



City of Florence
A City in Motion

City of Florence Council Regular Session

Florence Events Center
715 Quince Street
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 visit the City's website at <http://www.ci.florence.or.us/newsletter/subscriptions>.

April 16, 2018

AGENDA

5:30 p.m.

Councilors:

Joe Henry, Mayor

Joshua Greene, Council President Ron Preisler, Council Vice-President
Susy Lacer, Councilor Woody Woodbury, 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.

Proceedings will be recorded for rebroadcast on Cable Channel 191 and the City of Florence Vimeo Site.

CALL TO ORDER – ROLL CALL – PLEDGE OF ALLEGIANCE

5:30 p.m.

ANNOUNCEMENTS & PRESENTATIONS

- Lane Council of Governments Overview ~ *Brenda Wilson, LCOG Executive Director*
- Government Finance Officers Association (GFOA) Budget Award

1. PUBLIC COMMENTS – *Items Not on the Agenda*

This is an opportunity for members of the audience to bring to the Council's attention any item not otherwise listed on the Agenda. Persons wishing to address the Council must complete a Speaker's Card available online at <http://www.ci.florence.or.us/council/request-address-city-council-speakers-card>, or at the meeting. 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.

CONSENT AGENDA

2. SANDPINES GOLF LINKS & THE GRILL AND LOUNGE LIQUOR LICENSE

Consider recommendation of approval to the Oregon Liquor Control Commission (OLCC) for the change of ownership liquor license for Sandpines Golf Links & The Grill and Lounge change located at 1201 35th Street.

Kelli Weese
City Recorder

3. GROCERY OUTLET LIQUOR LICENSE

Consider recommendation of approval to the Oregon Liquor Control Commission (OLCC) for the change of ownership liquor license for Grocery Outlet located at 2066 Hwy 101.

Kelli Weese
City Recorder

4. JERRY'S PLACE HOME OF WAT'CHA BREWING LIQUOR LICENSE

Consider recommendation of approval to the Oregon Liquor Control Commission (OLCC) for the new outlet brewery liquor license for Jerry's Place Home of Wat'cha Brewing located at 88274 Rhododendron Drive.

Kelli Weese
City Recorder

PUBLIC HEARING & ACTION ITEMS

The public will have an opportunity to offer comments on public hearing items after staff has given their report and if there is an applicant, after they have had an opportunity to speak. Persons wishing to address the Council must complete a Speaker's Card available online at <http://www.ci.florence.or.us/council/request-address-city-council-speakers-card>, or at the meeting. Comments will be limited to five (5) minutes per person. Speakers may not yield their time to others.

5. HARBOR VISTA CAMPGROUND ANNEXATION & ZONE CHANGE

A. PUBLIC HEARING ON ANNEXATION AND ZONE ASSIGNMENT

Hear and consider written and oral testimony regarding the annexation and zone assignment of Harbor Vista Campground located at 87658 Harbor Vista Road as applied for by Lane County.

Wendy
FarleyCampbell
Planning Director

5c. B. APPROVAL OF ANNEXATION REQUEST

Consider approval of **Ordinance No. 2, Series 2018**, an ordinance approving the annexation of Harbor Vista Campground (87658 Harbor Vista Road), Harbor Vista Road, South Harbor Vista Drive, abutting North Jetty Drive, an North Jetty Road.

Wendy
FarleyCampbell
Planning Director

C. APPROVAL OF ZONE ASSIGNMENT

Consider approval of **Ordinance No. 3, Series 2018**, an ordinance establishing Open Space zoning district to Harbor Vista Campground (87658 Harbor Vista Road), Harbor Vista Drive, South Harbor Vista Drive and Abutting North Jetty Drive, and Single Family Residential zoning to North Jetty Road, as part of the proposed annexation.

ACTION ITEMS

The public will have an opportunity to offer comments on action items after staff has given their report. Persons wishing to address the Council must complete a Speaker's Card available online at <http://www.ci.florence.or.us/council/request-address-city-council-speakers-card>, or at the meeting. Comments will be limited to three (3) minutes per person. Speakers may not yield their time to others.

6. ALL ROADS TRANSPORTATION SAFETY (ARTS) PROGRAM GRANT

Consider approval of **Resolution No. 7, Series 2018**, a resolution authorizing staff to apply for an all roads transportation safety (ARTS) program grant with the Oregon Department of Transportation for safety enhancements to Florence's transportation system.

Mike Miller
Public Works
Director

7. FLORENCE AIRPORT SEAL COAT / LIGHTING IMPROVEMENT ENGINEERING

Consider accepting the engineering services proposal from Civil West Engineering in the amount of \$402,020 for the Florence airport seal coat and lighting project and authorize the City Manager to proceed with a professional services contract.

Mike Miller
Public Works
Director

8. USDA RURAL BUSINESS DEVELOPMENT GRANT FOR RAIN

Consider authorizing staff to apply for the US Department of Agriculture (USDA) Rural Business Development Grant in conjunction with the Regional Accelerator & Innovation Network (RAIN) for continued support of coastal entrepreneurship programs.

Kelli Weese
City Recorder /
Eco. Devo.
Coordinator

REPORT & DISCUSSION ITEMS

9. ALICE TRAINING

Report on the City's efforts toward Alert, Lockdown, Inform, Counter, Evacuate (ALICE) training.

John Pitcher
Commander

10. BOARD AND COMMITTEE REPORTS

Report on the workings of the City's Boards and Committees for the Month of March 2018.

Staff
Various

11. CITY MANAGER REPORT & DISCUSSION ITEMS

Erin Reynolds
City Manager

12. CITY COUNCIL REPORTS & DISCUSSION ITEMS

Joe Henry
Mayor

Florence Events Center Lighting & Audio Upgrades

After the City Council Meeting Adjournment, the City Council will tour the Florence Events Center Theater to receive a demonstration of the recent lighting and audio upgrades.

No action will be taken by the City of Florence City Council during this informational gathering.

COUNCIL CALENDAR

All meetings are held at the Florence Events Center (715 Quince Street, Florence Oregon) unless otherwise indicated

Date	Time	Description
April 18, 2018	10:00 a.m.	City Council Work Session
May 7, 2018	5:30 p.m.	City Council Meeting
May 9, 2018	10:00 a.m.	City Council Work Session <i>Tentative</i>
May 21, 2018	5:30 p.m.	City Council Meeting
May 23, 2018	10:00 a.m.	City Council Work Session
May 28, 2018	- - -	Memorial Day Holiday <i>City Offices Closed</i>
June 4, 2018	5:30 p.m.	City Council Meeting
June 6, 2018	10:00 a.m.	City Council Work Session <i>Tentative</i>
June 18, 2018	5:30 p.m.	City Council Meeting
June 20, 2018	10:00 a.m.	City Council Work Session <i>Tentative</i>
July 2, 2018	- - -	City Council Meeting <i>Canceled</i>
July 4, 2018	- - -	Independence Day Holiday <i>City Offices Closed</i>
		City Council Work Session <i>Canceled</i>
July 16, 2018	5:30 p.m.	City Council Meeting
July 18, 2018	10:00 a.m.	City Council Work Session <i>Tentative</i>

AGENDA ITEM SUMMARY
FLORENCE CITY COUNCIL

ITEM NO: 1
Meeting Date: April 16, 2018
Department: Mayor & Council

ITEM TITLE: PUBLIC COMMENTS – *Items Not on the Agenda*

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. Persons wishing to address the Council must complete a Speaker's Card available online at <http://www.ci.florence.or.us/council/request-address-city-council-speakers-card>, or at the meeting. The Speaker's Card must be submitted at least five (5) minutes before the meeting is scheduled to begin.

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AGENDA ITEM SUMMARY
FLORENCE CITY COUNCIL

ITEM NO: 2
Meeting Date: April 16, 2018
Department: Administration

ITEM TITLE: Sandpines Golf Links & The Grill and Lounge Liquor License

DISCUSSION/ISSUE:

This is a request for a recommendation of a change of ownership liquor license approval to the Oregon Liquor Control Commission (OLCC) for Sandpines Golf Links & The Grill and Lounge liquor license. OLCC allows the City Council the opportunity to review the liquor license before making a recommendation of approval.

The owners/management of the business have 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.

FISCAL IMPACT:

The fee for a change of ownership liquor license is \$75. This fee includes the cost of staff time to review the application and place a recommendation before the City Council.

RELEVANCE TO ADOPTED COUNCIL GOALS:

Goal 1: Deliver efficient and cost effective city services.

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

AIS PREPARED BY: Kelli Weese, City Recorder

CITY MANAGER'S RECOMMENDATION: Approve Disapprove Other

Comments:

ER Reynolds

ITEM'S ATTACHED: Attachment – Liquor License Application



OREGON LIQUOR CONTROL COMMISSION

LIQUOR LICENSE APPLICATION

LICENSE FEE: Do not include the license fee with the application (the license fee will be collected at a later time).

APPLICATION: Application is being made for:

- Brewery
- Brewery-Public House
- Distillery
- Full On-Premises, Commercial
- Full On-Premises, Caterer
- Full On-Premises, Passenger Carrier
- Full On-Premises, Other Public Location
- Full On-Premises, Nonprofit Private Club
- Full On-Premises, For-Profit Private Club
- Grower Sales Privilege
- Limited On-Premises
- Off-Premises
- Off-Premises with Fuel Pumps
- Warehouse
- Wholesale Malt Beverage & Wine (WMBW)
- Winery

CITY AND COUNTY USE ONLY

Date application received _____

Name of City or County _____

Recommends this license be ____ Granted ____ Denied

By _____

Date _____

OLCC USE

Application received by J. Smother

Date 3/19/18

License Action: Drop Licensee / Add Licensee

1. LEGAL ENTITY (example: corporation or LLC) or INDIVIDUAL(S) applying for the license:

Applicant #1

APIC Florence Holdings, LLC

Applicant #2

OB Sports Golf Management (Sand), LLC

Applicant #3

Applicant #4

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

Sandpines Golf Links & The Grill and Lounge

3. Business Location: Number and Street 1201 35th St.

City Florence

County Lane

ZIP 97439

4. Is the business at this location currently licensed by the OLCC? Yes No

5. Mailing Address (where the OLCC will send your mail):

PO Box, Number, Street, Rural Route **5 Thomas Mellon Circle, Suite 305**

City San Francisco

State CA

ZIP 94134

6. Phone Number of the Business Location: 307-690-2368 (Rick Reed)

7. Contact Person for this Application:

Name **Ashlee Sorber**

Phone Number **503-704-9934**

Mailing Address, City, State, ZIP

5 Thomas Mellon Circle, Suite 305, San Francisco, CA 94134

Email **asorber@apicincus.com**

I understand that marijuana (such as use, consumption, ingestion, inhalation, samples, give-away, sale, etc.) is prohibited on the licensed premises.

Signature of Applicant #1

Signature of Applicant #2

Signature of Applicant #3

Signature of Applicant #4

OREGON LIQUOR CONTROL COMMISSION
LIMITED LIABILITY COMPANY QUESTIONNAIRE



Please Print or Type

LLC Name: APIC Florence Holdings, LLC Year Filed: 2017

Trade Name (dba): Sandpines Golf Links & The Grill and Lounge

Business Location Address: 1201 35th St.

City: Florence, OR ZIP Code: 97439

List Members of LLC:

Percentage of Membership Interest:

- | | |
|--|-------------|
| 1. <u>Wilson Chen</u>
<small>(managing member)</small> <u>ITS MANAGER</u> | <u>0%</u> |
| 2. <u>American Pacific International Capital, Inc.</u>
<small>(members)</small> | <u>100%</u> |
| 3. _____ | _____ |
| 4. _____ | _____ |
| 5. _____ | _____ |
| 6. _____ | _____ |

(Note: If any LLC member is another legal entity, that entity must also complete an LLC, Limited Partnership or Corporation Questionnaire. If the LLC has officers, please list them on a separate sheet of paper with their titles.)

Server Education Designee: Rick Reed DOB: 1/30/1959

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Signature: [Signature] ITS MANAGER Date: 3/9/2018
(name) (title)



OREGON LIQUOR CONTROL COMMISSION CORPORATION QUESTIONNAIRE

Please Print or Type

Corporation Name: American Pacific International Capital, Inc. Year Incorporated: 1998

Trade Name (dba): _____

Business Location Address: 5 Thomas Mellon Circle, Suite 305

City: San Francisco, CA ZIP Code: 94134

List Corporate Officers:

<u>Jinshan (Jason) Mao</u>	<u>President & Secretary</u>
(name)	(title)
<u>Winston Chen</u>	<u>Vice President</u>
<u>Jennifer Zhang</u>	<u>CFO & Treasurer</u>
_____	_____

List Board of Directors:

N/A - no Directors own 3% or more of the voting stock

(name)

List Stockholders: (Note: If any stockholder is another legal entity, that entity may also need to complete another Corporation Questionnaire. See Liquor License Application Guide for more information.)

Stockholders:	Number of Shares Held:	Number of Stock Shares:
<u>Jag Pacific Ltd.</u>	<u>10 Million</u>	Issued: <u>10 Million</u>
_____	_____	Unissued: <u>0</u>
_____	_____	Total Shares Authorized to issue: <u>10 Million</u>
_____	_____	

Server Education Designee: Rick Reed DOB: 1/30/59
(See Liquor License Application Guide for more information)

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Officer's Signature: *Jason Mao* President & Secretary Date: 3/16/2018
(name) (title)



OREGON LIQUOR CONTROL COMMISSION LIMITED LIABILITY COMPANY QUESTIONNAIRE

Please Print or Type

LLC Name: OB Sports Golf Management (Sand), LLC Year Filed: 2015

Trade Name (dba): Sandpines Golf Links & ~~Table Restaurant~~ The Grill and Lounge

Business Location Address: 12047 35th Street

City: Florence ZIP Code: 97439

List Members of LLC:

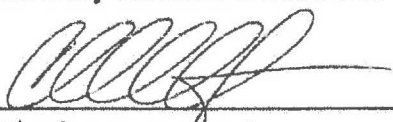
Percentage of Membership Interest:

1. <u>Orrin D. Vincent</u> <small>(member member)</small>	<u>33 1/3</u>
2. <u>Phillip J. Green</u> <small>(member member)</small>	<u>33 1/3</u>
3. <u>Cecil A. Roberts</u> <small>member</small>	<u>33 1/3</u>
4. _____	_____
5. _____	_____
6. _____	_____

(Note: If any LLC member is another legal entity, that entity must also complete an LLC, Limited Partnership or Corporation Questionnaire. If the LLC has officers, please list them on a separate sheet of paper with their titles.)

Server Education Designee: Rick E. Reed DOB: 01/30/1959

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Signature:  member Date: 3-6-16
(name) Cecil A. Roberts (title)



OREGON LIQUOR CONTROL COMMISSION
INDIVIDUAL HISTORY FORM

1. Name: (LAST) Mao (FIRST) Jinshan (MIDDLE) NA		
2. Other Names Used (Maiden, Etc.): NA		
3. Do you have a Social Security Number (SSN) issued by the U.S. Social Security Administration? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, please provide your SSN: _____		
<p>SOCIAL SECURITY NUMBER DISCLOSURE: As part of your application for an initial or renewal license, Federal and State laws require you to provide your Social Security Number (SSN) to the Oregon Liquor Control Commission (OLCC) for child support enforcement purposes (42 USC § 666(a)(13) & ORS 25.785). If you are an applicant or licensee and fail to provide your SSN, the OLCC may refuse to process your application. Your SSN will be used only for child support enforcement purposes unless you indicate below.</p> <p>Based on our authority under ORS 471.311 and OAR 845-005-0312(6), we are requesting your voluntary consent to use your SSN for the following administrative purposes only: to match your license application to your Alcohol Server Education records (where applicable), and to ensure your identity for criminal records checks. OLCC will not deny you any rights, benefits or privileges otherwise provided by law if you do not consent to use of your SSN for these administrative purposes (5 USC § 552(a).</p> <p>Do you voluntarily consent to the OLCC's use of your SSN as just described? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>		
4. Date of Birth (MM/DD/YYYY): _____	5. Contact Phone: _____	
6. Driver License or State ID #: _____	7. State: _____	
8. Residence Address: _____		
9. Mailing Address (if different): _____		
10. E-Mail (optional): _____		
11. Do you have a spouse or domestic partner? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list his/her full name: Xiaoli Bi		
12. If yes to #11, will this person be involved in the management of, or have control over the business? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		
13. In the past 10 years, have you been <u>convicted</u> ("convicted" includes paying a fine) in Oregon or another U.S. state of driving a car with a suspended driver license or driving a car with no insurance? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (Please include explanation below) <input type="checkbox"/> Unsure (Please include explanation below)		
14. In the past 10 years, have you been <u>convicted</u> ("convicted" includes paying a fine) in Oregon or another U.S. state of a FELONY ? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (Please include explanation below) <input type="checkbox"/> Unsure (Please include explanation below)		
15. Have you ever been in a drug or alcohol <u>diversion program</u> in Oregon or another U.S. state? A diversion program is where you are required, usually by the court or another government agency, to complete certain requirements in place of being convicted of a drug or alcohol-related offense. <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (Please include explanation below) <input type="checkbox"/> Unsure (Please include explanation below)		

16. Do you, or any legal entity that you are a part of, currently hold or have previously held a liquor license or a recreational marijuana license in Oregon or another U.S. state? (Note: alcohol service permits and marijuana worker permits are not liquor licenses).

No Yes (Please include explanation below) Unsure (Please include explanation below)

17. Have you, or any legal entity that you are a part of, ever had an application for a license, permit, or certificate denied or cancelled by the OLCC or any other governmental agency in the U.S.?

No Yes (Please include explanation below) Unsure (Please include explanation below)

18. Are you applying for a Full On-Premises, Limited On-Premises, Off-Premises, or Brewery-Public House license?

No Please skip questions 19 & 20. Go directly to question 21.
 Yes Please answer questions 19, 20, and 21.

19. Do you or will you have any ownership interest in a business that manufactures, wholesales, or distributes alcohol in Oregon or another U.S. state?

No Yes (Please include explanation below) Unsure (Please include explanation below)

20. Does or will an alcohol manufacturer, wholesaler, or distributor in Oregon or another U.S. state have any ownership interest in your business?

No Yes (Please include explanation below) Unsure (Please include explanation below)

21. Do you currently have, or will you have, any ownership interest in any business in Oregon with a Full On-Premises, Limited On-Premises, Off-Premises, or Brewery-Public House license?

No Yes (Please include explanation below) Unsure (Please include explanation below)

Sandpines Golf Links & The Grill and Lounge
per applicant ✓ *ABJ*

You must sign your own form. Another person, like your attorney or a person with power of attorney, may not sign your form. I affirm that my answers are true and complete. I understand the OLCC will use the above information to check my records, including but not limited to, criminal history. I understand that if my answers are not true and complete, the OLCC may deny my license application.

Name: (LAST)

Mao

(FIRST)

Jinshan

(MIDDLE)

NA

Signature:

Mao Jinshan

Date:

03/15/2018



OREGON LIQUOR CONTROL COMMISSION
INDIVIDUAL HISTORY FORM

1. Name: (LAST) Chen		(FIRST) Winston	(MIDDLE) David
2. Other Names Used (Maiden, Etc.):			
3. Do you have a Social Security Number (SSN) issued by the U.S. Social Security Administration? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, please provide your SSN: _____			
<p>SOCIAL SECURITY NUMBER DISCLOSURE: As part of your application for an initial or renewal license, Federal and State laws require you to provide your Social Security Number (SSN) to the Oregon Liquor Control Commission (OLCC) for child support enforcement purposes (42 USC § 666(a)(13) & ORS 25.785). If you are an applicant or licensee and fail to provide your SSN, the OLCC may refuse to process your application. Your SSN will be used only for child support enforcement purposes unless you indicate below.</p> <p>Based on our authority under ORS 471.311 and OAR 845-005-0312(6), we are requesting your voluntary consent to use your SSN for the following administrative purposes only: to match your license application to your Alcohol Server Education records (where applicable), and to ensure your identity for criminal records checks. OLCC will not deny you any rights, benefits or privileges otherwise provided by law if you do not consent to use of your SSN for these administrative purposes (5 USC § 552(a).</p> <p>Do you voluntarily consent to the OLCC's use of your SSN as just described? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>			
4. Date of Birth (MM/DD/YYYY): _____		5. Contact Phone: _____	
6. Driver License or State ID #: _____		7. State: _____	
8. Residence Address: _____			
9. Mailing Address (if different):			
10. E-Mail (optional):			
11. Do you have a spouse or domestic partner? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list his/her full name: Waritta Chen			
12. If yes to #11, will this person be involved in the management of, or have control over the business? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			
13. In the past 10 years, have you been convicted ("convicted" includes paying a fine) in Oregon or another U.S. state of driving a car with a suspended driver license or driving a car with no insurance? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (Please include explanation below) <input type="checkbox"/> Unsure (Please include explanation below)			
14. In the past 10 years, have you been convicted ("convicted" includes paying a fine) in Oregon or another U.S. state of a FELONY ? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (Please include explanation below) <input type="checkbox"/> Unsure (Please include explanation below)			
15. Have you ever been in a drug or alcohol diversion program in Oregon or another U.S. state? A diversion program is where you are required, usually by the court or another government agency, to complete certain requirements in place of being convicted of a drug or alcohol-related offense. <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (Please include explanation below) <input type="checkbox"/> Unsure (Please include explanation below)			

16. Do you, or any legal entity that you are a part of, **currently hold** or **have previously held** a liquor license or a recreational marijuana license in Oregon or another U.S. state? (Note: alcohol service permits and marijuana worker permits are not liquor licenses).

No Yes (Please include explanation below) Unsure (Please include explanation below)

17. Have you, or any legal entity that you are a part of, **ever** had an application for a license, permit, or certificate **denied or cancelled** by the OLCC or any other governmental agency in the U.S.?

No Yes (Please include explanation below) Unsure (Please include explanation below)

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No Yes (Please include explanation below) Unsure (Please include explanation below)

Sandpines Golf Links & The Grill and Lounge

You must sign your own form. Another person, like your attorney or a person with power of attorney, may not sign your form. I affirm that my answers are true and complete. I understand the OLCC will use the above information to check my records, including but not limited to, criminal history. I understand that if my answers are not true and complete, the OLCC may deny my license application.

Name: (LAST)

Chen

(FIRST)

Winston

(MIDDLE)

David

Signature:

Date:

03/15/2018



OREGON LIQUOR CONTROL COMMISSION
INDIVIDUAL HISTORY FORM

1. Name: (LAST) Zhang (FIRST) Jennifer (MIDDLE) Huijuan		
2. Other Names Used (Maiden, Etc.): Huijuan Zhang		
3. Do you have a Social Security Number (SSN) issued by the U.S. Social Security Administration? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, please provide your SSN: _____		
<p>SOCIAL SECURITY NUMBER DISCLOSURE: As part of your application for an initial or renewal license, Federal and State laws require you to provide your Social Security Number (SSN) to the Oregon Liquor Control Commission (OLCC) for child support enforcement purposes (42 USC § 666(a)(13) & ORS 25.785). If you are an applicant or licensee and fail to provide your SSN, the OLCC may refuse to process your application. Your SSN will be used only for child support enforcement purposes unless you indicate below.</p> <p>Based on our authority under ORS 471.311 and OAR 845-005-0312(6), we are requesting your voluntary consent to use your SSN for the following administrative purposes only: to match your license application to your Alcohol Server Education records (where applicable), and to ensure your identity for criminal records checks. OLCC will not deny you any rights, benefits or privileges otherwise provided by law if you do not consent to use of your SSN for these administrative purposes (5 USC § 552(a)).</p> <p>Do you voluntarily consent to the OLCC's use of your SSN as just described? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>		
4. Date of Birth (MM/DD/YYYY): _____	5. Contact Phone: _____	
6. Driver License or State ID #: _____	7. State: _____	
8. Residence Address: _____		
9. Mailing Address (if different): _____		
10. E-Mail (optional): _____		
11. Do you have a spouse or domestic partner? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list his/her full name: Wilson Huaisheng Chen		
12. If yes to #11, will this person be involved in the management of, or have control over the business? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		
13. In the past 10 years, have you been convicted ("convicted" includes paying a fine) in Oregon or another U.S. state of driving a car with a suspended driver license or driving a car with no insurance? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (Please include explanation below) <input type="checkbox"/> Unsure (Please include explanation below)		
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No Yes (Please include explanation below) Unsure (Please include explanation below)

See attached Exhibit A

17. Have you, or any legal entity that you are a part of, ever had an application for a license, permit, or certificate denied or cancelled by the OLCC or any other governmental agency in the U.S.?

No Yes (Please include explanation below) Unsure (Please include explanation below)

18. Are you applying for a Full On-Premises, Limited On-Premises, Off-Premises, or Brewery-Public House license?

No Please skip questions 19 & 20. Go directly to question 21.
 Yes Please answer questions 19, 20, and 21.

19. Do you or will you have any ownership interest in a business that manufactures, wholesales, or distributes alcohol in Oregon or another U.S. state?

No Yes (Please include explanation below) Unsure (Please include explanation below)

20. Does or will an alcohol manufacturer, wholesaler, or distributor in Oregon or another U.S. state have any ownership interest in your business?

No Yes (Please include explanation below) Unsure (Please include explanation below)

21. Do you currently have, or will you have, any ownership interest in any business in Oregon with a Full On-Premises, Limited On-Premises, Off-Premises, or Brewery-Public House license?

No Yes (Please include explanation below) Unsure (Please include explanation below)

Sandpines Golf Links & The Grill and Lounge
per applicant KAH

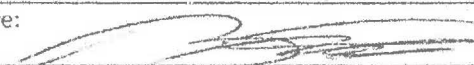
You must sign your own form. Another person, like your attorney or a person with power of attorney, may not sign your form. I affirm that my answers are true and complete. I understand the OLCC will use the above information to check my records, including but not limited to, criminal history. I understand that if my answers are not true and complete, the OLCC may deny my license application.

Name: (LAST)
Zhang

(FIRST)
Jennifer

(MIDDLE)
Huijuan

Signature:



Date:

03/15/2018

Individual History Form – Jennifer Zhang
Exhibit A

APIC Restaurant Americana, LLC
San Francisco, CA
2010 - present
Type 47, Type 58

APIC Restaurant Good, LLC
San Francisco, CA
2010 – 2016
Type 41



OREGON LIQUOR CONTROL COMMISSION
INDIVIDUAL HISTORY FORM

1. Name: (LAST) Chen	(FIRST) WILSON	(MIDDLE) HUAISHENG
2. Other Names Used (Maiden, Etc.): Huaisheng Chen		
3. Do you have a Social Security Number (SSN) issued by the U.S. Social Security Administration? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, please provide your SSN: _____		
<p>SOCIAL SECURITY NUMBER DISCLOSURE: As part of your application for an initial or renewal license, Federal and State laws require you to provide your Social Security Number (SSN) to the Oregon Liquor Control Commission (OLCC) for child support enforcement purposes (42 USC § 666(a)(13) & ORS 25.785). If you are an applicant or licensee and fail to provide your SSN, the OLCC may refuse to process your application. Your SSN will be used only for child support enforcement purposes unless you indicate below.</p> <p>Based on our authority under ORS 471.311 and OAR 845-005-0312(6), we are requesting your voluntary consent to use your SSN for the following administrative purposes only: to match your license application to your Alcohol Server Education records (where applicable), and to ensure your identity for criminal records checks. OLCC will not deny you any rights, benefits or privileges otherwise provided by law if you do not consent to use of your SSN for these administrative purposes (5 USC § 552(a)).</p> <p>Do you voluntarily consent to the OLCC's use of your SSN as just described? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>		
4. Date of Birth (MM/DD/YYYY): _____	5. Contact Phone: _____	
6. Driver License or State ID #: _____	7. State: _____	
8. Residence Address: _____		
9. Mailing Address (if different): _____		
10. E-Mail (optional): _____		
11. Do you have a spouse or domestic partner? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list his/her full name: JENNIFER ZHANG		
12. If yes to #11, will this person be involved in the management of, or have control over the business? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		
13. In the past 10 years, have you been convicted ("convicted" includes paying a fine) in Oregon or another U.S. state of driving a car with a suspended driver license or driving a car with no insurance? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (Please include explanation below) <input type="checkbox"/> Unsure (Please include explanation below)		
14. In the past 10 years, have you been convicted ("convicted" includes paying a fine) in Oregon or another U.S. state of a FELONY ? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (Please include explanation below) <input type="checkbox"/> Unsure (Please include explanation below)		
15. Have you ever been in a drug or alcohol diversion program in Oregon or another U.S. state? A diversion program is where you are required, usually by the court or another government agency, to complete certain requirements in place of being convicted of a drug or alcohol-related offense. <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (Please include explanation below) <input type="checkbox"/> Unsure (Please include explanation below)		

16. Do you, or any legal entity that you are a part of, currently hold or have previously held a liquor license or a recreational marijuana license in Oregon or another U.S. state? (Note: alcohol service permits and marijuana worker permits are not liquor licenses).

No Yes (Please include explanation below) Unsure (Please include explanation below)

(1) 1 ACTIVE CALIFORNIA LIQUOR LICENSE
(1) 2 INACTIVE CALIFORNIA BEER + WINE LICENSE

17. Have you, or any legal entity that you are a part of, ever had an application for a license, permit, or certificate denied or cancelled by the OLCC or any other governmental agency in the U.S.?

No Yes (Please include explanation below) Unsure (Please include explanation below)

18. Are you applying for a Full On-Premises, Limited On-Premises, Off-Premises, or Brewery-Public House license?

No Please skip questions 19 & 20. Go directly to question 21.
 Yes Please answer questions 19, 20, and 21.

19. Do you or will you have any ownership interest in a business that manufactures, wholesales, or distributes alcohol in Oregon or another U.S. state?


No Yes (Please include explanation below) Unsure (Please include explanation below)

20. Does or will an alcohol manufacturer, wholesaler, or distributor in Oregon or another U.S. state have any ownership interest in your business?

No Yes (Please include explanation below) Unsure (Please include explanation below)

21. Do you currently have, or will you have, any ownership interest in any business in Oregon with a Full On-Premises, Limited On-Premises, Off-Premises, or Brewery-Public House license?

No Yes (Please include explanation below) Unsure (Please include explanation below)

Sandpines Golf Links & The Grill and Lounge
per applicant 

You must sign your own form. Another person, like your attorney or a person with power of attorney, may not sign your form. I affirm that my answers are true and complete. I understand the OLCC will use the above information to check my records, including but not limited to, criminal history. I understand that if my answers are not true and complete, the OLCC may deny my license application.

Name: (LAST)

Chen

(FIRST)

Wilson

(MIDDLE)

HUAISHENG

Signature: 

Date:

3/19/2018

AGENDA ITEM SUMMARY
FLORENCE CITY COUNCIL

ITEM NO: 3
Meeting Date: April 16, 2018
Department: Administration

ITEM TITLE: Grocery Outlet Liquor License

DISCUSSION/ISSUE:

This is a request for a recommendation of a change of ownership liquor license approval to the Oregon Liquor Control Commission (OLCC) for Grocery Outlet liquor license. OLCC allows the City Council the opportunity to review the liquor license before making a recommendation of approval.

The owners/management of the business have 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.

FISCAL IMPACT:

The fee for a change of ownership liquor license is \$75. This fee includes the cost of staff time to review the application and place a recommendation before the City Council.

RELEVANCE TO ADOPTED COUNCIL GOALS:

Goal 1: Deliver efficient and cost effective city services.

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

AIS PREPARED BY: Kelli Weese, City Recorder

CITY MANAGER'S RECOMMENDATION: Approve Disapprove Other

Comments: ER Reynolds

ITEM'S ATTACHED: Attachment – Liquor License Application

**OREGON LIQUOR CONTROL COMMISSION
LIMITED LIABILITY COMPANY QUESTIONNAIRE**



Please Print or Type

LLC Name: L & B Marketplace LLC Year Filed: 2018

Trade Name (dba): Grocery Outlet of Florence

Business Location Address: 2066 US-101

City: Florence ZIP Code: 97439

List Members of LLC:	Percentage of Membership Interest:
1. <u>Lisa M Fassler</u> <small>(managing member)</small>	<u>50</u>
2. <u>Brian K Bamard</u> <small>(members)</small>	<u>50</u>
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____

(Note: If any LLC member is another legal entity, that entity must also complete an LLC, Limited Partnership or Corporation Questionnaire. If the LLC has officers, please list them on a separate sheet of paper with their titles.)

Server Education Designee: Lisa M Fassler DOB: 11/09/1963

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Signature: *Lisa M Fassler* *Owner/Operator* Date: 03/18/2018
(name) (title)

1-800-452-OLCC (6522)
www.olcc.state.or.us

(rev. 8/11)



**OREGON LIQUOR CONTROL COMMISSION
CORPORATION QUESTIONNAIRE**

Please Print or Type

Corporation Name: Grocery Outlet Inc. Year Incorporated: 1961

Trade Name (dba): _____

Business Location Address: 5650 Hollis Street

City: Emeryville ZIP Code: 94608

List Corporate Officers:

Eric J. Lindberg
(name)
Steven MacGregor Read, Jr.

Co-CEO
(title)
Co-CEO

Charles C. Bracher

Chief Financial Officer

Pamela B. Burke

Secretary, VP of General Counsel

List Board of Directors:

Eric Lindberg, Steven MacGregor read, Jr.
(name)

List Stockholders: (Note: If any stockholder is another legal entity, that entity may also need to complete another Corporation Questionnaire. See Liquor License Application Guide for more information.)

Stockholders:	Number of Shares Held:	Number of Stock Shares:
<u>GOBP Midco, Inc.</u>	<u>1,000</u>	Issued: <u>1,000</u>
_____	_____	Unissued: <u>49,000</u>
_____	_____	Total Shares Authorized to Issue: <u>50,000</u>
_____	_____	

Server Education Designee: _____ DOB: _____
(See Liquor License Application Guide for more information)

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Officer's Signature: C.F.O. Date: Jan 4, 2016
(name) (title)

1-800-452-OLCC (6522)
www.oregon.gov/olcc

(rev. 08/11)



OREGON LIQUOR CONTROL COMMISSION
INDIVIDUAL HISTORY FORM

1. Name: (LAST) Fassler	(FIRST) Lisa	(MIDDLE) Marie
2. Other Names Used (Maiden, Etc.): Aimone (Maiden)		
3. Do you have a Social Security Number (SSN) issued by the U.S. Social Security Administration? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, please provide your SSN: _____		
<p>SOCIAL SECURITY NUMBER DISCLOSURE: As part of your application for an initial or renewal license, Federal and State laws require you to provide your Social Security Number (SSN) to the Oregon Liquor Control Commission (OLCC) for child support enforcement purposes (42 USC § 666(a)(13) & ORS 25.785). If you are an applicant or licensee and fail to provide your SSN, the OLCC may refuse to process your application. Your SSN will be used only for child support enforcement purposes unless you indicate below.</p> <p>Based on our authority under ORS 471.311 and OAR 845-005-0312(6), we are requesting your voluntary consent to use your SSN for the following administrative purposes only: to match your license application to your Alcohol Server Education records (where applicable), and to ensure your identity for criminal records checks. OLCC will not deny you any rights, benefits or privileges otherwise provided by law if you do not consent to use of your SSN for these administrative purposes (5 USC§ 552(a).</p> <p>Do you voluntarily consent to the OLCC's use of your SSN as just described? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>		
4. Date of Birth (MM/DD/YYYY): _____	Contact Phone: _____	_____
6. Driver License or State ID #: _____	7. State _____	_____
8. Residence Address: 535 west A St Lebanon Or. 97355		
9. Mailing Address (if different):		
10. E-Mail (optional):		
11. Do you have a spouse or domestic partner? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list his/her full name: Brian Barnard		
12. If yes to #11, will this person be involved in the management of, or have control over the business? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		
13. In the past 10 years, have you been <u>convicted</u> ("convicted" includes paying a fine) in Oregon or another U.S. state of driving a car with a suspended driver license or driving a car with no insurance? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (Please include explanation below) <input type="checkbox"/> Unsure (Please include explanation below)		
14. In the past 10 years, have you been <u>convicted</u> ("convicted" includes paying a fine) in Oregon or another U.S. state of a FELONY ? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (Please include explanation below) <input type="checkbox"/> Unsure (Please include explanation below)		
15. Have you ever been in a drug or alcohol <u>diversion program</u> in Oregon or another U.S. state? A diversion program is where you are required, usually by the court or another government agency, to complete certain requirements in place of being convicted of a drug or alcohol-related offense. <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (Please include explanation below) <input type="checkbox"/> Unsure (Please include explanation below)		

16. Do you, or any legal entity that you are a part of, currently hold or have previously held a liquor license or a recreational marijuana license in Oregon or another U.S. state? (Note: alcohol service permits and marijuana worker permits are not liquor licenses).

No Yes (Please include explanation below) Unsure (Please include explanation below)

17. Have you, or any legal entity that you are a part of, ever had an application for a license, permit, or certificate denied or cancelled by the OLCC or any other governmental agency in the U.S.?

No Yes (Please include explanation below) Unsure (Please include explanation below)

18. Are you applying for a Full On-Premises, Limited On-Premises, Off-Premises, or Brewery-Public House license?

No Please skip questions 19 & 20. Go directly to question 21.
 Yes Please answer questions 19, 20, and 21.

19. Do you or will you have any ownership interest in a business that manufactures, wholesales, or distributes alcohol in Oregon or another U.S. state?

No Yes (Please include explanation below) Unsure (Please include explanation below)

20. Does or will an alcohol manufacturer, wholesaler, or distributor in Oregon or another U.S. state have any ownership interest in your business?

No Yes (Please include explanation below) Unsure (Please include explanation below)

21. Do you currently have, or will you have, any ownership interest in any business in Oregon with a Full On-Premises, Limited On-Premises, Off-Premises, or Brewery-Public House license?

No Yes (Please include explanation below) Unsure (Please include explanation below)

I will be selling alcohol Off-Premises under the DBA Grocery Outlet of Florence.

You must sign your own form. Another person, like your attorney or a person with power of attorney, may not sign your form. I affirm that my answers are true and complete. I understand the OLCC will use the above information to check my records, including but not limited to, criminal history. I understand that if my answers are not true and complete, the OLCC may deny my license application.

Name: (LAST) Fassler	(FIRST) Lisa	(MIDDLE) Marie
Signature: 		Date: 03/18/2018



OREGON LIQUOR CONTROL COMMISSION
INDIVIDUAL HISTORY FORM

1. Name: (LAST) Barnard	(FIRST) Brian	(MIDDLE) Keith
2. Other Names Used (Maiden, Etc.):		
3. Do you have a Social Security Number (SSN) issued by the U.S. Social Security Administration? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, please provide your SSN: _____		
<p>SOCIAL SECURITY NUMBER DISCLOSURE: As part of your application for an initial or renewal license, Federal and State laws require you to provide your Social Security Number (SSN) to the Oregon Liquor Control Commission (OLCC) for child support enforcement purposes (42 USC § 666(a)(13) & ORS 25.785). If you are an applicant or licensee and fail to provide your SSN, the OLCC may refuse to process your application. Your SSN will be used only for child support enforcement purposes unless you indicate below.</p> <p>Based on our authority under ORS 471.311 and OAR 845-005-0312(6), we are requesting your voluntary consent to use your SSN for the following administrative purposes only: to match your license application to your Alcohol Server Education records (where applicable), and to ensure your identity for criminal records checks. OLCC will not deny you any rights, benefits or privileges otherwise provided by law if you do not consent to use of your SSN for these administrative purposes (5 USC § 552(a)).</p> <p>Do you voluntarily consent to the OLCC's use of your SSN as just described? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>		
4. Date of Birth (MM/DD/YYYY): _____		Contact Phone: _____
6. Driver License or State ID #: _____		7. State: _____
8. Residence Address: _____		
9. Mailing Address (if different): _____		
10. E-Mail (optional): _____		
11. Do you have a spouse or domestic partner? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list his/her full name: Lisa Marie Fassler		
12. If yes to #11, will this person be involved in the management of, or have control over the business? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		
13. In the past 10 years, have you been <u>convicted</u> ("convicted" includes paying a fine) in Oregon or another U.S. state of driving a car with a suspended driver license or driving a car with no insurance? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (Please include explanation below) <input type="checkbox"/> Unsure (Please include explanation below)		
14. In the past 10 years, have you been <u>convicted</u> ("convicted" includes paying a fine) in Oregon or another U.S. state of a FELONY ? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (Please include explanation below) <input type="checkbox"/> Unsure (Please include explanation below)		
15. Have you ever been in a drug or alcohol <u>diversion program</u> in Oregon or another U.S. state? A diversion program is where you are required, usually by the court or another government agency, to complete certain requirements in place of being convicted of a drug or alcohol-related offense. <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (Please include explanation below) <input type="checkbox"/> Unsure (Please include explanation below)		

OLCC IH Application (Rev. 06/2017)

16. Do you, or any legal entity that you are a part of, **currently hold** or **have previously held** a liquor license or a recreational marijuana license in Oregon or another U.S. state? (Note: alcohol service permits and marijuana worker permits are not liquor licenses).

No Yes (Please include explanation below) Unsure (Please include explanation below)

17. Have you, or any legal entity that you are a part of, ever had an application for a license, permit, or certificate **denied or cancelled** by the OLCC or any other governmental agency in the U.S.?

No Yes (Please include explanation below) Unsure (Please include explanation below)

18. Are you applying for a Full On-Premises, Limited On-Premises, Off-Premises, or Brewery-Public House license?

No Please skip questions 19 & 20. Go directly to question 21.

Yes Please answer questions 19, 20, and 21.

19. Do you or will you have any ownership interest in a business that manufactures, wholesales, or distributes alcohol in Oregon or another U.S. state?

No Yes (Please include explanation below) Unsure (Please include explanation below)

20. Does or will an alcohol manufacturer, wholesaler, or distributor in Oregon or another U.S. state have any ownership interest in your business?

No Yes (Please include explanation below) Unsure (Please include explanation below)

21. Do you currently have, or will you have, any ownership interest in any business in Oregon with a Full On-Premises, Limited On-Premises, Off-Premises, or Brewery-Public House license?

No Yes (Please include explanation below) Unsure (Please include explanation below)

L & B Marketplace LLC will be selling alcohol through our DBA Grocery Outlet of Florence.

You must sign your own form. Another person, like your attorney or a person with power of attorney, may not sign your form. I affirm that my answers are true and complete. I understand the OLCC will use the above information to check my records, including but not limited to, criminal history. I understand that if my answers are not true and complete, the OLCC may deny my license application.

Name: (LAST) Brian	(FIRST) Brian	(MIDDLE) Keith
Signature: 		Date: 03/18/2018

OLCC IH Application (Rev. 06/2017)



OREGON LIQUOR CONTROL COMMISSION
BUSINESS INFORMATION

Please Print or Type

Applicant Name: L+B Marketplace LLC Phone: 541-997-0343

Trade Name (dba): Grocery Outlet of Florence

Business Location Address: 2066 US-101

City: Florence Or. ZIP Code: 97439

DAYS AND HOURS OF OPERATION

Business Hours:

Sunday 8am to 9pm
Monday 8am to 9pm
Tuesday 8am to 9pm
Wednesday 8am to 9pm
Thursday 8am to 9pm
Friday 8am to 9pm
Saturday 8am to 9pm

Outdoor Area Hours:

~~Sunday _____ to _____
Monday _____ to _____
Tuesday _____ to _____
Wednesday _____ to _____
Thursday _____ to _____
Friday _____ to _____
Saturday _____ to _____~~

The outdoor area is used for:

Food service Hours: _____ to _____
 Alcohol service Hours: _____ to _____
 Enclosed, how _____
The exterior area is adequately viewed and/or supervised by Service Permittees.

(Investigator's Initials)

Seasonal Variations: Yes No If yes, explain: _____

ENTERTAINMENT

Check all that apply:

- Live Music
- Recorded Music
- DJ Music
- Dancing
- Nude Entertainers
- Karaoke
- Coin-operated Games
- Video Lottery Machines
- Social Gaming
- Pool Tables
- Other: _____

DAYS & HOURS OF LIVE OR DJ MUSIC

~~Sunday _____ to _____
Monday _____ to _____
Tuesday _____ to _____
Wednesday _____ to _____
Thursday _____ to _____
Friday _____ to _____
Saturday _____ to _____~~

SEATING COUNT

Restaurant: _____ Outdoor: _____
Lounge: _____ Other (explain): _____
Banquet: _____ Total Seating: _____

OLCC USE ONLY
Investigator Verified Seating: ____ (Y) ____ (N)
Investigator Initials: _____
Date: _____

I understand if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: [Signature] Date: 03/08/2018

1-800-452-OLCC (6522)
www.oregon.gov/olcc

(rev. 12/07)

AGENDA ITEM SUMMARY
FLORENCE CITY COUNCIL

ITEM NO: 4
Meeting Date: April 16, 2018
Department: Administration

ITEM TITLE: Jerry's Place Home of Wat'cha Brewing Brewery License

DISCUSSION/ISSUE:

This is a request for a recommendation of a brewery license approval to the Oregon Liquor Control Commission (OLCC) for Jerry's Place Home of Wat'cha Brewing liquor license. OLCC allows the City Council the opportunity to review the liquor license before making a recommendation of approval.

The owners/management of the business have 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.

FISCAL IMPACT:

The fee for a new outlet liquor license is \$100. This fee includes the cost of staff time to review the application and place a recommendation before the City Council.

RELEVANCE TO ADOPTED COUNCIL GOALS:

Goal 1: Deliver efficient and cost effective city services.

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

AIS PREPARED BY: Kelli Weese, City Recorder

CITY MANAGER'S RECOMMENDATION: Approve Disapprove Other

Comments: *ER Reynolds*

ITEM'S ATTACHED: Attachment – Liquor License Application



LIQUOR LICENSE APPLICATION

LICENSE FEE: Do not include the license fee with the application (the license fee will be collected at a later time).

APPLICATION: Application is being made for:

- Brewery
- Brewery-Public House
- Distillery
- Full On-Premises, Commercial
- Full On-Premises, Caterer
- Full On-Premises, Passenger Carrier
- Full On-Premises, Other Public Location
- Full On-Premises, Nonprofit Private Club
- Full On-Premises, For-Profit Private Club
- Grower Sales Privilege
- Limited On-Premises
- Off-Premises
- Off-Premises with Fuel Pumps
- Warehouse
- Wholesale Malt Beverage & Wine (WMBW)
- Winery

CITY AND COUNTY USE ONLY

Date application received _____

Name of City or County _____

Recommends this license be ___ Granted ___ Denied

By _____

Date _____

OLCC USE

Application received by J. Brothman

Date 4/3/18

License Action: Additional Privilege

1. LEGAL ENTITY (example: corporation or LLC) or INDIVIDUAL(S) applying for the license:

Applicant #1 <u>Nickam 82 Inc</u>	Applicant #2
Applicant #3	Applicant #4

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

What'cha Brewing Jerry's Place Home of What'cha Brewing

3. Business Location: Number and Street 88274 Rhododendron Dr.

City Florence OR County Lane ZIP 97439

4. Is the business at this location currently licensed by the OLCC? Yes No

5. Mailing Address (where the OLCC will send your mail):

PO Box, Number, Street, Rural Route 87697 Saltaire St.
City Florence State OR ZIP 97439

6. Phone Number of the Business Location:

7. Contact Person for this Application:

Name Karl Engel Phone Number 360 640 4214

Mailing Address, City, State, ZIP
87697 Saltaire St., Florence, OR, 97439

Email JerrysPlace88274@gmail.com

I understand that marijuana (such as use, consumption, ingestion, inhalation, samples, give-away, sale, etc.) is prohibited on the licensed premises.

Signature of Applicant #1

Signature of Applicant #2

Karl Engel 4/2/2018

Jerry Engel 4-2-18

Signature of Applicant #3

Signature of Applicant #4



OREGON LIQUOR CONTROL COMMISSION
CORPORATION QUESTIONNAIRE

Please Print or Type

Corporation Name: Nickam 82 inc Year Incorporated: 2016

Trade Name (dba): What'cha Brewing

Business Location Address: 88274 Rhododendron Dr.

City: Florence OR ZIP Code: 97439

List Corporate Officers:

Karl Engel
(name)

President
(title)

Tanet Engel

Secretary / Treasurer

List Board of Directors:

Nil
(name)

List Stockholders: (Note: If any stockholder is another legal entity, that entity may also need to complete another Corporation Questionnaire. See Liquor License Application Guide for more information.)

Stockholders:	Number of Shares Held:	Number of Stock Shares:
<u>## Karl Engel</u>	<u>1</u>	Issued: <u>1</u>
		Unissued: <u>0</u>
		Total Shares Authorized to Issue: <u>1</u>

Server Education Designee: Karl Engel DOB: 4/10/1960
(See Liquor License Application Guide for more information)

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Officer's Signature: Karl Engel (name) President (title) Date: 4/2/18



OREGON LIQUOR CONTROL COMMISSION
INDIVIDUAL HISTORY FORM

1. Name: (LAST) Engel (FIRST) Karl (MIDDLE) Evan

2. Other Names Used (Maiden, Etc.):

3. Do you have a Social Security Number (SSN) issued by the U.S. Social Security Administration?

Yes No If yes, please provide your SSN: _____

SOCIAL SECURITY NUMBER DISCLOSURE: As part of your application for an initial or renewal license, Federal and State laws require you to provide your Social Security Number (SSN) to the Oregon Liquor Control Commission (OLCC) for child support enforcement purposes (42 USC § 666(a)(13) & ORS 25.785). If you are an applicant or licensee and fail to provide your SSN, the OLCC may refuse to process your application. Your SSN will be used only for child support enforcement purposes unless you indicate below.

Based on our authority under ORS 471.311 and OAR 845-005-0312(6), we are requesting your voluntary consent to use your SSN for the following administrative purposes only: to match your license application to your Alcohol Server Education records (where applicable), and to ensure your identity for criminal records checks. OLCC will not deny you any rights, benefits or privileges otherwise provided by law if you do not consent to use of your SSN for these administrative purposes (5 USC § 552(a).

Do you voluntarily consent to the OLCC's use of your SSN as just described? Yes No

4. Date of Birth (MM/DD/YYYY): _____

5. Contact Phone: _____

6. Driver License or State ID #: _____

7. State: _____

8. Residence Address: _____

9. Mailing Address (if different): _____

10. E-Mail (optional): _____

11. Do you have a spouse or domestic partner? Yes No

If yes, list his/her full name: Janet R Engel

12. If yes to #11, will this person be involved in the management of, or have control over the business?

No Yes

13. In the past 10 years, have you been **convicted** ("convicted" includes paying a fine) in Oregon or another U.S. state of driving a car with a suspended driver license or driving a car with no insurance?

No Yes (Please include explanation below) Unsure (Please include explanation below)

14. In the past 10 years, have you been **convicted** ("convicted" includes paying a fine) in Oregon or another U.S. state of a **FELONY**?

No Yes (Please include explanation below) Unsure (Please include explanation below)

15. Have you ever been in a drug or alcohol **diversion program** in Oregon or another U.S. state? A diversion program is where you are required, usually by the court or another government agency, to complete certain requirements in place of being convicted of a drug or alcohol-related offense.

No Yes (Please include explanation below) Unsure (Please include explanation below)

16. Do you, or any legal entity that you are a part of, **currently hold** or **have previously held** a liquor license or a recreational marijuana license in Oregon or another U.S. state? (Note: alcohol service permits and marijuana worker permits are not liquor licenses).

No Yes (Please include explanation below) Unsure (Please include explanation below)

Jerry's Place - owner
88274 Rhododendron Dr.
Florence OR 97439

17. Have you, or any legal entity that you are a part of, **ever** had an application for a license, permit, or certificate **denied or cancelled** by the OLCC or any other governmental agency in the U.S.?

No Yes (Please include explanation below) Unsure (Please include explanation below)

18. Are you applying for a Full On-Premises, Limited On-Premises, Off-Premises, or Brewery-Public House license?

No Please skip questions 19 & 20. Go directly to question 21.

Yes Please answer questions 19, 20, and 21.

19. Do you or will you have any ownership interest in a business that manufactures, wholesales, or distributes alcohol in Oregon or another U.S. state?

No Yes (Please include explanation below) Unsure (Please include explanation below)

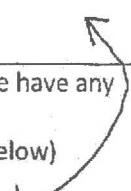
Brewing Beer/Ale under the registered trade name What'cha Brewing

20. Does or will an alcohol manufacturer, wholesaler, or distributor in Oregon or another U.S. state have any ownership interest in your business?

No Yes (Please include explanation below) Unsure (Please include explanation below)

KL

FR



21. Do you currently have, or will you have, any ownership interest in any business in Oregon with a Full On-Premises, Limited On-Premises, Off-Premises, or Brewery-Public House license?

No Yes (Please include explanation below) Unsure (Please include explanation below)

Jerry's Place - owner

You must sign your own form. Another person, like your attorney or a person with power of attorney, may not sign your form. I affirm that my answers are true and complete. I understand the OLCC will use the above information to check my records, including but not limited to, criminal history. I understand that if my answers are not true and complete, the OLCC may deny my license application.

Name: (LAST)

Engel

(FIRST)

Karl

(MIDDLE)

Evan

Signature:

Date:

4/2/18



OREGON LIQUOR CONTROL COMMISSION
INDIVIDUAL HISTORY FORM

1. Name: (LAST) <i>Engel</i>	(FIRST) <i>Janet</i>	(MIDDLE) <i>Rose</i>
2. Other Names Used (Maiden, Etc.): <i>Bosch</i>		
3. Do you have a Social Security Number (SSN) issued by the U.S. Social Security Administration? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, please provide your SSN: _____		
<p>SOCIAL SECURITY NUMBER DISCLOSURE: As part of your application for an initial or renewal license, Federal and State laws require you to provide your Social Security Number (SSN) to the Oregon Liquor Control Commission (OLCC) for child support enforcement purposes (42 USC § 666(a)(13) & ORS 25.785). If you are an applicant or licensee and fail to provide your SSN, the OLCC may refuse to process your application. Your SSN will be used only for child support enforcement purposes unless you indicate below.</p> <p>Based on our authority under ORS 471.311 and OAR 845-005-0312(6), we are requesting your voluntary consent to use your SSN for the following administrative purposes only: to match your license application to your Alcohol Server Education records (where applicable), and to ensure your identity for criminal records checks. OLCC will not deny you any rights, benefits or privileges otherwise provided by law if you do not consent to use of your SSN for these administrative purposes (5 USC § 552(a).</p> <p>Do you voluntarily consent to the OLCC's use of your SSN as just described? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>		
4. Date of Birth (MM/DD/YYYY): _____	Contact Phone: _____	
6. Driver License or State ID #: _____	7. State: _____	
8. Residence Address: _____		
9. Mailing Address (if different): _____		
10. E-Mail (optional): _____		
11. Do you have a spouse of domestic partner? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list his/her full name: <i>Karl Eran Engel</i>		
12. If yes to #11, will this person be involved in the management of, or have control over the business? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		
13. In the past 10 years, have you been convicted ("convicted" includes paying a fine) in Oregon or another U.S. state of driving a car with a suspended driver license or driving a car with no insurance? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (Please include explanation below) <input type="checkbox"/> Unsure (Please include explanation below)		
14. In the past 10 years, have you been convicted ("convicted" includes paying a fine) in Oregon or another U.S. state of a FELONY ? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (Please include explanation below) <input type="checkbox"/> Unsure (Please include explanation below)		
15. Have you ever been in a drug or alcohol diversion program in Oregon or another U.S. state? A diversion program is where you are required, usually by the court or another government agency, to complete certain requirements in place of being convicted of a drug or alcohol-related offense. <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (Please include explanation below) <input type="checkbox"/> Unsure (Please include explanation below)		

16. Do you, or any legal entity that you are a part of, currently hold or have previously held a liquor license or a recreational marijuana license in Oregon or another U.S. state? (Note: alcohol service permits and marijuana worker permits are not liquor licenses).

No Yes (Please include explanation below) Unsure (Please include explanation below)

*Jerry's Place - owner
88274 Rhododendron Dr.
Florence OR 97439*

17. Have you, or any legal entity that you are a part of, ever had an application for a license, permit, or certificate denied or cancelled by the OLCC or any other governmental agency in the U.S.?

No Yes (Please include explanation below) Unsure (Please include explanation below)

18. Are you applying for a Full On-Premises, Limited On-Premises, Off-Premises, or Brewery-Public House license?

No Please skip questions 19 & 20. Go directly to question 21.
 Yes Please answer questions 19, 20, and 21.

19. Do you or will you have any ownership interest in a business that manufactures, wholesales, or distributes alcohol in Oregon or another U.S. state?

No Yes (Please include explanation below) Unsure (Please include explanation below)

Brewing Beer/Ale under the registered trade name What'cha Brewing.

20. Does or will an alcohol manufacturer, wholesaler, or distributor in Oregon or another U.S. state have any ownership interest in your business?

No Yes (Please include explanation below) Unsure (Please include explanation below)

21. Do you currently have, or will you have, any ownership interest in any business in Oregon with a Full On-Premises, Limited On-Premises, Off-Premises, or Brewery-Public House license?

No Yes (Please include explanation below) Unsure (Please include explanation below)

Jerry's Place - owner

You must sign your own form. Another person, like your attorney or a person with power of attorney, may not sign your form. I affirm that my answers are true and complete. I understand the OLCC will use the above information to check my records, including but not limited to, criminal history. I understand that if my answers are not true and complete, the OLCC may deny my license application.

Name: (LAST)

Engel

(FIRST)

Jannet

(MIDDLE)

Rose

Signature:

Jannet R Engel

Date:

4-2-18



OREGON LIQUOR CONTROL COMMISSION BUSINESS INFORMATION

Please Print or Type

Applicant Name: Karl Engel Phone: 360 640 4214

Trade Name (dba): Jerry's Place / What'cha Brewing

Business Location Address: 88274 Rhododendron Dr.

City: Florence OR ZIP Code: 97439

DAYS AND HOURS OF OPERATION

Business Hours:

Sunday	<u>10A</u> to <u>11P</u>
Monday	<u>11</u> to <u>11</u>
Tuesday	<u>11</u> to <u>11</u>
Wednesday	<u>11</u> to <u>4</u>
Thursday	<u>11</u> to <u>11</u>
Friday	<u>11</u> to <u>12A</u>
Saturday	<u>11</u> to <u>12</u>

Outdoor Area Hours:

Sunday	<u>10A</u> to <u>11P</u>
Monday	<u>11</u> to <u>11</u>
Tuesday	<u>11</u> to <u>11</u>
Wednesday	<u>11</u> to <u>11</u>
Thursday	<u>11</u> to <u>11</u>
Friday	<u>11</u> to <u>12A</u>
Saturday	<u>11</u> to <u>12</u>

The outdoor area is used for:

Food service Hours: 10A to 12A
 Alcohol service Hours: ↓ to ↓
 Enclosed, how 6' Fence

The exterior area is adequately viewed and/or supervised by Service Permittees.

(Investigator's Initials)

Seasonal Variations: Yes No If yes, explain: _____

ENTERTAINMENT

Check all that apply:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Live Music | <input checked="" type="checkbox"/> Karaoke |
| <input type="checkbox"/> Recorded Music | <input type="checkbox"/> Coin-operated Games |
| <input type="checkbox"/> DJ Music | <input checked="" type="checkbox"/> Video Lottery Machines |
| <input type="checkbox"/> Dancing | <input type="checkbox"/> Social Gaming |
| <input type="checkbox"/> Nude Entertainers | <input checked="" type="checkbox"/> Pool Tables |
| | <input checked="" type="checkbox"/> Other: <u>Dart Board</u> |

DAYS & HOURS OF LIVE OR DJ MUSIC

Sunday	_____ to _____
Monday	<u>6</u> to <u>9 pm</u>
Tuesday	_____ to _____
Wednesday	_____ to _____
Thursday	_____ to _____
Friday	_____ to _____
Saturday	_____ to _____

SEATING COUNT

Restaurant: _____ Outdoor: 19
 Lounge: 32 Other (explain): 27 pool room
 Banquet: _____ Total Seating: 73

OLCC USE ONLY	
Investigator Verified Seating: _____ (Y) _____ (N)	
Investigator Initials: _____	
Date: _____	

I understand if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: Karl Engel Date: 4/2/18

AGENDA ITEM SUMMARY
FLORENCE CITY COUNCIL

ITEM NO: 5
Meeting Date: April 16, 2018
Department: Planning

ITEM TITLE: Ordinances 2 & 3, Series 2018: Public Hearing
Harbor Vista Campground Annexation and Zone Assignment

DISCUSSION/ISSUE:

Note: The Findings of Fact are the same for the Annexation (Ord. 2 – Exhibit B) and the Zoning Assignment (Ord. 3 – Exhibit B).

Proposal Summary:

Annexation: One developed property and three rights-of-way are under consideration:

- **Property:** 87658 Harbor Vista Rd. (Harbor Vista Campground)
- **Rights-of-way:** abutting S. Harbor Vista Dr., North Jetty Rd. abutting and east to Rhododendron Dr. and all of Harbor Vista Rd. (all formerly County Rd. 1301)

Zoning: The property and Harbor Vista Rd., South Harbor Vista Dr., & abutting North Jetty Rd. would be assigned Open Space Zoning with a Natural Resource Conservation Management Unit Overlay, and remaining (east of campground) North Jetty Rd. would be assigned Single Family Residential Zoning corresponding to their Florence Realization 2020 Comprehensive Plan designations of Public and Medium Density Residential, respectively.

Process: Petition to annex was received from the applicant on January 2, 2018. Since the sole property owner of the territory submitted a petition to annex into the City, 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 held a public hearing on March 27, 2018 and unanimously approved Resolutions PC 18 01 ANN 01 and PC 18 02 ZC 01, recommending approval of the annexation and zone assignments, 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 is also called the triple majority method. 100% of the property owners owning all of the land and all of the assessed value consented to annexation prior to the Council hearing date.

Access & Utilities: The applicant has submitted an agreement related to connection of sewer services as part of a larger project for this and other properties in the vicinity. Construction of sewer is underway to extend east along South Harbor Vista Dr. connecting to Rhododendron Dr. Referral comments were provided by Mike Miller, Public Works Director explaining the project design and evidencing considerable extra capacity in the sewer system for the campground's needs. (Exhibit "C")

Water will continue to be provided by Heceta Water People's Utility District. Fire services will be provided by Siuslaw Valley Fire and Rescue.

Public Safety will be transferred from the Lane County Sheriff's office to the Florence Police Department. Chief Tom Turner submitted referral comments evidencing the department's capacity to expand from the emergency response services currently provided to patrol services. (Exhibit "C")

Vehicular access is available and present from both South Harbor Vista Dr. and North Jetty Rd. The adjacent portions of the streets are proposed to be annexed. Upon their annexation, the roads will be within city limits but will not jurisdictionally transfer to the City for maintenance and access permitting. Future development of this parcel will require compliance with City of Florence development criteria. Transfer of the maintenance jurisdiction of the roadways will not be sought due to the rural construction standard of the roadways and exclusive campground use in the case of Harbor Vista Road. Under a separate process South Harbor Vista Dr. is presently being considered for jurisdictional transfer to the City for maintenance and access permitting.

FISCAL IMPACT:

The property is developed. Therefore, the applicant will pay sewer systems development charges as well as utility connection fees upon connection to sewer services. New or expanded development will be subject to additional SDCs at the time of building permit issuance or expansion of use.

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 Nos. 2 & 3, Series 2018, as presented or with modifications; or
 2. Deny the petition for annexation and zone assignment through resolution with reasons for the denial; or
-

3. Continue the public hearing or leave the written record open.

RECOMMENDATION:

Planning Commission: On March 27th, the Planning Commission recommended approval of the annexation and zone assignments as presented in Ordinances 2 & 3, Series 2018.

Staff: Concurs with Planning Commissions' recommendation.

AIS PREPARED BY: Wendy FarleyCampbell, Planning Director

CITY MANAGER'S Approve Disapprove Other

RECOMMENDATION: Comments: *ERReynolds*

ITEM'S ATTACHED:

Ordinance No. 12, Series 2018
Exhibit A1 Map of Annexation Area
Exhibit A2 Property Description
Exhibit B Findings of Fact
Exhibit C Referral Comments Received

Ordinance No. 3, Series 2018
Exhibit A Map of Rezoning Area
Exhibit B Findings of Fact

Other Attachments
Attachment 1 Petition for Annexation
Attachment 2 Surveys
Attachment 3 Written Testimony Received

**CITY OF FLORENCE
ORDINANCE NO. 2, SERIES 2018**

AN ORDINANCE APPROVING ANNEXATION OF 87658 HARBOR VISTA ROAD; ASSESSOR'S MAP 18-12-09-00: TAX LOTS 00300 & 00400, HARBOR VISTA RD., SOUTH HARBOR VISTA DR., & ABUTTING NORTH JETTY RD. (ALL FORMER COUNTY RD. 1301) ASSESSOR'S MAP 18-12-10-33: NORTH JETTY RD. (FORMER COUNTY RD. 1301).

RECITALS:

1. The City of Florence was petitioned by the property owner, Steve Mokrohisky, County Administrator on behalf of the Lane County Commissioners for Lane County, on January 2, 2018 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. A signed petition to annex was received constituting 100% of the property owners of the lots included in the petition for annexation and there were no 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 a public hearing on March 27, 2018 after giving the required notice per FCC 10-1-1-6 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 they adopted findings of fact in support of the annexation.
9. The City Council met on April 16, 2018 after giving the required notice per FCC 10-1-1-6, to consider the proposal, evidence in the record, and testimony received.
10. The City Council on April 16, 2018 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. 3, Series 2018 zoning the annexed property and streets to Open Space and Single Family Residential 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 petitioner 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 16th day of April 2018.

Second Reading on the 16th day of April 2018.

This Ordinance is passed and adopted on the 16th day of April, 2018.

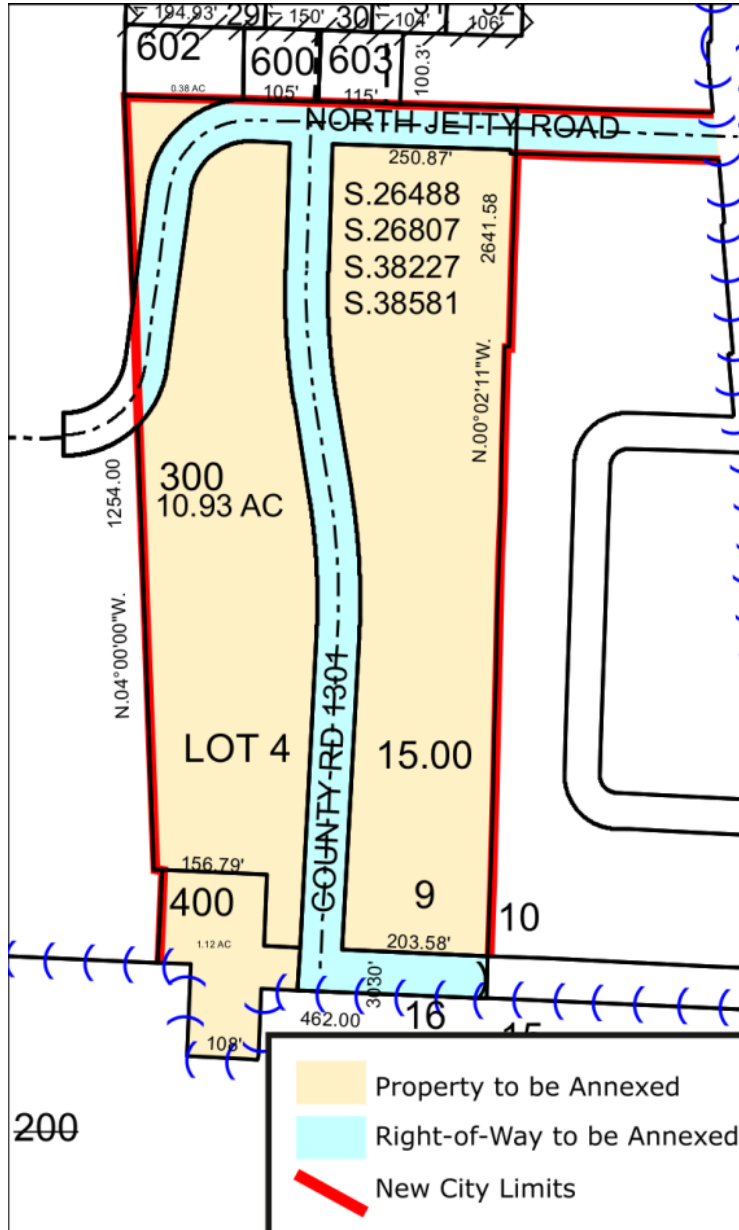
AYES Councilors:
NAYS
ABSTAIN
ABSENT

Joe Henry, Mayor

Attest:

Kelli Weese, City Recorder

Ordinance 2, 2018– Harbor Vista Campground Annexation EXHIBIT A1



87658 Harbor Vista Road – Assessor’s Map 18-12-09-00-00300 & 400 Harbor Vista Rd., South Harbor Vista Dr., & Abutting North Jetty Rd. (Former County Rd. 1301) Assessor’s Map 18-12-10-33: North Jetty Rd. (Former County Rd. 1301)

HARBOR VISTA ANNEXATION

LEGAL DESCRIPTION

The purpose this legal description is to describe the annexation area of Lane County Owned Park Land known as Harbor Vista Park. The basis of this legal description was constructed from County Survey File No. 18759, Lane County Surveyor's Office, Lane County, Oregon and the most recent Lane County Department of Assessment and Taxation cadastral maps. The legal description is based on the procedures required under ORS 308.225. All bearings, distances and calls (metes and bounds), or aliquot parts (sectional division of the public land system) are made from said survey and cadastral. It is assumed that the survey and cadastral maps are of sufficient accuracy for the purposes it will serve and not as a record of survey or a survey grade legal description.

The Harbor Vista Annexation is located in Sections 9, 10, 15 and 16, Township 18 South, Range 12 West of the Willamette Meridian, in Lane County, Oregon; and is more particularly described as follows:

Beginning at the Southeast corner of Section 9, Township 18 South, Range 12 West of the Willamette Meridian, said point being a common corner to Sections 10, 15 and 16 of said Township and Range; Thence along the east line of Government Lot 4 of said Section, North $0^{\circ} 53' 48''$ West, 1131.89 Feet to the south right of way line of County Road Number 1301, also known as North Jetty Road; Thence along the southern boundary of said County Road Number 1301, North $89^{\circ} 15'$ East, 292.71 feet, more or less, to the westerly line of Rhodendron Drive, said point also being on the west boundary of the City of Florence; Thence along the west line of said right of way and city boundary, North $7^{\circ} 25'$ West, 60.39 feet, more or less to the intersection of the west right of way line of Rhodendron Drive and the North right of way line of said County Road Number 1301; Thence following along the north right of way line of said County Road Number 1301 and its extension, South $89^{\circ} 15'$ West, 652.72 feet, more or less to the meander line of the Pacific Ocean; Thence along said meander line, South $4^{\circ} 00'$ East, 1,254 feet, more or less to the line common to Section 9 and Section 16, in said Township and Range; Thence along said common line, East 47.70 feet; Thence, South 130.0 feet; Thence, East, 100 feet; Thence, North 100 feet to the westerly extension of the south right of way line of County Road Number 1301, also known as South Harbor Vista Drive; Thence along the westerly extension of the southerly right of way line, West 314.05 feet, more or less to the line common to Section 16 and Section 15 of said Township and Range; Thence along said

common line, north to the corner common to Section 9, Section 10, Section 15 and Section 16 of Township 18 South, Range 12 West of the Willamette Meridian, said point being the beginning of this description, all in Lane County Oregon

(The above bearings, distances and calls are based on County Survey File No. 18759, Lane County Surveyor's Office, Lane County, Oregon)

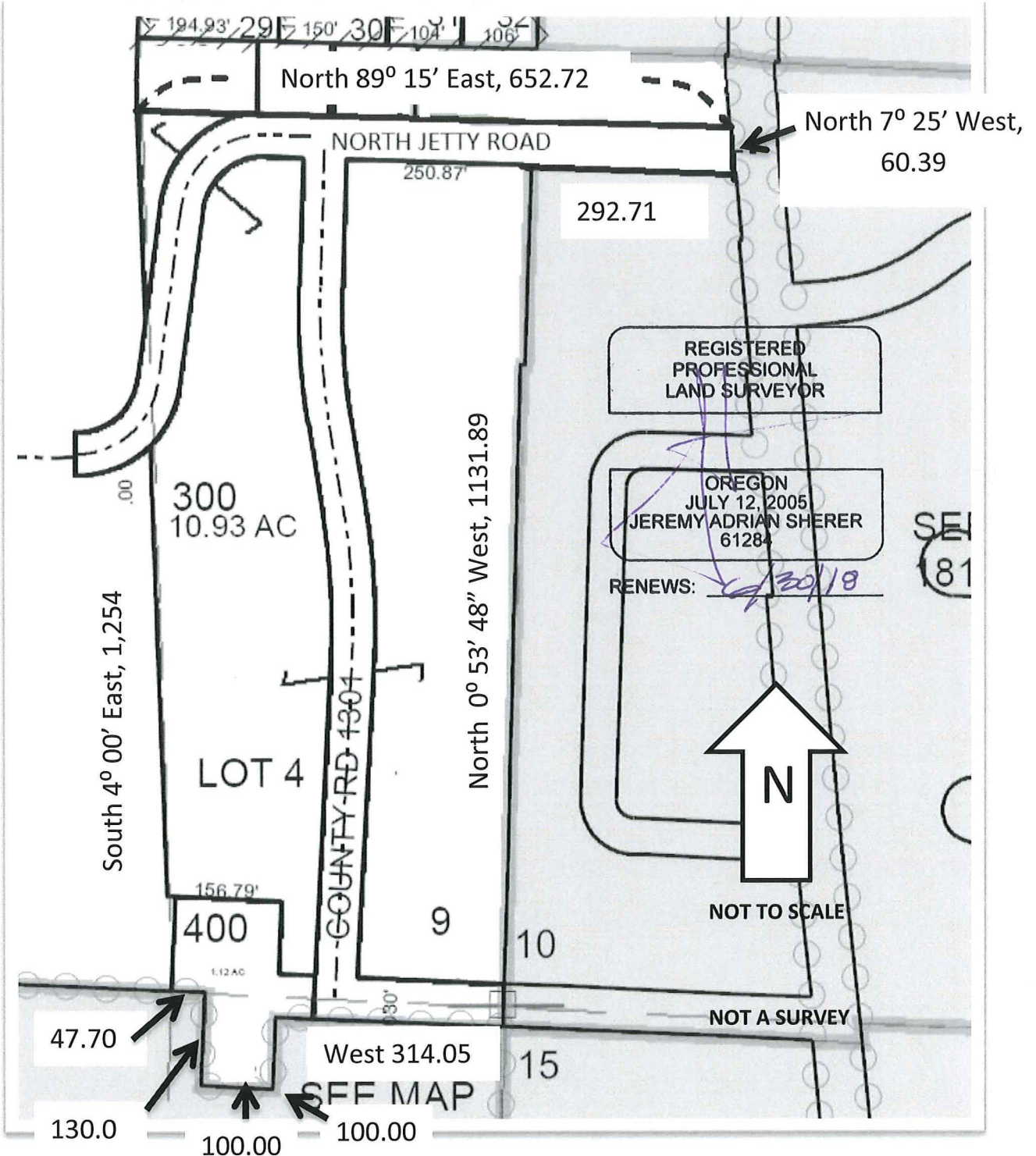
<i>Prepared</i>	<i>Jeremy A. Sherer, PLS, Engineering Associate, LCPW 1/25/2018)</i>	<i>Version</i>	
<i>Reviewed</i>			

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 12, 2005
JEREMY ADRIAN SHERER
61284

RENEWS: 6/30/18

HARBOR VISTA ANNEXATION MAP



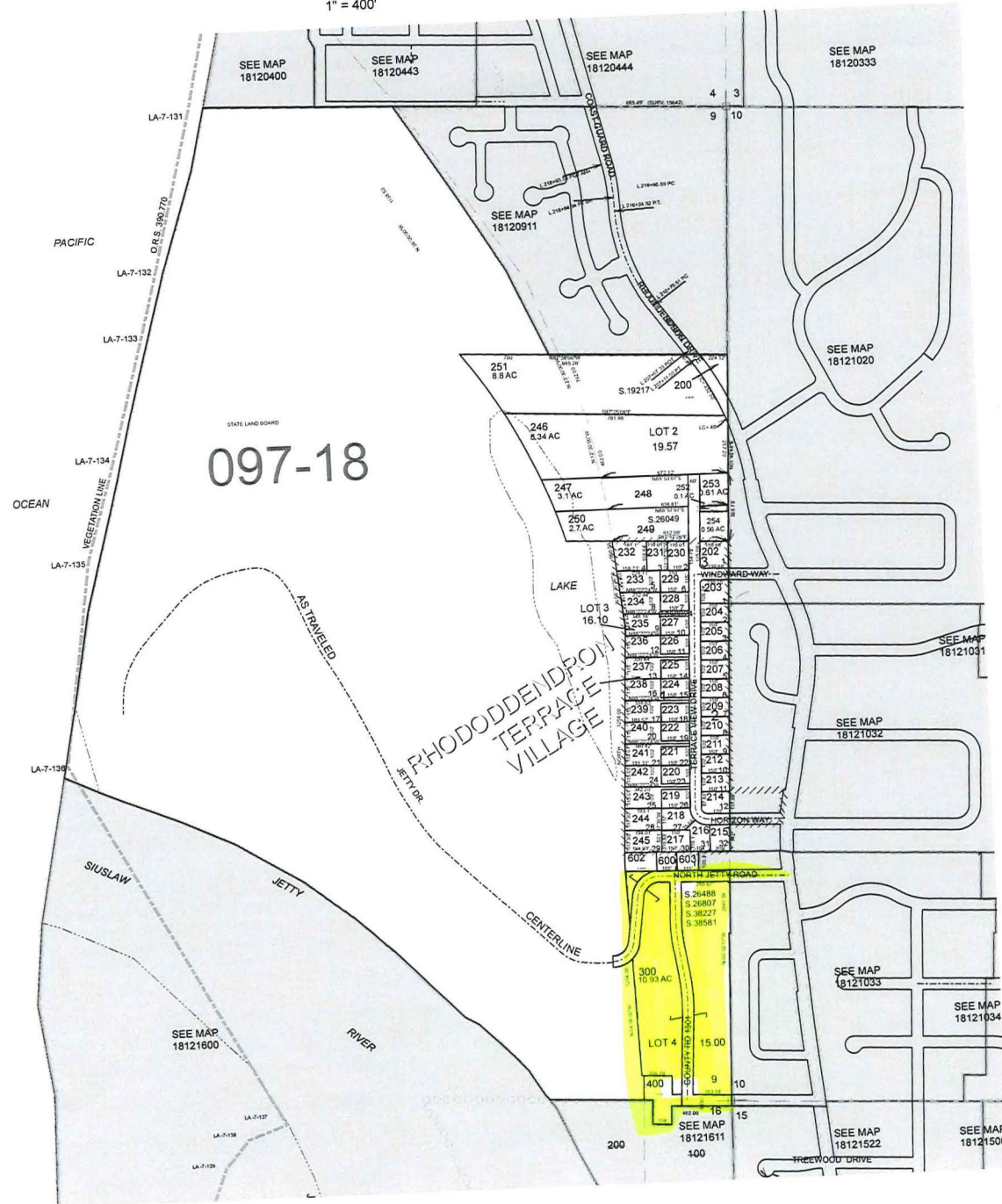
FOR ASSESSMENT AND TAXATION ONLY

SECTION 9 T.18S. R.12W. W.M.
Lane County
1" = 400'

18120900
FLORENCE

LCATJCG - 2017-03-21 16:47

CANCELLED
248
249
601



REVISIONS:
 10/01/2004 - LCAT130 - UPDATE CODES TO 1999 STATUS GIS
 10/18/2005 - LCAT130 - CONVERT MAP TO GIS
 10/19/2005 - LCAT130 - LIA BETWEEN TL 600 AND 3700 (18121033)
 10/19/2005 - LCAT130 - SEG 600 O D 603
 10/19/2005 - LCAT130 - LIA BETWEEN TL 600 & 603
 09/14/2006 - LCAT130 - CHANG TL 100 INTO 18120911/1031/08
 07/11/2007 - LCAT115 - ADDED RHODODENDRON DRIVE LABEL
 04/09/2007 - LCAT113 - MAP CORR TL 3000
 01/15/2011 - LCAT155 - NTL 254 OUT OF 302

FLORENCE
18120900

194.93' 29°E 150' 30" E 104' 106'

602

600

603

0.38 AC

105'

115'

100.3'

NORTH JETTY ROAD

CENTERLINE

S.26488
S.26807
S.38227
S.38581

250.87'

2641.58
N.00°02'11"W.

1254.00

300
10.93 AC

N.04°00'00"W.

LOT 4

15.00

COUNTY RD 4304

156.79'

400

1.12 AC

9

203.58'

10

462.00

16

15

108'

SEE MAP
18121611

SEE MAP
18121033

SEE MAP
18121500

200

**FINDINGS OF FACT
Ordinances 2 & 3 Series 2018 Exhibit “B”**

Public Hearing Date: April 16, 2018

I. PROPOSAL DESCRIPTION

Proposal: Annexation
A request from Lane County to annex property 87658 Harbor Vista Rd. and abutting S. Harbor Vista Dr. and all of North Jetty Rd. and Harbor Vista Rd. (all formerly County Rd. 1301) from Lane County into the City of Florence.

Rezoning
Upon annexation, the property requires zoning assignment. The corresponding zoning district matching the campground property and Harbor Vista Road, S. Harbor Vista Drive and a portion of North Jetty Road to Open Space District with a Natural Resource Conservation Management Unit Overlay corresponding to the Public comprehensive plan designation. North Jetty Road east of the park is proposed to be zoned Single Family Residential to correspond with the Medium Density comprehensive plan designation.

Applicant: Lane County (Designees: Keir Miller, Planning Supervisor; Charlie Conrad, Interim Park Dir.)

Property Owner/Petitioner & Associated Property (described in Exhibits A1 & 2):

Petitioner: Steve Makrohisky, County Administer on behalf of the Lane County Board of Commissioners for Lane County
Map Reference 18-12-09-00: Tax Lots 00300 & 00400 (87658 Harbor Vista Road), Harbor Vista Rd., South Harbor Vista Dr., & abutting North Jetty Rd. (former County Rd. 1301);
Map Reference 18-12-10-33: North Jetty Rd. (former County Rd. 1301)

Comprehensive Plan Map Designation: Medium Density (18-12-10-33: N. Jetty Rd.), Public (18-12-09-00: Tax Lots 00300 & 00400 (87658 Harbor Vista Rd.), Harbor Vista Rd., South Harbor Vista Dr., & abutting North Jetty Rd. (former County Rd. 1301))

Surrounding Land Use / Zoning:

Sites: 87658 Harbor Vista Road / Park and Recreation (PR) (Natural Resources Conservation District Overlay (NRC))
North: Single-family residences / Suburban Residential / Mobile Home District (RA) (Interim Urban Combining District (U) & NRC)
East: Single-family residences / RA / U
West: North Jetty park land / PR / Beaches & Dunes (BD) & NRC Overlays

South: Single-family residences / Restricted Residential (City jurisdiction)

Streets / Classification: West & North – North Jetty Rd. / Local; South – S. Harbor Vista / Local & Shoreline Dr. / Local (private) East Parkside Dr. / Local

II. NARRATIVE

The applicant has petitioned for the annexation of the Harbor Vista Campground and surrounding street network from Lane County jurisdiction to City of Florence jurisdiction. The County Administrator on behalf of the Lane County Commissioners signed the petition for annexation. There are no electors residing on the property. The petition was received on January 2, 2018. After receiving the legal property description on January 26, 2018 the application was deemed complete effective January 26, 2018.

State law requires signatures from at least 50% of the property owners and electors of the subject property to petition for annexation without an election. The City received a signed petition from County Administrator Steve Makrohisky representative for Lane County. There are no electors. The annexation and zoning assignment will be processed as a quasi-judicial zone amendment with a hearing.

The property is currently served by Heceta Water People's Utility District. Water services will continue to be served by Heceta PUD. After annexation the property will be served with City sewer service from the east via South Harbor Vista Drive. The property is and will remain within the Siuslaw Rural Fire Protection District.

III. PUBLIC NOTICE

Notice of the Planning Commission's public hearing was mailed on March 6, 2018 to property owners within 300 feet of the proposed annexation and rezone areas and posted on the site. Notice was published in the Siuslaw News on March 14 and 21, 2018. On March 6, 2018 notices were posted at Public Works, Florence Post Office, Florence Justice Center, and the Siuslaw Public Library.

Notice of the City Council's public hearing was published in the Siuslaw News on April 4 and 11, 2018. On April 4, 2018 notices were posted at the site and at Public Works, Florence Post Office, Florence Justice Center, and the Siuslaw Public Library.

Public Comments:

At the date of publishing this report, the City had received the following comments:

Leah Patten, dated March 27, 2018. Ms. Patten provided verbal testimony on March 27, 2018 at the Planning Commission hearing concerning the following topics: no policy has been set by Resolution or Ordinance supporting "no forced annexation", Florence' comprehensive plan supports dredging wetlands and placing a marina at the base of the campground in the Estuary, poor maintenance of roads to be

annexed, and inconsistent “property” line illustrating the western extent of the annexation boundary on the exhibits.

Staff Comment: The application includes only property for which a petition for annexation was received. The area west of the campground is zoned Natural Estuary and is not proposed for annexation at this time. Lane County proposes to keep jurisdiction of the annexed roads at this time and thus will continue maintenance. Florence is in the process of transferring jurisdiction of South Harbor Vista Dr. to the City under a separate process. The western extent of the annexation is the meander line of the Pacific Ocean as it abuts the properties petitioned for annexation. Due to differences in technology with creating the various exhibits the line can appear differently. The metes and bounds property description is the instrument representing the actual location of the annexation boundaries.

Michael Allen, dated April 5, 2018. Mr. Allen requests the sewer lines presently be installed be extended to serve the ADA camping spaces or that other site pads planned to receive sewer services be converted to ADA spaces.

Annexation considers the city’s capacity to provide sewer service to properties petitioned for annexation. Capacity is available. Connection to those services from a site and distribution throughout the site is a development issue subject to the provisions of the Oregon Building Codes (plumbing) and possibly those of the Department of Justice related to Americans with Disabilities Act.

IV. REFERRALS

On March 8, 2018, referrals were sent to the Florence Public Works, and Police Departments; Lane County Transportation, Surveyor, Land Management and Environmental Health Departments; DLCDC; U.S. Post Office; Charter Communications; Century Link; Coastcom; Central Lincoln PUD; Heceta Water PUD; Central Coast Disposal; Country Transfer and Recycling; and Siuslaw Valley Fire and Rescue.

Referral Comments:

At the date of publishing this report, the City had received the following comments:

Tom Turner, Chief of Florence Police Dept. dated March 20, 2018

“The Florence Police Department has the capacity to provide police response to the Harbor Vista Park if incorporated into the City of Florence. We provide 24 hour a day/365 day(s) a year full police coverage for the Community of Florence. Currently FPD responds to the surrounding areas, outside our jurisdiction (as part of a mutual aid agreement) at this time to provide emergency police response if needed for Lane County Sheriff’s Office or the Oregon State Police. We have been operating in this capacity for many years. Incorporating this new area would not be extending our services or capacity as we already respond to many of the surrounding properties, both in and out of the City of Florence, as a normal course of our business.”

Mike Miller, Public Works Department, dated March 20, 2018

“Harbor Vista Campground is located within the city of Florence wastewater treatment service area. Community sanitary sewer treatment in regulatory compliance can serve the site. We have estimated that the campground will have an average daily flow of 10,080 gallons and a peak hour flow of 1,500 gallons.

Total sewer system capacity is currently 1.3 million gallons per day (mgd) dry weather flow. Our current average dry weather flow is 0.745 mgd, which equates to 0.555 mgd of excess flow capacity. The campground will only utilize 0.01 mgd of the current excess capacity.

Regarding providing sanitary sewer service to Harbor Vista Campground, staff believes that the proposed project will provide opportunities for other surrounding homeowners that desire sanitary sewer service from the City. The Harbor Vista Campground sewer collection system project that is currently under construction will provide a gravity collection system with a regional sewer pump station to connect to the City’s existing pressure sewer system within Rhododendron Drive. As mentioned, the regional sewer pumping facility within Harbor Vista Campground has been sized to accommodate a much larger drainage basin than just the campground itself. The approximate limits of the drainage basin extends from Limpit Lane to the east, Treewood Street to the south and Saltaire to the north. Providing easy access to sanitary sewer will simulate economic opportunities such as these new dwellings.

When looking at the ‘drainage basin’ for this area, the system has been designed to handle an average daily flow rate of 38,880 gallons per day with a peak hourly demand of 5,760 gallons. Again, the City currently has excess capacity to accommodate the sewer needs of this area.

Without going into great detail, it is the policy of the city of Florence to provide sanitary sewer service to any property within the City’s wastewater service area. However, the property owner(s) are to pay for sewer main extension, manholes, construction, connection fees, engineering fees, street opening permits and any other fees necessary for the connection to the public sewer system for the project.”

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 14: Urbanization, Policies 1, and 3 through 7

Zone Assignment

Florence Realization 2020 Comprehensive Plan

Chapter 17: Coastal Shorelands; Ocean, Estuary, and Lake Shorelands; Policies 10 & 14, and References to Management Unit #50

Florence City Code (FCC)

Title 10: Zoning Regulations

Chapter 1: Zoning Regulations, Sections 10-1-1-6-4, 10-1-2-3, and 10-1-3

Chapter 11: Single Family Residential

Chapter 19: Estuary, Shorelands, and Beaches and Dunes; Section 10

Chapter 22: Open Space District; Sections 2 & 3

VI. FINDINGS OF FACT

The following findings support Ordinances 2 & 3, Series 2018 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 14: Urbanization

Goal

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

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 and 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 is not surrounded by the corporate boundaries of the city but rather contiguous with the Florence city limits on the south and a part of the east sides. Additionally, all properties to be annexed were petitioned by the owner.

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, streets, fire and police protection, power, and communications. The annexation area is within the Florence urban growth boundary (UGB) and is contiguous to existing City limits via properties and right-of-way to the east and south; it is, therefore, an orderly transition from rural to urban land uses. 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 Director, Mike Miller has evaluated the impact of the existing 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. Service will be provided via a new line in S. Harbor Vista Dr. connecting to the existing line in Rhododendron Dr. Detailed capacity is outlined in the referral testimony exhibit.

Water: The developed property is currently served and will continue to be served by Heceta Water Public Utility District.

Stormwater: There will be no change in the handling of stormwater upon annexation.

Streets: The properties are accessed via North Jetty Road and S. Harbor Vista Dr. and served by Harbor Vista Road all of which are under Lane County jurisdiction. All are local streets serving local traffic, which it currently does to the pre-existing annexing area. The existing and any future usage (vehicular trips) made available by annexation and zone change can be accommodated by the surrounding streets.

Improvements to the adjacent street will be accomplished in conjunction with improvements to the property.

The City is not requesting maintenance transfer of North Jetty Road or Harbor Vista Road at this time. South Harbor Vista Dr. is currently in process for transfer to City maintenance jurisdiction.

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. Hydrant availability is discussed under the "Water" section above.

Police: Once annexed, the City will provide public safety services. Chief Turner Florence Chief of Police responded to the referral that the Florence Police Department has the capacity to serve the annexed area and will patrol and respond to calls for the subject property. More detailed capacity is outlined in the referral testimony exhibit.

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 March 9, 2017. No comments were received.

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 sent referral requests to Heceta Water Public Utility District on March 9, 2017. No comments were received.

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

The applicant of the developed property will be required to pay a sewer and storm systems development charge and a share of project costs to extend services where they do not currently exist. On the developed property, the impact to the supporting street systems is pre-existing; therefore, no other systems development charges will be required at this time. Any undeveloped property and expansions to developed property will be charged systems development charges commensurate with their impacts on the systems.

- 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 property, with the exception of maintenance and access off North Jetty Road and Harbor Vista Road, which will continue to be maintained by Lane County.

CHAPTER 17: COASTAL SHORELANDS OCEAN AND LAKE SHORELANDS

POLICIES

- 10. Existing visual and physical access points in the UGB shall be retained (see Table 17.1). The City, in coordination with the Parks and Recreation Division, shall develop and implement a program to provide increased public access to Coastal Shorelands. Existing public ownerships, rights of way, and similar public easements in Coastal Shorelands which provide access to or along coastal water shall be retained or replaced if sold, exchanged or transferred. Rights of way may be vacated to permit redevelopment of shoreland areas provided public access across the affected site is retained.**

Table 17.1 Excerpt:

Access Points Within the UGB Currently Outside City Limits:

- A. Harbor Vista Park (West of Rhododendron Street) Access to river, scenic view**
- B. North Jetty Access to river and ocean beach**

- 14. In Natural Resources Conservation Management Units, the following additional policies shall apply:**

- a. For Shorelands in the Natural Resources Conservation MU within the Florence UGB, implementation requirements in Lane Code Chapter 10 Overlay Zoning Districts shall apply outside city limits, and the Natural Resource Conservation Overlay Zoning District in Florence City Code Title 10 Chapter 19 shall apply inside city limits.**

Management Unit #50 consists of property owned by the U.S. Army Corps of Engineers, Harbor Vista County Park, and State-owned property that extends north from the north jetty and includes the deflation plain.

Harbor Vista Campground will have the Natural Resource Conservation Overlay applied once annexed in accordance with Policy 14 and supported by the rationale in Management Unit #50. The campground is pre-existing. Future development will require review under the policies listed in Title 10 Chapter 19 Natural Resources Conservation Management Unit Overlay. Lane County is the owner of the campground and maintenance agency for North Jetty Rd., Harbor Vista Rd. and S. Harbor Vista Dr. Lane County has indicated no plans to sell or remove visual or physical access points protected under Policy 10 and listed in Table 17.1 noted above. The proposal as submitted meets policies 10 & 14 of Chapter 17 of the Comprehensive Plan.

OREGON REVISED STATUTES

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 is being conducted in the manner provided by City Charter. All the property proposed for annexation is located within the urban growth boundary of the City of Florence. The Harbor Vista Campground and Harbor Vista Rd. are contiguous to the City from the south (Shelter Cove subdivision) S. Harbor Vista Dr. is contiguous to the City via previously annexed South Harbor Vista Dr., North Jetty Rd. is contiguous to the City via previously annexed Rhododendron Dr. This criterion is met.

(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 property was initiated by petition to the legislative body of the City by the owner of property in the territory to be annexed. This criterion is met.

(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 are county owned and are not subject to property taxes. This criterion does not apply.

(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 (SVFR), which is a rural fire protection district named in ORS 222.510, but not named in ORS 222.465. The annexation area will continue to be served by the SVFR, will not be withdrawn from the Fire District and thus will remain within the Siuslaw Valley Fire and Rescue District. This criterion is met.

(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. 8, Series 2008, adopted by the City Council, the legislative body of the City, on April 21, 2008, expressed 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 100% of the owners of the proposed annexation area, as allowed in ORS 222.170; and there are no electors. Therefore, the criterion to not require an election is met.

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.

(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. 8, Series 2008 expressed the City Council's intent to dispense with annexation elections whenever permitted by ORS Chapter 222. Public hearings on all annexations were held allowing City electors to be heard on the annexation. Consistent with the resolution, the City Council held a duly advertised public hearing on April 16, 2018, after receiving a recommendation from the Planning Commission following their public hearing on March 27, 2018. The electors of the City could appear and be heard on the question of annexation at those public hearings. This criterion is met.

(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 March 14 and 21, 2018. Public noticing for the City Council public hearing, the City legislative body, was published in the Siuslaw News April 4 and 11, 2018. Notices were posted on the property and in four public places in the City at Public Works, Justice Center, Siuslaw Public Library, and Post Office on March 6, 2018 and again on April 4, 2018.

(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 proposed annexation is contiguous to the City limits as follows: south abutting Shelter Cove subdivision, S. Harbor Vista Dr. via previously annexed S. Harbor Vista Dr., North Jetty Rd. via previously annexed Rhododendron Dr. The City Council held a public hearing on the annexation request on April 16, 2018. The Ordinance passed and states as required

under (b) showing that the landowners consented in writing to the annexation consistent with ORS 222.170. This criterion is met.

(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 is 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.”

Written consent was received by the City on a petition for annexation of real property owned by Lane County. This criterion was met.

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.

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

(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 within the proposed annexation area. The written consent/petition was signed and received before the City Council held the required public hearing required by ORS 222.120. This criterion is met.

(4) Real property that is publicly owned, is the right of way for a public utility, telecommunications carrier as defined in ORS 133.721 or railroad or is exempt from ad valorem taxation shall not be considered when determining the number of owners, the area of land or the assessed valuation required to grant consent to annexation under this section unless the owner of such property files a statement consenting to or opposing annexation with the legislative body of the city on or before a day described in subsection (1) of this section.

Lane County owned property is the only property under consideration for annexation. They have petitioned for annexation of the property and roads. Therefore the exclusion language offered by this criterion does not apply.

FLORENCE CITY CODE

TITLE 10: CHAPTER 1: ZONING ADMINISTRATION

10-1-1-6: TYPES OF REVIEW PROCEDURES:

10-1-1-6-4: TYPE IV PROCEDURE (LEGISLATIVE)

D. Notice of Hearing:

1. **Required hearings. A minimum of two hearings, one before the Planning Commission and one before the City Council, are required for all Type IV applications (e.g., re-zonings and comprehensive plan amendments).**

The applicant has proposed an annexation and zoning assignment for their property. There will be at least two public hearings as part of this process.

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 property's Comprehensive Plan (Public and Medium Density Residential) designation are Open Space and Single Family Residential. The properties zoned Open Space will also have the Natural Resource Conservation Management Unit Overlay. These zones will be assigned upon approval of the request from Council and finalization of the annexation process with the county and state.

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 March 27, 2018, the Planning Commission held a public hearing on this annexation request and quasi-judicial zone assignment. On April 16, 2018 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 hearings 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.

TITLE 10: CHAPTER 11: SINGLE FAMILY RESIDENTIAL DISTRICT

10-11-1: PURPOSE: The Single-Family Residential District is intended to provide a quality environment for medium density, urban, single-family residential uses and other compatible land uses determined to be desirable and/or necessary.

North Jetty Road is proposed to be zoned Single Family Residential District for the most eastern portion connecting to Rhododendron Dr. This zone is appropriate as it corresponds to the southerly abutting comprehensive plan designation (Medium Density) assigned to the single family residences served by this local road. No specific policies are applicable under this annexation or zoning proposal related to a street with no development proposal.

TITLE 10: CHAPTER 19: ESTUARY, SHORELANDS, AND BEACHES AND DUNES

10-19-10: Natural Resource Conservation Overlay District (/NRC)

As discussed under Chapter 17 of the Florence Comprehensive Plan policies the property will be located in the NRC management unit overlay. Future development and expansion will be subject to the policies and regulations in this overlay. The existing campground facilities (High-Intensity Recreation, FCC 10-2) and any future expansion would require a conditional use permit under NRC overlay application. No specific policies are applicable under this annexation or zoning proposal.

TITLE 10: CHAPTER 22: OPEN SPACE DISTRICT

10-22-1: PURPOSE: The Open Space District is intended to protect urban open space buffers, park and recreation lands, natural resource lands and lands reserved for later development. This District is intended to be used in conjunction with the Comprehensive Plan. Where, for example, the Plan designates an area for urban development, the application of this District would be interim; when the land became available for development, a rezoning could be considered. Where this Open Space District is consistent with the Plan's land use designation, it is intended that this District would preserve such land permanently in open space use.

The campground and streets serving the campground and the North Jetty Park are plan designated "Public". One of the zone assignments for Public is Open Space. This district is most appropriate for this proposal due to its development as a park and the corresponding NRC zoning protecting the natural resource lands. The existing campground use is a park with developed facilities and thus would require a conditional use permit under this code. Normal expansions are permitted under the conditional use criteria. No specific policies are applicable under this annexation or zoning proposal.

VII. CONCLUSION

The evidence in the record demonstrated that the proposed 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 of fact.

Wendy Farley-Campbell

From: Tom Turner
Sent: Tuesday, March 20, 2018 11:23 AM
To: Wendy Farley-Campbell
Subject: Police Resource

Follow Up Flag: Follow up
Flag Status: Flagged

Wendy, The Florence Police Department has the capacity to provide police response to the Harbor Vista Park if incorporated into the City of Florence. We provide 24 hour a day/365 day(s) a year full police coverage for the Community of Florence. Currently FPD responds to the surrounding areas, outside our jurisdiction (as part of a mutual aid agreement) at this time to provide emergency police response if needed for Lane County Sheriff's Office or the Oregon State Police. We have been operating in this capacity for many years. Incorporating this new area would not be extending our services or capacity as we already respond to many of the surrounding properties, both in and out of the City of Florence, as a normal course of our business. Tom T.

Tom Turner
Chief of Police
tom.turner@ci.florence.or.us
(541) 997-3515

Florence Police Department
900 Greenwood St.
Florence, OR 97439

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Wendy Farley-Campbell

From: Mike Miller
Sent: Tuesday, March 20, 2018 3:54 PM
To: Wendy Farley-Campbell
Subject: Harbor Vista Campground-Sewer Capacity Referral

Hi Wendy,

Harbor Vista Campground is located within the city of Florence wastewater treatment service area. Community sanitary sewer treatment in regulatory compliance can serve the site. We have estimated that the campground will have an average daily flow of 10,080 gallons and a peak hour flow of 1,500 gallons.

Total sewer system capacity is currently 1.3 million gallons per day (mgd) dry weather flow. Our current average dry weather flow is 0.745 mgd, which equates to 0.555 mgd of excess flow capacity. The campground will only utilize 0.01 mgd of the current excess capacity.

Regarding providing sanitary sewer service to Harbor Vista Campground, staff believes that the proposed project will provide opportunities for other surrounding homeowners that desire sanitary sewer service from the City. The Harbor Vista Campground sewer collection system project that is currently under construction will provide a gravity collection system with a regional sewer pump station to connect to the City's existing pressure sewer system within Rhododendron Drive. As mentioned, the regional sewer pumping facility within Harbor Vista Campground has been sized to accommodate a much larger drainage basin than just the campground itself. The approximate limits of the drainage basin extends from Limpit Lane to the east, Treewood Street to the south and Saltaire to the north. Providing easy access to sanitary sewer will simulate economic opportunities such as these new dwellings.

When looking at the 'drainage basin' for this area, the system has been designed to handle an average daily flow rate of 38,880 gallons per day with a peak hourly demand of 5,760 gallons. Again, the City currently has excess capacity to accommodate the sewer needs of this area.

Without going into great detail, it is the policy of the city of Florence to provide sanitary sewer service to any property within the City's wastewater service area. However, the property owner(s) are to pay for sewer main extension, manholes, construction, connection fees, engineering fees, street opening permits and any other fees necessary for the connection to the public sewer system for the project.

Mike

**CITY OF FLORENCE
ORDINANCE NO. 3, SERIES 2018**

AN ORDINANCE ESTABLISHING OPEN SPACE ZONING WITH A NATURAL RESOURCE CONSERVATION OVERLAY TO 87658 HARBOR VISTA RD., ASSESSOR'S MAP 18-12-09-00: TAX LOTS 00300 & 00400, HARBOR VISTA RD., SOUTH HARBOR VISTA DR., & ABUTTING NORTH JETTY RD. (FORMER COUNTY RD. 1301) AND SINGLE FAMILY RESIDENTIAL ZONING TO ASSESSOR'S MAP 18-12-10-33: NORTH JETTY RD. (FORMER COUNTY RD. 1301)

RECITALS:

1. Florence City Code (FCC) Title 10, Chapter 1, Section 2-3 provides that Council may establish zoning and land use regulations that become effective on the date of annexation.
2. The City of Florence was petitioned by property owner, Steve Mokrohisky, County Administrator on behalf of the Lane County Board of Commissioners for Lane County, on January 2, 2018, for annexation of their properties required by Oregon Revised Statutes (ORS) 222.111(2) and Florence City Code (FCC) 10-1-1-4.
3. The Planning Commission met on March 27, 2018 at a properly noticed public hearing to consider the proposal, evidence in the record, and testimony received.
4. The Planning Commission determined on March 27, 2018, 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 April 16, 2018, after giving the required notice per FCC 10-1-1-6, to consider the proposal, evidence in the record, and testimony received.
6. The City Council deliberated on April 16, 2018 and found that the subject properties are plan designated either Medium Density or Public in the Realization 2020 Plan and the City Council supported the establishment of city-zoning as Single Family Residential and Open Space Districts consistent with Florence Comprehensive Plan and Zoning Code objectives.
7. The City Council adopted Ordinance No. 2, Series 2018 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 petitioner and the abutting streets previously identified as Open Space with a Natural Resource Conservation Overlay 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. 2, Series 2018.

ADOPTION:

First Reading on the 16th day of April, 2018

Second Reading on the 16th day of April, 2018

This Ordinance is passed and adopted on the 16th day of April, 2018.

AYES

Councilors:

NAYS

ABSTAIN

ABSENT

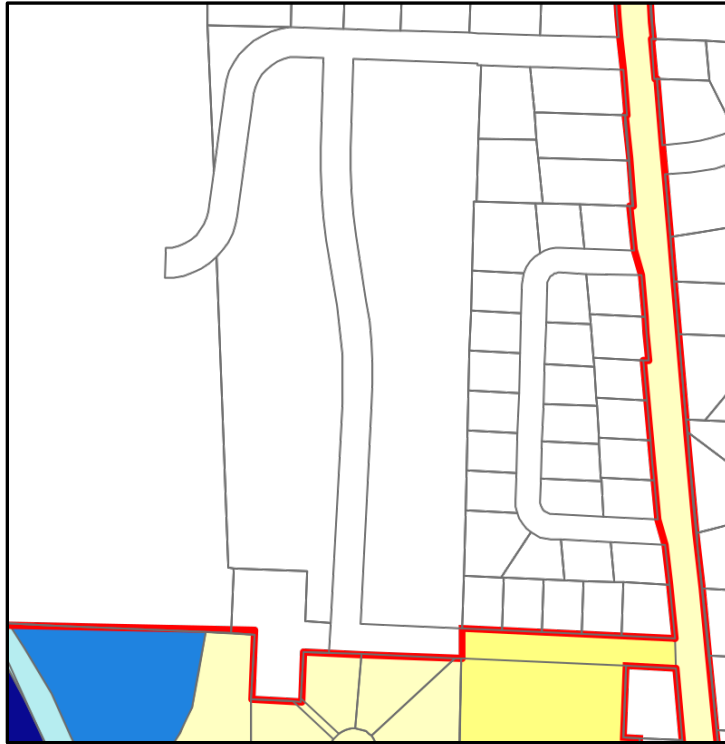
Joe Henry, Mayor

Attest:

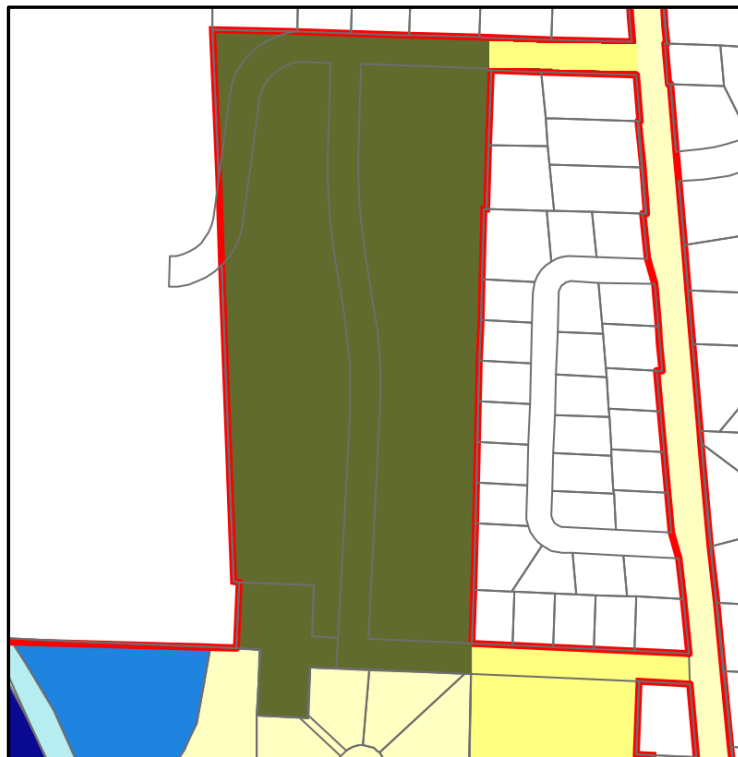
Kelli Weese, City Recorder

Ordinance 3, Series 2018—Proposed Zoning Map Exhibit A

Current



Proposed



FINDINGS OF FACT Ordinances 2 & 3 Series 2018 Exhibit “B”

Public Hearing Date: April 16, 2018

I. PROPOSAL DESCRIPTION

Proposal: Annexation

A request from Lane County to annex property 87658 Harbor Vista Rd. and abutting S. Harbor Vista Dr. and all of North Jetty Rd. and Harbor Vista Rd. (all formerly County Rd. 1301) from Lane County into the City of Florence.

Rezoning

Upon annexation, the property requires zoning assignment. The corresponding zoning district matching the campground property and Harbor Vista Road, S. Harbor Vista Drive and a portion of North Jetty Road to Open Space District with a Natural Resource Conservation Management Unit Overlay corresponding to the Public comprehensive plan designation. North Jetty Road east of the park is proposed to be zoned Single Family Residential to correspond with the Medium Density comprehensive plan designation.

Applicant: Lane County (Designees: Keir Miller, Planning Supervisor; Charlie Conrad, Interim Park Dir.)

Property Owner/Petitioner & Associated Property (described in Exhibits A1 & 2):

Petitioner: Steve Makrohisky, County Administer on behalf of the Lane County Board of Commissioners for Lane County
Map Reference 18-12-09-00: Tax Lots 00300 & 00400 (87658 Harbor Vista Road), Harbor Vista Rd., South Harbor Vista Dr., & abutting North Jetty Rd. (former County Rd. 1301);
Map Reference 18-12-10-33: North Jetty Rd. (former County Rd. 1301)

Comprehensive Plan Map Designation: Medium Density (18-12-10-33: N. Jetty Rd.), Public (18-12-09-00: Tax Lots 00300 & 00400 (87658 Harbor Vista Rd.), Harbor Vista Rd., South Harbor Vista Dr., & abutting North Jetty Rd. (former County Rd. 1301))

Surrounding Land Use / Zoning:

Sites: 87658 Harbor Vista Road / Park and Recreation (PR) (Natural Resources Conservation District Overlay (NRC))
North: Single-family residences / Suburban Residential / Mobile Home District (RA) (Interim Urban Combining District (U) & NRC)
East: Single-family residences / RA / U
West: North Jetty park land / PR / Beaches & Dunes (BD) & NRC Overlays

South: Single-family residences / Restricted Residential (City jurisdiction)

Streets / Classification: West & North – North Jetty Rd. / Local; South – S. Harbor Vista / Local & Shoreline Dr. / Local (private) East Parkside Dr. / Local

II. NARRATIVE

The applicant has petitioned for the annexation of the Harbor Vista Campground and surrounding street network from Lane County jurisdiction to City of Florence jurisdiction. The County Administrator on behalf of the Lane County Commissioners signed the petition for annexation. There are no electors residing on the property. The petition was received on January 2, 2018. After receiving the legal property description on January 26, 2018 the application was deemed complete effective January 26, 2018.

State law requires signatures from at least 50% of the property owners and electors of the subject property to petition for annexation without an election. The City received a signed petition from County Administrator Steve Makrohisky representative for Lane County. There are no electors. The annexation and zoning assignment will be processed as a quasi-judicial zone amendment with a hearing.

The property is currently served by Heceta Water People's Utility District. Water services will continue to be served by Heceta PUD. After annexation the property will be served with City sewer service from the east via South Harbor Vista Drive. The property is and will remain within the Siuslaw Rural Fire Protection District.

III. PUBLIC NOTICE

Notice of the Planning Commission's public hearing was mailed on March 6, 2018 to property owners within 300 feet of the proposed annexation and rezone areas and posted on the site. Notice was published in the Siuslaw News on March 14 and 21, 2018. On March 6, 2018 notices were posted at Public Works, Florence Post Office, Florence Justice Center, and the Siuslaw Public Library.

Notice of the City Council's public hearing was published in the Siuslaw News on April 4 and 11, 2018. On April 4, 2018 notices were posted at the site and at Public Works, Florence Post Office, Florence Justice Center, and the Siuslaw Public Library.

Public Comments:

At the date of publishing this report, the City had received the following comments:

Leah Patten, dated March 27, 2018. Ms. Patten provided verbal testimony on March 27, 2018 at the Planning Commission hearing concerning the following topics: no policy has been set by Resolution or Ordinance supporting "no forced annexation", Florence' comprehensive plan supports dredging wetlands and placing a marina at the base of the campground in the Estuary, poor maintenance of roads to be

annexed, and inconsistent “property” line illustrating the western extent of the annexation boundary on the exhibits.

Staff Comment: The application includes only property for which a petition for annexation was received. The area west of the campground is zoned Natural Estuary and is not proposed for annexation at this time. Lane County proposes to keep jurisdiction of the annexed roads at this time and thus will continue maintenance. Florence is in the process of transferring jurisdiction of South Harbor Vista Dr. to the City under a separate process. The western extent of the annexation is the meander line of the Pacific Ocean as it abuts the properties petitioned for annexation. Due to differences in technology with creating the various exhibits the line can appear differently. The metes and bounds property description is the instrument representing the actual location of the annexation boundaries.

Michael Allen, dated April 5, 2018. Mr. Allen requests the sewer lines presently be installed be extended to serve the ADA camping spaces or that other site pads planned to receive sewer services be converted to ADA spaces.

Annexation considers the city’s capacity to provide sewer service to properties petitioned for annexation. Capacity is available. Connection to those services from a site and distribution throughout the site is a development issue subject to the provisions of the Oregon Building Codes (plumbing) and possibly those of the Department of Justice related to Americans with Disabilities Act.

IV. REFERRALS

On March 8, 2018, referrals were sent to the Florence Public Works, and Police Departments; Lane County Transportation, Surveyor, Land Management and Environmental Health Departments; DLCDD; U.S. Post Office; Charter Communications; Century Link; Coastcom; Central Lincoln PUD; Heceta Water PUD; Central Coast Disposal; Country Transfer and Recycling; and Siuslaw Valley Fire and Rescue.

Referral Comments:

At the date of publishing this report, the City had received the following comments:

Tom Turner, Chief of Florence Police Dept. dated March 20, 2018

“The Florence Police Department has the capacity to provide police response to the Harbor Vista Park if incorporated into the City of Florence. We provide 24 hour a day/365 day(s) a year full police coverage for the Community of Florence. Currently FPD responds to the surrounding areas, outside our jurisdiction (as part of a mutual aid agreement) at this time to provide emergency police response if needed for Lane County Sheriff’s Office or the Oregon State Police. We have been operating in this capacity for many years. Incorporating this new area would not be extending our services or capacity as we already respond to many of the surrounding properties, both in and out of the City of Florence, as a normal course of our business.”

Mike Miller, Public Works Department, dated March 20, 2018

“Harbor Vista Campground is located within the city of Florence wastewater treatment service area. Community sanitary sewer treatment in regulatory compliance can serve the site. We have estimated that the campground will have an average daily flow of 10,080 gallons and a peak hour flow of 1,500 gallons.

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When looking at the ‘drainage basin’ for this area, the system has been designed to handle an average daily flow rate of 38,880 gallons per day with a peak hourly demand of 5,760 gallons. Again, the City currently has excess capacity to accommodate the sewer needs of this area.

Without going into great detail, it is the policy of the city of Florence to provide sanitary sewer service to any property within the City’s wastewater service area. However, the property owner(s) are to pay for sewer main extension, manholes, construction, connection fees, engineering fees, street opening permits and any other fees necessary for the connection to the public sewer system for the project.”

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 14: Urbanization, Policies 1, and 3 through 7

Zone Assignment

Florence Realization 2020 Comprehensive Plan

Chapter 17: Coastal Shorelands; Ocean, Estuary, and Lake Shorelands; Policies 10 & 14, and References to Management Unit #50

Florence City Code (FCC)

Title 10: Zoning Regulations

Chapter 1: Zoning Regulations, Sections 10-1-1-6-4, 10-1-2-3, and 10-1-3

Chapter 11: Single Family Residential

Chapter 19: Estuary, Shorelands, and Beaches and Dunes; Section 10

Chapter 22: Open Space District; Sections 2 & 3

VI. FINDINGS OF FACT

The following findings support Ordinances 2 & 3, Series 2018 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 14: Urbanization

Goal

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

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 and 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 is not surrounded by the corporate boundaries of the city but rather contiguous with the Florence city limits on the south and a part of the east sides. Additionally, all properties to be annexed were petitioned by the owner.

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, streets, fire and police protection, power, and communications. The annexation area is within the Florence urban growth boundary (UGB) and is contiguous to existing City limits via properties and right-of-way to the east and south; it is, therefore, an orderly transition from rural to urban land uses. 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 Director, Mike Miller has evaluated the impact of the existing 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. Service will be provided via a new line in S. Harbor Vista Dr. connecting to the existing line in Rhododendron Dr. Detailed capacity is outlined in the referral testimony exhibit.

Water: The developed property is currently served and will continue to be served by Heceta Water Public Utility District.

Stormwater: There will be no change in the handling of stormwater upon annexation.

Streets: The properties are accessed via North Jetty Road and S. Harbor Vista Dr. and served by Harbor Vista Road all of which are under Lane County jurisdiction. All are local streets serving local traffic, which it currently does to the pre-existing annexing area. The existing and any future usage (vehicular trips) made available by annexation and zone change can be accommodated by the surrounding streets.

Improvements to the adjacent street will be accomplished in conjunction with improvements to the property.

The City is not requesting maintenance transfer of North Jetty Road or Harbor Vista Road at this time. South Harbor Vista Dr. is currently in process for transfer to City maintenance jurisdiction.

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. Hydrant availability is discussed under the "Water" section above.

Police: Once annexed, the City will provide public safety services. Chief Turner Florence Chief of Police responded to the referral that the Florence Police Department has the capacity to serve the annexed area and will patrol and respond to calls for the subject property. More detailed capacity is outlined in the referral testimony exhibit.

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 March 9, 2017. No comments were received.

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 sent referral requests to Heceta Water Public Utility District on March 9, 2017. No comments were received.

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

The applicant of the developed property will be required to pay a sewer and storm systems development charge and a share of project costs to extend services where they do not currently exist. On the developed property, the impact to the supporting street systems is pre-existing; therefore, no other systems development charges will be required at this time. Any undeveloped property and expansions to developed property will be charged systems development charges commensurate with their impacts on the systems.

- 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 property, with the exception of maintenance and access off North Jetty Road and Harbor Vista Road, which will continue to be maintained by Lane County.

CHAPTER 17: COASTAL SHORELANDS OCEAN AND LAKE SHORELANDS

POLICIES

- 10. Existing visual and physical access points in the UGB shall be retained (see Table 17.1). The City, in coordination with the Parks and Recreation Division, shall develop and implement a program to provide increased public access to Coastal Shorelands. Existing public ownerships, rights of way, and similar public easements in Coastal Shorelands which provide access to or along coastal water shall be retained or replaced if sold, exchanged or transferred. Rights of way may be vacated to permit redevelopment of shoreland areas provided public access across the affected site is retained.**

Table 17.1 Excerpt:

Access Points Within the UGB Currently Outside City Limits:

- A. Harbor Vista Park (West of Rhododendron Street) Access to river, scenic view**
- B. North Jetty Access to river and ocean beach**

- 14. In Natural Resources Conservation Management Units, the following additional policies shall apply:**

- a. For Shorelands in the Natural Resources Conservation MU within the Florence UGB, implementation requirements in Lane Code Chapter 10 Overlay Zoning Districts shall apply outside city limits, and the Natural Resource Conservation Overlay Zoning District in Florence City Code Title 10 Chapter 19 shall apply inside city limits.**

Management Unit #50 consists of property owned by the U.S. Army Corps of Engineers, Harbor Vista County Park, and State-owned property that extends north from the north jetty and includes the deflation plain.

Harbor Vista Campground will have the Natural Resource Conservation Overlay applied once annexed in accordance with Policy 14 and supported by the rationale in Management Unit #50. The campground is pre-existing. Future development will require review under the policies listed in Title 10 Chapter 19 Natural Resources Conservation Management Unit Overlay. Lane County is the owner of the campground and maintenance agency for North Jetty Rd., Harbor Vista Rd. and S. Harbor Vista Dr. Lane County has indicated no plans to sell or remove visual or physical access points protected under Policy 10 and listed in Table 17.1 noted above. The proposal as submitted meets policies 10 & 14 of Chapter 17 of the Comprehensive Plan.

OREGON REVISED STATUTES

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 is being conducted in the manner provided by City Charter. All the property proposed for annexation is located within the urban growth boundary of the City of Florence. The Harbor Vista Campground and Harbor Vista Rd. are contiguous to the City from the south (Shelter Cove subdivision) S. Harbor Vista Dr. is contiguous to the City via previously annexed South Harbor Vista Dr., North Jetty Rd. is contiguous to the City via previously annexed Rhododendron Dr. This criterion is met.

(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 property was initiated by petition to the legislative body of the City by the owner of property in the territory to be annexed. This criterion is met.

(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 are county owned and are not subject to property taxes. This criterion does not apply.

(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 (SVFR), which is a rural fire protection district named in ORS 222.510, but not named in ORS 222.465. The annexation area will continue to be served by the SVFR, will not be withdrawn from the Fire District and thus will remain within the Siuslaw Valley Fire and Rescue District. This criterion is met.

(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. 8, Series 2008, adopted by the City Council, the legislative body of the City, on April 21, 2008, expressed 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 100% of the owners of the proposed annexation area, as allowed in ORS 222.170; and there are no electors. Therefore, the criterion to not require an election is met.

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.

(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. 8, Series 2008 expressed the City Council's intent to dispense with annexation elections whenever permitted by ORS Chapter 222. Public hearings on all annexations were held allowing City electors to be heard on the annexation. Consistent with the resolution, the City Council held a duly advertised public hearing on April 16, 2018, after receiving a recommendation from the Planning Commission following their public hearing on March 27, 2018. The electors of the City could appear and be heard on the question of annexation at those public hearings. This criterion is met.

(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 March 14 and 21, 2018. Public noticing for the City Council public hearing, the City legislative body, was published in the Siuslaw News April 4 and 11, 2018. Notices were posted on the property and in four public places in the City at Public Works, Justice Center, Siuslaw Public Library, and Post Office on March 6, 2018 and again on April 4, 2018.

(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 proposed annexation is contiguous to the City limits as follows: south abutting Shelter Cove subdivision, S. Harbor Vista Dr. via previously annexed S. Harbor Vista Dr., North Jetty Rd. via previously annexed Rhododendron Dr. The City Council held a public hearing on the annexation request on April 16, 2018. The Ordinance passed and states as required

under (b) showing that the landowners consented in writing to the annexation consistent with ORS 222.170. This criterion is met.

(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 is 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.”

Written consent was received by the City on a petition for annexation of real property owned by Lane County. This criterion was met.

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.

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

(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 within the proposed annexation area. The written consent/petition was signed and received before the City Council held the required public hearing required by ORS 222.120. This criterion is met.

(4) Real property that is publicly owned, is the right of way for a public utility, telecommunications carrier as defined in ORS 133.721 or railroad or is exempt from ad valorem taxation shall not be considered when determining the number of owners, the area of land or the assessed valuation required to grant consent to annexation under this section unless the owner of such property files a statement consenting to or opposing annexation with the legislative body of the city on or before a day described in subsection (1) of this section.

Lane County owned property is the only property under consideration for annexation. They have petitioned for annexation of the property and roads. Therefore the exclusion language offered by this criterion does not apply.

FLORENCE CITY CODE

TITLE 10: CHAPTER 1: ZONING ADMINISTRATION

10-1-1-6: TYPES OF REVIEW PROCEDURES:

10-1-1-6-4: TYPE IV PROCEDURE (LEGISLATIVE)

D. Notice of Hearing:

1. **Required hearings. A minimum of two hearings, one before the Planning Commission and one before the City Council, are required for all Type IV applications (e.g., re-zonings and comprehensive plan amendments).**

The applicant has proposed an annexation and zoning assignment for their property. There will be at least two public hearings as part of this process.

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 property's Comprehensive Plan (Public and Medium Density Residential) designation are Open Space and Single Family Residential. The properties zoned Open Space will also have the Natural Resource Conservation Management Unit Overlay. These zones will be assigned upon approval of the request from Council and finalization of the annexation process with the county and state.

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 March 27, 2018, the Planning Commission held a public hearing on this annexation request and quasi-judicial zone assignment. On April 16, 2018 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 hearings 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.

TITLE 10: CHAPTER 11: SINGLE FAMILY RESIDENTIAL DISTRICT

10-11-1: PURPOSE: The Single-Family Residential District is intended to provide a quality environment for medium density, urban, single-family residential uses and other compatible land uses determined to be desirable and/or necessary.

North Jetty Road is proposed to be zoned Single Family Residential District for the most eastern portion connecting to Rhododendron Dr. This zone is appropriate as it corresponds to the southerly abutting comprehensive plan designation (Medium Density) assigned to the single family residences served by this local road. No specific policies are applicable under this annexation or zoning proposal related to a street with no development proposal.

TITLE 10: CHAPTER 19: ESTUARY, SHORELANDS, AND BEACHES AND DUNES

10-19-10: Natural Resource Conservation Overlay District (/NRC)

As discussed under Chapter 17 of the Florence Comprehensive Plan policies the property will be located in the NRC management unit overlay. Future development and expansion will be subject to the policies and regulations in this overlay. The existing campground facilities (High-Intensity Recreation, FCC 10-2) and any future expansion would require a conditional use permit under NRC overlay application. No specific policies are applicable under this annexation or zoning proposal.

TITLE 10: CHAPTER 22: OPEN SPACE DISTRICT

10-22-1: PURPOSE: The Open Space District is intended to protect urban open space buffers, park and recreation lands, natural resource lands and lands reserved for later development. This District is intended to be used in conjunction with the Comprehensive Plan. Where, for example, the Plan designates an area for urban development, the application of this District would be interim; when the land became available for development, a rezoning could be considered. Where this Open Space District is consistent with the Plan's land use designation, it is intended that this District would preserve such land permanently in open space use.

The campground and streets serving the campground and the North Jetty Park are plan designated "Public". One of the zone assignments for Public is Open Space. This district is most appropriate for this proposal due to its development as a park and the corresponding NRC zoning protecting the natural resource lands. The existing campground use is a park with developed facilities and thus would require a conditional use permit under this code. Normal expansions are permitted under the conditional use criteria. No specific policies are applicable under this annexation or zoning proposal.

VII. CONCLUSION

The evidence in the record demonstrated that the proposed 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 of fact.

PETITION FOR ANNEXATION

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 "Harbor Vista Campground" 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:
Harbor Vista Park

Assessors Map Reference and Tax Lot:
18-12 09-00-00 tax lots 300 and 400

Property Address (if appropriate):
87658 Harbor Vista Rd, Florence, OR 97439

Property Owner /Electors Name(s):
Steve Mokrohisky, Lane County Administrator, on behalf of the Lane County Board of Commissioners

Signature(s):

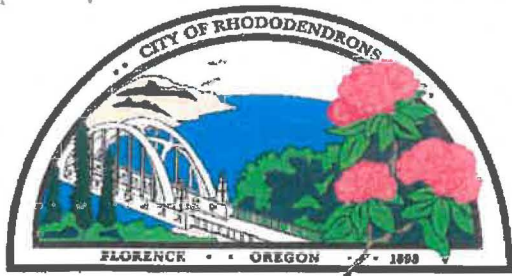


Steve Mokrohisky

Lane County Administrator

Date:

12/20/17



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

THIS SECTION FOR OFFICE USE ONLY

Type I Type II Type III Type IV

Proposal: _____

Applicant Information

Name: Lane County Phone 1: [Redacted]
E-mail Address: [Redacted] Phone 2: [Redacted]
Address: 3050 North Delta Highway, Eugene, OR 97408
Signature: [Redacted] Date: 12/12/2017
Applicant's Representative (if any): Keir Miller, Planning Supervisor

Property Owner Information

Name: Lane County Phone 1: [Redacted]
E-mail Address: N/A Phone 2: _____
Address: 125 East 8th Ave, Eugene, OR 97401
Signature: [Redacted] Date: 12/20/17
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.*

For Office Use Only:

<p>Received VED JAN 2 2018</p>	<p>Approved</p>	<p>Exhibit</p>
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Property Description

Site Address: 87658 Harbor Vista Rd, Florence, OR 97439

General Description: This 11.6 acre property is developed with a county park. Features include a day use area, overnight tent and RV camp sites, bathrooms/showers and a caretaker residence.

Assessor's Map No.: 18 - 12 - 09 Tax lot(s): 300, 400

Zoning District: PR Public Reserve / NRC Natural Resources Conservation

Conditions & land uses within 300 feet of the proposed site that is one-acre or larger and **within** 100 feet of the site that is less than an acre OR add this information to the off-site conditions map

(FCC 10-1-1-4-B-3): The property is bounded on the north, south and east by residentially zoned parcels with an average lotsize of approximately ¼ acre each. The majority of these lots have been developed with single family residences. Properties to the north and east are within the Florence urban growth area. Properties to the south are within the city limits of Florence. The Suislaw River North Jetty area lies to the west. Immediately adjacent to the property, to the south of North Jetty Road is a large estuarine cove. The area to the north of the road is undeveloped and heavily vegetated.

Project Description

Square feet of new: N/A Square feet of existing: N/A

Hours of operation: N/A Existing parking spaces: N/A

Is any project phasing anticipated? (Check One): Yes No

Timetable of proposed improvements: N/A

Will there be impacts such as noise, dust, or outdoor storage? Yes No

If yes, please describe: _____

Proposal: (Describe the project in detail, what is being proposed, size, objectives, and what is desired by the project. Attach additional sheets as necessary)

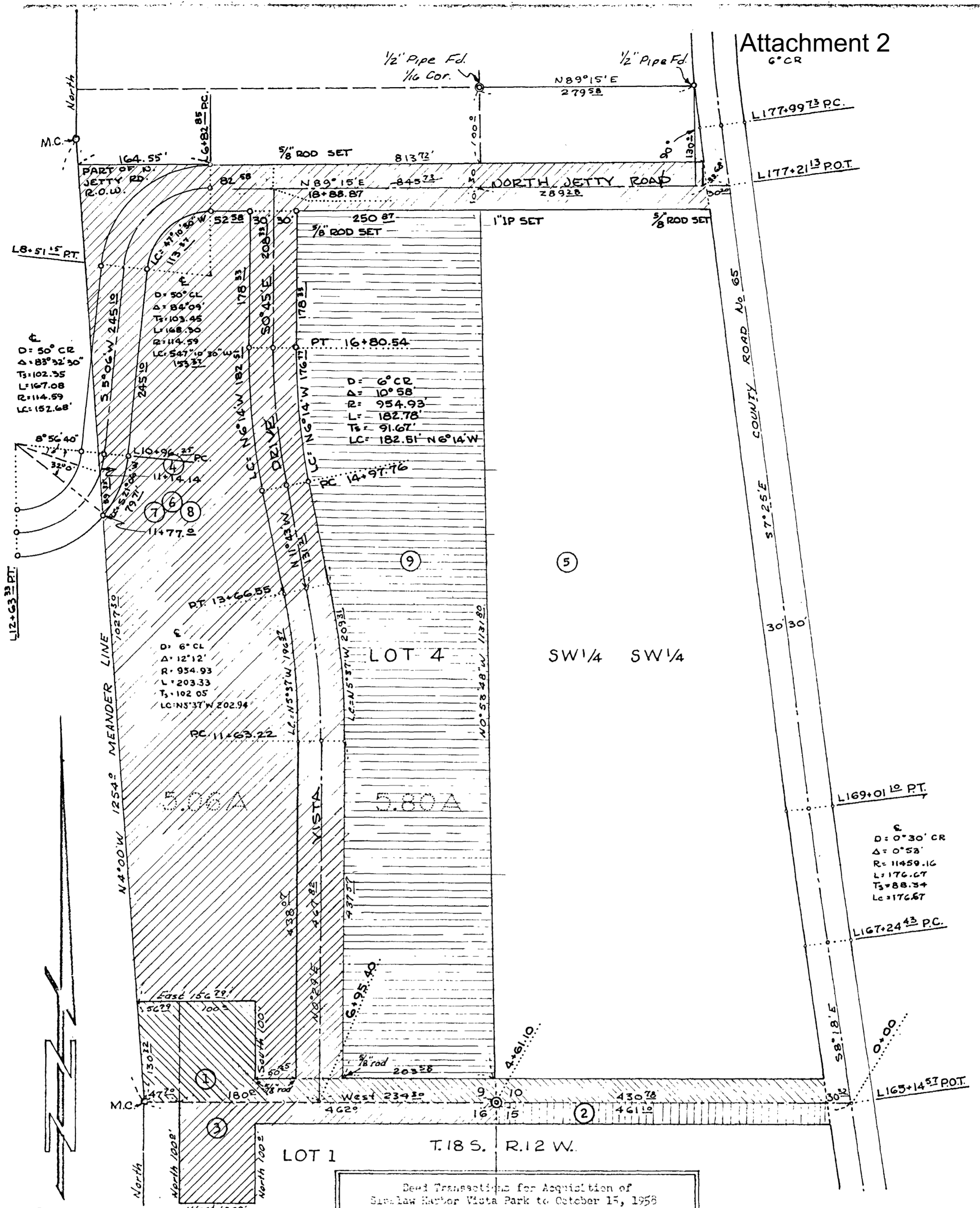
A request for the annexation of Harbor Vista Park, identified as Assessor's Map No 18-12-09-00-00 tax lots 300 and 400, into the incorporated limits of the City of Florence.

For Office Use Only:

Paid

Date Submitted: _____ Fee: _____

Received by: _____



SCALE
1"=100'
N

Deed Transactions for Acquisition of
Siuslaw Harbor Vista Park to October 15, 1958

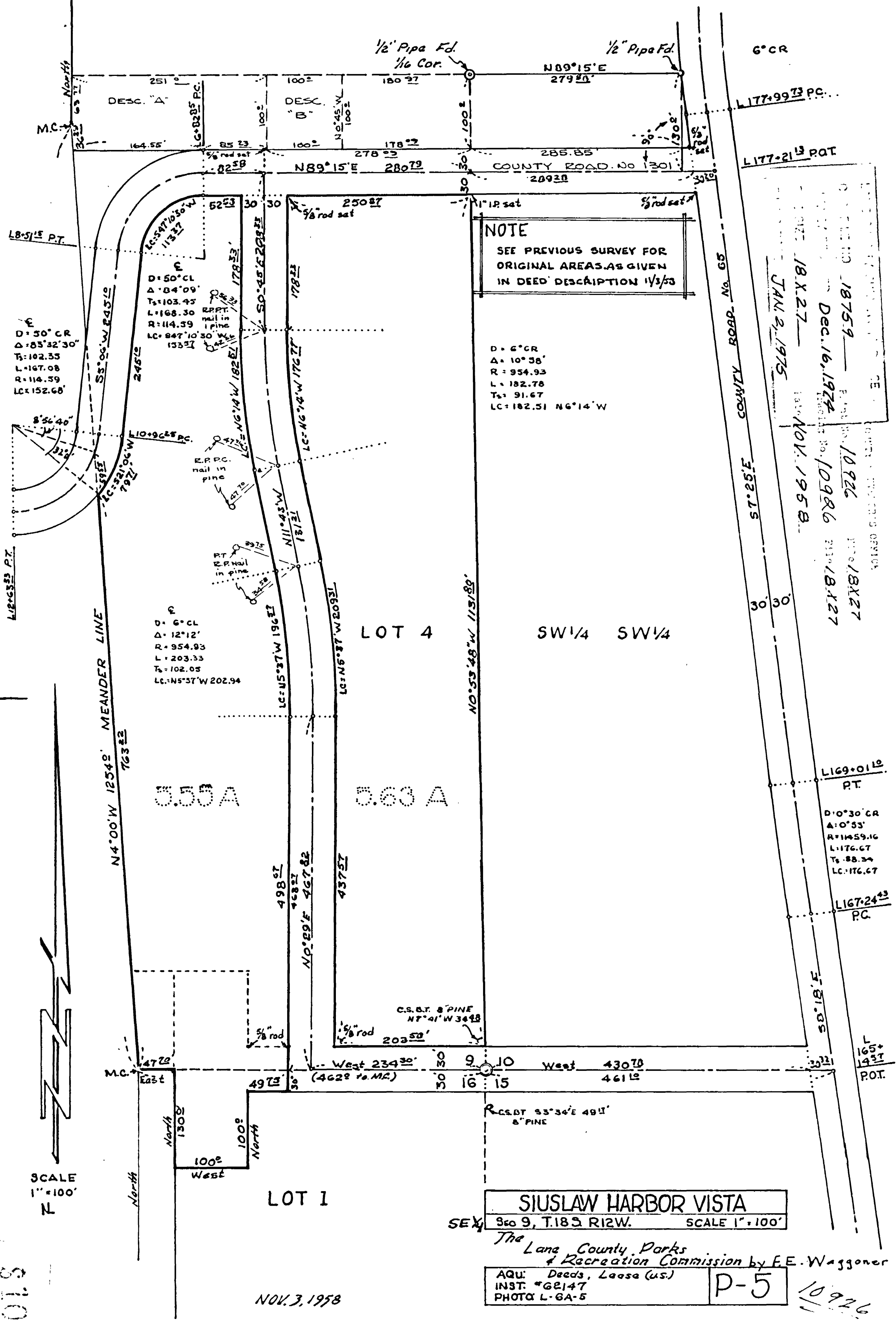
1.	Orrin A. Chase & M. H. Brown	to Lane Co.	Sec. 9-10	B. & S. Deed	7/27/55	63-55D #52117	
2.	Floyd D. Thompson	to Lane Co.	Sec. 15	" "	2/6/55	64-55D #53048	The original acquisition
3.	Floyd D. Thompson Edwin Opland L. Roscoe Hurd	to Lane Co.	Sec. 16	" "	8/8/55	64-55D #3059	
4.	M. H. Brown & Orrin A. Chase	to Lane Co.	Sec. 9	Warr.	5/31/57	100-57D #24119	
5.	Chase	to M. H. Brown	Sec. 9	" "	6/5/57	100-57D #14300	Completion of Brown's transaction with Chases
6.	M. H. Brown	to Lane Co.	Sec. 9	Agreement	10/15/56	122-58D #50509	
7.	Lane Co.	to M. H. Brown	Sec. 9	B. & S. Deed	"	122-58D #50500	Agreement 6 was drawn because of error in deed description, (4) Deeds 7 and 8 were to correct same
8.	M. H. Brown	to Lane Co.	Sec. 9	" "	"	122-58D #50507	
9.	M. H. Brown	to Lane Co.	Sec. 9	" "	"	122-58D #50506	Third acquisition

THE LANE COUNTY PARKS & RECREATION COMMISSION
SIUSLAW HARBOR VISTA PARK
SEC 9-10-15-16, T.18S. R.12W.
NOV. 3, 1958 SCALE 1"=100'
LANE COUNTY

53743

COUNTY SURVEYOR'S OFFICE
Map No. 10926
Tracing No. 10926
Date Nov. 1958

Attach B



NOTE
 SEE PREVIOUS SURVEY FOR ORIGINAL AREAS AS GIVEN IN DEED DESCRIPTION 1/3/53

D = 6° CR
 Δ = 10° 58'
 R = 954.93
 L = 182.78
 T_s = 91.67
 LC = 182.51 N6°14' W

LOT 4 SW 1/4 SW 1/4

5.55 A

5.63 A

SIUSLAW HARBOR VISTA

SEX 360 9, T.18 S. R.12 W. SCALE 1" = 100'

The Lane County Parks & Recreation Commission by F.E. Waggoner

AQU: Deeds, Laasa (us.)
 INST: 62147
 PHOTO: L-6A-5

P-5

10926

NOV. 3, 1958

SCALE 1" = 100'

510456

18759
 Dec. 16, 1974
 18X27
 JAN. 2, 1975
 10926
 10986
 18X27
 NOV. 1958

Attachment 3

To the Mayor and Councilors of the City of Florence,

I am writing to provide written testimony for the public hearing on April 16, 2018 regarding a request for annexation of the Harbor Vista Campground by the City of Florence.

It has come to my attention that there are no immediate plans to extend the sewer system to site 4, the only site in the campground designated as a “handicapped” site. As an advocate for people with disabilities, I believe it is unfair, and possibly against existing laws, that this annexation and resulting sewer system does not provide equal access for people with disabilities to a full service campsite identical to those being made available to those without a disability.

As part of the annexation I request that the City of Florence either extend the sewer lines to the “handicapped” site 4 or find an existing campsite with a sewer upgrade and make it a “handicapped” site.

Thank you for your attention to this important matter.

Michael Allen

Friends of Harbor Vista Park
87490 Rhodowood Drive
Florence, OR 97439
505-401-7762
mikepatallen@earthlink.net

AGENDA ITEM SUMMARY
FLORENCE CITY COUNCIL

ITEM NO: 6
Meeting Date: April 16, 2018
Department: Public Works

ITEM TITLE: Authorize Staff to Submit a Grant Application for the 2022-2024 All Roads Transportation Safety (ARTS) Grant Cycle.

DISCUSSION/ISSUE:

The Oregon Department of Transportation (ODOT) recently announced the opening of the 2022-2014 All Roads Transportation Safety (ARTS) grant cycle. ODOT will be accepting applications for grant funding through May 31, 2018.

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 first round of ARTS began in 2014 with projects scheduled for delivery in 2017-2021.

The grant cycle opened April 1, 2018 and closes May 31, 2018. Project selection is scheduled to begin this fall for projects to be delivered in years 2022-2024. Projects will be selected for either 'Hotspot' or 'Systemic' improvements. The selected projects will be added to the Statewide Transportation Improvement Program (STIP).

The 'Hotspot' method identifies locations with documented crash problems, selects and then applies appropriate countermeasure(s) to mitigate the crash problems. Hotspot countermeasures are typically more expensive than 'systemic' countermeasures. Examples of hotspot projects include installation of left turn lane(s), installation of a roundabout or new traffic signal at an intersection, or conversion of a signalized intersection to a roundabout.

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. The City can use the SPIS list or an alternate method to identify the best potential projects, as long as the projects address crash history of at least one fatal or serious injury crash within the last five years. The five year period is 2012-2016.

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. 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 2012-2016 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, we have two potential projects. One project is located at the intersection of 9th and Kingwood streets. During the five year period, we had 13 accidents at his location, seven of which were injury accidents and one involving a bicycle.

Tee other potential project would be systemic countermeasures to be applied within the Kingwood Street corridor between 2nd and 35th streets. In this corridor during the same five year period we had 25 accidents, 14 of which were injury accidents.

If our project is selected for funding, the ARTS program requires a minimum 7.78% match. Region 2 is to receive approximately \$10.4 million each year for three years (2022-2024).

If City Council is in agreement, staff will begin working with the ODOT assigned contractor, DKS associates to develop a grant application for the best qualifying project for the City.

FISCAL IMPACT:

This is the first step in a multi-step process. 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.

RELEVANCE TO ADOPTED COUNCIL GOALS:

The application for ARTS program grant meets the 2018 Council Goals of:

- 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.

ALTERNATIVES: 1. Submit grant application for ARTS program.
2. Do not authorize staff to submit a grant.

RECOMMENDATION:

Staff recommends that the City Council authorize staff to submit an ARTS program grant application to the ODOT for safety enhancements to our transportation system.

AIS PREPARED BY: Mike Miller, Public Works Director

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

ITEMS ATTACHED: Resolution No. 7, Series 2018

**CITY OF FLORENCE
RESOLUTION NO. 7, SERIES 2018**

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 safety at the intersection of 9th and Kingwood streets, and possibly along the Kingwood Street corridor between 2nd and 35th 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 2012-2016.
5. Selected projects will be added to the 2022-2024 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 All Roads Transportation Safety grant cycle to complete multi-modal transportation safety improvements at the intersection of 9th and Kingwood streets, and within the Kingwood Street corridor between 2nd and 35th streets.
2. This Resolution takes effect immediately upon adoption.

ADOPTION:

This Resolution is passed and adopted on the 16th day of April, 2018.

Attest:

Joe Henry, Mayor

Kelli Weese, City Recorder

AGENDA ITEM SUMMARY
FLORENCE CITY COUNCIL

ITEM NO: 7
Meeting Date: April 16, 2018
Department: Public Works

ITEM TITLE: Accept fee proposal from Century West Engineering of \$402,020 to perform professional engineering and related professional services for the Florence Airport Seal Coat and Lighting Improvement Project.

DISCUSSION/ISSUE:

At the March 5, 2018 City Council meeting, Council accepted the engineering services proposal from Century West Engineering to perform civil and environmental engineering, professional land use planning and related professional services for projects involving planning, design, construction, reconstruction or rehabilitation of runway; taxiway; taxi-lanes; utilities; lighting and instrumentation; stormwater management and other natural resources; related land use and public involvement services for the City airport.

Since that time, Century West Engineering submitted a detailed fee proposal to the City for review. The fee proposal includes design services (survey, electrical design, preliminary and final design) and construction services (bidding, project inspection and management, and project close-out). The fee proposal from Century West Engineering is \$402,020.

As part of the requirements from the FAA (this is a federally funded project through our non-primary entitlement funding from the FAA) we are required to have an Independent Fee Estimate (IFE). We selected Precision Approach Engineering to provide us with the IFE.

The IFE provides a 3rd party review and cost analysis of our airport consultant's engineering, design, bidding, and construction management costs as per the guidelines of the FAA. This review provides a "checks and balances" system to help ensure that the consultant's fees are reasonable. Precision Approach Engineering, using the same scope, developed a professional services fee estimate of \$471,053.48, well above the fee proposal from Century West Engineering.

Staff has reviewed both Century West Engineering and the IFE from Precision Approach Engineering proposed scope of services, including the work tasks and fees. Based on our review, the fee proposal from Century West Engineering is adequate, fair and reasonable for projects of this scope.

FISCAL IMPACT:

The engineering fee proposal from Century West Engineering is \$402,020, which is \$69,033.48 less than the IFE. Funding is available to complete the engineering, design, and construction services work. All of these fees are reimbursable through the FAA as part of our Non-Primary Entitlement funding and our COAR grant.

Additionally, the FY17-19 budget included funding for engineering services for the airport improvements and it is included in the Airport Capital Improvement Budget. The engineering services and construction management costs are fully funded.

As Council may be aware, this project is estimated to cost \$1,144,444 which includes the \$402,020 in engineering and construction management services. The project is reimbursable through two grant programs. One is through the FAA Non-Primary Entitlement funding program and the other is through our COAR grant.

Below is the breakdown of the funding for this project:

FAA Funding (90% of the project)	\$1,030,000
COAR Grant (9% of the project)	\$103,000
City match (1% of the total project)	<u>\$11,444</u>
Total Project Cost	\$1,144,444

Specifically, the FAA funding is a combination of Non-Primary Entitlement (NPE) funds and State Apportionment funding (from Oregon Department of Aviation). Of the \$1,030,000 available to Florence, \$580,000 are NPE funds and \$450,000 is State Apportionment. State Apportionment funds are used to supplement regionally significant projects when total project costs exceed the amount of accumulated NPE funds. Both the NPE and State Apportionment funds have been programmed by the FAA for this project (see attached CIP Letter dated April 25, 2017). The FAA funds were also confirmed during the project pre-design meeting held with the FAA on March 8, 2018.

RELEVANCE TO ADOPTED COUNCIL GOALS:

- City Service Delivery – improving, maintaining and enhancing our infrastructure as feasible.
- Livability & Quality of Life – by providing airport facilities that provide safe, efficient and sustainable air service to the community.
- Economic Development – quality airport facilities enhances the development and redevelopment potential of the community.
- Communication & Trust – strengthening citizen trust by cooperatively working with residents for the common good.
- Financial & Organizational Sustainability – constructing infrastructure that supports current and future needs.

ALTERNATIVES:

1. Accept the engineering service proposals from Century West Engineering
 2. Reject the proposal from Century West Engineering and begin the solicitation process again.
-

RECOMMENDATION:

Staff recommends that the City Council accept the engineering and construction services fee proposal from Century West Engineering 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

ITEMS ATTACHED: CIP Letter from FAA



U.S. Department
of Transportation
**Federal Aviation
Administration**

Northwest Mountain Region
Seattle Airports District Office
1601 Lind Avenue S.W., Suite 250
Renton, Washington 98057-3356

April 25, 2017

Mike Miller
Public Works Director
City of Florence
989 Spruce St.
Florence, OR 97439

Florence Municipal Airport, Florence, OR
Fiscal Year 2018-2022
CAPITAL IMPROVEMENT PLAN (CIP)

Over the past few years the Federal Aviation Administration (FAA) and the Oregon Department of Aviation (ODA) have partnered together with sponsors in a continued effort towards developing solid Capital Improvement Plans (CIPs). Through the development of the State Capital Improvement Program (SCIP), ODA and the FAA have been able to work together to identify the highest priority work within the anticipated funds that would most effectively improve the statewide airport system from a safety and preservation perspective.

Last October through November we met with you during Joint Planning Conferences to review and compile a list of projects. Over the past few months your FAA PM, FAA State Planner and SCIP Coordinator have worked together to review, analyze and coordinate your airport's CIP. The summary below represents the plan the FAA will move forward with at this time. Our office believes that this plan is both eligible and justified; however as in any given year, projects are dependent on the availability of funding. Any changes to the agreed upon project list needs to be coordinated on your next SCIP and may affect funding and year. We appreciate your willingness to work through this process with us, and look forward to continuing to do so in the future.

Your non primary entitlements balance prior to any FY2017 funding actions are listed below.

(2014 Expiring)	FY 2014	\$89,159
	FY 2015	\$150,000
	FY 2016	\$150,000
	FY 2017	\$150,000
	TOTAL	\$539,159

Florence Municipal Airport
5-YEAR PROJECTS & REQUESTED FUNDING

Year	Project Name	NPE*	ST/DI	Total
2018	Rehabilitate Runway, Lighting, and Taxiway	\$580,000	\$450,000/\$0	\$1,030,000
2019	Carryover	\$0	\$0/\$0	\$0
2020	PMP	\$20,000	\$0/\$0	\$20,000
2021	Install AWOS	\$450,000	\$0/\$0	\$450,000
2022	Reconstruct Taxilanes	\$150,000	\$150,000/\$0	\$300,000

*Non-primary entitlement funds are specifically for general aviation airports that show needed airfield development listed in the latest published National Plan of Integrated Airport Systems (NPIAS). Non-primary entitlement funds are calculated as follows; the lesser of \$150,000 or 1/5 of an airport's 5-year development cost.

Please be reminded that you need to coordinate with ODA to ensure this plan is updated in GCR database with the CIP Datasheet detailing your projects.

To improve response timing due to Airport Improvement Program (AIP) grant schedule constraints we require that you submit your FY19-23 SCIP to the ODA SCIP Coordinator no later than August 30, 2017.

If you have any questions please call your Project Manager, Dan Stewart, at (425) 227-2666.

Sincerely,



Joelle Briggs
Manager, Seattle Airports District Office

AGENDA ITEM SUMMARY
FLORENCE CITY COUNCIL

ITEM NO: 8
Meeting Date: February 5, 2018
Department: Administration

ITEM TITLE: Authorize Staff to Submit a Grant Application for the USDA Rural Development Grant in conjunction with RAIN.

DISCUSSION/ISSUE:

History of RAIN in Florence

In 2015, Florence invited RAIN to partner with the City to foster and entrepreneurial ecosystem, activating local entrepreneurs and providing them with resources they need to launch and scale their new business. The City of Florence has provided \$30,000 to RAIN to support entrepreneurial outreach. This funding was used to match a grant received from the Ford Family Foundation in 2017 to hire a part-time Coastal Venture Catalyst to be shared with Lincoln County, to run the regions first-ever pre-accelerator program. The 12-week pre-accelerator included six Florence entrepreneurs and innovators starting or growing traded sector businesses and culminated in June 2017 with the RAIN Coastal Demo Day showcase, attended by 120 people from across the state. In addition to the City of Florence and the Ford Family Foundation, RAIN was able to secure funding from the United States Department of Agriculture, Lane County Community and Economic Development, Oregon Pacific Bank and Palo Alto Software to help continue these efforts.

In addition to these direct funding opportunities, these entrepreneurial programs have been directly supported by many area non-profits, government entities and businesses including, Lane Community College Small Business Development Center, Florence Area Chamber of Commerce, Siuslaw Vision 2025, Governor's Regional Solutions Team, University of Oregon College of Business, Lane Workforce Partnership, HATCH Oregon, Studios at Jayne Smoley Design, City Lights Cinema, Resobar, Beachcomber and Three Rivers Casino.

In February 2018, the City of Florence applied for a Business Oregon Rural Opportunity Initiative (ROI) Grant of \$100,000 in partnership with RAIN and Lincoln County. On April 4, 2018 the City received word that we were not awarded the grant. In order to keep moving forward toward funding for the entrepreneurship programs within the City's economic development plans, the City and RAIN have sought other potential funding alternatives.

USDA Grant

Staff would like to apply for the USDA Rural Business Development Grant in partnership with RAIN. Staff proposes to utilize the funding to contribute toward additional dedicated professional staff time for the Florence region. The funding proposal could allow RAIN to provide higher quality training opportunities to our region through additional professional speakers and events. This addition of professional staff time will allow our local entrepreneurs more time for training opportunities.

A funding match is not required for this grant, but a points score is awarded for the percentage of the program that is funded through nonfederal funding sources. Funding sources can include funding committed to date, as well as in-kind contributions.

If City Council is in agreement, staff will submit a grant application for this project in time for the April 30th deadline.

FISCAL IMPACT:

This is the first step in a multi-step process. If the grant application is approved by the USDA staff will bring forward a request for Council to accept the grant.

There is no matching fund requirements for this grant, however if we are successful in obtaining a Rural Business Development Grant from the USDA for additional support for the City & RAIN's entrepreneurial support program, the City intends to provide financial support for the program through a combination of City staff support, other eligible grants, donated funds, donated meeting spaces, and potentially additional City funds in future budget cycles.

RELEVANCE TO ADOPTED COUNCIL GOALS:

The application for the USDA grant would support Goal 3: Economic Development.

ALTERNATIVES:

1. Submit Rural Business Development grant application as indicated
2. Submit a grant request for an amended purpose
3. Do not authorize staff to submit a grant.

RECOMMENDATION:

Staff recommends that the City Council authorize staff to submit a grant application to the USDA for the support of a dedicated Coastal Venture Catalyst position for the Florence region, additional professional training, and some supporting funding toward a Community entrepreneurial incubator space.

AIS PREPARED BY: Kelli Weese, City Recorder / Economic Development Coordinator

CITY MANAGER'S RECOMMENDATION:

Approve Disapprove Other

Comments:

ER Reynolds

ITEMS ATTACHED: None

Reference Information:

- December 19, 2016 City Council Meeting
 - <http://www.ci.florence.or.us/council/city-council-meeting-140>
 - October 9, 2017 City Council Meeting
 - <http://www.ci.florence.or.us/council/city-council-meeting-137>
 - November 20, 2017 City Council Meeting
 - <http://www.ci.florence.or.us/council/city-council-work-session-meeting>
 - February 5, 2018 City Council Meeting
 - <http://www.ci.florence.or.us/council/city-council-meeting-141>
-

AGENDA ITEM SUMMARY
FLORENCE CITY COUNCIL

ITEM NO: 9
Meeting Date: April 16, 2018
Department: Police

ITEM TITLE: A.L.I.C.E. Training Update

DISCUSSION/ISSUE:

The Florence Police Department has continued to provide the A.L.I.C.E. (Alert, Lockdown, Inform, Counter, and Evacuate) training to the Siuslaw and Mapleton Schools districts and many of the local businesses here in the Florence area. With the continued incidents across the Country the demand for the program is increasing. Commander John Pitcher will provide the Council with a brief overview of the progress of the program.

FISCAL IMPACT:

This is a departmental presentation to Council on the current program.

RELEVANCE TO ADOPTED CITY WORK PLAN:

The Florence Police Department meets the 2018 Council Goals of:

- City Service Delivery – Public Safety: Police, Objective 6: Maintain national trends and best practices in law enforcement.
-

ALTERNATIVES: N/ A

RECOMMENDATION:

Receive the report and presentation.

AIS PREPARED BY: Tom Turner, Police Chief

CITY MANAGER'S RECOMMENDATION: Approve Disapprove Other

Comments:

ERReynolds

ITEM'S ATTACHED: 4.16.18 City Council A.L.I.C.E. Presentation



**City of Florence
Police Department**

**Citizen Response to a Violent
Intruder**

Alert **L**ockdown **I**nform **C**ounter **E**vacuate

Florence, Oregon

Moving Beyond Lockdown...

Alert **L**ockdown **I**nform **C**ounter **E**vacuate

Why is Citizen Preparation in Proactive Response Necessary?

- 25 years of *mass shooting* events have yielded a national average for the response time of Law Enforcement to an Active Killer scene.
- How long:

5-6 Minutes

A.L.I.C.E.

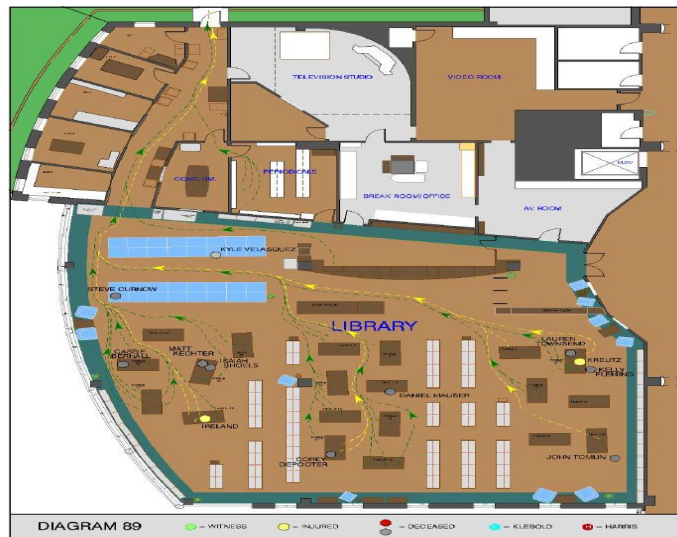
*This could be anyone, anywhere.
Are you prepared or watching?*



14 Years of Passive Response Strategies

	Columbine Library 1999	Virginia Tech 2007	Sandy Hook 2013
Number of Bad Guys	2	1	1
Minutes of Shooting	8.5	8	5
Numbers Present	56	Approx. 100	Approx. 50
Age of Victims	Minors	Adults	Minors and Adults
Casualty Percentage	About 50%	About 50%	About 50%
Number Wounded	12	17	2
Number Killed	10	30	26

Why did 54 students STAY for 5 minutes?



The Lesson from Virginia Tech:

Room 210 No Class	STAYED DOWN Room 206 - 14 Present Killed - 10 Wounded - 2	JUMPED & BARRICADED Room 204 - 19 Present Killed - 2 Wounded - 3	Room 200 No Class
Hallway - Killed 1			
Offices	STAYED DOWN Room 211 - 19 Present Killed - 12 Wounded - 6	BARRICADED AFTER 1ST TIME Room 207 - 13 Present Killed - 5 Wounded - 6	BARRICADED Room 205 - 12 Present Killed - 0 Wounded - 0

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The Lesson from Virginia Tech:

28 vs. 2 (Fatalities)

Passive vs. Proactive

	Wounded - 6	Wounded - 6	Wounded - 0
--	-------------	-------------	-------------

A.L.I.C.E.

Common Sense, just not Common Knowledge

Alert
Lockdown
Inform
Counter
Evacuate

ALICE is ***NOT*** a linear, progressive response.

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Lockdown

- Excellent starting point
- When should doors be locked?
- Before, During, or After?
- Locked doors provide a time barrier. Locks can, and have been defeated.
- ***BARRICADE:*** *The idea is to create a stronghold that nobody can breach... BE A HARDER TARGET!*
- Once Lockdown is in effect no one should be allowed into a secure room under any circumstances. Only open your locked door for uniformed police personnel.

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Which is a more effective barricade for a door opening out?



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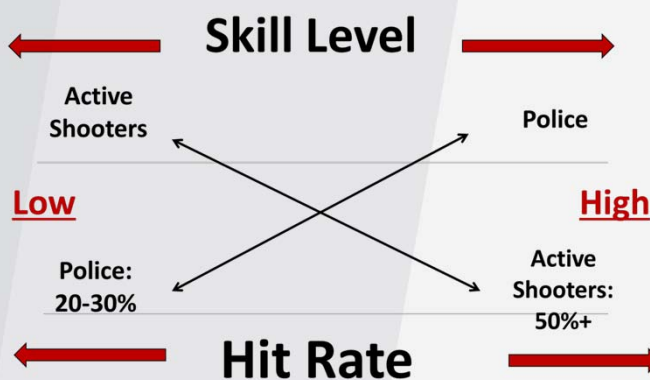
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Night Lock, door security device

Counter

- Is it possible to interrupt the skill set needed to shoot accurately?



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Evacuate

- Only 2% of Violent Intruder events have been by more than one person.
- If he is inside, you get outside.
- Cannot use car to evacuate
- Reunification points established

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A.L.I.C.E.

**When faced with Danger,
You Must DO Something.**

"In a moment of decision, the best thing you can do is the right thing. The next best thing is the wrong thing. The worst thing you can do is nothing."

- Theodore Roosevelt

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Why should "they" act?

Attack Resolution

The NYPD organized attack resolutions in the active shooter data set into four categories: applied force, no applied force, suicide or attempted suicide, and attacker fled.

Table 2 shows that the vast majority of attacks in the active shooter data set ended violently, either by force applied by law enforcement, private security, bystanders, or the attackers themselves. Only 14% ended without applied force, such as by a negotiated surrender.

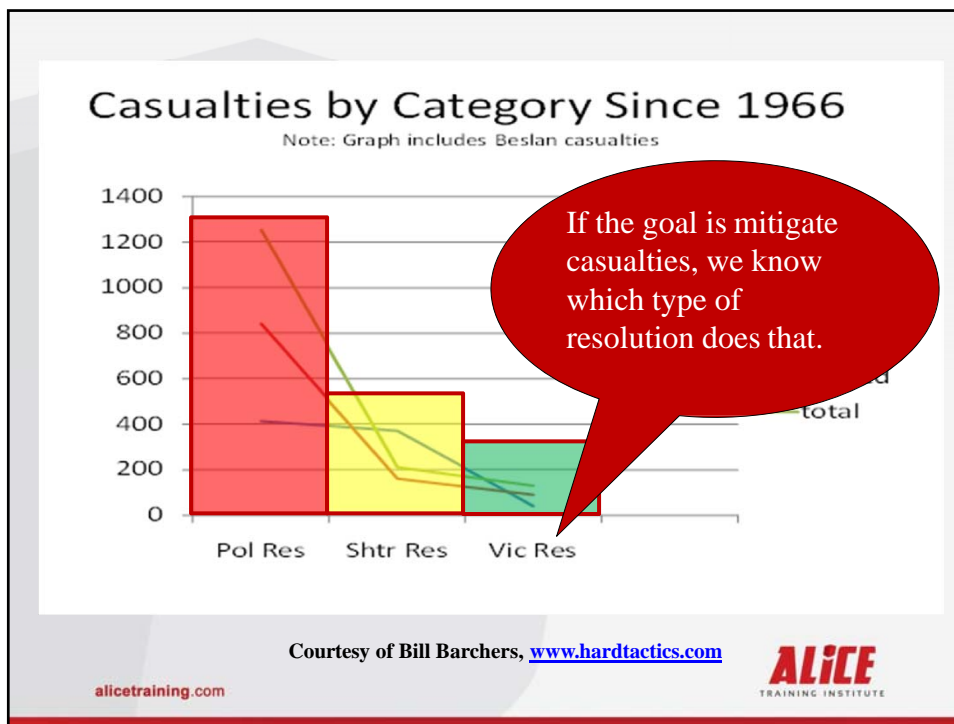
Table 2: Number of Incidents by Incident Resolution

Resolution	Number of Incidents	Percentage
Applied Force Citizens and Police	93	46%
No Applied Force	28	14%
Suicide/Attempted Suicide Shooter	80	40%
Attacker Fled	1	<1%
Total	202	100%

Source: NYPD, Active Shooter, Recommendations and Analysis for Risk Mitigation. 2011

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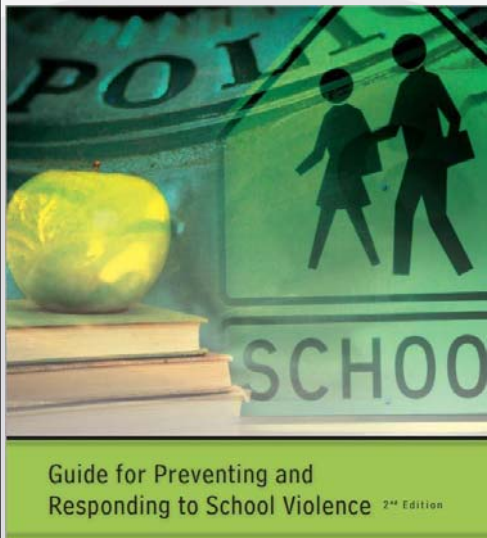


There is now a movement towards Proactive Response at official levels:

DHS Recommendations

- October 2008
- Known as the 3-Outs Program
 - Get Out
 - Hide Out
 - Take Out


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**IACP
Recommendations**

- October 2009
- Do not have a one-size fits all plan.
- Teachers choose to Evacuate or Lockdown
- Authorize decisions to be made
- Active Resistance is an option

Guide for Preventing and Responding to School Violence 2nd Edition



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**US Dept. of Ed
REMS
Recommendations**

- June 2013
- Has to be the end of LOCKDOWN only as the response plan for schools.

Are your plans in agreement with these recommendations, or contrary?

ALICE has led this movement since 2001.

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Florence Events Center Staff & Volunteers



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Shoreline Christian School



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Siuslaw School District Staff

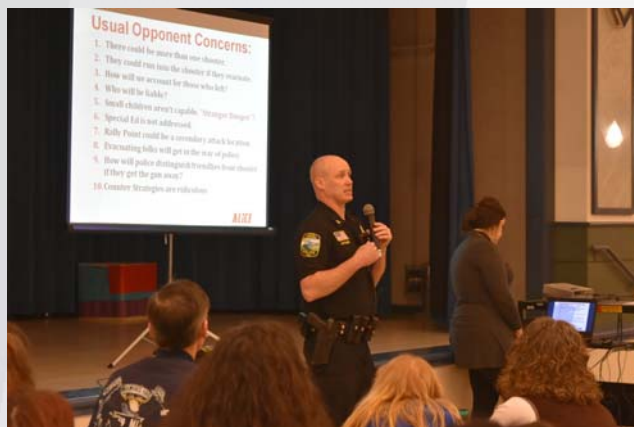


Photo courtesy of Siuslaw News

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AGENDA ITEM SUMMARY
FLORENCE CITY COUNCIL

ITEM NO: 10
Meeting Date: April 16, 2018
Department: All

ITEM TITLE: Board and Committee Report – March 2018

DISCUSSION/ISSUE:

Airport Advisory Committee

Department: Public Works

Staff: Mike Miller – Public Works Director

The Airport Advisory Committee did not meet during March. The next meeting is scheduled for April 18, 2018 at the FEC.

Airport Volunteers

Department: Public Works

Staff: Mike Miller – Public Works Director

Airport Volunteer Group (AVG) provided 248 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

Department: Finance

Staff: Andy Parks – Interim Finance Director

No report.

Audit Committee

Department: Finance

Staff: Andy Parks – Interim Finance Director

No report.

Budget Committee

Department: Finance

Staff: Andy Parks – Interim Finance Director

No report.

Economic Development Committee (EDC)

Department: Administration

Staff: Jesse Dolin – Economic Development Catalyst

No report.

Environmental Management Advisory Committee (EMAC)

Department: Planning

Staff: Wendy FarleyCampbell –
Planning Director

EMAC met on March 6th. Kelli Weese provided EMAC orientation and training. The committee also discussed solid waste licensees and rate review both in executive and open sessions with materials provided by Chris Bell from Bell and Associates. Due to the length of the meeting the agenda items regarding food and beverage foam container and plastic bag regulation was postponed to the next meeting scheduled for April 3rd.

Florence Events Center Volunteers / Friends of the FEC

Department: Florence Events Center

Staff: Kevin Rhodes – FEC Director

No Report.

Florence Urban Renewal Agency

Department: Administrative

Staff: Erin Reynolds – City Manager

FURA met in on March 28th. The group approved amendments to two different contracts to continue efforts toward the ReVision Florence project. Amendments were made to the districts contract with the Oregon Department of Transportation intergovernmental agreement and the agreement with the engineering firm Murraysmith. In addition, the agency reviewed the long-term funding of the district as well as the ReVision Florence project.

Florence Urban Renewal Agency Budget Committee

Department: Finance

Staff: Andy Parks – Finance Director

No report.

Parks Volunteers

Department: Public Works

Staff: Mike Miller – Public Works Director

Gallagher Park: Siuslaw Chapter of American Rhododendron Society volunteers provided 67.4 hours of labor pruning rhododendrons and other shrubs in the park.

Old Town Park (Gazebo Park): Volunteers provided 8 hours of labor cleaning the flowerbeds, pruning and weeding at the park.

Munsel Road Park: BSA Troop 721 provided 11 hours of volunteer hours cleaning the flower beds, weeding and mulching the rhododendrons.

Veterans Memorial Park: Volunteers provided 7 hours of labor cleaning and weeding at the park.

Singing Pines Park: Shoreline Christian School volunteers provided 2.5 hours of labor picking up litter and other trash at the park.

Planning Commission	
<u>Department:</u> Planning	<u>Staff:</u> Wendy FarleyCampbell – Planning Director
<p>Planning Commission met March 26th in a joint worksession with the City Council to discuss proposed comprehensive plan and code changes related to housing. They also met on March 27th to hold a public hearing on a request for annexation of the Heceta Beach Campground. The Planning Commission unanimously recommended approval to the City Council. Planning Commission’s next meeting will be held on April 11, 2018 at 5:30 were they will hold a worksession on Accessory Dwelling Units and other code proposals related to SB 1051.</p>	

Police Auxiliary	
<u>Department:</u> Police	<u>Staff:</u> Merrilee Mager – Auxiliary Director
No Report	

Police Reserve Officers	
<u>Department:</u> Police	<u>Staff:</u> Tom Turner – Police Chief
Program not active	

Public Art Committee	
<u>Department:</u> Administrative	<u>Staff:</u> Kelli Weese – City Recorder / Economic Development Coordinator
<p>PAC met on March 19th and discussed decided the following:</p> <p><u>Art Exposed:</u></p> <p>The team invited the public to attend to review the proposals from the subcommittee on the Art Exposed project and sent out letters to old town area residents, business owners, and property owners. The Public Art Committee received applications for five Bay Street locations and reviewed potential options for each location at the meeting (<i>see attached</i>). The committee elected to work with artists to select the following pieces:</p> <ul style="list-style-type: none"> • Site 5: Maple Street Park – Expose Time • Site 4: Old Town Park – Copper Leaf Tree • Site 3: East Side of Interpretive Center – Transformation • Site 2: Rain Garden – Peer • Site 1: River Roasters – Sitting Wave <p>The next steps will be for the committee to coordinate terms and installation logistics with each of the artists.</p> <p><u>Trash Cans:</u></p> <p>The group discussed the potential to purchase new trash cans for the Bay Street / Old Town area and prepare art pieces for those cans in a style of project similar to the Dancing with Sea Lions. The subcommittee is preparing cost estimates for the potential project.</p>	

Work Plan Amendments

PAC elected to make amendments to their work plan to include the ReVision Florence project art pieces as both additional 'Art Exposed' gallery locations as well as featured pieces. These additional amendments will require additional funding and this led the group to amend the work plan to include funding to hire a contract grant writer to prepare a work plan to outline the potential grants available for the project (and all art projects) and to potentially help write some of the grants. In addition, the group approved staff to submit an application to obtain an intern through the Resource Assistance for Rural Environments (RARE) program for the 18-19 school year.

Siuslaw Bridge Steps

The group reviewed progress toward the Siuslaw Bridge Steps project. The subcommittee received 23 applications for the project and finalized the selection committee for the project to include two public art committee members and three members of the public (Jo Beaudreau, Susan Tive, Nancy Archer, Mike Swartz and Dan Lofy). The subcommittee will review the submitted applications and will come to the Public Art Committee with a recommendation at a future meeting date.

Marketing

The public art committee is continuing its monthly article in the Siuslaw News. Stay tuned for additional information! The Committee also participated in Our Town on KCST Coast Radio so tune in on April 4th at 4:05 p.m. to hear that segment.

Transit Advisory Committee (TAC)

Department: Planning

Staff: Glen Southerland – Associate Planner

The Florence/Yachats Connector Pilot Project was released for bid by transportation providers the week of March 26th. The service organizers, LTD and ODOT, are aiming to begin providing service on July 1, 2018 through at least June 30, 2019. The route is currently planned to operate four daily round-trip routes five days per week. The 25.1 mile stretch is the only section of coastal highway in the western United States not currently serviced by public transportation. More information should be available prior to June.

The Needs Assessment Survey for the Florence/Yachats Connector service is still open to public input at <https://www.ltd.org/connector/>

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: 11
Meeting Date: April 16, 2018
Department: City Manager

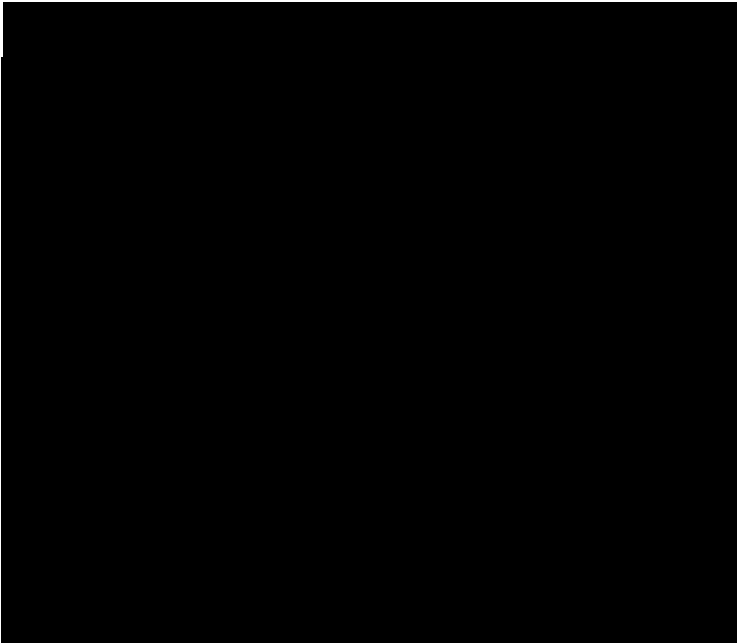
ITEM TITLE: CITY MANAGER REPORT & DISCUSSION ITEMS

AGENDA ITEM SUMMARY
FLORENCE CITY COUNCIL

ITEM NO: 12
Meeting Date: April 16, 2018
Department: City Council

ITEM TITLE: CITY COUNCIL REPORTS & DISCUSSION ITEMS

Florence City Council Calendar - 2018



April

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

May

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

June

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