the property will begin running in the paper tomorrow. Bids will be accepted until Friday, February 5th. The Council will review the bids and decide how to proceed at the Council meeting on Monday, February 8th.

THE PROPERTY: NUISANCE CODE VIOLATIONS

5.210 Nuisances Affecting Public Health.

No person shall cause or permit a nuisance affecting public health on property under his or her ownership or control. The following are nuisances affecting public health and may be abated as provided in this Code.

- (2) Debris. Accumulations of debris, rubbish, manure and other refuse that are not removed within a reasonable time and that could affect the health of the public.
- (5) Food. Decayed or unwholesome food that is offered for human consumption.
- (6) Odor. Premises that are in such a state or condition as to cause an offensive odor or which are in an unsanitary condition.

5.220 Nuisances Affecting Public Safety.

- (1) No person shall create a hazard by:
 - (a) Maintaining or leaving in a place accessible to children a container with a compartment of more than one and one-half cubic feet capacity and a door or lid which locks or fastens automatically when closed and which cannot be easily opened from the inside; or

5.225 Attractive Nuisances.

- (1) No owner or person in charge of property shall permit thereon:
 - (a) Unguarded machinery, equipment or other devices that are attractive, dangerous and accessible to children.
 - (b) Lumber, logs or piling placed or stored in a manner so as to be attractive, dangerous and accessible to children.

5.235 Noxious Growths Prohibited.

- (1) No person in charge of real property shall allow noxious growths on the property. Noxious growths are hereby declared a nuisance.
- (2) It shall be the duty of any owner or person in charge of real property to abate noxious growths from said property. The person in charge shall be liable for the cost of the abatement as provided in this Code.
- (3) No person in charge of property may allow noxious vegetation to be on the property or in the right-of-way of a public thoroughfare abutting on the property. It shall be the duty of the person in charge of the property to cut down or to destroy grass, shrubbery, brush, bushes, weeds, or other noxious vegetation as often as needed to prevent them from becoming unsightly, from becoming a safety, health or fire hazard, or, in the case of weeds or other noxious vegetation from maturing or from going to seed.
- (4) Between February 1 and November 30 of each year, the City Administrator may cause to be published three (3) times in a newspaper of general circulation in the City a copy of Subsection (3) of this section as a notice to all owners of

property of their duty to keep their property free from noxious vegetation. The notice shall state the City intends to abate all such reported nuisances ten (10) or more days after notifying the person in charge of the property and to charge the cost of doing so on any particular parcel of property to the person in charge of the property.

(5) If the noxious growths have not been privately abated in accord with the published notice, the City may provide written notice to abate the nuisance in the manner provided by Section 5.285 of this Code. If the nuisance remains unabated ten (10) days after such notice is given, the City Administrator may cause the nuisance to be abated and assess costs therefore as provided in Section 5.305 of this Code. The City Administrator may enter upon the property at reasonable times for the purpose of investigating and abating conditions prohibited by this Code.

(6) The procedure provided by this Code is not exclusive and is in addition to any other procedure authorized by the Gold Beach Code or ordinance and the City Administrator may abate noxious growths that are an imminent danger to human life or property within the City. The cost of abatement shall be assessed and collected as provided by this Code.

(7) Each day's violation of a provision of this Section 5.235 shall constitute a separate offense. The abatement of a nuisance herein provided shall not constitute a penalty for a violation of this Code, but shall be in addition to any penalty imposed for a violation of this Code.

5.240 Scattering Rubbish.

No person shall deposit upon public or private property any kind of rubbish, trash, debris, refuse or any substance that would mar the appearance of the property, create a stench or fire hazard, detract from the cleanliness or safety of the property or would be likely to injure a person, animal or vehicle traveling upon a public way.

5.265 Junk.

(1) No person shall keep any junk outdoors on any street, lot, premises, or in a building that is not wholly or entirely enclosed, or that blocks doors used for ingress or egress.

(2) The term "junk" as used in this section includes all old motor vehicles, old motor vehicle parts, abandoned automobiles, old machinery, old machinery parts, old appliances or parts thereof, old and other metal, glass, paper, lumber, wood or other waste or discarded material.

5.280 Unenumerated Nuisances.

(1) The acts, conditions or objects specifically enumerated as defined in Sections 5.205 to 5.275 are declared public nuisances; and such acts, conditions or objects may be abated by any of the procedures set forth in Sections 5.285 to 5.310 of this Code.

(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.

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

**ADVERTISEMENT FOR BIDS FOR
BUILDING REMOVAL & SITE CLEANUP**

The Gold Beach City Council is soliciting bids from licensed contractors for the removal of a council determined "dangerous building" and the general clean-up of the parcel surrounding the building.

The "dangerous building" is an abandoned stick built single-family dwelling. It appears there is basement or day-light basement under the structure. There is a significant amount of debris within and surrounding the structure.

The council seeks an itemized bid for:

- 1) removal of the structure,
- 2) general clean-up of the area under and around the structure,
- 3) removal of debris on the lot,
- 4) and the securing of the utilities serving the parcel (capping off sewer and water connections, and making electric service safe after disconnection).

The address of the parcel is:
29448 Russell Street in Gold Beach

Licensed contractors may bid on all or part of the work needed. Bids should be detailed and include a narrative of any additional work the contractor feels necessary to accomplish the removal and clean-up of the lot.

Bids must include the contractor's name and DBA (if any), mailing address, phone number, and contractor's license number and bond info. The Council will be accepting bids until Friday, February 5, 2016, and will review and discuss the bids at the February 8th Council meeting.

If you have questions about this Advertisement for Bids please direct them to City Administrator, Jodi Fritts: jfritts@goldbeachoregon.gov, 541-247-7029

Ad shown is not actual print size

DUANE RATH EXCAVATING
 28408 HUNTER CREEK HGTS
 GOLD BEACH, OR 97444
 (541) 247-7983
 CCB# 75977

Bid Proposal

Date	Bid #
1/31/2016	4538

Name / Address
City Of Gold Beach 29592 Ellensburg Ave. Gold Beach Oregon 97444

RECEIVED

FEB 01 2016

CITY OF GOLD BEACH

			Project
Description	Qty	Rate	Total
1) Removal of Structure:			
35 yd Roll Off Containers	7	1,040.00	7,280.00
EX 135 Equipment time	30	100.00	3,000.00
Obtain County Demolition Permit			
Koos Environmental Services-Asbestos Inspection	1	800.00	800.00
*(Asbestos cleanup not included in this bid)			
Subtotal			11,080.00
2) General clean-up of the area under and around the structure:			
EX 135 Equipment time	5	100.00	500.00
35yd Roll Off Container	1	1,040.00	1,040.00
Concrete Disposal	10	150.00	1,500.00
ZX-50 with Hammer-Break up foundation	10	100.00	1,000.00
Subtotal			4,040.00
3) Removal of debris on the lot:			
35 yd Roll Off Containers	3	1,040.00	3,120.00
EX 135 Equipment time	10	100.00	1,000.00
Subtotal			4,120.00
4) Securing of the utilities services:			
EX 135 Equipment time	5	100.00	500.00
* This bid includes Asbestos Inspection Only. Does not include Asbestos removal if any is found.			
If awarded this contract please sign below and include a check for \$9000.00 deposit for CTR fees and environmental inspection. Balance due upon completion.			
Signed _____		Date _____	
Demolition & Clean-Up Bid for 29448 Russell Street, Gold Beach, OR			Total \$19,740.00

Proposal

SANDY'S BACKHOE & CONSTRUCTION

28170 HUNTER CREEK ROAD
GOLD BEACH, OREGON 97444

Phone: 541-247-2140
CCB#19814

RECEIVED

FEB 04 2016

CITY OF GOLD BEACH

Proposal Submitted To <i>CITY OF GOLD BEACH</i>	Phone <i>541-247-7029</i>	Date <i>2-4-16</i>
Street	Job Name <i>DEMOLITION AND CLEAN UP</i>	
City, State and Zip Code	Job Location <i>29448 RUSSELL ST.</i>	<i>GOLD BEACH</i>

We hereby submit specifications and estimates for:

*COMPLETION OF ITEMS (1) (2) (3) (4) OF BID
SCHEDULE*

Item 1 - \$4000.00

Item 2 - \$1500.00

Item 3 - \$500.00

Item 4 - \$75.00

*Basement wall and fireplace appear in good
condition. Will take extra care to preserve for
possible future use.*

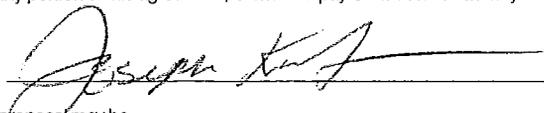
We propose hereby to furnish material and labor - complete in accordance with above specifications, for the sum of:

Six thousand Seven hundred and 75/100 dollars (\$ *6,075.00*).
Payment to be made as follows:

Balance shall be paid when billed, and this may entail installment billings, as work progresses. Any bill or balance remaining unpaid 30 days after billing will carry interest at the rate of 1 1/2% per month. If Contractor has to retain an attorney to collect any unpaid bill or balance, or litigate any portion of this agreement, Owner will pay Contractor's attorney fees and cost incurred in doing so.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized
Signature



Note: This proposal may be
withdrawn by us if not accepted within _____ days.

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature _____

Date of Acceptance: _____

Signature _____

AGNESS COMPANY

4236 AGNESS ROAD

AGNESS, OR 97406

bowen@agnesscompany.com

www.agnesscompany.com

Phone 541-247-6215 Fax 541-247-4341

February 4, 2016

OR CCB#71876 DEQ#37752 O&M#39

RECEIVED
FEB 04 2016
CITY OF GOLD BEACH

To: Gold Beach City Council
From: Larry Bowen

Re: Bid for building removal and site clean-up at 29448 Russel Street, Gold Beach

This bid is prepared with the understanding that the city will provide an asbestos abatement letter of certification to provide Curry Transfer and Recycling. CTR requires this prior to delivering dumpsters to this site.

All debris from demolition of the structure and grounds clean-up, including the 8'x16' shed will be placed in the CTR dumpsters and disposed of appropriately by CTR.

The bid does not include removal of the motor home in the driveway. However, the motorhome would be moved to access the basement of the house. After the clean-up is complete, the motorhome would be returned to the driveway.

As per the request of the itemized bid:

Item#1 Removal of the structure

Includes all labor and equipment to demolish the wood frame house including decks, ramps and chimney.

All the wood and debris will be placed in the CTR dumpsters. The chimney will be hauled in a dump truck. All windows and interior glass will be removed by hand prior to demolishing the structure with a 44,000 LB excavator.

The foundation will be left intact.

I would recommend attaching construction barricade fencing to the east and north ends of the remaining foundation walls to help provide safety warning and limit access to the top of the wall and reduce fall potential into the basement from the top of the wall.

CTR charges an average of \$30/cubic yd for construction debris, when you add up the various costs they apply delivering and removing the dumpsters.

My yardage estimate is as follows:

house & floor 38 cy; exterior walls 29.6 cy; ceiling 15.6 cy; roof 23.7 cy;
interior walls 9.4 cy; counter, cabinets, sinks, shower, toilet, tub 4 cy;
trash, furniture, appliance 14 cy; decks and ramp 7.1 cy; basement 6 cy

AGNESS COMPANY

4236 AGNESS ROAD
AGNESS, OR 97406
bowen@agnesscompany.com

www.agnesscompany.com

Phone 541-247-6215 Fax 541-247-4345

OR CCB#71876 DEQ#37752 O&M#39

Summary Item #1

Dumpster: 147.4 cy @ \$30 = \$4422 (CTR cost)

Labor and equipment Cost \$3660

2 laborers for 2 days

1 equipment operator for 2 days

1- 44,000 LB excavator for 2 days

1- 10,000 LB excavator for 2 days

1 – 10cy dump tuck for 1 day

move in and out of equipment

Sub-total \$8,082 for Item #1 and #2

Item #2 General clean-up of the area under and around the structure

Removal of the structure will result in some of the material falling into the basement. The costs for this cleanup and the area around the house are included in item#1.

Item #3 Removal of debris on the lot

Debris around the north end of the structure up to the property line, including the 8"x16" shed and its contents. This includes mowing blackberries.

Dumpster: 20cy x \$30/cy =\$600 (CTR cost)

Labor and equipment \$760

Sub-total \$1,360 for Item #3

Item #4 Securing and capping utilities

Sub-total \$350 for Item #4

SUMMARY

Item 1 and 2	\$8082
Item #3	\$1360
Item #4	<u>\$350</u>
Total	\$9792

Thank you,

Larry Bowen



Benny Hempstead Excavating, Inc.

93716 Hackett Lane
Coos Bay, OR 97420
CCB #120613
(541) 269-0254
(541) 269-5346 fax
hempstead@epuerto.com

February 4, 2016

City of Gold Beach
Jodi Fritts-Matthey
29592 Ellensburg Way
Gold Beach, OR 97444

RECEIVED

FEB 04 2016

CITY OF GOLD BEACH

RE: Building Removal & Site Cleanup
29448 Russell Street, Gold Beach

Jodi:

We are pleased to offer a bid price of \$13,850.00 for demolition and disposal of the residential structure located at 29448 Russell St. The price breakdown as listed below:

1. Removal of the Structure	\$6,000.00
2. General clean-up of the area under/around	\$2,000.00
3. Removal of Debris on the lot	\$2,000.00
4. Securing site Utilities	\$ 250.00
5. Site Grading, consistent slopes	\$1,650.00
6. Import Fill materials to fill basement void	\$1,200.00
7. Abatement Survey	\$ 750.00

Scope of work includes: Permits; Mobilization of tools and equipment; Traffic Control; Abatement Survey; Demolition of wood framed building and disposal of all associated debris; Demolition of concrete foundation/basement to include removal of all concrete materials from the site; Removal and disposal of all loose debris on the property; Removal and disposal of shrubs, brush and landscape items for a clear, clean lot; Capping of Sewer Lateral; Removal of water service to meter box; Import fill to establish a neat slope minimizing potential for sluffing or erosion; Erosion Control seeding and straw mulching of disturbed soils;

Trucks will be cleared of any loose debris prior to exiting the project site and tarped as required. No loose debris will be allowed to leave the site without proper containment.

Prices Exclude: Hazardous Materials; Unknown Underground Structures; Removal and/or Disposal of Motorhome; Removal of exterior concrete slab (under motorhome).

Disposal of all resulting debris will be to a licensed landfill. To the greatest extent, any concrete or aggregate product will be recycled.

Our estimated construction schedule is 2-3 days on site. All work to be completed within 30 days of award.

Thank you for the opportunity to quote this project. Please feel free to call with any questions.

Sincerely,



Marci Goodrich
Estimator/Project Manager

Attached: CCB, City Business License, Corporate Bond (copy). Certificate of Insurance

Benny Hempstead Excavating, Inc.

93716 Hackett Lane
Coos Bay, OR 97420
CCB #120613
(541) 269-0254
(541) 269-5346 fax
hempstead@epuerto.com

DEMOLITION EXPERIENCE:

We are experienced demolition contractors performing all aspects of land based demolition activities. Following is a brief list of multi-story structure demolition projects with business references.

Project: Lincoln School Demo

Owner: City of Coquille, Ben Marchant, City Manager 541-396-2115

Year: 2014

Structure: 75'x100', Three-Story, Concrete and Wood Framed, School Building.

Project Constraints: The structure was located in an active school zone and shared playground. The structure had a full below grade basement that was to be removed to 3' below finish grade limiting access to the interior. The concrete was separated from the wood on site, pulverized and placed back into the basement to fill the void. An underground

Project: Bill's Place

Owner: Gerald Marca, Owner Marca Electric 541-396-5271

Year: 2014

Structure: 100'x40', Three-Story, Brick Construction with interior wood framing, Multi use structure, built in 1918.

Project Constraints: The structure was built using an adjacent structure's exterior wall and as a load bearing support wall. The basement was below grade. The main level of the structure was at street level and was an open floor. The upper story was a residential, apartment style structure. The building was unsound and unstable. The brick was separated from the wood and used as fill within the basement. An abatement survey was conducted and all abatement services were performed.

Project: Lockhart Building

Owner: City of Coos Bay, Randy Dixon 541-260-4580

Year: 2010

Structure: 100'x100', Three-Story, Wood Framed, Multi use structure.

Project Constraints: The structure was located in an active business district, attached to adjacent structures scheduled to remain. The structure was in disrepair, unstable and rotten. The only access point was from the street under traffic, over the sidewalk and planter area. An abatement survey was conducted and all abatement services were performed. The site was cleared and leveled and a storm system installed.

Project: Coos Bay Fire Station

Owner: City of Coos Bay, Randy Dixon 541-260-4580

Year: 2010

Structure: 100'x60', Two-Story, Concrete structure.

Project Constraints: The structure had a large flat roof, clear span, tall concrete walls 10" thick, several partition walls, and a 16" thick concrete floor with piling. It was situated between two adjacent structures with less than 5' between. All access was from a narrow front lot on the corner of a busy intersection. An abatement survey was conducted and all abatement services were performed. The site was cleared and leveled and a storm system installed.

Project: **Waterfront Hotel**

Owner: Tom Cottrell, Owner Best Western Motels

Year: 2009

Structure: 100'x50', Three-Story, Wood Framed, Apartment Style structure with a brick veneer, 40' tall, built in 1889.

Project Constraints: The structure was constructed with 1" of air space on both north and south sides. The structure to the south was taller, while the structure to north was shorter. The east side wall was on the bay front and inaccessible. The structure was in solid condition. Upon removal of the structure the site required fill and leveling. An abatement survey was conducted and all abatement services were performed.

Project: **First United Methodist Church, North Bend**

Owner: First United Methodist Church

Year: 2013

Structure: 100'x40' 50'x80', Three-Story, Wood Framed Church with a full concrete basement.

Project Constraints: The structure was burnt and unstable. It had been open and exposed to the elements for several months. Mold was heavily prevalent along with standing water in the basement. The structure was attached by concrete walks to a retaining wall on the east side. The retaining wall leaned into the project limits and was scheduled to remain untouched. Upon completion of the demolition, the concrete basement was pulverized and placed as fill. The remaining void was filled with clean import materials, capped with topsoil and seeded.

Additional information can be provided as requested. We have a substantial list of residential and smaller scale commercial demolition projects. We have the equipment and knowledge to perform demolition of shared structures, partial demolition, and demolition to include removal of the structure leaving the foundation. We are experienced in working on varying slopes and near large voids. We have an excellent safety record.

REFERANCES in Yellow

RECEIVED

FEB 05 2016

**Proposal and Contract
Residential Building Construction and Alteration**

CITY OF GOLD BEACH

Proposal # 16003

Date: 2/04/2016

Submitted To: Jodi Fritz City Admin.

Job Site: 2948 Russell St. Gold Beach

We will supply all materials, equipment and labor as necessary to complete the following: Removal of abandoned structure at above address. 1. Removal of all debris from property. 2. Removal of structure, concrete block and floor. 3. Removal of shed and unknown contents. 4. Utilities will be removed by appropriate company. 5. Removal of brush.

All above work shall be completed in a professional like manner according to the drawings project specifications. Terms and conditions of this contract attached. For the sum of _\$32,525.00 Permit fees are not included. A down payment of 50% __\$ 0 will be required. Balance due upon completion. If payment is not received when due a 1.5% LATE FEE will be assessed (monthly). Additional work requires owners written authorization.

The price quoted is good for 10 days, Delay in acceptance will require a verification of prevailing labor and material costs. This offer becomes a contract upon acceptance by contractor but shall be invalid if not executed within 20 days from the date above.

Workmanship is warranted to construction industry standards.

Thank you. If you have any questions please do not hesitate to call 541 815 9036.

Halco Contracting LLC : CCB#: 162965
Hal Ohler President/Owner
16063 Driftwood Ln.# 9
Brookings Oregon 97415
541 815 9036

Acceptance: You are hereby authorized to furnish all materials and labor required to complete the work according to the drawings, project specifications, terms and conditions attached, for which we agree to pay the amounts itemized above. I hereby acknowledge receipt of these Oregon CCB notices: Consumer Protection Notice: Notice Of procedure, and Information Notice to owned about Construction Liens.

Owner _____ Date _____

Contractor Hal Ohler _____ Date: 2/04/2016 _____

Note: Lead-based paint testing may be required on homes build pre-1978, at an additional cost to the customer. The testing must be performed by a licensed EPA-Certified Lead Inspector, and removed by a licensed Lead base paint renovator.

Note: IF it is necessary to refer this account for collection, buyer agrees to pay seller reasonable attorney fees and collection costs, including any collection fees charged by a collection agency, even though no suit or action is filed..If a suit or action is filed the amount of such reasonable attorney's or collection charges shall be fixed by the court or courts in which the suit or action including any appeal therein is tried, heard or decided.

For Your Reference-Prior Agenda Reports:

FROM JANUARY 2016 REPORT: At the September 2015 Council meeting, the Council determined that the structure on the property identified above DID meet the definition of a Dangerous Building and adopted that decision by Resolution R1516-04. The local contact for the foreclosure company said they needed until mid-October to conclude the legal process and asked for a stay on any City action until after that time. The Council directed me to inform the responsible parties that the Council would defer further action on the property until November. I have corresponded via email several times with the local contact and the management company on this property. I have attached that correspondence. It is now January and nothing has been done to clean the property up.

SEPTEMBER REPORT

Staff reported to the Council at the August meeting that the structure(s) appeared to meet the requirements to report the building to the Council to determine whether a Dangerous Building hearing should be scheduled. The Council determined a hearing should be set.

Notice of the hearing was published as provided in Section 5.375. The property owner listed in the tax records of Curry County is deceased. Staff is aware there is a son alive, but we have no contact information or even a name. A neighboring landlord has been in email contact with a representative of REO Management Solutions in Houston, Texas. Staff notified that contact by email as well. A local contact, Skip Watwood, responded by email. He said the house was in the "redemption period" with Fannie Mae and the company could not do anything until that period expires in mid-October. He requested that the Council defer a decision until after that time. I told him the hearing was already scheduled and that I would pass his information on to the Council.

Pursuant to Section 5.370 (excerpt) :

... 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.

A determination must be made whether or not the building is dangerous by one or more of the definitions:

- (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.

It is Staff's opinion that the structure(s) meet the definition of Dangerous Building by subsection a (because of the last section), b (because of rubbish and waste), c (because of the icky fridge), and d (partial collapse—the foundation is the only thing that appears intact). After receiving testimony during the hearing the Council may determine one or more of the four conditions have been met, or not.

Staff has prepared two draft resolutions: DOES meet, and DOES NOT meet the definition of Dangerous Building.

FROM AUGUST REPORT:

Pursuant to City Code Section 5.365 staff conducted an inspection of property located at 29448 Russell Street. Staff is of the opinion that the structure on the subject property meets the definition of Dangerous Building (5.350(1) (d) and probably (a)). Staff is reporting that opinion to the Council for the purpose of determining whether the Dangerous Building Hearing process should be initiated.

We have also been contacted several times by a neighboring property owner who is concerned about the condition of the house and the various little buildings and junk. He is concerned about fire and vermin. The house is currently unoccupied. The owner past away last year and was foreclosed on by the mortgage holder. We have been in contact with the mortgage company and while they have been polite, they have been completely uncooperative and have done nothing to clean up the property.

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.



ORDINANCES & RESOLUTIONS

RESOLUTION R1516-07

A RESOLUTION TO AWARD A CONTRACT TO ABATE A DANGEROUS BUILDING LOCATED AT 29448 RUSSELL STREET

WHEREAS, the City Council held a Dangerous Building Hearing on September 14, 2015 pursuant to City Code Section 5.370 regarding a structure located at 29448 Russell Street; and

WHEREAS, after formal notice of the Dangerous Building determination, the property owner failed to abate the Dangerous Building as order by the Council; and

WHEREAS, the Council, pursuant to City Code Section 5.385, ordered the Dangerous Building abated and filed a statement with the City Administrator of the specific work to be performed and directed the City Administrator to advertise for bids for the work to be performed; and

WHEREAS, the City Administrator advertised the work to be performed in a paper of general circulation and solicited interested bidders for removal of the Dangerous Building and clean-up of the surrounding property; and

WHEREAS, Five individual bidders submitted bids for consideration for the project which the City Administrator presented to the City Council for their consideration; and

WHEREAS, the City Council after reviewing the three bids chose _____ with a total bid of \$_____ to perform the advertised work; and

NOW, THEREFORE, BE IT RESOLVED: the City Council of the City of Gold Beach, awards the contract for removal of the Dangerous Building and clean-up of the surrounding property located at 29448 Russell Street to: _____ and authorizes the City Administrator to execute all documents related to the project.

Passed by the City Council of the City of Gold Beach, County of Curry, State of Oregon, this 8th day of February, 2016.

Karl Popoff, Mayor

ATTEST:

Jodi Fritts, City Administrator/City Recorder



SECTION 9.

ORDINANCES & RESOLUTIONS

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**

Agenda Item No. 9.

Council Meeting Date: February 8, 2016

**TITLE: Updated City Fee Schedule and Traffic Presumptive
Fine Schedule**

SUMMARY AND BACKGROUND:

We initially reviewed and discussed the current City fee schedule in October. We reviewed the traffic presumptive fine schedule then and again in January. I have incorporated the requested changes into the two new resolutions.

Resolution R1516-08 updates the traffic presumptive fine schedule. Resolution R1516-09 updates the City Fee schedule.

REQUESTED ACTION:

Adopt the revised fee schedules

SUGGESTED MOTION:

Traffic Presumptive Fines:

I make the motion that the Council adopt Resolution R1516-08, a resolution amending Gold Beach Municipal Court traffic offenses presumptive fine schedule and repealing Resolution R1213-04 and any other resolutions that may be in conflict.

City Fees:

I make the motion that the Council adopt Resolution R1516-09, a resolution setting fee schedules for city services and repealing Resolution R1213-03 and any other resolutions that may be in conflict.

RESOLUTION R1516-08

**A RESOLUTION AMENDING GOLD BEACH MUNICIPAL COURT TRAFFIC OFFENSES
PRESUMPTIVE FINE SCHEDULE & REPEALING RESOLUTION R1213-04 & ANY OTHER
RESOLUTIONS THAT MAY BE IN CONFLICT**

WHEREAS, as provided in Chapter V of the Gold Beach City Charter, the City operates a Municipal Court to enforce the ordinances and codes of the City of Gold Beach; and

WHEREAS, the City Code Section 6.050 provides for the applicability of State Traffic Laws within the city limits of Gold Beach and a violation of such state traffic laws shall be considered offenses against the City of Gold Beach when committed within its boundaries; and

WHEREAS, the City is desirous to adopt a City specific presumptive fine schedule for violations of traffic offenses within the city limits of Gold Beach which was adopted as Resolution R1213-04 on October 8, 2012; and

WHEREAS, the City Council held a hearing on October 12, 2015 and on January 11, 2016, to review and deliberate on the current presumptive fine schedule; and

WHEREAS, the City Council after review and deliberation voted to raise the base presumptive fine for each traffic offense on the current schedule by \$10.

NOW, THEREFORE, BE IT RESOLVED: the City Council of the City of Gold Beach, Oregon, hereby adopts the presumptive fine schedule, attached to this resolution as EXHIBIT A, for traffic offenses within the City of Gold Beach

Passed by the City Council of the City of Gold Beach, County of Curry, State of Oregon, this 8th day of February, 2016.

Karl Popoff, Mayor

ATTEST:

Jodi Fritts, City Administrator/City Recorder

EXHIBIT A
CITY OF GOLD BEACH MUNICIPAL COURT
TRAFFIC OFFENSES
PRESUMPTIVE FINE SCHEDULE-updated February 2016

**PRESUMPTIVE FINE IS BASE FINE AMOUNT ASSIGNED BY POLICE OFFICER.
MUNICIPAL JUDGE HAS AUTHORITY TO IMPOSE FINE AMOUNT BETWEEN
PRESUMPTIVE AND MAXIMUM

OFFENSE	PRESUMPTIVE FINE	MAXIMUM FINE	ORS	NOTES
VIOLATIONS				
Class A	505	2,000		
Class B	330	1,000		
Class C	230	500		
Class D	180	250		
If an accident is involved add \$50 to the presumptive fines below:				
SPEEDING				
Speed Racing	505	2,000	811.125	
Violation Basic Rule (VBR) Over Limit:				
1 to 10 miles	180	250	811.100	
11 to 20 miles	230	500	811.100	
21 to 30 miles	330	1,000	811.100	
over 30miles	505	2,000	811.100	
Unsafe speed when going slower than posted speed	330	1,000	811.100	
Violating Designated Speed Limit:				
1 to 10 miles	180	250	811.111	*
11 to 20 miles	230	500	811.111	*
21 to 30 miles	330	1,000	811.111	*
If the speed limit is 65 mph or greater:				
Exceeding the limit by 10 mph or less	230	500	811.111	*
Exceeding the limit by more than 10 but not more than 20	330	1,000	811.111	*
* ADD \$42 SURCHARGE IF DEFENDANT IS DRIVING VEHICLE THAT REQUIRES CDL				
SERIOUS TRAFFIC OFFENSES				
Violations of Ignition Interlock Devices	505	2,000	813.608	
Careless Driving	330	1,000	811.135	
Driving While Suspended (DWS)	505	2,000	811.175	Vio
ACCIDENTS/REPORTS				
Fir to Perf Driv Dut/Domes Animal	330	1,000	811.710	
Fir to Perf Witness Duties	330	1,000	811.715	
Fir Driver to Report Accident	330	1,000	811.725	
Fir Occupant to Report Accident	330	1,000	811.735	
Fir Owner to Report Accident	330	1,000	811.730	
Failure to Remove a Motor Vehicle from the Highway	230	500	811.717	
PEDESTRIAN VIOLATIONS				
Fir Obey Trf Control Dev	180	250	814.020	
Fir Use Tunnel/Overhd	180	250	814.060	
Fir/Improper Use Sidewalk/Shoulder	180	250	814.070	
Fir Yld Emergency Vehicle	180	250	814.050	
Fir Yld Vehicle	180	250	814.040	
Sudden Leaving Curb	180	250	814.040	
Unlawful Hitchhiking	180	250	814.080	
Fir Obey Railroad Signal	180	250	814.030	

EXHIBIT A
CITY OF GOLD BEACH MUNICIPAL COURT
TRAFFIC OFFENSES
PRESUMPTIVE FINE SCHEDULE-updated February 2016

BICYCLE VIOLATIONS				
Applicability of MV Code to Bicycle	Same as Veh		814.400	
Unsafe Riding Sdwk	180	250	814.410	
Fir Sig Stop/Turn	180	250	814.440	
Clinging to Veh	180	250	814.480	
Fir To Wear Bicycle Helmet	35	35	814.485	
Fir Use Bicycle Seat	180	250	814.470	
Fir Use Bicycle Lane/Path	180	250	814.420	
Improp Use of Lane by Bicycle	180	250	814.430	
Unlawful Load on Bicycle	180	250	814.450	
Unlawful Passenger on Bicycle	180	250	814.460	
Viol Bicycle Equip Requirements	180	250	815.280	
MOPEDS, MOTORCYCLES, MOTOR ASSISTED SCOOTERS (MAS) AND ASSISTED MOBILITY DEVICE				
Illegal Alteration of Moped	230	500	814.310	
Moped Clinging to Vehicle	180	250	814.230	
MTC/Moped More than 2 Abreast	330	1,000	814.250	
Unlawful Moped or MTC Operation	330	1,000	814.200	
Unlawful Moped or MTC Passing	330	1,000	814.240	
Operating Moped on Bike Lane	180	250	814.210	
Oper Moped on Sidewalk/Bike Trail	180	250	814.210	
Oper Moped w/o Lights	330	1,000	814.320	
Carrying Passenger on Moped	180	250	814.330	
Unlawful Moped Passenger	180	250	814.340	
Fir MTC Operator to Wear Helmet	180	250	814.269	
Fir MTC Passenger to Wear Helmet	180	250	814.275	
Clinging to MV by MTC-Unless Disabled	330	1,000	814.220	
No Helmet/Moped Rider	180	250	814.260	
Operate MTC w/o Lights	330	1,000	814.320	
Unlawfully Carrying Passenger on MTC	330	1,000	814.325	
Endangering MTC Passenger	180	250	814.280	
Unlawful Operation of MAS	180	250	814.512	
Failure to use Bike Lane-MAS	180	250	814.514	
Improper Operation on Highway-MAS	180	250	814.518	
Improper Operation in Lane-MAS	180	250	814.520	
Failure to Signal-MAS	180	250	814.522	
Unsafe Operation on Sidewalk-MAS	180	250	814.524	
Unsafe Oper on bike path or lane-MAS	180	250	814.526	
Operation of MAS in crosswalk	180	250	814.528	
Carrying a Passenger on a MAS	180	250	814.530	
Operating MAS with an unlawful load	180	250	814.532	
Fir of MAS Operator to Wear Helmet	35	35	814.534	
Endangering a MAS operator	35	35	814.536	
Vio of MAS equipment requirements	180	250	815.283	
Vio of Electric personal assistive mobility device equipment requirements	180	250	815.284	
Unsafe oper of electric assist mobility device	180	250	814.552	
Dangerous movement of stopped, standing, parked vehicle	330	1,000	811.565	

EXHIBIT A
CITY OF GOLD BEACH MUNICIPAL COURT
TRAFFIC OFFENSES
PRESUMPTIVE FINE SCHEDULE-updated February 2016

SIGNAL AND TRAFFIC CONTROL			
Pass Stopped Veh at X-Walk	330	1,000	811.020
Flr Obey Police Officer	330	1,000	811.535
Flr Obey Stop Sign	330	1,000	811.265
Flr Obey Traf Cont Device	330	1,000	811.265
Flr Obey Traf Signal	330	1,000	811.265
Flr to Signal (Electric)	180	250	811.405
Flr to Signal (Ln Chng)	180	250	811.375
Flr to Signal (Stop) With Lts	180	250	811.405
Flr to Signal (Turn) With Lts	180	250	811.405
Imp Left Turn	330	1,000	811.340
Imp Right Turn	330	1,000	811.355
Flr Use Appropriate Signal	330	1,000	811.400
Unlawful MC Passing	330	1,000	814.240
Unsafe Pass (On Left)	330	1,000	811.410
Unsafe Pass (On Right)	330	1,000	811.415
Unsafe Pass (No Passing Zone)	330	1,000	811.420
Unsafe Passing of Person on Bicycle	330	1,000	811.065
Fir Use Special Left Turn Lane	330	1,000	811.345
Inter w/Trf Cont Dev	505	2,000	810.240
Impr Turn at Stop Lt (When Red)	330	1,000	811.360
Unlawful or Unsignaled Turn	180	250	811.335
Imp U-Turn	330	1,000	811.365
Flr Obey One-Way Designation	330	1,000	811.270
Crossing Cntr Line of 2-Way/4 Lane	330	1,000	811.310
Depriving MC/Moped of Full Lane	330	1,000	811.385
Drvg Wrong Way Around Rotary Island	330	1,000	811.330
Flr of Slow Drvr to Dry in Rt Lane	330	1,000	811.315
Flr to Drive in Single Lane	330	1,000	811.370
Flr to Drive on Right	330	1,000	811.295
Flr to Drive on Rt of Approach Veh	330	1,000	811.300
Flr to Drive on Rt Side of Div Hwy	330	1,000	811.320
Flr to Keep Camper, Trailer, Truck in Rt Lane	330	1,000	811.325
Unlawful Change of Lane (Unsafe)	180	250	811.375
Unsignaled Change of Lane	180	250	811.375
Fir to maintain safe distance from emerg veh	330	1,000	811.147
FAILURE TO YIELD RIGHT-OF-WAY			
Flr to Yld Bicycle on Sidewalk	330	1,000	811.055
Flr to Stop for Pedestrian who is Blind	330	1,000	811.035
Flr to Stop for Pedestrian on Sidewalk	330	1,000	811.025
Flr to Yld Bicycle in Bike Lane	330	1,000	811.050
Flr to Yld at Contld Intrs	330	1,000	811.265
Flr to Yld at Drvwy/Alley/Priv Rd	330	1,000	811.280
Flr to Yld Emergency Vehicle	330	1,000	811.145
Flr to Yld Left Tum	330	1,000	811.350
Flr to Yld at Merging Lane	330	1,000	811.285
Flr to Yld Ped (Crswlk w/o Cntrl Dv)	330	1,000	811.028
Flr to Yld Ped (Crswlk, Tum on Red)	330	1,000	811.360
Flr to Yld Ped (Crswlk w/ Tr Sig)	330	1,000	811.028
Flr to Yld Uncontrl'd Hwy Intrs	330	1,000	811.275
Flr to Yld to Traffic Control Member	505	2,000	811.017
OPERATORS LICENSE VIOLATIONS			
No MTC Endorsement	330	1,000	807.010
Veh Oper w/o Driving Priv (Exp DL)	330	1,000	807.010
Veh Oper w/o Driving Priv (No DL)	330	1,000	807.010
License Restrictions	330	1,000	807.010
Flr Carry/Dsp/Present/Deliver DL	230	1,250	807.570
Flr Chg Name/Add DL w/in 30 Days	180	250	807.560
Flr Chg Name/Add ID w/in 30 Days	180	250	807.420
Flr to Suaender Out-of-State DL	180	250	807.540
Holding Multiple DL's	330	1,000	807.550
Veh Oper with Cancelled Lic	330	1,000	807.010

EXHIBIT A
CITY OF GOLD BEACH MUNICIPAL COURT
TRAFFIC OFFENSES
PRESUMPTIVE FINE SCHEDULE-updated February 2016

VEHICLE LICENSE VIOLATIONS			
Exp Veh Lic/Reg (Fee Must be Paid)	180	250	803.315
Fir Chg Name/Addr w/in 30 Days	180	250	803.220
Fir Sign/Carry/Dsply Reg	180	250	803.505
Fir Trnsfr Title w/in 30 Days	180	250	803.105
Impr Disp Lic Pit Sticker	180	250	803.560
Impr Disp Veh Plates	180	250	803.540
Improper Display Dealer Plates	180	250	822.045 (h)
Improper Use of Dealer Plates	330	1,000	822.045 (g)
Switched Lic Plates	180	250	803.540
Switched Lic Plate Sticker	330	1,000	803.550
Fir to Reg Veh	180	250	803.300
Fir to Renew Veh Reg	180	250	803.455
Illegal Alteration/Dsply Plates	330	1,000	803.550
Exp Out-of-State Plates	230	500	803.545
Fir to Dsply Plates	180	250	803.540
Fir to Dsply Out-of-State Plates	230	500	803.545
Fir to Surr Out-of-State Reg/Plates	180	250	803.380
Improper Display of a Permit	180	250	803.655
LIGHT VIOLATIONS			
Fir Mark End of Load (Over 4') w/Light or Flag	230	500	815.275
Opr w/Nonstandard Ltg Equip (Type, Visibility, Color, Placement)	230	500	816.300
Opr w/o Required Ltg Equip	230	500	816.330
Def Headlights	230	500	816.330
Def Taillights	230	500	816.330
Def Reg. Plate Light (Visible 50')	230	500	816.330
Def Brake Lights	230	500	816.330
Def Turn Signals	230	500	816.330
Def Hi-Beam Indicator	230	500	816.330
Def Reflectors	230	500	816.330
Aux Lights Over 54" on	230	500	816.330
Back-Up Lights on When Going Forward	330	1,000	811.520
Driving w/o Lights	330	1,000	811.520
Fir to Dim HL (500' Oncom: 350' Rear)	330	1,000	811.520
Fir to Use Park Lights	180	250	811.520
More than 4 Lights When Hdlt Req.	330	1,000	811.520
Using Park Lights When Hdlt Required	330	1,000	811.520
Use of Prohibited Lighting Equip	230	500	816.360
REQUIRED EQUIPMENT			
Brakes (Inclgd Emrgncy Brks)	230	500	815.130
Fenders/ Mudflaps	230	500	815.185
Horn (Audible 200 Ft)	230	500	815.230
Op/Allow Op Ilgl Equip/Unsafe Veh	230	500	815.100
Rear View Mirror (Unobstructed 200 Ft)	230	500	815.235
Forward Crossover Mirror/Failure to Inspect	230	500	815.237
Turn Signals (Exc Pre '73 MC & Mopds)	230	500	816.320
Windshield Wiper	230	500	815.215
Exhaust System	230	500	815.250
Illegal Window Tinting	330	1,000	815.222

EXHIBIT A
CITY OF GOLD BEACH MUNICIPAL COURT
TRAFFIC OFFENSES
PRESUMPTIVE FINE SCHEDULE-updated February 2016

EXCESSIVE NOISE VIOLATIONS				
Engine Braking	505	2,000	811.492	
Excess Noise (Tires, Engine, Exhaust)	180	250	815.025	
Improper Use of Horn	230	500	815.225	
Unreasonable Sound Amplification from a vehicle	180	250	815.232	
MISCELLANEOUS VIOLATIONS				
Operating a Motor Vehicle while using a Mobile Communications Device	180	250	811.507	
Certificate	1,201	6,250	822.100	
Blocking Cross Traffic	180	250	811.290	
Carry Dog External Veh	180	250	811.200	
Carry Child External Veh	330	1,000	811.205	
Damage/Remove Sign	505	2,000	810.240	
Drag Object on Road	180	250	818.320	
Drv on Bicycle Ln/Path	330	1,000	811.435	
Oper w/obstructing Passenger	180	250	811.190	
Driving Uninsured	330	1,000	806.010	
Fir to Carry Proof of Compliance w/Financial Responsibility Reg	330	1,000	806.012	
Fir to Stop for School Bus	505	2,000	811.155	
Unsafe School Vehicle Operation	330	1,000	820.180	
Follow Fire Truck (500 Ft)	330	1,000	811.150	
Follow too Close	330	1,000	811.485	
Operating Unsafe Veh	330	1,000	815.020	
Impeding Traffic	180	250	811.130	
Op Low Speed Veh on Highway	330	1,000	811.512	
Littering (Op/Pass)	230	1,250	164.805	
Obstruction on Windows	180	250	815.220	
Open Vehicle Door	180	250	811.490	
Overtaking Stopped Vehicle	330	1,000	811.020	
Prmt Unlwfvl Oper Veh	330	1,000	811.255	
Sifting, Leaking Load	330	1,000	818.300	
Studded Tires (Illgl-May 1 to Oct 31)	230	500	815.160	
Drvg on Hwy Divider	330	1,000	811.430	
Endangering Child Passenger	180	250	811.210(1)(b) (c)	
Fir to Wear Seat Belt	180	250	811.210(1)(a) (d)	
Fir to Maintain Safety Belts	230	500	811.225	
Fir to Stop Emerging from Alley, Driveway, Bldg	330	1,000	811.505	
Illegal Backing	180	250	811.480	
Interference with Emergency Veh	330	1,000	811.150	
Passenger Obstruction of Driver	230	500	814.130	
Unlawful Use of Television	330	1,000	815.240	
Viol Max Size Limits	180	250	818.090	
Viol Towing Safety Reg	330	1,000	818.160	
Viol Min Road Clearance	330	1,000	815.245	
Viol Truck Route (Authority 810.040)	330	1,000	811.450	
Viol Maximum Weight Limits when Vehicle	505	2,000		
Visible Emissions	180	250	815.200	

RESOLUTION R1516-09

**A RESOLUTION SETTING FEE SCHEDULES FOR CITY SERVICES AND REPEALING
RESOLUTION R1213-03 AND ANY OTHER RESOLUTIONS THAT MAY BE IN CONFLICT**

WHEREAS, the various City departments provide services that require the collection of a fee for the provision of the services; and

WHEREAS, the City Code provides for the City Council to assess a permit, permit review, or license fee for certain privileges within the city limits; and

WHEREAS, the City Council reviewed the current fee schedules and held a public hearing on October 12, 2015, to take testimony regarding proposed changes to the current fees.

NOW, THEREFORE, BE IT RESOLVED: the City Council of the City of Gold Beach, Oregon, adopts the fee schedules attached to this resolution as EXHIBIT A and hereby repeals Resolution R1213-03 and any other resolutions that may be in conflict.

Passed by the City Council of the City of Gold Beach, County of Curry, State of Oregon, this 8th day of February, 2016.

Karl Popoff, Mayor

ATTEST:

Jodi Fritts, City Administrator/City Recorder

**EXHIBIT A
RESOLUTION R1516-09**

	CURRENT FEE	AMENDED FEE
LICENSES & PERMITS		
SIGN PERMIT	MINIMUM \$50 UP TO 25 SQ FT \$0.75 PER SQ FT AFTER	MINIMUM \$50 UP TO 25 SQ FT \$0.75 PER SQ FT AFTER
SIGN VARIANCE	\$150	\$150
BUSINESS LICENSE: BASIC	\$85	\$88
ALL BUSINESS LICENSES: ANY TYPE	\$85	\$88
AMUSEMENT MACHINE	\$50 PER MACHINE	\$50 PER MACHINE
VENDING MACHINE	\$10 PER MACHINE	\$10 PER MACHINE
LIQUOR LICENSE: INITIAL	\$100	\$100
LIQUOR LICENSE: CHANGE	\$75	\$75
LIQUOR LICENSE: RENEWAL OR TEMP	\$35	\$35
ADMINISTRATIVE FEES		
CANDIDACY FILING FEE	\$50	\$50
COPY FEE	0.25 PER PAGE	0.25 PER PAGE
RESEARCH FEE OVER 15 MINUTES	\$35 PER HR	\$35 PER HR FOR REGULAR STAFF \$50 FOR EXECUTIVE STAFF
FAX or scan	\$3	\$3
FILING/RECORDING AT COUNTY CLERK	ACTUAL COST	ACTUAL COST
NSF FEE	\$30	\$35
COPY OF AUDIO RECORDING	\$15	\$15
LIEN FILING AND SATISFACTION	ACTUAL FILING COST + \$20	ACTUAL FILING COST + \$30
PUBLIC RECORDS REQUEST	Copies: \$0.25 PER PAGE Research Labor: \$35 per hour Digital copy by disc: \$5 per disc Certification of copy: \$5 Delivery: actual USPS, UPS, or FEDEX costs Non-standard copy/equipment costs: actual cost	Copies: \$0.25 PER PAGE Research Labor: \$35 per hour Digital copy by disc: \$5 per disc Certification of copy: \$5 Delivery: actual USPS, UPS, or FEDEX costs Non-standard copy/equipment costs: actual cost
COPIES OF REPORTS	Public Records Request Fees	Public Records Request Fees
LIEN SEARCH	Public Records Request	Public Records Request
LIST OF BUSINESS LICENSE HOLDERS	Public Records Request subject to RED FLAG regulations	Public Records Request subject to RED FLAG regulations

**EXHIBIT A
RESOLUTION R1516-09**

UTILITY RELATED FEES *Monthly water/sewer utility rates set by separate resolution

RESIDENTIAL SERVICE DEPOSITS		
Deposit for accounts with both water and sewer service	\$200	\$200
Deposit for water service only accounts	\$100	\$100
Deposit for sewer service only accounts	\$150	\$150
COMMERCIAL SERVICE DEPOSIT	TOTAL OF 2 HIGHEST UTILITY BILLS OR \$200 WHICHEVER IS GREATER	TOTAL OF 2 HIGHEST UTILITY BILLS OR \$200 WHICHEVER IS GREATER
METER ACCURACY TEST AT CUSTOMERS REQUEST	ACTUAL COST OF TEST + 1 HR LABOR (see PW fees)	ACTUAL COST OF TEST + 1 HR LABOR (see PW fees)
TEMPORARY CONNECT/DISCONNECT AT CUSTOMERS REQUEST	2 per year no cost, additional \$30 each visit	2 per year no cost, additional \$30 each visit
WEEKEND/HOLIDAY/AFTER HOURS TEMPORARY CONNECT/DISCONNECT AT CUSTOMERS REQUEST	Billed at PW Labor Charge	Billed at PW Labor Charge
CHECK WATER METER AT CUSTOMERS REQUEST	2 per year no cost, additional \$20 each visit	2 per year no cost, additional \$20 each visit
MOVING/ALTERING METER AT CUSTOMERS REQUEST	ACTUAL MATERIAL COSTS+ PW EQUIPMENT AND LABOR COSTS	ACTUAL MATERIAL COSTS+ PW EQUIPMENT AND LABOR COSTS
DAMAGE TO WATER SERVICE	Actual cost of repair and PW Labor	Actual cost of repair and PW Labor
DELIQUENT UTILITY BILL FEE	10%	10%
DISCONNECT/CONNECT DUE TO DELINQUENCY	\$30	\$30
DISCONNECT/CONNECT DUE TO DELINQUENCY AFTER HOURS/HOLIDAYS/WEEKEND	Billed at PW Labor Charge	Billed at PW Labor Charge
SHUT OFF FLAG NOTICE FOR DELINQUENCY	\$25	\$25
TURNING WATER OFF/ON WITHOUT AUTHORITY	\$75	\$75
WATER HYDRANT STAND-BY FEE	discontinue	\$50 per month for hydrant + minimum commercial water rate OR actual cost of water whichever is greater

**EXHIBIT A
RESOLUTION R1516-09**

PUBLIC WORKS RELATED FEES		
ISSUE NEW ADDRESS W/PLATE	\$75	\$75
REPLACEMENT ADDRESS PLATE	\$25	\$25
PW LABOR	CURRENT WAGE + BENEFITS + 15%	CURRENT WAGE + BENEFITS + 15%
TV SEWER LINES	\$100 PER HR + LABOR FOR 2	\$100 PER HR + LABOR FOR 2
PICKUP W/OPERATOR	\$50 PER HR + LABOR	\$50 PER HR + LABOR
BACKHOE W/OPERATOR	\$200 PER HR + LABOR	\$200 PER HR + LABOR
SEWER SLUDGE TRUCK W/OPERATOR	\$200 PER HR + LABOR	\$200 PER HR + LABOR
BRUSH CUTTER W/OPERATOR	\$175 PER HR + LABOR	\$175 PER HR + LABOR
TAPPING MACHINE W/OPERATOR	\$450 PER HR + LABOR	\$450 PER HR + LABOR
SEWER CLEANER W/OPERATOR	\$250 PER HR + LABOR	\$250 PER HR + LABOR
DUMP TRUCK W/OPERATOR	\$175 PER HR + LABOR	\$175 PER HR + LABOR
STREET SWEEPER W/OPERATOR	\$250 PER HR + LABOR	\$250 PER HR + LABOR
COMPACTOR W/OPERATOR	\$50 PER HR + LABOR	\$50 PER HR + LABOR
BRUSH CHIPPER W/OPERATOR	\$175 PER HR + LABOR	\$175 PER HR + LABOR
LABOR CHARGES	CURRENT WAGE + BENEFITS + 15%	CURRENT WAGE + BENEFITS + 15%
ALL SERVICES, EQUIPMENT, SUPPLIES, MATERIALS, LABOR SUBJECT TO OVERHEAD		
Any supplies, materials, equipment rental, etc. purchased by City to complete proposed work	Actual Cost	Actual Cost

SDC FEES		
WATER: 3/4 METER	\$2800 + ANY EXTRA LABOR AND MATERIALS	\$2800 + ANY EXTRA LABOR AND MATERIALS
SEWER: 1 ERU	\$4400 + ANY EXTRA LABOR AND MATERIALS	\$4400 + ANY EXTRA LABOR AND MATERIALS
STREETS	\$1232 TO BE PAID AT THE TIME OF BUILDING PERMIT APPLICATION	\$1232 TO BE PAID AT THE TIME OF BUILDING PERMIT APPLICATION

PUBLIC SAFETY		
NUISANCE ABATEMENT	ACTUAL COST + \$75 ADMIN FEE	\$500 MUNICIPAL COURT FINE IF FOUND GUILTY + ACTUAL COST TO ABATE+ \$75 ADMIN FEE
Errors by employees or other person	3 per calendar year then \$125 per each call out	3 per calendar year then \$125 per each call out
Mechanical errors	3 per calendar year then \$125 per each call out	3 per calendar year then \$125 per each call out
Towing Fee	Actual cost of towing plus \$25 admin fee	Actual cost of towing plus \$35 admin fee

FIRE CHARGES OUTSIDE OF DISTRICT		
FIRST PUMPER	\$400 per hour	\$400 per hour
SECOND PUMPER	\$350 per hour	\$350 per hour
MANPOWER	\$50 per hr per person	\$50 per hr per person
MATERIALS (FOAM ETC)	ACTUAL COST	ACTUAL COST
NOTES: MINIMUM 1 HR BILLED THEN 1/2 INCREMENTS. TIME ENDS WHEN ENGINE AND CREW RETURN TO STATION. CHARGES APPLY TO IN DISTRICT TO CONTROLLED BURNS THAT GET OUT OF CONTROL WITH OR WITHOUT A BURN PERMIT		
JAWS OF LIFE	No Charge	No Charge

**EXHIBIT A
RESOLUTION R1516-09**

MUNI COURT ADMINISTRATIVE		
	25% of outstanding amount per ORS	25% of outstanding amount per ORS
Fee for sending to collections agency	137.118	137.118
Administrative fee for payment plan	\$25	\$25
License suspension fee required by ORS 809.267	\$15	\$15
Performance of marriage ceremony by Municipal Judge		\$50

VISITOR CENTER		
Packet Program	\$0.18 per request	\$0.25 per request
Videos	\$5	\$5
COFFEE MUGS		\$5

PLANNING FEES		
Planning Commission Decision	\$600	\$600
Conditional Use Permit	\$600	\$600
Floodplain Development Permit	\$600	\$600
Variance	\$600	\$600
Administrative Decision by Planning Director	\$425	\$425
AD/CUP Permit Renewal	\$200	\$200
Subdivision	\$1,550	\$1,550
Partition	\$1,000	\$1,000
Lot Line Adjustment	\$500	\$500
Other Land Use Decisions		
Building/Zoning Permit Review (PC)	\$100	\$100
Zone Change	\$1,800	\$1,800
Appeal of Planning Commission or Director Decision	Cost of original application	Cost of original application



MISC. ITEMS

**INCLUDING POLICY DISCUSSIONS &
DETERMINATIONS**



SECTION 10.

MISC ITEMS (including policy discussions & determinations)

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**

Agenda Item No. **10 a.**
Council Meeting Date: February 8, 2016

TITLE: Update on Water Rate Study

SUMMARY AND BACKGROUND:

As we discussed at the January 25th workshop, RCAC is currently conducting a water rate study for the City. I have attached some information from RosAnna Norval regarding the work being performed. Ms. Norval will be at the March Council meeting to present a draft of the study for our review

REQUESTED ACTION:

No action required at this time—FYI only



Utility Rate Analysis Overview

A utility must ensure all the pieces of the puzzle are working together to:

- Serve customers
- Protect public health
- Stay in business

Evaluating rates regularly helps achieve long term sustainability.

Build capacity (or capability) in technical, managerial and financial areas. (TMF Capacity)

RATE SETTING STEPS

1. Identify budget “target” a.k.a. revenue requirement
2. Analyze usage patterns and rate policy
3. Set rates to achieve budget target

Don't call next door and charge what they charge. Each utility is unique and so should the rates be.

Revenue Requirement

- Operating Costs
- Debt Service
- Inflation
- Allocation to Reserves

Rate Design

- Customer Classes
- Usage
- Equity and Subside Issues
- Planning for Future

RATE GUIDING PRINCIPLES

What is the goal(s) for your rate structure? Unique to each community and may vary over time. May address financial sustainability, equity, community acceptance, stability, ease of implementation, conservation, affordability or others.

Do you have agreed upon principles? Are they written down? When you review your rates are there any specific principles you are seeking to address? If you have not created principles, *now may be the time* to have this discussion. Agreed upon principles can help guide the rate study process and direct the discussion to specific structures and rate options that best meet your goals.

NEXT STEPS

- Complete the TMF Capacity assessment – RCAC and Community Staff
- Gather information on utility – RCAC and Community Staff
- Prepare initial data to share – RCAC and Community Staff
- Draft data work session – RCAC, Staff and Decision Makers
- Revise/Update Analysis based on work session feedback – RCAC
- Prepare final recommendations – RCAC and Community Staff
- Presentation of final recommendations - All

Analysis process generally takes 3-6 months. Timing for the decision to adjust rates, implementation, and customer education process can vary greatly from one community to the next. Customer education can begin now by sharing that you are embarking on a review of your utility's rates.

To Ponder:

A gallon of water weighs 8.34 pounds. We each use about 70 gallons/day. We move 584 lbs of water miles and miles for each person every single day.



SECTION 10.

MISC ITEMS (including policy discussions & determinations)

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**

Agenda Item No. **10 b.**
Council Meeting Date: February 8, 2016

TITLE: Update on possible bag ban ballot measure

SUMMARY AND BACKGROUND:

Councilor Campbell has been working with Amy Timeus to assist her in getting through the measure process. I put together a flow chart for them (it's very complicated!) Ms. Timeus is at Step 9 on the chart. Attached flow chart, our publishing of the Ballot Title, and my January letter to Ms. Timeus that she can now go on to the process with the Secretary of State. Once she has completed that step she can begin to gather signatures.

REQUESTED ACTION:

None at this time, FYI Only

FROM OCTOBER REPORT:

Sue Johnson provided the attached letter and asked to be added to the next agenda to discuss the letter with the Council. The letter is regarding the Bag Ban potential ballot measure and use of city funds to assist a citizen initiative.

At the direction of the Council, I contacted our legal counsel regarding the City crafting the language for the ballot title. We have discussed several nuances of a citizen initiated, or a City initiated measure, and, as you might imagine, I would like to discuss which direction the City would like to go. I apologize for this matter taking so long but this is the law creation process—and as Ringo Starr so appropriately put it: *"It Don't Come Easy" (Apple Records, 1971--sorry, but this has a life of its own...)*

READER'S DIGEST VERSION OF DISCUSSION WITH LEGAL COUNSEL:

- The City Attorney is involved REGARDLESS of whether the citizen or the City starts the ballot process. No matter whether the citizen initiates a measure or the Council refers a measure, the City Attorney writes the ballot title (the short statement of what the measure is about). Also, once the citizen gathers enough signatures and the measure is certified to the ballot, the Council gets 30 days to either:
 - 1) just adopt the ordinance on their own without an election;
 - 2) send the initiative measure to the ballot; or



SECTION 10.

MISC ITEMS (including policy discussions & determinations)

3) send the measure to the ballot and refer their own competing measure.

- The Council effectively gets another bite at the apple but if a citizen is going to put a measure out there, it would be good to have it be something the City can work with.
- According to the Secretary of State's website, the citizen is required to provide the City elections official with BOTH SEL 307 **and a copy of the proposed ordinance or charter language**. I was not aware of this requirement. I assumed the City just wrote the ordinance *IF the measure passed*. Nope. We are required to have the fully formed, implementing ordinance at the time the measure is PROPOSED. That is requirement regardless of whether of who proposes the ballot measure—citizen or City.

THE FLOW FOR THE PROCESS

STEP	WHO	WHAT
Step 1	Amy (Petitioner)	Submit completed form SEL 370 (petition) along with a copy of the completed ordinance language to be adopted
Step 2	City	Reviews the text of the ordinance for constitutional requirements.
Step 3	City	Notifies Petitioner within 6 days of the filing. If the text complies forwards the petition and ordinance to the City Attorney to draft the impartial ballot title (what will be printed on the ballots to voters)
Step 4	City (Attorney)	No later than 5 th day after receipt from City, the attorney drafts and files the ballot title with the City Elections Officer (EO) (Jodi)
Step 5	City	City EO publishes receipt of ballot title in next available edition of the newspaper and on City website
Step 6 & 7	Registered Voter in GB	<u><i>NOTE: Generally these steps DO NOT occur</i></u> <i>Can challenge the constitutional determination by City within 7 days of the determination made in Steps 2&3</i> <i>Can challenge the ballot title if dissatisfied and petition the county Circuit Court to review it</i>
Step 8	Amy (but City EO will assist)	After appeal period is over, Amy can submit SEL 369 and the blank signature sheets for review by EO
Step 9A	City	Review the completed forms. If forms are complete, EO notifies Amy that she can proceed to form and file the Petition Committee paperwork with the Secretary of State.
Step 9B	Amy	File Petition Committee paperwork with the Secretary of State. SOS verifies with the City that the initiative has been filed, reviewed, appeal period over, and the EO has completed final review. If complete, SOS notifies EO that committee has been officially formed.

Step 10	Amy	Can start gathering signatures on official forms. Last time EO talked with Clerk's office about 200 signatures were needed (verifying that now). EO suggests getting at least 25 more in case signatures come back incorrect (not a registered voter in Gold Beach, signature doesn't match, etc.) Have up to 2 years from approval to circulate to obtain signatures.
Step 11	Amy	After required number of signatures obtained submit to EO for verification
Step 12	City	City reviews signature pages for completeness. If complete submits them to County Clerk for signature verification. County has 15 days to verify the signatures then notifies the EO if sufficient number of signatures has been obtained
Step 13	City	EO notifies Amy in writing if enough signatures have/have not been obtained. If enough verified signatures were NOT obtained, Amy can gather more within the 2 year period. If enough verified signatures WERE obtained then EO files the measure with the City Council for review
Step 14	City	At this point the Council can take one of three actions: 1) Just adopt the ordinance; or 2) Send the initiative to the voters; or 3) Send the initiative to the ballot and also submit their own competing measure
Step 15	City	If the Council elects actions 2 or 3, the election is the next election date AFTER 90 days has gone by (<i>so May or November of 2016 depending on the completion of all the steps in this table</i>) The EO submits form SEL 802 to the County Clerk and the measure(s) is assigned a number and placed on the next ballot (after 90 days).
Step 16	Voters	Election takes place!

Legal and Public Notice

Notice of Receipt of Ballot Title

Notice is hereby given that a ballot title for an initiative measure was filed with the Elections Officer of the City of Gold Beach on December 16, 2015.

Electors may submit a petition for review of this ballot title in the Curry County Circuit Court no later than 5:00 p.m. on December 31, 2015.

The initiative measure meets the requirements of section 1 (2)(d) and (5), Article IV of the Oregon Constitution.

The text of the ballot title is as follows:

CAPTION: Plastic Bag Ban and Paper Bag Charge

QUESTION: Shall City ban plastic bags and charge ten cents for paper bags with the money provided to school district?

SUMMARY: This initiative measure would prohibit retail establishments located within the City from providing or offering single-use plastic bags. The measure would also require retail establishments to charge \$0.10 for each barrel-sized recyclable paper bag provided to a customer. The total amount of the paper bag charge would have to be indicated on the customer's receipt. The measure would allow retail establishments to keep \$0.03 for every barrel-sized recyclable paper bag sold, and would require retail establishments to remit the remaining \$0.07 to the Curry County School District.

Single-use plastic bags used to transport hot food would be exempt from the plastic bag ban. Not for profit retail establishments would be exempt from both the plastic bag ban and the paper bag charge. Retail establishments would be required to provide free reusable or paper bags to customers with WIC vouchers or an Oregon Trail Card. The City Administrator could exempt a retail establishment from the paper bag pass-through fee for up to one year upon a showing of undue hardship.

Published pursuant to ORS 250.275
Jodi Fritts, City Administrator

Published: December 23 2015
in the Curry County Reporter, Gold Beach, Curry County, Oregon.

Notice of Publication

REGON

CURRY } SS

sworn, depose and say that I

County Reporter, a newspaper of general
defined by sections
193.020 O.R.S.; and published at
aforesaid county and state;

_____ of Receipt of Ballot Title

which is here annexed, was published
issue of said newspaper for: One
consecutive and consecutive weeks in
following _____ issues:

December 23, 2015

Ruby Wagner

Ruby Wagner

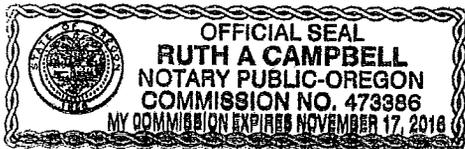
Subscribed and sworn to before me this

31 day of December, 2015.

Ruth A Campbell

Notary Public of Oregon

(My Commission expires...11-17-2016)





City of Gold Beach

29592 Ellensburg Avenue • Gold Beach, OR 97444

Administration: 541-247-7029 • Police: 541-247-6671 • www.goldbeachoregon.gov

Visitor Center: 541-247-7526 • www.goldbeach.org

Thursday, January 14, 2016

Amy Timeus
Chief Petitioner
94480 Myrtle Acres
Gold Beach, OR 97444

RE: Approval to Circulate Signature Sheets for proposed bag ban initiative

Dear Amy:

I have reviewed your completed forms SEL 369: Local Petition Cover Sheet, and SEL 371 Signature Sheets that you filed with me, as well as the formatted text of the proposed ordinance for your bag ban initiative. You have stated that you intend to circulate the forms 2-sided on letter sized, 20#, white bond paper (standard office copier paper). This letter shall serve as your official approval by the Local Elections Official for the City of Gold Beach to begin circulating the petition to gather signatures to place the initiative on a future ballot.

I am providing this letter for your records and also for the Secretary of State office. Please note that you will need to contact their office (I will enclose web info) for any approvals needed from the state.

Good luck with your initiative—I appreciate your tenacity. If you have any questions please contact me and I will try and assist you.

Sincerely,

Jodi Fritts
City Administrator
Local Elections Official
jfritts@goldbeachoregon.gov

cc:

The City of Gold Beach is dedicated to enhancing quality of life, while promoting the 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.