



CITY COUNCIL AGENDA
May 9, 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		
STARTING VOTE		
Council Position #3 Becky Campbell		
Council Position #4 Doug Brand		
Council Position #5 Tamie Kaufman		
City Administrator Jodi Fritts		
Student Liaison VACANT		

3. **Special Orders of Business:**
 - a. RosAnna Norval, RCAC-Presentation of Water Rate Study

4. **Consent Calendar:**
 None Scheduled

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

6. **Public Hearing**
 - a. Hearing on the receipt and use of State Revenue Sharing (SRS) funds
 - b. Hearing on Administration and Business Code Amendments

7. **Citizen Requested Agenda Items**
 - a. Request to sell/serve alcohol at a function at the park-GB Disc Golf Association
 - b. Request to address the Council-Dave Lacey

8. **Public Contracts and Purchasing**
 None Scheduled

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

- 9. Ordinances & Resolutions**
 - a. Ordinance 657 amending Administration Code
 - b. Ordinance 658 amending Business Code

- 10. Miscellaneous Items (including policy discussions and determinations)**
 - a. Review budget committee approved revisions for accuracy
 - b. Review proposal for interfund loan for fire fighter equipment
 - c. FYI only this month Planning Commission proposed amendments to GBZO
 - d. Update County land "gift"

- 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 is scheduled

The next regularly scheduled City Council meeting is **Monday, June 13, 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



SECTION 3.

Special Orders of Business

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**

Agenda Item No. 3. a.

Council Meeting Date: May 9, 2016

TITLE: RCAC Presentation & Discussion of Water Rate Study

SUMMARY AND BACKGROUND:

RosAnna Norval from RCAC will be here to present the draft Water Rate Study and answer questions. Ms. Norval will take comments, questions, and any adjustments from the City until later this month before incorporating those changes into a final document for adoption next month.

The plan was emailed earlier to allow council members time to review and consider any questions. An addition copy is provided with this report.

REQUESTED ACTION:

Discussion and questions with Ms. Norval

CITY OF GOLD BEACH - WATER

WATER RATE ANALYSIS

May 2016

Prepared by:



RosAnna Noval, Project Lead

Many thanks for their efforts during the analysis to:
City Administrator, Jodi Fritts-Matthey
Utility Clerk, Kim Hunnicutt
Utility Supervisor, Will Newdall

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- B. Reserve Account Definitions
- C. Capital Outlay Needs

1. Purpose and Objective

The City of Gold Beach Oregon operates a water utility as a separate enterprise fund which is managed by city staff at the direction of the Gold Beach City Council and Mayor. The city policy is to adjust rates annually based on inflation. With multiple capital improvement projects outlined in the 2016 Water Master Plan and a focus on water supply and efficient use, the city desires a third-party evaluation of the water rates.

The City of Gold Beach requested assistance from the Rural Community Assistance Corporation (RCAC) to complete an analysis of the water rates and provide recommendations. The rate analysis was derived using historical water utility financial data provided by the City, for fiscal years ending (FYE) 2012-2015, as well as using the FYE 2016 approved budget. Historical trends, industry standards and input from city staff and decision makers contributed to the five year budget projection.

An accurate and useful rate analysis not only identifies the total annual revenue required by a utility to conduct its normal day-to-day operations, but it also anticipates and plans for future operating and capital needs. It attempts to determine whether the projected revenue under existing rates will satisfy those needs. The primary objective of this process is to ensure that the utility has the ability to obtain sufficient funds to develop, construct, operate, maintain, and manage its water system on a continuing basis, in full compliance with federal, state, and local requirements.

The objective of this rate analysis is to ensure customers of the City of Gold Beach water utility services are provided with safe drinking water from a system that is financially sustainable for generations to come. The approach to meet this objective is to create a rate structure which fully funds the water utility to meet regulatory and public health concerns, contribute to planned capital improvement projects, and encourage the responsible management and use of this natural resource. The major steps included in this approach are:

- Determine revenues needed to support the budget,
- Evaluate water usage versus revenue received as related to equity,
- Identify alternative structures/options for water rate charges,
- Review impacts of potential capital improvements on the rates, and
- Make recommendations for rate structure adjustments.

Rate structures and options were evaluated on the basis of

- Encouraging water use efficiency,
- Keeping the structure simple to understand and administer,
- Ensuring revenues were adequate to sustain the utility, and
- Preparing for future capital improvements.

The information contained in this document will assist the City of Gold Beach in making prudent financial decisions to ensure the long-term viability of the water utility.

2. Revenue Requirement and Financial Planning

The objective of developing a financial plan for a water system is to determine cash needs, revenue requirements and anticipated timing of utility costs to ensure that adequate funds are available to meet operational and maintenance needs as they occur. Financial planning for a small water system normally includes an examination of:

- Operating revenues;
- Operation and maintenance (O&M) expenses;
- Debt service (principal and interest payments) on borrowed funds, and
- Reserve requirements.

Planning for the future requires an examination of past and current activities. The annual budget outlines what it costs the City to provide services to its customers. Each year, the City and budget committee conduct a comprehensive line item review of the budgetary expenditures to maximize available resources and reduce operational costs where possible. In 2015, the City hired The Dyer Partnership to create a Water Master Plan. The plan was completed in early 2016 and identifies three phases of capital improvement projects.

Table 2.1 shows the actual financial numbers for the last four fiscal years and the budget information for the current fiscal year for the Gold Beach Water Fund. The fund balance is decreasing over time as shown in the last row of the table below. Revenues are fairly stable and are generally sufficient to meet basic operating expenses. In the last 4 years, the City of Gold Beach has self-funded multiple improvement projects shown in the Capital Outlay row below. Capital Outlay costs are the main driver of the decreasing fund balance. *The fund balance will not be sufficient to meet all future operational and capital project needs. Additional funding from loans, grants, customer revenues or a combination will be required.* The water financial data spreadsheet found in Appendix A provides additional detail.

Table 2.1 Historical and Current Gold Beach Water Fund Financial Data

Water Fund	FYE 2012 Actual	FYE 2013 Actual	FYE 2014 Actual	FYE 2015 Actual	FYE 2016 Budget
Operating Revenue	\$ 533,652	\$ 533,730	\$ 532,650	\$ 567,555	\$ 547,000
Non-Operating Revenue	\$ 128,756	\$ 2,433	\$ 5,514	\$ 171,424	\$ 154,200
Expenses	\$ 587,544	\$ 510,506	\$ 555,372	\$ 499,636	\$ 652,257
Contingency (Emergency Reserve)	\$ -	\$ -	\$ -	\$ -	\$ 50,000
Net Income (Loss)	\$ 74,864	\$ 25,656	\$ (17,208)	\$ 239,343	\$ (1,057)
Capital Outlay	\$ 245,462	\$ 66,553	\$ 24,620	\$ 417,900	\$ 468,000
Fund Balance	\$ 692,506	\$ 682,324	\$ 579,052	\$ 415,547	

Operating Revenues

Revenues are the main source of income to a utility and are typically thought of as operating and non-operating. Operating revenue is the stable and reliable income that comes from customer rates or user charges. Non-operating revenue such as interest on checking and reserve accounts, meter deposits, connection fees, and late payments, penalties and reconnection fees may be considered operating revenue, if they are stable and dependable revenue sources. Beginning fund balances may be considered non-operating revenue or included in the reserves description. As economic fluctuations in recent years have shown, caution should be used when predicting future revenue from growth related fees.

Operating Expenses

This is the first cost category that is considered when developing a financial plan. Operating and maintenance costs include the day to day expenses of getting drinking water to customers. Common expense items include labor, insurance, materials, electricity, and chemicals.

Water System Reserves

Reserves are an accepted way to stabilize and support a utility financial management. Small systems usually fund the operating expenses. However, they often don't consider putting money aside for a specific upcoming financial need or for an amount that can be used to provide rate stabilization in years when revenues are unusually low or expenditures are unusually high.

The rationale for maintaining adequate reserve levels is twofold. First, it helps to assure that the utility will have adequate funds available to meet its financial obligations in times of varying needs. Secondly, it provides a framework around which financial decisions can be made to determine when reserve balances are inadequate or excessive and what specific actions need to be taken to remedy the situation.

Utility reserve levels can be thought of as a savings account. Reserve balances are funds that are set aside for a specific cash flow requirement, financial need, project, task, or legal covenant. Common reserve balances are established around the following four areas: operating reserve, capital improvement/equipment replacement, emergency, and debt service reserve. These balances are maintained in order to meet short-term cash flow requirements, and at the same time, minimize the risk associated with meeting financial obligations and continued operational needs under adverse conditions. Additional information on the four common reserves can be found in Appendix B.

Deposits to reserve accounts may be broken into reduced annual installments to minimize the overall impact on rates. Once the target reserve has been met, the contributions can be redirected to other water reserve funds or water projects. Evaluate operating reserve levels on a regular basis to reflect current costs and utility needs.

In an effort to reduce costs for small water infrastructure improvements by self-funding projects when possible, the City implemented a water reserve charge separate from the base rate and water consumption charges. The City currently charges each account \$2.00 per month.

This charge generates approximately \$2,700 per month which is saved in a dedicated water reserve fund. In February 2016, the water reserve fund balance was -\$109,939.64 due to the transfer of \$150,000 from the reserve fund to the water fund earlier in the fiscal year. The FYE 2016 budget presents the Net Total for the fund to be a loss of \$96,896. The FYE 2016 budget includes \$35,000 in revenue for this fund, in addition to misc. revenue of \$18,104 which is primarily from the Highway 101 Loan annual payment. Total annual revenue for the reserve fund is estimated at \$53,000.

As a result of Resolution R1314-17 effective May 27, 2014, the water system reserve fund loaned the Highway 101 Sewer Debt Fund \$154,000 at 3% interest as part of a larger financial decision to pay off a 2005 Oregon Department of Environmental Quality loan. The resolution states the Water Reserve Fund will receive \$18,053.50 annually for ten years beginning in FYE 2015.

Table 2.2 Recommended Reserve Targets

Purpose	Amount
Debt Service Reserve	\$808,173
Capital Improvement Plan (CIP) Reserve	\$200,000
Emergency Reserve	\$50,000
Operating Reserve	\$134,566
Total Reserves	\$1,192,739

Table 2.2 shows the recommended reserve targets as determined through conversations with city staff. Specific amounts were determined as follows:

- **Debt Service Reserve** – Target is based on the equivalent of one annual payment being required by the lending agency which is estimated at \$808,173. See the debt service explanation under the Five Year Budget Forecast section for additional details on the amount.
- **Capital Improvement Plan (CIP) Reserve** – Determined after discussions with city staff about expected projects. The city is considering a large capital project in the next 5 years based on the recent master plan. The city knows that self-funding the entire multi-million dollar project estimate is not feasible. A target was set at \$200,000 which will provide the city with some cash flow to complete small projects and to prepare documents necessary to secure funding for the large infrastructure project. After the major improvements are complete, this target will allow the city to proactively maintain the system in future years.
- **Emergency Reserve** – Current and prior budgets have included a contingency line item of \$50,000. This amount is maintained as the target.
- **Operating Reserve** – Standard industry recommendation is 12.5% or 45 days of operational costs which covers one monthly billing cycle. The city previously set a goal to establish reserves for all funds at 90 days of operating costs for that fund. Based on a 4 year average of operating expenses, the target amount is $\$538,265 \text{ (annual avg)} / 4 \text{ (90 days or 3 months)} = \$134,566$.

Table 2.3 Scenario One - Reach Fully Funded Reserve Targets in Five Years

Reserve	Target	FYE 16 Budget	Difference	Needed Annual Contribution	Additional Cost/Customer/Month*
Debt Service	\$808,173	\$0	\$808,173	\$108,635	\$6.72
CIP	\$200,000	\$0	\$200,000	\$40,000	\$2.47
Emergency	\$50,000	\$0	\$50,000	\$10,000	\$0.62
Operating	\$134,566	\$0	\$134,566	\$26,913	\$1.67
Total	\$1,192,739	\$0	\$1,192,739	\$185,548	\$11.48

*Based on 1347 paying accounts. See Section 4 for explanation of number of accounts.

Assumptions for this rate study are Debt Service and CIP Reserves are connected to the Water Reserve Fund account, Emergency Reserve is the Water Fund contingency line item and the Operating Reserve is in the Water Fund balance.

All amounts in the Difference column have been divided by five years to determine the needed annual contribution in the table above. Five years is provided simply as an example; the city could choose more or less time or choose to prioritize one of the reserve targets to fully fund first, then work on the others.

Debt service reserve requirements vary by funding agency. Some require the amount be established upfront; others allow the reserve to be established over time. If possible, begin saving for this reserve now, prior to loan closing. Since the water reserve fund receives \$18,054 annually for the next ten years for loan repayment and \$35,000 from current reserve charges, the needed annual contribution for the debt service has been reduced by \$53,000.

According to the July 31, 2015 balance sheet, the Water Fund balance was \$415,547. However, the fund balance is depleting each year and will be depleted by any loss incurred in FYE 2016. The FYE Budget anticipates a net loss of \$469,057. Meaning the fund balance would be completely depleted. Unless expenses were significantly lower than budgeted, the water fund would require a transfer from the water reserve or another source. Therefore, in Table 2.3, the operating reserve and the emergency reserve were calculated as if no money was currently set aside and the target amounts would be saved over the next five years.

Five Year Budget Forecast

RCAC utilized the FYE 2016 approved budget and developed projections for FYE 2017 to FYE 2021. A detailed spreadsheet of the water financial data can be found in Appendix A. Assumptions used when developing the five-year budget forecast include:

- **Revenues** – If current practices continue, rates would increase slightly each year based on inflation. Projections estimate a 1% increase each year for revenues from water sales.
- **Operational Expense** – Projections were determined based on conversations with city staff regarding inflation and RCAC knowledge of similar systems and industry practices. Wages and benefits are estimated to each increase at 2% and the remaining items to increase by 1% each fiscal year. Exceptions to this estimate are: *Transfers Out All Others, Capital Outlay and Contingency which are all 0% inflation.*

Capital Outlay was adjusted to zero for year 1, and \$50,000 for years 2-5, expecting that the city will incur some out of pocket costs for the major projects or have small projects that will be self-funded.

- **Annual Reserve Contribution** – For the projected budget, contributions to the emergency and contingency reserves are included at \$36,913 per year based on Table 2.3. This study assumes continuation of the existing system of a separate Water Reserve Fund charge, where the City currently charges each account \$2.00 per month. This charge would be increased to reflect the desired targets for debt service and capital improvement reserves only and would be in addition to the water rate fees. *The additional reserve charge per account would increase from \$2.00 to \$9.19.*
- **Debt Service** – Annual payment amounts are determined by funding agencies when loans are acquired. For the purposes of this study and projections, the City Council asked RCAC to evaluate the potential costs of Phase 1 & 2 projects identified in Section 9 of the Water Master Plan. (Phase 3 projects did not include cost estimates and, therefore, are not included in this financial analysis.) The Master Plan outlined a tentative schedule of completing Phase 1 construction by Dec. 2019 with a total cost of \$12,364,200. Based on Council direction, RCAC evaluated funding options for Phase 1 & 2 projects at a total cost of \$19,942,500. Potential funding implications are shown in table 2.4. A conservative funding package (shown in bold in Table 2.4) with 10% grant and a loan with 3.25% interest rate at 40 years was chosen to estimate future costs and rate requirements. Annual loan payment is estimated at \$808,173 with an annual cost per account of \$600 or \$50.00 per month. Debt service is added to expenses for the last two years of the projections.
 - Actual debt service will vary. More than one funding source will likely be needed and funding packages may occur over multiple years. The information below will need to be updated as soon as the Council makes decisions regarding financing and phasing of projects. Rates will likely require adjustment based on actual debt service conditions and initial payment date.

Table 2.4 Potential Funding Scenarios

	20 Year Period			40 Year Period		
	Interest Rate	Annual Payment	Monthly Cost per Account*	Interest Rate	Annual Payment	Monthly Cost per Account*
100% Loan \$19,942,500		0% Grant \$0				
	2.0	\$1,219,618	\$75.45	2.0	\$729,013	\$45.10
	3.25	\$1,371,623	\$84.86	3.25	\$897,970	\$55.55
90% Loan \$17,948,250		10% Grant \$1,994,250				
	2.0	\$1,097,656	\$67.91	2.0	\$656,112	\$40.59
	3.25	\$1,234,461	\$76.37	3.25	\$808,173	\$50.00
80% Loan \$15,954,000		20% Grant \$3,988,500				
	2.0	\$975,694	\$60.36	2.0	\$583,210	\$36.08
	3.25	\$1,097,298	\$67.89	3.25	\$718,376	\$44.44

*Based on 1347 paying accounts. See Section 4 for explanation of number of accounts.

Table 2.5 Water Fund Budget Forecast

	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
Operating Revenue	\$552,300	\$557,653	\$563,060	\$568,520	\$574,035
Non-Operating Revenue	\$4,200	\$4,200	\$4,200	\$4,200	\$4,200
Expenses	\$584,413	\$592,276	\$600,262	\$1,416,546	\$1,424,784
Emergency & Operating Reserve	\$36,913	\$36,913	\$36,913	\$36,913	\$36,913
Net Income (Loss)	\$(62,809)	\$(65,318)	\$(67,897)	\$(878,719)	\$(881,440)
Capital Outlay	\$0	\$50,000	\$50,000	\$50,000	\$50,000

Graph 2.1 Water Fund 10 Year Financial Picture

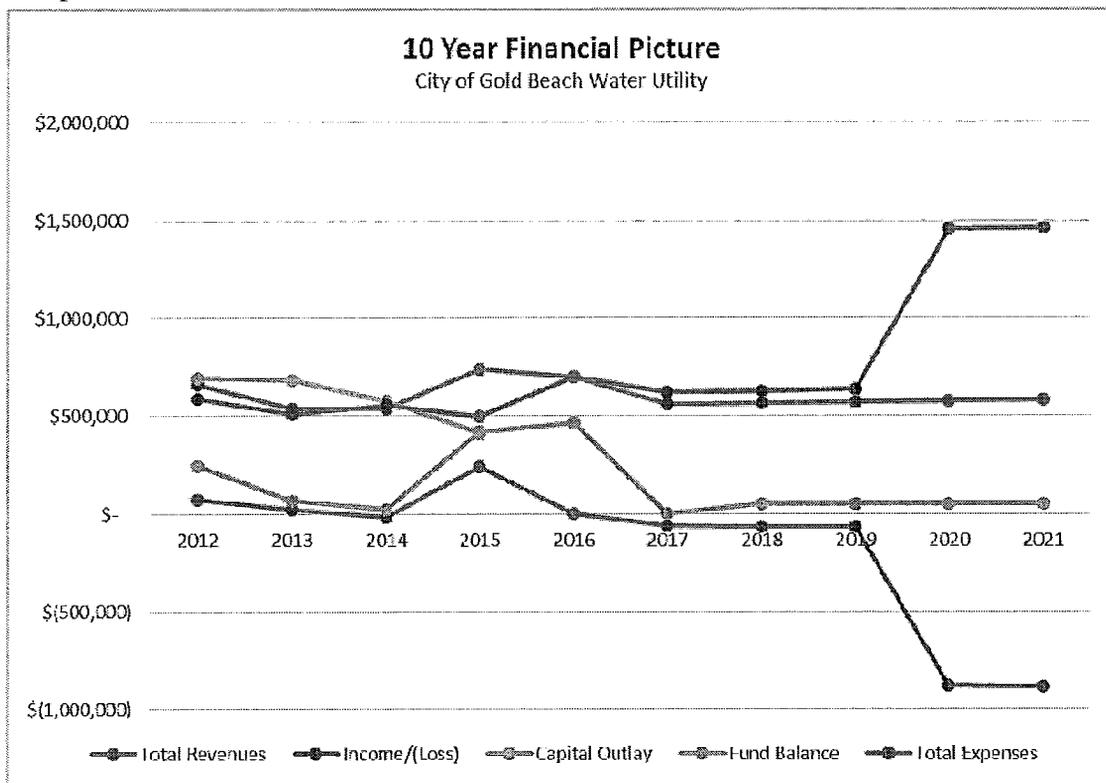


Table 2.5 and Graph 2.1 both reflect the budgetary impacts of inflation and saving for capital projects. In FYE 2020, debt service is added to the expenses. Revenues will not meet expenses as projected. *An adjustment will be required to maintain the fund balance and create a financial sustainable utility.* The Water Fund **revenue requirement** includes the expenses, transfers to reserve fund, and capital outlay amounts. The Water Reserve Fund revenue requirement is an additional amount that includes the annual contribution for the debt service and CIP reserves.

3. Customer Water Demands

When analyzing water rates it's vital to understand existing patterns of consumption among the system's customers. A large portion of customers may use a small percentage of water, and a small portion of customers may use a large percentage. The City of Gold Beach Water Utility currently separates accounts into five customer classes. Four classes designate residential customers from commercial accounts and those inside or outside of the city. The fifth class is only for water meters owned and operated for city purposes. City meters are read for utility operational purposes, but do not generate any revenue. For the purposes of this study, RCAC examined water use and revenue data from July 2014 to June 2015 to correspond with the city's fiscal year. The following table provides a breakdown of customer characteristics.

Table 4.1 Water Use Customer Characteristics by Class

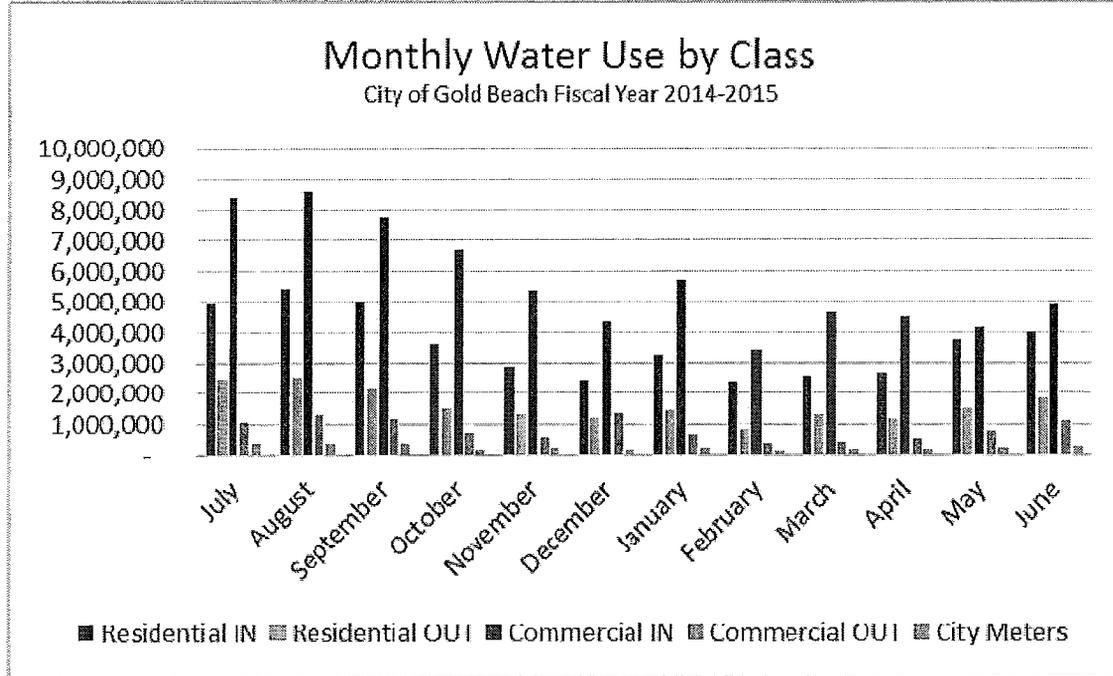
Class	Residential		Commercial		City Meter
	IN	OUT	IN	OUT	
City Rate Code	101	105	121	125	171
Number of Connections	989	324	253	40	15
Number of Active Accounts	842	298	236	40	13
Avg Monthly Use - Mean	4,264	5,360	24,228	20,790	17,380
Avg Monthly Use - Median	3,375	3,746	4,479	6,446	5,833
Active Accts 0 Gal	60	11	10	1	1
Total Annual Use in gallons	43,085,136	19,165,887	68,614,811	9,979,300	2,711,300
% of Total Use	30.0	13.4	47.8	7.0	1.9

During Fiscal Year Ending (FYE) June 2015, the City of Gold Beach data showed 1,621 metered connections with an average of 1,429 active accounts in the billing and use data. The difference between metered connections and active accounts includes all of the locations in the water system where there is a service line coming off of the main water line but there is no activity at that location. Perhaps there is a home site that installed water and sewer service but a home has not yet been built, or a building was destroyed by fire and not yet rebuilt. The water is turned off with no anticipation of when it will be turned back on, however the infrastructure remains and service may occur in the future. Active accounts appear in the annual billing and use data reports analyzed for this rate study. Of the "active" accounts, a total of 83 used zero gallons of water during the 12 month period.

The average monthly use was calculated for each account. In the table above, both the mean (average) and median figures are determined based on the averages for each account sorted smallest to largest. The difference between the two numbers is affected by the number of accounts with zero gallons and the high users.

For example, the commercial inside class with 14 accounts averaging more than 100,000 gallons per month skews the mean result higher. Whereas half of the accounts in that same category average 4,479 gallons or less each month.

Chart 4.1 City of Gold Beach Monthly Water Use



Water use by month is similar to most communities with higher water use in the summer and lower in the winter months. January is the exception; likely a result of the holiday season. (Note that while the meters were read in January and the water use recorded as January above, actual water use, for the most part, occurred in the month of December. Meters are read on a monthly cycle.) These fluctuations are consistent across all of the customer classes. Interpreting the trends in water use is important for understanding and predicting potential fluctuations in revenue. A rate structure that includes a charge based on water use, particularly if an increasing block rate is used, will result in additional revenue during summer months and potentially significantly less revenue in the winter months. A fully funded operations and maintenance reserve will minimize potential financial issues arising from the seasonal fluctuation in revenue.

In FYE 2015, the City sold 140,845,134 gallons of water. Expenses for that same time, not including capital outlay, were \$499,636. The cost equals \$3.55 per 1,000 gallons sold.

4. Current Rate

Rate Structures

The following are types of rates structures common to small drinking water systems:

- **Uniform Flat Rate** - Customers pay the same amount regardless of the quantity of water used. This type of rate is easiest to administer; however, it may not be fair to the lowest water users and does not promote water conservation or monitoring of use, leaks and wasted water.
- **Single or Uniform Block Rate** - Customers are charged a constant price per volume regardless of the amount of water used. The cost per block of water is often added to a minimum charge for having service available. This rate tends to be more equitable to customers than a flat rate as the cost to customer is in direct proportion to the amount use.
- **Declining or Decreasing Block Rate** - The price of water decreases as the amount used increases. This rate is effective for systems seeking to promote commercial users with high water use or for systems that experience few additional costs as water use increases. Be aware of impacts to low water users. This structure provides no monetary incentive for water conservation.
- **Inclining or Increasing Block Rate** - Designed to promote water use efficiency, the price of water increases as the amount used increases. This rate is effective for systems seeking to discourage high water use and minimizes cost impacts to low water users. Be aware of impacts to industrial or commercial customers that are high water users.

Block rates are commonly paired with a base rate. The base rate is a flat charge per month, which may or may not include a specified amount of water. The block rates are fees charged in addition to the base rate and directly determined by the amount of water used.

Current Rate Structure

For most small water systems, income from the sales of water (utility rates) is the single source of operating revenue. The City of Gold Beach currently uses a base rate, which includes some water use, with a multi-tiered declining block rate. The more water a customer uses the less they pay per gallon. The current rates and usage tiers are outlined in Table 4.1. This rate structure can be effective in certain situations, however it does not encourage water efficiency and, for some small systems, does not reflect the additional costs of higher water use. (Additional costs associated with higher water use may come from increased storage requirements, larger water main lines, additional chemical and treatment costs, wear and tear on equipment, etc.)

The City adjusts the base rate annually, depending on inflation. Years ago, city decision makers chose to charge customers outside of the city limits more than customers inside city limits. This additional charge was designed to account for higher costs to maintain and respond outside the City. The utility's current rate structure for water service is shown below. For the purposes of this financial analysis, the Council requested RCAC maintain this cost difference between the inside and outside city limits users.

Table 4.1 City of Gold Beach Water Rate Schedule

Residential:		IN	OUT
Base	0- 1,500 gallons	\$17.23	\$18.94
Tier 1	1,501- 2,500 gallons	\$3.75	\$4.32
Tier 2	2,501- 3,000 gallons	\$2.54	\$2.93
Tier 3	3,001-5 ,000 gallons	\$1.27	\$1.46
Tier 4	5,000+ gallons	\$0.54	\$0.63
Commercial:			
Base	0- 3,000 gallons	\$23.55	\$26.22
Tier 1	3,001- 7,000 gallons	\$3.75	\$4.32
Tier 2	7,001-10,000 gallons	\$2.54	\$2.92
Tier 3	10,001-20,000 gallons	\$1.88	\$2.16
Tier 4	20,001-30,000 gallons	\$1.27	\$1.46
Tier 5	30,000+ gallons	\$0.61	\$0.70
Tier prices are per 1,000 gallons for every class.			
Plus Water Reserve Fund Charge			\$2.00 per account
Effective July 1, 2015			

Table 4.2 Water Rate Customer Characteristics

Class	Residential		Commercial		City Meter
	IN	OUT	IN	OUT	
City Rate Code	101	105	121	125	171
Number of Connections	989	324	253	40	15
Number of Active Accounts	842	298	236	40	13
Avg Monthly Bill -Mean	\$23.87	\$28.68	\$60.23	\$64.09	\$0.00
Avg Monthly Bill - Median	\$23.74	\$27.23	\$30.45	\$39.81	\$0.00
Active Accts \$0 annual bill	43	5	2	4	13
Total Annual Revenue	\$241,212	\$102,557	\$170,557	\$30,764	\$0.00
% of Total Revenue	44.3	18.8	31.3	5.6	0
% of Total Use	30.0	13.4	47.8	7.0	1.9

During Fiscal Year Ending (FYE) June 2015, the City of Gold Beach data shows 1,621 metered connections with an average of 1,429 active accounts in the billing and use data. Of the “active” accounts, a total of 67 had a bill of \$0 during the 12 month period. In addition, 15 residential accounts were charged less than \$100 total for 12 months. Therefore, 82 of the “active” accounts contributed little or no revenue. *For planning purposes, all revenue estimates in Section 5 will be based on 1,347 active, bill paying accounts: Residential 1,077 and Commercial 270.* All 13 City Meters are included in the 82. Those meters may use water, however the city water utility does not charge other city departments for the water used.

Residential customers heavily subsidize the commercial customers. Residential customers used about 43% of the water and generated 63% of the revenue.

The average monthly bill was calculated for each account. In the table above, both the mean (average) and median figures are determined based on the averages for each account sorted smallest to largest. The difference between the two numbers is affected by the number of accounts with \$0 bills and the high bills. For example, the commercial inside class with 11 accounts averaging more than \$200 per month skews the mean result higher. Whereas half of the accounts in that same category average \$30.45 or less per bill each month.

5. Water Rate Options

Section 2 demonstrated the need for additional revenue. Current practices are generally sufficient to meet basic operational expenses, however capital projects are reducing the fund balance. Projects outlined in the recent Water Master Plan will require loans or other outside funding. The revenue requirement was projected for the next five years and includes: operational expenses adjusted for inflation, contribution to reserve accounts, capital outlay expenses and debt service. The table below shows the projected revenue requirement.

Table 5.1 Water Fund Revenue Requirement

	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
Expenses	\$584,413	\$592,276	\$600,262	\$1,416,546	\$1,424,784
Emergency and Operating Reserve	\$36,913	\$36,913	\$36,913	\$36,913	\$36,913
Capital Outlay	\$0	\$50,000	\$50,000	\$50,000	\$50,000
Revenue Requirement	\$621,326	\$679,189	\$687,175	\$1,503,459	\$1,511,697
Current Revenue	\$558,517	\$563,871	\$569,279	\$574,740	\$580,256
Difference	\$62,809	\$115,318	\$117,896	\$928,719	\$931,441

Rates need to be adjusted in order to meet expenses and avoid depleting the fund balance and other reserves. For example, to generate enough revenue to make up the difference for FY 2016-17, an additional \$3.89 per month would need to be collected from each account.

The City of Gold Beach desires to implement a rate structure which encourages efficient use of water and is easy to understand. The City wishes to keep the current residential and commercial and inside and outside city limits classifications. The City decided to continue with the additional 5% charge to customers outside of the city limits.

Changes to the current structure include reducing the number of tiers to a base rate plus 3 usage tiers. The new tiers were determined by analysis of customer water use during FY 2014-15. The new tiers are structured based on natural breaks and correspond to approximately 15% of accounts within the base rate range, 50% will be in Tier 1, 30% in Tier 2 and roughly 5% in Tier 3. The usage charges changed from a decreasing block rate to an increasing block rate. This change will assist with the City's goal of encouraging sustainable water use that will allow the water system to better manage any changes in future water supply.

During the study period, the water treatment plant produced 187,866,000 gallons of water. Assuming similar water production in FY 2016-2017, the cost to produce 1,000 gallons of water would be \$3.31. The cost per 1,000 gallons sold would be higher since the city produces approximately 47,000,000 gallons more than it sells. Creating a rate structure on this number alone is not recommended due to large fluctuations in revenue, potential for cash flow problems, and questions of rate equity.

However, knowledge of the cost to produce 1,000 gallons can be useful when comparing rate structures and in analyzing system operations from one year to the next. In all of the options below, rates for each of the usage tiers are below \$3.31, with one exception in Option 1A.

The rate options shown below are designed to meet the revenue requirements shown for FYE 2017 and FYE 2021 in the table above.

Rate Option 1A

Revenue generated is set to match the **current percent use**: Residential at 45% and Commercial at 55%. (To equal 100% percent, use was adjusted slightly due to city meter use.) Base rate is established to generate approximately 75% of the revenue requirement to assist with financial stability of the utility.

		FY 2016-2017		FY 2020-2021	
Residential:		IN	OUT	IN	OUT
Base	0- 1,500 gallons	\$16.20	\$17.01	\$39.50	\$41.48
Tier 1	1,501- 5,000 gallons	\$0.75	\$0.79	\$3.00	\$3.15
Tier 2	5,001- 15,000 gallons	\$1.50	\$1.58	\$4.00	\$4.20
Tier 3	15,001+ gallons	\$2.00	\$2.10	\$4.75	\$4.99
Commercial:		IN	OUT	IN	OUT
Base	0- 1,000 gallons	\$79.00	\$82.95	\$192.50	\$202.13
Tier 1	1,001- 7,000 gallons	\$0.50	\$0.53	\$2.00	\$2.10
Tier 2	7,001-83,000 gallons	\$1.00	\$1.05	\$2.60	\$2.73
Tier 3	83,001+ gallons	\$1.50	\$1.58	\$3.00	\$3.15
Tier prices are per 1,000 gallons for every class.					
Plus Water Reserve Fund Charge:		\$9.19 per account			

Rate Option 1B

Revenue generated is set to match the **current percent revenue**: Residential at 63% and Commercial at 37%. Base rate is established to generate approximately 75% of the revenue requirement to assist with financial stability of the utility.

		FY 2016-2017		FY 2020-2021	
Residential:		IN	OUT	IN	OUT
Base	0- 1,500 gallons	\$22.50	\$23.63	\$55.25	\$58.01
Tier 1	1,501- 5,000 gallons	\$1.00	\$1.05	\$4.61	\$4.84
Tier 2	5,001- 15,000 gallons	\$2.25	\$2.36	\$5.50	\$5.78
Tier 3	15,001+ gallons	\$3.50	\$3.68	\$6.00	\$6.30
Commercial:		IN	OUT	IN	OUT
Base	0- 1,000 gallons	\$53.00	\$55.65	\$129.50	\$135.98
Tier 1	1,001- 7,000 gallons	\$0.25	\$0.26	\$1.00	\$1.05
Tier 2	7,001-83,000 gallons	\$0.70	\$0.74	\$1.50	\$1.58
Tier 3	83,001+ gallons	\$1.00	\$1.05	\$2.45	\$2.57
Tier prices are per 1,000 gallons for every class.					
Plus Water Reserve Fund Charge:			\$9.19 per account		

Rate Option 2

Base rate is established by increasing inside city limit customers by \$5.00 from current rates for FY2016-2017. Plus \$5.00 per year after resulting in FY 2020-2021 rates \$25.00 above current rates. Tier rates are adjusted to meet the remaining revenue requirement not generated from the base rates. Outside classes are adjusted based on the current percent differences between that class and the inside class.

		FY 2016-2017		FY 2020-2021	
Residential:		IN	OUT	IN	OUT
Base	0- 1,500 gallons	\$22.23	\$23.34	\$42.23	\$44.34
Tier 1	1,501- 5,000 gallons	\$1.00	\$1.05	\$5.00	\$5.25
Tier 2	5,001- 15,000 gallons	\$2.00	\$2.10	\$6.50	\$6.83
Tier 3	15,001+ gallons	\$2.75	\$2.89	\$8.00	\$8.40
Commercial:		IN	OUT	IN	OUT
Base	0- 1,000 gallons	\$28.55	\$29.98	\$48.55	\$50.98
Tier 1	1,001- 7,000 gallons	\$1.00	\$1.05	\$5.00	\$5.25
Tier 2	7,001-83,000 gallons	\$2.00	\$2.10	\$6.50	\$6.83
Tier 3	83,001+ gallons	\$2.75	\$2.89	\$8.00	\$8.40
Tier prices are per 1,000 gallons for every class.					
Plus Water Reserve Fund Charge:			\$9.19 per account		

Rate Equity

In setting or adjusting water rates, “equity” is the art of spreading the burden fairly among the system’s customers. A system may not be able to entirely control the cost of producing, treating, storing, and distributing safe water to its customers, but it must recover the full cost of providing water and is responsible to ensure all customers are paying their fair share - not too much, not too little.

Most water systems strive to adopt a rate structure in which the amount of money paid by each customer is roughly proportional to that customer’s demand on the system’s capacity and resources. Within this overall strategy, concessions may be made for low or fixed income customers, attraction of commercial and industrial activity and the jobs they provide, and a wide range of other local and political considerations. In a detailed water use analysis, many systems discover large discrepancies between demands made on the system and revenue received. Sections 3 & 4 outline the current differences between percent water use per customer class and percent revenue recovered.

Revenue vs. Use Comparison

Class	Residential	Commercial
% of Total Use	45	55
% of Total Revenue		
Current	63	37
Option 1A	45	55
Option 1B	63	37
Option 2	59	41

Sample bills are helpful to see how the rate options translate into real numbers for customers. Below is a sampling of potential bills under the current and potential rate options for FY2016-2017. Take note of how bills change for customers at the low, mid and high water use for each customer class, as well as the median user (third column). For comparison of impacts to high water users, the cost per additional 10,000 gallons of water used is shown in the far right column.

In addition, the reserve charge, \$2.00 for the current fee or \$9.19 for the proposed reserve amounts, would be added to the amount shown below.

Sample Bills for FY2016-2017

Residential Inside							
Use	0	2,500	3,400	7,000	10,000	20,000	Add. 10K
Current	\$17.23	\$20.98	\$24.36	\$31.98	\$37.61	\$46.69	\$5.40
Option 1A	\$16.20	\$16.95	\$17.61	\$21.83	\$26.33	\$43.83	\$20.00
Option 1B	\$22.50	\$23.50	\$24.38	\$30.50	\$37.25	\$66.00	\$35.00
Option 2	\$22.23	\$23.23	\$24.11	\$29.73	\$35.73	\$59.48	\$27.50

Residential Outside							
Use	0	2,500	3,700	7,000	10,000	20,000	Add. 10K
Current	\$18.94	\$23.26	\$28.45	\$37.23	\$43.70	\$54.17	\$6.30
Option 1A	\$17.01	\$17.80	\$18.78	\$22.94	\$27.68	\$46.08	\$21.00
Option 1B	\$23.63	\$24.68	\$25.99	\$32.03	\$39.11	\$69.31	\$36.80
Option 2	\$23.34	\$24.39	\$25.31	\$31.22	\$37.52	\$62.47	\$28.90

Commercial Inside							
Use	0	2,000	4,500	10,000	20,000	85,000	Add. 10K
Current	\$23.55	\$23.55	\$29.18	\$49.82	\$75.23	\$185.68	\$6.10
Option 1A	\$79.00	\$79.50	\$80.74	\$85.00	\$95.00	\$161.00	\$15.00
Option 1B	\$53.00	\$53.25	\$53.87	\$56.60	\$63.60	\$109.70	\$10.00
Option 2	\$28.55	\$29.55	\$32.03	\$40.55	\$60.55	\$192.05	\$27.50

Commercial Outside							
Use	0	2,000	6,400	10,000	20,000	85,000	Add. 10K
Current	\$26.22	\$26.22	\$40.89	\$56.43	\$85.66	\$212.67	\$7.00
Option 1A	\$82.95	\$83.48	\$85.84	\$89.28	\$99.78	\$169.09	\$15.80
Option 1B	\$55.65	\$55.91	\$57.07	\$59.43	\$66.83	\$115.55	\$10.50
Option 2	\$29.98	\$31.03	\$35.70	\$42.58	\$63.58	\$201.66	\$28.90

6. Conclusions and Recommendations

Rates

- The fund balance will not be sufficient to meet future operational and capital project needs. Additional funding from loans, grants, customer revenues or a combination will be required.
- **Recommend** the city take action as soon as possible to adjust the rate structure and generate the additional revenue needed as shown in one of the options in section 5.
- Seek guidance before choosing a rate structure significantly different than those shown as revenue may not be sufficient to meet utility need.

Reserves

- Reserve amounts are below city desired and industry recommended best practices.
- **Recommend** the city prioritize additional revenue toward creating adequate reserves.

Customer Education

- A rate structure change requires adequate customer education prior to and during implementation.
- **Recommend** the city plan for customer education and support staff during this transition with appropriate policies or guidance for customer outreach.

Key points to remember with any rate adjustment:

- Successful utilities strive to *be transparent*. A sustainable utility must promote its services (highlights and the low points) and continuously educate its customers.
- Maintain a vigorous *collection and shut-off policy* to keep delinquent accounts at a minimum.
- When a utility implements a significant rate change, users may reduce their consumption with subsequent effect on revenue levels and the utility's ability to meet its financial obligations. Within 12 to 18 months after a rate increase, a thorough review should be conducted to *assess the actual impacts* to water use and revenue. Make adjustments as needed to ensure revenues will sufficiently cover expenses.
- *Review the budget and rates annually* or no less than every two years. Keeping track of customer seasonal and annual water demands and revenues generated will help determine operations needs, budget forecasts and rate adjustments.
- Establish a *pattern of small rate adjustments* every year to keep up with inflation and capital projects. This practice improves customer awareness of the cost of operating the water service and minimizes large rate increases every 5 or 10 years.

Additional Considerations:

- *Water loss* evaluation is separate from the rate analysis process. A goal of water loss less than 10% may be challenging to achieve but is highly encouraged. Reducing and managing water loss is critical to using resources efficiently. Minimizing water loss can reduce public health risks, electrical expenses, unnecessary wear and tear on pumps, tanks and water lines, and other costly impacts.
- *Identify all areas of service* provided and consider if a fee is appropriate. Fire protection service, irrigation, bulk water, construction site water use, public/community buildings & parks can be overlooked services. Any service provided incurs an expense. Whether the expense is divided among all users or charged to a specific user is determined by the utility's governing body.

Appendix A – Ten Year Financial Spreadsheet

		2011-12	2012-13	2013-14	2014-15	Previous 4	2015-2016	2016-17	2017-18	2018-19	2019-20	2020-21
		(Year End Actual)	(Year End Actual)	(Year End Actual)	(Year End Actual)	Yr. Average	Budgeted					
Gold Beach Water												
Operating Income												
1	Inside Water Sales	\$ 384,343.60	\$ 388,038.45	\$ 396,153.78	\$ 412,668.48	\$ 395,276.33	\$ 400,000	\$ 404,000	\$ 408,040	\$ 412,120	\$ 416,242	\$ 420,404
2	Outside Water Sales	\$ 132,182.75	\$ 128,407.00	\$ 123,116.35	\$ 132,544.98	\$ 129,062.77	\$ 130,000	\$ 131,300	\$ 132,613	\$ 133,939	\$ 135,279	\$ 136,631
3	Penalties	\$ 17,126.12	\$ 17,284.18	\$ 13,879.39	\$ 22,444.91	\$ 17,558.65	\$ 17,000	\$ 17,000	\$ 17,000	\$ 17,000	\$ 17,000	\$ 17,000
11	Total Operating Income (Add lines 1 thru 10)	\$ 533,652.47	\$ 533,729.63	\$ 532,848.52	\$ 567,556.37	\$ 541,897	\$ 547,000	\$ 552,300	\$ 557,653	\$ 563,060	\$ 568,520	\$ 574,035
Operating Expense												
12	Personnel Services - Wages	\$ 95,908.00	\$ 126,110.92	\$ 123,052.56	\$ 126,660.56	\$ 117,933.01	\$ 131,600	\$ 134,232	\$ 136,917	\$ 139,655	\$ 142,448	\$ 145,297
13	Personnel Services - Benefits	\$ 60,585.32	\$ 76,781.40	\$ 80,136.90	\$ 79,781.12	\$ 74,347.59	\$ 83,700	\$ 85,374	\$ 87,081	\$ 88,823	\$ 90,500	\$ 92,412
14	Mat and Serv Dist & Gen (Lines <\$10,000)	\$ 43,528.87	\$ 25,914.26	\$ 21,664.91	\$ 32,167.17	\$ 30,818.80	\$ 41,000	\$ 41,410	\$ 41,824	\$ 42,242	\$ 42,665	\$ 43,091
15	Mat and Serv Dist & Gen (Equipment, O&M)	\$ 9,056.62	\$ 9,196.17	\$ 10,107.60	\$ 4,556.95	\$ 8,229.34	\$ 14,000	\$ 14,140	\$ 14,281	\$ 14,424	\$ 14,568	\$ 14,714
16	Mat and Serv Dist & Gen (Materials & Fittings)	\$ 10,365.09	\$ 8,320.75	\$ 15,655.20	\$ 5,827.07	\$ 10,042.03	\$ 10,000	\$ 10,100	\$ 10,201	\$ 10,303	\$ 10,406	\$ 10,510
17	Mat and Serv Dist & Gen (System Const. O&M)	\$ 21,311.29	\$ 20,467.71	\$ 32,874.89	\$ 27,004.77	\$ 25,414.67	\$ 25,000	\$ 25,250	\$ 25,503	\$ 25,756	\$ 26,015	\$ 26,275
18	Mat and Serv Dist & Gen (Contract Services)	\$ 25,825.25	\$ 24,133.16	\$ 57,014.00	\$ 15,406.26	\$ 30,593.92	\$ 25,000	\$ 25,250	\$ 25,503	\$ 25,756	\$ 26,015	\$ 26,275
19	Mat and Serv Intake & Treatment (Lines <\$10,000)	\$ 8,669.58	\$ 6,191.35	\$ 16,207.56	\$ 4,345.11	\$ 8,653.40	\$ 84,300	\$ 8,800	\$ 8,957	\$ 9,114	\$ 9,271	\$ 9,428
20	Mat and Serv Intake & Treatment (Equip. & Plant O&M)	\$ 14,581.29	\$ 8,669.74	\$ 11,761.52	\$ 7,053.66	\$ 10,516.56	\$ 12,000	\$ 12,120	\$ 12,241	\$ 12,364	\$ 12,487	\$ 12,612
21	Mat and Serv Intake & Treatment (Treatment & Chemicals)	\$ 12,429.55	\$ 15,072.23	\$ 10,251.30	\$ 13,447.41	\$ 12,800.12	\$ 14,000	\$ 14,140	\$ 14,281	\$ 14,424	\$ 14,568	\$ 14,714
22	Mat and Serv Intake & Treatment (Electricity)	\$ 27,364.40	\$ 25,337.55	\$ 27,614.51	\$ 25,119.15	\$ 26,359.90	\$ 30,000	\$ 30,300	\$ 30,603	\$ 30,909	\$ 31,218	\$ 31,530
23	Transfers Out General Indirect	\$ 102,819.00	\$ 132,805.00	\$ 143,034.00	\$ 152,267.00	\$ 132,781.25	\$ 163,969	\$ 165,629	\$ 167,285	\$ 168,958	\$ 170,648	\$ 172,354
24	Transfers Out All Others	\$ 155,000.00	\$ 31,500.00	\$ 6,000.00	\$ 6,000.00	\$ 49,625.00	\$ 17,668	\$ 17,668	\$ 17,668	\$ 17,668	\$ 17,668	\$ 17,668
25	Debt Service (Anticipated Start FYE 2020)	\$ 245,462.46	\$ 66,553.13	\$ 24,620.02	\$ 417,900.08	\$ 188,633.92	\$ 466,000	\$ -	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000
26	Capital Outlay Total (Not an operating expense)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
27	Transfer to Reserves (Totals only if NOT allocated)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 26,913	\$ 26,913	\$ 26,913	\$ 26,913	\$ 26,913
28	Operating Cash Reserve (25% * Annual O&M)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
29	Capital Improvement	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
30	Debt Service Reserve	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
31	Emergency Reserve	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
32	Total Operating Expense (Add lines 12 thru 31)	\$ 833,006.72	\$ 577,059.37	\$ 579,991.97	\$ 917,536.31	\$ 726,889	\$ 1,170,257	\$ 621,326	\$ 679,189	\$ 687,175	\$ 703,469	\$ 711,697
33	NET OPERATING INCOME (LOSS) (Line 11 less Line 32)	\$ (289,354.25)	\$ (43,329.74)	\$ (47,342.45)	\$ (349,980.94)	\$ (185,002)	\$ (623,257)	\$ (69,026)	\$ (121,536)	\$ (124,116)	\$ (934,939)	\$ (937,661)
Non-Operating Income												
35	Interest (All Checking, Savings & Reserves)	\$ 8,755.33	\$ 176.45	\$ 163.45	\$ 192.20	\$ 2,326.98	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200
36	Other (Misc. & SDC)	\$ 120,000.00	\$ 2,256.63	\$ 5,330.48	\$ 21,231.65	\$ 7,204.69	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000
37	Total Non-Operating Income (Add line 35 thru 36)	\$ 128,755.33	\$ 2,433.08	\$ 5,513.93	\$ 17,423.85	\$ 7,703.167	\$ 154,200.00	\$ 4,200	\$ 4,200	\$ 4,200	\$ 4,200	\$ 4,200
38	NET INCOME (LOSS) (Add Line 35 and 39)	\$ (170,598.42)	\$ (40,896.66)	\$ (41,828.52)	\$ (178,557.09)	\$ (107,970)	\$ (469,057)	\$ (64,826)	\$ (117,336)	\$ (119,916)	\$ (930,739)	\$ (933,461)

Appendix B – Reserve Account Definitions

Reserves are an accepted way to stabilize and support a utility financial management. Small systems usually fund the operating expenses but don't consider putting money for a specific upcoming financial need or for an amount that can be used to provide rate stabilization in years when revenues are unusually low or expenditures are unusually high. The rationale for maintaining adequate reserve levels is twofold. First, it helps to assure that the utility will have adequate funds available to meet its financial obligations in times of varying needs. Secondly, it provides a framework around which financial decisions can be made to determine when reserve balances are inadequate or excessive and what specific actions need to be taken to remedy the situation.

Utility reserve levels can be thought of as a savings account. Reserve balances are funds that are set aside for a specific cash flow requirement, financial need, project, task, or legal covenant. Common reserve balances are established around the following four areas: operating reserve, capital improvement/equipment replacement, emergency, and debt service reserve. These balances are maintained in order to meet short-term cash flow requirements, and at the same time, minimize the risk associated with meeting financial obligations and continued operational needs under adverse conditions.

Deposits to reserve accounts may be broken into reduced annual installments to minimize the overall impact on rates. Once the target reserve has been met, the contributions can be redirected to other water reserve funds or water projects. Operating reserve levels should be adjusted on a regular basis to reflect current costs.

Debt Service Reserve

Water utilities that have issued debt to pay for capital assets will often have required reserves that are specifically defined to meet the legal covenants of the debt. Debt service reserve requirements vary based on funding agency requirements. Commonly, debt service reserve represents an amount equal to one full annual loan payment and sometimes can be accumulated to this level over a period of five to ten years.

Operating Reserve

Operating reserves are established to provide the utility with the ability to withstand short term cash-flow fluctuations. There can be a significant length of time between when a system provides a service and when a customer pays for that service. In addition, a system's cash flow can be affected by weather and seasonal demand patterns. A 45-day operating reserve is a frequently used industry norm. Because of potential delays in collecting payment many utilities attempt to keep an amount of cash equal to at least 45 days or one-eighth of their annual cash O&M expenses in an operating reserve to mitigate potential cash flow problems.

Emergency Reserve

In addition to operating reserves, emergency reserves are an important tool for financial sustainability. Emergency reserves are intended to help utilities deal with short term emergencies which arise from time to time such as main breaks or pump failures.

The appropriate amount of emergency reserves will vary greatly with the size of the utilities and should depend on major infrastructure assets. An emergency reserve is intended to fund the immediate replacement or reconstruction of the system's single most critical asset; an asset whose failure will result in an immediate water outage or threat to public safety. For example, given that the largest single asset for a small rural utility may be the primary pump, the cost of replacing that pump in the case of a failure would be a good amount to save in emergency reserves.

Capital Improvement Reserve

A capital improvement reserve (also called an equipment replacement reserve) is intended to be used for replacing system assets that have become worn out or obsolete. Annual depreciation is frequently used to estimate the minimum level of funding for this capital reserve but it's important to understand that depreciation expense is an accounting concept for estimating the decline in useful life of an asset and does not represent the current replacement cost of that asset. As an example, a brand new system with a construction cost of \$1 million and a service life of 100 years should (in theory) be setting aside \$10,000 per year to fully capitalize the replacement cost of the infrastructure as it wears out. Many smaller systems find this to be impossible because of the effect on rates. A large number of small systems are falling into disrepair due to a lack of capital improvement planning.

To initiate a capital improvement plan (CIP), a small water or sewer system will start with a list of assets that includes the remaining service life, theoretical replacement costs in today's dollars and the remaining service life. It then calculates the monthly and annual reserve that must be collected from each customer to fully capitalize the replacement cost of each asset.

An alternative method is to set aside an annual amount equal to 1% to 2% of the total original cost asset value of the utility's property. Larger systems often have sufficient non-operating revenue to fund these reserve levels without affecting rates, but smaller systems often do not, leaving them to fund their CIP reserves from rates alone.

Regardless of the method used, creating a CIP and establishing even a minimal capital improvement reserve is highly recommended for any system that strives to remain financially viable in future years.

Appendix C – Capital Outlay Needs

Section
9

Capital Improvement Plan

9.1 Background

A capital improvement plan (CIP) is a long-term program for replacement of existing or installation of new infrastructure required to improve a system's function or maintenance. The Capital Improvement Plan for water and wastewater systems provides City Council, staff and residents with a systematic approach to dealing with its short-term and long-term infrastructure needs and demands.

Under ORS 223.309(1), a capital plan, public facilities plan, master plan or comparable plan must be prepared before the adoption of system development charges (SDCs). This plan must list the capital improvements that may be funded with improvement fee revenues and include the estimated cost and timing of each improvement. Oregon Revised Statutes discuss which improvements may be funded by SDC revenues (ORS 223.307) and what type of projects qualify for credit purposes. The capital improvement plan may be modified at any time pursuant to ORS 223.309 (2).

Water system improvements recommended for the City of Gold Beach are provided in this Plan along with associated costs. The recommended improvements for the City's Capital Improvement Plan were derived from the analysis presented in Sections 8, 9, and 10.

9.2 Project Priority

A summary of the Priority 1 improvements is presented in Table 9.2.1.

TABLE 9.2.1
SUMMARY OF PRIORITY 1 WATER SYSTEM PROJECTS

No. as per Fig. 9.3.1	Project Description	Total Project Cost
1	June St.	\$204,900
2	Hunter Creek Rd. – Orchard Ln.	\$114,000
3	Hunter Creek Loop Rd. – Mateer Rd.	\$225,500
4	Hunter Creek Loop Rd. to Meyers	\$234,100
5	Mateer Bridge	\$144,000
6	Ferry Well Raw Water Intake	\$1,200,000
7	Water Treatment Plant Improvements	\$879,800
8	SCADA System	\$262,000
9	Jerry's Flat Rd./Ellensburg Ave.	\$8,300,100
	Total	\$12,364,200

A summary of the Priority 2 improvements is presented in Table 9.2.2.

**TABLE 9.2.2
SUMMARY OF PRIORITY 2 WATER SYSTEM PROJECTS**

No. as per Fig. 9.3.2	Project Description	Total Project Cost
10	Wedderburn Loop Rd.	\$287,000
11	Colvin St.	\$155,800
12	Anns Ct.	\$70,800
13	Hwy 101 -Hunter Creek Loop Rd.	\$930,800
14	Hunter Creek Loop Rd. to Brooks	\$419,300
15	3 rd St.	\$163,400
	Total	\$2,026,900

A summary of the Priority 3 improvements is presented in Table 9.2.3.

**TABLE 9.2.3
SUMMARY OF PRIORITY 3 WATER SYSTEM PROJECTS**

No. as per Fig. 9.3.3	Project Description	Total Project Cost
16	Hwy 101 - Wedderburn Loop Rd.	\$110,000
17	Tom Cat Dr.	\$217,500
18	Park Dr.	\$80,000
19	Kerber - Hwy 101	\$57,800
20	Hunter Creek Loop Rd. to Mateer Rd.	\$820,100
21	Mateer Rd.	\$185,500
22	New Tank - Jerry's Flat Rd.	\$1,752,000
23	Old Coast Hwy.	\$348,400
24	Hwy 101 - Driftwood	\$120,300
25	Doyle Pt.	\$85,400
26	Hound Dog	\$83,500
27	Big Prairie Reservoir	\$170,000
28	Hound Dog Reservoir	\$67,100
29	Wallace Reservoir	\$71,700
30	Wedderburn/Knoxville Reservoir	\$112,300
31	Hunter Creek Heights Reservoir	\$7,900
32	Brooks Reservoir	\$50,800
33	Seismic Shutoff Valves	\$801,400
34	New Well - Hunter Creek Heights	\$787,100
	Total	\$5,548,600



PUBLIC HEARING

GOLD BEACH CITY COUNCIL
AGENDA REPORT

Agenda Item No. 6. a.
Council Meeting Date: May 9, 2016

TITLE: Public Hearing State Revenue Sharing Funds

SUMMARY AND BACKGROUND:

ORS 221.770 requires the City to adopt an ordinance or resolution each year stating we wish to receive state revenue sharing (SRS) funds. A public hearing on the use of the SRS funds is required before the Budget Committee and the City Council. During the budget hearing held on April 25th, a public hearing was held to discuss the use of the SRS funds. The City has traditionally used these funds for fleet replacement of the police and public works vehicles. Next year replacement of one of the public works maintenance trucks is proposed.

The Budget Committee approved the use of the funds for transfer into the Fleet Replacement Reserve Fund. While the hearing was held during the budget meeting, the actual budget document was not available for public view as earlier as the published notice stated it would be. There was no public input during the budget meeting on the use of the funds, but to ensure adequate opportunity for public comment, an additional hearing is being held tonight. The final hearing before the Council will be held at the June meeting and a resolution will be adopted to officially request the SRS funds from the state.

REQUESTED ACTION:

Open the hearing, receive public comments (if any), and then resume the regular Council meeting.

GOLD BEACH CITY COUNCIL
AGENDA REPORT

Agenda Item No. **6. b.**
Council Meeting Date: May 9, 2016

**TITLE: Public Hearing Administration and Business Code
Amendments**

SUMMARY AND BACKGROUND:

We have discussed at several meetings in the past year minor changes and amendments to the Administration Code and the Business Code, most recently last month. There were some final revisions the Council requested and then you directed me to prepare the ordinances for adoption this month. Additionally, at the Budget Hearing, we discussed the 1% increase in the room tax to assist the Event Center with the maintenance of their buildings and structures. That amendment is also included in these revisions.

Even though we have had several public discussions about these amendments we are still required to have a public hearing prior to taking action on the ordinances.

REQUESTED ACTION:

Open the hearing, receive public comments (if any), and then resume the regular Council meeting. In the Ordinances & Resolutions section of the meeting the motion to adopt the ordinances and reading(s) of the ordinances will occur.

ORDINANCE NO. 657

AN ORDINANCE AMENDING ORDINANCE 642 WHICH ADOPTED A REVISED
GOLD BEACH ADMINISTRATION CODE

The City of Gold Beach ordains as follows:

Section 1. The following sections of the Gold Beach Administration Code are hereby amended:

Regular type is existing language to remain unchanged

Bold Italic is new language to be added or amended

~~Strikethrough~~ is language to be removed

ADMINISTRATION CODE
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General

1.005 City Seal

1.010 Records

~~1.020 Definitions~~

1.025 Residency

1.030 Interpretation of Ordinances

City Government

1.105 City Council

1.110 City Administrator

1.118 Authority of City Council when Position of City Administrator is Vacant.

1.120 City Planning Commission

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Elections

~~1.205 Election Precincts~~ — ***Elections: General***

1.210 Initiative and Referendum

Courts

1.305 Powers and Duties of Municipal Judge

1.310 Interpretation and Rules of Construction

1.315 Court Rules and Procedures

Personnel

1.405 Personnel Policies

City Contracts

- 1.600 Contract Review Board and Contracting Agency
- 1.605 Opting Out of the Attorney General's Model Rules
- 1.610 Authority of the City Administrator

ADMINISTRATION CODE AMENDMENTS BY SECTION

General

1.020 ~~Definitions~~

~~RESIDENT: An individual is a "Resident" of the City of Gold Beach for the purposes of serving on a City Commission or Committee if:~~

- ~~a) The individual lives within the city limits of Gold Beach and intends to make the City of Gold Beach a fixed and permanent home; and~~
- ~~b) Gold Beach is listed as the individual's residence address for federal income tax purposes; and~~
- ~~c) The records of the Curry County Tax Assessor list Gold Beach as the individual's mailing address; and~~
- ~~d) Gold Beach is listed as the individual's residence address on their valid Oregon driver's license or state issued identification card; and~~
- ~~e) The individual is an elector as defined by Section 12 of the Gold Beach Charter.~~

1.025 **Residency.**

- (1)** An individual is a "Resident" of the City of Gold Beach for the purposes of serving on a City Commission or Committee, ***or to be eligible for an elective city office as referenced in Chapter III, Section 12 of the Gold Beach Charter if:***
 - a) The individual ***resides*** within the city limits of Gold Beach and makes the City of Gold Beach a fixed and permanent home; and
 - b) Gold Beach is listed as the individual's residence address for federal income tax purposes; and
 - c) ***If the individual is a property owner within the City of Gold Beach,*** the records of the Curry County Tax Assessor list Gold Beach as the individual's mailing address; and
 - d) Gold Beach is listed as the individual's residence address on their valid Oregon driver's license or state issued identification card; and
 - e) The individual is an elector as defined by Section 12 of the Gold Beach Charter.
- (2)** ***The City Administrator shall make the initial determination as to whether an individual qualifies as a "resident" under this Section 1.025. The City Administrator's determination may be appealed pursuant to subsection (3) of this Section 1.025.***
- (3)** ***A person aggrieved by a residency determination by the City Administrator may appeal that determination to the City Council by filing a written request with the City Administrator within five (5) calendar days of the City Administrator's written***

decision. The City Administrator shall immediately notify the Council and the Mayor of the appeal request, and shall schedule a date for an appeal hearing as soon as practicable, but in no case later than twenty-one (21) calendar days from the date of the City Administrator's receipt of the appeal request. Prior to the appeal hearing, the City Administrator shall transmit the appeal request together with the City Administrator's written determination and any facts, data, or exhibits that were part of said determination to the Council, the Mayor, and the appellant. At the hearing, the appellant will have the opportunity to present information to show that the appellant does meet the definition of "resident" in this Section 1.025. The City Council may uphold or overturn the City Administrator's determination. All decisions of the City Council pursuant to this Section 1.025(3) are final and binding.

§

City Government

1.110 City Administrator

1.110 City Administrator

(2) Duties, Powers and Authority of the City Administrator

(e) City Administrator shall supervise the **operation** of all departments and public utilities owned and operated by the city, and shall have supervision powers over all city real or personal property. ***Prior to acquisition, disposal, or substantial improvements to real property owned by the City, the City Administrator shall consult with the City Council before taking action to acquire, dispose, or improve such real property.***

§

Elections

1.205 ~~Election Precincts~~—***Elections: General***

(6) Referral of Residency Determination to the City Council. *If the City Administrator determines that a candidate for City elective office does not meet the definition of "resident" in Section 1.025 of this Code, the City Administrator must reject the candidate's filing. A candidate for elective city office may appeal the City Administrator's determination pursuant to Section 1.025(3) of this Code. Notwithstanding subsection (b) of this section, in the case of an appeal of the City Administrator's determination by a candidate for an elective City position, the Council shall schedule the appeal hearing for a date that will allow the City Administrator to timely submit the candidate's election materials to Curry County if the Council determines that the*

candidate is eligible to hold elective office in the City. If the City Administrator rejects a candidate's filing, the City Administrator shall return the candidate's filing fee if the candidate does not appeal the City Administrator's determination within the period specified in Section 1.025(3) of this Code, or the City Council determines that the candidate is not eligible to hold elective city office.

§

Courts

1.305 Powers and Duties of the Municipal Judge

(2) **Qualifications of Municipal Judge; Selection; Term of Appointment; Removal; Compensation.**

(a) The municipal judge shall be appointed by majority vote of all sitting councilors. ***Once appointed, the municipal judge shall serve at the pleasure of the Council until the appointment is rescinded by resolution of the Council.*** ~~The term of appointment shall be one year. The person appointed to fill the office may be reappointed for any number of terms, provided such reappointment is confirmed by vote of the City Council as provided in this section.~~

1.310 Interpretation and Rules of Construction.

(10) **Classification of Offenses; Penalties.**

(b) If provided for in the ordinance defining the violation, the court may order restitution in addition to any penalty or fine. ~~The court may order community service in lieu of a penalty or fine if the defendant demonstrates a manifest and documented inability to pay.~~

Section 2. All other sections and provisions of Ordinances 642 are unaltered and remain in effect.

Section 3. **General Savings Provision and Continuity of Existing Provisions.**

This code shall not affect the rights and duties that matured, penalties that were incurred and proceedings that were begun before the effective date of this Code. The provisions of this Code that are the same in substance as code or ordinance provisions that are in effect immediately before this Code becomes effective shall be construed as restatements and continuations of the prior provisions.

Passed and Adopted by the City Council of the City of Gold Beach, Oregon, State of Oregon,
on this 9th day of May, 2016.

Karl Popoff, Mayor

ATTEST:

Jodi Fritts, City Administrator

First Reading: May 9, 2016

Aye _____ Nay _____

Second Reading: June 13, 2016

Aye _____ Nay _____

ORDINANCE NO. 658

AN ORDINANCE AMENDING ORDINANCE 643 WHICH ADOPTED A REVISED
GOLD BEACH BUSINESS CODE

The City of Gold Beach ordains as follows:

Section 1. The following sections of the Gold Beach Business Code are hereby amended:

Regular type is existing language to remain unchanged

Bold Italic is new language to be added or amended

~~Strikethrough~~ is language to be removed

BUSINESS CODE
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- 4.105 Purpose of Business License Code
- 4.110 Definitions**
- 4.115 Requirement for License
- 4.120 Exclusions from Business License Requirement**
- 4.125 Illegal Business or Profession
- 4.130 License Required for Each Business and Location
- 4.135 License Term, Transfer of License
- 4.140 Application for License
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- 4.150 Display of License
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Transient Room Tax and Community Promotion Code

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- 4.215 Rules for Collection of Tax by Operator
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- 4.230 Registration of Operator; Certificate of Authority
- 4.235 Due Date; Return and Payment
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Ordinance 658

Amending Ordinance 643-Gold Beach Business Code

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REPEALED BY ORDINANCE NO. 654

BUSINESS CODE AMENDMENTS BY SECTION

Business License Code

4.110 Definitions

(1) “Business” means any person, who sells, leases, or provides property, goods, food, things, entertainment or services. ~~for profit.~~ The term “business” shall not include any activities conducted solely for charitable, religious, community or public purposes. The term “business” shall include providing property, goods, food, things, entertainment or services in return for donations which are accepted for the benefit of the provider. ***See Section 4.120 for specific exclusions from Business License Requirement.***

4.120 Exclusions from Business License Requirement

(5) No person, group, organization, club, etc. exempt from federal income tax under Section 501(c) of the federal Internal Revenue Code shall be required to obtain a business license. Proof of federal 501(c) status will be required by the City.

§

Transient Room Tax and Community Promotion Code

4.210 Tax Imposed

For the privilege of occupancy in any lodging establishment, on or after the 1st day of ~~June 1982~~, **August 2016**, each transient shall pay ~~six percent (6%)~~ **seven percent (7%)** of the rent charged by the operator. The tax constitutes a debt owed by the transient to the City, which is extinguished only by payment by the operator to the City. The transient shall pay the tax to the operator of the lodging establishment at the time the rent is paid. The operator shall record the tax when rent is collected if the operator keeps records on a cash accounting basis and when earned if the operator keeps records on an accrual accounting basis. If rent is paid in installments, the transient shall pay a proportionate share of the tax to the operator with each installment. In all cases the rent paid or charged for occupancy shall exclude the sale of any goods, services and commodities, other than the furnishings of rooms, space or accommodations by the operator.

4.270 Purpose of and Distribution Formula for Transient Room Tax Receipts.

~~It is the intent and purpose of this code to raise revenues for funding of a program of community advertising and promotion, and the disbursement formula therefore is as follows:~~

It is the intent and purpose of this code to raise revenues for funding of:

- a) a program of community advertising and promotion, and**
- b) financial assistance to the Event Center on the Beach, a tourism-related facility as defined by state statute, with the maintenance of the buildings and structures located on the Event Center property.**

The revenue disbursement formula therefore is as follows:

(1) Each operator liable for collection and remittance of the Transient Room Tax as imposed by this code, shall withhold five percent (5%) of the net tax collected to cover the operator's expense in collection and remittance of said tax.

(2) Whenever the tax required by this code has been collected by the operator and it is later determined that the tenant occupies the lodging establishment for a period exceeding thirty-days (30) without interruption, the operator shall refund to such tenant the tax previously collected by the operator from that tenant as a transient. The operator shall account for such collection and refund to the Tax Administrator. The operator shall be entitled to a corresponding refund under this section if the tax was remitted prior to the refund or credit to the tenant.

(3) There is hereby created a special fund of the City of Gold Beach to be known as "The Community Advertising and Promotion Fund". The Tax Administrator shall deposit seventy-five percent (75%) of the **first 6% of the net 7% tax** collected under this code into this fund. Said fund shall be completely separate and apart from any other special or general funds of the City of Gold Beach.

(4) There is hereby created a special fund of the City of Gold Beach to be known as the "Event Center Building Maintenance Fund". The Tax Administrator shall deposit ninety-five percent (95%) of the remaining 1 % of the net 7% tax collected under this code into this fund. Said fund shall be completely separate and apart from any other special or general funds of the City of Gold Beach.

§

Section 2. All other sections and provisions of Ordinances 643 are unaltered and remain in effect.

Section 3. General Savings Provision and Continuity of Existing Provisions.

This code shall not affect the rights and duties that matured, penalties that were incurred and proceedings that were begun before the effective date of this Code. The provisions of this Code that are the same in substance as code or ordinance provisions that are in effect immediately before this Code becomes effective shall be construed as restatements and continuations of the prior provisions.

Passed and Adopted by the City Council of the City of Gold Beach, Oregon, State of Oregon,
on this 9th day of May, 2016.

Karl Popoff, Mayor

ATTEST:

Jodi Fritts, City Administrator

First Reading: May 9, 2016

Aye _____ Nay _____

Second Reading: June 13, 2016

Aye _____ Nay _____



CITIZEN REQUESTED AGENDA ITEMS



SECTION 7.

CITIZEN REQUESTED AGENDA ITEMS

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**

Agenda Item No. 7. a.
Council Meeting Date: May 9, 2016

TITLE: Request to sell & serve alcohol in the park

SUMMARY AND BACKGROUND:

The Gold Beach Disc Golf Association will be holding the 2nd Annual Fisk Invitational Golf Tournament on Saturday, July 23rd. The group made the request last year—which the Council approved—to be allowed to have vendors in the parking lot including Arch Rock beer (2016 World Beer Cup Champion Brewery & Brewmaster Winner!) They have made the same request for this year. We have received no complaints about their activities.

REQUESTED MOTION/ACTION:

Approve/deny the request

Suggested Motion:

I make the motion that the Council approve/deny the request by the Gold Beach Disc Golf Association to allow sales, serving, and consumption of alcohol in the park during a tournament on July 23, 2016.



SECTION 7.

CITIZEN REQUESTED AGENDA ITEMS

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**

Agenda Item No. 7. b.
Council Meeting Date: May 9, 2016

**TITLE: Request to address the Council concerning nickel
mining**

SUMMARY AND BACKGROUND:

Dave Lacey, who addressed the Council last year about proposed nickel mining in the national forest near upper Hunter Creek, requested to speak to the Council again regarding additional mining proposals.

Attached is information Mr. Lacey provided for the Council concerning the mining proposal.

REQUESTED MOTION/ACTION:

Will be based on the discussion with Mr. Lacey

Forest Service plan would thwart Kalmiopsis nickel mine



By Grants Pass Daily Courier

Follow on Twitter

on May 05, 2016 at 7:25 AM, updated May 05, 2016 at 7:40 AM

GRANTS PASS, Ore. — A plan to exclude mineral development on about 100,000 acres of federal land, to thwart a proposed nickel mine near the Kalmiopsis Wilderness, is nearing fruition.

The U.S. Forest Service released its environmental assessment last week, and written comments will be accepted through May 27.

The proposed mineral withdrawal would add five more years to the existing two-year moratorium on exploration already in place, on upper sections of Baldface Creek, Rough and Ready Creek, the Pistol River and Hunter Creek.

The withdrawal falls in line with congressional legislation proposed last year by U.S. Rep. Peter DeFazio and U.S. Sens. Ron Wyden and Jeff Merkley to protect the area's pristine nature.

The legislation targets the Red Flat Nickel Corp.'s proposal to strip-mine more than 3,000 acres, primarily for nickel, in the Baldface Creek drainage about 12 miles west of O'Brien just outside the Kalmiopsis Wilderness.

The company also has claims in other drainages.

The Daily Courier was unable to reach representatives for Red Flat's operation. Based in the United Kingdom, the company has an office in Portland.

Roy Bergstrom of the Rogue River-Siskiyou National Forest said Red Flat hasn't proved mineral wealth in any of its claims, although it has done test drilling on some of them in the Hunter Creek-Pistol River drainage.

"Valid existing rights are not established on any of these," Bergstrom said.

Any existing mining claims with valid mineral rights would not be subject to the withdrawal, but claims would have to go through mineral exams to test their validity.

"We would have to do a mineral evaluation to determine if claims are valid or not," said Kevin Johnson, geologist for the BLM based in Grants Pass. "We have not made any determination yet."

Virtually no hard rock mining operations have been permitted by the Forest Service in that area for many years.

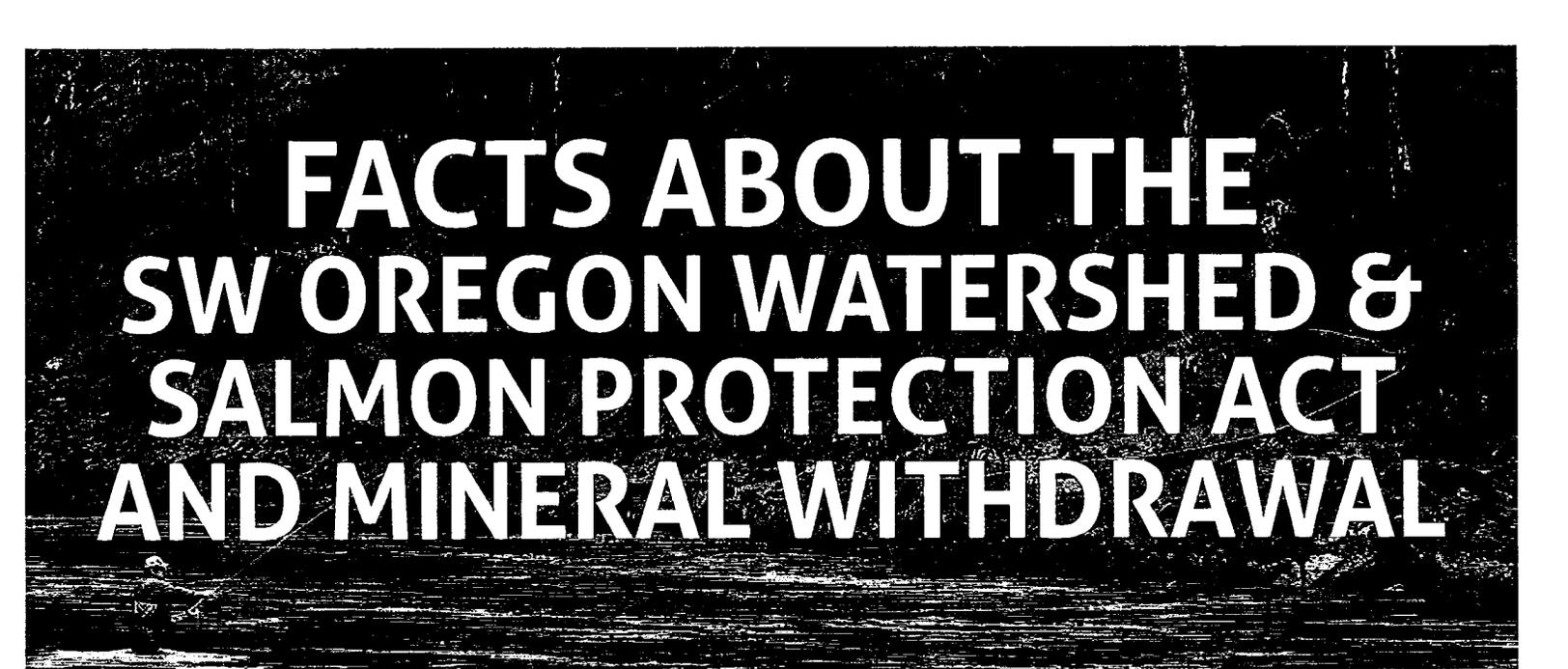
The proposed mine location is near Baldface Creek, and claims fall on both sides of the creek.

Baldface drains into the North Fork Smith River, prized by rafters and an important spawning tributary for salmon and steelhead.

At public meetings in Grants Pass and Cave Junction last year, sentiment was heavier toward protecting the watersheds, but others from the mining community were dismayed over shutting down land to extraction of natural resources.

Nickel is an important alloy metal and is especially useful in the production of stainless steel.

-- Grants Pass Daily Courier via The Associated Press



FACTS ABOUT THE SW OREGON WATERSHED & SALMON PROTECTION ACT AND MINERAL WITHDRAWAL

What is the Southwest Oregon Watershed and Salmon Protection Act of 2015?

The legislation (S. 346 in the Senate and H.R. 682 in the House) would help protect pristine and unique natural areas in Southwestern Oregon by preventing new mining claims, and requiring that existing claims are valid and legal before mining activities are allowed. It would do this by withdrawing the land from location and entry under the United States mining laws.

The areas protected include the watersheds of the National Wild and Scenic North Fork Smith River in Oregon, Rough and Ready Creek (an eligible Wild and Scenic River and tributary to the National Wild and Scenic Illinois and Rogue rivers), as well as 17 miles of the National Wild and Scenic Chetco River. These rivers are known for their wild salmon and steelhead populations, and provide vital economic, recreational and natural resources to the area. They also provide clean clear drinking water for thousands of residents.

Also protected from mining would be the headwaters of Hunter Creek and the Pistol River—two prized native salmon and steelhead rivers that flow into the Pacific Ocean along the spectacular Wild Rivers Coast of Southern Oregon and Northern California.

What lands are affected and who owns them?

The area of the Southwest Oregon Watershed and Salmon Protection Act includes about 101,000 acres of publicly owned lands managed by the Rogue River-Siskiyou National Forest and a little over 5,000 acres managed by the Medford and Coos Bay Districts of the Bureau of Land Management (BLM).

Where are the two proposed withdrawal areas located?

They're located in a remote, rugged, biologically rich corner of Southwest Oregon in Josephine and Curry Counties (roughly 35 and 65 percent respectively). The Hunter Creek and Pistol River Withdrawal Area is about 7 miles inland from Cape Sebastian State Park on the Wild Rivers Coast and southeast of Gold Beach.

The Rough and Ready and Baldface Creeks Withdrawal Area lies on the California/Oregon border, adjacent to the Smith River National Recreation Area. Much of it is in the South Kalmiopsis Roadless Area and adjacent to the Kalmiopsis Wilderness. The eastern boundary is in an exceptional botanically rich area on the west side of the beautiful Illinois River Valley.



Wild Winter Steelhead



Pistol River

What is a mineral withdrawal?

A mineral withdrawal (or land withdrawal) removes a specific area of public land from operation of the 1872 Mining Law. It prohibits the filing of new mining claims and requires that any operations on existing claims cannot be approved without the claimant showing that they had valid existing rights at the time of the withdrawal.

Why is a mineral withdrawal needed?

Because under the 1872 Mining Law, the land managing agencies don't have veto power over a mine—no matter how destructive. Without a way to say "no" to a mine, the public's only option is to ask to have the lands withdrawn from the mining law.

What is the 1872 Mining Law?

The 1872 Mining Law governs mining on public lands in the west. It allows mining companies—even foreign owned—to take valuable minerals from public lands for free. It's patenting provision requires the sale of public land for as little as \$2.50 per acre and mining takes precedent over all other uses.

If it's so old, wouldn't the 1872 Mining Law take precedent over the Southwest Oregon Watershed and Salmon Protection Act?

No. Under the Property Clause of the United States Constitution, which predates the 1872 Mining Law, Congress has authority to withdraw lands for specific purposes. In addition, Congress granted withdrawal authority to the Secretary of Interior in 1976 under the Federal Land Management and Policy Act. The Southwest Oregon Watershed and Salmon Protection Act relies on both authorities to withdrawal lands from mineral entry.

What effect does a mineral withdrawal have on other uses like recreation?

A withdrawal removes a special area of public lands from one particular use—mining. Hunting, fishing, firewood gathering, hiking, biking, camping, off-road vehicle use would not be changed under a mineral withdrawal. In fact, closing an area to strip mining benefits all other users of public lands. When a mine is developed it is no longer publically accessible, due to liabilities.

Who gets their drinking water from these areas?

About 14,000 residents get their drinking water from the Smith River downstream of the Cleopatra Project site—one area that could become a nickel strip mine. Gasquet, California's drinking water intake is on the North Fork Smith River roughly 25 miles down stream of the Cleopatra Project. Many residents around Rough and Ready Creek get their domestic water from wells in the creek's floodplain. The West Fork Illinois River provides irrigation and drinking water along its course. The Chetco River provides drinking water for Brookings, Oregon.

Kalmiopsis Rivers and Wild Rivers Coast

Supporters

The following tribes, municipalities, businesses and organizations support protection of Hunter Creek, Pistol River, Rough and Ready Creek and the North Fork of the Smith River from industrial nickel mining.

Tribal

Confederated Tribes of the Siletz
Elk River Rancheria
Takelma, and leader Agnes Baker Pilgrim
Tolowa Dee-ni' Nation (Smith River Rancheria)

Public Sector

Big Rock Community Services District
California Department of Fish and Wildlife
California State Assembly
Cave Junction City Council
Congressman Jared Huffman
Congressman Peter DeFazio
Crescent City Council
Crescent City and Del Norte County Chamber of Commerce
Curry County Board of Commissioners
Del Norte County Board of Supervisors
Gasquet Community Services District
Gold Beach City Council
North Coast Regional Water Quality Control Board
Oregon Water Resources Department
Oregon Department of Fish and Wildlife
Redwood National Park
Senator Ron Wyden
Senator Jeff Merkley
United States Fish and Wildlife Service

Local Business

4 Whatever Photography, Fine Photos and Cards, Cave Junction, OR
7 Devils Brewing Co., Coos Bay, OR
All Star Rafting, Maupin, OR

Althouse Nursery, Cave Junction, OR
Andras Outfitters, Talent, OR
Arch Rock Brewing, Hunter Creek, OR
Ashland Automotive, Ashland, OR
Ashland Fly Shop, Ashland, OR
Antiquarium Books and Collectables, Ashland, OR
ARTA River Trips, Merlin, OR
Barking Mad Farm, Enterprise, OR
Big Bottom Whiskey, Hillsboro, OR
Big Springs Kennel, Cave Junction, OR
Bill Dobucki, Chetco Fishing, Brookings, OR
Bliss Unlimited, LLC, Eugene, OR
Bob Rees' Oregon Fishing Guide Service, Tillamook, OR
Brandon Worthington Fly Fishing, Talent, OR
Bricktowne Brewing Co., Medford, OR
Bryson Appraisal Service Inc., Gold Beach, OR
Bucksport Sporting Goods, Eureka, CA
Caldera Brewing Co., Ashland, OR
Carson's Guide Service, Shady Cove, OR
Catch of the Day, Wedderburn, OR
Cave Junction Acupuncture, Cave Junction, OR
Cave Junction Liquor, Cave Junction, OR
Chetco Brewing Co., Brookings, OR
Pinecone Books, Cave Junction, OR
Christina Paul Photography, Kerby, OR
Clear Creek Family Practice, Selma, OR
Climate City Brewing Co., Grants Pass, OR
Common Block Brewing Co., Medford, OR
Confluence Outfitters, Gold Beach, OR
Conner Fields Brewing Co., Grants Pass, OR
Crucial Thymes, Fine Foods, Cave Junction, OR
Crumley's Guide Service, Hunter Creek, OR
Curry Home Inspection, Gold Beach, OR
Dancefarm, Organic Veggies and Dance Instruction, Cave Junction, OR
Dave Lacey Woodworking, Hunter Creek, OR
Diggin Livin, Cave Junction, OR

Douglas Kendall, Designer, Cave Junction, OR
Eden's Edge Farm, Cave Junction, OR
eNRG Kayaking, Oregon City, OR
Environmental Paper & Print, Inc., Portland, OR
Finish Line Copy Services, Gold Beach, OR
Fishhawk River Company, Brookings, OR
Fiver Star Charters, Gold Beach, OR
Flywater Travel, Ashland, OR
Flying Fish Company, Portland, OR
Forest Edge Farm, Cave Junction, OR
Full Circle Real Estate – Ashland, OR
Gita Maria Inc., Eugene, OR
Goodness and Mercy, Handyman Services,
Cave Junction, OR
Greenspace, Portland, OR
Helens Guide Service, Gold Beach, OR
Hunter Creek Tavern, Hunter Creek, OR
Hydro Flask, Bend, OR
Indian Summer, Kerby, OR
Indigo Outfitters, Ashland, OR
Interior Cover Ups, Gold Beach, OR
Iron Mountain Soapworks, Cave Junction, OR
It's a Burl, Gallery, Cave Junction, OR
IV Trophy and Collectibles, Cave Junction, OR
Jeanne Young, DC, DIBCN, Bend, OR
Jefferson State Financial, Cave Junction, OR
Juniper Ridge, Oakland, CA
Kathy Lombardo, Secretary, Illinois Valley
Garden Club, Cave Junction, OR
KEEN Footwear, Portland, OR
Kerbyville Natural Farms, Kerby, OR
Kiaya Pace, Independent Hairstylist, Back Street
Salon, Cave Junction, OR
Klamath-Siskiyou Native Seeds, Applegate, OR
Madd Moose, Dining and Moose Watering Hole,
Cave Junction, OR
Mama Angie's Ladles of Love, Fine Food
Catering, Cave Junction, OR
Margaret Phillhower, ND, Cave Junction, OR
Meadow Martell, Supporting Access to Health
Care, Cave Junction, OR
Migration Brewing, Portland, OR
Misty Mountain Brewing Co., Brookings, OR
Momentum River Expeditions, Ashland, OR
Mountain Rose Herbs, Eugene, OR
Mt. Tabor Veterinary Care, Portland, OR
Must B Felt, Fine Fabric Designers, Cave
Junction, OR
Natural Family Medicine, Cave Junction, OR

New Outlook Financial, Portland, OR
North West Nature Shop, Ashland, OR
North West Outdoor Shop, Medford, OR
Northwest Rafting Company, Hood River, OR
Northwest River Guides LLC, Portland, OR
Noto Group, Inc., Portland, OR
OARS, Angels Camp, CA
Ocean Haven Corp., Yachats, OR
Opposition Brewing Co., Medford, OR
Oregon Green Clean, Portland, OR
Orange Torpedo Trips, Merlin, OR
Organic Harvest, Selma, OR
Organically Grown Company, Eugene, OR
Out N About Trees Oregon, Cave Junction, OR
Pat's Hand-Tied Flies, Trail, OR
Patagonia, Ventura, CA
Peter Grubb, ROW Rafting, Merlin, OR
Pint Shack, Hood River, OR
PlanGreen, Portland, OR
Plywerk, Portland, OR
Pond Gallery, Portland, OR
Portland Integrated Health and Sports Medicine,
Portland, OR
Pro Photo Supply, Portland, OR
Rachel Goodman, LMT Massage Therapist,
Cave Junction, OR
Rama Krisa Shiitakes, Ashland, OR
Raven Flight Photos, Cave Junction, OR
Ravenswood Gallery, Cave Junction, OR
Redwoods and Rivers, Big Bar, CA
Rich Earth Organic Skin Care, Portland, OR
River Drifters, Maupin, OR
River Trail Outfitters, Eugene, OR
RMDC Consultants, Gold Beach, OR
Rogue Aquatics, Central Point, OR
Rogue Fly Shop, Grants Pass, OR
Rogue Klamath River Adventures, Gold Hill, OR
Rogue Natural Living, Cave Junction, OR
Rogue Rock Gym, Medford, OR
Rogue Wilderness Adventures, Merlin, OR
Rosie's Inferno, Wood Fired Pizza, Cave
Junction, OR
Ruby's Neighborhood Restaurant, Ashland, OR
RuffWear, Bend, OR
Running Fox Guitars, Cave Junction, OR
Seven Seeds Farm, Williams, OR
Sew Like the Wind, Hunter Creek, OR
Shane's Welding, Gold Beach, OR
Siskiyou Alpaca, Cave Junction, OR

Siskiyou Ecological Services, Applegate, OR
Siskiyou Forestry, Gold Beach, OR
Siskiyou Mountain Herbs, Cave Junction, OR
Siuslaw Guide Service, Cave Junction, OR
Smithsonian Design, Hunter Creek, OR
Solar Light & Energy, LLC, Bend, OR
Solis Skin Care, Cave Junction, OR
South Coast Tours LLC, Gold Beach, OR
Southern Oregon Brewing Co., Medford, OR
Standing Stone Brewing Co., Ashland, OR
Stephen Gerould Lamps and Accessories,
Portland, OR
Willow Witt Ranch, Ashland, OR
Swing Tree Brewing Co., Ashland, OR
Team Sucio Productions, Pistol River, OR
Terra Firma Botanicals, Inc., Eugene, OR
The Beebe Company, Portland, OR
The Dome School, Cave Junction, OR
The G Spot, Fine Bar and Grill, Kerby, OR
The Haul, Grants Pass, OR
The Tool Merchants, Matt Stern, Williams, OR
Tradewinds Bamboo Nursery, Hunter Creek, OR
Travis Bowman Guide Service, Gold Beach, OR
Tributary Whitewater Tours, Weimar, CA
Turtle Island Co., Hood River, OR
Under Solen Media, Portland, OR
Upstream Adventures, Oakridge, OR
Vitalist School of Herbology, Grants Pass, OR
Walkabout Brewpub, Medford, OR
Wheel's A Turnin' Garden Supply, Cave
Junction, OR
Wild Bill's Oregon Outlet, Cave Junction, OR
Wilderness Canyon Adventures, Pistol River,
OR
Wildland Photography, Eugene, OR
William Olsen Designs, Ashland, OR
Wilson Biochar Associates, Cave Junction, OR
Winter's Hill Vineyard, Dayton, OR
Wolfhound Cycles, Talent, OR
Wooden Valley Ranch, Salem, OR
Wright's World Emporium, Clothing and Gifts,
Cave Junction, OR
Wylie's Honey Brews, Phoenix, OR
YAKIMA Products Inc., Beaverton, OR
Yanase Jewelers, Cave Junction, OR
Your Personal Ceremony, Portland, OR

Organizations

American Whitewater
America Outdoors Association
California Trout
Cascadia Wildlands
Center for Biological Diversity
Cultural and Ecological Enhancement Network
Curry County Democrats
Earthworks
Environmental Protection Information Center
Federation of Western Outdoor Clubs
Friends of Del Norte
Friends of the Kalmiopsis
Geos Institute
Hunter Creek River Steward
Illinois Valley Community Development
Organization
Innominate Garden Club
Josephine County Democrats
Kalmiopsis Audubon Society
Klamath-Siskiyou Wildlands Center
Lower Columbia River Canoe Club
Lower Rogue Watershed Council
Native Fish Society
Native Plant Society of Oregon
Native Plant Society, South Coast Chapter
North Coast Environmental Center
Oregon Chapter, Sierra Club
Oregon Coast Alliance
Oregon Council of Trout Unlimited
Oregon Kayak and Canoe Club
Oregon Wild
Pacific Coast Federation of Fisherman's
Association
Pacific Rivers Council
Rainforest Action Network
Rogue Riverkeeper
Siskiyou Land Conservancy
Smith River Alliance
Soda Mountain Wilderness Council
South Coast Watershed Council
Sunset Garden Club
Surfrider Foundation
The Association of NW Steelheaders
The Larch Company
The Northwest Guides and Anglers Association
The Wilderness Society
Trout Unlimited
WaterWatch of Oregon
Western Environmental Law Center
Wild and Scenic Rivers

Wild Salmon Center

Scientists

Brett Adams, Ph.D., Utah State Univ.
Peter Albers, Ph.D., USGS, (ret.)
John Alcock, Ph.D., Arizona State Univ.
Kayce Anderson, Ph.D., Colorado State Univ.
William Anderson, Ph.D. College of Charleston
W. Scott Armbruster, Ph.D., Univ. of AK. Fairbanks
Kenneth Arrow, Ph.D., Stanford Univ. (ret.)
Peter Bahls, M.S., Northwest Watershed Institute
William Baker, Ph.D., Univ. of Wyoming
Bruce Baldwin, Ph.D., Univ. of Cal., Berkeley
Jesse Barber, Ph.D., Boise State Univ.
Frank Barnwell, Ph.D., Univ. of Minnesota
Roger Barry, Ph.D., Univ. of Colorado
Constance Becker, Ph.D., Life Net Nature
Craig Benkman, Ph.D., Univ. of Wyoming
Michael Bennett, Ph.D., A. Einstein Coll. of Med.
David Benzing, Ph.D., Oberlin College
David Berg, Ph.D., Miami Univ.
Robert Beschta, Ph.D., Oregon State Univ.
Harvey Blankespoor, Ph.D., Hope College
Bazartseren Boldgiv, Ph.D., Nat. Univ. of Mongolia
Arthur Boucot, Ph.D., Oregon State Univ.
Richard Bradley, Ph.D.
William Bridgeland, Ph.D.
James Brown, Ph.D., Univ. of New Mexico
Jesse Brunner, Ph.D., Washington State Univ.
Brian Buma, Ph.D., Univ. of Alaska
Eric Burr, M.F., Conservation NorthWest
Tom Cade, Ph.D., Cornell Univ.
Philip Cafaro, Ph.D., Colorado State Univ.
Ken Carloni, Ph.D., Umpqua Community College
Kai Chan, Ph.D., Univ. of British Columbia
F. Stuart Chapin, Ph.D., Univ. of Alaska Fairbanks
Donald Charles, Ph.D., Drexel University
Norman Christensen, Ph.D., Duke Univ.
Malcolm Cleaveland, Ph.D., Univ. of Arkansas
Mark Colwell, Ph.D., Humboldt State Univ.
Paul Corogin, M.S., Univ. of Florida
Ericha Courtright, M.S., USDA
Patrick Crist, Ph.D., George Mason Univ.
Paul Crosbie, Ph.D., Cal. State Univ., Fresno
David Culver, Ph.D., Ohio State Univ.
Luise Davis, Ph.D., Society of Wetland Scientists
Paul Dayton, Ph.D., Univ. of Cal., San Diego
James Deacon, Ph.D., UNLV
Alan Dickman, Ph.D., Univ. of Oregon
Dana Dolsen, M.S., Univ. of Alberta
Craig Downer, M.S., Andean Tapir Fund
Ken Driese, Ph.D., Univ. of Wyoming

Marianne Edain, B.A.
Richard E. Edelman, Ph.D., Miami Univ.
Robert Espinoza, Ph.D., Cal. State Univ., Northridge
Jonathan Evans, Ph.D., Univ. of the South
Thomas Fleischner, Ph.D., Prescott College
Janet Franklin, Ph.D.
Douglas Frederick, Ph.D., NC State Univ.
Christopher Frissell, Ph.D.
Flathead Lake Bio. Station, Univ. of MT
Robert Fuerstenberg, M.S., Ecologist (ret.)
Jed Fuhrman, Ph.D., Univ. of Southern Cal.
Stephen Fuller, Ph.D., Univ. of Mary Washington
Daniel Gavin, Ph.D., Univ. of Oregon
Donald Geiger, Ph.D., Univ. of Dayton
James Gessaman, Ph.D., Utah State Univ.
Thomas Giesen, MFA; M.S., Univ. of Oregon
Barrie Gilbert, Ph.D., Utah State Univ. (ret.)
Matthew Gitzendanner, Ph.D., Associate Scientist
Rachel Golden, M.S., Oceana
Steven Green, Ph.D., Univ. of Miami
David Griffith, Ph.D., Ferris State Univ.
Jon Grinnell, Ph.D., Gustavus Adolphus College
Gary Grossman, Ph.D.
Simon Gunner, M.S., Olofson Environmental, Inc.
John Hall, Ph.D., West Virginia Univ.
Kenneth Helms, Ph.D., Univ. of Vermont
Bill Hilton Jr., Ph.D., Hilton Pond Center for Piedmont
Natural History
Andres Holz, Ph.D., Portland State Univ.
Elizabeth Horvath, M.S., Westmont College
Malcolm Hunter, Ph.D.
Brian Inouye, Ph.D., Florida State Univ.
David Inouye, Ph.D., Univ. of Maryland
Jerome Jackson, Ph.D., Florida Gulf Coast Univ.
David Janos, Ph.D., Univ. of Miami
Karl Jarvis, Ph.D. Candidate, Northern Arizona Univ.
School of Forestry
David Jenkins, Ph.D., Univ. of Central Florida
Mitchell Johns, Ph.D., Cal. State Univ.
Bart Johnson, Ph.D., Univ. of Oregon
Jay Jones, Ph.D., Univ. of La Verne
Jacob Kann, Ph.D., Aquatic Ecosystem Sciences
Anne Kapuscinski, Ph.D., Dartmouth College
James Karr, Ph.D., Univ. of Washington
Ruth Kern, Ph.D., Cal. State Univ., Fresno
Nicole King, Ph.D., Univ. of Cal., Berkeley
Bruce Kirchoff, Ph.D., Univ. of N. Carolina, Greens.
John Kloetzel, Ph.D., Univ. of Maryland
Marni Koopman, Ph.D., Geos Institute
Drew Kramer, Ph.D., Univ. of Georgia
John Lamperti, Ph.D., Dartmouth College
Rick Landenberger, Ph.D., West Virginia Univ.
Beverly Law, Ph.D., Oregon State Univ.

Geoffrey Lawrence, M.S., N. Henn. Comm. Coll.
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Jason A. Lillegraven, Ph.D., Univ. of Wyoming
Jay Lininger, M.S., Center for Biological Diversity
Frank Logiudice, M.S., Univ. of Central Florida
Marilyn Loveless, Ph.D., The College of Wooster
Marvin Lutnesky, Ph.D., East. New Mexico Univ.
Andrew L. Mack, Ph.D., Indo-Pacific Cons. All.
Calvin Maginel, M.S. Candidate, Univ. of Missouri
Debora Mann, Ph.D., Millsaps College
Sandra Mardonovich, M.S., Miami Univ.
Sharyn Marks, Ph.D., Humboldt State Univ.
Travis Marsico, Ph.D., Arkansas State Univ.
Patrick Martin, Ph.D., Colorado State Univ.
Carlos Martinez del Rio, Ph.D., Univ. of Wyoming
Terry McCloskey, Ph.D., Louisiana State Univ.
Carl McDaniel, Ph.D., Oberlin College
Gary Meffe, Ph.D., Univ. of Florida (ret.)
E. Charles Meslow, Ph.D., USGS (ret.)
Brian Miller, Ph.D., Middle Tennessee State Univ.
Toni Lyn Morelli, Ph.D., Univ. of Massachusetts
Molly Morris, Ph.D., Ohio Univ.
John Morse, Ph.D., Clemson Univ.
Richard Munson, Ph.D., Miami Univ.
Dennis Murphy, Ph.D., Univ. of Nevada, Reno
Peter Murphy, Ph.D., Michigan State Univ.
Philip Myers, Ph.D., Univ. of Michigan
Michael Napolitano, M.S., SF Bay Wat. Qual. Bd.
Richard Nawa, M.A., KS Wild
Charles R. Neal, B.S., U.S. Dept. of Interior (ret.)
Andrew Nelson, Ph.D., SUNY Oswego
Gretchen North, Ph.D., Occidental College
Richard Olmstead, Ph.D., Univ. of Washington
John Pagels, Ph.D., Virginia Commonwealth Univ.
Theodore Papenfuss, Ph.D., UC Berkeley
Michael Parker, Ph.D., Southern Oregon Univ.
Harmony Patricio, M.S.
Dave Perry, Ph.D., Oregon State Univ.
Esther Peters, Ph.D., George Mason Univ.
E. Pielou, Ph.D., D.Sc
Thomas Power, Ph.D., Univ. of Montana
Jessica Pratt, Ph.D., Univ. of Cal., Irvine
Robert Pyle, Ph.D., Xerces Society
Gurcharan Rahi, Ph.D., Fayetteville State Univ.
Peter Raven, Ph.D., Missouri Botanical Garden
Ann Rhoads, Ph.D., Univ. of Pennsylvania
David Roberts, Ph.D., Montana State Univ.
Garry Rogers, Ph.D., Agua Fria Open Space All.
Steven Rogstad, Ph.D., Univ. of Cincinnati
Thomas Rooney, Ph.D., Wright State Univ.
Amy Rossman, Ph.D., USDA-ARS
John Rotenberry, Ph.D., Univ. of Cal., Riverside
Matthew Rubino, M.S., NC State Univ. Dept. of

Applied Ecology
Periann Russell, M.S., NC Dept. of Environment and
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Ann Sakai, Ph.D., Univ. of Cal., Irvine
Robin Salter, Ph.D., Oberlin College
Scott Samuels, Ph.D., Univ. of Montana
Benedetta Sarno, Ph.D., DVM
Melissa Savage, Ph.D., Univ. of Cal., Los Angeles
Fiona Schmiegelow, Ph.D., Univ. of Alberta/Yukon
Kate Schoeneker, Ph.D., USGS/Col. State Univ.
Fred Schreiber, Ph.D., Cal. State Univ., Fresno
Kathy Schwager, M.S.
Thomas W. Sherry, Ph.D., American
Ornithologists' Union, Ecological Society
Jack Sobel, M.S., ETI Professionals, Inc.
Michael Soule, Ph.D., UC Santa Cruz
Wayne Spencer, Ph.D., Conservation Biology Inst.
Timothy Spira, Ph.D., Clemson Univ.
Pamela Stanley, Ph.D., Albert Einstein Col. of Med.
Richard Steiner, M.S., Univ. of Alaska (ret.)
Alan Stemler, Ph.D., Univ. of Cal., Davis
Glenn R. Stewart, Ph.D., Cal. State Polytech.
Christopher Still, Ph.D., Univ. of Cal., SB
Paul Torrence, Ph.D., Northern Arizona Univ.
Pepper Trail, Ph.D., USFWS Wild. Forensics Lab
Vicki Tripoli, Ph.D.
James Valentine, Ph.D., Univ. of Cal., Berkeley
Pete Van Hoorn, M.S.
Ken Vance-Borland, M.S., Cons. Planning Inst.
Mike Vandeman, Ph.D.
Thomas Veblen, Ph.D., Univ. of Colorado
John Vickery, M.S., M.A., Denver Natural Areas
Marlene Wagner, Ph.D. Cand., Simon Fraser Univ.
David Wake, Ph.D., Univ. of Cal, Berkeley
Faith Walker, Ph.D., Northern Arizona Univ.
Greg Walker, Ph.D., Univ. of Cal, Riverside
Donald Waller, Ph.D., Univ. of Wisconsin
Gerald Wasserburg, Ph.D., Cal. Inst. of Tech.
Vicki Watson, Ph.D., Univ. of Montana
Orion Weldon, Ph.D. Candidate
Rutgers Univ., Ecology & Evolution
Stephen Weller, Ph.D., Univ. of Cal., Irvine
Hart Welsh, Ph.D., USDA Forest Service
David Whitacre, Ph.D.
Sue Wick, Ph.D., Univ. of Minnesota
James Williams, Ph.D., U.S. Dept. of Interior (ret.)
Norris Williams, Ph.D., Univ. of Florida
Paul Wilson, Ph.D., Cal. State Univ.
Marianna Wood, Ph.D., Bloomsburg Univ.
George Wuerthner, M.S., Found. for Deep Ecology
Charlotte Zampini, Ph.D., Framingham State Univ.



ORDINANCES & RESOLUTIONS



SECTION 9.

Ordinances & Resolutions

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**

Agenda Item No. **9. a.**
Council Meeting Date: May 9, 2016

TITLE: Adoption and First Reading of Ordinances 657 & 658

SUMMARY AND BACKGROUND:

We have discussed at several meetings in the past year minor changes and amendments to the Administration Code and the Business Code, most recently last month. There were some final revisions the Council requested and then you directed me to prepare the ordinances for adoption this month. Additionally, at the Budget Hearing, we discussed the 1% increase in the room tax to assist the Event Center with the maintenance of their buildings and structures. That amendment is also included in these revisions.

Even though we have had several public discussions about these amendments we are still required to have a public hearing prior to taking action on the ordinances.

We had the public hearing earlier in the meeting.

REQUESTED ACTION:

Ordinances require a little more than resolutions and do not go into effect until 30 days after the second reading. There are a few ways to adopt ordinances so prior to making a motion the Council should decide the manner of adoption.

ONE MEETING: The first and second reading of the ordinance can occur in **one meeting only in the following fashion:**

- It must be a unanimous decision by the Council members present to adopt the ordinance in one meeting.
- If the decision is unanimous, then the First Reading of the Ordinance must occur by reading the entire ordinance out loud into the record (done by the Administrator). The ordinances aren't terribly long so I can quickly do that. The Second Reading of the Ordinance is by title only with me reading the title of the ordinance out loud into the record.



SECTION 9.

Ordinances & Resolutions

TWO MEETINGS: If the decision to have the first and second reading of the ordinance in one meeting is NOT unanimous, then it will take 2 meetings to do the readings—tonight and next month. Tonight you will make the motion to adopt the ordinance with the first reading by title only. After the vote, the First Reading of the Ordinance is by title only with me reading the title of the ordinance out loud into the record. The second reading would occur next month. No adoption vote is required next month, just me reading the title only out loud into the record.

The ordinance does not take effect until 30 days after the second reading by either method outlined above.

SUGGESTED ADOPTION MOTIONS:

Ordinance 657 amending Administration Code

ADOPT IN ONE MEETING

I make the motion we adopt Ordinance 657, an ordinance amending Ordinance 642 which adopted a revised Gold Beach Administration Code, with the First and Second readings to occur tonight in one meeting.

ACTION: If the vote is unanimous then I will read the entire ordinance out loud into the record for the first reading, then read the title only out loud into the record for the second reading.

FIRST READING ONLY TONIGHT

If the motion to adopt the ordinance in one meeting is not unanimous then I would request a second motion:

I make the motion we adopt Ordinance 657, an ordinance amending Ordinance 642 which adopted a revised Gold Beach Administration Code, with the first reading by title only.

ACTION: I will read the title only out loud into the record for the first reading.

Ordinance 658 amending Business Code

ADOPT IN ONE MEETING

I make the motion we adopt Ordinance 658, an ordinance amending Ordinance 643 which adopted a revised Gold Beach Business Code, with the First and Second readings to occur tonight in one meeting.

ACTION: If the vote is unanimous then I will read the entire ordinance out loud into the record for the first reading, then read the title only out loud into the record for the second reading.



SECTION 9.
Ordinances & Resolutions

FIRST READING ONLY TONIGHT

If the motion to adopt the ordinance in one meeting is not unanimous then I would request a second motion:

I make the motion we adopt Ordinance 658, an ordinance amending Ordinance 643 which adopted a revised Gold Beach Business Code, with the first reading by title only.

ACTION: I will read the title only out loud into the record for the first reading.

ORDINANCE NO. 657

AN ORDINANCE AMENDING ORDINANCE 642 WHICH ADOPTED A REVISED
GOLD BEACH ADMINISTRATION CODE

The City of Gold Beach ordains as follows:

Section 1. The following sections of the Gold Beach Administration Code are hereby amended:

Regular type is existing language to remain unchanged

Bold Italic is new language to be added or amended

~~Strikethrough~~ is language to be removed

ADMINISTRATION CODE
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1.118 Authority of City Council when Position of City Administrator is Vacant.

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ADMINISTRATION CODE AMENDMENTS BY SECTION

General

1.020 ~~Definitions~~

~~RESIDENT: An individual is a "Resident" of the City of Gold Beach for the purposes of serving on a City Commission or Committee if:~~

- ~~a) The individual lives within the city limits of Gold Beach and intends to make the City of Gold Beach a fixed and permanent home; and~~
- ~~b) Gold Beach is listed as the individual's residence address for federal income tax purposes; and~~
- ~~e) The records of the Curry County Tax Assessor list Gold Beach as the individual's mailing address; and~~
- ~~d) Gold Beach is listed as the individual's residence address on their valid Oregon driver's license or state issued identification card; and~~
- ~~e) The individual is an elector as defined by Section 12 of the Gold Beach Charter.~~

1.025 Residency.

- (1)** An individual is a "Resident" of the City of Gold Beach for the purposes of serving on a City Commission or Committee, ***or to be eligible for an elective city office as referenced in Chapter III, Section 12 of the Gold Beach Charter if:***
 - a) The individual ***resides*** within the city limits of Gold Beach and makes the City of Gold Beach a fixed and permanent home; and
 - b) Gold Beach is listed as the individual's residence address for federal income tax purposes; and
 - c) ***If the individual is a property owner within the City of Gold Beach,*** the records of the Curry County Tax Assessor list Gold Beach as the individual's mailing address; and
 - d) Gold Beach is listed as the individual's residence address on their valid Oregon driver's license or state issued identification card; and
 - e) The individual is an elector as defined by Section 12 of the Gold Beach Charter.
- (2)** ***The City Administrator shall make the initial determination as to whether an individual qualifies as a "resident" under this Section 1.025. The City Administrator's determination may be appealed pursuant to subsection (3) of this Section 1.025.***
- (3)** ***A person aggrieved by a residency determination by the City Administrator may appeal that determination to the City Council by filing a written request with the City Administrator within five (5) calendar days of the City Administrator's written***

decision. The City Administrator shall immediately notify the Council and the Mayor of the appeal request, and shall schedule a date for an appeal hearing as soon as practicable, but in no case later than twenty-one (21) calendar days from the date of the City Administrator's receipt of the appeal request. Prior to the appeal hearing, the City Administrator shall transmit the appeal request together with the City Administrator's written determination and any facts, data, or exhibits that were part of said determination to the Council, the Mayor, and the appellant. At the hearing, the appellant will have the opportunity to present information to show that the appellant does meet the definition of "resident" in this Section 1.025. The City Council may uphold or overturn the City Administrator's determination. All decisions of the City Council pursuant to this Section 1.025(3) are final and binding.

§

City Government

1.110 City Administrator

1.110 City Administrator

(2) Duties, Powers and Authority of the City Administrator

(e) City Administrator shall supervise the **operation** of all departments and public utilities owned and operated by the city, and shall have supervision powers over all city real or personal property. **Prior to acquisition, disposal, or substantial improvements to real property owned by the City, the City Administrator shall consult with the City Council before taking action to acquire, dispose, or improve such real property.**

§

Elections

1.205 ~~Election Precincts~~—**Elections: General**

(6) Referral of Residency Determination to the City Council. If the City Administrator determines that a candidate for City elective office does not meet the definition of "resident" in Section 1.025 of this Code, the City Administrator must reject the candidate's filing. A candidate for elective city office may appeal the City Administrator's determination pursuant to Section 1.025(3) of this Code. Notwithstanding subsection (b) of this section, in the case of an appeal of the City Administrator's determination by a candidate for an elective City position, the Council shall schedule the appeal hearing for a date that will allow the City Administrator to timely submit the candidate's election materials to Curry County if the Council determines that the

candidate is eligible to hold elective office in the City. If the City Administrator rejects a candidate's filing, the City Administrator shall return the candidate's filing fee if the candidate does not appeal the City Administrator's determination within the period specified in Section 1.025(3) of this Code, or the City Council determines that the candidate is not eligible to hold elective city office.

§

Courts

1.305 **Powers and Duties of the Municipal Judge**

(2) **Qualifications of Municipal Judge; Selection; Term of Appointment; Removal; Compensation.**

(a) The municipal judge shall be appointed by majority vote of all sitting councilors. ***Once appointed, the municipal judge shall serve at the pleasure of the Council until the appointment is rescinded by resolution of the Council.*** ~~The term of appointment shall be one year. The person appointed to fill the office may be reappointed for any number of terms, provided such reappointment is confirmed by vote of the City Council as provided in this section.~~

1.310 **Interpretation and Rules of Construction.**

(10) **Classification of Offenses; Penalties.**

(b) If provided for in the ordinance defining the violation, the court may order restitution in addition to any penalty or fine. ~~The court may order community service in lieu of a penalty or fine if the defendant demonstrates a manifest and documented inability to pay.~~

Section 2. All other sections and provisions of Ordinances 642 are unaltered and remain in effect.

Section 3. **General Savings Provision and Continuity of Existing Provisions.**

This code shall not affect the rights and duties that matured, penalties that were incurred and proceedings that were begun before the effective date of this Code. The provisions of this Code that are the same in substance as code or ordinance provisions that are in effect immediately before this Code becomes effective shall be construed as restatements and continuations of the prior provisions.

Passed and Adopted by the City Council of the City of Gold Beach, Oregon, State of Oregon,
on this 9th day of May, 2016.

Karl Popoff, Mayor

ATTEST:

Jodi Fritts, City Administrator

First Reading: May 9, 2016

Aye _____ Nay _____

Second Reading: June 13, 2016

Aye _____ Nay _____

ORDINANCE NO. 658

AN ORDINANCE AMENDING ORDINANCE 643 WHICH ADOPTED A REVISED
GOLD BEACH BUSINESS CODE

The City of Gold Beach ordains as follows:

Section 1. The following sections of the Gold Beach Business Code are hereby amended:

Regular type is existing language to remain unchanged

Bold Italic is new language to be added or amended

~~Strikethrough~~ is language to be removed

BUSINESS CODE
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- 4.115 Requirement for License
- 4.120 Exclusions from Business License Requirement**
- 4.125 Illegal Business or Profession
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- 4.135 License Term, Transfer of License
- 4.140 Application for License
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- 4.150 Display of License
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- 4.385 Pole Signs
- 4.390 Ground Signs
- 4.395 Roof Signs

- 4.400 Wall Signs
- 4.405 Projecting Signs
- 4.410 Combination Signs
- 4.415 Marquees
- 4.420 Electric Signs
- 4.425 Temporary Signs
- 4.430 Political Signs
- 4.435 Prohibited Conduct
- 4.440 Administration and Appeals
- 4.445 Sign Code Variance Procedures
- 4.550 Enforcement – Notice and Opportunity to Comply
- 4.460 Filing of Complaint; Temporary Restraining Order
- 4.465 Enforcement – Remedial Power of the Court
- 4.470 Enforcement – Violation

Vendor Assisted Tobacco Sales Code

- 4.500 Findings
- 4.505 Purpose
- 4.510 Definitions
- 4.515 Vendor Assisted Tobacco Sales Required
- 4.520 Exceptions
- 4.525 Non-Retaliation
- 4.530 Penalties

Social Gaming Code

REPEALED BY ORDINANCE NO. 654

BUSINESS CODE AMENDMENTS BY SECTION

Business License Code

4.110 Definitions

(1) “Business” means any person, who sells, leases, or provides property, goods, food, things, entertainment or services. ~~for profit.~~ The term “business” shall not include any activities conducted solely for charitable, religious, community or public purposes. The term “business” shall include providing property, goods, food, things, entertainment or services in return for donations which are accepted for the benefit of the provider. **See Section 4.120 for specific exclusions from Business License Requirement.**

Ordinance 658

Amending Ordinance 643-Gold Beach Business Code

Page 3 of 6

4.120 Exclusions from Business License Requirement

(5) No person, group, organization, club, etc. exempt from federal income tax under Section 501(c) of the federal Internal Revenue Code shall be required to obtain a business license. Proof of federal 501(c) status will be required by the City.

§

Transient Room Tax and Community Promotion Code

4.210 Tax Imposed

For the privilege of occupancy in any lodging establishment, on or after the 1st day of ~~June 1982~~, **August 2016**, each transient shall pay ~~six percent (6%)~~ **seven percent (7%)** of the rent charged by the operator. The tax constitutes a debt owed by the transient to the City, which is extinguished only by payment by the operator to the City. The transient shall pay the tax to the operator of the lodging establishment at the time the rent is paid. The operator shall record the tax when rent is collected if the operator keeps records on a cash accounting basis and when earned if the operator keeps records on an accrual accounting basis. If rent is paid in installments, the transient shall pay a proportionate share of the tax to the operator with each installment. In all cases the rent paid or charged for occupancy shall exclude the sale of any goods, services and commodities, other than the furnishings of rooms, space or accommodations by the operator.

4.270 Purpose of and Distribution Formula for Transient Room Tax Receipts.

~~It is the intent and purpose of this code to raise revenues for funding of a program of community advertising and promotion, and the disbursement formula therefore is as follows:~~

It is the intent and purpose of this code to raise revenues for funding of:

- a) a program of community advertising and promotion, and**
- b) financial assistance to the Event Center on the Beach, a tourism-related facility as defined by state statute, with the maintenance of the buildings and structures located on the Event Center property.**

The revenue disbursement formula therefore is as follows:

(1) Each operator liable for collection and remittance of the Transient Room Tax as imposed by this code, shall withhold five percent (5%) of the net tax collected to cover the operator's expense in collection and remittance of said tax.

(2) Whenever the tax required by this code has been collected by the operator and it is later determined that the tenant occupies the lodging establishment for a period exceeding thirty-days (30) without interruption, the operator shall refund to such tenant the tax previously collected by the operator from that tenant as a transient. The operator shall account for such collection and refund to the Tax Administrator. The operator shall be entitled to a corresponding refund under this section if the tax was remitted prior to the refund or credit to the tenant.

(3) There is hereby created a special fund of the City of Gold Beach to be known as "The Community Advertising and Promotion Fund". The Tax Administrator shall deposit seventy-five percent (75%) of the **first 6% of the net 7% tax** collected under this code into this fund. Said fund shall be completely separate and apart from any other special or general funds of the City of Gold Beach.

(4) There is hereby created a special fund of the City of Gold Beach to be known as the "Event Center Building Maintenance Fund". The Tax Administrator shall deposit ninety-five percent (95%) of the remaining 1 % of the net 7% tax collected under this code into this fund. Said fund shall be completely separate and apart from any other special or general funds of the City of Gold Beach.

§

Section 2. All other sections and provisions of Ordinances 643 are unaltered and remain in effect.

Section 3. General Savings Provision and Continuity of Existing Provisions.

This code shall not affect the rights and duties that matured, penalties that were incurred and proceedings that were begun before the effective date of this Code. The provisions of this Code that are the same in substance as code or ordinance provisions that are in effect immediately before this Code becomes effective shall be construed as restatements and continuations of the prior provisions.

Passed and Adopted by the City Council of the City of Gold Beach, Oregon, State of Oregon,
on this 9th day of May, 2016.

Karl Popoff, Mayor

ATTEST:

Jodi Fritts, City Administrator

First Reading: May 9, 2016

Aye _____ Nay _____

Second Reading: June 13, 2016

Aye _____ Nay _____



MISC. ITEMS

**INCLUDING POLICY DISCUSSIONS &
DETERMINATIONS**



SECTION 10.

MISC. ITEMS (including policy decisions & determinations)

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**

Agenda Item No. 10.a.
Council Meeting Date: May 9, 2016

TITLE: Budget Revisions as discussed at Budget Hearing

SUMMARY AND BACKGROUND:

To ensure I have captured the proposed changes from the Budget Hearing, please review these changes. If they appear correct I will make the changes to the budget document prior to presenting for adoption at the June meeting.

FUND & COMMENT	GL #	TITLE	BC PROPOSED
<u>GENERAL FUND</u> Include revenue line item to receive anticipated state weed revenue	10-33-103	STATE MJ TAX	\$1,000 (REVENUE)
Transfer out newly created Nuisance Abatement Reserve Fund	10-40-718	Transfer out to Nuisance Abatement Reserve Fund	\$1,000 (EXPENDITURE)
Include revenue line item to receive possible city weed tax	10-36-150	CITY MJ TAX	\$1,420 (I have no idea why I wrote this weird amount...?) (REVENUE)
Transfer out newly created Nuisance Abatement Reserve Fund	10-40-718	Transfer out to Nuisance Abatement Reserve Fund	\$1,420 (EXPENDITURE)
Reduce transfer to Noninsured/Unemployment this year and divert to new Abatement Reserve		Transfer out to Nuisance Abatement Reserve	\$5,000 (EXPENDITURE)



SECTION 10.

MISC. ITEMS (including policy decisions & determinations)

Transfer in from Sewer Reserve for loan to purchase 20 modern SCBA packs for fire fighters	10-39-180	Transfer in—Interfund loan from Sewer Reserve	\$122,000 (REVENUE)
CAPITAL OUTLAY Purchase 20 modern SCBA packs for fire fighters (they are approx. \$6400 each)	10-64-580	Fire SCBA Packs	\$122,000 (EXPENDITURE)
PROMO FUND Remove the revenue and expenditure for 1% room tax for Event Center out of this fund and put into new reserve fund	24-32-150 24-40-205	FG FACILITIES 1% FG Facilities Turnover	REMOVE REMOVE
NEW RESERVE FUND <u>Event Center Building Maintenance Reserve Fund</u> 1% increase in room tax with 95% going to this fund (5% retained by tax collectors)	26-32-140	1% Room Tax	\$57,000 (REVENUE)
Building Maintenance	26-40-525	Building Repairs	\$57,000 (EXPENDITURE)
WWTP FUND Transfer out cash to close fund	65-40-710	Close out to Sewer Reserve	\$620,000 (EXPENDITURE)
Transfer out cash to close fund	65-40-120	Close out Sewer Utility	\$200,000 (EXPENDITURE)
SEWER RESERVE Transfer in from WWTP	74-39-110	Closing WWTP fund	\$620,000 (REVENUE)
SEWER UTILITY Transfer in from WWTP	23-23-39-100	Closing WWTP fund	\$200,000 (REVENUE)
SEWER UTILITY Add revenue for SDCs	23-36-200	SDC charges	\$5,000 (REVENUE)
Change EFB—after transfer from WWTP and addition of this revenue			



SECTION 10.

MISC. ITEMS (including policy decisions & determinations)

<p>NEW RESERVE FUND Create <u>Nuisance Abatement Reserve Fund</u> to pay for abatement costs such as Dangerous Building removal. Seed money from weed revenue and diverting Noninsured/Unemployment transfer this year</p>			<p>\$2,420 (MJ) \$5,000 (NI/UNEMP) (REVENUE)</p>
<p>Offset entry (debit) to EFB (should I show any proposed expenditures for 16-17??)</p>			<p>\$7,420 (Contingency)</p>
<p>BUILDING RESERVE Budget for carpet in front hall and Council chambers</p>	<p>93-40-240</p>	<p>Building Expenditures</p>	<p>\$27,500 (EXPENDITURE)</p>
<p>Change EFB after adjustment</p>			

REQUESTED MOTION/ACTION:

Review and correct proposed changes



SECTION 10.

MISC. ITEMS (including policy decisions & determinations)

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**

Agenda Item No. **10.b.**
Council Meeting Date: May 9, 2016

**TITLE: Proposed interfund loan for purchase of SCBAs for
Fire Department**

SUMMARY AND BACKGROUND:

It was proposed by the budget committee to purchase the needed Self Contained Breathing Apparatus (SCBAs) for the Fire Department all at once by loaning the \$\$ to the General Fund from the Sewer Reserve rather than try and piece meal the replacements (as I had proposed). After the budget hearing, I spoke with the Fire Chief and requested he get a quote for the equipment he felt they needed to have modern and safe SCBAs. Attached is info on the equipment. With the options he felt were necessary the units cost approximately \$6400 each. We need 20 units.

I have attached a proposed interfund loan amortization schedule. If this is acceptable to the Council I will prepare an interfund loan resolution to be adopted with the budget next month.

REQUESTED MOTION/ACTION:

Review and direct staff

DELTAIR®

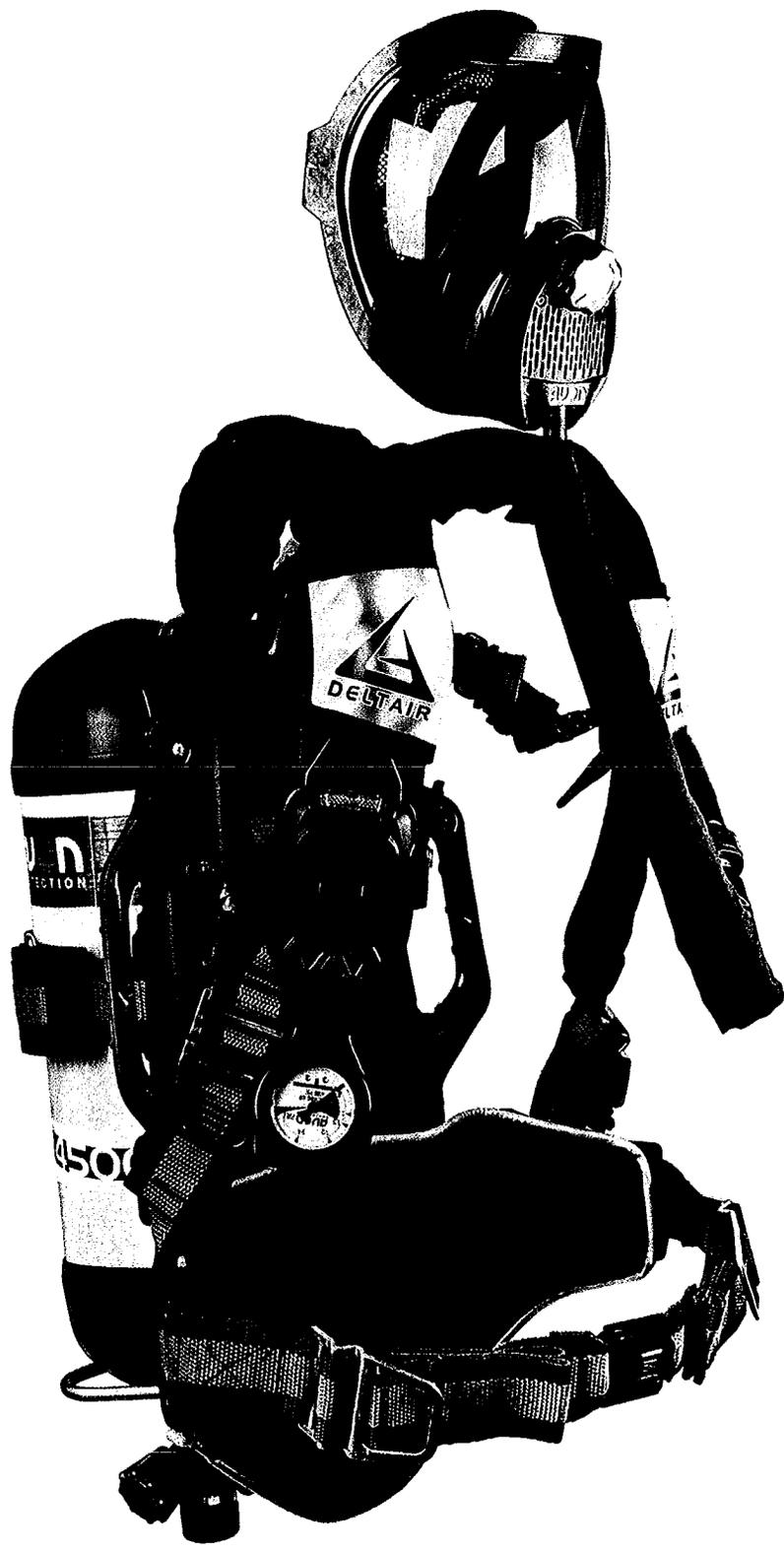
Avon Protection introduces the Deltair®, the most innovative SCBA available, designed by firefighters for firefighters. To meet the critical needs of the fire service, Deltair has been developed to meet and exceed the new NFPA 1981, 1982, 2013 Edition Standard on Open-Circuit Self Contained Breathing Apparatus (SCBA) for Emergency Services. Discover more about the new symbol of respiratory protection below.

Developed to deliver the same ruggedness and reliability that we put into all our respiratory products, Deltair has been tested to a variety of NFPA, NIOSH, and Mil Spec standards to ensure it meets and exceeds the tough demands required by the fire service.

Deltair is NFPA 1981, 1982, 2013 Edition Standard compliant and is approved for use in a CBRN environment. The Deltair has design requirements that exceed the requirements of NFPA 1981.

We asked firefighters far and wide what they needed and wanted in a SCBA. Their input was the catalyst for the design and development of this completely new platform.

<http://www.avon-protection.com/fire/Structural-Firefighting/deltair.htm>



DELTAIR Product Configurator



EXAMPLE ORDER NUMBER

Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
DEL-3	06	21	31	41	51	B

The final part number indicates the product selection as a:
 Deltair SCBA, 2013 NFPA 45 min HP, 4500 psi 45 minute Carbon LW, CGA Connector, 4500 psi, AirSwitch Facemask, NFPA 2013, CBRN Medium, Voice Amplification/PASS/Radio Interface, Hard Carry Case, Buddy Breather

Step	Part Number	Description	Price
1	DELTAIR SCBA		
	DEL-1	Deltair SCBA, 2013 NFPA , 30 min LP	\$4425.00
	DEL-2	Deltair SCBA, 2013 NFPA 30 min HP	\$4325.00
	DEL-3	Deltair SCBA, 2013 NFPA 45 min HP	\$4325.00
2	CYLINDER OPTIONS		
	DEL-4	Deltair SCBA, 2013 NFPA 60 min HP	\$4325.00
	01	2216 psi 30 minute Carbon	\$977.00
	02	4500 psi 30 minute Carbon	\$977.00
	03	4500 psi 45 minute Carbon	\$1266.00
	04	4500 psi 60 minute Carbon	\$1406.00
	05	4500 psi 30 minute Carbon LW	\$1145.00
3	CYLINDER CONNECTION OPTIONS		
	06	4500 psi 45 minute Carbon LW	\$1335.00
	07	4500 psi 60 minute Carbon LW	\$1505.00
4	FACE MASK		
	20	CGA Connector, 2216 psi	--
	21	CGA Connector, 4500 psi	--
5	COMMUNICATIONS /PASS OPTIONS		
	22	QD Connector 4500 psi (not available for 2216 psi)	\$400.00
	30	AirSwitch Facemask, NFPA 2013, CBRN Small	\$959.00
6	STORAGE OPTIONS		
	31	AirSwitch Facemask, NFPA 2013, CBRN Medium	\$959.00
	32	AirSwitch Facemask, NFPA 2013, CBRN Large	\$959.00
7	OPTIONAL FEATURES		
	40	Voice Amplification/PASS	--
	41	Voice Amplification/PASS/Radio Interface	\$395.00
	42	Voice Amplification/PASS/Radio Interface/ EchoTracer Ultrasonic Tracking	\$1345.00
	50	None	--
	51	Hard Carry Case	\$140.00
	A	None	--
B	Buddy Breather (EBSS)	\$478.00	
C	Airline, Hansen HK	\$311.00	
D	Airline, Rectus	\$311.00	
E	Rescue Belt - Crosby Hook	\$1295.00	
F	Rescue Belt - Carbineer	\$1295.00	
G	Premium Facemask Storage Bag	\$42.00	
H	Cylinder Caps (Top and Bottom) (45 minute Only)	\$90.00	
I	Cylinder Caps (Top only) (45 minute only)	\$45.00	
J	Custom Cylinder Labels - Paper	CALL	
K	Custom Cylinder Labels - Luminescent	CALL	
L	Custom Shoulder Strap Patches	CALL	



www.avon-protection.com
 t: 1 888 286 6440
 e: customerservice@avon-protection.com



DELTAIR Product Configurator

SPARE MASK

Part Number	Description	List Price
AIR-01	AirSwitch Facemask, NFPA 2013, CBRN Small	\$959.00
AIR-02	AirSwitch Facemask, NFPA 2013, CBRN Medium	\$959.00
AIR-03	AirSwitch Facemask, NFPA 2013, CBRN Large	\$959.00

MASK OPTIONS

Part Number	Description	List Price
A	None	
B	Premium Facemask Bag	\$42.00

FIT TEST MASK

Part Number	Description	List Price
171240	Fit Test Mask, CBRN, 2013, Small	\$495.00
171241	Fit Test Mask, CBRN, 2013, Medium	\$495.00
171242	Fit Test Mask, CBRN, 2013, Large	\$495.00

SPARE CYLINDERS

Part Number	Description	List Price
CYL-01	2216 psi 30 minute Carbon	\$977.00
CYL-02	4500 psi 30 minute Carbon	\$977.00
CYL-03	4500 psi 45 minute Carbon	\$1,266.00
CYL-04	4500 psi 60 minute Carbon	\$1,406.00
CYL-05	4500 psi 30 minute Carbon Superlite	\$1,145.00
CYL-06	4500 psi 45 minute Carbon Superlite	\$1,335.00
CYL-07	4500 psi 60 minute Carbon Superlite	\$1,505.00

CYLINDER OPTIONS

Part Number	Description	List Price
A	None	
B	Cylinder Caps (Top & Bottom) (4500 psi 45 minute Carbon Only)	\$90.00
C	Cylinder Caps (Top Only) (4500 psi 45 minute Carbon Only)	\$45.00
D	Custom Cylinder Labels – Paper	Call for Pricing
E	Custom Cylinder Labels - Luminescent	Call for Pricing
F	Quick Connect Male Adapter	\$50.00

GR11432-03



ADVANCE WITH CONFIDENCE

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AVON
PROTECTION

Loan Amortization Schedule

Interfund load from Sewer Reserve to General Fund-Fire Division for 20 safety compliant SCBAs

	Enter values	Loan summary
Loan amount	\$ 122,000.00	Scheduled payment \$ 14,302.12
Annual interest rate	3.00 %	Scheduled number of payments 10
Loan period in years	10	Actual number of payments 10
Number of payments per year	1	Total early payments \$ -
Start date of loan	8/1/2017	Total interest \$ 21,021.22
Optional extra payments	\$ -	

Pmt No.	Payment Date	Beginning Balance	Scheduled Payment	Extra Payment	Total Payment	Principal	Interest	Ending Balance	Cumulative Interest
1	8/1/2018	\$ 122,000.00	\$ 14,302.12	\$ -	\$ 14,302.12	\$ 10,642.12	\$ 3,660.00	\$ 111,357.88	\$ 3,660.00
2	8/1/2019	111,357.88	14,302.12	-	14,302.12	10,961.39	3,340.74	100,396.49	7,000.74
3	8/1/2020	100,396.49	14,302.12	-	14,302.12	11,290.23	3,011.89	89,106.27	10,012.63
4	8/1/2021	89,106.27	14,302.12	-	14,302.12	11,628.93	2,673.19	77,477.33	12,685.82
5	8/1/2022	77,477.33	14,302.12	-	14,302.12	11,977.80	2,324.32	65,499.53	15,010.14
6	8/1/2023	65,499.53	14,302.12	-	14,302.12	12,337.14	1,964.99	53,162.39	16,975.12
7	8/1/2024	53,162.39	14,302.12	-	14,302.12	12,707.25	1,594.87	40,455.14	18,570.00
8	8/1/2025	40,455.14	14,302.12	-	14,302.12	13,088.47	1,213.65	27,366.68	19,783.65
9	8/1/2026	27,366.68	14,302.12	-	14,302.12	13,481.12	821.00	13,885.56	20,604.65
10	8/1/2027	13,885.56	14,302.12	-	13,885.56	13,468.99	416.57	0.00	21,021.22



SECTION 10.

MISC. ITEMS (including policy decisions & determinations)

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**

Agenda Item No. **10.c.**
Council Meeting Date: May 9, 2016

**TITLE: Planning Commission Code Revision
Recommendations for Marijuana Zoning Regulations
and Tiny Houses & ADUs**

SUMMARY AND BACKGROUND:

The Council directed staff earlier this year to have the Planning Commission review possible amendments to the Zoning Code for Medical & Recreational Marijuana businesses, and also a citizen requested amendment to allow for Tiny Houses.

The PC met in three workshop sessions and drafted and revised proposed amendments to the zoning code. Attached are their proposals. This are for REVIEW ONLY tonight and discussion at the June meeting and possible adoption in July or August.

REQUESTED MOTION/ACTION:

FYI only this month. Please review for discussion at the June meeting



PC MARIJUANA RECOMMENDED AMENDMENTS

**PROPOSED AMENDMENTS TO GBZO TO ALLOW FOR RECREATIONAL AND
MEDICAL MARIJUANA DISPENSARIES CONDITIONALLY IN THE
COMMERCIAL 4-C AND INDUSTRIAL 5-I ZONES**

Existing zoning ordinance language in regular format
Proposed amendments ***Bold & Italics***

ADD to Section 1.030 DEFINITIONS

Medical Marijuana Dispensary means a medical marijuana dispensary registered under ORS 475B.450 or a site for which an applicant has submitted an application for registration under ORS 475B.450.

Recreational Marijuana Facility means a location where a wholesaler, retailer, producer, or processor licensed through the Oregon Health Authority or the Oregon State Liquor Control Commission conducts activities related to their marijuana business. This definition is not meant to include personal use marijuana activities as approved in Measure 91 by voters in November 2015.

Commercial Zone (4-C)

Section 2.310. Purpose of Classification.

The 4-C zone is designed to apply to areas where more complete commercial facilities are necessary for community convenience.

Section 2.320. Uses Permitted Outright.

The 4-C zone is designated to be applied to areas such as community shopping centers and business districts that cater to the needs of nearby residential areas.

1. Hotel, motel, vacation rental, or bed and breakfast inn.
2. Club or lodge hall.
3. Hospital, sanitarium, retirement home, medical or dental clinic.
4. Retail or service establishment.

5. Automobile service station.
6. Machinery, farm equipment, marine, or automotive sales, service, storage, or repair.
7. Building material storage yard.
8. Plumbing, electrical, or paint contractor's storage, repair or sales shop.
9. Wholesale trucking and storage establishment.
10. Park, playground, fire station, library or museum.
11. Office buildings.
12. Place of worship or school.
13. Recreational vehicle park.
14. Machine shop or cabinet shop.
15. Manufacturing, repairing, compounding, processing, storage, research, assembling, or fabricating activities except: tire retreading or vulcanizing shop, and manufacturing plants-- including lumber and plywood mills
16. Airport related buildings if located within the airport property. See airport overlay section
17. Dwelling unit(s) may be located in a building devoted primarily to a non-residential use.

PERMITTED USES WITHIN EXISTING SINGLE-FAMILY/MULTIFAMILY DWELLINGS:

18. Home Occupations subject to the general standards of Section 3.050.
19. A Residential Home as defined in ORS 197.660(2).
20. A Residential Facility as defined in ORS 197.660(1)
21. Registered or certified family child care home pursuant to ORS 657A.440.

Section 2.330. Conditional Uses Permitted.

In a 4-C zone, the following uses and their accessory uses are permitted when authorized in accordance with Section 6.010 through Section 6.050. All conditional uses must meet the

general standards of Section 6.041. Numbers in parenthesis following a use indicate the specific standards described in Section 6.042 that must be met in addition to the general standards in order to approve that particular use.

1. Single family dwelling.
2. Multiple family dwelling.
3. Planned Unit Development on a lot of at least one (1) acre in area and in compliance with Article V.
4. Utility facility; including substation, pumping station or private generator. (1)
5. Communications transmitter, receiver, antenna or tower. (1)
5. Wind generator (1).
6. Mobile or portable office.
7. Trailer, camping or recreational vehicle temporarily used as a residence during construction of a permitted use or to temporarily provide watchman security for material that cannot be reasonably stored in an established commercial storage facility.
- 8. *Medical Marijuana Dispensary (subject to the specific conditional use standards of Section 6.042 (11))***
- 9. *Recreational Marijuana Wholesaler or Retailer (subject to the specific conditional use standards of Section 6.042 (11))***
- 10. *Medical or Recreational Marijuana producer (grower) provided the entire growing operation and accessory uses are conducted within a legally constructed building. No outside growing or storage is permitted. (subject to the specific conditional use standards of Section 6.042 (11))***

Section 2.340. Lot Size.

Except as provided in Sections 4.040 and 4.050 in a 4-C zone:

The minimum lot size shall be determined by the County Sanitarian as necessary for proper installation and operation of water supply and sewage disposal systems. If both a public water supply and a public sewage disposal system are available, there shall be no minimum lot area; however, the off-street parking ordinance must be conformed with.

Section 2.350. Height of Buildings.

Except as provided in Section 4.020 in a 4-C zone, no building shall exceed thirty-five (35) feet in height.

Industrial Zone (5-I)

Section 2.410. Purpose of Classification.

The industrial zone is generally intended to provide for limited or light industrial uses. Conditional uses in this zone are designed for heavier industrial uses.

Section 2.420. Uses Permitted Outright.

In a 5-I zone, the following uses and their accessory uses are permitted outright:

1. Retail or service establishment.
2. Automobile service station.
3. Machinery, farm equipment, marine, or automotive sales, service, storage, or repair.
4. Building material storage yard.
5. Plumbing, electrical, or paint contractor's storage, repair or sales shop.
6. Tire retreading or vulcanizing shop.
7. Wholesale trucking and storage establishment.
8. Machine shop or cabinet shop.

9. Manufacturing, repairing, compounding, processing, storage, research, assembling or fabricating activities except those specifically listed in Section 2.430.
10. Utility facility, including substation or pumping station.
11. Communications transmitter, receiver, antenna or tower.

Section 2.430. Conditional Uses Permitted.

In a 5-I zone, the following uses and their accessory uses are permitted when authorized in accordance with Section 6.010 through Section 6.050. All conditional uses must meet the general standards of Section 6.041. Numbers in parenthesis following a use indicate the specific standards described in Section 6.042 that must be met in addition to the general standards in order to approve that particular use.

1. Manufacturing plant, including lumber and plywood mills.
2. Airport or heliport.
3. Place of worship or school.
4. Park, playground, fire station, library or museum.
5. Planned Unit Development on a lot of at least three (3) acres in area and in compliance with Article V.
6. Wind generators (1).
7. Recreational vehicle park or campground
8. Mobile or portable office.
9. ***Medical Marijuana Dispensary (subject to the specific conditional use standards of Section 6.042 (11))***
10. ***Recreational Marijuana Wholesaler or Retailer (subject to the specific conditional use standards of Section 6.042 (11))***
11. ***Medical or Recreational Marijuana producer (grower) provided the entire growing operation and accessory uses are conducted within a legally constructed building. No outside growing or storage is permitted. (subject to the specific conditional use standards of Section 6.042 (11))***

Section 2.440. Lot Size.

Except as provided in Sections 4.040 and 4.050 in a 5-I zone, the minimum lot size shall be determined by the County Sanitarian as necessary for proper installation and operation of water supply and sewage disposal systems. If both a public water supply and a public sewage disposal system are available, there shall be no minimum lot area; however, compliance with the off-street parking ordinance shall be required. must be conformed with.

Section 2.450. Height of Building.

Except as provided in Section 4.020 in a 5-I zone, no building shall exceed thirty-five (35) feet in height; however, buildings up to fifty (50) feet in height may be allowed as a conditional use.

Section 6.042 Specific Conditional Use Standards

10. Medical or Recreational Marijuana Uses

The following criteria and conditions are applied to specific uses and activities in the Commercial (4-C) and Industrial (5-I) zones:

- a) The facility shall be registered and licensed through the State of Oregon and shall comply with all state regulations regarding medical or recreational marijuana facilities, depending on its type of state registration.**
- b) The facility shall be located 200' or more feet from residential uses.**
- c) The facility shall be located 1000' or more feet from the exterior boundary line of parcel containing any public, private, preschool, or religious based school for students under the age of 18.**
- d) The facility shall not be located with 1000' of a building containing another marijuana business.**
- e) The facility must be located entirely within a permanent building and may not be located in a trailer, cargo container, motor or recreational vehicle.**
- f) Outside storage of merchandise, raw materials, or other materials associated with the facility is prohibited.**
- g) Drive-up use or windows are prohibited.**
- h) The facility shall provide for secure disposal of marijuana remnants or by-products; such remnants or by-products shall not be placed within the facility's exterior refuse containers.**
- i) Production of oil based products or distilling of oil shall only be permitted within the Industrial (5-I) zone.**



**PC ADU &
TINY HOUSE
RECOMMENDED
AMENDMENTS**

**PROPOSED AMENDMENTS TO GBZO TO ALLOW FOR ACCESSORY DWELLING
UNITS (ADUs) & TINY HOUSES WITHIN THE
RESIDENTIAL (1-R, 2-R, 3-R) AND COMMERCIAL (4-C) ZONES**

Existing zoning ordinance language is in regular format
Proposed amendments ***Bold & Italics***

ADD to Section 1.030 DEFINITIONS

ACCESSORY DWELLING UNIT (ADU) means a smaller secondary home on the same lot as a primary dwelling having a total square footage of 200'-500' square feet. ADUs are independently habitable and provide the basic requirements of shelter, heating, cooking, water and sanitary sewer utilities. There are two types of ADUs:

- 1) "Garden" or "Granny" cottages which are detached structures (e.g. conversion of existing detached garage or accessory structure).***
- 2) Accessory suites or "mother-in-law" apartments which are attached or part of the primary dwelling (e.g. converted living space, apartments over garages, basements or attics; additions to existing dwellings, or any combination thereof).***

TINY HOUSE means a single-family dwelling of conventional or modular construction which is 200'-600' square feet which are independently habitable and provide the basic requirements of shelter, heating, cooking, water and sanitary sewer utilities.

Tiny Houses are subject to the following siting standards:

- 1) Must be sited on a legally created parcel and are subject to the setback requirements of the underlying zone.***
- 2) If the structure is of modular construction the siting standards of Section 3.045 (2, 3, & 4) shall apply to the placement of the dwelling.***

ARTICLE II. Use Zones

Residential Zone (1-R)

Section 2.010. Purpose of Classification.

The 1-R zone is designated to be applied to residential areas where housing is typically single-family and duplex residences.

Section 2.020. Uses Permitted Outright.

In a 1-R zone, the following uses and their accessory uses are permitted outright:

1. Single-family dwelling, ~~or a~~ manufactured home or TINY HOUSE which complies with the requirements set forth in Section 3.045.
2. Duplex
3. The temporary use of a recreational vehicle by the lot owner, family of the lot owner or nonpaying guests of the lot owner. The use is deemed to be temporary if the recreational vehicle is occupied for fewer than 15 consecutive days in any 30 day period.
4. PERSONAL NON-COMMERCIAL Farming where building-site PARCEL is one (1) acre or more, but not including livestock.
5. Home Occupations subject to the general standards listed in Section 3.050.
6. A Residential Home as defined in ORS 197.660(2).
7. Registered or certified family child care home pursuant to ORS 657A.440.
8. Accessory Dwelling Unit subject to the specific standards listed in Section 3.040

Section 2.030. Conditional Uses Permitted.

In a 1-R zone, the following uses and their accessory uses are permitted when authorized in accordance with Section 6.010 through Section 6.050. All conditional uses must meet the general standards of Section 6.041. Numbers in parenthesis following a use indicate the specific standards described in Section 6.042 that must be met in addition to the general standards in order to approve that particular use.

1. Place of worship, school, grange hall or community building.
2. Public use facility or public utility, including but not limited to fire stations and parks.(1)
3. Recreational vehicle temporarily used during construction of a permitted use for a period not to exceed twelve months.

4. Utility facility, including substation or pumping station or private generator. (1)
5. Communications transmitter, receiver, antenna or tower. (1)
6. Planned Unit Development in compliance with Article V.
7. Wind generators (1).
8. Home occupations not meeting the general standards of Section 3.050, including bed and breakfast inns, in compliance with Sections 3.050 and 6.010.
9. Use of an existing dwelling unit as a vacation rental dwelling. (4) (and Section 6.050 & 6.051).

Section 2.040. Lot size.

Except as provided in Sections 4.040 and 4.050 in a 1-R zone:

1. Lot sizes suitable for building shall be dependent on the availability of public water and sewage systems. If the lot is not served by both a public water and sewer system, the lot area shall conform to the state and county requirements for water supply and sewage disposal.
2. The minimum lot area shall be five thousand (5,000) square feet when both a public water and sewage system are available.
3. ***Smaller minimum lot area down to three thousand (3,000) square feet may be permitted specifically for tiny house use subject to review by the Planning Commission pursuant to the procedural standards of Article VI-Conditional Uses.***
4. The minimum average lot width shall be fifty (50) feet.

Section 2.050. Set-Back Requirements.

Except as provided in Section 4.010 and 4.030 in a 1-R zone, yards shall be as follows:

1. The front yard shall be a minimum of ten (10) feet.
2. The side yard shall be a minimum of five (5) feet.
3. The rear yard shall be a minimum of five (5) feet.

Section 2.060. Height of Buildings.

1. Except as provided in Section 4.020 in a 1-R zone, no building shall exceed twenty-five (25) feet in height. ***Height of ADUs and Tiny Houses are subject to subsection 2 below.***

2. ADUs and Tiny Houses shall not exceed fifteen (15) feet in height.

Residential Zone (2-R)

Section 2.110. Purpose of Classification.

The 2-R zone is designed to be applied to residential areas and recognizes the trend toward homes of other than conventional construction.

Section 2.120. Uses Permitted Outright.

In a 2-R zone, the following uses and their accessory uses shall be permitted outright:

1. Single-family dwelling, ~~or~~ a manufactured or mobile home **or TINY HOUSE which complies with the requirements set forth in Section 3.045.**
2. The temporary use of a recreational vehicle by the lot owner, family of the lot owner or nonpaying guests of the lot owner. The use is deemed to be temporary if the recreational vehicle is occupied for fewer than 15 consecutive days in any 30 day period.
3. Duplex
4. Home Occupations meeting the general standards of Section 3.050.
5. A Residential Home as defined in ORS 197.660(2).
6. Registered or certified family child care home pursuant to ORS 657A.440.
7. **Accessory Dwelling Unit subject to the specific standards listed in Section 3.040**

Section 2.130. Conditional Uses Permitted.

In a 2-R zone, the following uses and their accessory uses are permitted when authorized in accordance with Section 6.010 through Section 6.050. All conditional uses must meet the general standards of Section 6.041. Numbers in parenthesis following a use indicate the specific standards described in Section 6.042 that must be met in addition to the general standards in order to approve that particular use.

1. Mobile or manufactured home park subject to compliance with local building code requirements. (2)
2. Place of worship, school, grange hall, or community building.
3. Public use facility such as a fire station or park.

4. Recreational vehicle temporarily used during construction of a permitted use for a period not to exceed twelve months.
5. Utility facility, including substation or pumping station or private generator. (1)
6. Communications transmitter, receiver, antenna or tower. (1)
7. Planned Unit Development on a lot not less than one (1) acre, in compliance with Article V.
8. Wind generators (1).
9. Home occupations not meeting the general standards of Section 3.050, including bed and breakfast inns, in compliance with Sections 3.050 and 6.010.
10. Use of an existing dwelling as a vacation rental dwelling. ~~(3)~~ (4) (and Section 6.050 & 6.051)
11. One manufactured home or mobile home in conjunction with an existing dwelling as a temporary use for the term of a hardship suffered by the existing resident or a relative of the resident. (5)
12. Private horse stable where the lot or parcel is one acre or more in size but not including the renting or boarding of horses for profit.
13. Where the lot is one acre or more in size, **PERSONAL NON-COMMERCIAL** farming, including the keeping of livestock for noncommercial use.

Section 2.140. Lot Size.

Except as provided in Sections 4.040 and 4.050 in a 2-R zone:

1. Lot sizes suitable for building shall be dependent on the availability of public water and sewage systems. If the lot is not served by a public water or sewer system, the lot area shall conform to the requirements established by the County Sanitarian to avoid problems of water supply and sewage disposal due to soil structure and water table.
2. When both a public water and sewage system are available:
 - (a) For uses other than a mobile home park, the minimum lot area shall be five-thousand (5,000) square feet.
 - (b) For mobile or manufactured home park, the minimum shall be eight thousand (8,000) square feet or two thousand (2,000) square feet per home space whichever is greater.

3. ***Smaller minimum lot area down to three thousand (3,000) square feet may be permitted specifically for tiny house use subject to review by the Planning Commission pursuant to the procedural standards of Article VI-Conditional Uses.***

3. The minimum average width shall be fifty (50) feet.

Section 2.150. Set-back Requirements.

Except as provided in Section 4.010 and 4.030 in a 2-R zone, yards shall be as follows:

1. The front yard shall be a minimum of ten (10) feet
2. The side yard shall be a minimum of five (5) feet.
3. The rear yard shall be a minimum of five (5) feet.

Section 2.160. Height of Buildings.

1. Except as provided in Section 4.020 in a 2-R zone, no building shall exceed twenty-five (25) feet in height. ***Height of ADUs and Tiny Houses are subject to subsection 2 below.***
2. ***ADUs and Tiny Houses shall not exceed fifteen (15) feet in height.***

Residential Zone (3-R)

Section 2.210. Purpose of Classification.

The 3-R zone is designed to be applied to residential areas where housing demands may justify a higher density.

Section 2.220. Uses Permitted Outright.

In a 3-R zone, the following uses and their accessory uses are permitted outright:

1. Detached single-family dwelling, attached single-family dwellings (townhouses), duplex, or multi-family dwelling, **or TINY HOUSE which complies with the requirements set forth in Section 3.045.**
2. The temporary use of a recreational vehicle by the lot owner, family of the lot owner or nonpaying guests of the lot owner. The use is deemed to be temporary if the recreational vehicle is occupied for fewer than 15 consecutive days in any 30 day period.
3. Manufactured home which complies with the requirements set forth in section 3.045.
4. **PERSONAL NON-COMMERCIAL** Farming where building site **PARCEL** is one (1) acre or more, but not including livestock.
5. Home Occupations subject to the general standards of Section 3.050.
6. A Residential Home as defined in ORS 197.660(2).
7. A Residential Facility as defined in ORS 197.660(1)
8. Registered or certified family child care home pursuant to ORS 657A.440.
9. **Accessory Dwelling Unit subject to the specific standards listed in Section 3.040**

Section 2.230. Conditional Uses Permitted.

In a 3-R zone, the following uses and their accessory uses are permitted when authorized in accordance with Section 6.010 through Section 6.050. All conditional uses must meet the general standards of Section 6.041. Numbers in parenthesis following a use indicate the specific standards described in Section 6.042 that must be met in addition to the general standards in order to approve that particular use.

1. Place of worship, school, grange hall, or community building.
2. Public use facility such as a fire station or park.

3. Recreational vehicle temporarily used during construction of a permitted use for a period not to exceed twelve months.
4. Utility facility, including substation or pumping station or private generator. (1)
5. Communications transmitter, receiver, antenna or tower. (1)
6. Planned Unit Development on a lot not less than ~~three (3)~~ one (1) acre in compliance with Article V.
7. Hospital, sanitarium, retirement home, medical or dental clinic.
8. Wind generators (1).
9. Home occupations subject to the general standards of Section 3.050, including bed and breakfast inns, in compliance with Sections 3.050 and 6.010.
10. Use of an existing dwelling unit as a vacation rental dwelling. ~~(3)~~ (4) (and Section 6.050 & 6.051)

Section 2.240. Lot Size.

Except as provided in Sections 4.040 and 4.050 in a 3-R zone:

1. Lot sizes suitable for building shall be dependent on the availability of public water and sewage systems. If the lot is not served by both a public water and sewer system, the lot area shall conform to the requirements established by the County Sanitarian to avoid problems of water supply and sewage disposal due to soil structure and water table.
2. When both a public water supply and sewage disposal system are available the minimum lot area shall be four-thousand (4000) square feet.
3. ***Smaller minimum lot area down to three thousand (3,000) square feet may be permitted specifically for tiny house use subject to review by the Planning Commission pursuant to the procedural standards of Article VI-Conditional Uses.***
3. The average lot width shall be a minimum of fifty (50) feet.

Section 2.250. Set-Back Requirements.

Except as provided in Section 4.010 and 4.030 in a 3-R zone, yards shall be as follows:

1. The front yard shall be a minimum of ten (10) feet.
2. The side yard shall be a minimum of five (5) feet.
3. The rear yard shall be a minimum of five (5) feet.

Section 2.260. Height of Buildings.

- 1.** Except as provided in Section 4.020 in a 3-R zone no building shall exceed thirty-five (35) feet in height. *Height of ADUs and Tiny Houses are subject to subsection 2 below.*

- 2.** *ADUs and Tiny Houses shall not exceed fifteen (15) feet in height.*

Commercial Zone (4-C)

Section 2.310. Purpose of Classification.

The 4-C zone is designed to apply to areas where more complete commercial facilities are necessary for community convenience.

Section 2.320. Uses Permitted Outright.

The 4-C zone is designated to be applied to areas such as community shopping centers and business districts that cater to the needs of nearby residential areas.

1. Hotel, motel, vacation rental, or bed and breakfast inn.
2. Club or lodge hall.
3. Hospital, sanitarium, retirement home, medical or dental clinic.
4. Retail or service establishment.
5. Automobile service station.
6. Machinery, farm equipment, marine, or automotive sales, service, storage, or repair.
7. Building material storage yard.
8. Plumbing, electrical, or paint contractor's storage, repair or sales shop.
9. Wholesale trucking and storage establishment.
10. Park, playground, fire station, library or museum.
11. Office buildings.
12. Place of worship or school.
13. Recreational vehicle park.
14. Machine shop or cabinet shop.
15. Manufacturing, repairing, compounding, processing, storage, research, assembling, or fabricating activities except: tire retreading or vulcanizing shop, and manufacturing plants-- including lumber and plywood mills
16. Airport related buildings if located within the airport property. See airport overlay section

17. Dwelling unit(s) may be located in a building devoted primarily to a non-residential use.

PERMITTED USES WITHIN EXISTING SINGLE-FAMILY/MULTIFAMILY DWELLINGS:

18. Home Occupations subject to the general standards of Section 3.050.

19. A Residential Home as defined in ORS 197.660(2).

20. A Residential Facility as defined in ORS 197.660(1)

21. Registered or certified family child care home pursuant to ORS 657A.440.

Section 2.330. Conditional Uses Permitted.

In a 4-C zone, the following uses and their accessory uses are permitted when authorized in accordance with Section 6.010 through Section 6.050. All conditional uses must meet the general standards of Section 6.041. Numbers in parenthesis following a use indicate the specific standards described in Section 6.042 that must be met in addition to the general standards in order to approve that particular use.

1. Single family dwelling or **TINY HOUSE which complies with the requirements set forth in Section 3.045.**
2. Multiple family dwelling.
3. Planned Unit Development on a lot of at least one (1) acre in area and in compliance with Article V.
4. Utility facility; including substation, pumping station or private generator. (1)
5. Communications transmitter, receiver, antenna or tower. (1)
5. Wind generator (1).
6. Mobile or portable office.
7. Trailer, camping or recreational vehicle temporarily used as a residence during construction of a permitted use or to temporarily provide watchman security for material that cannot be reasonably stored in an established commercial storage facility.
8. **Accessory Dwelling Unit subject to the specific standards listed in Section 3.040**

Section 2.340. Lot Size.

Except as provided in Sections 4.040 and 4.050 in a 4-C zone:

The minimum lot size shall be determined by the County Sanitarian as necessary for proper installation and operation of water supply and sewage disposal systems. If both a public water supply and a public sewage disposal system are available, there shall be no minimum lot area; however, the off-street parking ordinance must be conformed with.

Section 2.350. Height of Buildings.

- 1.** Except as provided in Section 4.020 in a 4-C zone, no building shall exceed thirty-five (35) feet in height. *Height of ADUs and Tiny Houses are subject to subsection 2 below.*

- 2.** *ADUs and Tiny Houses shall not exceed fifteen (15) feet in height.*

Section 3.040 Accessory Dwelling Unit (ADU) Standards

Purpose. *Accessory Dwelling Units (ADU) shall be permitted to provide the following:*

- a) Create new housing units while respecting the look, scale, and feel of the single-family and multi-family dwelling development patterns;*
- b) Offer housing choices with less average space per person;*
- c) Offer housing options to provide for changing family needs, smaller or larger households, multigenerational housing, or reduction in overall housing costs;*
- d) Offer additional housing options for seniors, persons with disabilities, veterans, or financially disadvantaged individuals.*

Specific ADU siting standards

- 1) ADUs shall be accessory to an existing single-family, duplex, or multi-family dwelling; and*
- 2) ADUs shall meet the setback requirements of the underlying zone; and*
- 3) ADUs shall be 200'-500' square feet in size; and*
- 4) ADUs shall not be used for vacation rental dwellings or rentals of less than 30 day increments and may not be advertised as such; and*
- 5) Either the primary dwelling or ADU shall be occupied by the owner or a family member of the owner of the subject property.*



FYI ONLY
OTHER CITIES
ADU STANDARDS

CITY	TYPES OF STRUCTURES	SIZE LIMITATION	PARKING	ENTRANCE STANDARDS	OCCUPANCY RESTRICTIONS	OTHER STANDARDS
Astoria POP 9,516	May only be created through conversion of existing living area or areas over attached garages. Existing primary unit must have at least 1400 square feet prior to creation of accessory dwelling unit.	Not to exceed 40% of the size of primary dwelling or 800 square feet, whichever is smaller.	One additional off-street parking space.	No new entrances at the front of the house – only separate ADU entrance can be to side or rear.	Property owner must occupy either primary residence or ADU.	All basic utilities must remain combined with primary structure. Minimum lot size 5000 square feet. Is only allowed in homes at least 50 years old at the time of permit application.
Aurora POP 939	Conversion of existing living area or garage, adding floor area, or constructing a detached accessory dwelling unit	Maximum 50% of size of primary dwelling or 1000 sq. ft., whichever is less.	No additional parking required if abutting street is at least 18 feet wide, except if accessory unit is created at the same time as primary dwelling.	No separate entrance in front yard.	Either primary residence or ADU must be occupied by the owner	Must be located in side or rear yard. If detached must be set back at least 6 feet from front building line.
Baker City POP 9,769	Attached, detached, or attached to garage	Maximum size of 700 sq. ft.			Primary dwelling must be owner-occupied, or owner may appoint family member as caretaker.	May not be used as a short term vacation rental

CITY	TYPES OF STRUCTURES	SIZE LIMITATION	PARKING	ENTRANCE STANDARDS	OCCUPANCY RESTRICTIONS	OTHER STANDARDS
Brownsville POP 1,686	May be attached or detached	The maximum size of any secondary residence shall be no greater than 800 square feet of interior floor space.	Two parking places shall be provided for the secondary residence. These spaces may be in tandem. Required parking shall not be located in the front yard.	none	One of the dwelling units on a property shall be occupied by one or more owners of the property as the owner's permanent and principal residence.	Maximum lot coverage for the principal residence and all accessory structures, including the secondary residence, is 30%.
Cannon Beach POP 1,691	Any new structure, or addition to an existing structure, must go through design review.	Maximum 600 square feet.	One additional off-street parking space required	None	None	Must be rented for a term of 30 days or more. May not be a manufactured dwelling.
Coburg POP 1,037	Attached to primary residence, separate structure, or above garage	Maximum floor area is 800 sq. ft.	None	None	Owner must occupy primary residence, or appoint a family member as resident care-taker.	
Columbia City POP 1,953	May only be created by converting existing floor area or adding floor area to an existing dwelling unit.	No greater than 50% of the size of the primary dwelling.	No off-street parking required if the street frontage is at least 18 feet wide, unless ADU is constructed at the same time as the primary dwelling.	No separate entrance from the front yard.	None	Not allowed in city R-1 zoning district. Must be located in either rear or side yard.

CITY	TYPES OF STRUCTURES	SIZE LIMITATION	PARKING	ENTRANCE STANDARDS	OCCUPANCY RESTRICTIONS	OTHER STANDARDS
Coquille POP 3,820	The unit can be a detached cottage, a unit attached to a garage, or in a portion of an existing house;	Accessory dwellings shall not exceed 800 square feet of floor area if detached from the primary dwelling, or 40 percent of the primary unit, whichever is less.	None	None	The primary residence or accessory dwelling shall be owner-occupied, or owner may appoint a family member as a resident caretaker of one of the units and manager of the other unit;	
Cornelius POP 12,161		A minimum of 250 SF of floor area for each occupant, and there shall be no more than two occupants, and the unit shall not exceed 800 square feet, or 30 percent of the total floor area of the primary dwelling.	One additional off-street parking space shall be provided.	Only one door may face the street, either primary dwelling or ADU.	The owner(s) of the primary dwelling shall occupy at least one of the units.	Area occupied by the home, and all accessory buildings and structures on the lot shall not exceed 50 percent of the lot area. No more than two occupants of the ADU.
Cottage Grove POP 9,795	Detached structure, above a garage, or attached to primary dwelling	Maximum 800 Sq. Ft.	none	none	Primary dwelling must be owner-occupied, or owner may appoint family member as caretaker.	
Creswell	Detached structure, above a garage, or attached to primary dwelling	Maximum of 800 Sq. Ft. or 40% of primary dwelling floor area, whichever is less.	none	none	Primary dwelling must be owner-occupied, or owner may appoint family member as caretaker.	

CITY	TYPES OF STRUCTURES	SIZE LIMITATION	PARKING	ENTRANCE STANDARDS	OCCUPANCY RESTRICTIONS	OTHER STANDARDS
Dayton POP 2,542	Must be located in a detached structure	No more than 25% of size of primary dwelling or 750 square feet, whichever is less.				Allowed only in R-2 zoning district. Must be located in side or rear yard.
Durham POP 1,922	Must be created within or share a common wall with the primary residence.	An ADU shall not be larger than 33 percent of the habitable area of the primary residence (excludes garage) or 600 square feet, whichever is less.		Primary entrance to the ADU may not be newly constructed on the façade of the primary residence that faces public right of way.	Primary residence must be owner occupied.	A garage may not be converted into an ADU unless replaced by a new garage. Maximum occupancy of ADU is two persons.
Fairview POP 9,176	Can be a detached cottage, a unit attached to a garage, or in a portion of an existing house.	Size of ADU shall not exceed 800 square feet. On a lot less than one acre, an ADU may be constructed above a detached garage. However, the floor area of the ADU cannot exceed 800 square feet and the floor area of the detached garage, excluding the ADU, cannot exceed 1,000 square feet.	One additional on-site parking space is required if the primary dwelling has less than four on-site spaces available before construction of the ADU.		The primary residence or accessory dwelling shall be owner-occupied. Alternatively, the owner may appoint a family member as a resident caretaker of the principal house or of the accessory dwelling.	The number of accessory dwelling units is not to exceed 50 percent of the lots within any block

CITY	TYPES OF STRUCTURES	SIZE LIMITATION	PARKING	ENTRANCE STANDARDS	OCCUPANCY RESTRICTIONS	OTHER STANDARDS
<p>Garibaldi POP 770</p>	<p>detached cottage, a unit attached to a garage, or in a portion of the existing house</p>	<p>The maximum floor area of the accessory dwelling shall not exceed 33 percent of the living area of the house or 600 square feet, whichever is less, and may not exceed 15 percent of the entire area of the site.</p>	<p>a minimum of one space shall be provided for the accessory dwelling.</p>	<p>None</p>	<p>The primary residence shall be owner-occupied. Alternatively, the owner may appoint a family member as a caretaker of the principal house and manager of the accessory dwelling.</p>	
<p>Gladstone POP 11,724</p>	<p>May be created as a detached structure or within, or as an addition to, a primary dwelling or accessory structure.</p>	<p>The floor area of an ADU shall not exceed 400 square feet or contain more than one bedroom</p>	<p>One off -street parking space shall be provided in addition to the off-street parking for the primary dwelling unit.</p>	<p>Only one entrance may be located on the street-facing façade of the structure containing the primary dwelling unit</p>	<p>Either the primary dwelling unit or the accessory dwelling unit shall be owner-occupied for as long as the other unit is being rented or otherwise occupied.</p>	
<p>Hood River</p>	<p>Attached or detached</p>	<p>ADU's shall contain 800 square feet or less.</p>	<p>One off-street parking space shall be provided in addition to the off-street parking that is required for the primary dwelling</p>	<p>none</p>	<p>The property owner must occupy the primary dwelling or the ADU as their principal residence for at least six months out of the year</p>	<p>The ADU occupant shall provide proof that at least one occupant is locally employed (Gorge – Hood River, Wasco, Skamania, and Klickitat counties), a relative or on a local assistance program for the rent. If a garage or detached building does not currently meet setbacks, no conversion to an ADU.</p>

CITY	TYPES OF STRUCTURES	SIZE LIMITATION	PARKING	ENTRANCE STANDARDS	OCCUPANCY RESTRICTIONS	OTHER STANDARDS
Independence POP 8,662	Must be in same building as primary residence unless lot is at least 8,500 square feet.	May not be less than 300 square feet. May not be greater than 800 square feet. May not exceed 40% of the combined size of primary residence and ADU	One off-street parking space required.	Separate entrance for ADU must be located on side or rear of building.	Either primary residence or ADU must be occupied by the owner.	Total number of occupants on property cannot exceed maximum number defined by "family".
Jefferson POP 3,150	None	The maximum floor area of the accessory dwelling shall not exceed seven hundred fifty (750) square feet.	None	None	None	Only in Mixed Use Zoning district
Junction City POP 5,651	May be a detached cottage, a unit attached to or above a garage, or in a portion of an existing house	The floor area of the accessory dwelling unit shall not exceed 800 square feet.	none	None	The primary residence or accessory dwelling shall be owner-occupied or occupied by a family member.	
King City POP 3,498	May be created by converting existing living area, attic, basement or garage; Adding floor area; Constructing a detached ADU on site with an existing house or constructing a new house,...etc.	Size of attached or detached ADU shall not exceed 33% of the living area of the existing dwelling or 800 sq. ft., whichever is less.	Not required if ADU is created on a site with an existing primary residence and one abutting street has a paved width of at least twenty-eight feet; otherwise one parking space required.	Only one building entrance may be located on the façade for the two dwellings.		Lot size must be a minimum of 7500 square feet;

CITY	TYPES OF STRUCTURES	SIZE LIMITATION	PARKING	ENTRANCE STANDARDS	OCCUPANCY RESTRICTIONS	OTHER STANDARDS
La Grande PO 13,074		May not exceed 33% of primary dwelling size, or 800 sq. ft., whichever is less	One off-street parking space is required if ADU is constructed at the same time as the primary residence, or an abutting street has pavement width less than 28 feet.	Only one total entrance is allowed along the front façade.	Owner must occupy the primary dwelling. Total number of occupants must not exceed definition of a "family" in the code.	Requires a conditional use permit. Minimum lot size is 7500 sq. ft.
Lakeview POP 2,287	Attached, separate structure, or above detached garage	May not exceed 40% of primary dwelling size, or 800 sq. ft., whichever is less	none	none	Primary dwelling must be owner-occupied, or owner may appoint family member as caretaker.	
Myrtle Point POP 2,476	Detached cottage, attached to a dwelling, or in a portion of an existing dwelling	Accessory dwellings shall not exceed 600 square feet of floor area if detached from the primary dwelling, or 40 percent of the primary unit, whichever is less.	A parcel containing a primary dwelling unit and an accessory dwelling shall provide a minimum of two off-street parking spaces.	None	None	Minimum lot size of 6000 square feet.

CITY	TYPES OF STRUCTURES	SIZE LIMITATION	PARKING	ENTRANCE STANDARDS	OCCUPANCY RESTRICTIONS	OTHER STANDARDS
North Plains POP 2,029	None	Maximum floor area is 650 square feet.	None	None	Either primary residence or accessory dwelling must be owner occupied unless owner appoints family member as resident caretaker of primary residence.	Recessed behind or flush with front elevation of the primary dwelling.
Philomath POP 4,574	May be detached structure, attached to a garage, or a portion of existing dwelling.	May not exceed 600 sq. ft.	None	None	Either primary residence or ADU must be occupied by the owner, or owner may appoint a family member as a resident caretaker of the principal dwelling	Allowed use in R-2 and R-3 districts. Conditional use in R-1 district.
Phoenix POP 4,603	Attached to house, detached structure, or attached to garage	May not exceed 50% of primary dwelling size, or 800 sq. ft., whichever is less	One off-street paved parking space required	none	none	
Prineville POP 9,223	A detached cottage, a unit attached to a garage, or in a portion of an existing house.	The maximum floor area of the accessory dwelling shall not exceed 700 square feet.	An accessory dwelling shall provide at least one additional off-street parking space	none	none	

CITY	TYPES OF STRUCTURES	SIZE LIMITATION	PARKING	ENTRANCE STANDARDS	OCCUPANCY RESTRICTIONS	OTHER STANDARDS
Reedsport POP 4,090	Detached or attached	Maximum 750 square feet.	One additional off-street parking space	None	Either the primary residence or the ADU must be owner-occupied	Detached ADU must be located in the side yard or rear yard.
Scappoose POP 6,802	May be created by converting existing living area or adding floor area, or construction of a new structure that is either attached or detached. An attached garage may not be converted.	Floor area shall not exceed 50% of floor area of primary residence or 800 square feet, whichever is less.	One additional on-site parking space unless existing dwelling has four or more on-site spaces.	No separate entrance to ADU from the front yard.	Primary dwelling must be occupied by owner; however owner may appoint a family member or resident caretaker. In low density zone ADU must be occupied by a family member of owner-occupied primary dwelling.	
Silverton POP 9,369	Attached, Separate Cottage, or Above Detached Garage	Accessory dwellings shall not exceed 800 square feet of floor area if detached from the primary dwelling, or 40 percent of the primary unit, whichever is less.	A parcel containing a primary dwelling unit and an accessory dwelling shall provide a minimum of two off-street parking spaces.	None	The primary residence or accessory dwelling shall be owner-occupied, or owner may appoint a family member as a resident caretaker of one of the units and manager of the other unit;	
Sisters POP 2,174	Attached, detached, or attached to garage.	May not exceed 50% of primary dwelling size, or 800 sq. ft., whichever is less	One off-street parking space required.	none	Primary residence must be occupied by owner or member of owner's family.	Separate water and sewer service required.

ACCESSORY DWELLING UNITS (accessory to an existing SFD or MFD)

CITY	TYPES OF STRUCTURES	SIZE LIMITATION	PARKING	ENTRANCE STANDARDS	OCCUPANCY RESTRICTIONS	OTHER STANDARDS
St. Helens POP 13,060	Converting existing living area, attic, basement or garage; Adding floor area; Constructing a detached auxiliary dwelling unit on a developed site; or Constructing a new house, attached house, or manufactured home with an internal or detached auxiliary dwelling unit;	Minimum is 220 square feet. Maximum may be no more than 30 percent of the living area of the primary dwelling or 1,000 square feet, whichever is less.	No off-street parking required if the street frontage is at least 20 feet wide, unless ADU is constructed at the same time as the primary dwelling.	No separate entrance from the front yard.	The owner of the property must occupy either the primary residence or the auxiliary dwelling unit	The detached auxiliary dwelling unit may not have a larger footprint than the footprint of the house
Sutherlin POP 7,746	Attached or detached or attached to garage	Maximum 600 sq. ft.	One off-street parking space required	none	none	
Talent POP 6,224	May be either conversion of existing living space, new attached structure, or new detached structure.	Must be at least 300 square feet. If a detached structure, may be no more than 750 sq. ft.	Two off street parking spaces required.	Separate entrance must be less visible than entrance to primary dwelling.	none	Maximum of three occupants. Manufactured home ADUs are not allowed. If a garage is converted to an ADU, it must be replaced.
Toledo POP 3,466	Conversion of existing space, addition to dwelling, accessory structure.	Maximum of 650 square feet or 35% of the floor area of the primary dwelling, whichever is less	One additional off-street parking space	None	Owner must occupy either primary dwelling or accessory dwelling.	
Veneta POP 4,657		Maximum size 600 sq. ft. or 50% of primary dwelling size, whichever is smaller	A minimum of two combined spaces for primary dwelling and ADU, plus one additional	none	none	

CITY	TYPES OF STRUCTURES	SIZE LIMITATION	PARKING	ENTRANCE STANDARDS	OCCUPANCY RESTRICTIONS	OTHER STANDARDS
Vernonia POP 2,158	May be created by converting existing living area, finishing basement or attic, addition to an existing structure, new structure, or converting or adding to detached garage or shed.	Maximum size of 33% of primary dwelling living area or 880 square feet, whichever is less.	One additional off-street parking space provided for the ADU	Main entrance must open onto a porch or covered entry unless ADU is limited to interior remodeling of existing dwelling.	Primary residence must be owner occupied	Total number of individuals in both units may not exceed the number allowed for a "family." Separate water service may be required. SDC is 1/3 that of a single family residence.
Warrenton POP 5,135	a detached cottage, a unit attached to a garage, or in a portion of an existing house	The maximum floor area of the accessory dwelling shall not exceed 600 square feet.	No additional off-street parking is required if the lot already contains at least two off-street parking spaces; otherwise, one space is required.	None	The primary residence or accessory dwelling shall be owner-occupied. The owner may appoint a family member as resident caretaker.	May not be used as a rental unit or other income-producing unit. May not be used as servants' quarters or as lodging (temporary or permanent) for housekeepers, gardeners, etc.
Winston POP 5,335		Maximum 1000 sq. ft. of 50% of the size of the primary dwelling, whichever is less	One off-street parking space required	none	Primary dwelling or ADU must be owner occupied	Primary heat source must be electric or gas, not wood



SECTION 10.

MISC ITEMS (including policy discussions & determinations)

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**

Agenda Item No. 10. d.

Council Meeting Date: May 9, 2016

TITLE: Update on County land “gift”

SUMMARY AND BACKGROUND:

The County Economic Development Director notified me on April 27th that the Board of Commissioners had “...agreed to gift parcel 3615-36DD-01100 (thin strip behind the park) to the city, pending the city pay the cost of transferring the property.” I hadn’t realized the “gift” would involve any costs, but I asked her to please send me the file on the property as far as what they had in the way of documents and title chain so I could send to our legal counsel for review.

After a couple of emails the attached is what I received for “legal” documents for exchange of property between two government entities. This is a tax lot card. This is the equivalent to a post-it note for parcel data. We can’t accept—and honestly the county can’t exchange—property if this is all they have in the way of legal documents. At the very least, we need a title report and insurance before we can accept the property. I contacted the county attorney on Friday to see if he had any additional info. I think they are closed on Fridays. I will try to reach him today before our meeting.

I am going to reiterate my original recommendation: we own a full size lot 2 door down from this 10’ strip. We have no need of the strip. Based on what has been provided to me, I don’t even know that the County legally owns the strip to “gift” to us.

REQUESTED ACTION

I will hopefully have more info from the county attorney for you by the meeting. Once we have all the info we can discuss how to proceed.

EXEMPT OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES
 OFFICE OF COUNTY ASSESSOR, CURRY COUNTY, OREGON

36	15	36	D	D		W 10' of East 35' of Lot 12	1
TWP. S.	RG. W.	SEC.	1/4	1/16	1100	SECTION OR LOT	TOWNSHIP S. OR BLOCK RANGE W. WM.
MAP NUMBER					TAX LOT NO.	3-1	Gold Beach
ACCOUNT NUMBER					CODE NO.	Gold Beach First Divn	Gold Beach
						ADDITION	CITY

INDENT EACH NEW
 COURSE TO THIS POINT

LEGAL DESCRIPTION	DATE OF ENTRY ON THIS CARD	DEED RECORD		ACRES REMAINING
		VOLUME	PAGE	
JV 62-3342 - Quitclain	1-1-59	25	341	
Ref. Only CT 3/237, CCC# 5724 Judgment & Decree	3/20/62	61	184	
JVO 70-7095 Sheriff's Deed	5-14-68			
	10-15-69	Br12	224	



SECTION 10.

MISC ITEMS (including policy discussions & determinations)

REPRINT OF MARCH AGENDA REPORT FYI:

The Mayor received the following email from the Curry County Economic Development Director regarding surplus county land within the City of Gold Beach.

Julie Schmelzer <schmelzerj@co.curry.or.us>

Thu 2/18/2016 12:47 PM

To: Karl Popoff <kpopoff@goldbeachoregon.gov>;

Cc: Port Manager <portmanager@portofgoldbeach.com>;

Mayor Popoff,

Curry County has 910 parcels of land. This past year a task force was formed to make recommendations to the Board of Commissioners as to what should be done with the properties. It was recommended that some of the parcels be 'gifted' to the cities. I need to take these recommendations to the Board for action. Please review the below/attached, and let me know whether your municipality would be willing to accept the gift(s) and file all necessary paperwork (deeds). Please try to have me a response by April 1, if possible.

- R25137, R25138 (The task force recommended this .20 acre should be developed into a sidewalk, boardwalk, or trail connecting 4 St. to 5 St. in Gold Beach, work with Port to extend boardwalk further)
- R24738 (0 acre to allow back access from 1 St. to Gold Beach city park)

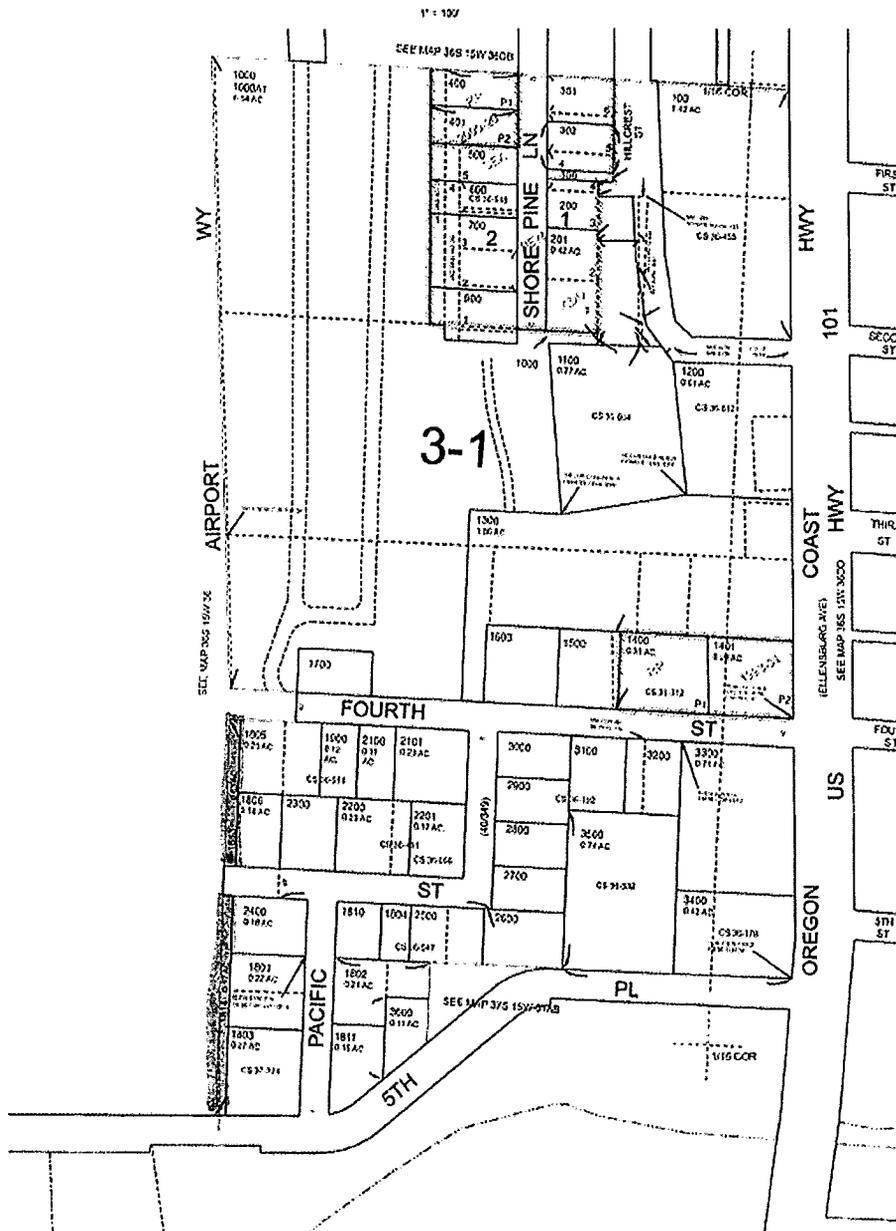
Since the first recommendation includes the Port, I have copied the Port Manager on this message.

Typically these sliver parcels are gaps in deed descriptions that end up foreclosed on by the County for tax purposes. In my capacity as Planning Director, my recommendation to the Council is the 2 parcels *INSIDE* the airport proper should be "gifted" to the Port (as owner of the airport), and the sliver on 1st Street should probably just be vacated to the 2 adjacent land owners (5' would go to each adjacent property). Gifting the 2 airport slivers to the City doesn't make good planning sense, and we really have no need of the 1st Street property because we own the full lot 2 doors east so we already have "back access" to the park—we actually have a public access trail to the park on that lot.



SECTION 10.

MISC ITEMS (including policy discussions & determinations)



PARCELS ADJACENT TO AIRPORT

3615-36DC-01813

3615-36DC-01814



SECTION 10.

MISC ITEMS (including policy discussions & determinations)

These parcels would be better off vacated to the Port for Airport purposes. This would logically extend the airport parcel east to the same distance it is in front of the mobile home park. The Port probably already thinks these are part of the airport anyway.

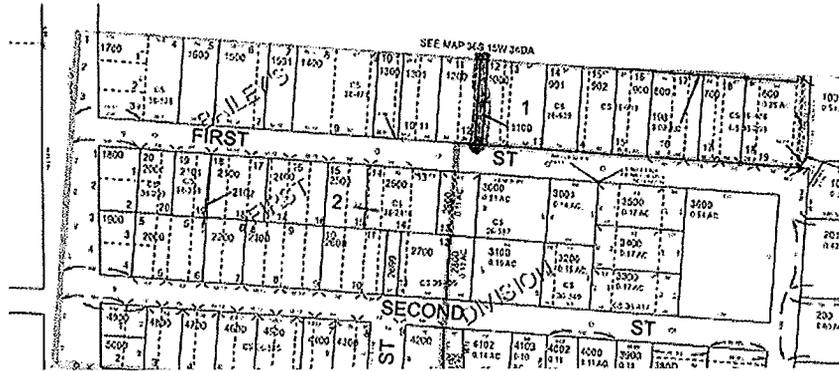
A boardwalk or sidewalk inside the airport perimeter and in front of 3 working hangars does not make sense both from a planning standpoint and pedestrian safety.





SECTION 10.

MISC ITEMS (including policy discussions & determinations)



**PARCEL BY BUFFINGTON PARK
3615-36DD-01100**

We already own a full parcel (approximately 5500 sq ft) 2 parcels to the east so us taking this 10' strip wouldn't real serve any purpose.

