

CITY COUNCIL MEETING AGENDA

February 26, 2026

6:00 PM

Central Point City Hall, Council Chambers

140 S 3rd St, Central Point, OR

www.centralpointoregon.gov



10. Meeting Called to Order

20. Pledge of Allegiance

30. Roll Call

40. Public Comments

The City Council sets aside 20 minutes for in-person public comments on non-agenda items. Comments are limited to three (3) minutes per individual, five (5) minutes per group or organization. Please complete a public comment form before speaking.

The City Council encourages written comments. Please submit your comments by regular mail to City Council, 140 S Third St, or by email to meetings@centralpointoregon.gov. Comments must be received by noon on the date of the meeting to be noted in the record. Please include the date of the Council meeting with your comments.

50. Public Agency Comments

60. Consent Agenda

- A. Approval of February 12, 2026, Meeting Minutes
- B. OLCC Application - Ryan Rose Wine

70. Items Removed from the Consent Agenda

80. Public Hearing

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

For land use matters and other quasi-judicial appeals: Comments are limited to a total of 30 minutes for applicants and/or their representatives. They may request a 5-minute rebuttal time. Appellants and/or their representatives are limited to a total of 30 minutes and if the applicant is not the appellant they will also be allowed a total of 30 minutes. All other participants are limited to 4 minutes.

For matters that are legislative or administrative and are not quasi-judicial: Comments are limited to 4 minutes per individual, group or organization.

Please complete a public comment form before speaking.

90. Ordinances and Resolutions

- A. An Ordinance Amending in Part the Central Point Municipal Code Section 2.18.010 - Parks and Recreation Commission - Established - Membership - Terms
Dave Jacob, Park Planner
- B. Ordinance Amending in Part Central Point Municipal Code Titles 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 15, 16, and 17 Relating to Consistent References to Master Fee Schedule and Repealing Chapter 5.33 Merchant Police and Private Detective, and Sections 3.16.040 Fire Department Charges, 8.03.050 Derelict Structure Fee, 10.16.030 Special Permits, 10.16.040 Immobilizing or Towing of Vehicles and 10.16.060 Immobilizer Fees
Sydnee Dreyer, City Attorney

100. Business

- A. 2nd Quarter Financial Report - As of December 31, 2025
Tessa DeLine, Finance Director
- B. Administrative Review and Recommendations for Agenda Requests (Councilor Brian Whitaker, 2025-2026)
Chris Clayton, City Manager
- C. Discussion of draft Graffiti Nuisance Ordinance
Sydnee Dreyer, City Attorney
- D. February 17, 2026 Planning Commission Report

110. Mayor's Report

120. City Manager's Report

130. Council Reports

140. Department Reports

150. Executive Session

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

160. Adjournment

Individuals wishing to attend a meeting via Zoom or needing special accommodations such as sign language, foreign language interpreters, or equipment for deaf and hard of hearing people must request such services at least 72 hours before the City Council meeting. To make your request, please contact the City Recorder at 541-423-1015 (voice) or by e-mail to meetings@centralpointoregon.gov.

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

CITY COUNCIL MEETING MINUTES

February 12, 2026

6:00 PM

Central Point City Hall, Council Chambers

140 S 3rd St, Central Point, OR

www.centralpointoregon.gov



1 Meeting Called to Order

2 Pledge of Allegiance

3 Roll Call

The following members were present: Mayor Tanea Browning, At Large Rob Hernandez, Ward I Neil Olsen, Ward IV Brian Whitaker, At Large Michael Quilty, Ward III Sarah Roberts

The following members were absent: Ward II Kelley Johnson

The following staff were also present: City Manager Chris Clayton, City Attorney Sydnee Dreyer, Parks and Public Works Director/Assistant City Manager Matt Samitore, Police Chief Scott Logue, Community Planner III Justin Gindlesperger, Park Planner Dave Jacobs, Planning Director (Remote) Stephanie Powers, and City Recorder/Assistant Finance Director Rachel Neuenschwander

4 Public Comments

5 Public Agency Comments

6 Consent Agenda

A. Approval of January 22, 2026, Meeting Minutes

B. 2026 Arbor Week Proclamation

C. 2026 PD Surplus Portable Radios

Motion: Approve

Moved By: Michael Quilty **Seconded by:** Brian Whitaker

Roll Call: Members Tanea Browning, Rob Hernandez, Neil Olsen, Brian Whitaker, Michael Quilty, Sarah Roberts voted yes.

7 Items Removed from the Consent Agenda

8 Public Hearing

A. 2026 Water System Development Charge Update

Parks and Public Works Director/Assistant City Manager Matt Samitore presented the Water System Development Charge (SDC) update. The fee would increase from \$1,552 to \$3,037, primarily due to the doubling of waterline costs since COVID. The reimbursement fee is now zero because capacity-increasing debt must be subtracted from unused capacity. The fee increase aligns Central Point with comparable cities in the region, ensuring growth pays for itself rather than placing the burden on existing ratepayers. Matt Samitore also noted an updated Exhibit A was presented to Council to be included in the motion.

Mayor Browning read the public hearing statement for both the Water & Parks System Development Charge Updates. No one came forward, and the hearing was closed.

Motion: Approve

Moved By: Michael Quilty **Seconded by:** Rob Hernandez

Roll Call: Members Tanea Browning, Rob Hernandez, Neil Olsen, Brian Whitaker, Michael Quilty, Sarah Roberts voted yes.

Michael Quilty moved to approve Resolution No. 1856, a Resolution Adopting Updated Water Capital Improvement Plan

and City's Water System Development Charges including the amended Exhibit A as presented.

B. 2026 Parks System Development Update

Parks and Public Works Director/Assistant City Manager Matt Samitore presented the Parks System Development Charge (SDC) update. The fee would increase modestly from \$2,445 to \$2,805, with the last update having been in 2009. The fee increase maintains Central Point's middle-ranking position compared to other cities in the region.

Motion: Approve

Moved By: Sarah Roberts

Seconded by: Neil Olsen

Roll Call: Members Tanea Browning, Rob Hernandez, Neil Olsen, Brian Whitaker, Michael Quilty, Sarah Roberts voted yes.

Sarah Roberts moved to approve Resolution No. 1857, a Resolution Adopting Updated Parks Capital Improvement Plan and Parks System Development Charges.

9 Ordinances and Resolutions

A. Ordinance Amending in Part Central Point Municipal Code Titles 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 15, 16, and 17 Relating to Consistent References to Master Fee Schedule and Repealing Chapter 5.33 Merchant Police and Private Detective, and Sections 3.16.040 Fire Department Charges, 8.03.050 Derelict Structure Fee, 10.16.030 Special Permits, 10.16.040 Immobilizing or Towing of Vehicles and 10.16.060 Immobilizer Fees

City Attorney Sydnee Dreyer presented an ordinance to standardize fee references throughout the municipal code to enable creation of a master fee schedule. The ordinance also repeals obsolete sections, including those related to merchant police, fire department charges, and vehicle immobilization, as these services are either regulated by the state or no longer provided by the city.

Motion: Approve

Moved By: Michael Quilty

Seconded by: Rob Hernandez

Roll Call: Members Tanea Browning, Rob Hernandez, Neil Olsen, Brian Whitaker, Michael Quilty, Sarah Roberts voted yes.

Michael Quilty moved to forward the Ordinance Amending in Part Central Point Municipal Code Titles 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 15, 16, and 17 Relating to Consistent References to Master Fee Schedule and Repealing Chapter 5.33 Merchant Police and Private Detective, and Sections 3.16.040 Fire Department Charges, 8.03.050 Derelict Structure Fee, 10.16.030 Special Permits, 10.16.040 Immobilizing or Towing of Vehicles and 10.16.060 Immobilizer Fees to a second reading.

B. Resolution Authorizing the City Manager to Sell Certain Surplus Real Property Located on Old Military Road (Map No. 372W08 Tax Lot 1900) Via Fixed Price Sale

City Attorney Sydnee Dreyer presented a resolution to sell surplus property via a fixed-price sale for a minimum of \$275,000, with a closing date of March 31st. The 7.17-acre property was previously declared surplus in 2021, but an earlier sale fell through. The city now has an interested purchaser.

Motion: Approve

Moved By: Sarah Roberts

Seconded by: Michael Quilty

Roll Call: Members Tanea Browning, Rob Hernandez, Neil Olsen, Brian Whitaker, Michael Quilty, Sarah Roberts voted yes.

Sarah Roberts moved to approve Resolution No. 1858, a Resolution Authorizing the City Manager to Sell Certain Surplus Real Property Located on Old Military Road (Map No. 372W08 Tax Lot 1900) Via Fixed Price Sale.

C. A Resolution Renaming Civic Park to Henry "Hank" Williams Park

Park Planner Dave Jacob presented a resolution to rename Civic Park to Henry "Hank" Williams Park in honor of former Mayor Williams who served for 22 years. This proposal came after public input indicated a preference to maintain the name of Twin Creeks Park, which was initially considered for renaming. The Parks and Recreation Commission recommended approval of this alternative.

Motion: Approve

Moved By: Rob Hernandez **Seconded by:** Neil Olsen

Roll Call: Members Tanea Browning, Rob Hernandez, Neil Olsen, Brian Whitaker, Michael Quilty, Sarah Roberts voted yes.

Rob Hernandez moved to adopt Resolution No. 1859, renaming Civic Park to Henry “Hank” Williams Park.

D. A Resolution Naming the Bandshell at Twin Creeks Park as the "Mike Parsons Memorial Bandshell"

Park Planner Dave Jacob presented a resolution to name the bandshell at Twin Creeks Park as the "Mike Parsons Memorial Bandshell" in recognition of former City Councilor Parsons' extensive public service and community involvement. The Parks and Recreation Commission recommended approval.

Motion: Approve

Moved By: Michael Quilty **Seconded by:** Sarah Roberts

Roll Call: Members Tanea Browning, Rob Hernandez, Neil Olsen, Brian Whitaker, Michael Quilty, Sarah Roberts voted yes.

Michael Quilty moved to adopt Resolution No. 1860 naming the bandshell at Twin Creeks Park as the “Mike Parsons Memorial Bandshell”.

E. Resolution of Intent to Initiate Amendments to the Comprehensive Plan and Title 17 of Central Point Municipal Code

Community Planner III Justin Gindlesperger presented a resolution declaring the Council's intent to proceed with updates to the comprehensive plan and zoning code. These updates will incorporate wetlands and riparian corridor inventories that were started in 2023, using the state's "safe harbor" approach.

Motion: Approve

Moved By: Sarah Roberts **Seconded by:** Michael Quilty

Roll Call: Members Tanea Browning, Rob Hernandez, Neil Olsen, Brian Whitaker, Michael Quilty, Sarah Roberts voted yes.

Sarah Roberts moved to approve Resolution No. 1861, A Resolution of Intent to initiate amendments to the Environmental Management Element of the Comprehensive Plan and Title 17 of the Central Point Municipal Code.

10 Mayor's Report

The Mayor reported on her attendance at a Youth Council development meeting at the high school, where students are finalizing communication plans and learning about project implementation complexities. She also attended a joint study session, SOREDI board meeting, Denim and Diamonds event, and a CIS County Insurance special board meeting.

11 City Manager's Report

The City Manager, Chris Clayton, reported on a lunch meeting with Fire District 3 Chief Mike Hussey, who will present to Council in March. He mentioned progress on selling the old public works facility, purchasing ODOT property along Bear Creek, discussions about the Tolo area industrial park near exit 35, and upcoming police negotiations starting March 3rd. He also noted work on a GIS system RFP following Mike's retirement.

12 Council Reports

Council members reported on various meetings and activities, including the Denim and Diamonds event, airport advisory committee, water commission board meeting, and MPO meeting.

13 Department Reports

The Police Chief Scott Logue reported on the completion of a comprehensive evidence room review with no issues and noted only six use of force incidents for all of 2025.

The Parks and Public Works Director Matt Samitore reported progress on the Twin Creeks cat situation, the growing popularity of a mahjong class at the recreation department, receipt of a grant for environmental restoration at Creekside, and upcoming Crest Waterline bid documents.

The Planning Director Stephanie Powers reported on an upcoming joint meeting between the Planning Commission and Citizens Advisory Committee and the approval of the Cartiva car dealership site plan.

14 Adjournment

Neil Olsen moved to adjourn, all said aye and the meeting was adjourned at 7:10 pm.

The foregoing minutes of the February 12, 2026, Council meeting were approved by the City Council at its meeting of _____, 2026.

Dated:

Mayor Tanea W. Browning

ATTEST:

City Recorder



DEPARTMENT: Administration

MEETING DATE: February 26, 2026

STAFF CONTACT:

SUBJECT: OLCC Application - Ryan Rose Wine

SUMMARY AND BACKGROUND:

The City has received an application for Ryan Rose Wine who is currently located at 245 B N Front St, and will be moving to 251 E Pine St.

Oregon Revised Statutes (ORS) require that Oregon Liquor and Cannabis Commission (OLCC) applications for new licenses and changes of ownership be approved by the City Council. The Planning Department has confirmed that the business is permitted at the proposed new location.

ATTACHMENTS/EXHIBITS:

1. Ryan Rose Local Govt Recommendation



OREGON LIQUOR & CANNABIS COMMISSION
Local Government Recommendation – Liquor License

Annual Liquor License Types	
Off-Premises Sales	Brewery-Public House
Limited On-Premises Sales	Brewery
Full On-Premises, Caterer	Distillery
Full On-Premises, Commercial	Grower Sales Privilege
Full On-Premises, For Profit Private Club	Winery
Full On-Premises, Non Profit Private Club	Wholesale Malt Beverage & Wine
Full On-Premises, Other Public Location	Warehouse
Full On-Premises, Public Passenger Carrier	

Section 1 – Submission – To be completed by Applicant:

License Information

Legal Entity/Individual Applicant Name(s): **NORTHWEST WINE SOLUTIONS**
Proposed Trade Name: **RYAN ROSE WINE**
Premises Address: **251 EAST PINE STREET** Unit:
City: **CENTRAL POINT** County: **JACKSON** Zip: **97502**
Application Type: New License Application Change of Ownership Change of Location
License Type: **OR-P-21462 3RD LOCATION** Additional Location for an Existing License

Application Contact Information

Contact Name: **CAROLE SKEETERS STEVENS** Phone: **5033499616**
Mailing Address: **8085 GOLD RAY ROAD**
City: **CENTRAL POINT** State: **OR** Zip: **97502**
Email Address: **CAROLE@RYANROSEWINE.COM**

Business Details

Please check all that apply to your proposed business operations at this location:

- Manufacturing/Production
- Retail Off-Premises Sales
- Retail On-Premises Sales & Consumption

If there will be On-Premises Consumption at this location:

- Indoor Consumption Outdoor Consumption
- Proposing to Allow Minors

Section 1 continued on next page



OREGON LIQUOR & CANNABIS COMMISSION

Local Government Recommendation – Liquor License

Section 1 Continued – Submission - To be completed by Applicant:

Legal Entity/Individual Applicant Name(s): **NORTHWEST WINE SOLUTIONS**

Proposed Trade Name: **RYAN ROSE WINE**

IMPORTANT: You **MUST** submit this form to the local government **PRIOR** to submitting to OLCC.
Section 2 must be completed **by the local government** for this form to be accepted with your CAMP application.

Section 2 – Acceptance - To be completed by Local Government:

Local Government Recommendation Proof of Acceptance

After accepting this form, please return a copy to the applicant with received and accepted information

City or County Name:

Optional Date Received Stamp

Date Application Received:

Received by:

Section 3 – Recommendation - To be completed by Local Government:

- Recommend this license be granted**
- Recommend this license be denied** (Please include documentation that meets [OAR 845-005-0308](#))
- No Recommendation/Neutral**

Name of Reviewing Official:

Title:

Date:

Signature:

After providing your recommendation and signature, please return this form to the applicant.

City Council approved An Ordinance Amending in Part the Central Point Municipal Code Section 2.18.010 - Parks and Recreation Commission - Established - Membership - Terms to include a student commission member in 2025.

FINANCIAL ANALYSIS:

No financial impact expected.

LEGAL ANALYSIS:

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

The youth member position continues to support the City's goal of increasing civic engagement and leadership development opportunities for students.

ATTACHMENTS/EXHIBITS:

1. AN ORDINANCE AMENDING IN PART CENTRAL POINT MUNICIPAL CODE SECTION 2.18.010 REV 02-19-2026

STAFF RECOMMENDATION:

Staff recommends forwarding the revised ordinance to a second reading.

RECOMMENDED MOTION:

I move to forward the Ordinance Amending in Part Central Point Municipal Code Section 2.18.010 - Parks and Recreation Commission - Established - Membership - Terms to a second reading.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING IN PART CENTRAL POINT MUNICIPAL CODE
SECTION 2.18.010 – PARKS AND RECREATION COMMISSION--ESTABLISHED –
MEMBERSHIP--TERMS**

Recitals:

- A. Pursuant to CPMC 1.01.040, the city council, may from time to time revise its municipal code which shall become part of the overall document and citation.
- B. The City desires to create opportunities for youth involvement in City business.
- C. The City finds that establishment of a youth membership position on the Parks and Recreation Commission would create valuable opportunities for a youth member to be involved in parks related issues.
- D. Words ~~lined through~~ are to be deleted and words **in bold** are added.

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

SECTION 1. CPMC 2.18.010 is hereby amended to read as follows:

2.18.010 Established—Membership—Terms

- A. Membership.** There is established a Central Point Parks and Recreation Commission composed of seven voting members who shall be appointed by and shall serve at the pleasure of the city council, but who shall not be council members, officers, or employees of the city of Central Point. Six members shall be at large; and except as provided below, one member shall be a youth member who shall be a resident of Central Point and a current student from Central Point high school or attending a high school outside the jurisdiction of School District 6 enrolled as a **sophomore**, junior or senior at the time of appointment. The youth member shall be a full voting member and shall count toward quorum and residency requirements. The city council may solicit recommendations for appointment of a high school member through local schools or public application.
- B. Terms. At large** Parks and Recreation Commissioners will serve three-year terms; the youth member shall serve a two-year term. Each member of the commission shall have a demonstrated interest in parks, open space, and recreation matters. At least seventy-five percent of commission members shall be residents of Central Point.
- C. Vacancy on Youth Position.** In the event the youth member position remains vacant for 1-month or more it may be filled by a citizen at large to the remainder of the then vacant two-year term.

D. Appointment of Chairperson. Each year, before the first regular meeting of the Parks and Recreation Commission, the mayor shall appoint a commission chairperson. The chairperson shall hold office for one year.

E. Application/Appointment of Youth Member. Youth members shall be selected by the following methods:

1. Submittal of an application to the Mayor's office.
2. Submittal one letter of recommendation from a member of the community other than a relative.
- ~~3. All application materials shall be submitted by May 1st.~~
- ~~3.4.~~ Final decision will be made by the Council with the Mayor's recommendation based on the student's application and ~~possible~~ interview.
- ~~4.5.~~A student member shall be appointed by the Council by ~~June 15th~~ and shall serve a two-year term starting with the first commission meeting following council approval. ~~beginning July 1 and ending June 30.~~
- ~~6. For the first term following adoption of this Ordinance, the youth member may submit an application and be appointed at any time as determined by Council for the remainder of the initial term.~~

SECTION 2. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", "chapter" or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions (i.e. Recitals A-C) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

SECTION 3. Effective Date. The Central Point City Charter states that an ordinance enacted by the Council shall take effect on the thirtieth day after its enactment. The effective date of this ordinance will be the thirtieth day after the second reading.

PASSED by the Council and signed by me in authentication of its passage this _____ day of _____ 2025.

Mayor Tanea Browning

ATTEST:

City Recorder



DEPARTMENT: Administration **MEETING DATE:** February 26, 2026

STAFF CONTACT: Sydnee Dreyer, City Attorney

SUBJECT: Ordinance Amending in Part Central Point Municipal Code Titles 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 15, 16, and 17 Relating to Consistent References to Master Fee Schedule and Repealing Chapter 5.33 Merchant Police and Private Detective, and Sections 3.16.040 Fire Department Charges, 8.03.050 Derelict Structure Fee, 10.16.030 Special Permits, 10.16.040 Immobilizing or Towing of Vehicles and 10.16.060 Immobilizer Fees

SUMMARY AND BACKGROUND:

The City charges fees for various services, licenses and permits throughout the City Code. The fees and charges can be difficult for the public to find. Some are identified in sections of City code, others are adopted by Council resolution or within internal documents. The City intends to consider adoption in the near future a master fee schedule in which all current fees and charges can be easily located and updated. To do so, the city's code must be amended to consistently identify the master fee schedule.

Additionally, in reviewing the code for references to a future master fee schedule, staff noted several sections of code that were outdated, inconsistent, or contained fee provisions that have never been enforced to staff's knowledge. As such, additional minor revisions were recommended to clean up the inconsistencies and/or outdated language, as well as proposed repeal of provisions that are not enforced by the City.

In particular, Chapter 5.33 Merchant Police and Private Detectives has not been utilized by the City to the best of staff's knowledge. Moreover, anyone practicing as a private detective must obtain a license from the state. As such, there is no need for additional licensing through the city, other than obtaining a business license as any other business owner or operator must do.

Chapter 3.16.040 Fire Department Charges is also proposed for repeal as the City does not have its own fire department, and as such does not impose these fees.

Chapter 8.03.050 is similarly proposed for repeal as the City does not collect a derelict structure fee; however, the remaining provisions regulating the use and management of such structures are enforced and will remain in effect.

Chapters 10.16.030, 10.16.040 and 10.16.060 are also proposed for repeal as the city

does not own or use immobilizer boots, nor does it issue special permits for truck parking, and as such these provisions are superfluous.

Council considered the first reading of this ordinance at its February 12, 2026 meeting and moved to forward the ordinance to a second reading as presented.

PREVIOUSLY DISCUSSED/DECIDED:

FINANCIAL ANALYSIS:

LEGAL ANALYSIS:

In order to adopt fees by resolution, the ordinance must authorize such action. The current ordinance is not proposing to add or increase any existing fees, as such a public hearing under ORS 294.160 is not required. The proposed ordinance will merely authorize the city to adopt a master fee schedule by resolution, at which time a public hearing will be held.

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

GOAL 2 - Invite Public Trust.

STRATEGY 1 – Continually update the city’s long-term financial plan/strategy.

STRATEGY 3 – Celebrate our successes and admit our mistakes.

STRATEGY 5 – Communicate effectively and transparently with the public.

ATTACHMENTS/EXHIBITS:

1. Ordinance Amending Fees Misc 12.23.25

STAFF RECOMMENDATION:

Make a motion to approve the ordinance with or without revisions.

RECOMMENDED MOTION:

I move to approve Ordinance No, _____, an Ordinance Amending in Part Central Point Municipal Code Titles 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 15, 16, and 17 Relating to Consistent References to Master Fee Schedule and Repealing Chapter 5.33 Merchant Police and Private Detective, and Sections 3.16.040 Fire Department Charges, 8.03.050 Derelict Structure Fee, 10.16.030 Special Permits, 10.16.040 Immobilizing or Towing of Vehicles and 10.16.060 Immobilizer Fees.

ORDINANCE NO. _____

AN ORDINANCE AMENDING IN PART CENTRAL POINT MUNICIPAL CODE TITLES 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 15, 16 AND 17 RELATING TO CONSISTENT REFERENCES TO MASTER FEE SCHEDULE AND REPEALING CHAPTER 5.33 MERCHANT POLICE AND PRIVATE DETECTIVES, AND SECTIONS 3.16.040 FIRE DEPARTMENT CHARGES, 8.03.050 DERELICT STRUCTURE FEES, 10.16.030 SPECIAL PERMITS, 10.16.040 IMMOBILIZING OR TOWING OF VEHICLES AND 10.16.060 IMMOBILIZER FEES

Recitals:

A. Pursuant to CPMC, Chapter 1.01.040, the City Council, may from time to time make revisions to its municipal code which shall become part of the overall document and citation.

B. The City charges fees for various services, licenses and permits throughout the City Code. The fees and charges can be difficult for the public to find. Some are identified in sections of City code, others are adopted by Council resolution or within internal documents.

C. The City intends to adopt by resolution a master fee schedule in which all current fees and charges can be easily located and updated. To do so, the city's code must be amended to consistently identify the master fee schedule.

D. Additionally in reviewing the code for fee updates, staff identified a number of fee provisions that are obsolete or have never been enforced and are recommended for minor amendments or repeal.

E. The ordinance does not create or increase any fees. It creates a uniform reference to a master fee schedule to be adopted in the future, and provides minor revisions and corrections where inconsistencies have been noted.

F. Words ~~lined through~~ are to be deleted and words **in bold** are added.

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

Section 1. Section 2.53.010 Dishonored Checks of the Central Point Municipal Code is amended in part as follows:

When any fee, fine or other payment is made to the city by any person by check, and such check is dishonored by the bank upon which it was written for insufficient funds having been on account, a processing fee of ~~twenty dollars~~ **as established in the most recent schedule approved by resolution of the council** shall be added to the fee, fine or other sum due the city for each check thus returned, and the processing fee shall be subject to collection in the same manner as the underlying fee, fine or other sum due. (Ord. 1797 §1, 1998; Ord. 1513 (part), 1984; Ord. 1345, 1979).

Section 2. Section 2.62.080 Compensation of the Central Point Municipal Code is amended in part as follows:

Commission members shall receive no compensation other than expenses as authorized by the city manager or mayor and council, **or as a stipend for the planning commission chair as authorized by the council.** (Ord. 1950 (part), 2011).

Section 3. Section 3.12.010 of the Central Point Municipal Code is amended in part as follows:

Upon receipt of application and payment of fees as herein provided, the recorder of the city is authorized to make a search of the lien records of the city and to issue certificates of existence of liens upon real property within the city as disclosed by the records. **The fee shall be established in the most recent schedule approved by resolution of council** (Ord. 1109 §1, 1973).

Section 4. Section 3.16.030 Police Department Charges of the Central Point Municipal Code is amended in part as follows:

The following charges shall be collected by the police department, in the manner specified, for the following described services:

A. Office Services. **Finger printing, bicycle license fees, copies of reports, improved vehicle release fees and any other administrative fees shall be established in the most recent schedule approved by resolution of council.**

1.	Applicant fingerprinting	5.00 for 1 card \$3.00 for each additional card	Payable in advance Payable in advance
2.	Bicycle license fees	\$1.00 per year	Payable in advance
3.	Copies of reports	\$5.00 for first page, \$1.00 for each additional page	Payable in advance
4.	Improved vehicle release	\$75.00	Payable in advance

B. Investigative Services.

1.	Vehicle accident investigations occurring on private property (when no citation for traffic crime is issued)	\$15.00 per investigation	Payable in advance of delivery of report (no additional charge for report)
2.	Investigation of bad check cases on request of victim (where victim declines to prosecute or dismisses)	\$10.00 for first check, \$3.00 for each additional check	Billed on conclusion of service

C. Response to Alarms. **Responses to false alarms shall be subject to fees as established in the most recent schedule approved by resolution of council.**

- | | | | |
|----|--|--|---|
| 1. | Owner or employee caused false alarm | First response \$10.00; second response within three months \$25.00; third response within six months \$50.00; fourth response within one year \$100.00; each additional response within one year \$100.00 | Billable to user following each response |
| 2. | False alarm caused by faulty installation or defective equipment | First response \$20.00; second response within three months \$50.00; third response within six months \$100.00; fourth and each subsequent response within one year \$250.00 each | Billable to alarm company following each response |

D. Special Duty Police Officers. **The fee for special duty police officers shall be subject to fees as established in the most recent schedule approved by resolution of council.**

1. ~~The compensation rate per officer, per hour, will be computed on an actual cost factor based on total services provided.~~
2. ~~Total services provided includes, but is not limited to, current employee salaries and benefits, equipment usage, supervisory and administrative costs, etc.~~
3. ~~The hourly compensation rate will be reviewed and adjusted if necessary each year by the finance director, in accordance with the criteria established by this section.~~
4. ~~Authorization for usage of police personnel, staffing requirements, equipment usage, minimum-maximum assignment hours, etc., will be at the discretion and only upon approval of the chief of police. (Ord. 1802, 1999; Ord. 1796 §1, 1998; Ord. 1540 §1, 1985; Ord. 1458 §1, 1982; Ord. 1399 §1(part), 1980).~~

Section 5. Section 3.16.040 is repealed in its entirety.

Section 6. Section 3.20.040 Fees of the Central Point Municipal Code is amended in part as follows:

A fee shall be paid to the city at such time that an applicant submits a request for a license recommendation. Fees for such services shall be established **in the most recent schedule approved by resolution of council**. ~~by resolution of the city council.~~ (Ord. 1975 §1(part), 2013; Ord. 1509 §1(part), 1984).

Section 7. Section 3.20.050 Temporary License of the Central Point Municipal Code is amended in part as follows:

The city recorder is authorized to approve applications for temporary OLCC licenses such as special events, special beer and special wine licenses. Such applications may be processed administratively after the fee established by the council has been paid. **Fees for such temporary license shall be established in the most recent schedule approved by resolution of council.** The city recorder may make an unfavorable recommendation to the OLCC if any of the criteria located in CPMC [3.20.030](#) is determined to exist in regards to the application. (Ord. 1975 §1(part), 2013).

Section 8. Section 3.25.080.F Billing and collection of Parks Maintenance Fee of the Central Point Municipal Code is amended in part as follows:

F. A late charge shall be attached to any parks maintenance fee not received within thirty days of billing. The charge is established **in the most recent schedule approved by resolution of council.** ~~under administrative fees by resolution.~~

G. Notwithstanding the above, if the parks maintenance fee is not paid for a period of three months, the fee, with any attendant late fees, shall be imposed on the responsible party. Unpaid amounts will ultimately become a lien against the property and the responsibility of the property owner. Water is subject to shut-off by the city. (Ord. 2008 §1(part), 2015).

Section 9. Section 3.26.070.F Billing and collection of Public Safety Fee of the Central Point Municipal Code is amended in part as follows:

F. A late charge shall be attached to any public safety fee not received within thirty days of billing. The charge is established **in the most recent schedule approved by resolution of council.** ~~under administrative fees by resolution.~~

G. Notwithstanding the above, if the public safety fee is not paid for a period of three months, the fee, with any attendant late fees, shall be imposed on the responsible party. Unpaid amounts will ultimately become a lien against the property and the responsibility of the property owner. Water is subject to shut-off by the city. (Ord. 2009 §1(part), 2015).

Section 10. Section 3.27.080.F Billing and Collection of Recreation Fee of the Central Point Municipal Code is amended in part as follows:

F. A late charge shall be attached to any recreation fee not received within thirty days of billing. The charge is established **in the most recent schedule approved by resolution of council.** ~~under administrative fees by resolution.~~

G. Notwithstanding the above, if the recreation fee is not paid for a period of three months, the fee, with any attendant late fees, shall be imposed on the responsible party. Unpaid amounts will ultimately become a lien against the property and the responsibility of the property owner. Water is subject to shut-off by the city. (Ord. 2099 § 9, 2023).

Section 11. Section 3.40.050 Release of Lien of the Central Point Municipal Code is amended in part as follows:

The city shall collect an administrative fee, as **established by the most recent schedule approved by resolution of council** ~~set by council resolution~~, for the release of any lien issued by the city. (Ord. 2029 §5(part), 2016).

Section 12. Section 4.01.080 Fees of the Central Point Municipal Code is amended in part as follows:

Fees for burial plot permits, monument and marker permits and other services provided by the city shall be **established by the most recent schedule approved by resolution of council** ~~set by council resolution~~. (Ord. 2075 § 2, 2021).

Section 13. Section 4.04.140 Reservation System of the Central Point Municipal Code is amended in part as follows:

A. The use of the city parks shelter areas, athletic fields, and athletic courts may be reserved for private functions by individuals or groups. The city shall adopt policies establishing the reservation policy and individuals or groups may apply to reserve such shelter areas, athletic fields, or athletic courts pursuant to said policy.

B. A nonrefundable fee will be established by **the most recent schedule approved by** resolution of ~~the city~~ council and will be charged for reservation of a shelter, athletic field, or athletic court for private use. The fee may be waived by the city manager or his or her designee for public use.

C. It shall be unlawful for anyone to interfere with or prohibit the use of a park shelter, athletic field, or athletic court by the reserved party.

D. Dunk tanks, party ponies, petting zoos, or other similar structures or activities that increase liability to the city as solely determined by the parks and recreation department are prohibited in all parks. Jump/bounce houses may only be permitted as part of a city-sponsored event, in which the city hosts or co-hosts the event. (Ord. 2121 §4, 2025).

Section 14. Section 5.04.090 Fee-Term of the Central Point Municipal Code is amended in part as follows:

A. The business license term shall be the twelve-month period beginning on October 1st of each year and ending September 30th of the calendar year next following.

B. If any business subject to the provisions of this chapter comes into existence, or for the first time commences its operations within the city at any time after ~~January~~ **April** 1st of any business license period, the license fee payable in connection with that business for the current business license period shall be prorated as of the beginning date of the semi-annual period during which the activity begins. The semi-annual periods for the purposes hereof shall begin on the first day of January of each year.

C. The license fee for any business taxed hereunder shall ~~be computed using the city of Central Point business license fee schedule to include a basic fee and an additional fee for each employee over two employees, but no fee hereunder shall exceed the maximum annual amount set forth in the city of Central Point business license fee schedule.~~ **be as established in the most recent fee schedule approved by resolution of council. The fees shall be computed and paid on the basis contained in this section.** For the purposes of this subsection, the term "employee" means and includes:

1. A person having no ownership interest in the business other than the ownership of shares in a corporate owner of the business and who is regularly employed by, and under the supervision and control of, the owner or owners of the business or their representative in the course of the business activities; or
2. A natural person having an ownership interest in the business, who actively works in and for the business on a full-time basis;
3. Any person who is not subject to state and federal employment and withholding taxes by the business shall not be deemed an employee under this chapter. (Ord. 2068 §2, 2020; Ord. 1822 §1(part), 2001; Ord. 1722 §2, 1995; Ord. 1391 §4, 1980; Ord. 1158 §1, 1974; Ord. 761 §9, 1965).

Section 15. Section 5.04.092 License Renewals of the Central Point Municipal Code is amended in part as follows:

A. The city designee shall annually send a license renewal notice to each business for which a license has been issued informing said business of the expiration date of its current license and requiring that business to renew its license for the following business year.

B. The city designee shall assess a late fee on any business license renewal that is not paid within thirty days of the date of the renewal notice. The amount of the late fee shall be **as established in the most recent fee schedule approved by resolution of council.** ~~as set forth in the city of Central Point License Fee Schedule.~~ (Ord. 1822 §1(part), 2001).

Section 16. Section 5.04.095.D Special Events of the Central Point Municipal Code is amended in part as follows:

D. The fee for licenses authorized by this section shall be as **established in the most recent fee schedule approved by resolution of council.** ~~set forth in the city of Central Point business license fee schedule.~~ (Ord. 1822 §1(part), 2001; Ord. 1443 §1, 1981).

Section 17. Section 5.04.115 Transfers of Business of the Central Point Municipal Code is amended in part as follows:

If a business ownership or location is transferred, the requirements of this section shall prevail. A fee as **established in the most recent fee schedule approved by resolution of council.** ~~set forth in the city of Central Point Business License Fee Schedule~~ shall be charged for a transfer. The employee fee will not be charged in the year of transfer unless employees are added, in which case a charge will be made for the additional employees. (Ord. 1822 §1(part), 2001; Ord. 1443 §2, 1981).

Section 18. Section 5.04.120 Business License Fee Schedule of the Central Point Municipal Code is amended in part as follows:

All business license fees shall be determined **as established in the most recent fee schedule approved by resolution of council.** ~~using the city of Central Point Business License Fee Schedule as set forth hereunder. This fee schedule may be amended from time to time by the city council by resolution.~~ (Ord. 1822 §1(part), 2001).

Section 19. Section 5.08.020 License of the Central Point Municipal Code is amended in part as follows:

It is unlawful for any person to hold or conduct any public dance without first obtaining a license therefor from the city designee. A license fee as **established in the most recent fee schedule approved by resolution of council** ~~set forth in the city of Central Point business license fee schedule~~ shall be paid in advance of the event. Such licenses shall be issued upon a finding by the city designee that the applicant understands the provisions of this chapter and has the ability to conform to its provisions. The license shall in no case be transferable. The city designee shall, if it is found that a license holder has failed to substantially follow the requirements of this chapter, withdraw said license or refuse a request to renew said license, as the case may be. Any refusal by the city designee to grant a license and any withdrawal of a license by the city designee may be appealed to the city council, and the council shall determine said appeal based on the evidence relating to whether or not provisions of this chapter have been violated or are not reasonably expected to be followed. The city designee shall, where it is deemed necessary, request the chief of police to make such investigation and render such investigative reports as are deemed necessary by the designee to perform the duties prescribed under this chapter. (Ord. 1822 §1(part), 2001; Ord. 1213, 1975; Ord. 1160 §2, 1974; Ord. 943, 1969; Ord. 865 §2, 1967).

Section 20. Section 5.10.040 Application and Permit Fees of the Central Point Municipal Code is amended in part as follows:

The application and ~~annual permit~~ fees shall be established **in the most recent fee schedule approved by resolution of council** ~~by resolution of the city council~~ and **may be** adjusted annually by the CPI for the previous calendar year. (Ord. 1978 §1 Exh. A(part), 2013).

Section 21. Section 5.10.090 Forms and Conditions of Permit of the Central Point Municipal Code is amended in part as follows:

A. Requirements for All Sidewalk Cafes.

1. Each permit issued shall terminate December 31st of the year in which it is issued. Requests for renewals shall be filed with the community development department. The community development director may approve, approve with additional conditions, or deny the request for renewal. No application fee shall be required for renewals. ~~An annual permit~~ **The initial application fee as established in the most recent fee schedule approved by resolution of council, which is** based on the number of seats authorized, is due at the time of the initial application ~~and each renewal.~~

Section 22. Section 5.12.040 State License Required - Penalties of the Central Point Municipal Code is amended in part as follows:

A. No license shall be issued to any person, firm or corporation to engage in the business of installing wires or equipment within the city to convey electric current or installing apparatus to be operated by such current until they have secured from the state the licenses and permits required by the state and, before any license is issued by the city, the applicant for such license shall present satisfactory proof to the recorder of the city that the applicant has complied with and obtained such licenses and permits from the state and, upon payment to the city of the license fee **as established in the most recent fee schedule approved by resolution of council** ~~provided herein~~, the city shall issue its receipt therefor, which receipt shall constitute the license of the city for such business for the term for which the tax thereon shall be paid.

B. Any person, firm, or corporation violating any of the provisions of this chapter shall be subject to the general penalty. (Ord. 1716 §5, 1995; Ord. 294 §4, 1950).

Section 23. Section 5.16.020 License-Application-Fee of the Central Point Municipal Code is amended in part as follows:

Any person, firm or corporation engaged in the business of plumbing in the city shall, before engaging in such business, apply to the city designee for a license to engage in the business and shall pay license fees as **established in the most recent fee schedule approved by resolution of council** ~~set forth in the city of Central Point Business License Fee Schedule to include a basic fee of and an additional fee for each employee over two employees, but no fee hereunder shall exceed the maximum annual amount set forth in the City of Central Point Business License Fee Schedule.~~ For the purposes of this section, the term "employee" shall be as defined in Section [5.04.090\(C\)](#). The fee shall be required on an annual basis commencing with July 1st of

each year, and any application occurring after such date shall be prorated as provided by Section [5.04.090](#), subsection B of this code. (Ord. 1391 §5, 1980).

Section 24. Section 5.20.030.B Permit and License-Application-Fee of the Central Point Municipal Code is amended in part as follows:

B. At the time of filing the application, a fee as set forth in the city of Central Point business license fee schedule **established in the most recent fee schedule approved by resolution of council** shall be paid to the city designee to cover the cost of obtaining a criminal history conviction record and investigation of the facts stated therein. (Ord. 2109 §1, 2024; Ord. 1822 §1(part), 2001; Ord. 1443 §5, 1981; Ord. 983(part), 1970; Ord. 322 §3, 1953).

Section 25. Section 5.20.040 License-Fees of the Central Point Municipal Code is amended in part as follows:

A. The license fee which shall be charged by the city designee for such license shall be as set forth in the City of Central Point Business License Fee Schedule **established in the most recent fee schedule approved by resolution of council.**

B. The annual fees herein provided shall be assessed on an ~~July 1st to June 30th~~ fiscal year basis **October 1 through September 30th annual basis** and **where a business license is application is received** on and after ~~January~~ **April** 1st, the amount of such fee for ~~the annual~~ license shall be one-half the amount stipulated above for the remainder of the year. (Ord. 1822 §1(part), 2001; Ord. 1159 §1, 1974; Ord. 322 §5, 1953).

Section 26. Section 5.20.100 License-Expiration of the Central Point Municipal Code is amended in part as follows:

All annual licenses issued under the provisions of this chapter shall expire on the thirtieth day of ~~June~~ **September** following the date of issue. Other licenses shall expire on the date specified in the license. (Ord. 322 §10, 1970).

Section 27. Section 5.24.030.C Regulations for Adult Businesses of the Central Point Municipal Code is amended in part as follows:

C. ~~Any person violating any of the provisions of this chapter shall, upon conviction thereof, be punished by a fine not to exceed two hundred dollars or by imprisonment not to exceed thirty days, or by both such fine or by imprisonment.~~ **Violation of this chapter shall be punishable under the general penalty, Chapter [1.16](#).** (Ord. 1995 §1(part), 2014; Ord. 1438 §2(part), 1981).

Section 28. Section 5.24.050 License - Period of the Central Point Municipal Code is amended in part as follows:

Licenses for adult businesses shall be for semi-annual periods commencing on July 1st to June 30th fiscal year basis **October 1 through April 30th or May 1 through September 30th**. No license fee shall be for less than the full six-month ~~quarter~~ semi-annual period. (Ord. 1995 §1(part), 2014; Ord. 1822 §1(part), 2001; Ord. 1438 §2(part), 1981).

Section 29. Section 5.24.060 License - Fees of the Central Point Municipal Code is amended in part as follows:

The license fee to be charged by the city designee for an adult business license shall be as set forth in the ~~City of Central Point Business License Fee Schedule~~ **established in the most recent fee schedule approved by resolution of council**. (Ord. 1995 §1(part), 2014; Ord. 1822 §1(part), 2001; Ord. 1438 §2(part), 1981).

Section 30. Section 5.32.050 License - Fees of the Central Point Municipal Code is amended in part as follows:

The initial filing fees for a new park or an extension of an existing park, **as well as annual license fees for all mobile home parks** shall be ~~five hundred dollars~~ **as established in the most recent fee schedule approved by resolution of council**. Annual license fees for all mobile home parks shall consist of such amount as may be imposed by the business license ordinance of this city (Chapter [5.04](#) of this title). (Ord. 1190 §4(b), 1974).

Section 31. Chapter 5.33 Merchant Police and Private Detectives of the Central Point Municipal Code is repealed in its entirety.

Section 32. Section 5.38.060 License Fee of the Central Point Municipal Code is amended in part as follows:

Any person desiring to sell or give items designed or marketed for use with illegal cannabis or drugs shall pay a license fee of ~~two hundred dollars~~ **as established in the most recent fee schedule approved by resolution of council**. (Ord. 1483 §1(part), 1983).

Section 33. Section 5.42.030.F License Application and Fee of the Central Point Municipal Code is amended in part as follows:

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F. The license fee shall be ~~determined by resolution~~ **as established in the most recent fee schedule approved by resolution of council**.

Section 34. Section 5.42.050.C Standards for Denial of License of the Central Point Municipal Code is amended in part as follows:

C. The city shall approve or deny a license within ~~60~~ **30** days of receipt by the city of a completed application. Failure to approve or deny a license within ~~60~~ **30** days shall be deemed to be approval of the application. (Ord. 1931 §1(part), 2009).

Section 35. Section 8.03.050 Derelict Structure Fees of the Central Point Municipal Code is repealed in its entirety.

Section 36. Section 8.03.080.D Failure to Follow Order to Demolish of the Central Point Municipal Code is amended in part as follows:

D. The cost of demolition and ~~a twenty percent charge for administrative overhead~~ **such overhead charge shall be as established in the most recent fee schedule approved by resolution of council.** will be assessed in the manner provided in Chapter [8.04](#) of this code. (Ord. 1917(part), 2008).

Section 37. Section 8.04.120.C Abatement – By City of the Central Point Municipal Code is amended in part as follows:

C. The finance director shall maintain an accurate record of the expense incurred by the city in abating the nuisance and shall include an overhead charge to cover the cost of administration, such **overhead charge shall be as established in the most recent fee schedule approved by resolution of council.**

D. The total cost, including the administrative overhead, shall thereupon be assessed to the property as hereinafter provided. (Ord. 1896 §3, 2006; Ord. 817 §9, 1966).

Section 38. Section 8.04.130 Abatement – Assessment of Costs of the Central Point Municipal Code is amended in part as follows:

A. A notice of the assessment shall be forwarded by registered or certified mail, postage prepaid, to the owner or agent in charge of the property by the recorder. The notice shall contain:

1. The total cost, including administrative overhead **as established in the most recent fee schedule approved by resolution of council**, of the abatement;

2. A statement that the cost as indicated will become a lien against the property unless paid within sixty days;

3. A statement that if the owner or agent in charge of the property objects to the cost of the abatement as indicated, he may file a notice of objection with the recorder within thirty days from the date of the notice.

B. Upon the expiration of thirty days after the date of the notice, objections to the proposed assessment shall be heard and determined by the council in its regular course of business.

C. An assessment for the cost of abatement as determined by the council shall be made by resolution of the council and shall thereupon be entered in the docket of city liens and, upon such entry being made, it shall constitute a lien upon the property from which the nuisance was removed and abated.

D. The lien shall be enforced in the same manner as liens for street improvements are enforced and shall bear interest at the **annual** rate of ~~six percent per year~~ **as established in the most recent fee schedule approved by resolution of council**. Such interest shall commence to run thirty days after the entry of the lien in the lien docket.

E. An error in the name of the owner or agent in charge of the property shall not void the assessment nor will a failure to receive the notice of the assessment render the assessment void, but it shall remain a valid lien against the property. (Ord. 817 §10, 1966).

Section 39. Section 8.05.070.C Violation, Enforcement, and Penalties of the Central Point Municipal Code is amended in part as follows:

C. Notice of Violation. Whenever the city finds that a person has violated a prohibition or failed to meet a requirement of this chapter, the city may order compliance by written notice of violation to the responsible person. In the event the responsible person is someone other than the owner of the property, such notice shall also be mailed to the last known address of the owner as shown on the county assessor records.

The notice of violation shall contain:

1. The name and address of the alleged violator;
2. The address when available or a description of the building, structure or land upon which the violation is occurring, or has occurred;

3. A statement specifying the nature of the violation;
4. A description of the remedial measures necessary to restore compliance with this chapter and a time schedule for the completion of such remedial action;
5. A statement of the **civil** penalty or penalties, **as provided in section 8.05.085**, that shall or may be assessed against the person to whom the notice of violation is directed;
6. A statement that the determination of violation may be appealed to the city manager by filing a written notice of appeal within ten days of service of notice of violation; and
7. A statement specifying that, should the violator fail to restore compliance within the established time schedule, the work will be done by a designated governmental agency or a contractor and the expense thereof shall be charged to the violator and assessed as a lien against the property.

Section 40. Section 8.05.095 Cost of Abatement of the Violation of the Central Point Municipal Code is amended in part as follows:

A. Within fifteen calendar days after abatement of the violation, the owner of the property will be notified of the cost of abatement, including administrative costs **as established in the most recent fee schedule approved by resolution of council.**

The notice will provide that the costs of abatement, including administrative costs, is a special assessment against the property and will become a lien against the property unless paid within sixty days of the date of such notice. The property owner may file a written protest objecting to the amount of the assessment within thirty days from the date of notice. Objections to the proposed assessment shall be heard and determined by the council in its regular course of business.

B. An assessment for the cost of abatement as determined by the council shall be made by resolution of the council and shall thereupon be entered in the docket of city liens and, upon such entry being made, it shall constitute a lien upon the property from which the illicit discharge was abated.

C. The lien shall be enforced in the same manner as liens for street improvements are enforced and shall bear interest at the **annual** rate of six percent per year **as established in the most recent fee schedule approved by resolution of council.** Such interest shall commence to run thirty days after the entry of the lien in the lien docket.

D. An error in the name of the owner or agent in charge of the property shall not void the assessment nor will a failure to receive the notice of the assessment render the assessment void, but it shall remain a valid lien against the property. (Ord. 2056 §1(part), 2019).

Section 41. Section 8.08.020.D Notice and Abatement - Proceedings of the Central Point Municipal Code is amended in part as follows:

D. If the condition is not corrected within the time limit and no relief has been granted, the city may cause the nuisance to be abated by removing the grass, weeds, brush, bushes or like vegetation from the property, or so much thereof as the city manager may determine to be necessary to remove the hazard to abutting property. The city manager shall maintain an accurate record of the expenses incurred by the city in removing the unlawful growth and shall include an abatement fee, ~~which is established by resolution~~ **as established in the most recent fee schedule approved by resolution of council**, for costs of administration. The total cost, including said costs of administration, shall thereafter be assessed against the property owner(s) and may be entered in the docket of city liens not less than thirty days after the mailing of the notice provided in subsection B of this section.

Section 42. Section 8.11.080 Smoking in or Near Entrances to Publicly Owned Buildings of the Central Point Municipal Code is amended in part as follows:

A. No person shall smoke anywhere within, or within ten feet of, any entrance to any publicly owned building.

~~B. A violation of this section shall be punishable by the general penalty. (Ord. 1806 §2(part), 2000).~~

Section 43. Section 8.11.090 Tobacco Sales to Minors Prohibited of the Central Point Municipal Code is amended in part as follows:

A. No person, including a minor's parent or guardian, shall sell or otherwise provide tobacco products to a minor.

~~B. A violation of this section shall be punishable by the general penalty. (Ord. 1806 §2(part), 2000).~~

Section 44. Section 8.11.100 Other Violations and Penalties of the Central Point Municipal Code is amended in part as follows:

A. It shall be a violation of this chapter for every day any person who owns, manages, operates or otherwise controls the use of any premises, subject to regulation under this chapter, fails to comply with any provisions herein.

B. It shall be a violation of this chapter for any person to smoke in any area where smoking is prohibited by the provisions of this chapter.

C. It shall be a violation of this chapter for any person to sell or provide tobacco to a minor.

€. **D.** Any person who violates this chapter shall be punished by a fine:

1. Not less than fifty dollars nor more than one hundred dollars for a first violation within any twelve month period;
2. Not less than one hundred dollars, nor more than two hundred dollars for a second violation within any twelve-month period;
3. Not less than two hundred and fifty dollars, nor more than five hundred dollars for each additional violation of this section within any twelve-month period. (Ord. 1806 §2(part), 2000).

Section 45. Section 8.24.080 Penalties for Noncompliance of the Central Point Municipal Code is amended in part as follows:

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this chapter and other applicable regulations. Violations of the provisions of this chapter by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a ~~misdemeanor~~ **violation**. Each and every day during any portion of which any violation of this chapter is committed, continued or permitted by any person constitutes a separate violation. Any person who violates this chapter or fails to comply with any of its requirements shall upon conviction thereof be fined not more than two hundred fifty dollars per day ~~or imprisoned for not more than five days, or both,~~ for each violation and in addition shall pay all costs and expenses involved in the case. Each day that passes constitutes a separate offense. Nothing contained in this chapter shall prevent the city from taking such other lawful action as is necessary to prevent or remedy any violation. (Ord. 1947 §1(part), 2011).

Section 46. Section 8.28.030.C Notice-Proceedings of the Central Point Municipal Code is amended in part as follows:

C. If the condition is not corrected within the time limit and no relief has been granted, the city may abate the condition by removing the vegetation, blockage and/or debris from the drainage to such an extent as necessary to remove the potential hazard and ensure the most efficient natural flow of water, with such extent to be determined by the city manager or designee. A ~~formula for abatement fees shall be established by resolution and reviewed annually by the council.~~ The city manager **public works director or designee** shall maintain an accurate record of the expenses incurred by the city in removing the unlawful growth and shall include an abatement fee, ~~which is established by resolution~~ **as established in the most recent fee**

schedule approved by resolution of council, for costs of administration. The total cost, including said costs of administration, shall thereafter be assessed against the property owner(s) and may be entered in the docket of city liens not less than thirty days after the mailing of the notice provided in subsection A of this section. The abatement fees, as calculated from the formula, shall thereafter be assessed as a lien against the property as provided in Section [8.28.040](#).

Section 47. Section 8.28.040.C Abatement of Costs of the Central Point Municipal Code is amended in part as follows:

C. A statement that the owner or occupant may file a written notice of objection with the city manager within ten days from the date of mailing the notice. Upon expiration of ten days after the date of mailing the notice, objections to the proposed assessment shall be heard and determined by the city council within thirty days of filing of the written notice. An assessment for the total cost of cutting or removal shall be determined by the city council and made by resolution and shall thereupon be entered in the docket of city liens, and then shall constitute a lien against the property from which the unlawful blockage, growth and/or debris was removed. The liens shall bear interest at the **annual** rate of ~~seven percent per year~~ **as established in the most recent fee schedule approved by resolution of council** from the date of entry in the lien docket and shall be enforced in the same manner as in the case of liens for local improvements. An error in the name of the owner or occupant shall not void the lien nor will a failure to receive notice of the assessment render it void, but it shall nevertheless remain a valid lien against the property. (Ord. 1962 §1(part), 2012; Ord. 1557 §1(part), 1985).

Section 48. Section 8.40.075.C Additional Remedies-Lien Against Property of the Central Point Municipal Code is amended in part as follows:

C. If the condition is not corrected within the time limit and no relief has been granted, such agent of the city as may be designated by the city manager may provide the maintenance and security necessary to bring the property into compliance. The city manager shall maintain an accurate record of the expenses incurred by the city in providing such maintenance and security and shall include an overhead charge ~~for the cost of administration.~~ **as established in the most recent fee schedule approved by resolution of council, for costs of administration.** The total cost, including overhead, shall thereafter be assessed as a lien against the property. (Ord. 1969 §1(part), 2013; Ord. 1937 §1(part), 2010).

Section 49. Section 9.66.010.C Entry on Lands and Refusal to Depart of the Central Point Municipal Code is amended in part as follows:

C. Any person who goes upon or in or trespasses upon or in or near any public school building or grounds owned or occupied by a public school district, where such person does not have any relationship of custody or relationship of responsibility for a student in attendance at such school is guilty of trespassing and upon conviction shall be ~~punished by a fine of not more than one hundred dollars~~ **punishable under the general penalty ordinance of the city**; provided however, that a necessary element of establishing a violation of this subsection shall be that the occupier of the school building or grounds, or its agent, officer or employee, or a peace officer shall have first given the person a request orally or in writing to remove himself and the person failed to forthwith remove himself. (Ord. 1034 §1, 1971; Ord. 1006 §1, 1970; Ord. 306 §61, 1951).

Section 50. Section 10.14.080 Permit Fees of the Central Point Municipal Code is amended in part as follows:

The fee for a preferential parking permit shall be ~~established by resolution of the city council~~ **established in the most recent fee schedule approved by resolution of council**. In the absence of any such order, the fee shall be twenty-five dollars. (Ord. 2074 § 1, 2021).

Section 51. Section 10.16.020 Truck Traffic Prohibitions of the Central Point Municipal Code is amended in part as follows:

A. It is unlawful to drive any vehicle having a gross vehicle weight in excess of twenty thousand pounds upon any public street within the city, with the following exceptions:

1. Highway 99, East Pine Street within the city, Hamrick Road within the city, West Pine Street, Freeman Road, Hopkins Road between Freeman Road and Bursell Road, Peninger Road south of East Pine Street, and Ice Cream Drive or any other street within the city over which jurisdictional control is exercised by the Oregon State Transportation Commission or Jackson County;
2. Haskell Street within the city, between the hours of five a.m. and seven p.m.;
3. All service and delivery vehicles on bona fide delivery or service trips on the most convenient and direct route within the city;
4. Trucks awaiting repair or being repaired, while parked in the immediate vicinity of the repair business, and trucks temporarily parked while the drivers are obtaining documentation relating to loads or insurance, when said activities occur within a commercial zoning district within the city;
5. ~~Upon special permit issued by the chief of police pursuant to Section [10.16.030](#).~~

B. Any person who violates this section shall be subject to the general penalty; however, in no event shall such violation be punished with less than a seventy-five-dollar fine, no part of which may be suspended. (Ord. 1908 §1(part), 2007; Ord. 1742 §2, 1996; Ord. 1729 §2, 1995; Ord. 1620, 1989; Ord. 1600, 1988; Ord. 1339 §1, 1979; Ord. 1300(part), 1978; Ord. 1169 §2, 1974; Ord. 1153 §1, 1974).

Section 52. Section 10.16.025 Truck Parking Prohibitions of the Central Point Municipal Code is amended in part as follows:

A. It is unlawful to park any vehicle having a gross vehicle weight in excess of twenty thousand pounds upon any public street within the city, with the following exceptions:

1. Any other street within the city over which jurisdictional control is exercised by the Oregon State Transportation Commission;
2. Haskell Street within the city, between the hours of five a.m. and seven p.m.;
3. All service and delivery vehicles on bona fide delivery or service trips on the most convenient and direct route within the city;
4. Trucks awaiting repair or being repaired, while parked in the immediate vicinity of the repair business, and trucks temporarily parked while the drivers are obtaining documentation relating to loads or insurance, when said activities occur within a commercial zoning district within the city;
5. ~~Upon special permit issued by the chief of police pursuant to Section [10.16.030](#).~~

B. Any person who violates this section shall be subject to the general penalty; however, in no event shall such violation be punished with less than a seventy-five-dollar fine, no part of which may be suspended. (Ord. 1908 §1(part), 2007).

Section 53. Section 10.16.030 Special Permits, 10.16.040 Immobilizing or Towing of Vehicles, and 10.16.060 Immobilizer Fees are repealed in their entirety.

Section 54. Section 11.16.060 Unit Rate Established for the Stormwater Utility Fee of the Central Point Municipal Code is amended in part as follows:

The unit rate per equivalent service unit for the stormwater utility fee is ~~hereby established at six dollars and fifty cents and may be revised by resolution of the city council from time to time~~

as established in the most recent fee schedule approved by resolution of council. (Ord. 2029 §2(part), 2016; Ord. 1961 §5, 2012; Res. 1264, 2010; Ord. 1864 §1(part), 2005).

Section 55. Section 11.16.065 Unit Rate Established for the Water Quality Utility Fee of the Central Point Municipal Code is amended in part as follows:

The unit rate per equivalent service unit for the water quality utility fee is established at one dollar and may be revised by resolution of the city council from time to time **as established in the most recent fee schedule approved by resolution of council.** (Ord. 2029 §2(part), 2016; Ord. 1961 §6, 2012).

Section 56. Section 11.16.120 Delinquency of the Central Point Municipal Code is amended in part as follows:

A. Stormwater service charges are delinquent if payment in full is not received by the city within thirty days from the service period ending date on the regular bill.

B. If a customer account for stormwater or water quality service charges is delinquent, the city may discontinue any city provided water service billed to that customer. The city will follow the procedures identified in Section [13.04.120](#).

C. The council may establish ~~by resolution~~ **in the most recent fee schedule approved by resolution of council**, fees for extra services required in collecting delinquent customer accounts for user charges.

D. The city may refuse to restore water service to the premises until the delinquent charges and other costs incurred are paid. (Ord. 2029 §2(part), 2016).

Section 57. Section 11.20.050 Unit Rate Established of the Central Point Municipal Code is amended in part as follows:

Rates shall be established ~~by resolution of the city council~~ **in the most recent fee schedule approved by resolution of council** in accordance to the provisions set forth in Section [11.20.040](#). (Ord. 2029 §3(part), 2016; Ord. 1983 §1, 2014; Ord. 1910 §1(part), 2008).

Section 58. Section 11.20.110 Delinquency of the Central Point Municipal Code is amended in part as follows:

A. Transportation utility service charges are delinquent if payment in full is not received by the city within thirty days from the service period ending date on the regular bill.

B. If a customer account for transportation utility service charges is delinquent, the city may discontinue any city provided water service billed to that customer. The city will follow the procedures identified in Section [13.04.120](#).

C. The council may establish by resolution ~~in the most recent fee schedule approved by resolution of council~~, fees for extra services required in collecting delinquent customer accounts for user charges.

D. The city may refuse to restore water service to the premises until the delinquent charges and other costs incurred are paid. (Ord. 2029 §3(part), 2016).

Section 59. Section 12.04.030.B Construction-Standards-Permits of the Central Point Municipal Code is amended in part as follows:

B. The fee for said permit will be adopted by city council resolution ~~as established in the most recent fee schedule approved by resolution of council~~.

Section 60. Section 12.04.080 Repair by City of the Central Point Municipal Code is amended in part as follows:

If the defective sidewalk is not corrected within the time period provided, and no relief has been granted the owner by the city council pursuant to the appeal process, the public works director shall cause the defective sidewalk to be repaired as soon as possible. The public works director, or his designee, shall maintain an accurate record of the expenses incurred by the city in repairing the defective sidewalk, and shall include therein an overhead charge for administration expenses, **as established in the most recent fee schedule approved by resolution of council, for costs of administration.** The total cost, including said overhead, shall thereafter be assessed as a lien against the property as hereinafter provided. (Ord. 1664(part), 1991; Ord. 889 §8, 1967).

Section 61. Section 12.08.040.B Permit-Issuance-Applicant Right to Appeal of the Central Point Municipal Code is amended in part as follows:

B. The fee for said permit will be adopted by city council resolution ~~as established in the most recent fee schedule approved by resolution of council~~.

Section 62. Section 12.28.020 Fees and Costs of the Central Point Municipal Code is amended in part as follows:

Such requests for street or alley vacations shall be accompanied by an application fee defined in the city's adopted planning application fee schedule ~~as established in the most recent fee~~

schedule approved by resolution of council. In addition to the fee, the city manager shall maintain a record of all costs incurred by the city in processing such application, including actual personnel costs, materials, costs of verifying petitions, attorney's fees, recording costs, publication costs and any other costs reasonably related to such application, and shall require prior to final council action on the application, payment in full by the applicant of such costs to the extent that they exceed the application fee. (Ord. 1969 §1(part), 2013; Ord. 1786 §3, 1998; Ord. 1587 §1(part), 1987; Ord. 1391 §16(part), 1980).

Section 63. Section 12.36.040.G Tree Removal/Replacement of the Central Point Municipal Code is amended in part as follows:

G. The city shall have the right to cause the pruning or removal of any potentially hazardous or nuisance tree, or parts of a tree or shrub, on public or private property within the city, when such trees constitute a threat to human life, safety, or property. Except in an emergency when immediate action is necessary for safety, the Central Point city manager or his designee will notify in writing the owners of such trees. Where such hazardous tree or shrub or nuisance tree is located within public right-of-way maintained by private property owners, or a private property owners' association, the city shall notify in writing the property owner of record whose property frontage includes said tree. Said owners at their own expense shall do pruning or removal within thirty days after the date of notice. In the event of failure of owners to comply with such provisions, or in the abovementioned emergency situation, the city shall have the authority to remove or cause to be removed such trees and assess the cost of removal and replacement of such tree, plus reasonable ~~and actual~~ administrative charges as **established in the most recent fee schedule approved by resolution of council** as a lien against the property.

Section 64. Section 12.40.030.C Registration of the Central Point Municipal Code is amended in part as follows:

C. Registration Fee. Each application for registration shall be accompanied by a nonrefundable registration fee in an amount to be determined by resolution of the city council **as established in the most recent fee schedule approved by resolution of council**. Such fee is designed to defray the costs of city administration of this section.

Section 65. Section 12.40.040.G Construction Standards of the Central Point Municipal Code is amended in part as follows:

G. Construction Permit Fee. Unless otherwise provided in a franchise agreement, prior to issuance of a construction permit, the applicant shall pay a permit fee ~~in an amount to be determined by resolution of the city council~~ **as established in the most recent fee schedule approved by resolution of council**. Such fees shall be designed to defray the costs of city administration of the requirements of this chapter.

Section 66. Section 13.08.030 Charges for Service of the Central Point Municipal Code is amended in part as follows:

A. The monthly charge for standby water service shall be ~~five dollars per month~~ **as established in the most recent fee schedule approved by resolution of council**. In the event of water use by a standby water service system with a full-flow meter, charges shall be the standard water use charges set forth in Chapter [13.04](#). In the event said water is used in a system having other than a full-flow meter, the public works director or his/her designee shall estimate the volume of water used and apply such rates thereto.

B. The customer shall pay the full cost of installation of the standby water service connection, the required meter and any special water main installed solely because of the customer standby water service system. (Ord. 1932 §1(part), 2010).

Section 67. Section 13.20.400 Permits and Fees of the Central Point Municipal Code is amended in part as follows:

~~The city council may, from time to time, establish by resolution a permit and administration fee structure for BPA installation and testing.~~

A. Prior to installing any BPA, the property owner shall apply for and obtain a BPA installation permit and other required permits. The city shall charge an installation permit fee, **as established in the most recent fee schedule approved by resolution of council** for each BPA for the purpose of covering city expenditures for initial registration, inspection, and administration.

B. The city council may, **as established in the most recent fee schedule approved by resolution of council**, ~~establish by resolution~~ **charge** a monthly administration fee (per installed BPA) for the purpose of administration, inspection, **testing** and enforcement of the requirements of this chapter and the OHD as detailed in OAR [333-61-0070](#). This fee will be billed and collected as part of the monthly water service billing. (Ord. 1932 §1(part), 2010).

Section 68. Section 15.36.020 Permit Fees of the Central Point Municipal Code is amended in part as follows:

The application for a mobile home set-up permit shall be accompanied by a fee ~~in accordance with the fee schedule established by this jurisdiction~~ **as established in the most recent fee schedule approved by resolution of council.** (Ord. 1781 §7, 1997; Ord. 1266 (part), 1976).

Section 69. Section 15.40.040 Fees Charged of the Central Point Municipal Code is amended in part as follows:

A fee shall be charged for all public works construction projects requiring review, **as established in the most recent fee schedule approved by resolution of council**, including, but not exclusively limited to, water, sanitary sewer, storm drains, street improvements, curbs, street lights, traffic-control devices within the right-of-way or easement of the city, and for any project which will become city-owned or maintained after completion of said project. Such fees shall not be charged for sidewalks or driveways, work performed by any public utility franchisee, work performed within an approved subdivision for which subdivision fees have been charged, or jobs performed by the city or on behalf of the city by contractors.

These fees will offset the cost to the city for its participation in approving such projects for acceptance by the city and will be set by city council resolution. (Ord. 1877 §5, 2006; Ord. 1614 (part), 1989).

Section 70. Section 16.10.010 Submission of Application – Filing Fee of the Central Point Municipal Code is amended in part as follows:

The applicant shall submit an application and tentative plan together with improvement plans and other supplementary material as may be required to indicate the development plan and shall submit ten copies to the city together with a filing fee ~~defined in the city's adopted planning application fee schedule~~ **as established in the most recent fee schedule approved by resolution of council.** The diagrams submitted shall consist of three copies at the scale specified in Section [16.10.020](#) and one copy in an eight-and-one-half-inch by eleven-inch format. (Ord. 1941 §11, 2010; Ord. 1786 §4, 1998; Ord. 1684 §6, 1993; Ord. 1650(part), 1990).

Section 71. Section 16.12.020 Submission – Fees of the Central Point Municipal Code is amended in part as follows:

At the time of submitting the final plat or partition plat to the city, the applicant shall pay a filing fee ~~defined in the city's adopted planning application fee schedule~~ **as established in the most recent fee schedule approved by resolution of council.** (Ord. 1786 §5, 1998; Ord. 1650(part), 1990).

Section 72. Section 16.44.020 Submittal Requirement of the Central Point Municipal Code is amended in part as follows:

Property line adjustments are subject to Type I procedures set forth in Section [17.05.200](#). Property line adjustment applications shall be on application forms provided by the community development department, be accompanied by the application fee ~~adopted in the city's current~~

fee schedule **as established in the most recent fee schedule approved by resolution of council** and include the following information:

Section 73. Section 17.04.100 Fees of the Central Point Municipal Code is amended in part as follows:

A schedule of permit and service fees **for all required planning application, permit, renewal applications and/or other planning review fees** shall be established and ~~may be periodically amended by resolution of the city council~~ **in the most recent fee schedule approved by resolution of council.** (Ord. 2120 §7, 2024).

Section 74. Section 17.05.200 Type I Procedure of the Central Point Municipal Code is amended in part as follows:

A. Pre-Application Conference. A pre-application conference is not required for a Type I permit application.

B. Application Requirements.

1. Application Forms. Type I permit applications shall be made on forms provided by the planning department.

2. Submittal Requirements. Type I applications shall include:

- a. The information requested on the application form;
- b. Findings addressing the applicable regulations per Table 17.05.1; and
- c. The required fee **as established in the most recent fee schedule approved by resolution of council.**

Section 75. Section 17.05.300 Type II Procedure of the Central Point Municipal Code is amended in part as follows:

A. Pre-Application Conference. A pre-application conference is optional for a Type II permit application. The requirements and procedures for a pre-application conference are described in Section [17.05.600\(C\)](#).

B. Application Requirements.

1. Application Forms. Type II applications shall be made on forms provided by the planning department for the land development permit requested.

2. Submittal Requirements. A Type II permit application shall include:

- a. The information requested on the application form;
- b. Findings addressing the applicable regulations per Table 17.05.1. Note: At the discretion of the community development director, additional information may be required during the application process;
- c. One set of pre-addressed mailing labels for all real property owners of record who will receive a notice of the application as required in subsection C of this section. The records of the Jackson County assessor's office are the official records for determining ownership. The applicant shall produce the notice list using the most current Jackson County assessor's real property assessment records to produce the notice list. The city shall mail the notice of application; and
- d. The required fee **as established in the most recent fee schedule approved by resolution of council.**

Section 76. Section 17.05.400 Type III Procedure of the Central Point Municipal Code is amended in part as follows:

A. Pre-Application Conference. A pre-application conference is required for all Type III applications. The requirements and procedures for a pre-application conference are described in Section [17.05.600\(C\)](#).

B. Application Requirements.

1. Application Forms. Type III applications shall be made on forms provided by the community development director or designee for the land development permit requested.

2. Submittal Requirements. When a Type III application is required, it shall include:

- a. A completed application form with required attachments;
- b. One copy of a narrative statement (findings and conclusions) that explains how the application satisfies each and all of the relevant criteria and standards in sufficient detail for review and decision-making. Note: Additional information may be required under the specific applicable regulations for each approval as referenced in Table 17.05.1;
- c. The required fee **as established in the most recent fee schedule approved by resolution of council;** and

d. One set of pre-addressed mailing labels for all real property owners of record who will receive a notice of the application as required in subsection C of this section. The records of the Jackson County assessor's office are the official records for determining ownership. The applicant shall produce the notice list using the most current Jackson County assessor's real property assessment records to produce the notice list. The city shall mail the notice of application. The failure of a property owner to receive notice as provided in subsection C of this section shall not invalidate such proceedings provided the city can demonstrate by affidavit that such notice was given.

Section 77. Section 17.05.500 Type IV Procedure of the Central Point Municipal Code is amended in part as follows:

A. Pre-Application Conference. A pre-application conference is required for all Type IV applications initiated by a party other than the city of Central Point. The requirements and procedures for a pre-application conference are described in Section [17.05.600\(C\)](#).

B. Timing of Requests. Acceptance timing varies for Type IV applications (see Table 17.05.1 for applicable section reference).

C. Application Requirements.

1. Application Forms. Type IV applications shall be made on forms provided by the community development director or designee.

2. Submittal Information. The application shall contain:

a. The information requested on the application form;

b. A map and/or plan addressing the appropriate criteria and standards in sufficient detail for review and decision (as applicable);

c. The required fee **as established in the most recent fee schedule approved by resolution of council**; and

d. One copy of a letter or narrative statement (findings and conclusions) that explains how the application satisfies each and all of the relevant approval criteria and standards applicable to the specific Type IV application.

Section 78. Section 17.05.550.A.2.c Appeal Procedure – Type II and Type III Decisions of the Central Point Municipal Code is amended in part as follows:

c. Content of Notice of Appeal. The notice of appeal shall contain:

Ordinance No. _____; Council Meeting (02/26/2026)

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- i. An identification of the decision being appealed, including the date of the decision;
- ii. A statement demonstrating the person filing the notice of appeal has standing to appeal;
- iii. A statement explaining the specific issues being raised on appeal. If the appellant contends that the findings of fact made by the approving authority are incorrect or incomplete, the notice shall specify the factual matters omitted or disputed. If the appellant contends that the decision is contrary to ordinance, statute or other law, such errors shall be specifically identified in the notice along with the specific grounds relied upon for review;
- iv. If the appellant is not the applicant, a statement demonstrating that the appeal issues were raised in the record; and
- v. The applicable filing fee **as established in the most recent fee schedule approved by resolution of council.**

Section 79. Section 17.05.600.D.3 General Procedural Provisions of the Central Point Municipal Code is amended in part as follows:

D. Acceptance and Review of Applications.

3. Check for Acceptance and Completeness. In reviewing an application for completeness, the following procedure shall be used:

a. Acceptance. When an application is received by the city, the community development director or designee shall immediately determine whether the following essential items are present. If the following items are not present, the application shall not be accepted and shall be immediately returned to the applicant:

- i. The required form;
- ii. The required fee **as established in the most recent fee schedule approved by resolution of council;**
- iii. The signature of the applicant on the required form and signed written authorization of the property owner of record if the applicant is not the owner.

Section 80. Section 17.60.190.G Home Occupations of the Central Point Municipal Code is amended in part as follows:

G. Fee Required. At the time of application for a home occupation permit, the applicant is required to pay, in addition to an annual business license fee, a fee ~~defined in the city's adopted planning application fee schedule~~ **as established in the most recent fee schedule approved by resolution of council.** This application fee is nonrefundable.

Section 81. Section 17.72.030 Information Required of the Central Point Municipal Code is amended in part as follows:

A. General Submission Requirements.

1. Completed and signed application for site plan and architectural review on forms provided by the community development department, including all information and submittals listed on the form; and
2. The application fee ~~prescribed in the city of Central Point planning department fee schedule~~ **as established in the most recent fee schedule approved by resolution of council.**

Section 82. Section 17.94.020.C.9 Application Process and Submittal Requirements of the Central Point Municipal Code is amended in part as follows:

C. Submittal Requirements. An application for annexation shall contain the following information:

9. Payment of the application fee(s) **as established in the most recent fee schedule approved by resolution of council.** (Ord. 2120 §2, 2024).

Section 83. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word Ordinance may be changed to "code", "article", "section", "chapter", or other word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions need not be codified and the City Recorder is authorized to correct any cross references and any typographical errors.

Section 84. Effective Date. The Central Point City Charter states that an ordinance enacted by the council shall take effect on the thirtieth day after its enactment. The effective date of this ordinance will be the thirtieth day after the second reading.

Passed by the Council and signed by me in authentication of its passage this _____ day of _____, 2026.

Mayor Tanea Browning

ATTEST:

City Recorder



DEPARTMENT: Finance **MEETING DATE:** February 26, 2026

STAFF CONTACT: Tessa DeLine, Finance Director

SUBJECT: 2nd Quarter Financial Report - As of December 31, 2025

SUMMARY AND BACKGROUND:

Attached are the City's financial statements for the period ending December 31, 2025

PREVIOUSLY DISCUSSED/DECIDED:

FINANCIAL ANALYSIS:

N/A

LEGAL ANALYSIS:

N/A

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

Strategic Priority - Responsible Governance

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

Goal 2 - Invite Public Trust.

Strategy 1 - Be a trusted source of factual information.

Strategy 5 - Communicate effectively and transparently with the public.

ATTACHMENTS/EXHIBITS:

1. Financial Statements December 2025

STAFF RECOMMENDATION:

None

RECOMMENDED MOTION:

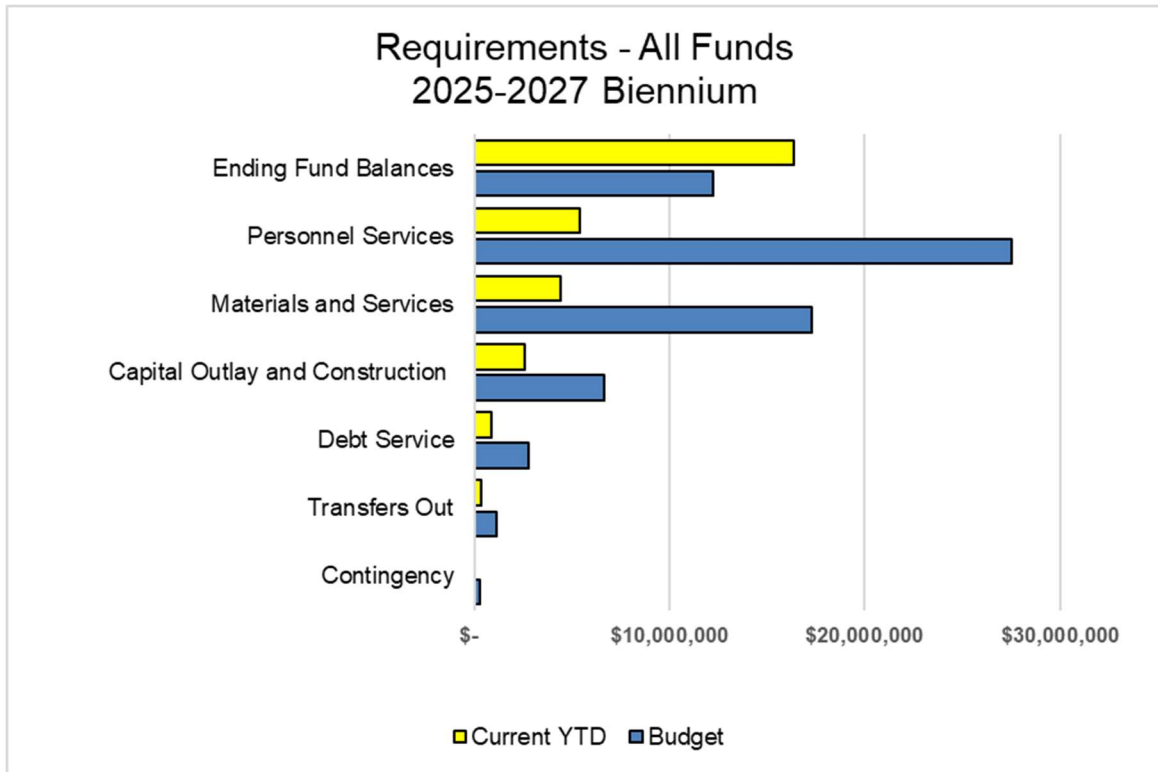
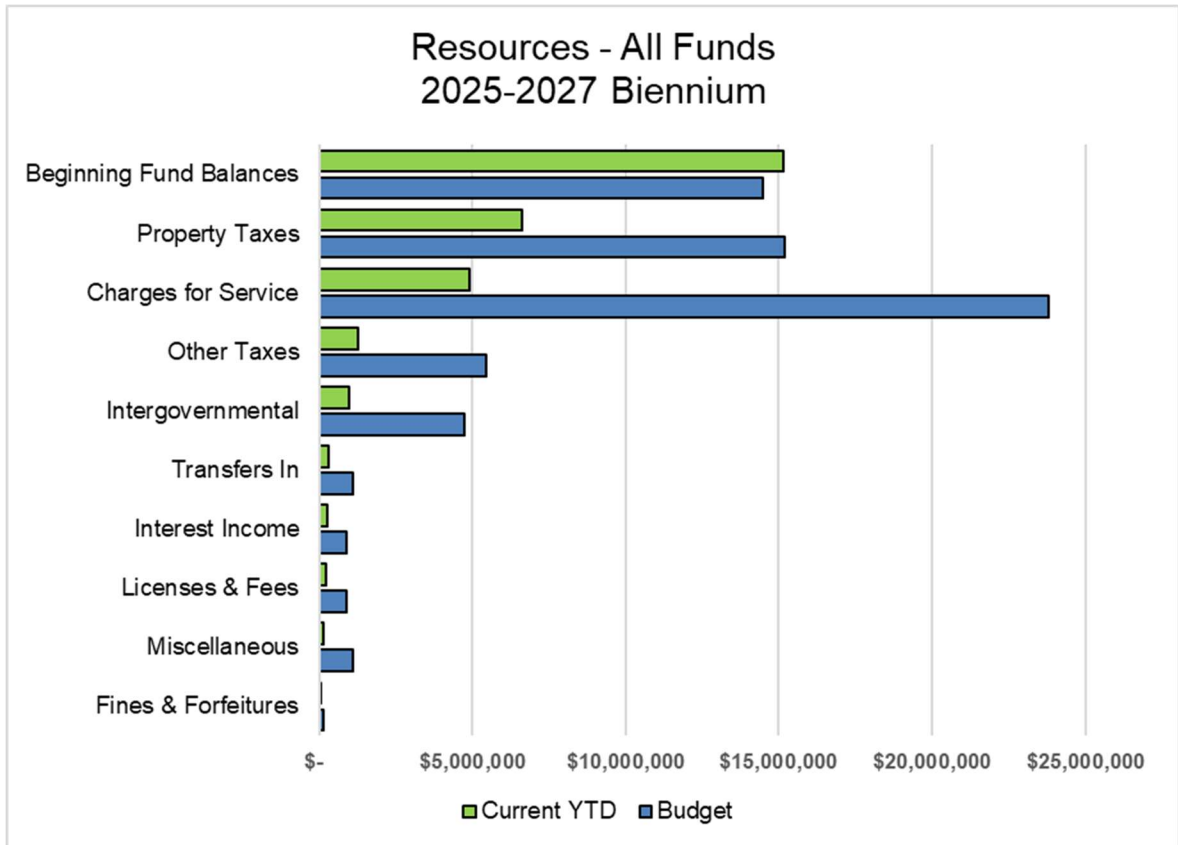


INTEROFFICE MEMO

To: Chris Clayton, City Manager
 From: Tessa DeLine, Finance Director
 Cc: Central Point City Council
 Date: January 27, 2026
 Re: December 2025 Financial Statements

Budget Analysis Summary – All Funds

City of Central Point All Funds As of December 31, 2025				
			<i>% of biennial budget</i>	<u>25%</u>
RESOURCES (2025-2027)	Total Budget	Current YTD	Difference	% Used
Property Taxes	15,185,000	6,707,223	(8,477,777)	44%
Other Taxes	5,461,560	1,400,022	(4,061,538)	26%
Licenses & Fees	866,750	219,389	(647,361)	25%
Intergovernmental	4,744,625	1,142,779	(3,601,846)	24%
Charges for Service	23,807,955	6,042,254	(17,765,701)	25%
Fines & Forfeitures	120,000	28,929	(91,071)	24%
Interest Income	901,750	303,945	(597,805)	34%
Miscellaneous	1,090,200	203,913	(886,287)	19%
Total Resources from Operations	\$ 52,177,840	\$ 16,048,454	\$ (36,129,386)	31%
Beginning Fund Balances	14,463,320	15,158,934	695,614	105%
Transfers In	1,111,250	300,000	(811,250)	27%
Total Other Resources	\$ 15,574,570	\$ 15,458,934	\$ (115,636)	99%
TOTAL RESOURCES	<u>\$ 67,752,410</u>	<u>\$ 31,507,388</u>	<u>\$ (36,245,022)</u>	<u>47%</u>
REQUIREMENTS (2025-2027)				
Personnel Services	27,500,240	6,652,047	20,848,193	24%
Materials and Services	17,270,040	4,885,396	12,384,644	28%
Capital Outlay and Construction	6,669,220	2,656,204	4,013,016	40%
Debt Service	2,756,805	1,377,658	1,379,147	50%
Total Operating Expenses	\$ 54,196,305	\$ 15,571,305	\$ 38,625,000	29%
Transfers Out	1,111,250	300,000	811,250	27%
Contingency	255,000	-	255,000	0%
Ending Fund Balances	12,189,855	15,636,083	(3,446,228)	128%
Total Other Requirements	\$ 13,556,105	\$ 15,936,083	\$ (2,379,978)	118%
TOTAL REQUIREMENTS	<u>\$ 67,752,410</u>	<u>\$ 31,507,388</u>	<u>\$ 36,245,022</u>	<u>47%</u>



**City of Central Point
General Fund
As of December 31, 2025**

	<i>% of Biennial Budget</i>			<u>25%</u>
	2025-27 Biennial Budget	2025-27 Actual	Difference	Percentage Received / Used
Resources				
Beginning Fund Balance	5,500,000	5,785,933	285,933	105%
Revenues				
Taxes	20,294,560	8,026,411	(12,268,149)	40%
Licenses & Fees	146,750	71,956	(74,794)	49%
Intergovernmental	1,558,775	331,426	(1,227,349)	21%
Charges for Service	3,881,885	744,189	(3,137,696)	19%
Fines and Forfeitures	120,000	28,929	(91,071)	24%
Interest Income	490,000	120,782	(369,218)	25%
Miscellaneous	271,000	144,410	(126,590)	53%
Total Revenues	26,762,970	9,468,104	(17,294,866)	35%
Total Resources	\$ 32,262,970	\$ 15,254,037	\$ (17,008,933)	47%
Requirements				
Expenditures by Department				
Administration	2,255,585	544,952	1,710,633	24%
City Enhancement	460,000	85,600	374,400	19%
Technical Services	1,728,595	365,713	1,362,882	21%
Mayor & Council	169,370	50,625	118,745	30%
Finance	1,766,250	556,162	1,210,088	31%
Parks	3,327,990	868,393	2,459,597	26%
Recreation	1,407,745	326,695	1,081,050	23%
Planning	1,307,715	284,985	1,022,730	22%
Police	13,275,725	3,578,363	9,697,362	27%
Interdepartmental	685,000	298,346	386,654	44%
Transfers Out	556,250	20,000	536,250	4%
Contingency	150,000	0	150,000	0%
Total Expenditures by Department	27,090,225	6,979,834	20,110,391	26%
Ending Fund Balance	5,172,745	8,274,203	(3,101,458)	160%
Total Requirements	\$ 32,262,970	\$ 15,254,037	\$ 17,008,933	47%

General Fund

Resources

The largest resource to date is Property Taxes at \$8M, representing 40% of the biennial budget. To date, Licenses and Fees of \$72K is at 49% of the budget. Miscellaneous Revenue of \$144K is currently higher than expected due to two \$10K grants for the gym at the Police Department.

Requirements

Administration Expenditures are in line with the YTD budget. City Enhancement Expenditures are 86% under the YTD budget. Technical Services is under the YTD budget by 2.8%. The Mayor and Council Expenditures are currently over budget by 5%, primarily due to unexpected legal expenses, memberships for the League of Oregon Cities, and Southern Oregon Regional Economic Development, Inc. Finance Expenditures are 6% above the YTD budget, driven by increases in bank/credit card fees and professional services (auditors). Parks Expenditures are slightly above the YTD budget by 1%. Recreation Expenditures are 2% below the YTD budget. Planning Expenditures are under the YTD budget by 2%. Police Expenditures of \$3.6M are 2% above the YTD budget, driven by higher-than-anticipated Overtime and underbudgeted Salaries and Benefits. The Interdepartmental Expense of \$298K is 44% of the budget, with just 6 months in the fiscal year. This is due to the annual General Liability and Property Insurance payment in July of this year. The Ending Fund Balance of \$8.3M is \$3.1M above the budgeted \$5.2M.

**City of Central Point
Federal Stimulus Grant Fund
As of December 31, 2025**

	<i>% of biennial budget</i>			<u>25%</u>
	2025-27 Biennial Budget	2025-27 Actual	Difference	Percentage Received / Used
Resources				
Beginning Fund Balance	-	611,713	611,713	0%
Revenues				
Intergovernmental Revenue	-	-	-	0%
Miscellaneous	725,000	12,500	(712,500)	2%
Total Revenues	725,000	12,500	(712,500)	0%
Total Resources	\$ 725,000	\$ 624,213	\$ (100,787)	86%
Requirements				
Expenditures				
Capital Outlay	725,000	624,213	100,787	86%
Total Expenditures	725,000	624,213	100,787	86%
Ending Fund Balance	-	-	-	0%
Total Requirements	\$ 725,000	\$ 624,213	\$ 100,787	86%

Federal Stimulus Grant Fund

Resources

The largest resource to date is the Beginning Fund Balance of \$612K. There was a \$12.5K contribution by Rogue Credit Union for the Moore Family Little League Fields on Hanley Road.

Requirements

Capital Outlay of \$624K was for work conducted at the Moore Family Little League Fields on Hanley Road. Currently, the Ending Fund Balance is \$0, signaling the end of activity in this fund.

**City of Central Point
Community Center Fund
As of December 31, 2025**

	<i>% of biennial budget</i>			<u>25%</u>
	2025-27 Biennial Budget	2025-27 Actual	Difference	Percentage Received / Used
Resources				
Beginning Fund Balance	-	-	-	0%
Revenues				
Charges for Services	200,495	1,050	(199,445)	1%
Interfund Transfers	356,250	20,000	(336,250)	6%
Total Revenues	556,745	21,050	(535,695)	0%
Total Resources	\$ 556,745	\$ 21,050	\$ (535,695)	4%
Requirements				
Expenditures				
Personnel Services	235,245	-	(235,245)	0%
Materials and Services	156,500	1,754	(154,746)	0%
Capital Outlay	165,000	-	(165,000)	0%
Total Expenditures	556,745	1,754	-554,991	0%
Ending Fund Balance	-	19,296	19,296.42	0%
Total Requirements	\$ 556,745	\$ 21,050	\$ 535,695	4%

Community Center Fund

Resources

An Interfund Transfer of \$20K from the General Fund was processed in November.

Requirements

The only activity in the Community Center Fund is expenditures for electricity and garbage used at the Little League Field on Hanley. The ending Fund Balance is \$19.3K, primarily due to the \$20K Interfund Transfer.

**City of Central Point
Street Fund
As of December 31, 2025**

	<i>% of biennial budget</i>			<u>25%</u>
	2025-27 Biennial Budget	2025-27 Actual	Difference	Percentage Received / Used
Resources				
Beginning Fund Balance	4,000,000	4,361,728	361,728	109%
Revenues				
Franchise Tax	352,000	80,834	(271,166)	23%
Charges for Services	2,742,570	634,690	(2,107,880)	23%
Intergovernmental Revenue	3,185,850	811,353	(2,374,497)	25%
Interest Income	197,000	84,066	(112,934)	43%
Miscellaneous	200	2,455	2,255	1228%
Total Revenues	6,477,620	1,613,399	-4,864,221	25%
Total Resources	10,477,620	5,975,127	-4,502,493	57%
Requirements				
Expenditures				
Operations	7,243,860	2,271,828	4,972,032	31%
SDC	58,000	23,201	34,799	40%
Transfers	555,000	280,000	275,000	50%
Total Expenditures	7,856,860	2,575,030	5,281,830	33%
Ending Fund Balance	2,620,760	3,400,097	779,337	130%
Total Requirements	\$ 10,477,620	\$ 5,975,127	\$ 4,502,493	57%

Street Fund

Resources

The Beginning Fund Balance of \$4.4M is currently the most significant resource to date. Charges for Services are slightly below budget, and Interest Revenue is \$84K year-to-date. Miscellaneous Revenue of \$2,455 is due to a Worker's Compensation wage subsidy payment.

Requirements

Operations Expense currently has a 6% unfavorable variance. This is due to an \$185K expenditure for the 2025 Pavement Maintenance Project in August. The Ending Fund Balance of \$3.4M is \$733K above the budgeted amount of \$2.6M.

**City of Central Point
Capital Improvement Fund
As of December 31, 2025**

	<i>% of biennial budget</i>			<u>25%</u>
	2025-27 Biennial Budget	2025-27 Actual	Difference	Percentage Received / Used
Resources				
Beginning Fund Balance	1,200,000	1,257,722	57,722	105%
Revenues				
Charges for Services	115,000	12,226	(102,774)	11%
Interest Income	42,500	27,226	(15,274)	64%
Total Revenues	157,500	39,452	-118,048	25%
Total Resources	\$ 1,357,500	\$ 1,297,174	\$ (60,326)	96%
Requirements				
Expenditures				
Parks Projects	891,000	269,205	621,795	30%
Total Expenditures	891,000	269,205	621,795	30%
Ending Fund Balance	466,500	1,027,969	561,469	220%
Total Requirements	\$ 1,357,500	\$ 1,297,174	\$ 60,326	96%

Capital Improvement Fund

Resources

The Beginning Fund Balance of \$1.3M is currently the most significant resource to date. Charges for Services are 14% below the budgeted amount of \$115K. Interest Income is presently at 64% of the YTD biennial budget.

Requirements

\$269K in Parks Projects expenditures for the Central Point Little League Project have occurred so far this year.

**City of Central Point
Reserve Fund
As of December 31, 2025**

	<i>% of biennial budget</i>			<u>25%</u>
	2025-27 Biennial Budget	2025-27 Actual	Difference	Percentage Received / Used
Resources				
Beginning Fund Balance	750,000	563,282	(186,718)	75%
Revenues				
Interest	31,000	12,822	(18,178)	41%
Transfers In	200,000	-	(200,000)	0%
Total Revenues	231,000	12,822	(218,178)	6%
Total Resources	\$ 981,000	\$ 576,104	\$ (404,896)	59%
Requirements				
Expenditures				
Facility Improvements	150,000	1,560	148,440	1%
Total Expenditures	150,000	1,560	148,440	1%
Ending Fund Balance	831,000	574,544	256,456	69%
Total Requirements	\$ 981,000	\$ 576,104	\$ 404,896	59%

Reserve Fund

Resources

The Beginning Fund Balance of \$563K is \$187K less than the budgeted amount. Interest Revenue of \$13K is at 41% of the budget. Transfers in from other funds totaling \$200K are unlikely to be booked due to financial constraints in the General Fund.

Requirements

Only \$2K in Facility Improvements have occurred so far this year, and the Ending Fund Balance of \$575K is \$256K below budget.

**City of Central Point
Debt Service Fund
As of December 31, 2025**

	<i>% of biennial budget</i>			<u>25%</u>
	2025-27 Biennial Budget	2025-27 Actual	Difference	Percentage Received / Used
Resources				
Beginning Fund Balance	15,000	152,966	137,966	1020%
Debt Service Fund				
Revenues				
Charges for Service	779,005	360,218	(418,787)	46%
Interest Income	550	2,807	2,257	510%
Transfers In	555,000	280,000	(275,000)	50%
Total Revenues	1,334,555	643,025	(691,530)	48%
Total Resources	\$ 1,349,555	\$ 795,991	\$ (553,564)	59%
Requirements				
Expenditures				
Debt Service	1,326,455	699,527	626,928	53%
Total Expenditures	1,326,455	699,527	626,928	53%
Ending Fund Balance	23,100	96,464	73,364	418%
Total Requirements	\$ 1,349,555	\$ 795,991	\$ 553,564	59%

Debt Service Fund

Resources

The Beginning Fund Balance of \$153K is \$138K higher than the budgeted amount. Charges for Services in the amount of \$360K is 46% of the budget. Interest income of \$3K is at 510% of the budget. A \$280K Transfer from the Street Fund occurred in November.

Requirements

Debt Service Expense of \$700K currently accounts for 53% of the biennial budget.

**City of Central Point
Building Fund
As of December 31, 2025**

	<i>% of biennial budget</i>			<u>25%</u>
	2025-27 Biennial Budget	2025-27 Actual	Difference	Percentage Received / Used
Resources				
Beginning Fund Balance	1,400,000	1,505,762	105,762	108%
Revenues				
Charges for Service	610,000	117,534	(492,466)	19%
Interest Income	100,000	32,754	(67,246)	33%
Miscellaneous	-	1,055	1,055	0%
Total Revenues	710,000	151,343	-558,657	21%
Total Resources	\$ 2,110,000	\$ 1,657,105	\$ (452,895)	79%
Requirements				
Expenditures				
Personal Services	932,935	228,191	704,744	24%
Materials and Services	140,660	30,266	110,394	22%
Contingency	5,000	-	5,000	0%
Total Expenditures	1,078,595	258,457	820,138	24%
Ending Fund Balance	1,031,405	1,398,648	367,243	136%
Total Requirements	\$ 2,110,000	\$ 1,657,105	\$ 452,895	79%

Building Fund

Resources

The Beginning Fund Balance of \$1.5M is \$106K above budget. Charges for Service currently account for 19% of the biennial budget, and Interest Revenue accounts for 33%.

Requirements

Personnel Services and Materials and Services are below budget YTD. Contingency remains unspent. Ending Fund Balance of \$1.4M exceeds the budgeted amount by \$367K.

**City of Central Point
Water Fund
As of December 31, 2025**

	<i>% of biennial budget</i>			<u>25%</u>
	2025-27 Biennial Budget	2025-27 Actual	Difference	Percentage Received / Used
Resources				
Beginning Fund Balance	800,000	414,397	(385,603)	52%
Revenues				
Charges for Services	10,642,000	2,945,612	(7,696,388)	28%
Interest Income	21,000	16,915	(4,085)	81%
Miscellaneous	94,000	12,102	(81,898)	13%
Total Revenues	10,757,000	2,974,629	-7,782,371	28%
Total Resources	\$ 11,557,000	\$ 3,389,026	\$ (8,167,974)	29%
Requirements				
Expenditures				
Operations	10,210,435	2,811,618	7,398,817	28%
Contingency	100,000	0	100,000	0%
Total Expenditures	10,310,435	2,811,618	7,498,817	27%
Ending Fund Balance	1,246,565	577,408	-669,157	46%
Total Requirements	\$ 11,557,000	\$ 3,389,026	\$ 8,167,974	29%

Water Fund

Resources

The Beginning Fund Balance of \$414K is \$386K below budget. Charges for Service are at 28% of the biennial budget. Interest Income of \$17K is at 81% of the budget.

Requirements

Operating Expenditures of \$2.8M are slightly above budget. This is expected to increase following a significant (26%), unexpected wholesale water rate increase by the Medford Water Commission in March 2026. In addition, the principal and interest payments for the Operations Center were underbudgeted by \$69K. This will be corrected sometime in the near future with a supplemental budget.

**City of Central Point
Stormwater Fund
As of December 31, 2025**

	<i>% of biennial budget</i>			<u>25%</u>
	2025-27 Biennial Budget	2025-27 Actual	Difference	Percentage Received / Used
Resources				
Beginning Fund Balance	638,320	143,079	(495,241)	22%
Revenues				
Licenses and Permits	-	-	-	0%
Charges for Services	1,987,000	484,120	(1,502,880)	24%
Interest Income	17,000	-	(17,000)	0%
Miscellaneous	-	213	213	0%
Total Revenues	2,004,000	485,833	(1,518,166.79)	24%
Total Resources	\$ 2,642,320	\$ 628,912	\$ 2,013,408	24%
Requirements				
Expenditures				
Operations	2,028,685	747,125	1,281,560	37%
SDC	25,000	25,000	-	100%
Total Expenditures	2,053,685	772,125	1,281,560	38%
Ending Fund Balance	588,635	(143,212)	(731,847)	-24%
Total Requirements	\$ 2,642,320	\$ 628,912	\$ (2,013,408)	24%

Storm Water Fund

Resources

The Beginning Fund Balance of \$143K is \$495K under budget. Total Revenues are slightly below the YTD budget of 25%.

Requirements

Total Operations Expense is 12% above the YTD budget. This is primarily due to the \$280k capital budget for a street sweeper. There is a negative Ending Fund Balance at month-end. A \$549K FEMA payment for culvert damage along the Greenway Bike Path, made in 2020, is expected and will correct the Ending Fund Balance. In addition, it was discovered that the principal and interest payments for the Operations Center were underbudgeted by \$99K. This will be corrected sometime in the near future with a supplemental budget.

**City of Central Point
Internal Services Fund
As of December 31, 2025**

	<i>% of biennial budget</i>			<u>25%</u>
	2025-27 Biennial Budget	2025-27 Actual	Difference	Percentage Received / Used
Resources				
Beginning Fund Balance	160,000	362,353	202,353	226%
Revenues				
Charges for Services	3,570,000	888,548	(2,681,452)	25%
Interest Income	2,700	6,572	3,872	243%
Miscellaneous	-	31,177	31,177	0%
Total Revenues	3,572,700	926,296	-2,646,404	26%
Total Resources	\$ 3,732,700	\$ 1,288,650	\$ (2,444,050)	35%
Requirements				
Expenditures				
Facilities Maintenance	598,000	162,750	435,250	27%
PW Administration	1,717,720	483,132	1,234,588	28%
PW Fleet Maintenance	1,207,835	232,099	975,736	19%
Total Expenditures	3,523,555	877,981	2,645,574	25%
Ending Fund Balance	209,145	410,668	201,523	196%
Total Requirements	\$ 3,732,700	\$ 1,288,650	\$ 2,444,050	35%

Internal Services Fund

Resources

The Beginning Fund Balance of \$362K is \$202K over budget. Total Revenues are slightly above 25% YTD amount.

Requirements

Total Operating Expenditures are slightly above budget YTD by 2%, and the Ending Fund Balance of \$411K is \$202K higher than the budgeted amount of \$209K.

**City of Central Point
Cash, Investments, and Debt Service Recap
December 31, 2025**

Cash and Investments

	Balance	Interest Rate
Checking Accounts	\$ 526,257	0.00%
Local Government Investment Pool	15,291,459	4.25%
Total Cash and Investments	\$ 15,817,715	

Debt Service

Washington Federal - Government Financing, Inc.

		Interest Rate
Principal Amount as of 6/1/17	\$ 9,766,000	2.64%
Principal Paid	\$ (5,278,000)	
Balance as of 12/31/25	\$ 4,488,000	
Balance by Fund		
Water Fund	53.57% \$ 2,404,222	
Street Fund	9.22% \$ 413,794	
Debt Service Fund	37.21% \$ 1,669,985	
	<u>100.00%</u> \$ 4,488,000	

2025-2027 Loan Repayment Schedule (principal and interest)

6/1/2026	\$ 59,241.60
12/1/2026	\$ 861,241.60
6/1/2027	\$ 48,655.20

Banner Bank

		Interest Rate
Principal Amount as of 12/1/2022	\$ 6,551,300	2.54%
Principal Paid	\$ (1,403,850)	
Balance as of 12/31/25	\$ 5,147,450	*corrected
Balance by Fund		
Water Fund	40.00% \$ 2,058,980	
Street Fund	40.00% \$ 2,058,980	
Stormwater Fund	20.00% \$ 1,029,490	
	<u>100.00%</u> \$ 5,147,450	

2025-2027 Loan Repayment Schedule (principal and interest)

6/1/2026	\$ 65,373.00
12/1/2026	\$ 533,323.00
6/1/2027	\$ 59,430.00



DEPARTMENT: Administration **MEETING DATE:** February 26, 2026

STAFF CONTACT: Chris Clayton, City Manager

SUBJECT: Administrative Review and Recommendations for Agenda Requests (Councilor Brian Whitaker, 2025-2026)

SUMMARY AND BACKGROUND:

Purpose

This report provides administrative analysis for several formal requests (attached) submitted by Councilor Brian Whitaker regarding City policy, legal oversight, and public safety. The goal is to ensure Council focus remains on strategic objectives while maintaining operational efficiency and adhering to established legal procedures.

Administrative Analysis of Requests

1. Strategic Plan & Legal Framework

Councilor Whitaker requested clarification on past statements and the legal distinction between policy and operational goals.

- **Records:** The City is not responsible for curating an individual Councilor's history of comments; such records are accessible via standard public records requests under **ORS 192.311-192.329**.
- **Process:** The distinction between visionary objectives and operational strategies is documented within the Strategic Plan's foundational materials.
- **Transparency:** The plan was adopted in a transparent, public process and requires a majority consensus for any future amendments.

2. Development Potential (3364 Bursell Road)

The request seeks to enter questions into the record regarding a specific property listing.

- **Jurisdiction:** These issues (traffic, density, safety) are governed by Oregon's Land Development process and are addressed at the Planning Commission level.
- **Current Status:** Community Development staff are already proactively engaged with concerned residents. Council involvement at this stage is premature as it could compromise their role in a potential future appeal.

3. Transient Lodging Tax (TLT) & Tourism Impacts

This request concerns the statutory limitations of TLT revenues.

- **Compliance:** The City's 9% rate pre-dates 2003, allowing for discretion in General Fund use, while post-2003 increases follow the state-mandated 70/30 split for tourism promotion under **ORS 320.350**.
- **Budgeting:** Current city budgets already include dedicated funds for tourism and city enhancement as required by state law.

4. "Rainy Day" Fund (Virginia Model)

The proposal suggests a rule-based stabilization fund set at 6% of General Fund revenues.

- **Existing Policy:** The City already maintains minimum balances and a Reserve Fund reported on routinely, following GFOA best practices.
- **Recommendation:** Implementing a new model is unnecessary at this time; however, a review of financial policies is appropriate prior to the next biennial budget cycle.

5. Semi-Truck Routing (Pine St & N 4th St)

This request addresses infrastructure damage caused by improper truck turns.

- **Status:** This item is **already scheduled** for a City Council study session in **March 2026**.
- **Technical Review:** Public Works will present options regarding GPS routing software and signage.

6. Public Safety & Abuse Prevention

A review of sexual offense response and jurisdictional protocols was requested.

- **Standards:** The Police Department utilizes **Lexipol standards** and an adopted manual that aligns with Oregon law and national benchmarks.
- **Redundancy:** These issues are comprehensively addressed by existing local and national standards; a separate review is not a recommended use of resources.

7. Solid Waste Franchise Oversight

This involves a review of the agreement with Rogue Disposal.

- **Cycle:** The City reviews this franchise on a 10-year cycle during renewal.
- **Ongoing Oversight:** The Council retains the right to review CPI increases and five-year rate assessments; a mid-process amendment is not advisable.

8. Feral Cat Program

- **Active Management:** This concern is being addressed at the staff level through an existing community assistance program and newly established processes. Staff will continue to run this program to assist residents with feral cat issues.

PREVIOUSLY DISCUSSED/DECIDED:

FINANCIAL ANALYSIS:

LEGAL ANALYSIS:

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

ATTACHMENTS/EXHIBITS:

1. Brian Whitaker Agenda Item Requests 2025-2026

STAFF RECOMMENDATION:

City Manager Recommendations

I recommend the Council move to address these items via a single omnibus vote:

1. **Acknowledge** the scheduled **March 2026 Study Session** for the Pine Street truck routing issue.
2. **Schedule** a comprehensive **Financial Policy Study Session** to occur prior to the adoption of the 2027-2029 biennial budget.
3. **Take No Further Action** on the remaining items, as they are currently addressed through established administrative programs, national law enforcement standards, or statutory land-use procedures.

RECOMMENDED MOTION:

Formal Motion for Council Action

"I move to acknowledge the receipt of the agenda requests submitted by Councilor Whitaker for the 2025-2026 term and direct staff to proceed as follows:

1. **Direct the City Manager to include the semi-truck routing and infrastructure protection review on the March 2026 Study Session agenda.**
2. **Direct the City Manager to schedule a Financial Policy Study Session during the 2027-2029 biennial budget development process to review the City's reserve and stabilization frameworks.**
3. **Take no further action on the remaining items, as they are currently addressed through existing administrative programs, national law enforcement standards, or established statutory and land-use procedures."**

Rachel Neuenschwander

From: Brian Whitaker
Sent: Wednesday, January 21, 2026 3:36 PM
To: Chris Clayton
Subject: Request for Public Record Clarification, Legal Review, and Public Meeting Regarding Strategic Plan

Chris,

I am writing to formally request clarification, documentation, and a public discussion regarding my role, statements, and commitments related to the City's strategic plan, and to ensure the process complies with applicable Oregon public meeting and public record laws.

Public Record Clarification

I am attempting to accurately identify what I specifically stated—whether verbally during a City Council meeting or in writing via email—regarding how I would contribute to or support the strategic plan. To ensure accuracy and accountability, I am requesting copies or excerpts of any emails, meeting minutes, staff notes, or other records that reflect what I stated I would do. This request is made pursuant to **ORS 192.311–192.329 (Oregon Public Records Law)**.

If responsive records exist, please provide them or advise how I may access them. If no such records exist, I would appreciate confirmation of that as well.

Legal and Process Questions Regarding the Strategic Plan

As we move forward, I believe it is appropriate to clarify the following legal and procedural questions on the public record:

1. How does the City distinguish between **policy-level goals** and **project- or operational-level initiatives** within the strategic plan, and where is that standard documented?
2. What legal authority or guidance governs the inclusion or exclusion of council-proposed goals?
3. How are individual councilor suggestions preserved, modified, or omitted in a way that complies with transparency and public accountability requirements?
4. At what point does staff interpretation of council direction require return to the full Council for confirmation?

These questions are relevant to ensuring the Council's intent is accurately reflected and that the strategic plan is developed in a manner consistent with **ORS 192.610–192.690 (Oregon Public Meetings Law)**.

Request for Public Meeting / Agenda Item

Given the importance of the strategic plan and the need for transparency, I am requesting that:

- A **public meeting, study session, or agenda item** be scheduled to discuss the strategic plan process, including council input, staff interpretation, and legal framework; or
- Alternatively, that this topic be placed on an upcoming Council agenda for open discussion.

This would allow the Council to collectively confirm expectations, roles, and procedural guardrails in a manner that is transparent, legally sound, and accessible to the public.

My intent is to ensure clarity, compliance, and alignment moving forward, and to avoid any misunderstanding regarding individual commitments or Council direction.

Thank you for your assistance. I look forward to your response and to addressing this in an open, public forum.

Respectfully,

Brian Whitaker

Councilor IV Ward

Dear Mr. Clayton,

I am writing to formally acknowledge and elevate community concerns related to the property located at **3364 Bursell Road**, and to request that this matter be scheduled for discussion during a **public hearing** and entered into the **official public record**.

The property is currently listed for sale, and publicly available marketing materials reference development potential based on existing zoning allowances, indicating a minimum of twelve (12) and a maximum of twenty-four (24) dwelling units on an approximately two-acre parcel. While no formal land use application has been submitted by the property owner at this time, it is understandable that nearby residents may interpret advertised development potential as indicative of a future or pending proposal.

Under **Federal principles of due process and public participation**, including those embodied in the Administrative Procedure Act and established land use jurisprudence, members of the public have the right to be informed and to engage meaningfully in governmental decision-making that may affect their property interests, safety, and quality of life.

At the **State of Oregon** level, Oregon's land use planning framework, statewide planning goals, and Oregon Revised Statutes emphasize transparency, public notice, transportation safety, housing compatibility, and early public engagement in land use matters.

Similarly, **Jackson County** and the **City of Central Point** operate under adopted comprehensive plans, zoning ordinances, and municipal authority that encourage proactive communication, coordinated planning, and the preservation of neighborhood livability—even where a formal application has not yet been filed.

Given the public nature of the listing and the discussion of development potential, nearby residents have raised concerns regarding **traffic impacts, neighborhood compatibility, infrastructure capacity, and public safety**. While the City's regulatory authority is limited in the absence of an active application, it is both appropriate and constructive for residents and elected officials to seek clarity and establish a public record in advance.

Questions for Discussion and Entry Into the Public Record

To support transparency and informed public engagement, I respectfully submit the following questions for discussion and inclusion in the public record:

1. What authority does the City currently have to provide guidance or clarification when development potential is publicly advertised but no application has been submitted?
2. How does the City distinguish between "by-right" zoning allowances and discretionary approvals when communicating with the public?
3. What Federal due process or notice considerations apply once a development proposal formally enters the land use review process?
4. At what point are Federal transportation, environmental, or fair housing considerations triggered for a project of this scale?

5. How do Oregon's statewide planning goals apply to potential density increases on this parcel?
6. What Oregon Revised Statutes govern public notice, hearings, and appeal rights for nearby property owners?
7. How does the City ensure consistency with the Central Point Comprehensive Plan for residential density and neighborhood compatibility?
8. What traffic impact thresholds would require a formal traffic impact analysis under City or County standards?
9. How would emergency access, fire protection, and public safety capacity be evaluated for a development at maximum density?
10. What role does Jackson County play in coordinating transportation, road access, or public safety impacts for this property?
11. How are school capacity, pedestrian safety, and walkability evaluated under existing City or County policies?
12. What infrastructure improvements (water, sewer, stormwater) might be required prior to approval of a future application?
13. How does the City evaluate cumulative impacts when multiple properties in an area are developed over time?
14. What public engagement opportunities are required once a land use application is submitted?
15. How can residents best ensure their concerns are preserved for the record during future proceedings?
16. What standards govern compatibility with existing single-family neighborhoods?
17. How does the City address misinformation or misinterpretation arising from private real estate marketing materials?
18. Are there circumstances under which the City may initiate a planning discussion absent a private application?
19. What County or regional transportation plans may influence review of this property?
20. How can the City proactively communicate expectations and limitations to residents before formal applications are filed?

For these reasons, I respectfully request that this matter be:

1. **Scheduled for discussion during a public hearing, and**
2. **Entered into the public record, including the questions outlined above.**

Doing so would affirm the City's commitment to open government, procedural fairness, and responsible planning, while providing clarity to residents regarding the City's role, limitations, and future process should a formal proposal be submitted.

Thank you for your attention to this matter and for your continued service to the City and its residents.

Respectfully,
 Brian Whitaker
 Councilor, IV Ward

Request for Public Discussion, Policy Review, and Public Record

Re: Local Government Flexibility in Addressing Tourism Impacts and Use of Transient Lodging Tax Revenues

Purpose of This Request

This document formally requests public discussion and policy review regarding the impacts of tourism on local services and the statutory limitations governing the use of Transient Lodging Tax (TLT) revenues. The request is grounded in a published guest column by Central Point City Manager Chris Clayton, which highlights increasing service demands associated with tourism growth.

Summary of the Policy Issue

Tourism provides significant economic benefits but also places measurable strain on police, fire, public works, sanitation, parks, roads, and emergency services. Under current Oregon law, most TLT revenues adopted after 2003 must be used for tourism promotion, limiting local governments' ability to address direct service impacts.

Federal Legal Context

Under the Tenth Amendment to the United States Constitution, authority over local taxation and public services is reserved to the states and their political subdivisions. Federal constitutional principles recognize that revenue mechanisms may rationally support public safety, infrastructure, and general welfare objectives.

Oregon State Law Governing TLTs

ORS 320.300–320.350 establish the framework for transient lodging taxes in Oregon. ORS 320.350 requires that at least 70% of certain TLT revenues be dedicated to tourism promotion. This framework was adopted more than two decades ago, prior to current tourism volumes, short-term rental proliferation, and modern service cost structures.

County and Municipal Authority

Oregon's home-rule provisions grant cities authority over local affairs, including public safety and infrastructure. Tourism impacts frequently extend across city and county boundaries, raising legitimate intergovernmental considerations regarding cost allocation and fiscal responsibility.

Public Accountability and Transparency

This request aligns with Oregon Public Meetings Law and principles of transparent governance. Public discussion ensures residents and stakeholders understand how visitor-generated revenue intersects with public service demands.

Requested Actions

The requesting party respectfully asks for agenda placement, staff or legal briefing, inclusion of this request in the public record, consideration of legislative advocacy, and regional dialogue regarding tourism-related service impacts.

Conclusion

Tourism depends on safe, clean, and functional communities. Police, fire, infrastructure, and sanitation services are essential to both resident quality of life and visitor experience. Public discussion of funding flexibility is a responsible exercise of governance.

Request for Public Discussion, Policy Review, and Inclusion in the Public Record

Re: Transient Lodging Tax Policy, Tourism Impacts, and Fiscal Sustainability

Addressed To:
Chris Clayton, City Manager
City of Central Point
Central Point, Oregon

Dear Mr. Clayton,

I respectfully submit this letter as a formal request for public discussion, policy review, and inclusion in the public record regarding the City of Central Point's use of Transient Lodging Tax (TLT) revenues, the growing impacts of tourism on municipal services, and the related reliance on general fund and reserve resources.

This request is prompted by, and builds upon, the issues you raised publicly concerning tourism impacts on local government operations and the limitations placed on cities by the current statutory framework governing lodging tax revenues. This submission is intended to elevate those concerns from public commentary into a structured governance discussion appropriate for City Council consideration.

WHY THE TRANSIENT LODGING TAX WARRANTS PUBLIC DISCUSSION

The lodging tax sits at the intersection of tourism growth, public safety, infrastructure capacity, fiscal responsibility, and quality of life. While tourism provides measurable economic benefits, it also generates direct costs including increased police, fire, emergency medical calls, traffic control needs, sanitation demands, and infrastructure wear.

The existing TLT allocation framework was established more than two decades ago, prior to modern tourism volumes, the rise of short-term rentals, and today's service cost structures. Public discussion allows the City to assess whether this framework remains aligned with current realities.

PURPOSE OF DISCUSSION

This request does not seek to eliminate tourism promotion or raise taxes. Its purpose is to review how tourism impacts are funded, whether visitor-generated revenue aligns with visitor-generated costs, what flexibility exists under current law, and what issues require legislative advocacy.

WHAT A STRUCTURED REVIEW COULD REVEAL

A review could examine the actual cost of tourism impacts, general fund exposure, effectiveness of current TLT allocations, neighborhood equity concerns, and available legal or policy options.

RAINY DAY FUND CONSIDERATIONS

Reserve funds may appropriately address short-term, unpredictable tourism surges. However, they are not designed to support ongoing or structural service demands. Repeated reliance on reserves to offset predictable tourism-related costs indicates a structural mismatch and risks eroding long-term fiscal resilience.

ROLE OF THE CITY MANAGER AND COUNCIL

As City Manager, you are responsible for fiscal oversight and advising the City Council on operational impacts. Addressing this request to you and the Council recognizes both administrative responsibility and governing authority.

REQUESTED ACTIONS

I respectfully request agenda placement for public discussion, staff or legal briefing on TLT constraints, inclusion of this request in the public record, review of reserve fund usage related to tourism, and consideration of regional or legislative engagement.

CONCLUSION

Tourism depends on safe, clean, and functional communities. When visitor-generated impacts are funded primarily by residents or reserves, public discussion is appropriate. This request is submitted in the spirit of transparency, fiscal responsibility, and constructive governance.

Respectfully submitted,

Brian Whitaker
Resident and Interested Party
Central Point, Oregon

Submitted to:
Chris Clayton, City Manager
Mayor and Members of the Central Point City Council

Date: _____

Rachel Neuenschwander

From: Brian Whitaker
Sent: Monday, January 26, 2026 6:44 PM
To: Chris Clayton
Cc: Rachel Neuenschwander
Subject: Re: Request to put this into the public record and for an agenda item.

Fiscal responsibility requires more than maintaining balances; it requires establishing clear policy rules that govern how those balances are built, protected, and used. For the record, and for public discussion, I am formally requesting that the City of Central Point consider the adoption of a rule-based Rainy Day Fund modeled after the Commonwealth of Virginia’s Revenue Stabilization Fund.

This request is not made lightly, nor without acknowledging the real tradeoffs involved.

The Virginia Model: What It Is — and Why It Matters

Virginia’s Revenue Stabilization Fund is widely recognized as a national best practice because it is **policy-driven rather than discretionary**. Its defining features include:

- **Automatic deposits** during periods of revenue growth or above-forecast collections
- **A defined target and cap**, expressed as a percentage of general fund revenues
- **Strict withdrawal criteria**, limited to economic downturns or revenue shortfalls
- **Structural separation** from routine operating budgets

The result is a fund that is not politically convenient, but fiscally durable. Virginia’s model has contributed directly to long-term service stability, reduced borrowing costs, and consistent top-tier credit ratings. This is the standard I believe Central Point should openly evaluate.

The Proposal for Central Point

For purposes of discussion and transparency, the proposal is as follows:

- Establish a **formal Rainy Day Fund policy**
- Target a reserve equal to **six percent (6%) of applicable General Fund revenues**
- Phase the fund in over time using **above-forecast revenues, one-time revenues, or excess year-end balances**
- Restrict withdrawals to **declared fiscal emergencies, economic downturns, or revenue shortfalls**, as defined by policy

This is not a suggestion to immediately remove six percent from current operations. It is a request to establish a **policy framework and long-term target**, consistent with best practices.

The Reality of the 6% Question — and the Cuts It Implies

For the record, it must be stated plainly:

If six percent were applied broadly to ongoing revenues **without offsets**, the City would be required to make **approximately \$4 million per biennium in expenditure reductions**, or roughly **\$2 million annually**, based on current revenue levels.

Those reductions would necessarily affect:

- Staffing levels

- Service delivery
- Capital maintenance timing
- Program scope

That reality should not be minimized or avoided. It should be discussed openly, publicly, and honestly. However, acknowledging this reality does not invalidate the proposal. It simply clarifies the **policy choices before us**.

The Virginia model does not demand reckless cuts. It demands:

- Phased implementation
- Discipline during strong years
- Advance planning rather than emergency reaction

Existing Reserves vs. Policy-Based Stabilization

City staff have correctly noted that the City currently holds approximately **\$17–18 million in cash and fund balances across all funds**, many of which already serve stabilization purposes within their legal constraints.

That statement is accurate — and incomplete.

Balances alone do not equal policy.

Balances without rules are vulnerable to erosion over time.

Balances without structure are not a substitute for a **formal stabilization commitment**.

The question is not whether Central Point has reserves today.

The question is whether we are willing to **codify when and why those reserves are protected**, and under what conditions they may be used.

Purpose of This Request

This request is made **for the record** to ensure that:

1. The public clearly understands the **scale and implications** of a true rainy day fund
2. The Council openly debates **service tradeoffs**, not just concepts
3. Any future decision is grounded in **best-practice models**, not assumptions
4. Financial policy discussions move from **informal balances to formal discipline**

Closing

Rainy day funds are not about pessimism. They are about acknowledging that economic cycles are inevitable and that responsible governance prepares for them *before* they arrive.

If Central Point chooses not to pursue a Virginia-style model, that decision should be made knowingly and publicly. But if we do pursue it, it should be done with eyes open, facts on the table, and an honest discussion about priorities, tradeoffs, and long-term resilience.

This request is submitted not to force an outcome, but to elevate the conversation.

Best Wishes,

Council Whitaker

From: Chris Clayton

Sent: Monday, January 26, 2026 11:14 AM

Christopher S. Clayton
City Manager
City of Central Point
140 S. 3rd St.
Central Point, Oregon 97502

Good Afternoon Mr. Clayton,

I am writing regarding the recent report of a second incident involving a semi-truck making an improper turn from E Pine Street onto N 4th Street, resulting in damage to City infrastructure, including a crosswalk sign and multiple concrete planters.

Given the repeat nature of this incident, the potential public safety implications, and the apparent role of commercial routing software directing heavy vehicles into a residential and downtown area, I respectfully request the following:

- That this correspondence be entered into the official public record; and
- That this matter be formally agendaized and discussed during a City Council meeting, consistent with principles of transparency and good governance.

Basis for Public Discussion and Governance Review

As you noted, Pine Street functioned without issue for years following improvements. The recurrence of these incidents raises important questions regarding truck routing enforcement, signage adequacy, intergovernmental coordination, liability exposure, and public safety, particularly when designated truck routes such as Hwy 99 exist.

Additionally, trucking companies have reportedly stated that Google Maps or similar navigation platforms directed drivers through this route, which introduces broader policy and legal concerns that warrant public discussion.

Applicable Legal and Governing Authority (Non-Exhaustive)

Federal

23 U.S.C. § 127 & § 129 – Regulation of commercial vehicle size, weight, and routing
49 C.F.R. Parts 658 & 392 – Truck route compliance and driver responsibility
FHWA Freight Management & Operations Guidance – Local authority to restrict incompatible truck movements

State of Oregon

ORS 810.180 & 810.050 – Failure to obey traffic control devices
ORS 818.300–818.330 – Restrictions on use of highways by certain vehicles
ORS 368.256 – Authority of local governments over road use
ORS 30.265 (OTCA) – Public body liability and duty of care

Jackson County

Jackson County Transportation System Plan (TSP) – Freight mobility and safety coordination
County-City coordination authority under ORS Chapter 190

City of Central Point

Central Point Municipal Code (CPMC) – Traffic control, signage, and protection of City property

Adopted Transportation System Plan and Downtown Improvement Plans

City's police power authority to regulate incompatible vehicle movements for public safety

Governing and Legal Questions for Council Consideration

- Why are semi-trucks accessing E Pine Street instead of Hwy 99, the designated route?
- Are current truck-route signage and restrictions legally sufficient and visible?
- Has the City formally designated prohibited truck movements at this intersection?
- Are navigation platforms being notified of restricted routes?
- Does the City have a process to coordinate with Google, Apple, and commercial GPS providers?
- What liability exposure does the City face if repeat incidents continue?
- Are traffic control devices compliant with MUTCD standards?
- Should physical deterrents be considered?
- Has a turning-movement analysis been conducted for large commercial vehicles?
- Are citations being issued for improper routing?
- Are trucking companies being notified in writing of restricted movements?
- Should fines or cost recovery be increased for infrastructure damage?
- Does the City need to amend its Municipal Code?
- Is this issue appearing in other areas?
- How are residents and businesses being protected?
- What intergovernmental coordination exists with ODOT and Jackson County?
- Should Hwy 99 signage be enhanced?
- Is there a pattern triggering mandatory Council review?
- What is the long-term prevention strategy?
- How will the public be informed of outcomes?

Requested Action

I respectfully request that City staff present this issue at a City Council meeting for public discussion; outline enforcement, engineering, and intergovernmental options; and consider both short-term deterrents and long-term routing solutions.

I appreciate the prompt repair work and staff response thus far. My intent is to support public safety, fiscal responsibility, and transparent governance, and to help ensure that preventable damage to City infrastructure does not continue.

Thank you for your time and service. I look forward to this matter being addressed in a public

forum.

Respectfully,

Brian Whitaker
Central Point, Oregon

Good Afternoon Mr. Clayton,

I am writing regarding the recent report of a second incident involving a semi-truck making an improper turn from E Pine Street onto N 4th Street, resulting in damage to City infrastructure, including a crosswalk sign and multiple concrete planters.

Given the repeat nature of this incident, the potential public safety implications, and the apparent role of commercial routing software directing heavy vehicles into a residential and downtown area, I respectfully request the following:

1. That this correspondence be entered into the official public record; and
2. That this matter be formally agendaized and discussed during a City Council meeting, consistent with principles of transparency and good governance.

As noted by the City, Pine Street functioned without issue for years following improvements. The recurrence of these incidents raises serious questions regarding truck routing enforcement, signage adequacy, intergovernmental coordination, liability exposure, and public safety—particularly when designated truck routes such as Hwy 99 exist.

I respectfully request that City staff present this issue at a City Council meeting for public discussion and outline enforcement, engineering, and intergovernmental options to prevent further damage and risk to the public.

Thank you for your time and service. I look forward to this matter being addressed in a public forum.

Brian Whitaker
Central Point, Oregon

Formal Request to Place Public Safety, Sexual Offense Response, and Abuse-Prevention Policy Review on a City Council Agenda

To: City Administrator and Members of the Central Point City Council

From: Brian Whitaker

Re: Agenda Request – Multi-Level Legal Framework for Sexual Offense Response, Abuse Prevention, and Jurisdictional Coordination

Date: ___2/6/2025_____

REQUEST FOR AGENDA PLACEMENT

I respectfully request that the Central Point City Council place an item on an upcoming public meeting agenda to allow for structured, policy-level discussion of how sexual offenses, abuse, and public safety risks—particularly those involving children and vulnerable adults—are addressed under City, County, State, and Federal law, and how Central Point's policies align with those legal obligations.

This request is made for purposes of education, prevention, transparency, and policy review, not to adjudicate or litigate any individual case.

LEGAL FRAMEWORK NECESSITATING PUBLIC DISCUSSION

STATE OF OREGON LAW

- ORS 163.465 – Public Indecency
- ORS 166.065 – Disorderly Conduct
- ORS 163.160 – Assault in the Fourth Degree
- ORS 163.190 – Menacing
- ORS 124.050 – Abuse of a Vulnerable Person
- ORS 181A.250–181A.290 – Sex Offender Registration
- ORS 419B.010–419B.050 – Child Abuse Reporting

COUNTY AUTHORITY – JACKSON COUNTY

- Prosecutorial authority of the District Attorney
- Sheriff jurisdiction and inter-agency coordination
- County victim services and mandatory reporting intake

FEDERAL LAW AND OVERSIGHT

- Americans with Disabilities Act (ADA), Title II – 42 U.S.C. § 12132
- Fair Housing Act – 42 U.S.C. §§ 3601–3619
- Violence Against Women Act (VAWA)
- Sex Offender Registration and Notification Act (SORNA)

CITY OF CENTRAL POINT AUTHORITY

- Municipal police powers for public safety
- City ordinances governing disorderly conduct and public safety
- Intergovernmental cooperation authority
- Oregon Public Meetings Law (ORS 192.610–192.690)

REQUESTED SCOPE OF DISCUSSION

1. Sexual offense handling under Oregon law
2. Sex offender registry purpose and limitations
3. Protection of children and abuse prevention
4. Vulnerable adults and disability protections
5. Jurisdictional coordination across agencies
6. Review and strengthening of Central Point policies

PURPOSE

The purpose of this agenda item is to ensure Central Point policies align with applicable law, promote public safety, strengthen prevention efforts, and reinforce transparency and responsible governance.

REQUEST FOR CONFIRMATION

Please advise whether this item can be placed on an agenda, whether a study session is appropriate, and what procedural steps are required.

Respectfully submitted,

Brian Whitaker

Central Point

IV Ward

Formal Request to Place Public Safety and Abuse-Prevention Issues on a City Council Agenda

To: City Administrator and Members of the Central Point City Council

From: Brian Whitaker

Re: Request for Public Meeting Agenda Item – Public Safety, Sexual Offenses, and Abuse Prevention Policy Review

Date: 2/6/2026

Request for Agenda Placement

I am formally requesting that the Central Point City Council place an item on an upcoming public meeting agenda to allow for structured discussion of public safety issues related to sexual offenses, abuse prevention, jurisdictional response protocols, and community protections—particularly as they relate to vulnerable populations and children.

This request is made for purposes of transparency, education, prevention, and policy review, and not to adjudicate any individual case.

Scope of Requested Discussion

I respectfully request that the agenda item include discussion of the following topics, framed at a policy and systems level:

1. Handling of Sexual Offenses and Public Lewd Conduct in Oregon

- Overview of how sexual offenses, including public indecency and lewd conduct, are handled under Oregon law
- Roles and responsibilities of municipal, county, and state authorities
- When escalation beyond local law enforcement is appropriate
- Evidence review, documentation, and referral practices

2. Sex Offender Registry Awareness and Limitations

- Purpose and scope of the Oregon Sex Offender Registry
- What information is available to the public
- Legal limitations of registry-based prevention
- How municipalities can responsibly educate the public without creating fear or stigma

3. Prevention of Sexual Abuse and Protection of Children

- Existing safeguards to prevent individuals with sexually predatory behavior from having access to children
- Zoning, housing, and proximity considerations near schools, parks, and youth programs
- Coordination with schools, youth organizations, and service providers
- Best practices for prevention rather than reaction

4. Vulnerable Adults and Disability Considerations

- How Oregon addresses abuse involving vulnerable adults, including individuals with mental health diagnoses
- Intersection with housing programs and supported services
- Trauma-informed response principles
- Avoiding criminalization of vulnerability while ensuring safety

5. Jurisdictional Coordination and Communication

- How Central Point interfaces with other cities, Jackson County, and the State of Oregon when conduct occurs in another jurisdiction
- Evidence is transmitted or received across city boundaries
- One agency declines to act
- Documentation, referral, and escalation pathways

6. Review of Central Point Policies and Programs

- Whether existing Central Point policies adequately address sexual misconduct reporting
- Evidence handling
- Inter-agency referrals
- Prevention and education
- Whether policies should be reviewed, strengthened, or clarified
- Identification of any gaps in training, protocol, or public communication

Purpose of the Agenda Item

The purpose of this discussion would be to:

- Promote public safety and prevention
- Ensure clarity and consistency in policy and response
- Educate the community on how these matters are handled in Oregon and in Central Point
- Evaluate whether existing municipal policies are sufficient or need review
- Reinforce lawful, transparent, and coordinated government action

This discussion would be forward-looking, policy-oriented, and constructive.

Respectfully submitted,

Brian G. Whitaker

Brian Whitaker

Companion Memorandum

To: City Council and City Administration

From: Brian Whitaker, City Councilor

Subject: Purpose and Scope of Oversight Review – Solid Waste Collection Franchise Agreement

Date: January 4, 2026

This memorandum accompanies my Formal Oversight Review letter concerning the Solid Waste Collection Franchise Agreement. Its purpose is to clarify why Council-level review is appropriate and beneficial, despite the City not being the waste disposal entity. The City retains franchising, rate-approval, and regulatory oversight authority, which carries fiduciary and policy responsibilities. Periodic review helps ensure legal compliance, protects ratepayers, preserves City flexibility, and reinforces public trust.

This review is proactive, not adversarial. It is intended to identify risks early, ensure transparency, and allow Council and Administration to consider targeted improvements that strengthen the contract and serve the public interest.

Appendix A: Legal Authority and Citations Supporting Oversight Review

I. Federal Law

• Resource Conservation and Recovery Act (RCRA), 42 U.S.C. § 6901 et seq. – Establishes national standards for solid waste management and landfill operations, with potential downstream impacts on municipal collection contracts. • Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9601 et seq. – Creates broad liability for environmental contamination and cleanup costs. • Clean Air Act, 42 U.S.C. § 7401 et seq. – Regulates landfill gas and air emissions. • Clean Water Act, 33 U.S.C. § 1251 et seq. – Governs stormwater and leachate discharges affecting disposal facilities.

II. State of Oregon Law

• ORS 459A.085 – Requires solid waste collection rates to be just and reasonable and consistent with state waste reduction policy. • ORS Chapter 459 – Solid Waste Management framework. • Oregon DEQ Administrative Rules (OAR Chapter 340) – Recycling recovery, organics diversion, and waste reduction requirements. • Oregon Public Meetings Law, ORS 192.610–192.690 – Supports transparency and public discussion.

III. Jackson County Context

• Jackson County solid waste management and regional disposal infrastructure policies. • Regional landfill capacity, transportation corridors, and intergovernmental coordination affecting long-term costs.

IV. City of Central Point Authority

• Central Point Municipal Code Chapter 12.40 – Franchises and Utility License Fees. • City Charter – Legislative and fiduciary authority of the City Council. • Council policy-setting and rate oversight responsibilities.

Prepared by:

Brian Whitaker

City Councilor

City of Central Point, Oregon

Brian Whitaker
City Councilor
City of Central Point
140 South Third Street
Central Point, Oregon 97502

January 4, 2026

Chris Clayton
City Manager
City of Central Point
140 South Third Street
Central Point, Oregon 97502

**RE: Formal Oversight Review – Solid Waste Collection Franchise Agreement and 2007 Second Addendum
Request for Entry into Public Record and City Council Discussion**

Dear Mr. Clayton,

As an elected City Councilor, I have a legislative and fiduciary duty under the Central Point Municipal Code, Oregon law, and applicable federal law to ensure that long-term municipal franchise agreements remain lawful, transparent, equitable, and aligned with the public interest.

This letter formally requests a policy and legal oversight review of the City's Solid Waste Collection Franchise Agreement, including the 2007 Second Addendum, and asks that this matter be entered into the public record and scheduled for discussion at a duly noticed City Council meeting. The City of Central Point is not the waste disposal entity; however, the City retains franchising authority, rate approval authority, and regulatory oversight responsibility.

I. Identified Contract Concerns and Risks

The Agreement's extended duration, cost pass-through mechanisms, and limited competitive review present potential risks to ratepayers, future Councils, and the City's long-term policy flexibility.

II. Legal Framework Supporting Oversight

Federal statutes including the Resource Conservation and Recovery Act (42 U.S.C. § 6901 et seq.) and CERCLA (42 U.S.C. § 9601 et seq.), ORS 459A.085, Oregon DEQ regulations, Jackson County regional considerations, and Central Point Municipal Code Chapter 12.40 all support periodic Council review of long-term franchise agreements.

III. Request for Public Review

I respectfully request that this letter be entered into the City's official public record and that a City Council agenda item be scheduled to discuss the issues outlined herein.

Respectfully submitted,

Brian Whitaker
City Councilor
City of Central Point, Oregon

Brian Whitaker
City Councilor
City of Central Point
140 South Third Street
Central Point, Oregon 97502

January 4, 2026

Chris Clayton
City Manager
City of Central Point
140 South Third Street
Central Point, Oregon 97502

RE: Formal Oversight Review Request – Solid Waste Collection Franchise Agreement and 2007 Second Addendum
Request for Public Record Entry and City Council Discussion

Dear Mr. Clayton,

As an elected City Councilor, I have a legislative and fiduciary duty under the Central Point Municipal Code, Oregon law, and applicable federal law to ensure that long-term municipal franchise agreements remain lawful, transparent, equitable, and aligned with the public interest.

This letter formally requests a policy and legal oversight review of the City's Solid Waste Collection Franchise Agreement, including the 2007 Second Addendum, and asks that this matter be entered into the public record and scheduled for discussion at a duly noticed City Council meeting.

The City of Central Point is not the waste disposal entity; however, the City retains franchising authority, rate-setting approval authority, and regulatory oversight responsibilities. Those authorities require periodic review—particularly when contracts are long-term, amended multiple times, and materially affect residents and ratepayers.

I. Identified Problem Areas and Potential Conflicts in the Contract

Based on review of the Agreement and its addenda, several issues warrant public examination:

A. Long-Term Contract and Amendment Risk

The Agreement and subsequent addenda extend the contractual relationship far beyond its original term. Long-term extensions without full rebidding or benchmarking may:

- Reduce competitive market discipline,
- Limit the City's leverage over rates and service standards, and
- Bind future Councils to outdated assumptions and regulatory frameworks.

B. Cost Pass-Through and Ratepayer Exposure

The contract allows certain disposal-related and regulatory costs to be passed through to ratepayers, despite the City not controlling disposal operations. This raises concerns regarding:

- Verification of third-party disposal costs,
- Transparency of allowable versus non-allowable expenses, and
- Whether CPI-based increases adequately protect ratepayers under ORS 459A.085 (just and reasonable rates).

C. Environmental Compliance Allocation

While federal and state environmental laws govern disposal facilities, the contract does not clearly demonstrate that:

- All future compliance risks remain solely with the contractor and disposal entities, and
- The City is fully insulated from indirect liability or financial exposure.

II. Federal Law Considerations Supporting Oversight

Although locally administered, solid waste services operate within a federal legal framework:

A. Resource Conservation and Recovery Act (RCRA), 42 U.S.C. § 6901 et seq.

RCRA establishes national standards for solid waste management and landfill operations. Oversight is necessary to ensure:

- The contract does not shift future federal compliance costs to the City or ratepayers without Council review, and
- Disposal-related regulatory changes do not create unintended municipal exposure.

B. CERCLA (Superfund), 42 U.S.C. § 9601 et seq.

CERCLA imposes broad liability for contamination and cleanup. Council review is warranted to confirm:

- The City is not assuming owner, operator, or arranger liability by contract structure, and
- Indemnification provisions adequately protect the City and taxpayers.

C. Federal Competition Policy

While exclusive franchises are authorized under state law, federal competition principles support periodic review to avoid monopolistic outcomes that may harm ratepayers.

III. State of Oregon Law Considerations

A. ORS 459A.085 – Solid Waste Collection

Oregon law requires solid waste collection rates to be just and reasonable and aligned with state waste-reduction policy. Questions arise as to whether:

- CPI-based increases alone satisfy this requirement over decades, and
- The contract incentivizes waste reduction or primarily rewards volume.

B. Oregon DEQ Rules

Oregon DEQ regulations governing recycling, organics diversion, and waste recovery have evolved significantly. Oversight review is appropriate to ensure the Agreement:

- Remains consistent with current and anticipated DEQ requirements, and
- Does not improperly shift compliance costs to residents.

IV. Jackson County and Regional Context

Jackson County's landfill capacity, regional disposal agreements, and transportation considerations materially affect long-term disposal costs and environmental risk. The contract does not clearly explain how:

- Regional constraints are accounted for, or
- Policy changes at the county or regional level are renegotiated.

V. City of Central Point Legal Authority and Duty

A. Central Point Municipal Code Chapter 12.40

Chapter 12.40 affirms the City's authority to regulate franchises to protect the public interest, including:

- Ratepayer protection,
- Audit and verification authority, and
- Preservation of City flexibility.

B. City Council Governance Role

The City Council's role is legislative and fiduciary—not operational. It includes:

- Reviewing long-term legal and financial risk,
- Ensuring transparency and accountability, and
- Acting before problems become disputes or liabilities.

VI. Questions That Must Be Addressed Publicly

To fulfill these duties, the following questions should be discussed openly by Council and Administration:

1. How does the City verify third-party disposal costs when it is not the disposal entity?
2. What protections exist if disposal facilities face new federal or state regulatory mandates?
3. Does the contract still meet the “just and reasonable” standard under Oregon law?
4. What leverage does the City retain if service quality declines or costs escalate?
5. Would periodic benchmarking or rebidding better protect the public?
6. How are future Councils protected from inheriting outdated or inflexible terms?

VII. Why Improving the Contract Benefits the Public

Improving the Agreement would:

- Increase transparency and public trust,
- Reduce long-term legal and financial risk,
- Protect ratepayers from unchecked cost escalation, and
- Align services with modern environmental and policy goals.

Oversight and improvement are not adversarial—they are fundamental to good governance.

VIII. Formal Request

Accordingly, I respectfully request that:

1. This letter be entered into the City of Central Point’s official public record; and
2. A City Council agenda item be scheduled to publicly discuss the issues outlined herein.

These matters involve essential public services and long-term municipal exposure and warrant full public consideration.

Respectfully submitted,

Brian Whitaker
City Councilor
City of Central Point, Oregon



DEPARTMENT: Administration **MEETING DATE:** February 26, 2026

STAFF CONTACT: Sydnee Dreyer, City Attorney

SUBJECT: Discussion of draft Graffiti Nuisance Ordinance

SUMMARY AND BACKGROUND:

At Council's January 22, 2026, meeting, Council directed staff to proceed with preparing an ordinance requiring removal of graffiti on private property. Council directed staff to work on a hybrid approach in which graffiti is declared a public nuisance, while also developing procedures for the city to assist with graffiti removal.

Staff reviewed ordinances of other cities, and has put together a draft nuisance ordinance which would require owners to remove graffiti within 15-days. If owners do not remove graffiti on their own, and the City discovers the graffiti or a complaint is brought to the City, then the City will issue a notice of public nuisance and provide 10-days to remove the graffiti. The ordinance declares the public nuisance, contains the procedural requirements for notice and abatement, as well as appeal, and acknowledges that additional policies and procedures could be adopted by the city to implement the ordinance.

In support of this ordinance, the city would work toward a program similar to Klamath Falls in which the City purchases paint supplies that can be offered to the public to assist with the costs of graffiti removal. Perhaps the city can also make arrangements with a local retailer to provide the supplies at cost, as some cities have done. This would be an alternative to the approach initially discussed with counsel in which city staff could remove the graffiti with consent of the owner. While the latter option is still a possibility, it increases the city's risk of liability, and requires additional staff time where staff resources are already stretched thin.

Staff seeks direction from Council as to the proposed ordinance, as well as city policies to assist with graffiti removal.

PREVIOUSLY DISCUSSED/DECIDED:

FINANCIAL ANALYSIS:

LEGAL ANALYSIS:

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

ATTACHMENTS/EXHIBITS:

- 1. ORD - Amending Ch 8.04 Adding Unlawful Graffiti

STAFF RECOMMENDATION:

Provide further direction to staff.

RECOMMENDED MOTION:

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 8.04 OF THE CENTRAL POINT MUNICIPAL CODE TO ADD SECTION 8.04.045 UNLAWFUL GRAFFITI ON PRIVATE PROPERTY AS A PUBLIC NUISANCE AND PROVIDING FOR ABATEMENT

RECITALS:

A. The City of Central Point finds that unlawful graffiti on private property contributes to urban blight, decreases property values, creates conditions that invite criminal activity, and is detrimental to the public health, safety, and welfare of the community.

B. The City Council finds that prompt removal of graffiti discourages further defacement and promotes community pride and economic vitality.

C. The City desires to amend Chapter 8.04 of the Central Point Municipal Code to expressly declare unlawful graffiti on private property a public nuisance and to establish clear abatement procedures consistent with Oregon law and practices adopted in other Oregon municipalities.

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

SECTION 1. Chapter 8.04 Amended.

Chapter 8.04 of the Central Point Municipal Code is hereby amended to add a new section to read as follows:

8.04.045 Unlawful Graffiti on Private Property – Public Nuisance.

A. Definitions.

For purposes of this section:

1. “Graffiti” means any inscription, word, figure, marking, design, symbol, or drawing that is marked, etched, scratched, sprayed, painted, drawn, or otherwise affixed to or placed upon public or private property without the express permission of the owner or person in lawful possession of the property.
2. “Owner” means the record owner of real property as shown on the most recent assessment roll of Jackson County, or the owner’s agent, lessee, or other person in control or possession of the property.
3. “Responsible person” means any person who causes, permits, maintains, or allows graffiti to remain on property owned, occupied, or controlled by that person.

B. Public Nuisance Declared.

Ord. No. _____; (City Council Meeting (___ / ___ /2026)

Graffiti located on private property within the City of Central Point that is visible from a public right-of-way or neighboring property and that has been applied without the consent of the property owner is hereby declared to be a public nuisance.

The City Manager or his designee may adopt procedures, forms, and written policies for administering and implementing the provisions of this chapter.

C. Duty to Remove.

1. The owner or responsible person shall remove or effectively obscure graffiti from the affected surface within fifteen (15) days after the graffiti's appearance. Removal shall mean elimination of the graffiti by painting over, cleaning, sandblasting, or other method that restores the surface to a condition that is free of visible graffiti.

D. Notice of Violation.

1. When the City determines that graffiti constituting a public nuisance exists, the City shall provide written notice to the owner or responsible person. Notice shall:
 - a. Identify the property by address or legal description;
 - b. Describe the nature and location of the graffiti;
 - c. State that the graffiti constitutes a public nuisance;
 - d. Order removal within ten (10) days, or as otherwise specified in the notice;
 - e. Provide a statement that unless the nuisance is removed within the specified time period the city will remove the nuisance and the cost of removal shall be a lien against the property; and
 - f. A statement that the owner or responsible person may protest the action by giving notice to the recorder within seven (7) days of the date of the notice as provided in Section 8.04.110, except with regard to the time to appeal.
2. The City may provide for a shorter notice period if the graffiti is determined to contain gang-related content, threats, or other material posing an immediate threat to public safety.
3. Notice shall be provided by personal delivery or by first-class mail to the address listed on the most recent county assessment roll, and may also be posted on the property.

E. Failure to Abate – City Abatement.

1. If the owner or responsible person fails to remove or effectively obscure the graffiti within the time specified in the notice, the City may enter upon the property at reasonable times and abate the nuisance by removing or obscuring the graffiti.
2. The City shall not be responsible for damage to landscaping or improvements that may necessarily result from reasonable abatement activities.

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F. Costs and Assessment.

The cost of abatement, including administrative costs, shall be charged to the owner of the property as provided in Section 8.04.130.

G. No Relief from Criminal Liability.

Nothing in this section limits or precludes prosecution under any applicable state law or municipal code provision relating to criminal mischief, vandalism, or graffiti.

SECTION 2. Codification.

Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", "chapter" or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions (i.e. Recitals A-C) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

SECTION 3. Effective Date.

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

PASSED by the Council and signed by me in authentication of its passage this ____ day of _____ 2026.

Mayor Tanea Browning

ATTEST:

City Recorder

Ord. No. _____; (City Council Meeting (___ / ___ /2026)