



City of Florence
A City in Motion

**City of Florence Council
 Regular Session**

Florence City Hall
 250 Hwy 101
 Florence, OR 97439
 541-997-3437
www.ci.florence.or.us

- Meeting materials including information on each agenda item are published at least 24 hours prior to the meeting, and can be found of the City of Florence website at www.ci.florence.or.us/council.
- Items distributed during the meeting, meeting minutes, and a link to the meeting video are posted to the City's website at www.ci.florence.or.us/council as soon as practicable after the meeting.
- To be notified of City Council meetings via email, please contact City Recorder Kelli Weese at kelli.weese@ci.florence.or.us.

December 19, 2016

AGENDA

6:00 p.m.

Councilors:

Joe Henry, Mayor

Joshua Greene, Council President
 Susy Lacer, Councilor

Ron Preisler, Council Vice-President
 George Lyddon, Councilor

With 48 hour prior notice, an interpreter and/or TDY: 541-997-3437, can be provided for the hearing impaired.
 Meeting is wheelchair accessible.

CALL TO ORDER – ROLL CALL – PLEDGE OF ALLEGIANCE

6:00 p.m.

INTRODUCTION

- Matthew Hiatt – Water Treatment Plant Operator
- Matthew Braaten – Police Officer

PRESENTATION

- Department Website Presentations

1. APPROVAL OF AGENDA

Joe Henry
 Mayor

2. PUBLIC COMMENTS

This is an opportunity for members of the audience to bring to the Council's attention any item not otherwise listed on the Agenda. Comments will be limited to three (3) minutes per person, with a maximum time of 15 minutes for all items. Speakers may not yield their time to others.

Joe Henry
 Mayor

CONSENT AGENDA

3. APPROVAL OF MINUTES

Consider approval of the Council regular session meeting minutes of November 21, 2016 and December 5, 2016.

Kelli Weese
 City Recorder

4. WASTEWATER PLANT DIGESTER PURCHASE

Consider approval of **Resolution No. 25, Series 2016**, a resolution authorizing the City to enter into a single source agreement with Beaver Equipment Specialty Company, Inc. in the amount of \$73,400 for the purchase of a new methane burner and repair parts for the digester.

Mike Miller
 Public Works
 Director

5. REGIONAL ACCELERATOR & INNOVATION NETWORK (RAIN) AGREEMENT

Consider approving the memorandum of agreement between RAIN and the City of Florence in the amount of \$15,000 to assist in efforts to promote entrepreneurial support programs in Florence.

Kelli Weese
 City Recorder /
 Eco. Devo.

PUBLIC HEARING ITEM

6. NORTH HWY 126 ANNEXATION & ZONE ASSIGNMENT

A. PUBLIC HEARING ON ANNEXATION & ZONE ASSIGNMENT

Hear and consider written and oral testimony regarding the annexation and zoning assignment request related to annexation of North Hwy 126 properties.

Item Includes:

- Overview of Topic by Staff
- Conduct of Land Use Hearing
- Decision to close public hearing subject matter

B. APPROVAL OF ANNEXATION REQUEST

Consider approval of **Ordinance No. 15, Series 2016,** an Ordinance approving the request for annexation for undeveloped property located east and west of Xylo Street between 12th St. and Hwy 126.

Wendy
FarleyCampbell
Planning Director

Item Includes:

- Deliberation / Decision on Annexation Request (Ordinance No. 15, Series 2016)

C. APPROVAL OF ZONING ASSIGNMENT

Consider approval of **Ordinance No. 16, Series 2016,** an Ordinance approving the zoning change for the North Hwy 126 annexation properties to the corresponding zoning: Single Family residential regulated by Florence City Code Title 10, Chapter 11 and Commercial regulated by Florence City Code Title 10, Chapter 15.

Item Includes:

- Deliberation / Decision on Zoning Assignment (Ordinance No. 16, Series 2016)

ACTION ITEMS

The Mayor will provide opportunity for the public to offer comments on action items after staff has given their report and if there is an applicant, after they have had an opportunity to speak.

7. DOG LICENSING ORDINANCE

Consider approval of **Ordinance No. 18, Series 2016,** an Ordinance amending dog licensing requirements within the City and amending Title 6, Chapter 6 of the Florence City Code.

Andy Parks
Int. Finance Dir.

8. CONSTRUCTION CONTRACT FOR PUBLIC WORKS FACILITY

Consider awarding 2G Inc., dba 2G Construction, the contract to construct the Public Works Operations Center located at 2675 Kingwood Street.

Mike Miller
Public Works
Director

9. INTERGOVERNMENTAL AGREEMENT WITH SIUSLAW SCHOOL DISTRICT

Consider approving the intergovernmental agreement with the Siuslaw School District for the approval of funding and policies concerning the school resource officer.

Megan
Messmer
Project Manager

10. CITY MANAGER EVALUATION

Consider approval of the annual evaluation for City Manager Erin Reynolds and consider salary adjustments beginning January 1, 2017.

City Council

REPORT ITEMS

11. BOARD AND COMMITTEES REPORT

Report on the workings of the City's boards and committees for the month of November 2016.

Staff
Various

12. CITY MANAGER REPORT

Erin Reynolds
City Manager

13. CITY COUNCIL REPORTS

Joe Henry
Mayor

COUNCIL CALENDAR

All meetings are held at City Hall (250 Hwy 101, Florence Oregon) unless otherwise indicated

Date	Time	Description
December 21, 2016	---	City Council Work Session <i>Canceled</i>
December 26, 2016	---	Christmas Holiday Observed <i>City Offices Closed</i>
January 2, 2017	---	New Year's Day Holiday Observed <i>City Offices Closed</i>
		City Council Meeting <i>Rescheduled</i>
January 4, 2017	---	City Council Work Session <i>Rescheduled</i>
January 9, 2017	6:00 p.m.	City Council Meeting
January 11, 2017	10:00 a.m.	City Council Work Session <i>Tentative</i>

AGENDA ITEM SUMMARY
FLORENCE CITY COUNCIL

ITEM NO: 1
Meeting Date: December 19, 2016
Department: Mayor & Council

ITEM TITLE: APPROVAL OF AGENDA

AGENDA ITEM SUMMARY
FLORENCE CITY COUNCIL

ITEM NO: 2
Meeting Date: December 19, 2016
Department: Mayor & Council

ITEM TITLE: PUBLIC COMMENTS

DISCUSSION/ISSUE:

This is an opportunity for members of the audience to bring to the Council's attention any item not otherwise listed on the Agenda. Comments will be limited to three (3) minutes per person, with a maximum time of 15 minutes for all items. Speakers may not yield their time to others.

AGENDA ITEM SUMMARY
FLORENCE CITY COUNCIL

ITEM NO: 3
Meeting Date: December 19, 2016
Department: City Recorder

ITEM TITLE: Approval of Minutes

DISCUSSION/ISSUE:

Consider approval of the Council regular session meeting minutes of November 21, 2016 and December 5, 2016.

Materials distributed during City Council meetings can be found on the City of Florence's website at www.ci.florence.or.us under the calendar date for each particular meeting. In addition, all items pertaining to the meeting including the meeting agenda, materials and items distributed, as well as electronic audio/video recordings of the meeting, are referenced at the top of each set of approved minutes, and can be referenced either on the City's website or upon request of the City Recorder.

FISCAL IMPACT:

Minutes incur staff time for compilation / retention and have no other fiscal impacts.

RELEVANCE TO ADOPTED COUNCIL GOALS:

Goal 1: Deliver efficient and cost effective city services.

ALTERNATIVES:

1. Approve the minutes as presented
2. Review and approve the minutes with modifications

RECOMMENDATION:

Approve the minutes as presented

AIS PREPARED BY: Kelli Weese, City Recorder

CITY MANAGER'S RECOMMENDATION: Approve Disapprove Other
Comments: *ER Reynolds*

ITEM'S ATTACHED:

- Draft November 21, 2016 Council Meeting Minutes
- Draft December 5, 2016 Council Meeting Minutes

This document is supplemented by agenda packet materials, meeting materials distributed and electronic audio / video recordings of the meeting and may be reviewed upon request to the City Recorder.

**City of Florence
City Council Meeting
250 Hwy 101, Florence, Oregon
Final Action Minutes
November 21, 2016**

CALL TO ORDER - ROLL CALL - PLEDGE OF ALLEGIANCE

Meeting called to order at 6:00 p.m.

Councilors Present: Mayor Joe Henry, Councilors Joshua Greene, Ron Preisler, George Lyddon and Susy Lacer.

Councilors Absent: None

Staff Present: City Manager Erin Reynolds, Public Works Director Mike Miller, Chief of Police Tom Turner, Planning Director Wendy FarleyCampbell, City Recorder / Economic Development Coordinator Kelli Weese, Project Manager Megan Messmer, Interim Finance Director Andy Parks, Florence Events Center Director Kevin Rhodes, Sergeant Brandon Ott and Economic Development Catalyst Jesse Dolin.

INTRODUCTIONS

- Brandon Ott – Sergeant
- Jesse Dolin – Economic Development Catalyst

Start Time: 6:00 p.m.

Action: Mr. Ott and Mr. Dolin were presented to the City Council.

PRESENTATIONS

- Commander Pitcher Patriotic Employer Award
- Veterans Day Parade Video
- Departmental Website Updates

Start Time: 6:00 p.m.

Action: The City Council heard presentations awarding Commander John Pitcher with the Patriotic employer award, Mayor Henry with a presentation of the Veterans Day parade, and updates to the City's website.

1. APPROVAL OF AGENDA

Start Time: 6:36 p.m.

Action: Approve agenda with amendment to Agenda Item #7 to consider recruitment process at a later date

Vote: Unanimous

2. PUBLIC COMMENT

This is an opportunity for members of the audience to bring to the Council's attention any item not otherwise listed on the Agenda. Comments will be limited to three (3) minutes per person, with a maximum time of 15 minutes for all items. Speakers may not yield their time to others.

Start Time: 6:37 p.m.

Comments: None

CONSENT AGENDA

3. APPROVAL OF MINUTES

Consider approval of the Council regular session meeting minutes of November 7, 2016.

4. AMERICAN MARKET LIQUOR LICENSE

Consider approval of the new outlet liquor license for American Market to be located at 2515 Hwy 101.

Start Time: 6:37 p.m.

Action: Approve consent agenda items as shown in the meeting materials.

Motion: Councilor Lacer

Second: Councilor Preisler

Vote: Unanimous

ACTION ITEMS

The Mayor will provide opportunity for the public to offer comments on action items after staff has given their report and if there is an applicant, after they have had an opportunity to speak.

5. ENGINEERING CONTRACT FOR HWY 126

Consider accepting the proposal with RH2 Engineering, Inc. and authorizing the City Manager to proceed with the contract in the amount of \$87,422 for engineering and design services for Hwy 126 water and wastewater improvements.

Start Time: 6:37 p.m.

Discussion: The City Council discussed...

- Increases in requests for annexation

Comments: Mayor Henry

Action: Accept engineering proposal from RH2 Engineering, Inc. and authorize the City Manager to proceed with a professional services contract.

Motion: Councilor Lyddon

Second: Councilor Lacer

Vote: Unanimous

6. PUBLIC WORKS FACILITY LOT CLEARANCE

Consider awarding the contract to Ray Wells, Inc. in the amount of \$39,000 to complete the clearing of the lot for the new Public Works Facility.

Start Time: 6:43 p.m.

Discussion: The City Council discussed...

- Recycling use of chip material and potential sales of FloGro product

Comments: Councilor Lyddon and Mayor Henry

Action: Accept proposal from Ray Wells, Inc. for \$39,050 and authorize the City manager to enter into a contract for vegetation clearing, grubbing, material grinding, and removal of the root mat material.

Motion: Councilor Preisler

Second: Councilor Lacer

Vote: Unanimous

7. CITY COMMITTEE VACANCIES

Review and consider the recruitment process for the 2017 City Committee vacancies.

Start Time: 6:47 p.m.
Discussion: The City Council discussed...

- Compliments to staff

Comments: Councilor Greene

Action: Begin recruitment for 2017 City Committee vacancies
Motion: Councilor Lyddon
Second: Councilor Preisler
Vote: Unanimous

REPORT ITEMS

8. FLORENCE HOLIDAY FESTIVAL AND BANNERS

Report on the upcoming Florence Holiday festival and placement of holiday banners in Old Town.

Start Time: 6:52 p.m.
Discussion: The City Council discussed...

- Holiday Festival tourism effects and potential changes for upcoming years
- Appreciation for effort of public works staff

Comments: Mayor Henry and Councilor Greene

9. QUARTERLY FINANCIAL REPORT

Report on the City of Florence financial statements for FY 16/17

Start Time: 7:04 p.m.
Discussion: The City Council discussed...

- Estimates for tax revenue
- Compliments for Staff

Comments: Councilor Preisler and Lacer

10. BOARD AND COMMITTEES REPORT

Report on the workings of the City's boards and committees for the month of October 2016.

Start Time: 7:09 p.m.
Discussion: None

11. CITY MANAGER REPORT

Start Time: 7:11 p.m.
Discussion: The City Council discussed...

- Review of City Newsletter

12. CITY COUNCIL REPORTS

Start Time: 7:18 p.m.
Discussion: The City Council discussed...

- City Councilor Activities
- Florence Urban Renewal design analysis for Lotus property
- Florence Rhody Express bus needs for engine repair
- Election results
- Lane ACT Appointment for Mayor
- Letter for Commitment to Respect and Unity

Comments: All Councilors present

Meeting adjourned at 7:27 p.m.

ATTEST:

Joe Henry, Mayor

Kelli Weese, City Recorder

This document is supplemented by agenda packet materials, meeting materials distributed and electronic audio / video recordings of the meeting and may be reviewed upon request to the City Recorder.

**City of Florence
City Council Meeting
250 Hwy 101, Florence, Oregon
Final Action Minutes
December 5, 2016**

CALL TO ORDER - ROLL CALL - PLEDGE OF ALLEGIANCE

Meeting called to order at 6:00 p.m.

Councilors Present: Mayor Joe Henry, Councilors Joshua Greene, Ron Preisler, George Lyddon and Susy Lacer.

Councilors Absent: None

Staff Present: City Manager Erin Reynolds, Public Works Director Mike Miller, Chief of Police Tom Turner, Planning Director Wendy FarleyCampbell, City Recorder / Economic Development Coordinator Kelli Weese, Project Manager Megan Messmer, Interim Finance Director Andy Parks and Florence Events Center Director Kevin Rhodes.

INTRODUCTION

- Stephanie Shepard – Management Analyst

Start Time: 6:00 p.m.

Action: Ms. Shepard was introduced to the City Council.

PROCLAMATION

- Certification of Election

Start Time: 6:02 p.m.

Action: Mayor Henry read the certification of election proclamation.

1. APPROVAL OF AGENDA

Start Time: 6:04 p.m.
Action: Approve agenda as presented.
Vote: Unanimous

2. PUBLIC COMMENT

This is an opportunity for members of the audience to bring to the Council’s attention any item not otherwise listed on the Agenda. Comments will be limited to three (3) minutes per person, with a maximum time of 15 minutes for all items. Speakers may not yield their time to others.

Start Time: 6:04 p.m.
Comments: None

ACTION ITEMS

The Mayor will provide opportunity for the public to offer comments on action items after staff has given their report and if there is an applicant, after they have had an opportunity to speak.

3. MARIJUANA TAX CODE AMENDMENTS

Consider approval of **Ordinance No. 17, Series 2016**, an Ordinance updating procedures for collecting the voter approved retail tax on marijuana items and amending Title 3, Chapter 11 of the Florence City Code.

Start Time: 6:04 p.m.
Discussion: The City Council discussed...
• Allowance for the City to collect the tax
• Clarification of revenue received vs. expenditures to implement the tax collection
• How the tax would be collected
Comments: Mayor Henry and Councilor Greene

Action: First reading of Ordinance No. 17, Series 2016
Vote: Unanimous

Action: Second reading of Ordinance No. 17, Series 2016
Motion: Mayor Henry
Second: Councilor Preisler
Roll Call Vote: Councilor Lyddon – Aye
Councilor Preisler - Aye
Councilor Greene – Aye
Councilor Lacer – Aye
Mayor Henry – Aye
Ordinance Passes 5-0

4. ARCHITECTURAL SERVICES CONTRACT FOR CITY HALL

Consider awarding the contract to for the City Hall remodel and expansion to HE, Inc. and authorizing the City Manager and City Project Manager to negotiate a contract.

Start Time: 6:15 p.m.

Discussion: The City Council discussed...

- Clarification on implementation process
- Clarification on design vs. engineering
- Budget estimates for project

Comments: Mayor Henry and Councilor Greene

Action: Accept the architectural qualifications from HGE, Inc. and authorize the City Manager and City Project Manager to negotiate a contract.

Motion: Councilor Lyddon

Second: Councilor Greene

Vote: Unanimous

5. HWY 101 & 8TH STREET CROSSING

Consider awarding the contract to Johnson Rock Products, Inc. in the amount of \$59,032 in order to complete an 8-inch waterline crossing of Hwy 101 and 8th Street.

Start Time: 6:24 p.m.

Discussion: The City Council discussed...

- Time of day for improvements
- Cutting open the street vs. boring underneath
- ODOT Permit process
- Starting and ending date for work

Comments: Mayor Henry and Councilor Preisler

Action: Accept the proposal from Johnson Rock Products, Inc. and authorize the City Manager to proceed with a construction contract.

Motion: Councilor Lacer

Second: Councilor Preisler

Vote: Unanimous

REPORT ITEMS

6. CITY MANAGER REPORT

Start Time: 6:30 p.m.
Discussion: The City Council discussed...

- Upcoming capital improvement projects
- Florence Christmas Banners
- Revision Florence and Urban Renewal
- Upcoming Events
- Planning and Building Codes Overview

7. CITY COUNCIL REPORTS

Start Time: 6:50 p.m.
Discussion: The City Council discussed...

- City Councilor Activities
- Christmas lights and festival
- Upcoming meetings and events
- Upcoming budget planning
- Letter of support for electric vehicles

Comments: All Councilors present

Action: Authorize the Mayor to sign a letter on behalf of the City Council to request Governor Brown consider Zero Emission Vehicle policies

Consensus Vote: Unanimous

Meeting adjourned at 7:01 p.m.

ATTEST:

Joe Henry, Mayor

Kelli Weese, City Recorder

AGENDA ITEM SUMMARY
FLORENCE CITY COUNCIL

ITEM NO: 4
Meeting Date: December 19, 2016
Department: Public Works

ITEM TITLE: Consider approval of Resolution No. 25, Series 2016, a resolution authorizing the City to enter into a single source agreement with Beaver Equipment Specialty Company, Inc. in the amount of \$73,400 for the purchase of a new methane burner and repair parts for the digester.

DISCUSSION/ISSUE:

As part of the wastewater treatment process, our digester produces methane gas. The methane gas is then used as fuel to operate the boiler and when we have excess methane production, the excess is burned through the methane burner.

Earlier this year, the City completed an extensive evaluation of the wastewater treatment plant equipment and processes. CH2M Hill and RH2 Engineering both provided evaluation services looking at the processes, equipment, and operations. During the evaluations, we discovered gas leakage on the digester, including the flame arrestor's, hatches and seals. In addition, the methane burner has since failed and needs to be totally replaced. All of this equipment are specialty items that can only be purchased through the manufacturer's representative, Beaver Equipment Specialty Company, Inc.

During the FY17 budget process, Public Works requested and the Budget Committee approved our budget request to make the necessary repairs to the digester and replace the methane burner.

The Varec Biogas products is a propriety product with only one authorized Pacific NW supplier of the products, Beaver Equipment Specialty Company, Inc. based out of Oregon City, Oregon. Our new parts and methane burner will consist of repair parts for 6-inch pressure/vacuum relief valves; 6-inch flame arrestor repair kits; 4-inch flame arrestor repair kits; 24-inch stainless steel hatch and gaskets; 36-inch gasket repair kit for a 36-inch hatch; 6-inch safety selector valve; 3-inch single port pressure regulator; 3-inch thermal shut-off valve; 3-inch waste gas burner and panel with stainless steel stack; fright; documentation; and one day start-up and commissioning technical support (to ensure proper set-up of the methane waste gas burner). The total cost for the repair parts and methane burner system is \$73,400.

With Council approval of the single source resolution, the City will enter into the purchase agreement and prepare for the project. Estimated delivery date of the Varec biogas repair parts and new methane burner system is three weeks from placement of the order.

FISCAL IMPACT:

The purchase price from Beaver Equipment Specialty Company, Inc. for the digester repair parts and new methane burner, is \$73,400 which also includes shipping. Funding to purchase the repair parts and methane burner system is included in the FY17 Wastewater capital budget and is fully funded.

RELEVANCE TO ADOPTED COUNCIL GOALS:

- City Service Delivery – improving the delivery of cost effective and efficient services.
- Livability & Quality of Life – being responsive to our community’s needs by providing a product that combines two waste products into a renewable and environmental friendly product.
- Financial & Organizational Sustainability – producing a usable product from a waste product which reduces our disposal costs.

ALTERNATIVES:

1. Do not purchase the Varec Biogas methane burner system and digester repair parts.
2. Direct staff to prepare a formal Request for Proposals for Varec Biogas methane burner system and digester repair parts.

RECOMMENDATION:

Staff recommends that the City Council approve Resolution No.25, Series 2016 authorizing the City Manager to enter into a single source agreement with Beaver Equipment Specialty Company, Inc. for a new Varec Biogas methane burner system and necessary Varec digester repair parts.

AIS PREPARED BY: Mike Miller, Public Works Director

CITY MANAGER’S RECOMMENDATION: Approve Disapprove Other

Comments:



ITEMS ATTACHED: Resolution No. 25, Series 2016

**CITY OF FLORENCE
RESOLUTION NO. 25, SERIES 2016**

A Resolution Authorizing the City of Florence, Oregon to Enter into a Single Source Purchase Agreement in the Amount of \$73,400 with Beaver Equipment Specialty Company, Inc. to Acquire Varec Biogas Methane Burner System and Digester Repair Parts to Make Necessary Repairs and Replacements at the Wastewater Treatment Plant.

RECITALS:

1. That the Public Works Department has researched and determined the need to replace seals, gaskets, hatches, flame arrestors, pressure/vacuum relief valves, and new methane burner system at the Wastewater Treatment Plant.
2. That Public Works has standardized on the Varec Biogas flame arrestors, pressure/vacuum relief valves, and methane burner systems for use at our Wastewater Treatment Plant.
3. That only one authorized Oregon based supplier of Varec Biogas parts and systems is Beaver Equipment Specialty Company, Inc.
4. That funding is available in FY17 Adopted Budget from the Wastewater Capital Outlay fund.
5. Specifically funding for this project is from the wastewater facility, vehicles, and equipment line item.

Based on these findings,

THE CITY COUNCIL OF THE CITY OF FLORENCE RESOLVES AS FOLLOWS:

1. The City Manager is authorized to proceed and enter into the Purchase Agreement between Beaver Equipment Specialty Company, Inc. and the City of Florence, Oregon in the amount of \$73,400 for the purchase of Varec Biogas Methane Burner, flame arrestors, pressure/vacuum relief valves, seals, gaskets, and other repair items to repair methane gas leaks on the digester and replace the existing methane burner at the Wastewater Treatment Plant.

ADOPTION:

This Resolution is passed and adopted on the 19th day of December, 2016.

Joe Henry, Mayor

Attest:

Kelli Weese, City Recorder

AGENDA ITEM SUMMARY
FLORENCE CITY COUNCIL

ITEM NO: 5
Meeting Date: December 19, 2016
Department: Administration

ITEM TITLE: Regional Accelerator & Innovation Network (RAIN) Agreement

DISCUSSION/ISSUE:

Over the past year, the City of Florence has been working in conjunction with RAIN to help promote economic development and entrepreneurship in the Florence region. RAIN is a nonprofit whose mission is to help entrepreneurs turn their ideas into innovative traded sector companies that can grow and thrive locally. Through its work throughout Linn, Lincoln, Lane and Benton Counties, RAIN has worked since June 2014 to help create 212 jobs and serve 124 accelerator companies.

Since November 2015, RAIN and the City of Florence have put together 13 events to help promote communication and training for our local entrepreneurs. These events have led to over 352 attendees, marking a huge interest in promoting economic development and entrepreneurship in our region.

These initial pushes to create an entrepreneurial ecosystem were the result of over 150 hours of City staff time. Understanding the value of the programs, yet also their unsustainability, the City of Florence and other coastal jurisdictions worked to assist RAIN in applying for a Ford Family Foundation grant in the amount of \$50,000 to help hire a Coastal Venture Catalyst to continue and expand these efforts. In order to help promote these programs, the City of Florence tentatively proposed to assist with \$30,000 over the course of two fiscal years. These funds were proposed to be used to help RAIN meet the matching dollar requirement of the grant. The Ford Family Foundation grant was received in October 2016 and presented at the October 5th State of the Startup event at City Lights Cinemas.

The Memorandum of Agreement before the City Council works to finalize this agreement between the City of Florence and RAIN, in order to continue the meetups and seminar programs established in 2015/16 and expand upon these by launching a pre-accelerator program in Florence (entrepreneurial training).

FISCAL IMPACT:

The City of Florence allocated \$70,000 in the 2016/17 fiscal year toward economic development. These funds were intended to be spent on timely economic development initiatives to help promote the Florence Economy including contract employee assistance and partnership with other agencies, including RAIN. Approval of this contract would allocate \$15,000 toward RAIN in the 2016/17 fiscal year, and indicate an intent to allocate \$15,000 in the 2017/18 fiscal year.

RELEVANCE TO ADOPTED CITY WORK PLAN:

Goal 3 – Economic Development

ALTERNATIVES:

1. Approve the MOA between RAIN and the City
2. Approve the MOA between RAIN and the City with amendments
3. Do not approve the MOA between RAIN and the City

RECOMMENDATION:

Approve the MOA between RAIN and the City of Florence

AIS PREPARED BY:

Kelli Weese, City Recorder / Economic Development Coordinator

**CITY MANAGER'S
RECOMMENDATION:**



Approve



Disapprove



Other

Comments:

ER Reynolds

ITEM'S ATTACHED:

Attachment 1 – MOA between RAIN and the City of Florence

**MEMORANDUM OF AGREEMENT
BETWEEN
Regional Accelerator & Innovation Network (RAIN)
AND
The City of Florence**

I. INTRODUCTION

THIS MEMORANDUM OF AGREEMENT ("Memorandum"), dated October 12, 2016 between the Regional Accelerator & Innovation Network (RAIN) a non-profit organization represented by Marc Manley, RAIN Executive Director, Caroline Cummings, RAIN's Venture Catalyst and David Youngentob, RAIN's Coastal Venture Catalyst; and the City of Florence, represented by Erin Reynolds, City Manager; collectively referred to as "the Partners".

II. PREAMBLES

WHEREAS, RAIN is a non-profit organization established with the goal of building entrepreneurial support and ecosystems in Lane, Linn, Lincoln and Benton counties; this MOU is for work that RAIN will carry-out in Western Lane County, with emphasis on the City of Florence.

WHEREAS, the City of Florence is a municipality organization who has economic development goals including the support of entrepreneurs and innovators in the Florence area as a means of stimulating job creation and wealth in the Western Lane County coastal region.

WHEREAS, this Agreement has as its objective the collaboration and participation of both organizations for the development and support of an entrepreneurial ecosystem in Western Lane County where the emphasis is on helping traded sector startups launch and thrive in the region.

WHEREAS, the missions of the Partners are complementary;

THEREFORE, the Partners wish to continue working together and in compliance with the following clauses:

III. GOALS

To be accomplished before June 30, 2017:

1. Hire and mentor Coastal Venture Catalyst
2. Launch and support a pre-accelerator program in Florence
3. Launch and support a mentoring program in Florence
4. Host Meetups and Seminars to help gather, educate and support entrepreneurs and innovators in Florence
5. Tracking of overall budget and reporting of progress to funders and partners
6. Development of database of entrepreneurs and mentors
7. Meet other goals as mutually agreed upon between the parties

IV. AREAS OF COLLABORATION

DESCRIBE AREAS OF COLLABORATION BETWEEN RAIN AND THE CITY OF FLORENCE

The objective of this initiative is to help in a collaborative fashion to develop the entrepreneurial ecosystem for Florence and the surrounding area. Specific goals and metrics will be established between the City and RAIN to help measure progress toward this goal. Key metrics might include clients served, attendance at events, jobs created, dollars invested, etc. RAIN and the City of Florence will develop specific strategies including those mentioned in the goals above and work together in their execution.

V. RESPONSIBILITIES OF RAIN

RAIN's key responsibilities include the following:

- Provide mentoring of Coastal Venture Catalyst
- Monitor overall project budget and report progress to Ford Family Foundation and other funders
- Work with City to create specific strategies to develop entrepreneurial ecosystem
- Work with City to implement through the Coastal Venture Catalyst specific strategies
- Develop with City specific metrics and track and report these metrics
- Support communication and PR opportunities through RAIN
- Work with City to provide sustainable funding if program is deemed a success

VI. RESPONSIBILITIES OF THE CITY OF FLORENCE

City of Florence's Key Responsibilities:

- Work with RAIN in development of specific strategies and their implementation
- Help RAIN to track success metrics
- Help RAIN promote activities and events
- Support with development of communication strategies as needed
- Work with RAIN to develop strategies for sustainable funding if program deemed successful

VII. PRINCIPAL CONTACTS

The Principal Contacts for each one of the organizations is:

RAIN:

MARC MANLEY
EXECUTIVE DIRECTOR
222 FIRST AVE. W. (MAILBOX #20)
ALBANY, OR 97321
541-740-6272

THE CITY OF FLORENCE:

ERIN REYNOLDS
CITY MANAGER
250 US-101, FLORENCE, OR 97439
541-997-3437

Such Principal Contacts may be changed in writing from time to time by their respective Partners.

VIII. USE OF INTELLECTUAL PROPERTY

The parties agree that any intellectual property, which is jointly developed through activities covered under this MOU, can be used by either party for non-profit, non-commercial purposes without obtaining consent from the other and without any need to account to the other.

All other intellectual property used in the implementation of the MOU will remain the property of the party that provided it. This property can be used by either party for purposes covered by the MOU but consent will be obtained from the owner of the property before using it for purposes not covered by the MOU.

IX. EFFECTIVE DATES AND AMENDMENTS.

This MOU shall take effect upon signing by both Parties and shall remain in effect for a period of one year from that date unless earlier terminated. Neither party may assign or transfer all or any portion of this MOU without the prior written consent of the other party.

The MOU may be renewed at the end of this period by mutual written agreement by both Parties.

The provisions of this MOU may only be amended or waived by mutual written agreement by both Parties.

Any Party may terminate this MOU and any related agreement, workplan and budget at any time and for any reason by giving thirty (30) days prior written notice to the other Party; provided, however, that in the event RAIN fails to perform any of its obligations under this MOU PARTNER shall have the right to terminate this MOU and any related agreement, workplan and budget immediately upon written notice.

The individuals signing this MOU on behalf of their respective entities represent and warrant (without personal liability therefor) that upon the signature of each, this MOU shall have been duly executed by the entity each represents.

X. TRANSFER OF FUNDS.

The parties acknowledge and agree that this MOU include THE CITY OF FLORENCE contributing \$15,000 toward this initiative. It is acknowledged via this agreement that the City of Florence intends to contribute an additional \$15,000 in the following fiscal year pending review of performance of this contract. The funds will be transferred to RAIN on or before December 31, 2016.

XI. NO JOINT VENTURE

Notwithstanding the terms "Partners" and "Partnership", the Partners agree that they are not entering into a Legal Partnership, joint venture or other such business arrangement, nor is the purpose of the Partners to enter into a commercial undertaking for monetary gain. Neither Partner will refer to or treat the arrangements under this Agreement as a Legal Partnership or take any action inconsistent with such intention.

XII. NO EMPLOYMENT RELATIONSHIP

RAIN acknowledges and agrees that this agreement does not create an employment relationship between the City and RAIN, its officials, employees, agents or contractors. RAIN further agrees that RAIN is exclusively responsible for all costs and expenses related to RAIN's employment of individuals to perform work pursuant to this agreement, including but not limited to retirement contributions, workers' compensation, unemployment taxes, and state and federal income tax withholdings.

XIII. DISPUTE RESOLUTION

The Partners hereby agree that, in the event of any dispute between the Partners relating to this Agreement, the Partners shall first seek to resolve the dispute through informal discussions. In the event any dispute cannot be resolved informally within sixty (60) calendar and consecutive days, the Partners agree that the dispute will be negotiated between the Partners through mediation, if Partners can agree on a mediator. The costs of mediation shall be shared equally by the Partners. Neither Partner waives its legal rights to adjudicate this Agreement in a legal forum.

ENTIRETY

This Agreement, including all Annexes, embodies the entire and complete understanding and agreement between the Partners and no amendment will be effective unless signed by both Partners. Such signature by both Partners may be made electronically. Once counter-signed BY THE CITY OF FLORENCE, please email back to carolineineugene@gmail.com

FOR RAIN

FOR THE CITY OF FLORENCE

MARC MANLEY
RAIN EXECUTIVE DIRECTOR

ERIN REYNOLDS
FLORENCE CITY MANAGER

Date: _____

Date: _____

Witness Date

Witness Date

AGENDA ITEM SUMMARY
FLORENCE CITY COUNCIL

ITEM NO: 6

Meeting Date: Dec. 19, 2016

Department: Planning/Public Works

ITEM TITLE: Ordinances 15 & 16, Series 2016: Public Hearing
Hwy 126 North – Annexation and Zone Assignment

DISCUSSION/ISSUE:

Note: Findings of Fact are duplicated for CC 16 06 ANN 03 (Ord. 15) and CC 16 07 ZC 03 (Ord 16).

Background and Information: Robert and Sarah Gage initiated the petition for annexation on August 30, 2016. A letter was sent to surrounding property owners offering them the opportunity to annex. Subsequently, three additional sets of property owners provided petitions to annex. Since all property owners of the territory had submitted the request for annexation, there were no electors, and the proposed territory was contiguous with the city limits, no initiation of the annexation was required and the application went directly to the Planning Commission.

Planning Commission: The Planning Commission held a public hearing on November 22, 2016 and December 13, 2016 where the Planning Commission unanimously approved Resolutions PC 16 19 ANN 03 and PC 16 20 ZC 03, recommending approval of the annexation and zone assignment, respectively, to the City Council.

As per ORS 222.170 after a public hearing is held in accordance with ORS 222. 120 properties may be annexed without an election if more than half of the owners of land in the territory, who also own more than half of the land in the contiguous territory and of real property therein representing more than half of the assessed value of all real property in the contiguous territory consent in writing to the annexation on or before the date of the hearing. This also called the triple majority method. Eighty percent of the property owners owning more than half the land representing more than half of the assessed value consented to annexation prior to the Council hearing date.

The City Council will consider during a public hearing the Zone Assignments (Ordinance No. 16, Series 2016) of the territory to the corresponding zones for the Florence Realization 2020 Comprehensive Plan designations of Medium Density and Commercial designations: Single Family Residential District and Commercial District respectively.

Access & Utilities: Staff is working with the petitioners on annexation/development agreements for the extension of water and sewer utilities. Vehicular access is available off of Xylo St., or undeveloped Vine or 12th Sts. Xylo St. will be in the City jurisdiction but remain

under county maintenance whereby access permits would be issued by Lane County. If approved, staff will notify other utility companies of the annexation.

FISCAL IMPACT:

The applicants will pay Systems Development Charges as well as a utility connection fees.

RELEVANCE TO ADOPTED CITY WORK PLAN:

Goal 1: City Service Delivery. Sustain and improve delivery of cost effective and efficient services.
Objective 18: Organized growth opportunities, Task 3: Encouraging in-fill development

ALTERNATIVES:

1. Approve Ordinance No. 15 and Ordinance No. 16, Series 2016, or
2. Deny the petition for annexation and zone assignment through resolution with reasons for the denial.

RECOMMENDATION:

Staff recommends that the annexation and zone assignment requested by the applicant be approved through Ordinances No. 15 and No. 16, Series 2016.

AIS PREPARED BY: Wendy FarleyCampbell, Planning Director

CITY MANAGER'S RECOMMENDATION:

Approve Disapprove Other

Comments:

ERReynolds

ITEM'S ATTACHED:

Ordinance No. 15, Series 2016
Exhibit A Map of Annexation Area
Exhibit B Description of Annexation Area
Exhibit C Findings of Fact

Ordinance No. 16, Series 2016
Exhibit A Map of Rezoning Area
Exhibit B Findings of Fact

Other Attachments
Attachment 1 Petitions for Annexation
Attachment 2 Referral Comments Received

**CITY OF FLORENCE
ORDINANCE NO. 15, SERIES 2016**

AN ORDINANCE APPROVING ANNEXATION OF XYLO ST. AND WILLOW ST. AND ALLEY WITHIN BLOCK 69 OF GALLAGHER PLAT AND PROPERTY EAST AND WEST OF XYLO STREET BETWEEN 12TH ST. AND HWY 126, MAP # 18-12-26-42 TAX LOTS 01000, 01202, AND 00800 AND MAP # 18-12-26-13 TAX LOT 02400 AND PROPERTY EAST OF UNDEVELOPED VINE ST. BETWEEN 11TH AND 12TH STS., MAP# 18-12-26-24, TAX LOT 01700 AND MAP # 18-12-26-31 TAX LOT 00100.

RECITALS:

1. The City of Florence was petitioned by the property owners, Robert and Sarah Gage, Lon and Robin Beale, Mark & Laurie Hamilton, and David and Susan Williams between August 30th and October 31st, 2016 as required by Oregon Revised Statutes (ORS) 222.111(2) and Florence City Code (FCC) 10-1-1-4.
2. The City Council of the City of Florence is authorized by Oregon Revised Statutes (ORS) Chapter 222 to accept, process, and act on annexations to the City.
3. The territory proposed to be annexed is within the Florence Urban Growth Boundary of the Florence Realization 2020 Comprehensive Plan and is contiguous to the City limits as required by ORS 222.111 (1).
4. ORS 222.170 (2) requires that annexations be initiated by owners of more than half the land and the consent of the majority of electors residing on the affected properties.
5. Signed petitions to annex were received from 80% of property owners of the lots included in the petition for annexation and there are no residents and therefore electors.
6. The City of Florence is not including additional lands to be annexed inside the city limits as provided under triple majority annexation, though the three conditions for a triple majority annexation have been met: more than half of the owners of land in the territory consent in writing to the annexation, the owners consenting to annex own more than half of the land in the contiguous territory, and the owners consenting to annex represent more than half of the assessed value of property in the territory. Only the lands described as part of Exhibits A and B will be annexed into the City of Florence.
7. The Planning Commission met in public hearings on November 22nd and December 13th, 2016 after giving the required notice per FCC 10-1-1-5 to consider the proposal, evidence in the record and testimony received.
8. The Planning Commission determined, after review of the proposal, testimony and evidence in the record, that the proposal was consistent with Realization 2020, the city's acknowledged Comprehensive Plan and adopted findings of fact in support of the annexation.
9. The City Council met on December 19, 2016 after giving the required notice per FCC 10-1-1-5, to consider the proposal, evidence in the record, and testimony received.

10. The City Council deliberated on December 19, 2016 and found that the request met the applicable criteria and that the property could adequately be served.

11. Per FCC 10-1-2-3, the City Council may establish zoning and land use regulations that become effective on the date of the annexation and the City Council adopted Ordinance No. 16, Series 2016 zoning the annexed property to either Single Family Residential District or Commercial District, consistent with the Florence Realization 2020 Comprehensive Plan text and map and the Florence Zoning Code.

Based on these findings,

THE CITY COUNCIL OF THE CITY OF FLORENCE ORDAINS AS FOLLOWS:

1. The City of Florence approves the annexation of territory owned by the petitioners into the City of Florence as described in Exhibits A and B.
2. This annexation is based on the Findings of Fact in Exhibit C and evidence in the record.
3. The City Recorder is hereby directed to file certified copies of this Ordinance with the Oregon Secretary of State's Office consistent with the requirements of that office 90 days prior to the general election in order for the annexation to be effective upon filing pursuant to ORS 222.040(1) and 222.180(1).
4. The City Recorder is also hereby directed to file certified copies of this Ordinance with the Lane County Assessment and Taxation Office. Lane County Chief Deputy Clerk and Oregon Department of Revenue pursuant to state law.

ADOPTION:

First Reading on the 19th day of December, 2016.

Second Reading on the 19th day of December, 2016.

This Ordinance is passed and adopted on the 19th day of December, 2016.

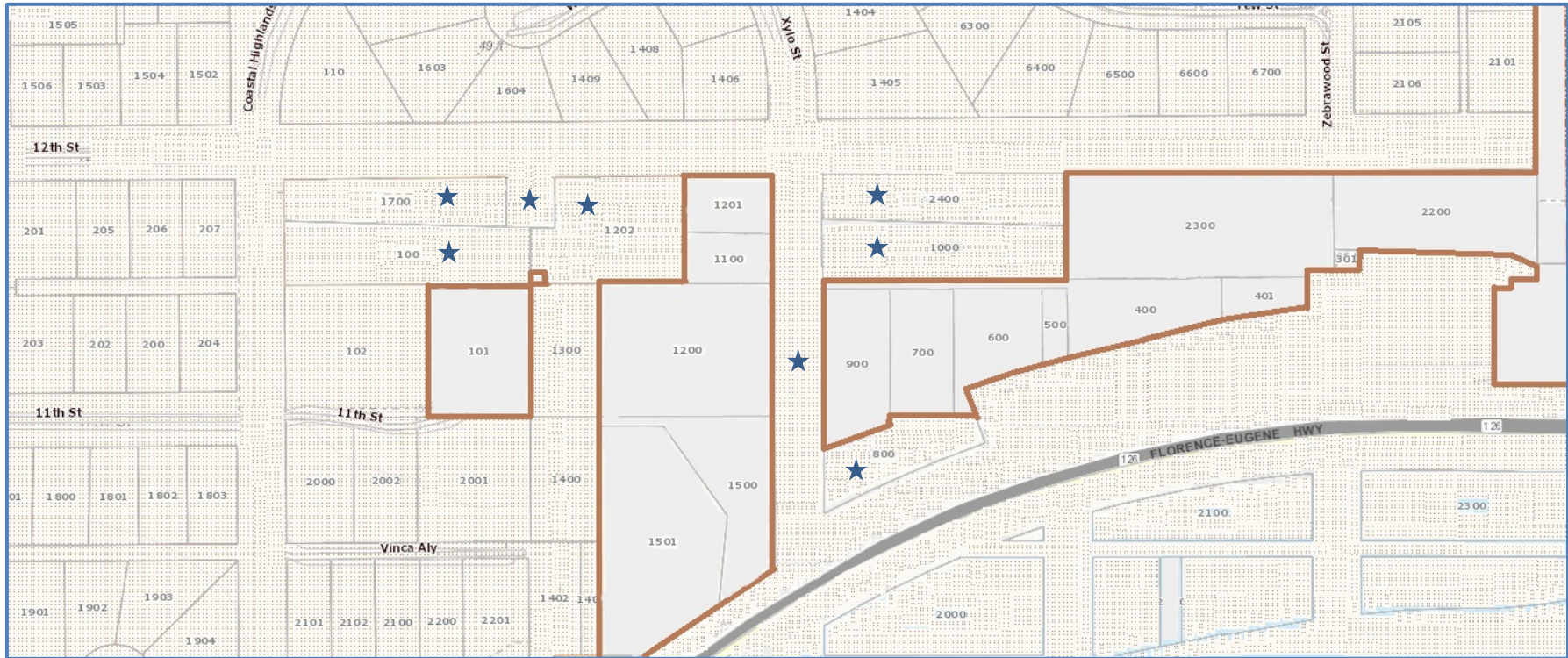
AYES
NAYS
ABSTAIN
ABSENT




Joe Henry, Mayor

Attest:

Kelli Weese, City Recorder

ORDINANCE 15, 2016 - EXHIBIT A
North Highway 126 East Annexation



-  = Properties and Rights-of-Way to be annexed
-  = Properties and Rights-of-Way not being annexed
-  = Properties within the city limits

Ordinance 15, Series 2016

Exhibit B - Legal Descriptions of Areas to be Annexed

Parcel A: Map # 18-12-26-42 Tax Lot 1000 & Map # 18-12-26-13 Tax Lot 2400 (Gage)

Lot F of MUNSEL PARK ADDITION TO FLORENCE, as platted and recorded in Volume 4, Page 90, Lane County Oregon Plat Records, in Lane County, Oregon, and Lot F of GALLAGHERS PART OF THE CITY OF FLORENCE, as platted and recorded in Volume 30, Page, 13, Lane County Oregon Plat Records, in Lane County, Oregon. Together with that portion of vacated Yew (Pine) street inuring to said lots by operation of law under vacation ordinance recorded March 18, 1997, Reception No. 97-17906, Records of Lane County, Oregon.

Parcel B: Map # 18-12-26-42 Tax Lot 0800 (Beale)

Fractional Block 72, lying Northerly of the Northerly Right of Way line of Highway 126, ALSO that portion of vacated 11th Street which would inure to said parcel in accordance to law, as vacated by Vacation Ordinance No. 83-11-9-14, recorded February 21, 1984, Reception No. 84-06911, Lane County Oregon Records, in Lane County, Oregon.

Except the following portions of Block 72 and vacated 11th Street, Beginning at a point lying at the intersection of vacated 11th Street and the Eastern Right of Way Line of Xylo Street; thence leaving said Eastern Right of Way line and going along said Centerline of said vacated 11th Street South 89°48'20" East for 83.00 feet; thence leaving said Centerline South for 12.00 feet; thence South 70°18'00" West for 88.16 feet to the Eastern Right of Way Line of Xylo Street; thence along said Eastern Right of Way line North for 42.00 feet to the point of beginning in Lane County, Oregon, all in GALLAGHER'S PART OF THE CITY OF FLORENCE, as platted and recorded in Volume 30, Page 12, Lane County Oregon Plat Records, in Lane County, Oregon.

Parcel C: Map # 18-12-26-42 Tax Lot 01202 (Hamilton)

Lot E, MUNSEL PARK ADDITION TO FLORENCE, as platted and recorded in Book 4, Page 90, Lane County Oregon Plat Records, EXCEPT the East 109 feet thereof, in Lane County, Oregon. ALSO Lot E, Block 69, PLAT OF GALLAGHER'S PART OF THE CITY OF FLORENCE, as platted and recorded in Book 30, Page 12, Lane County Oregon Deed Records, EXCEPT the East 109 feet thereof, in Lane County, Oregon. ALSO the North one-half of the vacated alley abutting Lot E, Block 69, PLAT OF GALLAGHER'S PART OF THE CITY OF FLORENCE, as platted and recorded in Book 30, Page 12, Lane County Oregon Deed Records, EXCEPT the East 109 feet thereof, in Lane County, Oregon. ALSO all of vacated Willow Street abutting on the West of the above described parcels.

Parcel D: Map # 18-12-26-24 Tax Lot 01700 & Map # 18-12-26-31 Tax Lot 00100 (Williams)

Lot D, MUNSEL PARK ADDITION TO FLORENCE, as platted and recorded in Volume 4, Page 90, Lane County Oregon Plat Records, in Lane County, Oregon.

ALSO, Lot D, Block 68, GALLAGHER'S PART OF THE CITY OF FLORENCE, as platted and recorded in Volume 30, Page 13, Lane County Oregon Deed Records, in Lane County Oregon, and that portion of the vacated alley lying adjacent and inuring thereto by vacation ordinance recorded May 13, 1980, Reel 1072, Reception No. 80-24232, Official Records of Lane County, Oregon.

Rights-of-way

Xylo St. (Oak St.) of GALLAGHER'S PART OF THE CITY OF FLORENCE, as platted and recorded in Book 30, Page 12, Lane County Oregon Plat Records and of MUNSEL PARK ADDITION to Florence, as platted and recorded in Volume 4, Page 90, Lane County Oregon Plat Records, In Lane County, Oregon ; also the alley, Block 69, GALLAGHER'S PART OF THE CITY OF FLORENCE, as platted and recorded in Book 30, Page 12; also Willow St. (Wall St.) between Lots D and E of Blocks 68 and 69 of GALLAGHER'S PART OF THE CITY OF FLORENCE, as platted and recorded in Book 30, Page 12, Lane County Oregon Plat Records and MUNSEL PARK ADDITION to Florence, as platted and recorded in Volume 4, Page 90. Lane County Oregon Plat Records, In Lane County, Oregon

FINDINGS OF FACT

Ordinance 15, Series 2016: Exhibit “C”

Ordinance 16, Series 2016 “B”

Public Hearing Date: December 19, 2016

Planner: Wendy FarleyCampbell

I. PROPOSAL DESCRIPTION

Proposal: Annexation

A request to annex property from Lane County to the City of Florence

Rezoning

Upon annexation, the properties will be rezoned with city zoning. The corresponding zoning districts matching the included properties plan designation are Commercial District and Single Family District

Property Owners/Petitioners & Associated Properties (described in Exhibit B of Ordinance 15, Series 2016):

Robert and Sarah Gage, Lon and Robin Beale, Mark & Laurie Hamilton, and David Williams within the listed tax lots

Land east of Xylo St.:

Map Reference 18-12-26-42 Tax Lot 0800 (Beale)

Map Reference 18-12-26-42 Tax Lot 1000 (Gage)

Map Reference 18-12-26-13 Tax Lot 2400 (Gage)

Land west of Xylo St.:

Map Reference 18-12-26-42 Tax Lot 01202 (Hamilton)

Map Reference 18-12-26-24 Tax Lot 01700 (Williams)

Map Reference 18-12-26-31 Tax Lot 00100 (Williams)

Other land to be annexed:

Rights-of-way: Xylo St. north of Hwy 126, Willow St. South of 12th St., east west running alley within Block 69. The last two may be vacated. As of the writing of this report County records (plats & assessment maps) are inconsistent on their status.

Comprehensive Plan Map Designation: Single Family Residential Commercial

Land Use / Zoning:

Land east of Xylo St.:

Map Reference 18-12-26-42 Tax Lot 00800 (Beale): C2 (Neighborhood Commercial District), Overlays BD & AS (Beaches & Dunes and Airport Safety Combining Zone)

Map Reference 18-12-26-42 Tax Lots 1000 & 2400 (Gage): County RA (Suburban Residential), Overlays BD & AS (Beaches & Dunes and Airport Safety Combining Zone)

Land west of Xylo St.: County RA (Suburban Residential), Overlays BD & AS (Beaches & Dunes and Airport Safety Combining Zone)

Map Reference 18-12-26-42 Taxlot 0202 (Hamilton)
Map Reference 18-12-26-24 Taxlot 01700 (Williams)
Map Reference 18-12-26-31 Taxlot 00100 (Williams)

North: Single Family Residences / City RS (Single Family Residential)
South: Highway 126 / City (Commercial)
East: Single Family Residences / County RA (Suburban Residential)
West: Single Family Residences / City RS (Single Family Residential)

Streets / Classification: Hwy 126 / Major Arterial; Willow St. / Local Street (undeveloped) Xylo St. / Local (Developed) and east-west running alley of Block 69 (undeveloped)

II. NARRATIVE

There are six vacant tax lots under consideration for annexation as well as the following rights-of-way Willow St. (short stub), Xylo St, and east-west running alleys of Block 69 south of undeveloped 12th St.

Robert and Sarah Gage initiated the petition for annexation on August 30, 2016. Their application was deemed complete as of September 19, 2016. A letter was sent on October 14, 2016 to surrounding property owners offering them the opportunity to annex. Subsequently, three additional sets of property owners provided petitions to annex. As of the date of writing the proposal is reviewed under both the “Double Majority” annexation (ORS 222.125) and “Triple Majority” methodologies since there are no electors. The annexation and zoning assignments will be processed as a quasi-judicial zone amendment with a hearing.

The properties are within the Siuslaw Rural Fire Protection District. The properties will continue to be served by SVFR.

Any property abutting Highway 126 Oregon Department of Transportation right-of-ways must apply for access permits from ODOT.

III. PUBLIC NOTICE

Notice of the Planning Commission’s public hearing was mailed on November 2, 2016 to property owners within 300 feet of the proposed annexation areas. Notice was published in the Siuslaw News on November 9th and 16th. On November 2, 2016 notices were posted at City Hall, the Florence Post Office, the Justice Center, and the Siuslaw Public Library.

Notice of the City Council's public hearing was posted on the properties December 9, 2016, published in the Siuslaw News on December 7th and 14th. On December 9, 2016 notices were posted at City Hall, the Florence Post Office, the Justice Center, and the Siuslaw Public Library.

Public Comments:

At the time of this report, the City had received no written comments.

Verbal Testimony was taken from property owners residing along the alley north of Hwy 126 and east of Xylo St. They were concerned about the status or their wells once Mr. Beale's property was annexed and the sign he proposed to place there once annexed.

IV. REFERRALS

On November 15, 2016, referrals were sent to Florence Public Works and Police; Lane County Transportation, Surveyor, Land Management and Environmental Health; Oregon Department of Transportation; DLCD; the U.S. Post Office; Charter Communications; Century Link; Coastcom; Central Lincoln PUD; Central Coast Disposal; Country Transfer and Recycling; and Siuslaw Valley Fire and Rescue.

Referral Comments:

At the time of this report, the City had received comments from Daniel Ingram, Lane County Transportation.

Daniel Ingram, Senior Engineering Associate at Lane County Public Works, requested that Xylo St. and the alley east of Xylo St. be included in the annexation so that city development standards apply to future development. He also requested the stub of Willow St. south of 12th St. be included as well whether it is vacated or not.

V. APPLICABLE REVIEW CRITERIA

Annexation

Oregon Revised Statutes (ORS)

222.111; 222.120; 222.125; and 222.170 (2)

Florence Realization 2020 Comprehensive Plan

Chapter 1: Citizen Involvement, Policy 4

Chapter 14: Urbanization, Policies 1 and 3 through 7

Rezoning

Florence Realization 2020 Comprehensive Plan

Chapter 2: Land Use, Policies 1 & 8, Section on Commercial Designations & Section on Residential Designation

Florence City Code (FCC)

Title 10, Chapter 1: Zoning Regulations, Sections 10-1-1-5-E-3, 10-1-2-3, and 10-1-3-B-4

Chapter 11: Single Family Residential
Chapter 15: Commercial

VI. FINDINGS OF FACT

The following findings support Ordinances 15 & 16, Series 2016 and address approval criteria within the Florence Realization 2020 Comprehensive Plan, Florence City Code and State Statutes.

Applicable criteria and policies are shown in **bold text**, followed by findings of consistency in plain text.

FLORENCE REALIZATION COMPREHENSIVE PLAN

Chapter 1: Citizen Involvement

“Goal

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.”

Policies

4. “Official City meetings shall be well publicized and held at regular times. Agendas will provide the opportunity for citizen comment.”

This proposal is consistent with this citizen involvement goal and Policy 4 because the process used by the City to approve Ordinances 15 & 16, Series 2016 of this annexation and zone assignment request was consistent with the City’s applicable citizen involvement program, which ensured that citizens were provided an opportunity to be involved in this land use action. Specifically, official City meetings on this action were publicized and held at regular times and provided the opportunity for citizen comment.

The public process used met all of the requirements stated in Florence City Code pertaining to the rezoning of properties.

The proposal is the subject of public hearings before both the Planning Commission and the City Council. This annexation proposal was considered by the Florence Planning Commission on November 22, 2016 and December 13, 2016. The public hearing was noticed in accordance with Florence City Code 10-1-1-5 as a quasi-judicial land use decision before the Planning Commission. The City notified property owners within 300 feet of the sites 21 days prior to the Planning

Commission public hearing. The City also published the required notice of the Planning Commission's public hearing two times in the Siuslaw News on November 9th and 16th. Finally, the City posted notice at four public places within the City on November 2nd: City Hall, Justice Center, Siuslaw Public Library, and Post Office.

This annexation proposal was considered by the Florence City Council on December 19, 2016. The public hearing was noticed in accordance with Florence City Code 10-1-1-5 as a quasi-judicial land use decision before the City Council. The City published the required notice of the City Council's public hearing two times in the Siuslaw News on October 7th and 14th. Finally, the City posted notice at four public places within the City on December 9th -- City Hall, Justice Center, Siuslaw Public Library, and Post Office.

The Planning Commission and City Council agenda packets were posted on the City's website prior to the public hearing. The staff report was available seven days prior to the Planning Commission and City Council public hearings; therefore, this proposal was reviewed in accordance with the City's acknowledged plan and was consistent with the plan policies for Citizen Involvement.

Chapter 2: Land Use

Policies

- 6. "The City shall conduct an internal review at least once every three years to assess the capacity of sewer, water and stormwater systems including three-year projections of additional consumption using a three percent growth rate."**

The annexation proposal is consistent with this policy because the provision of city utility services to the annexation area is based on the most up-to-date assessment of the projected capacity of these systems, assuming a 3 percent growth rate. This policy directs that the City conduct these internal reviews on a regular basis to ensure that the City continuously has the capacity to serve existing and new development, including annexed properties. The City has actively studied the capacity of these systems and hired consultants to supplement these studies. Documentation of recent study results in the record confirm that the City has the capacity to serve the annexation area without affecting service to existing City residents; consistent with the direction in this policy.

Commercial

Goal

To utilize appropriately designated land for the development of commercial businesses and establishments in a manner that provides for the needs and desires of the Florence resident, tourist, and regional marketplace while enhancing the attractive nature of this coastal community.

Policy 8. Any northward expansion of commercially designated lands along Highway 101 and eastward along Highway 126 shall be consistent with the land use element of the Comprehensive Plan.

Currently, these lands are zoned either Suburban Residential or Neighborhood Commercial, by Lane County. None of the properties under consideration for annexation feature a commercial component and rather are vacant undeveloped land. At the time of report writing one property (Beale) will be zoned Commercial when annexed into the City. While the lot has an excessive slope restricting reasonable development consistent with its zoning the rezone will allow development of the property with uses consistent with other development westward along Highway 126, which is already within the city limits. Those properties are zoned Highway and are seeing development in line with what is permitted within that district.

Commercial Plan Designation Categories and Background

Commercial

...The third area designated Commercial are lands north and south of Highway 126 and east of Quince Street. These lands were designated Highway Commercial in the 1988 Comprehensive Plan Map and zoned for commercial use by Lane County. Retail and service commercial, professional offices, lodging and restaurant establishments are appropriate uses for this area. Upper story residences are encouraged where they can be protected from highway impacts.

The implementing zoning district for the Commercial Plan designation is the Commercial District.

Commercially designated lands under consideration for annexation will be rezoned to their corresponding zoning of Commercial. These areas will add nominally to the commercial lands inventory within the Florence city limits.

Chapter 14: Urbanization

Goal

To provide for an orderly and efficient transition from County/rural land uses to City/urban land uses.

This proposal is consistent with this Urbanization goal because the proposed annexation provides for an orderly and efficient transition from County/rural land uses to City/urban land uses, as follows:

- The annexation area is within the Florence urban growth boundary (UGB) and is contiguous to existing City limits via properties to the west and north; it is, therefore, an orderly transition from rural to urban land uses.

- The existing public infrastructure is an orderly and efficient mechanism for providing urban services to this geographic area. The annexation will allow the provision of City water and sewer to the properties being annexed. All connections to the sewer line will be funded through system development charges, connection fees, and the sewer and water funds in the 2016-17 City of Florence Budget. This financing method allows for cost-effective service delivery to all users of the system.
- The provision of sewer service will allow the property owners to avoid additional construction of septic systems and inefficient use of open space contained within the lots to be annexed for the drain field.

Annexation Policies

- 1. The procedures of ORS 222.840 et. Seq. (Health Hazard Abatement) shall be initiated if needed to remove dangers to public health. In the absence of a need for health hazard abatement annexation procedures, any annexation of county territory to the City of Florence shall utilize an annexation method allowable by state law that requires a majority of consents, and shall not utilize the “island annexation” procedures set forth by ORS 222.750.**

The proposed annexation has been initiated by the property owners in order to receive City services, but has not been initiated in order to abate a health hazard. ORS 222.840 is not applicable to this specific proposal.

The City of Florence has utilized for this proposed annexation a method allowable by state law that requires a majority of consents and did not utilize an “island annexation.” The City has received a petition from the property owners with signature of all listed property owners and electors. This policy criterion is met.

The proposed annexation is not an island annexation because the territory to be annexed is contiguous with the Florence city limits.

- 3. Conversion of lands within the UGB outside City limits shall be based on consideration of:**

- a) Orderly, economic provision for public facilities and services:**

The proposed annexation is consistent with Policy 3a. because the annexation area will be served through an orderly, economic provision of public facilities and services, including sewer, water, storm drainage, streets, fire and police protection, power, and communications. The utility services have the capacity to serve the properties within the proposed annexation and the services and facilities can be provided in an orderly and economic manner, as described in detail below. The annexation request is not intended to address details about placement of individual utility lines or other development level utility details.

Sewer: The Florence Public Works Department has evaluated the impact of the existing and possible future commercial development and has concluded that there

is sufficient capacity in the City's wastewater treatment facilities to serve the existing uses without negatively affecting existing customers.

Water: The Florence Public Works Department has evaluated the impact of the existing and possible future commercial development and has concluded that there is sufficient capacity in the City's water collection and treatment facilities to serve the existing uses without negatively affecting existing customers.

Stormwater: There will be no change in the handling of stormwater upon annexation. The properties will develop stormwater treatment systems consistent with code when site improvements are made.

Streets: The properties are accessed via Xylo St. or 11th St. both local streets. 11th St. is undeveloped and Xylo St. does not meet city standards for development. Xylo meets the minimum width standard for fire access but no turnaround is available. The increased usage (vehicular trips) made available by annexation and zone change can be accommodated by Xylo and 11th St. with improvements made in tandem with development.

Fire: Siuslaw Valley Fire and Rescue District currently provides protection services to the annexation area and will continue to do so following the annexation. The City eliminated contractual agreements with Siuslaw Valley Fire and Rescue that previously provided protection services to city residents.

Police: Once annexed, the City will provide public safety services. The Florence Police Department will patrol and respond to calls for the subject properties.

Power: Central Lincoln People's Utility District currently provides electricity to the annexation area and will continue to do so following the annexation.

Communications: CenturyLink currently provides phone service to the area and will continue to do so following the annexation. Other utility companies such as Charter and OregonFAST.net provide other communications services and will continue to do so following the annexation. In addition, there are a number of cellular phone companies that provide service in the area.

b) conformance with the acknowledged City of Florence Comprehensive Plan;

This proposal is consistent with this policy because the Florence Realization 2020 Comprehensive Plan was acknowledged by the Department of Land Conservation and Development (DLCD) and is the acknowledged Plan for the City of Florence. As demonstrated in these findings of fact, the annexation proposal is in conformance with this acknowledged Plan.

c) consistency with state law.

The annexation proposal is consistent with this policy because the proposal is consistent with state law, as presented below in the review of Oregon Revised Statutes.

- 4. The City will send a referral requesting comments on annexations to Lane County. The Comments submitted will be considered in any action taken on the annexation request and will become part of the public record of the proceeding.**

Staff sent referral requests to Lane County on November 15, 2016. Lane County Transportation has responded. The referral comments are included above within the Referrals section.

- 5. The City will send a referral requesting comments on annexations to the Heceta Water District, for annexations within the District's service boundary. The comments submitted will be considered in any action taken on the annexation request and will become part of the public record of the proceeding.**

Staff did not send a referral to Heceta Water Public Utility District as these properties are outside their service boundaries.

- 6. Annexed properties shall pay systems development charges as required by City Code.**

At the time of writing all properties petitioned for annexation are undeveloped. As such the applicant and petitioners of the properties will be required to pay water, sewer, street and stormwater systems development charges. Future development of the properties will necessitate payment of applicable systems development charges. Any developed properties and expansions to properties added to this application will be charged systems development charges commensurate with their impacts on the systems. The proposed annexation is consistent with Policy 3 because Florence City Code Title 9 Chapter 1 Section 4-A requires properties annexed to pay system development charges.

- 7. As a matter of public policy, Lane County and the City of Florence share a substantial interest in development within the Urban Growth Boundary. In order to receive a full range of urban services provided by the City of Florence, development within the Urban Growth Boundary shall require annexation. However, it is also recognized that until annexation Lane County will retain primary permitting responsibility for those lands.**

Lane County provides services and administers jurisdiction to all properties outside of the City of Florence and within the Urban Growth Boundary. After the completion of annexation, the City of Florence will be the responsible jurisdiction for redevelopment of the properties, with the exception of maintenance and access off Xylo St., which will continue to be maintained by Lane County.

ORS 222.111 Authority and procedure for annexation.

(1) When a proposal containing the terms of annexation is approved in the manner provided by the charter of the annexing city or by ORS 222.111 to 222.180 or 222.840 to 222.915, the boundaries of any city may be extended by the annexation of territory that is not within a city and that is contiguous to the city or separated from it only by a public right of way or a stream, bay, lake or other body of water. Such territory may lie either wholly or partially within or without the same county in which the city lies.

The proposed annexation area is located within the urban growth boundary of the City of Florence, all within Lane County. The annexation is contiguous to the City from the west on the north side of Hwy 126 and from the north for properties on the south side of 12th St. It is bordered by Highway 126 to the south.

(2) A proposal for annexation of territory to a city may be initiated by the legislative body of the city, on its own motion, or by a petition to the legislative body of the city by owners of real property in the territory to be annexed.

This proposal for annexation of the subject properties was initiated by petition to the legislative body of the City by owners of real property in the territory to be annexed.

(3) The proposal for annexation may provide that, during each of not more than 10 full fiscal years beginning with the first fiscal year after the annexation takes effect, the rate of taxation for city purposes on property in the annexed territory shall be at a specified ratio of the highest rate of taxation applicable that year for city purposes to other property in the city. The proposal may provide for the ratio to increase from fiscal year to fiscal year according to a schedule of increase specified in the proposal; but in no case shall the proposal provide for a rate of taxation for city purposes in the annexed territory which will exceed the highest rate of taxation applicable that year for city purposes to other property in the city. If the annexation takes place on the basis of a proposal providing for taxation at a ratio, the city may not tax property in the annexed territory at a rate other than the ratio which the proposal authorizes for that fiscal year.

The annexed properties will pay property taxes at the same rate as other properties within the City consistent with Oregon laws governing taxation. This proposal for annexation did not include a tax differential schedule as allowed in this statutory section.

(4) When the territory to be annexed includes a part less than the entire area of a district named in ORS 222.510, the proposal for annexation may provide that if annexation of the territory occurs the part of the district annexed into the city is withdrawn from the district as of the effective date of the annexation. However, if the affected district is a district named in ORS 222.465, the effective date of the withdrawal of territory shall be determined as provided in ORS 222.465.

The annexation area is within the Siuslaw Valley Fire and Rescue District, which is a rural fire protection district named in ORS 222.510, but not named in ORS 222.465. The annexation area will not be withdrawn from the Fire District and thus will remain within the Siuslaw Valley Fire and Rescue District.

(5) The legislative body of the city shall submit, except when not required under ORS 222.120, 222.170 and 222.840 to 222.915 to do so, the proposal for annexation to the electors of the territory proposed for annexation and, except when permitted under ORS 222.120 or 222.840 to 222.915 to dispense with submitting the proposal for annexation to the electors of the city, the legislative body of the city shall submit such proposal to the electors of the city. The proposal for annexation may be voted upon at a general election or at a special election to be held for that purpose.

Resolution No. 28, Series 2010, adopted by the City Council, the legislative body of the City, on July 6, 2010, expresses the City's intent to dispense with elections in the City and annexation area as permitted by ORS Chapter 222, when sufficient written consents are received.

The City received written consents from 80% of the owners within the proposed annexation area and there are no electors, as allowed in ORS 222.170; therefore, an election is not required.

ORS 222.120 Procedure without election by city electors; hearing; ordinance subject to referendum.

(1) Except when expressly required to do so by the city charter, the legislative body of a city is not required to submit a proposal for annexation of territory to the electors of the city for their approval or rejection.

Chapter II Section 4 Item (2) (h) of the Charter for the City of Florence lists annexation as one of the City's powers "to annex areas to the City in accordance with State law." The Charter does not expressly require the City to submit a proposal for annexation of territory to the electors of the City for their approval or rejection. Therefore, the City will not be holding an election on this annexation request. Resolution No. 28, Services 2010 expresses the City's intent to dispense with elections in the City and annexation area as permitted by ORS Chapter 222, when sufficient written consents are received.

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

Resolution No. 28, Series 2010 expresses the City Council's intent to dispense with any and all annexation elections both in the City and in the annexed territory whenever permitted by ORS Chapter 222. A public hearing on all annexations will be held allowing City electors to be heard on the annexation. Consistent with this Resolution, the City Council will hold a duly advertised public hearing on December 5, 2016, after receiving a recommendation

from the Planning Commission. The electors of the City may appear and be heard on the question of annexation at that public hearing.

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

The Planning Commission public hearing was noticed as required. Notice of the public hearing was published in the Siuslaw News on November 9th and 16th, 2016. Public noticing for the City Council public hearing, the City legislative body, will be published in the Siuslaw News November 23rd and 30th, 2016. Notices were posted in four public places in the City at City Hall, Justice Center, Siuslaw Public Library, and Post Office on November 2nd, 2016.

This City Council hearing was noticed as required. Notice of the public hearing was published two times in the Siuslaw News on December 7th and 14th. Finally, the City posted notice at four public places within the City on December 9th -- City Hall, Justice Center, Siuslaw Public Library, and Post Office.

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

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

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

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

The City Council held a public hearing on the annexation request on December 19, 2016. The Ordinance was passed, as required under (b) showing that the electors and landowners consented in writing to the annexation consistent with ORS 222.170.

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

No properties will be withdrawn from the Siuslaw Valley Fire and Rescue as discussed above.

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

The Ordinance passed by City Council was subject to referendum per ORS 222.170 (1) and 222.170 (2).

(7) For the purpose of this section, ORS 222.125 and 222.170, “owner” or “landowner” means the legal owner of record or, where there is a recorded land contract which is in force, the purchaser thereunder. If there is a multiple ownership in a parcel of land each consenting owner shall be counted as a fraction to the same extent as the interest of the owner in the land bears in relation to the interest of the other owners and the same fraction shall be applied to the parcel’s land mass and assessed value for purposes of the consent petition. If a corporation owns land in territory proposed to be annexed, the corporation shall be considered the individual owner of that land.”

The written consents from property owners were received by the City on petitions requesting annexation to the City. The City received written consents from 80 percent of the property owners of the properties requesting annexation.

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

Note: 222.125 was added to and made a part of ORS chapter 222 by legislative action but was not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.

The City historically has used ORS 222.120 and never included this section of the statute in the criteria nor ever used the reduced process it outlines even though past applications have met the criteria. This application meets the criteria of this statute. There is no policy in City Code requiring a hearing for processing an annexation. Policy requires that a state process that requires a majority of consents be required. For these reasons the annexation portion of this application does not include a hearing but will include a recommendation to the City Council.

ORS 222.170 Effect of consent to annexation by territory; proclamation with and without city election.

(1) The legislative body of the city need not call or hold an election in any contiguous territory proposed to be annexed if more than half of the owners of land in the territory, who also own more than half of the land in the contiguous territory and of real property therein representing more than half of the assessed value of all real property in the contiguous territory consent in writing to the annexation of their land in the territory and file a statement of their consent with the legislative body on or before the day:

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

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

There are ten owners of the property in the proposed annexation area. The City received written consents from eight property owners of the properties who own 100% of the land in the contiguous area to be annexed representing 100% of the assessed value of real property in the contiguous territory to be annexed prior to the public hearing dates.

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

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

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

There are no electors in the proposed annexation area. The City has received written consents from 80% of the property owners of the properties within the area proposed to be annexed prior to a public hearing before the legislative body of the City of Florence. The written consents were all signed prior to November 22, 2016 and received before the City Council held the required public hearing required by ORS 222.120.

FLORENCE CITY CODE

TITLE 10: CHAPTER 1: ZONING ADMINISTRATION

10-1-1-5-E-3

3. **In the case of a rezoning request, it shall additionally be shown that a public need exists; and that the need will be best served by changing the zoning of the parcel of land in question.**

The applicants requested annexation of their property within the UGB. This process includes the assignment of the zoning district corresponding to their properties' Commercial and Medium Density comprehensive plan designations. The property upon annexation will be rezoned from its current county zone to the City's Commercial District zone and Single Family Residential District. The rezone is necessary to finalize annexation. The public need and good of annexation has been reviewed elsewhere in this report. The selected zoning is appropriate and corresponds to the Commercial and Medium Density Comprehensive Plan designations.

10-1-2-3: ZONING OF ANNEXED AREAS: The City Council may establish zoning and land use regulations that become effective on the date of annexation. This zoning district shall be consistent with the objectives of the Florence Comprehensive Plan and Zoning Code. When zoning is not established at the time of annexation, an interim zoning classification most nearly matching the existing County zoning classification shall be automatically applied until the City Council establishes zoning and land use regulations in accordance with the conditions and procedures of Chapter 1 of this Title. (Amd. by Ord. 30, Series 1990).

The zoning districts corresponding to the subject properties' Comprehensive Plan designation are Commercial and Medium Density. The Commercial and Single Family Residential Districts will be assigned upon approval of the request from Council and finalization of the annexation process with the county.

The developable properties either meet the minimum lot frontage dimensions and lot sizes for the Florence City Code Title 10, Chapter 15: Commercial District and Chapter 11 Single Family Residential District or are pre-existing non-conforming. The latter is notably so with the multitude of street and alley vacations performed by the county over the last four decades. Upon annexation, the county approved properties isolated due to vacations would be considered pre-existing non-conforming.

10-1-3: AMENDMENTS AND CHANGES

B. Quasi-Judicial Changes:

4. **Planning Commission Review: The Planning Commission shall review the application for quasi-judicial changes and shall receive pertinent evidence and testimony as to why or how the proposed change is consistent or inconsistent with and promotes the objectives of the Florence Comprehensive Plan and Zoning Ordinance and is or is not contrary to the public interest. The applicant shall demonstrate that the requested change is consistent with the Comprehensive Plan and Zoning Ordinance and is not contrary to the public interest.**

On November 22, 2016, the Planning Commission held a public hearing on this annexation request and quasi-judicial zone assignment. On December 19, 2016 the City Council held a

public hearing on this annexation request and quasi-judicial zone assignment. The findings of fact were available in advance of the hearing and were reviewed against the applicable city and state policies. Annexation of properties within the UGB is permitted if the request meets the applicable ORS and the city's urbanization policies. These have been reviewed earlier with supporting findings.

VII. CONCLUSIONS

The evidence in the record demonstrates that the annexation and zone assignment are consistent with the policies set forth in state statutes, Florence City Code, and the Florence Realization 2020 Comprehensive Plan, based on the findings.

**CITY OF FLORENCE
ORDINANCE NO. 16, SERIES 2016**

AN ORDINANCE ESTABLISHING COMMERCIAL DISTRICT TO MAP # 18-12-26-42 Tax Lot 00800 NORTH OF AND ABUTTING HWY 126 AND SINGLE FAMILY RESIDENTIAL DISTRICT TO XYLO ST. AND WILLOW ST. AND ALLEY WITHIN BLOCK 69 OF GALLAGHER PLAT AND MAP # 18-12-26-42 TAX LOTS 01000 AND 01202, MAP # 18-12-26-13 TAX LOT 02400, MAP# 18-12-26-24, TAX LOT 01700 AND MAP # 18-12-26-31 TAX LOT 00100.

RECITALS:

1. Florence City Code (FCC) Title 10, Chapter 1, Section 3-B-1 provides that a quasi-judicial zone change may be initiated by a property owner within the affected area.
2. The City of Florence was petitioned by property owners, Robert and Sarah Gage, Lon and Robin Beale, Mark & Laurie Hamilton, and David and Susan Williams, between August 30th and October 31st, 2016, for annexation of their property and assignment of applicable City zoning of the property currently zoned by Lane County as required by FCC 10-1-3-B-1 and FCC 10-1-1-4.
3. The Planning Commission met on November 22nd and December 13th, 2016 at properly noticed public hearings to consider the proposal, evidence in the record, and testimony received.
4. The Planning Commission determined on December 13, 2016, after review of the proposal, testimony, and evidence in the record, that the proposal was consistent with the City's acknowledged Realization 2020 Comprehensive Plan and adopted findings of fact in support of the annexation and zoning assignment.
5. The City Council met in a public hearing on December 19, 2016, after giving the required notice per FCC 10-1-1-5, to consider the proposal, evidence in the record, and testimony received.
6. The City Council deliberated on December 19, 2016 and found that the subject properties are designated Medium Density or Commercial in the Realization 2020 Plan and the City Council supported the establishment of city-zoning as Single Family Residential and Commercial consistent with Florence Comprehensive Plan and Zoning Code objectives.
7. The City Council adopted Ordinance No. 15, Series 2016 annexing the property as described in the Ordinance title above.

Based on these findings,

THE CITY COUNCIL OF THE CITY OF FLORENCE ORDAINS AS FOLLOWS:

1. The City of Florence approves the zoning of the properties owned by the petitioners as Commercial District or Single Family Residential as shown on the attached map as Exhibit A.
2. This annexation is based on the Findings of Fact in Exhibit B and evidence in the record.
3. The City shall produce an updated Zoning Map that is filed with the City Recorder and bear the signature of the Planning Commission chairperson as required by FCC 10-1-2-2.
4. The City Recorder is hereby directed to file certified copies of this Ordinance with the Lane County Assessment and Taxation Office and the Lane Council of Governments.
5. Pursuant to FCC 10-1-2-3, the zoning established by this Ordinance will take effect on the effective date of the annexation approved in Ordinance No. 15, Series 2016.

ADOPTION:

First Reading on the 19th day of December, 2016

Second Reading on the 19th day of December, 2016

This Ordinance is passed and adopted on the 19th day of December, 2016.

AYES Councilors
NAYS
ABSTAIN
ABSENT

Joe Henry, Mayor

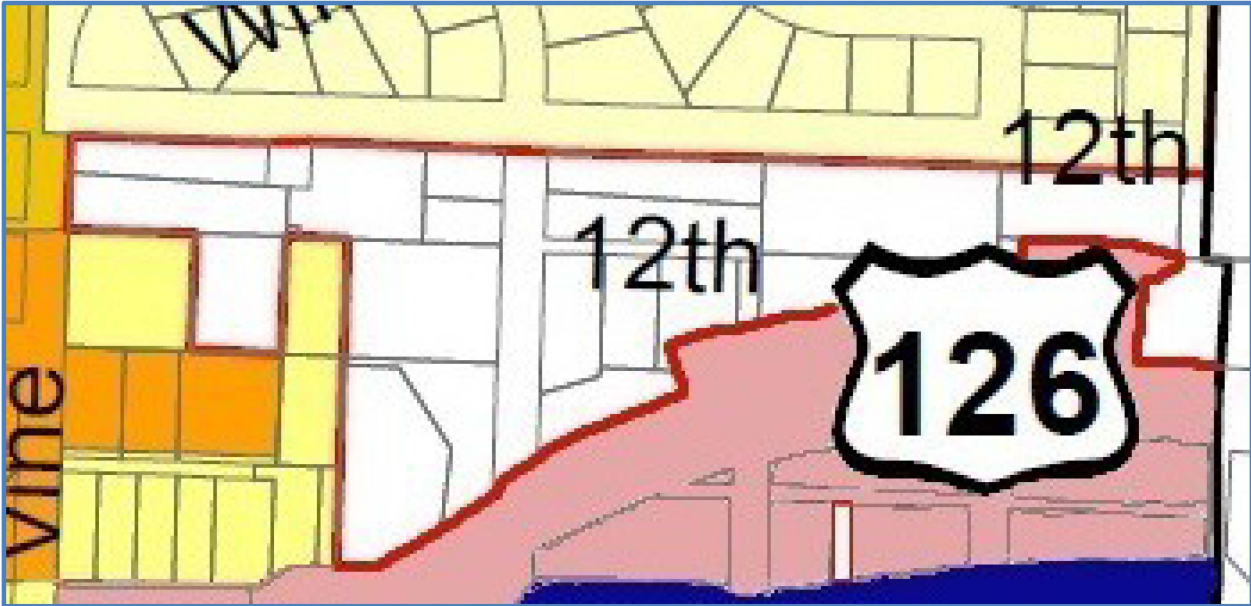
Attest:

Kelli Weese, City Recorder

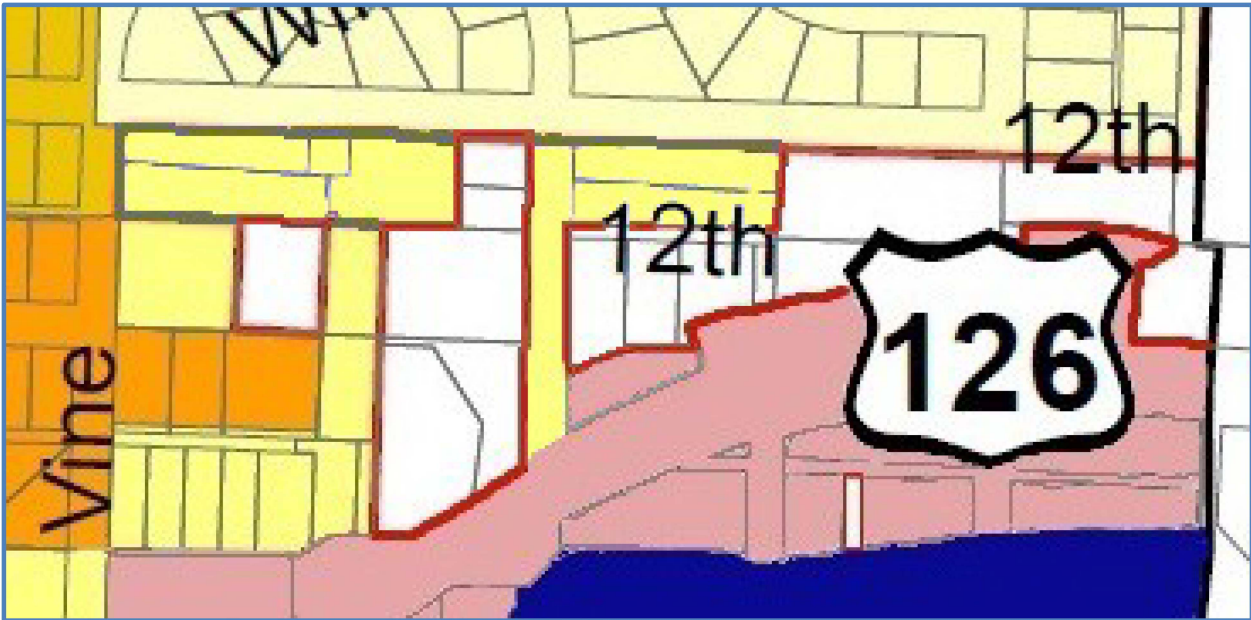
Current & Proposed Zoning Map

Ordinance 16, Series 2016—Exhibit A

Current – County Neighborhood Commercial & Suburban Residential



Proposed – City of Florence Single Family Residential & Commercial



FINDINGS OF FACT

Ordinance 15, Series 2016: Exhibit “C”

Ordinance 16, Series 2016 “B”

Public Hearing Date: December 19, 2016

Planner: Wendy FarleyCampbell

I. PROPOSAL DESCRIPTION

Proposal: Annexation

A request to annex property from Lane County to the City of Florence

Rezoning

Upon annexation, the properties will be rezoned with city zoning. The corresponding zoning districts matching the included properties plan designation are Commercial District and Single Family District

Property Owners/Petitioners & Associated Properties (described in Exhibit B of Ordinance 15, Series 2016):

Robert and Sarah Gage, Lon and Robin Beale, Mark & Laurie Hamilton, and David Williams within the listed tax lots

Land east of Xylo St.:

Map Reference 18-12-26-42 Tax Lot 0800 (Beale)

Map Reference 18-12-26-42 Tax Lot 1000 (Gage)

Map Reference 18-12-26-13 Tax Lot 2400 (Gage)

Land west of Xylo St.:

Map Reference 18-12-26-42 Tax Lot 01202 (Hamilton)

Map Reference 18-12-26-24 Tax Lot 01700 (Williams)

Map Reference 18-12-26-31 Tax Lot 00100 (Williams)

Other land to be annexed:

Rights-of-way: Xylo St. north of Hwy 126, Willow St. South of 12th St., east west running alley within Block 69. The last two may be vacated. As of the writing of this report County records (plats & assessment maps) are inconsistent on their status.

Comprehensive Plan Map Designation: Single Family Residential Commercial

Land Use / Zoning:

Land east of Xylo St.:

Map Reference 18-12-26-42 Tax Lot 00800 (Beale): C2 (Neighborhood Commercial District), Overlays BD & AS (Beaches & Dunes and Airport Safety Combining Zone)

Map Reference 18-12-26-42 Tax Lots 1000 & 2400 (Gage): County RA (Suburban Residential), Overlays BD & AS (Beaches & Dunes and Airport Safety Combining Zone)

Land west of Xylo St.: County RA (Suburban Residential), Overlays BD & AS (Beaches & Dunes and Airport Safety Combining Zone)

Map Reference 18-12-26-42 Taxlot 0202 (Hamilton)
Map Reference 18-12-26-24 Taxlot 01700 (Williams)
Map Reference 18-12-26-31 Taxlot 00100 (Williams)

North: Single Family Residences / City RS (Single Family Residential)
South: Highway 126 / City (Commercial)
East: Single Family Residences / County RA (Suburban Residential)
West: Single Family Residences / City RS (Single Family Residential)

Streets / Classification: Hwy 126 / Major Arterial; Willow St. / Local Street (undeveloped) Xylo St. / Local (Developed) and east-west running alley of Block 69 (undeveloped)

II. NARRATIVE

There are six vacant tax lots under consideration for annexation as well as the following rights-of-way Willow St. (short stub), Xylo St, and east-west running alleys of Block 69 south of undeveloped 12th St.

Robert and Sarah Gage initiated the petition for annexation on August 30, 2016. Their application was deemed complete as of September 19, 2016. A letter was sent on October 14, 2016 to surrounding property owners offering them the opportunity to annex. Subsequently, three additional sets of property owners provided petitions to annex. As of the date of writing the proposal is reviewed under both the “Double Majority” annexation (ORS 222.125) and “Triple Majority” methodologies since there are no electors. The annexation and zoning assignments will be processed as a quasi-judicial zone amendment with a hearing.

The properties are within the Siuslaw Rural Fire Protection District. The properties will continue to be served by SVFR.

Any property abutting Highway 126 Oregon Department of Transportation right-of-ways must apply for access permits from ODOT.

III. PUBLIC NOTICE

Notice of the Planning Commission’s public hearing was mailed on November 2, 2016 to property owners within 300 feet of the proposed annexation areas. Notice was published in the Siuslaw News on November 9th and 16th. On November 2, 2016 notices were posted at City Hall, the Florence Post Office, the Justice Center, and the Siuslaw Public Library.

Notice of the City Council's public hearing was posted on the properties December 9, 2016, published in the Siuslaw News on December 7th and 14th. On December 9, 2016 notices were posted at City Hall, the Florence Post Office, the Justice Center, and the Siuslaw Public Library.

Public Comments:

At the time of this report, the City had received no written comments.

Verbal Testimony was taken from property owners residing along the alley north of Hwy 126 and east of Xylo St. They were concerned about the status or their wells once Mr. Beale's property was annexed and the sign he proposed to place there once annexed.

IV. REFERRALS

On November 15, 2016, referrals were sent to Florence Public Works and Police; Lane County Transportation, Surveyor, Land Management and Environmental Health; Oregon Department of Transportation; DLCD; the U.S. Post Office; Charter Communications; Century Link; Coastcom; Central Lincoln PUD; Central Coast Disposal; Country Transfer and Recycling; and Siuslaw Valley Fire and Rescue.

Referral Comments:

At the time of this report, the City had received comments from Daniel Ingram, Lane County Transportation.

Daniel Ingram, Senior Engineering Associate at Lane County Public Works, requested that Xylo St. and the alley east of Xylo St. be included in the annexation so that city development standards apply to future development. He also requested the stub of Willow St. south of 12th St. be included as well whether it is vacated or not.

V. APPLICABLE REVIEW CRITERIA

Annexation

Oregon Revised Statutes (ORS)

222.111; 222.120; 222.125; and 222.170 (2)

Florence Realization 2020 Comprehensive Plan

Chapter 1: Citizen Involvement, Policy 4

Chapter 14: Urbanization, Policies 1 and 3 through 7

Rezoning

Florence Realization 2020 Comprehensive Plan

Chapter 2: Land Use, Policies 1 & 8, Section on Commercial Designations & Section on Residential Designation

Florence City Code (FCC)

Title 10, Chapter 1: Zoning Regulations, Sections 10-1-1-5-E-3, 10-1-2-3, and 10-1-3-B-4

Chapter 11: Single Family Residential
Chapter 15: Commercial

VI. FINDINGS OF FACT

The following findings support Ordinances 15 & 16, Series 2016 and address approval criteria within the Florence Realization 2020 Comprehensive Plan, Florence City Code and State Statutes.

Applicable criteria and policies are shown in **bold text**, followed by findings of consistency in plain text.

FLORENCE REALIZATION COMPREHENSIVE PLAN

Chapter 1: Citizen Involvement

“Goal

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.”

Policies

4. “Official City meetings shall be well publicized and held at regular times. Agendas will provide the opportunity for citizen comment.”

This proposal is consistent with this citizen involvement goal and Policy 4 because the process used by the City to approve Ordinances 15 & 16, Series 2016 of this annexation and zone assignment request was consistent with the City’s applicable citizen involvement program, which ensured that citizens were provided an opportunity to be involved in this land use action. Specifically, official City meetings on this action were publicized and held at regular times and provided the opportunity for citizen comment.

The public process used met all of the requirements stated in Florence City Code pertaining to the rezoning of properties.

The proposal is the subject of public hearings before both the Planning Commission and the City Council. This annexation proposal was considered by the Florence Planning Commission on November 22, 2016 and December 13, 2016. The public hearing was noticed in accordance with Florence City Code 10-1-1-5 as a quasi-judicial land use decision before the Planning Commission. The City notified property owners within 300 feet of the sites 21 days prior to the Planning

Commission public hearing. The City also published the required notice of the Planning Commission's public hearing two times in the Siuslaw News on November 9th and 16th. Finally, the City posted notice at four public places within the City on November 2nd: City Hall, Justice Center, Siuslaw Public Library, and Post Office.

This annexation proposal was considered by the Florence City Council on December 19, 2016. The public hearing was noticed in accordance with Florence City Code 10-1-1-5 as a quasi-judicial land use decision before the City Council. The City published the required notice of the City Council's public hearing two times in the Siuslaw News on October 7th and 14th. Finally, the City posted notice at four public places within the City on December 9th -- City Hall, Justice Center, Siuslaw Public Library, and Post Office.

The Planning Commission and City Council agenda packets were posted on the City's website prior to the public hearing. The staff report was available seven days prior to the Planning Commission and City Council public hearings; therefore, this proposal was reviewed in accordance with the City's acknowledged plan and was consistent with the plan policies for Citizen Involvement.

Chapter 2: Land Use

Policies

- 6. "The City shall conduct an internal review at least once every three years to assess the capacity of sewer, water and stormwater systems including three-year projections of additional consumption using a three percent growth rate."**

The annexation proposal is consistent with this policy because the provision of city utility services to the annexation area is based on the most up-to-date assessment of the projected capacity of these systems, assuming a 3 percent growth rate. This policy directs that the City conduct these internal reviews on a regular basis to ensure that the City continuously has the capacity to serve existing and new development, including annexed properties. The City has actively studied the capacity of these systems and hired consultants to supplement these studies. Documentation of recent study results in the record confirm that the City has the capacity to serve the annexation area without affecting service to existing City residents; consistent with the direction in this policy.

Commercial

Goal

To utilize appropriately designated land for the development of commercial businesses and establishments in a manner that provides for the needs and desires of the Florence resident, tourist, and regional marketplace while enhancing the attractive nature of this coastal community.

Policy 8. Any northward expansion of commercially designated lands along Highway 101 and eastward along Highway 126 shall be consistent with the land use element of the Comprehensive Plan.

Currently, these lands are zoned either Suburban Residential or Neighborhood Commercial, by Lane County. None of the properties under consideration for annexation feature a commercial component and rather are vacant undeveloped land. At the time of report writing one property (Beale) will be zoned Commercial when annexed into the City. While the lot has an excessive slope restricting reasonable development consistent with its zoning the rezone will allow development of the property with uses consistent with other development westward along Highway 126, which is already within the city limits. Those properties are zoned Highway and are seeing development in line with what is permitted within that district.

Commercial Plan Designation Categories and Background

Commercial

...The third area designated Commercial are lands north and south of Highway 126 and east of Quince Street. These lands were designated Highway Commercial in the 1988 Comprehensive Plan Map and zoned for commercial use by Lane County. Retail and service commercial, professional offices, lodging and restaurant establishments are appropriate uses for this area. Upper story residences are encouraged where they can be protected from highway impacts.

The implementing zoning district for the Commercial Plan designation is the Commercial District.

Commercially designated lands under consideration for annexation will be rezoned to their corresponding zoning of Commercial. These areas will add nominally to the commercial lands inventory within the Florence city limits.

Chapter 14: Urbanization

Goal

To provide for an orderly and efficient transition from County/rural land uses to City/urban land uses.

This proposal is consistent with this Urbanization goal because the proposed annexation provides for an orderly and efficient transition from County/rural land uses to City/urban land uses, as follows:

- The annexation area is within the Florence urban growth boundary (UGB) and is contiguous to existing City limits via properties to the west and north; it is, therefore, an orderly transition from rural to urban land uses.

- The existing public infrastructure is an orderly and efficient mechanism for providing urban services to this geographic area. The annexation will allow the provision of City water and sewer to the properties being annexed. All connections to the sewer line will be funded through system development charges, connection fees, and the sewer and water funds in the 2016-17 City of Florence Budget. This financing method allows for cost-effective service delivery to all users of the system.
- The provision of sewer service will allow the property owners to avoid additional construction of septic systems and inefficient use of open space contained within the lots to be annexed for the drain field.

Annexation Policies

- 1. The procedures of ORS 222.840 et. Seq. (Health Hazard Abatement) shall be initiated if needed to remove dangers to public health. In the absence of a need for health hazard abatement annexation procedures, any annexation of county territory to the City of Florence shall utilize an annexation method allowable by state law that requires a majority of consents, and shall not utilize the “island annexation” procedures set forth by ORS 222.750.**

The proposed annexation has been initiated by the property owners in order to receive City services, but has not been initiated in order to abate a health hazard. ORS 222.840 is not applicable to this specific proposal.

The City of Florence has utilized for this proposed annexation a method allowable by state law that requires a majority of consents and did not utilize an “island annexation.” The City has received a petition from the property owners with signature of all listed property owners and electors. This policy criterion is met.

The proposed annexation is not an island annexation because the territory to be annexed is contiguous with the Florence city limits.

- 3. Conversion of lands within the UGB outside City limits shall be based on consideration of:**

- a) Orderly, economic provision for public facilities and services:**

The proposed annexation is consistent with Policy 3a. because the annexation area will be served through an orderly, economic provision of public facilities and services, including sewer, water, storm drainage, streets, fire and police protection, power, and communications. The utility services have the capacity to serve the properties within the proposed annexation and the services and facilities can be provided in an orderly and economic manner, as described in detail below. The annexation request is not intended to address details about placement of individual utility lines or other development level utility details.

Sewer: The Florence Public Works Department has evaluated the impact of the existing and possible future commercial development and has concluded that there

is sufficient capacity in the City's wastewater treatment facilities to serve the existing uses without negatively affecting existing customers.

Water: The Florence Public Works Department has evaluated the impact of the existing and possible future commercial development and has concluded that there is sufficient capacity in the City's water collection and treatment facilities to serve the existing uses without negatively affecting existing customers.

Stormwater: There will be no change in the handling of stormwater upon annexation. The properties will develop stormwater treatment systems consistent with code when site improvements are made.

Streets: The properties are accessed via Xylo St. or 11th St. both local streets. 11th St. is undeveloped and Xylo St. does not meet city standards for development. Xylo meets the minimum width standard for fire access but no turnaround is available. The increased usage (vehicular trips) made available by annexation and zone change can be accommodated by Xylo and 11th St. with improvements made in tandem with development.

Fire: Siuslaw Valley Fire and Rescue District currently provides protection services to the annexation area and will continue to do so following the annexation. The City eliminated contractual agreements with Siuslaw Valley Fire and Rescue that previously provided protection services to city residents.

Police: Once annexed, the City will provide public safety services. The Florence Police Department will patrol and respond to calls for the subject properties.

Power: Central Lincoln People's Utility District currently provides electricity to the annexation area and will continue to do so following the annexation.

Communications: CenturyLink currently provides phone service to the area and will continue to do so following the annexation. Other utility companies such as Charter and OregonFAST.net provide other communications services and will continue to do so following the annexation. In addition, there are a number of cellular phone companies that provide service in the area.

b) conformance with the acknowledged City of Florence Comprehensive Plan;

This proposal is consistent with this policy because the Florence Realization 2020 Comprehensive Plan was acknowledged by the Department of Land Conservation and Development (DLCD) and is the acknowledged Plan for the City of Florence. As demonstrated in these findings of fact, the annexation proposal is in conformance with this acknowledged Plan.

c) consistency with state law.

The annexation proposal is consistent with this policy because the proposal is consistent with state law, as presented below in the review of Oregon Revised Statutes.

- 4. The City will send a referral requesting comments on annexations to Lane County. The Comments submitted will be considered in any action taken on the annexation request and will become part of the public record of the proceeding.**

Staff sent referral requests to Lane County on November 15, 2016. Lane County Transportation has responded. The referral comments are included above within the Referrals section.

- 5. The City will send a referral requesting comments on annexations to the Heceta Water District, for annexations within the District's service boundary. The comments submitted will be considered in any action taken on the annexation request and will become part of the public record of the proceeding.**

Staff did not send a referral to Heceta Water Public Utility District as these properties are outside their service boundaries.

- 6. Annexed properties shall pay systems development charges as required by City Code.**

At the time of writing all properties petitioned for annexation are undeveloped. As such the applicant and petitioners of the properties will be required to pay water, sewer, street and stormwater systems development charges. Future development of the properties will necessitate payment of applicable systems development charges. Any developed properties and expansions to properties added to this application will be charged systems development charges commensurate with their impacts on the systems. The proposed annexation is consistent with Policy 3 because Florence City Code Title 9 Chapter 1 Section 4-A requires properties annexed to pay system development charges.

- 7. As a matter of public policy, Lane County and the City of Florence share a substantial interest in development within the Urban Growth Boundary. In order to receive a full range of urban services provided by the City of Florence, development within the Urban Growth Boundary shall require annexation. However, it is also recognized that until annexation Lane County will retain primary permitting responsibility for those lands.**

Lane County provides services and administers jurisdiction to all properties outside of the City of Florence and within the Urban Growth Boundary. After the completion of annexation, the City of Florence will be the responsible jurisdiction for redevelopment of the properties, with the exception of maintenance and access off Xylo St., which will continue to be maintained by Lane County.

ORS 222.111 Authority and procedure for annexation.

(1) When a proposal containing the terms of annexation is approved in the manner provided by the charter of the annexing city or by ORS 222.111 to 222.180 or 222.840 to 222.915, the boundaries of any city may be extended by the annexation of territory that is not within a city and that is contiguous to the city or separated from it only by a public right of way or a stream, bay, lake or other body of water. Such territory may lie either wholly or partially within or without the same county in which the city lies.

The proposed annexation area is located within the urban growth boundary of the City of Florence, all within Lane County. The annexation is contiguous to the City from the west on the north side of Hwy 126 and from the north for properties on the south side of 12th St. It is bordered by Highway 126 to the south.

(2) A proposal for annexation of territory to a city may be initiated by the legislative body of the city, on its own motion, or by a petition to the legislative body of the city by owners of real property in the territory to be annexed.

This proposal for annexation of the subject properties was initiated by petition to the legislative body of the City by owners of real property in the territory to be annexed.

(3) The proposal for annexation may provide that, during each of not more than 10 full fiscal years beginning with the first fiscal year after the annexation takes effect, the rate of taxation for city purposes on property in the annexed territory shall be at a specified ratio of the highest rate of taxation applicable that year for city purposes to other property in the city. The proposal may provide for the ratio to increase from fiscal year to fiscal year according to a schedule of increase specified in the proposal; but in no case shall the proposal provide for a rate of taxation for city purposes in the annexed territory which will exceed the highest rate of taxation applicable that year for city purposes to other property in the city. If the annexation takes place on the basis of a proposal providing for taxation at a ratio, the city may not tax property in the annexed territory at a rate other than the ratio which the proposal authorizes for that fiscal year.

The annexed properties will pay property taxes at the same rate as other properties within the City consistent with Oregon laws governing taxation. This proposal for annexation did not include a tax differential schedule as allowed in this statutory section.

(4) When the territory to be annexed includes a part less than the entire area of a district named in ORS 222.510, the proposal for annexation may provide that if annexation of the territory occurs the part of the district annexed into the city is withdrawn from the district as of the effective date of the annexation. However, if the affected district is a district named in ORS 222.465, the effective date of the withdrawal of territory shall be determined as provided in ORS 222.465.

The annexation area is within the Siuslaw Valley Fire and Rescue District, which is a rural fire protection district named in ORS 222.510, but not named in ORS 222.465. The annexation area will not be withdrawn from the Fire District and thus will remain within the Siuslaw Valley Fire and Rescue District.

(5) The legislative body of the city shall submit, except when not required under ORS 222.120, 222.170 and 222.840 to 222.915 to do so, the proposal for annexation to the electors of the territory proposed for annexation and, except when permitted under ORS 222.120 or 222.840 to 222.915 to dispense with submitting the proposal for annexation to the electors of the city, the legislative body of the city shall submit such proposal to the electors of the city. The proposal for annexation may be voted upon at a general election or at a special election to be held for that purpose.

Resolution No. 28, Series 2010, adopted by the City Council, the legislative body of the City, on July 6, 2010, expresses the City's intent to dispense with elections in the City and annexation area as permitted by ORS Chapter 222, when sufficient written consents are received.

The City received written consents from 80% of the owners within the proposed annexation area and there are no electors, as allowed in ORS 222.170; therefore, an election is not required.

ORS 222.120 Procedure without election by city electors; hearing; ordinance subject to referendum.

(1) Except when expressly required to do so by the city charter, the legislative body of a city is not required to submit a proposal for annexation of territory to the electors of the city for their approval or rejection.

Chapter II Section 4 Item (2) (h) of the Charter for the City of Florence lists annexation as one of the City's powers "to annex areas to the City in accordance with State law." The Charter does not expressly require the City to submit a proposal for annexation of territory to the electors of the City for their approval or rejection. Therefore, the City will not be holding an election on this annexation request. Resolution No. 28, Services 2010 expresses the City's intent to dispense with elections in the City and annexation area as permitted by ORS Chapter 222, when sufficient written consents are received.

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

Resolution No. 28, Series 2010 expresses the City Council's intent to dispense with any and all annexation elections both in the City and in the annexed territory whenever permitted by ORS Chapter 222. A public hearing on all annexations will be held allowing City electors to be heard on the annexation. Consistent with this Resolution, the City Council will hold a duly advertised public hearing on December 5, 2016, after receiving a recommendation

from the Planning Commission. The electors of the City may appear and be heard on the question of annexation at that public hearing.

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

The Planning Commission public hearing was noticed as required. Notice of the public hearing was published in the Siuslaw News on November 9th and 16th, 2016. Public noticing for the City Council public hearing, the City legislative body, will be published in the Siuslaw News November 23rd and 30th, 2016. Notices were posted in four public places in the City at City Hall, Justice Center, Siuslaw Public Library, and Post Office on November 2nd, 2016.

This City Council hearing was noticed as required. Notice of the public hearing was published two times in the Siuslaw News on December 7th and 14th. Finally, the City posted notice at four public places within the City on December 9th -- City Hall, Justice Center, Siuslaw Public Library, and Post Office.

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

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

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

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

The City Council held a public hearing on the annexation request on December 19, 2016. The Ordinance was passed, as required under (b) showing that the electors and landowners consented in writing to the annexation consistent with ORS 222.170.

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

No properties will be withdrawn from the Siuslaw Valley Fire and Rescue as discussed above.

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

The Ordinance passed by City Council was subject to referendum per ORS 222.170 (1) and 222.170 (2).

(7) For the purpose of this section, ORS 222.125 and 222.170, “owner” or “landowner” means the legal owner of record or, where there is a recorded land contract which is in force, the purchaser thereunder. If there is a multiple ownership in a parcel of land each consenting owner shall be counted as a fraction to the same extent as the interest of the owner in the land bears in relation to the interest of the other owners and the same fraction shall be applied to the parcel’s land mass and assessed value for purposes of the consent petition. If a corporation owns land in territory proposed to be annexed, the corporation shall be considered the individual owner of that land.”

The written consents from property owners were received by the City on petitions requesting annexation to the City. The City received written consents from 80 percent of the property owners of the properties requesting annexation.

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

Note: 222.125 was added to and made a part of ORS chapter 222 by legislative action but was not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.

The City historically has used ORS 222.120 and never included this section of the statute in the criteria nor ever used the reduced process it outlines even though past applications have met the criteria. This application meets the criteria of this statute. There is no policy in City Code requiring a hearing for processing an annexation. Policy requires that a state process that requires a majority of consents be required. For these reasons the annexation portion of this application does not include a hearing but will include a recommendation to the City Council.

ORS 222.170 Effect of consent to annexation by territory; proclamation with and without city election.

(1) The legislative body of the city need not call or hold an election in any contiguous territory proposed to be annexed if more than half of the owners of land in the territory, who also own more than half of the land in the contiguous territory and of real property therein representing more than half of the assessed value of all real property in the contiguous territory consent in writing to the annexation of their land in the territory and file a statement of their consent with the legislative body on or before the day:

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

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

There are ten owners of the property in the proposed annexation area. The City received written consents from eight property owners of the properties who own 100% of the land in the contiguous area to be annexed representing 100% of the assessed value of real property in the contiguous territory to be annexed prior to the public hearing dates.

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

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

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

There are no electors in the proposed annexation area. The City has received written consents from 80% of the property owners of the properties within the area proposed to be annexed prior to a public hearing before the legislative body of the City of Florence. The written consents were all signed prior to November 22, 2016 and received before the City Council held the required public hearing required by ORS 222.120.

FLORENCE CITY CODE

TITLE 10: CHAPTER 1: ZONING ADMINISTRATION

10-1-1-5-E-3

3. **In the case of a rezoning request, it shall additionally be shown that a public need exists; and that the need will be best served by changing the zoning of the parcel of land in question.**

The applicants requested annexation of their property within the UGB. This process includes the assignment of the zoning district corresponding to their properties' Commercial and Medium Density comprehensive plan designations. The property upon annexation will be rezoned from its current county zone to the City's Commercial District zone and Single Family Residential District. The rezone is necessary to finalize annexation. The public need and good of annexation has been reviewed elsewhere in this report. The selected zoning is appropriate and corresponds to the Commercial and Medium Density Comprehensive Plan designations.

10-1-2-3: ZONING OF ANNEXED AREAS: The City Council may establish zoning and land use regulations that become effective on the date of annexation. This zoning district shall be consistent with the objectives of the Florence Comprehensive Plan and Zoning Code. When zoning is not established at the time of annexation, an interim zoning classification most nearly matching the existing County zoning classification shall be automatically applied until the City Council establishes zoning and land use regulations in accordance with the conditions and procedures of Chapter 1 of this Title. (Amd. by Ord. 30, Series 1990).

The zoning districts corresponding to the subject properties' Comprehensive Plan designation are Commercial and Medium Density. The Commercial and Single Family Residential Districts will be assigned upon approval of the request from Council and finalization of the annexation process with the county.

The developable properties either meet the minimum lot frontage dimensions and lot sizes for the Florence City Code Title 10, Chapter 15: Commercial District and Chapter 11 Single Family Residential District or are pre-existing non-conforming. The latter is notably so with the multitude of street and alley vacations performed by the county over the last four decades. Upon annexation, the county approved properties isolated due to vacations would be considered pre-existing non-conforming.

10-1-3: AMENDMENTS AND CHANGES

B. Quasi-Judicial Changes:

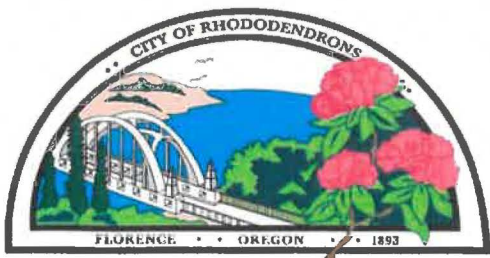
4. **Planning Commission Review: The Planning Commission shall review the application for quasi-judicial changes and shall receive pertinent evidence and testimony as to why or how the proposed change is consistent or inconsistent with and promotes the objectives of the Florence Comprehensive Plan and Zoning Ordinance and is or is not contrary to the public interest. The applicant shall demonstrate that the requested change is consistent with the Comprehensive Plan and Zoning Ordinance and is not contrary to the public interest.**

On November 22, 2016, the Planning Commission held a public hearing on this annexation request and quasi-judicial zone assignment. On December 19, 2016 the City Council held a

public hearing on this annexation request and quasi-judicial zone assignment. The findings of fact were available in advance of the hearing and were reviewed against the applicable city and state policies. Annexation of properties within the UGB is permitted if the request meets the applicable ORS and the city's urbanization policies. These have been reviewed earlier with supporting findings.

VII. CONCLUSIONS

The evidence in the record demonstrates that the annexation and zone assignment are consistent with the policies set forth in state statutes, Florence City Code, and the Florence Realization 2020 Comprehensive Plan, based on the findings.



City of Florence
 Community Development Department
 250 Highway 101
 Florence, OR 97439
 Phone: (541) 997 - 8237
 Fax: (541) 997 - 4109
www.ci.florence.or.us

Type of Request

Annexation and Zoning Assignment

Applicant Information

Name: ROBERT L. GAGE Phone 1: 541-999-2288
 E-mail Address: bobgage22@gmail.com Phone 2: 541-999-2890
 Address: 21829 42nd St.
 Signature: [Signature] Date: 8/30/16
 Applicant's Representative (if any): DESIREE JOHNSON - 541-999-5223

Property Owner Information

Name: ROBERT L. GAGE & SARAH E. GAGE-HUNT Phone 1: 5
 E-mail Address: bobgage22@gmail.com Phone 2: _____
 Address: 21829
 Signature: [Signature] Date: 8/30/16
 Applicant's Representative (if any): DESIREE JOHNSON - 541-999-5223

NOTE: If applicant and property owner are not the same individual, a signed letter of authorization from the property owner which allows the applicant to act as the agent for the property owner must be submitted to the City along with this application. The property owner agrees to allow the Planning Staff and the Planning Commission onto the property. Please inform Planning Staff if prior notification or special arrangements are necessary.

(Attach Additional Sheets as Necessary)

For Office Use Only:

Received
RECEIVED
 City of Florence
AUG 30 2016
 By: [Signature]

Approved

Exhibit

Property Description

Is the property located within the Florence Urban Growth Boundary? Yes No

Property Address: XYLO ST. - UNDEVELOPED ^{S.E.} CORNER XYLO & 12TH. ^{St.}

General Location (example: City Hall is at the SE corner of 2nd and Highway 101):

PROPERTY EXISTS OUTSIDE CITY LIMITS BETWEEN 11TH & 12TH STREETS ON THE EAST SIDE OF XYLO - ACCESS FROM HIGHWAY 126 ONLY.

Assessor's Map and Tax Lot: B-12-26-42 TAX LOT NO. S 1000 & 2400

Lot Size: 120' x 300' (2 x 60 x 300) (County) Zoning District: LAKE WEST

List other owners or occupants (electors):

UNDEVELOPED LAND - NO OCCUPANTS - NO STRUCTURES

Residential Units to be Annexed: 2 LOTS Type: SINGLE FAMILY RESIDENTIAL

Is/Are the property/ies currently developed? Yes (Skip to Additional Information Req.) No

Proposed Development Plan: 2 - LOTS EACH WITH A SINGLE HOME THAT WOULD BE ANNEXED INTO THE CITY LIMITS OF FLORENCE AND DEVELOPED ACCORDING TO THEIR REQUIREMENTS FOR THEIR SERVICES.

Does the land use plan designation allow this proposed use? Yes No

Additional Information Required

The below is check list of the required information to determine an application complete. Florence City Code (FCC) references are provided for your convenience. FCC is available at City Hall or on-line at www.ci.florence.or.us under "City Government", click on "City Code".

FCC Title 10, Chapter 1 states that staff has 30 days to review the application for completion. A written notice explaining application deficiencies or acknowledging a complete application will be provided to the applicant and/or representative. Please be aware that the applicant has the burden of proof to show how the project meets the applicable criteria as (refer to FCC 2-10-6). If you have questions, contact the Planning Department at 541-997-8237.

Existing Utilities:

Is the area of annexation located within the Heceta Water District? Yes No

Is the area of annexation located within the Siuslaw Rural Fire District? Yes No

Is the area of annexation currently served by individual or collective septic systems?

NEITHER WILL BE CITY SEWER.

Needed Public Facilities:

Typically, these questions are answered by the Public Works Director prior to application. Please contact Public Works at (541) 997-4106. A pre-application meeting can be scheduled by calling the Planning Department at (541) 997-8237.

Water – Is a water main available? Yes No
Size of Main: _____ Adequate capacity for additional service? Yes No

Sewer – Is a water main available? Yes No
Size of Main: _____ Adequate capacity for additional service? Yes No

Streets – Are adequate streets available? Yes No
Street: _____ Adequate capacity for additional service? Yes No

Known pre-existing non-conforming conditions on-site: CITY WATER, SEWER, AND POWER ARE NEARBY AND WILL BE BOUGHT TO THE LOTS FOR CONNECTION LATER WHEN REQUIRED ROAD IMPROVEMENTS AS REQUIRED ARE BEGUN AS DEVELOPMENT IS APPROVED.

Proposed Method of Annexation

- Petition signed by owners of at least one-half of the land area in the affected territory.
- Petition signed by the majority of electors registered in the territory proposed to be annexed and written consents of the annexation of their land from the owners of more than half of the land in the territory to be annexed.

Review Criteria

Please provide detailed responses to each of the criteria below (please attach sheets as necessary):

A) Describe how the proposed annexation will allow or promote orderly, economic provision of public facilities and services. ALL CITY SERVICES FOR THE FUTURE DEVELOPMENT OF THESE LOTS ONCE ANNEXED WOULD BE EXTENSIONS OF EXISTING SERVICES PAID FOR BY THE DEVELOPERS. IN ADDITION SOME REQUIREMENTS FOR ROAD IMPROVEMENTS REQUIRED BY THE CITY WILL BE THE RESPONSIBILITY OF THE DEVELOPERS.

B) How does the proposed annexation contribute to the availability of sufficient land for various land uses, i.e., residential, commercial, etc. to ensure choice in the market place?

PROPOSED DEVELOPMENT MEETS ALL CRITERIA FOR THIS AREA FOR BOTH URBAN GROWTH BOUNDARY RECOMMENDATIONS AND THE SURROUNDING AREA OF SINGLE FAMILY RESIDENTIAL LOTS.

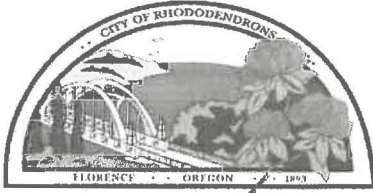
C) Please provide a detailed description of conformity of the proposed annexation with the approved City of Florence 2020 Comprehensive Plan.

D) Are lands available within the existing city limits which are available for the uses proposed in the annexation? If not, please provide the justification for that conclusion.

Date Submitted: _____ Fee: _____

Received by: _____

Paid



City of Florence
Community Development Department
250 Highway 101
Florence, OR 97439
Phone: (541) 997 - 8237
Fax: (541) 997 - 4109
www.ci.florence.or.us

Type of Request

Annexation and Zoning Assignment

Applicant Information

Name: LON BEALE Phone 1: 541-997-6006
E-mail Address: INFO@SANDBOARD.COM Phone 2: _____
Address: 5351 HWY. 101, FLORENCE OR 97439
Signature: [Signature] DocuSigned by: Robin Beale Date: 10/28/16
8518F5DEC35409/29/2016
Applicant's Representative (if any): _____

Property Owner Information

Name: LON BEALE & ROBINA BEALE Phone 1: 541-997-6006
E-mail Address: INFO@SANDBOARD.COM Phone 2: _____
Address: 5351 HWY. 101, FLORENCE OR 97439
Signature: [Signature] DocuSigned by: Robin Beale Date: 10/28/16
8518F5DEC35409/29/2016
Applicant's Representative (if any): _____

NOTE: If applicant and property owner are not the same individual, a signed letter of authorization from the property owner which allows the applicant to act as the agent for the property owner must be submitted to the City along with this application. The property owner agrees to allow the Planning Staff and the Planning Commission onto the property. Please inform Planning Staff if prior notification or special arrangements are necessary.

(Attach Additional Sheets as Necessary)

For Office Use Only:

RECEIVED
Received
City of Florence

OCT 31 2016

By: _____

Approved

Exhibit

Property Description

Is the property located within the Florence Urban Growth Boundary? Yes No

Property Address: LOT 800, HWY 126

General Location (example: City Hall is at the SE corner of 2nd and Highway 101):
EAST CORNER OF XYLO STREET AND HIGHWAY 126

Assessor's Map and Tax Lot: 18-12-26-42-00800

Lot Size: .28 (0.28) (County) Zoning District: LANE COUNTY

List other owners or occupants (electors): ROBIN A. BEALE

Residential Units to be Annexed: 0 Type: _____

Is/Are the property/ies currently developed? Yes (Skip to Additional Information Req.) No

Proposed Development Plan: N/A

Does the land use plan designation allow this proposed use? Yes No

Additional Information Required

The below is check list of the required information to determine an application complete. Florence City Code (FCC) references are provided for your convenience. FCC is available at City Hall or on-line at www.ci.florence.or.us under "City Government", click on "City Code".

FCC Title 10, Chapter 1 states that staff has 30 days to review the application for completion. A written notice explaining application deficiencies or acknowledging a complete application will be provided to the applicant and/or representative. Please be aware that the applicant has the burden of proof to show how the project meets the applicable criteria as (refer to FCC 2-10-6). If you have questions, contact the Planning Department at 541-997-8237.

Existing Utilities:

Is the area of annexation located within the Heceta Water District? Yes No
Is the area of annexation located within the Siuslaw Rural Fire District? Yes No
Is the area of annexation currently served by individual or collective septic systems?

Needed Public Facilities: UNKNOWN

Typically, these questions are answered by the Public Works Director prior to application. Please contact Public Works at (541) 997-4106. A pre-application meeting can be scheduled by calling the Planning Department at (541) 997-8237.

Water – Is a water main available? Yes No
Size of Main: _____ Adequate capacity for additional service? Yes No

Sewer – Is a water main available? Yes No
Size of Main: _____ Adequate capacity for additional service? Yes No

Streets – Are adequate streets available? Yes No
Street: HWY 126 Adequate capacity for additional service? Yes No

Known pre-existing non-conforming conditions on-site: _____

Proposed Method of Annexation

- Petition signed by owners of at least one-half of the land area in the affected territory.
- Petition signed by the majority of electors registered in the territory proposed to be annexed and written consents of the annexation of their land from the owners of more than half of the land in the territory to be annexed.

Review Criteria

Please provide detailed responses to each of the criteria below (please attach sheets as necessary):

A) Describe how the proposed annexation will allow or promote orderly, economic provision of public facilities and services.

B) How does the proposed annexation contribute to the availability of sufficient land for various land uses, i.e., residential, commercial, etc. to ensure choice in the market place?

C) Please provide a detailed description of conformity of the proposed annexation with the approved City of Florence 2020 Comprehensive Plan.

D) Are lands available within the existing city limits which are available for the uses proposed in the annexation? If not, please provide the justification for that conclusion.

Date Submitted: _____ Fee: _____
Received by: _____

PAID

PETITION FOR ANNEAATION

to the

City of Florence, Oregon

The undersigned hereby petitions for and gives our consent for the area described below to be included in the "North Highway 126" request for annexation to the City of Florence. With these signatures, we are verifying that we have the authority to consent to annexation as the property owner(s) and/or elector(s) or on behalf of our corporation, business, or agency.

The property to be annexed is as follows:

Lot E, Munsel Park Addition to Florence, as platted and recorded in Book 4, Page 90, Lane County Oregon Plat Records, , EXCEPT the East 109 feet thereof, in Lane County, Oregon. ALSO Lot E, Block 69, Plat of Gallagher's Part of the City of Florence, as platted and recorded in Book 30, Page 12, Lane County Oregon Deed Records, EXCEPT the East 109 feet thereof, in Lane County, Oregon. ALSO the North one-half of the vacated alley abutting Lot E, Block 69, Plat of Gallagher's Part of the City of Florence, as platted and recorded in Book 30, Page 12, Lane County Oregon Deed Records, EXCEPT the East 109 feet thereof, in Lane County, Oregon. ALSO all of vacated Willow Street Abutting on the West of the above described parcels.

Assessors Map Reference and Tax Lot: 18-12-26-42 TL 01202
Property Address (if appropriate): N/A

Property Owner Name(s): Mark G. Hamilton
Laurie L. Hamilton

Signature(s):

Mark G. Hamilton
Laurie L. Hamilton

Date:

11-26-2018



City of Florence
 Community Development Department
 250 Highway 101
 Florence, OR 97439
 Phone: (541) 997 - 8237
 Fax: (541) 997 - 4109
www.ci.florence.or.us

Type of Request

Annexation and Zoning Assignment

Applicant Information

Name: Dave Williams Phone 1: 541-268-2079
 E-mail Address: - Phone 2: ^{cell} 541-999-0035
 Address: Box 69, Florence, Ore 97439
 Signature: Dave Williams Susan Williams Date: 10/27-16
 Applicant's Representative (if any): _____

Property Owner Information

Name: Dave Williams Phone 1: 541-268-2079
 E-mail Address: - Phone 2: 541-268-0035
 Address: Box 69, Florence, Ore. 97439
 Signature: Dave Williams Susan Williams Date: _____
 Applicant's Representative (if any): _____

NOTE: If applicant and property owner are not the same individual, a signed letter of authorization from the property owner which allows the applicant to act as the agent for the property owner must be submitted to the City along with this application. The property owner agrees to allow the Planning Staff and the Planning Commission onto the property. Please inform Planning Staff if prior notification or special arrangements are necessary.

(Attach Additional Sheets as Necessary)

For Office Use Only:

Received
RECEIVED
 City of Florence
OCT 27 2016
 By: VMM

Approved

Exhibit

Property Description

Is the property located within the Florence Urban Growth Boundary? Yes No

Property Address: N/A

General Location (example: City Hall is at the SE corner of 2nd and Highway 101):
S.E. corner, central Highlands

Assessor's Map and Tax Lot: 18-12-26-24-01700 - 18-12-26-31-00100

Lot Size: .86 acres (County) Zoning District: Suburban Res.

List other owners or occupants (electors):

Residential Units to be Annexed: _____ Type: _____

Is/Are the property/ies currently developed? Yes (Skip to Additional Information Req.) No

Proposed Development Plan: Single Family

Does the land use plan designation allow this proposed use? Yes No

Additional Information Required

The below is check list of the required information to determine an application complete. Florence City Code (FCC) references are provided for your convenience. FCC is available at City Hall or on-line at www.ci.florence.or.us under "City Government", click on "City Code".

FCC Title 10, Chapter 1 states that staff has 30 days to review the application for completion. A written notice explaining application deficiencies or acknowledging a complete application will be provided to the applicant and/or representative. Please be aware that the applicant has the burden of proof to show how the project meets the applicable criteria as (refer to FCC 2-10-6). If you have questions, contact the Planning Department at 541-997-8237.

Existing Utilities:

Is the area of annexation located within the Heceta Water District? Yes No

Is the area of annexation located within the Siuslaw Rural Fire District? Yes No

Is the area of annexation currently served by individual or collective septic systems? N/A

Needed Public Facilities:

Typically, these questions are answered by the Public Works Director prior to application. Please contact Public Works at (541) 997-4106. A pre-application meeting can be scheduled by calling the Planning Department at (541) 997-8237.

Water – Is a water main available? Yes No
Size of Main: _____ Adequate capacity for additional service? Yes No

Sewer – Is a water main available? Yes No
Size of Main: _____ Adequate capacity for additional service? Yes No

Streets – Are adequate streets available? Yes No
Street: _____ Adequate capacity for additional service? Yes No

Known pre-existing non-conforming conditions on-site:

Proposed Method of Annexation

- Petition signed by owners of at least one-half of the land area in the affected territory.
- Petition signed by the majority of electors registered in the territory proposed to be annexed and written consents of the annexation of their land from the owners of more than half of the land in the territory to be annexed.

Review Criteria

Please provide detailed responses to each of the criteria below (please attach sheets as necessary):

A) Describe how the proposed annexation will allow or promote orderly, economic provision of public facilities and services.

B) How does the proposed annexation contribute to the availability of sufficient land for various land uses, i.e., residential, commercial, etc. to ensure choice in the market place?

C) Please provide a detailed description of conformity of the proposed annexation with the approved City of Florence 2020 Comprehensive Plan.

D) Are lands available within the existing city limits which are available for the uses proposed in the annexation? If not, please provide the justification for that conclusion.

Date Submitted: _____ Fee: _____
Received by: _____

Paid

Attachment 2

From: [INGRAM Daniel B](#)
To: [Wendy Farley-Campbell](#); [Glen Southerland](#)
Cc: [Vevie McPherrin](#); [REESOR David R](#); [GREEN Lori M](#)
Subject: RE: Referral - Resolutions PC 16 19 ANN 03 & PC 16 20 ZC 03 - Highway 126 North ANNEXATION
Date: Tuesday, November 15, 2016 4:15:44 PM

Lane County TP File: 11081
City of Florence File No: PC 16 19 ANN 03 & PC 16 20 ZC 03
Property Location: North of Highway 126 and South of 12th Street near Xylo Street
Map & Tax Lots: 18-12-26-42-01000; 18-12-26-42-01202; 18-12-26-42-00800; 18-12-26-13-02400; 18-12-26-24-01700; and 18-12-26-31-00100

Proposal: Consider a request for annexation of the above listed undeveloped properties and a request to zone the properties to the corresponding City of Florence zoning: Single Family Residential.

Comments from Lane County Transportation Planning:

Map & Tax Lots 18-12-26-42-01000; 18-12-26-42-01202; 18-12-26-42-00800; 18-12-26-13-02400; 18-12-26-24-01700; and 18-12-26-31-00100 are all located within the urban growth boundary of the City of Florence. Map & Tax Lot 18-12-26-42-01000 has frontage on Xylo Street to the west and a 20 foot wide alley to the south; Map & Tax Lot 18-12-26-42-01202 has frontage on the undeveloped right-of-way of 12th Street to the north and a stub of an apparent remnant of the undeveloped right-of-way of Willow Street to the northwest; Map & Tax Lot 18-12-26-00800 has frontage on the right-of-way of Highway 126 to the south and Xylo Street to the west; Map & Tax Lot 18-12-26-13-02400 has frontage on the undeveloped right-of-way of 12th Street to the north and Xylo Street to the west; Map & Tax Lot 18-12-26-24-01700 has frontage on the undeveloped right-of-way of 12th Street to the north, a stub of an apparent remnant of the undeveloped right-of-way of Willow Street to the east, and the undeveloped right-of-way of Vine Street (a.k.a. extension of Coastal Highlands Drive to the south or Vinca Ave to the north) to the west; Map & Tax Lot 18-12-26-31-00100 has frontage on the undeveloped right-of-way of Vine Street (a.k.a. extension of Coastal Highlands Drive to the south or Vinca Ave to the north) to the west and a stub of an apparent remnant of the undeveloped right-of-way of Willow Street to the northeast.

Xylo Street is a Local Access Road with a right-of-way of approximately 60 feet and is located outside of the city limits of the City of Florence. **Lane County recommends that Xylo Street be included in the proposed annexation so that the city may apply City of Florence development standards to the future development of Xylo Street.**

The 20 foot wide alley located to the south of Map & Tax Lot 18-12-26-42-01000 is dedicated public right-of-way which currently serves the access needs of several parcels. Pursuant to Lane Code 15.706, the 20 foot wide alley does not meet the minimum Lane County standards for the right-of-way width required for the parcels currently served by the alley. Access from the alley for Map & Tax Lot 18-12-26-42-01000 would require that right-of-way be dedicated to increase the width of the alley to meet the public road standards in Lane Code 15.706. **Lane County recommends that the city include the alley in the proposed annexation so that the city may apply City of Florence development standards to future development of the alley.**

The undeveloped right-of-way of 12th Street is currently within the city limits of the City of Florence. This right-of-way is under the jurisdiction of the City of Florence.

The undeveloped right-of-way of Vine Street (a.k.a. extension of Coastal Highlands Drive to the south or Vinca Ave to the north) is currently within the city limits of the City of Florence. This right-of-way is under the jurisdiction of the City of Florence.

Highway 126 is a State of Oregon facility subject to the jurisdiction of the Oregon Department of Transportation (ODOT). Transportation, access, and permitting issues within the right-of-way of Highway 126 should be directed to ODOT. Pursuant to Lane Code 15.070, Highway 126 W (Route F) has a minimum right-of-way width of 100 feet for development setback purposes [LC 15.070(1)(c)(iii) and LC 15.075]. In accordance with Lane Code 15.070(1)(d), when a road has an existing right-of-way width greater than the minimum right-of-way specified in Lane Code 15.070(1)(c), the building setback line shall be measured from said existing right-of-way line rather than the minimum right of-way line.

In addition to the above mentioned roadways and alleys, there is a remnant of Willow Street which appears on Lane County GIS mapping applications as an undeveloped stub street to the south of the undeveloped portion 12th Street. This stub is located outside of the city limits of the City of Florence and is approximately 60 feet wide and 60 feet in length. Staff research of surveys in the proposed annexation area reveal that this stub may have been vacated, or at least it appears as such on a survey done by Wobbe & Associates, Inc. filed in August of 2004. This stub of Willow Street right-of-way, if not vacated, has frontage on Map & Tax Lots 18-12-26-24-01700, 18-12-26-31-00100, and 18-12-26-42-01202. **Lane County Transportation Planning staff recommends that further research be completed to determine the status of this Willow Street stub, and this property be included in the annexation proposal.**

Conclusion

Lane County Transportation Planning staff recommends that Xylo Street, the 20 foot Alley abutting Map & Tax Lot 18-12-26-42-01000, and the approximate 60 foot by 60 foot Willow Street stub all be included in the proposed annexation in order to facilitate future urban development of the subject properties.

Lane County requests to receive notice of all future development proposals for the subject property.

Thank you for providing the opportunity to comment on this proposal.

Daniel B. Ingram, P.E., P.L.S.

Senior Engineering Associate

Lane County Public Works

Phone: (541) 682-6996

e-mail: Daniel.Ingram@co.lane.or.us

AGENDA ITEM SUMMARY**ITEM NO: 7****FLORENCE CITY COUNCIL**Meeting Date: December 19,
2016Department: Finance

ITEM TITLE: An Ordinance Amending Dog Licensing Requirements Within the City and Amending Title 6, Chapter 6 of the Florence City Code.

DISCUSSION/ISSUE:

At the Council's August 15, 2016 meeting, a resolution to consolidate the City's various fees and charges included dog licensing fees, which we noted were well below the cost of administering the program. We also presented information on the program and addressed a few inquiries from Councilors. The existing dog license fee was retained pending direction/action by the Council. In previous communications, the Council indicated support to make changes to the program, including discontinuing it, if the cost and benefits of the program were not supportable.

A dog licensing program may among other factors be used for the following purposes:

- Public safety
- Revenue to fund dog related programs
- Information to help track and reunite lost animals with their owners

From a public safety standpoint, the most significant issues are potential dog attacks/bites and rabies. ORS 433.365 requires rabies vaccinations for dogs. The statute applies regardless of the City's dog licensing code. The City does not presently track or enforce rabies vaccinations and has not had a reported instance of rabies dating back numerous years. With respect to dog attacks/bites, the lack of a licensing requirement will not change the police or code enforcement handling of these situations or the dog owner's responsibilities.

The City's present fee structure and lack of program participation (we estimate less than 10% of dogs within the City are licensed, approximately 200-250 licensed dogs to approximately 2,600 dogs inside the City) result in revenue being inadequate to recover administrative costs and there are no dollars generated to provide funding for dog programs, such as dog park maintenance.

Discussions with City code enforcement staff and Humane Society staff reveal that there are no recent instances in which the City's dog license was used to reunite a dog with its owner. Social media appears to be the preferred tool used to help reunite lost pets with their owners. We also discussed the proposed licensing change with the veterinarians in Florence. Per our conversations, discontinuing the licensing requirement will not impact the veterinarians or the Humane Society programs and services.

As we presented in August 2016, the City's administrative cost to process and maintain dog licenses exceeds the current fees (\$15.00 per year, \$35.00 for 3 years, or \$7.00 per year, \$18.00 for 3 years for spayed pets or senior citizen owned dogs). Annual revenue is approximately \$1,500 - \$2,000 (approximately 200-250 dogs, with the vast majority being senior citizen owned or spayed dogs).

Lane County's dog license fee schedule is provided below. If the City increased fees to the amount charged by the County, fees would increase from \$15 to \$42 (+280%) per year, \$35 to \$84 (+240%) for 3 years, and \$7 to \$18 (+257%) per year or \$18 to \$42 (+233%) for 3 years for spayed/neutered dogs. Please note the County does not provide a discount for Senior Citizen owned dogs.

At the current participation rates revenue may increase from approximately \$1,500 - \$2,000/year to \$3,750 - \$5,000. The amount of the County fees is adequate to recover City administrative costs, however, with a fee increase the participation rate may decline, resulting in reduced revenue. With a public outreach or enforcement program, each of which come with costs, the participation rate may increase, which could increase revenue. However, program participation would need to rise substantially to generate program revenue sufficient to offset administrative, public outreach and compliance costs to potentially provide revenue for dog programs. We have not performed a breakeven analysis, however, if such analysis is desired prior to making a decision, we can do that.

Lane County License Fees:

LICENSE TYPE	NEW! As of 03/01/15					
	1YR	2YR	3YR	1YR	2YR	3YR
Dog Regular (not spayed/neutered)	\$35	\$55	\$70	\$42	\$66	\$84
Dog Spay/Neutered	\$15	\$25	\$35	\$18	\$30	\$42
Dog Regular-Sr Citizen (owner is 62yrs+)	\$35	\$55	\$70	\$42	\$66	\$84
Dog Spay/Neuter-Sr Citizen (owner is 62yrs +)	\$10	\$17	\$25	\$14	\$24	\$34
Non-Commercial Kennel (1-8 dogs)	\$150	N/A	N/A	\$180	N/A	N/A
County Commercial Kennel	\$250	N/A	N/A	\$300	N/A	N/A
Co. Commercial Breeder	\$350	N/A	N/A	\$420	N/A	N/A
Watchdog	\$25	N/A	N/A	\$30	N/A	N/A
Late Fee	\$10	\$10	\$10	\$12	\$12	\$12
Replacement Tag	\$2	\$2	\$2	\$5	\$5	\$5

Earlier, City staff confirmed with Lane County that the County can license animals within incorporated areas of Lane County that do not have their own license program. Additionally, the City may access the County's database of licensed animals to assist the City's efforts with animal control. The County would retain all fees generated by licenses they issue. The County's licensing program is available regardless if the City retains or eliminates the license requirement. Our understanding is the participation rate in the unincorporated areas of Lane County are not much different than in the City.

FISCAL IMPACT:

Eliminating the dog license requirement will reduce general fund revenue approximately \$1,500 - \$2,000 per year. Staff time/costs associated with administering the program will be eliminated. Overall staff time will be reduced or reassigned to other activities.

RELEVANCE TO ADOPTED CITY WORK PLAN:

- **City Service Delivery** – staff time reduced or reallocated to programs that benefit the public
- **Livability & quality of life** – elimination of license will not negatively impact livability & quality of live
- **Communication & trust** – Discontinuing a program that is not used and may not be benefitting those paying fees.
- **Financial & organizational stability** – Although minor in dollars and time, applying staff time to more worthy programs/services.

ALTERNATIVES:

- A. Discontinue licensing program from dogs.
- B. County administers a mandatory dog license program within the City.
- C. County administers a voluntary dog “pet” license program within the City.

A. If the City would like to discontinue the program, passing the ordinance as proposed will facilitate that desire.

B. If the City wants the County to administer a mandatory dog license program within the City, then we should retain the City’s licensing provision, i.e., not pass the ordinance, and instead enter into an IGA with the County to administer the program. We would also need to adopt a change to the City fee schedule so that fees are consistent with the County’s fees. This is because the County dog license requirements do not apply within the City, but the County can administer the City’s license program.

C. If the City wants the County program to be optional, then you would delete the City license requirement, i.e., pass the ordinance, and provide public information to City residents about the County program.

With respect to rabies vaccinations, this is governed by ORS 433.365. There are no requirements in the City code that require reporting of vaccinations so discontinuing dog licensing will not impact rabies issues at the City level.

RECOMMENDATION: Staff recommends discontinuing the City's dog licensing program.

AIS PREPARED BY: Andy Parks, Finance Director

CITY MANAGER'S RECOMMENDATION: Approve Disapprove Other
Comments: *ER Reynolds*

ITEM'S ATTACHED: Proposed Ordinance

**CITY OF FLORENCE
ORDINANCE NO. 18, SERIES 2016**

**An Ordinance Amending Dog Licensing Requirements within the City and
Amending Title 6, Chapter 6 of the Florence City Code**

RECITALS:

1. Section 6-6-020 of the Florence City Code currently requires, with limited exceptions, dogs to be licensed with the City.
2. The costs to the City to run the dog licensing program significantly outpace the revenue generated by issuing licenses. Moreover, for several years, the City has not been vigilant in enforcing the dog licensing requirement.
3. For purposes of law enforcement, code enforcement, and public health protection, there does not appear to be significant benefits to the City in requiring dogs to be licensed.

Based on these findings,

THE CITY OF FLORENCE ORDAINS AS FOLLOWS:

1. The Florence City Code Chapter 6 of Title 6: Animal Control, is amended as shown in Exhibit A to repeal and remove Section 6-6-020 from Florence City Code.
2. This Ordinance shall become effective 30 days after adoption
3. The City Recorder is authorized to administratively correct any reference errors contained herein or in other provisions of the Florence City Code to the provisions added, amended, or repealed herein.

ADOPTION:

First Reading on the _____ day of _____, 2015.

Second Reading on the _____ day of _____, 2015

This Ordinance is passed and adopted on the 5th day of January, 2015.

AYES	X	Councilors X, X, X
NAYS	x	
ABSTAIN	x	
ABSENT	x	

Joe Henry, Mayor

ATTEST:

Kelli Weese, City Recorder

Exhibit A
ORDINANCE NO. 18, SERIES 2016

Additions are shown in double underline and deletions are shown as strike-out.
[Change Directions are shown in Bold within Brackets]

TITLE 6
CHAPTER 6

ANIMAL CONTROL

[Delete Code Section 6-6-020: Dog Licensing as shown and renumber all subsequent code sections]

~~6-6-020: DOG LICENSING:~~

- A. ~~Except as provided in subsections (B) and (C) of this section, every dog within the city that has a set of permanent canine teeth shall be licensed by the City. The license tag provided by the City shall be attached to a collar worn by the dog. The Owner and/or Keeper of the dog is in violation of this Chapter if the dog is not wearing its collar and tag at any time. The fee for dog licenses shall be established by Resolution of the City Council and is due and payable upon the issuance of the license.~~
- B. ~~An Owner or Keeper of a dog within the city shall obtain a license for the dog by the later of:~~
1. ~~30 days after becoming the Owner or Keeper of the dog or establishing a residence within the City~~
 2. ~~The expiration of a valid license previously issued to the dog in another jurisdiction in the state.~~
- C. ~~Licenses shall not be required for dogs owned by dealers, breeders or exhibitors while such dogs are being transported by dealers, breeders, or exhibitors to and from a dog show or fair. Licenses are not required for dog that are used as service animals for persons with disabilities. A companion or therapy animal is not a service animal unless the animal has been individually trained to perform one or more tasks for a person with disabilities and has been trained to behave in public. A license is not required for the period in which a dog is validly licensed in another jurisdiction in the state. A license is not required for the period that a dog is temporarily kept or boarded in a Small Animal Clinic or Animal Daycare and Overnight Boarding Facility located within the City. The City Manager, or designee, may waive the requirements that the license tag be attached to the collar worn by the dog if good cause is shown by the dog's owner for such a waiver and the owner provides an alternative method of displaying the tag, or the information on the tag, which is satisfactory, in the sole judgement of the City Manager, for identifying the dog and its owner.~~

AGENDA ITEM SUMMARY
FLORENCE CITY COUNCIL

ITEM NO: 8
Meeting Date: August 1, 2016
Department: Public Works

ITEM TITLE: Consider awarding 2G Inc., dba 2G Construction, the contract to construct the Public Works Operations Center located at 2675 Kingwood Street.

DISCUSSION/ISSUE:

Advertisement for the construction of a new 5,942 square foot office building, 7,754 square foot maintenance building, and associated site improvements was posted on QuestCDN (a plan center), Daily Journal of Commerce (November 9th and 14th), and Contracts & Careers (November 14th) with a bid submission deadline of December 6, 2016 at 2PM. The City received five proposals and they were opened and publicly read aloud. The bid results are as follows:

<u>Bidder</u>	<u>Amount</u>
2G Inc., dba 2G Construction	\$2,893,000
Scott Partney Construction, Inc.	\$3,015,780
1996 LLC, dba Chambers Construction Co.	\$3,151,000
Wildish Paving Company, dba Wildish Building Co.	\$3,559,490
Inline Commercial Construction, Inc.	\$3,944,713

This project includes all labor, equipment and materials necessary to complete the bare necessities of the office building, maintenance building, landscaping, on-site utilities, and site work. Since the project estimates ranged from \$2.8 to \$3.4 million, City staff and the architectural team reduced some of the project scope to stay within the overall \$3.4 million dollar authorized budget for the project. We developed a list of eight items that could be deferred or an additive alternate that would provide long term benefits or achieve sustainability and resiliency goals. These items are:

Item	Description	Amount	Accept/Deny	Explanation
1	6 foot black vinyl chain link fencing and gates with privacy slats.	\$55,000	Accept	Our Land Use approval conditioned our project to provide fencing with privacy slats. Since our site has outside equipment and material storage, we are to screen it from the street. Also, we need to provide a secure perimeter to reduce theft, vandalism, provide security to 24/7 operations.

2	12 foot high painted metal wall liner for maintenance building	\$12,500	Accept	The liner provides a finished wall in the maintenance building protecting the vapor barrier and insulation from damage.
3	Change site light fixtures to solar/wind turbine.	\$51,000	Deny	The solar/wind turbine lights are a sustainability and resiliency component of the project. The City will pursue grants to change the light fixtures in the near future.
4	Change roof material on office building from single ply membrane to painted metal standing seam roofing material	\$119,000	Accept	Having a membrane roof on a north facing slope is problematic to developing moss and algae. There is a high maintenance cost associated with the application of a membrane roof, plus inherit risks of having such a roof without protection from our high coastal winds. From our experience with membrane roofs at the Justice Center, they have a life of approximately 20 years or less (the Justice Center roof was replaced after 18 years). A metal standing seam roof will provide superior protection from the elements and have a life of 50 to 75 years.
5	Install (3) 24 x 48 skylights and relites in the office building	\$11,500	Accept	Skylights will bring in natural light into the interior office spaces that do not have outside windows. Skylights are an element of Leadership in Energy and Environment Design.
6	Change conventional roof to 'Green Roof' over the connecting corridor between the office and training/EOC space.	\$36,000	Accept	Incorporating a 'Green Roof' component to the office building shows the community that we are committed to sustainable construction methods and provides a demonstration opportunity to showcase this construction method locally.
7	Change storefront aluminum frames from factory finish standard color to custom color.	\$4,000	Accept	The proposed custom color enhances the building character and provides an architectural feature that can be easily accommodated.

8	Construct restroom in maintenance building	\$9,400	Deny	While having a restroom in the maintenance building would be nice, it is not a necessity. Finishing the restroom can be easily accomplished by PW staff during the winter months.
---	--	---------	------	---

Item 1, perimeter fencing for the new facility, is a priority for the project. Optimally, the site should be secure prior to Public Works operating out of the facility. One of the downfalls of the current facility is the lack of site security. While we haven't had too much theft or vandalism, when it does occur it can be costly and hinder our ability to respond. Case in point, a few years ago we had a vandal drill holes into the fuel tank of several vehicles rendering them useless until the fuel tanks could be replaced. Not only is replacement of a fuel tank costly, but environmentally having fuel spilled onto the ground required extensive clean-up. Vinyl coated chain link fencing is a popular choice for many commercial, industrial and public applications. When properly installed, they provide a great safety barrier to deter unwanted people or animals from the site. While the fencing along Kingwood and 27th streets will need to have slats installed, the chain link fence will still offer some transparency, which allows observing activities that are taking place inside or outside the fence. The black vinyl coating will also make the fencing 'disappear' into the background, provide relatively low maintenance, provide a backdrop for landscaping, and not create an eyesore. Staff is highly recommending that the fencing and gates be included into the base bid.

Item 2, the 12 foot high painted metal wall liner for the maintenance building is also recommended to be included in the project. While the 'liner' can be added after the project is complete, someone (most likely City staff) would need to install a 'liner' to protect the vapor barrier and insulation for the maintenance building. Also, the 'liner' should be installed prior to actually utilizing the building. One only has to visit Les Schwab Tires to see what happens when the liner is not installed. Within a very short time, the vapor barrier is cut to shreds as well as the insulation. Completing the metal liner now versus at a later time will save the City funds in the long run.

Item 3, changing the site pole light fixtures to solar/wind turbine hybrid lighting. While this is a great sustainability and resiliency aspect to the project, it is one that can be easily completed through a grant or other funding mechanism, which is why we are recommending that it not be funded within the project at this time. When we think of Cascadia and the necessity of operating off the grid for at least two weeks, emergency generator fuel may be scarce. The office building will be able to generate power to sustain operations during daylight hours, but during the evening we would be dependent upon the emergency power generator. Having site lighting that utilizes solar/wind turbine technology would provide security and safety to our employees within the Public Works yard.

Item 4, change the office roofing material from a membrane roofing system to a painted metal standing seam roof. While expensive, a painted metal standing seam roof is essential to the longevity of the building. Typically, painted metal standing seam roofs provide a life in excess of 60 years while a membrane roof will have a life span of 18-20 years in our coastal environment. Staff is recommending that the painted metal standing seam roofing system be included in the project.

Item 5, install three 24 x 48 skylights and relites in the office building. The skylights and relites will allow natural light into the interior of the office building where there are offices that are not afforded natural light from exterior windows. The skylights are a component of sustainability and creating spaces that are inviting. Artificial lighting is one of the largest sources of energy consumption in commercial and industrial applications. On average, artificial lighting accounts for 40% of the building's total energy usage. Utilizing skylights has shown to significantly reduce these energy cost through the benefits of daylighting. With proper design, the costs of skylights is paid back in less than two years.

Item 6, changing the conventional roof over the connecting corridor between the office portion of the building and the training room/EOC to a 'Green Roof'. This flat portion of the roof provides us an opportunity to 'walk the talk' when it comes to reducing our stormwater footprint while demonstrating what can be done to promote sustainable development. Staff recommends installing a green roof component to the project to demonstrate the City's commitment to sustainability practices.

Item 7, changing the storefront aluminum window frames from a standard factory color to a custom color. This is a small addition that will enhance the design scheme that the architects developed for the building.

Item 8, construct the restroom in the maintenance building. The base bid included the rough plumbing for the restroom in the maintenance building. The completion of the restroom can be completed after the contractor is finished with the project and can be accomplished by Public Works staff at a later date during the wet weather season.

As we look at the Public Works project, we also need to review the funding that has been committed to the project. With \$3.4 million allocated to the engineering, design, permitting, site preparations and development, and construction of the two buildings what will the funding allow us to do? We can proceed with the site development, including constructing the maintenance and office buildings. We can also fund the site fencing as proposed by the contractor. This leaves the additive alternates 2 and 4 through 7 to be funded, as recommended by staff. The \$3.4 million is broken down as follows:

Funding available	\$3,400,000
Architectural Services	\$302,000
Survey	\$1,325
GeoTech	\$11,800
Equipment Rental (for geotech exploration)	\$1,958
Advertisement for construction bid and print material	\$713
Base Bid	\$2,893,000
Clearing and grubbing	\$39,050
Permits (estimate electrical permit at \$4,000)	\$35,720
SDC's (Water \$5,394.17; WW \$6,757.42; ST \$8,298; STM \$10,111.24; Irr. \$11,089.05)	\$41,650
1 1/2-inch water meter installation	\$900.00
2-inch water meter installation	\$1,520.00
Sewer connection fee (2 x \$211)	\$422
Specialty Inspections	\$12,975
1200-C permit	\$1,932
	Subtotal of available funds \$55,878
	Complete Alternate 1 (fencing and gates) \$55,000
	Funding available for alternates \$878
Recommended Alternates 2 and 4-7	\$183,000

Total additional funds needed **\$182,122**

We have already spoken with the contractor 2G Construction, regarding value engineering and potential for cost savings on the alternates. Also, City staff have been in contact with Central Lincoln PUD and Bonneville Power Administration regarding potential energy incentives and rebates for the LED lights, high efficiency heating ventilation and air conditioning (HVAC) system, and the solar energy systems. Additionally, staff is pursuing grant opportunities through the Oregon Office of Emergency Management and well as other grant opportunities. The additional \$182,122 for the recommended alternatives is the maximum additional funding that will be needed for this project.

2G Construction is a new contractor to Florence. As part of our due diligence, we completed a review of 2G Inc., dba 2G Construction's Business License Record, which showed no complaints against the contractor during the last ten years, nor any disciplinary actions or administrative suspensions. We did request references from 2G Construction. They have successfully completed a covered bridge project in concert with OBEC Engineering as well as the remodel and renovation of the train station into the public library for the City of Monroe. 2G Construction is a co-operative and has demonstrated that they have successfully completed multiple contracts with private and public entities. We contacted several of these references and were given unanimous positive reviews.

The Contractor that has submitted the lowest qualified bid, 2G Inc., dba 2G Construction has completed similar projects with very good results. Public Works has verified, in accordance with ORS 279C.375, that the contractor has had no disciplinary action by the Construction Contractor's Board (CCB); nor is the contractor listed on the Oregon Bureau of Labor and Industries (BOLI) ineligible list or the Federal Excluded Parties List System (EPLS).

FISCAL IMPACT:

As discussed above, funding is available to complete the base bid, site fencing and gates. This leaves a gap of \$182,122 to complete the staff recommended alternates. The additional funding for the alternates would come from the Wastewater facility and equipment capital improvement line item; Water Fund capital maintenance line item; and Stormwater capital outlay. The \$182,122 would be divided equally amongst the three funds or approximately \$60,707.33 each. Again, this is the worst case scenario in that we are actively pursuing grants, incentives, rebates, and working with the contractor on value engineering components of the project to drive the overall costs of the project downward. The maximum construction contract amount, without value engineering, which includes the base bid, site fencing and gates, plus alternates 2 and 4-7 is \$3,131,000.

2G Construction is the responsive low bidder that can perform the work. The base bid proposal from 2G Construction is \$445,000 below the architect's cost estimate. Including the staff recommended alternates, 2G Construction's proposal is \$207,000 below the architect's adjusted cost estimate. Funding for the base bid and fencing portion of the project is included in the FY 2017 Public Works Administration capital improvement budget. Additional funding from Wastewater, Water, and Stormwater capital outlay funds will be applied to cover the project costs over the Public Works Administration budget.

RELEVANCE TO ADOPTED COUNCIL GOALS:

- City Service Delivery – improving, maintaining and enhancing our infrastructure as feasible.
- Livability & Quality of Life – being responsive to our community's needs with efficient, effective and sustainable service delivery.
- Financial & Organizational Sustainability – constructing infrastructure that supports current and future needs.

ALTERNATIVES:

1. Award contract to 2G Construction as recommended
 2. Award only the base bid to 2G Construction
 3. Award the base bid and fencing only to 2G Construction
 4. Award base bid and choose different alternates
 5. Reject bids and re-scope the project.
-

RECOMMENDATION:

Staff recommends that the City Council accept the proposal from 2G Construction and authorize the City Manager work with the contractor to value engineer the base bid as well as alternates 2 and 4-7, and to proceed with a construction contract. Total maximum construction contract value, \$3,131,000.

AIS PREPARED BY: Mike Miller, Public Works Director

CITY MANAGER'S Approve Disapprove Other**RECOMMENDATION:** Comments:

ER Reynolds

ITEMS ATTACHED: None

AGENDA ITEM SUMMARY
FLORENCE CITY COUNCIL

ITEM NO: 9
Meeting Date: December 19, 2016
Department: City Manager's Office

ITEM TITLE: School Resource Officer Grant Acceptance

DISCUSSION/ISSUE:

The U.S. Department of Justice's Office of Community Oriented Policing Services (COPS Office) notified the City in early October that we had been awarded grant funding for the School Resource Officer position that had been applied for in June 2016.

The COPS Grant will allow for the addition of a School Resource Office (SRO) to provide community policing benefits to the Siuslaw School District, the Florence Police Department and the Florence Community as a whole. Per the City's Grant Policy, the City Council must formally approve the acceptance of the grant award.

With the acceptance of this grant, the COPS Office request that SRO grants be accompanied by a Memorandum of Understanding (MOU) between the City and the School District. The MOU outlines the relationship between the two entities in managing the SRO position. The SRO remains, first and foremost, a Police Officer under the direction of the City's Police Department. They are assigned to the SRO role. The School District agrees to provide a location for the SRO and they work with the Police Department to outline the duties of the officer.

The City's attorney has reviewed the attached MOU and it has been forwarded on to the School District for review and approval. The Siuslaw School District Board will be reviewing the MOU at their December meeting scheduled for December 14th. Project Manager Megan Messmer will provide a report to the School Board at that meeting and will update the City Council on the outcome of that meeting at the City Council meeting.

Once approved, the MOU will be sent to the COPS Office with the formal acceptance of the grant award. The next step would be the recruitment, hiring, and training of a new officer. The goal will be to have the new SRO trained and in place for the 2017-16 school year.

FISCAL IMPACT:

The maximum grant amount is \$125,000, which covers approximately 41.77% of the salary and benefits costs for the three-year grant life. The position is required to continue to be filled for the fourth year per the grant. The School District and the City broke down of costs during the application process and they are attached to the MOU as an appendix.

If, in the future, the distribution of costs for the SRO position needs to be adjusted the two entities can renegotiate the financial piece of the MOU and amend the appendix.

RELEVANCE TO ADOPTED COUNCIL GOALS:

Goal 1 – City Service Delivery and Goal 2 – Livability and Quality of Life

ALTERNATIVES:

1. Authorize the City Manager to accept the COPS Hiring Grant and to sign the MOU with the Siuslaw School District for the SRO position.
 2. Request further negotiations of the MOU with Siuslaw School District.
 3. Do not authorize the acceptance of the COPS Hiring Grant.
-

RECOMMENDATION:

4. Staff recommends that the City Council authorize the City Manager to accept the COPS Hiring Grant and to sign the Memorandum of Understanding with the Siuslaw School District for the SRO position.
-

AIS PREPARED BY: Megan Messmer, City Project Manager

**CITY MANAGER'S
RECOMMENDATION:**

Approve
Comments:

Disapprove

Other

ER Reynolds

ITEMS ATTACHED: MOU – School Resource Officer

**SCHOOL RESOURCE OFFICER
INTERGOVERNMENTAL AGREEMENT**

This Intergovernmental Agreement (hereinafter the "Agreement") is by and between the City of Florence (hereinafter the "City") and the Siuslaw School District (hereinafter the "District").

RECITALS

Whereas, the City and the District desire to set forth the duties and responsibilities of the parties with respect to the City's school resource officer program; and

Whereas, the City and the District desire to create an atmosphere of cooperation toward the common goals of providing a safe learning environment for students, a safe working environment for educational staff, the prevention and reduction of juvenile delinquency and the promotion of positive attitudes regarding the role of law enforcement in society.

Now, therefore, in consideration of the mutual promises and representations contained herein, the City and the District do hereby agree as follows:

AGREEMENT

Section 1. Purpose.

The purpose of this Agreement is to formalize the relationship between the City and the District in order to foster an efficient and cohesive program that will build a positive relationship between law enforcement officers and the youth of the Florence area, with goals aimed toward providing a safe learning environment for students, a safe working environment for educational staff, and preventing and reducing offenses committed by juveniles and young adults. This Agreement delineates the mission, organizational structure, and procedures of the City of Florence/Siuslaw School District School Resource Officer Program (hereinafter referred to as the "SRO Program") as a collaborative effort between the City and the District. The success of the SRO Program relies upon the effective communication between the City's law enforcement employees, the School Superintendent, the principal of the schools where the school resource officer will work, and other key staff members of the City and the District.

Section 2. Term.

The term of this Agreement shall commence on January 1, 2017 and terminate on June 30, 2021 unless terminated earlier as provided herein. The parties may renew, extend, or modify this Agreement by mutual written consent at any time. This Agreement will automatically renew for additional one-year terms unless terminated by either party in accordance with the terms of this Agreement.

Section 3. Mission, Goals and Objectives.

The missions of the SRO Program are: the creation and maintenance of a safe and secure learning environment for students, the provision of a safe working environment for educational staff, and the prevention and reduction of school-related violence and offenses committed by juveniles or adults. These missions will be accomplished by efforts, including but not limited to, the assigning of law enforcement officer(s) (SROs) to the District' school facilities.

The goals and objectives of the SRO Program are designed to develop and enhance rapport between youth, law enforcement officers, school administrators and parents. The goals of the SRO Program include, but are not limited to:

1. Establishing a positive relationship between the SRO and the student population and between the SRO and parents, faculty, staff and administrators;
2. Maintaining a safe and secure environment on school grounds;
3. Promoting positive attitudes regarding law enforcement's role in society;
4. Preventing and reducing incidents of school violence; and
5. Reducing of criminal offenses committed by juveniles and young adults.

Section 4. Organizational Structure

- A. Composition. The City will assign one (1) full-time law enforcement officer to serve as an SRO in the SRO Program. Any law enforcement officer assigned as an SRO will be certified by the State of Oregon and will meet all the requirements set forth by the Department of Public Safety Standards and Training (DPSST).
- B. Supervision. The day-to-day operation and administrative control of the SRO Program will be a joint and cooperative effort of the designees of the City and the District. The City agrees that the SRO provided hereunder shall be and remain an employee of the City. The SRO shall be supervised by the City and shall perform their duties in accordance with the administrative and operational procedures of the City. Responsibility for the conduct of the SRO shall remain with the City, and the District acknowledge the SRO remains responsive to the command of the Florence Police Department. The SRO is employed by the City, and in no event shall any employee of the City be considered an employee of the District regardless of the funding source.
- C. SRO Program's Continuation. It is understood by the parties that the continuation of the SRO Program requires the continuing and mutual consent of the City and the District. Should either party to this Agreement elect to terminate the SRO Program, written notice will be provided to the other party and the Agreement shall terminate ninety (90) days after delivery of the notice. Should either party elect to temporarily halt the SRO Program, written notice will be provided to the other party and a tentative date for restoration of the SRO Program will be given, if known.

D. Funding. The SRO Program is subject to the availability of funds, which is a discretionary budgetary decision of the parties. Funding for the SRO Program and the respective share of funding between the parties may be addressed in an attached appendix. If funding includes grant funds, the parties shall enter into an appropriate funding agreement that may place conditions on the ability of the parties to terminate this Agreement and may address other terms as appropriate based upon any conditions of the particular grant.

Section 5. SRO Program Structure.

The SRO is first and foremost a law enforcement officer for the City. The SRO shall be responsible for carrying out all duties and responsibilities of a law enforcement officer and shall remain at all times under the control, through the chain of command, of the Florence Police Department. All acts of commission or omission shall conform to the guidelines of the City. Both the City and District officials agree that non-criminal student disciplinary matters shall remain the responsibility of District staff and not the SRO. Enforcement of the code of student conduct is the responsibility of teachers and administrators, not the SRO. The SRO shall refrain from being involved in the enforcement of disciplinary rules that do not constitute violations of law, except to support District personnel in maintaining a safe school environment.

Section 6. Duties and Responsibilities.

A. District. The responsibilities of the District will include, but not be limited to, the following:

1. Provide the SRO with a private, appropriately furnished and climate controlled office space at one of the assigned schools that can be secured and is reasonably acceptable to the Police Department. This shall include, but not limited to, a desk with drawers, a chair, filing cabinet for files and records which can be properly locked and secured, a telephone, and computer access. All supplies and other equipment shall be provided by the City. District will provide the SRO with an assigned parking space that allows the SRO quick access to the SRO's patrol vehicle.
2. Provide the SRO with reasonable opportunities to address students, teachers, school administrators, and parents about the SRO Program goals and objectives. Administrators shall also seek input for the SRO regarding criminal justice problems relating to students and site security issues at the assigned schools.
3. When school personnel discover weapons, drugs, alcohol, or other illegal contraband on a student or on school property, the SRO will be notified as soon as reasonably possible. If criminal charges are appropriate the SRO will seize the evidence and conduct an investigation pursuant to Florence Police Department policy. If no criminal charges are to be filed and no administrative action is to be taken by the District, the SRO will seize the contraband and dispose of it pursuant to Florence Police Department policy.

4. District personnel shall timely notify the SRO with the names of specific individuals who are not allowed on District property, and shall notify the SRO of any anticipated parental problems resulting from disciplinary action taken against a student.
 5. Work cooperatively with the City and the Florence Police Department to make any needed adjustments to the SRO Program throughout the school year.
 6. In situations involving student conduct where the SRO was involved, provide reasonable advanced notice to the SRO of the student's disciplinary hearing so the SRO may attend the hearing. The City acknowledges that the SRO attendance and participation in any disciplinary hearing is at the discretion of the District.
 7. Provide the SRO with copies of laws, rules, regulations, and District board policies applicable to District employees, including but not limited to, those regarding access to confidential student records, the detention, investigation, and searching of students on school premises and the searching of school property.
- B. City. The City's responsibilities hereunder are delegated to the Florence Police Department and will include, but not be limited to, the following:
1. Responding to all major criminal occurrences on school property and exercising law enforcement jurisdiction over such incidents.
 2. Assigning the SRO to the District and complying with the training requirements established by DPSST and required by this Agreement. The Superintendent will have input in the decision to assign and retain a SRO.
 3. Work cooperatively with the District to make any needed adjustments to the SRO Program throughout the school year.
 4. The City's agreement to provide a SRO to the District does not constitute or create a special duty to the District or any individual, nor shall the City be liable for the failure to provide a SRO in any situation.
- C. SRO Supervisor. The responsibilities of the SRO supervisor, a City employee, will include, but not be limited to, the following:
1. Coordinate work assignments of the SRO.
 2. Ensure the SRO's compliance with Florence Police Department policies and procedures.
 3. Coordinate scheduling and work hours of the SRO (leave, court related appearances, etc.).
 4. Work with the District to make any needed adjustments to the SRO Program throughout the school year.
- D. SRO. The responsibilities of the SRO will include, but not be limited to, the following:

1. Enforce criminal law and provide protection to students, staff and the public at large against criminal activity and take appropriate enforcement action on criminal matters as necessary. The SRO shall follow the chain of command as set forth by the Florence Police Department. Unless notification would interfere with law enforcement operations, the SRO will notify the principal or the principal's designee as soon as reasonably possible concerning any enforcement activity on that principal's school grounds or at that principal's school functions. If an arrest is made, before the officer transports a student, the principal or designee may give the student papers regarding an educational due process hearing if, in the officer's professional judgment, such procedure can be accomplished safely.
2. Complete reports and investigate crimes committed on District property, and whenever practical coordinate investigative procedures between law enforcement and District administrators. The SRO shall abide by all applicable legal requirements concerning interviews or searches should it become necessary to conduct formal law enforcement interviews or searches with students or staff on District property or at District functions.
3. Take allowable law enforcement action against intruders or unwanted guests who appear on District property, either at the principal's request or if the officer observes a violation of state law or city ordinance.
4. If available, the SRO will be present when a principal or designee conducts an administrative search when the principal or District personnel fear for their safety.
5. Confer with the principals to develop plans and strategies to prevent and or minimize dangerous situations on or near District property or involving students at District-related functions.
6. If provided in advance comply with all laws, rules, regulations and District board policies applicable to District employees, including but not limited to, those regarding access to confidential student records, investigation and searching of students on District premises, provided that the SRO shall under no circumstances be required or expected to act in a manner inconsistent with his or her duties as a law enforcement officer. The use of confidential District records by the SRO shall only be done with the principal's approval and as allowed by law.
7. During regular school hours, the SRO may be off District property performing such tasks as may be required such as court, training, providing emergency back up for a fellow officer, etc. Reasonable attempts will be made to schedule training to minimize the SRO's absence from District on instructional days. Whenever possible the SRO shall notify the principals or designee if it is necessary for the SRO to be off District property during regular school hours in non-emergency situations.
8. Prepare presentations on various subjects, such as basic understanding of law, role of law enforcement, and drug abuse prevention education, and provide these presentations at the

request of District personnel in accordance with the established curriculum. Classroom instruction topics must be approved by the SRO's supervisor and a District administrator.

9. Attend District special events as needed. The SRO is not expected to attend special events when off duty.
10. If practicable, attend meetings of parent and faculty groups to solicit their support and understanding of the SRO Program and to promote awareness of law enforcement functions.
11. Be familiar with all community agencies which offer assistance to youths and their families such as mental health clinics, drug treatment, etc. and may make referrals when appropriate.
12. Assist the principal and District staff with disciplinary hearings in which the SRO has knowledge of the incident and/or criminal laws that will assist in the adjudication of the matter.
13. Conduct patrol activity in and around the District property.
14. The SRO shall follow Florence Police Department policies and procedures when confiscating drugs from students on school property.
15. The SRO shall follow Federal and State law, City ordinances and policies, Florence Police Department policies and procedures, and applicable District policies. In the event of a conflict between District and City policies, the SRO's conduct shall be controlled by the City policy.
16. The SRO shall not conduct any interviews with the news media concerning a school incident.
17. The SRO is not to be used for regularly assigned lunchroom duties, hall monitors or other monitoring duties. If there is a problem area, the SRO may assist District personnel until the problem is resolved.

E. Liability. Each party is responsible for the actions and/or omissions of their respective employees. The District does not assume any liability for the direct payment of any wages, salary or other compensation to the SRO performing services pursuant to the terms of this Agreement or for any other liability not provided for in this Agreement.

Section 7. Enforcement.

Although the SRO has been placed in a formal educational environment, the SRO is not relieved of their official duties as a law enforcement officer. The SRO shall intervene when it is necessary in the SRO's professional judgment to prevent any criminal act or maintain a safe school environment. Citations shall be issued and arrests made when appropriate in accordance with Oregon state law and Florence Police Department policy. The SRO and/or the Florence Police Department in consultation with the District Attorney's Office or Prosecutor will have the final decision on whether criminal charges will be filed.

The City reserves the right to temporarily remove the SRO in the event that additional officers are needed during a critical incident or natural disaster.

Section 8. Termination.

Either party may terminate this Agreement, without cause, effective on the next June 30, if the requesting party provides at least ninety (90) days written notice to the other party. For example, for termination effective June 30, 2018, written notice must be provided by at least April 1, 2018.

Either party may terminate this Agreement for cause if the other party is in default. A party shall be in default under this Agreement if it fails to perform any of its duties and obligations under this Agreement, and fails to cure such nonperformance within thirty (30) days after the other party provides written notice specifying the nature of the nonperformance. If the nonperforming party does not cure its nonperformance, or provide a satisfactory explanation to the other party of its performance under this Agreement, the other party may terminate this Agreement immediately or at a later date specified in written notice provided to the nonperforming party.

Section 9. Notice.

Any notice, consent or other communication in connection with this Agreement shall be in writing and may be delivered in person, by mail, or by facsimile transmission to the Siuslaw School District Superintendent (for District) and the Florence City Manager (for the City).

Section 10. Good Faith.

The parties and their employees agree to cooperate in good faith in fulfilling the terms of this Agreement. Unforeseen difficulties or questions will be resolved by negotiation between the parties if resolution cannot be made between the SRO and principal.

Now, therefore, this Agreement has been agreed to by the parties as indicated by the authorized signatures below.

Erin Reynolds, Florence City Manager

Date

Andy Grzeskowiak, School Superintendent

Date

APPENDIX
SCHOOL RESOURCE OFFICER FUNDING

The City of Florence will incur the expenses associated with the School Resource Officer (SRO) as a City employees. The funding for this position over the first four fiscal years (2017-2020) is outlined below and is partially funded through the U.S. Department of Justice’s Office of Community Oriented Policing Services (COPS Office) Hiring Grant. The remaining costs for the SRO over those four years will be shared on a 50/50 funding match between the City of Florence and the Siuslaw School District.

Costs calculated below include both the hard costs of salary, benefits, equipment, and training, as well as the overhead and administrative costs incurred by the City to house and manage the position. The other costs for training, equipment, and overhead are built into the matching costs. The City’s share of the match includes both the hard cost cash match and the soft costs. The COPS Hiring Grant only reimburses cost incurred for salary and benefits.

	2017	2018	2019	3 Year Totals	3 Year %	<i>2020 (retention estimate)</i>
Salary + Benefits	94,075	99,635	105,544	299,254	100.00%	111,876
Federal Share	74,907	29,933	20,160	125,000	41.77%	0
Required Local Match	19,168	69,702	85,384	174,254	58.23%	--
Equip & Other- City	36,830	39,007	41,321	117,158	--	43,799
Total Local Cost	55,998	108,709	126,705	291,412	--	155,675
Total SRO Cost	130,905	138,642	146,865	416,412	--	155,675
School Share- cash	27,999	54,354	63,353	145,706	50.00%	77,838
City Share- cash	0	15,348	22,031	37,379	--	34,038
City Share- admin	27,999	39,007	41,321	108,327	--	43,799
City Share-- Total	27,999	54,355	63,352	145,706	50.00%	77,837

AGENDA ITEM SUMMARY
FLORENCE CITY COUNCIL

ITEM NO: 10
Meeting Date: December 19, 2016
Department: Mayor & Council

ITEM TITLE: City Manager Employment Agreement

DISCUSSION/ISSUE:

Erin Reynolds was appointed to the position of City Manager for the City of Florence on March 1, 2015. The Council will perform an annual evaluation of Ms. Reynolds's performance in executive session on December 19, 2016.

Following that session, the City Council will discuss the evaluation and consider salary adjustments beginning January 1, 2017.

FISCAL IMPACT:

The Council will consider salary adjustments during the December 19, 2016 Council meeting.

RELEVANCE TO ADOPTED CITY WORK PLAN:

All Goals within City work plan are affected.

ALTERNATIVES:

1. Perform and discuss the annual evaluation.
 2. Postpone annual evaluation to a future date
-

RECOMMENDATION:

Perform and discuss annual evaluation.

AIS PREPARED BY: Kelli Weese, City Recorder on behalf of the City Council

**CITY MANAGER'S
RECOMMENDATION:**

Approve Disapprove Other
Comments: *ERReynolds*

ITEM'S ATTACHED: None

AGENDA ITEM SUMMARY
FLORENCE CITY COUNCIL

ITEM NO: 11

Meeting Date: December 19, 2016

Department: All

ITEM TITLE: Board and Committee Report – November 2016

DISCUSSION/ISSUE:

Airport Advisory Committee	
<u>Department:</u> Public Works	<u>Staff:</u> Mike Miller – Public Works Director
Airport Advisory Committee decided at their October meeting to reduce the frequency of meetings to a minimum of quarterly. The next Airport Advisory Committee meeting is scheduled for January 18, 2017.	

Airport Volunteers	
<u>Department:</u> Public Works	<u>Staff:</u> Mike Miller – Public Works Director
Airport Volunteer Group (AVG) provided 240 hours greeting visiting pilots and their passengers at the airport; answering phone calls; and providing general information and directions to local attractions; checking all entrance/exit gates; visually check taxiways to ensure they are free and clear of debris; check loaner cars and collect fees from loaner car users; clean the restrooms and office space at the airport office.	

Ad-Hoc Finance Committee	
<u>Department:</u> Finance	<u>Staff:</u> Andy Parks – Interim Finance Director
Committee did not meet.	

Audit Committee	
<u>Department:</u> Finance	<u>Staff:</u> Andy Parks – Interim Finance Director
Committee did not meet.	

Budget Committee	
<u>Department:</u> Finance	<u>Staff:</u> Andy Parks – Interim Finance Director
Committee did not meet.	

Economic Development Committee (EDC)	
<u>Department:</u> Administration	<u>Staff:</u> Jesse Dolin – Economic Development Catalyst
<p>Committee members gave introductions, and Jesse Dolin was introduced as the newly appointed Economic Development Catalyst for the city of Florence, and all members had the opportunity to ask him questions following his introduction. Connie Stopher from SCDC provided updates on projects their organization is currently working on, including the REEF project in Coos Bay. Committee member Robbie Wright gave a review and provided updates about the new Florence Business Website. There was a discussion regarding existing local businesses, and strategies for attracting new business to Florence. It was agreed future meetings will be held on the third Tuesday of each month, with the next EDC meeting is scheduled for December 20th at 2:00 PM.</p>	

Environmental Management Advisory Committee (EMAC)	
<u>Department:</u> Planning	<u>Staff:</u> Wendy FarleyCampbell – Planning Director
<p>EMAC met November 17th to review the licensee responsibilities, namely leaking vehicle documentation and repair. They also discussed the SB 263 Material Management rulemaking and status of the Lane County Regional Solid Waste Master Plan update. Their next meeting is scheduled for January 22nd at 2pm</p>	

Florence Events Center Volunteers / Friends of the FEC	
<u>Department:</u> Florence Events Center	<u>Staff:</u> Kevin Rhodes – FEC Director
<p>Wireless Headset System – The Friends of the FEC generously purchased a professional wireless headset communication system to be used primarily back stage for theater productions. The new system is replacing the original existing wired system and has a broadcast range of up to 400 yards. With a purchase price of \$4,133.50, the Friends of the FEC continue to keep the FEC supplied with much needed state-of-the-art equipment.</p> <p>Dancing with the Sea Lions – The Friends of the Florence Events Center can easily report that after all expenses, the public art campaign raised over \$65,000. Profits from the project will fund sound system improvements and other facility enhancements at the FEC. The project will continue to be a public art attraction for Florence and the Oregon Coast. After the auction, eight of the sea lions are still at their original location with twelve of the twenty sea lions migrating to new homes. Fifteen of the statues will remain in the Florence area and five sea lions will be on a path that extends from Waldport all the way to La Jolla, California.</p>	

Upcoming Events –

Wallflowers and Wine – Create your own wall art with artist John Leasure and a glass of wine on Friday, November 26th at 6:30 pm at the Florence Events Center. All the paints, canvas and art instruction will be provided. Tickets are \$45 a person and includes a free beverage (one glass of vino or other non-alcoholic choice) and a multitude of delicious snacks while you are given professional, step by step painting directions. Additional beverages or wine will be for sale for those 21 and over to enjoy while they paint. This is the fourth in a series of successful, upbeat art painting parties sponsored by the Friends of the Florence Events Center and the FEC art gallery committee.

Save the Dates!

Curtis Salgado New Year's Eve Concert – Curtis Salgado will be performing a New Years' Eve concert at the Florence Events Center on, well... December 31st. Salgado is a renowned Blues artist who spent time touring as the opening act for the Steve Miller Band, had a short stint as the lead singer for Santana and was Jon Belushi's inspiration for creating the Blues Brothers. The evening concert will open with the Hank Shreve Band at 9pm. Curtis Salgado performed the first concert in the FEC theater in 1996 to a "sold out" audience so his return to the FEC will be a nice "full circle" ending to the FEC's 20th anniversary!

Winter Music Festival 2017 – The WMF 2017 committee continues to meet in preparation for the festival scheduled for January 14-15 and the well-attended Kid's Concerts scheduled for the Thursday prior to the event on January 12th. The WMF has recently launched its newly redesigned website featuring an attractive earthy appeal that compliments the festivals events including the FRAA Artisan Fair and Friends of the FEC Pie Sale. The entertainment line-up has been locked in with Danny O'Keefe slated for the Saturday night headliner. O'Keefe is known for his hit song, "Good time Charlie's got the Blues" released 1972. His songs have been recorded by such artist as Jackson Brown and more recently by Miranda Lambert. Haley Johnsen will open for O'Keefe on Saturday night. Johnsen is better known for being a top 25 finalist in the 2012 American Idol season.

Florence Urban Renewal Agency

Department: Administrative

Staff: Kelli Weese –

City Recorder / Eco. Devo. Coord.

FURA worked to combine the November and December meetings and scheduled a combined meeting for December 1st. There were no FURA meetings in November.

Parks Volunteers	
<u>Department:</u> Public Works	<u>Staff:</u> Mike Miller – Public Works Director
<p>Shoreline Christian School performed 3.75 hours volunteer labor picking up litter and trash at Singing Pines Park during November.</p> <p>Siuslaw Chapter of American Rhododendron Society performed 6 hours of volunteer labor at Gallagher's Park pruning rhododendrons during November.</p> <p>Volunteers for Old Town Park (Gazebo Park) completed 8.25 hours of volunteer labor cleaning the flower beds, pruning, weeding and installing new wildlife signs for the old log raft (old fishing dock) at the park during November.</p>	

Planning Commission	
<u>Department:</u> Planning	<u>Staff:</u> Wendy FarleyCampbell – Planning Director
<p>The Planning Commission met November 8th and opened two public hearings that had been continued from October one requesting extension of their preliminary PUD and tentative subdivision approvals and one requesting modification of Sandpines PUD to permit a detached single family residence on a lot reserved for attached housing. The also held a public hearing on a tentative minor partition and variance in the Service Industrial District. On November 22nd they held a public hearing on an annexation request and zoning assignment for property north of Highway 126 near Xylo St. The Planning Commission voted unanimously to approve all the above applications.</p>	

Police Auxiliary	
<u>Department:</u> Police	<u>Staff:</u> Gary Stine – Auxiliary Coordinator
<p>During the month of November 2016 the Police Auxiliary provided almost 300 hours of service to the Police Department. The Auxiliary participated in the Elementary School's Color-A-Thon by providing traffic control and the Disaster Preparedness Expo at the FEC. We provided the Middle School material for combating drug use by their students. The Auxiliary planned its program to collect and distribute toys to children for the holidays which will be held on Saturday, December 17th from 2:30 to 5:30 PM with a Santa so the parents can take pictures. We plan to provide complete Ham Dinners to families needing a little extra help at Christmas. We also interacted and provided answers to the resident's questions and by giving directions and answering questions to visitors.</p> <p>Like we do every month the Police Auxiliary delivered daily Mail and intra-department mail between the Police Dept, Municipal Court and City Hall, patrolled and did afternoon traffic control at Siuslaw Elementary School during school days, patrolled city neighborhoods and gated communities, visited and checked requested homes for people on vacation, checked for violations in Disabled parking spaces, attended staff training, picked up and reported found property, responded to citizens concerned about dogs left inside unattended vehicles,</p>	

responded to dogs running at large and transported some to the Humane Society, assisted in doing hourly safety jail checks and feeding jail meals to help keep the regular Officers in the field and help the Corrections Officer while she is in Court or transporting inmates to Eugene. We also purchased needed food and medical supplies for the jail, provide public and court fingerprinting, registered sex offenders, filing of tickets and incidents reports, shedding of confidential information, and were available for Home Security Inspections for homeowners and the Business and Neighborhood Watch programs.

Police Reserve Officers

Department: Police

Staff: Tom Turner – Police Chief

No Report

Public Art Committee

Department: Administrative

Staff: Kelli Weese – City Recorder / Economic Development Coordinator

PAC met on November 14th and November 28th to continue working on current projects including donations for public art (and a donation policy), Hwy 101 and Hwy 126 mural, Siuslaw Bridge Steps and Art Exposed. In addition, the committee brought in representatives from the community to discuss bicycle racks and murals.

Senior Center Volunteers

Department: Administrative

Staff: Megan Messmer – Assistant to the City Manager

The Senior Center met on December 13 for their monthly meeting. They have two recent vacancies as two of their board members have resigned. At their last meeting the Board addressed a code of conduct for the facility to help deal with some of the issues that have risen. This applies to the users of the facility and the board members. They are dealing with some issues in the kitchen and working on developing procedures for how they operate. This is due to a changed model with the kitchen manager and the cook. They had a long-term cook and kitchen manager who retired this last year and they are working out the kinks with a new individual and a new way of doing things. Their new kitchen manager also has the desire to be available to provide catering for meetings and events that rent out the facility. The kitchen staff will also be doing a deep cleaning during the holiday break. The board members continue to apply for grants for new equipment and the building expansion goals.

Transit Advisory Committee (TAC)	
<u>Department:</u> Planning	<u>Staff:</u> Glen Southerland – Assistant Planner
<p>TAC met on November 16th to discuss the Committee’s meeting schedule, upcoming bus maintenance, new benches donated by Kiwanis, advertising on the Rhody Express, and the bus baggage policy. TAC also discussed a successful presence at the Senior Expo, where community members who attended were given items provided by LTD and informed about the Rhody Express. TAC decided to cancel the December meeting and meet again on January 18, 2017.</p>	

FISCAL IMPACT:

The fiscal impact of the committees and volunteer groups varies depending on their scope of work. Staff time is allocated to support the committees, and ensure committees comply with Oregon public meetings laws by preparing and posting agendas and minutes and/or digital recordings for meetings.

RELEVANCE TO ADOPTED CITY WORK PLAN:

Goal 1: Deliver efficient and cost effective city services. Goal 5: Strengthen and Improve City’s Organization and Capital Plant.

AIS PREPARED BY: Report written by City of Florence staff and compiled by Kelli Weese, City Recorder

CITY MANAGER’S RECOMMENDATION: Approve Disapprove Other

Comments: *ERReynolds*

ITEM’S ATTACHED: None

AGENDA ITEM SUMMARY
FLORENCE CITY COUNCIL

ITEM NO: 12
Meeting Date: December 19, 2016
Department: City Manager

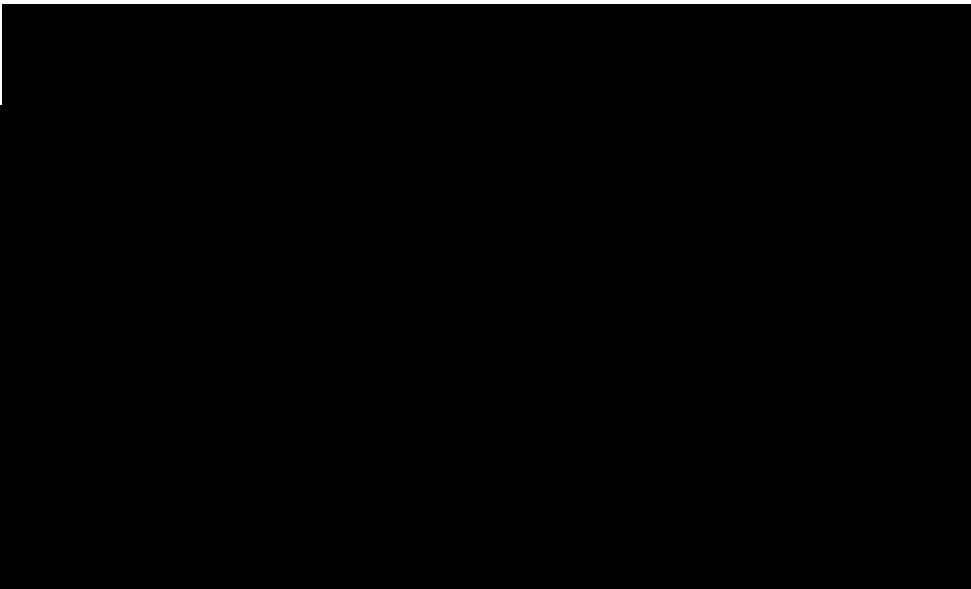
ITEM TITLE: CITY MANAGER REPORT

AGENDA ITEM SUMMARY
FLORENCE CITY COUNCIL

ITEM NO: 13
Meeting Date: December 19, 2016
Department: City Council

ITEM TITLE: CITY COUNCIL REPORTS

Florence City Council Calendar - 2016



December					
M	Tu	W	Th	F	Sa/Su
			1	2	3 & 4
5 - City Coun. Mtg	6	7 - City Coun. Wrk Sn - Tentative	8	9	10 & 11
12	13	14 - City Coun. Retreat	15	16	17 & 18
19 - City Coun. Mtg	20	21 - City Coun. Wrk Sn - Cancelled	22	23	24 & 25
26 Christ. Obser.	27	28	29	30	31

Florence City Council Calendar - 2017

January

M	Tu	W	Th	F	Sa/Su
2 New Years Observed Council Meeting Rescheduled	3	4 Council Work Session Rescheduled	5	6	7 & 8
9 Council Meeting	10	11 Council Work Session - <i>Tentative</i>	12	13	14 & 15
16 Martin L. King Jr. Day Holiday Council Meeting Rescheduled	17	18 Council Work Session Rescheduled	19	20	21 & 22
23 Council Meeting	24	25 Council Work Session - <i>Tentative</i>	26	27	28 & 29
30 State of the City	31				

February

M	Tu	W	Th	F	Sa/Su
		1	2	3	4 & 5
6 Council Meeting	7	8 Council Work Session - <i>Tentative</i>	9	10	11 & 12
13	14	15	16	17	18 & 19
20 Presidents Day Holiday Council Meeting Rescheduled	21	22 Council Work Session - Canceled	23	24	25 & 26
27 Council Meeting - <i>Tentative</i>	28				

March

M	Tu	W	Th	F	Sa/Su
		1	2	3	4 & 5
6 Council Meeting	7	8 Council Work Session - <i>Tentative</i>	9	10	11 & 12
13	14	15	16	17	18 & 19
20 Council Meeting	21	22 Council Work Session - <i>Tentative</i>	23	24	25 & 26
27	28	29	30	31	

April

M	Tu	W	Th	F	Sa/Su
					1 & 2
3 Council Meeting	4	5 Council Work Session - Canceled	6	7	8 & 9
10	11 Northwest Regional Manager's Conference				15 & 16
17 Council Meeting	18	19 Council Work Session - <i>Tentative</i>	20	21	22 & 23
24	25	26	27	28	29 & 30