



**CITY OF JACKSONVILLE  
CITY COUNCIL AGENDA  
OLD CITY HALL, 205 W Main St**

**CITY COUNCIL  
City Council Meeting**

**May 17, 2016  
6:00 pm**

- 1) **CALL TO ORDER** (includes call to order, pledge of allegiance)
- 2) **a. MINUTES (May 3, 2016)**  
**b. BILLS LIST**
- 3) **PUBLIC COMMENT (items **not** on the agenda) limited to 3 minutes per speaker.**
- 4) **STAFF / DEPARTMENT REPORTS**
  - a. **Admin Department** - Jeff Alvis / Stacey McNichols / Kimberlyn Collins
  - b. **Planning Department** - Ian Foster
  - c. **Police Department** - Chief Towe
  - d. **Fire Department** - Devin Hull
  - e. **Mayor** - Paul Becker
- 5) **ACTION / DISCUSSION ITEMS**

(The public will be allowed to speak, one time, to certain items during the action/discussion items. In order to speak you must sign in with the Recorder under the item for which you wish to speak)

  - a. **Petition to Vacate Ninth Street**
  - b. **Visitor Center Management Agreement**
  - c. **Resolution R2016-007 Transferring Appropriation Authority Within the General Fund**
  - d. **Final Review of Charter – Set Public Hearing**
  - e. **Cascadia Training Date**
- 6) **COUNCIL COMMITTEE REPORTS**
- 7) **ADJOURN**

Please let the City offices know if you will need any special accommodations to attend or participate in the meeting by calling (541) 899-1231. Informational documents for items on this agenda are available for review on the City website [www.jacksonvilleor.us](http://www.jacksonvilleor.us). A recording of the meeting will be available on the website within one week of the meeting.

Action minutes along with electronic recordings of the meeting, which may be reviewed on-line on the City of Jacksonville website <http://www.jacksonvilleor.us>.

## May 3, 2016 at Old City Hall, 205 W Main St, Jacksonville

- 1) **CALL TO ORDER (includes call to order, pledge of allegiance) 6:00 pm**  
Present: Councilors Gregg, Garcia, Jesser, Lewis, Wall, Bennington and Mayor Becker.  
Staff Present: Treasurer McNichols, Recorder Collins and Chief Hull.
- 2) **a. MINUTES (minutes from April 19, 2016 meeting)**  
Move to: Approve the Minutes  
Motion by: Councilor Jesser  
Seconded by: Councilor Gregg  
Vote:  
Ayes: 7  
Motion Carries  
  
**b. BILLS LIST**  
Move to: Approve  
Motion by: Councilor Garcia  
Seconded by: Councilor Lewis  
Roll Call Vote:  
Ayes: 7  
Nays: 0  
Motion Carries  
Council asked questions. Treasurer McNichols answered.
- 3) **PUBLIC COMMENT (items **not** on the agenda) limited to 3 minutes per speaker.**  
Gayle Lewis: 622 Grove St. Jacksonville – Invited Council to participate in the Firewise Celebration in the Gold Terrace neighborhood.
- 4) **STAFF / DEPARTMENT REPORTS**
  - a. **Mayor** - Mayor Becker
  - b. **Admin Department** - Administrator Alvis / Treasurer McNichols / Recorder Collins
  - c. **Planning Department** - Planner Foster
  - d. **Police Department** - Chief Towe
  - e. **Fire Department**  
Chief Hull: Informed Council of Cascadia Exercise coming up in June. Council and Chief Hull discussed which day of this exercise would be best for Council.
- 5) **ACTION / DISCUSSION ITEMS**

(The public will be allowed to speak, one time, to certain items during the action/discussion items. In order to speak you must sign in with the Recorder under the item for which you wish to speak)

  - a. **Approval of Taste of Summer Event Packet**  
Public Comment: None  
Council Discussion: Tim Balfour and Linda Graham present the Taste of Summer packet. Council asked questions. Recorder Collins, Tim Balfour and Linda Graham answered.  
Move to: Approve the event packet as presented.

Motion by: Councilor Lewis  
Seconded by: Councilor Jesser

Roll Call Vote:

Ayes: 6

Nays: 0

Abstain: Councilor Bennington to follow up with traffic plan to make sure he understands it better.

Motion Carries

**b. Resolution R2016-006 A resolution authorizing the budget allocation for the 2016 Historic Preservation Fund Grant program cycle for the City of Jacksonville**

Public Comment: None

Council Discussion: Mayor Becker reads the resolution title and Treasurer McNichols gave update on the funds for these grants. Council asked questions. Treasurer McNichols answered.

Move to: Approve Resolution R2016-006

Motion by: Councilor Jesser

Seconded by: Councilor Garcia

Roll Call Vote:

Ayes: 7

Nays: 0

Motion Carries

**c. Emergency Response Food Supplies**

Public Comment: None

Council Discussion: Fred Zerull speaks to council about the food supplies for the citizens who are displaced during an emergency. Council asked questions. Fred and Mayor Becker answered.

6) **COUNCIL COMMITTEE REPORTS**

- a. Councilor Jesser: Gave Council update on the last Parking Committee meeting. Asked Treasurer McNichols how we monitor the volume and water costs when construction companies are doing erosion control. Inquired about a running sand pipe that is running on the Britt Ridge Trail. Treasurer McNichols answered both questions.
- b. Councilor Wall: Shared an email with Council from a Jacksonville citizen as well as a news release from OLCC in regards to marijuana license. Council discussed both these topics.
- c. Councilor Gregg: No Report
- d. Councilor Garcia: No Report
- e. Councilor Bennington: Informed Council of a recent article in the Mail Tribune on JK-1. Councilor Bennington encouraged the Council to not let too much time go by about the growth in our city. He feels this needs to be discussed in the near future.
- f. Councilor Lewis: Updated Council on LOC meeting last week. Mayor Becker also spoke on meeting.
- g. Mayor Becker: Reported on some of the items the City has accomplished in the last few years.

7) **ADJOURN 7:25 pm**

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David Jesser, President

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Kimberlyn Collins, City Recorder

Date approved: \_\_\_\_\_

**CITY OF JACKSONVILLE**  
**Bills Against the City - City Council**  
**MAY 17, 2016**

<b>GENERAL FUND - ADMINISTRATION DEPARTMENT</b>		
<b>Vendor Name</b>	<b>Description</b>	<b>Amount</b>
A One Exterminators Inc.	quarterly pest control City Hall	99.00
All Wildlife Solutions LLC	rat proof crawl space & bldg. - Miller house	435.00
Data Center West	monthly IT services	94.60
Don's Lock LLC	keys for buildings	20.00
Southern Oregon Media Group	budget notice - UR	107.51
Southern Oregon Media Group	budget notice	109.96
Southern Oregon Media Group	budget notice - SRS Public Hearing	70.85
Staples Advantage	file cabinets for admin dept.	196.90
US Post Office	annual PO Box fee	110.00
		<b>1,243.82</b>
<b>GENERAL FUND - POLICE DEPARTMENT</b>		
<b>Vendor Name</b>	<b>Description</b>	<b>Amount</b>
Airport Chevrolet	vehicle maintenance PD vehicle	177.05
City of Medford	fuel for PD April 2016	475.69
Data Center West	monthly IT services	25.23
Lockwoods Automotive	vehicle maintenance PD vehicle	47.00
Quill Corporation	supplies for PD	107.92
UPS	shipping fees - PD	17.38
UPS	shipping fees - PD	17.38
		<b>867.65</b>
<b>GENERAL FUND - PLANNING DEPARTMENT</b>		
<b>Vendor Name</b>	<b>Description</b>	<b>Amount</b>
Data Center West	monthly IT services	52.56
Staples Advantage	file cabinets for Planning Dept	1,183.80
		<b>1,236.36</b>
<b>FIRE PROTECTION FUND</b>		
<b>Vendor Name</b>	<b>Description</b>	<b>Amount</b>
A One Exterminators Inc.	quarterly pest control Fire Dept	99.00
City of Medford	vehicle maintenance for FD April 2016	306.30
City of Medford	fuel for FD April 2016	360.06
Data Center West	monthly IT services	25.23
Grover Electric and Plumbing Supply Co.	supplies for fire dept	49.00
Jacksonville Lumber Co.	supplies for fire dept	2.40
Mercy Flights Inc.	medical supplies for FD	245.52
Mercy Flights Inc.	medical supplies for FD	885.56
Mobile Installations	installation of light bars on brush truck	840.00
Pronto Print	forms for FD - CERT grant	913.54
Providence Medford Medical Center	healthcare provider cards	10.00
Rogue Community College	training for FD employee	355.00
Southern Oregon Signs LLC	work on signs for FD	224.00
		<b>4,315.61</b>
<b>CEMETERY FUND</b>		
<b>Vendor Name</b>	<b>Description</b>	<b>Amount</b>
Blackbird Shopping Center	supplies for cemetery	25.57
Blackbird Shopping Center	supplies for cemetery	9.98
Grover Electric and Plumbing Supply Co.	supplies for cemetery dept	36.50
Jacksonville Lumber Co.	supplies for cemetery	6.15
		<b>78.20</b>

Vendor Name	Description	Amount	
<b>STREETS FUND</b>			
Vendor Name	Description	Amount	
AlSCO	Janitorial Supplies	59.61	
Bi-Mart	torch & propane cylinder for streets	19.93	
Budget Lumber	supplies for street dept	30.10	
Budget Lumber	supplies for street dept	9.60	
City of Medford	maintenance on street sweeper April 2016	1,688.46	
Coastal - White City	herbicide for streets	223.96	
Farrell's Glass Service	laminare for street dept	86.51	
Jacksonville Lumber Co.	supplies for street dept	95.81	
KAS & Associates Inc.	engineer rebill - Andrews Place	216.28	
KAS & Associates Inc.	engineer rebill - Timber Ridge	676.80	
KAS & Associates Inc.	engineer observation on storm drains	141.48	
KAS & Associates Inc.	project review	67.50	
Rodda Paint	supplies for street dept	22.85	
SASCO Fasteners	supplies for street dept	73.04	
		<b>3,411.93</b>	
<b>WATER FUND</b>			
Vendor Name	Description	Amount	
AlSCO	Janitorial Supplies	59.62	
Bi-Mart	tools & test strips for water dept	35.93	
Data Center West	monthly IT services	12.60	
Don's Lock LLC	padlocks for water dept	99.50	
Driver and Motor Vehicle Services	DMV records	3.00	
Ferguson Waterworks	supplies for water dept	1,280.26	
Ferguson Waterworks	meters for water dept	13,562.11	
H.D. Fowler	supplies for water dept	421.84	
Neilson Research Corporation	routine water testing	84.00	
Pro Service Center	starter motor for PW truck	45.50	
		<b>15,604.36</b>	
<b>PARKS FUND</b>			
Vendor Name	Description	Amount	
AlSCO	Janitorial Supplies	119.23	
Ashland Greenhouses	flower baskets for parks	252.90	
Best Signs Inc.	signs for parks dept	200.00	
Blackbird Shopping Center	sprinkler for parks	9.28	
Budget Lumber	supplies for parks dept	2.95	
Grange Co-Op	supplies for parks maintenance	47.98	
Grover Electric and Plumbing Supply Co.	supplies for parks dept	60.43	
Hilton Fuel & Supply	supplies for parks maintenance	76.00	
Jackson County Community Justice	work in Peter Britt Gardens	400.00	
Jacksonville Chamber of Commerce	reimbursement for Transient Lodging Grant # GC01-03-2015-16	4,755.00	
Jacksonville Chamber of Commerce	reimbursement for Transient Lodging Grant # GC01-01-2015-16	2,337.50	
Jacksonville Chamber of Commerce	reimbursement for Transient Lodging Grant # GC01-01-2014-15	883.26	
Jacksonville Chamber of Commerce	visitor's center reimbursement. April 2016	4,499.26	
Jacksonville Chamber of Commerce	reimbursement for Trans Lodging Mktg Funds # MCG01-01-2015-16	2,325.00	
Jacksonville Lumber Co.	supplies for parks dept	16.55	
Salvador Salazar	city yards and parks maintenance	1,595.00	
		<b>17,580.34</b>	
<b>SDC FUND</b>			
	Description	Amount	
	Rogue Valley Council of Governments	work on Daisy Creek Riparian Planting Project	1,536.11
		<b>1,536.11</b>	

Vendor Name	Description	Amount
<b>CAPITAL PROJECT FUND</b>		
Vendor Name	Description	Amount
Bell Hardware	partitions for restrooms @ courthouse	2,010.00
Brothers Custom Cabinets and Furniture	countertops for restrooms @ courthouse	1,890.00
Farrell's Glass Service	frame for courthouse	22.50
KAS & Associates Inc.	RFP and contract docs for Dam Removal	1,079.04
Tim Moser Floor Covering	carpet installation @ courthouse	1,369.20
		<b>6,370.74</b>
	<b>TOTAL:</b>	<b>52,245.12</b>
APPROVED BY:	DATE:	

# Jacksonville City Council Agenda Item Summary



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## Petition to Vacate Ninth Street

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Date: May 10, 2016  
From: Jeff Alvis, City Administrator

City Council Meeting: May 17, 2016  
Agenda Item: 5a.

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### **Synopsis:**

Jim and Mary Thompson (715 East D St.), along with surrounding neighbors, have petitioned to Vacate Ninth Street between D. Street and E. Street. Council needs to determine if they would like to move forward with a public hearing.

### **Fiscal Impact:**

N/A

### **Recommendations:**

Staff recommends to proceed with public hearing.

### **Exhibits:**

Exhibit A – Petitioner Application To Vacate Ninth Street  
Exhibit B – Memo: Sydnee Dreyer - Street Vacation Process



**CITY OF JACKSONVILLE**  
 110 E. Main St. - P. O. Box 7, Jacksonville, OR 97530  
 Phone: (541) 899-6873 Fax: (541) 899-7882  
[www.jacksonvilleor.us](http://www.jacksonvilleor.us)

**Office Hours:**  
 Mon - Tues - Thurs - Fri - 8:30am - 2:00pm  
 Wednesday: Closed to the public all day

## Street Vacation

Filing Fee: \$927.15  
 Receipt # 66235

### 1. APPLICANT INFORMATION

NAME: James Stacy Thompson III and Mary House Thompson  
 ADDRESS: 715 E. D Street  
 CITY: Jacksonville STATE: OR ZIP CODE: 97530  
 PHONE: 541-301-7775 FAX: \_\_\_\_\_ E-MAIL: flyingtee@gmail.com

### 2. AGENT INFORMATION

NAME: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_  
 CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_  
 PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_ E-MAIL: \_\_\_\_\_

### 3. OWNER OF RECORD (Plat Vacations Only)

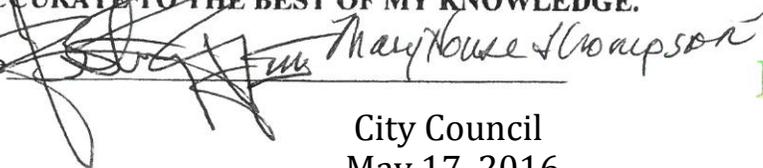
NAME: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_  
 CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_  
 PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_ E-MAIL: \_\_\_\_\_

### 4. PROJECT DESCRIPTION

General Description of area to be vacated The proposal is to vacate a portion of Ninth Street between D Street and E Street that has never been developed. At present, the property is encumbered by private driveway accesses, private fences, and an existing sewer trunk line. The result will be to divide the vacated portion of the street equally between the four parcels on either side of the existing street right of way, and to grant a public utility easement to Rogue Valley Sewer for their trunk line.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**I HEREBY STATE THAT THE FACTS RELATED IN THE ABOVE APPLICATION AND THE PLANS AND DOCUMENTS SUBMITTED HERewith ARE TRUE, CORRECT, AND ACCURATE TO THE BEST OF MY KNOWLEDGE.**

Signature 

City Council  
 May 17, 2016  
 Agenda Item 5a.  
 Exhibit "A"

**RECEIVED**  
 APR 22 2016  
 CITY OF JACKSONVILLE

**April 21, 2016**

**TO: Mayor Paul Becker, Jacksonville City Councilor Members Jim Lewis, David Jesser, Criss Garcia, Jocie Wall, Brad Bennington, and Ken Gregg**

**FROM: James Stacy Thompson III and Mary House Thompson  
715 East D Street, Jacksonville Oregon**

**RE: Petition to Vacate Ninth Street between D Street and E Street**

Please accept this letter, along with our application materials, as our formal petition to the City Council to vacate a portion of Ninth Street between D Street and E Street. Over the past 20 years, there have been at least two other requests to vacate this portion of Ninth Street.

Ninth Street was originally platted as part of the POOL AND KLIPPEL'S ADDITION in 1868 but has never been developed as street access serving the neighborhood. There appears to be no practical reason to develop this portion of Ninth Street since it would only serve four additional existing homes, all of which already have access on Eighth Street (known as E Street at this location).

The historic pattern in the neighborhood is that a number of platted streets have not been developed by the city, but have been incorporated and used by the abutting neighbors in the forms of private drives, gardens, yards, and landscaping areas. It is unlikely that many of these platted streets will ever be developed.

At the time each of the three existing homes abutting the area proposed to be vacated were developed in the early 1990's, the City allowed the construction of private driveways and private sewer lines in the right of way to serve them, and over time fences and garden beds have been built within the right of way. Large specimen trees (sycamores) are planted within the right of way, which would be required to be removed if Ninth Street were ever developed. It may also be that portion of the guest house at 715 East D Street, built after the original house was completed, encroaches into the right of way, or does not have proper setback from property lines. Vacating this street will solve each of these issues.

We have completed a pre-application conference with the City Planner, Building Official, Fire Chief and Public Works Director, and none of these officials have

City Council  
May 17, 2016  
Agenda Item 5a  
Exhibit "A"

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concerns about any negative impact from vacating this portion of Ninth Street. There are no plans within the City to develop this portion of Ninth Street – nothing within the Comprehensive Plan, the Public Facility Plans or the City Capital Improvement Budget. The neighbors abutting the property have all consented to the vacation (all are applicants in this request), and the required number of the neighbors affected by the vacation have also agreed.

We respectfully request that you grant our Petition to Vacate this portion of Ninth Street, and we look forward to meeting with you as part of the required public process in the near future.

Sincerely,



*James Stacy Thompson III* *Mary House Thompson*

**James Stacy Thompson III and Mary House Thompson**  
**715 East D Street, Jacksonville**  
**541-301-7775**

RECEIVED

APR 22 2016

CITY OF JACKSONVILLE

TELEPHONE  
541-772-2782

JAMES E. HIBBS, PLS



**L.J. FRIAR & ASSOCIATES P.C.**

CONSULTING LAND SURVEYORS

P.O. BOX 1947  
PHOENIX, OR 97535

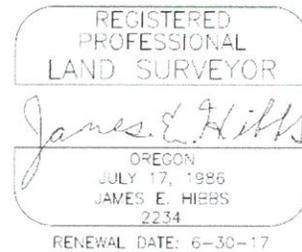
FAX  
541-772-8465

ljfriar@charter.net

EXHIBIT A

Beginning at the most southerly corner of Block 70 in POOL AND KLIPPEL'S ADDITION in the City of Jacksonville, Jackson County, Oregon, according to the official plat thereof, now of record; thence South 67°22'20" East, along the northeasterly line of "D" Street, 60.0 feet, more or less, to the most westerly corner of Block 71 in said Addition; thence North 22°42'50" East, along the northwesterly line thereof, 200.0 feet, more or less, to the most northerly corner of said Block 71; thence North 67°22'20" West, along the southwesterly line of "E" Street, 60.0 feet, more or less, to the most easterly corner of said Block 70; thence South 22°42'50" West, along the southeasterly line thereof, 200.0 feet to the Point of Beginning, being a portion of Ninth Street in said City of Jacksonville.

PORTION OF 9TH STREET TO  
BE VACATED  
372W32AB  
Jim & Mary Thompson  
16-141  
April 19, 2016



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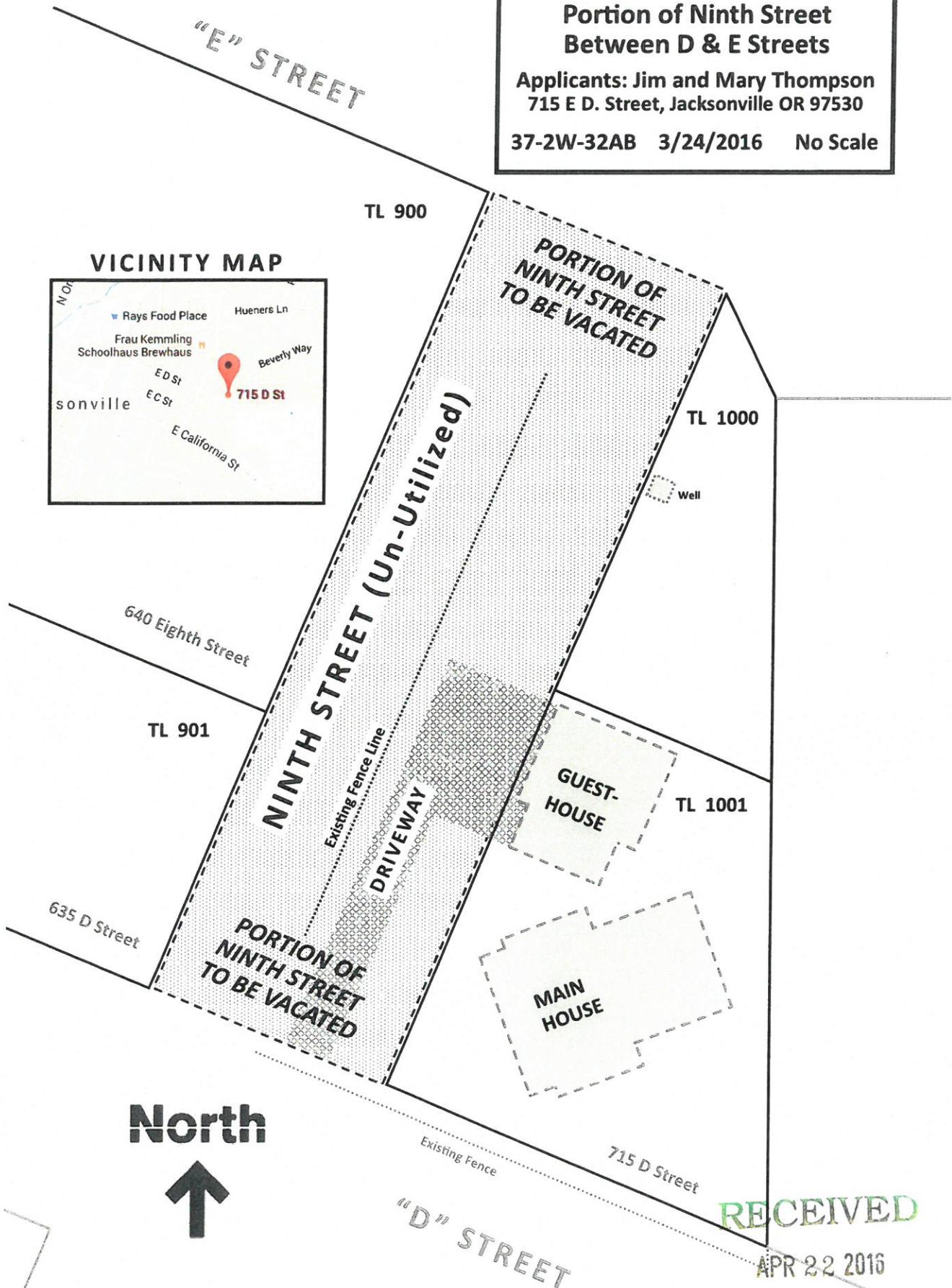
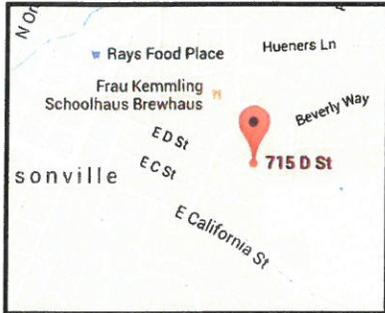
# EXHIBIT 1

## Petition to Vacate Non-Utilized Portion of Ninth Street Between D & E Streets

Applicants: Jim and Mary Thompson  
715 E D. Street, Jacksonville OR 97530

37-2W-32AB 3/24/2016 No Scale

### VICINITY MAP



North

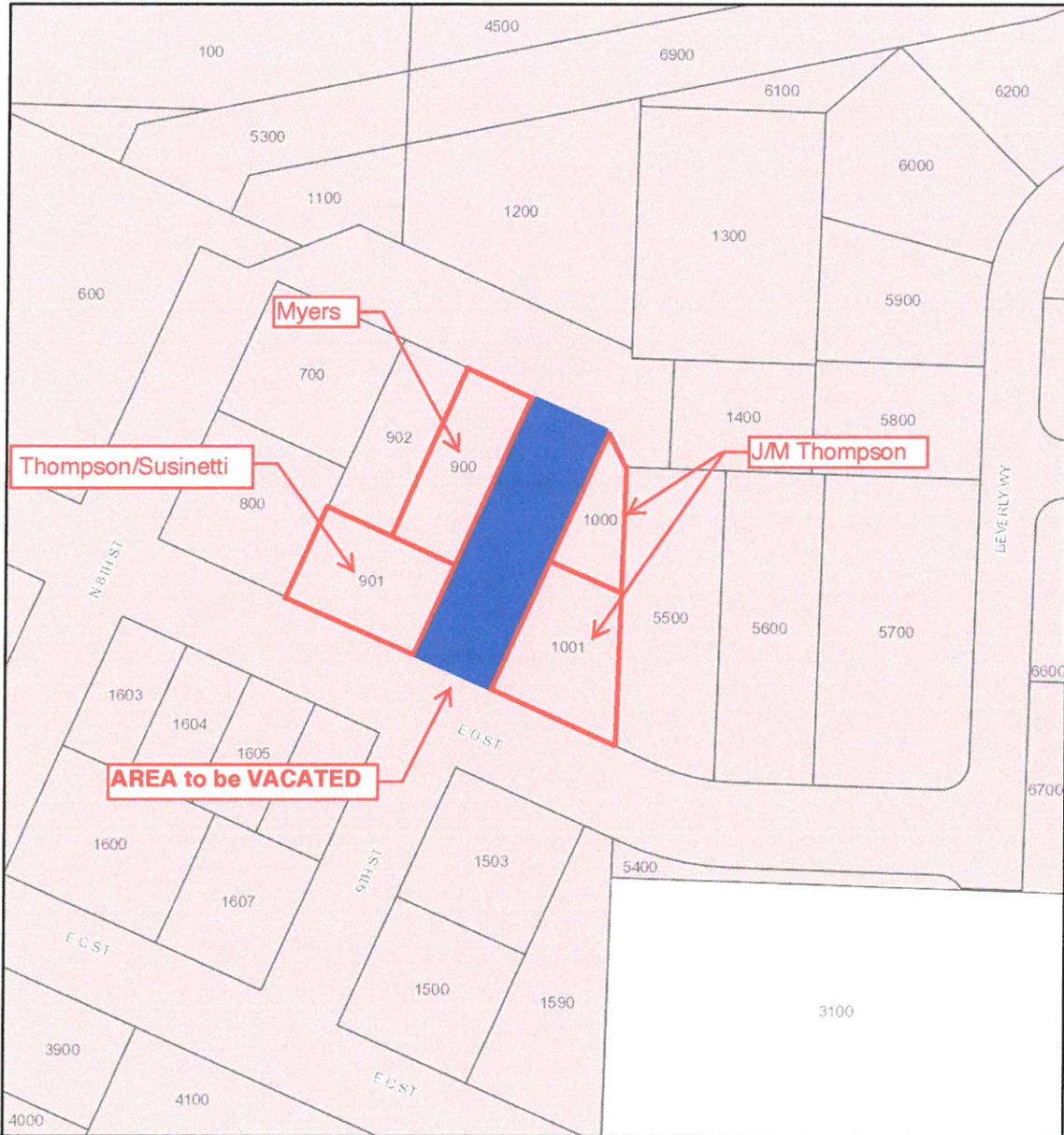


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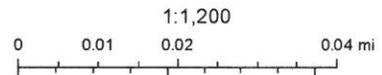
APR 22 2016

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# EXHIBIT 2 Applicants and Area to be Vacated



March 28, 2016



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CITY OF JACKSONVILLE



April 21, 2016

Ian Foster, City Planner  
City of Jacksonville Planning Department  
206 N Fifth Street  
Jacksonville, OR 97530

**RE: Petition to Vacate a Non-Utilized portion of Ninth Street in Jacksonville, Oregon  
James Stacy Thompson III and Mary House Thompson, spokesperson for applicants**

**Applicants requesting vacation of the non-utilized right-of-way are:**

- A. James Stacy Thompson III and Mary House Thompson, 715 E. D Street (existing home and outbuildings) 37-2W-32AB Tax Lot 1001
- B. James Stacy Thompson III and Mary House Thompson, 08/100 vacant parcel on East E Street, (directly to south behind 715 E. D Street) 37-2W-32AB Tax Lot 1000
- C. Robert F. Thompson and Arie D. Susinetti, 635 East D Street (existing home and outbuildings) 37-2W-32AB Tax Lot 901
- D. Gina Marie Myers, 640 Eighth Street (existing home and outbuildings) 37-2W-32AB Tax Lot 900

**PETITION: We, James Stacy Thompson III and Mary House Thompson, Robert F. Thompson and Arie D. Susinetti, and Gina Marie Myers, Applicants, hereby petition the City of Jacksonville, Jackson County, Oregon, to Vacate a non-utilized portion of Ninth Street between D Street and E Street, pursuant to ORS 271.080 as further explained below:**

**OREGON REVISED STATUTES REGARDING VACATION**

***ORS 271.080 Vacation in Incorporated Cities states:***

*(1)Whenever any person interested in any real property in an incorporated city in this state desires to vacate all or part of any street, avenue, boulevard, alley, plat, public square or other public place, such person may file a petition therefor setting forth a description of the ground proposed to be vacated, the purpose for which the ground is proposed to be used and the reason for such vacation.*

**DESCRIPTION OF PROPERTY PROPOSED AREA TO BE VACATED**

**Location: A section of the dedicated street right of way of Ninth Street, being approximately 60 feet wide and 200 feet long, bounded on the South by D Street and the North by E Street. Location Map attached as Exhibit 1**

**Assessors Map Showing Applicants and Area to be Vacated  
Attached as Exhibit 2**

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**Legal Description of area to be vacated:**

Attached as Exhibit A

**Survey Map to be prepared:**

A Survey of the area to be vacated will be prepared as a condition of approval, with the vacated area to be attached to those properties abutting Ninth Street in proportions equal to their street frontage.

**PROPOSED USE OF VACATED GROUND**

The vacated portion of Ninth Street shall be attached in portions equal to their street frontage to those four tax lots which directly abut the area proposed to be vacated. New legal descriptions incorporating the vacated area into the abutting tax lot shall be prepared by a licensed surveyor and recorded upon approval of this vacation petition.

**REASON FOR VACATION**

The portion of Ninth Street proposed to be vacated was platted as part of the POOL AND KLIPPEL'S ADDITION in 1868 but has never been developed into street access serving the neighborhood. At present, the land to be vacated is already incorporated into the adjoining neighbors in the form of driveways, side yards, fence lines and garden areas. Large specimen trees (sycamores) are planted within the right of way, which would be required to be removed if the street were ever developed. It may also be that portion of the guest house at 715 East D Street, built after the original home was constructed, encroaches into the right of way, or does not have proper setback from property lines.

At the time each of the three existing homes abutting the area to be vacated were developed in the early 1990's, the City allowed them to construct private driveways, private sewer lines, fences and garden beds within the right of way. The historic pattern in the neighborhood is that a number of platted streets have not been developed by the city, but have been incorporated and used by the abutting neighbors in the forms of private drives, gardens, yards, and landscaping areas.

Approving this vacation will not impact the traffic flow, utility distribution or fire protection access required by the City. At a pre-application hearing held on October 21, 2015 to investigate the Vacation Process, the City Planning Director, the City Public Works Director, the Fire Chief and Building Official indicated that they had no concerns with the proposed vacation. As part of that meeting, it was noted that Rogue Valley Sewer Services has a trunk line crossing the portion to be vacated (although they do not have easements across the private land owned to the east of Ninth Street) and a Public Utility Easement should be retained for that purpose.

**ORS 271.080 Vacation in Incorporated Cities also requires:**

*(2) There shall be appended to such petition, as a part thereof and as a basis for granting the same, the consent of the owners of all abutting property and of not less than two-thirds in area of the real property affected thereby. The real property affected thereby shall be deemed to be the land lying on either side of the street or*

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APR 22 2016

CITY OF JACKSONVILLE

*portion thereof proposed to be vacated and extending laterally to the next street that serves as a parallel street, but in any case not to exceed 200 feet, and the land for a like lateral distance on either side of the street for 400 feet along its course beyond each terminus of the part proposed to be vacated. Where a street is proposed to be vacated to its termini, the land embraced in an extension of the street for a distance of 400 feet beyond each terminus shall also be counted. In the vacation of any plat or part thereof the consent of the owner or owners of two-thirds in area of the property embraced within such plat or part thereof proposed to be vacated shall be sufficient, except where such vacation embraces street area, when, as to such street area the above requirements shall also apply. The consent of the owners of the required amount of property shall be in writing.*

**Assessors Map Showing Parcels Affected by Vacation (per ORS 271.080)**

Attached as Exhibit 3

**List of Owners and Addresses Affected by Vacation (per ORS 271.080)**

Attached as Exhibit 4

**Consent of All Owners abutting the Vacated Property**

Notarized copies are attached as Exhibit B-1, B-2, B-3, and B-4

**Legal Descriptions of individual ownerships adjacent to areas to be vacated:**

Attached as Exhibits C-1, C-2, C-3 and C-4

**Consent of Two-Thirds of Owners in the Defined "Affected Area"**

Working with Jacksonville City Staff, those owners required to be notified and surveyed regarding this Petition to Vacate were identified and polled. Copies of written approval by more than two-thirds of the owners of in the affected area have given their approval to the Petition to Vacate are attached as Exhibit 5.

**FINDINGS OF FACT REGARDING PETITION TO VACATE--Compliance with Comprehensive Plan**

**Historic Area Characteristics:**

1. Jacksonville Comprehensive Plan, Chapter Two: Part of the Old School District unit, within the portion identified as the Whittle Development of "Historicized Architecture"
2. Planning Historic Design Review Area: Properties affected listed as Review Level Three
3. There are significant resource trees on the property to be vacated--large sycamore trees within the street right-of-way which would need to be removed if Ninth Street were ever to be developed
4. This area is a transitional neighborhood from the East side of the community to the Historic Core.
5. There are a number of platted streets in the surrounding neighborhood that have never been developed to City Standards: Ninth Street between D Street and E Street (subject);

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E Street between Eight Street and Ninth Street (an un-paved alley/access); and C Street beyond Eighth Street to the City Limits to the East. This neighborhood has a semi-rural character without sidewalk, with storm water ditches, and with large trees and well developed landscaping.

**Findings: Vacating this portion of Ninth Street will not negatively impact the historic characteristics of the affected properties, and will, in fact, maintain the general characteristic of the neighborhood (transitional from newer to older at the downtown core). This Vacation Petition meets and does not detract from any of the goals of the Historic Preservation Section of the Comprehensive Plan:**

- It preserves the neighborhood character because there will be no change to the vacated portion of Ninth Street from the current use;
- It protects existing vegetation (large specimen trees) which would likely be damaged if Ninth Street were developed instead of vacated;
- It safeguards existing visual/scenic view sheds, because there will be no change to the existing use of Ninth Street;
- It promotes historic architectural preservation, since this neighborhood was developed based on "Historicized Architecture" and no change to existing homes will occur because of the vacation;
- It maintains the current development patterns/land use, since no change to the historic use of the vacated portion of Ninth Street will occur; and
- It promotes the character of the existing streetscape, which is semi-rural, expansive, with natural walkways and slower traffic to accommodate drivers, walkers and bicyclists. Vacating the requested portion of Ninth Street preserves the existing pattern and will not change the present streetscape.

**Transportation Issues:**

The overall Goal for Transportation Systems in Jacksonville's Comprehensive Plan, Chapter Five Section 2.4.1 is to provide comprehensive, long-range systems that include

1. Providing for optimal public safety and services;
2. Providing for appropriate street, pathway, and sidewalk standards; and
3. Preserving historic and scenic resources and values while recognizing the economic values of Hwy. 238

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**FINDINGS:** Based on the pre-application hearing held on October 21, 2015 to investigate the Vacation Process, the City Planning Director, the City Public Works Director, the Fire Chief and Building Official indicated that they had no concerns with the proposed vacation. The Petition for Vacation will not negatively affect any of the three identified goals for the transportation system, as follows:

**1. Optimal Public Safety and Services**

- The Fire Chief indicated that public safety for the neighborhood would not be negatively impacted by the vacation, as the properties that would be served if Ninth Street were completed are already served by the extension of Eighth Street (also known as E Street), the number of lots served cannot be increased, and there is adequate access and turn-around for fire trucks serving those properties;
- The Public Works Director indicated that storm drainage would not be negatively impacted by the vacation, and the distribution of water, sewer, power, natural gas, cable and internet services is already adequately served in the neighborhood;

**2. Appropriate Street, Pathway and Sidewalk Standards**

- According to the Public Works Director, the requested Vacation will not negatively impact the appropriate Street, Pathway or Sidewalk Standards. The existing streets are already developed to City standards, and the vacation will not impact the sidewalk standards already in place for the Old School District as adopted in Resolution No. 755, which states

*The prevailing use of DG or asphalt should continue based on the existing block by block material use.*

**3. Preserving Historic and Scenic Resources While Recognizing the Economic Value of Hwy 238**

- Any changes in traffic in the immediate area of the proposed vacation at the corner of Ninth Street between D and E Streets will have no impact on either the historic or scenic resources along primary City thoroughways, and will not impact the economic viability of Hwy 238.

Additional Goals regarding Transportation which this Petition for Vacation could possibly impact include Future Demand, Deficiencies and Needs (Element 5), Special Transportation Areas (C Street Enhancements and Parking Issues) and Other Future Planning Objectives

**Future Demand, Deficiencies and Needs (Element Five)**

According to Section 5.2 Summary of Findings, the analysis of the city's transportation system showing how it is expected to function through 2030, shows that

*No intersections in Jacksonville are expected to exceed the applicable intersection traffic operation standard, and therefore, no needs are identified. This was true under a No Build scenario...and a Mode-Loss scenario.*

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**FINDING:** The proposed Vacation will not negatively impact the Future Demands analysis, which was based on the existing traffic patterns throughout Jacksonville, include the lack of development of the section of Ninth Street between D and E, and which analyzed changes to traffic patterns based on multi-modal redevelopment (affects C Street).

#### **Systems Alternative Goal (Element 6) -- Special Transportation Areas 6.2.1**

The Special Transportation Areas identifies enhancements to C Street Corridor (Section 6.2.3), between Oregon Street and Fifth Street, as important to the long-term viability of the Jacksonville Transportation System, including:

- 1,100 feet of sidewalk along the north side of C Street;
- An officially designated bicycle route on C Street;
- A bicycle shelter in the vicinity of the Jacksonville Museum
- Interpretive signage and parking signage along C Street
- Aesthetically-pleasing landscaping on both sides of C Street
- "Bike Boulevard" enhancements including signage, smooth street overlays and curb extensions
- Shared improvements for Pedestrians, Bicyclists and motorized vehicles (WOONERF concept)

**FINDING:** The Vacation of Ninth Street between D Street and E Street is one block North and four blocks East of the terminus of the proposed enhancement area for the C Street Corridor, and will create no significant impact or increase in traffic (Pedestrian, Bicycle or Motorized) to the Corridor.

#### **Systems Alternative Goal (Element 6) – Parking 6.2.5**

The Master Parking Plan identified in this section of the Comprehensive Plan (Figure 6.1) shows the intent to create 25 On-Street, Parallel Parking Spaces along D Street in the Vicinity of Seventh Street.

**FINDING:** The section of Ninth Street along D Street proposed for Vacation is currently developed as yard space at 635 D Street, and as driveway access at 715 D Street. In the current configuration, one on-street parking space would be possible. If Ninth Street were developed, that one on-street parking space along D Street would be lost. The proposed Vacation will have no negative impact on the Master Plan for Parking identified in the Comprehensive Plan.

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## Preferred Alternatives and Planned Projects (Element 7) – Other Future Planning Objectives

Section 7.2 Roadway Improvement Alternative, identifies enhancements to the C Street Corridor as the only future planning objective on which this request for Vacation could have impact.

**FINDING: The Vacation of Ninth Street between D Street and E Street is one block North and four blocks East of the terminus of the proposed enhancement area for the C Street Corridor, and will create no significant impact or increase in traffic (Pedestrian, Bicycle or Motorized) to the Corridor.**

Section 7.6 Land Use Alternative notes that Jacksonville has created a Transit-Oriented Development (TOD), which provides a means to place homes (built at higher densities) and some businesses, near transit services thus decreasing automobile traffic and dependency.

**FINDING: The requested Vacation of a portion of Ninth Street between D Street and E Street will meet the underlying goal of this section, which is to decrease automobile traffic and dependency. By Vacating this portion of Ninth Street, unnecessary street frontage will not be created, extraneous traffic will be eliminated, and existing street and accesses will be more fully utilized at the current, below-capacity levels.**

## Public Facilities and Services

The Goal of the Public Facilities and Services Section of the Comprehensive Plan is to

*Plan and develop a timely, orderly and efficient arrangement of Public Facilities and Services to serve both existing and future needs of the residents of the City of Jacksonville.*

Public Facilities and Services include

1. Sanitary Sewer Service
2. Water Supply and Service
3. Storm Water Drainage
4. Solid Waste
5. Fire Protection
6. Police Protection
7. Public Lands and Buildings
8. Schools

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A pre-application hearing to investigate the Vacation Process was held on October 21, 2015, attended by the City Planning Director, the City Public Works Director, the Fire Chief and Building Official. The only concern raised regarding public facilities as part of that meeting was that Rogue Valley Sewer Services has a trunk line crossing the portion of Ninth Street to be vacated (although they do not have easements across the private land owned to the east of Ninth Street) and that a Public Utility Easement should be retained for that purpose.

**FINDING: City Officials directly responsible for meeting the Comprehensive Plan Goals have reviewed the proposed vacation and have indicated that adequate Public Facilities currently exist and there will be no negative impact on the development of future Public Facilities and Services, including**

- City Planning Director (Public Lands and Buildings and Schools);
- City Public Works Director (Sanitary Sewer, Water Supply, Storm Water Drainage, Solid Waste);
- Fire Chief (Fire Protection); and
- Building Official

**FINDING: There will be no detrimental effect on Police Protection because of the proposed Vacation of a portion of Ninth Street, since the existing street accesses along D Street and Eighth Street will not be changed, and no negative impact from the existing configuration is currently identified.**

**FINDING: a Public Utility Easement benefitting Rogue Valley Sewer Service should be retained across the portion of Ninth Street. As part of this Petition for Vacation, Applicants will coordinate with Rogue Valley Sewer to create the appropriate legal description for a PUE, granted to RVS upon recordation of the vacation.**

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# EXHIBIT B-1

## CONSENT TO STREET VACATION

The undersigned hereby gives full consent to the vacation of  
**That Portion of Ninth Street not currently being utilized between D Street and E Street  
which abuts the following properties: 37-2W-32AB Tax Lots 900, 901, 1000 & 1001**

Street Name

Map & Taxlot #

by the City of Jacksonville, Oregon through its City Council.

Property Owner James Stacy Thompson III and Mary House Thompson  
715 E. D Street  
Physical Address  
Mailing Address (if different)  
Jacksonville, OR 97530  
City, State, Zip Code  
37-2W-32AB Tax Lot 1000

[Signature]  
Signature  
Mary House Thompson  
Signature

STATE OF OREGON )

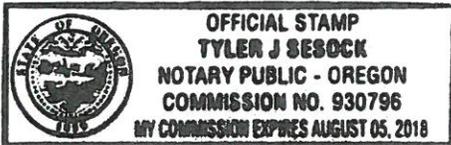
COUNTY OF JACKSON )

On this 4TH day of APRIL, 2016, JAMES STACY THOMPSON III AND MARY HOUSE THOMPSON

personally appeared before me,

- Whom I know personally
- Whose identity I verified on the basis of DRIVERS LICENSE
- Whose identity I verified on the oath or affirmation of \_\_\_\_\_, a credible witness,

to be the signer of the above and he/she acknowledged that he/she signed it.



[Signature]  
Notary Public  
Commission Expires AUGUST 5 2018

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CITY OF JACKSONVILLE

**EXHIBIT B-2**  
**CONSENT TO STREET VACATION**

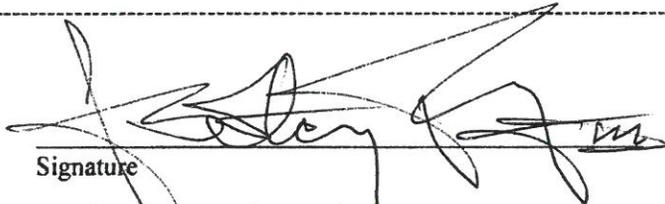
The undersigned hereby gives full consent to the vacation of  
**That Portion of Ninth Street not currently being utilized between D Street and E Street**  
**which abuts the following properties: 37-2W-32AB Tax Lots 900, 901, 1000 & 1001**

Street Name

Map & Taxlot #

by the City of Jacksonville, Oregon through its City Council.

Property Owner James Stacy Thompson III and Mary House Thompson  
715 E. D Street  
Physical Address  
Mailing Address (if different)  
Jacksonville, OR 97530  
City, State, Zip Code  
37-2W-32AB Tax Lot 1001

-----  
  
Signature  
Mary House Thompson  
Signature

STATE OF OREGON )

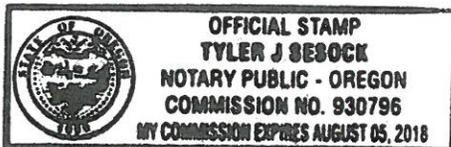
COUNTY OF JACKSON )

On this 4<sup>th</sup> day of APRIL, 2016, JAMES STACY THOMPSON III AND  
MARY HOUSE THOMPSON

personally appeared before me,

- Whom I know personally  
 Whose identity I verified on the basis of DRIVERS LICENSE  
 Whose identity I verified on the oath or affirmation of \_\_\_\_\_,  
a credible witness,

to be the signer of the above and he/she acknowledged that he/she signed it.



  
Notary Public  
Commission Expires AUGUST 5 2018

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APR 22 2016

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CITY OF JACKSONVILLE

EXHIBIT B-3

CONSENT TO STREET VACATION

The undersigned hereby gives full consent to the vacation of  
**That Portion of Ninth Street not currently being utilized between D Street and E Street  
which abuts the following properties: 37-2W-32AB Tax Lots 900, 901, 1000 & 1001**

Street Name

Map & Taxlot #

by the City of Jacksonville, Oregon through its City Council.

Property Owner

Gina Myers

640 8th Street  
Physical Address

Mailing Address (if different)

Jacksonville OR 97530

City, State, Zip Code

Gina M Myers  
Signature

\_\_\_\_\_  
Signature

STATE OF Oregon

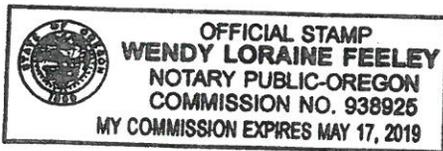
COUNTY OF Jackson

On this 8th day of April, 2016, Gina M Myers

personally appeared before me,

- Whom I know personally
- Whose identity I verified on the basis of ID
- Whose identity I verified on the oath or affirmation of \_\_\_\_\_,  
a credible witness,

to be the signer of the above and he/she acknowledged that he/she signed it.



Wendy Loraine Feeley  
Notary Public  
Commission Expires May 17, 2019

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# EXHIBIT B-4

## CONSENT TO STREET VACATION

The undersigned hereby gives full consent to the vacation of  
**That Portion of Ninth Street not currently being utilized between D Street and E Street  
which abuts the following properties: 37-2W-32AB Tax Lots 900, 901, 1000 & 1001**

Street Name \_\_\_\_\_

Map & Taxlot # \_\_\_\_\_

by the City of Jacksonville, Oregon through its City Council.

Property Owner Robert F. Thompson and Arie D. Susinetti  
635 E. D Street  
Physical Address  
Jacksonville, OR 97530  
Mailing Address (if different)  
425 Locke Drive, Aptos, CA 95003  
City, State, Zip Code  
37-2W-32AB Tax Lot 901

  
\_\_\_\_\_  
Signature

  
\_\_\_\_\_  
Signature

STATE OF California )

COUNTY OF Santa Cruz )

On this 21<sup>st</sup> day of April, 2016, Robert F. Thompson & Arie D. Susinetti

personally appeared before me,

- Whom I know personally  
 Whose identity I verified on the basis of checking California Driver license  
 Whose identity I verified on the oath or affirmation of \_\_\_\_\_,  
a credible witness,

to be the signer of the above and he/she acknowledged that he/she signed it.



  
\_\_\_\_\_  
Notary Public  
Commission Expires 12/23/2016

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CITY OF JACKSONVILLE

TELEPHONE  
541-772-2782

JAMES E. HIBBS, PLS



**L.J. FRIAR & ASSOCIATE P.C.**

CONSULTING LAND SURVEYORS

P.O. BOX 1947  
PHOENIX, OR 97535

FAX  
541-772-8465

ljfriar@charter.net

EXHIBIT C-1

Parcel No. 2 set forth in Document No. 2015-039553, Official Records of Jackson County, Oregon being described as follows:

The Northerly 100 feet of fractional Block 71 in POOL AND KLIPPEL'S ADDITION in the City of Jacksonville, Jackson County, Oregon, according to the official plat thereof, now of record.

EXISTING 372W32AB TL1000  
Jim & Mary Thompson  
16-141  
April 19, 2016



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CITY OF JACKSONVILLE

TELEPHONE  
541-772-2782



**L.J. FRIAR & ASSOCIATE P.C.**

CONSULTING LAND SURVEYORS

P.O. BOX 1947  
PHOENIX, OR 97535

FAX  
541-772-8465

JAMES E. HIBBS, PLS

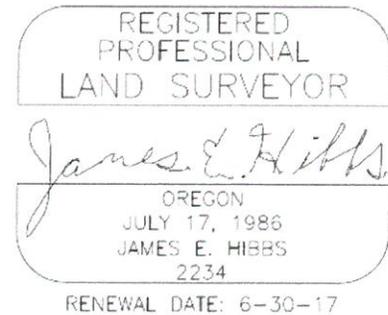
ljfriar@charter.net

EXHIBIT C-2

Parcel No. 1 set forth in Document No. 2015-039553, Official Records of Jackson County, Oregon being described as follows:

The Southerly 100 feet of fractional Block 71 in POOL AND KLIPPEL'S ADDITION in the City of Jacksonville, Jackson County, Oregon, according to the official plat thereof, now of record, being Lots 1 and 2 of said Block 71.

EXISTING 372W32AB TL1001  
Jim & Mary Thompson  
16-141  
April 19, 2016



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CITY OF JACKSONVILLE

TELEPHONE  
541-772-2782

JAMES E. HIBBS, PLS



**L.J. FRIAR & ASSOCIATE P.C.**

CONSULTING LAND SURVEYORS

P.O. BOX 1947  
PHOENIX, OR 97535

FAX  
541-772-8465

ljfriar@charter.net

EXHIBIT C-3

That property set forth in Document No. 2009-047374, Official Records of Jackson County, Oregon being described as follows:

Lot 8 and the Northerly 30 feet of Lot 4, Block 70 in POOL AND KLIPPEL'S ADDITION in the City of Jacksonville, Jackson County, Oregon, according to the official plat thereof, now of record.

EXISTING 372W32AB TL900  
Jim & Mary Thompson  
16-141  
April 19, 2016



RENEWAL DATE: 6-30-17

TELEPHONE  
541-772-2782

JAMES E. HIBBS, PLS



**L.J. FRIAR & ASSOCIATE P.C.**

CONSULTING LAND SURVEYORS

P.O. BOX 1947  
PHOENIX, OR 97535

FAX  
541-772-8465

ljfriar@charter.net

EXHIBIT C-4

That property set forth in Document No. 2007-044462, Official Records of Jackson County, Oregon being described as follows:

Parcel No. Two (2) of Partition Plat No. P-86-1992, recorded August 27, 1992, in Record of Partition Plats in Jackson County, Oregon and filed as Survey No. 13126 in the Office of the Jackson County Surveyor.

EXISTING 372W32AB TL901  
Jim & Mary Thompson  
16-141  
April 19, 2016



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## EXHIBIT 4 Owners of Affected Parcels

Last	First	Mailing Address	Situs Address	Tax Map	Tax Lot
Thompson	Jim & Mary	715 E. D Street	715 E. D Street	372W32AB	1000
Thompson	Jim & Mary	715 E. D Street	715 E. D Street	372W32AB	1001
Myers	Gina Marie	640 Eighth Street	640 Eighth Street	372W32AB	900
Thompson, Robert F.	Susinetti, Arie D.	425 Locke Drive Aptos, CA 5003	635 E. D Street	372W32AB	901
Phillips	Charles & Carrie	P.O. Box 1537	630 Eighth Street	372W32AB	902
Centers	William Laroy Jr	P.O. Box 1593 Rogue River, OR 97537	350 Eighth Street	372W32AB	700
Parks	Steven & Nancy	995 Upper Applegate Rd Jacksonville OR 97530	320 Eighth Street	372W32AB	800
Hecox	Douglas & Kerri	620 E. C Street	260 Eighth Street	372W32AB	1603
Leroy	Edward & Shahnaz	620 E. D Street	620 E. D Street	372W32AB	1604
Rugen	Richard	630 E. D Street	630 E. D Street	372W32AB	1605
Gugliotta	Lou & Betty	P.O. Box 1948	640 E. D Street	372W32AB	1606
Moore	Lore	7201 Thompson Creek	220 Eighth Street	372W32AB	1600
Whipple	Rodger & Susan	P.O. Box 1537	205 Ninth Street	372W32AB	1607
Shields	Lance & Nancy	720 E. D Street	720 E. D Street	372W32AB	1503
McInerny	Kate	210 Ninth Street	P.O. Box 1023	372W32AB	1500
Lebaron	Rand & Cynthia	730 E. D Street	730 E. D Street	372W32AB	1590
Kaylin	Daniel	735 E. D Street	735 E. D Street	372W32AB	5500
Scott	Russell & Sandra	745 E. D Street	745 E. D Street	372W32AB	5600
Hicks	Maurice & Virginia	755 E. D Street	755 E. D Street	372W32AB	5700
Graham	William & Linda	P.O. Box 626	1015 Beverly Way	372W32AB	5800
McPherson	Jesse & Shannon	1005 Beverly Way	1005 Beverly Way	372W32AB	5900
Johnson	Hazel	P.O. Box 63	410 Eighth Street	372W32AB	1400
Smith	Wayne & Kristine	420 8th Street	420 8th Street	372W32AB	1300
Bigham Knoll Group, LLC	Brooke Ashland, Member	4400 Livingston Road Central Point, OR 97502	535 Bigham Knoll	372W32AB	1200
City of Jacksonville		P.O. Box 7	Beverly Way	372W32AB	6100
City of Jacksonville		P.O. Box 7	Hueners Lane	372W32AB	6900
Denard	Patrick & Marion	420 G Street	420 G Street	372W32AB	4500
Southeast Jacksonville, LLC	Duane Wallace, Registered Agent	P.O. Box 249 Ashland, OR 97520	845 California Street	372W32A	3100
City of Jacksonville		P.O. Box 7	Beverly Way	372W32AB	5400
Courson	Benjamin & Necia	160 Eighth Street	160 Eighth Street	372W32AB	3900

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**EXHIBIT 4**  
**Owners of Affected Parcels**

Hecox	Douglas & Kerri	620 E. C Street	620 E. C Street	372W32AB	4100
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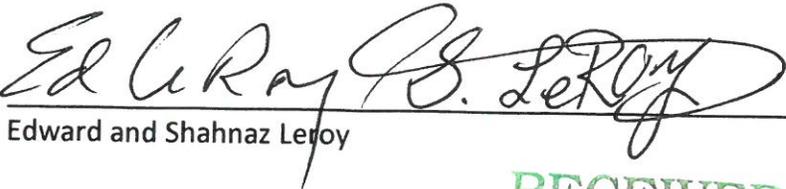
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# EXHIBIT 5

## Petition to Vacate a Non-Utilized Portion of Ninth Street between D Street and E Streets, Jacksonville

We, the undersigned, acknowledge that the portion of 9<sup>th</sup> Street proposed for vacation has never been developed by the City of Jacksonville. The street has been used for private yard or driveway access for the owners of 715 East D Street, 635 East D Street, and 640 Eighth Street since the early 1990's. We agree that developing 9<sup>th</sup> Street in that location would be a severe hardship on the adjacent owners, but vacating the street would not negatively impact us as neighbors.

By our signatures below, we consent to this vacation.

✓ 37-2W-32AB TL 1000 715 E. D Street Jacksonville, OR 97530	_____	_____
	Jim and Mary Thompson	Date
✓ 37-2W-32AB TL 1001 715 E. D Street Jacksonville, OR 97530	_____	_____
	Jim and Mary Thompson	Date
✓ 37-2W-32AB TL 900 640 Eighth Street Jacksonville, OR 97530	_____	_____
	Gina Myers	Date
37-2W-32AB TL 901 635 E. D Street Jacksonville, OR 97530	_____	_____
	Robert Thompson / Arie Susuinetti	Date
37-2W-32AB TL 902 630 Eighth Street Jacksonville, OR 97530	_____	_____
	Charles and Carrie Phillips	Date
37-2W-32AB TL 700 350 Eighth Street Jacksonville, OR 97530	_____	_____
	William Centers Trust	Date
37-2W-32AB TL 800 320 Eighth Street Jacksonville, OR 97530	_____	_____
	Steven and Nancy Parks	Date
37-2W-32AB TL 1603 260 Eighth Street N Jacksonville, OR 97530		4-5-16 Date
37-2W-32AB TL 1604 620 E. D Street Jacksonville, OR 97530		3/12/16 Date

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CITY OF JACKSONVILLE



# EXHIBIT 5

## Petition to Vacate a Non-Utilized Portion of Ninth Street between D Street and E Streets, Jacksonville

*We, the undersigned, acknowledge that the portion of 9<sup>th</sup> Street proposed for vacation has never been developed by the City of Jacksonville. The street has been used for private yard or driveway access for the owners of 715 East D Street, 635 East D Street, and 640 Eighth Street since the early 1990's. We agree that developing 9<sup>th</sup> Street in that location would be a severe hardship on the adjacent owners, but vacating the street would not negatively impact us as neighbors.*

**By our signatures below, we consent to this vacation.**

37-2W-32A TL 3100  
845 California Street  
Jacksonville, OR 97530

\_\_\_\_\_  
Southeast Jacksonville LLC Date

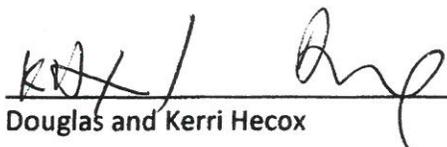
37-2W-32AB TL 5400  
Beverly Way  
Jacksonville, OR 97530

\_\_\_\_\_  
City of Jacksonville Date

37-2W-32AB TL 3900  
160 Eighth Street  
Jacksonville, OR 97530

\_\_\_\_\_  
Benjamin and Necia Courson Date

37-2W-32AB TL 4100  
620 E. C Street  
Jacksonville, OR 97530

  
\_\_\_\_\_  
Douglas and Kerri Hecox Date

4/5/16

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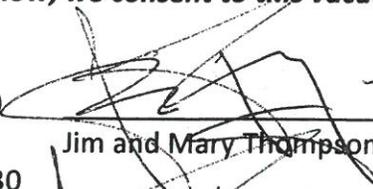
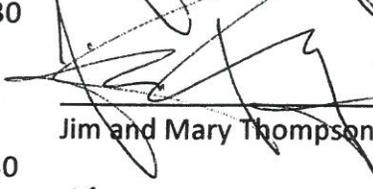
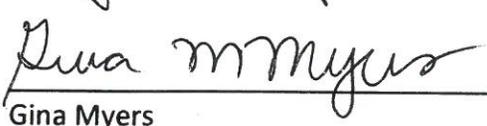
CITY OF JACKSONVILLE

# EXHIBIT 5

## Petition to Vacate a Non-Utilized Portion of Ninth Street between D Street and E Streets, Jacksonville

We, the undersigned, acknowledge that the portion of 9<sup>th</sup> Street proposed for vacation has never been developed by the City of Jacksonville. The street has been used for private yard or driveway access for the owners of 715 East D Street, 635 East D Street, and 640 Eighth Street since the early 1990's. We agree that developing 9<sup>th</sup> Street in that location would be a severe hardship on the adjacent owners, but vacating the street would not negatively impact us as neighbors.

By our signatures below, we consent to this vacation.

37-2W-32AB TL 1000 715 E. D Street Jacksonville, OR 97530	 Mary Thompson Jim and Mary Thompson	3-1-16 Date
37-2W-32AB TL 1001 715 E. D Street Jacksonville, OR 97530	 Mary Thompson Jim and Mary Thompson	3-1-16 Date
37-2W-32AB TL 900 640 Eighth Street Jacksonville, OR 97530	 Gina Myers	3/1/16 Date
37-2W-32AB TL 901 635 E. D Street Jacksonville, OR 97530	_____ Robert Thompson / Arie Susuinetti	_____ Date
37-2W-32AB TL 902 630 Eighth Street Jacksonville, OR 97530	_____ Charles and Carrie Phillips	_____ Date
37-2W-32AB TL 700 350 Eighth Street Jacksonville, OR 97530	_____ William Centers Trust	_____ Date
37-2W-32AB TL 800 320 Eighth Street Jacksonville, OR 97530	_____ Steven and Nancy Parks	_____ Date
37-2W-32AB TL 1603 260 Eighth Street N Jacksonville, OR 97530	_____ Douglas and Kerri Hecox	_____ Date
37-2W-32AB TL 1604 620 E. D Street Jacksonville, OR 97530	_____ Edward and Shahnaz Leroy	_____ Date

RECEIVED

APR 22 2016

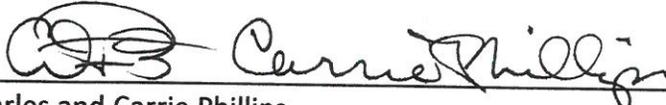
CITY OF JACKSONVILLE

# EXHIBIT 5

## Petition to Vacate a Non-Utilized Portion of Ninth Street between D Street and E Streets, Jacksonville

We, the undersigned, acknowledge that the portion of 9<sup>th</sup> Street proposed for vacation has never been developed by the City of Jacksonville. The street has been used for private yard or driveway access for the owners of 715 East D Street, 635 East D Street, and 640 Eighth Street since the early 1990's. We agree that developing 9<sup>th</sup> Street in that location would be a severe hardship on the adjacent owners, but vacating the street would not negatively impact us as neighbors.

**By our signatures below, we consent to this vacation.**

37-2W-32AB TL 1000 715 E. D Street Jacksonville, OR 97530	_____ Jim and Mary Thompson	_____ Date
37-2W-32AB TL 1001 715 E. D Street Jacksonville, OR 97530	_____ Jim and Mary Thompson	_____ Date
37-2W-32AB TL 900 640 Eighth Street Jacksonville, OR 97530	_____ Gina Myers	_____ Date
37-2W-32AB TL 901 635 E. D Street Jacksonville, OR 97530	_____ Robert Thompson / Arie Susuinetti	_____ Date
37-2W-32AB TL 902 630 Eighth Street Jacksonville, OR 97530	 Charles and Carrie Phillips	3.15.16 _____ Date
37-2W-32AB TL 700 350 Eighth Street Jacksonville, OR 97530	_____ William Centers Trust	_____ Date
37-2W-32AB TL 800 320 Eighth Street Jacksonville, OR 97530	_____ Steven and Nancy Parks	_____ Date
37-2W-32AB TL 1603 260 Eighth Street N Jacksonville, OR 97530	_____ Douglas and Kerri Hecox	_____ Date
37-2W-32AB TL 1604 620 E. D Street Jacksonville, OR 97530	_____ Edward and Shahnaz Leroy	_____ Date

RECEIVED

APR 22 2016

CITY OF JACKSONVILLE

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By our signatures below, we consent to this vacation.

37-2W-32AB TL 1605 630 E. D Street Jacksonville, OR 97530	Richard Rugen	_____	Date
37-2W-32AB TL 1606 640 E. D Street Jacksonville, OR 97530	<i>Lou A Gugliotta</i> <i>Betty D Gugliotta</i> Lou and Betty Gugliotta	_____	2-11-16 Date
37-2W-32AB TL 1600 220 Eighth Street Jacksonville, OR 97530	Lore Moore	_____	Date
37-2W-32AB TL 1607 205 Ninth Street Jacksonville, OR 97530	Rodger and Susan Whipple	_____	Date
✓ 37-2W-32AB TL 1503 720 E. D Street Jacksonville, OR 97530	Lance and Nancy Shields	_____	Date
37-2W-32AB TL 1500 210 Ninth Street Jacksonville, OR 97530	<i>Kate McInerney</i> Kate McInerney	_____	3-1-16 Date
✓ 37-2W-32AB TL 1590 730 E. D Street Jacksonville, OR 97530	Rand and Cynthia Lebaron	_____	Date
✓ 37-2W-32AB TL 5500 735 E. D Street Jacksonville, OR 97530	Daniel and Nancy Kaylin	_____	Date
37-2W-32AB TL 5600 745 E. D Street Jacksonville, OR 97530	Russell and Sandra Scott	_____	Date

RECEIVED

APR 22 2016

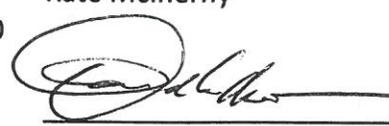
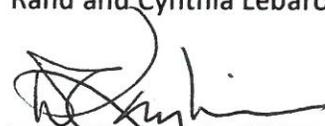
CITY OF JACKSONVILLE

# EXHIBIT 5

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By our signatures below, we consent to this vacation.

37-2W-32AB TL 1605 630 E. D Street Jacksonville, OR 97530	Richard Rugen	Date
✓ 37-2W-32AB TL 1606 640 E. D Street Jacksonville, OR 97530	Lou and Betty Gugliotta	Date
37-2W-32AB TL 1600 220 Eighth Street Jacksonville, OR 97530	Lore Moore	Date
37-2W-32AB TL 1607 205 Ninth Street Jacksonville, OR 97530	Rodger and Susan Whipple	Date
37-2W-32AB TL 1503 720 E. D Street Jacksonville, OR 97530	 Lance and Nancy Shields	 3/1/16 Date
✓ 37-2W-32AB TL 1500 210 Ninth Street Jacksonville, OR 97530	Kate McInerny	Date
37-2W-32AB TL 1590 730 E. D Street Jacksonville, OR 97530	 Rand and Cynthia Lebaron	 3/1/16 Date
37-2W-32AB TL 5500 735 E. D Street Jacksonville, OR 97530	 Daniel and Nancy Kaylin	 3/1/16 Date
37-2W-32AB TL 5600 745 E. D Street Jacksonville, OR 97530	Russell and Sandra Scott	Date

RECEIVED

APR 22 2016

CITY OF JACKSONVILLE

# EXHIBIT 5

## Petition to Vacate a Non-Utilized Portion of Ninth Street between D Street and E Streets, Jacksonville

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**By our signatures below, we consent to this vacation.**

37-2W-32AB TL 1605  
630 E. D Street  
Jacksonville, OR 97530

Richard Rugen \_\_\_\_\_ Date

37-2W-32AB TL 1606  
640 E. D Street  
Jacksonville, OR 97530

Lou and Betty Gugliotta \_\_\_\_\_ Date

37-2W-32AB TL 1600  
220 Eighth Street  
Jacksonville, OR 97530

Lore Moore \_\_\_\_\_ Date

37-2W-32AB TL 1607  
205 Ninth Street  
Jacksonville, OR 97530

Rodger and Susan Whipple \_\_\_\_\_ Date

*Rodger S. Whipple, Susan Whipple 3/17/16*

37-2W-32AB TL 1503  
720 E. D Street  
Jacksonville, OR 97530

Lance and Nancy Shields \_\_\_\_\_ Date

37-2W-32AB TL 1500  
210 Ninth Street  
Jacksonville, OR 97530

Kate McInerny \_\_\_\_\_ Date

37-2W-32AB TL 1590  
730 E. D Street  
Jacksonville, OR 97530

Rand and Cynthia Lebaron \_\_\_\_\_ Date

37-2W-32AB TL 5500  
735 E. D Street  
Jacksonville, OR 97530

Daniel and Nancy Kaylin \_\_\_\_\_ Date

37-2W-32AB TL 5600  
745 E. D Street  
Jacksonville, OR 97530

Russell and Sandra Scott \_\_\_\_\_ Date

RECEIVED

APR 22 2016

CITY OF JACKSONVILLE

# EXHIBIT 5

## Petition to Vacate a Non-Utilized Portion of Ninth Street between D Street and E Streets, Jacksonville

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By our signatures below, we consent to this vacation.

37-2W-32AB TL 1605 630 E. D Street Jacksonville, OR 97530	Richard Rugen	Date
37-2W-32AB TL 1606 640 E. D Street Jacksonville, OR 97530	Lou and Betty Gugliotta	Date
37-2W-32AB TL 1600 220 Eighth Street Jacksonville, OR 97530	Lore Moore	Date
37-2W-32AB TL 1607 205 Ninth Street Jacksonville, OR 97530	Rodger and Susan Whipple	Date
37-2W-32AB TL 1503 720 E. D Street Jacksonville, OR 97530	Lance and Nancy Shields	Date
37-2W-32AB TL 1500 210 Ninth Street Jacksonville, OR 97530	Kate McInerny	Date
37-2W-32AB TL 1590 730 E. D Street Jacksonville, OR 97530	Rand and Cynthia Lebaron	Date
37-2W-32AB TL 5500 735 E. D Street Jacksonville, OR 97530	Daniel and Nancy Kaylin	Date
37-2W-32AB TL 5600 745 E. D Street Jacksonville, OR 97530	<i>Russell P. Scott, Sandra Scott</i> Russell and Sandra Scott	<i>3-19-2016</i> Date

RECEIVED

APR 22 2016

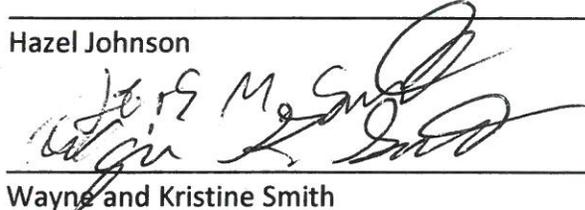
CITY OF JACKSONVILLE

# EXHIBIT 5

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**By our signatures below, we consent to this vacation.**

37-2W-32AB TL 5700 755 E. D Street Jacksonville, OR 97530	_____	Maurice and Virginia Hicks	_____	Date
✓ 37-2W-32AB TL 5800 1015 Beverly Way Jacksonville, OR 97530	_____	William and Linda Graham	_____	Date
37-2W-32AB TL 5900 1005 Beverly Way Jacksonville, OR 97530	_____	Jesse and Sandra McPherson	_____	Date
37-2W-32AB TL 1400 410 Eighth Street Jacksonville, OR 97530	_____	Hazel Johnson	_____	Date
37-2W-32AB TL 1300 420 Eighth Street Jacksonville, OR 97530	_____	 Wayne and Kristine Smith	3/11/16	Date
37-2W-32AB TL 1200 535 Bingham Knoll Dr. Jacksonville, OR 97530	_____	Bingham Knoll Group, LLC	_____	Date
37-2W-32AB TL 6100 Beverly Way Jacksonville, OR 97530	_____	City of Jacksonville	_____	Date
37-2W-32AB TL 6900 Hueners Lane Jacksonville, OR 97530	_____	City of Jacksonville	_____	Date
37-2W-32AB TL 4500 420 G street Jacksonville, OR 97530	_____	Patrick and Marion Denard	_____	Date

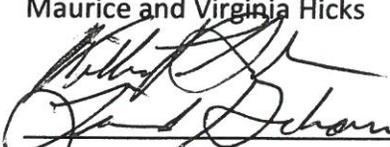
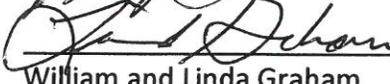
RECEIVED  
APR 22 2016  
CITY OF JACKSONVILLE

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By our signatures below, we consent to this vacation.

37-2W-32AB TL 5700 755 E. D Street Jacksonville, OR 97530	_____ Maurice and Virginia Hicks 	_____ Date
37-2W-32AB TL 5800 1015 Beverly Way Jacksonville, OR 97530	_____ William and Linda Graham 	_____ 2-9-16 Date
37-2W-32AB TL 5900 1005 Beverly Way Jacksonville, OR 97530	_____ Jesse and Sandra McPherson	_____ Date
37-2W-32AB TL 1400 410 Eighth Street Jacksonville, OR 97530	_____ Hazel Johnson	_____ Date
✓ 37-2W-32AB TL 1300 420 Eighth Street Jacksonville, OR 97530	_____ Wayne and Kristine Smith	_____ Date
37-2W-32AB TL 1200 535 Bingham Knoll Dr. Jacksonville, OR 97530	_____ Bingham Knoll Group, LLC	_____ Date
37-2W-32AB TL 6100 Beverly Way Jacksonville, OR 97530	_____ City of Jacksonville	_____ Date
37-2W-32AB TL 6900 Hueners Lane Jacksonville, OR 97530	_____ City of Jacksonville	_____ Date
37-2W-32AB TL 4500 420 G street Jacksonville, OR 97530	_____ Patrick and Marion Denard	_____ Date

RECEIVED  
APR 22 2016  
CITY OF JACKSONVILLE

# EXHIBIT 5

## Petition to Vacate a Non-Utilized Portion of Ninth Street between D Street and E Streets, Jacksonville

*We, the undersigned, acknowledge that the portion of 9<sup>th</sup> Street proposed for vacation has never been developed by the City of Jacksonville. The street has been used for private yard or driveway access for the owners of 715 East D Street, 635 East D Street, and 640 Eighth Street since the early 1990's. We agree that developing 9<sup>th</sup> Street in that location would be a severe hardship on the adjacent owners, but vacating the street would not negatively impact us as neighbors.*

***By our signatures below, we consent to this vacation.***

37-2W-32AB TL 5700 755 E. D Street Jacksonville, OR 97530	_____ Maurice and Virginia Hicks	_____ Date
37-2W-32AB TL 5800 1015 Beverly Way Jacksonville, OR 97530	_____ William and Linda Graham	_____ Date
37-2W-32AB TL 5900 1005 Beverly Way Jacksonville, OR 97530	_____ Jesse and Sandra McPherson	_____ Date
37-2W-32AB TL 1400 410 Eighth Street Jacksonville, OR 97530	_____ Hazel Johnson	_____ Date
37-2W-32AB TL 1300 420 Eighth Street Jacksonville, OR 97530	_____ Wayne and Kristine Smith	_____ Date
37-2W-32AB TL 1200 535 Bingham Knoll Dr. Jacksonville, OR 97530	_____ Bingham Knoll Group, LLC	_____ Date
37-2W-32AB TL 6100 Beverly Way Jacksonville, OR 97530	_____ City of Jacksonville	_____ Date
37-2W-32AB TL 6900 Hueners Lane Jacksonville, OR 97530	_____ City of Jacksonville	_____ Date
37-2W-32AB TL 4500 420 G street Jacksonville, OR 97530	 _____ Patrick and Marion Denard	 _____ Date

RECEIVED

APR 22 2016

CITY OF JACKSONVILLE

# EXHIBIT 5

## Petition to Vacate a Non-Utilized Portion of Ninth Street between D Street and E Streets, Jacksonville

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**By our signatures below, we consent to this vacation.**

37-2W-32A TL 3100  
845 California Street  
Jacksonville, OR 97530

\_\_\_\_\_  
Southeast Jacksonville LLC  
Date

37-2W-32AB TL 5400  
Beverly Way  
Jacksonville, OR 97530

\_\_\_\_\_  
City of Jacksonville  
Date

37-2W-32AB TL 3900  
160 Eighth Street  
Jacksonville, OR 97530

Ben + Necia Courson  
Benjamin and Necia Courson  
3-31-16  
Date

37-2W-32AB TL 4100  
620 E. C Street  
Jacksonville, OR 97530

\_\_\_\_\_  
Douglas and Kerri Hecox  
Date

RECEIVED

APR 22 2016

CITY OF JACKSONVILLE

**EXHIBIT 5**

**Petition to Vacate a Non-Utilized Portion of  
Ninth Street between D Street and E Streets, Jacksonville**

*We, the undersigned, acknowledge that the portion of 9<sup>th</sup> Street proposed for vacation has never developed by the City of Jacksonville. The street has been used for private yard or driveway at the owners of 715 East D Street, 635 East D Street, and 640 Eighth Street since the early 1990's. We agree that developing 9<sup>th</sup> Street in that location would be a severe hardship on the adjacent owners, but vacating the street would not negatively impact us as neighbors.*

**By our signatures below, we consent to this vacation.**

37-2W 32AB TL 1000  
715 E. D Street  
Jacksonville, OR 97530

\_\_\_\_\_  
Jim and Mary Thompson

37-2W-32AB TL 1001  
715 E. D Street  
Jacksonville, OR 97530

\_\_\_\_\_  
Jim and Mary Thompson

37-2W 32AB TL 900  
640 Eighth Street  
Jacksonville, OR 97530

\_\_\_\_\_  
Gina Myers

37-2W-32AB TL 901  
635 E. D Street  
Jacksonville, OR 97530

  
\_\_\_\_\_  
Robert Thompson / Arie Susinetti

37-2W 32AB TL 902  
630 Eighth Street  
Jacksonville, OR 97530

\_\_\_\_\_  
Charles and Carrie Phillips

37-2W-32AB TL 700  
350 Eighth Street  
Jacksonville, OR 97530

\_\_\_\_\_  
William Centers Trust

37-2W-32AB TL 800  
320 Eighth Street  
Jacksonville, OR 97530

\_\_\_\_\_  
Steven and Nancy Parks

37-2W-32AB TL 1603  
260 Eighth Street N

\_\_\_\_\_  
Douglas and Kerri Hecox

**RECEIVED**

**APR 22 2016**

**CITY OF JACKSONVILLE**



**MEMORANDUM**

**TO:** Jeff Alvis  
**FROM:** Sydnee Dreyer  
**RE:** **Street Vacation Process**  
**DATE:** April 18, 2016

Below is a summary of the street vacation process under ORS 271.080-271.160. Also attached are the relevant ORS provisions.

Under Chapter IX, Section 40, the Jacksonville Charter provides that the process to vacate streets is governed by general ordinance, if applicable, or by state law. In this case, it does not appear that the City has adopted a street vacation process, as such is it subject to state law.

- 1) **Initiation.** An interested person can submit a petition to the City Recorder setting forth a description of the land sought to be vacated, the purpose to which the person proposes to use the land, and the reason for the vacation. (City can initiate vacation, subject to the requirements of ORS 271.130 in lieu of a petition by an interested party. In such event, the City cannot approve the vacation if a majority of affected owners object, nor can the City vacate without consent of the abutting owners, if the vacation would substantially affect the market value of their property unless the City provides for damages for such vacation.)
  
- 2) **Petition Requirements.** The petition must be submitted with:
  - a. Written consent of the owners of all abutting property and of not less than two-thirds in area of the real property affected thereby. The real property affected thereby shall be deemed to be the land lying on either side of the street or portion thereof proposed to be vacated and extending laterally to the next street that serves as a parallel street, but in any case not to exceed 200 feet, and the land for a like lateral distance on either side of the street for 400 feet along its course beyond each terminus of the part proposed to be vacated. Where a street is proposed to be vacated to its termini, the land embraced in an extension of the

City Council  
May 17, 2016  
Agenda Item 5a  
Exhibit "B"

street for a distance of 400 feet beyond each terminus shall also be counted. In the vacation of any plat or part thereof the consent of the owner or owners of two-thirds in area of the property embraced within such plat or part thereof proposed to be vacated shall be sufficient, except where such vacation embraces street area, when, as to such street area the above requirements shall also apply. The consent of the owners of the required amount of property shall be in writing. ORS 271.080(2).

3) **Preliminary Determination.** The Recorder must set the vacation petition for preliminary consideration by the Council and notify at least one of the petitioners of the meeting date. The Council at that time will decide whether to deny the vacation, or to set it for public hearing to consider approving the vacation. Alternatively, the Council could skip this first step and require that all vacation petitions be set for public hearing as due process would be assured.

4) **Notice requirements for public hearing:**

(1) The city recorder or other recording officer of the city shall give notice of the petition and hearing by publishing a notice in the city official newspaper once each week for two consecutive weeks prior to the hearing. If no newspaper is published in such city, written notice of the petition and hearing shall be posted in three of the most public places in the city. The notices shall describe the ground covered by the petition, give the date it was filed, the name of at least one of the petitioners and the date when the petition, and any objection or remonstrance, which may be made in writing and filed with the recording officer of the city prior to the time of hearing, will be heard and considered.

(2) Within five days after the first day of publication of the notice, the city recording officer shall cause to be posted at or near each end of the proposed vacation a copy of the notice, which shall be headed, "Notice of Street Vacation," "Notice of Plat Vacation" or "Notice of Plat and Street Vacation," as the case may be. The notice shall be posted in at least two conspicuous places in the proposed vacation area. The posting and first day of publication of such notice shall be at least 14 days before the hearing.

(3) The city recording officer shall, before publishing such notice, obtain from the petitioners a sum sufficient to cover the cost of publication, posting and other anticipated expenses. The city recording officer shall hold the sum so obtained until the actual cost has been ascertained, when the amount of the cost shall be paid into the city treasury and any surplus refunded to the depositor. ORS 271.110.

5) **Public Hearing:**

The vacation may be approved by Ordinance if the council finds:

- a) The consent of the owners of the required area has been obtained;
- b) Notice has been properly given;
- c) The public interest will not be prejudiced by the vacation of such plat, or street, or parts thereof.
- d) Council has discretion to approve in part and deny in part, or make other reservations that appear in the public interest.

- 6) **Title to Vacated Land.** Upon approval of a vacation, the title to land shall attach in equal portions to those lots bordering the vacation, unless the area was originally dedicated by different persons and those persons are still in title, then the original boundary lines will be returned to those respective parties. If a public square is dedicated, the title vests in the City.
- 7) **Recording Ordinance.** A certified copy of the ordinance vacating any street or plat area and any map, plat or other record in regard thereto which may be required or provided for by law, shall be filed for record with the county clerk. The petitioner must pay the recording cost and the cost of preparing and filing the certified copy of the ordinance and map. A certified copy of any such ordinance shall be filed with the county assessor and county surveyor.
- 8) **Vacations for purposes of rededication.** No street shall be vacated upon the petition of any person when it is proposed to replat or rededicate all or part of any street in lieu of the original *unless such petition is accompanied by a plat showing the proposed manner of replatting or rededicating*. If the proposed manner of replatting or rededicating or any modification thereof which may subsequently be made meets with the approval of the city governing body, it shall require a suitable guarantee to be given for the carrying out of such replatting or rededication or may make any vacation conditional or to take effect only upon the consummation of such replatting or rededication.

## VACATION

### **271.080 Vacation in incorporated cities; petition; consent of property owners. (1)**

Whenever any person interested in any real property in an incorporated city in this state desires to vacate all or part of any street, avenue, boulevard, alley, plat, public square or other public place, such person may file a petition therefor setting forth a description of the ground proposed to be vacated, the purpose for which the ground is proposed to be used and the reason for such vacation.

(2) There shall be appended to such petition, as a part thereof and as a basis for granting the same, the consent of the owners of all abutting property and of not less than two-thirds in area of the real property affected thereby. The real property affected thereby shall be deemed to be the land lying on either side of the street or portion thereof proposed to be vacated and extending laterally to the next street that serves as a parallel street, but in any case not to exceed 200 feet, and the land for a like lateral distance on either side of the street for 400 feet along its course beyond each terminus of the part proposed to be vacated. Where a street is proposed to be vacated to its termini, the land embraced in an extension of the street for a distance of 400 feet beyond each terminus shall also be counted. In the vacation of any plat or part thereof the consent of the owner or owners of two-thirds in area of the property embraced within such plat or part thereof proposed to be vacated shall be sufficient, except where such vacation embraces street area, when, as to such street area the above requirements shall also apply. The consent of the owners of the required amount of property shall be in writing. [Amended by 1999 c.866 §2]

**271.090 Filing of petition; notice.** The petition shall be presented to the city recorder or other recording officer of the city. If found by the recorder to be sufficient, the recorder shall file it and inform at least one of the petitioners when the petition will come before the city governing body. A failure to give such information shall not be in any respect a lack of jurisdiction for the governing body to proceed on the petition.

**271.100 Action by city governing body.** The city governing body may deny the petition after notice to the petitioners of such proposed action, but if there appears to be no reason why the petition should not be allowed in whole or in part, the governing body shall fix a time for a formal hearing upon the petition.

**271.110 Notice of hearing.** (1) The city recorder or other recording officer of the city shall give notice of the petition and hearing by publishing a notice in the city official newspaper once each week for two consecutive weeks prior to the hearing. If no newspaper is published in such city, written notice of the petition and hearing shall be posted in three of the most public places in the city. The notices shall describe the ground covered by the petition, give the date it was filed, the name of at least one of the petitioners and the date when the petition, and any objection or remonstrance, which may be made in writing and filed with the recording officer of the city prior to the time of hearing, will be heard and considered.

(2) Within five days after the first day of publication of the notice, the city recording officer shall cause to be posted at or near each end of the proposed vacation a copy of the notice, which shall be headed, "Notice of Street Vacation," "Notice of Plat Vacation" or "Notice of Plat and Street Vacation," as the case may be. The notice shall be posted in at least two conspicuous

places in the proposed vacation area. The posting and first day of publication of such notice shall be at least 14 days before the hearing.

(3) The city recording officer shall, before publishing such notice, obtain from the petitioners a sum sufficient to cover the cost of publication, posting and other anticipated expenses. The city recording officer shall hold the sum so obtained until the actual cost has been ascertained, when the amount of the cost shall be paid into the city treasury and any surplus refunded to the depositor. [Amended by 1991 c.629 §1; 2005 c.22 §196]

**271.120 Hearing; determination.** At the time fixed by the governing body for hearing the petition and any objections filed thereto or at any postponement or continuance of such matter, the governing body shall hear the petition and objections and shall determine whether the consent of the owners of the requisite area has been obtained, whether notice has been duly given and whether the public interest will be prejudiced by the vacation of such plat or street or parts thereof. If such matters are determined in favor of the petition the governing body shall by ordinance make such determination a matter of record and vacate such plat or street; otherwise it shall deny the petition. The governing body may, upon hearing, grant the petition in part and deny it in part, and make such reservations, or either, as appear to be for the public interest.

**271.130 Vacation on city governing body's own motion; appeal.** (1) The city governing body may initiate vacation proceedings authorized by ORS 271.080 and make such vacation without a petition or consent of property owners. Notice shall be given as provided by ORS 271.110, but such vacation shall not be made before the date set for hearing, nor if the owners of a majority of the area affected, computed on the basis provided in ORS 271.080, object in writing thereto, nor shall any street area be vacated without the consent of the owners of the abutting property if the vacation will substantially affect the market value of such property, unless the city governing body provides for paying damages. Provision for paying such damages may be made by a local assessment, or in such other manner as the city charter may provide.

(2) Two or more streets, alleys, avenues and boulevards, or parts thereof, may be joined in one proceeding, provided they intersect or are adjacent and parallel to each other.

(3) No ordinance for the vacation of all or part of a plat shall be passed by the governing body until the city recording officer has filed in the office of the city recording officer or indorsed on the petition for such vacation a certificate showing that all city liens and all taxes have been paid on the lands covered by the plat or portion thereof to be vacated.

(4) Any property owner affected by the order of vacation or the order awarding damages or benefits in such vacation proceedings may appeal to the circuit court of the county where such city is situated in the manner provided by the city charter. If the charter does not provide for such appeal, the appeal shall be taken within the time and in substantially the manner provided for taking an appeal from justice court in civil cases. [Amended by 1995 c.658 §101]

**271.140 Title to vacated areas.** The title to the street or other public area vacated shall attach to the lands bordering on such area in equal portions; except that where the area has been originally dedicated by different persons and the fee title to such area has not been otherwise disposed of, original boundary lines shall be adhered to and the street area which lies on each side of such boundary line shall attach to the abutting property on such side. If a public square is vacated the title thereto shall vest in the city. [Amended by 1981 c.153 §58]

**271.150 Vacation records to be filed; costs.** A certified copy of the ordinance vacating any street or plat area and any map, plat or other record in regard thereto which may be required or provided for by law, shall be filed for record with the county clerk. The petitioner for such vacation shall bear the recording cost and the cost of preparing and filing the certified copy of the ordinance and map. A certified copy of any such ordinance shall be filed with the county assessor and county surveyor.

**271.160 Vacations for purposes of rededication.** No street shall be vacated upon the petition of any person when it is proposed to replat or rededicate all or part of any street in lieu of the original unless such petition is accompanied by a plat showing the proposed manner of replatting or rededicating. If the proposed manner of replatting or rededicating or any modification thereof which may subsequently be made meets with the approval of the city governing body, it shall require a suitable guarantee to be given for the carrying out of such replatting or rededication or may make any vacation conditional or to take effect only upon the consummation of such replatting or rededication.

**271.170 Nature and operation of statutes.** The provisions of ORS 271.080 to 271.160 are alternative to the provisions of the charter of any incorporated city and nothing contained in those statutes shall in anywise affect or impair the charter or other provisions of such cities for the preservation of public access to and from transportation terminals and navigable waters.

# Jacksonville City Council Agenda Item Summary



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## Visitor Center Management Agreement

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Date: May 10, 2016  
From: Jeff Alvis, City Administrator

City Council Meeting: May 17, 2016  
Agenda Item: 5b.

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### **Synopsis:**

Annual renewal of the Visitor Center Management through the Chamber of Commerce. Historically, we have held a three year agreement with the exception of the last two years, which have been one year agreements. We would like to go back to the three year agreements.

### **Fiscal Impact:**

N/A

### **Recommendations:**

Approve with the three year extension.

### **Exhibits:**

Exhibit A – Visitor Center Management Agreement Report  
Exhibit B – Visitor Center Management Agreement

**To:** Jeff Alves, Administrator, Administrator City of Jacksonville  
Stacey McNichol, Treasurer, City of Jacksonville

**From:** Tim Balfour, Executive Director Visitor Services & Marketing  
Jacksonville Chamber of Commerce

**Subject:** Visitor Information Center Management Agreement Reporting  
Fiscal Year April 2015 – May 2016

**Date:** May 9, 2016

Attached you will find the report for the four quarters from March 2016 through March 2016. I will be submitting an update at the end of this month in relation to renewal of the management agreement along with more detailed information on marketing metrics.

Please let me know if you have any questions and if you would like to discuss this information in person.

RECEIVED  
MAY 09 2016  
CITY OF JACKSONVILLE



**CHAMBER OF COMMERCE  
& BUSINESS ASSOCIATION**

185 N. OREGON, PO BOX 33, JACKSONVILLE, OREGON 97530  
541-899-8118 WWW.JACKSONVILLEOREGON.COM

**Visitor Information Center Management Agreement Reporting**  
**Fiscal Year April 2015 – May 2016**

**Goal: to promote Jacksonville as a desirable, year-round destination**

**Objective 1 – Create positive, efficient visitor interactions and deliver appropriate and correct destination information**

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**1<sup>st</sup> Quarter: April - June 2015**

- Hired and trained 3 new staff members; selected staff for friendly demeanor, awareness of regional attractions and interpersonal skills
- Developed procedures for all aspects of Visitor Information Center
- Implemented new reference material for lodging and hotels
- Eliminated visual clutter from office space and public area
- Organized material by customer need categories
- Created merchandise display area which has increased sales
- Updated and corrected Merchant listings on Website for more efficient communication
- Increased items on Event Calendar and added website links for more efficient communication. One staff member also trained to research and enter events.
- Updated Merchant Map – improved overall quality of this much used communication tool to create a more positive response, categorized business for easier way-finding, added color-coding.

**2<sup>nd</sup> Quarter: July - September**

- Monitored staff and served as resource
- Provided updated Content on Website & Facebook Page
  - Weekly Events Calendar PDF
- Updated brochure which is distributed to visitor information centers and state Welcome Centers throughout Oregon and in adjacent areas of Washington & California.

**3<sup>rd</sup> Quarter: October - December**

- Served as point of sales for event tickets for Meet the Pioneers and Haunted Trolley Tour. This activity takes a significant portion of staff time during the months of September and October.
- Staff updated restaurant reference sheet
- Continued providing Weekly Event Calendar to provide visitors with a snapshot of their options, and maintained updated content on Facebook and Website.
- Added historic Walking Map, Merchant Map and general brochure to new website for easy access by users/potential visitors.

**4<sup>th</sup> Quarter: January – March**

- Reduced hours reflective of lower traffic. Closed at 2 pm instead of 3 pm, closed all day Sundays.
- Continued provided Weekly Event Calendar and updating online events calendar.
- Contacted local visitors centers confirming supplies of brochures
- Obtained new provider for workers comp insurance
- Facilitated updated training for staff on event facilities in town

## Objective 2 – Encourage Increased Overnight Stays

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### 1<sup>st</sup> Quarter: April - June 2015

- Staff reference tool with bed configurations of all rooms in town makes referring visitors more efficient (i.e. if someone needs a room with two queen beds, reference sheet indicates such)
- Trained staff in use of consolidated lodging website to check availability/amenities and make referrals
- Provided information on events lasting multiple days in response to inquiries from Travel Oregon & Travel Southern Oregon in order to appeal to overnight visitors

### 2<sup>nd</sup> Quarter: July – September

- Entered content on Attractions & Events on Travel Oregon designed to appeal to overnight visitors, with the intent of increasing their planned stays
  - Attractions: Woodland Trails, Segway Tours, Britt Festival
  - Events: Oregon Wine Festival, Oktoberfest, Meet the Pioneers, Haunted Trolley Tours, Victorian Christmas, Chinese New Year

### 3rd Quarter: October - December

- See activities related to advertising placement. Majority of advertising is targeted to over-night visitors due to placement in state & regional media.

### 4<sup>th</sup> Quarter: January – March

- Applied for, and was approved for, Transient Lodging Tax Grant fund & Marketing funds for future advertising & promotional opportunities. One request is targeted to create a fall/winter promotion.
- Updated 2016 Event information on Travel Oregon website for major festivals and events that attract overnight visitors
- Worked with two car club who will be visiting the area to arrange parking and tour options. One car club will be staying in Jacksonville and working on the other for future commitments
- Provided Travel Southern Oregon with requested information for development of Native American Trail that they are developing
- Worked with designer and marketing committee on revamped ad design
- Facilitated the summer ad placement for OSF playbill & Travel Southern Oregon
- Register with Travel Oregon for Lead Generation tool which is provided to advertisers. We will not start getting the information until June.

## Objective 3 – Support and promote a variety of activities for visitors \_\_\_\_\_

### 1<sup>st</sup> Quarter: April - June 2015

- A. Website Management & Enhancement
  - a. Increased events on Event Calendar, Trained 1 staff on entry process
  - b. Implemented a weekly “What’s Happening in Jacksonville” communication piece which is disseminated to Chamber Members, on our Website and through Facebook. This is a succinct piece to help us and other visitor-oriented businesses give visitors more information on what they can do.
  - c. Adding more News articles on local businesses and events to increase content on website which will increase search engine results, and to increase awareness of activities and attractions in town. As visitors use the website to plan their visit they may be enticed to stay longer.
- B. Added links to active Facebook and Twitter accounts

### 2<sup>nd</sup> Quarter: July - September

- A. Website Management & Enhancement
  - a. Maintained Increased Level of Content on Event Calendar
  - b. Implemented a weekly “What’s Happening in Jacksonville” communication piece which is disseminated to Chamber Members, on our Website and through Facebook. This is a succinct piece to help us and other visitor-oriented businesses give visitors more information on what they can do.
  - c. Added updated News articles on local businesses and events to increase content on website which will increase search engine results, and to increase awareness of activities and attractions in town. As visitors use the website to plan their visit they may be enticed to stay longer.
- B. Narrated Walking Tours: Staff tested all MP3 players for the 4 narrated walking tours and we have started promoting those as an additional activity. These had been developed several years ago and are high quality, detailed narrations. Previous staff found the rental process cumbersome, so that has been streamlined. Narration is also available for download on line.
- C. Arranged credit card sales for trolley tours in cooperation with Trolley Stop Antiques. This will allow us to capture those riders who opted out before because of the cash requirement. The location of the merchant makes it a natural fit, as she was already receiving regular inquiries about purchasing tickets. We also added signage and trained VIC staff to include language clarifying how to purchase tickets.

### 3<sup>rd</sup> Quarter: October - December

- Website Maintenance & Enhancement
  - Updated structure of [www.jacksonvilleoregon.com](http://www.jacksonvilleoregon.com) website to accommodate broader chamber membership, in preparation of merging websites
  - Updated content for business listings and added relevant categories, menus, etc.
  - Added news articles to .com website
- Content Marketing – cross populated articles on fall events on websites and social media to increase awareness/participation
- Informal training on Instagram as additional social media outlet.

#### **4<sup>th</sup> Quarter: January - March**

- Website Management
  - Renamed “Escape” section to “What To Do” and re-wrote articles to reflect an itinerary format instead of having just a brief intro and a roster of businesses.
  - Had new advertisement rotator installed to ensure equal coverage for all advertisers.
  - Added additional articles on major events and announcements.
  - Served as liaison for SOCCA for Chinese New Year planning. Recruited volunteers for parade and jump house. Trained staff on sales of event tickets.

## **Objective 4 – Maintain the Visitor Information Center in accordance with the historic character of Jacksonville**

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### **1<sup>st</sup> Quarter: April - June 2015**

- Worked with volunteer advisors to refresh the public area
- Accepted donation of antique railroad lamp in alignment with building history
- Relocated photos for increased historical interpretive information
- Cleaned outside of building and am working with city staff on re-painting of exterior

### **2<sup>nd</sup> Quarter: July - September**

- Cleaned outside of building. Added signage about where to buy trolley tickets and to promote Walking Tours. No other changes made.
- Replaced rug in public area.
- Reframed Rogue Valley Railroad photos.

### **3rd Quarter: October – December**

- No modifications made
- Maintained interior and exterior of building

### **4th Quarter: January - March**

- No modifications made
- Maintained interior and exterior of building

## **Objective 5 – Develop and implement promotional campaigns which attract visitors to Jacksonville**

### **1<sup>st</sup> Quarter: April - June 2015**

- Starting preliminary work on fall promotional campaign, “Fall for Jacksonville” for the fall shoulder season. – Follow-up note: campaign was not implemented due to conflicting feedback from merchants. Will revamp for next year.

### **2<sup>nd</sup> Quarter: July – September**

- Completed proposed marketing plan with ad placement.
- Submitted bed-tax grant applications for ad placement for upcoming year.

### **3rd Quarter: October - December**

- Focused on promotion of Haunted Trolley Tour and Victorian Christmas to attract visitors. Advertising placed in Mail Tribune and Southern Oregon Magazine.
  - (Note: Both of these events pull in a regional audience. Not necessarily over-night visitors, but from all over the Rogue Valley. This is a benefit to local merchants and restaurants.)
  - Filled requests for several television interviews and incorporated representatives from Art Presences, Historic Jacksonville, Inc. and directed reporters to appropriate merchants.
- Began work with media outlets on ad placement for promotional purposes
- Continued ongoing social media campaign to maintain awareness

### **4<sup>th</sup> Quarter: January – March**

- Continued ongoing social media campaigns and advertising placement
- Working on Taste of Summer Event as major launch for summer season
- Obtained grant for fall/winter promotion using Travel Oregon email newsletters

## **Objective 6 – Effectively fulfill the role of Destination Marketing Office in relation to Travel Oregon, Travel Southern Oregon and other travel industry associates** \_\_\_\_\_

### **1<sup>st</sup> Quarter: April - June 2015**

- Provided travel blog writer Iris Brooks tips on sites Cave Junction and Jacksonville and provided her with 2 trolley tickets and the History Tour DVD, along with assorted brochures & newspapers. I also provided direction for the Gold Mining History interpretive signs on the Woodland Trails. I haven't seen anything on her website about this trip yet, but her blog is: <http://www.nlscreativemedia.com/>
- July 16 - Met with a Brian Johnston, PR writer representing an Australian tour company, **Scenic Tours**, on his advance visit. He also writes for other travel related outlets. Walked him around town to give him a feel for what we have to offer, discussed dining and lodging options as well as history tour options
- July 26 – Met with Mr. Jonathan Choukroun from “Vert de Vin” wine blog and magazine in France is visiting Oregon. They are dedicating 15-20 pages of their Summer-Fall issue on Oregon wine depending on the number of wines he is able to taste. Talked about Jacksonville as the epicenter of the Southern Oregon Wine Region.
- Attachments 1 – 3 are responses to Travel Oregon/Travel Southern Oregon for inquiries on events and attractions.
- Coordinated Jacksonville’s inclusion in Travel Southern Oregon’s exhibit at the Sunset Magazine travel fair in Menlo Park, CA.
- Working with Oregon Welcome Centers to ensure our brochures are available across the state to attract visitors. PDX requested 1,000 additional brochures after going through first shipment of 200.

### **2<sup>nd</sup> Quarter: July - September**

- Developed itinerary proposal for Travel Southern Oregon website targeted to tour groups of 1-15.
- Completed additional training for Orb with Travel Oregon Staff
- Working on adding PDF’s of maps and brochures to Travel Oregon website.

### **3<sup>rd</sup> Quarter: October - December**

- Worked toward finalizing advertising agreements with Travel Oregon and Travel Southern Oregon
- Finalized ad placement for Southern Oregon magazine & 1859 magazine and inclusion in Crater Lake Country website.
- Attended Oregon Destination Marketing Organization Conference in Medford (December). Conference allowed renewal of existing and establishment of new relationships with ODMOs across the state. Was asked to serve on the board of directors for Travel Southern Oregon. Have delayed that request until I complete terms on two other boards. See Attachment.
- Responded to inquiries for Jacksonville-centric content for Travel Oregon.

### **4<sup>th</sup> Quarter: January - March**

- Confirmed update to Jacksonville description on Travel Oregon website. Previous description revered two business in Central Point. Travel Oregon staff also pulled together several articles related to Jacksonville and connected them to the Jacksonville page.
- Provided guidance to editors from Oregon Bride magazine for local photo shoot
- Provided photos to “Oregon Bride” & “Seattle” magazine.

## **Attachments**

Attachment 1: Visitor Contact Report

Attachment 2: Merchandise Sales Report

Attachment 3: ODMO Conference Report

Attachment 4: Marketing Strategy

Attachment 5: Advertising Plan

Attachment 6: Merchant Map (previously submitted)

Attachment 7: Jacksonville Brochure (previously submitted)

Attachment 8: Conversation Starters for Travel Oregon PR Tour

Attachment 9: Nomination for the American Bus Tour Events of the Year

Attachment 10: General description & 3 events for SOVA exhibit at Sunset Travel Fair

## 2016 Visitor Information Center Statistics Comparing to Past Two Years

Year	2014			2015			2016					
	Vstrs	% Chng	Calls	% Chng	Vstrs	% Chng	Calls	% Chng	Vstrs	% Chng	Calls	% Chng
<b>January</b>	321	-3.60%	214	-34.15%	302	-5.9%	180	-15.9%	116	-61.6%	67	-62.8%
<b>February</b>	312	-34.73%	205	-32.79%	354	13.5%	164	-20.0%	262	-26.0%	137	-16.5%
<b>March</b>	478	1.70%	192	-40.74%	223	-53.3%	73	-62.0%	195	-12.6%	80	9.6%
<b>April</b>	484	-17.26%	187	-47.03%	285	-41.1%	65	-65.2%		-100.0%		-100.0%
<b>May</b>	617	-7.63%	209	-18.68%	494	-19.9%	101	-51.7%		-100.0%		-100.0%
<b>June</b>	822	-4.64%	252	3.70%	541	-34.2%	126	-50.0%		-100.0%		-100.0%
<b>July</b>	791	44.08%	247	15.42%	649	-18.0%	134	-45.7%		-100.0%		-100.0%
<b>August</b>	819	-6.40%	225	-37.67%	537	-34.4%	168	-25.3%		-100.0%		-100.0%
<b>Sept</b>	796	-14.41%	343	-0.29%	556	-30.2%	261	-23.9%		-100.0%		-100.0%
<b>Oct</b>	968	22.53%	568	58.66%	543	-43.9%	515	-9.3%	0	-100.0%	0	-100.0%
<b>Nov</b>	317	-19.13%	189	-17.83%	203	-36.0%	117	-38.1%	0	-100.0%	0	-100.0%
<b>Dec</b>	291	-2.35%	187	-23.36%	220	-24.4%	161	-13.9%	0	-100.0%	0	-100.0%
<b>Total</b>	<b>7016</b>	<b>-2.96%</b>	<b>3018</b>	<b>-15.18%</b>	<b>4907</b>	<b>-30.1%</b>	<b>2065</b>	<b>-31.6%</b>	<b>573</b>	<b>-88.3%</b>	<b>284</b>	<b>-86.2%</b>

Notes:

**2015 Total 3504      1292      4907      40.04%      2065      59.83%      573      -88.32%      284      -86.25%**

**Contact Counts equal an estimated 2.1 visi 10305      46.87%      1203      -75.48%**

## Attachment 3

### Oregon Destination Marketing Organization 2015 Conference Review

Submitted by Tim Balfour – January 5, 2016

#### Big Story – Possible Increase in State Lodging Tax

ORLA and Travel Oregon are backing a proposal to increase the state lodging tax from 1% to 2%.

This originated in relation to the need to create funding for the 2021 IAAF (International Association of Athletics Federations) World Championships to be held in Eugene. This is the sporting event in the world that year and the 3<sup>rd</sup> largest event in the world behind the Olympics and World Cup. Teams from all over the world will be spending significant time in Oregon – all of Oregon, plus the residual marketing value for day- and overnight trips for friends/family/fans.

There is a need to raise \$20 million from the state to support the competition/facilities.

The increase in the lodging tax represents \$17 Million annually

The \$20M for the project could easily be covered in a 4-year span

The residual would go to Travel Oregon to market Oregon in the future. Representing funding increases of 100%!

Issue is sensitive. In its early stages. We will be hearing more about this in the future. Similar increases in other states have not lead to disadvantages in competition for tourism/convention business and have usually resulted in increases.

**Source for Metric/Industry Information:** Longwood International Oregon Regional Report - <http://industry.traveloregon.com/research/>

**Web Metrics** – 5% Conversion rate is an appropriate goal for online initiatives.

#### **Recreational Marijuana in Oregon – How it will Work:**

Rob Patridge, Chair- Oregon Liquor Control Commission and District Attorney, Klamath County:  
Discussed regulations of the recreational marijuana program in Oregon. OLCC is providing oversight for licensing, etc.

Licenses – Producers, Laboratory, Processor, Research, Retail, Handlers – for all retail shops?

Big Issue is Residency – trying to ensure legitimate business ownership to Oregon residents, related to where capitol comes from

Canopy Issue: instead of plant counts, may move to canopy size restrictions.

Niki Terzieff, President – Leading Edge Public Affairs and Government Affairs, Oregon Cannabis Business Council: Discussed how legal cannabis can boost local tourism programs. Compares this opportunity to Agri-Tourism (farm tours, farm experiences) and how lodging establishment can accommodate – smoking rooms, added amenity. Potential development of Pot Trails, similar to Ale Trails, Wine Trails, etc.

Sources of information: [www.whatslegaloregon.com](http://www.whatslegaloregon.com)

[www.marjuana.oregon.gov](http://www.marjuana.oregon.gov)

**Website Overview** – ODMO treasurer provided an overview of updates to the ODMO website. Specific focus on usage of discussions about various issues and using network of ODMO's for insight/experience.

**Product Development** – Eastern Oregon visitor association shared experience of partnering with USDA Rural Economic Development to develop inventory of agri-tourism related experiences. Product Development focused on the development of tourism-related activities/sites/attractions in an area – or the development of marketing plans to promote these opportunities. Eastern Oregon did local explorations to identify agri-tourism opportunities, and to help those businesses explore the tourism potential in their operations.

The association eventually did an event – Taste of Oregon's Old West which was incorporated into the fall Oregon Bounty campaign.

#### **Travel Oregon Presentations:**

Regional Investment Program – didn't understand a single thing they talked about. The program is going through a change, but there were no handouts, etc.

Opportunities for Collaboration – again, the speaker use internal lingo that made it difficult to follow. Look into "Wintercations" and "Oregon Bounty" campaigns for next year.

**Visavue** – Global sales team (international sales) discussed how becoming familiar with data will help Travel Oregon & DMO's do a more effective job of telling the tourism story. Way too many stats with no visuals to help. Need to explore Visavue to see what it can do for us. (It appears that this is a service for merchants/credit unions who use VISA credit cards. Don't think it applies to us.)

#### **New Marketing Campaign – Spring 2016**

After re-launching the 7-Wonders campaign for the second year, Travel Oregon is focusing on a refreshed campaign for moving forward. It will be based on the young, adventure demographics with an organic feel which captures the down-to-earth feeling of natives and those who have relocated here. The tag line is "We like it here. You might, too", which will be used in conjunction with images of youthful, active people enjoying different aspects of Oregon.

In the speaker's early comments about how they developed the new brand campaign he used a line that we may be able to leverage for our marketing campaign refresh: "Just off the beaten path, but miles from the expected".

**Guest Services Gold – Making Connections: Certified Guest Service Professional program**

Travel Oregon and ORLA make this training/certification program available. Members can have employees complete online training for \$30/person. There is also an on-site program which requires travel and time of staff to be covered and at least 10 attendees.

**Solar Eclipse – August 21, 2017** – For areas along the eclipse view shed this is a huge marketing opportunity. It appears that we are not in this area. It falls to the north east of us.

**General Comments:** I made good connections with people in the immediate region and throughout the state, as well as vendors & Travel Oregon staff. I recommend continuing participation in this organization and in this meeting in the future.

**Board Position:** Carolyn Hill with Travel Southern Oregon asked if I would be interested in serving on the board for the Southern Oregon Tourism Association. Other board members have responded favorably to my inclusion. I responded that I need to finish a couple of other board assignments before I could accept their offer. I think this would be a good fit and would help Jacksonville be connected with other marketing opportunities for the region.

There are 6 meetings a year, all within the 7-county region. Travel costs would be for driving only with no overnight stays.

## Attachment: 4

### Marketing Plan for Jacksonville Oregon 2015 - 16

#### Strategies:

1. Strengthen and Maintain Online Presence – Increase traffic going to website and social media outlets to increase audience for future promotions and to increase awareness of destination
  - a. Content Marketing
    - i. Website
    - ii. Social Media – Facebook, Instagram & Twitter
    - iii. Paid promotion of postings
  - b. Press Releases
  - c. Event listings with regional publications
  - d. Monitoring Trip Advisor & Google inquiries
  - e. Encourage links back to website
2. Increase Participation with Strategic Partners
  - a. Britt Festival, Winery Associations, Oregon Shakespeare Festival
  - b. Travel Southern Oregon & Travel Medford
    - i. Coop marketing Opportunities
    - ii. Web site content management
    - iii. Travel Writer hosting
    - iv. Advertising opportunities
  - c. Travel Oregon
    - i. Welcome Center literature distribution program
    - ii. Website Content Management – Attractions, Events, Itineraries, Articles
    - iii. Travel Writer Hosting
    - iv. Advertising Opportunities
  - d. Crater Lake Country – Website targeted to attract individuals interested in visiting Crater Lake in order to introduce them to the Jacksonville experience.
  - e. Southern Oregon Music Festival – Medford Jazz Festival
3. Increase Brand & Event Awareness via Regional Media
  - a. Regional Print Media – Brand and event awareness. Create constant presence
    - i. Lifestyle/Travel Magazines - NW Travel, 1859, Southern Oregon, Sunset
    - ii. Medford, Ashland and Grants Pass Weekly Newspaper Inserts
    - iii. Bend Eugene, Sacramento Redding Weekly Newspaper Inserts
  - b. Regional Radio & TV – promote events, attractions and overall destination to Valley population and Southern Oregon regional population, Influence both day-trip & overnight.
4. Deliver Positive Visitor Experience – personnel, service, collateral
5. Develop proactive outreach for groups (business meetings, private group tours, etc.)
6. Develop and Implement Comprehensive Brand

**Misc. Advertising Expenses Not Associated with TLT Grants**

Bowling Tournament - OSUBCU		75.00
Our Vally - Mail Tribune		250.00
Facebook ads	2 per month @ \$10	240.00
NWBrocures - Yureka Travel Center		300.00
<b>Total Misc - Non-Grant</b>		<b>865.00</b>

**Transient Lodging Tax Grant - #GC01-03-2016-2916 - approved for \$6,058.49**

Content Related Online Ads/Listings		Total	TLT Grant
NW Travel Online network		1,495.00	
1859 Web Ad	Medium Rectangle \$60 x 12 mo	720.00	
1859 Explore Guide - Printed	Small - 75 words - \$350 X 4 issues	1,400.00	
1859 Explorer Guide		600.00	
Crater Lake Country	Disc. of \$270 for link on home page	1,530.00	
<b>State &amp; Regional Travel Organizations</b>			
Travel Oregon Guide	1/6 page	2,400.00	
Travel Oregon Website	\$475/quarter - small bundle	1,900.00	
Travel Oregon Welcome Center - Brochures		900.00	
Travel Southern Oregon Membership		350.00	
Travel Southern Oregon Marketing Opportunities - (Web - Banner Ad, Photo Feature, Digtl Mag ad, Trade Shows, etc.)		2,650.00	
Design Costs (Laurel Briggs CMD)		1,200.00	
		<b>15,145.00</b>	<b>6,058.00</b>

**Transient Lodging Tax Grant - #GC01-01-2015-2016 - approved for \$2,337.50\***

Oregon Shakespeare Festival	Ad in both programs & online	15,270.00	2,337.50
	New Campaign Design	2,500.00	
<i>*Additional \$2,337.50 approved under TLTGrant - #tbd</i>		17,770.00	

**Transient Lodging Tax Grant - # GC02-05-2015-16 Approved for \$5000**

Travel Southern Oregon Fall Bounty	Exposure in Norther CA	1,250.00	
Travel Oregon - Sponsored Content	Article on TO site for 1 year	3,000.00	
Promotional Packages	6 - 2 night packages	3,120.00	
Travel Oregon Seasonal Email	3rd & 4th Quarters	1,900.00	
		<b>9,270.00</b>	<b>5,000.00</b>

**Transient Lodging Tax Grant-# CG02-04-2015-16 Approved for \$3,437.5**

101 Things to Do		979.00	
Ashland Walkabout Guide		924.00	
*Remainder of OSF Playbill - \$2,337.5		0.00	
Design Work		200.00	
		<b>2,103.00</b>	<b>3,437.50</b>

**TLT Marketing Fund Requests**

**Transient Lodging Tax Marketing Fund Request - # MGC02-03-2015-16 Approved for \$7,150**

Travel Writer Hosting	10 writers/2 nights	2,650.00	
Photography	30 images, est. 70 hours	4,500.00	
	<b>Sub-total</b>	<b>7,150.00</b>	<b>7,150.00</b>

**Transient Lodging Tax Marketing Fund Request - #MGC01-01-2015-2016 - approved for \$10,535**  
Request included NW Travel ad at \$5,716 with Britt coop of \$2,000. Ad canceled, so \$3,715 dropped

1859	3 Issues @ \$1,100/ad	3,300.00	3,300.00
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Southern Oregon	All 4 Issues, 1/3 page @	2,520.00	2,520.00
Southern Oregon Wine Scene	All 3 Issue, 1/4 page	1,500.00	1,500.00
Design Costs (Laurel Briggs CMD)		500.00	500.00
<b>Total</b>		<b>7,820.00</b>	<b>7,820.00</b>
<i>Total Approved = \$10,535</i>			
<b>Total TLT Marketing Fund Spend</b>		<b>14,970.00</b>	31,803.00
<b>Total Adv Spend + Mrktng Fund</b>		<b>60,123.00</b>	48,636.00

**Request to have covered out of Advertising Reserve - (proceeds from JOBA)**

Wine Enthusiast Magazine	\$3,000 share of coop ad - Feb. Issue	3,000.00
<b>Items not covered in current budget</b>		
Cellular One Ball Park Sign		
Airport Ad		5,500.00

## PR & Content Conversation Starter

Name: Tim Balfour  
Business/Affiliation: Jacksonville Chamber of Commerce and Visitor Services  
Email: [executivedirector@jacksonvilleoregon.org](mailto:executivedirector@jacksonvilleoregon.org)  
Phone Number: 541-601-3416  
Website: [www.jacksonvilleoreogn.org](http://www.jacksonvilleoreogn.org)

*Please include web links for more information whenever possible. Thank you again for sharing your local knowledge with us!*

### 1. What's New

- **What's new in your area? Memorable lodging, not-to-miss attractions, must-do activities, people doing interesting things, etc.**
- Winemaker John Guerrero arrived in the Applegate Valley immediately after graduating from UC Davis and has been making wine for Valley View Winery for the last 30 years. He also makes wine under his own label as well as for other wineries. He has a great perspective on the changes in Southern Oregon wine making.
- An interesting take on history can be experienced in the cemetery on 2<sup>nd</sup> Saturday's May – September. Each tour takes a theme from the time period when the town was settled (Victorian Etiquette, mourning rituals, etc.) You can pair this with a themed tour of the Beekman House – a home museum filled with the same family's furnishings and memorabilia.

### 2. Icons of your Area

- **What are the top (well known or undiscovered) attractions, destinations, activities, photo ops, marquee events, landmarks in your area, etc.? Why should they not be missed?**
- Britt Festival – summer-long concert series in an incredible outdoor venue. Where else does a town of 2800 people have a concert facility for 2200?
- Britt Classical Festival – The Epic Season with new music director Teddy Abrams promises to be spectacular. An orchestra comprised of the best musicians from all over the country...spectacular outdoor venue with views of the Rogue Valley...all in an intimate, small-town setting
- Meet the Pioneers (in October) – another interesting take on our history benefits the cemetery and presents stories of our original settlers in the context of our beautiful, 1859 cemetery.
- Starthistle Fly-In Paragliding and Hang-Gliding Competition – exceptional thermals make this location highly desirable for paragliders year-round. September brings the national qualifying competition [www.rvhpa.org](http://www.rvhpa.org)

### 3. What's Quirky

- **Do you have any really quirky/unusual events, attractions, places, oddities in your area?**
- Haunted Trolley Tours – around Halloween we take a less scholarly approach to our history with these just-for-the-fun of it not-so-historically-accurate tours of our beautifully preserved homes and commercial buildings.

### 4. Upcoming Milestones

- **Any major anniversaries coming up in the next three years – attractions, hotels, events, town history, etc.? Do you have something that is the oldest, biggest, smallest, etc.?**
- TouVelle House B&B will celebrate the house' 100<sup>th</sup> anniversary in 2016. This Craftsman style home was one of the last grand residences built in Jacksonville. It is an

example of what was referred to locally as an Orchard Boom House since Judge Frank TouVelle made his money in orchards

- Elan Guest Suites – contemporary lodging in a historic town turns 10 years old.
- Goodbean Coffee House 25<sup>th</sup> Anniversary in 2015 – one of the early artisan coffee roasters, this is a Jacksonville institution. Owners Michael; & Mary Kell are celebrating this anniversary by expanding to a full bakery.

## 5. Local Food and Drink Scene

- What are the must eat/drink recommendations for the area? Any local dishes/specialties, interesting ingredients, artisans, producers?
- For cocktail lovers check out Quady North's vermouth – both extra dry and sweet. Great for martinis and Manhattans, but they also make you understand what a really good aperitif is all about.
- Brothers Jonoah and Gabriel Murphy raise most of the produce that goes into their meals at Gogi's Restaurant. Although Gabriel is the chef, Jonoah's pesto sauce which they serve with home-made bread is not to be missed. [www.gogisrestaurant.com](http://www.gogisrestaurant.com)
- Gary West Jerky has been described as the Rolls Royce of jerky.
- Fish tacos at a barbeque place? Back Porch Bar & Grill introduced this item a little while back and it has quickly become a favorite.

## 6. Local Recreation

- What are the unique or interesting outdoor experiences visitors can have when visiting your area? Where should they go, what should they do?
- How lucky are we to have 20+ hiking trails right here in town? Some forward thinking folks preserved an area from development and installed an incredible network of paths for hiking and biking. The trails also provide access to some of our historic gold mining sites with interpretive signage. <http://www.jwoodlands.org>
- For mountain biking and more aggressive terrain for hiking we have Forest Park just a mile outside of town. This is a recent acquisition that already has extensive trails developed by dedicated volunteers

## 7. Destination Development

- Is there anyone in your area doing something interesting in the way of sustainable tourism, bike-friendly businesses, culinary or agritourism?
- Hanley Farms just outside of town has and group of dedicated volunteers who facilitate a community garden as well as grow produce that they share through as CSA program and at the weekly Farmers Market the manage in town on the Historic Courthouse grounds. Programming for the farm can be found at [www.hanleyfarm.org](http://www.hanleyfarm.org)

## Attachment 9: Nomination for ABA (American Bus Association's) 2016 Top 100 Events in North America

*(Note: I selected Britt Classical since it was the primary event that could handle the numbers from a bus tour)*

Name of Event: Britt Classical Festival

Description of Event:

"Epic" is how Music Director Teddy Abrahms describes this year's Britt Classical Festival. Everything is going to be big and bold – the 150 voice choir for opening night's Carmen Burana, expanded orchestras and incredible soloists. Running from July 31 – August 15 with concerts on Fridays and Saturdays, and the Pops Concert on Sunday August 9.

Founded in 1963, the Britt Classical Festival features a professional orchestra of 90 musicians who come from all over the United States for a three-week stay in southern Oregon. Internationally renowned guest artists join the orchestra each August to present a series of extraordinary concerts under a canopy of stars.

The season includes seven orchestral concerts, plus smaller chamber music events and receptions. Prior to each concert, there are informal pre-concert conversations in Britt's new Performance Garden at 7 p.m. for those who want to learn a little more about the music and composers. The talks are hosted by [Jefferson Public Radio](#), and feature conversations with the guest artists, giving the listener a little added insight into the concert.

Great music, good friends and a spectacular outdoor setting make Britt Classical hard to beat!

Web site for more information: [www.brittfest.org](http://www.brittfest.org)

Contact info: Sara King Cole, Marketing Director, Britt Festivals

Email: [sara.king.cole@brittfest.org](mailto:sara.king.cole@brittfest.org)

Phon

e: - 541-690-3849

Tim Balfour, Executive Director, Jacksonville Chamber of Commerce & Visitor Service

Email: [executivedirector@jacksonvilleoregon.ore](mailto:executivedirector@jacksonvilleoregon.ore)

Phone: 541-601-3416

**Attachment 10: Provided to Travel Southern Oregon for inclusion at the exhibit in the Sunset Magazine Travel Fair**

**50 Word description:**

Full of wine, music and history, Jacksonville was named "One of America's Top 10 Coolest Small Towns" by Budget Travel Magazine. The Heart of the Southern Oregon Wine Region and Gateway to the Applegate Valley Wine trail, this historic Gold Rush Town now boasts a thriving cultural and epicurean scene.

Stop by the Visitor Information Center for a complementary Trolley Ride pass

**Top 3 Annual Events**

Oregon Wine Experience *formerly World of Wine (August)* [www.worldofwinefestival.com](http://www.worldofwinefestival.com)

Britt Music Festival (June through September, Classical Festival - August) [www.brittfest.org](http://www.brittfest.org)

Victorian Christmas (December) [www.ChristmasInJacksonville.com](http://www.ChristmasInJacksonville.com)

## MANAGEMENT AGREEMENT

THIS AGREEMENT is made on May 17, 2016 between the City of Jacksonville, Oregon, a municipality, referred to below as "City," and the Jacksonville Chamber of Commerce, a non-profit business association, P. O. Box 33, Jacksonville, Oregon, 97530, phone (541) 899-8118, referred to below as "Manager."

### RECITALS

- A. The City desires to maintain a Visitor Services Program to enhance the economic vitality of the City and to increase the number of overnight stays within the City. City Resolution #708 provides the following goal and objectives:  
Goal: to promote Jacksonville as a desirable, year-round destination  
Objectives:
1. Create positive, efficient visitor interactions and deliver appropriate and correct destination information
  2. Encourage increased over-night stays
  3. Support and promote a variety of activities for visitors
  4. Maintain the Visitor Information Center in accordance with the historic character of Jacksonville
  5. Develop and implement promotional campaigns which attract visitors to Jacksonville
  6. Effectively fulfill the role of Destination Marketing Office in relation to Travel Oregon, Travel Southern Oregon and other travel industry associates
- B. The City has recognized and found that it is in the interest of the City and its citizens that a coordinated, well managed Visitors' Information Center be made available in the City, and that such is a valid public purpose for the development and use of property which the City owns
- C. The City owns the Railroad Depot Building located at 185 N. Oregon Street, which at this time is being used as a Visitors' Information Center. If another facility deemed appropriate and approved by the City Council for use as the Visitors' Information Center becomes available in the future, this agreement may be transferable to that property.
- D. Manager is a business organization which is capable of providing quality management of the City's Visitors' Information Center while providing general information services to the public free of charge

NOW, THEREFORE, in consideration of the mutual covenants stated below, and payments to be made as specified, the parties agree:

1. The recitals are incorporated by reference as if fully set forth herein.
2. City grants to Manager the right to operate the Visitors' Information Center.
3. The purpose of this management agreement is to contract for services and supplies necessary or desirable to the operation of a Visitors' Information Center. A further purpose is to contract for maintenance of such facilities (except for capital improvements) as are necessary to the proper operation and protection of the improvements of the building.
4. The term of this agreement shall begin upon execution of this agreement, and shall end at midnight, May 31, 2019. Up to two times per year (2-3) representatives of the Board of the Manager and a representative of the Council of the City, along with the City Administrator and Treasurer, shall meet to review progress in the accomplishment of the goals for the Visitors' Information Center specified in Recital A, incorporated by reference.
5. City assigns the right for all merchandise concession privileges to the Manager so long as such sales are incidental to the primary purpose of providing general information free of charge. City reserves the right to annually approve products and pricing of the products sold in the structure and the hours of operation of the structure. It is understood that such review occurs at the time of audit and/or renewal of the agreement. City has the responsibility to make capital improvements, which City deems in its sole discretion to be reasonable and necessary and will be subject to all local and state development regulations including building and health codes and SHPO requirements. The capital improvements will become the property of City of Jacksonville.

City Council  
May 17, 2016  
Agenda Item b.  
Exhibit "B"

6. In consideration of the Management Agreement, the City agrees to compensate Manager as follows:
- a. The Manager shall be paid for operating expenses for the operation of the Visitors' Information Center with fifty percent (50%) of the Transient Lodging Tax received in the fiscal year. The Manager shall provide documentation demonstrating that the amount invoiced relates to the operation of the Visitors' Information Center and/or the marketing and promotion of the City of Jacksonville and the City will reimburse on a monthly basis with balance of the fifty percent (50%) payable in the last month of the fiscal year.
  - b. True costs for management of the Visitors' Information Center will be reflected in an annual operating budget. Upon expiration of this agreement, a new budget reflecting operations for the upcoming year shall be approved by the City.
  - c. The Manager may set up a reserve fund with any remaining fund balance at the end of the fiscal year to be used for ongoing marketing and promotion.

7. In further consideration for this agreement, Manager shall:

- a. Provide to City auditors access to accounting records related to the Visitors' Information Center as necessary for annual audit purposes. City will maintain the confidentiality of accounts records to the extent permitted by law. Failure to provide information required by City auditors will constitute a material breach of this contract;
- b. Keep its accounting records in accordance with generally accepted accounting procedures;
- c. Furnish such services as are necessary or desirable to the operation of the Visitors' Information Center;
- d. Be responsible at all times for the routine maintenance and operation of the Visitors' Information Center. That it will comply with all applicable health, sanitation, environmental, safety and building laws, regulations and ordinances, in as much as the violation is not the result of capital improvement needs. That it will employ appropriate personnel to provide the best possible service to the patrons of the Visitors' Information Center. Should Manager default in these obligations, such default shall be cured within thirty (30) days of receipt of written notice by City;
- e. Not prohibit access to designated City representatives at any time;
- f. Maintain a working fire alarm and pay all utility costs incurred during the term of this agreement unless otherwise specified under 18 (d) below;
- g. Undertake the following as required by ORS 279.312:
  - (i) Make payment promptly, as due, to all persons supplying to Manager, labor or material for the prosecution of the work provided for this agreement;
  - (ii) Pay all contributions or amounts due the Industrial Accident Fund from the Manager or any subcontractor incurred in the performance of this agreement;
  - (iii) Not permit any lien or claim to be filed or prosecuted against City on account of any labor or material furnished; and
  - (iv) Pay to the Department of Revenue all sums withheld from employees, pursuant to ORS 316.167.
- h. As provided in ORS 279.316, no non-exempt employee shall be employed for more than eight (8) hours in any one day, or forty (40) hours in any one (1) week, except in cases of necessity, emergency, or where the public policy absolutely requires it, and in such cases, the laborer shall be paid at least time and one-half pay for all overtime in excess of eight (8) hours a day and for work performed on Saturday and on any legal holiday specified in ORS 279.334.

8. Nothing in this agreement is intended to create in or transfer to the Manager any right to possession or any possessory interest in any real property owned, leased, or otherwise controlled by the

City. Nothing in this agreement is intended to grant or otherwise accord manager any right to control any such property independent of, or superior to, the City's paramount and continuing right to possession and control thereof, including uses and activities thereon. The Agreement shall in all respects be interpreted consistently with this intent, notwithstanding any apparent conflict.

9. Manager shall be responsible for all real and property taxes assessed by the County Assessor.

10. Manager, at its own expense, may construct within the building such improvements as may be necessary for the purpose of this agreement, provided that all such construction shall have the prior written approval, and be accomplished under the supervision of the Jacksonville Building Department. Development plans, layout plans, construction, reconstruction, and alteration of land or improvements, or revision of layout or construction plans for this area must be approved in advance in writing by the City Administrator. Manager shall furnish to City in writing a report of the cost of any and all improvements.

11. Manager agrees to submit for HARC review and approval, the location, size, text, colors, and construction of any proposed exterior signs.

12. Manager agrees not to discriminate against any employee or applicant for employment because of race, religion, color, or national origin, in connection with the performance of work under this contract. These shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recommitment or recruitment; advertising; layoff or termination; rates of pay or other terms of compensation; and selection for conspicuous places, available for employees and applicants for appointment, notices to be provided by City setting forth the provisions of the non-discrimination clause.

13. Manager agrees to comply with all applicable portions of the Americans with Disabilities Act, as it now exists or shall be amended when designing and constructing new improvements. Any alterations to the existing facilities required by the Americans with Disabilities Act will be made by the City. Manager agrees to comply with all other applicable local, state, or federal laws, including those laws pertaining to disabilities, rehabilitation, workers' compensation, and civil rights. Manager shall comply with the public contract provisions of ORS 279.312, ORS 279.314, and ORS 279.316.

14. Manager agrees that it and its employees will not discriminate because of race, religion, color, or national origin against any person by refusing to furnish such person any accommodation, facility, service, or privilege offered to or enjoyed by the general public. Nor shall Manager or its employees publicize the accommodations, facilities, services, or privileges in any manner that would directly or inferentially reflect upon or question the acceptability of the patronage of any person because of race, religion, color, or national origin. Manager agrees to include and require compliance with a provision similar to the foregoing provision in any contract made with respect to the operations to be carried out under this agreement.

15. Notwithstanding anything in this agreement to the contrary, this management agreement cannot be transferred or assigned and Manager shall not enter into any subcontract in connection with this agreement without the prior written consent from the City.

16. Manager, at its own expense, shall provide public liability and property damage insurance in a form satisfactory to City, indicating the City, its officers, elected officials and employees as additional insured. Limits shall be no less than \$1,000,000 to any claimant for any number of claims for damage to or destruction of property arising out of a single accident or occurrence; one million (\$1,000,000) dollars for injury to any one person; and one million (\$1,000,000) dollars for total injuries, damages, or both, arising out of a single accident or occurrence. These limits may be changed by sixty (60) days written notice from City. The changes may correspond to changes in City's potential liability exposure under the Oregon Tort Claims Act as it may be amended. The insurance limits shall not limit the indemnities set out below in paragraph 29. Changes in insurance coverage for public liability and property damage as required by the City which result in increased expense to Manager are contingent upon Manager's ability to pay. If requirements cannot be met, this agreement becomes null and void.

17. An insurance certificate showing current comprehensive general liability coverage in the amounts stated above shall be provided to City before the effective date of this agreement. Manager shall not cancel the required insurance without thirty (30) days prior written notice to City, at which time a new certificate of insurance evidencing continuous coverage must be provided to City.

18. Manager shall not cause or permit any hazardous substance to be spilled, leaked, disposed of, or otherwise released on the property.

19. City agrees to the following covenants:

- a. City shall notify Manger of any proposed land use changes that may affect the operation of the facility;
- b. City shall provide insurance, or self-insurance, at the City's option, on all improvements;
- c. City will protect the confidentiality of Manager's financial and proprietary information to the extent permitted by law;
- d. City will supply the Municipal water and sewer;
- e. City reserves the right to direct any person to leave the premises. Such right may be exercised by Manager on behalf of the City, provided that the City through its Administrator or designee may supersede any such direction given by the Manager.

20. This agreement obligates Manager to perform personal services of a specialized nature for which City relies upon the personal integrity, special expertise, judgment, experience, contacts, and personal skills of Manager, Manager's staff, directors, and officers. Therefore, Manager shall not without prior written consent of the City, voluntarily or involuntarily transfer, assign, subcontract, or otherwise alienate any of its rights or obligations under this contract, nor suffer or permit the same through any action of omission.

21. Each covenant in this agreement is deemed to be material. Any breach by Manager of any term or covenant shall be deemed a material breach. In the event that Manager shall fail to perform any of the terms of this agreement, City shall give notice to Manager by certified mail addressed to Manager at Manager's last known address, specifying the claimed breaches. Manager shall have thirty (30) days from the date of mailing of such notice within which to remedy the default. If the default is not remedied within thirty (30) days, City shall have the right to immediately terminate this agreement.

22. Upon expiration, abandonment, termination, revocation, or cancellation of this agreement for any cause, Manager shall immediately quit the premises. Manager shall have thirty (30) days within which to remove its goods, wares, merchandise, and other personal property not affixed to the real property. Any goods, wares, merchandise, and other personal property not removed shall be deemed abandoned and shall become at once the property of City. Any additions, improvements, or alterations of the premises except for movable furniture and trade fixtures shall become a part of the realty and shall belong to City upon the expiration or termination of this agreement for any cause.

23. City may negotiate another Visitors' Information Center Management Agreement as it may deem advisable to any person or persons without interference by Manager after termination, expiration, or abandonment, except for compensation as provided below.

24. Dispute resolution. Any dispute between the parties relating to this agreement shall be submitted to a panel composed of two (2) representatives of each party. At least one (1) representative of each party shall have the authority to enter into an agreement resolving the dispute, subject to the approval of the City Council.

- a) The representatives shall meet within fourteen (14) working days of receipt of written notice of a request by either party for such a meeting to settle the dispute. The parties may agree to retain a mediator and to include any third parties in their negotiations. The parties may agree to implement any procedures or rules that they agree will benefit the settlement process.
- b) Should panel negotiations be unsuccessful, no written or spoken representation made during the course of attempted dispute resolution shall constitute a party admission or be admissible in any subsequent proceedings between the parties related to the dispute. Completion of the procedures outlined in this section shall be a condition precedent to either party's resort to litigation.

25. In cases of litigation between City and Manager arising out of this contract, the prevailing party shall recover its reasonable attorneys' fees and costs incurred at trial or upon appeal.

26. In the event of the termination of this agreement prior to its expiration date for reasons other than default on the part of Manager, abandonment by Manager, or wrongful termination or revocation by Manager, City shall pay Manager such sums as the parties agree represent the reasonable value of the improvements made by Manager to the

real property and existing at the time of termination of the agreement. In the event the parties cannot agree on the value, the matter shall be resolved in accordance with paragraph 25 above.

27. Pursuant to ORS 305.385(6), Manager hereby certifies under penalty of perjury that to the best of Manager's knowledge, Manager is not in violation of any Oregon tax laws described in ORS 305.380(4).

28. This agreement is subject to restrictions and encumbrances of record including an Historical Conservation Easement recorded April 15, 1991 by instrument No. 91-07687, Official Records of Jackson County, Oregon.

29. Manager agrees to indemnify, defend and hold City, its officers, elected officials, employees and agents harmless from any claim, loss, or liability arising out of or related to any activity of Manager at the Visitor's Information Center or any condition of the premises of which it is a part in the possession or under the control of Manager. City shall have no liability to Manager for any injury, loss, or damage caused by third parties, or by any condition of the Visitor's Information Center except to the extent caused by City's gross negligence or willful breach of duty under this Agreement.

IN WITNESS WHEREOF, the parties have executed this agreement on the date and year written above.

CITY OF JACKSONVILLE

JACKSONVILLE CHAMBER

By \_\_\_\_\_  
Paul Becker, Mayor

\_\_\_\_\_  
Jack Berger, Chamber President

# Jacksonville City Council Agenda Item Summary



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## Resolution R2016-007 Transferring Appropriation Authority within the General Fund

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Date: May 10, 2016  
From: Jeff Alvis, City Administrator

City Council Meeting: May 17, 2016  
Agenda Item: 5c.

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### **Synopsis:**

Resolution R2016-007 transfers appropriation in the amount of \$45,000 from the Personal Services to Materials and Services, within the General Fund for the purpose of contracting with Rogue Valley Council of Governments for an Interim Planning Director; which was not anticipated at the time of the preparation of the 2015-2016 budget year.

### **Fiscal Impact:**

The fiscal impact is a net of zero.

### **Recommendations:**

Approve the transferring appropriation of \$45,000 from Personal Services to Materials and Services in the General Fund for FY 2015-2016.

### **Exhibits:**

Exhibit A – Resolution R2016-007 Transferring Appropriation Authority within the General Fund

**RESOLUTION NO. R2016-007**

**A RESOLUTION TRANSFERRING APPROPRIATION AUTHORITY WITHIN THE GENERAL FUND, FOR THE YEAR BEGINNING JULY 1, 2015.**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF JACKSONVILLE, OREGON.**

**WHEREAS**, the City Council finds it necessary to appropriate \$45,000 for contracting with Rogue Valley Council of Governments for an Interim Planning Director, which was not anticipated at the time of the preparation of the 2015-2016 budget year; and,

**WHEREAS**, the appropriation will be transferred from personal services to materials and services, within the General Fund.

**NOW, THEREFORE, BE IT RESOLVED** that in accordance with ORS 294.326(2) the City Council of the City of Jacksonville, Oregon, approves the transferring appropriation authority in the 2015-2016 budget as follows:

**GENERAL FUND:**

	Increase (Decrease)
<b>EXPENDITURE:</b>	
Personal Services	(45,000)
Materials and Services	45,000
<b>NET:</b>	-0-

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF JACKSONVILLE, OREGON ON THE DATE LAST WRITTEN BELOW.**

Signed by me in open session in authentication of its passage this 17<sup>th</sup> day of May, 2016.

\_\_\_\_\_  
David Jesser, President

ATTEST:

\_\_\_\_\_  
Kimberlyn Collins, City Recorder

City Council  
May 17, 2016  
Agenda Item 5c.  
Exhibit "A"

# Jacksonville City Council Agenda Item Summary



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## Final Review of the Charter – Set Public Hearing

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Date: May 5, 2016  
From: Jeff Alvis, City Administrator

City Council Meeting: May 17, 2016  
Agenda Item: 5d.

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### **Synopsis:**

Council has looked at the Draft Model Charter. The City Attorney has made a few changes for the Council to review.

### **Fiscal Impact:**

N/A

### **Recommendations:**

Move forward with setting public hearing for charter.

### **Exhibits:**

# Jacksonville City Council Agenda Item Summary



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## Cascadia Training Date

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Date: May 11, 2016  
From: Jeff Alvis, City Administrator

City Council Meeting: May 17, 2016  
Agenda Item: 5e.

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### Synopsis:

Cascadia Training date was discussed at our last City Council meeting. There was never a final decision made. Fire Chief would like to set the training date for Friday, June 10, 2016.

### Fiscal Impact:

N/A

### Recommendations:

Set training date for June 10, 2016 from approximately 12:00 pm to 3:00 pm.

### Exhibits:

# Council Discussion



Hi Kimberlyn and Rich –

I want to thank Kim for helping arrange for me to tour the city parks with Rich, and thank Rich for taking the time to show me around and discuss the city's inspection and maintenance program. I learned Rich was at one time a certified park inspector but let the formal certification lapse due to the cost of maintaining it. Still, it is clear that Rich understands the guidelines and best practices. I'll summarize where we went and what we found.

### **Doc Griffin Park**

This park is the busiest and designed for younger kids in mind. We inspected:

1. Play structures and found them in very good condition and noted no hazards.
2. Splash Pad, in very good condition and noted no hazards
3. Plastic Picnic Tables, in good condition. We noted no hazards.
4. Covered Picnic Shelter of wood on a concrete slab with picnic tables and benches underneath. This was in good condition and no hazards were noted.
5. Restrooms. In good condition. No hazards noted.
6. The signage for the park was appropriate.
7. There was fencing between the outfall of the play structure where it abutted a street. This was appropriate and the fencing was in good condition.
8. There is a small creek that runs along one portion of the park. It is not conducive for youth to play in it. It is open and obvious and presents only a minimal hazard.

### **Pheasant Meadow Park**

1. Tennis Court, in good condition. No hazards noted.
2. Small play structure. In good condition. The fall cushion material is pea gravel and I told Rich that pea gravel is no longer an approved surface and thought he should move toward replacing that with play-rated bark. I accessed the standards just now and found pea gravel remains an approved surface under the CPSC guidelines. I recently downloaded the CPSC [Public Playground Safety Handbook](#) so I am comfortable this is the current edition and the current position on pea gravel. I have attached a copy of the Handbook in case it helps down the road.
3. Rock and wood picnic shelter including wooden picnic tables. This is in good condition and no hazards were noted.
4. Concrete walkway. This was in generally good condition but did include some raised areas. Rich indicated there would be repaired in due course. The raised areas appear to me to be open and obvious and present no serious issue requiring prompt attention.

### **Cottage Street Park**

- 1 A very small park containing one small play structure and one park bench. These were in good condition and no hazards were noted.

### **Noonan Park (?)**

This is a pocket park containing a brick walkway down the middle connecting two trellises. There is also a small fountain. All were in good condition and no hazards were noted.

### **Creekside Park**

This is a pocket park containing a paved path, benches along the creek. All was in good condition and no hazards were noted.

### **S – T Park**

This is a very small park (passive park). There is a small bark path and a bench. No hazards were noted.

### **Britt Gardens**

These gardens and grounds take pedestrian traffic from the town up to the Britt Festival Amphitheater. There are concrete stairs that are in very good condition with reasonable lighting. No hazards were noted.

### **Veteran's Park**

This is really for visual effect only. There is a sluice-box fountain. There is no pond as it drains out and back into the system immediately). There is a water fountain sculpture and a paved walk way. All are in good condition and we noted no hazards.

### **Skate Park**

1. The signage is good.
2. Access control is good as the park is fenced.
3. The concrete is older and often receives repairs. Since the park is older and such repairs can be very expensive Rich and I discussed Discretionary Immunity. Attached is an article CIS has on the topic which I recommend to all officials, managers and supervisors.
4. There are security cameras that cover the park but from a distance.
5. The downside of the parks is its location on the side of the hill and not visible to passing traffic or one of the public works facilities a couple hundred feet away. Law enforcement is able to view the park from above, which I'm told they do as they can.

Again, I want to thank everyone for their help. We discussed your scheduled inspection and maintenance practices and I found them to be very good. I took a look at the form used to do the inspections and found it a very good tool.

Please let me know if you have questions or if I can provide further information or assistance.

Regards,  
Dunny

**Dunny Sorensen, ARM** | Senior Risk Management Consultant  
CIS | P.O. Box 10166 | Eugene, OR 97440

**City of Jacksonville Meeting/Minutes Sheet**  
This sheet must be turned in immediately following  
this meeting to the City Recorder.

Name of meeting body Parking Date of meeting 4/29/16 Time 4pm

Location:  OCH  EOC  Naversen Rm  Community Center

Committee Members Present: Chair Linda Staff: none

Members: Linda Graham, David Works, Robert Roos, Mike Holcombe, Fred Zewell & Councilor David Jesser

**Discussion items not on the agenda:** Brief description of subject of discussion and action taken.

**All agenda items:** Brief description of subject of discussion and action taken. If vote taken, results  
Agenda Item # 3a

Motion by: Mike Seconded: Robert Roos **Passed** Failed (circle one)  
recommended that the 2 spaces on N. Oregon St. in front of 225 N. Oregon St. be signed as residential permit parking only assigned specifically to that address. It was felt that planning & HARC should have addressed the issue when the property was allowed to go from commercial/mixed use to solely residential in use.  
Agenda Item # 3b

Motion by: Robert Roos Seconded: Mike Holcombe **Passed** Failed (circle one)  
Negate bus parking on N. 6<sup>th</sup> St. (between EOC & D Sts.) to be public parking  
Agenda Item # 3c

Motion by: Robert Roos Seconded: Mike Holcombe **Passed** Failed (circle one)  
Sign 6 diagonal spaces on E. D St. (between N. 5<sup>th</sup> & 6<sup>th</sup> Sts.) with current City signs stating for City business only, 1 hr. parking Mon - Fri. using spaces closest to N. 6<sup>th</sup> St.  
Agenda Item # \_\_\_\_\_

Motion by: \_\_\_\_\_ Seconded: \_\_\_\_\_ **Passed** Failed (circle one)

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CITY OF JACKSONVILLE