



## Medford City Council Meeting

# Agenda

**January 21, 2016**

**12:00 Noon & 7:00 p.m.**

**Medford City Hall, Council Chambers  
411 West Eighth Street, Medford, Oregon**

### **10. Roll Call**

#### **Employee Recognition**

#### **McLoughlin Middle School Students of the Month**

### **20. Approval or Correction of the Minutes of the January 7, 2016 Regular Meeting**

### **30. Oral Requests and Communications from the Audience**

Comments will be limited to 3 minutes per individual or 5 minutes if representing a group or organization. PLEASE SIGN IN.

### **40. Consent Calendar**

### **50. Items Removed from Consent Calendar**

### **60. Ordinances and Resolutions**

60.1 COUNCIL BILL 2016-09 A resolution denying an appeal from Rogue Retreat pertaining to a request for reduction of Street System Development Charges.

60.2 COUNCIL BILL 2016-10 An ordinance awarding a contract in an amount of \$521,496.72 to Smith CFI, to purchase and install commercial furniture for the new Medford Police Station project.

60.3 COUNCIL BILL 2016-11 An ordinance repealing sections 8.3000, 8.3001, 8.3002, 8.3003, 8.3004, 8.3005, 8.3006, 8.3007, 8.3008, and 8.3009 of the Medford Code pertaining to tax on marijuana businesses.

60.4 COUNCIL BILL 2016-12 A resolution adopting the fourth Supplemental Budget for the 2015-17 biennium.

### **70. Council Business**

### **80. City Manager and Other Staff Reports**

80.1 Costco mitigation

80.2 Planning highlights

80.3 Further reports from City Manager

**90. Propositions and Remarks from the Mayor and Councilmembers**

90.1 Proclamations issued:  
Medford School Choice Week – January 24 through 30, 2016

90.2 Further Council committee reports

90.3 Further remarks from Mayor and Councilmembers

**100. Adjournment**

**EVENING SESSION**

**7:00 P.M.**

**Roll Call**

**110. Oral Requests and Communications from the Audience**

Comments will be limited to 3 minutes per individual or 5 minutes if representing a group or organization. PLEASE SIGN IN.

**120. Public Hearings**

Comments are limited to a total of 30 minutes for applicants and/or their representatives. You may request a 5-minute rebuttal time. Appellants and/or their representatives are limited to a total of 30 minutes and if the applicant is not the appellant they will also be allowed a total of 30 minutes. All others will be limited to 3 minutes per individual or 5 minutes if representing a group or organization. PLEASE SIGN IN.

120.1 COUNCIL BILL 2016-13 An ordinance amending sections 3.811, 3.834, 3.835, 3.839, 3.890, and 3.891 of the Medford Code pertaining System Development Charges.

**130. Ordinances and Resolutions**

**140. Council Business**

**150. Further Reports from the City Manager and Staff**

**160. Propositions and Remarks from the Mayor and Councilmembers**

160.1 Further Council committee reports

160.2 Further remarks from Mayor and Councilmembers

**170. Adjournment**



**CITY OF MEDFORD**  
**AGENDA ITEM COMMENTARY**

Item No: 60.1

www.ci.medford.or.us

---

**DEPARTMENT:** Public Works  
**STAFF PHONE:** (541) 774-2100  
**STAFF CONTACT:** Cory Crebbin, P.E., Public Works Director

**AGENDA SECTION:** Ordinances & Resolutions  
**MEETING DATE:** January 21, 2016

---

**COUNCIL BILL 2016-09**

A resolution denying an appeal from Rogue Retreat pertaining to a request for reduction of Street System Development Charges.

**ISSUE STATEMENT & SUMMARY:**

The City Council voted to deny the appeal of Street SDCs after a public hearing on January 7, 2016.

**BACKGROUND:**

The applicant appealed the amount of Street SDCs for the construction of two apartments. The Council held a public hearing on January 7, 2016 and voted to deny the appeal based on the information provided.

**A. Council Action History**

City Council heard the appeal and held a public hearing on January 7, 2016. After deliberation, the Council voted to deny the appeal.

**B. Analysis**

MMC 3.816(1)(b) establishes that "if rooms contain kitchen facilities, then they shall be considered 'multi-family'". Table 3.1 in the MMC establishes the trip ends per unit as 6.6 for multi-family.

MMC 3.814(3) specifies that "The decision of the City Council in these matters shall be based on the primary nature of the establishment and not by the amount of traffic generated by it.

**C. Financial and/or Resource Considerations**

None.

**D. Timing Issues**

None.

**STRATEGIC PLAN:**

Not applicable.

**COUNCIL OPTIONS:**

1. Adopt the resolution.
2. Modify the resolution.
3. Do not adopt the resolution.

**STAFF RECOMMENDATIONS:**

Deny the appeal.

**SUGGESTED MOTION:**

I move to adopt the resolution denying the appeal requesting a reduction of street SDCs.

**EXHIBITS:**

Resolution

RESOLUTION NO. 2016-09

A RESOLUTION denying an appeal from Rogue Retreat pertaining to a request for reduction of Street System Development Charges.

WHEREAS, Rogue Retreat appealed the amount of Street System Development charges for the construction of two apartments; and

WHEREAS, City Council held a public hearing on January 7, 2016 and voted to deny to the appeal based on Medford Municipal Code section 3.816(1)(b), which establishes that if rooms contain kitchen facilities, they shall be considered “multi-family” and Medford Municipal Code section 3.814(3) which specifies that the Council decision shall be based on the “primary nature” of the establishment and not by the amount of traffic generated by it; now therefore;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MEDFORD, OREGON:

That an appeal from Rogue Retreat pertaining to a request for reduction of Street System Development Charges, is hereby denied.

PASSED by the Council and signed by me in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

ATTEST: \_\_\_\_\_  
City Recorder

\_\_\_\_\_  
Mayor



# CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 60.2

[www.ci.medford.or.us](http://www.ci.medford.or.us)

---

**DEPARTMENT:** Police; City Manager's Office      **AGENDA SECTION:** Ordinances & Resolutions  
**STAFF PHONE:** (541) 774-2657, Greg McKown      **MEETING DATE:** January 21, 2016  
(541) 774-2273, Randy Sparacino  
**STAFF CONTACT:** Randy Sparacino, Interim Police Chief  
Greg McKown, Facilities & Project Manager

---

## **COUNCIL BILL 2016-10**

An ordinance awarding a contract in an amount of \$521,496.72 to Smith CFI, to purchase and install commercial furniture for the new Medford Police Station project.

### **ISSUE STATEMENT & SUMMARY:**

The Police and City Manager's Departments are seeking Council approval of an ordinance to award a contract to Smith CFI in the amount of \$521,496.72 for the purchase and installation of commercial furniture for the new Medford Police Station project. The contract with Smith CFI is through an existing Oregon cooperative contract with Oregon State University.

### **BACKGROUND:**

#### **A. Council Action History**

Council authorized the issuance of bonds not to exceed \$38,155,000 and on December 13, 2015 the bonds were issued. Proceeds of the bonds were for Police, Fire, and Parks & recreation projects. Police was allocated \$22,091,399 of the bonds proceeds.

On May 15, 2014 Council authorized an exemption from competitive bidding and awarding a Construction Manager/General Contractor contract to Adroit Construction.

On September 3, 2015 Council instructed staff to proceed with the Police Station project GMP and the project team continue value engineering the project to reduce costs while moving forward with construction.

On October 1, 2015 Council authorized execution of an amendment to the Construction Manager/General Contractor contract with Adroit Construction for a new police station and secured parking structure; authorizing construction in an amount not to exceed \$19,645,601.

#### **B. Analysis**

During the October 1, 2015 Council meeting to consider approval of Ordinance 2015-99 for the amendment of the police station construction GMP, Council discussed the fixtures, furniture and equipment cost as well as staff efforts to reduce costs. Staff reported that value engineering efforts had brought the construction GMP down \$642,840 since September 3, 2015. Staff also reported on an effort to use an existing cooperative furniture and services contract with the University of Oregon to save money on the purchase and installation of all furniture needed for this project.

In Oregon the order of preference is to check for and use an existing cooperative procurement before putting a Request for Proposal (RFP) or Invitation to Bid (ITB) on the open market. These cooperative agreements allow public entities to save public funds by obtaining goods and services through higher volume contracts and obtain the best price without spending valuable time and resources duplicating the procurement process.

Through use of the permissive cooperative procurement, the City saved \$22,500 in design services that would have been necessary with the project architect under RFP or ITB procurements.



# CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 60.2

[www.ci.medford.or.us](http://www.ci.medford.or.us)

---

## **C. Financial and/or Resource Considerations**

\$431,496.72 of the project budget is allocated to the police building furniture under project PD0076 and \$90,000 in police forfeiture funds is allocated to the police building furniture under project PD0070 and PD0071. Therefore acceptance of a furniture procurement of \$521,496.72 is within the funds available for the project.

## **D. Timing Issues**

Furniture is a long lead item and is purchased in advance for manufacturing and production scheduling. Authorization of the furniture procurement will assist in maintaining the police station project completion schedule.

## **STRATEGIC PLAN:**

Theme: Safe Community

Goal 1: Ensure a safe community by protecting people, property and the environment.

Object 1.4: Direct law enforcement strategies to respond most effectively to crime trends and emerging issues.

Action: 1.4a – 1.4d

## **COUNCIL OPTIONS:**

1. Approve the ordinance authorizing award of a contract to Smith CFI in the amount of \$521,496.72 for the purchase and installation of commercial furniture for the new Medford Police Station project.
2. Deny the ordinance authorizing award of a contract to Smith CFI in the amount of \$521,496.72 for the purchase and installation of commercial furniture for the new Medford Police Station project.

## **STAFF RECOMMENDATIONS:**

Staff recommends the approval of the ordinance authorizing award of a contract to Smith CFI in the amount of \$521,496.72 for the purchase and installation of commercial furniture for the new Medford Police Station project.

## **SUGGESTED MOTION:**

We move to approve the ordinance authorizing award of a contract to Smith CFI in the amount of \$521,496.72 for the purchase and installation of commercial furniture for the new Medford Police Station project.

## **EXHIBITS:**

Ordinance

Contract is on file in the City Recorder's Office

ORDINANCE NO. 2016-10

AN ORDINANCE awarding a contract in an amount of \$521,496.72 to Smith CFI, to purchase and install commercial furniture for the new Medford Police Station project.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

That a contract in an amount of \$521,496.72 to purchase and install commercial furniture for the new Medford Police Station project, which is on file in the City Recorder's office, is hereby awarded to Smith CFI.

PASSED by the Council and signed by me in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

ATTEST: \_\_\_\_\_  
City Recorder

\_\_\_\_\_  
Mayor

APPROVED \_\_\_\_\_, 2016.

\_\_\_\_\_  
Mayor



# CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 60.3

[www.ci.medford.or.us](http://www.ci.medford.or.us)

**DEPARTMENT:** Legal Department

**AGENDA SECTION:** Ordinances & Resolutions

**STAFF PHONE:** (541) 774-2020

**MEETING DATE:** January 21, 2016

**STAFF CONTACT:** Kevin R. McConnell, Deputy City Attorney

## **COUNCIL BILL 2016-11**

An ordinance repealing sections 8.3000, 8.3001, 8.3002, 8.3003, 8.3004, 8.3005, 8.3006, 8.3007, 8.3008, and 8.3009 of the Medford Code pertaining to tax on marijuana businesses.

### **ISSUE STATEMENT & SUMMARY:**

On October 30, 2014, the Council adopted a tax on state-licensed marijuana producers, wholesalers, processors and retailers (6% sales tax on marijuana retailers; 8% sales tax on marijuana producers, processors and wholesalers). In light of the Legislature's passage of HB 3400 and the Council's adoption of an ordinance imposing a 3% sales tax on marijuana items sold by a marijuana retailer which is being referred to the voters (2015-132), staff recommends the Council repeal the 2014 Tax on Marijuana Businesses ordinance (Tax on Marijuana Businesses).

### **BACKGROUND:**

HB 3400 works to explicitly preempt local governments from imposing a tax on marijuana retail licensees. However, the Legislature carved out one exception to that prohibition, allowing local governments to impose up to a 3% sales tax on the marijuana items sold by a state-licensed marijuana retailer (Section 34a of HB 3400).

#### **A. Council Action History**

On the date the Council adopted the Tax on Marijuana Businesses, the text of Measure 91 (which passed one week later) did not either explicitly or implicitly preempt local governments from imposing a tax on marijuana licensees. To bolster its position, the City, (along with numerous other municipalities) adopted tax ordinances ahead of the potential passage of Measure 91.

#### **B. Analysis**

HB 3400 was signed by the Governor on June 30, 2015. HB 3400 in part worked to implement the voters' passage of Measure 91. While HB 3400 assisted local governments by allowing for the imposition of reasonable time, place and manner regulations on retail marijuana licensees (which the City has taken advantage of), the Legislature clearly intended to preclude local governments from taxing marijuana items in a manner inconsistent with Section 34a. As such, the City's Tax on Marijuana Businesses is vulnerable and would more than likely be overturned if challenged.

#### **C. Financial and/or Resource Considerations**

The repeal of the Tax on Marijuana Businesses ordinance will not affect City finances or resources. While the ordinance was technically on the books, the City never collected any taxes for two reasons: 1) the City maintained a moratorium on the issuance of businesses licenses to marijuana licensees until the passage of Ordinance 2015-104 and 2) the OLCC just began rolling out licenses to marijuana businesses in January 2016.

#### **D. Timing Issues**

This action to repeal the existing code sections pertaining to a tax on marijuana businesses should be done prior to the ballot for a 3% tax on marijuana retailers is referred to the voters in November.

### **STRATEGIC PLAN:**

Theme: Safe Community.

Goal 1: Ensure a safe community by protecting people, property and the environment.



**CITY OF MEDFORD  
AGENDA ITEM COMMENTARY**

Item No: 60.3

[www.ci.medford.or.us](http://www.ci.medford.or.us)

---

**COUNCIL OPTIONS:**

1. Approve the ordinance.
2. Deny the ordinance.

**STAFF RECOMMENDATIONS:**

Staff recommends approval of the ordinance.

**SUGGESTED MOTION:**

I move to approve the ordinance repealing Sections 8.3000 to 8.3009 of the Medford Code.

**EXHIBITS:**

Ordinance

ORDINANCE NO. 2016-11

AN ORDINANCE repealing sections 8.3000, 8.3001, 8.3002, 8.3003, 8.3004, 8.3005, 8.3006, 8.3007, 8.3008, and 8.3009 of the Medford Code pertaining to tax on marijuana businesses.

Section 1. Section 8.3000 of the Medford Code is hereby repealed:

~~8.3000 Purpose of Tax.~~

~~The Council declares that the purpose of the levy of the taxes imposed by this Ordinance is for raising funds for the payment of direct and indirect expenses related to the licensing and regulation of the retail marijuana industry, enforcement of marijuana laws in general, educational and public health programs to mitigate any negative consequences associated with the consumption of marijuana and marijuana products, programs to prevent the illegal diversion of marijuana to persons under the age of twenty-one (21); and to otherwise pay the expenses of operating and improving the City and its facilities.~~

Section 2. Section 8.3001 of the Medford Code is hereby repealed:

~~8.3001 Definitions.~~

- ~~(1) "Consumer" means a person who purchases, acquires, owns holds or uses marijuana items other than for the purpose of resale.~~
- ~~(2) "Marijuana" means all parts of the plant Cannabis family Moraceae, whether growing or not, other than marijuana extracts.~~
- ~~(3) "Marijuana extract" means a product obtained by separating the resins from marijuana by solvent extraction, using solvents other than vegetable glycerin, such as butane, hexane, isopropyl alcohol, ethanol and carbon dioxide.~~
- ~~(4) "Marijuana items" means marijuana, marijuana products and marijuana extracts.~~
- ~~(5) "Marijuana Processor" means a person who processes marijuana within the City.~~
- ~~(6) "Marijuana Producer" means a person who produces marijuana within the City.~~
- ~~(7) "Marijuana products" means products that contain marijuana or marijuana extracts and are intended for human consumption, but does not include marijuana by itself or a marijuana extract by itself.~~
- ~~(8) "Marijuana Retailer" means a person who sells marijuana items to a consumer in the City.~~
- ~~(9) "Marijuana Wholesaler" means a person who purchases marijuana items for resale to a person other than a consumer within the City.~~
- ~~(10) "Person" means any natural person, corporation, professional corporation, nonprofit corporation, cooperative corporation, profit or nonprofit unincorporated association, business trust, limited liability company, general or limited partnership, joint venture, or any other legal entity.~~
- ~~(11) "Processes" means any of the following: (1) the processing, compounding, or conversion of marijuana into marijuana products or marijuana extracts; (2) the processing, compounding, or conversion of marijuana, either directly or indirectly by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis; (3) the packaging or repackaging of marijuana items; (4) the labeling~~

~~\_\_\_\_\_ or relabeling of any package or container of marijuana items.~~

~~(12) "Produces" means the manufacture, planting, cultivation, growing or harvesting of marijuana.~~

~~(13) "Sale" or "Sold" means any transfer, exchange or barter, in any manner or by any means, and includes and means all sales made by a person. It includes a gift by a person engaged in the business of selling marijuana items, for advertising, as a means of evading this Ordinance, or for any other purpose.~~

Section 3. Section 8.3002 of the Medford Code is hereby repealed:

~~8.3002 Tax Imposed.~~

~~(1) There is levied and shall be collected upon all sales of marijuana items to a consumer by a Marijuana Retailer a gross receipts tax at the rate of six (6) percent of the amount of the sale.~~

~~(a) The maximum tax rate that may be imposed pursuant to this subsection is eighteen (18) percent. The City may, by ordinance:~~

~~(i) Establish another tax rate to be imposed that is equal to or less than the maximum eighteen (18) percent tax rate provided in this subsection; or~~

~~(ii) After establishing a tax rate that is lower than eighteen (18) percent, increase the tax rate to be imposed pursuant to this subsection; except that, in no event shall the City increase the tax rate above eighteen (18) percent of the sale of marijuana items.~~

~~(2) There is levied and shall be collected upon all sales of marijuana items by Marijuana Producers, Marijuana Processors and Marijuana Wholesalers an excise tax of eight (8) percent. The excise tax shall be imposed as follows:~~

~~(a) Marijuana Producers: upon the sale of marijuana items to a Marijuana Wholesaler, Marijuana Processor or Marijuana Retailer;~~

~~(b) Marijuana Processors: upon the sale of marijuana items to a Marijuana Retailer or Marijuana Wholesaler;~~

~~(c) Marijuana Wholesalers: upon the sale of marijuana items to a Marijuana Processor or Marijuana Retailer.~~

~~(d) The maximum tax rate that may be imposed pursuant to this subsection is eighteen (18) percent. The City may, by ordinance:~~

~~(i) Establish another tax rate to be imposed that is equal to or less than the maximum eighteen (18) percent tax rate provided in this subsection;~~

~~(ii) After establishing a tax rate that is lower than eighteen (18) percent, increase the tax rate to be imposed pursuant to this subsection; except that, in no event shall the City increase the tax rate above eighteen (18) percent of the sale of marijuana items;~~

~~(iii) Establish separate tax rates for Marijuana Producers, Marijuana Processors and Marijuana Wholesalers, except that, in no event shall the City increase the tax rate above eighteen (18) percent of the sale of marijuana items.~~

Section 4. Section 8.3003 of the Medford Code is hereby repealed:

~~8.3003 Collection of Tax; Administration and Enforcement.~~

~~(1) Every Marijuana Producer, Wholesaler, Processor and Retailer subject to this Ordinance shall~~

~~collect the applicable tax as provided for in section 8.3002. The tax collected by a Marijuana Producer, Wholesaler, Processor and Retailer constitutes a debt owing to the City.~~

~~(2) The Finance Director shall enforce the provisions of this Ordinance and shall have the power to adopt rules and regulations not inconsistent with this Ordinance as may be necessary to aid in its enforcement.~~

~~(3) Every Marijuana Producer, Wholesaler, Processor and Retailer shall keep complete and accurate electronic records in an accounting format established by the Finance Director relating to the sale of marijuana items. All records shall be kept for a period of three (3) years. The Finance Director shall have the right to inspect such records at all reasonable times.~~

~~(4) It shall be unlawful for any Marijuana Producer, Wholesaler, Processor and Retailer subject to this Ordinance to engage in the sale of marijuana items without a business license as required by the Code.~~

~~(5) The following deductions shall be allowed against sales of marijuana items received by a Marijuana Producer, Wholesaler, Processor and Retailer:~~

~~—— (a) Refunds of sales actually returned;~~

~~—— (b) Any adjustments in sales which amount to a refund, providing such adjustment pertains to the actual sale of marijuana items and does not include any adjustments for other services furnished by a Marijuana Producer, Wholesaler, Processor or Retailer.~~

~~(6) All amounts of such taxes collected by a Marijuana Producer, Wholesaler, Processor and Retailer are due and payable to the Finance Director on a monthly basis on or before the last day of the month immediately following for the preceding month, and are delinquent if not paid by the due date. Each person subject to this Ordinance shall make a return to the Finance Director, on forms provided by the City, specifying the total sales and amount of tax collected. At the time the return is filed, the full amount of the tax collected shall be remitted. For good cause shown, the Finance Director may extend the time for filing a return or paying the tax for not more than one (1) month. Any further extension may be granted only by the Council.~~

~~(7) If an extension is granted, a Marijuana Producer, Wholesaler, Processor and Retailer shall pay interest at the rate of three (3) percent per month on the amount of the tax due, without proration for a fraction of a month. If a return is not filed and if the tax and interest due are not paid in full by the end of the extension period, the interest shall become part of the tax for computation of penalties prescribed in section 8.3004.~~

Section 5. Section 8.3004 of the Medford Code is hereby repealed:

#### ~~8.3004 Penalties And Interest.~~

~~(1) Any Marijuana Producer, Wholesaler, Processor or Retailer that fails to remit any portion of the tax imposed within the time required shall pay a penalty of ten (10) percent of the amount of the tax.~~

~~(2) Any Marijuana Producer, Wholesaler, Processor or Retailer that fails to remit any delinquent remittance on or before a period of sixty days following the date on which the remittance became delinquent shall pay a second delinquency penalty of fifteen (15) percent of the amount of the tax, in addition to the amount of the tax and penalty first imposed.~~

~~(3) If the Finance Director determines that the nonpayment of any remittance due under this Ordinance is due to fraud, a penalty of twenty five (25) percent of the amount of the tax shall be added thereto, in addition to the penalties stated in subsection 8.3004(1).~~

~~(4) In addition to the penalties imposed, any Marijuana Producer, Wholesaler, Processor or Retailer that fails to remit any tax imposed shall pay interest at the rate of one (1) percent per month or fraction thereof on the amount of the tax, exclusive of penalties, from the date on which the remittance first became delinquent until paid.~~

~~(5) Every penalty imposed, and such interest as accrues under the provisions of this section, shall become a part of the tax required to be paid.~~

Section 6. Section 8.3005 of the Medford Code is hereby repealed:

~~8.3005 Appeal.~~

~~Any Marijuana Producer, Wholesaler, Processor or Retailer aggrieved by any decision of the Finance Director with respect to the amount of tax imposed or interest and penalties may appeal to the Council by filing a notice of appeal using the Uniform Appeal and Hearing Procedure set out at section 1.025 of the Code.~~

Section 7. Section 8.3006 of the Medford Code is hereby repealed:

~~8.3006 Actions to Collect.~~

~~(1) Any tax required to be paid to the City or collected and has not been paid to the City by any Marijuana Producer, Wholesaler, Processor or Retailer shall be deemed a debt owed to the City.~~

~~(2) Within three years after the tax becomes payable or within three years after a determination becomes final, the City may bring an action in the name of the city in the courts of this state, another state or the United States to collect the amount delinquent and penalties and interest.~~

~~(3) In lieu of filing an action for the recovery, the City may submit any outstanding tax to a collection agency if such taxes are more than thirty (30) days delinquent. So long as the City has complied with ORS 697.105, the City may add to the amount owing an amount equal to the collection agency fees, not to exceed the greater of fifty (50) dollars or fifty (50) percent of the outstanding tax, penalties and interest owing.~~

Section 8. Section 8.3007 of the Medford Code is hereby repealed:

~~8.3007 Confidentiality.~~

~~(1) Except as otherwise required by law, it shall be unlawful for the City, any officer, employee or agent to divulge, release or make known in any manner any financial information submitted or disclosed to the City under the terms of this Ordinance. Nothing in this Ordinance shall prohibit:~~

~~(a) The disclosure of the names and addresses of any person operating a Marijuana Producer, Wholesaler, Processor or Retailer;~~

~~(b) The disclosure of general statistics in a form which would not reveal the financial information of a Marijuana Producer, Wholesaler, Processor or Retailer;~~

~~(c) Presentation of evidence to a court, or other tribunal having jurisdiction in the prosecution of any criminal action, civil claim or appeal from the Finance Director for amount due the City under this Ordinance;~~

~~(d) The disclosure of information when such disclosure is required by the Public Records Law, or disclosure of conditionally exempt information when ordered by the Jackson County District~~

~~Attorney or any court.~~

Section 9. Section 8.3008 of the Medford Code is hereby repealed:

~~8.3008 Violation of Ordinance.~~

~~(1) Violation of a provision of this Ordinance constitutes a violation punishable by a fine as set forth in section 1.100 of the Code. Each day in which a violation is caused or permitted to exist constitutes a separate violation.~~

~~(2) Notwithstanding section 8.3008(1), violation of section 8.3004(3) constitutes a crime, and shall be punishable as set forth in section 5.990(1) of the Code.~~

~~(3) The remedies provided by this section are not exclusive and shall not prevent the City from exercising any other remedy available under the law, nor shall the provisions of this ordinance prohibit or restrict the City or other appropriate prosecutor from pursuing criminal charges under state law.~~

Section 10. Section 8.3009 of the Medford Code is hereby repealed:

~~8.3009 Severability.~~

~~The sections, subsections, paragraphs and clauses of this Ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.~~

PASSED by the Council and signed by me in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

ATTEST: \_\_\_\_\_  
City Recorder

\_\_\_\_\_  
Mayor

APPROVED \_\_\_\_\_, 2016.

\_\_\_\_\_  
Mayor



# CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 60.4

www.ci.medford.or.us

**DEPARTMENT:** Finance  
**STAFF PHONE:** (541) 774-2030  
**STAFF CONTACT:** Alison Chan, Finance Director

**AGENDA SECTION:** Ordinances & Resolutions  
**MEETING DATE:** January 21, 2016

### COUNCIL BILL 2016-12

A resolution adopting the fourth supplemental budget for the 2015-2017 biennium.

#### ISSUE STATEMENT & SUMMARY:

The Finance Department is presenting a supplemental budget which will affect the General Fund, the Police Public Safety Utility Fund and the Fire Public Safety Utility Fund. ORS 294.471 provides for a Supplemental Budget process.

#### BACKGROUND:

##### General Fund:

The General Fund had four projects that did not spend as projected prior to June 30, 2015. This resulted in insufficient funds being carried forward and a greater than budgeted ending fund balance. This supplemental budget will re-appropriate and transfer funds as follows:

PR0105 - Hawthorne Park Rehabilitation	\$ 925,500
PR0106 – Hawthorne Park Art on the Viaduct	25,000
BR0086 – Fire Station #4 Temporary Apparatus Bay	145,900
BR0087 – Fire Station #4 Temporary Housing	53,560
Total	<u>\$ 1,149,960</u>
Re-appropriate from Beginning Fund Balance	\$ 1,127,310
Transfer from projects	22,650
Total	<u>\$ 1,149,960</u>

The Parks & Recreation Department is requesting to recognize and appropriate \$16,530 of unbudgeted revenue. The Park Foundation is donating \$8,000 for the “skate spot” and the Oregon Energy Trust has rebated \$8,530 for the lighting installed at the park. This supplemental budget recognizes the revenue and increases appropriations as follows:

PR0105 - Hawthorne Park Rehabilitation	\$ 16,530
--	-----------

The City Manager’s Office is requesting to recognize and appropriate \$23,830 of unbudgeted revenue. The revenue is Neighborhood Stabilization Program (NSP) program income. This supplemental budget recognizes the revenue and increases appropriations for NSP down payment assistance program. The NSP program provides down payment assistance for low and moderate income households to purchase foreclosed homes in the NSP1 target area.

The Fire Department is requesting to recognize and appropriate \$25,000 of unbudgeted revenue. The revenue is from the State of Oregon for conflagration response to fires in northern Oregon. The City will receive total revenue of \$177,000 with \$133,000 for overtime reimbursement and \$44,000 for reimbursement for use of City fire equipment. The increased appropriation request is for the installation of the station alerting equipment at Fire Station #3. The remaining \$152,000 of conflagration response revenue is not being recognized at this time.

The Fire Department is requesting to recognize and appropriate \$3,000 of unbudgeted revenue. It was revenue received on the trade in of extrication equipment. The corresponding appropriation is a transfer to the Fire Public Safety Utility Fund.



# CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 60.4

www.ci.medford.or.us

## Police Public Safety Utility Fund:

The Police Public Safety Utility Funds had projects that did not spend as projected prior to June 30, 2015. This led to insufficient funds being carried forward and a greater than budgeted ending fund balance. This supplemental budget will re-appropriate the funds as follows:

PD0076 – Police Headquarters	\$ 147,900
PD0077 – Police Secure Parking Garage	<u>471,470</u>
Total	<u>\$ 619,370</u>

The Police Department is requesting to recognize and appropriate \$998,130 of unbudgeted transfer revenue. The corresponding appropriation is as follows:

PD0076 – Police Headquarters	\$ 627,200
PD0077 – Police Secure Parking Garage	<u>370,930</u>
Total	<u>\$ 998,130</u>

The Police Department is requesting to recognize and appropriate \$82,200 of unbudgeted revenue. The revenue is from the Oregon Energy Trust and Avista for the lighting, PV Array, and the HVAC boilers that will be installed in the Police headquarters and the secure parking garage. The corresponding appropriation is as follows:

PD0076 – Police Headquarters	\$ 66,490
PD0077 – Police Secure Parking Garage	<u>15,710</u>
Total	<u>\$ 82,200</u>

The Public Safety Utility Fund (Fund 10) accounted for the monthly public safety fees collected to hire and equip additional police and fire personnel. In December of 2013, the monthly public safety fees were increased and bonds were issued to fund the building of the Police headquarters, Police parking, and three Fire stations. Keeping track of the two departments within one fund became more complex and as of July 1, 2015 a second fund was created and the Public Safety Utility Fund was split into two funds. Fund 10 became the **Police** Public Safety Utility Fund and Fund 11 became the **Fire** Public Safety Utility Fund. The ending fund balance in Fund 10 that was associated with Fire was projected to be \$10,148,530. The transfer of \$10,148,530 was budgeted. The actual ending fund balance was \$10,366,160. The difference of \$217,630 needs to be transferred to the new Fire Public Safety Fund. This supplemental budget adds the \$217,630 transfer from the Police Public Safety Fund to the Fire Public Safety Fund.

## Fire Public Safety Utility Fund:

The Fire Department is requesting to recognize and appropriate \$217,630 of unbudgeted transfer revenue from the Police Public Safety Utility Fund. The Fire projects in Fund 10 did not spend as projected prior to June 30, 2015. This led to insufficient funds being transferred with the division into two funds. This supplemental budget will recognize and appropriate \$217,630 of transfer revenue:

BR0071 – Fire Station #2	\$ 95,300
BR0072 – Fire Station #3	58,230
BR0073 – Fire Station #4	<u>64,100</u>
Total	<u>\$ 217,630</u>

The cost estimates for the Police Headquarters, Secure Parking Garage and the three Fire Station projects (#2, #3, #4) were greater than originally anticipated and therefore only two Fire Station projects (#2, #4) are proceeding at this time. The project budgets for Fire Stations #2 and #4 are being increased



# CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 60.4

www.ci.medford.or.us

and funds are being transferred to the Police Public Safety Utility Fund. The amounts being transferred are as follows:

BR0071 - Fire Station #2	\$ 1,357,500
BR0072 - Fire Station #3	(3,039,530)
BR0073 - Fire Station #4	683,900
Transfer to Police Public Safety Utility Fund	<u>998,130</u>
Total	<u>0</u>

The Fire Department is requesting to recognize and appropriate \$23,820 of unbudgeted revenue. The revenue is from the Oregon Energy Trust for the PV Array that will be installed at Fire Station #4. The corresponding appropriation is as follows:

BR0073 - Fire Station #4	\$ 23,820
--------------------------	-----------

The Fire Department is requesting to recognize and appropriate \$14,300 of unbudgeted revenue. The revenue is from the cancelation of the Builders Risk Policy Insurance on the three fire station projects. The corresponding appropriations are as follows:

BR0071 - Fire Station #2	\$ 4,000
BR0072 - Fire Station #3	5,150
BR0073 - Fire Station #4	<u>5,150</u>
Total	<u>\$ 14,300</u>

The Fire Department is requesting to recognize and appropriate \$3,000 of unbudgeted transfer revenue from the General Fund. The corresponding appropriation is as follows:

BR0072 - Fire Station #3	\$ 3,000
--------------------------	----------

### A. Council Action History

The biennium budget was approved in June of 2015. This is the fourth supplemental budget of the biennium.

### B. Analysis

ORS 294.471 provides for a supplemental budget process. A supplemental budget is required to increase appropriations.

### C. Financial and/or Resource Considerations

The proposed resolution will increase appropriations in the General Fund by \$1,195,670, Police Public Safety Utility Fund by \$1,917,330 and Fire Public Safety Utility Fund by \$258,750. Additionally, this resolution will transfer \$22,650 of appropriations within the General Fund and \$3,039,530 of appropriations within the Fire Public Safety Utility Fund.

### D. Timing Issues

None.

### STRATEGIC PLAN:

Theme: Responsive Leadership

Goal 12: Ensure financial stewardship and long-term municipal financial stability for City services, assets and facilities.



**CITY OF MEDFORD**  
**AGENDA ITEM COMMENTARY**

Item No: 60.4

[www.ci.medford.or.us](http://www.ci.medford.or.us)

---

**COUNCIL OPTIONS:**

1. Approve the resolution.
2. Modify the resolution.
3. Deny the resolution.

**STAFF RECOMMENDATIONS:**

Staff recommends approval of the resolution.

**SUGGESTED MOTION:**

I move to approve the resolution as outlined in the attached exhibit.

**EXHIBITS:**

Resolution

RESOLUTION NO. 2016-12

A RESOLUTION adopting the fourth Supplemental Budget for the 2015-17 biennium.

WHEREAS, a supplemental budget is required to change appropriations in certain circumstances under ORS 294.471; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MEDFORD, OREGON:

SECTION 1. The City Council hereby adopts the fourth Supplemental Budget for the 2015-17 biennium.

SECTION 2. The City Council hereby makes the new appropriations and transfers of appropriations for the 2015-17 biennium in the amounts and for the purposes shown on the Supplemental Budget Adjustment form which is attached hereto as Exhibit A and incorporated herein by reference.

PASSED by the Council and signed by me in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

ATTEST: \_\_\_\_\_  
City Recorder

\_\_\_\_\_  
Mayor

<b>CITY OF MEDFORD</b>		<b>Supplemental Appropriation Modification per ORS 294-.471</b>	
Requesting Department: Finance		Biennium	FY15/16 - FY16/17
Date of Proposed Council Action: 1/21/16		Date	January 13, 2016
Explanation of Requested Transfer: See AIC			

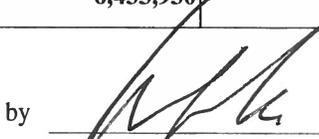
Account Number	Description	Project Number	Debit	Credit
001-5208-652.51-00	CIP Hawthorne Prk	PR0105	942,030	
001-5208-652.51-00	CIP Hawthorne Prk	PR0106	25,000	
001-1102-611.51-00	CIP Temp Bay	BR0086	145,900	
001-1102-611.51-00	CIP Temp Housing	BR0087	53,560	
001-0000-400.03-01	Park Foundation Donation	PR0105		8,000
001-0000-330.03-02	Donations	PR0105		8,530
001-1102-611.51-00	CIP FS5	BR0074		1,620
001-1102-611.51-00	CIP FS6	BR0075		21,030
001-0000-599.00-00	Beginning Fund Balance			1,127,310
001-0102-663.27-99	Grants	PG0050	23,830	
001-0000-330.01-05	Grants	PG0050		23,830
001-3702-642.25-08	Radio Maintenance		25,000	-
001-0000-330.02-01	State Grants			25,000
001-1608-614.70-11	Transfer		3,000	
001-0000-440.05-00	Sale of Property			3,000
011-3705-642.51-00	CIP FS3	BR0072	3,000	
011-0000-470.01-00	Transfer			3,000
010-3310-641.51-00	CIP Police Station	PD0076	147,900	
010-3310-641.51-00	CIP Police Parking	PD0077	471,470	
010-0000-599.00-00	Beginning Fund Balance		-	619,370
010-3310-641.51-00	CIP Police Station	PD0076	627,200	
010-3310-641.51-00	CIP Police Parking	PD0077	370,930	
010-0000-470.11-00	Transfer			998,130
011-1608-614.70-10	Transfer		998,130	

Account Number	Description	Project Number	Debit	Credit
011-3705-642.51-00	CIP FS3	BR0072		998,130
010-3310-641.51-00	CIP Police Station	PD0076	66,490	
010-3310-641.51-00	CIP Police Parking	PD0077	15,710	
010-0000-350.13-00	Misc Revenue			82,200
011-3705-642.51-00	CIP FS2	BR0071	95,300	
011-3705-642.51-00	CIP FS3	BR0072	58,230	
011-3705-642.51-00	CIP FS4	BR0073	64,100	-
011-0000-470.10-00	Transfer			217,630
010-1608-614.70-11	Transfer		217,630	-
010-0000-599.00-00	Beginning Fund Balance			217,630
011-3705-642.51-00	CIP FS2	BR0071	1,357,500	
011-3705-642.51-00	CIP FS4	BR0073	683,900	
011-3705-642.51-00	CIP FS3	BR0072		2,041,400
011-3705-642.51-00	CIP FS4	BR0073	23,820	
011-0000-350.05-00	Refunds			23,820
011-3705-642.51-00	CIP FS2	BR0071	4,000	
011-3705-642.51-00	CIP FS4	BR0073	5,150	
011-3705-642.51-00	CIP FS3	BR0072	5,150	
011-0000-350.05-00	Refunds			14,300
<b>TOTALS</b>			<b>6,433,930</b>	<b>6,433,930</b>

Requested by

  
**Department Head**

Approved by

  
**City Manager**  
*1/15/2011*



**CITY OF MEDFORD**  
**AGENDA ITEM COMMENTARY**

Item No: 120.1

www.ci.medford.or.us

**DEPARTMENT:** Public Works  
**PHONE:** (541) 774-2100  
**STAFF CONTACT:** Cory Crebbin, Public Works Director

**AGENDA SECTION:** Public Hearings  
**MEETING DATE:** January 21, 2016

**COUNCIL BILL 2016-13**

**PUBLIC HEARING:** An ordinance amending sections 3.811, 3.834, 3.835, 3.839, 3.890, and 3.891 of the Medford Code pertaining System Development Charges.

**ISSUE STATEMENT & SUMMARY:**

An ordinance amending Sections 3.811, 3.834, 3.835, 3.839, 3.890, and 3.891 of the Medford Municipal Code related to the Street, Sewer Collection, and Storm Drainage System Development Charges.

**BACKGROUND:**

The street SDC fee is to be reduced once sufficient funds have been collected to complete the 17 Transportation Projects list per MMC 3.811(8). It is estimated funds will be fully collected in the spring of 2016. Concurrent with the reduction, Street, Sewer Collection and Storm Drainage SDCs will be adjusted. A Notice of Public Hearing was issued on September 29, 2015, indicating a public hearing would be held on January 21, 2016 at 7:00 p.m.

**A. Council Action History**

SDCs were discussed at two Council study sessions: January 29, 2015 and August 27, 2015.

**B. Analysis**

This ordinance will adjust the Street, Sanitary Sewer Collection and Storm Drain SDCs. The last Street SDC adjustment was in 2011; the Sewer Collection and Storm Drainage SDCs have not been adjusted since 2010. Language was added to link each SDC to the Engineering News Record Construction Cost Index. Additional proposed changes for each SDC are as follows:

Street SDC (Section 3.811)

The Construction Cost Factor is reduced by \$96,895 (21.3%), and the Right-of-Way Cost Factor is reduced by \$1,831 (1.25%) to remove the 17 Transportation Project list surcharges. The reduced Construction Cost Factor of \$357,812 and Right-of-Way Cost Factor of \$145,002 are each increased 12% to implement the Transportation System Plan assumption of a 3% increase per year. This results in a net reduction in the Street SDC of 6.4% for a single family residence.

Sewer Collection SDC (Sections 3.834 and 3.835)

The Sewer Collection SDC is increased 9%. Section 3.835 is revised to reflect current expenditure approval authority levels.

Storm Drainage SDC (Sections 3.890 and 3.891)

The definition of an "Equivalent Residential Unit" (ERU) is revised from 3,000 square feet of impervious area to 3,730 square feet to be consistent with the definition of an ERU for utility billing. The change is the result of GIS measurements within the City of Medford. The SDC per ERU, as well as Excess Capacity Credits are increased 6% to fund the cost of compliance with new regulations and increased costs to construct additional capacity.

Section 3.891 (2) is revised to be consistent with the methodology for runoff control measure credits in utility billing.



**CITY OF MEDFORD**  
**AGENDA ITEM COMMENTARY**

Item No: 120.1

[www.ci.medford.or.us](http://www.ci.medford.or.us)

---

**C. Financial and/or Resource Considerations**

Street SDC revenue will decrease. Sewer Collection and Storm Drain SDC revenues will increase. Overall Public Works SDCs will be reduced for a typical building permit.

**D. Timing Issues**

Code amendments need to be adopted prior to the expiration of the 17 Transportation Projects surcharge to ensure the rate adjustments occur simultaneously.

**STRATEGIC PLAN:**

Theme: Quality Public Services

Goal 10: Provide efficient and effective sewer and storm water services.

Objective 10.1: Ensure that costs associated with new development are borne by the developer and not by the public-at-large.

**COUNCIL OPTIONS:**

1. Approve the ordinance.
2. Modify the ordinance.
3. Deny the ordinance.

**STAFF RECOMMENDATIONS:**

Approve the ordinance.

**SUGGESTED MOTION:**

I move to approve the ordinance amending Sections 3.811, 3.834, 3.835, 3.839, 3.890, and 3.891 of the Medford Municipal Code (MMC) related to the Street, Sewer Collection, and Storm Drainage System Development Charges (SDCs).

**EXHIBITS:**

Ordinance

ORDINANCE NO. 2016-13

AN ORDINANCE amending sections 3.811, 3.834, 3.835, 3.839, 3.890, and 3.891 of the Medford Code pertaining to System Development Charges.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

Section 1. Section 3.811 of the Medford Code is amended to read as follows:

3.811 Methodology for Calculation of the SSDC.

\*\*\*

(2) The construction cost factor used in computing the Street Systems Development Charge shall be set at ~~\$454,707~~ as follows per lane mile. This value may be updated from time to time by the City Council.

**Prior to Termination of  
17-Transportation Surcharge**

**\$454,707**

**After Termination of  
17-Transportation Surcharge**

**\$400,749**

(3) The right-of-way cost factor used in computing the Street Systems Development Charge shall be set at the rate per lane mile of constructed street as shown below. This value may be updated from time to time by the City Council.

The following rate is hereby established for the right-of-way cost factor for one lane-mile of constructed street: ~~\$146,833~~

**Prior to Termination of  
17-Transportation Surcharge**

**\$146,833**

**After Termination of  
17-Transportation Surcharge**

**\$162,402**

\*\*\*

**(7) Rates shall be adjusted July 1 each year thereafter by the January to January Engineering News Record Construction Cost Index (ENR-CCI), beginning July 1, 2017.**

~~(7)~~ (8) Changes in the SSDC rate shall be applied to development applications and building permits as follows:

(a) Any complete application for a building permit for a project which has received the required approvals, such as Site Plan and Architectural Commission or Planning Commission approvals, and which has been entered into the City's computerized building permit system prior to the effective date of the change, or is submitted by 5:00 p.m. of the previous business day, will be charged the old SSDC rate. All others shall be charged the new rate.

~~(8) The construction cost factor and the right-of-way cost factor, as defined in subsections (2) and (3) of this section, were increased by \$33,220 and \$635, respectively, August 6, 1998, and again by \$63,675 and \$1,196, respectively, on January 1, 2001. These increases were intended to provide funding for the City's 17-Transportation Project list, adopted by the City Council in 1998. When sufficient funds have been collected to complete these projects, the construction cost factor and right-of-way cost factor in effect at that time shall be reduced by \$96,895 and \$1,831, respectively.~~

Section 2. Section 3.834 of the Medford Code is amended to read as follows:

3.834 Establishment of Values for Calculations of SCSDC.

The values to be used in calculating the Sanitary Sewer Collection SDC according to the methodology set forth above shall be set at the rate per equivalent residential unit (ERU) shown in the following table and shall be applied to the Schedule of Charges as found in Section 3.839 (a) to determine the fee charged for the various types of buildings and facilities listed therein. This value may be updated from time to time by the City Council based on available data and planning projections.

The following rates are hereby established for one ERU:

<u>July 1, 2008</u>	<u>July 1, 2009</u>	<u>July 1, 2010</u>	<b>After Termination of</b>
—\$560	—\$600	\$613	<b><u>17- Transportation Surcharge</u></b>
			<b>See Section 3.839 (b)</b>

Section 3. Section 3.835 of the Medford Code is amended to read as follows:

3.835 Credits.

\*\*\*

(b) All credits for oversize pipe construction will be paid in cash in accordance with the parameters identified below. ~~Credits which exceed \$50,000 in total value for a development must first be approved for payment by the City Council.~~ All other cash payments will be approved administratively, per applicable expense authority limits of the City’s contracting and purchasing code.

\*\*\*

Section 4. Section 3.839 of the Medford Code is amended to read as follows:

3.839 Schedule of Charges.

(a) The systems development charges for one ERU shall be the basis for calculating charges for all types of buildings according to the following table (this schedule is, and shall remain, identical to the rate schedule adopted by the Regional Rate Committee for the Sewage Treatment SDC, except for the extra strength factor applied to Wet Industrial users.):

\*\*\*

**(b) After termination of the 17-Transportation Street projects, the systems development charges are as follows:**

<u>Type of Building &amp; Sewer Us</u>	<u>System Development Charge</u>	<u>Unit of Measure</u>
(1) Single Family Residence	\$668.00	Each
(2) Multiple Family Residence/Accessory Dwelling Unit (ADU)	\$434.20	Per dwelling unit
(3) Manufactured Dwelling Space in Manufactured Dwelling Park (Common	\$434.20	Per space

	building at additional commercial rate and laundry areas at laundry rate.)		
(4)	Recreational Vehicle Waste Dumping Station	\$434.20	Per station
(5)	Schools	\$ 20.04	Per student at capacity
(6)	Churches (School uses at additional per student capacity rate.)	\$427.52	Per 100 seats capacity
(7)	Hospitals - general	\$668.00	Per bed
(8)	Convalescent Hospitals/Rest Homes/ Assisted Living Facilities	\$334.00	Per bed
(9)	Residential Care/Boarding Facilities/ Adult Foster Care	\$167.00	Per room
(10)	Lodging Facilities (Additional charges for restaurant or lounge at food prep/serving rate, guest laundry areas at laundry rates, and all meeting room areas and individual room kitchens/kitchenettes with fixtures at commercial rate.)		
	a) Hotels and Motels	\$167.00	Per room/motel unit.
	b) B&B's	\$668.00	Each SFR plus \$167.00 per bedroom greater than 4
	c) Homeless shelters, etc.	---	(To be tied directly to the determination made by Region's Technical Advisory Group for sewage treatment, on a case-by-case basis.)
(11)	Food Preparation and/or Serving Areas	\$100.20	Per 100 sq. feet
(12)	Vehicle Wash		
	a) Self-Service Vehicle Wash	\$781.56	Per bay
	b) Full-Service Vehicle Wash	\$10,460.88	Per bay
	c) All Other Vehicle Washes	---	(See Wet Industrial)
(13)	a) Laundries & Laundromats	\$200.40	Per 100 sq. feet
	b) Industrial Laundries	---	(See Wet Industrial)
(14)	Commercial, Office, and Dry Industrial		Per plumbing fixture to be installed.
	Bath tub w/or w/o shower	\$86.84	
	Dental unit or cuspidor	\$66.80	
	Dishwasher	\$66.80	
	Disposal	\$66.80	
	Drinking Fountain	\$33.40	
	Floor Drain	\$8.68	
	Fountain/Backwash	\$66.80	
	Kitchen Sink	\$53.44	

Laundry Tray	\$53.44
Lavatory	\$33.40
Service Sink	\$53.44
Shower (each head)	\$86.84
Swimming Pool/Backwash	\$66.80
Urinal	\$113.56
Urinal Trough (for each 2-foot section)	\$113.56
Wash Sink (for each set of faucets)	\$53.44
Washing Machine	\$46.76
Water Closet	\$220.44

In case of a remodel in types 5-13 that results in no increase in the units on which the charge for a new building is calculated, there will be no additional SDC charge for the remodel even if additional plumbing fixtures are installed.

- (15) Wet Industrial To be tied directly to the determination made by Region's Technical Committee for sewage treatment, on a case-by-case basis.
- (16) Additional Loading or Change of Use Determined on basis of new use for entire facility less credit for former use. No refunds if new use is less than former use.

Rates shall be adjusted July 1 each year thereafter by the January to January Engineering News Record Construction Cost Index (ENR-CCI), beginning July 1, 2017.

Section 5. Section 3.890 of the Medford Code is amended to read as follows:

3.890 Establishment of the Storm Drainage Systems Development Charge.

New development on land outside of the Currently Developed Area (CDA) will be subject to a systems development charge (SDC) pursuant to Ordinance 4940, dated August 4, 1983, establishing the methodology and setting the charge. The value to be used in calculating the Storm Drainage SDC according to said methodology shall be set at the rate per equivalent residential unit (ERU) ~~(which, as defined in Ordinance 4940, is 3,000~~ **which shall be defined as 3,730** square feet of impervious area) shown in the following table. This value may be updated from time to time by the City Council, based on available data and planning projections. See Section 4.105 for a complete set of definitions. See also Section 4.715 for a declaration of the City's Storm Drainage Policy.

The following rates are hereby established for one ERU:

<u>July 1, 2008</u>	<u>July 1, 2009</u>	<u>July 1, 2010</u>	<b>After Termination of 17-Transportation Surcharge</b>
<del>—\$551</del>	\$562	\$574	<b>\$608</b>

Rates shall be adjusted July 1 each year thereafter by the January to January Engineering

**News Record Construction Cost Index (ENR-CCI), beginning July 1, 2017.**

Section 6. Section 3.891 of the Medford Code is amended to read as follows:

3.891 Credits.

a) Excess Capacity Credits

The Storm Drain SDC Fund will credit a developer who is subject to the SDC, an amount equal to 25% of the calculated cost (as indicated in the following table) of all conveyance facilities which are 24 inches, or larger, in diameter as required by sound engineering design, and constructed with, or as a part of, the developer's improvement project. Such oversize facilities are intended to provide additional capacity for flows from future upstream development. Oversize pipes designed to carry flows generated exclusively from the developer's project, or pipes used for detention purposes related to the runoff from the developer's site, are not eligible for Storm Drain SDC credits, regardless of diameter. Costs will be calculated from the following prices:

<u>Pipe</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>After Termination of 17-Transportation Surcharge</u>
24"	\$71.02/lf	\$72.51/lf	\$74.03/lf	\$78.47/lf
36"	\$113.01/lf	\$115.38/lf	\$117.81/lf	\$124.88/lf
48"	\$150.22/lf	\$153.37/lf	\$156.60/lf	\$166.00/lf
60"	\$187.43/lf	\$191.37/lf	\$195.38/lf	\$207.10/lf
4' x 8' Conc.Box	\$431.37/lf	\$440.43/lf	\$449.68/lf	\$476.66/lf

\*\*\*

(2) The system development charge shall be ~~51%~~ **70%** of the normal SDC determined in Section 3.890, and applies to either (a) or (b) above. Elimination of the system development charge may only be made for (a) above. Discharge directly to Bear Creek will not result in an elimination of the fee, but only a reduction.

\*\*\*

PASSED by the Council and signed by me in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

ATTEST: \_\_\_\_\_  
City Recorder

\_\_\_\_\_  
Mayor

APPROVED \_\_\_\_\_, 2016.

\_\_\_\_\_  
Mayor

NOTE: Matter in **bold** is new. Matter ~~struck-out~~ is existing law to be omitted. Three asterisks ( \* \* \* ) indicate existing law which remains unchanged by this ordinance but was omitted for the sake of brevity.