



CITY COUNCIL AGENDA

March 9, 2020

EXECUTIVE SESSION 6:00PM

CITY COUNCIL CHAMBERS, CITY HALL
 29592 ELLENSBURG AVE
 GOLD BEACH OR 97444

**PRIOR TO THE REGULAR MEETING THE COUNCIL WILL
 MEET AT 6:00PM IN EXECUTIVE SESSION**

**PRIOR TO THE BEGINNING OF THE EXECUTIVE SESSION, THE
 MAYOR SHALL READ THE FOLLOWING STATEMENTS INTO
 THE RECORD:**

The City of Gold Beach City Council will now meet in executive session pursuant to ORS 192.660 (2)(e): to conduct deliberations with persons designated by the City to negotiate real property transactions; and ORS 192.660 (2)(f) to consider written advice from our attorney.

Credentialed representatives of the news media and designated staff shall be allowed to attend the executive session. All other members of the audience are asked to leave the room. Representatives of the news media are specifically directed not to report or disclose any of the discussions during the executive session, except to state the general subject of the session previously announced. No decision may be made in executive session. At the end of the executive session, we will return to open session and welcome the audience back into the council chambers.

Call to order: Time: _____

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

	Present	Absent
Mayor Karl Popoff		
Council Position #1 Summer Matteson		
Council Position #2 Larry Brennan		
Council Position #3 Anthony Pagano		
Council Position #4 Becky Campbell		
Council Position #5 Tamie Kaufman		
City Administrator Jodi Fritts		

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

- 3. **Special Orders of Business:**
None scheduled
- 4. **Consent Calendar**
None scheduled
- 5. **Citizens Comments**
None scheduled
- 6. **Public Hearing**
None scheduled
- 7. **Citizen Requested Agenda Items**
None scheduled
- 8. **Public Contracts and Purchasing**
None scheduled
- 9. **Ordinances & Resolutions**
None scheduled
- 10. **Miscellaneous Items (including policy discussions and determinations)**
None scheduled
- 11. **City Administrator's Report**
Will be presented at regular meeting
- 12. **Mayor and Council Member Comments**
Will be presented at regular meeting
- 13. **Citizens Comments**
None scheduled

14. **Executive Session**

The executive session was held pursuant to ORS 192.660 (2)(e): to conduct deliberations with persons designated by the City to negotiate real property transactions; and ORS 192.660 (2)(f) to consider written advice from our attorney.

15. **Adjourn** **Time:** _____

**EFFECTIVE OCTOBER 2019 THE GOLD BEACH CITY COUNCIL REGULAR MONTHLY MEETINGS
WILL BE HELD ON THE FIRST MONDAY OF THE MONTH**

The next regularly scheduled City Council meeting is **Monday, March 9, 2020, at 6:30PM** in the Council Chambers of City Hall, 29592 Ellensburg Avenue, Gold Beach, Oregon.

15. **Adjourn** **Time:** _____

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



CITY COUNCIL AGENDA

MARCH 9, 2020

Regular meeting 6:30PM

CITY COUNCIL CHAMBERS, CITY HALL
 29592 ELLENSBURG AVE
 GOLD BEACH OR 97444

**PRIOR TO THE REGULAR MEETING THE COUNCIL WILL
 MEET AT 6:00PM IN EXECUTIVE SESSION**

The executive session will be held pursuant to ORS 192.660 (2)(e): to conduct deliberations with persons designated by the City to negotiate real property transactions; and ORS 192.660 (2)(f) to consider written advice from our attorney.

Call to order: Time: _____

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

Members	Present	Absent
Mayor Karl Popoff		
Council Position #1 Summer Matteson		
Council Position #2 Larry Brennan BEGINNING VOTE		
Council Position #3 Anthony Pagano		
Council Position #4 Becky Campbell		
Council Position #5 Tamie Kaufman		
City Administrator Jodi Fritts		

3. **Special Orders of Business:**
 - a. Proclamation: Self-Injury Awareness Month
 - b. Introduce & interview possible committee members: Budget, Planning, URA Advisory
4. **Consent Calendar:**
None Scheduled
5. **Citizens Comments**
As presented to the Mayor at the beginning of the meeting
6. **Public Hearing**
None Scheduled
7. **Citizen Requested Agenda Items**
None Scheduled

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

8. Public Contracts and Purchasing

None Scheduled

9. Ordinances & Resolutions

None Scheduled

10. Miscellaneous Items (including policy discussions and determinations)

- a. Monthly Update from GBMS BOCC, Lyndsey Dixon
- b. *Monthly Update of City Strategic Plan Goals – work that has been planned or accomplished towards Goals: **GOAL 5: Complete Capital Projects and Identify Future Capital Needs & GOAL 6: Influence Economic Growth***
- c. Update on Gas Tax Measure and FAQs for citizens
- d. Continue review/Discuss DRAFT code amendments for Short Term (Vacation) Rentals
- e. Discuss Road Diet subcommittee work—Councilors Matteson & Brennan
- f. Budget Committee calendar dates

11. City Administrator’s Report

To be presented at meeting

12. Mayor and Council Member Comments

- a. Mayor Karl Popoff
- b. Councilors
 - 1) Summer Matteson
 - 2) Larry Brennan
 - 3) Anthony Pagano
 - 4) Becky Campbell
 - 5) Tamie Kaufman

13. Citizens Comments

As permitted by the Mayor

14. Executive Session

PRIOR TO THE REGULAR MEETING THE COUNCIL HELD AN EXECUTIVE SESSION

The executive session was held pursuant to ORS 192.660 (2)(e): to conduct deliberations with persons designated by the City to negotiate real property transactions; and ORS 192.660 (2)(f) to consider written advice from our attorney.

EFFECTIVE OCTOBER 2019 THE GOLD BEACH CITY COUNCIL REGULAR MONTHLY MEETINGS WILL BE HELD ON THE FIRST MONDAY OF THE MONTH

The next regularly scheduled City Council meeting is the **Monday, April 6, 2020, at 6:30PM** in the Council Chambers of City Hall, 29592 Ellensburg Avenue, Gold Beach, Oregon.

15. Adjourn Time: _____

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



SPECIAL ORDERS OF BUSINESS



GOLD BEACH CITY COUNCIL AGENDA REPORT

Agenda Item No. **3 a.**
Council Meeting Date: March 9, 2020

TITLE: Self-Injury Awareness Month Proclamation

SUMMARY AND BACKGROUND:

Gordon Clay, from The Citizens Who Care, made a request for the Mayor to Proclaim March Self-Injury Awareness Month in Gold Beach. Proclamation attached.



PROCLAMATION
Declaring March as Self-Injury Awareness Month¹

WHEREAS, two million Americans currently engage in self-injury, with methods like cutting, scratching, bruising, and hitting themselves, along with other more harmful methods; and

WHEREAS, self-injury is used when individuals are unable to handle intense feelings, and so they turn to self-injury as a way to express their feelings and emotions; and

WHEREAS, self-injury can start at any age, but most people who self-injure start at puberty; and

WHEREAS, self-injury ranges from 12% to 37% in adolescents and 12% to 20% in young adult populations; and

WHEREAS, the incidence of self-injury is highest among white male adolescents; and

WHEREAS, 70% of those with a history of self-injury have attempted suicide at least once, and is highest during the first 6 months after an episode; and

WHEREAS, those who self-injure report that once they started it is hard to stop and that they feel like self-injury takes over their lives; and

WHEREAS, there is a need to break down the common stereotypes surrounding self-injury and to educate parents, and medical and educational professionals about the condition; and

NOW, THEREFORE, to increase awareness of self-injury as a public health issue that needs to be taken seriously, **I Karl Popoff, Mayor of the City of Gold Beach, hereby declare and proclaim the month of March 2020 as Self-Injury Awareness Month for the City of Gold Beach.**

BE IT FURTHER RESOLVED that the City encourages all citizens to be informed on the warning signs and address this issue with our youth.

DATED this 9th day of March, 2020

Karl Popoff, Mayor

¹ Relations between Nonsuicidal Self-Injury and Suicidal Behavior in Adolescence: A Systematic Review
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4835048/>



SECTION 3. Special Orders of Business

GOLD BEACH CITY COUNCIL AGENDA REPORT

Agenda Item No. **3 b.**
Council Meeting Date: March 9, 2020

TITLE: Meet and Interview Prospective Committee Members

SUMMARY AND BACKGROUND:

We have had vacancies on the Budget, Planning, and URA Advisory committees for some time. The Mayor has been announcing the vacancies at the past several meetings and calling for volunteers. After the February meeting we received 3 applications, one for each committee. Due to eleventh hour packet prep staff didn't notify the potential candidates of the Monday meeting until Saturday, so not all of them may be able to attend the meeting. Staff will have appointment resolutions for the April meeting in case candidates will be interviewed at that meeting.

Additionally, Councilor Kaufman asked me to review the ordinance we adopted several years back about having an additional PC member within the UGB. The Council adopted Ordinance No. 651 (attached) in December 2017 to permit a special dispensation for another UGB member on the planning commission.

~*~*~

PROSPECTIVE BUDGET COMMITTEE MEMBER: Craig Chance

Why are you interested in serving? : I want to help my community.

Other volunteer activities/groups: Little League Baseball manager over 10 years. Self-Defense instructor—has given free self-defense seminars.

EDUCATION/TRAINING: BA in Business/Public Relations, MA in Education, Masters 9th Degree Blackbelt

SKILLS & QUALIFICATIONS YOU FEEL ARE RELEVANT TO THE VOLUNTEER POSITION: Negotiation and accounting skills.

Is there anything else you would like the Mayor and Council to consider: I've had my own Real Estate and Loan Brokerage company in the past. I know how to use a budget to have the maximum benefit. I've held management positions and learned to work with all types of personalities. I played and coached sports so I know how to be a team player. I served as a Sunday School teacher and usher an on the budget committee for Immanuel Lutheran Church in Oceanside, CA.



SECTION 3. Special Orders of Business

PROSPECTIVE PLANNING COMMISSION MEMBER: Lise Luchsinger

Why are you interested in serving? : My background and want to help my new home Gold Beach.

Education/Training: JD/MBA from University of Baltimore and BA University of Texas.

Other volunteer activities/groups: Rotary, CCIM, CTCAR, Prince George County Office of Law, National Capitol Planning Commission.

SKILLS & QUALIFICATIONS YOU FEEL ARE RELEVANT TO THE VOLUNTEER POSITION: Have a law degree and practiced law in the area of planning and zoning. CCIM-Certified Commercial Investment member.

Is there anything else you would like the Mayor and Council to consider: New to Gold Beach, but seasoned planning and zoning professional. Worked on legislative planning and zoning matters for local and federal governments.

PROSPECTIVE URA ADVISORY COMMITTEE MEMBER: Linda Pinkham

Why are you interested in serving? I want to help the City improve it economic vitality and grow strong tourism attractions. I own 4 parcels inside the city limits- 2 of them commercial. I am a stakeholder.

Education/Training: MS & BFA from Southern Oregon University and AA from College of Siskiyous. Worked for Southern Oregon Public Television, PSI Research, Lecturer for SOU, Specialty Construction contractor CCB#172932.

Other volunteer activities/groups: Arts Council of Southern Oregon-board member 3 years, President 3 years. SOPTV Art Auction Volunteer, Rogue Gallery volunteer, SOPTV on-air talent fundraising, Taste of Ashland, Art-Blues-Brews volunteer Medford, Dunsmuir Historic Preservation District volunteer.

SKILLS & QUALIFICATIONS YOU FEEL ARE RELEVANT TO THE VOLUNTEER POSITION: Small business knowledge and experience-editor of 75 titles on small biz entrepreneurship. Owner of 5 small businesses in my career. Desire to start an arts and gallery business here in GB.

Is there anything else you would like the Mayor and Council to consider: Arts Build Communities-initiative explored through the Arts Council and City of Medford.

ORDINANCE NO. 651

AN ORDINANCE AUTHORIZING A TEMPORARY CHANGE TO THE APPOINTMENT AND TERM OF OFFICE SECTION 1.120(2) OF THE GOLD BEACH ADMINISTRATION CODE, ORDINANCE 642

RECITALS:

1. City Administration Code Section 1.120(2) Appointment and Term of Office for Planning Commission members provides that one (1) of the five (5) members may reside outside the corporate city limits but within the urban growth boundary.
2. Unfilled vacancies have persisted on the Planning Commission since May of 2013. An insufficient number of qualified applicants have applied for the vacancies despite diligent recruitment efforts.
3. The UGB member position was filled by an eligible candidate in February. No city resident applications have been received to fill the remaining two vacancies. Another application by a UGB resident was received and the council is desirous to fill one of the two remaining vacancies.

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

Notwithstanding the requirement of Gold Beach Administration Code Section 1.120(2) that only one Planning Commissioner reside outside of the City but within the City's Urban Growth Boundary, the Council hereby appoints **Thomas Schultz** to serve as a member of the Gold Beach Planning Commission in vacant **Position #3 with a term to expire on December 31, 2017**. All other applicable terms and conditions of the Gold Beach Code shall apply to Mr. Schultz's service on the Planning Commission.

PASSED and ADOPTED by the City Council of the City of Gold Beach, State of Oregon, on this 14th day of April 2014.

Karl Popoff, Mayor

ATTEST:

Jodi Fritts, City Administrator

First Reading in entirety: April 14, 2014

Aye: Nay:

Second Reading by title only: April 14, 2014

Aye Nay

Candy Cronberger, City Recorder



MISC. ITEMS

(Including policy discussions and determinations)



SECTION 10. MISC ITEMS (including policy discussions & determinations)

GOLD BEACH CITY COUNCIL AGENDA REPORT

Agenda Item No. **10. a.**
Council Meeting Date: March 9, 2020

TITLE: MONTHLY UPDATE FROM GBMS BOCC Lyndsey Dixon

SUMMARY AND BACKGROUND:

Monthly Update from Lyndsey Dixon of GBMS regarding recent GBMS activities and upcoming events.



SECTION 10. MISC ITEMS (including policy discussions & determinations)

GOLD BEACH CITY COUNCIL AGENDA REPORT

Agenda Item No. **10. b.**
Council Meeting Date: March 9, 2020

TITLE: MONTHLY STRATEGIC PLAN GOAL REVIEW

SUMMARY AND BACKGROUND:

*Monthly Update of City Strategic Plan Goals – work that has been planned or accomplished towards Goals: **GOAL 5: Complete Capital Projects and Identify Future Capital Needs & GOAL 6: Influence Economic Growth***

Please review the updates and direct staff regarding priority issues.

City of Gold Beach Strategic Plan

(formerly Business Plan)

MARCH 2020 Goal 5 Review

Goals & Objectives

Priority/Action Items

RP

Target
Date

GOAL 5: Complete Capital Projects and Identify Future Capital Needs				
<ul style="list-style-type: none"> • Complete approved capital projects in a timely and cost efficient manner. • Provide infrastructure to support economic growth. 	a	Complete new sewer plant <i>Completed in 2014!</i>	PWS/CA	03/2013 Completed
	b	<p style="text-align: center;">Evaluate and identify water projects.</p> <p>March 2020 – We received loan approval from Business Oregon-Infrastructure Finance Authority (IFA) to continue with working on priority projects identified in the adopted Water Master Plan. Bidding for the water intake reconstruction, water treatment plant upgrades, and a large portion of the water main coming into town will hopefully take place early summer 2020 with work to start in Fall 2020.</p> <p><i>*2018 Review: One of the major projects identified in the Water Master Plan was acquisition of the water intake property. In January 2018 we acquired the property with the assistance of the state IFA. We are currently working with the engineer on the next phase of the intake work which will be replacing the intake structure and new electronics.</i></p> <p><i>*In 2016 we adopted the Water Master Plan, completed and adopted the first ever Water Rate Study, and we have identified long-term capital projects for Water. We hope to schedule a One-Stop Meeting with the lenders this spring to start the long process of completing those capital projects.</i></p> <p><i>*An updated Water Master Plan is completed in draft form at this time and will be presented to the Council before the end of 2015.</i></p>	PWS	ONGOING 06/2011 2015
	c	Complete funding and construction of 3rd street sidewalks <i>Completed in 2014!</i>	CA/PWS	11/2011 Completed

City of Gold Beach Strategic Plan

(formerly Business Plan)

MARCH 2020 Goal 5 Review

Goals & Objectives	Priority/Action Items	RP	Target Date
	<p>Evaluate possibility of relocating city facilities</p> <p>MARCH 2020 – Still should discuss the possibility. There could be federal hazard mitigation funding available, but we also need to discuss accessibility and ease of use for our citizens.</p> <p><i>*2018 - Now that we have additional property at the park we should discuss this again.</i></p> <p><i>*We haven't talked about this in a long time but we should probably discuss the possibility of a structure on the east side of the park again. Fire Chief Krieger has some interesting ideas about possible facilities at this location.</i></p> <p><i>*The CA will pursue grant funding through DLCD as it relates to Natural Hazards mitigation to help develop a future plan for relocation of facilities.</i></p>	CA/CC/PWS	07/2011 ONGOING
	<p>Complete pavement management analysis.</p> <p>March 2020 – the gas tax measure went to voters in Nov 2018 and failed. The Council adopted a resolution last month to put the measure on the May 2020 ballot. The pre-work for the ballot measure has been completed and delivered to the County Clerk. We are just waiting for a measure number.</p> <p><i>*2018 - The pavement analysis was completed this year and a copy was provided to the Council (I believe it is also posted on our website, but I will confirm that). We conducted a citizen survey to determine how to fund the needed maintenance. We have until the August meeting to determine whether we would like to refer a possible gas tax to the voters for the November election.</i></p>	PWS	07/2011 CHECK

City of Gold Beach Strategic Plan

(formerly Business Plan)

MARCH 2020 Goal 5 Review

Goals & Objectives	Priority/Action Items	RP	Target Date
	<p><i>*Now that wastewater is updated, and water is all but funded we should talk about this. PWS Newdall has had preliminary discussion with our engineers on time and cost.</i></p> <p><i>*This action item has received lower priority due to wastewater and water master planning.</i></p>		
	<p>Improve project readiness to take advantage of federal/state funding opportunities</p> <p>March 2020 – with the adoption of the Water Master Plan and the updated water rate study, we are ready for funding priority projects. We have obtained loan approval from IFA for 3 priority projects identified in the plan (see comments for 5b above).</p> <p><i>*2018 - We have already talked with IFA about possible funding for the intake project.</i></p> <p><i>*The Water Master Plan is one of the ways we can improve project readiness. Sewer, with the completion of the new plant and replacement of key pump stations, is currently in good shape.</i></p>	CA/PWS	ONGOING

City of Gold Beach Strategic Plan

(formerly Business Plan)

MARCH 2020 GOAL 6 REVIEW

Goals & Objectives

Priority/Action Items

RP

Target
Date

GOAL 6: Influence Economic Growth				
<ul style="list-style-type: none"> • Establish development policies and public improvements/standards that recognize economic trends. • Secure needed resources. • Establish policy that City is pro-growth. 	a	<p style="text-align: center;">Study annexation pros and cons</p> <p>MARCH 2020 – We need to revisit this.</p> <p><i>*JULY 2018 – We need to revisit this. 2017*Now that we have a 21st GIS system FINALLY, Councilor Kaufman and the CA can get back on this issue. Do we want to put a priority on a timeline?</i></p> <p><i>*Councilor Tamie Kaufman completed and presented an initial study of the possibility of annexing a portion of Wedderburn. The Council has tasked the CA and Councilor Kaufman with further study of this topic.</i></p>	CC	01/2011 SUMMER 2012 Summer 2016
	b	<p style="text-align: center;">Pursue development of an urban renewal district.</p> <p>MARCH 2020 – Things are going well for the URA!</p> <p><i>JULY 2018 – We are going into year 3 of TIF revenue and have approved 3 projects and funded 2 so far.</i></p> <p><i>*We are FINALLY getting \$\$ as of November!</i></p> <p><i>*The Council adopted an urban renewal district and plan in 2013.</i></p>	CC	09/2010 COMPLETED
	c	<p style="text-align: center;">Participate in regional economic development activities; develop strategic partners.</p> <p>MARCH 2020 - This is an on-going essential function. We participate in several regional collaborative groups.</p> <p><i>JULY 2018 – This is an on-going essential function. Due to illness and</i></p>	CA	ONGOING

CC = City Council CA = City Administrator PC = Police Chief FC = Fire Chief PWS = Public Works Superintendent

City of Gold Beach Strategic Plan

(formerly Business Plan)

MARCH 2020 GOAL 6 REVIEW

Goals & Objectives	Priority/Action Items	RP	Target Date
	<p><i>staff shortage last year I stayed in the office more, but we are venturing back into regional collaborative groups again.</i></p> <p><i>This is an essential function of the CA job duties.</i></p>		
	<p>Develop and regularly review/update infrastructure master plans and development standards.</p> <p>MARCH 2020 – Need to check on the culvert inventory! Our other plans are current for now.</p> <p><i>JULY 2018 – The pavement analysis and CIP was completed this spring. We now have pretty current streets, water, and sewer plans. The culvert inventory is completed and will be delivered later this month.</i></p> <p><i>*We are officially up to date on water and sewer but we need to address streets and stormwater now.</i></p> <p><i>*The updated Water Master Plan will be presented to the Council in fall 2015.</i></p>	PWS/CA	07/2011 ONGOING
	<p>Develop plan for addressing downtown parking needs.</p> <p>TASK TO PLANNING COMMISSION</p> <p>MARCH 2020 – Is this an issue for the Council at this time?</p> <p><i>JULY 2018 – This is one of those issues that ebbs and flows. It was ebbing for several years, but due to the URD and GBMS it's a topic again. Parking is specifically mentioned in the UR plan. Is this a priority for the Council? And if so, what is your direction to staff?</i></p>	CA/ PLANNING COMM	05/2011 ONGOING

City of Gold Beach Strategic Plan

(formerly Business Plan)

MARCH 2020 GOAL 6 REVIEW

Goals & Objectives	Priority/Action Items	RP	Target Date
	<p><i>*This was an issue for just one former PC member. Is this a concern for the Council? Staff rarely has parking questions/issues come up in the front office. When we do, it is street parking in residential areas.</i></p>		



SECTION 10. MISC ITEMS (including policy discussions & determinations)

GOLD BEACH CITY COUNCIL AGENDA REPORT

Agenda Item No. **10. c.**
Council Meeting Date: March 9, 2020

TITLE: Gas Tax Measure Update and FAQs for citizens

SUMMARY AND BACKGROUND:

After the Council adopted the resolution last month for the Gas Tax election in May, staff completed the necessary election forms and processes. After the legal notice publication and appeal period ended staff presented the documents to the County Clerk for inclusion on the May 2020 ballot. We haven't received a measure number yet (I will call Monday), but looks like everything is a go election wise.

Since we didn't do any public outreach last time—other than the pre-election survey earlier in the year, I thought it would be good to put together some FAQs for the Council to use when discussing the measure with citizens. I am attaching what I came up with. Please review it and let me know if you have additional questions/answers you think we should add. Once you give the go-ahead we will publish this on the website and facebook page. If the Council agrees, I think it would be good idea to mail out with the water bills in April. That's about when the ballots get mailed out.

Attachments:

- FAQs for Gas Tax
- 2018 Survey results

~ ~ ~

REPRINT OF FEBRUARY 2020 AGENDA REPORT

TITLE: FUEL TAX ELECTION RESOLUTION & ORDINANCE

After discussing the Gas Tax issue at the January meeting, Council directed staff to prepare the documents needed to have the measure included on the May 2020 ballot. We have to adopt the Resolution calling for the election in order to meet the election calendar time frames. I prepared the resolution from the one prepared by legal counsel for the November 2018 election. The Ordinance number is the same since the measure failed. I have simply updated the dates in the resolution.

REPRINT OF JANUARY 2020 AGENDA REPORT

TITLE: Streets Repair Reserve Fee and Review of Failed Gas Tax Measure

SUMMARY AND BACKGROUND:

Beginning in 2017, and continuing throughout most of 2018, staff and the Council spent a tremendous amount of time soliciting citizen input regarding how to fund necessary City owned streets repairs. It



SECTION 10. MISC ITEMS (including policy discussions & determinations)

was decided by the Council, after the citizen input, to pursue a Fuel Tax measure on the November 2018 ballot. That measure failed by a wide margin despite the citizen input overwhelming stating that was the preferred funding alternative.

Due to the failure of the fuel tax measure, the Budget Officer proposal for FY1920 was a \$2 per month, per account Streets Repair Reserve surcharge. The proposal was approved in the adopted budget for FY1920, but a resolution adopting the surcharge has yet to occur. Staff is proposing to prepare that surcharge resolution for adoption at the February 2020 meeting. Collection of the reserve charge will begin with the February utility billing mid-month.

Staff would like to revisit the fuel tax issue with the Council--if this is something that the Council wishes to discuss again. If the Council is interested in trying the issue before the voters again, we have until mid-February to qualify for the May 2020 election, or mid-August for the November 2020 ballot.

~*~

REPRINT JULY 2018 AGENDA REPORT

SUMMARY AND BACKGROUND:

The Council directed me to work with legal counsel to draft the ballot title and measure info for the Fuel Tax measure to be on the November ballot. The attorney has prepared the following for your review and adoption this evening. There were likely be minor changes—especially to those areas highlighted in yellow, but in order to meet the election timelines the resolution will need to be adopted this evening. Our legal counsel, Christy Monson, will be on the phone this evening to walk you through the resolution and the ordinance and answer questions you may have.

At the end of this report I have attached a copy of the March 2018 Council report with the Street Survey results for your convenience and reference.

The Brookings city voters had the reauthorization of their fuel tax on the May 2018 ballot. I checked the election results and the voters approved it at 82%:

City of Brookings Measure 8-90 REAUTHORIZATION OF LOCAL TAX ON MOTOR VEHICLE FUEL SALES, Vote For 1					
YES	0	0.00%	1,265	82.09%	1,265 82.09%
NO	0	0.00%	276	17.91%	276 17.91%
Cast Votes:	0	0.00%	1,541	96.61%	1,541 96.61%
Over Votes:	0	0.00%	0	0.00%	0 0.00%
Under Votes:	0	0.00%	54	3.39%	54 3.39%

~*~

INTRODUCTION - In 2017 the City's engineers prepared a Pavement Management Plan for City owned and maintained streets. *(Please note: the City does not own or maintain Hwy 101 (Ellensburg Avenue) or most of the roads in Hunter Creek. A copy of the Pavement Management Plan is available for review at City Hall. Digital copies can be obtained at no cost.)*

The plan identified needed repairs totaling approximately \$2.1 million. The City's sole source of street repair funds are from state gas tax distributions that amount to about \$110,000 per year. Property taxes, or monthly water/sewer charges do not fund street repairs or improvements. \$110K may sound like a large sum, but that amount barely covers annual basic street and culvert (storm water) maintenance, and maintenance of the City owned equipment utilized for repairs. Any minor or major event to a road immediately depletes the resources of the Street Fund. As an example, a minor slide repair to the City owned portion of Grizzly Mtn Road two years ago amounted to \$145,000.

In 2018, the City Council conducted outreach requesting input on how citizens wanted to fund needed street repairs. Overwhelmingly the response was to fund repairs through a local gas tax, like the City of Brookings. *(If you are interested in reviewing the survey, a copy of the 2018 survey results are posted on the City's website: www.goldbeachoregon.gov or you may request a copy at City Hall.)* In November 2018 the City placed the gas tax measure on the ballot, and despite earlier input in favor of a gas tax, the measure overwhelmingly failed.

Two years down the road (so to speak!) there is still no funding mechanism for street and culvert repairs. The Council decided to place the Gas Tax back on the ballot for the May 2020 election. This document was produced to help answer likely questions regarding the proposed Gas Tax. If you have additional questions not covered here, please feel free to stop in at City Hall, or email City staff members: Jodi Fritts, City Administrator: jfritts@goldbeachoregon.gov or Will Newdall, Public Works Superintendent: wnewdall@goldbeachoregon.gov



Q - DON'T MY PROPERTY TAXES COVER STREET REPAIRS?

A – Unfortunately, no. The City receives approximately \$525,000 annually in property tax. The City utilizes the property tax revenue to partially fund public safety, which includes the City Police and Fire Departments. The \$525K in property tax funds about 60% of the total public safety budget. The remaining 40% is made up through other general funds sources. None of your property taxes are available for street repairs.



Q – WHAT ABOUT MY WATER BILL? DOESN'T THAT COVER STREETS TOO?

A – No. By state law the amount you pay for water and/or sewer services can only be utilized for costs related to the City's water and sewer infrastructure, or for debt service for that infrastructure. We do have the ability to utilize the water billing system as a means of collection for other City related assessments, *(like if we had a Parks Fee, Public Safety Fee, Storm Water Management fee, or other similar type fees—which we currently DO NOT have)* but the City can't utilize water or sewer funds for other uses like street repairs.

Q – HOW ARE STREET REPAIRS CURRENTLY FUNDED?

A – The City receives approximately \$110K annually from ODOT in the way of a portion of state gas tax. The City utilizes those funds for annual routine maintenance of streets and culverts, and to maintain the heavy equipment we use. Those funds barely cover minimum maintenance. Any unforeseen road repairs (like from the storm last March), equipment repair or replacement, or planned big ticket maintenance is not covered by the ODOT revenue.

Q – DO OTHER OREGON CITIES HAVE A LOCAL GAS TAX?

A – According to ODOT data, 27 cities and 2 counties currently have local gas taxes. The figure is likely higher since they don't list the City of Brookings. About ½ of the cities are similar in size to Gold Beach. In our southcoast region these cities have local gas taxes: Brookings - \$0.04 per gallon, Coquille - \$0.03 per gallon, and Reedsport \$0.03 May thru October.

Q – IF THE TAX PASSES HOW MUCH WOULD I PAY?

A – The City has deliberately proposed different tax rates for different times of the year in order to capture the heavier tourist season traffic and help reduce the yearly burden to locals. Two other cities: Newport and Reedsport also utilize different on/off season tax rates. For November thru April the tax rate would be \$0.01 per gallon. For May thru October the rate would be \$0.04 per gallon.

The charts below are based on AVERAGE tank sizes—yours may be smaller or larger, but this will give you an idea of your average monthly and annual costs.



Gold Beach

MAY 2020 GAS TAX BALLOT MEASURE



AVERAGE GAS TANK SIZE (YOURS MAY BE SMALLER OR LARGER)

	GALLONS			
SMALL SEDAN	15			
LARGE SEDAN	20			
SMALL PICKUP/SUV	20			
LARGE PU/SUV	40			

If you were to fill-up 4 times per month this is what you can expect to pay for a full year (last column):

TOTAL FULL YEAR TAX COST				
FILL-UPS PER MONTH	1	2	3	4
SMALL SEDAN	\$ 4.50	\$ 9.00	\$ 13.50	\$ 18.00
LARGE SEDAN	\$ 6.00	\$ 12.00	\$ 18.00	\$ 24.00
SMALL PICKUP/SUV	\$ 6.00	\$ 12.00	\$ 18.00	\$ 24.00
LARGE PU/SUV	\$ 12.00	\$ 24.00	\$ 36.00	\$ 48.00

An unscientific staff survey indicates most folks fill-up twice monthly.

Break out by time of year:

NOV-APRIL \$0.01 PER GALLON				
FILL-UPS PER MONTH	1	2	3	4
SMALL SEDAN	\$ 0.15	\$ 0.30	\$ 0.45	\$ 0.60
LARGE SEDAN	\$ 0.20	\$ 0.40	\$ 0.60	\$ 0.80
SMALL PICKUP/SUV	\$ 0.20	\$ 0.40	\$ 0.60	\$ 0.80
LARGE PU/SUV	\$ 0.40	\$ 0.80	\$ 1.20	\$ 1.60
TOTAL 6 MONTH TAX COST NOVEMBER THRU APRIL				
SMALL SEDAN	\$ 0.90	\$ 1.80	\$ 2.70	\$ 3.60
LARGE SEDAN	\$ 1.20	\$ 2.40	\$ 3.60	\$ 4.80
SMALL PICKUP/SUV	\$ 1.20	\$ 2.40	\$ 3.60	\$ 4.80
LARGE PU/SUV	\$ 2.40	\$ 4.80	\$ 7.20	\$ 9.60
MAY THRU OCTOBER \$0.04 PER GALLON				
FILL-UPS PER MONTH	1	2	3	4
SMALL SEDAN	\$ 0.60	\$ 1.20	\$ 1.80	\$ 2.40
LARGE SEDAN	\$ 0.80	\$ 1.60	\$ 2.40	\$ 3.20
SMALL PICKUP/SUV	\$ 0.80	\$ 1.60	\$ 2.40	\$ 3.20
LARGE PU/SUV	\$ 1.60	\$ 3.20	\$ 4.80	\$ 6.40
TOTAL 6 MONTH TAX COST MAY THRU OCTOBER				
SMALL SEDAN	\$ 3.60	\$ 7.20	\$ 10.80	\$ 14.40
LARGE SEDAN	\$ 4.80	\$ 9.60	\$ 14.40	\$ 19.20
SMALL PICKUP/SUV	\$ 4.80	\$ 9.60	\$ 14.40	\$ 19.20
LARGE PU/SUV	\$ 9.60	\$ 19.20	\$ 28.80	\$ 38.40

Q – HOW MUCH \$\$ DO YOU EXPECT THE TAX TO GENERATE?

A – The City of Brookings passed a \$0.04 gas tax in 2016. They have 3 gas stations that collect and remit the tax. In the past 3 years they have averaged \$287,000 annually in gas tax revenue for street repairs. Obviously they are larger than us, and they attract customers from Del Norte county across the border, but conservatively we think we can project half that amount, so: approximately \$143,000.

Q – HOW WILL THE CITY USE THE GAS TAX REVENUE?

A – According to the Oregon Constitution gas tax revenue can only be used for the following: *“...shall be used exclusively for the construction, reconstruction, improvement, repair, maintenance, operation and use of public highways, roads, streets and roadside rest areas in this state” – (Article IX, Section 3a)*. Section 4.740(B) of the ordinance the City proposes to adopt if the measure passes states: *The net revenue shall be used only for the construction, reconstruction, improvement, repair, maintenance and operation of public highways, roads and streets, and transportation infrastructure within the City.*

If the measure passes, the Council and Budget Committee will work with City staff to determine, based on the Pavement Management Plan and factors related to weather events, the priority of funding the identified needed repairs in the plan.

Q – WHAT IF THE GAS TAX FAILS AGAIN. THEN WHAT?

A – For the current fiscal year (July 2019 to June 2020) the Budget Committee and Council approved a \$2 Streets & Culvert Repair surcharge to be collected with the monthly water billing. So far that surcharge has not been instituted. If the gas tax measure fails again in May it is likely the surcharge will begin to be collected monthly. The City has approximately 1200 active billing customers. The \$2 monthly surcharge would generate approximately \$28,000 annually.

GOLD BEACH CITY COUNCIL AGENDA REPORT

Agenda Item No. 10. a.
Council Meeting Date: March 12, 2018

REPRINT OF MARCH 2018 COUNCIL REPORT BELOW

STREET SURVEY RESULTS

SUMMARY AND BACKGROUND:

As reported in February the street funding survey went out in the January water bills and was also posted online. The results are tabulated listed below.

The written comments are divided into categories based on: A, B, Either, Neither, or General. After going through them all, it's obvious there is a lack of basic awareness of services, what monies can legally be used for what purposes, and jurisdictional responsibilities. There were some insightful and helpful responses, and there were some ignorant and rude responses. Overall it was an interesting exercise in the democratic process.

After the Council has had the opportunity to review and digest the survey and responses we can discuss what direction you would like to take.

Overall Results:

OPTION	#
A – Monthly fee collected on utility bill	30
B – Gas tax	153
Either/or Both	7
I don't care either way, BUT	3
Neither	4
TOTAL RESPONSES RECEIVED	197
<i>Total Responses received at City Hall</i>	123
<i>SurveyMonkey responses</i>	74

TABLE OF COMMENTS RECEIVED

Please note—these are the transcribed actual comments from the sheets—no corrections have been made for grammar, readability, or spelling

OPTION A COMMENTS
My opinion is \$1 to \$5 dollar increase on the monthly water bill is really not much and probably

ORDINANCES & RESOLUTIONS

<p>would go unnoticed...and even though a 1 to 4 cent tax per gallon on our local gas doesn't sound like much then 1 is gonna hurt our local economy...just because our gas prices are already fairly high because were a rural area which in turn could hurt our tourist season if our gas prices are high...some grumpy dumb locals may not like when were flooded with tourists but it really does help our economy big time cause all the money that comes into our local business...and if its only gonna be a few bucks a month more to improve our roads that's a good thing. Raising gas prices is also gonna hurt local folks too (like mainly loggers and truck drivers) who already have very high fuel bills...</p>
<p>It seems many people-locals and tourists don't buy their gas in town</p>
<p>Unfair to non-residents</p>
<p>I lived up river for yrs. Moved to town 3 yr ago. I had water system 10,000 gal stored, filters, UV, pumps, so on. I gladly pay 5.00 xtra. Also the first responders are incredible, alarms going off 2am 3am 4am 7 days 24 hours living up river never knew!</p>
<p>I am out of state so gas taxes don't work I would vote for the increment on the water bill</p>
<p>Considering this option. Is there a time or monetary limit on this charge.</p>
<p>It seems like it would be most fair if both revenue sources were used, but perhaps the administrative expenses to collect the funds would be doubled (not good). I'd favor Option A, because we depend on no-local traffic for our businesses and infrastructure, so we don't want to be expensive for them. Hopefully the "Pavement Condition Survey" addressed cut and fill stability and drainage capacity and impervious surface effects on drainage – otherwise the plan may not address the causes of road failure!</p>
<p align="center">OPTION B COMMENTS</p>
<p>Gas tax. Tourism ☺</p>
<p>A tax on fuel is <u>more FAIR</u> to residents since it taxes those who "use up" the roads via vehicle use, which includes the vehicles that <u>just pass through</u> – which are often very big heavy vehicles such as commercial trucks and various large RVs. Property taxes in GB are already high (mostly to pay for schools), so I really object to shouldering the cost of repairs as a resident <u>when you offer</u> an option that distributes coast among actual <u>USERS</u> of roads via gas tax. Go with gas tax please. Maybe also <u>EXTRA TAX</u> on <u>diesel</u> fuel since most of the heavy vehicles (that inflict more damage) use this fuel type!</p>
<p>Since we are talking about Road Repairs. This should be part of a gas tax. Why should home owners be the only one to pick up the bill.</p>
<p>We believe this the best choice, taxing everyone that uses the roads</p>
<p>...more fairly places the burden on those who use/damage/ware-out the cities roads...</p>
<p>Capital improvement plan?? or repair & maintenance Cost of collection? What exactly are these capital improvements? They don't sound like repair and maintenance.</p>

ORDINANCES & RESOLUTIONS

Perhaps the city's engineers are WRONG You all better look again for your money somewhere else than my shallow pocket!! ☹️ Option B so far my choice or is ther an option C??
The price of gas fluctuates varies all year long so people won't notice any real increase in price, due to the tax. Also "B" would tap HIGHWAY 101 thru traffic and should be more efficient. PS The cost of street repairs would be shared by a much larger group of people
GAS TAX ONLY FAIR WAY EVERY BODY PAYS
I believe the gas tax would be the equitable
Feel Option B spreads the responsibility
I vote for Option B – which would also exact revenue from people who don't just live locally but utilize the local resources
Option A = home owners foot the bill for roads that are used by everyone. Therefore, I choose Option B = more fair
A gas tax may allow tourists to help pay for maintenance of the roads they use
I'd prefer Option B – because Option A would cost me more. I can always get my gas somewhere else!
<ul style="list-style-type: none"> - Water bill already high enough compared to other localities, due to our sewer plant/water treatment upgrades! - Seems like might be reasonable to include our many out-of-town visitors in helping pay for this, as they use the roads off of 101 as well!
Best thing would be tax <u>ALL</u> who use the roads, including travelers. Thank you! 😊
With Option B there is a nexus between those who use the service (roads) and those who pay. Also, some of the money to be raised will come from tourists who also use the roads. Water fees should be used only for water system service & improvements.
If the Sheriff's Dept would leave the road funds alone, you might have what you need. How is that even fair?
WHAT DOES THE WATER UTILITY BILL HAVE TO DO WITH ROAD MAINTENANCE. GAS AND DIESEL IS RELATED TO ASPHALT WEAR AND TEAR. THOSE DRIVING ON ROADS SHOULD BE PAYING FOR REPAIRS.
WE LIKE OPTION B – per gallon tax on local gas sales. THANKS! GOD BLESS THE USA!
WHY WOULD WE NEED TO HAVE CHARGES ON OUR WATER BILL TO PAY FOR THE ROAD REPAIR? LET'S KEEP OUR WATER BILL FEES TO PAY FOR WATER RELATED ISSUES. I FAVOR OPTION B! GAS TAX ON AUTOMOBILE DRIVING TO PAY FOR ROAD REPAIR.
Better to get tourist to help pay. Visitors need to help.
A gas tax would include tourist who use the roads more than water use (which only happens if they rent a hotel room or house)
YEAH, OPTION B IS THE WAY TO GO. WHY NOT LET ALL OF OUR TOURIST FRIENDS HELP PAY? SEEMS FAIR
ROAD USE = VEHICLE/GAS



ORDINANCES & RESOLUTIONS

The sewer & water is comparatively high already in cost. When you add an additional amount it always starts low but is easily increased and that always happens. Local gas sales tax would have all drivers helping.
Take it out of the sewer budget
Utility revenue should be spent for utilities only
I would support Option "B". I believe it to be more equitable.
MAKE THE TOURIST PAY
Option B would be best. Gas is so outrageous here anyway what is another 4 cents
How LONG will this be on?
Gas goes in cars – Cars drive on Roads – Those of us with cars should pay for roads
We <u>strongly</u> believe a gas tax would be the best. Not only local people but, others passing through would enjoy the maintenance. Either North Bend or Coos Bay are doing this. You may see how it's working for them.
I WOULD EXCLUDE THE ETHANOL FREE GAS FROM THIS AS IT WOULD PUT UNDUE BURDEN ON THE LOCAL FISHING GUIDES WHO USE THIS GAS.
GAS TAX PLEASE – PEOPLE BUYING GAS ARE THE USERS OF THE ROAD – SEEMS FAIR USES SHOULD PAY FOR WHAT THEY USE! THANK YOU 😊
SEEMS LIKE THIS WOULD ALLOW OUR WONDERFULL TOURISTS TO MAK OUR ROADS BETTER FOR THEM!!
PLEASE PUT THE TAX ON GAS FOR THOSE ARE THE PEOPLES USING THE ROADS. AND IT WOULD HURT THE POOREST – THE LEAST. THANK YOU
Please add upper Turner St. from Coos Curry driveway north up to Betuch driveway on the west side. If I fall down on the holes?
It spreads the burden on all residents as well as the tourists. Plus, less fuel efficient vehicles are often heavier and put greater wear and tear on the road.
Gas tax seems to be working quite well for Brookings!!!
We have been thinking about the best revenue stream for the city for maintenance. The fuel tax makes the most sense as it will pick up a few dollars from the tourist trade. As a contractor we often buy our fuel bulk, Diesel and Gas. The airport, Jerry's Jets, forest service and others does the same. If a program is put together using fuel tax make sure that bulk fuel is put into the equation. Thank you for the survey.
Go with the GAS TAX, !!! THE GAS TAX, SIMPLE..
I really believe the gas tax option makes the most sense. It is directly related to street use and while I understand you can implement a street utility tax, I believe the gas tax has the most merit.
Everyone that uses the road pays for gas. If we did a monthly fee on our bill it would only affect some people.
Gas tax captures visitors as well.

ORDINANCES & RESOLUTIONS

It would be difficult to see that extra \$5 on the water bill every month, tho it seems a more stable means of funding for the City. Well users would get off Scott free? Go with gas tax!
people that use our roads should pay for maintance
What does the "road repair tax" have to do with the water I drink? Why do those of us who don't drive, have to pay for fixing the roads for those of you who do?
The gas tax is fairer. Everyone who drives in Gold Beach should contribute, not just those who pay a water utility bill.
B would be partially funded by tourists who are using the road, makes sense. A - people know exactly how much they are paying. With B no one really realizes they are paying for it as they don't "see" it broken out on the receipt.
There is a long tradition of funding roads with tax revenue on fuel. It has at least an indirect connection between use of roads -> buying fuel -> and wear on roads. Plus, those just passing through who buy gasoline will subsidize the repairs.
EITHER A OR B, or a COMBO OF BOTH COMMENTS
I would like to see a combination of the 2 options eq. \$2.50/mo utility charge & \$0.25 cents/gallon. This spreads the costs out as much as possible
Either option – we need our city streets maintained & we are happy to pay!
I’M OK WITH EITHER WAY – WHATEVER WORKS BEST FOR MOST!
Both would be acceptable. “Option B” obviously utilizes tourist dollars as well but either option would be acceptable!
I would not object to either – or both!
I’d split it. Don’t know if this will affect us much in Wedderburn. Parts of the loop road down below by jetty are cracking on the Oceanside of the road. Will funds cover this? Also on the riverside going up Doyle Pt. Rd? Option A - #3/mo Option B - .025/gal
Good user tax. Why not do some of both options since they reach different people groups. We are praying for our infrastructure! Thank God for Will Newdall.
Perhaps the gas tax along with a small flat fee to improve the capital fund at a faster pace.
Tourists use our roads extensively. So, I think another option would be to combine the two options set forth. A very small portion of the funds should be raised in higher water fees. But most of the capital should come through a local gas tax. This would incorporate not only locals paying but tourists helping out with the roads we all use. I hope you consider this as a valid option. Thanks for listening.
NEITHER COMMENTS
We are not in your jurisdiction so want neither option!!
The water/sewer bills are very high as is – while I appreciate the city’s pie in the sky excessive plans for roads, as a taxpayer on a fixed income, I absolutely would <u>not</u> endorse any further



ORDINANCES & RESOLUTIONS

increase to pay for anything more.
Don't care for either option. What was done previously and why is there a shortage now? This should go to a citizen vote.
FOR HOW LONG?
GENERAL COMMENTS
Whatever it takes. Would like to have the roads in better condition. Also, please install a street lamp at the intersection of the library drive, Grizzly Mtn Rd, Park Drive, 3 rd Street, and Park Place. It's a <u>5</u> drive intersection. It needs a street lamp.
I don't care how you fund it. Just fix it write an keep the runoff out of my yard and put a speed bump in the to slow the speeders on 11 th st.
Is getting grants an option?
As usual the City is expecting county residents to fund their needs. Public safety and medical care are already paid by residents outside of the city. How about a city liscensing or property fee for city residents?

~~END OF MARCH COUNCIL REPORT~~

FROM THE FEBRUARY 12, 2018 COUNCIL REPORT

The approved survey went out in the January water bills and the SurveyMonkey survey is live on our City webpage: goldbeachoregon.gov. As of Friday we have received a total of 159 responses either by returning the page or taking the survey online.

OPTION A: Fee on monthly utility bill - 29

OPTION B: Gas tax - 130

We have received 66 written comments; some have been thoughtful and engaging, others have been snarky and ignorant. Democracy in action!

We will close the survey at the end of the month and I will have the survey results tallied and the comments put into a digestible format for the March meeting.



SECTION 10. MISC. ITEMS (including policy discussions and determinations)

GOLD BEACH CITY COUNCIL AGENDA REPORT

Agenda Item No. 10. d.
Council Meeting Date: March 9, 2020

TITLE: Continued Discussion on Short Term Rental Restrictions

SUMMARY AND BACKGROUND:

I did not have many notes for this topic from last month. The only one I saw was for proposed *section e)* below that the 10 permits residential cap be in total NOT for each Residential zone. That seemed reasonable based on the disbursement of current STR/VR within the residential and commercial zones.

I think that proposed *section f)* probably needs a little different language. We require operators to report monthly—even if the rental is vacant. Were we trying to get at a time/% of overall occupancy? I did have a note to check with Lincoln City on whether they have an occupancy percentage.

Was there any other massaging you wanted to do with this? If not, I can have a code update for April meeting. Otherwise we can keep working on it.

- e) A cap of ten (10) permits per residential zone is established for vacation rental dwellings. (Ten permits in the 1-R zone, ten permits in the 2-R zone, and ten permits in the 3-R zone.) If the zone in which an application is submitted already contains ten (10) permits for vacation rental dwellings, the Planning Director will deny the application and not issue a permit. Instead, the applicant will be placed on a waiting list maintained by the Planning Director until such time as the total number of permits for vacation rental dwellings drops below ten (10) in that particular zone. When the total number of permits in a zone is reduced below ten (10), the applicant at the top of the waiting list will be invited to submit an application. If the applicant at the top of the waiting list does not submit an application within twenty-one (21) calendar days of being notified, the opportunity will be forfeited and the next applicant on the waiting list will be invited to submit an application. This procedure will be followed until the total number of permits in the particular zone reaches ten (10) permits. Dwelling units in excess of 3,500 square feet will not be counted towards the ten (10) permit cap.*

- f) The permit for a vacation rental dwelling will expire upon the twelfth (12th) consecutive month of the dwelling unit failing to report and submit transient room taxes to the City as provided under the City Transient Room Tax and Community Promotion Fund Code.*



SECTION 10. MISC. ITEMS (including policy discussions and determinations)

REPRINT FEBRUARY 2020 REPORT

We began discussing restrictions on short term (vacation rentals) as a response to the local housing shortage. Prior agenda reports are reprinted below. Staff has included an updated list of registered vacation rentals as of January 2020.

Legal Counsel has offered some possible code amendments which are listed below. He included some discussion questions for the Council to consider:

Along with the draft, I have the following related comments/questions.

- 1) Your Zoning Ordinance defines “dwelling unit” as “a single unit providing complete independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation.” Basically, this means a self-contained living unit with kitchen and bath. A “vacation rental dwelling” is then defined as: “a dwelling unit which is rented, or is available for rent on a daily or weekly basis or is advertised, or listed with an agent as a vacation rental.” As a result, I would say that the City’s regulations of vacation rental dwellings regulate “whole house” AIRBNB type facilities, but not the “couch surfer” type arrangements where folks might rent out one bedroom in their house. If the City wants to get into regulating the couch surfer type arrangements, we will need to do some more work and define this type of use as separate from a regular residential use. Or perhaps regulate these with a business license regulation.*
- 2) I did not make any amendments based upon the recommendation to regulate a tenant sub-leasing a dwelling unit as a vacation rental. The reason I did not make any amendment for this issue is because I believe it is already addressed by the definition of “vacation rental dwelling.” In other words, if a dwelling unit meets the definition of “vacation rental dwelling” then it falls within the City’s regulations, whether or not the renting is being done by the property owner, or by a tenant with a sub-lease. If the City comes across a sub-lease situation, then they can enforce the Code now and find that the unit is an un-permitted vacation rental dwelling.*
- 3) With Councilor Kaufman’s proposal, I included the following changes:*
 - a. Councilor Kaufman’s proposal called for allowing vacation rentals in the City’s commercial zone. Currently, the use “vacation rental” is listed as allowed, so I include a slight change to Section 2.320 to make “vacation rental dwelling” an allowed use in the 4-C zone. This tracks the term defined in the Zoning Ordinance and also tracks how the use is described elsewhere in the Ordinance.*
 - b. Councilor Kaufman’s proposal called for a 10 permit cap in each of the City’s residential zones. To implement this idea, I added a new subsection to Section 6.050 to create this concept in the Zoning Ordinance.*
 - c. With a cap, I also created a process for creating a waiting list.*
 - d. With a cap, it seemed like we would now be concerned about whether permit holders are actually using the permit. For example, a 10 permit cap doesn’t mean much if several of those permits are not being used. So, I created a new subsection that has a permit expiring if the vacation rental use is not used for a period of 12 months. We can adjust this, but I thought 12 months was fair.*



SECTION 10. MISC. ITEMS (including policy discussions and determinations)

- e. *I also included Councilor Kaufman’s provision that dwelling units in excess of 3,500 sq. ft. do not count against the 10 permit cap.*
 - f. *If there are already more than 10 permits in any zone, then I will probably want to add some additional provisions to account for existing permits.*
 - g. *In Section 6.051 I just added the phrase “continued maintenance” to the vacation rental standards to make it clear that these are standards used not only to judge the initial conditional use permit application, but the City will also continue to judge the permit holders on these standards. The City could use its current Zoning Ordinance enforcement mechanisms to revoke a conditional use permit if the permit holder fails to keep up the standards in Section 6.051.*
- 4) *As noted above in #1, I did not propose any changes based upon Councilor Kaufman’s proposal related to owner-occupied dwellings renting out rooms. Since renting out a room is not a “vacation rental dwelling” we would need to come up with a new scheme for those uses. It may be more appropriate to create a business license regulation if the City wants to regulate couch surfing and renting out rooms within a dwelling.*
- 5) *I did not make any changes to the Zoning Ordinance based upon Councilor Kaufman’s proposal for penalties. It seems to me that the Zoning Ordinance already has some good penalty provisions, plus the Ordinance already contains the ability under Section 9.070 for the Planning Commission to revoke a permit for violations. These seem like good existing enforcement mechanisms.*
- 6) *I did not incorporate vacation rental standards found in the Lincoln City example because I didn’t know which of these the Council wanted to use – and I didn’t really want to guess. The Lincoln City regulations are pretty darn comprehensive, but they also have dedicated staff that inspect the rentals. Increasing the vacation rental standards goes hand in hand with increasing staff time in overseeing the rentals and inspecting the rentals. If that is what the City wants to take on, then perhaps the Council can identify with standards it likes from the Lincoln City model. If the City is instead more concerned about making housing available, then I think you could get away with not increasing the rental standards and just moving forward with the permit caps. If the City wants to get into the vacation rental inspection business, then perhaps the best way to go about it would be to create new provisions in your business license program (that is what Lincoln City did). Regulating vacation rental standards within a business license program has some advantages over a land use program because of the extra hoops that you have to jump through for land use decisions and also land use legislative amendments.*

PROPOSED CHANGES TO CURRENT ZONING CODE LANGUAGE

Section 6.050 Vacation Rental Use Process.

In lieu of the procedure set forth in Section 6.020, an applicant for a conditional use permit, which would permit the use of an existing dwelling as a vacation rental dwelling, shall proceed as follows:

- a) *The applicant shall file the application with the Planning Director.*
- b) *The Planning Director shall give notice of the application to those persons to whom notice is required under Section 6.030 of this Ordinance.*



SECTION 10. MISC. ITEMS (including policy discussions and determinations)

- c) *If the Planning Director determines, after considering any information submitted within 10 days after the date notice was given, that the standards required by the Section 6.040 (4) and Section 6.051, of this Ordinance have been met, he or she shall issue the conditional use permit.*
- d) *If the Planning Director has a question as to whether the standards required by Section 6.040 (4) and Section 6.051 of this Ordinance have been met or determines that the standards have not been met, he or she shall submit the application to the Planning Commission for decision according to the procedure prescribed by Section 6.030 of this Ordinance.*
- e) *A cap of ten (10) permits per residential zone is established for vacation rental dwellings. (Ten permits in the 1-R zone, ten permits in the 2-R zone, and ten permits in the 3-R zone.) If the zone in which an application is submitted already contains ten (10) permits for vacation rental dwellings, the Planning Director will deny the application and not issue a permit. Instead, the applicant will be placed on a waiting list maintained by the Planning Director until such time as the total number of permits for vacation rental dwellings drops below ten (10) in that particular zone. When the total number of permits in a zone is reduced below ten (10), the applicant at the top of the waiting list will be invited to submit an application. If the applicant at the top of the waiting list does not submit an application within twenty-one (21) calendar days of being notified, the opportunity will be forfeited and the next applicant on the waiting list will be invited to submit an application. This procedure will be followed until the total number of permits in the particular zone reaches ten (10) permits. Dwelling units in excess of 3,500 square feet will not be counted towards the ten (10) permit cap.*
- f) *The permit for a vacation rental dwelling will expire upon the twelfth (12th) consecutive month of the dwelling unit failing to report and submit transient room taxes to the City as provided under the City Transient Room Tax and Community Promotion Fund Code.*

Section 6.051 Standards Governing Vacation Rental Use.

Vacation Rental Dwelling. *The following standards are required for issuance and continued maintenance of a conditional use permit for a vacation rental dwelling:*

- a) *No offensive noise, smoke, dust, litter or odor noticeable at or beyond the property line resulting from the use of the dwelling as a vacation rental dwelling.*
- b) *The use shall not adversely affect the residential character of the neighborhood.*
- c) *There shall not be an excessive generation of traffic created by the vacation rental dwelling.*



SECTION 10. MISC. ITEMS (including policy discussions and determinations)

- d) *One off-street parking space will be provided for each bedroom in the unit, but in no event shall less than two spaces be provided.*
- e) *The dwelling must maintain the residential nature of the front and side yards. The lot must be landscaped and maintained as a permanent residence similar to the surrounding area.*
- f) *The permittee must agree to comply with the requirements of the Transient Room Tax Ordinance (See Ordinance 369) and the Business License Fee Ordinance (See Ordinance No. 442).*
- g) *The permittee must provide receptacles for the deposit of garbage and subscribe to a solid waste collection service for the vacation rental dwelling.*
- h) *When the owner of the dwelling is a non-permanent resident of City of Gold Beach, or is absent during the rental period, the Planning Commission shall require proof of a local property agent that has the authority to act on behalf of the owner for issues related to the rental process.*

~ ~ ~

REPRINT AUGUST 2019 AGENDA REPORT

SUMMARY AND BACKGROUND:

We have been discussing housing and local housing shortage for most of 2019 both as the Council and as the Urban Renewal Agency. Last month Councilor Kaufman provided a discussion draft of possible code amendments for limitations on short term (vacation) rentals. Staff inquired with the City Managers List Serv about how other cities cope with vacation rentals. There were only a few responses, but the one from Lincoln City was most helpful. They are much larger than us, but they have similar issues and demographics. Attached to the report are the following:

- *The relevant section of their 2016 comp plan update regarding vacation rental dwellings (full 34 page text here: [www.lincolncity.org/vertical/sites/%7BDDC39B4D-9F7A-4251-AEA0-F594E7F89DDB%7D/uploads/Ordinance_2016-20_VRD_Land_Use_-_adopted_on_12-19-2016\(2\).pdf](http://www.lincolncity.org/vertical/sites/%7BDDC39B4D-9F7A-4251-AEA0-F594E7F89DDB%7D/uploads/Ordinance_2016-20_VRD_Land_Use_-_adopted_on_12-19-2016(2).pdf))*
- *Their information handout about the VRD process*
- *Their VRD application with required standards*
- *Their health and safety requirements for VRD*

They limit VRD in most residential zones to 10% of the dwellings within that zone. They also instituted a prohibition on new VRD in certain zones and have a sundown clause for existing VRD in operation at the time the code was adopted.



SECTION 10. MISC. ITEMS (including policy discussions and determinations)

The City of Talent also responded with their short term rental code requirements. Their most interesting requirement is that a STR must be a primary residence of the owner and they must prove they occupy the dwelling at least 200 days per year.

A staff recommended amendment is a prohibition on sub-leasing of a dwelling or dwelling unit as a VRD. Currently we have some renters that are subleasing their rentals on sites such as AirBnB and VRBO. Some owners appear to be aware of the subleasing, others maybe not.

Also attached is the brief report staff provided at the July meeting on the status of current VRDs in Gold Beach.

~~~~~

### **REPRINT OF JULY COUNCIL AGENDA REPORT**

*We have briefly discussed the concern about the increase in local vacation rentals and the possible adverse effects to the local rental housing market. Councilor Kaufman has prepared a DRAFT proposed amendment related to restrictions on short-term rentals to begin the discussion.*

*Staff made a quick internet search on the topic, and provided 3 articles of varying lengths regarding the issue for reference only.*

~~~~~

COUNCILOR KAUFMAN'S PROPOSED DRAFT CODE

Short Term Rental Ordinance – 1st Draft

Short-Term Rentals also known as Vacation Rentals are a popular and growing business enterprise throughout the world. Coastal communities are highly desirable for this type of business. However, the cost of this business model reduces the availability of long-term housing where people can live as they are the housing structures.

The purpose of this ordinance is to reduce the impact of the short-term rental business on work force housing.

All residential zones in the City of Gold Beach, 1R, 2R and 3R including the R1, R2 and R3 prior county zoning codes short-term rental housing will be limited to a maximum of ten units (10). Current conditional use holders are counted first, new applications will be held until the next opening arises.

Commercially zoned dwelling units do not need a conditional use permit but do need to register their business with the City and collect the bed taxes.

Exceptions

Dwelling units that are over 3500 square feet will not count towards the maximum number of units.



SECTION 10. MISC. ITEMS (including policy discussions and determinations)

Dwelling units that are owner occupied and are only renting out “bedrooms” and not the full living space. These units must meet the conditional use standards including one additional off-street parking space for each bedroom rented. (Current code requires two parking spaces per dwelling).

Penalty for noncompliance –

An unpermitted short-term rental advertised will result in a compliance letter, the operator must cease business immediately and take down all advertising. Reservations on the books further than thirty days from the notice must be terminated. Reservations less than thirty days will be temporarily allowed, but bed tax must be collected and reported, and operator must apply for conditional use within thirty days of notice.

A second notice any time after the first thirty-day notice to the same owner or operator will result in a second letter, a fine of \$200.00 per day the violation continues. Unpaid fines will be sent to collections and a lien will be put on the property.

A third notice of violation to the same owner an operator will result in a final warning letter, the City will take action to remove the water meter and will post that the property is operating an illegal business. Costs of all enforcement including attorney fees, preparing letters, research for advertising, reporting to the vendors like AirBnB and VRBO, postage and the like will be assessed in addition to the daily fines.

If the business does not cease operation, the City may remove the water meter at the owner’s expense and replacement to be at the normal listed fees.



SECTION 10. MISC ITEMS (including policy discussions & determinations)

GOLD BEACH CITY COUNCIL AGENDA REPORT

Agenda Item No. **10. e.**
Council Meeting Date: March 9, 2020

TITLE: BUDGET COMMITTEE CALENDAR DATES

SUMMARY AND BACKGROUND:

We need to decide two dates in April that work for the Budget Committee dates.
The regular Council meeting is Monday, April 6th. This is a Salary Survey/update Salary Schedule year so later in April would be a little better workload wise...