



Fire Department
285 NE Burgess Rd
Toledo, Oregon 97391
6:00 p.m.

TOLEDO CITY COUNCIL
Regular Meeting – also via Zoom Meeting Platform
November 3, 2021

Virtual Meeting: The City Council will hold the meeting in person for the City Council and staff in person as well as through the Zoom video meeting platform. The public is encouraged to attend the meeting electronically. Visit the meetings page on the city website for meeting login information.

Public Comments: The City Council may take limited verbal comments during the meeting. Written comments may be submitted by email to lisa.figueroa@cityoftoledo.org 3:00 p.m. the day of the meeting to be included in the record. Comments received will be shared with the City Council and included in the record.

1. **Call to Order and roll call**
2. **Proclamations/Presentations**
Oath of office – Officer David Boys
3. **Visitors/Public Comment**
(The public comment period provides the public with an opportunity to address the City Council regarding items not on the agenda. Please limit your comments to three (3) minutes).
4. **Consent Agenda**
Minutes of the meeting held September 15, 2021
5. **Discussion Items**
 - Continue discussion on Urban Renewal projects
6. **Decision Items**
 - Resolution No. 1476, a resolution to declare June 19 'Juneteenth' as an annual holiday for the City of Toledo
 - Ordinance No. 1399, an ordinance of the Toledo City Council amending Ordinance No. 1395 to correct a scrivener's error in the legal description
7. **Reports and Comments**
 - Committee updates
8. **Adjournment**

**TOLEDO CITY COUNCIL
REGULAR MEETING
September 15, 2021
6:00 p.m.**

1. CALL TO ORDER

Mayor Rod Cross called the meeting to order at 6:00 p.m. electronically via Zoom in Toledo, Oregon.

Present	Absent	
X		Mayor Rod Cross
X		Council President Joshua Smith
X		Councilor Jackie Kauffman
X		Councilor Rob Duprau
X		Councilor Todd Michels
X		Councilor Betty Kamikawa
X		Councilor Wade Carey

Staff present: City Manager (CM) Judy Richter, City Recorder (CR) Lisa Figueroa, Police Chief (PC) Michael Pace, Public Works Director (PWD) Bill Zuspan, Fire Chief (FC) Larry Robeson, City Attorney (CA) David Robinson, Assistant Library Director (ALD) Harrison Baker

2. PRESENTATIONS

15 Neighborhoods

Rita Lovelady addressed the City Council. She presented information in regards to a ballot that will be included on the November ballot. She said the measure is to eliminate short term vacation rentals (less than 30 days a month) within the unincorporated areas of Lincoln County. She said there are approximately 2,155 vacation rental (homes) in Lincoln County. She expressed concern that those homes could be used for people working in the County instead. She encouraged everyone to vote yes on Measure 21-203. There was discussion of the measure and clarification questions asked. Ms. Lovelady indicated that anyone in Lincoln County can vote on the measure.

3. VISITORS/PUBLIC COMMENT

There were no comments.

4. CONSENT AGENDA

Minutes from the meeting held August 18, 2021

Motion – It was moved and seconded (Smith/Carey) to approve the Consent Agenda as presented and the motion carried unanimously.

5. DISCUSSION

Town Hall

CM Richter commented about the inclement weather expected this weekend and recommended the Council push the Town Hall to a later date and inside instead of having it at Memorial Field.

1 After some discussion, the Council changed the date to October 16 and CR Figueroa would contact
2 the Jr./High School for permission to use the cafeteria.

3
4 **6. DECISION ITEMS**

5 **Approve an expenditure of \$82,100 to perform liner installation in 24 manholes**

6 PWD Zuspan provided the council report and compared the bids received, which were included in
7 the packet. The Council did not have any questions.

8
9 **Motion** – It was moved and seconded (Smith/Kauffman) to approve an expenditure of up to
10 \$82,100 to install liners in 24 manholes and the motion carried unanimously.

11
12 **Resolution No. 1474, A resolution of the Toledo City Council in regards to coronavirus**
13 **(COVID-19) mask and vaccination mandates**

14 Mayor Cross presented the council report and indicated the proposed resolution was reviewed by
15 the City Attorney, the League of Oregon Cities legal department as well as the City/County
16 Insurance Services (CIS) legal department; all of whom did not raise any issues. He said the
17 resolution indicates the Council's position is supportive of wearing masks indoors and anyone who
18 gets the Coronavirus (COVID-19) vaccine, however, the City will not mandate its employees to
19 get the vaccination. He said the reason the City will not require it, is because there is no
20 Federal, State or City Charter law that provides the Council that authority. CM Richter commented
21 on the fact that the Oregon Health Authority has mandated Emergency Medical Service personnel
22 be required to get the vaccination. She said she believes it is up to the person to decide for
23 themselves and there was discussion in regards to whether CIS has provided any input on the issue.
24 There was discussion about waivers being available for exceptions to getting the vaccination.
25 Council Smith noted several typographical and grammatical errors within the Resolution.

26
27 **Motion** – It was moved and seconded (Smith/Michels) to approve Resolution No. 1474, a
28 resolution of the Toledo City Council in regards to coronavirus (COVID-19) mask and vaccination
29 mandates as amended and the motion carried unanimously.

30
31 **Contribution Committee recommendations**

32 CR Figueroa provided the council report. She indicated the total amount requested by all the
33 organizations equaled \$21,150 but the Committee the funding recommendations equaled \$11,400,
34 which was equal to the amount available in the Contributions budget.

35
36 **Motion** – It was moved and seconded (Smith/Kauffman) to approve the Contribution Committee's
37 funding recommendation as presented and the motion carried unanimously.

38
39 **Approve an expenditure of up to \$280,000 for the purchase and installation of a backup**
40 **generator at Siletz River pump station**

41 PWD Zuspan summarized the council report and indicated the storm that occurred left the City
42 with no water source. He said the expenditure is part of the 2021-2022 Capital Improvement
43 Project budget.

1 **Motion** – It was moved and seconded (Carey/Kamikawa) to approve an expenditure of up to
2 \$280,000 for the purchase and installation of a backup generator for the Siletz River pump station
3 and the motion carried unanimously.
4

5 **Approval of Amendment No 1 to the Sewer Force Mainline Replacement & Collection**
6 **System Improvements Financing with Oregon Infrastructure Finance Authority**

7 CM Richter said the Council discussed the contract in a previous meeting and the final contract is
8 now before them for approval. She said originally the City had a loan for \$650,000 but because of
9 a grant, the loan decreased to \$325,000. She said Oregon Infrastructure Finance
10 Authority/Business Oregon allowed the City to change the budget on the loan so the total
11 borrowing is \$675,000 but is only an additional \$350,000 for the project.
12

13 **Motion** – It was moved and seconded (Smith/Kamikawa) to approve Amendment No 1 to the
14 Sewer Force Mainline Replacement & Collection System Improvements with Oregon
15 Infrastructure Finance Authority for a total of \$675,000 and the motion carried unanimously.
16

17 **7. REPORTS AND COMMENTS**

18 ALD Baker reported on the Library's activities and indicated the Library is considering adding
19 some adult oriented programs. He said they have the complete set of the books included on the
20 'Battle of the Books' list for this year. He said there will be a special display for banned book week
21 and there will be a giveaway in October for anyone who checks out a scary movie or book.
22

23 PWD Zuspan provided an update on the Public Works department projects. He commented on the
24 street sweeping and other ongoing projects such as the fish ladders. He reported Central Lincoln
25 PUD will be replacing poles along 2nd Street.
26

27 PC Pace thanked the Fire Department on their 9-1-1 Memorial and indicated the new dispatcher
28 will start Academy in the next week. He said hopefully there will be two new employees within
29 the next month.
30

31 CM Richter presented a glass float that was received by the Fire Department for their efforts in the
32 wildfires last year. She read a letter of appreciation, which stated the float has ashes infused into
33 it from the Echo Mountain Wildfire. She reminded the Council about the Executive Session next
34 week. She noted she spoke with Seal Rock Water District, who indicated they may continue to
35 purchase water through November or December and would provide updates to the City closer to
36 October.
37

38 Councilor Kamikawa stated the joint meeting with the Lincoln County Board of Commissioners
39 should be available now on YouTube. She said they had some good discussions.
40

41 Mayor Cross indicated he will be on vacation and then said he is looking forward to the Town
42 Hall.
43
44
45
46

1 **8. ADJOURNMENT**

2 The meeting adjourned at 7:10 p.m.

3
4 ATTEST:

5
6
7 _____
City Recorder Lisa Figueroa

APPROVE:

Mayor Rod Cross

DRAFT

**CITY OF TOLEDO
REQUEST FOR COUNCIL ACTION**

	Meeting Date:	Agenda Topic:
	November 3, 2021	Continue discussion of Urban Renewal projects
Council Goal:	Agenda Type:	
Not Applicable	Discussion Items	
Prepared by:	Reviewed by:	Approved by:
City Manager J. Richter	City Manager Judy Richter	City Manager Judy Richter

Recommendation:

Discussion regarding Urban renewal Projects.

Background:

The Urban Renewal Agency is in place. One year from now the revenue will start to flow in at an estimated amount of \$400,000. Once the frozen base has been set by the assessor, we will have a better idea of the amount. The Urban Renewal Agency will need to have a budget in place for 2022-2023. It is not too early to start defining the projects and determining what will be priorities.

***Update: Council was provided a ranking sheet to identify five projects they would like to see addressed in the first year of the Urban Renewal District. Council will review the ranking of listed projects on November 3, 2021**

Fiscal Impact:	Fiscal Year:	GL Number:
N/A	2021-2022	N/A

Attachment:

1. Urban Renewal List of Projects

VI. URBAN RENEWAL PROJECTS

Urban renewal projects authorized by the Plan are described below. They are not listed in any priority order. The Agency will determine the order of the projects and may add and remove projects in the future through the amendment process defined in Section VII of this Plan. The projects identified for the Area are described below, including how they relate to the existing conditions in the Area.

A. Building Improvements

1. Establish a loan/grant fund for businesses and property owners including but not limited to
 - a. Improve storefronts
 - b. Encourage new businesses to locate in vacant storefronts
 - c. Provide necessary equipment to help existing and new businesses flourish (must be fixed assets, not assets that would be removed upon closing of business)
 - d. Provide safe and code compliant upper floor uses
 - e. Improve the exterior of buildings in the Area.
 - f. Install solar panels for resiliency during power outages.
2. Acquire buildings and improve the site for re-use either through clearance and remediation or through rehabilitation.

B. Public Buildings¹

1. Relocate the Public Safety building bring the proposed new facility up to building code standards for use. A new Public Services building serves and benefits the Area by improving the workplace for the public safety employees and placing the public safety employees outside of the flood zone providing them with the ability to assist the community during any emergency event.
2. Upgrade City Hall with new wiring and other improvements to maintain the functionality of the building. The improvements to City Hall serve and benefit the Area by keeping an existing structure in workable condition, reducing the costs for a need for a new facility

¹ The two public building projects in the Plan were approved by resolutions of the boards of 3 of the 4 taxing districts that are estimated to forego the most taxes in the Area: (List)

and providing safe and up to date working conditions for the employees in City Hall.

C. Recreation Improvements

1. Provide recreation improvement including but not limited to
 - a. Arcadia Park – Includes but not limited to resurface tennis courts, replace lighting and fencing, and safety upgrades for basketball court
 - b. Balcony above Arcadia Park – work with Pool District to develop outdoor fenced area for gatherings
 - c. Community Center – Area for community gatherings, town hall meetings. This facility would serve and benefit the Area by providing additional indoor recreational opportunities for our residents. Statutory definitions of a public building in ORS 457.010(12)(b) excludes this recreational facility from the public buildings definition referred to in ORS 457.089(3)(a) which require taxing district approval.
 - d. Memorial Field Park – play area improvements
 - e. General recreation investments

D. Utility Infrastructure

1. Sewer System
 - a. Install approximately 150 sewer manhole liners to support the structure of the manholes
 - b. Reline sections of the N Main Street sewer line
 - c. Business 20 sewer line replacement - replace heavily “bellied” sections of sewer line to reduce Inflow & Infiltration (I &I) to meet Wastewater Treatment Plant and Department of Environmental Quality specifications and create smoother flow
 - d. Sewer Main CIPP liner installation on A street from pump station to Business 20 intersection
 - e. Construct lift station at A Street to replace existing station that is nearing the end of its life expectancy
2. Water System
 - a. Water meter upgrades in Area
 - b. Replace sections of 8” A.C. watermain from Business 20 continuing east on French Street

E. Pedestrian Improvements

1. Provide pedestrian improvements including but not limited to
 - a. Install walkway from NW I Street to Highway 20
 - b. Remove overgrown trees and replace with recommended trees and repair sidewalks accordingly
 - c. Install sidewalk from Port of Toledo offices to Ridge Drive.
 - d. Install benches, planters, family friendly activity trail along Main Street, Business 20 and A Street

F. Acquisition

Acquisition and Disposition activities are allowed in the Plan. Prior to any property being acquired, it must be identified in the Plan in Section VIII.

G. Administration

Authorizes expenditures for the administrative costs associated with managing the Area including budgeting and annual reporting, planning and the implementation of projects in the Area.

**CITY OF TOLEDO
REQUEST FOR COUNCIL ACTION**

	Meeting Date:	Agenda Topic:
	November 3, 2021	Resolution 1476 to Declare June 19 “Juneteenth” as an annual holiday for the City of Toledo
Council Goal:	Agenda Type:	
Not Applicable	Decision Items	
Prepared by:	Reviewed by:	Approved by:
City Manager J. Richter	City Manager Judy Richter	City Manager Judy Richter

Recommendation:

Motion to adopt Resolution No. 1476, A resolution of the Toledo City Council to declare June 19 “Juneteenth” as an annual holiday for the City of Toledo.

Background:

Juneteenth has been declared both a Federal and a State holiday. It was added to the list of paid holidays for the employees represented by the Toledo Employees Association as ratified recently in their new contract. This resolution will add Juneteenth to the paid holidays for the rest of the employees.

Fiscal Impact:	Fiscal Year:	GL Number:
None	2021-2022	None

Attachment:

1. Resolution No. 1476

**CITY OF TOLEDO
RESOLUTION NO. 1476**

**A RESOLUTION OF THE TOLEDO CITY COUNCIL TO DECLARE JUNE 19 ‘JUNETEENTH’
AS AN ANNUAL HOLIDAY FOR THE CITY OF TOLEDO**

WHEREAS, in 1863, President Abraham Lincoln issued the Emancipation Proclamation declaring all slaves free. However, this freedom was not made known to many enslaved African Americans until two years after its passage. Juneteenth is an annual observance to remember when Union soldiers enforced the Emancipation Proclamation and freed the last remaining slaves in Galveston, Texas on June 19, 1865; and

WHEREAS, This day is an opportunity for people to celebrate freedom and equal rights in the United States and

WHEREAS, Juneteenth (June 19) has been declared a Federal holiday; and

WHEREAS, Juneteenth has been declared a holiday by the State of Oregon.

NOW, THEREFORE, THE CITY OF TOLEDO RESOLVES AS FOLLOWS:

- Section 1. To recognize June 19 ‘Juneteenth’ as an annual holiday for the City of Toledo.
- Section 2. To add June 19 (Juneteenth) as a paid holiday for the employees of the City of Toledo.
- Section 3. That this Resolution shall be effective immediately upon passage by the Toledo City Council.

That this resolution is hereby adopted by the Toledo City Council on this 3rd day of November, 2021.

APPROVED

ATTEST

Mayor Rod Cross

City Recorder Lisa Figueroa

**CITY OF TOLEDO
REQUEST FOR COUNCIL ACTION**

	Meeting Date:	Agenda Topic:
	November 3, 2021	Ordinance No. 1399, an ordinance of the Toledo City Council amending Ordinance No. 1395 to correct a scrivener's error in the legal description
Council Goal:	Agenda Type:	
Not applicable	Decision Items	
Prepared by:	Reviewed by:	Approved by:
Justin Peterson, Planner	City Manager Judy Richter	City Manager Judy Richter

Recommendation:

Motion to adopt Ordinance No. 1399, an ordinance of the Toledo City Council amending Ordinance No. 1395 to correct a scrivener's error in the legal description (AX-2-21/RZ-3-21) by title only.

Background:

Kelly and Lorraine Foley were approved by City Council on June 2, 2021 for a zoning map amendment from Lincoln County R-1 to the City of Toledo Single-Family Residential (R-S) zone, concurrent with annexation. The subject property is contiguous with City Limits and located within the Urban Growth Boundary (UGB).

The adopted Ordinance and maps were submitted twice to Oregon Department of Revenue, but both submittals failed to be approved by the State due to mapping discrepancies. After review by the Surveyor it was discovered that the legal description in the Ordinance was incorrect. The proposed update of Ordinance 1395 would correct the scrivener's error.

If the request is approved by motion, Proposed Ordinance 1395 shall be adopted by reading by title twice.

Fiscal Impact:	Fiscal Year:	GL Number:
N/A	2021-2022	N/A

ATTACHMENTS:

1. Ordinance No. 1399
2. Surveyor Memo and Map
3. Previously Signed Ordinance No. 1395

**CITY OF TOLEDO
ORDINANCE NO. 1399**

AN ORDINANCE OF THE TOLEDO CITY COUNCIL AMENDING ORDINANCE NO. 1395 TO CORRECT A SCRIVENER'S ERROR IN THE LEGAL DESCRIPTION (AX-2-21/RZ-3-21)

WHEREAS, on March 23, 2021, Kelly and Lorraine Foley filed a written request for annexation of property located at 150 SE Sturdevant Road (Assessor's Map #11-10-17 A Tax Lots 800 and 1100 – approximately 6.7 acres) that is outside the city limits but is contiguous to the city limits of the City of Toledo; and

WHEREAS, on March 23, 2021, in addition to the annexation request, the property owner of Assessor's 11-10-17 A Tax Lots 800 and 1100 also filed a request to rezone the 6.7 acre parcel of the property from County R-1 to City Single-Family Residential (R-S), consistent with the 2000 Toledo Comprehensive Land Use Plan Map; and

WHEREAS, the Planning Commission held a public hearing on May 12, 2021, on the proposed annexation and rezone (local file #AX-2-21/RZ-3-21) to consider and make a recommendation on the proposed annexation and rezone to the City Council; and

WHEREAS, the City Council held a public hearing on June 2, 2021, to consider and take action on the annexation and rezone request, and the City Council adopted facts and findings on the request as set forth in the staff report; and

WHEREAS, before annexation, the property was located within the boundaries of the Toledo Rural Fire Protection District and the Lincoln County Library District; and

WHEREAS, the City Council held a public hearing on June 2, 2021, for the purpose of hearing any objections to the withdrawal of the property from the Toledo Rural Fire Protection District and the Lincoln County Library District.

NOW, THEREFORE, THE CITY OF TOLEDO ORDAINS AS FOLLOWS:

Section 1. The legal description in Ordinance No. 1395 for the property located at 10 SE Sturdevant Road is deleted and replaced with the legal description set forth:

The following described property located in Toledo, Oregon which is identified as the parcel designation as Lincoln County Assessor's Map # 11-10-17 A Tax Lots 800 and 1100, and as described below is annexed to the City of Toledo, Oregon:

A tract of land lying in the Northeast corner of Section 17, Township 11 South, Range 10 West of the Willamette Meridian in Lincoln County, Oregon. More particularly described as:

Beginning at a point 1373.22 feet North and 859.23 feet West of the East Quarter

corner of Section 17; thence South 43°09'00" West, 203.24 feet thence South 36°46'00" West, 542.50 feet to a line 80 Rods West of the East line of Section 17, more or less to the East line of that tract described in Book 124, Page 152 of Lincoln County Deed Records, existing city limits; thence North 0°21'10" West, 436.15 along the southerly extension of the East line of Partition Plat 2005-15, 432 feet to the Northeast corner of Parcel 2; thence along the Northern boundary of Partition 2005-15, South 89°33'11" West, 50.00 feet; thence North 30°06'24" West, 81.30 feet; thence North 89°20'14" West, 153.78 feet to the East boundary of Sturdevant Road; thence North 1°20'32" East, 277.91 feet to Southwest corner of the United States of America Tract described in Book 185, Page 485, Deed Records; thence South 89°10'21" East, 732.78 feet, to the Southeast corner of the United States of America Tract; thence North 1°05'00" East, 150.00 feet; thence South 30°49'00" East, 154.09 feet; thence South 30°37'00" West, 221.10 feet to the point of beginning

- Section 2. The property identified as Lincoln County Assessor's Map # 11-10-17 A Tax Lots 800 and 1100 (approximately 6.7 acres), is rezoned from the County R-1 designation to the Toledo Comprehensive Land Use Plan and Zoning Map designation of Single-Family Residential.
- Section 3. The described property in Section 1 is withdrawn from the Toledo Rural Fire Protection District and the Lincoln County Library District.
- Section 4. This Ordinance is effective 30 days upon passage by the Toledo City Council.

This Ordinance adopted by the Toledo City Council this 3rd day of November, 2021.

APPROVED:

ATTEST:

Mayor Rod Cross

City Recorder Lisa Figueroa

Boundary Surveys
Topographic Surveys
Elevation Certificates
Construction Layouts
As-Built Surveys



Partitions
Subdivisions
Boundary Line Adjustments
Land Use Consulting
Wetland Boundaries

Loomis Surveying
459 Pioneer Mtn. Loop, Toledo, Or 97391 (541)764-2928
(541) 336-2994 fax - (541) 270-2928 cell
dave@loomissurveying.com

July 21, 2021

Kelly Foley
6958 Elk City Road
Toledo, OR 97391

Kelly

Enclosed is a description and map of the portion of land which is to be annexed to the City of Toledo.

Take this copy to the City of Toledo for their approval and then send to the State of Oregon for their approval.

David Loomis

Annexation Description

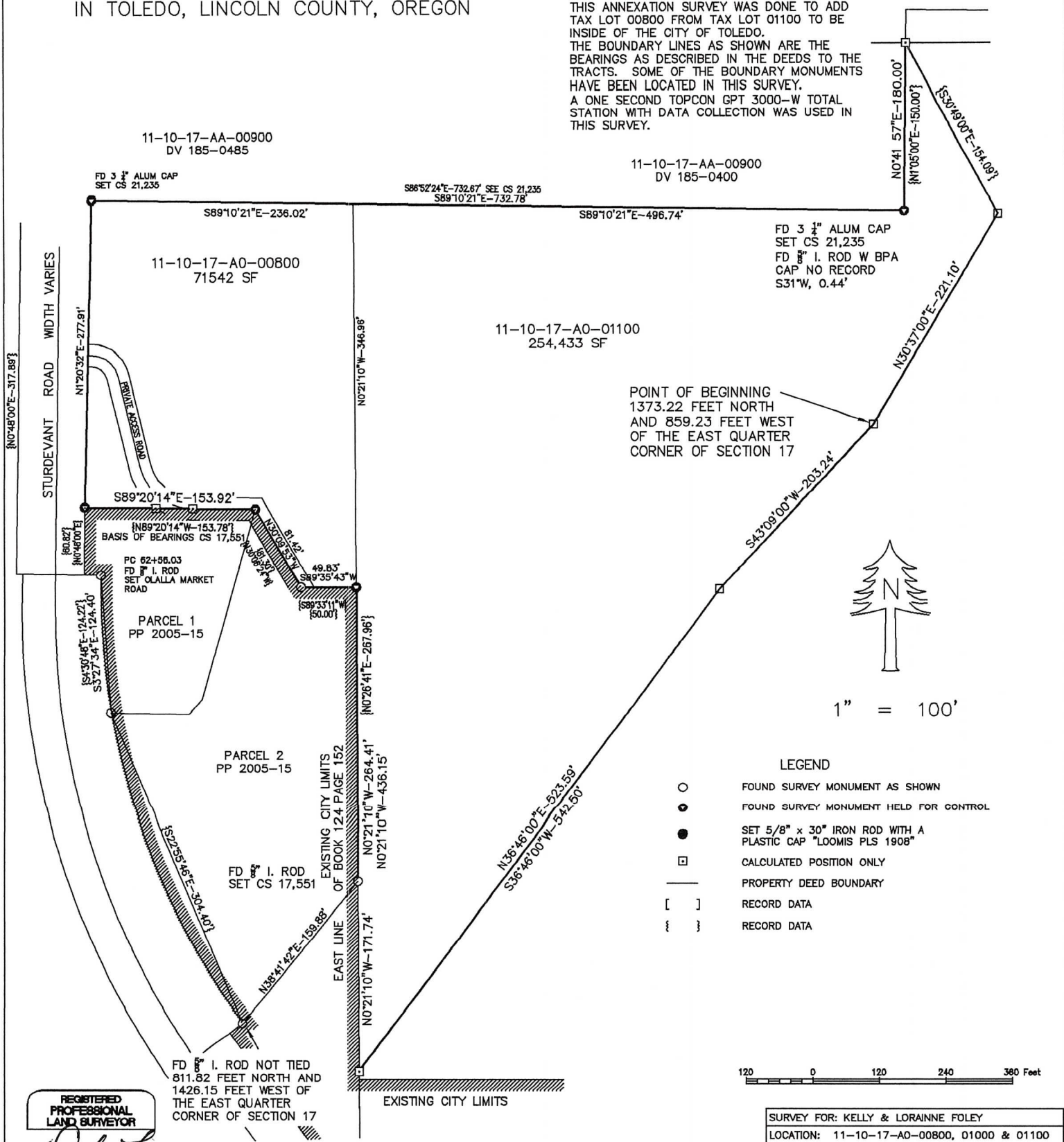
A tract of land lying in the Northeast corner of Section 17, Township 11 South, Range 10 West of the Willamette Meridian in Lincoln County, Oregon. More particularly described as:

Beginning at a point 1373.22 feet North and 859.23 feet West of the East Quarter corner of Section 17; thence South 43°09'00" West, 203.24 feet thence South 36°46'00" West, 542.50 feet to a line 80 Rods West of the East line of Section 17, more or less to the East line of that tract described in Book 124, Page 152 of Lincoln County Deed Records, existing city limits; thence North 0°21'10" West, 436.15 along the southerly extension of the East line of Partition Plat 2005-15, 432 feet to the Northeast corner of Parcel 2; thence along the Northern boundary of Partition 2005-15, South 89°33'11" West, 50.00 feet; thence North 30°06'24" West, 81.30 feet; thence North 89°20'14" West, 153.78 feet to the East boundary of Sturdevant Road; thence North 1°20'32" East, 277.91 feet to Southwest corner of the United States of America Tract described in Book 185, Page 485, Deed Records; thence South 89°10'21" East, 732.78 feet, to the Southeast corner of the United States of America Tract; thence North 1°05'00" East, 150.00 feet; thence South 30°49'00" East, 154.09 feet; thence South 30°37'00" West, 221.10 feet to the point of beginning

ANNEXATION SURVEY
FOR KELLY & LORAINNE FOLEY
IN THE SW 1/4 OF THE NE 1/4 OF SECTION 17
TOWNSHIP 11 SOUTH, RANGE 10 WEST, WM
IN TOLEDO, LINCOLN COUNTY, OREGON

SURVEYOR'S NARRATIVE

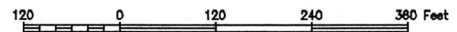
THIS ANNEXATION SURVEY WAS DONE TO ADD TAX LOT 00800 FROM TAX LOT 01100 TO BE INSIDE OF THE CITY OF TOLEDO. THE BOUNDARY LINES AS SHOWN ARE THE BEARINGS AS DESCRIBED IN THE DEEDS TO THE TRACTS. SOME OF THE BOUNDARY MONUMENTS HAVE BEEN LOCATED IN THIS SURVEY. A ONE SECOND TOPCON GPT 3000-W TOTAL STATION WITH DATA COLLECTION WAS USED IN THIS SURVEY.



1" = 100'

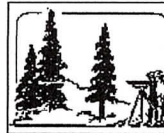
LEGEND

- FOUND SURVEY MONUMENT AS SHOWN
- FOUND SURVEY MONUMENT HELD FOR CONTROL
- SET 5/8" x 30" IRON ROD WITH A PLASTIC CAP "LOOMIS PLS 1908"
- CALCULATED POSITION ONLY
- PROPERTY DEED BOUNDARY
- [] RECORD DATA
- { } RECORD DATA



REGISTERED
PROFESSIONAL
LAND SURVEYOR
David Loomis
OREGON
JULY 18, 1980
DAVID A. LOOMIS
1908
RENEWAL DATE:
JANUARY 1, 2023

SURVEYED BY



DAVID LOOMIS SURVEYING
= DAVID A. LOOMIS LS 1908 =
459 PIONEER MOUNTAIN LOOP
TOLEDO, OR, 97391
541.336.2994 - 541.270.2928
FAX: 541.336.2994

CHECKED BY: DAL
DRAWN BY: DAL
SCALE: 1" = 100'
DATE: JULY 2021
No. D121-080

**CITY OF TOLEDO
ORDINANCE NO. 1395**

AN ORDINANCE OF THE TOLEDO CITY COUNCIL PROCLAIMING THE ANNEXATION AND REZONE OF REAL PROPERTY LOCATED AT 150 SE STURDEVANT ROAD, ITS WITHDRAWAL FROM THE TOLEDO RURAL FIRE PROTECTION DISTRICT AND THE LINCOLN COUNTY LIBRARY DISTRICT CERTAIN REAL PROPERTY BEING ANNEXED TO THE CITY OF TOLEDO, OREGON

WHEREAS, on March 23, 2021, Kelly and Lorraine Foley filed a written request for annexation of property located at 150 SE Sturdevant Road (Assessor's Map #11-10-17 A Tax Lots 800 and 1100 – approximately 6.7 acres) that is outside the city limits but is contiguous to the city limits of the City of Toledo; and

WHEREAS, on March 23, 2021, in addition to the annexation request, the property owner of Assessor's Map #11-10-17 A Tax Lots 800 and 1100 also filed a request to rezone the 6.7 acre parcel of the property from County R-1 to City Single-Family Residential (R-S), consistent with the 2000 Toledo Comprehensive Land Use Plan Map; and

WHEREAS, the Planning Commission held a public hearing on May 12, 2021, on the proposed annexation and rezone (local file #AX-2-21/RZ-3-21) to consider and made a recommendation on the proposed annexation and rezone to the City Council; and

WHEREAS, the City Council held a public hearing on June 2, 2021, for the purpose of hearing any objections to the withdrawal of the property from the Toledo Rural Fire Protection District and the Lincoln County Library District; and

WHEREAS, before annexation, the property was located within the boundaries of the Toledo Rural Fire Protection District and the Lincoln County Library District; and

WHEREAS, the City Council adopted the facts and findings on the request as set forth in the staff report on June 2, 2021.

NOW, THEREFORE, THE CITY OF TOLEDO ORDAINS AS FOLLOWS:

Section 1. The following described property located in Toledo, Oregon which is identified as the parcel designation as Lincoln County Assessor's Map # 11-10-17 A Tax Lots 800 and 1100, and as described below is annexed to the City of Toledo, Oregon:

A tract of land lying in Section 17, Township 1 South, Range 10 West, Willamette Meridian, in Lincoln County, Oregon, being more particularly described as follows: Beginning at a point that is North 1373.22 feet and West 859.23 feet from the East quarter corner of Section 17, Township 11 South, Range 10 West, Willamette Meridian, in Lincoln County, Oregon; thence South 43° 09' West, 203.24 feet; thence South 36° 46' West, 523.29 feet to the East line of that tract of land as

described in Book 124, page 152, Lincoln County Records of Deeds, said line being the West line of the Southeast quarter of the Northeast quarter of said section; thence North 8° 49' 30" West 123.12 feet; thence North 0° 26' 40" East, 267.96 feet; thence North 89° 33' 20" West, 50.0 feet; thence North 30° 06' 20" West, 81.30 feet; thence North 89° 20' 20" West, 159.96 feet to the Easterly right of way of County Road No. 528 thence Northerly along said Easterly right of way to its intersection with the South line of the United States of America tract as described in instrument recorded in Book 185, page 485, Deed Records; thence Easterly along the South line of the said United States of America tract and along the South line of the United States of America tract described in instrument recorded in Book 185, page 400, Deed Records, to the Southeast corner thereof; thence North 1° 05' East along the East line of said tract, 150.00 feet to the Northeast corner thereof; thence South 30° 49' East, 154.09 feet; thence South 30° 37' West, 221.10 feet to the point of beginning.

- Section 2. The property identified as Lincoln County Assessor's Map #11-10-17 A Tax Lots 800 and 1100 (approximately 6.7 acres), is rezoned from the County R-1 designation to the Toledo Comprehensive Land Use Plan and Zoning Map designation of Single-Family Residential.
- Section 3. The described property in Section 1 is withdrawn from the Toledo Rural Fire Protection District and the Lincoln County Library District.
- Section 4. That this Ordinance shall be effective 30 days upon passage by the Toledo City Council.

This Ordinance is adopted by the Toledo City Council on this 2nd day of June, 2021.

APPROVED:

ATTEST:



Mayor Rod Cross

City Recorder Lisa Figueroa