



CITY OF CENTRAL POINT

Oregon

City Council Meeting Agenda Thursday, June 23, 2022

Next Res(1711) Ord (2088)

- I. REGULAR MEETING CALLED TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. SPECIAL PRESENTATION

- 1. Heat Index Presentation (Ashwill)

- V. PUBLIC COMMENTS

Public comment is for non-agenda items. If you are here to make comments on a specific agenda item, you must speak at that time. Please limit your remarks to 3 minutes per individual, 5 minutes per group, with a maximum of 20 minutes per meeting being allotted for public comments. The council may ask questions but may take no action during the public comment section of the meeting, except to direct staff to prepare a report or place an item on a future agenda. Complaints against specific City employees should be resolved through the City's Personnel Complaint procedure. The right to address the Council does not exempt the speaker from any potential liability for defamation.

- VI. CONSENT AGENDA

- A. Approval of June 9, 2022 City Council Minutes

- VII. ITEMS REMOVED FROM CONSENT AGENDA

- VIII. PUBLIC HEARING

Public comments will be allowed on items under this part of the agenda following a brief staff report presenting the item and action requested. The presiding officer may limit testimony.

- A. First Reading and Public Hearing - An Ordinance Adding Central Point Municipal Code Chapter 5.44 Mobile Food Businesses And Amending Various Sections In Title 17 To Be Consistent With The Mobile Food Business Location And Application Requirements (Gindlesperger)
- B. Resolution No. _____, A Resolution of the City of Central Point Approving a 2021-23 Supplemental Budget (Weber)
- C. Resolution No. _____, A Resolution Electing to Receive State Revenue Sharing Funds for Fiscal Year July 1, 2022 Through June 30, 2023 (Weber)

- IX. ORDINANCES, AND RESOLUTIONS

- A. Resolution No. _____, A Resolution to Levy Taxes for the Fiscal Year July 1, 2022 Through June 30, 2023 (Weber)

Mayor
Hank Williams

Ward I
Neil Olsen

Ward II
Kelley Johnson

Ward III
Melody Thueson

Ward IV
Tanea Browning

At Large
Rob Hernandez

At Large
Michael Parsons

- B. Resolution No. _____, A Resolution Approving Appointments and Adopting General Procedures for Fiscal Year 2022-23 (Weber)
- C. Resolution No. _____, A Resolution Certifying the Provision of Municipal Services by the City of Central Point, Oregon (Weber)
- D. Resolution No. _____, A Resolution Approving Intergovernmental Agreement between the City of Central Point, Oregon and Jackson County, Oregon for the Jurisdictional Transfer of Roads (Samitore)

X. BUSINESS

- A. Planning Commission Report (Holtey)
- B. Hamrick/Pine Signal Project update (Samitore)

XI. MAYOR'S REPORT

XII. CITY MANAGER'S REPORT

XIII. COUNCIL REPORTS

XIV. DEPARTMENT REPORTS

XV. EXECUTIVE SESSION

The City Council will adjourn to executive session under the provisions of ORS 192.660. Under the provisions of the Oregon Public Meetings Law, the proceedings of an executive session are not for publication or broadcast.

XVI. ADJOURNMENT

Individuals needing special accommodations such as sign language, foreign language interpreters or equipment for the hearing impaired must request such services at least 72 hours prior to the City Council meeting. To make your request, please contact the City Recorder at 541-423-1026 (voice), or by e-mail to Deanna.casey@centralpointoregon.gov.

Si necesita traductor en español o servicios de discapacidades (ADA) para asistir a una junta publica de la ciudad por favor llame con 72 horas de anticipación al 541-664-3321 ext. 201

CITY OF CENTRAL POINT

Oregon

City Council Meeting Minutes Thursday, June 9, 2022

I. REGULAR MEETING CALLED TO ORDER

The meeting was called to order at 7:00 PM by Mayor Hank Williams

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Attendee Name	Title	Status	Arrived
Hank Williams	Mayor	Present	
Neil Olsen	Ward I	Present	
Kelley Johnson	Ward II	Present	
Melody Thueson	Ward III	Present	
Taneea Browning	Ward IV	Absent	
Rob Hernandez	At Large	Present	
Michael Parsons	At Large	Present	

Staff members present: City Manager Chris Clayton; Interim City Attorney Riley McGraw; Police Captain Scott Logue; Parks and Public Works Director Matt Samitore; Human Resource Director Elizabeth Simas; and City Recorder Deanna Casey.

IV. SPECIAL PRESENTATIONS

1. SOREDI Regional Update

SOREDI Executive Director Coleen Padilla updated the Council on SOREDI happenings over the last year. They are building staff up after several retirements. She updated them on the different programs SOREDI offers to the member jurisdictions. Their financial status is good and they have 15 jurisdictions as members. She invited the Council Members to Round up on the Rogue Annual Meeting on June 30th 2022.

RESULT: FOR DISCUSSION ONLY

V. PUBLIC COMMENTS - None

VI. CONSENT AGENDA

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Michael Parsons, At Large
SECONDER:	Kelley Johnson, Ward II
AYES:	Williams, Olsen, Johnson, Thueson, Hernandez, Parsons
ABSENT:	Taneea Browning

A. Approval of May 26, 2022 City Council Minutes

Minutes Acceptance: Minutes of Jun 9, 2022 6:00 PM (CONSENT AGENDA)

B. OLCC Application - The Rogue Grape

C. Parks Commission Report May 2022

VII. BUSINESS

A. Central Point Little League Complex Project Update June 2022

Parks and Public Works Director Matt Samitore explained the revised plans for the Central Point Little League Complex. The cost of construction is increasing for all projects and we may not be able to complete the play area in Phase 1. The complex will have 6 fields of different sizes. They are in the process of gathering comments on the current plan. There was discussion regarding traffic issues on Hanley Road with the increase in field use. Mr. Samitore stated that we have not completed a traffic impact study at this stage.

RESULT: FOR DISCUSSION ONLY

VIII. ORDINANCES, AND RESOLUTIONS

A. Resolution No. _____, A Resolution Approving the Little League Use Agreement and Authorizing the City Manager to Sign the Agreement

Parks and Public Works Director Matt Samitore provided a resolution approving the Little League Use Agreement between the City and the Little League. In order for the city to move forward with the project, the ownership of the property will need to be transferred to the City. As part of this process, Staff has been working with the Little League Board to develop a use agreement which will define the relationship between the City and the League relating to use and management of the facility once the renovation project is complete. The Little League Board has requested long term lease agreements. They want to ensure they will always have use of the fields.

He explained the specific elements of the contract regarding a user fee and annual license fee for the League. The Parks and Recreation Commission approved the agreement and recommend approval by the City Council. We will not be transferring ownership of the property until the city is prepared to make the improvements and have financial means to complete them.

Rob Hernandez moved to approve Resolution No. 1706, Approving the Little League Use Agreement and Authorizing the City Manager to Sign the Agreement.

RESULT: APPROVED [UNANIMOUS]
MOVER: Rob Hernandez, At Large
SECONDER: Kelley Johnson, Ward II
AYES: Williams, Olsen, Johnson, Thueson, Hernandez, Parsons
ABSENT: Tanea Browning

B. Resolution No. _____, A Resolution Approving Referral to the Electors of the City of Central Point the Question of Banning Psilocybin Manufacturing and Service Centers within the City of Central Point

Interim City Attorney Riley MacGraw stated the proposed resolution is to put before

Minutes Acceptance: Minutes of Jun 9, 2022 6:00 PM (CONSENT AGENDA)

the electorate a measure to prohibit the establishment of psilocybin product manufactures and/or service center operations licensed under Measure 109 from operating within the jurisdiction of Central Point. If approved, the City would adopt an ordinance to incorporate in its land development code the prohibited uses of Psilocybin manufacturing and service centers within the city of Central Point.

There was discussion that the statement should be clearer that a Yes vote would be to prohibit these uses within the city and a No vote would allow them. There are too many measures put before the citizens that are not clear what a Yes vote and No vote will decide.

Melody Thueson moved to approve Resolution No. 1707 Approving Referral to the Electors of the City of Central Point the Question of Banning Psilocybin Manufacturing and Service Centers within the City of Central Point.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Melody Thueson, Ward III
SECONDER:	Kelley Johnson, Ward II
AYES:	Williams, Olsen, Johnson, Thueson, Hernandez, Parsons
ABSENT:	Tanea Browning

C. Resolution No. _____, Declaring the Nineteenth of June an Official City Holiday and Authorizing the City Manager to Amend the City Employee Manual

City Manager Chris Clayton explained the proposed resolution declaring the Nineteenth of June an Official Holiday in Central Point. He explained we will promote events around the valley through social media. The financial impact to the city will be adding another paid legal holiday resulting in minimal overtime personal costs due to public works on-call staff receiving additional compensation for call-outs on legal holidays and adding time to the holiday bank for Police Officers.

Kelly Johnson moved to approve Resolution No. 1708 A Resolution Declaring the Nineteenth of June an official city holiday and authorizing the city manager to amend the city personnel policies & procedures manual.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kelley Johnson, Ward II
SECONDER:	Michael Parsons, At Large
AYES:	Williams, Olsen, Johnson, Thueson, Hernandez, Parsons
ABSENT:	Tanea Browning

D. Resolution No. _____, A Resolution Extending Worker's Compensation Coverage to Volunteers of the City of Central Point

Human Resource Director Elizabeth Simas presented a resolution extending Workers Compensation coverage for our volunteers who work and volunteer for the city. Our insurance company and SAIF Corporation requires that the City pass a resolution annually. This resolution continues the current practice of providing workers compensation coverage for city volunteers, with the exception of special events volunteers who are covered under a separate accident policy. This resolution covers those who volunteer on a regular basis such as committee members, police volunteers, and other various program areas. This comes to about \$4.35 per year for a council member.

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Michael Parsons asked about a conflict of interest for himself as a Volunteer in Police Service. City Recorder Deanna Casey stated that there was no financial benefit to a specific council member and therefor no conflict of interest.

Michael Parsons moved to approve Resolution No. 1709, A Resolution Extending Worker’s Compensation Coverage to Volunteers of the City of Central Point.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Michael Parsons, At Large
SECONDER:	Rob Hernandez, At Large
AYES:	Williams, Olsen, Johnson, Thueson, Hernandez, Parsons
ABSENT:	Tanea Browning

E. Resolution No. _____, A Resolution Approving the Revised July 1, 2022 - June 30, 2023 Classification Pay Plan

Human Resource Director Elizabeth Simas explained the proposed, revised pay plan for changes to all employee groups. We are adding an additional step of 5% to the top of the schedule and removing the first step for both the General Service and the Police Bargaining pay plans. We are adding the Recreation Manager to the Salary Schedule for the non-bargaining section.

Melody Thueson moved to approve Resolution 1710, A Resolution approving the Revised July 1, 2022 - June 30, 2023 Classification Pay Plan.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Melody Thueson, Ward III
SECONDER:	Rob Hernandez, At Large
AYES:	Williams, Olsen, Johnson, Thueson, Hernandez, Parsons
ABSENT:	Tanea Browning

IX. MAYOR'S REPORT

Mayor Williams reported that:

- He attended each night at the rodeo. He believes they over sold each night and the sponsor area was not secure and did not have enough seating for sponsors.
- He attended the Fair board meeting. They were very happy with the funds the Rodeo brought in.
- He attended a meeting at ACCESS to discuss the Mayor's United event in Jacksonville. Mayors are limited to 10 tickets each this year.
- He attended Mae Richardson Community 101 celebration. Councilor Thueson did a great job spearheading that project. They will be setting a world record by doing a 7000 cereal box domino event.
- He participated in the Mae Richardson pen pal program with Councilor Thueson’s class. He plans to have his pen pal hand out candy for the 4th of July.

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- He signed up for the DARE Cruise today. We need to encourage participation; they will take any car and any year.

X. CITY MANAGER'S REPORT

City Manager Chris Clayton reported that:

- Staff is working on an issue at the Costco gas station regarding traffic blocking Table Rock Road and causing back up in the travel lanes. We are going to work on some internal circulation issues.
- He and Mrs. Simas met with insurance agents today. We are seeing an increase in our insurance premiums.
- The city had a Safety fair at the new facility this week. It was well attended by staff members.
- The property tax collection report came in and the numbers are looking good.
- The last week of June he will be touring the new Navigation Center in Medford. He is working on a tour for Council.
- He will be participating on the interview panel for the new Rogue River City Manager.
- The clock in the plaza is in working order again.
- We have seen an uptick of positive COVID cases among staff.
- It has been brought to our attention that there is a sight triangle issue at the Grange. He will be assigning staff to work with them to remove some bushes.
- He would like to suggest appointing Kelley Johnson as a representative to the Medford Commission on Access, Diversity, Equity & Inclusion. This will keep the city informed of what is going on multi-culturally in the area.

Mayor Williams suggested the appointed of Kelley Johnson to the Medford Commission on Access, Diversity, Equity & Inclusion. **Michael Parsons moved to appoint Kelley Johnson as a representative to the Medford Commission on Access, Diversity, Equity & Inclusion.**

A. **Motion to:** Michael Parsons moved to appoint Kelley Johnson to the Commission on Access, Diversity, Equity & Inclusion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Michael Parsons, At Large
SECONDER:	Neil Olsen, Ward I
AYES:	Williams, Olsen, Johnson, Thueson, Hernandez, Parsons
ABSENT:	Tanea Browning

XI. COUNCIL REPORTS

Council Member Melody Thueson reported that:

- Everyone is welcome between 3:00 and 6:00 p.m. tomorrow to help stack cereal boxes.
- The Pen Pal Picnic was a huge event.

Council Member Michael Parsons reported that:

- He attended the DARE daze celebrations for the City's 5th graders.
- He attended the Community 101 awards Ceremony at Mae Richardson. Kudos to Councilor Thueson for a job well done. Our future looks good with these children.
- He attended the Planning Commission meeting where the primary topic was food trucks.

Council Member Rob Hernandez reported that he attended the lamb and goat auction with Mayor Williams, they didn't buy anything because the prices were over inflated.

Council Member Kelley Johnson had no report this week.

Council Member Neil Olsen reported that:

- He attended the Community 101 awards ceremony.
- He attended the Planning Commission meeting.

XII. DEPARTMENT REPORTS

Parks and Public Works Director Matt Samitore reported that:

- We are working on the concerns at Don Jones Park regarding the control wire for the water system.
- We are having delays regarding the doors for the new facility are still not here. It is possible we may have to cancel and go with another provider.

Human Resources Director Elizabeth Simas reported that there has been two weeks of gatherings for staff. We had Polaris Competency training and the Safety Fair was Wednesday with Heat Awareness Training and Wellness 2000 health assessments.

Police Captain Scott Logue reported that:

- The Crater graduation cruise was a couple of nights ago. There were no issues with the events around graduation.
- There were a couple of burglaries in the Downtown area this week. We have some video of the suspect but looking for more information.

XIII. ADJOURNMENT

Neil Olsen moved to adjourn the meeting at 8:35 p.m.

The foregoing minutes of the June 9, 2022, Council meeting were approved by the City Council at its meeting of _____, 2022.

Dated:

Mayor Hank Williams

ATTEST:

City Recorder

Minutes Acceptance: Minutes of Jun 9, 2022 6:00 PM (CONSENT AGENDA)



City of Central Point **Staff Report to Council**

ISSUE SUMMARY

TO:	City Council	DEPARTMENT:	Community Development
FROM:	Justin Gindlesperger, Community Planner II		
MEETING DATE:	June 23, 2022		
SUBJECT:	First Reading and Public Hearing - An Ordinance Adding Central Point Municipal Code Chapter 5.44 Mobile Food Businesses And Amending Various Sections In Title 17 To Be Consistent With The Mobile Food Business Location And Application Requirements		
ACTION REQUIRED:	Public Hearing Ordinance 1st Reading	RECOMMENDATION:	None Forwarded

BACKGROUND INFORMATION:

On June 7, 2022, the Planning Commission unanimously approved Resolution No. 894 recommending the City Council approve text amendments to the municipal code to expand opportunities for mobile food businesses and to provide clear requirements and standards for their location and regulation. The amendments consolidate rules for mobile food businesses into a new chapter in Title 5-- Business Licenses and Regulations.

Despite their regional popularity, opportunity to operate a mobile food business in Central Point is limited. Currently, food trucks are allowed on private property within the Tourist and Office Professional (C-4) commercial zoning district as a permitted use, and within the Thoroughfare Commercial (C-5) zoning district as a conditional use. The proposed amendments expand the allowable location of mobile food businesses and establish clear standards for mobile food businesses as follows:

- **Section 5.44.010, Purpose**, states the purpose of the amendments to expand opportunities and provide clear rules for mobile food business operation in Central Point.
- **Section 5.44.020, Definitions**, establishes the four (4) types of mobile food businesses allowed in Central Point, including: mobile food vendors (single vehicle), mobile food pod (up to three vehicles), mobile food court (cluster of 4-12 as part of a permanent installation) and specialty mobile food vendors (operate in right-of-way or parking lots on a temporary basis and sell pre-packaged goods, such as ice cream). Subsequent regulations in Chapter 5.44 are based on the

type of mobile food business as defined in this section.

- **Section 5.44.030, Mobile Food Vendors**, establishes the applicable use requirements for mobile food vendors in Item A; permit requirements in Item B; and, operational standards in Item C. Mobile food businesses are allowed in all commercial zones except for the Employment Commercial (EC) zone because this is where the downtown is located. All mobile food businesses require a business license. A minor site plan review is required to assure that the special use standards in Item C are met, as well as underlying zoning requirements (e.g. property setbacks, etc.). Finally, there are provisions to assure that applicable County health Department and OLCC permitting requirements are met. Standards in Item C address hours of operation, and standard operating procedures including power and utilities, adult beverage sales, trash, and parking requirements.
- **Section 5.44.040, Mobile Food Pods**, establishes the applicable use and permit requirements for mobile food pods in Items A & B, respectively. Operational standards for a mobile food pod are similar to single vendors, except multiple vendors operating together in a pod may be closer together on a site. Due to increased intensity of use, a major site plan review is required.
- **Section 5.44.050, Mobile Food Courts**, sets forth the location/use, application requirements and standards that apply to food court installations. Due to the unique nature of mobile food courts in terms of being a restaurant-like facility with integrated mobile food vendors providing food service, the Planning Commission recommended this use be subject to a conditional use permit to assure any unique circumstances related to traffic, site design, or other unusual impacts have the opportunity to be mitigated.
- **Section 5.44.060, Specialty Mobile Food Vendors**, provides standards for vendors that are temporary and are highly mobile. Ice cream trucks are examples of vendors that may employ a business model whereby the vendor travels to various neighborhoods or key destinations to sell pre-packaged food products to individuals residing or visiting their temporary parking location. This type of use has been allowed in the past; however, there are no standards in the municipal code that address this use and provide the certainty and clarity needed to businesses and administrators now and in the future. The proposed amendments in this section aim to formalize the historic use as permitted and provide clear standards for the use and its operation.
- **Section 5.44.070, Denial, Revocation or Suspension of Permit**, provides that a business license authorization may be denied, revoked or suspended if it is found that any provision of applicable condition of approval will be or has been violated. This section addresses how applicants or permit holders will be notified of the action and the appeal process.
- **Section 5.44.080, Penalties**, establishes the enforcement provisions in the event code standards are violated and not remedied. This section utilizes the existing enforcement framework provided in Section 1.16.010 and states that, following two (2) infractions, the permit shall be revoked for a period of at least

one (1) year.

The above amendments were developed as a collaboration between staff, the Citizen's Advisory Committee and Planning Commission involving several meetings and drafts over the past year. Comments and discussion with the Planning Commission noted that properly permitting food trucks and expanding the use can complement existing businesses and attract more visitors – creating more pedestrian traffic and increasing vibrancy downtown. At the June 23, 2022 City Council Meeting, staff will present the proposed amendments for a public hearing.

FINANCIAL ANALYSIS: The proposed code amendments do not generate additional cost to the City beyond in-kind staff expense.

LEGAL ANALYSIS:

There are two (2) issues as noted below:

The primary issues to be considered and discussed at the meeting will be related to CPMC 17.10.400.

1. A decision for a text amendment shall be based on approval criteria, applicable regulations and factual evidence in the record.
 2. A decision may be for denial, approval or approval with conditions.
-

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

Vibrant Economy, Goal 5 – Support business development and entrepreneurship.

STAFF RECOMMENDATION:

Conduct a first reading of the ordinance for proposed mobile food business amendments and a duly noticed public hearing and forward the Ordinance to a second reading with or without changes.

RECOMMENDED MOTION:

I move to Second Reading the Ordinance approving amendments to Chapter 5.44 – Mobile Food Businesses and various sections of Title 17 of the Central Point Municipal Code to a second reading at the July 14, 2022 Council Meeting.

ATTACHMENTS:

1. Revised Ordinance (1st Reading)

ORDINANCE NO. _____

**AN ORDINANCE ADDING CENTRAL POINT MUNICIPAL CODE
CHAPTER 5.44 MOBILE FOOD BUSINESSES AND AMENDING VARIOUS
SECTIONS IN TITLE 17 TO BE CONSISTENT WITH THE MOBILE FOOD BUSINESS
LOCATION AND APPLICATION REQUIREMENTS**

Recitals:

- A. Words ~~lined through~~ are to be deleted and words **in bold** are added.
- B. Pursuant to CPMC, Chapter 1.01.040, the City Council, may from time to time make revisions to its municipal code which shall become part of the overall document and citation.
- C. Pursuant to the requirements set forth in CPMC 17.10.100 Zoning Map and Zoning Code Text Amendments – Purpose and Chapter 17.05.500, Type IV Review Procedures, the City has initiated an application and conducted the following duly advertised public hearings to consider the proposed amendments:
 - a. Planning Commission hearing on June 7, 2022
 - b. City Council hearing on June 23, 2022 and July 14, 2022

THE PEOPLE OF THE CITY OF CENTRAL POINT DO ORDAIN AS FOLLOWS:

SECTION 1. Adds Chapter 5.44 of the Central Point Municipal Code to expand opportunities for mobile food businesses and establish clear application requirements and standards:

5.44.010	Purpose
5.44.020	Definitions
5.44.030	Mobile Food Vendors
5.44.040	Mobile Food Courts
5.44.050	Specialty Food Vendors
5.44.060	Denial, revocation or suspension of permit
5.44.070	Penalties

5.44.010 Purpose.
Expand opportunities for mobile food businesses and establish clear standards and application process for authorizing mobile food businesses on a temporary and semi-permanent basis.

Attachment: Revised Ordinance (1st Reading) (1558 : Mobile Food Business Text Amendments)

5.44.020 Definitions.

A. “Mobile Food Business” means mobile food services provided in a motorized vehicle, trailer or push cart located on private property with permission of the property owner(s). There are four (4) types of mobile food businesses for purposes of this code:

1. “Mobile Food Vendor” means a single mobile food retailer that is located on single parcel of land.
2. “Mobile Food Pod” means two (2) to three (3) mobile food vendors that are located on a single parcel of land.
3. “Mobile Food Court” means a group of four (4) to twelve (12) mobile food vendors located on a single parcel of land.
4. “Specialty Food Vendor” means a mobile retailer of pre-packaged or whole food products that do not involve onsite preparation. Specialty food vendors operate in parking lots and the public-right-of-way for durations that do not exceed fifteen (15) minute time periods. Examples of a specialty food vendor include ice cream trucks, mobile farm stands, etc.

5.44.030 Mobile Food Vendors & Pods.

A. Applicability.

1. **Permitted Use.** Mobile food vendors and pods shall be a permitted use on privately owned property in the C-N, C-4, C-5, GC, M-1, M-2 and Civic zoning districts subject to the application procedures and standards in items B-D of this section below.
2. **Special Events.** Mobile food vendors and mobile food pods associated with Special Events as defined in CPMC 5.42 shall obtain a Special Event Permit from the Parks Department and are exempt from the requirements of this Chapter.
3. **Parks & Publically-Owned Property.** Mobile food vendors may be allowed in Don Jones Park, Pfaff Park, Twin Creeks Park and Bohnert Park subject to a Special Event Permit obtained by the Parks Department.

B. **Application Requirements.** Mobile food vendors shall obtain the required application approvals, as applicable, prior to locating and operating the

mobile food businesses including the following:

1. **Minor Site Plan & Architectural Review Approval (Type I)** in accordance with CPMC 17.05.200 and the submittal and approval criteria listed in CPMC 17.72 and Section 5.44.030(C).
2. **Business License.** This is an annual license that authorizes users to conduct business in the City of Central Point at a specified location. The business license shall be subject to approval of a Minor Site Plan and Architectural Review per Item 1 above.
3. **Jackson County Environmental Health Permit.**
4. **Oregon Liquor and Cannabis Commission (OLCC) Liquor License and Alcohol Service Permits** if alcohol sales are part of the mobile food business.

C. Mobile Food Vendor Standards. The following site and operational standards shall apply to mobile food vendors:

1. **Business activity shall be limited to the hours of 7:00 a.m. to 11:00 p.m.**
2. **Mobile food vendor vehicle (i.e. truck, trailer or pushcart) shall be removed from the site each day when the business activities have ceased.**
3. **Mobile food vendor vehicle (i.e. pushcart, truck, trailer ,etc.) shall comply the base zone setbacks set forth in Title 17, the clear vision areas in the Public Works Standard Specifications and the following location requirements:**
 - a. **The mobile food vendor vehicle shall be placed on a paved surface.**
 - b. **Located at least 100-feet from an existing restaurant's front door and outdoor eating area;**
 - c. **50-feet from other permitted mobile food vendor location(s);**
 - d. **At least 15-feet from a fire hydrant;**

- e. At least 300-feet from residential zones if the mobile food vendor utilizes a generator for power;
- f. If placed in a pod, is at least 10-feet from other mobile food vendor vehicles; and,
- g. Mobile food vendors and pods, including all items associated with their operation, shall be located to avoid obstructing any existing or required pedestrian pathway, driveway, and drive aisles; and,
- h. Mobile food vendors and pods shall be located so as to not create a traffic or safety hazard.

4. Parking.

- a. The mobile food vendor vehicle shall not occupy required off-street parking spaces for the primary use on the site.
- b. Two (2) off-street parking spaces shall be provided in accordance with the off-street parking standards in CPMC 17.75.039.
- c. Shared parking between the mobile food vendor and the primary use is subject to the requirements in CPMC 17.64.040(D).

5. Utilities. The mobile food vendor vehicle shall be self-contained unless the site has permanent utility connections permitted by the Central Point Building Official.

- a. Temporary connection to power is permitted provided that extension cords are covered or screened to prevent a tripping hazard.
- b. Generators used for mobile food businesses shall be consistent with applicable Fire Code.

6. Support Equipment and Accessories.

- a. Awning(s) may be provided to shelter customers provided the awning(s) are integral to the mobile food vendor vehicle, have a minimum vertical clearance of seven (7) feet eight (8)

inches, and be able to be closed or removed.

- b. **No support equipment or accessories, including but not limited to counters, awnings, etc. shall extend more than four (4) feet from the edge of the cart, trailer or vehicle in any direction**
 - c. **The cooking mechanism, including BBQ grills must be enclosed and permanently built into the structure of the vehicle.**
7. **Signage shall be limited to what can be physically attached to the vehicle, except for temporary signs authorized by Chapter 15.24. Unsecured menu boards and sidewalk signs are prohibited.**
8. **Trash and Recycling.**
- a. **Mobile food vendors shall provide trash and recycling receptacles for use by business patrons.**
 - b. **Mobile food vendor operators are responsible for keeping the site and adjacent right-of-way areas clean and attractive. Operators shall collect and appropriately dispose of any litter on the same throughout operating hours.**
9. **No waste shall be discharged into the city's storm drain system, directly or indirectly, as provided in CPMC 8.05, Storm Drain Protection.**

5.44.040 Mobile Food Courts.

Mobile food courts are considered permanent installations that, due to their unique nature, are a conditional use in the CN, C-4, C-5, and GC zoning districts. They are subject to the same site plan and architectural review requirements as brick and mortar restaurants. Additionally each mobile food vendor within a mobile food court shall comply with the standards in CPMC 5.44.030 except as modified below.

- A. **Overnight parking within the mobile food court is allowed subject to requirements of the mobile food court owner/operator, provided that each mobile food business vehicle remains operable and road-ready.**

- B. Designated, paved parking pads shall be provided for each mobile food vehicle to be located within the mobile food court.
- C. Outdoor equipment and accessories are permitted and include items such as tables and seating, canopies, grills, and other amenities for guests.
- D. Restroom facilities shall be plumbed in accordance with the Oregon Specialty Building Codes. No portable/chemical toilets are permitted.
- E. Full utility connections shall be provided for mobile food businesses operating in the mobile food court, including:
 - 1. Water.
 - a. A site dedicated master water meter is required. The size, installation and applicable fees shall be coordinated with the Public Works Department.
 - b. Private water line extensions from the master water meter to each vendor shall be required per the Uniform Plumbing Code.
 - 2. Sanitary sewer. The mobile food court shall be connected to sanitary sewer lines consistent with Rogue Valley Sewer Services requirements.
 - 3. Underground power shall be stubbed to each mobile food business parking pad.

5.44.050 Specialty Mobile Food Vendor.

Specialty mobile food vendors shall obtain a Temporary Use Permit and Central Point Business License. Specialty mobile food vendors are subject to the following requirements:

- A. Specialty Mobile Food Vendors may be authorized to conduct business for a three (3) month period, which is renewable subject to compliance with the requirements of this section.
- B. Limit length of stop for sales activity to no more than fifteen (15) minutes in a single location.
- C. Specialty food vendors shall not impede traffic on any road right-of-way.

- D. Trash receptacles shall be provided for customers.
- E. Specialty Food Vendors shall be limited to operating between 10:00 a.m. and 7:00 p.m.

5.44.060 Denial, Revocation or Suspension of Permit.

- A. The City Manager or his or her designee may deny, revoke or suspend a Mobile Food Vendor permit upon finding that any provision herein or condition of approval will be or has been violated.
- B. Upon denial, revocation or suspension, the City Manager or his or her designee shall give written notice of such action to the applicant or permittee stating the action taken and the reason. The decision shall be effective immediately. Appeals are subject to the applicable procedures in CPMC 17.05.

5.44.070 Penalties.

Any violation of this chapter shall be an infraction as defined in Section 1.16.010 and is punishable by a fine as set forth in that section. The City Manager or his or her designee is authorized to issue a citation to any person or business violating the provisions of this chapter. After two (2) infractions, the mobile food business permit authorization shall be revoked for a period of at least one (1) year.

SECTION 2. Amendments to CPMC 17.32.020 identify mobile food vendors and pods as a permitted use as provided in and to be consistent with CPMC 5.44.

The following uses and their accessory uses are permitted outright, subject to compliance with all applicable municipal, state and federal environmental, health, and safety regulations as well as the requirements for site plans in Chapter [17.72](#):

- A. Professional and financial offices and personal service establishments;
- B. Retail stores, shops and offices supplying commodities or performing services other than vehicle and fuel sales;
- C. Eating and drinking establishments **including mobile food vendors and pods as provided in CPMC 5.44**;
- D. Desktop publishing, xerography, copy centers;
- E. Temporary tree sales, from November 1st to January 1st;
- F. Public and quasi-public utility and service buildings, structures and uses;
- G. Neighborhood shopping centers, which may include any of the permitted uses in this section;
- H. Other uses not specified in this or any other district, if the planning commission finds them to be similar to the uses listed above and compatible with other

permitted uses and with the intent of the C-4 district as provided in Section [17.60.140](#), Authorization for similar uses.

SECTION 3. Amendments to CPMC 17.32.030 add mobile food courts as a conditional use subject to requirements in CPMC 5.44, Mobile Food Businesses and as provided in CPMC 17.76, Conditional Uses. The change is needed to provide consistency between Title 5 and Title 17.

The following uses and their accessory uses are permitted in the C-N district when authorized in accordance with Chapter [17.76](#) of this title:

- A. Automobile repair facilities and related fuel sales;
- B. Outdoor storage of commodities associated with a permitted, special permitted or conditional use. All storage shall be within an area surrounded by a solid wall or fence six feet in height unless otherwise specified in the conditional use permit. In no case shall materials or equipment be stored higher than the wall or fence;
- C. Churches or similar religious institutions;
- D. Medical or dental offices and similar health care services;
- E. Family-oriented commercial recreation establishments including, but not limited to, pool/billiard centers, health spas, exercise or physical fitness centers, martial arts schools, arcades/amusement centers, and similar facilities that are neighborhood oriented and consistent with the purpose and intent of the neighborhood convenience center.
- F. **Mobile food courts as provided in CPMC 5.44.**

SECTION 4. Amendments are needed to CPMC 17.44.020(B) to clarify that mobile food vendors and pods are a permitted use in the C-4, Tourist and Office Professional Zone consistent with CPMC 5.44, Mobile Food Businesses. The proposed amendments read as follows:

The following uses are permitted in the C-4 district:

- B. Tourist and entertainment-related facilities, including but not limited to:
 1. Convenience market, meat, poultry, fish and seafood sales; fruit and beverage stands;
 2. Drugstores;
 3. Automobile service station, automobile and recreational vehicle parts sales and repairs, and truck rentals;
 4. Motel and hotel;
 5. Walk-in movie theater;

6. Bowling alley;
7. Photo and art galleries;
8. Photo processing pickup station;
9. Travel agencies;
10. Barber and beauty shops;
11. Sit-down restaurants or dinner houses (including alcohol);
12. Cocktail lounges and clubs serving alcoholic beverages;
13. Tavern with beer only;
14. Commercial parking lot;
15. Community shopping centers which may include any of the permitted uses in this section and may also include but not be limited to:
 - a. Supermarkets;
 - b. Department stores;
 - c. Sporting goods;
 - d. Books and stationery;
 - e. Gifts, notions and variety;
 - f. Florists;
 - g. Leather goods and luggage;
 - h. Pet sales and related supplies;
 - i. Photographic supplies;
 - j. Health food;
 - k. Self-service laundry;
 - l. Antique shop;
 - m. Delicatessen;
 - n. Pastry and confectionery;
 - o. General apparel;
 - p. Shoes and boots;
 - q. Specialty apparel;
 - r. Jewelry;
 - s. Clocks and watches, sales and service;
 - t. Bakery, retail only;
 - u. Bicycle shop;
 - v. Audio, video, electronic sales and service;
 - w. Printing, lithography and publishing;
16. Mobile food vendors **and pods as provided in CPMC 5.44;**

17. State-regulated package liquor stores;
18. Other uses not specified in this or any other district, if the planning commission finds them to be similar to the uses listed above and compatible with other permitted uses and with the intent of the C-4 district as provided in Section [17.60.140](#), Authorization for similar uses;
19. Large retail establishments.

SECTION 5. Amendments are needed to CPMC 17.46.030 to add mobile food courts as a conditional use in the C-4, Commercial Thoroughfare Zone consistent with CPMC 5.44, Mobile Food Businesses.

A. The following uses are permitted in the C-4 district when authorized in accordance with Chapter [17.76](#), Conditional Use Permits:

1. Campgrounds and recreational vehicle overnight facilities;
2. Drive-in movie theater;
3. Golf course/driving range;
4. Ice and roller skating rinks;
5. Dance halls;
6. Billiard/pool halls;
7. Miniature golf courses;
8. Amusement center (pinball, games, etc.);
9. Nonindustrial business/vocational schools;
10. Physical fitness/conditioning center; martial arts schools;
11. Carwash;
12. Taxicab dispatch office;
13. Ambulance/emergency services;
14. Day care center;
15. Drive-in fast food outlets;
16. Other specialty food outlets, **including mobile food courts as provided in CPMC 5.44;**
17. Television and radio broadcasting studio;

18. Accessory buildings and uses customarily appurtenant to a permitted use, such as incidental storage facilities, may be permitted as conditional uses when not included within the primary building or structure;

19. Permitted uses that are referred to the planning commission by city staff because they were found to exhibit potentially adverse or hazardous characteristics not normally found in uses of a similar type and size.

B. Uses other than those listed above may be permitted in a C-4 district when included as a component of a commercial, tourist, or office-professional planned unit development that consists predominantly of uses permitted in the zone and is planned and developed in accordance with Chapter [17.68](#), Planned Unit Development (PUD). These uses shall include the following:

1. Department stores;
2. Sporting goods;
3. Books and stationery;
4. Gifts, notions and variety;
5. Florists;
6. Leather goods and luggage;
7. Pet sales and related supplies;
8. Photographic supplies;
9. Health food;
10. Self-service laundry;
11. Antique shop;
12. Delicatessen;
13. Pastry and confectionery;
14. General apparel;
15. Shoes and boots;
16. Specialty apparel;
17. Jewelry;
18. Clocks and watches, sales and service;
19. Bakery, retail only;
20. Bicycle shop;
21. Audio, video, electronic sales and service; and

22. Printing, lithography and publishing.

SECTION 6. Amendments are needed to CPMC 17.46.020(C) to clarify that mobile food vendors and pods are a permitted use in the C-5, Commercial Thoroughfare zoning district consistent with CPMC 5.44, Mobile Food Businesses.

The following uses are permitted in the C-5 district:

C. Retail outlets, including but not limited to:

1. Auto and truck sales (new and used),
2. Tire sales and service,
3. Glass and mirror sales and service,
4. Wallcovering, floorcovering, curtains, etc.,
5. Major appliances sales and service,
6. Hardware sales,
7. Monument sales,
8. Supermarket,
9. Convenience market,
10. Drugstore,
11. Feed, seed and fuel (within enclosed structure),
12. Electrical and plumbing supplies,
13. Heating and air-conditioning equipment;
14. Stone, tile and masonry supplies,
15. Nursery and gardening materials and supplies,
16. Antique shop,
17. Art and engineering supplies,
18. Pawnshop,
19. Sit-down restaurants, including service of beer, wine and liquor,
20. Drive-in fast food establishments,
21. Tavern, beer sales only,
22. Public/quasi-public utilities and services,
23. Florist sales,
24. Pet sales,
25. General apparel;

26. Furniture sales, including used furniture,
27. Sporting goods sales, including firearms,
28. State-regulated package liquor stores,
29. Community shopping centers, which may include any of the permitted uses in this section and the C-4 district,
30. Large retail establishment eighty thousand square feet or less as defined in Section [17.08.010](#), Retail establishment, large; and,
31. **Mobile food vendors and pods as provided in CPMC 5.44.**

SECTION 7. Amendments are needed to CPMC 17.46.030 to add mobile food courts as a conditional use in the C-5 Commercial Thoroughfare zoning district consistent with CPMC 5.44, Mobile Food Businesses.

The following uses are permitted in the C-5 district when authorized in accordance with Chapter [17.76](#):

1. Automobile and truck paint shops;
2. Recreational vehicle overnight facilities;
3. Drive-in movie theater;
4. Heavy equipment sales and service;
5. Mobile home and recreational vehicle sales;
6. Boats and marine equipment sales and service;
7. Motorcycle and snowmobile sales and service;
8. Dinner houses and restaurants serving alcoholic beverages;
9. Cocktail lounges and clubs;
10. Other specialty food outlets, mobile food vendors;
11. Meat, fish, poultry and seafood, light processing and sales;
12. Dairy products sales;
13. Paint and related equipment and supplies;
14. Cleaning and janitorial supplies;
15. Secondhand store or thrift shop;
16. Mortuary;
17. Amusement center (pinball, games, etc.);
18. Manufacturing for on-premises sales;
19. Taxidermist;

20. Auction house (excluding livestock);
21. Wholesaling of permitted use products;
22. Adult businesses, as defined in Chapter [5.24](#);
23. Small engine sales and service;
24. Vocational, technical and trade schools, including facilities related to industrial trades;
25. Accessory uses and buildings customarily appurtenant to a permitted use, such as incidental storage facilities, may be permitted as conditional uses when not included within the primary building or structure;
26. Permitted uses that are referred to the planning commission by city staff because they were found to exhibit potentially adverse or hazardous characteristics not normally found in uses of a similar type or size;
27. Large retail establishments greater than eighty thousand square feet as defined in Section [17.08.010](#), Retail establishment, large;
28. Regional shopping centers;
29. **Mobile food courts as provided in Chapter 5.44.**

SECTION 8. Amendments are needed to CPMC 17.48.020 to add mobile food vendors and pods as a permitted use in the M-1, Industrial zoning district consistent with CPMC 5.44, Mobile Food Businesses.

The following uses and their accessory uses are permitted in an M-1 district, subject to the limitations imposed in Section [17.48.030](#):

- A. Warehousing;
- B. Storage and wholesaling of prepared or packaged merchandise;
- C. Dwellings for a caretaker, watchman, or other person regularly employed on the premises;
- D. Administrative, educational and other related activities and facilities in conjunction with a permitted use;
- E. Ambulance and other emergency service facilities, including police and fire stations;
- F. Municipal corporation and public utility buildings, structures and yards, including the storage, repair and maintenance of vehicles and equipment;

- G. All types of automobile, motorcycle, truck, and equipment sales, service, repair and rental, including automobile and truck service stations;
- H. Boat building, sales and repair;
- I. Cold storage plants, including storage and office;
- J. Printing, publishing and book binding;
- K. Scientific research or experimental development of materials, methods of products, including engineering and laboratory research;
- L. Vocational, technical and trade schools, including facilities related to industrial trades;
- M. Retail and/or wholesale lumber and building materials sales yard, not including concrete mixing;
- N. Light fabrication and repair shops such as blacksmith, cabinet, electric motor, heating, machine, sheet metal, signs, stone monuments, upholstery and welding;
- O. Assembly, manufacture, or preparation of articles and merchandise from previously prepared materials, such as canvas, cloth, cork, fiber, tobacco, wire, wood, excluding sawmills and other wood processing plants, and similar materials;
- P. Manufacture, compounding, processing, packing or treatment of such products as bakery goods, candy, cosmetics, dairy products and meat, drugs, perfumes, pharmaceuticals, toiletries; excluding the rendering of fats and oils, fish and meat slaughtering, and fermented foods such as vinegar and yeast;
- Q. Processing uses such as bottling plants, creameries, blue-printing and photocopying, laundries, carpet cleaning, tire retreading, recapping and rebuilding;
- R. Manufacture of electric, electronic, or optical instruments or related devices;
- S. Manufacture of products used by the medical and dental professions, including artificial limbs, dentures, hearing aids, surgical instruments and dressings, and similar products;
- T. Developer's project and sales offices, including mobile homes adapted to that purpose, during construction only;
- U. Planned unit developments, subject to the provisions of Chapter [17.68](#);

V. Mini-storage facilities;

W. Mobile food vendors and pods as provided in Chapter 5.44.;

X. Other uses not listed in this or any other district, if the planning commission finds them to be similar to those listed above and compatible with other permitted uses and with the intent of the M-1 district.

SECTION 9. Amendments are needed to CPMC 17.29.050 to add mobile food vendors and pods as a permitted commercial use in the Civic zoning district consistent with CPMC 5.44, Mobile Food Businesses.

Use Categories	Civic Zoning (C)
Commercial	
Entertainment	N
Professional Office	N
<u>Retail Sales and Service</u>	
Sales-Oriented/Concessions	C1
Mobile Food Vendors and Pods	L2
Personal Service-Oriented	N
Repair-Oriented	N
Drive-Through Facilities	C1
Quick Vehicle Service	N
Vehicle Sales, Rental and Repair	N

- N – Not permitted
- P – Permitted
- C – Conditional use
- C1 – Conditional use limiting sales oriented space to a maximum of four hundred square feet
- L1 – School athletic and play fields only. School building and parking lots are not permitted.
- L2 **Mobile food vendors and pods are only allowed subject to the requirements in CPMC 5.44, Mobile Food Businesses.**

SECTION 10. Amendments are needed to CPMC 17.65.050, Table 1 commercial uses to clarify that mobile food vendors, pods and courts are not permitted in the EC, Employment Commercial zone. In the GC, General Commercial zone, mobile food vendors and pods are a permitted use and mobile food courts are a conditional use as provided in CPMC 5.44, Mobile Food Businesses. Restaurant/food service businesses

are defined as entertainment in CPMC 17.05.410(D)(1), which includes the mobile food businesses as provided in L7-L9 in the amendments below:

Table 1 TOD District Land Uses							
Use Categories	Zoning Districts						
	LMR	MMR	HMR	EC	GC	C	OS
<u>Commercial</u>							
Entertainment	N	N	C	P, L7	P, L8, L9	N	N
Professional Office	C	L3	L3, L4	P	P	P	N
Retail Sales and Service							
Sales-oriented	C	L3	L3	P	P	N	N
Personal service-oriented	C	L3	L3, L4	P	P	N	N
Repair-oriented	N	N	N	P	P	N	N
Drive-through facilities	N	N	N	P	P	N	N
Quick vehicle service	N	N	N	P	P	N	N
Vehicle sales, rental and repair	N	N	N	P	P	N	N
Tourist Accommodations							
Motel/hotel	N	N	C	P	P	N	N
Bed and breakfast inn	C	C	P	P	P	N	N

- N--Not permitted.
- P--Permitted use.
- N--Not permitted.
- P--Permitted use.
- P1--Permitted use, one unit per lot.
- C--Conditional use.
- L1--Only permitted as residential units above ground floor commercial uses.
- L2--School athletic and play fields only. School building and parking lots are not permitted.
- L3--Permitted in existing commercial buildings or new construction with ground floor businesses with multifamily dwellings above ground floor. Maximum floor area for commercial use not to exceed ten thousand square feet per tenant.
- L4--Second story offices may be permitted in areas adjacent to EC zones as a conditional use.
- L5--Only permitted as a transition between lower density zones and/or when adjacent to an environmentally sensitive area.
- L6--Permitted only when part of an existing or proposed senior housing project on abutting property under the same ownership within the MMR or HMR district.
- L7—Mobile Food Vendors, Pods and Mobile Food Courts are prohibited as provided in CPMC 5.44, Mobile Food Businesses.**
- L8—Mobile food vendors and pods are subject to the application requirements and provisions in CPMC 5.44, Mobile Food Businesses.**
- L9—Mobile Food Courts may be permitted in the GC zone as a conditional use in accordance with CPMC 5.44, Mobile Food Businesses and per CPMC 17.76, Conditional Use Permits.**

Attachment: Revised Ordinance (1st Reading) (1558 : Mobile Food Business Text Amendments)

SECTION 11. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word Ordinance may be changed to “code”, “article”, “section”, “chapter”, or other word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions need not be codified and the City Recorder is authorized to correct any cross references and any typographical errors.

SECTION 12. Effective Date. The Central Point City Charter states that an ordinance enacted by the council shall take effect on the thirtieth day after its enactment. The effective date of this ordinance will be the thirtieth day after the second reading.

Passed by the Council and signed by me in authentication of its passage this _____ day of April, 2022.

Mayor Hank Williams

ATTEST:

City Recorder

Attachment: Revised Ordinance (1st Reading) (1558 : Mobile Food Business Text Amendments)



City of Central Point Staff Report to Council

ISSUE SUMMARY

TO: City Council **DEPARTMENT:** Finance

FROM: Steven Weber, Finance Director

MEETING DATE: June 23, 2022

SUBJECT: Resolution No. _____, A Resolution of the City of Central Point Approving a 2021-23 Supplemental Budget

ACTION REQUIRED: Motion
Public Hearing
Resolution

RECOMMENDATION: Approval

BACKGROUND INFORMATION:

Oregon Revised Statutes allow for changes to a budget after adoption when various events occur. More specifically, ORS 294.471 Supplemental Budget in certain cases; no increase in property taxes permitted. (1) Notwithstanding requirements as to certain estimates of and limitation on expenditures, during the fiscal year or budget period for which the original budget was adopted, the governing body may make one or more supplemental budget under certain circumstances. One such circumstance is *an occurrence or condition that is not ascertained when preparing the original budget or a previous supplemental budget for the current year or budget period and that requires a change in financial planning.*

There are multiple circumstances that fall under ORS 294.471. The first one is a school safety grant received by the Police Department through the Department of Justice. This resolution will recognize an additional \$60,000 of unanticipated revenue and expenses related to the grant.

The second circumstance that requires a budget adjustment is the City's American Rescue Plan Act (ARPA) allocation. At the time of budget adoption, the City's initial allocation was targeted as \$3,841, 860. Not only did the City's final allocation amount increase to \$4,185,245, but an additional \$500,000 was received through the Oregon Legislature (HB5006) via Representative Duane Stark. Therefore, an additional \$843,385 in unanticipated revenue and expenses related to the grants are recognized in this resolution.

The final circumstance for this budget adjustment is the new public works corporation yard. \$4,500,000 in debt financing was part of the originally adopted biennial budget. However, additional financing was required due to rising contractor and supply costs. The final amount of debt financing was \$6,551,300. This resolution will recognize an additional \$2,051,300 in unanticipated revenue (financing proceeds) and expenses related to the project. These amounts are divided between the Street, Water and Stormwater funds respectively.

FINANCIAL ANALYSIS:

With the adoption of the changes contained in this supplemental budget (\$2,984,685) the 2021-

23 biennial budget will increase to \$66,453,355. The originally adopted 2021-23 biennial budget was \$63,498,670.

LEGAL ANALYSIS:

N/A

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

Strategic Priority - Responsible Governance

GOAL 1 - Maintain a strong financial position that balances the need for adequate service levels and capital requirements against the affordability that is desired by our citizens.

GOAL 2 - Invite Public Trust.

STRATEGY 5 – Communicate effectively and transparently with the public.

STAFF RECOMMENDATION:

Approve resolution as presented.

RECOMMENDED MOTION:

I move to approve Resolution No. _____ A resolution of the City of Central Point Approving a 2021-23 Supplemental Budget.

ATTACHMENTS:

1. RESO Supplemental Budget 21-23

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF CENTRAL POINT
APPROVING A 2021-23 SUPPLEMENTAL BUDGET

Recitals:

- A. ORS 294.471 (1) (c) allows the governing body to adopt a supplemental budget when funds are made available by another of federal, state or local government and the availability of which could not reasonably be foreseen when preparing the original budget or a previous supplemental budget for the current year or current budget period.
- B. The City of Central Point Police Department was awarded a school safety grant through the Department of Justice. Grant revenue and corresponding expenditures of \$60,000 will be added to the 2021-23 biennial budget.
- C. The City's draft American Rescue Plan Act (ARPA) allocation was \$3,841,860. The final allocation was \$4,185,245. In addition, the City received an additional grant of \$500,000 with the passage of House Bill 5006 in the Oregon legislature.
- D. The new public works corporation yard construction was originally budgeted with debt financing of \$4,500,000. In order to complete the project, additional financing in the amount of \$2,051,300 was needed. The additional financing proceeds will be split between the Street, Water and Stormwater funds respectively.

The City of Central Point resolves as follows:

Section 1.

	Budget	Revenues	Expenses	Adjusted Budget
<u>General Fund</u>		<u>\$ 24,539,670</u>	<u>\$ 24,539,670</u>	
Police Donations/ Grants	\$ 140,000	\$ 60,000		\$ 200,000
Materials & Services - Police	\$ 1,850,000		\$ 60,000	\$ 1,910,000
General Fund - Revised		<u>\$ 24,599,670</u>	<u>\$ 24,599,670</u>	
<u>Fed. Stimulus Grant Fund</u>		<u>\$ 3,841,860</u>	<u>\$ 3,841,860</u>	
Federal Grants	\$ 1,920,930	\$ 843,385		\$ 2,764,315
Capital Outlay	\$ 2,300,000		\$ 843,385	\$ 3,143,385
Fed. Stimulus Grant Fund - Revised		<u>\$ 4,685,245</u>	<u>\$ 4,685,245</u>	
<u>Street Fund</u>		<u>\$ 10,491,935</u>	<u>\$ 10,491,935</u>	
Financing Proceeds	\$ 1,500,000	\$ 683,767		\$ 2,183,767
Capital Outlay	\$ 3,125,000		\$ 683,767	\$ 3,808,767
Street Fund - Revised		<u>\$ 11,175,702</u>	<u>\$ 11,175,702</u>	
<u>Water Fund</u>		<u>\$ 11,361,255</u>	<u>\$ 11,361,255</u>	
Financing Proceeds	\$ 1,500,000	\$ 683,767		\$ 2,183,767
Capital Outlay	\$ 2,845,000		\$ 683,767	\$ 3,528,767
Water Fund - Revised		<u>\$ 12,045,022</u>	<u>\$ 12,045,022</u>	
<u>Stormwater Fund</u>		<u>\$ 5,951,505</u>	<u>\$ 5,951,505</u>	
Financing Proceeds	\$ 1,500,000	\$ 683,766		\$ 2,183,766
Capital Outlay	\$ 2,245,000		\$ 683,766	\$ 2,928,766
Stormwater Fund - Revised		<u>\$ 6,635,271</u>	<u>\$ 6,635,271</u>	

Passed by the Council and signed by me in authentication of its passage this 23rd day of June 2022.

Mayor Hank Williams

ATTEST

Deanna Casey, Recorder

Attachment: RESO Supplemental Budget 21-23 (1555 : Approving a 2021-23 Supplemental Budget)



City of Central Point Staff Report to Council

ISSUE SUMMARY

TO: City Council **DEPARTMENT:** Finance

FROM: Steven Weber, Finance Director

MEETING DATE: June 23, 2022

SUBJECT: Resolution No. _____, A Resolution Electing to Receive State Revenue Sharing Funds for Fiscal Year July 1, 2022 Through June 30, 2023

ACTION REQUIRED: Motion
Public Hearing
Resolution

RECOMMENDATION: Approval

BACKGROUND INFORMATION:

Although the City Council adopted the 2021-23 biennial budget at the June 24, 2021 meeting, certain Oregon Revised Statutes and Local Budget Law require annual certifications.

- ORS 221.770 requires cities to annually pass an ordinance or resolution requesting state revenue sharing money. The law mandates public hearings to be held by the City, certification of these hearings is required.

FINANCIAL ANALYSIS:

For the 2022-23 fiscal year, the corresponding revenue for each of the resolutions are budgeted as follows:

- \$1.892 million in cigarette, liquor and highway taxes
- \$242,420 in state revenue sharing funds
- \$6.421 million in property taxes

LEGAL ANALYSIS:

N/A

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

Strategic Priority - Responsible Governance

GOAL 1 - Maintain a strong financial position that balances the need for adequate service levels and capital requirements against the affordability that is desired by our citizens.

GOAL 2 - Invite Public Trust.

STRATEGY 5 – Communicate effectively and transparently with the public.

STAFF RECOMMENDATION:

- 1) Hold a public hearing for citizens to ask questions or comment on the use of state

revenue sharing funds, and for the purpose of allowing citizens to comment or ask questions about the budget as a whole.

- 2) Approve the resolution as presented.
-

RECOMMENDED MOTION:

I move to approve Resolution No. _____, a resolution electing to receive state revenue sharing funds for fiscal year July 1, 2022 through June 30, 2023

ATTACHMENTS:

1. 2022 State Revenue Sharing

RESOLUTION NO. _____

A RESOLUTION ELECTING TO RECEIVE STATE REVENUE SHARING FUNDS FOR FISCAL YEAR JULY 1, 2022 THROUGH JUNE 30, 2023

Recitals:

The State of Oregon sets forth requirements for eligibility of State Revenue Sharing funds. The City of Central Point has qualified and desires to receive such funds.

Therefore, the City of Central Point resolves as follows:

Section 1. The City hereby elects to receive distribution under ORS 221.770 of the State Revenue Sharing funds.

Section 2. The City hereby certifies as follows:

- A. The City held a public hearing before the Budget Committee on May 3, 2021 at which time citizens had the opportunity to provide written and oral comment to the City Council on the possible uses of State Revenue Sharing funds.
- C. The City held a second public hearing before the City Council on June 24, 2021, at which time citizens had the opportunity to provide written and oral comment and ask questions of the City Council on the proposed use of State Revenue Sharing funds for the biennial budget period of July 1, 2021 through June 30, 2023.
- D. The City levied a property tax for the year proceeding the year in which State Revenue Sharing funds are sought hereunder and pursuant to ORS 471.810.

Section 3. A copy of this resolution shall be filed with the executive department of the State of Oregon prior to July 31, 2022.

Passed by the Council and signed by me in authentication of its passage this 23rd day of June 2022.

Mayor Hank Williams

ATTEST:

City Recorder

Attachment: 2022 State Revenue Sharing (1551 : Electing to Receive State Revenue Sharing Funds)



City of Central Point Staff Report to Council

ISSUE SUMMARY

TO: City Council **DEPARTMENT:** Finance

FROM: Steven Weber, Finance Director

MEETING DATE: June 23, 2022

SUBJECT: Resolution No. _____, A Resolution to Levy Taxes for the Fiscal Year July 1, 2022 Through June 30, 2023

ACTION REQUIRED: Motion Resolution **RECOMMENDATION:** Approval

BACKGROUND INFORMATION:

Although the City Council adopted 2021-23 biennial budget at the June 24, 2021 meeting, certain Oregon statutes and Local Budget law require annual certifications.

- ORS 294.456 requires, in part, to declare the ad valorem property tax amount or rate to be certified to the assessor for either the ensuing year or each year of the ensuing budget period and to itemize the ad valorem property tax amount or rate as required under ORS 310.060

FINANCIAL ANALYSIS:

For the 2022-23 fiscal year the corresponding revenues for each of the resolutions are budgeted as follows:

- \$1.892 million in cigarette, liquor and highway taxes
- \$242,420 in state revenue sharing funds
- \$6.421 million in property taxes

LEGAL ANALYSIS:

N/A

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

Strategic Priority - Responsible Governance

GOAL 1 - Maintain a strong financial position that balances the need for adequate service levels and capital requirements against the affordability that is desired by our citizens.

GOAL 2 - Invite Public Trust.

STRATEGY 5 – Communicate effectively and transparently with the public.

STAFF RECOMMENDATION:

Move to approve the resolution as presented

RECOMMENDED MOTION:

I move to approve Resolution No. _____ a resolution to levy taxes for the fiscal year July 1, 2022 through June 30, 2023

ATTACHMENTS:

1. 2022 Levy Taxes

RESOLUTION NO. _____

A RESOLUTION TO LEVY TAXES FOR THE FISCAL YEAR
JULY 1, 2022 THROUGH JUNE 30, 2023

RECITALS:

- A. Oregon statute (ORS 294.326) requires municipalities to prepare and adopt a financial plan (budget) containing estimates of revenues and expenditures in compliance with Oregon budget laws prior to making expenditures or tax certification.
- B. The City of Central Point changed from an annual to a biennial budget cycle in June, 2015; therefore this coming fiscal year 2022/23 is the second period of the 2021/23 biennial budget.
- C. A public hearing was duly held by the City Council of Central Point, Oregon on June 24, 2021 and the biennial budget was adopted in the amount of \$63,498,670.

The City of Central Point resolves as follows:

To levy taxes for the second period of the biennial budget beginning fiscal year July 1, 2022 and ending June 30, 2023.

Section 1.

As authorized by law and the Charter of the City of Central Point, Oregon, there is hereby levied upon the taxable property of said city as shown on the tax rolls of Jackson County, Oregon, for the fiscal period July 1, 2022 through June 30, 2023, the rate of \$4.47 per \$1,000 of assessed valuation for general government purposes, as follows:

<u>General Government</u>	<u>Subject to</u>	<u>Not Subject to</u>	<u>Total</u>
ASSESSSED LEVY	<u>Measure 5 Limits</u>	<u>Measure 5 Limits</u>	
	\$4.47		\$4.47

Section 2.

The Finance Director is hereby directed to certify to the Assessor of Jackson County, Oregon, the levy of taxes of the City of Central Point, Oregon, and to take all other steps with regard to said budget and levy as required by law.

Passed by the Council and signed by me in authentication of its passage this 23rd Day of June, 2022.

Mayor Hank Williams

ATTEST:

City Recorder

Attachment: 2022 Levy Taxes (1553 : Resolution to Levy Taxes)



City of Central Point Staff Report to Council

ISSUE SUMMARY

TO: City Council **DEPARTMENT:** Finance

FROM: Steven Weber, Finance Director

MEETING DATE: June 23, 2022

SUBJECT: Resolution No. _____, A Resolution Approving Appointments and Adopting General Procedures for Fiscal Year 2022-23

ACTION REQUIRED: Motion Resolution **RECOMMENDATION:** Approval

BACKGROUND INFORMATION:

Each fiscal year the City Council considers a general procedures resolution which appoints specific individuals or firms to represent the City in the capacity of City Attorney, City Engineer, Municipal Judge and Insurance Agent of Record. Furthermore, the general procedures resolution establishes and regulates procedures regarding the following: council expenses; designation of depository; authority to keep, invest, transfer and expend funds; accounting principles; interfund and overhead fees; outstanding checks; capital acquisition; summons, complaints and claim notices.

The attached general procedures resolution recommends no significant changes for fiscal year 2022-23.

FINANCIAL ANALYSIS:

Budgetary appropriations for the contracted services referenced in the 2022-23 general procedures resolution are included in the 2021-23 biennial budget adopted by City Council at the June 24, 2021 meeting. More specifically, these costs are generally contained in individual department budget line items for contracted and professional services. The only exception would be the budget appropriation for insurance premiums which has an individual line item in the inter-departmental section of the General Fund.

LEGAL ANALYSIS:

N/A

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

Strategic Priority - Responsible Governance

GOAL 2 - Invite Public Trust.

STRATEGY 5 – Communicate effectively and transparently with the public.

STAFF RECOMMENDATION:

Move to approve resolution as presented.

RECOMMENDED MOTION:

I move to approve Resolution No. _____ a resolution approving appointments and adopting general procedures for the fiscal year July 1, 2022 through June 30, 2023.

ATTACHMENTS:

1. General Procedures Resolution 2022-2023

RESOLUTION NO. _____

A RESOLUTION APPROVING APPOINTMENTS AND ADOPTING GENERAL PROCEDURES FOR FISCAL YEAR 2022-2023

RECITALS:

- A. The Central Point City Council deems it appropriate to authorize certain appointments and procedures relating to City administration, budget, and fiscal management for fiscal year 2022-2023.

The City of Central Point resolves as follows: For the fiscal year 2022-2023, the following appointments are hereby made; the following policies and procedures are imposed, and the same are hereby adopted:

Section 1. Appointments.

- A. Insurance Agent of Record. Brown & Brown Northwest is hereby appointed to continue as Insurance Agent of Record for the City for property, general liability, vehicle liability, workers compensation and bond insurance through June of 2023.
- B. City Attorney. Sydnee Dreyer of Jarvis, Dreyer, Glatte & Larsen, LLP is hereby appointed to the office of City Attorney and is designated as a sworn officer under the terms of the legal services contract through June 2023.
- C. Municipal Judge. Jackson County Justice of the Peace, Damian Idiart, is hereby appointed as Municipal Court Judge under the terms of the intergovernmental agreement between the City of Central Point and Jackson County through June 2023.
- D. City Engineer. Jeff Ballard with RH2 Engineering Inc. is hereby appointed as City Engineer of the City of Central Point under the terms of the contract through June 2022.

Section 2. Council Expenses.

City Council members may elect to receive compensation of \$150 per month, and the Mayor may elect to receive compensation of \$250 per month. In addition to said compensation, reimbursement may also be made to the Mayor or Council members for actual expenses incurred while on official City business.

Section 3. Designation of Depository.

Any Central Point branch of an FDIC insured bank, the State of Oregon Local Government Investment Pool, and all successors in interest to those institutions are each hereby designated as depositories for City funds, and the Finance Director or designee may deposit monies belonging to the City in any or all of said institutions in accordance with applicable law until further order of the City Council.

Attachment: General Procedures Resolution 2022-2023 (1554 : General Procedures for Fiscal Year 2022-23)

Section 4. Authority to Keep, Invest, Transfer and Expend Funds

- A. The Finance Director or designee is hereby authorized to invest any surplus funds in accordance with ORS 294.035 and ORS 294.810, in such investments as are authorized by said statutes, and to transfer funds from one account to another.
- B. The Finance Director or designee is hereby authorized to establish a petty cash fund with a balance not to exceed \$2,000. The fund may be used to maintain cash drawer change funds and provide for miscellaneous expenditures not to exceed \$100 per transaction; except that upon approval of the City Manager or the Finance Director a maximum expenditure of \$200 per transaction may be made.
- C. The City Manager or designee is authorized to expend funds in accordance with budget appropriations. All revenues received and expenditures incurred by the City in implementing the budget appropriations shall be reported to the Council. Such reports will normally be made on a quarterly basis.

Section 5. Accounting Principles.

The City shall maintain its financial records in accordance with current generally accepted accounting principles, and all applicable laws and regulations.

Section 6. Interfund and Overhead Fees.

Expenditures incurred by one fund for the benefit of another fund may be reimbursed in accordance with acceptable accounting procedures as determined by the Finance Director.

Section 7. Outstanding Checks.

Outstanding checks stale dated will be handled in accordance with the abandoned property provisions under ORS 98.352.

Section 8. Capital Acquisition.

Assets with an initial, individual cost of more than \$5,000 and an estimated useful life in excess of two years shall be capitalized.

Passed by the Council and signed by me in authentication of its passage this 23rd day of _____ June, 2022.

Mayor Hank Williams

ATTEST:

City Recorder



City of Central Point Staff Report to Council

ISSUE SUMMARY

TO: City Council **DEPARTMENT:** Finance

FROM: Steven Weber, Finance Director

MEETING DATE: June 23, 2022

SUBJECT: Resolution No. _____, A Resolution Certifying the Provision of Municipal Services by the City of Central Point, Oregon

ACTION REQUIRED: Motion Resolution **RECOMMENDATION:** Approval

BACKGROUND INFORMATION:

Although the City Council adopted the 2021-23 biennial budget at the June 24, 2021 meeting, certain Oregon statutes and Local Budget Law require annual certifications.

- ORS 221.760 provides that cities located within a county having more than 100,000 inhabitants must provide four or more municipal services to be eligible to receive state shared revenues (cigarette, liquor and highway taxes).

FINANCIAL ANALYSIS:

For the 2022-23 fiscal year the corresponding revenues for each of the resolutions are budgeted as follows:

- \$1.892 million in cigarette, liquor and highway taxes
- \$242,240 in state revenue sharing funds
- \$6.421 million in property taxes

LEGAL ANALYSIS:

N/A

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

Strategic Priority - Responsible Governance

GOAL 1 - Maintain a strong financial position that balances the need for adequate service levels and capital requirements against the affordability that is desired by our citizens.

GOAL 2 - Invite Public Trust.

STRATEGY 5 – Communicate effectively and transparently with the public.

STAFF RECOMMENDATION:

Move to approve resolution as presented

RECOMMENDED MOTION:

I move to approve Resolution No. _____ a resolution certifying the provision of municipal services by the City of Central Point, Oregon.

ATTACHMENTS:

1. 2022 Certifying Services

RESOLUTION NO. _____

A RESOLUTION CERTIFYING THE PROVISION OF MUNICIPAL SERVICES BY THE CITY OF CENTRAL POINT, OREGON

Recitals:

ORS 221.760 provides that for cities located within counties having population over 100,000 to receive state revenues from cigarette, gas and liquor taxes, the State of Oregon must be satisfied that the City provides certain municipal services.

Therefore, the City of Central Point resolves as follows:

That the citizens of Central Point are provided the following services;

- Police protection
- Street construction, maintenance and lighting
- Storm sewers
- Planning, zoning and subdivision control
- Water utilities

Passed by the Council and signed by me in authentication of its passage this 23rd Day of June 2022.

Mayor Hank Williams

ATTEST:

City Recorder

Attachment: 2022 Certifying Services (1552 : Certifying the Provision of Municipal Services)



City of Central Point Staff Report to Council

ISSUE SUMMARY

TO: City Council **DEPARTMENT:** Public Works

FROM: Matt Samitore, Parks and Public Works Director

MEETING DATE: June 23, 2022

SUBJECT: Resolution No. _____, A Resolution Approving Intergovernmental Agreement between the City of Central Point, Oregon and Jackson County, Oregon for the Jurisdictional Transfer of Roads

ACTION REQUIRED: Resolution **RECOMMENDATION:** Not Applicable

BACKGROUND INFORMATION:

City staff has been in active dialogue with Jackson County Roads regarding transferring jurisdiction to many county roads within the City of Central Point that Jackson County currently owns. As funds have become available over the past ten years, the City has consistently added county roads to the City street system. Instead of transferring jurisdiction on a road-by-road basis, City and County staff developed an Intergovernmental Agreement (IGA) to transfer these roads as part of the 21/23 FY Budget. In addition, the IGA sets forth additional prior negotiations between the City and County regarding road improvements and/or cash contributions from Jackson County as a condition of road transfer. Since the last review, the City and County have agreed on a larger share of cash contributions from Jackson County for the Hamrick/Pine Signal Improvements and paving project. The County will now be contributing approximately \$850,000 toward the project. In exchange, the City has agreed to take on a few more local county streets.

The roads subject to the draft IGA are: (See Attachment A)

1. Beebe Road
2. Boes Avenue (Teresa Way - 250' West of Raymond Way)
3. Carlton Avenue (Tulane Avenue - Sunland Avenue)
4. Edella Avenue (Beall Lane - 1630' North)
5. Gebhard Road
6. Hamrick Road
7. Hanley Road (West Pine Street – Beall Lane)
8. Libby Street (Edella Avenue – Bursell Road)
9. Old Upton Road
10. Pittview Avenue (Bursell Road - 1,220' east)
11. Raymond Way (Old Upton Road – 230' North of Boes Avenue)
12. Sunland Avenue (Taylor Road – Tulane Avenue)
13. Taylor Road (200' west of Silver Creek Drive – east intersection with Grant Road)

14. Teresa Way
15. Tulane Avenue
16. West Pine Street (Glenn Way – Hanley Road)

The vast majority of the streets listed 1-15 above are currently maintained by the City; transferring jurisdiction will make city maintenance and urban development easier. Streets 1, 5, and 6 above are all within either existing or planned development and must become the City's as part of existing urbanization agreements. The portion of West Pine to be transferred to the City is eligible for a grant for street improvements that the City obtained in 2017 that has been delayed due to the Twin Creeks Crossing issues, which have now been resolved with additional funding from the MPO. The City must own that section of the road before work is performed per the grant requirements. The City is scheduled to start design during the 21-23 FY Budget, and Construction occurring in 2023-25.

FINANCIAL ANALYSIS. The County will construct pavement treatment for South Hamrick as part of the transfer and contribute a total of \$850,000, which will help offset the ownership costs. South Hamrick was discussed as an urban transfer because of the existing annexations and development, such as USF Reddaway, the Jackson County Justice Center, and the Knife River office. Street Utility Fees are already being generated for these roads.

Beebe Road and Hamrick Roads are starting to get development activity on them. Jackson County has agreed to do a chip seal on the roads when needed, thus deferring maintenance costs until development around them is ongoing. We anticipate the White Hawk Estates' development will help offset expenses during the 21-23 FY budget.

West Pine Street is surrounded by single and multi-family development already generating utility fees. The upgraded road will help defer any significant improvements for ten years.

The remaining roads are local streets that have been recently chip sealed and have a low traffic volume.

LEGAL ANALYSIS: N/A

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

Community Investment, Goal 2, Strategy 2.

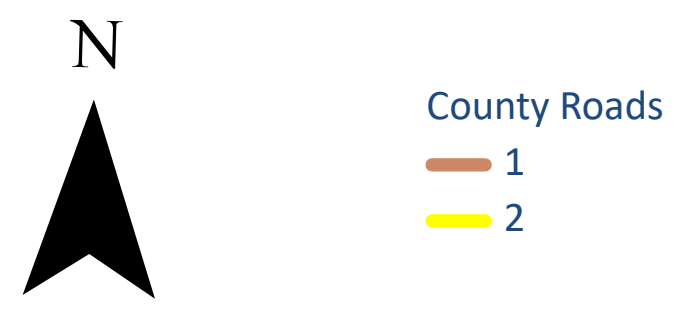
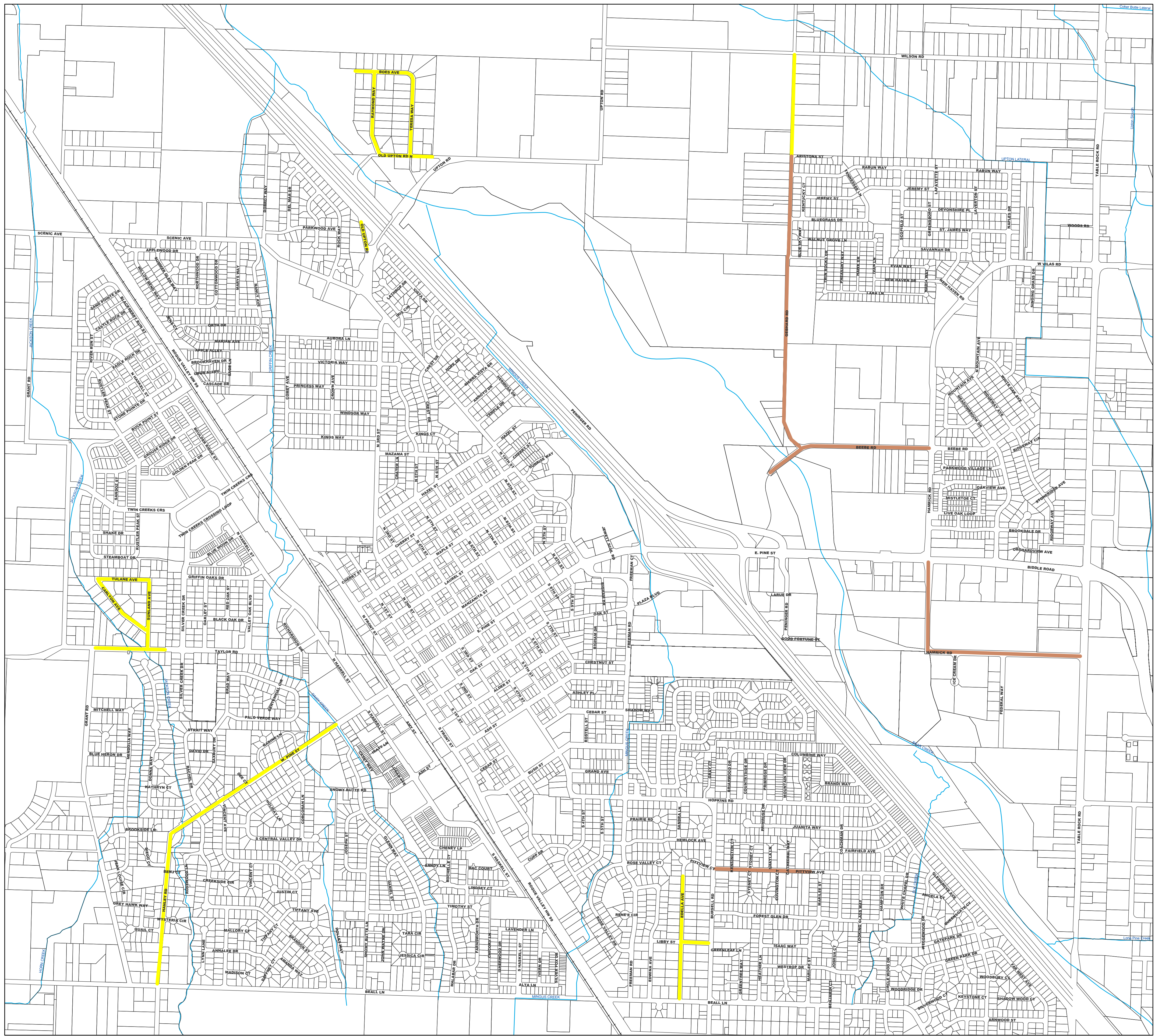
Community Investment Strategy Goal 5, Strategies 3, 4, and 5.

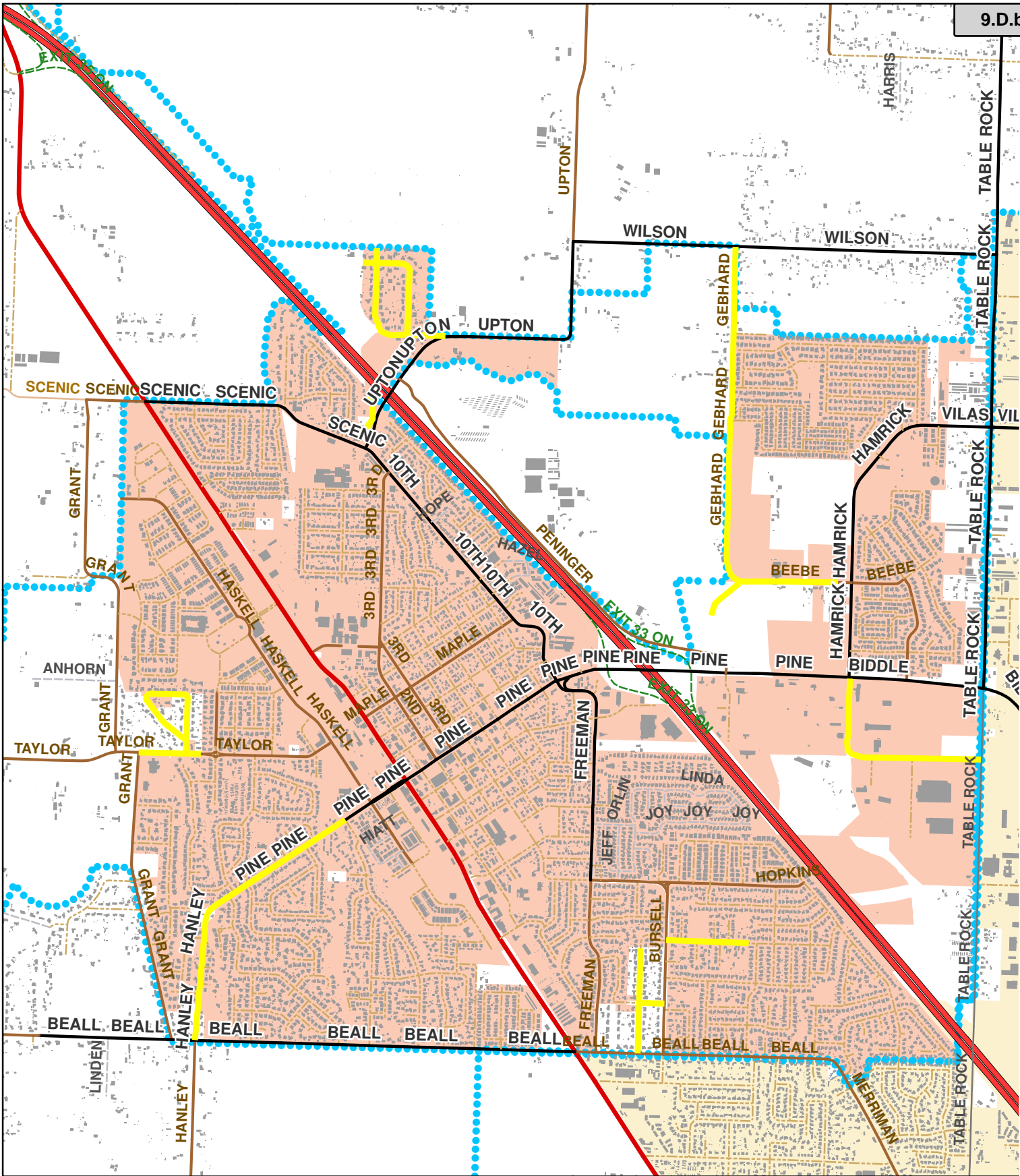
STAFF RECOMMENDATION: Approve Resolution approving the intergovernmental agreement between the City of Central Point, Oregon and Jackson County, Oregon, for the jurisdictional transfer of roads.

RECOMMENDED MOTION: Approve Resolution ___ approving the intergovernmental agreement between the City of Central Point, Oregon and Jackson County, Oregon, for the jurisdictional transfer of roads.

ATTACHMENTS:

1. County Roads
2. CP JX Exhibit B
3. resol_2022 JC road transfers
4. Central Point-County JX IGA local streets FINAL 6-16-2022







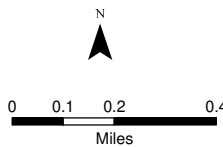
Attachment: CP JX Exhibit B (1559 : Jackson County Intergovernmental Agreement for Road Transfers)

Jackson County/Central Point IGA

Subject Roads Jurisdictional Exchange

Legend

-  Subject Roads
-  Urban Growth Boundary



JACKSON COUN
GIS

This map is based on a digital database compiled Jackson County from a variety of sources. Jackson County cannot accept responsibility for errors, omissions, or positional accuracy. There are no warranties.

RESOLUTION NO. _____

A RESOLUTION APPROVING INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF CENTRAL POINT, OREGON, AND JACKSON COUNTY, OREGON, FOR THE JURISDICTIONAL TRANSFER OF ROADS

RECITALS:

A. WHEREAS, the City and Jackson Count have agreed upon Road Transfers that are within the City Limits and Urban Growth Boundary of Central Point;

B. WHEREAS, as a condition of road transfer the County will contribute \$850,000 towards the Hamrick Road at E. Pine Street signal upgrades; and

C. WHEREAS, as an additional condition of road transfer the County will chip seal Beebe and Gebhard Roads in 2023 FY.

The City of Central Point resolves as follows:

Section 1. The City Council hereby accepts the intergovernmental agreement between the City of Central Point, Oregon and Jackson County, Oregon, for the jurisdictional transfer of roads in substantially the form attached hereto as Exhibit A.

Section 2. The City Manager is hereby authorized to execute the agreement and any related documents necessary to effectuate the agreement.

Section 3. This Resolution shall take effect immediately from and after its passage and approval.

Passed by the Council and signed by me in authentication of its passage this _____ day of _____, 2022.

Mayor Hank Williams

ATTEST:

City Recorder

Resolution No. _____(Council Meeting 6/23/2022)

Attachment: resol_2022 JC road transfers [Revision 1] (1559 : Jackson County Intergovernmental Agreement for Road Transfers)

**INTERGOVERNMENTAL AGREEMENT
BETWEEN THE CITY OF CENTRAL POINT, OREGON, AND JACKSON COUNTY,
OREGON, FOR THE JURISDICTIONAL TRANSFER OF ROADS**

THIS INTERGOVERNMENTAL AGREEMENT (hereinafter "Agreement") is entered into by and between the CITY OF CENTRAL POINT, an Oregon municipal corporation (hereinafter "CITY"), and JACKSON COUNTY, a political subdivision of the State of Oregon (hereinafter "COUNTY"), collectively referenced herein as the PARTIES, for the jurisdictional exchange of COUNTY roads within the CITY.

WHEREAS, the COUNTY presently has jurisdiction over COUNTY maintained roads that are within the corporate limits, or Urban Growth Boundary of the CITY, hereinafter "Subject Roads," as defined below and as shown in Exhibit B; and

WHEREAS, the COUNTY will provide improvements to the intersection of Hamrick Road and Biddle Road, as shown in Exhibit A, hereinafter "PROJECT"; and

WHEREAS, the CITY shall provide the COUNTY \$500,000 as financial assistance towards the PROJECT; and

WHEREAS, the COUNTY will provide asphalt repairs and a chip seal on portions of Gebhard and Beebe Roads; and

WHEREAS, the CITY has an ongoing street maintenance and improvement program for Subject Roads; and

WHEREAS, the PARTIES desire to exchange road jurisdiction of Subject Roads under the jurisdiction of the COUNTY within the corporate limit, or Urban Growth Boundary of the CITY as provided below; and

WHEREAS, the CITY and COUNTY are authorized to enter into such an agreement pursuant to Chapter 190 of the Oregon Revised Statutes.

DEFINITIONS

"Subject Roads" is defined and described as all land within the public right of way boundaries of the roads as follows:

- i. Beebe Road
- ii. Boes Avenue (Teresa Way - 250' West of Raymond Way)
- iii. Carlton Avenue (Tulane Avenue - Sunland Avenue)
- iv. Edella Avenue (Beall Lane - 1630' North)
- v. Gebhard Road
- vi. Hamrick Road
- vii. Hanley Road (West Pine Street – Beall Lane)
- viii. Libby Street (Edella Avenue – Bursell Road)

- ix. Old Upton Road
- x. Pittview Avenue (Bursell Road - 1,220' east)
- xi. Raymond Way (Old Upton Road – 230' North of Boes Avenue)
- xii. Sunland Avenue (Taylor Road – Tulane Avenue)
- xiii. Taylor Road (200' west of Silver Creek Drive – east intersection with Grant Road)
- xiv. Teresa Way
- xv. Tulane Avenue
- xvi. West Pine Street (Glenn Way – Hanley Road)

AGREEMENT

NOW, THEREFORE, in consideration of the obligations, terms and conditions contained herein, it is mutually agreed by the CITY and COUNTY as follows:

1. CITY OBLIGATIONS

- A. Within 30 calendar days of the Effective Date of this Agreement, the CITY shall consider passage of appropriate municipal legislation (as described in ORS 373.270(6)(a)) requesting that the COUNTY surrender all right, title, interest, jurisdiction, maintenance, and control of the Subject Roads to the CITY. The CITY may place conditions on this request as set forth in Subsection 2.A. of this Agreement.
- B. Within 30 days of the COUNTY issuance of a Notice to Proceed to a licensed contractor for the PROJECT, CITY shall make a one-time payment of \$500,000 to the COUNTY.
- C. CITY shall provide all construction management services for the PROJECT, including, but not limited to project inspection, submittal reviews, interagency coordination and review and approval of progress payments.

2. COUNTY OBLIGATIONS

- A. Within 30 days of the Effective Date of this Agreement, COUNTY shall execute a contract with a licensed contractor for the PROJECT. Such contract shall include provisions requiring the contractor to name both City and County as additional insured and shall contain provisions requiring said licensed contractor to indemnify both CITY and COUNTY.
- B. The COUNTY will provide asphalt repairs and a chip seal on Gebhard and Beebe Roads from Aristona Drive to 1,400' north of the Beebe/Gebhard prior to December 31, 2022.
- C. Within 90 days of receipt of appropriate municipal legislation (as described in ORS 373.270(6)(a)) requesting the surrender of all right, title, interest, jurisdiction, maintenance, and control of the Subject Roads, the COUNTY shall provide notice and hold a public hearing to consider the request as described in ORS 373.270.
- D. If following the public hearing as required in subsection 2.C. of this Agreement, the COUNTY determines to surrender jurisdiction as requested, COUNTY shall adopt an Order surrendering jurisdiction. After passage of order, the COUNTY shall have no

further obligation, financial, or otherwise, with regard to the Subject Roads.
 E. COUNTY agrees to furnish any and all maps, records, permits, as-built drawings and any other related data in COUNTY's possession upon adoption of the Order described in Subsection 2.D. of this Agreement.

3. EFFECTIVE DATE. This Agreement shall become effective upon its execution by both Parties. If the Parties sign on separate dates, the latter date shall become the Effective Date.

4. GENERAL PROVISIONS

A. Indemnification. Unless prohibited by the Oregon Tort Claims Act or the Oregon Constitution, and subject to the limits of the Oregon Tort Claims Act, the PARTIES shall indemnify and hold harmless each other as follows:

i. Indemnification by City. The CITY shall defend, indemnify and hold harmless the COUNTY, its elected officials, officers, deputies, employees and agents from any and all costs, claims, judgments or awards of damages resulting from claims concerning acts or omissions of the CITY, its officers, employees, elected officials, or agents acting under this Agreement.

ii. Indemnification by County. The COUNTY shall defend, indemnify and hold harmless the CITY, its elected officials, officers, deputies, employees and agents from any and all costs, claims, judgments or awards of damages resulting from claims concerning acts or omissions of the COUNTY, its officers, employees, elected officials, or agents acting under this Agreement.

B. Amendments. This Agreement may be amended at any time by the mutual written agreement of both the CITY and the COUNTY.

C. Entire Agreement. This Agreement contains the complete understanding of the parties with respect to the subject matter hereof. Any prior agreements, promises, negotiations, or representations of or between the parties, either oral or written, relating to the subject matter of this Agreement, which are not expressly set forth in this Agreement, are null and void and of no further force or effect.

D. Waiver. The waiver by either party of a breach or violation of any provision of this Agreement shall not operate or be construed as a waiver of any subsequent breach thereof. No delay or failure to require performance of any provision of this Agreement shall constitute a waiver of that provision as to that or any other instance.

E. Severability. If any of the provisions contained in this Agreement are held illegal, invalid, or unenforceable by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

F. Counterparts. This Agreement may be executed in several counterparts, all of which when

taken together shall constitute one agreement binding on all Parties, notwithstanding that all Parties are not signatories to the same counterpart. Each copy of this Agreement so executed shall constitute an original.

G. Debt Limitation. This Agreement is expressly subject to the debt limitation of the Oregon counties set forth in Article XI, Section 10, of the Oregon Constitution, and is contingent upon funds being appropriated therefore.

H. Termination for Breach. This Agreement may be terminated in the event of a breach of the Agreement by any party. Prior to such termination the party seeking termination shall give to the other party written notice of the breach and intent to terminate. If the party committing the breach has not entirely cured the breach within fifteen (15) calendar days of the date of notice, or within such period as the party giving notice may authorize or require, then the Agreement may be terminated at any time thereafter by a written notice of termination by the party giving notice. The rights and remedies of the parties provided in this subsection are not exclusive and are in addition to any other rights and remedies provided by law or under this Agreement.

I. Notice. Any notice to another party of this Agreement that is required or permitted under this Agreement is deemed received by the other party: three (3) days after deposited in the United States mail, certified and postage paid, and addressed to the address set forth below or to such other address as may be specified from time to time by either of the parties in writing, or upon the actual date of personal delivery or service.

If to Jackson County:

Jackson County – County Administrator
10 South Oakdale, Room 214
Jackson County, Oregon 97501

If to the City of Central Point:

City of Central Point- City Manager
140 South Third Street
Central Point, Oregon 97520

IN WITNESS WHEREOF the parties have caused this Agreement to be signed in their respective names by their duly authorized representatives as of the dates set forth below.

CITY OF CENTRAL POINT:

JACKSON COUNTY:

Chris Clayton, City Manager

Danny Jordan, County Administrator

Date: _____

Date: _____

Attachment: Central Point-County JX IGA local streets FINAL 6-16-2022 (1559 : Jackson County Intergovernmental Agreement for Road



City of Central Point Staff Report to Council

ISSUE SUMMARY

TO:	City Council	DEPARTMENT:	Community Development
FROM:	Stephanie Holtey, Planning Director		
MEETING DATE:	June 23, 2022		
SUBJECT:	Planning Commission Report		
ACTION REQUIRED:	Information/Direction	RECOMMENDATION:	Not Applicable

The Central Point Planning Commission met at their regular meeting on June 7, 2022. There was one (1) item on the agenda for a continued public hearing to consider text amendments adding CPMC 5.44, Mobile Food Businesses and making corresponding changes in Title 17, Zoning.

MOBILE FOOD BUSINESS CODE AMENDMENTS:

The Planning Commission continued a duly noticed public hearing and considered proposed code amendments to expand opportunities for mobile food businesses in the City. The proposed changes include application requirements and standards governing the location and operation of various mobile food business types. After hearing the staff report and receiving no public testimony, the Planning Commission voted unanimously to recommend approval of the proposed amendments to the City Council.

MISCELLANEOUS UPDATES:

The Planning Commission will receive a training in the next few months to review public hearing procedures. At that time, they will have the opportunity to ask the City Attorney any legal or procedural questions that may have come up during the course of recent meetings.

The City received two (2) Site Plan and Architectural Review applications that are being reviewed using Type II (Administrative) procedures. The applications include:

- Columbia Care Facility Remodel. This is an existing facility located at the intersection of Manzanita and North 6th Street that will be repurposed as a residential care facility.
- Scenic Middle School Classroom Addition. This project is Phase 2 of improvements to Scenic Middle School providing additional classroom space.

Due to the 4th of July holiday and the lack of agenda items, the July Planning Commission has been cancelled. The next meeting will be on August 2, 2022.



City of Central Point Staff Report to Council

ISSUE SUMMARY

TO:	City Council	DEPARTMENT:	Public Works
FROM:	Matt Samitore, Parks and Public Works Director		
MEETING DATE:	June 23, 2022		
SUBJECT:	Hamrick/Pine Signal Project update		
ACTION REQUIRED:	Resolution Information/Direction	RECOMMENDATION:	Approval

BACKGROUND INFORMATION:

The City conducted a bid letting procedure for the Hamrick Road at E. Pine Street Signal project. This joint project includes adding a southbound right turn lane as well a protected northbound left turn lane. Additionally South Hamrick from the intersection through the curve will also be repaved. This is a primary access to Costco and a wide variety of Industrial users.

The engineer's estimate was \$850,000 to \$1,000,000. The City only received one qualified bid from Knife River Materials for \$1,345,614.00.

The City did not have the funds to pay for the project in its entirety and informed Jackson County. After negotiations the City agreed to take ownership of some remaining County roads within the City in exchange for Jackson County taking a larger portion of the project financially. The County has agreed to pay \$845,614.

FINANCIAL ANALYSIS:

The project was budgeted in the 2021/23 Street Fund and Development Commission for \$850,000. Based on the agreement with Jackson County, the City is now contributing \$500,000 towards the project, which will primarily be paid for by the Development Commission.

LEGAL ANALYSIS:

The City of Central Point public contracts/bidding is governed by Oregon Revised Statute (ORS) Chapter 279 and Central Point Municipal Code (CPMC) Chapter 2.40.

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

Community Investment; Goal 5 – Plan, design, and construct modern and efficient infrastructure in all areas and systems. Strategies 3 and 4.

STAFF RECOMMENDATION: Update only
