

**CITY OF CENTRAL POINT
City Council Meeting Agenda
January 12, 2012**

Next Res. 1320
Next Ord. No. 1954

**Central Point
City Hall
664-3321**

City Council

Mayor
Hank Williams

Ward I
Bruce Dingler

Ward II
Kelly Geiger

Ward III
Ellie George

Ward IV
Allen Broderick

At Large
Carol Fischer
Kay Harrison

Administration

Phil Messina, City
Manager
Chris Clayton, Assistant
City Manager
Deanna Casey, City
Recorder

**Community
Development
Department**

Tom Humphrey, Director

Finance Department

Bev Adams, Director

Human Resources

Barb Robson, Director

**Parks and Public Works
Department**

Matt Samitore, Director
Jennifer Boardman,
Manager

Police Department

Jon Zeliff, Chief

I. REGULAR MEETING CALLED TO ORDER – 7:00 P.M.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. SPECIAL RECOGNITION

V. PUBLIC APPEARANCES

VI. CONSENT AGENDA

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| Pg. 2 - 8 | A. | Approval of December 8, 2012, City Council Minutes |
| 9 - 10 | B. | Approval of 2012 Committee Re-appointments |
| 11 | C. | Fire Service Appreciation Day Proclamation |
| 12 - 15 | D. | Safety Committee Annual Report |
| 16 | E. | Approval to change January Council Meetings |
| 17 - 18 | F. | Approval of Technical Services Surplus List |

VII. ITEMS REMOVED FROM CONSENT AGENDA

VIII. PUBLIC HEARING, ORDINANCES, AND RESOLUTIONS

- | | | |
|---------|----|--|
| 20 - 22 | A. | First Reading - An Ordinance Amending Chapter 2.02 of the Central Point Municipal Code to Provide for Council Liaisons for Each City Commission and Committee and to Count Such Liaison for Quorum Purposes (Samitore) |
| 24 - 25 | B. | Resolution No. _____, A Resolution Authorizing Signatures for Banking Services on Behalf of the City of Central Point (Adams) |

- 27 - 32 C. Resolution No. _____, A Resolution Setting a Public Hearing and Initiating proceeding to annex public street right-of-ways within the Proposed Urban Renewal Boundary (Humphrey)
- 34 - 37 D. Resolution No. _____, A Resolution Adopting General Procedures for Fiscal Year 2011-2012 (Clayton)
- 39 - 52 E. Resolution No. _____, A Resolution Adopting the Intergovernmental Agreement implementing the School Excise Tax with Medford School District 549C (Samitore)

IX. BUSINESS

- 54 A. Council President Appointment (Williams)
- 56 - 58 B. Arts Commission Appointment (Williams)

X. MAYOR'S REPORT

XI. CITY MANAGER'S REPORT

XII. COUNCIL REPORTS

XIII. DEPARTMENT REPORTS

XIV. EXECUTIVE SESSION

The City Council may 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.

XV. ADJOURNMENT

Consent Agenda

CITY OF CENTRAL POINT
City Council Meeting Minutes
December 8, 2011

I. REGULAR MEETING CALLED TO ORDER

Mayor Williams called the meeting to order at 7:00 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL: Mayor: Hank Williams

Council Members: Allen Broderick, Bruce Dingler, Carol Fischer, Kelly Geiger, and Ellie George were present. Kay Harrison was excused.

City Manager Phil Messina; City Attorney Paul Nolte; Police Chief Jon Zeliff; Community Development Director Tom Humphrey; Parks and Public Works Director Matt Samitore; Assistant City Manager Chris Clayton; Finance Director Bev Adams, Human Resource Manager Barb Robson, and City Recorder Deanna Casey were also present.

IV. SPECIAL PRESENTATION – Airport Master Plan

Airport Director Bern Case introduced Bob Burnard and Peter VanPelt. These gentlemen have been consultants on the long process of updating the Airport Master Plan.

Mr. VanPelt explained the planning process for the Airport Master Plan. They held public meetings to create a 20 year plan. The aviation forecast for 2010-2030 explains future growth areas on the east side and all runways will be north to south. There may be some land acquisition on the east side, and they will need to work with the State to relocate Upton Creek taking into account all the environmental issues. This is not a commitment of funds, construction will only proceed when there is the demand to expand. Currently the airport is sound financially.

There was discussion of the possible increase in flights and carriers. The airport can handle just about any size of aircraft.

V. PUBLIC APPEARANCES

County Commissioner Don Skundrick wanted to wish council and staff a Merry Christmas. He explained that one of his goals as a County Commissioner was to make sure he kept in touch with all the jurisdictions. This goal has been popular with all the Commissioners and they would like to be involved. After the first of the year Commissioner Rachor will be the liaison for the City of Central Point. He will occasionally attend the City meetings and keep informed of important aspects that could involve partnerships with the County and City.

Mayor Williams stated that it has been a pleasure to have Commissioner Skundrick attending our meetings and he is welcome back any time.

VI. CONSENT AGENDA

A. Approval of November 10, 2011, City Council Minutes

B. Approval of Street Closures for Community Christmas

Allen Broderick made a motion to approve the Consent Agenda as presented. Kelly Geiger seconded. Roll call: Allen Broderick, yes, Bruce Dingler, yes; Kelly Geiger, yes; Carol Fischer, yes; Hank Williams, yes; and Ellie George, yes. Motion approved.

VII. ITEMS REMOVED FROM CONSENT AGENDA - None

VIII. BUSINESS

A. Comprehensive Annual Financial Report

Finance Director Bev Adams introduced Chris Dye from Johannsen, Dye & Purkeypile, CPA. Mr. Dye stated that the City has received a clean audit opinion, and there were no control deficiencies to report. He provided a letter to the council describing what was done during the audit. A single audit was issued because of federal grant money received for the reservoir. A few extra steps were taken because of the use of federal funds.

Bruce Dingler made a motion to accept the Audit Report for 2010 – 2011 as presented. Kelly Geiger seconded. Roll call: Allen Broderick, yes, Bruce Dingler, yes; Kelly Geiger, yes; Carol Fischer, yes; Hank Williams, yes; and Ellie George, yes. Motion approved.

B. Planning Commission Report

Community Development Director Tom Humphrey provided the Planning Commission Report for December 6, 2011:

- Urban renewal plan and recommendation to City Council. The State statute directs Planning Commissions to review Urban Renewal Plans and reports before acted upon by the governing body. At their meeting in November the City Council asked staff to present a plan to the Commission. After considering a draft urban renewal plan the Downtown and East Pine Street Corridor Revitalization Report, the Commission recommended approval to the City Council. Two commissioners were absent and no one from the public spoke either in opposition to or in favor of the plan.
- Regional problem solving plan status. As a miscellaneous business item, the Planning Commission was informed that the Jackson County Board of Commissioners (BOC) approved the Regional Plan and has submitted it to the Department of the Land Conservation and Development (DLCDD) for review. The Department intends to present the Plan and their recommended changes to the Land Conservation and Development Commission at their March 2012 meeting. No decision is expected at that time. Each City will consequently prepare and consider individual Regional Plan Elements as part of their Comprehensive Plan Amendment Process. These elements are expected to be approved and sent to DLCDD in the fall of 2012.

There was discussion regarding the Urban Renewal Projects and a few changes that have been made. The Development Commission will have opportunity to review the projects in deeper detail at their January meeting.

Bruce Dingler made a motion to accept the Planning Commission Report for December 6, 2011 as presented. Roll call: Allen Broderick, yes, Bruce Dingler, yes; Kelly Geiger, yes; Carol Fischer, yes; Hank Williams, yes; and Ellie George, yes. Motion approved.

IV. PUBLIC HEARINGS, ORDINANCES AND RESOLUTIONS

A. Resolution No. 1316, A Resolution to Approve a City of Central Point Municipal Court Amnesty Program

Finance Director Bev Adams stated that the Court Clerk would like to once again implement a Municipal Court Amnesty Program beginning January 1, 2012 through April 30, 2012. The purpose of the program is benefit to both the citizens and the City. This program encourages citizens to pay their fines and therefore reinstate their driving licenses, it reduces outstanding court cases that have been turned over for collection, and allows the city to collect revenues that we may otherwise never receive.

We will offer assistance to court customers giving them the opportunity to clear up old debts allowing the issuance of driver's licenses. Any citizen paying an outstanding assessment in full will receive a 25% discount on the fine being paid and 50% discount on the interest assessed in cases with suspension and/or collection action against them.

Ellie George made a motion to approve Resolution No. 1316, Approving a City of Central Point Municipal Court Amnesty Program. Carol Fischer seconded. Roll call: Allen Broderick, yes, Bruce Dingler, yes; Kelly Geiger, yes; Carol Fischer, yes; Hank Williams, yes; and Ellie George, yes. Motion approved.

B. Resolution No. 1317, A Resolution Ratifying the Police Collective Bargaining Letter of Agreement and Resulting Collective Bargaining Agreement.

Human Resource Director Barb Robson stated that the Police Bargaining Union Agreement expired June 30, 2010. At that time the City and Union agreed to an eighteen-month extension to the bargaining agreement with a new expiration date of December 31, 2011 but with a provision for a wage reopener in July 2011. A letter of agreement detailing the agreements was ratified by the Union on November 8, 2011.

Staff recommends ratifying the bargained letter of agreement. The terms include: the collective bargaining agreement is extended through June 30, 2013; the salary schedule is increased by 3% retroactive to July 1, 2011; language changes consistent with the reorganized department structure; revised language to address shift scheduling parameters; a COLA on July 1, 2012 based on the CPI-W with a 1% minimum and a 5% maximum; and the Union agrees to withdraw the three pending grievances regarding the reorganization of the police department.

Allen Broderick made a motion to approve Resolution No. 1317, A Resolution Ratifying the Police Collective Bargaining Letter of Agreement and Resulting Collective Bargaining Agreement. Bruce Dingler seconded. Roll call: Allen Broderick, yes, Bruce Dingler, yes; Kelly Geiger, yes; Carol Fischer, yes; Hank Williams, yes; and Ellie George, yes. Motion approved.

C. Resolution No. 1318, Revising the Classification Pay Plan

Mrs. Robson stated that the proposed revised pay plan reflects changes resulting from negotiated collective bargaining agreements. Normally this resolution would be before the Council with the Budget Approval documents but she held the final approval until both Bargaining Agreements were approved.

Part A of the pay plan reflects the 1% increase in the General Service Bargaining Union ratified by the Council in August, 2011. Part B of the plan reflects a 3% increase approved by the previous resolution. This section also reflects the moving of the IT Specialist position from the Police Bargaining Union into the General Service Bargaining Unit. Part C of the plan is the exempt, Non-Bargaining Unit, Management Positions. This section reflects no change in salaries. The IT Manager position was added by the Council in July and the Classification title for the Assistant City Manager was updated.

Bruce Dingler made a motion to approve Resolution No. 1318, Revising the Classification Pay Plan. Carol Fischer seconded. Roll call: Allen Broderick, yes; Bruce Dingler, yes; Kelly Geiger, yes; Carol Fischer, yes; Hank Williams, yes; and Ellie George, yes. Motion approved.

D. Resolution No. 1319, A Resolution Approving an Electric Utility Franchise Agreement Between the City of Central Point and PacifiCorp

Assistant City Manager Chris Clayton explained that the existing Utility Franchise Agreement between the City and PacifiCorp is scheduled to expire at the end of 2011. The City has been working with PacifiCorp and have negotiated numerous agreement revisions including: a definition of public ways; 10 year agreement term; updated standard language; electronic mapping requirements; ability to increase compensation with 60 day notice; utility permitting requirements and other various updates.

Currently the Franchise Agreement sets the City's compensation at 5% of PacifiCorp's gross revenue collected within the City's incorporated limits. Many cities in the State have increased that compensation to 7%. Staff and PacifiCorp recommend the Council consider a 2% increase in the franchise fee. An Increase of 2% would:

- Provide \$249,570 of possible revenue for capital projects.
- offset current streetlight electrical generation costs of \$145,000 annually.
- allow for an additional \$145,000 in annual street fund capital expenditures.
- Allow the Budget Committee to allocate the remaining \$104,570 to projects outlined in the 2012 budget process.
- Allow the offset of street electrical generation costs by reducing existing budgetary pressure on the street fund mitigating the need for a street utility fee increase over the next 2-3 budget cycles.
- minimize the need for a property tax rate increase in the immediate future.

There was discussion regarding the possible projects that could be done with the 2% increase. The budget committee would be responsible for allocating the additional funds during the normal budget process. Some of the Council are concerned that this was a back door approach to increasing fees on the citizens. They would like to make sure there are no other areas in the General Fund that could be allocated to pay for the street lights and therefore allowing that

money to be directed toward street projects. Staff assured the Council that there has been no fluff in the budget for several years.

Mr. Clayton explained that by allocating franchise fees to the General Fund it can be used for a variety of things including street utility issues. If the money is allocated strictly to the street utility fund it can only be used for street fund projects. The General Fund can cover all funds in the city budget, but designated fund balances cannot be used for other funds. It is the best use of our money to designate franchise fees to the general fund and then allocate it where it is needed the most. Several Council members would prefer to have the 2% increase on the franchise agreement instead of increasing the street utility fee in the near future.

Mr. Samitore explained the difficulty of getting grants for street projects without the money to match those grants. In most cases cities are required to put up some amount of money when they receive grants. If we do not have an increase in the franchise fee or increase in the street utility fee projects will be set aside indefinitely.

Bruce Dingler made a motion to approve A Resolution Approving an Electric Utility Franchise Agreement Between the City of Central Point and PacifiCorp with a 2% Franchise Fee increase. Carol Fischer seconded. Roll call: Allen Broderick, no; Bruce Dingler, yes; Kelly Geiger, no; Carol Fischer, yes; Hank Williams, yes; and Ellie George, no. Motion failed.

There was discussion regarding a 1% increase that would be designated to be used in the street fund to help pay for the street light power bill. Several Council members are uncomfortable increasing any type of fee on the citizens at this time because the economy is so bad. Mr. Clayton explained that a 1% increase should cover the street light bill and provide a little extra for street projects. Staff may return in a few months if this is not enough to cover all the grant money that is already promised for matches. The option at that time could be to increase this fee another 1%, or increase the Street Utility fee.

Ellie George made a motion to approve Resolution No. 1319, A Resolution Approving an Electric Utility Franchise Agreement Between the City of Central Point and PacifiCorp with a 1% Franchise Fee Increase to be dedicated to the Street Fund. Allen Broderick seconded. Roll call: Allen Broderick, yes, Bruce Dingler, no; Kelly Geiger, yes; Carol Fischer, no; Hank Williams, yes; and Ellie George, yes. Motion passed.

X. MAYOR'S REPORT

Mayor Williams reported that:

- He attended two Medford Water Commission meetings where they discussed the base rate for the City of Medford.
- He did a ride along with Lt. Day and was amazed at the electronics they have in their cars. He felt that everything was a team effort and not the city against the citizens.
- He was a judge for the Providence Festival of Trees.
- He attended an LOC Ethics training in Jacksonville.
- He attended the Council Commissioners meeting on RPS.

XI. CITY MANAGER'S REPORT

City Manager Phil Messina reported that:

- Attended a SOREDI meeting on Tuesday, he is seeing some improvement in their attempts to attract businesses to the valley.
- There will be a Council Work Session on January 28th.
- He attended a regional public managers meeting.

XII. COUNCIL REPORTS

Council Member Allen Broderick stated that he attended the Parks and Recreation Foundation Meeting and the Arts Commission meeting. Neither of the meetings had enough members to have a quorum. It is becoming very important to change the city code so that these committees can conduct business.

Council Member Kelly Geiger reported that he attended a meeting with Mr. Clayton regarding the franchise agreement.

Council Member Bruce Dingler reported that he attended the Veterans Day Memorial Service at Don Jones Park.

Council Member Carol Fischer reported that she attended the School District Desert Auction.

Council Member Ellie George reported that she attended a Community Center Meeting.

XIII. DEPARTMENT REPORTS

Assistant City Manager Chris Clayton reported that:

- The funding for Freeman Road has been approved. They will begin with the right-of-way acquisition soon.
- There will be opportunity for public/private partnerships with the possible construction of a Community Center. Staff will bring forward a change to the purchasing policy in order to allow work that will be associated with a community center.
- There will be an Urban Renewal meeting on January 26th to discuss the UR project list. There will also be a Study Session that night instead of a Council meeting.
- He attended a Medford Water Commission where they discussed regional water conservation.

Parks and Public Works Director Matt Samitore reported that:

- Tomorrow night is the Community Christmas celebration. Staff is trying to scale the event back to be a local event rather than a regional event.
- There have been several meetings on the Community Center. The funding source is still not finalized. Representative Richardson would like to have three funding recommendations for the community center. There will be traffic impact analysis for all three sites.
- They have poured the final floor section for the reservoir and should begin installing the walls next week.
- They held a kick off meeting for the Hwy 99 Streetscape project. The city will need to acquire easements and dedications for the plan to work.

Community Development Director Tom Humphrey reported that he is working with Micro-velum to provide office and work space for additional software companies that may be interested in locating in our area.

XIV. EXECUTIVE SESSION - None

XV. ADJOURNMENT

Bruce Dingle moved to adjourn, Carol Fischer seconded, all said "aye" and the Council Meeting was adjourned at 8:52 p.m.

The foregoing minutes of the December 9, 2011, Council meeting were approved by the City Council at its meeting of January 12, 2012.

Mayor Hank Williams

ATTEST:

City Recorder

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TO: Honorable Mayor and City Council
FROM: City Recorder Deanna Casey
SUBJECT: 2012 Committee Re-appointments
DATE: 1/12/2012

It is time to reappoint members and a chairperson of various committees. This consent agenda item is only for re-appointments. New appointments will be discussed during regular business.

Planning Commission

The terms for Patricia Beck and Connie Moczygamba expired December 31, 2012. Staff has received word from both ladies that they will not seek reappointment to the Commission at this time. Staff has begun the recruitment to fill these two vacancies. Connie Moczygamba was the Chair of the Commission for the past few years. Chuck Piland has agreed to be Chairperson.

Current members are: Chuck Piland Justin Hurley Mike Oliver
Richard Samuelson Tim Schmeusser

Staff recommends appointing Chuck Piland as Planning Commission Chairperson.

Citizens Advisory Committee

The Citizens Advisory Committee currently has a full membership. There is no established term of office for those serving on this committee. Herb Farber has been acting chair since 2009.

Current members are: Larry Martin Herb Farber Jeff Pfeifer David Painter
Sam Inkley Eric Snyder Wade Six

Staff recommends re-appointment of Herb Farber as Citizen Advisory Committee Chairperson.

Park and Recreation Commission

There are currently six members on the Park and Recreation Commission. The position for David Douglas expired December 31, 2011 and staff has begun recruitment to fill this vacancy. Kerry Bradshaw is currently the chair and Patricia Alvarez is vice- chair.

Current members are: Patricia Alvarez John Beck Kerry Bradshaw
Deven Howard Mark Ludwiczak Neil Olsen

Staff recommends reappointment Kerry Bradshaw as Chairperson.

Arts Commission

There are three positions that have expired on the Arts Commission, Robert Reid, Steven Lang, and Charles Brotherton.

Current members are: Kent Brown Louis Colosimo Lauren Immonen

Staff recommends reappointment of Robert Reid, Steven Lang, and Charles Brotherton with terms expiring December 31, 2014 and _____ as Chairperson.

Multicultural Committee

This is a seven member committee with three year terms. The position for Amy Sweet expired December 31, 2011. Staff is advertising for new committee members. This committee appoints their own Chairperson and Fran Cordeiro-Settell is acting chair.

Current members are: Fran Cordeiro-Settell Christina Garrett Jill Gregg

Staff recommends reappointment of Amy Sweet to the Multicultural Committee with a term expiring December 31, 2014.

Budget Committee

There are two positions on the Budget Committee that expired December 31, 2011. The positions held by Jason Lukaszewicz and Karen Huckins need to be reappointed. Staff has contacted both Mr. Lukaszewicz and Mrs. Huckins and they are interested in serving another term on this committee.

Current committee members are: Bill Stults Steven Weber Randy Sparacino
Scott Dippel Michael Quilty

Staff recommends reappointment of Jason Lukaszewicz and Karen Huckins with terms to expire December 31, 2014.

Recommended Action:

Approve Consent Agenda as presented.

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Proclamation

WHEREAS, firefighters save lives and property; and

WHEREAS, firefighters risk their safety and well-being in the course of their duties; and

WHEREAS, firefighters are the unsung heroes in fire prevention; and

WHEREAS, firefighters provide education and public information working behind the scenes; and

WHEREAS, January 27th is significant as the first fire company in the U.S. was organized in Boston in 1678;

NOW, THEREFORE, we the Council for the City of Central Point, Oregon, do hereby declare that the city of Central Point recognizes January 27, 2012 as:

Fire Service Appreciation Day.

IN WITNESS WHEREOF, I hereby set my hand this 12th day of January, 2012.

Mayor Hank Williams
City of Central Point



CITY OF CENTRAL POINT

SAFETY COMMITTEE

Chairperson

Rick Bartlett

Recorder

Clarice Johnson

Finance

• • •

Safety Committee

Matt Yeazel

Deputy Chair

Public Works

Annual Report to Administration

It is with great pride that we are able to report to the City's Administration that the City's Safety Committee achieved several major accomplishments during 2011. Of the tasks that we either inherited from the previous year, or initiated in this current committee, the Emergency Action Plan was probably the most challenging and complex. There were good, meaningful discussions and all SC members acted professionally, keeping a keen focus on getting the project written, practiced in multiple tabletop exercises, then finalized. This project is completed due to the efforts of not only the current SC members, but efforts of the 2010 Safety Committee members as well.

Here are a few of the activities that your Safety Committee was engaged in throughout 2011:

Safety/Health Recommendations made to Administration by the Safety Committee

Bobbie Pomeroy

Police

Sarah Garceau

Parks

Corey Qualls

Parks

Greg Graves

Construction Field

Inspector

Barbara Robson

Administration

- A recommendation by your Safety Committee was made for a more detectable, audible fire alarm that could be heard even from a restroom, or anywhere else in any of the City Hall campus buildings, in case of an evacuation of the buildings was necessary. The recommendation was approved and a good system is now in place with some expansion left to do at a later time. During the test after completion of the primary phase of the project, the alarms were easily heard, with the approval of many staff members.
- By interviewing and collective safety concerns, it was determined by the Safety Committee that employees behind the front counter had a mutual concern about their vulnerability to irate customers. The recommendation was made to install a panic button for employees at the front desk because of the occasional fuming bill payees coming to the counter and acting in a threatening manner. A panic button was installed at the front counter and at the Court Clerk's counter, providing an instant alarm employees can send to the city's Police Department. In addition to the panic buttons at the front counter, a divider with "windows" on the counter was installed that can further deter those customers that might consider leaping over an unprotected counter to take out his/her frustrations on a city employee. This definitely added to the security and, the comfort level of the employees who serve the customers at the counter. The employees greatly appreciate these additions.

- Your Safety Committee also submitted recommendations that all tall, heavily loaded bookcases and credenzas be anchored to help minimize the potential of injury should a moderate earthquake hit in our area. The bookcase topic has been around for a while, but never made it off the table until this year. The Safety Committee is confident that the still pending solution to the potential hazard is a viable and simple mitigation to the stated hazards.

Other activities of your Safety Committee

- An update and revision of the Safety Committee By-Laws was adopted by the SC. Some of the outdated phrases and several “housekeeping” changes made to the document.
- Forms that employees are required to use to report safety issues were revised to better suit the workforce’s needs and requirements. Consolidating forms where redundancy occurred made accident reporting easier for employees.
- Part of the Safety Committee’s task is to evaluate the training program city employees are required to review - things like: procedures, and employee accountability policy; review specific training topics such as HazCom, Lockout/Tagout, PPE, Fall Protection, etc. Discussions on these topics are on-going, throughout the year.
- During the past year, the Safety Committee also evaluated things like:
 - membership; meeting agendas and minutes;
 - regulatory postings;
 - the OSHA 300 log and its trends;
 - accident reporting procedures;
 - workplace inspection policies, procedures, and checklists;
 - review of emergency policies;
 - evaluates the methods for receiving safety suggestions and concerns;
 - evaluates the relationship between management and how management responds to committee recommendations.
- Your Safety Committee worked the issue of how to make an “Office Safety Inspection form” suffice for a “Field Maintenance Shop Inspection”. Although the Inspectors made the forms work, they were often cumbersome and didn’t actually call out exactly what the Safety Inspections were meant to address in certain facilities.
In order to rectify the issue, Inspection Teams were tasked with coming up a form that suits their assigned areas of inspection – forms that are tailored for effectively inspecting those specific areas. The forms are all completed, tested in an actual inspection, and are now being reformatted to look professional yet “user friendly” for the inspectors.

- Your Safety Committee reviewed all accident reports and near miss reports during the regular meetings. The Safety Committee continues to make every effort to help reduce the number of accidents and near misses.

These efforts include looking at Safety Programs, inspecting workplaces, and analyzing characteristics of employees activities to further reduce the frequency of accidents and near misses.

- Over the last year, the Safety Committee, consisting of four teams of two members each, conducted 36 facility inspections or, 9 separate facility inspections every quarter. These inspections in turn, generate corrections or comments and suggestions each quarter. The checklists are then converted into reports which were forwarded to each department, the corrections to be addressed by that department.
- In addition to the normal work associated with being a Safety Committee member, new members must find the time to take two OSHA courses for Safety Committees, just for the privilege of serving on the Safety Committee. Additional training opportunities available from OSHA, or other similar trainers, are announced as part of every meeting. This provides information to SC members on where and how to add to their safety expertise by attending the training.
- The Safety Committee is in the process of reviewing and soon making a recommendation of adopting the city's first comprehensive "Employee's Safety Manual" that is over 250 pages long.
And soon, the Safety Committee will also be reviewing a Fleet Safety policy..
- Plans are now in place to have the Safety Committee Members participate in a Train-the-Trainer session in Ergonomics with CIS. With this knowledge, the Safety Committee can bring this expertise to the employees' work stations during the regular, quarterly safety inspections and/or, in a separate consultation with the employee.
The Safety Committee will be capable of providing educated suggestions, and provide employees with ideas on how to better configure their work stations to be more favorable to proper ergonomics, assisting in things like good posture and proper alignment of the employee's body in relation to their desk and computer.
- Besides one or two sub-committee meetings in order to fine tune the Emergency Action Plan, the Safety Committee had only 8 full meetings, lasting only about one hour each. To accomplish the amount of work in a little over 8 hours for the entire year, is an achievement in its self.
Agendas, minutes, correspondence, training, inspection schedules, communication, etc, are all part of a functioning, successful Safety Committee. I think I can speak for the other members and say that, I believe the City has a very functional and successful Safety Committee.

Conclusion

As described in this report, there were several meaningful accomplishments by your Safety Committee this year. And, although we meet for very short periods at a time, your Safety Committee continues to strive for an even higher mark of an injury-free workplace that puts the employee's health and safety above all else.

In order to work towards an improved injury record, plans are progressing to introduce beneficial safety concepts, new to the Safety Committee and the city. By working with OSHA Consultations and CIS in order to accomplish this goal, the coming year or two will challenge not only the Safety Committee, but every City employee to conform to the ultimate in safety, while performing the many tasks the employees are asked to do.

We are eagerly looking forward to the opportunity to be an integral part of setting high marks of safety excellence in the near future.

The Safety Committee wishes to thank the city's Administration for its support, not only in the past, but in the future, while in the pursuit to advancing the Safety and Health of the employees of Central Point.

Sincerely,

Rick Bartlett, Chairperson

City of Central Point Safety Committee

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City Manager Staff Report

MEETING DATE: January 12, 2012

TO: Honorable Mayor and City Council

FROM: Phil Messina, City Administrator

SUBJECT: Cancellation of January 26 Council Meeting, Scheduling an Urban Renewal Commission Meeting for that evening and a Study Session and the annual Council Retreat on Saturday January 28th.

SUMMARY:

I am asking Council to cancel the regular Council meeting on January 26th. Staff feels the need to have a study session with Council to go over issues concerning the proposed Community Center and the Twin Creeks Rail crossing.

The regular study session would have been on the preceding Monday which would have resulted in meetings on Monday, Thursday and Saturday of the same week.

The schedule for the week of January 23rd will be as follows:

Monday Jan. 23. No Study Session

Thursday January 26th:

6:00 PM Urban Renewal Commission

7:00 Council Study Session

Saturday January 28: Annual Retreat 9:00 Am to 4:00 PM

RECOMMENDATION: Motion to revise the Council meeting calendar for the week of January 23, as described.

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STAFF REPORT

DATE: NOVEMBER 16, 2011
TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: JASON RICHMOND, IT MANAGER

SUBJECT: The City has reviewed inventory of technology equipment that is obsolete and is no longer of use.

SUMMARY: Attachment "A" shows the list of equipment that is obsolete. The Information Technology division would like to donate or sell the excess equipment to clear space at City Hall.

RECOMMENDED MOTION: Approve the obsolete equipment list.

2011 City of Central Point IT Equipment Disposition

Category	Item Description	Qty	Reason
Computer	Sony Vaio Laptop A	1	Obsolete
Computer	Toshiba laptop	1	Obsolete
Computer	Dell Dimension 3100 desktop	1	Obsolete
Computer	EeeBox small form-factor desktop	1	Obsolete
Computer	Dell Inspiron laptop	1	Obsolete
Computer	IBM ThinkPad laptop	1	Obsolete
Computer	OptiPlex 745 desktop	2	Obsolete
Misc.	Panasonic keyboard/trackpads	4	Obsolete
Misc.	200gb external hard drive	1	Obsolete
Misc.	PDA's and accessories	1	Obsolete
Misc.	Various adapters and antennae	1	Obsolete
Monitor	19" Monitor	1	Obsolete
Monitor	12" touch screen monitors	4	Obsolete
Network Hardware	Compex network switch	1	Obsolete
Network Hardware	Cisco 1600 series router	1	Obsolete
Network Hardware	D-link 16-port switch	1	Obsolete
Network Hardware	Cisco 2800 Series Router	1	Obsolete
Network Hardware	Cisco Catalyst 24-port 2950 series switch	1	Obsolete
Network Hardware	Cisco PIX 501 firewall	1	Obsolete
Network Hardware	EMC Wireless cable modem gateway	1	Obsolete
Network Hardware	Small Linksys and D-Link switches	3	Obsolete
Server	HP ProLiant DL140 Server	1	Obsolete
Server	Celestix MSA 1U server	1	Obsolete

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Ordinance

First Reading Amending Chapter 2.02



STAFF REPORT

DATE: JANUARY 4, 2012
TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: MATT SAMITORE, DIRECTOR

SUBJECT: CHANGES TO ALLOW COUNCIL MEMBERS TO VOTE WHEN SERVING AS LIAISONS TO PARKS, ARTS AND PLANNING COMMISSIONS.

HISTORY: Over the past two years the Arts and Parks and Recreation Commissions have only been able to meet occasionally because of current members who are not able to make meetings consistently. This ordinance would allow for membership from the City Council who are serving as liaisons to the various commissions, to ensure that a quorum is obtained.

There can only be one liaison per commission. Additionally, when the liaison is serving as a voting member of the respective commission then a unanimous vote of the commission is required for any decision.

RECOMMENDATION: Approve first reading of ordinance to allow City Council liaisons to be eligible to vote at a commission meeting when a quorum is not present.

Ordinance No. _____

**An Ordinance Amending Chapter 2.02 of the
Central Point Municipal Code to Provide
For Council Liaisons for Each City Commission and Committee and to
Count Such Liaison for Quorum Purposes**

Recitals:

- A. The Council desires to amend the code to permit the appointment of council members as liaisons to each commission and each committee of the city established by ordinance or resolution.
- B. Words ~~lined through~~ are to be deleted and words **in bold** are added.

The People of the City of Central Point do ordain as follows:

Section 1. The Title for Chapter 2.02 of the Central Point Municipal Code shall be changed to read: "City Officers **and Liaisons.**"

Section 2. The following section 2.02.020 is added to Chapter 2.02 of the Central Point Municipal Code. The title for Chapter 2 is to be changed to read :

Section 2.02.020. Appointment of Liaisons. For each commission or committee established by ordinance or resolution, the mayor, with approval by the council, shall appoint a council member as liaison. Council members may serve as liaison on more than one commission or committee.

A. Liaisons shall be appointed at the first meeting of each calendar year, or as soon thereafter as practicable, and shall serve until the first meeting of the next calendar year. Provided, however, that liaisons may be removed or reassigned at any time by the mayor upon approval of the council. In addition, a council liaison can only be a sitting council members and upon expiration of any council member's term, or upon resignation, removal, or death, the liaison's seat shall be immediately declared vacant, and a sitting council member appointed as a replacement.

B. Liaisons shall not have the right to vote and shall report periodically to the council on the activities of the commission or committee.

C. Unless otherwise specified, a majority of the members of a commission or committee shall constitute a quorum. The liaison shall not be considered a member of a commission or committee.

For purposes of determining whether a quorum exists in a meeting of a commission or committee, however, the liaison may be counted.

D. Where a liaison is counted to reach a quorum, a unanimous vote of the members present is necessary for any commission or committee decision.

Passed by the Council and signed by me in authentication of its passage this _____ day of _____, 2012.

Mayor Hank Williams

ATTEST:

City Recorder

Return to Agenda

Resolution

Authorizing Banking Signatures



Staff Report

Finance Department
Bev Adams, Finance Director

To: Mayor & Council
From: Bev Adams, Finance Director
Date: January 12, 2012
Subject: Authorizing bank signers

Background:

The attached resolution is to update the listing of authorized signers for orders for payments (checks) and withdrawal of money on behalf of the City of Central Point.

This is to replace resolution no. 1201 which listed Mike Quilty who is no longer on the Council, and updates titles for the City Manager and Finance Director.

We currently have bank accounts with US Bank, Umpqua Bank, Premier West, and the Local Government Investment Pool.

Recommended Action:

Approve the resolution authorizing signatures for banking services.

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING SIGNATURES FOR BANKING SERVICES
ON BEHALF OF THE CITY OF CENTRAL POINT**

THE CITY OF CENTRAL POINT RESOLVES:

Section 1: For the City of Central Point, the following persons are authorized to sign orders for payment or withdrawal of money on behalf of the City:

Phil Messina, City Manager
Chris Clayton, Asst. City Manager
Bev Adams, Finance Director

Or in their absence:

Hank Williams, Mayor
Deanna Casey, City Recorder
Carol Fischer, Council Member

Such authority shall remain in force until revoked by written notice to the affected bank of the action taken by the Council of the City of Central Point.

Resolution No. 1201 is superseded.

Section 2: This resolution shall take effect immediately.

**Passed by the Council and signed by me in authentication of its passage this _____ the day of
January, 2012.**

Hank Williams, Mayor

ATTEST:

Deanna Casey, City Recorder

Return to Agenda

Resolution

Setting a Public Hearing and Initiating Annexation Proceedings

STAFF REPORT
January 12, 2012

ITEM:

Consideration of a resolution setting a public hearing and initiating proceedings to annex certain portions of the public street right-of-ways within the Downtown Core Area not within the City of Central Point city limits. **Applicant: City of Central Point**

STAFF SOURCE:

Tom Humphrey AICP, Community Development Director

BACKGROUND:

The City of Central Point is considering the adoption of *The Downtown and East Pine Street Corridor Revitalization Program*, an urban renewal plan. Through the process and development of the plan it was discovered that there are portions of public street right-of ways within the proposed urban renewal boundary that were never annexed. These portions of right-of-ways are illustrated by attached Exhibit A. Before the urban renewal plan is considered by the City Council, it is necessary that all land and right-of-ways be within the city limits.

Throughout the City there are other similar situations where the public right-of-way was never annexed. These areas will be addressed at a later date, pending further evaluation.

DISCUSSION:

ORS 222.120 grants the City Council the authority to initiate annexation proceedings and set a date for a public hearing. At this time the City Council is considering whether or not to schedule a public hearing to consider the annexation of portions of public street right-of-ways illustrated in Exhibit A. No formal decision is being made on whether or not to annex these right-of-ways. Only after the proposed public hearing will the City Council determine whether or not to annex the right-of-ways.

ISSUES:

Annexation of the right-of-ways is often confused with jurisdictional/maintenance responsibility. At times it has been incorrectly assumed that right-of-way annexation automatically transfers maintenance responsibility. Annexations do not automatically transfer jurisdictional responsibility. As an example, Freeman Road was never annexed, but the City has recently assumed maintenance responsibility. Hamrick Road was annexed but jurisdictional responsibility was assumed by the city only after improvements were made by the county. Staff has met with the County to discuss the future maintenance responsibilities of the affected rights-of-ways in this application.

ATTACHMENTS:

Attachment A: Resolution to Initiate

Exhibit A: Graphic Illustration of Boundary and Affected Public Right-of-ways

Exhibit B: Written Description of Boundary

ACTION:

Schedule a public hearing by Resolution to annex portions of public street right-of-ways within the proposed Urban Renewal Boundary.

To Resolution

RECOMMENDATION:

Set a public hearing at a regular Council meeting to consider the annexation of certain portions of public street within the proposed boundary.

ATTACHMENT A

RESOLUTION NO. _____

**A RESOLUTION SETTING A PUBLIC HEARING AND INITIATING PROCEEDINGS
TO ANNEX PUBLIC STREET RIGHT-OF-WAYS WITHIN THE DOWNTOWN CORE AREA**

RECITALS:

- A. Certain portions of the public street right-of-ways located within the Downtown Core Area, and generally illustrated by Exhibit A, are deemed to not be within the City of Central Point city limits. The Central Point City Council (the Council) is authorized under ORS 222.120 to initiate annexation proceedings without an election for annexation.
- B. It is the intent of the Council to initiate annexation of those public street right-of-ways within the Downtown Core Area specifically described in attached Exhibits "A" Graphic Illustration of Boundary and Affected Right-of-ways and Exhibit "B" Written Description of Boundary.

The City of Central Point resolves:

Section 1: A public hearing before the Central Point City Council is set for February 9, 2012, at 7:00 p.m. in the Central Point Council Chambers, City Hall, 140 South Third Street, Central Point, Oregon, to receive public testimony regarding the public right-of-ways annexation described in the above recitals. All electors of the city and other interested persons may appear and be heard. Notice of the public hearing shall be provided in accordance with ORS 222.120(3).

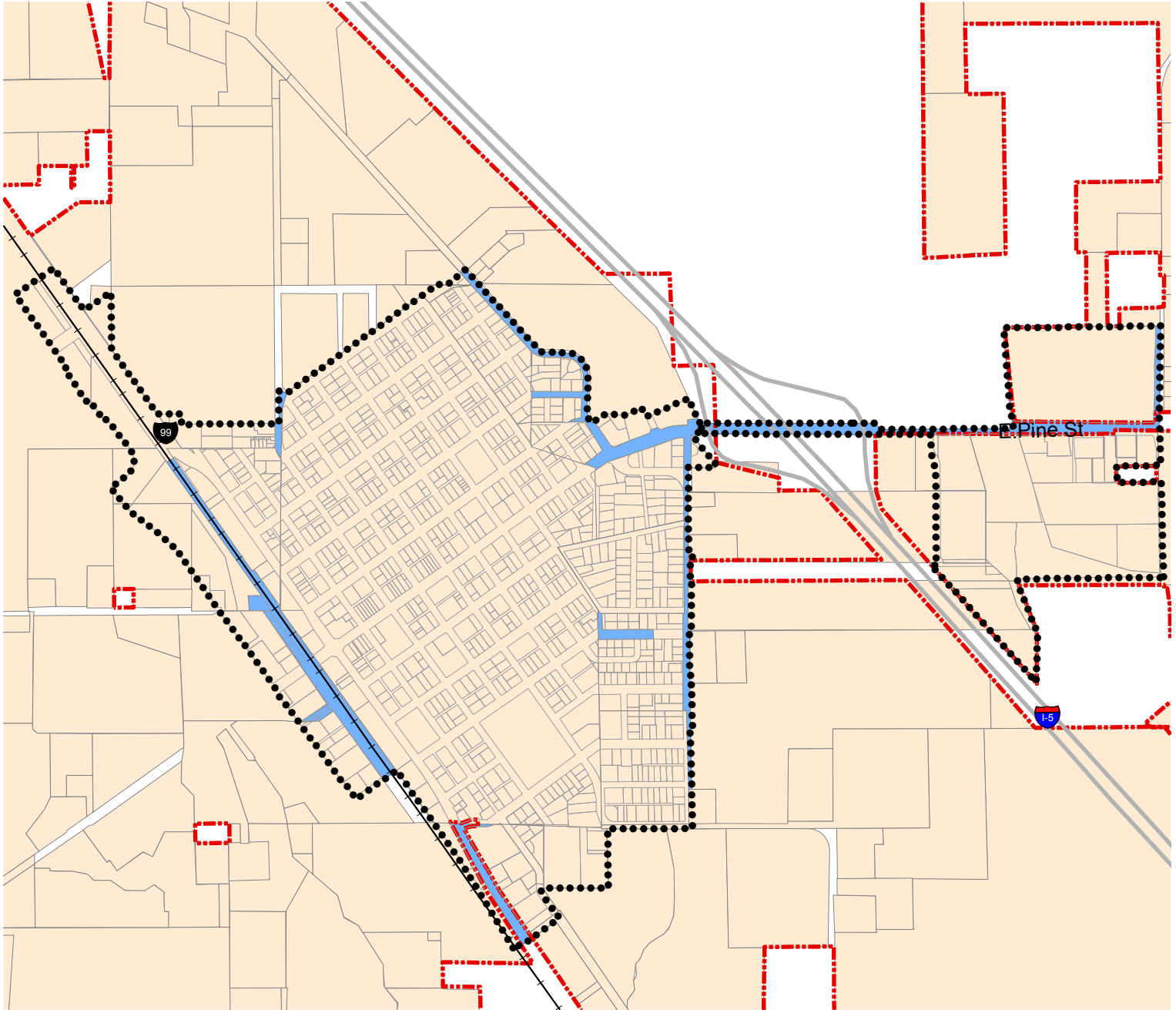
Passed by the Council and signed by me in authentication of its passage this ____ day of _____, 2012.

Mayor Hank Williams





ATTEST:

City Recorder

Return to Agenda



Legend

-  Downtown Core Area
-  City Limits
-  Annexation By Year
-  Proposed Road Right-of-way Annexation

**Annexation
Affected Right-of-ways**

Property Description

Central Point Urban Renewal District

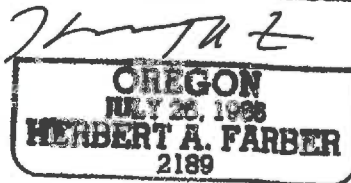
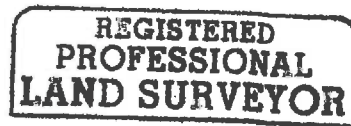
Beginning at the northwest corner of DLC 56, Township 37 South, Range 2 West of the Willamette Meridian, Jackson County, Oregon; thence South, to the center line of Pine Street; thence East, along said center line of Pine Street to a point, said point being on the southeasterly extension of the west line of the tract described in Instrument No 2005-34521 recorded in the Official Records of Jackson County, Oregon; thence North, along said southeasterly extension and the west boundary of said tract to the northwest corner thereof; thence East, along the north boundary and the extension thereof to the east right of way line of Hamrick Road; thence South, along said east right of way line of Hamrick Road to a point, said point bears East of a 3/4 inch iron pipe marking the northeast corner of the tract described in Instrument No 2011-16446 recorded in said Official Records and mapped as Assessor's Map No 372W01C3300 dated January 19, 2011; thence West, to said pipe; thence continuing West, along the north line of said tract to the northwest corner thereof; thence South, along the West line of said tract to the southwest corner thereof; thence East, along the south line of said tract and the extension of said south line to the east right of way line of Hamrick Road; thence South, along said east right of way line and the extension thereof to the south right of way line of Hamrick Road; thence West, along the south right of way line and the south line of that tract mapped as Assessor's Map No 372W02D2000 dated January 26, 2011, to the east line of that tract mapped as Assessor's Map No 372W02D2001, dated January 19, 2011; thence South, along said east line to the southeast corner thereof; thence West, along the south boundary of said tract to the northeast corner of the tract described in Instrument No 00-38500 recorded in said Official Records; thence South, along said east line to the easterly right of way line of Interstate 5 Freeway; thence Northwesterly, along said easterly right of way line to the south boundary of the parcel described in Instrument No 03-20781 recorded in said Official Records; thence East, along said south boundary to the west right of way line of Peninger Road; thence North, along said west right of way line of said Peninger Road to the south right of way line of said Pine Street; thence West, along said south right of way line, to the intersection of the west right of way line of said Interstate; thence South along said west right of way line to the north boundary of Mountain View Plaza Subdivision, according to the official plat thereof, now of record; thence West, along said north boundary to the west right of way line of Freeman Road; thence South, along said east right of way line and the east right of way of Freeman Road and the southerly extension of said right of way to the south right of way line of Hopkins Road; thence West, along said south right of way line of Hopkins Road, to the northwest corner of Homestead Park Unit 1, according to the official plat thereof, now of record; thence South, along the west boundary of said Homestead Park to the north line of Homestead Park Unit 2, according to the official plan thereof, now of record; thence West, along the north line of said Unit 2, to the westerly boundary of said Unit 2 and the east right of way line of First Street; thence Southeasterly along said westerly boundary to the southerly right of way line of Cupp Drive; thence Southwesterly along the southerly right of way line and the extension thereof to the westerly right of way line of Pacific Highway 99 also known as Front Street also the common boundary of Central Oregon and Pacific Railroad easterly right of way; thence Northwesterly along the easterly right of way line of said Railroad to a point, said point bears northeasterly at right angles from the northeast corner of Parcel 1 of Partition Plat No P-72-2007, according to the official plat thereof, now of record; thence

Southwesterly to said northeast corner of said Parcel 1; thence Southwesterly along the north boundary of said Parcel 1, also being the south right of way line of Ash Street, to the east right of way line of Haskell Street; thence Northwesterly, along said east right of way line to the southerly most corner of Lot 1 of Twin Creeks Crossing, Phase I, according to the official plat thereof, now of record; thence northerly along the easterly boundary of said Lot 1 to the tract described in Instrument No 2008-31124 recorded in said Official Records; thence Northerly along the westerly boundary of said tract to the north line of said Lot 1; thence Westerly along said north boundary to the southwest corner to Lot 3 of said Twin Creeks Crossing Phase I; thence Northerly along the west boundary of said Lot 3 and the extension thereof to the southwest corner to Lot 35 of said Phase I; thence Northwesterly along said Lot 35 to the northwest corner thereof; thence Northeasterly along the north boundary of Lot 35 and 36 of said Phase I and the extension thereof to the easterly right of way line of said Pacific Highway 99; thence Southeasterly along said right of way line to the westerly corner of the tract described in Instrument No 2009-46561 recorded in said Official Records; thence Northeasterly along the north boundary of said tract to the northeast corner; thence South along the east boundary of said tract to said easterly right of way line of said Highway; thence Southeasterly along said right of way line to the south boundary of the tract mapped as Assessor's Map No 372W03DB100 dated July 2, 2009; thence East along said south boundary to the west right of way line of Third Street; thence North along said west right of way line to a point, said point being at the intersection of the southwesterly extension of the northerly right of way line of Hazel Street; thence Northeasterly along said extension and along said northerly right of way and the extension thereof to the easterly right of way of North Tenth Street; thence Southeasterly, along said easterly right of way to the southwest corner of Parcel 2 of Partition Plat No p-30-2008 according to the official plat thereof, now of record; thence Easterly along the south boundary of said Parcel 2 to a point, said point being at the intersection of the southwesterly extension of the north boundary of those tracts described in Instrument No 2009-27358 recorded in said Official Records; thence Northeasterly along said extension and said north boundary to the northeast corner thereof; thence South along the easterly boundary of said tracts to the southeast corner thereof; thence Southwesterly along the southerly boundary of said tracts to the Point of Beginning.

Prepared by: Herbert A Farber
Farber & Sons, Inc.
d.b.a., Farber Surveying
431 Oak Street
Central Point, Oregon 97502

541-664-5599

Date: November 13, 2011



RENEWAL DATE 12-31-11

Resolution

Adopting General Procedures

Staff Report



Administration Department
Phil Messina, City Administrator
Chris Clayton, Assistant City Administrator
Deanna Casey, City Recorder
Barb Robson, Human Resources Manager

TO: City Council

FROM: Chris Clayton / Administration

AGENDA DATE: January 12th, 2012

SUBJECT: 2012 General Procedures Resolution

BACKGROUND:

Each year the City Council considers a general procedures resolution which appoints specific individuals to represent the City in the capacity of: City Attorney, City Engineer, City Auditor, Municipal Judge, and City Insurance Agent of record. Furthermore, the general procedures resolution establishes and regulates 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 Tort Claim Notices.

FISCAL IMPACT:

Each rate or required expenditure listed in the 2012 General Procedures Resolution has been appropriated and approved in the 2011/2012 City of Central Point Budget.

RECOMMENDATION:

Staff is recommending City Council approval of the 2011/2012 General Procedures Resolution.

Return to Agenda

RESOLUTION NO. _____

**A RESOLUTION ADOPTING GENERAL PROCEDURES
FOR FISCAL YEAR 2011-2012**

WHEREAS, 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 2011-2012.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CENTRAL POINT, OREGON, that for the fiscal year 2011-2012, the following appointments are hereby made; the following policies and procedures be imposed, and the same are hereby adopted:

Section 1. Appointments

- A. Insurance Agent of Record. Beecher Carlson Insurance Agency LLC 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 2012.
- B. City Attorney. Paul Nolte is hereby appointed to the office of City Attorney through June 2012 and is designated as a sworn officer of the City under the terms of the letter of agreement dated September 2010
- C. Municipal Judge. James L. Mueller is hereby appointed as Municipal Judge with a retainer of \$1,500 per month.
- D. City Auditor. Purkeypille and Johannsen, Certified Public Accountants LLP is hereby appointed as City Auditor through June 2012 pursuant to statutes requiring independent fiscal audit of the City, and subject to the contract for Audit of an Oregon Municipality.
- E. City Engineer. Joe Strahl dba PW Management Inc. is hereby appointed as City Engineer of the City of Central Point under the terms of the letter dated May 15, 2007 through June 2012.

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.

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 \$50 per transaction; except that upon approval of the City Administrator or the Finance Director a maximum expenditure of \$100 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 (at least six months after the date of issuance) must escheat to the state under ORS 98.352.

Section 8. Capital Acquisition.

Items costing more than \$5000 and having a useful life of more than one year shall be capitalized.

Section 9. Summons, Complaints, and Tort Claim Notices.

The City Recorder shall be designated to receive all Summons, Complaints, and Tort Claim Notices.

Passed by the Council and signed by me in authentication of its passage this
_____ day of January, 2012.

Mayor Hank Williams

ATTEST:

City Recorder

Return to Agenda

Resolution

Adopting IGA with School District 549C



STAFF REPORT

DATE: JANUARY 4, 2012
TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: MATT SAMITORE, DIRECTOR

SUBJECT: Medford School Excise Tax

SUMMARY: The Medford School District 549C has decided to implement the School Excise Tax to help with their long-range facilities planning. The City is obligated to collect the tax for them based upon Senate Bill 1036, but requires an intergovernmental agreement before collection can occur. There is a small portion of the City that is within the Medford School District. The area in question is in the South East portion of Central Point between Forest Glenn and Gatepark Drives and Beall Lane. Please see attached map and tax lots for reference. The Tax is based upon new development. The tax is \$1.07 for every 1,000 square feet of new building for residential buildings, \$0.54 for every 1,000 square feet of new building for nonresidential buildings. The tax imposed on structures intended for nonresidential use will not exceed \$26,800 per building permit or \$26,800 per structure, whichever is less.

The City of Central Point has had an existing resolution to collect the excise tax for the Central Point School District. Since its inception in 2008 the City has collected a little over \$133,000 dollars for the school district. The City will charge a 4% administration fee that will come out of the funds collected in order to handle the administration of excise tax.

RECOMMENDATION: Approve the intergovernmental agreement for the City to collect the School Excise Tax for the Medford School District 549C.

To Resolution

Return to Agenda

**MEDFORD SCHOOL DISTRICT 549C (DISTRICT)
IMPOSITION OF CONSTRUCTION EXCISE TAX**

RESOLUTION 2011-12-1

WHEREAS, the District has established and annually updates a long-range facilities plan that outlines the ongoing need to improve existing facilities; and,

WHEREAS, the Oregon Legislative Assembly passed Senate Bill 1036, authorizing school districts to impose construction excise taxes to fund capital improvements to school facilities; and

WHEREAS, pursuant to Section 5 of Senate Bill 1036 (2007), the District will enter into intergovernmental agreements with the required local government agencies; and

WHEREAS, pursuant to Section 5 of Senate Bill 1036 (2007), these intergovernmental agreements establish: (a) collection duties and responsibilities; (b) the Medford School District 549C account into which construction tax revenues are to be deposited and the frequency of such deposits; and (c) the amount of the administration fee (not to exceed 4% of gross proceeds) that the entity collecting the tax may retain to recoup its expenses in collecting the tax.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The rates of tax, imposed only on improvements to real property that result in a new structure or additional square footage in an existing structure, with the exemptions outlined in Senate Bill 1036, are:
 - a. Amount not exceeding \$1.07 per square foot on structures or portions of structures intended for residential use, including but not limited to single-unit or multiple-unit housing; and
 - b. Amount not exceeding \$.54 per square foot on structures or portions of structures intended for nonresidential use, not including multiple-unit housing of any kind.
2. In addition, a construction tax imposed on structures intended for nonresidential use will not exceed \$26,800 per building permit or \$26,800 per structure, whichever is less.
3. For years beginning on or after June 30, 2012, the tax rates stated in this resolution shall be adjusted for changes in construction costs. The Oregon Department of Revenue will determine the adjusted rate limitations and report to the District.
4. The construction excise tax shall be assessed and collected pursuant to the provisions of Senate Bill 1036 (2007).
5. This resolution takes effect on December 6, 2011.

Adopted this 5th day of December, 2011.

Motion: Sally Killen

Second: Tricia Prendergast

Attest: Amy J. King
Superintendent

M.S. Tabu Brady
Chair, Board of Directors

**MEDFORD SCHOOL DISTRICT 549C (DISTRICT)
ADOPTION OF LONG-TERM FACILITIES PLAN**

RESOLUTION 2011-12-2

WHEREAS, the District in 2011, working with Johnson Reid LLC and the community developed a long-term facilities master plan with the plan completed on November 28, 2011; and

WHEREAS, the Oregon Legislative Assembly passed Senate Bill 1036 (2007), authorizing school districts to impose construction excise taxes to fund capital improvements to school facilities; and

WHEREAS, Senate Bill 1036 (2007) requires school districts to adopt the district long-term facilities plan for capital improvements prior to the imposition of a construction excise tax.

NOW, THEREFORE, BE IT RESOLVED as follows:

The District adopts the Long Range Facilities Plan: 2012-2032 as their long-term facilities plan for making capital improvements as required by Senate Bill 1036 (2007).

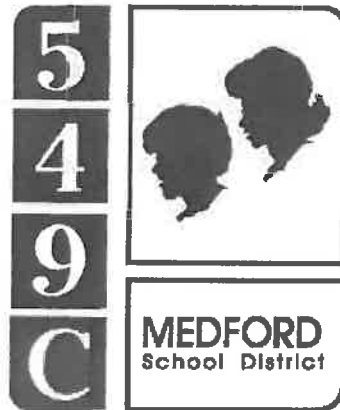
Adopted this 5th day of December, 2011.

Motion: Ron Andersen Second: Tricia Prendergast
Attest: Amly J. Loy Ms. Tami Brading
 Superintendent Chair, Board of Directors

WILL BE PROVIDED UPON REQUEST

Long Range Facilities Plan

Medford School District



Board of Education

Paulie Brading, Chair
Jeff Thomas, Vice-Chair
Ron Andersen
Sally Killen
Tricia Prendergast
Kim Wallan
Marlene Yesquen

Administration

Dr. Phil Long – Superintendent
Brad Earl – Chief Financial Officer
Dr. Todd Bloomquist, Director – Human Resources
Rich Miles, Director – Elementary Education

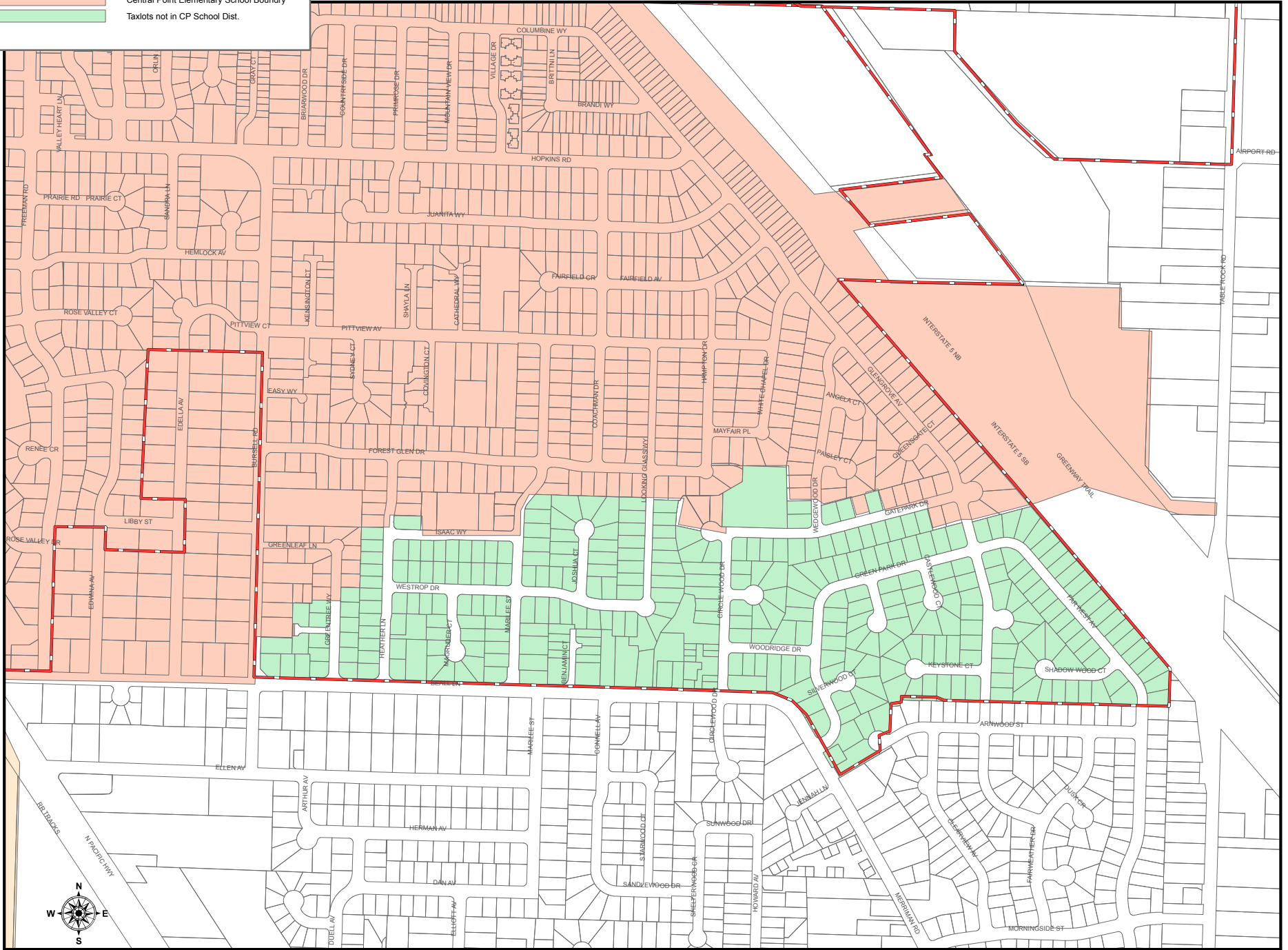
Prepared By

Brad Earl – Chief Financial Officer
Mark Button – Facilities Manager

December 1, 2011

SCHOOL BOUNDARIES

- Central Point Elementary School Boundry
- Taxlots not in CP School Dist.



372W12CA7700	10823087	LAPPAT JOHN B	1239 FAR WEST AVE	CENTRAL POINT	OR	97502	0.2	109450	71000 1239	FAR WEST AVE	141	1993	4949	95400	37130 1239 FAR WEST AVE
372W12CA7100	10823020	GHOBRIAL AMIR/DENISE	2020 BLUE GRASS DR	CENTRAL POINT	OR	97502	0.2	105650	76000 1217	FAR WEST AVE	141	1993	4949	89930	39290 1217 FAR WEST AVE
372W12CA7800	10823095	WILLIAMS DOUGLAS J/BECKY D	1243 FAR WEST AVE	CENTRAL POINT	OR	97502	0.2	84510	71000 1243	FAR WEST AVE	131	1993	4949	89790	37130 1243 FAR WEST AVE
372W12CA8200	10823135	HERNANDEZ-GUZMAN BERNARDINO	1281 FAR WEST AVE	CENTRAL POINT	OR	97502	0.2	84430	71000 1281	FAR WEST AVE	131	1993	4949	93260	37130 1281 FAR WEST AVE
372W11DA3200	10889323	SCHILLINGER ROBERT JR/SUSAN	1218 LOOKING GLASS WAY	CENTRAL POINT	OR	97502	0.2	92930	76000 1218	LOOKING GLASS WAY	131	1997	4949	92340	46410 1218 LOOKING GLASS WAY
372W12CA1600	10814550	WILCHEK ROBERT R/WENDI M	1255 GLENGROVE AVE	CENTRAL POINT	OR	97502	0.2	113770	71000 1255	GLENGROVE AVE	141	1992	4949	102780	39100 1255 GLENGROVE AVE
372W12CA1700	10814568	WISEMAN JEREMY J/DANIELLE L	1237 GLENGROVE AVE	CENTRAL POINT	OR	97502	0.2	110620	71000 1237	GLENGROVE AVE	141	1993	4949	96730	39100 1237 GLENGROVE AVE
372W12CA6400	10822950	DYER TYLER E	1254 FAR WEST AVE	CENTRAL POINT	OR	97502	0.2	111680	76000 1254	FAR WEST AVE	141	1993	4949	95570	39100 1254 FAR WEST AVE
372W12CA6600	10822976	SPRINGER JULIANA TRSTEE FBO	9784 PROSPECTOR DR	GOLD CANYON	AZ	85218	0.2	111540	71000 1242	FAR WEST AVE	141	1993	4949	99490	39100 1242 FAR WEST AVE
372W12CB2500	10814632	GERHARD HARRY J/LINDA M	183 CASTLEWOOD CT	CENTRAL POINT	OR	97502	0.3	116900	76640 183	CASTLEWOOD CT	141	1992	4949	105550	40010 183 CASTLEWOOD CT
372W12CB7128	10918116	FERRARE TONY M	1116 GATEPARK DR	CENTRAL POINT	OR	97502	0.2	114330	76000 1116	GATEPARK DR	131	1998	4949	110510	46260 1116 GATEPARK DR
372W12CA6500	10822968	REEDER PROPERTIES LLC	PO BOX 1807	MEDFORD	OR	97501	0.2	88160	71000 1246	FAR WEST AVE	131	1993	4949	91230	39100 1246 FAR WEST AVE
372W12CA8100	10823127	VOGEL SHANNYNN L	1271 FAR WEST AVE	CENTRAL POINT	OR	97502	0.2	101690	71000 1271	FAR WEST AVE	141	1993	4949	88380	37130 1271 FAR WEST AVE
372W11DD13500	10462231	SANCHEZ ANTONIO/BERTHA	652 BEALL LN	CENTRAL POINT	OR	97502	0.2	41160	68500 652	BEALL LN	121	1951	4949	45190	41010 652 BEALL LN
372W11DD16900	10485810	LANDEROS OSVALDO R	566 BEALL LN	CENTRAL POINT	OR	97502	0.5	92610	69900 566	BEALL LN	131	1930	4949	92610	69900 566 BEALL LN
372W11DD16600	10462281	ALGER ERROL T/LINDA C	556 BEALL LN	CENTRAL POINT	OR	97502	0.6	99960	81940 556	BEALL LN	131	1930	4949	79780	76310 556 BEALL LN
372W12CC5000	10808988	DOLEZAL DONALD A	123 ARNWOOD ST	CENTRAL POINT	OR	97502	0.3	86620	76640 123	ARNWOOD ST	131	1992	4949	96350	50790 123 ARNWOOD ST
372W12CD15200	10814835	REED ROBERT J/MARY J	1378 GLENGROVE AVE	CENTRAL POINT	OR	97502	0.2	109230	76000 1378	GLENGROVE AVE	131	1993	4949	112000	42040 1378 GLENGROVE AVE
372W12CD12900	10823208	FERDINAND DONALD J	2341 JUBILANT AVE	MEDFORD	OR	97504	0.2	107030	76000 1339	FAR WEST AVE	141	1993	4949	95580	39100 1339 FAR WEST AVE
372W11DC400	10883513	HOLLOWAY JAMES	852 BEALL LN	CENTRAL POINT	OR	97502	0.2	66340	78500 852	BEALL LN	131	1937	4949	49380	66910 852 BEALL LN

RESOLUTION NO. _____

A Resolution Adopting the Intergovernmental Agreement
implementing the School Excise Tax
with Medford School District 549C

RECITALS:

A. The City of Central Point recognizes that Medford School District 549C has adopted a resolution implementing a school excise tax;

B. The City shall collect the tax on behalf of School District 549C when new construction occurs within the district boundaries that are within the City of Central Point;

C. The excise tax is \$1.07 for every 1,000 square feet of new building for residential buildings, \$0.54 for every 1,000 square feet of new building for nonresidential buildings. The tax imposed on structures intended for nonresidential use will not exceed \$26,800 per building permit or \$26,800 per structure, whichever is less; and

D. The City shall collect a 4% administration fee that will come out of the fee's collected; and

The City of Central Point resolves:

Section 1. The "Intergovernmental Agreement" is approved for the City of Central Point where applicable.

Section 2. The City of Central Point will submit this resolution to the Medford School District 549C to facilitate final approval of the plan.

Passed by the City Council and signed by me in authentication of its passage this _____ day of January, 2012.

Mayor Hank Williams

ATTEST:

City Recorder

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**INTERGOVERNMENTAL AGREEMENT BETWEEN
MEDFORD SCHOOL DISTRICT 549C AND CITY OF CENTRAL POINT TO
COLLECT AND REMIT CONSTRUCTION EXCISE TAX**

This Construction Excise Tax Intergovernmental Agreement to collect and remit Tax (“CET Collection IGA”) is effective on the last date of signature below, and is by and between Medford School District 549C, a school district organized under the laws of the state of Oregon (“District”), and the City of Central Point (“City of Central Point”), collectively referred to as “Parties.”

RECITALS:

A. ORS Chapter 190 authorizes governmental entities such as a city and a school district to enter into written agreements for the performance of any or all functions and activities that either entity has the authority to perform on its own.

B. ORS 320.170 to 320.189 authorizes school districts, as defined in ORS 330.005, to impose a Construction Excise Tax (“CET”) to fund capital improvements to school facilities.

C. Pursuant to ORS 320.170 to 320.189, District will adopt a resolution establishing a Construction Excise Tax (“CET”) throughout its regional jurisdiction. The resolution will provide that a CET be collected by City of Central Point and remitted to District pursuant to an Intergovernmental Agreement. Pursuant to ORS 320.179(2), the Parties desire to agree upon certain procedures needed to collect the CET and remit the tax to District.

AGREEMENT:

In consideration of the mutual covenants of District and City of Central Point, given each to the other, District and City of Central Point do hereby agree as follows:

1. Information and Forms. District shall provide to City of Central Point all of the forms, information and assistance necessary for the City of Central Point to collect the CET. District shall provide City of Central Point forms and information for CET exemptions.

2. Staffing. City of Central Point shall provide sufficient staff to calculate and collect the CET. District shall provide sufficient staff to implement the CET program.

3. Facilities Plan. District has adopted or is currently in the process of developing a long-term facilities plan as required by ORS 320.183(2). District agrees not to adopt the CET until such plan has been completed and adopted by resolution of District’s School Board.

4. Collection: Start Date. City of Central Point agrees to assess and collect the CET on behalf of District for those properties within District’s boundaries that are under City of Central Point’s jurisdiction. City of Central Point shall begin collecting the CET within ten (10) business days of the effective date of this Intergovernmental Agreement. City of Central Point shall continue collection until the CET expires, the underlying statutory authority is repealed, or this CET Collection IGA is terminated by either District or City of Central Point. City of Central Point agrees to collect the CET in conjunction with the collection of other building permit fees.

5. Collection: Rate Changes. In the event District increases or otherwise modifies the tax, it

shall send written notice to City of Central Point of the increase or other modification, including a copy of District's resolution adopting the change. Thereafter, City of Central Point shall collect the tax at the new rate within ten (10) business days after notice is received by City of Central Point, or upon the effective date of the changes stated in District Resolution, whichever is later.

6. Collection: Methodology. The methodology for calculating the CET shall be governed by ORS 320.176 and the parties' Memorandum of Understanding attached hereto as Exhibit A.

7. Refunds. District agrees to process and issue any required refunds of CET.

8. Exemptions. District shall provide City of Central Point with all forms necessary for CET collections, exemptions, rebates, refunds, appeals and any other forms or information necessary for implementation of the CET. If a person or entity asserts that it is exempt from the CET pursuant to ORS 320.173, and files a District CET Exemption Form at the time the CET would otherwise be due, City of Central Point shall grant the exemption. It shall be District's responsibility to determine the validity of the exemption and to institute collection procedures to obtain payment of the CET, as well as any other remedy District may have under law, if the person or entity was not entitled to the exemption. Statutory exemptions to the CET are described in ORS 320.173.

9. Remittance. City of Central Point shall remit the collected CET to District. Remittance shall be quarterly by the 30th of the month following the end of each quarter. Quarters end on March 31, June 30, September 30, and December 31 of each year. City of Central Point may choose at its option to remit more frequently.

10. CET Reports. Along with the CET remittance, City of Central Point shall prepare and submit to District a report that includes: 1) the number of building permits issued that quarter, 2) the aggregate square footage of residential construction, 3) the aggregate square footage of non-residential construction, 4) the number of building permits for which the CET exemptions were given along with a list or copy of forms for all persons that were given an exemption from paying the CET, 5) the aggregate square footage of construction for exempted construction, 6) the aggregate amount of CET paid, and 7) the amount of CET administrative fee retained by City of Central Point pursuant to this CET IGA.

11. Failure to Pay CET. In accordance with ORS 320.189, the CET shall be paid by the person or entity undertaking construction at the time that the permit authorizing the construction was issued. Upon a person's or entity's refusal to or failure to pay the CET when due, City of Central Point will not issue the permit. In no event shall City of Central Point be liable for failure to collect the CET when due. In the event a person or entity fails to pay the CET when due, City of Central Point shall notify District in writing within five (5) business days of such failure to pay, with information adequate for District to begin collection proceedings against that person or entity including the person or entity's name, address, phone numbers, construction project, square footage of new construction and building permit number. Upon a person or entity's refusal or failure to pay the CET, it shall be District's responsibility to institute collection procedures to obtain payment of the CET as well as any other remedy District may have under law.

12. Records. City of Central Point shall make all records related to building permit activity, CET collections, CET exemptions and retained administration fees available to District, or its designated auditors, as necessary for District to audit Construction Excise Tax collections.

13. Administrative Fee. As consideration for the above described services, City of Central Point shall retain four percent (4%) of the CET collected by City of Central Point as authorized by House Bill 2014 which became effective October 1, 2009 or such other greater amount as may be authorized by future law. Prior to submitting the CET to District, City of Central Point shall deduct this administrative

fee directly from the CET collected, and the amounts deducted and retained shall be reported to District. The Administrative Fee is based on gross CET collected and shall not be reduced by CET refunds or any checks returned for nonsufficient funds. Any fees or charges levied against City of Central Point for such items, including but not limited to, returned checks shall be paid to City of Central Point from collected CET in addition to the above Administrative fee.

14. Amendment. This CET Collection IGA may be amended by mutual written agreement of the Parties. The parties further agree to negotiate in good faith to amend this Agreement should ORS 320.170 et. seq. be amended by subsequent legislation or judicial proceedings so that this Agreement is consistent with the most current law relating thereto. Refusal to negotiate an amendment to this Agreement is grounds for immediate termination of this CET Collection IGA.

15. Other Agreements.

- a. This CET Collection IGA does not affect or alter any other agreements between District and City of Central Point;
- b. This CET Collection IGA is a full and complete integration of the parties' agreement on the topics covered and expressly supersedes and replaces any prior agreements on such topics, whether written or oral.

16. Defense and Indemnification. District agrees to defend, indemnify and hold harmless City of Central Point, and its officers, agents and employees, against all claims and actions, and all damages and expenses related thereto, arising from City of Central Point's performance of this Agreement, except for those claims, actions and damages caused by the sole negligence of City of Central Point or its officers, agents and employees. The obligations of this paragraph shall include, but not be limited to:

- a. A challenge to City of Central Point's collection or calculation of the CET on behalf of District;
- b. For any and all injury to any and all persons or property caused directly or indirectly by reason of any and all acts or omissions of District in performance of this Agreement or adoption of the CET;
- c. Decisions of City of Central Point staff concerning the amount of any CET, including calculation of such tax and/or any exemption(s); or
- d. Refusal or denial of any permit for failure to pay the CET.

17. Termination. In the event that City of Central Point ceases to be the issuer of permits for structural improvements regulated by the state building code, this CET Collection IGA will be terminated. Either party may also terminate this agreement for any reason upon 90 days written notice to the other party.

18. Execution. This CET Collection IGA may be executed in two or more counterparts, each of which shall be considered an original, but together they shall constitute but one agreement.

MEDFORD SCHOOL DISTRICT 549C

CITY OF CENTRAL POINT

By: Dr. Phil Long
Title: Superintendent

By: Hank Williams
Title: Mayor

Date: _____

Date: _____

Business

**Council President
Appointment**

Staff Report



Administration Department
Phil Messina, City Manager
Chris Clayton, Assistant City Manager
Deanna Casey, City Recorder
Barb Robson, Human Resource Manager

TO: Mayor Williams and City Council

FROM: Deanna Casey, City Recorder

DATE: January 12, 2012

SUBJECT: Council President Nominations

PROPOSAL: The City of Central Point Charter of 2010 states that at its first meeting each year, the council must elect a president from its membership. The president presides in the absence of the mayor and acts as mayor when the mayor is unable to perform mayoral duties.

Council Member Bruce Dingler was Council President for 2011.

Recommendation: Make nominations and motion to appoint 2012 Council President.

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Business

**Arts Commission
Appointment**

Staff Report



Administration Department
Phil Messina, City Manager
Chris Clayton, Assistant City Manager
Deanna Casey, City Recorder
Barb Robson, Human Resource Manager

TO: Honorable Mayor and City Council
FROM: Deanna Casey, City Recorder
SUBJECT: Appointment of Arts Committee Member
DATE: January 12, 2012

ARTS COMMISSION RECOMMENDATION

Staff has been actively recruiting for several vacancies on our committees and we have received an application for the Arts Commission from Meredith Lewis.

Ms. Lewis is a Central Point resident and has volunteer experience in various organizations around the valley. She also has a background in Fine Arts.

RECOMMENDED MOTION:

Motion to appoint Meredith Lewis to the Arts Commission for a three year term to expire December 31, 2014.

ATTACHMENT:

Application for Appointment from Meredith Lewis

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**APPLICATION FOR APPOINTMENT TO
CITY OF CENTRAL POINT COMMITTEE**

Name: MEREDITH LEWIS Date: 12.16.2011
Address: [REDACTED] OAK ST [REDACTED], CENTRAL POINT, OR 97502
Home Phone: 541. [REDACTED] 2041 Business Phone: 541. [REDACTED] 1155 Cell Phone: 541. [REDACTED] 1715
Fax: 541. [REDACTED] 4937 E-mail: MLEWIS234@[REDACTED]
Are you a registered Voter with the State of Oregon? Yes No

Are you a city resident? Yes No

Which Committee(s) would you like to be appointed to: ARTS COMMISSION
(Dates of meetings are listed at the end of this application. Please make sure those dates work with your schedule before you apply. Council and Planning Commission members are required to file Ethics reports to the State of Oregon.)

Employment, professional, and volunteer background:

EXECUTIVE ASSISTANT EXPORT SPECIALIST @ ROGUE CREAMERY
FORMER PERSONAL ASSISTANT FOR SID DEBOER
PREVIOUS VOLUNTEER FOR SMART READING PROGRAM

Community affiliations and activities:

MEMBER OF ANYTIME FITNESS
SUPPORTING MEMBER OF JEFFERSON PUBLIC RADIO

Previous City appointments, offices, or activities:

FORMER PTA PRESIDENT OF TALENT MIDDLE SCHOOL
" " TREASURER " " " "

As additional background for the Mayor and City Council, please answer the following questions.

1. Please explain why you are interested in the appointment and what you would offer to the community.

I have a Bachelor's in Fine Art, BFA, with 2 minors: Applied Multimedia/Computer Science, and Criminology. I studied at Carnegie Mellon Univ. in Pittsburgh and graduated

2. Please describe what you believe are the major concerns of the City residents and businesses that this committee should be concerned about.

The Arts Commission can address both how city residents and businesses view the city on an aesthetic viewpoint as well as how the city is viewed by its visitors.

3. Please provide any additional information or comments which you believe will assist the City Council in considering your application.

I am highly approachable, professional, friendly and energetic.

4. Do you anticipate that any conflicts of interest will arise if you are appointed; and if so, how would you handle them?

I do not anticipate any conflicts of interest. If, however, something were to arise, I would recuse myself and bring the conflict of interest to be open for discussion.

Meeting Dates (All meeting dates are subject to change or additions, times vary for each committee):

Arts Commission: Quarterly in February, May, August, and November

Citizens Advisory Committee: 2nd Tuesday of every quarter.

Council Meetings: 2nd and 4th Thursday of each month

Council Study Sessions: 3rd Monday of each month

Multi-Cultural Committee: Quarterly in February, May, August, and November

Planning Commission: 1st Tuesday of each month

Parks and Recreation Committee/Foundation: 3rd Thursday of every quarter

Traffic Safety Committee: 4th Tuesday of every quarter

My signature affirms that the information in this application is true to the best of my knowledge. I understand that misrepresentation and/or omission of facts are cause for removal from any council, advisory committee, board or commission I may be appointed to. All information/documentation related to service for this position is subject to public record disclosure.

Date:

12.16.2011

Signature:

