



**AGENDA**  
**March 10, 2014, 6:30PM**  
**CITY COUNCIL CHAMBERS, CITY HALL**  
**29592 ELLENSBURG AVE**  
**GOLD BEACH OR 97444**

**Call to order:**            **Time:** \_\_\_\_\_

**1. The pledge of allegiance**

**2. Roll Call:**

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

**3. Special Orders of Business:**

None Scheduled

**4. Consent Calendar**

Minutes: November 12, 2012; October 14, 2013; December 9, 2013; January 13, 2014

**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. Park Use Request—Allan & Robin Terrett

**8. Public Contracts and Purchasing**

None scheduled

**9. Ordinances & Resolutions**

- a. 2<sup>nd</sup> Reading Ordinance 647 amended FOG ordinance
- b. Resolution R1314-09 OPRD grant application
- c. Resolution R1314-10 Planning Commission appointments

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

- 10. Miscellaneous Items (including policy discussions and determinations)**
  - a. Button Lane Dangerous Building
  - b. Beginning discussion on possible UGB annexation
  - c. Possible suspension of requirements to allow PC appointment
  - d. Update Medical Marijuana Dispensaries
  - e. Bulk Water Sales Policy
  
- 11. City Administrator's Report**  
To be presented at meeting
  
- 12. Mayor and Council Member Comments**
  - a. Mayor Karl Popoff
  - b. Councilors
    - 1) Melinda McVey
    - 2) Larry Brennan
    - 3) Brice Gregory
    - 4) Doug Brand
    - 5) Tamie Kaufman
  - c. Student Liaison, Lyndsey Dixon
  
- 13. Citizens Comments**  
As presented to the Mayor at the beginning of the meeting
  
- 14. Executive Session**  
None scheduled

The next scheduled meeting of the Gold Beach City Council is Monday, April 14, 2014 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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# **GOLD BEACH CITY COUNCIL AGENDA REPORT**



Agenda Item No. 7 a.  
Council Meeting Date: March 10, 2014

## **TITLE: Request To Allow Alcohol during Park Use**

### **SUMMARY AND BACKGROUND:**

Allan & Robin Terrett have reserved the pavilion on August 1<sup>st</sup> for a party before their daughter's wedding the following day. They would like to be able to serve beer and wine to their guests. They have submitted a written request pursuant to Nuisance and Offense Code Section 5.7 (below).

#### **5.700 Park Rules and Regulations.**

The following rules are hereby adopted for the regulation and use of municipal parks in and for the City of Gold Beach, Oregon, and shall be observed at all times, by all persons using any park and/or park facilities: *note-(for brevity 1-22 not included)*

( 23) Alcoholic Beverages. No alcoholic beverages shall be sold or consumed in the park without written permission from the City Council.

#### **5.705 Application for Written Permission.**

Any person required to obtain written permission from the City Council for any activity in a city park as described in Section 5.700 of this Code shall submit a request for said permission to the City Administrator and the City Administrator shall place said item on the agenda of the City Council for its next regularly scheduled Council meeting.

### **DOCUMENTS ATTACHED:**

- Redacted copy of written request from Terretts

### **REQUESTED MOTION/ACTION:**

Decision on whether to allow/disallow the Terretts to have alcohol at their scheduled event.

### **COPY OF REPORT AND ATTACHMENTS SENT TO:**

Council  
Chief Andrews  
Superintendent Newdall

RECEIVED

MAR 04 2014

CITY OF GOLD BEACH

## Allan & Robin Terrett

[REDACTED] i., [REDACTED]  
Gold Beach, Or 97444 U.S.A.

Tel: [REDACTED] Fax: [REDACTED]

City of Gold Beach  
City Council  
29529 Ellensburg Ave.,  
Gold Beach.  
Or 97444

3/1/2014

Ref; City Park Pavilion

Dear Mayor and council members

I understand that I have reserved the pavilion for the evening of August 1<sup>st</sup> between 5pm and 8pm. This event is a welcome to Gold Beach, for guest coming from out of town for my daughters wedding on the following day.

We will be serving hamburgers and hot dogs as well as various side dishes. Both my wife and I hold food handlers certificates and will follow all requirements.

We would like to be able to serve beer and wine and would like your permission and guidelines to do so. We are requesting this early so that we can meet any special requirements you might have.

Your's Sincerely



Allan and Robin Terrett

**GOLD BEACH CITY COUNCIL  
AGENDA REPORT**



Agenda Item No. 9. a.  
Council Meeting Date: March 10, 2014

**TITLE: Second Reading Ordinance 647 FOG**

**SUMMARY AND BACKGROUND:**

This is the second and final reading of this ordinance. If enacted tonight, it will take effect in 30 days. We will now begin the process of implementing voluntary compliance.

**FINANCIAL IMPACT:**

None at this time.

**DOCUMENTS ATTACHED:**

The Ordinance No. 647 which amends the City Utility Code

**REQUESTED MOTION/ACTION:**

**We will need a motion to approve the second reading.**

**SAMPLE MOTION:**

**I make a motion that the City adopt Ordinance No.647 and approve the second reading by title only.**

If approved, I will read the ordinance title into the record. The amendment is now enacted.

**COPY OF REPORT AND ATTACHMENTS SENT TO:**

**Council  
Will Newdall, Public Works Superintendent**

# **GOLD BEACH CITY COUNCIL AGENDA REPORT**



Agenda Item No. 9 b.

Council Hearing Date: March 10, 2014

## **TITLE: Resolution R1314-09 authorizing CA to apply for OPRD grant**

### **SUMMARY AND BACKGROUND:**

**2014:** So we applied for OPRD grant funding last year. The process was arduous and we had to go to Bend to deliver a no longer than 10 minute presentation to the grant committee. We went down in flames (I even included the skunk in the bowl pictures!). We have regrouped for this year and are preparing another application. We learned from last year what they are funding and what is not on their radar so we are trying to craft a more targeted application.

***FROM 2013 REPORT:** For the past few years the City has been discussing assisting the Skate Park Association in completion of the skate park adjacent to Buffington Park. Last fall the Council directed staff to pursue grant funding through the Oregon Parks and Recreation Department. Staff has almost completed the lengthy grant application. As part of the submittal OPRD requires a resolution authorizing the grant application from the governing body. Attached is the resolution in their requested format.*

### **FINANCIAL IMPACT:**

The grant will require a 20% local match. The grant application is for approximately \$200K. The local match would be at least \$40K in cash or in-kind. As part of the FY13-14 budget process we appropriated a \$50K match for the grant. We have not used those funds this FY so I will make the same proposal for the FY 14-15 budget. Public Works staff and Skate Park volunteers will also provide in-kind match if the grant is awarded.

### **DOCUMENTS ATTACHED:**

- Resolution R1314-09
- Copy of the 2013 presentation (sent in separate email)

### **REQUESTED MOTION/ACTION:**

**Approve or deny Resolution R1314-09**

### **Suggested Motion:**

**I make the motion to APPROVE/DENY Resolution R1314-09, a resolution authorizing the City Administrator to apply for a local government grant from OPRD for completion of the Bullfrog Skate park.**

### **COPY OF REPORT AND ATTACHMENTS SENT TO:**

Council

**RESOLUTION R1314-09**

**A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO APPLY FOR A LOCAL GOVERNMENT GRANT FROM THE OREGON PARKS AND RECREATION DEPARTMENT FOR COMPLETION OF THE BULLFROG SKATEPARK**

**WHEREAS:** the Oregon Parks and Recreation Department (OPRD) is accepting applications for the Local Government Grant Program; and

**WHEREAS:** the City of Gold Beach desires to participate in this grant program to the greatest extent possible and as a means of providing needed park and recreation opportunities pursuant to City Business Plan Goal 2: *Enhance Quality of Life in Gold Beach*; and

**WHEREAS:** the Council directed staff to pursue grant funding to assist the non-profit Gold Beach Skate Park Association in completing their skate park facilities; and

**WHEREAS:** the City of Gold Beach has available local matching funds to fulfill its share of obligation related to this grant application should the grant funds be awarded; and

**WHEREAS:** the City, through a cooperative agreement with the Skate Park Association, will provide adequate funding for on-going operations and maintenance of the recreational facility should the grant funds be awarded.

**NOW, THEREFORE, BE IT RESOLVED** that the Gold Beach City Council hereby demonstrates its support for the submittal of the grant application to the Oregon Parks and Recreation Department, and authorizes the City Administrator to submit and sign all documents related to the grant application.

PASSED BY THE CITY COUNCIL OF THE CITY OF GOLD BEACH, COUNTY OF CURRY, STATE OF OREGON, and EFFECTIVE THIS 10<sup>th</sup> DAY OF MARCH, 2014.

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Karl Popoff, Mayor

ATTEST:

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Candy Cronberger, City Recorder

**GOLD BEACH CITY COUNCIL  
AGENDA REPORT**



Agenda Item No. 9. c.  
Council Hearing Date: March 10, 2014

**TITLE: Resolution R1314-10 Planning Commission Appointments**

**SUMMARY AND BACKGROUND:**

Four vacancies exist on the planning commission. The council decided at the February meeting to appoint two candidates: former member Kate Rambo, and UGB candidate, Robert Chibante. This resolution formally appoints them to the commission. Positions #2 and #3 are still vacant.

**FINANCIAL IMPACT:**

None

**DOCUMENTS ATTACHED:**

- Resolution R1314-10

**REQUESTED MOTION/ACTION:**

Adopt Resolution R1314-10 appointing the new members

**SUGGESTED MOTION**

**I make the motion that we adopt Resolution R1314-10, a resolution confirming appointments to the planning commission and setting terms of office.**

**COPY OF REPORT AND ATTACHMENTS SENT TO:**

Council

**RESOLUTION R1314-10**

**A RESOLUTION CONFIRMING APPOINTMENTS TO THE PLANNING  
COMMISSION AND SETTING TERMS OF OFFICE**

**WHEREAS:** The appointment and term of office procedures are set forth in the Gold Beach Administrative Code Section 1.120(2) & (3); and

**WHEREAS:** Currently four vacancies exist on the Planning Commission; and

**WHEREAS:** The City Council advertised for interested persons to fill the vacancies;

**NOW, THEREFORE, BE IT RESOLVED** that the Gold Beach City Council hereby appoints:

Kate Rambo to fill vacant Position #1 on the Gold Beach Planning Commission, term to expire on December 31, 2017; and

Robert Chibante to fill vacant Position #5 on the Gold Beach Planning Commission, term to expire on December 31, 2017; and

**Reaffirms the previous appointments of:**

Position #2:	VACANT	expires December 31, 2015
Position #3:	VACANT	expires December 31, 2017
Position #4	Richard Thompson	expires December 31, 2015

PASSED BY THE CITY COUNCIL OF THE CITY OF GOLD BEACH, COUNTY OF CURRY, STATE OF OREGON, and EFFECTIVE THIS 10<sup>th</sup> DAY OF MARCH, 2014.

APPROVED BY:

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Karl Popoff, Mayor

ATTEST:

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Candy Cronberger, City Recorder

# GOLD BEACH CITY COUNCIL AGENDA REPORT



Agenda Item No. 10. a.  
Council Meeting Date: March 10, 2014

## **TITLE: 90 Day Review: Dangerous Building 94270 Button Lane**

### **SUMMARY AND BACKGROUND:**

#### **March Agenda Report:**

At the November hearing the Council gave the property owner 90 days (February 25<sup>th</sup>) to clean up the property and make necessary repairs to the trailer on the property.

As of Friday, March 07, 2014 (photos sent separately) it appears little, if anything has been done. In my opinion the property is also in violation of the following City Nuisance codes:

- 5.1 Discarded Vehicles
- 5.225 Attractive Nuisances
- 5.235 Noxious Growths Prohibited
- 5.240 Scattering Rubbish
- 5.265 Junk
- 5.280 Unenumerated Nuisances (please see photos)

Section 5.310 provides:

#### **5.310 Summary Abatement.**

The procedure provided by this Nuisance Code is not exclusive, but is in addition to procedure provided by other laws; and the Fire Chief, the Chief of Police, or any other city official may proceed summarily to abate a health or other nuisance which unmistakably exists and which imminently endangers human life or property. The costs of such abatement may be assessed as provided in Section 5.305 of this Code.

I think we should seriously discuss this option. The property is truly awful. May I respectfully request the Council members attempt to make a site visit prior to the March 10<sup>th</sup> meeting? The property can be viewed from the public road (to prevent trespassing). I would suggest going up Skunk Run to the first fork turn around and come back downhill. This is the best angle to view the property and where I took the photographs.

### **NOVEMBER AGENDA REPORT:**

Pursuant to the provisions of the Dangerous Buildings section of the City Code, notice was provided to the owner and published in the paper.

The Council must decide at the hearing whether the building meets the definition of dangerous:

- (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.

As mentioned above, staff is of the opinion that the building meets the definition of dangerous building in subsection (d). Another site inspection was conducted today and the property is in the same condition as reported last month.

In making the determination the Council may order the building to be removed, or may order the building to be made safe and shall have the power to prescribe what acts or things must be done to make the building "safe".

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

**FINANCIAL IMPACT:**

Based the property owner's inaction I suspect the City will have to abate and lien the property. There are several junk cars and a lot of large debris in addition to the dilapidated trailer. The last time we had to abate and lien a property is cost over \$30K. This property may not cost that much but it will be in the thousands of dollars.

**DOCUMENTS ATTACHED:**

- March 7 photos (sent in separate email)

**REQUESTED MOTION/ACTION:**

**Determination as to the Dangerous Building status of the building and how to proceed with the rest of the property nuisances.**

**COPY OF REPORT AND ATTACHMENTS SENT TO:**

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

**City Code Section 5.350-5.398**

**DANGEROUS BUILDINGS**

**5.350 Definitions.**

For the purpose of this Code:

- (1) The term “dangerous buildings” shall include:
  - (a) A structure which, for the want of proper repairs or by reason of age and dilapidated condition or by reason of poorly installed electrical wiring or equipment, defective chimney, defective gas connections, defective heating apparatus, or for any other cause or reason, is especially liable to fire and which is so situated or occupied as to endanger any other building or property or human life.
  - (b) A structure containing combustible or explosive material, rubbish, rags, waste, oils, gasoline or inflammable substance of any kind especially liable to cause fire or danger to the safety of such building, premises or to human life.
  - (c) A structure which shall be kept or maintained or shall be in a filthy or unsanitary condition, especially liable to cause the spread of contagious or infectious diseases.
  - (d) A structure in such weak or weakened condition, or dilapidated or deteriorated condition, as to endanger any person or property by reason of probability of partial or entire collapse.
- (2) The term “person” shall include every natural person, firm, partnership, association or corporation.
- (3) “City official” means any Councilor, mayor, city employee, or any agency or employee of any agency under contract to the City for services.

**5.355 General Regulations.**

- (1) Administration. The City building official is the primary city official authorized to enforce the provisions of this Code, but any other city official may act under the authority of this Code.
- (2) Inspections. The City building official or another city official is hereby authorized to make such inspections and take such actions as may be required to enforce the provisions of this Code.

- (3) Right of Entry. Whenever necessary to make an inspection to enforce any of the provisions of this Code and whenever the City building official or another city official has probable and reasonable cause to believe that there exists in any building any condition that would make such building a dangerous building as defined herein, then said city official, including the building official, may enter into such building at reasonable times to inspect said premises for any violations of this Code.

**5.360** Nuisance.

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

**5.365** Initial Action.

Whenever a city official shall find or be of the opinion that there is a dangerous building in the City, it shall be his duty to report the same to the City Council. Thereupon, the Council shall, within a reasonable time, fix a time and place for a public hearing thereon.

**5.370** Hearing; Mailed Notice.

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

**5.375** Published and Posted Notices.

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

**5.380** Council Orders; Notice.

Five (5) days' notice of findings made by the Council at a hearing and any orders made by the Council shall be given to the owner of the building, the owner's agent or other person

controlling the same, and if the orders be not obeyed and the building rendered safe within the time specified by the order (being not less than five (5) days), then the Council shall have the power and duty to order the building removed or made safe at the expense of the property on which the same is situated.

**5.385** Abatement by City.

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

**5.390** Assessment.

The Council shall ascertain and determine the probable cost of the work and assess the same against the property upon which the building is situated. The assessment shall be entered in the docket of city liens and shall thereupon be and become a lien against the property. The creation of the lien and the collection and enforcement of the cost shall all be performed in substantially the same manner as in the case of the cost of street improvements, but irregularities or informalities in the procedure shall be disregarded.

**5.395** Summary Abatement.

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

**5.398** Penalty.

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

# GOLD BEACH CITY COUNCIL AGENDA REPORT



Agenda Item No. 10 b.  
Council Meeting Date: March 10, 2014

## **TITLE: Beginning discussion on possible UGB annexation**

### **SUMMARY AND BACKGROUND:**

Because of the law enforcement uncertainty at the County we began having discussions in 2012 about possible annexation of all or parts of our UGB. The actual discussion was hampered by the County's dissolution of the GIS department. I was finally able to obtain raw data in December. After truthing the data I have Phase I data for the Council to consider. I was directed to focus my efforts for Phase I on the Wedderburn/Rogue Hills/Rogue Shores area.

Attached you will find an overall analysis I conducted of the subject area and the relevant Assessor data in a spreadsheet. This can be the beginning point for our discussions.

Regarding the annexation process itself we would obviously have a public hearing(s) to get input from the citizens that would be affected. There are several methods to the process which can involve an or no election. The relevant state statutes are contained in ORS Chapter 222. The Reader's Digest version is the City could annex the territory without an election if at least 50% of the owners of the area consent in writing. Properties that are exempt from taxes can't be included in the consent. Annexations with elections are subject to referendum. That is the VERY simple version. If the Council decides to seriously consider annexation we would confer with legal counsel.

### **EXCERPTS FROM CHAPTER 222** *(emphasis added)*

**222.120 Procedure without election by city electors; hearing; ordinance subject to referendum.** (1) *Except when expressly required to do so by the city charter, the legislative body of a city is not required to submit a proposal for annexation of territory to the electors of the city for their approval or rejection.*

(2) *When the legislative body of the city elects to dispense with submitting the question of the proposed annexation to the electors of the city, the legislative body of the city shall fix a day for a public hearing before the legislative body at which time the electors of the city may appear and be heard on the question of annexation.*

(3) The city legislative body shall cause notice of the hearing to be published once each week for two successive weeks prior to the day of hearing, in a newspaper of general circulation in the city, and shall cause notices of the hearing to be posted in four public places in the city for a like period.

(4) After the hearing, the city legislative body may, by an ordinance containing a legal description of the territory in question:

(a) Declare that the territory is annexed to the city upon the condition that the majority of the votes cast in the territory is in favor of annexation;

(b) *Declare that the territory is annexed to the city where electors or landowners in the contiguous territory consented in writing to such annexation, as provided in ORS 222.125 or 222.170, prior to the public hearing held under subsection (2) of this section; or*

(c) Declare that the territory is annexed to the city where the Oregon Health Authority, prior to the public hearing held under subsection (1) of this section, has issued a finding that a danger to public health exists because of conditions within the territory as provided by ORS 222.840 to 222.915.

(5) If the territory described in the ordinance issued under subsection (4) of this section is a part less than the entire area of a district named in ORS 222.510, the ordinance may also declare that the territory is withdrawn from the district on the effective date of the annexation or on any subsequent date specified in the ordinance. However, if the affected district is a district named in ORS 222.465, the effective date of the withdrawal of territory shall be determined as provided in ORS 222.465.

(6) *The ordinance referred to in subsection (4) of this section is subject to referendum.*

(7) For the purpose of this section, ORS 222.125 and 222.170, “owner” or “landowner” means the legal owner of record or, where there is a recorded land contract which is in force, the purchaser thereunder. If there is a multiple ownership in a parcel of land each consenting owner shall be counted as a fraction to the same extent as the interest of the owner in the land bears in relation to the interest of the other owners and the same fraction shall be applied to the parcel’s land mass and assessed value for purposes of the consent petition. If a corporation owns land in territory proposed to be annexed, the corporation shall be considered the individual owner of that land. [Amended by 1953 c.220 §2; 1955 c.51 §1; 1961 c.511 §1; 1967 c.624 §14; 1971 c.673 §2; 1985 c.702 §8; 1987 c.818 §11; 1993 c.18 §39; 2009 c.595 §180]

**222.125 Annexation by consent of all owners of land and majority of electors; proclamation of annexation.** *The legislative body of a city need not call or hold an election in the city or in any contiguous territory proposed to be annexed or hold the hearing otherwise required under ORS 222.120 when all of the owners of land in that territory and not less than 50 percent of the electors, if any, residing in the territory consent in writing to the annexation of the land in the territory and file a statement of their consent with the legislative body. Upon receiving written consent to annexation by owners and electors under this section, the legislative body of the city, by resolution or ordinance, may set the final boundaries of the area to be annexed by a legal description and proclaim the annexation. [1985 c.702 §3; 1987 c.738 §1]*

**222.170 Effect of consent to annexation by territory; proclamation with and without city election.** (1) *The legislative body of the city need not call or hold an election in any contiguous territory proposed to be annexed if more than half of the owners of land in the territory, who also own more than half of the land in the contiguous territory and of real property therein representing more than half of the assessed value of all real property in the contiguous territory consent in writing to the annexation of their land in the territory and file a statement of their consent with the legislative body on or before the day:*

(a) The public hearing is held under ORS 222.120, if the city legislative body dispenses with submitting the question to the electors of the city; or

(b) The city legislative body orders the annexation election in the city under ORS 222.111, if the city legislative body submits the question to the electors of the city.

(2) The legislative body of the city need not call or hold an election in any contiguous territory proposed to be annexed if a majority of the electors registered in the territory proposed to be annexed consent in writing to annexation and the owners of more than half of the land in that territory consent in writing to the annexation of their land and those owners and electors file a statement of their consent with the legislative body on or before the day:

(a) The public hearing is held under ORS 222.120, if the city legislative body dispenses with submitting the question to the electors of the city; or

(b) The city legislative body orders the annexation election in the city under ORS 222.111, if the city legislative body submits the question to the electors of the city.

(3) If the city legislative body has not dispensed with submitting the question to the electors of the city and a majority of the votes cast on the proposition within the city favor annexation, or if the city legislative body has previously dispensed with submitting the question to the electors of the city as provided in ORS 222.120, the legislative body, by resolution or ordinance, shall set the final boundaries of the area to be annexed by a legal description and proclaim the annexation.

*(4) Real property that is publicly owned, is the right of way for a public utility, telecommunications carrier as defined in ORS 133.721 or railroad or is exempt from ad valorem taxation shall not be considered when determining the number of owners, the area of land or the assessed valuation required to grant consent to annexation under this section unless the owner of such property files a statement consenting to or opposing annexation with the legislative body of the city on or before a day described in subsection (1) of this section. [Amended by 1955 c.51 §2; 1961 c.511 §2; 1971 c.673 §1; 1973 c.434 §1; 1983 c.350 §36; 1985 c.702 §11; 1987 c.447 §117; 1987 c.737 §4; 1999 c.1093 §12]*

**DOCUMENTS ATTACHED:**

- Overall analysis report and spreadsheet

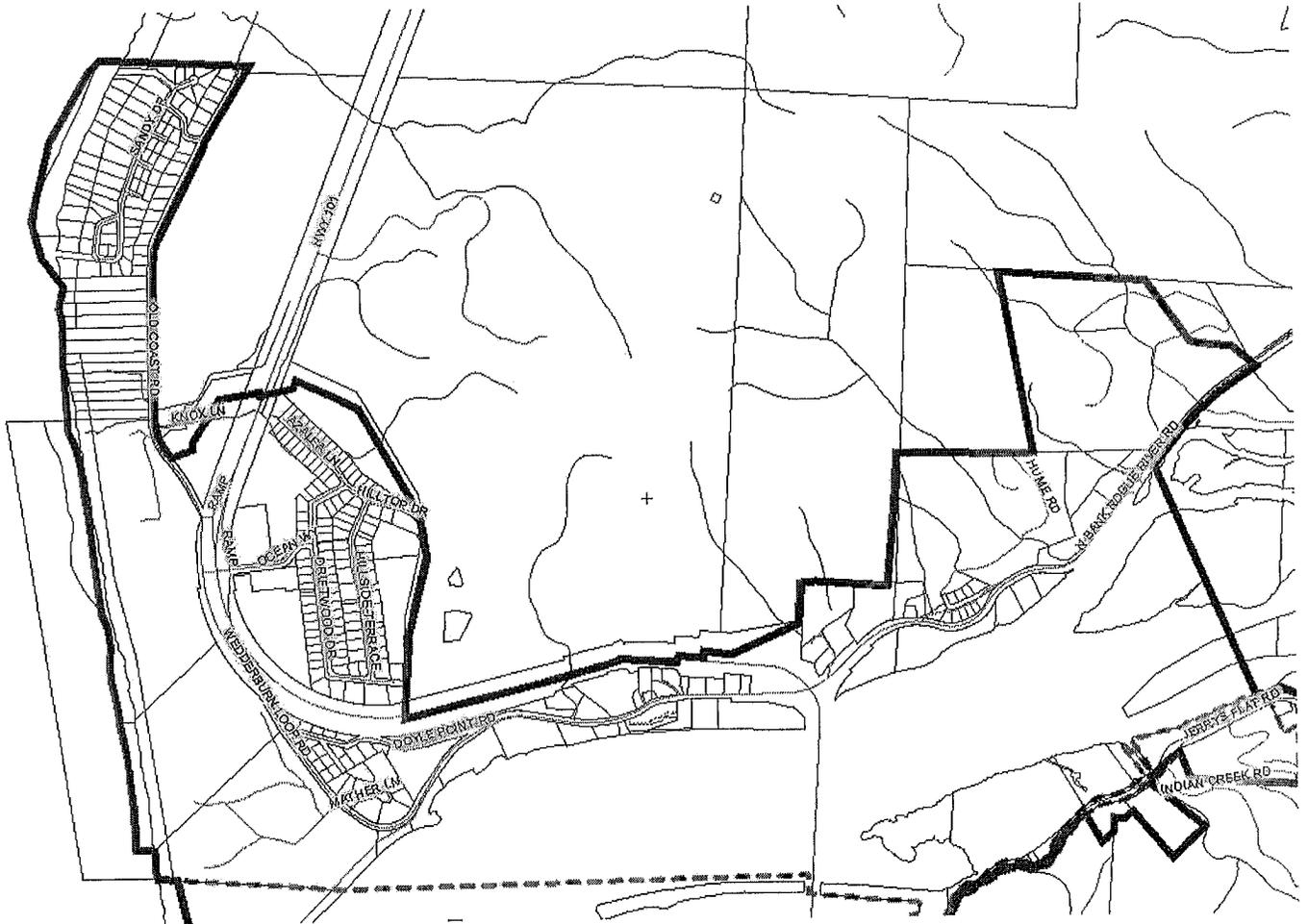
**REQUESTED MOTION/ACTION:**

Begin discussion and direction to staff on how to proceed

**COPY OF REPORT AND ATTACHMENTS SENT TO:**

Council  
Chief Andrews  
Superintendent Newdall

## ANNEXATION DISCUSSION PHASE I WEDDERBURN/ROGUE HILLS/ROGUE SHORES



The attached spreadsheet includes the following data:

1. MapTaxlot = The County Assessor Map and tax lot
2. GIS\_Sq\_Ft = The GIS calculated square footage of the parcel
3. GIS ACRES = Calculation I made based on the square footage
4. ROLL\_ASSD = The assessed value of the parcel on the tax rolls
5. ROLL\_RMV\_V = the Real Market Value of the parcel on the tax rolls
6. TOT\_TAX = the total tax assessed to the parcel for ALL taxing districts

### OVERALL ANALYSIS

- The Wedderburn/Rogue Hills/Rogue Shore area comprises approximately<sup>1</sup> 319 acres.
  - Our current city limits comprise 1600 acres (2.5 sq miles)
  - The addition of the subject area would increase the city limits 20%
- The assessed value of the subject area is \$60 million

- Our current city limits assessed value is \$220M
  - The addition of the subject area would increase our assessed value 27%.
- For FY 13-14 we estimated we would receive \$500K in taxes (as of this date we have received \$480K)
  - The addition of the subject property would increase our yearly tax revenue \$140K, a 28% increase
- We receive \$84K annually from our fire services contract with the Gold Beach-Wedderburn Rural Fire Protection District<sup>2</sup>

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<sup>1</sup> All figures and percentages in this report are approximate (+/-) but accurate for estimation purposes. Values are based on City record data and values received from the CC Assessor.

<sup>2</sup> The GBWRFPD is LARGER than the subject area and includes Jerrys Flat and North Bank Rogue River Road to Cedar Valley Road and out to the Ophir RFPD. The district will also pay \$100K in 2018 towards the next fire truck purchase.

MapTaxlot	GIS_Sq_Ft	GIS ACRES	ROLL_ASSD_	ROLL_RMV_V	TOT_TAX
<b>TOTALS</b>		<b>319.32</b>	<b>\$ 60,227,134.00</b>	<b>\$ 68,633,711.00</b>	
3615-25DA-00100	18343.18	0.42	\$ 51,770.00	\$ 56,760.00	\$ 522.84
3615-25DA-00200	18740.40	0.43	\$ 449,740.00	\$ 484,770.00	\$ 4,542.05
3615-25DA-00300	7555.76	0.17	\$ 110,280.00	\$ 120,940.00	\$ 1,113.74
3615-25DA-00301	17399.00	0.40	\$ 162,420.00	\$ 162,420.00	\$ 1,993.66
3615-25DA-00302	2153.56	0.05	\$ 6,680.00	\$ 7,420.00	\$ 67.47
3615-25DA-00311	10952.81	0.25	\$ 94,070.00	\$ 94,070.00	\$ 944.20
3615-25DA-00312	19266.66	0.44	\$ 94,070.00	\$ 94,070.00	\$ 825.59
3615-25DA-00400	21087.34	0.48	\$ 169,490.00	\$ 169,490.00	\$ 1,701.23
3615-25DA-00401	5209.44	0.12	\$ 155,470.00	\$ 175,200.00	\$ 1,570.12
3615-25DA-00500	121840.37	2.80	\$ 358,100.00	\$ 395,830.00	\$ 3,616.57
3615-25DA-00600	8455.93	0.19	\$ 106,390.00	\$ 112,190.00	\$ 1,074.44
3615-25DA-00700	39676.69	0.91	\$ 261,500.00	\$ 279,240.00	\$ 2,640.97
3615-25DA-00800	37294.87	0.86	\$ -	\$ 199,530.00	\$ -
3615-25DA-00900	19740.65	0.45	\$ 267,980.00	\$ 292,120.00	\$ 2,706.41
3615-25DA-00901	34665.74	0.80	\$ 392,260.00	\$ 405,480.00	\$ 6,374.63
3615-25DA-00903	6965.63	0.16	\$ 97,150.00	\$ 126,720.00	\$ 981.15
3615-25DA-01000	8219.51	0.19	\$ 33,610.00	\$ 36,940.00	\$ 339.43
3615-25DA-01002	34572.88	0.79	\$ 79,560.00	\$ 89,170.00	\$ 803.48
3615-25DA-01100	50931.89	1.17	\$ 1,201,790.00	\$ 1,317,050.00	\$ 12,137.23
3615-25DA-90000	59006.21	1.35	\$ -	\$ -	\$ -
3615-25DA-90103	1.00	0.00	\$ 192,030.00	\$ 192,030.00	\$ 1,927.46
3615-25DA-90106	1.00	0.00	\$ 115,970.00	\$ 157,770.00	\$ 1,171.23
3615-25DA-90109	1.00	0.00	\$ 115,970.00	\$ 157,770.00	\$ 1,171.23
3615-25DA-90112	1.00	0.00	\$ 139,050.00	\$ 189,200.00	\$ 1,404.31
3615-25DA-90115	1.00	0.00	\$ 115,970.00	\$ 157,770.00	\$ 1,171.23
3615-25DA-90118	1.00	0.00	\$ 115,970.00	\$ 157,770.00	\$ 1,171.23
3615-25DA-90120	1.00	0.00	\$ 94,000.00	\$ 94,000.00	\$ 943.51
3615-25DA-90122	1.00	0.00	\$ 112,800.00	\$ 112,800.00	\$ 1,132.21
3615-25DA-90124	1.00	0.00	\$ 112,800.00	\$ 112,800.00	\$ 1,132.21
3615-25DA-90126	1.00	0.00	\$ 112,800.00	\$ 112,800.00	\$ 1,132.21
3615-25DA-90128	1.00	0.00	\$ 94,000.00	\$ 94,000.00	\$ 943.51
3615-25DA-90130	1.00	0.00	\$ 112,800.00	\$ 112,800.00	\$ 1,132.21
3615-25DA-90133	1.00	0.00	\$ 115,970.00	\$ 157,770.00	\$ 1,171.23
3615-25DA-90136	1.00	0.00	\$ 139,050.00	\$ 189,200.00	\$ 1,404.31
3615-25DA-90138	1.00	0.00	\$ 94,000.00	\$ 94,000.00	\$ 943.51
3615-25DA-90140	1.00	0.00	\$ 112,800.00	\$ 112,800.00	\$ 1,132.21
3615-25DA-90142	1.00	0.00	\$ 94,000.00	\$ 94,000.00	\$ 943.51
3615-25DA-90201	1.00	0.00	\$ 97,530.00	\$ 97,530.00	\$ 978.95

3615-25DA-90202	1.00	0.00	\$ 89,940.00	\$ 89,940.00	\$ 902.75
3615-25DA-90204	1.00	0.00	\$ 89,940.00	\$ 89,940.00	\$ 902.75
3615-25DA-90205	1.00	0.00	\$ 89,940.00	\$ 89,940.00	\$ 902.75
3615-25DA-90207	1.00	0.00	\$ 89,940.00	\$ 89,940.00	\$ 902.75
3615-25DA-90208	1.00	0.00	\$ 89,940.00	\$ 89,940.00	\$ 902.75
3615-25DA-90210	1.00	0.00	\$ 89,940.00	\$ 89,940.00	\$ 902.75
3615-25DA-90211	1.00	0.00	\$ 89,940.00	\$ 89,940.00	\$ 902.75
3615-25DA-90213	1.00	0.00	\$ 107,890.00	\$ 107,890.00	\$ 1,082.93
3615-25DA-90214	1.00	0.00	\$ 107,890.00	\$ 107,890.00	\$ 1,082.93
3615-25DA-90216	1.00	0.00	\$ 107,890.00	\$ 107,890.00	\$ 1,082.93
3615-25DA-90217	1.00	0.00	\$ 89,940.00	\$ 89,940.00	\$ 902.75
3615-25DA-90219	1.00	0.00	\$ 110,860.00	\$ 123,780.00	\$ 1,119.61
3615-25DA-90221	1.00	0.00	\$ 133,090.00	\$ 148,550.00	\$ 1,344.11
3615-25DA-90223	1.00	0.00	\$ 133,090.00	\$ 148,550.00	\$ 1,344.11
3615-25DA-90225	1.00	0.00	\$ 133,090.00	\$ 148,550.00	\$ 1,344.11
3615-25DA-90227	1.00	0.00	\$ 110,860.00	\$ 123,780.00	\$ 1,119.61
3615-25DA-90229	1.00	0.00	\$ 110,860.00	\$ 123,780.00	\$ 1,119.61
3615-25DA-90231	1.00	0.00	\$ 89,940.00	\$ 89,940.00	\$ 902.75
3615-25DA-90232	1.00	0.00	\$ 107,890.00	\$ 107,890.00	\$ 1,082.93
3615-25DA-90234	1.00	0.00	\$ 107,890.00	\$ 107,890.00	\$ 1,082.93
3615-25DA-90235	1.00	0.00	\$ 89,940.00	\$ 89,940.00	\$ 902.75
3615-25DA-90237	1.00	0.00	\$ 110,860.00	\$ 123,780.00	\$ 1,119.61
3615-25DA-90239	1.00	0.00	\$ 133,090.00	\$ 148,550.00	\$ 1,344.11
3615-25DA-90241	1.00	0.00	\$ 110,860.00	\$ 123,780.00	\$ 1,119.61
<b>3614-30 -00101</b>	<b>1900000.00</b>	<b>43.62</b>	<b>\$ 6,300.00</b>	<b>\$ 6,300.00</b>	<b>\$ 51.07</b>
3614-30 -00300	997648.76	22.90	\$ 218,650.00	\$ 243,060.00	\$ 1,959.20
3614-30 -00301	145834.83	3.35	\$ 86,490.00	\$ 116,400.00	\$ 783.19
3614-30 -00302	291595.56	6.69	\$ 134,760.00	\$ 134,760.00	\$ 1,201.45
3614-30 -00304	86484.84	1.99	\$ 82,840.00	\$ 111,480.00	\$ 750.92
3614-30 -00305	139945.96	3.21	\$ 85,860.00	\$ 115,540.00	\$ 777.61
3614-30 -00306	7642.30	0.18	\$ 2,500.00	\$ 2,500.00	\$ 40.70
3614-30 -00307	5022.40	0.12	\$ 261,860.00	\$ 296,250.00	\$ 2,644.61
3614-30 -00308	5694.69	0.13	\$ 261,990.00	\$ 296,370.00	\$ 2,645.91
3614-30 -00309	5778.97	0.13	\$ 61,800.00	\$ 88,500.00	\$ 564.98
3614-30 -00310	6814.27	0.16	\$ 244,240.00	\$ 272,250.00	\$ 2,466.67
3614-30 -00311	7535.06	0.17	\$ 61,800.00	\$ 88,500.00	\$ 564.98
3614-30 -00312	12029.96	0.28	\$ 239,920.00	\$ 284,540.00	\$ 2,441.77
3614-30 -00313	18472.47	0.42	\$ -	\$ -	\$ -
3614-30 -00314	6027.11	0.14	\$ 52,550.00	\$ 75,230.00	\$ 483.20
3614-30 -00315	6017.81	0.14	\$ 49,440.00	\$ 70,800.00	\$ 455.71
3614-30 -00316	6105.61	0.14	\$ 49,440.00	\$ 70,800.00	\$ 455.71
3614-30 -00317	11134.10	0.26	\$ 58,730.00	\$ 84,080.00	\$ 537.83
3614-30 -00400	40647.82	0.93	\$ 248,110.00	\$ 256,280.00	\$ 2,505.73
3614-30 -00500	21345.60	0.49	\$ 107,300.00	\$ 3,528.00	\$ 1,083.65

3614-30 -00501	8403.23	0.19	\$ 121,620.00	\$ 127,340.00	\$ 1,228.27
3614-30 -00600	102549.09	2.35	\$ 1,240.00	\$ 2,500.00	\$ 19.51
3614-30 -00700	158689.08	3.64	\$ 1,240.00	\$ 2,500.00	\$ 19.51
3614-30 -00800	40298.66	0.93	\$ 169,340.00	\$ 194,530.00	\$ 1,710.22
3614-30 -00801	30239.41	0.69	\$ 66,710.00	\$ 73,190.00	\$ 589.61
3614-30 -00802	45978.86	1.06	\$ 1,240.00	\$ 2,500.00	\$ 11.69
<b>3614-30CB-00100</b>	127090.36	2.92	\$ 113,080.00	\$ 114,810.00	\$ 1,018.19
3614-30CB-00200	46047.97	1.06	\$ 363,560.00	\$ 383,780.00	\$ 3,737.95
3614-30CB-00300	145122.06	3.33	\$ 183,950.00	\$ 236,130.00	\$ 1,914.64
3614-30CB-00301	31002.49	0.71	\$ 377,650.00	\$ 377,650.00	\$ 3,790.59
3614-30CB-00302	19285.94	0.44	\$ 39,220.00	\$ 39,220.00	\$ 590.49
3614-30CB-00500	12364.14	0.28	\$ 197,730.00	\$ 233,680.00	\$ 1,667.49
3614-30CB-00501	20023.36	0.46	\$ 166,130.00	\$ 166,130.00	\$ 40,830.65
3614-30CB-00600	133953.97	3.08	\$ 4,042,920.00	\$ 4,430,570.00	\$ 516.70
<b>3615-25DC-00100</b>	34112.27	0.78	\$ 56,340.00	\$ 63,180.00	\$ 1,841.24
3615-25DC-00101	5760.40	0.13	\$ 183,440.00	\$ 183,440.00	\$ 1,453.98
3615-25DC-00102	3646.00	0.08	\$ 143,970.00	\$ 156,920.00	\$ 1,671.65
3615-25DC-00103	1980.81	0.05	\$ 165,520.00	\$ 172,850.00	\$ 2,006.93
3615-25DC-00104	3516.72	0.08	\$ 198,720.00	\$ 206,590.00	\$ 720.95
3615-25DC-00105	8347.33	0.19	\$ 79,450.00	\$ 97,610.00	\$ 3,046.52
3615-25DC-00200	6855.74	0.16	\$ 303,520.00	\$ 303,520.00	\$ 2,384.57
3615-25DC-00300	6956.16	0.16	\$ 237,570.00	\$ 237,570.00	\$ 1,825.08
3615-25DC-00400	8212.02	0.19	\$ 181,430.00	\$ 182,230.00	\$ 2,964.85
3615-25DC-00600	120319.96	2.76	\$ 333,330.00	\$ 427,190.00	\$ 2,370.91
3615-25DC-00700	46636.24	1.07	\$ 234,760.00	\$ 258,480.00	\$ 2,370.91
3615-25DC-00800	108504.94	2.49	\$ -	\$ 605,280.00	\$ -
3615-25DC-00900	125100.02	2.87	\$ -	\$ 427,560.00	\$ -
<b>3615-25CD-00100</b>	7818.56	0.18	\$ 202,430.00	\$ 228,650.00	\$ 2,044.41
3615-25CD-00200	5329.75	0.12	\$ 213,520.00	\$ 231,860.00	\$ 2,156.42
3615-25CD-00300	5407.65	0.12	\$ 195,690.00	\$ 195,690.00	\$ 1,964.21
3615-25CD-00400	6840.74	0.16	\$ 149,770.00	\$ 155,120.00	\$ 1,512.56
3615-25CD-00500	6731.07	0.15	\$ 168,530.00	\$ 177,490.00	\$ 1,702.04
3615-25CD-00600	10809.05	0.25	\$ 168,120.00	\$ 168,120.00	\$ 1,687.48
3615-25CD-00700	9268.69	0.21	\$ 218,220.00	\$ 218,220.00	\$ 2,190.34
3615-25CD-00701	5605.31	0.13	\$ 182,880.00	\$ 213,930.00	\$ 1,846.97
3615-25CD-00800	7444.22	0.17	\$ 217,640.00	\$ 217,910.00	\$ 2,185.87
3615-25CD-00900	7452.43	0.17	\$ 104,870.00	\$ 134,490.00	\$ 945.65
3615-25CD-01000	7453.27	0.17	\$ 174,780.00	\$ 180,610.00	\$ 1,765.15
3615-25CD-01100	14696.65	0.34	\$ 109,640.00	\$ 140,540.00	\$ 987.77
3615-25CD-01200	7466.10	0.17	\$ 195,370.00	\$ 195,370.00	\$ 1,960.99
3615-25CD-01300	7463.80	0.17	\$ 154,090.00	\$ 158,580.00	\$ 1,556.21
3615-25CD-01400	7464.02	0.17	\$ 382,330.00	\$ 420,700.00	\$ 6,955.47
3615-25CD-01500	7941.82	0.18	\$ 263,770.00	\$ 302,330.00	\$ 2,350.05
3615-25CD-01600	8995.03	0.21	\$ 269,440.00	\$ 284,430.00	\$ 2,721.16

3615-25CD-01800	15072.73	0.35	\$ 240,660.00	\$ 240,660.00	\$ 2,415.58
3615-25CD-01900	13146.16	0.30	\$ 193,370.00	\$ 198,760.00	\$ 2,398.90
3615-25CD-02000	7753.43	0.18	\$ 282,590.00	\$ 282,590.00	\$ 2,836.44
3615-25CD-02100	15287.97	0.35	\$ 153,200.00	\$ 193,330.00	\$ 1,372.79
3615-25CD-02101	17100.48	0.39	\$ 163,600.00	\$ 174,990.00	\$ 1,652.24
3615-25CD-02102	17000.74	0.39	\$ 104,870.00	\$ 140,540.00	\$ 945.65
3615-25CD-02103	28522.38	0.65	\$ 138,500.00	\$ 177,530.00	\$ 1,242.87
3615-25CD-02104	33092.65	0.76	\$ 488,880.00	\$ 488,880.00	\$ 4,907.03
3615-25CD-02105	19767.71	0.45	\$ -	\$ -	\$ -
3615-25CD-02106	18964.47	0.44	\$ 223,080.00	\$ 281,900.00	\$ 2,252.97
3615-25CD-02107	60738.25	1.39	\$ 863,040.00	\$ 863,040.00	\$ 8,728.85
3615-25CD-02200	31016.57	0.71	\$ -	\$ 128,370.00	\$ -
<b>3615-25CA-00400</b>	8393.31	0.19	\$ 109,580.00	\$ 109,580.00	\$ 1,099.88
3615-25CA-00500	4795.62	0.11	\$ 17,890.00	\$ 20,730.00	\$ 176.87
3615-25CA-00600	17671.60	0.41	\$ 200,780.00	\$ 226,170.00	\$ 2,027.75
3615-25CA-00700	8693.34	0.20	\$ 131,060.00	\$ 141,250.00	\$ 1,323.61
3615-25CA-00800	9004.09	0.21	\$ 108,770.00	\$ 140,140.00	\$ 1,098.51
3615-25CA-00900	8285.84	0.19	\$ 115,110.00	\$ 123,920.00	\$ 1,162.54
3615-25CA-01000	15170.93	0.35	\$ 179,300.00	\$ 189,450.00	\$ 1,810.82
3615-25CA-01100	17261.83	0.40	\$ 229,390.00	\$ 229,390.00	\$ 2,302.44
3615-25CA-01300	3930.69	0.09	\$ 16,020.00	\$ 16,020.00	\$ 159.36
3615-25CA-01400	9433.56	0.22	\$ 194,290.00	\$ 194,290.00	\$ 1,950.15
3615-25CA-01500	9429.08	0.22	\$ 183,280.00	\$ 183,280.00	\$ 1,839.64
3615-25CA-01600	9433.35	0.22	\$ 188,360.00	\$ 188,360.00	\$ 1,890.62
3615-25CA-01700	9437.43	0.22	\$ 190,410.00	\$ 190,410.00	\$ 1,911.20
3615-25CA-01800	11465.34	0.26	\$ 156,280.00	\$ 156,280.00	\$ 1,568.63
3615-25CA-01900	12146.68	0.28	\$ 149,080.00	\$ 171,230.00	\$ 1,496.37
3615-25CA-02000	7622.29	0.17	\$ 202,420.00	\$ 202,420.00	\$ 2,031.76
3615-25CA-02100	8368.34	0.19	\$ 30,640.00	\$ 30,640.00	\$ 287.66
3615-25CA-02200	8683.25	0.20	\$ 244,000.00	\$ 257,160.00	\$ 2,175.31
3615-25CA-02300	8100.94	0.19	\$ 52,340.00	\$ 52,340.00	\$ 478.10
3615-25CA-02400	8104.05	0.19	\$ 104,080.00	\$ 105,550.00	\$ 1,051.14
3615-25CA-02500	8106.94	0.19	\$ 121,510.00	\$ 130,790.00	\$ 1,227.17
3615-25CA-02600	8110.07	0.19	\$ 109,310.00	\$ 122,520.00	\$ 1,103.96
3615-25CA-02700	8113.16	0.19	\$ 110,470.00	\$ 120,950.00	\$ 1,115.68
3615-25CA-02800	8792.85	0.20	\$ 122,710.00	\$ 131,180.00	\$ 1,239.30
3615-25CA-02900	8796.02	0.20	\$ 172,850.00	\$ 194,380.00	\$ 1,745.67
3615-25CA-03000	8789.60	0.20	\$ 117,150.00	\$ 127,300.00	\$ 2,176.71
3615-25CA-03100	9216.42	0.21	\$ 131,020.00	\$ 149,940.00	\$ 1,323.22
3615-25CA-03200	10213.98	0.23	\$ 151,430.00	\$ 163,500.00	\$ 1,529.34
3615-25CA-03300	7426.78	0.17	\$ 103,830.00	\$ 113,650.00	\$ 1,048.62
3615-25CA-03400	7240.17	0.17	\$ 101,850.00	\$ 111,950.00	\$ 1,028.61
3615-25CA-03500	7200.11	0.17	\$ 103,740.00	\$ 112,330.00	\$ 1,047.71
3615-25CA-03600	8399.97	0.19	\$ 115,470.00	\$ 127,750.00	\$ 1,166.18

3615-25CA-03700	7800.02	0.18	\$ 126,440.00	\$ 129,020.00	\$ 1,276.96
3615-25CA-03800	288066.82	6.61	\$ 362,510.00	\$ 408,460.00	\$ 3,717.97
3615-25CA-03801	62236.04	1.43	\$ 87,034.00	\$ 87,034.00	\$ 873.59
3615-25CA-03802	3776.50	0.09	\$ 7,000.00	\$ 7,930.00	\$ 80.62
3615-25CA-03900	8326.34	0.19	\$ 140,650.00	\$ 147,360.00	\$ 1,420.47
3615-25CA-04000	7199.88	0.17	\$ 132,050.00	\$ 139,560.00	\$ 1,844.20
3615-25CA-04100	7199.98	0.17	\$ 110,060.00	\$ 120,720.00	\$ 1,111.54
3615-25CA-04200	7799.94	0.18	\$ 88,360.00	\$ 93,650.00	\$ 892.37
3615-25CA-04300	2369.41	0.05	\$ 1,240.00	\$ 2,500.00	\$ 10.96
3615-25CA-04302	6030.72	0.14	\$ 38,200.00	\$ 47,440.00	\$ 385.78
3615-25CA-04400	3702.22	0.08	\$ 1,240.00	\$ 2,500.00	\$ 10.96
3615-25CA-04401	8297.95	0.19	\$ 150,250.00	\$ 153,790.00	\$ 1,517.41
3615-25CA-04500	7800.05	0.18	\$ 122,730.00	\$ 131,110.00	\$ 1,239.48
3615-25CA-04600	7800.18	0.18	\$ 107,540.00	\$ 120,550.00	\$ 1,086.07
3615-25CA-04700	7800.09	0.18	\$ 132,390.00	\$ 133,530.00	\$ 1,334.53
3615-25CA-04800	7200.22	0.17	\$ 101,410.00	\$ 117,280.00	\$ 1,024.16
3615-25CA-04900	7200.04	0.17	\$ 121,030.00	\$ 121,460.00	\$ 1,216.96
3615-25CA-05000	7200.24	0.17	\$ 60,120.00	\$ 60,120.00	\$ 603.45
3615-25CA-05100	7200.23	0.17	\$ 61,060.00	\$ 61,060.00	\$ 554.63
3615-25CA-05200	7200.12	0.17	\$ 61,060.00	\$ 61,060.00	\$ 554.63
3615-25CA-05300	11619.80	0.27	\$ 196,900.00	\$ 196,900.00	\$ 1,976.34
3615-25CA-05400	15624.82	0.36	\$ 321,980.00	\$ 321,980.00	\$ 3,231.81
3615-25CA-05500	16815.22	0.39	\$ 286,450.00	\$ 286,450.00	\$ 2,875.18
3615-25CA-05600	25223.31	0.58	\$ 265,080.00	\$ 265,080.00	\$ 2,660.67
3615-25CA-05700	30635.80	0.70	\$ 365,840.00	\$ 433,920.00	\$ 3,713.48
3615-25CA-05900	18471.02	0.42	\$ 289,270.00	\$ 290,010.00	\$ 2,907.19
3615-25CA-06000	13491.21	0.31	\$ 232,770.00	\$ 232,770.00	\$ 2,336.39
3615-25CA-06200	18567.77	0.43	\$ 161,930.00	\$ 172,430.00	\$ 1,635.38
3615-25CA-06300	10796.86	0.25	\$ 153,720.00	\$ 154,690.00	\$ 1,547.79
3615-25CA-06400	10194.35	0.23	\$ 277,880.00	\$ 288,580.00	\$ 2,806.40
3615-25CA-06500	12991.01	0.30	\$ 58,410.00	\$ 58,410.00	\$ 531.38
3615-25CA-06600	11409.74	0.26	\$ 152,240.00	\$ 186,810.00	\$ 1,537.52
3615-25CA-06700	176967.48	4.06	\$ 320.00	\$ 94,080.00	\$ 21.55
<b>3615-25BD-00600</b>	7200.53	0.17	\$ 120,450.00	\$ 128,440.00	\$ 1,216.46
3615-25BD-00800	7199.88	0.17	\$ 138,600.00	\$ 148,480.00	\$ 1,399.77
3615-25BD-00900	6785.86	0.16	\$ 110,760.00	\$ 119,100.00	\$ 1,118.61
3615-25BD-01000	7247.82	0.17	\$ 129,110.00	\$ 151,460.00	\$ 1,303.92
3615-25BD-01200	7152.11	0.16	\$ 19,260.00	\$ 29,200.00	\$ 188.99
3615-25BD-01301	7199.85	0.17	\$ 90,410.00	\$ 117,300.00	\$ 913.08
3615-25BD-01500	7205.53	0.17	\$ 115,200.00	\$ 126,670.00	\$ 1,163.45
3615-25BD-01501	7124.71	0.16	\$ 38,440.00	\$ 58,410.00	\$ 358.50
3615-25BD-01700	7364.05	0.17	\$ 125,770.00	\$ 151,200.00	\$ 1,270.17
3615-25BD-01801	7205.11	0.17	\$ 133,500.00	\$ 145,430.00	\$ 1,348.26
3615-25BD-01900	7202.75	0.17	\$ 132,360.00	\$ 144,520.00	\$ 1,336.74

3615-25BD-02001	2984.73	0.07	\$ 17,280.00	\$ 26,280.00	\$ 171.48
3615-25BD-02100	312911.95	7.18	\$ 306,740.00	\$ 397,900.00	\$ 2,729.84
3615-25BD-02101	8200.90	0.19	\$ 177,070.00	\$ 177,600.00	\$ 1,779.96
3615-25BD-02102	8291.48	0.19	\$ 134,630.00	\$ 144,280.00	\$ 1,359.68
3615-25BD-02103	10436.90	0.24	\$ 39,930.00	\$ 58,410.00	\$ 371.68
3615-25BD-02104	7055.60	0.16	\$ 38,440.00	\$ 58,410.00	\$ 358.50
3615-25BD-02105	7054.59	0.16	\$ 38,440.00	\$ 58,410.00	\$ 358.50
3615-25BD-02106	7572.02	0.17	\$ 38,440.00	\$ 58,410.00	\$ 358.50
3615-25BD-02107	132207.36	3.04	\$ -	\$ 1,699.00	\$ -
3615-25BD-02200	5957.42	0.14	\$ 23,670.00	\$ 36,070.00	\$ 227.96
3615-25BD-02300	5957.55	0.14	\$ 131,770.00	\$ 141,360.00	\$ 1,330.79
3615-25BD-02400	7149.02	0.16	\$ 163,500.00	\$ 163,500.00	\$ 1,641.10
3615-25BD-02500	7148.81	0.16	\$ 114,880.00	\$ 123,090.00	\$ 1,160.20
3615-25BD-02600	7149.11	0.16	\$ 101,290.00	\$ 110,110.00	\$ 1,022.95
3615-25BD-02700	7149.03	0.16	\$ 99,290.00	\$ 108,170.00	\$ 1,002.76
3615-25BD-02800	7506.49	0.17	\$ 108,780.00	\$ 117,580.00	\$ 1,098.59
3615-25BD-02900	6845.15	0.16	\$ 116,890.00	\$ 134,600.00	\$ 1,180.51
3615-25BD-03100	7019.19	0.16	\$ 118,140.00	\$ 127,580.00	\$ 2,033.85
3615-25BD-03200	7126.25	0.16	\$ 117,490.00	\$ 129,190.00	\$ 1,186.57
3615-25BD-03300	9708.80	0.22	\$ 115,470.00	\$ 127,460.00	\$ 1,166.18
3615-25BD-03400	7564.24	0.17	\$ 102,370.00	\$ 111,800.00	\$ 1,033.86
3615-25BD-03500	9809.97	0.23	\$ 117,920.00	\$ 122,220.00	\$ 1,190.89
3615-25BD-03600	9279.28	0.21	\$ 81,850.00	\$ 111,220.00	\$ 826.62
3615-25BD-03700	10300.51	0.24	\$ 101,400.00	\$ 115,560.00	\$ 1,024.08
3615-25BD-03800	11266.52	0.26	\$ 112,660.00	\$ 125,740.00	\$ 1,137.78
3615-25BD-03900	7360.13	0.17	\$ 109,640.00	\$ 118,560.00	\$ 1,107.27
3615-25BD-04000	7199.54	0.17	\$ 98,480.00	\$ 124,950.00	\$ 994.57
3615-25BD-04100	7199.52	0.17	\$ 117,050.00	\$ 134,870.00	\$ 1,182.14
3615-25BD-04200	10337.26	0.24	\$ 113,040.00	\$ 122,020.00	\$ 1,447.53
3615-25BD-04300	7851.25	0.18	\$ 115,870.00	\$ 124,070.00	\$ 1,170.21
3615-25BD-04400	7909.47	0.18	\$ 91,040.00	\$ 101,850.00	\$ 919.45
3615-25BD-04500	8497.13	0.20	\$ 91,740.00	\$ 127,680.00	\$ 926.52
3615-25BD-04600	10243.47	0.24	\$ 223,140.00	\$ 223,140.00	\$ 2,239.72
3615-25BD-04700	7801.78	0.18	\$ 118,700.00	\$ 127,040.00	\$ 1,198.78
3615-25BD-04800	7799.87	0.18	\$ 111,200.00	\$ 119,530.00	\$ 1,123.04
3615-25BD-04900	7811.07	0.18	\$ 125,890.00	\$ 170,870.00	\$ 1,271.38
3615-25BD-05000	4547.94	0.10	\$ 13,650.00	\$ 18,390.00	\$ 139.39
3615-25BD-05100	11052.12	0.25	\$ 130,560.00	\$ 156,740.00	\$ 1,318.56
3615-25BD-05200	7430.50	0.17	\$ 149,090.00	\$ 159,280.00	\$ 1,505.71
3615-25BD-05201	10643.27	0.24	\$ 132,990.00	\$ 133,470.00	\$ 1,337.27
3615-25BD-05300	19485.56	0.45	\$ 49,450.00	\$ 74,910.00	\$ 455.82
3615-25BD-05400	8207.06	0.19	\$ 115,470.00	\$ 137,970.00	\$ 1,166.18
3615-25BD-05500	7614.41	0.17	\$ 118,170.00	\$ 124,730.00	\$ 1,193.43
3615-25BD-05700	7199.15	0.17	\$ 115,320.00	\$ 124,880.00	\$ 1,164.67

3615-25BD-05900	14104.86	0.32	\$ 382,710.00	\$ 424,720.00	\$ 3,865.10
3615-25BD-06000	10563.16	0.24	\$ 174,070.00	\$ 192,520.00	\$ 2,188.79
3615-25BD-06100	24820.50	0.57	\$ 63,530.00	\$ 63,530.00	\$ 576.31
<b>3615-25 -00300</b>	488757.09	11.22	\$ 4,120.00	\$ 593,260.00	\$ 68.15
3615-25 -00400	83174.25	1.91	\$ 315,630.00	\$ 315,630.00	\$ 3,234.33
3615-25 -00500	312564.23	7.18	\$ 50,600.00	\$ 54,870.00	\$ 456.63
3615-25 -00900	1300000.00	29.84	\$ 337,450.00	\$ 337,450.00	\$ 2,765.52
3615-25 -01000	847674.61	19.46	\$ -	\$ 299,940.00	\$ -
3615-25 -01100	1200000.00	27.55	\$ 220,200.00	\$ 220,200.00	\$ 1,822.59
<b>3615-25BB-00100</b>	9861.07	0.23	\$ 112,750.00	\$ 136,870.00	\$ 1,015.27
3615-25BB-00200	9513.15	0.22	\$ 247,750.00	\$ 289,480.00	\$ 2,502.11
3615-25BB-00300	9378.51	0.22	\$ 219,650.00	\$ 239,870.00	\$ 2,218.33
3615-25BB-00400	9750.48	0.22	\$ 353,740.00	\$ 393,640.00	\$ 3,572.54
3615-25BB-00500	12347.82	0.28	\$ 273,600.00	\$ 280,390.00	\$ 2,763.16
3615-25BB-00600	8085.68	0.19	\$ 55,160.00	\$ 66,910.00	\$ 506.29
3615-25BB-00700	6715.63	0.15	\$ 245,440.00	\$ 258,700.00	\$ 2,478.79
3615-25BB-00800	11999.99	0.28	\$ 228,510.00	\$ 237,180.00	\$ 2,307.79
3615-25BB-00900	5970.12	0.14	\$ 46,010.00	\$ 55,760.00	\$ 425.41
3615-25BB-01000	5969.69	0.14	\$ 46,010.00	\$ 55,760.00	\$ 425.41
3615-25BB-01100	12862.68	0.30	\$ 355,160.00	\$ 366,050.00	\$ 3,586.88
3615-25BB-01400	24558.36	0.56	\$ 163,940.00	\$ 206,680.00	\$ 1,467.74
3615-25BB-01500	8861.31	0.20	\$ 271,020.00	\$ 293,170.00	\$ 2,720.31
3615-25BB-01600	8737.17	0.20	\$ 309,050.00	\$ 359,770.00	\$ 3,121.18
3615-25BB-01700	61776.62	1.42	\$ 534,820.00	\$ 568,250.00	\$ 5,467.55
3615-25BB-02000	50822.93	1.17	\$ 627,150.00	\$ 627,150.00	\$ 6,361.14
3615-25BB-02100	56084.46	1.29	\$ 529,450.00	\$ 567,460.00	\$ 5,347.07
3615-25BB-02101	55409.29	1.27	\$ 500,580.00	\$ 511,210.00	\$ 5,055.51
3615-25BB-02400	66184.33	1.52	\$ 558,760.00	\$ 604,760.00	\$ 5,709.33
3615-25BB-02401	71749.52	1.65	\$ 455,810.00	\$ 514,520.00	\$ 4,669.61
3615-25BB-02500	39264.38	0.90	\$ 195,570.00	\$ 293,800.00	\$ 1,747.28
3615-25BB-02800	38491.82	0.88	\$ 215,270.00	\$ 323,180.00	\$ 1,921.40
3615-25BB-02900	37719.81	0.87	\$ 234,740.00	\$ 352,560.00	\$ 2,093.48
3615-25BB-03200	36946.20	0.85	\$ 195,570.00	\$ 293,800.00	\$ 1,747.28
3615-25BB-03300	36174.99	0.83	\$ 215,270.00	\$ 323,180.00	\$ 1,921.40
3615-25BB-03600	35401.29	0.81	\$ 195,570.00	\$ 293,800.00	\$ 1,747.28
3615-25BB-03700	32990.51	0.76	\$ 185,890.00	\$ 279,110.00	\$ 1,661.71
<b>3615-24CC-00100</b>	2748.88	0.06	\$ 195,830.00	\$ 244,300.00	\$ 1,977.74
3615-24CC-00200	12847.14	0.29	\$ 257,210.00	\$ 282,250.00	\$ 2,597.65
3615-24CC-00300	14567.52	0.33	\$ 118,300.00	\$ 143,710.00	\$ 1,064.32
3615-24CC-00400	12928.26	0.30	\$ 370,010.00	\$ 445,400.00	\$ 4,646.85
3615-24CC-00500	14726.88	0.34	\$ 350,830.00	\$ 360,710.00	\$ 3,561.88
3615-24CC-00600	13525.79	0.31	\$ 211,630.00	\$ 250,020.00	\$ 2,137.32
3615-24CC-00700	15394.65	0.35	\$ 233,490.00	\$ 284,540.00	\$ 2,358.09
3615-24CC-00800	9794.79	0.22	\$ 101,410.00	\$ 122,770.00	\$ 1,024.16

3615-24CC-00900	10286.01	0.24	\$ 59,780.00	\$ 72,490.00	\$ 547.11
3615-24CC-01000	11212.11	0.26	\$ 273,780.00	\$ 292,230.00	\$ 2,766.77
3615-24CC-01100	13567.00	0.31	\$ 246,270.00	\$ 246,270.00	\$ 2,471.88
3615-24CC-01200	13870.57	0.32	\$ 266,620.00	\$ 276,070.00	\$ 2,692.69
3615-24CC-01300	7865.20	0.18	\$ 50,580.00	\$ 61,340.00	\$ 465.80
3615-24CC-01400	9931.43	0.23	\$ 68,900.00	\$ 89,810.00	\$ 695.85
3615-24CC-01500	19534.11	0.45	\$ 264,900.00	\$ 302,250.00	\$ 2,675.30
3615-24CC-01600	27250.32	0.63	\$ 124,580.00	\$ 157,080.00	\$ 1,119.84
3615-24CC-01700	25478.62	0.58	\$ 266,400.00	\$ 342,810.00	\$ 2,690.45
3615-24CC-01800	26241.50	0.60	\$ 211,340.00	\$ 259,100.00	\$ 2,134.40
3615-24CC-01900	27004.98	0.62	\$ 131,120.00	\$ 165,350.00	\$ 1,177.65
3615-24CC-02000	27767.50	0.64	\$ 131,120.00	\$ 165,350.00	\$ 1,177.65
3615-24CC-02100	27081.57	0.62	\$ 324,800.00	\$ 328,760.00	\$ 3,298.66
3615-24CC-02200	30405.68	0.70	\$ 257,800.00	\$ 302,690.00	\$ 2,603.60
3615-24CC-02300	23530.63	0.54	\$ 131,120.00	\$ 165,350.00	\$ 1,177.65
3615-24CC-02400	22748.13	0.52	\$ 131,120.00	\$ 165,350.00	\$ 1,177.65
3615-24CC-02500	17656.83	0.41	\$ 131,120.00	\$ 165,350.00	\$ 1,177.65
3615-24CC-02600	17250.93	0.40	\$ 343,920.00	\$ 343,920.00	\$ 3,470.77
3615-24CC-02700	13361.56	0.31	\$ 326,450.00	\$ 332,560.00	\$ 3,296.91
3615-24CC-02800	11078.51	0.25	\$ 288,800.00	\$ 303,110.00	\$ 2,916.68
3615-24CC-02900	12855.83	0.30	\$ 387,440.00	\$ 387,440.00	\$ 3,888.84
3615-24CC-03200	10388.47	0.24	\$ 217,550.00	\$ 217,650.00	\$ 2,184.10
3615-24CC-04300	10007.57	0.23	\$ 57,490.00	\$ 69,700.00	\$ 526.87
3615-24CC-04400	9161.45	0.21	\$ 55,160.00	\$ 66,910.00	\$ 506.29
3615-24CC-04500	14220.09	0.33	\$ 182,760.00	\$ 198,080.00	\$ 1,845.75
3615-24CC-04600	15760.89	0.36	\$ 277,620.00	\$ 277,620.00	\$ 2,786.55
3615-24CC-04800	5974.66	0.14	\$ 46,010.00	\$ 55,760.00	\$ 425.41
3615-24CC-04900	5974.66	0.14	\$ 135,370.00	\$ 166,780.00	\$ 1,385.90
3615-24CC-05000	9799.24	0.22	\$ 57,490.00	\$ 69,700.00	\$ 526.87
3615-24CC-05100	5973.16	0.14	\$ 180,140.00	\$ 185,390.00	\$ 1,819.28
3615-24CC-05200	5973.17	0.14	\$ 46,010.00	\$ 55,760.00	\$ 425.41
3615-24CC-05300	10214.47	0.23	\$ 57,490.00	\$ 69,700.00	\$ 526.87
3615-24CC-05400	5991.68	0.14	\$ 252,590.00	\$ 252,590.00	\$ 2,535.32
3615-24CC-05500	5991.75	0.14	\$ 250,560.00	\$ 254,870.00	\$ 2,530.49
3615-24CC-05600	11593.60	0.27	\$ 62,060.00	\$ 75,280.00	\$ 567.28
3615-24CC-05700	5991.69	0.14	\$ 187,420.00	\$ 193,940.00	\$ 1,892.81
3615-24CC-05800	5991.68	0.14	\$ 181,650.00	\$ 186,830.00	\$ 1,834.54
3615-24CC-05900	12085.88	0.28	\$ 62,060.00	\$ 75,280.00	\$ 567.28
3615-24CC-06000	5884.75	0.14	\$ 181,690.00	\$ 186,870.00	\$ 1,834.94
3615-24CC-06100	5665.59	0.13	\$ 46,010.00	\$ 55,760.00	\$ 425.41
3615-24CC-06200	8819.05	0.20	\$ 215,680.00	\$ 222,030.00	\$ 2,178.21
3615-24CC-06300	5390.33	0.12	\$ 46,010.00	\$ 55,760.00	\$ 425.41
3615-24CC-06400	7076.43	0.16	\$ 266,860.00	\$ 266,860.00	\$ 2,678.55
3615-24CC-06500	13853.11	0.32	\$ 247,720.00	\$ 287,340.00	\$ 2,501.80

3615-24CC-06700	15000.48	0.34	\$ 224,000.00	\$ 261,760.00	\$ 2,262.24
3615-24CC-06701	9043.53	0.21	\$ 70,930.00	\$ 86,230.00	\$ 645.67
3615-24CC-06800	14319.90	0.33	\$ 112,750.00	\$ 136,870.00	\$ 1,015.27
3615-24CC-06900	13301.84	0.31	\$ 234,480.00	\$ 271,720.00	\$ 2,368.08
3615-24CC-07000	12839.00	0.29	\$ 234,480.00	\$ 257,520.00	\$ 2,368.08
3615-24CC-07100	12164.84	0.28	\$ 235,540.00	\$ 256,370.00	\$ 2,378.79
3615-24CC-07200	11058.84	0.25	\$ 365,570.00	\$ 381,450.00	\$ 3,692.00

# GOLD BEACH CITY COUNCIL AGENDA REPORT



Agenda Item No. 10. c.  
Council Hearing Date: March 10, 2014

## **TITLE: Possible suspension of requirement to allow PC appointment**

### **SUMMARY AND BACKGROUND:**

Since last summer we have been unable to conduct land use hearings because of a lack of a quorum of planning commission members. Until last month there were four vacancies. If Resolution R1314-10 gets adopted on Monday there will finally be enough members to conduct business. Two vacancies still remain though. In nine months we have received five total applications: two candidates were ineligible. We appointed the three other applicants.

We have received another application just following the February meeting. The applicant has done other volunteer work for the City I feel they would be an excellent candidate. However, they live in the UGB. When we appointed Robert Chibante he filled the UGB position (he lives on Jerry's Flat Road). I spoke with legal counsel about whether we could make a special dispensation to allow two members to live in the UGB since we have been unsuccessful in finding other in-City eligible candidates.

She advised that the Council could suspend the City Code rules regarding the UGB members in the following manner. I like option #3 because it is specific to the situation.

*From Legal Counsel, Lauren Sommers:*

Admin Code Section 1.120(2) provides that the "members of the Planning Commission shall meet all of the requirements of ORS 227.030 and at least four (4) of the members shall be residents of the city. One member may be selected from outside the city, but shall reside within the city urban growth boundary as that term is defined in the City Comprehensive Plan." The Council could decide to do something different than currently allowed by the Code, but they would have to do it by ordinance, since an ordinance can only be changed by another ordinance.

The Council can:

- 1) amend the Code to allow more than one Planning Commissioner to reside in the UGB;
- 2) amend the Code to allow the Council to waive residency requirements (probably upon some sort of showing from staff that a position cannot be filled by a City resident); or
- 3) if the Council wants to change the residency requirements for this situation only, they can adopt an ordinance that says something like, "notwithstanding the requirement of Gold Beach Admin Code Section 1.120(2) that only one Planning Commissioner reside outside of the City but within the City's Urban Growth Boundary, the Council hereby appoints \_\_\_\_\_ to serve as a member of the Gold Beach Planning Commission for a \_\_\_\_ year term beginning \_\_\_\_\_"

and ending \_\_\_\_\_. All other applicable terms and conditions of the Gold Beach Code shall apply to \_\_\_\_\_'s service on the Planning Commission.”

**FINANCIAL IMPACT:**

None

**DOCUMENTS ATTACHED:**

None

**REQUESTED MOTION/ACTION:**

Discussion and decision on whether to allow/disallow the dispensation to appoint another UGB member. Direct staff to prepare the amendment for the April meeting if the decision is to allow the dispensation.

**SUGGESTED MOTION**

None

**COPY OF REPORT AND ATTACHMENTS SENT TO:**

Council

# GOLD BEACH CITY COUNCIL AGENDA REPORT



Agenda Item No. 10 d.  
Council Meeting Date: March 10, 2014

## **TITLE: Medical Marijuana Update**

### **SUMMARY AND BACKGROUND:**

**March Report:** The state law permitting Medical Marijuana Dispensaries (under state regulation) went into effect on March 3<sup>rd</sup>. The legislature has been busy in the past month making revisions to the original law. Changes were being made up to today (Friday). Legal Counsel has been keeping me apprised of the various changes. I received this from her this afternoon:

This morning the Senate concurred in the House amendments to SB 1531 so now it goes to the Governor for signature. I have not heard anything that leads me to believe the Governor's signature would be an issue, so I think we can consider the bill a done deal. The bill as adopted will do the following: give cities and counties the authority to impose reasonable time, place, and manner regulations on medical marijuana dispensaries and allow cities and counties to impose temporary moratoria on the operation of dispensaries within their jurisdictions. "Reasonable regulations" include: 1) reasonable limitations on hours of operation; 2) reasonable limitations on where a dispensary may locate within an industrial, commercial, or mixed-use zone; and 3) reasonable conditions on the manner in which the dispensary dispenses medical marijuana. Moratoria must be enacted no later than May 1, 2014, and will expire on May 1, 2015

We said at the February meeting that we wanted to wait and see what the state would be doing. The League is going to be having a "Marijuana Workshop" on May 1<sup>st</sup> that I will probably attend. I am including info from LOC with this report.

This has been the topic du jour on my City Managers email listserv. I compiled the responses of an informal survey conducted this week which I have attached to this report (I didn't include the city names since it was an internal discussion). The answers are from A-Z so there is no majority answer.

*February Report: Effective Monday, March 3<sup>rd</sup>, the state will begin accepting applications for Medical Marijuana Facility registration. We received the temporary Oregon Administrative Rules from legal counsel this week. I have reviewed the rules and the registration process is actually quite difficult—and expensive. The rules are attached.*

*Obviously this has been a hot topic for cities—how or whether to further regulate dispensaries. I have included some info and ordinances from other cities. I spoke with legal counsel about the potential risks of the dispensaries. We can discuss those during the meeting. The decision on how to proceed is a legislative one and therefore a council decision. I will administer/enforce whatever the council decides to adopt.*

**FINANCIAL IMPACT:**

- None at this time

**DOCUMENTS ATTACHED:**

- Info from LOC
- Survey from other cities

**REQUESTED MOTION/ACTION:**

We need to have the discussion on how the City plans to address/not address the law either at this meeting or the April meeting.

**COPY OF REPORT AND ATTACHMENTS SENT TO:**

Council  
Chief Andrews



March 7, 2014

## Legislature Adjourns *Sine Die*

The Oregon Legislative Assembly adjourned *sine die* Friday afternoon, March 7. Thus concludes a very policy intensive and often contentious "short" session.

The April *Local Focus* magazine as well as the 2014 Summary of Bills, to be available online by March 21, will provide more information about the session and its impact on cities.

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## House and Senate Approve Marijuana Dispensary Bill

On Wednesday, the House of Representatives approved an amended version of SB 1531, relating to medical marijuana facilities. The Senate concurred on the bill Friday morning. While the League would have preferred legislation that would have confirmed local control in perpetuity, legal opinions offered by legislative council on the subject of preemption created confusion, and some legislators felt they needed more time than a short session would allow to fully consider the issue. SB 1531 as passed provides some level of shelter from litigation for cities that choose to enact a moratorium. This version of the bill was developed by House leadership after objections were raised by members of the majority caucus to the League-supported version of the bill.

HB 1531, as adopted, employs a very different approach than what was previously considered. The bill states that cities may only impose time, place and manner restrictions, unless a city adopts an ordinance declaring a moratorium on medical marijuana facilities and notifies the Oregon Health Authority (OHA) by **May 1, 2014**. Individuals who violate the moratorium, while it is in place, are subject to prosecution, even if they are a medical marijuana card holder. However, the bill limits the moratorium to May 1, 2015, after which the city will be limited to only time, place and manner restrictions. A workgroup will be formed in the interim that will make recommendations to the Legislature that will be considered in the full session in 2015.

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The League is developing a model moratorium ordinance for cities and will be working with the OHA on developing a simple notice procedure.

Additionally, in its final meeting of the session Thursday, the Ways and Means Subcommittee on Capitol Construction, chaired by Senator Fred Girod (R-Stayton), provided additional funds to the Oregon Health Authority to hire two additional inspectors for the Oregon Medical Marijuana Dispensary program.

Contact: Scott Winkels, Intergovernmental Relations Associate – [swinkels@orcities.org](mailto:swinkels@orcities.org)

## Registration Opens Monday for Marijuana Workshop

The League, in partnership with the Association of Oregon Counties, is presenting a marijuana workshop for local governments on Thursday, May 1, 2014 from 9:00 a.m. to 5:00 p.m. at the DoubleTree by Hilton Portland (Lloyd Center). Online registration (at [www.orcities.org](http://www.orcities.org)) will begin Monday, March 10.

At the workshop, attendees will:

- Learn what's happening in Oregon related to medical marijuana;
- Listen to local government officials discuss different approaches to regulation;
- Hear from the U.S. Attorney's Office; and
- Find out what Washington, Colorado and California have experienced with legalizing marijuana.

Scheduled speakers include:

- U.S. Attorney's Office
- Chris McKenzie, League of California Cities
- Candice Bock, Association of Washington Cities
- Alan Rathbun, Washington Liquor Control Board
- Kevin Bommer, Colorado Municipal League
- Sherilyn Lombos, Tualatin City Manager
- Chief Rock Rakosi, Oregon Association Chiefs of Police
- Staff from LOC & AOC

The cost for city or county officials is \$95. For other attendees the cost is \$195. Lunch and parking is included.

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## MEDICAL MARIJUANA--WHAT OTHER CITIES ARE DOING TO DATE

<p>We have one that is opening shortly under the name Healing Green Dispensary. They seem to be very conscious of the need to be transparent and good citizens.</p>
<p>Not allowing them per your business license regulations, and planning on instituting a ban.</p>
<p>temporary prohibition through end of 2014, watching for legislative clarification.</p>
<p>not addressing it at this time. Waiting to hear what happens with the legislature.</p>
<p>Our Police Chief determined that all commercial property is within 1000' of all schools.</p>
<p>placement of our schools will keep the dispensaries from the core section of our little town. On the advice of our city attorney, we await any new laws from the State during this short session.</p>
<p>has chosen not to address this issue yet, pending clearer direction from the legislature. We have no business license requirement so our zoning and the State mandated 1000' restrictions are all that would apply, absent Council taking further action to restrict them.</p>
<p>Mayor is hoping that the Legislature will establish one standard for all Cities to follow</p>
<p>From the advice of our city attorney and Chief of Police, there are enough state regulations that have to be met and our Land Use Code will handle it. They do not want to regulate a legal medical drug and they felt it is only a matter of time it will be legalized in Oregon so our Council chose to not do anything at this time.</p>
<p>Our council recently adopted a one year moratorium to allow for the process of crafting some land use regulation to limit where they can be sited.</p>
<p>Not addressing them.</p>
<p>Passed a moratorium for 6 MONTHS</p>
<p>Not addressing them.</p>
<p>Not addressing them.</p>
<p>We are considering a four month moratorium, during which time we may consider amending our business license and zoning ordinances.</p>

Our business license section of the code contains language that requires licensed businesses to comply with state <b>and federal</b> law. So, no dispensaries here until something changes.
We have the "compliance with Federal Law" language in our business license ordinance, and will stand behind that while we can.
has language in the existing code requiring all businesses licensed to comply with state and federal law, hence, no dispensaries.
Our Business License Code states that we will not issue a business license to any business that violates State or Federal law
Not addressing them.
Temporary ban for 150 days
Instituted a ban.
We passed a business license ordinance to regulate them.
We have no business license requirements. Council has lots of discussion on this issue and finger pointing. We're waiting for the legislative fallout to determine the next step.
we will allow them in a commercial zone, as per state and federal laws, 1,000' away from schools. 1,000' away from any school in our town, only leaves about 2 locations, one has a business already on it and the other vacant piece of land. They will be treated like a pharmacy. Added a section to the zoning ordinance.
Not addressing them
ordinance banning marijuana facilities for 180 days in order to let the legislative session finish and give us time to go through any necessary land use code changes
Our business regulations already had a provision not allowing businesses that were illegal under federal law.
not allowed them as business license says they must comply federal laws
moratorium for 120 days effective March 2 <sup>nd</sup> , 2014

**GOLD BEACH CITY COUNCIL  
AGENDA REPORT**



Agenda Item No. 10 e.  
Council Meeting Date: March 10, 2014

**TITLE: Bulk Water Sales Policy**

**SUMMARY AND BACKGROUND:**

I drafted the bulk water sales policy as determined by the Council at the February meeting. Please review to ensure I have captured what you were thinking. When we do the next update to the Policy Manual we will include this new policy.

**DOCUMENTS ATTACHED:**

- Copy of proposed policy

**REQUESTED MOTION/ACTION:**

Please review and comment.

**COPY OF REPORT AND ATTACHMENTS SENT TO:**

Council  
Superintendent Newdall



## City of Gold Beach

29592 Ellensburg Avenue  
Gold Beach, OR 97444

Administration: 541-247-7029 • Police Department: 541-247-6671  
[www.goldbeachoregon.gov](http://www.goldbeachoregon.gov)



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### **BULK WATER SALES POLICY as determined by the City Council on February 10, 2014**

It is the policy of the City of Gold Beach to allow the bulk water sales for the following purposes only:

- Tanker filling for fire-fighting purposes
- Construction purposes (i.e. for concrete mixing)
- Emergency purposes (i.e. well/spring failure, or disaster mitigation)

At the time of the request for bulk water sales the Administrative/Finance office will require the requestor to fill out an informational form which will include at least the following:

- Name of person/business requesting bulk water
- Address for billing purposes
- Brief description of the proposed use of the water

The City Administrator or designee will review the request and determine whether to approve or deny the request. The requestor will be notified in writing of the City determination within five (5) business days.

*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.*