

## NOTICE OF CITY COUNCIL MEETING

The City Council of the City of King City will hold a Regular Session at 2:00 PM, Wednesday, April 15, 2020, by teleconference at City Hall 15300 SW 116<sup>th</sup> Ave, King City, Oregon 97224 – Please see instructions below.

**Date:** April 10, 2020

Location: (teleconference – Email comments to [rsmith@ci.king-city.or.us](mailto:rsmith@ci.king-city.or.us))

The King City Council will hold a meeting on April 15, 2020, at 2:00 PM.

Councilors will be calling into the meeting via conference call. Members of the public will be able to listen to the meeting on the teleconference line or watch the meeting via video link. Minimal staff will be in the City Hall Conference Room, 15300 SW 116<sup>th</sup> Ave, King City, Oregon 97224. To avoid the potential spread of the COVID-19 virus, members of the public will not be allowed in the room. The packet can be found online at: [http://www.ci.king-city.or.us/government/mayor\\_and\\_council/agendas\\_and\\_minutes.php#](http://www.ci.king-city.or.us/government/mayor_and_council/agendas_and_minutes.php#)

The City has taken steps to utilize current technology to make meetings available to the public without increasing the risk of exposure. The public can participate by emailing public comments to City Recorder at [rsmith@ci.king-city.or.us](mailto:rsmith@ci.king-city.or.us) or leaving a voicemail that can be played during the meeting. The audio recording of the meeting will be posted to the City website within two days of the meeting.

Zoom Meeting ID: 658 206 686

Dial by your location  
+1 669 900 6833 US (San Jose)

Meeting ID: 658 206 686

Find your local number: <https://zoom.us/j/ab4FHrU3m1>

Live broadcast coverage of the King City Council Meetings can now be seen on TVCTV cable channel 30 and live-streaming on [MACC TVCTV](#)'s YouTube page.

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| AGENDA  |   | Action Item |
|---|---|-------------|
| <b>***REGULAR SESSION***</b>  |   |             |
| <i>Moment of Silence</i>  |   |             |
| 2:00 PM   | 1. <b>CALL TO ORDER</b>   | Time:       |
|   | 2. <b>ROLL CALL</b>   |             |
|   | 3. <b>PLEDGE OF ALLEGIANCE</b>  |             |
|   | 4. <b>APPROVAL OF MINUTES: NONE</b>   |             |
| 2:10 PM   | 5. <b>SPECIAL PRESENTATION:</b><br>5.1 TVF&R Update – Chief Weiss<br><br>5.2 TTSD Overview Presentation By Dr. Susan Rieke-Smith, and Board Members Maureen Wolf, and Ben Bowman.   |             |
| 2:45 PM   | 6. <b>OPEN FORUM:</b> We welcome public comment. At this time, the Council will be happy to receive your comment pertaining to items on the agenda (including, questions, suggestions, complaints, and items for future.). Each person's time will be limited to three minutes. |             |
| 3:00 PM   | 7. <b>UNFINISHED BUSINESS:</b>  |             |
| 3:01 PM   | 8. <b>NEW BUSINESS:</b><br>8.1 Pride Disposal - exploring options around franchise fees   | M S A       |
|   | 8.2 Royalty Court Street dedication discussion and consideration – City Attorney  | M S A       |
|   | 8.3 National Police Week Proclamation – Chief Happala   | M S A       |
|   | 8.4 Skyhawk Summer camps update – Michael Alarcon   | M S A       |
|   | 8.4 Discuss and consider a Zoom Townhall Meeting  |             |
| 3:30 PM   | 9. <b>POLICE CHIEF'S REPORT</b>   |             |
| 3:40 PM   | 10. <b>CITY MANAGER'S REPORT</b>  |             |
| 3:50 PM   | 11. <b>MAYOR'S AND COUNCILOR'S REPORTS</b>  |             |
| 4:10 PM   | 12. <b>ADJOURN</b>  | M S A       |
| <b>NEXT MEETING</b>   |   |             |
| <b>MAY 20 – REGULAR MEETING – TELECONFERENCE 2 pm</b>   |   |             |
| The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting to Ronnie Smith, City Recorder, 503-639-4082. |   |             |
| M=Motion S=Second A=Action  |   |             |
|   |   | Time:       |

## MEMORANDUM

To: King City - City Council  
From: Peter Watts, General Council  
Subject: SW Royalty Court Responsibility Update  
Date: April 10, 2020

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### GENERAL INFORMATION

In September 2019, city staff was approached by the Royalty Gardens HOA pertaining to maintenance on SW Royalty Bridge and Street ("Bridge"). The Bridge is essentially a driveway connecting the Royalty Gardens HOA parking areas to Royalty Court. It does not connect with any other City Streets.

When the City looked into the status of the Bridge it became apparent that it was not a City Street, and that it was owned by the Royalty Gardens HOA. The Royalty Gardens HOA provided documents to the City demonstrating that on April 15th, 1987 City Council approved a Resolution (R-115) stating that Royal Gardens Condominium has expressed a willingness to dedicate portions of SW Royalty Court.

In Resolution 115 the city accepted a quit claim deed from Royal Gardens HOA.

Whether the quitclaim deed that is dated March 30, 1987 was never filed with Washington County, or was filed and rejected by the County is not apparent. The City has no record of further action or inaction.

Because of the costs associated with streets and street maintenance, Oregon statutes are very specific regarding how a street can be dedicated to a city. It is done under ORS 92.175(1). In order for the parcel to have been recorded with the County, the HOA and the City would have needed to have drafted and recorded a "deed of dedication."

Although the Resolution and the acceptance of a quitclaim deed provides evidence that the City Council in 1987 intended to take ownership, or appeared to want to take ownership of the parcel, it was not and could not be recorded. In 1987 the proper mechanism for road dedication was via a dedication deed. If the City had attempted to record the document, it would not have been accepted by the County Recorder.

There is a 2004 case before the Land Use Board of Appeals, *Niederhof v. Deschutes County*, LUBA No. 2004-156, related to the dedication of a County road that is analogous to our current situation. In that case LUBA wrote:

"Three actions were required to complete a dedication of land for a county road... (1) a deed that dedicated land for a public road, (2) acceptance of that deed by the county court, and (3) recording of the deed."

Because all three of those steps had not occurred, the road had not been dedicated. The same is true in this case.

It is settled law in Oregon that a current Council cannot bind a future Council. Whether or not the City Council in 1987 actually intended to accept the Bridge doesn't matter, because they did not follow the steps required at that time.

We have asked the City Engineer if additional portions of the HOA's parking lot could be dedicated to provide ingress and egress to an adjoining undeveloped property adjacent to the HOA, and in his opinion there was insufficient space to meet the City's minimum standards.

Prior to the HOA and staff incurring the expenses associated with drafting the relevant documents and determining the process and application, City Staff and the Applicant wanted to gauge the City's willingness to accept the Bridge as a City Street.



## NATIONAL POLICE WEEK 2020 PROCLAMATION

To recognize National Police Week 2020 and to honor the service and sacrifice of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy.

WHEREAS, there are more than 900,000 law enforcement officers serving in communities across the United States, including the dedicated members of the King City Police Department; and

WHEREAS, the Congress and the President of the United States have designated May 15 as Peace Officer's Memorial Day, and the week in which May 15 falls as National Police week; and

WHEREAS, the members of the police department of King City, Oregon play an essential role in safeguarding the rights and freedoms of the citizens of King City; and

WHEREAS, it is vital that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of the members of the King City Police Department, and that members of the King City police department recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the rights and dignity of all citizens.

WHEREAS, the members of the King City Police Department unceasingly provide a vital public service;

NOW, THEREFORE, I the Mayor of King City, Oregon call upon all citizens of King City and upon all professional, civic, and educational organizations to observe the week of May 10-16, 2020 as Police Officer Memorial Week. A week that all of our citizens may join in commemorating law enforcement officers, past and present, who by their faithful and loyal devotion to their responsibilities, have rendered dedicated service to their communities and in doing so have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

I further call upon all citizens of King City, Oregon to observe May 15, 2020 as Police Officers' Memorial Day in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their communities or have become disable in the performance of their duty, and let us recognize and pay respect to the survivors of our fallen heroes.

In witness thereof, I have hereunto set my hand and caused the Seal of the City of King City to be affixed on this 15<sup>th</sup> day of April 2020.

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Kenneth Gibson, Mayor

ATTEST:

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Ronnie Smith, City Recorder