



# City of Florence Council Executive & Regular Session

In Person & Videoconference  
250 Hwy 101  
Florence, OR 97439  
541-997-3437  
[www.ci.florence.or.us](http://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 on the City of Florence website at [www.ci.florence.or.us/council](http://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](http://www.ci.florence.or.us/council) after the meeting.
- To be notified of City Council meetings via email, please visit the City's website at <http://www.ci.florence.or.us/newsletter/subscriptions>.

December 11, 2023

## AGENDA

Councilors:

Rob Ward, Mayor

Sally Wantz, Council President  
Jo Beaudreau, Councilor

Bill Meyer, Council Vice-President  
Robert Carp, Councilor

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

Proceedings will be shown live and for rebroadcast on Cable Channel 191 and online at [www.ci.florence.or.us/citymanager/public-meetings-live](http://www.ci.florence.or.us/citymanager/public-meetings-live) and will be available after the meeting on the City's Vimeo Site.

3:00 p.m.

### Executive Session per ORS 192.660(2)(i)

Performance Evaluation of Public Officers & Employees – City Manager Evaluation

### The Florence City Council meeting will be held in person at Florence City Hall.

In addition, members of the public can listen and view the meeting through the 'GoToWebinar' platform at the following link: <https://attendee.gotowebinar.com/register/8640961163306024024>

Meetings are also shown live on Cable Channel 191 and online at <https://www.ci.florence.or.us/citymanager/public-meetings-live>.

Citizens wishing to express their views may submit comments in writing or verbally. For more information, please see the end of this agenda or visit the [City of Florence website](http://www.ci.florence.or.us).

### CALL TO ORDER – ROLL CALL – PLEDGE OF ALLEGIANCE

5:30 p.m.

### PRESENTATIONS & ANNOUNCEMENTS

- New Employee Introduction

Mayor Ward

### 1. PUBLIC COMMENTS

This is an opportunity for members of the public to bring to the Council's attention any item not otherwise listed on the agenda. *Please see the end of this agenda for methods to provide comments on items that are not on the agenda.*

### ACTION ITEMS

*Please see the end of this agenda for methods to provide comments on action items.*

### 2. GREENTREES WATER METER CONTRACT AWARD

Consider accepting the bid proposal as submitted by Ray Wells, Inc. for the Greentrees Village Water Service Modification Project in the amount of \$207,412.

Mike Miller  
Public Works  
Director

### 3. RHODODENDRON DRIVE CONSTRUCTION AWARD

Consider accepting the low bid as submitted by K&E Excavating, Inc. for the Rhododendron Drive Realignment Project in the amount of \$7,346,982.75.

Mike Miller  
Public Works  
Director

### 4. COMMERCIAL USE CONVERSION SDC POLICY

Consider approval of **Resolution No. 25, Series 2023**, a resolution adopting a policy to continue requiring the payment of system development charges when a building or portion of a building is converted from commercial use to residential use.

Mike Miller  
Public Works  
Director

**5. CITY MANAGER EVALUATION**

Consider approval of the annual evaluation for City Manager Erin Reynolds and the Employment Agreement amendments, including salary adjustments beginning January 1, 2024.

City Council

**CONSENT AGENDA**

**6. ARTS GRANT REQUEST**

Consider approval of **Resolution No. 26, Series 2023**, a resolution establishing approval to apply for a grant from the Oregon Department of Transportation for All Roads Transportation Safety (ARTS) program and delegating authority to the City Manager or designee to sign the application.

Mike Miller  
Public Works  
Director

**7. AIRPORT GROUND LEASES**

Consider approval of **Resolution No. 27, Series 2023**, a resolution declaring certain areas of the Florence Municipal Airport available for long term lease and delegating authority to the City Manager or designee to enter into ground leases at the Airport.

Mike Miller  
Public Works  
Director

**8. PROFESSIONAL GEOTECHNICAL AND WATER RIGHTS SERVICES FOR WELL 14**

Consider accepting fee proposal from GSI Water Solutions of \$77,954 for professional geotechnical and water rights services for Well 14.

Mike Miller  
Public Works  
Director

**9. MAPLE STREET BISTRO LIQUOR LICENSE**

Consider recommendation of approval to the Oregon Liquor & Cannabis Commission (OLCC) for a Limited On-Premises Liquor License for Maple Street Bistro located at 165 Maple Street.

Lezlea Purcell  
Finance Manager

**REPORT & DISCUSSION ITEMS**

**10. DEPARTMENT DIRECTOR UPDATES**

Management  
Team

**11. CITY MANAGER REPORT & DISCUSSION ITEM**

Erin  
Reynolds  
City Manager

**12. CITY COUNCIL REPORTS & DISCUSSION ITEMS**

City Council

<b>COUNCIL CALENDAR</b>		
<i>All meetings are held in person with a virtual option unless otherwise indicated</i>		
<b>Date</b>	<b>Time</b>	<b>Description</b>
December 14, 2023	8:45 a.m.	City Council Work Session
January 8, 2024	5:30 p.m.	City Council Meeting
January 11, 2024	8:45 a.m.	City Council Work Session
January 22, 2024	5:30 p.m.	City Council Meeting
February 5, 2024	5:30 p.m.	City Council Meeting
February 8, 2024	8:45 a.m.	City Council Work Session

## PUBLIC MEETINGS PROCEDURES

The December 11, 2023 City Council meeting will be held in person, with the option to view / listen to the meeting virtually through the GotoWebinar platform.

**Expressing Views to the City Council:** Citizens wishing to express their views to the City Council may do so in both written and verbal formats.

1. Written Testimony: Citizens wishing to express their views to the City Council are encouraged to submit written testimony in one of the following ways:
  - a. Submit written comments via email to City Recorder at [cityrecorder@ci.florence.or.us](mailto:cityrecorder@ci.florence.or.us);
  - b. Mail written comments to Florence City Hall, Attn: City Council, 250 Hwy 101, Florence, OR 97439
  - c. Drop off written comments at Florence City Hall (250 Hwy 101) during regular office hours (Monday through Friday 8 a.m. – Noon and 1:00 p.m. – 4 p.m.) or at the City of Florence drop box located at Florence City Hall to the right of the main entrance.

**\*\* Note:** Written comments received at least 2 hours prior to the meeting (December 11, 2023 at 3:30 p.m.) will be distributed to the City Council, posted to the City of Florence website, and made part of the record.

2. Verbal Testimony: Citizens wishing to express their views to the City Council may participate in the meeting at Florence City Hall or via GoToWebinar. To do so, please complete a speaker's card online at [www.ci.florence.or.us/council/request-address-city-council-speakers-card](http://www.ci.florence.or.us/council/request-address-city-council-speakers-card) at least 1 hour prior to the meeting (December 11, 2023 at 4:30 p.m.). City staff will then contact the speaker to let them know the process to participate in the meeting.
  - a. Public Comments on items not on the agenda: General public comments (on items not on the City Council agenda) will be allowed at each City Council meeting during the public comment agenda item. Comments will be limited to three (3) minutes per person, with a maximum of 15 minutes for all items. In practicality, this means no more than five individuals will be allowed to comment verbally. There is no limit on written public comments.
  - b. Public Hearing Testimony: Testimony on public hearing items will be allowed when a public hearing is held. Verbal comments will be allowed on public hearing items after staff has given their report and have allowed time for initial Council questions. In general (with some exceptions for Land Use hearings), comments are limited to five minutes per person with no limit on the number of speakers.
  - c. Public Comments on Action Items: Public Comments will be allowed on each action item on the City Council agenda. Verbal comments will be allowed on action items after staff has given their report and have allowed time for initial Council questions. Comments will be limited to three (3) minutes per person, with a maximum of 15 minutes for all comments on each action item. In practicality, this means no more than five (5) individuals will be allowed to comment verbally. There is no limit on written public comments.

**For more information on the City of Florence's Public Meeting Policies, visit the City of Florence website at <https://www.ci.florence.or.us/council/rules-procedure>.**

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**AGENDA ITEM SUMMARY**  
**FLORENCE CITY COUNCIL**

**ITEM NO: 1**

Meeting Date: December 11, 2023

Department: Mayor & Council

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**ITEM TITLE:** Public Comments – *Items Not on the Agenda*

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**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. *Please see end of the agenda for methods to provide comments on items not on the City Council agenda.*

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**AGENDA ITEM SUMMARY**  
**FLORENCE CITY COUNCIL**

**ITEM NO:** 2  
**Meeting Date:** December 11, 2023  
**Department:** Public Works

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**ITEM TITLE:** Accept the bid proposal as submitted by Ray Wells, Inc. for the Greentrees Village Water Service Modification Project in the amount of \$207,412.

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**DISCUSSION/ISSUE:**

City of Florence Public Works staff along with RH2 Engineering has been designing and acquiring bids for a much-needed project to replace the existing water meter and service piping to the Greentrees West subdivision.

On December 5, 2023, bids were opened and publicly read aloud for the Greentrees Village Water Service Modification Project, City project number WA 23-01. The bid results are as follows:

<u>Proposer</u>	<u>Amount</u>
Ray Wells, Inc.	\$207,412
Johnson Rock Products, Inc.	\$262,235

Public Works, working with RH2 Engineering, processed formal bid documents and advertised for bids both locally and statewide. There was a total of three prime bidders and only two submitted proposals.



The project includes all labor, equipment and materials necessary for the Greentrees Village Water Service Modification Project. This includes a new 8-inch master water meter; 8-inch double check backflow prevention device assembly; installation of new traffic rated vault lid; fire hydrant replacement; control valves; 183 lineal feet of new 8-inch C900 PVC water line; 10 lineal feet of 8-inch ductile iron water line; 14 lineal feet of 6-inch C900 PVC water line; and repairs to the asphalt surfaces at the entrance to the subdivision.

The location of this project is on the west side of Rhododendron Drive at the entrance to the Greentrees West gated community.

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The contractor that has submitted the lowest qualified bid for this work is Ray Wells, Inc. and 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 Contractors Board; 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:**

The low bid of \$207,412 is \$8,588 less than the engineers estimate of \$216,000.00. In the 2023-25 biennium, we budgeted a total of \$150,000 for the installation of the new master meter and related infrastructure work. In reviewing our other projects for the first year of the biennium, we have additional Water Capital Outlay funding available to fill the gap between what is budgeted and the bid proposal.

<b>Specific Available Funds</b>	<b>Budget</b>
Greentrees West Master Meter Replacement	\$150,000
Design services for WTP office	\$100,000
Less expected design services to start spring 2024	<\$50,000>
Well 14 Development	\$400,000
Less expected expenditures for Well 14 during FY23-24	<78,816.50>
<b>Available for Construction</b>	<b>\$521,183.50</b>

<b>Fund</b>	<b>Available Funds</b>	<b>Engineers Estimate (EE)</b>	<b>Bid</b>	<b>Bid Over/(Under) Available Funds</b>	<b>Bid Over/(Under) EE</b>
Water	521,183.50	\$216,000	\$207,412	(\$313,771.50)	(\$8,588)

The bid from Ray Wells, Inc is a result of extensive local knowledge of the underground conditions in this area as well as having direct experience construction streets and utilities within our community. As a result, we received a favorable bid from a local contractor.

Ray Wells, Inc. is the responsive low bidder that can perform the work. Funding for this project is included in the FY 2023-25 Biennium budget and the project is fully funded.

**RELEVANCE TO ADOPTED CITY WORK PLAN:**

- City Service Delivery – improving, maintaining and enhancing our infrastructure as feasible.
- Livability & Quality of Life – implementing the City’s 2023-25 Capital Improvement Program.

- Economic Development – providing capital reinvestment into the local water system that will have a return on the investment by having better meter accuracy and water quality protection to the water distribution network.
- Financial & Organizational Sustainability – installing new master meter that has greater accuracy allows the City to account for more of our water thereby lessening the potential burden of lower meter accuracy to the rest of our water customers.

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**ALTERNATIVES:**

1. Award contract to Ray Wells, Inc.
2. Do not award proposal
3. Reject the proposals and re-scope the project

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**RECOMMENDATION:**

Staff recommends that the City Council accept the proposal from Ray Wells, Inc and authorize the City Manager, or designee, to proceed with a construction contract.

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**AIS PREPARED BY:** Mike Miller, Public Works Director

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

Comments: *ER Reynolds*

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**ITEM'S ATTACHED:** None

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**AGENDA ITEM SUMMARY**  
**FLORENCE CITY COUNCIL**

**ITEM NO: 3**

Meeting Date: December 11, 2023  
Department: Public Works

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**ITEM TITLE:** Accept the low bid as submitted by K&E Excavating, Inc. for the Rhododendron Drive Realignment Project in the amount of \$7,346,982.75

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**DISCUSSION/ISSUE:**

On December 5, 2023, bids were opened and publicly read aloud for the Rhododendron Drive Realignment Project, ST 02-2023. The proposal results are as follows:

<u>Proposer</u>	<u>Amount</u>
K&E Excavating, Inc	\$7,346,982.75
Brown Contracting, Inc	\$9,998,888.00

This project includes all labor, equipment and materials necessary for the Rhododendron Drive Realignment Project. The limits of the project extend from Wild Winds Street along Rhododendron Drive to just north of 35<sup>th</sup> Street. The project includes 11,600 cubic yards of general excavation; 25,000 square yards of geotextile fabric; 282 lineal feet of 12-inch stormwater line; 27 lineal feet of 18-inch stormwater line; two (2) stormwater manholes; ten (10) stormwater inlets; 1,297 lineal feet of 18-inch gravity sewer pipe; 450 lineal feet of 4-inch sewer pipe; six (6) sewer manholes; 14 4-inch sewer clean outs; 16 sewer clean out adjustments; 22 lineal feet of 6-inch water main; 2,653 lineal feet of 8-inch water main; three (3) 6-inch gate valves; five (5) 8-inch gate valves; three (3) fire hydrants; 53 lineal feet of 1-inch water service lines; 10 lineal feet of 2-inch water service lines; two (2) 1-inch water meters; one (1) 2-inch water meter; modular prefabricated retaining wall; 1,233 square feet of thickened edge concrete retaining wall; soil nail (retaining) wall; 8,500 tons of aggregate base for roadway; 5,600 tons of level 3 asphalt cement paving; 1,000 tons of level 2 asphalt cement paving; 2,800 lineal feet of curb; 154 lineal feet of curb and gutter; 1,530 square feet of sidewalk; pedestrian activated Rectangular Rapid Flash Beacon; 24 trees; 1,180 lineal feet of metal handrail; 20,077 lineal feet of thermal plastic striping; thermal plastic continental crosswalk markings; thermal plastic Tsunami Zone markings; four (4) thermal plastic roadway markings (directional arrows); 47 square feet of Stop Bar markings; and temporary work zone traffic control, including erosion and sediment control.

With the bid coming in at \$7,346,982.75, City staff and the engineering team are working with the contractor to reduce some of the costs associated with the project to stay within the overall \$7 million-dollar authorized budget. These items are what we would like to refer to as the low “hanging fruit” but will result in overall project savings. These items include:

- Allowing the contractor to dispose of excavated materials on City property.
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- Allowing for limited closure of Rhododendron Drive to traffic instead of maintaining full access. This could include closure of sections of the roadway and detouring traffic.
- Work with Lane County to acquire additional slope easements and reduce the amount of retaining wall.

Other items to be considered, which will take additional collaboration with the contractor, engineers and City staff, include lowering the retaining wall for the multi-use path south of New Hope Lane.

As we look at the Rhododendron Drive Realignment Project, we also need to review the funding that has been committed to the project. We also need to allocate specific project costs to Lane County Waste Management for their share of New Hope Lane reconstruction and improvements at 35<sup>th</sup> and Rhododendron Drive that is the responsibility of the Rhododendron Arbor development. With \$7 million allocated to the engineering design, engineering construction support, right-of-way acquisition, and construction, what does the funding situation look like?

<b>Funding available</b>	<b>\$7,000,000</b>
Engineering Services, including right-of-way acquisition	\$250,000
<b>Total available funds for Rhododendron Drive Realignment</b>	<b>\$6,750,000</b>

<b>Project Bid</b>	<b>\$7,346,892.75</b>
Lane County’s portion of New Hope Lane reconstruction	<\$338,000>
Intersection improvements at 35 <sup>th</sup> and Rhododendron (related to development)	<\$70,000>
Excavation disposal fees	<\$20,000>
Removal of one layer of modular prefabricated retaining wall blocks	<\$138,000>
Vegetation disposal fees	<\$35,000>
<b>Project costs with reductions and contributions from others</b>	<b>\$6,745,982.75</b>

<b>Funding Sources</b>	<b>Budget</b>
Street – Rhododendron Drive Realignment	\$3,500,000
Water – Water system relocation allocation	\$1,500,000
Wastewater – Sewer system relocation/upgrades	\$1,500,000
Stormwater – Stormwater improvements allocation	\$500,000
<b>Total funds available for Rhododendron Drive Project</b>	<b>\$7,000,000</b>

<b>Funds Available</b>	<b>Engineers Estimate (EE)</b>	<b>Adjusted Bid to account for deductions &amp; contributions</b>	<b>Bid Over/(Under) Available Funds</b>	<b>Adjusted Bid Over/(Under) EE</b>
\$6,750,000	\$6,028,186	\$6,745,982.75	(\$4,107.25)	\$717,796.75

We have been in contact with the contractor, K&E Excavating, Inc., regarding value engineering and potential for cost savings on the project. As mentioned above, we looked at the low hanging fruit and in combination with contributions from Lane County Waste Management Division and that from a developer, we are able to get the costs down to just below the available funds for the project.

Once we have formally awarded the project, we can work on other cost saving opportunities to ensure that we not only have enough funds to complete the project but also have a small contingency for the unexpected. We believe that the project is well scoped and designed, but as with all major construction projects, there are unexpected items that arise.

K&E Excavating, Inc. has completed other projects for the City. The successfully completed the 12-inch water line replacement project on Bay Street in 2013. K&E Excavating, Inc is based out of Salem, Oregon and has been providing excavation and construction services since 1998. It is a family owned and operated business and has successfully completed for the cities of Albany, Willamina, Bend; Bonneville Power Administration; Benton County; and Portland General Electric to name a few.

The contractor that has submitted the lowest qualified bid for this work is K&E Excavating, Inc. Public Works has verified, in accordance with ORS 279C.375, that the contractor has had no disciplinary action by the Construction Contractors Board; nor is the contractor listed on the Oregon Bureau of Labor and Industries (BOLI) ineligible list or the Federal Excluded Parties List System (EPLS).

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#### **FISCAL IMPACT:**

The low bid (not adjusted) of \$7,346,892.75 is \$1,318,706.75 greater than the engineers estimate of \$6,028,186. In the 2023-25 biennium, we budgeted for a total of \$7,000,000 for this project.

With the limited funding available and including funds that will need to be expended in addition to the construction costs, the City has \$6,750,000 available for the actual construction. When we add in the expected contribution from Lane County Waste Management Division for their costs associated with the reconstruction of New Hope Lane and the contribution from a private development for costs associated to improvements at 35<sup>th</sup> and Rhododendron Drive that they are responsible for and then subtract our project costs that we have identified as savings to the project, the project costs come in at \$6,745,982.75. This is \$4,107.25 less than the available funds, making the project fully funded.

<b>Funding available</b>	<b>\$7,000,000</b>
Engineering Services, including right-of-way acquisition	\$250,000
<b>Total available funds for Rhododendron Drive Realignment</b>	<b>\$6,750,000</b>

<b>Project Bid</b>	<b>\$7,346,892.75</b>
Lane County’s portion of New Hope Lane reconstruction	<\$338,000>
Intersection improvements at 35 <sup>th</sup> and Rhododendron (related to development)	<\$70,000>
Excavation disposal fees	<\$20,000>
Removal of one layer of modular prefabricated retaining wall blocks	<\$138,000>
Vegetation disposal fees	<u>&lt;\$35,000&gt;</u>
<b>Project costs with reductions and contributions from others</b>	<b>\$6,745,982.75</b>

The project award, in order to comply with purchasing and bidding procedures, K&E Excavating, Inc would be awarded the project for the full bid amount. Once the contractor is under contract, the City will issue a deductive change order for items that we have identified (excavation disposal fees, one layer of the modular prefabricated retaining wall blocks and vegetation disposal fees). Additionally, the City will work with the contractor to develop other value engineering solutions to further reduce the costs of the project.

K&E Excavating, Inc. is the responsive proposer that can perform the work. Funding for this project is included in the FY 2023-25 Biennium budget and the project is fully funded.

**RELEVANCE TO ADOPTED CITY WORK PLAN:**

Rhododendron Drive Realignment Project is related to the City work plan objectives of:

- Reconstruct Rhododendron Drive – Wildwinds to 35<sup>th</sup> including realignment, separated multi-use path and improved river overlook/parking area.

Rhododendron Drive Realignment Project is also related to the following overarching City Goals:

- City Service Delivery – improving, maintaining and enhancing our infrastructure to meet a growing need.
- Livability & Quality of Life – being responsive to our community’s needs with efficient, effective and sustainable service delivery.
- Economic Development – providing capital investment into the local infrastructure system which allows for additional development.
- Financial & Organizational Sustainability – constructing improvements that support current and future needs

**ALTERNATIVES:**

1. Award contract to K&E Excavating, Inc.
2. Do not award proposal
3. Reject the proposals, re-scope the project and rebid

**RECOMMENDATION:**

Staff recommends that the City Council accept the proposal from K&E Excavating, Inc. with the following conditions:

1. Immediately reduce the contract through value engineering to at least \$7,153,892.75
2. Secure outside contributions of \$338,000 from Lane County and \$70,000 from private development
3. The combination of value engineering and outside contributions provides a total overall City funded project cost of \$6,745,982.75
4. Authorize the City Manager, or designee, to proceed with a construction contract

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**AIS PREPARED BY:** Mike Miller, Public Works Director

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

Comments: *ER Reynolds*

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**ITEM'S ATTACHED:** None

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**AGENDA ITEM SUMMARY**  
**FLORENCE CITY COUNCIL**

**ITEM NO:** 4  
Meeting Date: December 11, 2023  
Department: Public Works

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**ITEM TITLE:** Commercial Use Conversion SDC Policy

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**DISCUSSION/ISSUE:**

Shifts in the retail industry toward online shopping, and advancement of remote work during the pandemic, have played roles in higher-than-normal vacancy rates for commercial properties.

The greatest example of this trend is in Portland, when in 2022 downtown Portland's office vacancy rate reached 27-percent. At the same time, housing shortages or underproduction has led to low vacancy rates and increasing housing costs. Currently, it is estimated the Oregon needs more than 550,000 new housing units across all income levels to accommodate 20 years of population growth and account for the current underproduction of housing units.

In an effort to remove road blocks to development, the 2023 Oregon legislature adopted HB 2984 which requires local governments to allow conversions of buildings from commercial uses to residential uses without requiring a zone change or conditional use permit. To incentivize such conversions and lower a developer's associated costs, a provision in the bill requires cities to adopt a commercial use conversion System Development Charge (SDC) policy on or before December 31, 2023. Such a policy will require cities to require payment of SDCs if the charge is based on specific commercial to residential developments when the impacts of the conversion are greater than the original commercial development. An example of this increase would be converting an existing structure from a warehouse use to a residential use.

The applicable provisions of HB 2984 regarding SDCs updated ORS 197.308 and state:

“(3) A local government shall allow the conversion of a building or a portion of a building from a commercial use to a residential use.

...

(6) The development of housing under subsection (3) of this section:

- (a) Applies only within an urban growth boundary of a city with a population of 10,000 or greater;
  - (b) May not occur on lands zoned to allow industrial uses;
  - (c) May require the payment of a system development charge as defined in ORS 223.299 only if:
    - (A) The charge is calculated pursuant to a specific adopted policy for commercial to residential conversions adopted on or before December 31, 2023; or
    - (B) The charge is for water or wastewater and includes an offset for at least 100 percent of the water or wastewater system development charges paid when the building was originally constructed; and
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- (d) May not be subject to enforcement of any land use regulation that establishes a minimum number of parking spaces that is greater than the lesser of:
- (A) The amount that may be required for the existing commercial use; or
  - (B) The amount that may be required in lands zoned for residential uses that would allow the converted development.”

Some experts interpret this statutory update as not requiring any action by entities that already have “policies” (i.e. ordinances or resolutions) in place that charge SDCs for changes in an existing structure’s use and redevelopment. However, strong arguments weigh in favor of adopting a new policy that specifically addresses the conversion of commercial to residential uses in order for Florence to collect SDCs per usual. Legally, it may be difficult to later claim that existing general policies qualify as the “specific” policy required by the statute. Adopting a policy now creates less risk to the City. If not needed, the policy doesn’t change business as usual. However, if required and not adopted, the City will be precluded from collecting certain SDCs for any of these conversions beginning January 1, 2024.

In consultation with our legal counsel, it is recommended that the City take action as soon as possible to address these types of conversions. The statute calls for a “policy”. We believe the City Manager holds delegated authority by the City Charter to adopt internal policies for the enforcement of ordinances, such as the City’s SDC code provisions. However, to be safe, we have put together a resolution for City Council to adopt.

Although Florence is not currently over the 10,000-population threshold set by HB 2984, it will be in the coming years. Additionally, since we do not know how long this limitation (from HB 2984) will be in place or when the City will hit that threshold, it is prudent to put the required policy in place before the December 31, 2023 deadline.

If the City does not adopt a policy or resolution now, and we do cross the 10,000-population threshold, without a policy the City risks not being allowed to collect the appropriate SDCs for impacts to our systems regarding converting a commercial development to a residential development.

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### **FISCAL IMPACT:**

As Council is aware, SDC’s are a one-time fee imposed on new development to equitably recover the cost of expanding infrastructure capacity to serve new customers. SDCs are not taxes — they are collected for a specific purpose and provide a distinct benefit to the persons who pay the fee. SDC revenue is restricted by statute, and SDC revenue must be used to provide needed capital improvements.

SDCs represent a valuable tool for cities to ensure that public facilities keep pace with new development by distributing the costs of increased services on new development, not on existing customers.

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**RELEVANCE TO ADOPTED CITY WORK PLAN:**

The SDC policy update is related to the general City-wide work plan objective of monitoring city population and state statutes for needed actions to comply with new rules related to housing and other land use related statutes.

Additionally, the SDC policy update meets the objective of reviewing and updating system development charge (SDC) fee structure.

The SDC Policy update also meets the following Council goals:

- City Service Delivery – sustaining and improving our infrastructure capacities to ensure cost effective and efficient services for development as well as existing customers.
- Livability and Quality of Life – being responsive to our community’s needs in providing incentives to construct affordable and quality homes. Livability is important when businesses and new residents decide to locate or relocate to the area.
- Economic Development – promoting housing stock that is affordable for all segments of our community.
- Communication & Trust – strengthening citizen trust by providing opportunities for developers while not burdening existing rate payers.

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**ALTERNATIVES:**

1. Approve Resolution No. 25, Series 2023 as proposed
2. Amend Resolution No. 25, Series 2023 and approve as amended
3. Do not approve Resolution No. 25, Series 2023

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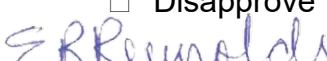
**RECOMMENDATION:**

Staff recommends that the City Council approve Resolution No. 25, Series 2023 as proposed.

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**AIS PREPARED BY:** Mike Miller, Public Works Director

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

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**ITEM’S ATTACHED:** Attachment 1- Resolution No. 25, Series 2023

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**CITY OF FLORENCE  
RESOLUTION NO. 25, SERIES 2023**

**A RESOLUTION ADOPTING A POLICY TO CONTINUE REQUIRING THE PAYMENT OF  
SYSTEM DEVELOPMENT CHARGES WHEN A BUILDING OR PORTION OF A  
BUILDING IS CONVERTED FROM COMMERCIAL USE TO RESIDENTIAL USE**

RECITALS:

1. The 2023 Legislature adopted HB 2984, which requires local governments to adopt a specific policy on or before December 31, 2023, in order to continue requiring the payment of system development charges (SDCs) in the event a building or portion of a building is converted from a commercial use to a residential use.
2. The City of Florence holds the authority to charge SDCs for redevelopment or other changes in use under FCC Chapter 9-1.
3. The City of Florence chooses to continue collecting duly authorized SDC fees calculated to address the impacts on City capital improvements by the conversion of a building or a portion of a building within the City from a commercial use to residential use.

Based on these findings,

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

1. All development that results in a change in use of an existing development, including but not limited to the conversion of a structure, building, portion of a building, or property from a commercial use to a residential use pursuant to ORS 197.308, is required to pay all applicable City system development charge fees.
2. Such fees shall be calculated pursuant to then-existing City Code establishing SDCs and SDC methodologies adopted thereunder.
3. This Resolution takes effect immediately upon adoption.

ADOPTION:

This Resolution is passed and adopted on the 11<sup>th</sup> day of December, 2023.

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Rob Ward, Mayor

Attest:

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Lindsey White, City Recorder



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**AGENDA ITEM SUMMARY**  
**FLORENCE CITY COUNCIL**

**ITEM NO:** 5  
**Meeting Date:** December 11, 2023  
**Department:** Mayor & Council

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**ITEM TITLE:** City Manager Employment Agreement

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**DISCUSSION/ISSUE:**

Erin Reynolds was appointed to the position of City Manager for the City of Florence on March 1, 2015. The Council performs an annual evaluation of the City Manager's performance in executive session on December 11, 2023.

Following that session, the City Council will discuss the evaluation and consider salary adjustments which would begin January 1, 2024.

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**FISCAL IMPACT:**

The Council will consider salary adjustments during the December 11, 2023 Council meeting.

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**RELEVANCE TO ADOPTED CITY WORK PLAN:**

All Goals within City work plan are affected.

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**ALTERNATIVES:**

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

**RECOMMENDATION:**

Staff recommends approval of the annual evaluation for City Manager Erin Reynolds and the Employment Agreement amendments, including salary adjustments beginning January 1, 2024.

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**AIS PREPARED BY:** Alex Ferguson, HR Director on behalf of the City Council

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**CITY MANAGER'S RECOMMENDATION:**

Approve                       Disapprove                       Other

Comments:

*ER Reynolds*

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**ITEM'S ATTACHED:**

Helpful Resources:

- [October 19, 2023 City Council Work Session](#)
  - [City Charter](#)
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**AGENDA ITEM SUMMARY**  
**FLORENCE CITY COUNCIL**

**ITEM NO: 6**  
Meeting Date: December 11, 2023  
Department: Public Works

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**ITEM TITLE:** Authorize Staff to Submit a Grant Application for the 2027-2030 All Roads Transportation Safety (ARTS) Grant Cycle

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**DISCUSSION/ISSUE:**

The Oregon Department of Transportation (ODOT) recently announced the opening of the 2027-2030 All Roads Transportation Safety (ARTS) grant cycle. ODOT will be accepting applications for grant funding through December 15, 2023. This is the fourth round of ARTS grants. Projects selected for this round will be scheduled for delivery in years 2027-2030.

The ARTS program is a safety program that addresses safety for all public roads in the state of Oregon. This program uses federal funds from the Highway Safety Improvement Program (HSIP). HSIP adopts a data-driven approach that uses crash data, risk factors, and other supported methods to identify the best possible locations to achieve the greatest benefits.

The grant cycle closes December 15, 2023 with project selection scheduled to begin spring 2024 for projects to be delivered in years 2027-2030. Projects will be selected for either 'Hotspot' or 'Systemic' improvements. The selected projects will be added to the Statewide Transportation Improvement Program (STIP).

ODOT uses two different methods for selecting projects – the traditional 'Hotspot' method and 'Systemic' method. ODOT regions are encouraged to spend at least half of the funding for Systemic projects. These two methods are designed to select the most cost-effective projects among all public roads in Oregon to reduce the most fatal and serious injury crashes with available funds. The 2017-2021 crash data is being used to support applications for this round of ARTS projects. The tools and safety plans that are helpful in safety projects include:

- Safety Priority Index System (SPIS)
- Oregon Adjustable Safety Index System (OASIS)
- Systemic Roadway Departure Plan
- Systemic Intersection Safety Plan
- Systemic Pedestrian and Bicycle Plan
- Addressing Oregon's Rise in Deaths and Serious Injuries for Senior Drivers and Pedestrians

The hotspot method address's an individual location with a history of high crash frequency and severity. These projects must address locations with a crash history of at least one fatal or serious injury crash within the last five years. Hotspot countermeasures are typically more expensive than systemic countermeasures. Examples of hotspot projects include installation of

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left turn lane(s), installation of a new traffic signal or roundabout at an intersection, or conversion of a signalized intersection to a roundabout.

Hot Spot projects are prioritized based on benefit cost ratio and those with the highest benefit cost ratio (within each region) are selected and added into the Statewide Transportation Improvement Program (STIP).

The 'Systemic' method takes a broader view by looking at the crash history and risks associated with an entire roadway/corridor and then applying proven low-cost countermeasures to reduce the risk along the entire roadway, corridor or jurisdiction. Systemic Intersection and Roadway Departure projects must include at least one location with a crash history of at least one fatal or serious injury crash within the last five years. Examples of systemic projects include installation of curve warning signs, reflectorized backplates on signals, rumble strips, countdown pedestrian timers (for pedestrian activated street crossings) and conversion to flashing yellow left turn arrow (FYLTA) signal heads for protected-permitted left turn (PPLT) signal operation.

The ARTS program consists of three emphasis areas for systemic improvements: Roadway Departure, Intersection, and Pedestrian and Bicycle. Systemic project locations may be selected from ODOT's list of priority corridors for these three areas or from other sources. The systemic funds are roughly proportional to the number of fatalities and serious injuries that occur within ODOT Region 2.

ODOT recognizes that some jurisdictions may have supplemental crash data (e.g. police reports) that might be different from ODOT crash data. This data is exempt from project prioritization and benefit cost analysis. For fairness and consistency, crash data from 2017-2021 obtained from ODOT Crash Reports must be used for analysis purposes. However, the supplemental data may be informative for selecting appropriate countermeasures at a given location.

In reviewing our data, during the five-year period (2017-2021) we have had seven serious injury accidents and one fatality on City maintained roadways. These accidents occurred at seven separate locations. There was an accident on Spruce Street at the Munsel Creek Bike Path crossing (bicycle did not yield to traffic); a single vehicle accident at Spruce and 15<sup>th</sup> Street; a vehicle accident at Maple and 9<sup>th</sup> Street; a vehicle accident on Kingwood Street at Airport Way; a vehicle accident on Rhododendron Drive near Parkside Drive; an accident at Rhododendron Drive and Heceta Beach Road; and an accident on Rhododendron Drive near New Hope Lane (vehicle went into the Siuslaw River).

To be as competitive as we can with our ARTS grant application, none of the accident sites rise to the level of a hotspot or systemic intersection approach in providing cost effective solutions

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in reducing vehicle accidents. However, completing a bicycle and pedestrian improvement project at 35<sup>th</sup> and Oak Street fits well within the matrix.

Our project, which was also identified in the 2023 Transportation System Plan Update, is to install enhanced crossing treatments at Oak and 35<sup>th</sup> Street, including a pedestrian activated Rectangular Rapid Flash Beacon (RRFB). Additionally, the project will include sidewalks along 35<sup>th</sup> Street between Pine and Kingwood streets.

During the period of 2027 through 2030, approximately \$46 million per year will likely be available for the ARTS program. This funding ultimately will be determined by the Oregon Transportation Commission (OTC). The safety funds are split to each region based on the number of fatalities and serious injuries occurring in the region on all public roads. For Region 2 (our region), this amounts to \$16.56 million per year. This allocation is further split 50% 50% between state highways and local roads within Region 2.

If City Council is in agreement, staff will work with the ODOT assigned contractor, DKS Associates, to develop a grant application for the best qualifying systemic measures project for improvements at 35<sup>th</sup> and Oak streets, as well as sidewalk infill along 35<sup>th</sup> Street between Pine and Kingwood streets.

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### **FISCAL IMPACT:**

This is the first step in a multi-step process following the City Grant Policy. If the grant application is approved by the Oregon Department of Transportation (ODOT), staff will bring forward a request for Council to accept the grant. The minimum local match requirement is 10% of the project total.

The current total project cost estimate for installing a Rectangular Rapid Flash Beacon; crosswalk markings and advance pedestrian warning signs; and approximately 925 lineal feet of sidewalk infill is \$455,000. If our project is selected, the local match would be \$45,550.

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### **RELEVANCE TO ADOPTED CITY WORK PLAN:**

The ARTS grant application is related to the following work plan objectives:

- Improving parks, trails and walkability
- Seek grants to extend sidewalks along 35<sup>th</sup> from Hwy 101 to Rolling Dunes Park

The ARTS grant application is also related to the following overarching City Goals:

- City Service Delivery – improving the delivery of cost effective and efficient services by leveraging grant proceeds.
  - Livability & Quality of Life – being responsive to our community’s needs with safe, efficient, effective and sustainable service delivery.
-

- Economic Development – by maintaining and enhancing safety of our transportation system will attract additional uses from the region which may increase tourism and dollars spent within the community.
- Communication & Trust – strengthening citizen trust by cooperatively working with established community associations for the common good of the community.
- Financial & Organizational Sustainability – leveraging grant proceeds to complete transportation safety enhancements for the City.

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**ALTERNATIVES:**

1. Submit grant application for the 2027-2030 ARTS program.
2. Do not authorize staff to submit a grant proposal.

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**RECOMMENDATION:**

Staff recommends that the City Council adopt Resolution No. 26, Series 2023 authorizing staff to submit an ARTS program grant application to ODOT for safety enhancements to our transportation system.

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**AIS PREPARED BY:** Mike Miller, Public Works Director

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

Comments:

*ER Reynolds*

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**ITEM'S ATTACHED:** **Attachment 1** – Resolution No. 26, Series 2023

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**CITY OF FLORENCE  
RESOLUTION NO. 26, SERIES 2023**

**A RESOLUTION ESTABLISHING APPROVAL TO APPLY FOR A GRANT FROM  
THE OREGON DEPARTMENT OF TRANSPORTATION FOR ALL ROADS  
TRANSPORTATION SAFETY (ARTS) PROGRAM AND DELEGATING AUTHORITY  
TO THE CITY MANAGER OR DESIGNEE TO SIGN THE APPLICATION**

RECITALS:

1. The Oregon Department of Transportation is accepting grant applications for the ARTS Program.
2. The City of Florence desires to participate in this grant program to the greatest extent possible as a means of improving pedestrian and bicyclist safety at the intersection of Oak and 35<sup>th</sup> streets, including sidewalk infill along 35<sup>th</sup> from Pine to Kingwood streets.
3. ODOT has developed a list of locations for potential projects using its Safety Priority Index System (SPIS), and Safety Implementation Plans for three emphasis areas including potential remedies and countermeasures: Roadway Departure, Intersections and Pedestrian and Bicycle.
4. The SPIS list identifies the best potential projects for improving safety in relation to crash history between 2017-2021.
5. Selected projects will be added to the 2027-2030 Statewide Transportation Improvement Program (STIP).
6. The City of Florence has available local matching funds to fulfill its share of obligation related to this grant application should the grant funds be awarded.
7. The City of Florence will provide adequate funding for on-going operations and maintenance of these facilities should the grant funds be awarded.

Based on these findings,

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

1. The City Council demonstrates its support for the submittal of a grant application to the Oregon Department of Transportation for the All Roads Transportation Safety grant cycle to complete pedestrian and bicycle safety enhancements at the intersection of Oak and 35<sup>th</sup> streets, including sidewalk infill along 35<sup>th</sup> Street between Pine and Kingwood streets.
2. This Resolution takes effect immediately upon adoption.

ADOPTION:

This Resolution is passed and adopted on the 11th day of December, 2023.

\_\_\_\_\_  
Rob Ward, Mayor

Attest:

\_\_\_\_\_  
Lindsey White, City Recorder

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**AGENDA ITEM SUMMARY**  
**FLORENCE CITY COUNCIL**

**ITEM NO:** 7  
Meeting Date: December 11, 2023  
Department: Public Works

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**ITEM TITLE:** Airport ground lease opportunities for hangar construction.

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**DISCUSSION/ISSUE:**

On November 16, 2023 staff provided City Council an overview of the airport, including the history of the airport; projects that have been completed since 2011; the current five-year capital improvement plan (2025 – 2029); and ground leases for hangars at the airport.

The 2010 Airport Master Plan update identified the location of future hangars to be built at the airport as demand for indoor aircraft storage increased. The preferred location of these hangars is shown on the Airport Layout Plan, dated September 2019, of the Airport Master Plan Update.

Although the regulation of hangars is through the Federal Aviation Administration (FAA) and City Council approved the Airport Master Plan Update on March 15, 2010, including the Airport Layout Plan (ALP), enough time has passed that it would be beneficial to memorialize that there are areas at the airport that have been identified as being available for ground leases and not otherwise needed for City purposes. These locations are for the sole purpose of construction hangars for aviation uses.

Florence City Code 8-6-5-A, regarding buildings and structures at the airport states that the City will make available lease sites for hangars and other buildings under its rules and regulations and fees as set by the City Council. This code section also states that all plans for buildings, hangars, ramps, walks, aprons, drainage or construction of any type must be approved by the City Manager prior to start of construction and that the necessary building permits will be required.

Additionally, Oregon Revised Statutes (ORS) 271.310 governs the transfer or lease of real property owned or controlled by City. ORS 271.310 allows the City to lease land not needed for public use. It is clear through the adoption of the 2010 Airport Master Plan Update and the ALP that these areas were intended for lease to private individuals for the development and construction of hangars for the sole purchase of aviation related uses.

These areas of the airport property, which are located within the fenced and secure area of the airport are intended for long-term leases, since these areas are not needed for City use for the time-period of long-term ground leases. The length of a ground lease is a maximum of 40-years which includes two 10-year extensions (an initial 20-year term and two 10-year renewals). After

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the maximum 40- year term, the hangar owner may negotiate a new ground lease agreement with the City.

The FAA will not support a ground lease for a hangar longer than 40-years due to the fact that hangars have a life expectancy. The FAA does not want the sponsor (City) to be a holder of a dilapidated hangar at the end (or during the duration) of the lease. Some hangars that are constructed with steel framing and metal walls and roofs will have a life expectancy longer than 40-years, especially if they are maintained properly. Hangars that are of wooden construction have shorter life. With that said, if the hangar has life at the end of the original 40-year lease, it simply means that the hangar owner and the City would enter into a brand new lease. This is how leases are handled at other airports, especially commercial ground leases at an airport.

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**FISCAL IMPACT:**

The future hangar locations as identified on Airport Layout Plan, dated September 2019, of the Airport Master Plan Update were identified to be leased. Revenues from the leases goes into the airport fund to sustain operations and capital improvements at the airport. Currently, hangar ground leases are \$0.2449 per square foot of area. The area consists of not only the hangar footprint, but generally includes an additional 5 feet outside of the building footprint so that the owner of the hangar can have access to maintain their hangar(s).

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**RELEVANCE TO ADOPTED CITY WORK PLAN:**

Although the ground lease areas of the airport for hangar construction have a limited scope and defined criteria for usage, it is related to the general City-wide work plan objective of evaluating and representing the City for future development opportunities on City owned properties.

Additionally, ground lease areas at the airport also helps to satisfy the objective of promoting business opportunities at the airport by declaring areas available for lease.

Ground lease areas at the airport for hangar construction also meets the following Council goals:

- Economic Development – Providing lease revenue to the airport to sustain airport operations by leasing land not needed for aviation purposes.
- Communication & Trust – Strengthening citizen trust by cooperatively working with an interested potential tenant that brings reliable and sustainable revenue to the airport for operations and future capital improvements.
- Financial & organizational Sustainability – Lease revenue will help sustain and improve not only the airport, but the City's financial position by lessening the airport's reliance on other City funds for ongoing operations and maintenance.



**ALTERNATIVES:**

1. Approve Resolution No. 27, Series 2023 as proposed
2. Amend Resolution No. 27, Series 2023 and approve as amended
3. Do not approve Resolution No. 27, Series 2023

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**RECOMMENDATION:**

Staff recommends that the City Council approve Resolution No. 27, Series 2023 as proposed, declaring certain areas of the Florence Municipal Airport available for long term lease and delegating authority to the City Manager or designee to enter into ground leases at the Airport.

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**AIS PREPARED BY:** Mike Miller, Public Works Director

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**CITY MANAGER'S  
RECOMMENDATION:**

Approve                       Disapprove                       Other

Comments:

*ER Reynolds*

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**ITEM'S ATTACHED:**

**Attachment 1** – Airport Layout Plan, dated September 2019

**Attachment 2** – Resolution No. 27, Series 2023

Helpful Resources: [November 16, 2023 Work Session](#)

# Attachment 1

## BUILDING/FACILITY KEY

- |                              |  |
|------------------------------|--|
| ① SEGMENTED CIRCLE           | ⑨ HELICOPTER PARKING PAD (EXISTING)      |
| ② FBO                        | ⑩ FUEL ISLAND (FUTURE)                   |
| ③ HANGAR (EXISTING)          | ⑪ AWOS                                   |
| ④ HANGAR (FUTURE)            | ⑫ AIRPORT INDUSTRIAL PARK (NON-AVIATION) |
| ⑤ COMMERCIAL HANGAR (FUTURE) | ⑬ AUTO PARKING (EXISTING)                |
| ⑥ T-HANGAR (FUTURE)          | ⑭ AUTO PARKING (FUTURE)                  |
| ⑦ FUEL APRON (EXISTING)      | ⑮ FUEL ISLAND (TO BE RELOCATED)          |
| ⑧ AIRCRAFT APRON (EXISTING)  | ⑯ RELOCATED WIND INDICATOR               |

## MODIFICATION TO STANDARDS

NO.	ITEM	DESCRIPTION	DISPOSITION
①	TAXILANE OFA	LESS THAN STANDARD ADG I SPACING FOR HANGAR ROWS	FAA ALTERNATIVE OFA CLEARANCE FORMULA

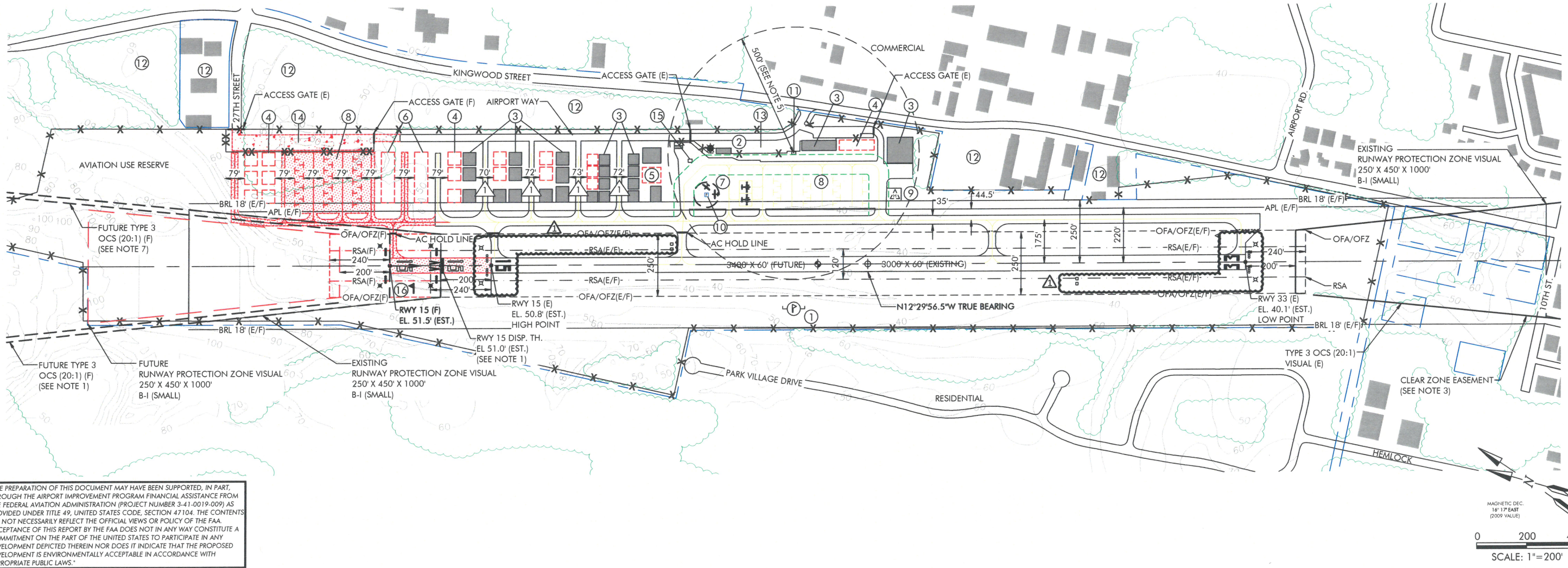
### ARP COORDINATES

	LAT.	LONG.
EXISTING	N 43° 58' 58.14"	W 124° 06' 40.93"
FUTURE	N 43° 59' 00.07"	W 124° 06' 41.52"

## LEGEND

	EXISTING	FUTURE
FACILITIES		
BUILDINGS		
RUNWAY		
BUILDING RESTRICTION LINE (BRL)		
AIRCRAFT PARKING LINE (APL)		
AIRPORT PROPERTY LINE		
RUNWAY SAFETY AREA (RSA)		
OBJECT FREE AREA (OFA)		
OBSTACLE FREE ZONE (OFZ)		
TAXIWAY OBJECT FREE AREA (TOFA)		
RUNWAY PROTECTION ZONE (RPZ)		
GROUND CONTOURS		SAME
AIRPORT REFERENCE POINT (ARP)		
REIL		
VISUAL GUIDANCE INDICATORS		
WIND INDICATOR		
SEGMENTED CIRCLE WIND INDICATOR		
FENCE		
BEACON		SAME
THRESHOLD LIGHTS		
PROPOSED AIRFIELD PAVEMENT	N/A	
VEHICLE PARKING	N/A	
TREES/BRUSH		SAME
AVIGATION EASEMENT		

- ### NOTES
- ELIMINATION OF FUTURE RUNWAY 15 DISPLACED THRESHOLD AND ITS OCS IS DEPENDENT ON APPROACH OBSTRUCTION (SAND DUNE) REMOVAL.
  - BUILDING HEIGHTS RANGE FROM 18' TO 26'.
  - AVIGATION EASEMENTS ACQUIRED FOR PORTIONS OF RWY 33 NOT IN CITY OWNERSHIP.
  - SEE SHEET 8 FOR NORTH AIRPORT PROPERTY BOUNDARY.
  - THE EXISTING AWOS SITE DOES NOT MEET FAA CLEAR AREA STANDARD DUE TO ABSENCE OF ALTERNATIVE SITE LOCATIONS ON AIRPORT.
  - SEE EXHIBIT A (SHEET 8) FOR EXISTING AVIGATION EASEMENTS ASSOCIATED WITH AIRPORT.
  - FUTURE RUNWAY 15 OCS MAY BE REQUIRED (DEPENDENT ON AMOUNT OF SAND DUNE REMOVAL).



THE PREPARATION OF THIS DOCUMENT MAY HAVE BEEN SUPPORTED, IN PART, THROUGH THE AIRPORT IMPROVEMENT PROGRAM FINANCIAL ASSISTANCE FROM THE FEDERAL AVIATION ADMINISTRATION (PROJECT NUMBER 3-41-0019-009) AS PROVIDED UNDER TITLE 49, UNITED STATES CODE, SECTION 47104. THE CONTENTS DO NOT NECESSARILY REFLECT THE OFFICIAL VIEWS OR POLICY OF THE FAA. ACCEPTANCE OF THIS REPORT BY THE FAA DOES NOT IN ANY WAY CONSTITUTE A COMMITMENT ON THE PART OF THE UNITED STATES TO PARTICIPATE IN ANY DEVELOPMENT DEPICTED THEREIN NOR DOES IT INDICATE THAT THE PROPOSED DEVELOPMENT IS ENVIRONMENTALLY ACCEPTABLE IN ACCORDANCE WITH APPROPRIATE PUBLIC LAWS.

NO.	DATE	BY	APPR	REVISIONS
1	6-19	JLS	GJR	AS BUILT AIP #013-2018

VERIFY SCALES  
 BAR IS ONE INCH ON ORIGINAL DRAWING.  
 IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY.

FEDERAL AVIATION ADMINISTRATION APPROVAL  
 APPROVAL DATE: \_\_\_\_\_  
 MANAGER, SEATTLE ADO

CITY OF FLORENCE APPROVAL  
 APPROVAL DATE: 8/9/2019  
 SIGNATURE:

**CENTURY WEST ENGINEERING CORPORATION**  
 6650 S.W. Redwood Lane, Suite 350  
 Portland, Oregon 97224  
 503-419-2130 phone • 503-639-2710 fax  
 www.centurywest.com

DESIGNED BY: DM    DRAWN BY: JLS    CHECKED BY: SLK    SCALE: AS SHOWN  
 DATE: MARCH 2010    PROJECT NO: 4130101001

**FLORENCE MUNICIPAL AIRPORT**  
**AIRPORT LAYOUT PLAN**

FIGURE NO. .  
 SHEET NO. 3 OF 8

**CITY OF FLORENCE  
RESOLUTION NO. 27, SERIES 2023**

**A RESOLUTION DECLARING CERTAIN AREAS OF THE FLORENCE MUNICIPAL AIRPORT AVAILABLE FOR LONG TERM LEASE AND DELEGATING AUTHORITY TO THE CITY MANAGER OR DESIGNEE TO ENTER INTO GROUND LEASES AT THE AIRPORT**

RECITALS:

1. The Airport Layout Plan, dated September 2019, of the Airport Master Plan Update has identified areas to be leased for the construction of hangars for aeronautical uses.
2. The areas identified on the Airport Layout Plan are not needed for City use for the time-period of long-term ground leases.
3. The City of Florence, through the adoption of the 2010 Airport Master Plan and the Airport Layout Plan, desires grant long-term ground lease(s) to private individuals for the development and construction of hangars for the sole purpose of aviation and aeronautical related uses.

Based on these findings,

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

1. The City Council authorize the City Manager or designee to execute ground leases at the Florence Municipal Airport for the construction and development of hangars for aeronautical and aviation related uses as identified on the latest Airport Layout Plan of the Airport Master Plan Update.
2. This Resolution takes effect immediately upon adoption.

ADOPTION:

This Resolution is passed and adopted on the 11th day of December, 2023.

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Rob Ward, Mayor

Attest:

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Lindsey White, City Recorder

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**AGENDA ITEM SUMMARY**  
**FLORENCE CITY COUNCIL**

**ITEM NO: 8**

Meeting Date: December 11, 2023

Department: Public Works

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**ITEM TITLE:** Accept fee proposal from GSI Water Solutions of \$77,954 for professional geotechnical and water rights services for Well 14.

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**DISCUSSION/ISSUE:**

As part of the FY2023-25 Biennium budget process, Public Works requested funding to develop Well 14 in the City wellfield. As part of the well development process, we require the expertise of a specialized groundwater, environmental and water resources consulting firm.

Water is an essential but increasingly limited resource. GSI Water Solutions has provided us professional services related to our groundwater rights helping us to navigate the complexities of Western Water Law and Oregon Water Resources Department. To date, GSI Water Solutions has assisted us in managing and protecting our water rights; development of our Water Management and Conservation Plans (WMCPs); completed an audit on our water rights, including due diligence review of our existing well production capacity; and provided strategic groundwater supply planning.

GSI Water Solutions understands the complexities of water rights rules and regulations, and work with municipal water providers and attorneys to ensure access to a sufficient water supply today and in the future.

The specific tasks in our scope of work includes facilitating Oregon Water Resources Department (OWRD) review of permit amendment T-14146 and the development of technical drilling specifications and construction oversight for Well 14.

We have had a long and good relationship with GSI Water Solutions to perform our professional water rights and geotechnical work. For our project Adam Sussman and Matt Kohlbecker have been assigned to our project.

Adam Sussman is well known for his water rights expertise. Adam has a unique perspective on water rights and permitting since he worked for OWRD for 14 years where he developed and implemented statewide water policies and programs. Adam is an expert in Oregon water rights and the administrative rules and processes governing water rights transactions. The City has had the pleasure of working with Adam on a number of water right projects during the last 16 years.

Matt Kohlbecker is a registered geologist and leads GSI's Pacific Northwest groundwater practice. Matt is an experienced hydrogeologist who works with municipalities to solve water

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resource challenges. Matt is an expert in aquifer storage and recovery (ASR) and artificial recharge (AR), hydrogeologic investigations to support groundwater source heat pumps and all aspects of groundwater supply development, including well siting, preparation of bid specifications, well design and well drilling. As a former employee of Oregon Department of Environmental Quality (DEQ), Matt also brings experience in implementing DEQ’s groundwater protection rules.

GSI Water Solutions was selected for this project due to their intimate knowledge of North Florence Dunal Aquifer and our wellfield, including our existing water rights and permits.

The proposal from GSI Water Solutions is a time and expense reimbursement basis in a not to exceed amount of \$77,954.

Staff has reviewed the proposed scope of services, including the work tasks and fees, and finds the proposal to be adequate and within reason for the development of Well 14.

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**FISCAL IMPACT:**

The professional water rights and geotechnical services from GSI Water Solutions is \$77,954. Funding for this work was included in the 2023-35 Biennium budget for the Water capital improvement budget and these tasks are fully funded.

<b>Specific Available Funds</b>	<b>Budget</b>
Water Well Expansion Capital Outlay	\$475,000
Less professional services to date	<\$862.50>
Funds remaining	\$474,137.50

Out of the \$475,000 in Water Capital Outlay for Well 14 development, we have targeted \$350,000 towards drilling and development of Well 14. Professional geotechnical and water rights services is a necessary component of the Well 14 project in order to successfully design and acquire the necessary water rights/permits in order to legally withdraw groundwater from the aquifer.

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**RELEVANCE TO ADOPTED CITY WORK PLAN:**

The development of Well 14 is related to the following work plan objectives:

- Maintaining a quality environment and sustainable future
- Installation of new production well

The development of Well 14 is also related to the following overarching City Goals:

- City Service Delivery – improving, maintaining and enhancing our infrastructure as feasible.

- Livability & Quality of Life - implementing the City’s 2023-25 Capital Improvement Program while being responsive to our community’s needs with efficient, effective and sustainable service delivery.
- Economic Development – having abundant water resources to fulfill the needs of our community now and into the future allows for additional development and redevelopment in our community.
- Communication & Trust – strengthening citizen trust by providing cost effective and efficient equipment in the operations of the wellfield.
- Financial & Organizational Sustainability – constructing infrastructure that supports current and future needs.

**ALTERNATIVES:**

1. Accept the professional geotechnical and water rights services proposal from GSI Water Solutions.
2. Reject the proposal from GSI Water Solutions and request a proposal from another qualified firm.

**RECOMMENDATION:**

Staff recommends that the City Council accept the professional geotechnical and water rights services proposal of \$77,954 from GSI Water Solutions and authorize the City Manager to proceed with a professional services contract.

**AIS PREPARED BY:** Mike Miller, Public Works Director

**CITY MANAGER’S RECOMMENDATION:**  Approve       Disapprove       Other

Comments: *ER Reynolds*

**ITEM’S ATTACHED:** None

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**AGENDA ITEM SUMMARY**  
**FLORENCE CITY COUNCIL**

**ITEM NO:** 9  
Meeting Date: December 11, 2023  
Department: Finance

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**ITEM TITLE:** Maple Street Bistro Limited On Premises Liquor License

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**DISCUSSION/ISSUE:**

This is a request for a recommendation of a limited on premises liquor license to the Oregon Liquor Control Commission (OLCC) for Maple Street Bistro. OLCC allows the City Council the opportunity to review the liquor license before making a recommendation of approval.

The business has been checked and approved by the Florence Police Department for noise and/or altercations. The Planning Department has checked the place of business for zoning or code violations. Both departments have signed recommending approval.

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**FISCAL IMPACT:**

The fee for a limited on premises liquor license is \$121. This fee includes the cost of staff time to review the application and place a recommendation before the City Council.

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**RELEVANCE TO ADOPTED COUNCIL GOALS:**

Goal 1: Deliver efficient and cost-effective city services.

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**ALTERNATIVES:**

1. Recommend ratification for the liquor license approval
  2. Recommend denial to OLCC for the liquor license
  3. Request staff research further and bring back additional information to a future Council meeting
- 

**RECOMMENDATION:**

Recommend ratification for the liquor license approval.

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**AIS PREPARED BY:** Lezlea Purcell, Finance Manager

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

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**ITEM'S ATTACHED:** Attachment 1 – Liquor License Application

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OREGON LIQUOR & CANNABIS COMMISSION  
**LIQUOR LICENSE APPLICATION**

# Attachment 1

## Instructions

1. **Complete and sign** this application.
2. Prior to submitting this application to the OLCC, send the completed application to **the local government for the premises address** to obtain a recommendation.
  - If the premises street address is within a city’s limits, the local government is the city.
  - If the premises street address is not within a city’s limits, the local government is the county.
3. You can submit the application to the OLCC if:
  1. You have **WRITTEN** documentation showing the date the local government received the application or;
  2. The local government has provided you their recommendation.

**ALL forms and documents must be a PDF attachment**

4. **Email the PDF application that contains the local government recommendation or proof of submission** to: [OLCC.LiquorLicenseApplication@oregon.gov](mailto:OLCC.LiquorLicenseApplication@oregon.gov).
5. **Do not** include any license fees with your application packet (fees will be collected at a later time).  
*When it’s time to pay the license fee you must pay the full yearly fee for the current license year (the license fee will not be prorated). If you pay in the last quarter of your license year you must also pay the yearly fee for the next license year.*

**License Request Options** - Please see the general definitions of the license request options below:

- **New Outlet:** The licensing of a business that does not currently hold an active liquor license.
- **Change of Ownership:** The request to completely change the licensee of record at a licensed business.
- **Greater Privilege:** The request to change from an Off-Premises to a Limited or Full On-Premises Sales license **OR** from a Limited to Full On-Premises Sales license.
- **Additional Privilege:** The licensee currently holds an active liquor license at the premises and that same licensee would like to request to add an **additional** different liquor license type at that same premises location.

## Additional Information

**Applicant Identification:** Please review [OAR 845-006-0301](#) for the definitions of “applicant” and “licensee” and [OAR 845-005-0311](#) to confirm that all individuals or entities with an ownership interest (other than a waivable ownership interest, per OAR 845-005-0311[6]) in the business have been identified as license applicants on this document. If you have a question about whether an individual or entity needs to be listed as an applicant for the license, discuss this with the OLCC staff person assigned to your application.

**Premises Address:** This is the physical location of the business and where the liquor license will be posted.

**Applicant Signature(s):** Each individual listed in the applicant information box on page 2 (entity or individuals applying for the license) must sign the application.

If an applicant listed in the applicant information box on page 2 is an entity (such as a corporation or limited liability company), at least one member or officer of the entity must sign the application.

**Applicant/Licensee Representative(s):** In order to make changes to a license or application or to receive information about a license or application by someone other than the applicant/licensee you must:

- Complete the [Authorized Representative Form](#) designating a person/entity to act on your behalf and submit with the application.

For help with this application or any related documents or processes, email [olcc.alcohollicensing@oregon.gov](mailto:olcc.alcohollicensing@oregon.gov).



# LIQUOR LICENSE APPLICATION

Page 1 of 4

Check the appropriate license request option:

New Outlet |  Change of Ownership |  Greater Privilege |  Additional Privilege

Select the license type you are applying for.

More information about all license types is available [online](#).

## Full On-Premises

- Commercial
- Caterer
- Public Passenger Carrier
- Other Public Location
- For Profit Private Club
- Nonprofit Private Club

## Winery

- Primary location
- Additional locations:  2nd  3rd  4th  5th

## Brewery

- Primary location
- Additional locations:  2nd  3rd

## Brewery-Public House

- Primary location
- Additional locations:  2nd  3rd

## Grower Sales Privilege

- Primary location
- Additional locations:  2nd  3rd

## Distillery

- Primary location
- Additional tasting locations: (Use the DISTT form HERE)

## Limited On-Premises

## Off Premises

## Warehouse

## Wholesale Malt Beverage and Wine

## LOCAL GOVERNMENT USE ONLY

LOCAL GOVERNMENT  
After providing your recommendation, return this form to the applicant **WITH** the recommendation marked below

Name of City OR County (not both)

Please make sure the name of the Local Government is printed legibly or stamped below

## Date application received:

Optional: Date Stamp Received Below

- Recommend this license be granted
- Recommend this license be denied
- No Recommendation/Neutral

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

Maple Street Bistro... by Mon

Trade Name

# LIQUOR LICENSE APPLICATION

Page 2 of 4

## APPLICANT INFORMATION

Identify the applicants applying for the license. This is the entity (example: corporation or LLC) or individual(s) applying for the license. Please add an additional page if more space is needed.

Name of entity or individual applicant #1: <b>Maple Street Bistro LLC</b>	Name of entity or individual applicant #2: <b>Monika Anna Onisko-Pazar</b>
Name of entity or individual applicant #3: <b>Joseph Patrick Pazar</b>	Name of entity or individual applicant #4:

## BUSINESS INFORMATION

Trade Name of the Business (name customers will see):

**Maple Street Bistro... by Monika**

Premises street address (The physical location of the business and where the liquor license will be posted):

**165 Maple Street**

City: <b>Florence</b>	Zip Code: <b>97439</b>	County: <b>Lane</b>
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Business phone number: <b>541-997-3547</b>	Business email: <b>[REDACTED]</b>
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Business mailing address (where we will send any items by mail as described in OAR 845-004-0065(1).):

**[REDACTED]**

City: <b>Florence</b>	State: <b>OR</b>	Zip Code: <b>97439</b>
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Does the business address currently have an OLCC liquor license? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Does the business address currently have an OLCC marijuana license? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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**APPLICATION CONTACT INFORMATION** – Provide the point of contact for this application. If this individual is not an applicant or licensee, the Authorized Representative Form must be completed and submitted with this application.

Application Contact Name:

**Joseph P Pazar**

Phone number: <b>[REDACTED]</b>	Email: <b>[REDACTED]</b>
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# LIQUOR LICENSE APPLICATION

Page 3 of 4

## TERMS

- “Real property” means the real estate (land) and generally whatever is erected or affixed to the land (for example, the building) at the business address.
- “Common area” is a privately owned area where two or more parties (property tenants) have permission to use the area in common. Examples include the walking areas between stores at a shopping center, lobbies, hallways, patios, parking lots, etc. An area’s designation as a “common area” is typically identified in the lease or rental agreement.

## ATTESTATION – OWNERSHIP AND CONTROL OF THE BUSINESS AND PREMISES

- Each applicant listed in the “Application Information” section of this form has read and understands [OAR 845-005-0311](#) and attests that:
  1. At least one applicant listed in the “Application Information” section of this form has the legal right to occupy and control the real property proposed to be licensed as shown by a property deed, lease, rental agreement, or similar document.
  2. No person not listed as an applicant in the “Application Information” section of this form has an ownership interest in the business proposed to be licensed, unless the person qualifies to have that ownership interest waived under OAR 845-005-0311.
  3. The licensed premises at the premises street address proposed to be licensed either:
    - a. Does not include any common areas; or
    - b. Does include one or more common areas; however, only the applicant(s) have the exclusive right to engage in alcohol sales and service in the area to be included as part of the licensed premises.
      - In this circumstance, the applicant(s) acknowledges responsibility for ensuring compliance with liquor laws within and in the immediate vicinity of the licensed premises, including in portions of the premises that are situated in “common areas” and that this requirement applies at all times, even when the business is closed.
  4. The licensed premises at the premises street address either:
    - a. Has no area on property controlled by a public entity (like a city, county, or state); or
    - b. Has one or more areas on property controlled by a public entity (like a city, county, or state) and the public entity has given at least one of the applicant(s) permission to exercise the privileges of the license in the area.

Maple Street Bistro... by Mon





## OREGON LIQUOR & CANNABIS COMMISSION

### LIMITED ON-PREMISES SALES Primary License Privileges

#### Introduction

Oregon Revised Statute (ORS) 471.178 authorizes the limited on-premises sales license and its license privileges.

#### Limited On-Premises Sales

- The OLCC license fee is \$400 per year.
- On-premises. May sell and serve by the drink at retail to consumers for consumption on your licensed premises:
  - \* Malt beverages (beer), wine, and cider.
- Off-Premises: May sell at retail to consumers for consumption off your licensed premises:
  - \* Malt beverages, wine, and cider in factory-sealed containers. There is no minimum or maximum container size or volume limit to sell, but there are delivery limits (see the delivery rules).
  - \* Malt beverages, wine, and cider in a securely covered container (growler). The container may not hold more than two gallons; however, there is no minimum container size limit. There are delivery limits (see the delivery rules).
- May deliver factory-sealed containers and securely covered containers (growlers) of malt beverages (beer), wine, and cider direct to consumer for consumption off your licensed premises; however, must follow the delivery rules at OAR 845-006-0392 and 845-006-0396.
- Food service is not a requirement of this license; however, offering legitimate food service will likely allow minor customers (people age 20 and under) on the premises.
- Eligible to apply to get pre-approved to cater some events off of the licensed premises (events that are small, usually closed to the general public, and where food service is the primary activity).
- Eligible to apply for a "special event" license: Temporary Use of an Annual License (TUAL).

#### Obtaining Alcoholic Beverages for Sale and Service

All limited on-premises sales licenses must obtain their alcoholic beverages as follows:

- Malt beverages (beer)
  - \* Must obtain malt beverages (beer) only from manufacturers and wholesalers within Oregon. These are the following license types: brewery, brewery-public house, and wholesale malt beverage and wine.
- Wine and cider
  - \* May obtain wine and cider from manufacturers and wholesalers within Oregon. These are the following license types: grower sales privilege, wholesale malt beverage and wine, and winery.
  - \* May obtain wine and cider directly from businesses outside of Oregon only if:
    - o The business outside of Oregon holds an OLCC-issued wine self-distribution permit; and
    - o The limited on-premises sales licensee has received an endorsement to receive from the OLCC and follows OAR 845-006-0401.

#### Some Links

- Temporary Use of an Annual license (TUAL) application: [TUAL application](#)
- Alcoholic liquor laws: [ORS 471](#)
- Wine and cider delivery to consumer: [OAR 845-006-0392](#)
- Malt beverage delivery to a consumer: [OAR 845-006-0396](#)
- For alcohol service permit questions: [olcc.servicepermits@oregon.gov](mailto:olcc.servicepermits@oregon.gov)
- For general liquor licensing questions: [olcc.liquorlicenseapplication@oregon.gov](mailto:olcc.liquorlicenseapplication@oregon.gov)
- For liquor license renewal inquiries: [olcc.renewals@oregon.gov](mailto:olcc.renewals@oregon.gov)
- For liquor compliance or enforcement inquiries: [alcohol@oregon.gov](mailto:alcohol@oregon.gov)

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**AGENDA ITEM SUMMARY**  
**FLORENCE CITY COUNCIL**

**ITEM NO:** 10  
Meeting Date: December 11, 2023  
Department: City Manager

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**ITEM TITLE:** Department Director Updates

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**AGENDA ITEM SUMMARY**  
**FLORENCE CITY COUNCIL**

**ITEM NO:** 11  
Meeting Date: December 11, 2023  
Department: City Manager

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**ITEM TITLE:** City Manager Report & Discussion Items

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**AGENDA ITEM SUMMARY**  
**FLORENCE CITY COUNCIL**

**ITEM NO: 12**  
Meeting Date: December 11, 2023  
Department: City Council

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**ITEM TITLE:** City Council Reports & Discussion Items

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