



## Medford City Council Meeting

# Agenda

**September 17, 2015**

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

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

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### **10. Roll Call**

Employee Recognition

### **20. Approval or correction of the minutes of the September 3 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**

40.1 COUNCIL BILL 2015-91 A resolution initiating the vacation of unimproved portions of Farmington Avenue and Normil Terrace within the southerly portion of the Cedar Landing Planned Unit Development, lying south of Cedar Links Drive and west of Foothill Road. SV-15-101

40.2 COUNCIL BILL 2015-92 An ordinance amending the Solid Waste Collection Franchise Agreement with Rogue Disposal and Recycling, Inc., by authorizing an increase for the Green Waste Program to \$6.50 per month effective January 1, 2016.

40.3 COUNCIL BILL 2015-93 An ordinance awarding a one-year contract in an amount not to exceed \$64,800 to CFM Strategic Communications, Inc., to provide government relations services, with three one-year renewal options.

### **50. Items removed from consent calendar**

### **60. Ordinances and resolutions**

60.1 COUNCIL BILL 2015-94 An ordinance awarding a contract in the amount of \$217,483 to Copeland Paving, Inc., for improvements at Holmes Park.

60.2 COUNCIL BILL 2015-95 An ordinance authorizing execution of Intergovernment Agreement No. 30421 with the Oregon Department of Transportation pertaining to street improvements on Foothill Road between Hillcrest Road and McAndrews Road.

60.3 COUNCIL BILL 2015-96 An ordinance authorizing execution of a Memorandum of Agreement with Teamsters Local Union No. 223 to modify Article 2 of the current agreement; and changing the title of the agreement to "Medford Parks and Facilities" Agreement.

60.4 COUNCIL BILL 2015-97 An ordinance authorizing acceptance and expenditure of a Byrne Memorial Justice Assistance Grant in the total amount of \$70,610 to purchase body-worn cameras for the Police Department.

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- 60.5 COUNCIL BILL 2015-98 An ordinance authorizing execution of an Intergovernmental Agreement between the City of Medford Police Department and Jackson County pertaining to guidelines for a 2015 Edward Byrne Memorial Justice Assistance Grant Program Award.
- 60.6 COUNCIL BILL 2015-99 An ordinance to amend the existing Construction Manager/General Contractor (CMGC) contract with Adroit Construction Inc., and acceptance of a Guaranteed Maximum Price of \$19,613,101 for the construction of the Medford Police Station and secured parking garage.

**70. Council Business**

**80. City Manager and other staff reports**

- 80.1 Classification Study
- 80.2 Fire Station Update
- 80.3 Further reports from City Manager

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

- 90.1 Proclamations issued:  
Father Jim Clifford Day
- 90.2 Further Council committee reports.
- 90.3 Further remarks from Mayor and Councilmembers.

**100. Adjournment to the 6:00 p.m. Executive Session**

**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 CONTINUED. Consideration of a proposed Comprehensive Plan/Urban Growth Boundary Amendment affecting the General Land Use Plan (GLUP) map, the Medford Street

Functional Classification Plan of the Transportation Element, and portions of the text of both the Urbanization and GLUP Elements.

**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: 40.1

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**DEPARTMENT:** Planning Department  
**PHONE:** (541) 774-2380  
**STAFF CONTACT:** James E. Huber, AICP, Planning Director

**AGENDA SECTION:** Consent Calendar  
**MEETING DATE:** September 17, 2015

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## **COUNCIL BILL 2015-91**

A resolution initiating the vacation of unimproved portions of Farmington Avenue and Normil Terrace within the southerly portion of the Cedar Landing Planned Unit Development, lying south of Cedar Links Drive and west of Foothill Road.

## **ISSUE STATEMENT & SUMMARY:**

A resolution initiating a vacation and establishing a public hearing date of November 19, 2015, for the vacation of Farmington Avenue and Normil Terrace; segments of unimproved right-of-way within the southerly portion of the Cedar Landing Planned Unit Development, lying south of Cedar Links Drive and west of Foothill Road. (SV-15-101)

## **BACKGROUND:**

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

The Council has not previously considered an action pertaining to the vacation of public right-of-way at the subject location.

### **B. Analysis**

The applicants request that City Council initiate a vacation pursuant to Oregon Revised Statute 271.130. The initiation of this vacation allows consideration of the request and establishes a public hearing date of November 19, 2015.

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

No fiscal impacts have been identified.

### **D. Timing Issues**

No timing issues have been identified.

## **STRATEGIC PLAN:**

Theme: Quality Public Services

Goal 11: Provide efficient and state-of-the-art development application review.

## **COUNCIL OPTIONS:**

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

## **STAFF RECOMMENDATIONS:**

Staff recommends approving the resolution initiating the vacation and establishing the public hearing date of November 19, 2015.

## **SUGGESTED MOTION:**

I move to approve the resolution initiating the vacation and establishing the public hearing date of November 19, 2015.



# CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 40.1

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## EXHIBITS:

Resolution

Letter from CSA Planning, Ltd. requesting initiation of street vacation, dated July 14, 2015

Legal description of proposed Normil Terrace Street Vacation, received July 14, 2015

Legal description of proposed Farmington Avenue Street Vacation, received July 14, 2015

Exhibit map showing street segments proposed to be vacated, received July 14, 2015

Vicinity map

RESOLUTION NO. 2015-91

A RESOLUTION initiating the vacation of unimproved portions of Farmington Avenue and Normil Terrace within the southerly portion of the Cedar Landing Planned Unit Development, lying south of Cedar Links Drive and west of Foothill Road.

WHEREAS, the City Council has determined that the vacation of unimproved portions of Farmington Avenue and Normil Terrace within the southerly portion of the Cedar Landing Planned Unit Development, lying south of Cedar Links Drive and west of Foothill Road, more particularly described in Exhibits "A" and "B" attached hereto and incorporated herein, be considered for vacation; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MEDFORD, OREGON, that the City Council initiates vacation proceedings with regard to the vacation of unimproved portions of Farmington Avenue and Normil Terrace within the southerly portion of the Cedar Landing Planned Unit Development, lying south of Cedar Links Drive and west of Foothill Road, and that at 7:00 p.m. on the 19th day of November, 2015, in City Hall Council Chambers, 411 W. 8th Street, Medford, Oregon, there shall be a public hearing before the City Council on the question of vacating said property and the City Recorder is directed to give notice of the hearing in accordance with ORS 271.110.

PASSED by the Council and signed by me in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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

\_\_\_\_\_  
Mayor

**RECEIVED**

JUL 14 2015

**ROAD VACATION – FARMINGTON AVENUE PLANNING DEPT.**

That portion of Farmington Avenue lying southerly of Cedar Links Drive, in Sky Lakes Village at Cedar Landing, Phase 7A, a planned community, according to the Official Plat thereof, now of record in Jackson County, Oregon, being more particularly described as follows:

Commencing at the Northeast corner of Lot 95, Sky Lakes Village at Cedar Landing, Phase 7A, a planned community, according to the Official Plat thereof, now of record in Jackson County, Oregon; thence along the north line of said Lot 95, North 89°36'40" West 329.89 feet to the POINT OF BEGINNING; thence along the arc of a 20.00 foot radius curve to the left (the long chord to which bears South 45°08'14" West 28.41 feet) a distance of 31.59 feet; thence South 00°06'48" East 418.58 feet; thence North 89°17'43" West 63.01 feet; thence North 00°06'48" West 418.59 feet; thence along the arc of a 20.00 foot radius curve to the left (the long chord to which bears North 44°51'46" West 28.16 feet) a distance of 31.24 feet to the southerly right-of-way line of Cedar Links Drive; thence South 89°36'40" East 103.00 feet to the point of beginning.

(containing 0.64 acres, more or less)

(14099 farm vacate.doc)

**EXHIBIT A**

RECEIVED

JUL 14 2015

## ROAD VACATION – NORMIL TERRACE

PLANNING DEPT.

That portion of Normil Terrace lying westerly of Foot Hill Road, in Sky Lakes Village at Cedar Landing, Phase 7A, a planned community, according to the Official Plat thereof, now of record in Jackson County, Oregon, being more particularly described as follows:

Commencing at the Northeast corner of Lot 98, Sky Lakes Village at Cedar Landing, Phase 7A, a planned community, according to the Official Plat thereof, now of record in Jackson County, Oregon; thence along the east line of said Lot 98, South 03°51'41" East 387.81 feet to the POINT OF BEGINNING; thence continue South 03°51'41" East 103.00 feet; thence along the arc of a 20.00 foot radius nontangent curve to the left (the long chord to which bears North 48°45'04" West 28.23 feet) a distance of 31.34 feet; thence South 86°21'34" West 31.10 feet; thence along the arc of a 331.50 foot radius curve to the right (the long chord to which bears North 88°27'28" West 59.97 feet) a distance of 60.05 feet; thence along the arc of a 20.00 foot radius curve to the left (the long chord to which bears South 47°45'14" West 30.19 feet) a distance of 34.21 feet; thence North 71°31'30" West 58.70 feet; thence along the arc of a 20.00 foot radius nontangent curve to the left (the long chord to which bears North 43°56'45" West 26.75 feet) a distance of 29.30 feet; thence along the arc of a 268.50 foot radius curve to the left (the long chord to which bears South 83°46'39" West 96.07 feet) a distance of 96.59 feet; thence South 73°28'16" West 52.83 feet; thence along the arc of a 481.50 foot radius curve to the right (the long chord to which bears South 76°50'55" West 56.73 feet) a distance of 56.77 feet; thence along the arc of a 20.00 foot radius curve to the left (the long chord to which bears South 34°56'25" West 28.42 feet) a distance of 31.62 feet; thence North 89°59'37" West 55.91 feet; thence along the arc of a 20.00 foot radius nontangent curve to the left (the long chord to which bears North 49°35'40" West 25.31 feet) a distance of 27.40 feet; thence along the arc of a 481.50 foot radius curve to the right (the long chord to which bears North 84°58'04" West 65.09 feet) a distance of 65.14 feet; thence North 81°05'32" west 51.47 feet; thence North 08°54'28" East 63.00 feet; thence South 81°05'32" East 51.47 feet; thence along the arc of a 418.50 foot radius curve to the left (the long chord to which bears North 86°11'22" East 184.27 feet) a distance of 185.79 feet; thence North 73°28'16" East 52.83 feet; thence along the arc of a 331.50 foot radius curve to the right (the long chord to which bears North 82°54'21" East 108.68 feet) a distance of 109.17 feet; thence along the arc of a 20.00 foot radius curve to the left (the long chord to which bears North 45°18'28" East 29.27 feet) a distance of 32.83 feet; thence South 72°51'48" East 58.12 feet; thence along the arc of a 20.00 foot radius nontangent curve to the left (the long chord to which bears South 40°18'10" East 25.34 feet) a distance of 27.44 feet; thence along the arc of a 268.50 foot radius curve to the left (the long chord to which bears South 86°38'09" East 65.49 feet) a distance of 65.65 feet; thence North 86°21'34" East 30.70 feet; thence along the arc of a 20.00 foot radius curve to the left (the long chord to which bears North 41°14'57" East 28.34 feet) a distance of 31.49 feet to the point of beginning.  
(containing 0.98 acres, more or less)

EXHIBIT B



**CSA Planning, Ltd**  
4497 Brownridge, Suite 101  
Medford, OR 97504

Telephone 541.779.0569  
Fax 541.779.0114  
Craig@CSAplanning.net

**RECEIVED**

JUL 14 2015

PLANNING DEPT.

July 2, 2015

MAYOR AND CITY COUNCIL  
c/o Planning Department  
City Hall  
Medford, OR 97501

**REQUEST TO INITIATE STREET VACATION**

Dear Mayor and Council:

We represent Cedar Landing Investment Group, LLC and record owner of the Cedar Landing Planned Unit Development (formerly the Cedar Links Golf Course). The topic of this letter concerns the vacation of Farmington Avenue and Normil Terrace, both of which are within the Cedar Landing PUD. The vacations were made a condition of approval in earlier approvals granted by the Planning Commission concerning this PUD under municipal files PUD-15-043 and LDS-15-044.

As background, the two streets were dedicated for public use (but not improved) as a condition of earlier approvals for this PUD. Later the PUD was redesigned and placed before the Planning Commission for consideration. The revised plans were approved and were not appealed. A consequence of the redesign was an alteration to the location of both Farmington Avenue and Normil Terrace which necessitates that the streets in their earlier locations be vacated before they can be dedicated in their slightly revised new locations.

Oregon Revised Statutes (ORS) Chapter 271 provides two methods for the vacation of public streets. The first, pursuant to ORS 271.130 is on the City Council's own motion. The second, pursuant to ORS 271.080 is on petition and consent of affected property owners. Street vacations in Medford have nearly always been initiated by the Council on its own motion because this process is more streamlined and exposes the City to little or no risk. As such and by this letter Cedar Landing Investment Group LLC herewith requests that the Council formally initiate these two street vacations on its own motion. Once initiated, CSA Planning on behalf of this client will furnish Findings of Fact and Conclusions of Law and other materials as required to prosecute and finalize the street vacations.

We appreciate the Council's consideration of this matter.

Very truly yours,

CSA Planning, Ltd.

Craig A. Stone  
President

CAS/m

cc. Eric Artner  
File

CITY OF MEDFORD

EXHIBIT #

File# SV-15-101

## EXHIBIT

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JUL 14 2015

## ROAD VACATION – NORMIL TERRACE

PLANNING DEPT.

That portion of Normil Terrace lying westerly of Foot Hill Road, in Sky Lakes Village at Cedar Landing, Phase 7A, a planned community, according to the Official Plat thereof, now of record in Jackson County, Oregon, being more particularly described as follows:

Commencing at the Northeast corner of Lot 98, Sky Lakes Village at Cedar Landing, Phase 7A, a planned community, according to the Official Plat thereof, now of record in Jackson County, Oregon; thence along the east line of said Lot 98, South 03°51'41" East 387.81 feet to the POINT OF BEGINNING; thence continue South 03°51'41" East 103.00 feet; thence along the arc of a 20.00 foot radius nontangent curve to the left (the long chord to which bears North 48°45'04" West 28.23 feet) a distance of 31.34 feet; thence South 86°21'34" West 31.10 feet; thence along the arc of a 331.50 foot radius curve to the right (the long chord to which bears North 88°27'28" West 59.97 feet) a distance of 60.05 feet; thence along the arc of a 20.00 foot radius curve to the left (the long chord to which bears South 47°45'14" West 30.19 feet) a distance of 34.21 feet; thence North 71°31'30" West 58.70 feet; thence along the arc of a 20.00 foot radius nontangent curve to the left (the long chord to which bears North 43°56'45" West 26.75 feet) a distance of 29.30 feet; thence along the arc of a 268.50 foot radius curve to the left (the long chord to which bears South 83°46'39" West 96.07 feet) a distance of 96.59 feet; thence South 73°28'16" West 52.83 feet; thence along the arc of a 481.50 foot radius curve to the right (the long chord to which bears South 76°50'55" West 56.73 feet) a distance of 56.77 feet; thence along the arc of a 20.00 foot radius curve to the left (the long chord to which bears South 34°56'25" West 28.42 feet) a distance of 31.62 feet; thence North 89°59'37" West 55.91 feet; thence along the arc of a 20.00 foot radius nontangent curve to the left (the long chord to which bears North 49°35'40" West 25.31 feet) a distance of 27.40 feet; thence along the arc of a 481.50 foot radius curve to the right (the long chord to which bears North 84°58'04" West 65.09 feet) a distance of 65.14 feet; thence North 81°05'32" west 51.47 feet; thence North 08°54'28" East 63.00 feet; thence South 81°05'32" East 51.47 feet; thence along the arc of a 418.50 foot radius curve to the left (the long chord to which bears North 86°11'22" East 184.27 feet) a distance of 185.79 feet; thence North 73°28'16" East 52.83 feet; thence along the arc of a 331.50 foot radius curve to the right (the long chord to which bears North 82°54'21" East 108.68 feet) a distance of 109.17 feet; thence along the arc of a 20.00 foot radius curve to the left (the long chord to which bears North 45°18'28" East 29.27 feet) a distance of 32.83 feet; thence South 72°51'48" East 58.12 feet; thence along the arc of a 20.00 foot radius nontangent curve to the left (the long chord to which bears South 40°18'10" East 25.34 feet) a distance of 27.44 feet; thence along the arc of a 268.50 foot radius curve to the left (the long chord to which bears South 86°38'09" East 65.49 feet) a distance of 65.65 feet; thence North 86°21'34" East 30.70 feet; thence along the arc of a 20.00 foot radius curve to the left (the long chord to which bears North 41°14'57" East 28.34 feet) a distance of 31.49 feet to the point of beginning.  
(containing 0.98 acres, more or less)

CITY OF MEDFORD

EXHIBIT #

File# SV-15-101

RECEIVED

JUL 14 2015

EXHIBIT

ROAD VACATION – FARMINGTON AVENUE PLANNING DEPT.

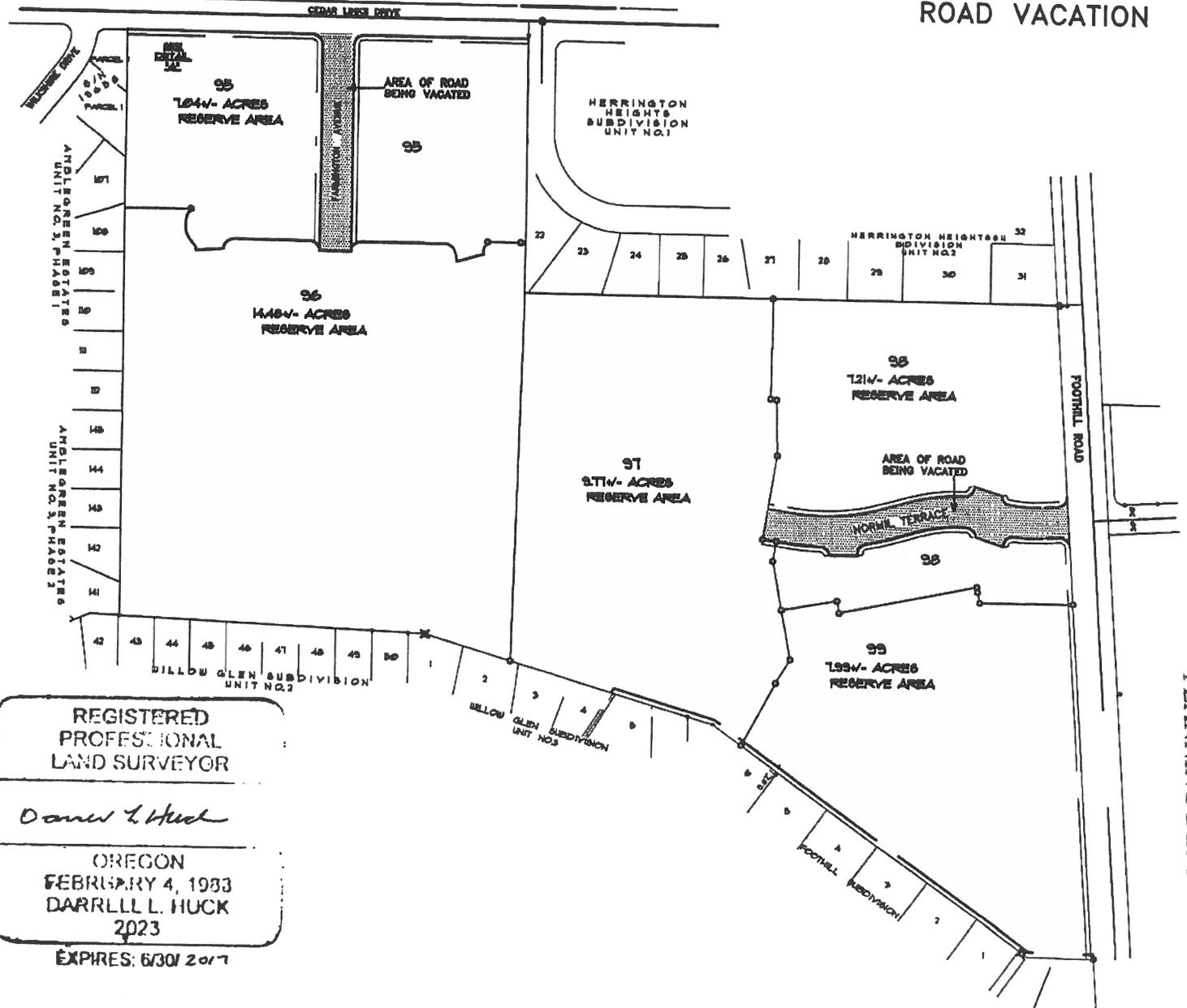
That portion of Farmington Avenue lying southerly of Cedar Links Drive, in Sky Lakes Village at Cedar Landing, Phase 7A, a planned community, according to the Official Plat thereof, now of record in Jackson County, Oregon, being more particularly described as follows:

Commencing at the Northeast corner of Lot 95, Sky Lakes Village at Cedar Landing, Phase 7A, a planned community, according to the Official Plat thereof, now of record in Jackson County, Oregon; thence along the north line of said Lot 95, North  $89^{\circ}36'40''$  West 329.89 feet to the POINT OF BEGINNING; thence along the arc of a 20.00 foot radius curve to the left (the long chord to which bears South  $45^{\circ}08'14''$  West 28.41 feet) a distance of 31.59 feet; thence South  $00^{\circ}06'48''$  East 418.58 feet; thence North  $89^{\circ}17'43''$  West 63.01 feet; thence North  $00^{\circ}06'48''$  West 418.59 feet; thence along the arc of a 20.00 foot radius curve to the left (the long chord to which bears North  $44^{\circ}51'46''$  West 28.16 feet) a distance of 31.24 feet to the southerly right-of-way line of Cedar Links Drive; thence South  $89^{\circ}36'40''$  East 103.00 feet to the point of beginning.

(containing 0.64 acres, more or less)

(14099 farm vacate.doc)

# EXHIBIT MAP ROAD VACATION



**RECEIVED**  
 JUL 14 2015  
 PLANNING DEPT.

REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR  
  
*Darrell L. Huck*  
  
 OREGON  
 FEBRUARY 4, 1983  
 DARRLLL L. HUCK  
 2023  
 EXPIRES: 6/30/ 2017

# Vicinity Map

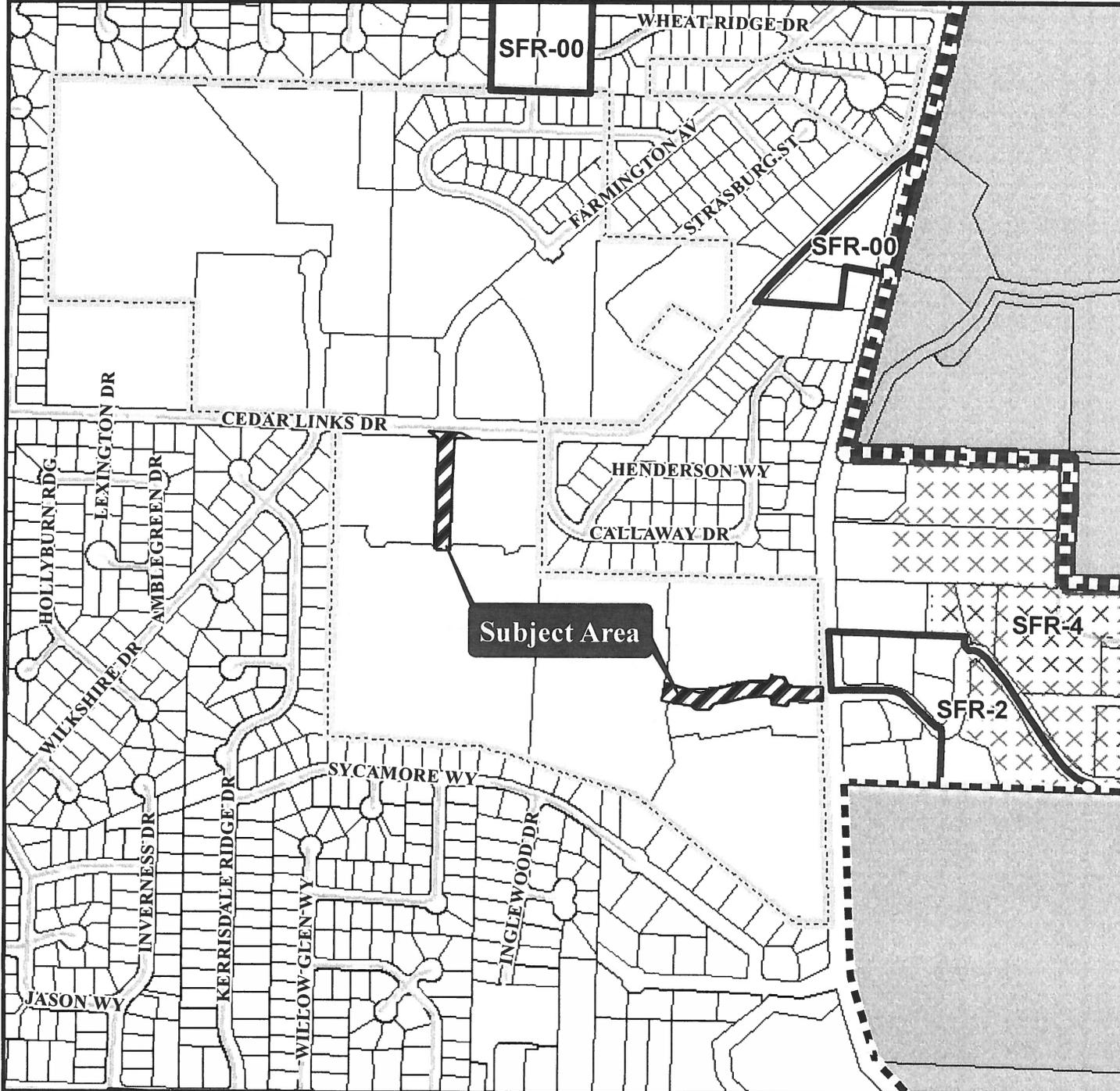
Application Name/Description:  
**Cedar Landing - Vacation**

Proposal:  
**Vacation of portions of Farmington Ave & Normil Terr**

File Numbers:  
**SV-15-101**

Applicant:  
**Cedar Investment Group, LLC**

Map/Taxlot:  
**371W16CA TL 2200**  
**371W16D TL 7000**



	Subject Area
	Medford Zoning
	UGB
	Tax Lots
	City Limits
	PUD

Area of Map

The inset map shows the city of Medford with a small black square indicating the location of the subject area. A north arrow is present to the left of the map. The City of Medford logo is in the top right corner of the inset map.

08/18/2015



# CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 40.2

www.ci.medford.or.us

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**DEPARTMENT:** City Manager's Office      **AGENDA SECTION:** Consent Calendar  
**PHONE:** 541-774-2000      **MEETING DATE:** September 17, 2015  
**STAFF CONTACT:** John W. Hoke, City Manager Pro Tem

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## **COUNCIL BILL 2015-92**

An ordinance amending the Solid Waste Collection Franchise Agreement with Rogue Disposal and Recycling, Inc., by authorizing an increase for the Green Waste Program to \$6.50 per month effective January 1, 2016.

## **ISSUE STATEMENT & SUMMARY:**

An ordinance authorizing a rate increase of \$2.00 per month for Rogue Disposal's Green Waste Program.

## **BACKGROUND:**

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

Council approved a Franchise Agreement with Rogue Disposal in 1996. The agreement has been extended through December 31, 2021.

### **B. Analysis**

The Green Waste program was launched in 1999 as a pilot program. The rate at that time was set at \$3.50 per month for twice monthly pickup of a 95 gallon cart. In 2007, the program became subject to CPI bringing the rate to the current \$4.50 per month. However, the Cost of Service data for the Green Waste program recently completed showed the rates well below what they need to be for this program.

Rogue Disposal is proposing a \$2.00 per month increase for the Green Waste program only. The Franchise agreement requires an increase over the CPI to come before Council for approval. This increase affects only customers subscribing to the Green Waste program only, approximately 11,746. This increase is comparable to other communities in the Rogue Valley.

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

None

### **D. Timing Issues**

Rogue Disposal is requesting the rate increase effective January 1, 2016.

## **STRATEGIC PLAN:**

Theme; Healthy Community

Goal 6: Maintain and enhance community livability.

## **COUNCIL OPTIONS:**

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

## **STAFF RECOMMENDATIONS:**

Staff recommends approval of the rate increase of \$2.00 per month for the Rogue Disposal Green Waste program.



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

Item No: 40.2

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

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**SUGGESTED MOTION:**

I move to approve the Rogue Disposal increase of \$2.00 per month for the Green Waste program.

**EXHIBITS:**

Ordinance

ORDINANCE NO. 2015-92

AN ORDINANCE amending the Solid Waste Collection Franchise Agreement with Rogue Disposal and Recycling, Inc., by authorizing an increase for the Green Waste Program to \$6.50 per month effective January 1, 2016.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

Section 1. That the Solid Waste Collection Franchise Agreement with Rogue Disposal and Recycling, Inc., is hereby amended by authorizing an increase for the Green Waste Program to \$6.50 per month.

Section 2. This increase shall be effective January 1, 2016.

PASSED by the Council and signed by me in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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

\_\_\_\_\_  
Mayor

APPROVED \_\_\_\_\_, 2015.

\_\_\_\_\_  
Mayor



# CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 40.3

www.ci.medford.or.us

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**DEPARTMENT:** City Manager's Office      **AGENDA SECTION:** Consent Calendar  
**PHONE:** 541-774-2000      **MEETING DATE:** September 17, 2015  
**STAFF CONTACT:** John W. Hoke, City Manager Pro Tem

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## **COUNCIL BILL 2015-93**

An ordinance awarding a one-year contract in an amount not to exceed \$64,800 to CFM Strategic Communications, Inc., to provide government relations services, with three one-year renewal options.

## **ISSUE STATEMENT & SUMMARY:**

An ordinance authorizing an agreement with CFM Strategic Communications, Inc. (CFM) to provide government relations services to the City of Medford.

## **BACKGROUND:**

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

On July 30, 2015 Council interviewed the top three agencies as recommended by the scoring committee. Each applicant gave a 30-minute presentation followed up by questions from the Council. Council then reviewed the reference check information and at the August 20 Council meeting, Council voted to award a contract to CFM Strategic Communications, Inc. (CFM). The agreement is before you today for approval.

### **B. Analysis**

The City of Medford issued a Request for Proposals (RFP) for Federal government relations services to assist the City with development of a federal strategy, implementation plan and agenda for the Congressional sessions. Eight agencies responded to the RFP. A screening committee scored the applications based on a set of criteria to narrow the field to the top three agencies to be interviewed by the Council.

CFM will provide the City with Federal government relations services. This will include evaluating funding opportunities, identifying and tracking issues affecting the City, assisting and managing all aspects of City officials' travel to Washington D.C and reporting expectations. Additionally CFM will act as the City's governmental relations representative and advocate in matters related to Federal funding opportunities and legislative, regulatory and executive issues affecting the City, and performing other duties as assigned.

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

Not to exceed \$64,800 per year

### **D. Timing Issues**

The previous agreement with our government relations agency expired June 30, 2015.

## **STRATEGIC PLAN:**

Theme; Responsive Leadership

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

## **COUNCIL OPTIONS:**

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



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

**Item No: 40.3**

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

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**STAFF RECOMMENDATIONS:**

Staff recommends approval of an agreement with CFM Strategic Communications, Inc. (CFM) to provide Federal government relations services to the City of Medford.

**SUGGESTED MOTION:**

I move to authorize an agreement with CFM Strategic Communications, Inc. to provide Federal government relations services to the City of Medford.

**EXHIBITS:**

Ordinance  
Agreement on file in the City Recorder's Office.

ORDINANCE NO. 2015-93

AN ORDINANCE awarding a one-year contract in an amount not to exceed \$64,800 to CFM Strategic Communications, Inc., to provide government relations services, with three one-year renewal options.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

That a one-year contract in an amount not to exceed \$64,800 to provide government relations services, with three one-year renewal options, which is on file in the City Recorder's office, is hereby awarded to CFM Strategic Communications, Inc.

PASSED by the Council and signed by me in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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

\_\_\_\_\_  
Mayor

APPROVED \_\_\_\_\_, 2015.

\_\_\_\_\_  
Mayor



# CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 60.1

[www.cityofmedford.org](http://www.cityofmedford.org)

**DEPARTMENT:** Parks and Recreation  
**STAFF CONTACT:** Brian Sjothun  
**STAFF PHONE:** 541-774-2400

**AGENDA SECTION:** Ordinances and Resolutions  
**MEETING DATE:** September 17, 2015

## COUNCIL BILL 2015-94

An ordinance awarding a contract in the amount of \$217,483 to Copeland Paving, Inc., for improvements at Holmes Park.

## ISSUE STATEMENT & SUMMARY:

The Parks and Recreation Department is requesting the awarding of construction contract to Copeland Paving Inc. in the amount of \$217,483.00. This contract will provide for the reconstruction of two tennis courts, one basketball court, picnic area and pathway resurfacing at Holmes Park.

## BACKGROUND:

### A. Council Action History

On June 4, 2015, Council Bill 2015-57 was approved. This resolution authorized the proposed 2015-17 budget for the City of Medford. Funding for the Holmes Park Project is authorized through the approved budget.

### B. Analysis

The Parks & Recreation Department currently maintains and schedules use of 19 tennis courts within City parks and 549C properties. Annually, the Department inspects existing conditions of each court and has developed a priority list for resurfacing and repairing of these courts.

There are two courts at Holmes Park which contain large cracks in the surface. Several of the cracks are up to two inches in width and are a safety hazard for patrons of that facility. Staff conducted extensive research on resurfacing and repair methods which would prevent the cracks from re-appearing. As a result of such research, the best method for the lowest life-cycle cost is to completely rebuild and resurface these courts.

In addition to the reconstruction of the two tennis courts, staff has identified the need to resurface the existing basketball court, picnic shelter and walking paths surrounding the area.

The overall scope of the project will accomplish the following:

- Re-build and resurface two tennis courts
- Resurface existing basketball court, picnic shelter area and walking paths
- Replace tennis net posts and nets
- Replace fencing surrounding tennis courts
- Replace shade cloth over picnic shelter

The Department received one qualifying bid for this project and staff is confident that the company being recommended for this project will be able to provide the quality necessary for a successful completion. In addition, this company completed the renovations of eight tennis courts at Fichtner-Mainwaring Park in the previous budget cycle.

### C. Financial and/or Resource Considerations

The \$217,483.00 is contained within project PR0109 – Holmes Park Tennis Court Rehabilitation and was budgeted in the amount of \$260,000.



# CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 60.1

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## **D. Timing Issues**

Staff is requesting approval of the contract in order to begin the necessary improvements prior to the end of the current summer/fall construction season.

## **STRATEGIC PLAN:**

Theme: Responsive Leadership

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

Objective 12.3: Continue to fund capital improvements to city owned facilities to preserve and increase the life capacity.

Action 12.3b: Provide necessary resources for all city-owned facilities.

## **COUNCIL OPTIONS:**

1. Approve the ordinance authorizing the contract for the improvements listed previously.
2. Deny the ordinance.

## **STAFF RECOMMENDATIONS:**

Staff recommends approval of the proposed ordinance.

## **SUGGESTED MOTION:**

I move to approve a construction contract with Copeland Paving Inc., in the amount of \$217,483.00 for improvements to recreational facilities located at Holmes Park.

## **EXHIBITS:**

Ordinance

Contract is on file with City Recorder.

ORDINANCE NO. 2015-94

AN ORDINANCE awarding a contract in the amount of \$217,483 to Copeland Paving, Inc., for improvements at Holmes Park.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

That a contract in the amount of \$217,483 for improvements at Holmes Park including reconstruction of two tennis courts, one basketball court, picnic area and pathway resurfacing, which is on file in the City Recorder's office, is hereby awarded to Copeland Paving, Inc.

PASSED by the Council and signed by me in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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

\_\_\_\_\_  
Mayor

APPROVED \_\_\_\_\_, 2015.

\_\_\_\_\_  
Mayor



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

Item No: 60.2

www.ci.medford.or.us

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

**AGENDA SECTION:** Ordinances and Resolutions  
**MEETING DATE:** September 17, 2015

**COUNCIL BILL 2015-95**

An ordinance authorizing execution of Intergovernment Agreement No. 30421 with the Oregon Department of Transportation pertaining to street improvements on Foothill Road between Hillcrest Road and McAndrews Road.

**ISSUE STATEMENT & SUMMARY:**

An ordinance authorizing Intergovernmental Agreement (IGA) No. 30421 between the City of Medford and the Oregon Department of Transportation (ODOT) for street improvements on Foothill Road between Hillcrest Road and McAndrews Road. IGA 30421 provides the City with \$3 million of Congestion Mitigation and Air Quality funds (CMAQ).

City Council directed Foothill Road Improvements be the City's top priority for federal funding administered by the Rogue Valley Metropolitan Planning Organization (RVMPO). Total project cost for this phase is estimated at \$13 million and the City has secured a \$10 million Oregon Transportation Infrastructure Bank (OTIB) loan in addition to this grant.

**BACKGROUND:**

- A. Council Action History**  
\$10 million loan acceptance via Ordinance 2015-49 on May 21, 2015.
- B. Analysis**  
Authorization of IGA 30421 will contribute \$3 million toward the design and construction of Foothill Road from Hillcrest Road to McAndrews Road.
- C. Financial and/or Resource Considerations**  
CMAQ funds are limited to \$3 million and the receiving Agency is required to participate at 10.27%, equaling approximately \$310,000, which will be paid from OTIB loan funds.
- D. Timing Issues**  
Project design will begin following execution of IGA 30421.

**STRATEGIC PLAN:**

Theme: Quality Public Services  
Goal 9: Provide a safe, multi-modal, efficient and well planned transportation system.

**COUNCIL OPTIONS:**

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

**STAFF RECOMMENDATIONS:**

Approve the ordinance authorizing IGA 30421 for street improvements on Foothill Road between Hillcrest Road and McAndrews Road.

**SUGGESTED MOTION:**

I move to approve the ordinance authorizing IGA 30421 for street improvements on Foothill Road between Hillcrest Road and McAndrews Road.



**CITY OF MEDFORD**  
**AGENDA ITEM COMMENTARY**  
[www.ci.medford.or.us](http://www.ci.medford.or.us)

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**Item No: 60.2**

**EXHIBITS:**

- Ordinance
- Project Milestone Table
- Project Map

ORDINANCE NO. 2015-95

AN ORDINANCE authorizing execution of Intergovernmental Agreement No. 30421 with the Oregon Department of Transportation pertaining to street improvements on Foothill Road between Hillcrest Road and McAndrews Road.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

That execution of Intergovernmental Agreement No. 30421 with the Oregon Department of Transportation pertaining to street improvements on Foothill Road between Hillcrest Road and McAndrews Road, which is on file in the City Recorder's office, is hereby authorized.

PASSED by the Council and signed by me in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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

\_\_\_\_\_  
Mayor

APPROVED \_\_\_\_\_, 2015.

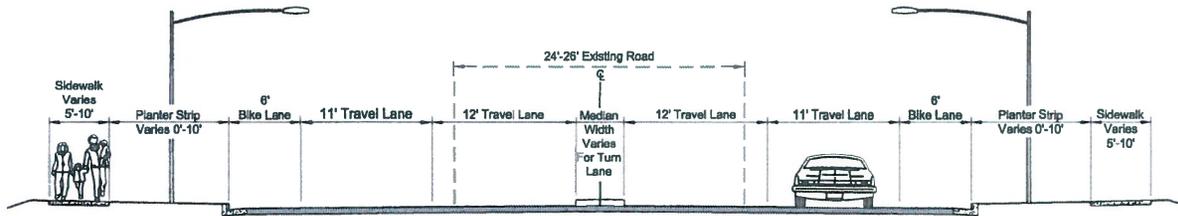
\_\_\_\_\_  
Mayor

**IGA No. 30421 Table 1**

	<b>Milestone Descripton</b>	<b>Completion Date</b>
<b>1</b>	Obligation (Federal Authorization) of Federal funds for the Preliminary Engineering Phase of Project	August 31, 2015
<b>2</b>	Obligation (Federal Authorization) of Federal funds for the Right-of-Way purchase of the Project	June 30, 2016
<b>3</b>	Obligation (Federal Authorization of Federal for the Construction Phase of Project	May 31, 2017



SCALE: 1" = 750'



**PROPOSED FOOTHILL ROAD  
TYPICAL SECTION  
(Looking North To McAndrews Road)**

CITY OF MEDFORD - ENGINEERING DEPARTMENT

**Foothill Road  
Hillcrest Road to McAndrews Road  
Exhibit Map**

DRAWN BY: CSH	DATE: 12/30/13	PROJECT NO.
CHECKED BY:	DATE:	
APPROVED:	DATE:	
REVIEWED CITY TRANSPORTATION MANAGER	DATE:	SHEET NO.
REVIEWED BY CITY ENGINEER	DATE:	<b>1</b>
APPROVED BY ORDINANCE NO.	DATE:	



# CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 60.3

www.ci.medford.or.us

**DEPARTMENT:** Human Resources  
**PHONE:** (541) 774-2011  
**STAFF CONTACT:** Mike Snyder, Director

**AGENDA SECTION:** Ordinances and Resolutions  
**MEETING DATE:** September 17, 2015

## COUNCIL BILL 2015-96

An ordinance authorizing execution of a Memorandum of Agreement with Teamsters Local Union No. 223 to modify Article 2 of the current agreement; and changing the title of the agreement to "Medford Parks and Facilities" Agreement.

## ISSUE STATEMENT & SUMMARY:

Due to organizational changes, whereby the Facilities Maintenance Division is moved from the Parks Department to the City Manager's Office, it is intended that the classifications assigned to the Facilities Maintenance Division will continue to be represented by the Union under the "Medford Parks Employees" agreement. The agreement will now be referred to as "Medford Parks and Facilities" agreement.

## BACKGROUND:

### A. Council Action History

Council action is required on collective bargaining agreements.

### B. Analysis

The proposed modification changes the recognition of the bargaining agent to continue representation of the Facilities Maintenance Division employees under the Union agreement.

### C. Financial and/or Resource Considerations

There is no financial impact as a result of this modification.

### D. Timing Issues

There are no timing issues as a result of this modification.

## STRATEGIC PLAN:

Themes: Responsive Leadership

## COUNCIL OPTIONS:

1. Approve the ordinance.
2. Not approve the ordinance.

## STAFF RECOMMENDATIONS:

Staff recommends approving the ordinance.

## SUGGESTED MOTIONS:

I move to approve the ordinance modifying the agreement between the City of Medford and Teamsters Local Union No. 223 Medford Parks Employees to be referred to as "Medford Parks and Facilities" agreement.

## EXHIBITS:

Ordinance

The Memorandum of Agreement is on file in the office of the City Recorder.

ORDINANCE NO. 2015-96

AN ORDINANCE authorizing execution of a Memorandum of Agreement with Teamsters Local Union No. 223 to modify Article 2 of the current agreement; and changing the title of the agreement to “Medford Parks and Facilities” Agreement.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

Section 1. That execution of a Memorandum of Agreement with Teamsters Local Union No. 223 to modify Article 2.1 of the bargaining agreement pertaining to recognition of the bargaining agent, on file in the City Recorder’s office, is hereby authorized.

Section 2. The agreement shall now be referred to as the “Medford Parks and Facilities Agreement”.

PASSED by the Council and signed by me in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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

\_\_\_\_\_  
Mayor

APPROVED \_\_\_\_\_, 2015.

\_\_\_\_\_  
Mayor



# CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 60.4

www.ci.medford.or.us

**DEPARTMENT:** Police  
**PHONE:** (541) 774-2222  
**STAFF CONTACT:** Tim George, Chief of Police

**AGENDA SECTION:** Ordinances and Resolutions  
**MEETING DATE:** September 17, 2015

## COUNCIL BILL 2015-97

An ordinance authorizing acceptance and expenditure of a Byrne Memorial Justice Assistance Grant in the total amount of \$70,610 to purchase body-worn cameras for the Police Department.

## ISSUE STATEMENT & SUMMARY:

Approval of the ordinance will allow the Medford Police Department to accept a 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Award. The City of Medford is eligible to receive \$51,742 and Jackson County is eligible to receive \$18,860. No city or county match funds are required to accept the award. A separate inter-governmental agreement has been established to identify the terms, responsibilities and rights of termination for the involved parties.

Receipt of specific purpose grants, gifts or donations can only be expended after enactment of a resolution under ORS 294.338. A supplemental budget is not required.

## BACKGROUND:

In early 2015, the annual Edward Byrne Memorial Justice Assistance Grant (JAG) was made available to local jurisdictions. Funding is set by the Bureau of Justice Assistance using a pre-determined formula. One funding priority area was for grant money to be used to purchase body-worn cameras for police departments. The Medford Police Department has been testing body-worn cameras and working with the county and other local jurisdictions to implement a body worn program that meets the needs of the involved stakeholders. Acceptance of this award will provide funding for approximately 59 cameras and storage costs for video retention for one year.

### A. Council Action History

The Police Department has previously received Edward Byrne Memorial Justice Assistance Grants in 2011, 2012, and 2014 and partnered with the Jackson County Sheriff's Office on each of these grants. Council has approved the acceptance of grant award packages and the related inter-governmental agreements.

### B. Analysis

The City of Medford is eligible to receive \$51,742 and Jackson County is eligible to receive \$18,860. No City or County match funds are required to accept the award. This grant requires that both the City and the County share funding. The City will manage this grant and meet reporting requirements set by the Bureau of Justice Assistance.

The City will use the funds to purchase a body-worn camera package that includes storage for video retention. The award will provide funding for approximately 59 cameras and storage costs for one year. The department estimates that implementing the entire project will cost \$220,000. The remaining \$149,000 will come from MADGE joint task force forfeiture funds.

### C. Financial and/or Resource Considerations

This will increase revenues and appropriations by \$70,610. An appropriation modification form is attached.

### D. Timing Issues

None.



# CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 60.4

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## **STRATEGIC PLAN:**

Theme: Safe Community

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

The project supports the public safety vision of Medford as a vibrant, safe, and enjoyable community for all citizens, including young people and seniors by ensuring that public safety employees are provided with necessary equipment to respond to emergency situations.

## **COUNCIL OPTIONS:**

1. Approve the ordinance authorizing acceptance of the 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Award.
2. Deny the ordinance.

## **STAFF RECOMMENDATIONS:**

Staff recommends approval of the ordinance authorizing the acceptance of the 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Award.

## **SUGGESTED MOTION:**

I move to approve the ordinance authorizing the acceptance of the 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Award.

## **EXHIBITS:**

Ordinance  
Appropriation Modification Form

ORDINANCE NO. 2015-97

AN ORDINANCE authorizing acceptance and expenditure of a Byrne Memorial Justice Assistance Grant in the total amount of \$70,610 to purchase body-worn cameras for the Police Department.

WHEREAS, ORS 294.338 authorizes acceptance and expenditure of a grant without adopting a supplemental budget or other procedural requirements of local budget law; and

WHEREAS, this grant requires that both the city and the county share funding which is allocated by a pre-set formula, with the City of Medford eligible to receive \$51,742 and Jackson County receiving \$18,860; no matching funds are required; now, therefore,

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

That the acceptance and expenditure of a Byrne Memorial Justice Assistance Grant in the total amount of \$70,610 to purchase bod-worn cameras for the Police Department, as shown on the Appropriation Modification Form attached as Exhibit A and incorporated herein, is hereby authorized.

PASSED by the Council and signed by me in authentication of its passage this \_\_\_\_ day of \_\_\_\_\_, 2015.

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

\_\_\_\_\_  
Mayor

APPROVED \_\_\_\_\_, 2015.

\_\_\_\_\_  
Mayor

**CITY OF MEDFORD**

**Appropriation Modification per ORS 294-.338**

Requesting Department: Police

Biennium **FY15/16 - FY16/17**

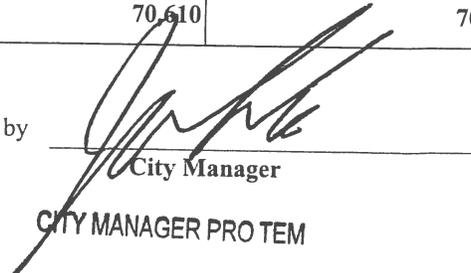
Date of Proposed Council Action: 9/17/2015

Date **September 3, 2015**

Explanation of Requested Transfer: See AIC

Account Number	Description	Project Number	Debit	Credit
001-3303-641.24-50	Small Equipment	PD0083	70,610	-
001-0000-330.01-06	Federal Jag Byrne Grant	PD0083		70,610
<b>TOTALS</b>			70,610	70,610

Requested by   
 Department Head

Approved by   
 City Manager  
**CITY MANAGER PRO TEM**



# CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 60.5

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

**DEPARTMENT:** Police Department  
**PHONE:** (541) 774-2222  
**STAFF CONTACT:** Tim George, Chief of Police

**AGENDA SECTION:** Ordinances and Resolutions  
**MEETING DATE:** September 17, 2015

## COUNCIL BILL 2015-98

An ordinance authorizing execution of an Intergovernmental Agreement between the City of Medford Police Department and Jackson County pertaining to guidelines for a 2015 Edward Byrne Memorial Justice Assistance Grant Program Award.

## ISSUE STATEMENT & SUMMARY:

Approval of the ordinance will authorize the execution of an inter-governmental agreement between the City of Medford and Jackson County, which has been established to identify the terms, responsibilities and rights of termination for the involved parties. This agreement will provide guidelines for the sharing and administration of a 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Award.

Receipt of specific purpose grants, gifts or donations can be expended after enactment of a resolution under ORS 294.338. A supplemental budget is not required.

## BACKGROUND:

In early 2015, an Edward Byrne Memorial Justice Assistance Grant (JAG) was made available to local jurisdictions. Funding was set by the Bureau of Justice Assistance using a pre-determined formula. The City of Medford is eligible to receive \$51,742 and Jackson County is eligible to receive \$18,860. No city or county match funds are required to accept the award.

Per the grant, the funds are required to be spent on body-worn cameras, storage, and implementation costs in cooperation with the Jackson County Sheriff's Office. The Medford Police Department holds the fiscal responsibility for the grant project and they will receive the entire grant fund amount. The inter-governmental agreement will require the city to administer the grant and allocate equipment equal to \$18,860 to the county. This amount will provide 16 cameras and storage costs for one year to the county. The remaining amount of \$51,742 will provide 43 cameras and storage costs for one year to the city. The department estimates that implementing the entire project will cost \$220,000. The remaining \$149,000 will come from MADGE joint task force forfeiture funds.

### A. Council Action History

The police department has received Edward Byrne Memorial Justice Assistance Grants (JAG) in 2011, 2012, and 2014 and partnered with the Jackson County Sheriff's Office on each of those grants. Council has approved inter-governmental agreements with the county for these grant award packages.

### B. Analysis

This will increase revenues and appropriations by \$70,610.

### C. Financial and/or Resource Considerations

This will increase revenues and appropriations by \$70,610.

### D. Timing Issues

None.



# CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 60.5

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## **STRATEGIC PLAN:**

Theme: Safe Community

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

The project supports the public safety vision of Medford as a vibrant, safe, and enjoyable community for all citizens, including young people and seniors by ensuring that public safety employees are provided with necessary equipment to respond to emergency situations.

## **COUNCIL OPTIONS:**

1. Approve the ordinance authorizing acceptance of the 2014 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Award.
2. Deny the ordinance.

## **STAFF RECOMMENDATIONS:**

Staff recommends approval of the ordinance authorizing the acceptance of an inter-governmental agreement with Jackson County.

## **SUGGESTED MOTION:**

Move to approve the ordinance authorizing the acceptance of an inter-governmental agreement with Jackson County.

## **EXHIBITS:**

Ordinance

Inter-governmental agreement between the City of Medford and Jackson County is available in the City Recorder's Office.

ORDINANCE NO. 2015-98

AN ORDINANCE authorizing execution of an Intergovernmental Agreement between the City of Medford Police Department and Jackson County pertaining to guidelines for a 2015 Edward Byrne Memorial Justice Assistance Grant Program Award.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

That execution of an Intergovernmental Agreement between the City of Medford Police Department and Jackson County pertaining to guidelines for a 2015 Edward Byrne Memorial Justice Assistance Grant Program Award, which agreement is on file in the City Recorder's office, is hereby authorized.

PASSED by the Council and signed by me in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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

\_\_\_\_\_  
Mayor

APPROVED \_\_\_\_\_, 2015.

\_\_\_\_\_  
Mayor



# CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 60.6

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

**DEPARTMENT:** City Manager's Office

**AGENDA SECTION:** Ordinances and Resolutions

**PHONE:** (541) 774-2657

**MEETING DATE:** September 17, 2015

**STAFF CONTACT:** Greg McKown, Facilities & Project Manager

## COUNCIL BILL 2015-99

An ordinance to amend the existing Construction Manager/General Contractor (CMGC) contract with Adroit Construction Inc., and acceptance of a Guaranteed Maximum Price of \$19,613,101 for the construction of the Medford Police Station and secured parking garage.

## ISSUE STATEMENT & SUMMARY:

The City Manager's Office is seeking Council approval of an ordinance to amend the existing Construction Manager/General Contractor (CMGC) contract with Adroit Construction Inc. and acceptance of a Guaranteed Maximum Price (GMP) of \$19,645,601 for the construction of the Medford Police Station and Secured Parking Garage. This amendment will adjust the not-to-exceed dollar amount from \$18,787,000 to \$19,613,101 of the Adroit Contract.

## BACKGROUND:

### A. Council Action History

On November 21, 2013 Council approved Resolution 2013-166 authorizing an inter-fund loan relating to the City's limited tax revenue bonds, series 2013 for the purpose of project financing; establishing an interest rate and repayment schedule; delegating authority to authorized representatives and related matters.

On December 5, 2013 City Manager Eric Swanson reported on the successful sale of \$38.155 million in bonds at a 4.42% interest rate.

On May 15, 2014 Council authorized an exemption from competitive bidding and awarding a Construction Manager/General Contractor contract to Adroit Construction; authorizing pre-construction services in an amount not to exceed \$32,500; authorizing construction in an amount not to exceed \$18,787,000 for a new police station and secured parking structure.

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

### B. Analysis

After Council direction on September 3, 2015 to accept a GMP of \$20,255,941 but continue cost reduction efforts, the City project team, architect, and CMGC proceeded with value engineering the project and negotiated the construction GMP down \$642,840. Upon acceptance of the revised construction GMP of \$19,613,101 the team will continue cost reduction efforts as instructed by Council.

### C. Financial and/or Resource Considerations

\$22,082,700 of bond proceeds were allocated to the Police headquarters and parking projects PD0076 and PD0077, therefore acceptance of a GMP of \$19,613,101 is within the funds available for the project.



# CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 60.6

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

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## **D. Timing Issues**

Authorization of the construction GMP and amendment of the not-to-exceed contract with Adroit Construction will maintain the construction completion schedule and not increase general condition costs of the project.

## **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 the amendment of the not-to-exceed CMGC contract with Adroit Construction Inc. and acceptance of the construction GMP of \$19,613,101.
2. Deny the ordinance authorizing the amendment of the not-to-exceed CMGC contract with Adroit Construction Inc. and acceptance of the construction GMP of \$19,613,101.

## **STAFF RECOMMENDATIONS:**

Staff recommends the approval of the ordinance authorizing amendment of the not-to-exceed CMGC contract with Adroit Construction Inc. and acceptance of the construction GMP of \$19,613,101.

## **SUGGESTED MOTION:**

I move to approve the ordinance authorizing amendment of the not-to-exceed CMGC contract with Adroit Construction Inc. and acceptance of the construction GMP of \$19,613,101.

## **EXHIBITS:**

Ordinance

Contract is on file in the City Recorder's office.

ORDINANCE NO. 2015-99

AN ORDINANCE authorizing execution of an amendment to the Construction Manager/General Contractor contract with Adroit Construction for a new police station and secured parking structure.

WHEREAS, on May 15, 2014, Ordinance 2014-61 was approved by the City Council which authorized exemption from competitive bidding and awarded a Construction Manager/General Contractor contract to Adroit Construction; authorized pre-construction services in an amount not to exceed \$32,500; and authorized construction in an amount not to exceed \$18,787,000 for a new police station and secured parking structure; and

WHEREAS, Early Work Amendment #1 was approved by the City on March 24, 2015 in the amount of \$5,647,788 for surveying, site work, underground utilities, concrete, structural and miscellaneous steel fabrication/erection, and elevators; and

WHEREAS, Early Work Amendment #2 was approved by the City on May 14, 2015 in the amount of \$136,828.01 for under-slab plumbing and electrical work; and

WHEREAS, Change Order #1 to Early Work Amendment #1 was approved by the City on May 27, 2015 in the amount of \$15,186.55 for changes to base rock and geotextile fabric for the secured garage; and

WHEREAS, Change Order #2 to Early Work Amendment #1 was approved by the City on July 2, 2015 in the amount of \$25,856.01 to add and delete items to excavation, under-slab, structural steel and electrical work; and

WHEREAS, Change Order #3 to Early Work Amendment #1 was approved by the City on July 21, 2015 in the amount of \$26,664.58 for revisions to structural steel, steel decking, slab grades, and relocation of traffic signal cabinet and conduit; and

WHEREAS, this amendment allows for an increase of \$826,101 to the Not-To-Exceed (NTE) price of \$18,787,000; now, therefore,

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

That execution of this amendment to the existing Construction Manager/General Contractor contract with Adroit Construction, Inc. and acceptance of a Guaranteed Maximum Price of \$19,645,601 for the construction of the Medford Police Station and Secured Parking Garage is hereby authorized.

PASSED by the Council and signed by me in authentication of its passage this 17<sup>th</sup> day of September, 2015.

Ordinance No. 2015-\_\_

P:\JMP\ORDS\AmdCMGC\_Adroit\_MPD



# CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 120.1

www.ci.medford.or.us

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**DEPARTMENT:** Planning

**PHONE:** 541-774-2380

**STAFF CONTACT:** James E. Huber, AICP, Planning Director

**AGENDA SECTION:** Public Hearing

**MEETING DATE:** September 17, 2015

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## **PUBLIC HEARING:**

An ordinance authorizing execution of an Intergovernmental Agreement between the City of Medford Police Department and Jackson County pertaining to guidelines for a 2015 Edward Byrne Memorial Justice Assistance Grant Program Award.

## **ISSUE STATEMENT & SUMMARY:**

File number CP-14-114 is a proposed Comprehensive Plan/Urban Growth Boundary Amendment affecting the General Land Use Plan (GLUP) map, the Medford Street Functional Classification Plan of the Transportation Element, and portions of the text of both the Urbanization and GLUP Elements.

The proposed UGB amendment contains a total of nearly 3,800 acres of land, of which about 400 acres are either already developed or unbuildable, resulting in a total of almost 3,400 usable acres: 1,520 acres for future development and 1,877 acres for Prescott and Chrissy Parks. The developable acres consist of 884 acres for residential development and 636 acres for employment uses.

## **BACKGROUND:**

The process of expanding the City's UGB has been ongoing in some capacity for the past 10 years and staff has been actively working on the expansion proposal since the adoption of the Regional Plan in 2012. The Planning Commission held a hearing on staff's recommendation for expansion on March 12, 2015. The Commission then met with staff at an April 6, 2015 study session to work through issues related to the project before continuing deliberation on the matter at the May 14, 2015 meeting. At that meeting, the Commission passed the attached recommendation for UGB expansion on a 4-3 vote.

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

Council approved UGBA Phase 1 (city file number CP-13-032) in December 2014, which intensified land uses for more than 500 acres of land within the existing UGB.

Council held hearings on this second phase on August 6, 13, and 20, 2015. The hearing was closed and the record was left open indefinitely.

### **B. Analysis**

UGBA Phase 1 allowed the City to meet a greater portion of its residential and employment land need for the next 20 years within its existing UGB, but more land is still needed to meet the overall demand. The City is limited to selecting from its identified Urban Reserve when choosing where to expand to meet the need. The Planning Commission used the boundary locational factors of statewide planning Goal 14 in selecting properties from the Urban Reserve to include in its recommendation for boundary expansion.

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

Discussion of water, sewer, and transportation conditions is contained in the commission report.



# CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 120.1

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## **D. Timing Issues**

The Department of Land Conservation and Development (DLCD) has agreed that the City can continue to use the population figures from the Population Element of the Comprehensive Plan because the City had initiated the UGB amendment process prior to the adoption of the Portland State University (PSU) population figures. This agreement does not have a specific expiration date, but it could be argued that the City must use the new population numbers if the process is stopped, or restarted.

## **STRATEGIC PLAN:**

Theme: Healthy Economy

Goal 6: Maintain and enhance community livability

Action 6.2b: Maintain a current inventory of buildable residential land and periodically compare it to the needs identified in the Housing Element of the Comprehensive Plan.

Goal 7: Encourage a diverse economy

Objective 7.1: Ensure there is a long term supply of appropriately located and serviceable commercial and industrial land.

Theme: Quality Public Services

Goal 8: Provide recreational activities and opportunities to improve the lives of Medford residents.

Action 8.1b: Pursue the inclusion of Prescott and Chrissy Parks into the City's Urban Growth boundary.

Goal 9: Provide a safe, multi-modal, efficient and well planned transportation system.

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

## **COUNCIL OPTIONS:**

1. Adopt the recommendation of the Planning Commission as amended by staff as indicated in the commission report dated July 21, 2015
2. Modify the recommendation of the Planning Commission

## **STAFF RECOMMENDATIONS:**

The Planning Commission recommended approval of the urban growth boundary amendment, as shown in "Exhibit A" of the commission report (minus the three additions from staff indicated in the commission report dated July 21, 2015), at their May 14, 2015 hearing by a 4-3 vote.

## **SUGGESTED MOTION:**

I move to adopt the comprehensive plan and urban growth boundary amendment included in the commission report dated July 21, 2015 and supplements to it, and to direct staff to prepare an ordinance for adoption at a later date.

## **EXHIBITS:**

Supplemental memoranda (dated 9/9/2015) to the July 21, 2015 Commission Report.



## MEMORANDUM

**Subject** UGB Amendment, Phase 2: ESA Boundary Amendment  
**Supplemental Findings memo no. 1**

Additional explanation of how staff selected areas from the ESAs to include in its recommendation and changes made by the Planning Commission

**File no.** CP-14-114

**To** Mayor and City Council

**From** John Adam, Principal Planner, Comprehensive Planning

**Date** September 9, 2015 *for 09-17-2015 meeting*

### PROCESS

The purpose of this memo is to further explain how properties, or groups of properties, were either excluded or included in staff's recommendation and to clear up any misconception about how the scores for proximity, parcel size, and serviceability for water, sewer, and transportation were used. As explained on page 12 of the Findings (page 43 in the August 6, 2015 Council agenda packet):

The results of the scoring for all five factors—proximity, parcelization, water, sewer, and transportation—were used to guide the decision on where to expand the City's UGB. In addition to the scoring of the properties for the five factors, the City also had to consider the obligations of the Regional Plan Element. [...] The City's conceptual plans for the urban reserve are provided as Appendix K. The scored properties were not ranked on a parcel-by-parcel basis, but rather, areas were selected based on their scores for the five factors and based on the area's ability to meet Regional Plan obligations. The mix of land uses in the area was an important consideration regarding the orderly and economic provision of public facilities and services.

Staff purposefully did not compile an aggregate score for each of the properties and then select the properties with the highest scores because there were other factors that needed to be considered in the selection. Staff has not created a map showing this kind of composite ranking; it is unnecessary and it would be misleading. Since the selection of parcels into staff's recommendation cannot be easily shown on a chart, table, or map, the following information better explains the selection, or exclusion, of specific groups of properties.

The coarse filter process and the resulting External Study Areas (ESAs) are explained on pages 40–42 of the Agenda<sup>1</sup>. Page 40 provides explanation about why the process was used and page 41 provides finer detail about how the scores were used in selecting properties for the ESAs. Since this information about the coarse filter has already been provided this memo will focus on the selection process after the coarse filter, that is, the selection of properties from the ESAs into staff’s recommendation.

Finally, there has been some testimony claiming that the selection process staff used to come up with the ESAs closed out other properties from further consideration. That assertion accords far too much power to staff. Under the law, all areas in an urban reserve are first priority for inclusion. The City Council can select any areas it chooses from the urban reserve for the expansion. However, there ought to be some consideration of which areas make sense to include now and which do not...thus one circles back to the beginning of the process. The Council can judge whether the reasoning was largely rational, or whether it was flawed at every turn.

## **AREA-BY-AREA SUMMARIES**

### **MD-1 east**

This portion of MD-1 had moderate scores for proximity and parcelization but was retained for further consideration because of its proximity to the existing and future routes of Highway 62. While the southern half of this area scored well for proximity it scored poorly for parcelization. For the northern half of this area the coarse filter scores were reversed, with better overall scores for parcelization and poorer overall scores for proximity. The water scores for this area were good-to-moderate, the sewer scores were good, and the transportation scores were poor. All of this portion of MD-1 was identified for employment use (commercial) on the conceptual plan. Much of the southern half of this area is in residential use and the inclusion of the land into the UGB with either a commercial or industrial designation would be inconsistent with the existing uses. Also, the existence of homes in the area makes the coordinated commercial or industrial development of the area more expensive and more difficult compared to other locations. The northern portion of this area is less parcelized and does not contain the residential uses like the southern portion. Portions of MD-1, including the northern half of this portion, are the only parts of the urban reserve that would extend the UGB beyond its existing extent in any direction (with the exception of Prescott and Chrissy). That is, if a box were drawn around the extremities of the existing UGB, all of the rest of the urban reserve areas would work to fill in that existing box. This portion of MD-1 would fall outside of that box. The combination of the poor transportation score along with the fact that the inclusion of this area would extend the City boundary along

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<sup>1</sup> Commission Report, 7/21/2015, Exhibit B, pp. 9–11

an already strained corridor made the inclusion of this area less desirable than other options.

Summary—inefficient accommodation of identified land needs.

#### **MD-2 north of Vilas Road**

This portion of MD-2 scored fairly well for both parcel size and proximity. It scored moderate-to-poor for water, good for sewer, and moderately poor for transportation. This property did not score as well as most, if not all, of the other properties included in staff's recommendation but was selected because of its suitability to provide for a portion of the City's identified industrial land need over the next 20 years. Because each of the urban reserve areas that have a residential component are required to also have an employment component, much of the identified commercial needs were met in these mixed-use urban reserve areas. This was done to avoid placing needed industrial land in residential neighborhoods.

Summary—efficient accommodation of a specific identified land need (industrial) but not the best compared to other areas for other identified land needs.

#### **MD-2 south of Vilas Road**

This portion of MD-2 scored well for both parcel size and proximity. It scored good-to-moderate-to-poor for water, good for sewer, and moderately poor for transportation. This portion of MD-2 benefitted from the fact that it is well situated to meet a sizable portion of the City's identified employment land need. Its location along Crater Lake Hwy and Crater Lake Ave, relatively close to the city center (closer than any other portion of the urban reserve along this corridor), make it well suited for future commercial development. Approximately 37% of this portion of MD-2 is slated for commercial uses. While this area scores moderately poorly for transportation, its inclusion also provides for opportunities to improve the transportation system in the vicinity. This property helps to facilitate the realignment of Crater Lake Ave to provide greater separation from Crater Lake Hwy. This is essential in order to fix the intersection of Vilas with Crater Lake Hwy and Crater Lake Ave. This property also helps to facilitate the extension of Springbrook from Coker Butte to Vilas. This extension will provide an additional parallel north-south route in the area which will help to alleviate some of the congestion on the existing north-south routes.

Summary—efficient accommodation of identified land needs (good mix of uses and large commercial component) and orderly and economic provision of public facilities and services (street connections).

**MD-3 north of Coker Butte Road**

This portion of MD-3 had a moderate combined score for parcel size and proximity. It scored poor for water, moderate for sewer, and moderate poor for transportation. The location of the area north of Coker Butte Road and east of Coker Butte has the effect of isolating this area from existing development and future development in MD-2 and other portions of MD-3. The area has been identified for only low-density residential development in the conceptual plan and does not help to meet any portion of the employment land need. Staff concluded that there were other areas that could better meet the City's identified land need.

Summary—inefficient accommodation of identified land needs (single use) and does not help provide orderly and economic provision of public facilities and services (isolated and does not provide street connections).

**MD-3 south of Coker Butte, north of Owen, and west of McLoughlin**

This portion of MD-3 had a good combined score for parcel size and proximity. It scored good-to-moderate-to-poor for water, and moderate for sewer and transportation. The overall scores for this property were fairly moderate. This area benefited from the fact that it had a good mix of identified land uses on the conceptual plan and its inclusion in the UGB could help with higher-order street connections (Cheltenham and McLoughlin).

Summary—efficient accommodation of identified land needs (good mix of uses) and orderly and economic provision of public facilities and services (street connections).

**MD-3 south of Coker Butte, north of Owen, and east of McLoughlin**

This portion of MD-3 had a good combined score for parcel size and proximity. It scored good and poor for water, and moderate for sewer and transportation. The overall scores for this property were fairly moderate. While this area had a good mix of identified land uses on the conceptual plan it did not help to connect any higher-order streets and was seen as less desirable than other portions of MD-3 for that reason.

Summary—efficient accommodation of identified land needs (good mix of uses) but does not help provide orderly and economic provision of public facilities and services (no street connections).

**MD-3 south of Coker Butte, south of Owen, and east of McLoughlin**

This portion of MD-3 had a good combined score for parcel size and proximity. It scored good for water, and moderate for sewer and transportation. The overall scores for this property were fairly good. This area benefited from the fact that it had a good mix of

identified land uses on the conceptual plan and its inclusion in the UGB could help with the connection of Owen Drive from Springbrook out to Foothill.

Summary—efficient accommodation of identified land needs (good mix of uses) and orderly and economic provision of public facilities and services (street connections).

#### **MD-4**

MD-4 had a good combined score for parcel size and proximity. It scored good-to-moderate for water, moderately poor for sewer, and fairly good for transportation. This area had moderately good scores overall. The area benefited from the good mix of identified land uses, the fact that it is surrounded by the existing UGB, and its ability to help connect water, sewer, and transportation infrastructure in the area. Concerns with the property included the existence of large tracts of undeveloped land in the vicinity, which if they were to remain undeveloped would hinder the orderly and economic provision of facilities and services. Also, the continued investment in the property for agricultural uses also raises a concern with both the ability to meet the identified land needs and the orderly provisions of public facilities and services. On the whole the scores were good and staff decided it was best to allow the Planning Commission and/or the Council to decide if the concerns about the property should play a larger role in the decision regarding its inclusion.

Summary—efficient accommodation of identified land needs (good mix of uses) and orderly and economic provision of public facilities and services (street connections) considering only the scores and identified land uses.

#### **MD-5 north of Barnett Road**

This portion of MD-5 had a good combined score for parcel size and proximity but the proximity scores are misleading. These scores show the proximity to the existing UGB rather than to existing development. Some of this area would require the extension of services through undeveloped (non-urbanized) portions of the existing UGB prior to development. Some portions of the existing UGB (north of Cherry Lane) lack water and sewer service because these services have not been extended through the existing UGB up to this point. The availability of undeveloped land within the vicinity can be seen in the City's Buildable Lands Inventory. Much of this land was added to the UGB during the last amendment and it has not developed out as quickly as anticipated. This has led to a large concentration of developable land in the southeast portion of the UGB. Further development of the properties within the UGB is needed in order to serve land on the eastern extreme. This fact plays a large role in the overall poor scores the area received for water and transportation. The inclusion of this area does have the benefit of providing additional flexibility for providing sewer services to properties within the existing

UGB but its inclusion could also add additional land to the UGB that cannot be readily served. It also can contribute to linking the trail system on the east side.

The conceptual plan for the area includes low- and medium-density residential and service commercial.

Summary—if the area serves to extend the Southeast Plan and the trail system, its inclusion will achieve a goal of the Regional Plan Element—to have mixed-use, walkable neighborhoods—that counterbalances some of the inefficiencies.

**MD-5 south of Coal Mine and east of North Phoenix Road**

This portion of MD-5 had a moderate combined score for parcel size and proximity. It scored moderate for water, sewer, and transportation. This property is average in every way. It benefited from its proximity to a planned elementary school and its mix of uses. This area is slated for commercial and high and medium-density residential development. The commercial uses are appropriate for the property's location along North Phoenix Rd and the planned medium and high-density residential developments benefit from, and are a benefit to, the planned elementary school.

Summary—although this area had moderate scores it serves to efficiently accommodate the City's identified land needs for both commercial and higher-density residential development. The types of proposed uses adjacent to existing and planned uses help in the orderly and economic provision of public facilities and services.

**MD-5 west of North Phoenix Road and north of South Stage Road (Centennial)**

This portion of MD-5 had a fairly good combined score for proximity and parcelization. The area scored good-to-moderate for water, fairly good for sewer, and moderate for transportation. Overall the area had fairly moderate scores. This area benefited from the fact that it has been planned for a specific identified need in the Housing Element (housing for an ageing population, Housing Element pg. 87 (see also pg. 71)) it helps to meet a portion of the employment land need (along North Phoenix Rd and the future extension of S, Stage Rd) and it helps in the orderly and economic provision of public facilities and services for the area when taken along with the future employment center south of South Stage Road.

Summary—efficient accommodation of identified land need (both the residential development for an ageing population and the employment portions). Relatively neutral on the orderly and economic provision of public facilities and services as a standalone but better when considered in an area-wide context.

### **MD-5 west of North Phoenix Road and south of South Stage Road**

This portion of MD-5 had a fairly good combined score for proximity and parcelization. The area scored poor for water, good for sewer, and moderate for transportation. Overall the area had fairly moderate scores. This area benefited from the fact that it has been planned for a future employment center (office park and/or large business campus) and is located along the route of the planned South Stage Road extension. This portion of the urban reserve is the only area planned for this type of use and its inclusion in the UGB is tied to the City's economic development efforts.

Summary—efficient accommodation of a specific identified land need (employment). Relatively neutral on the orderly and economic provision of public facilities and services. While the inclusion of this property in the UGB will help to facilitate the extension of South Stage Road the area as a whole will require a fair amount of investment to develop because of its location relative to existing development.

### **MD-6**

MD-6 had a good score for proximity and a poor score for parcelization. In general the properties on the west side of the urban reserve are smaller than the properties on the east side. Although most of these areas scored poorly for parcel size they were retained for further consideration in order to maintain a balanced distribution of land around the existing UGB in the ESAs. The area scored good and moderate for water and good for sewer and transportation. Like other properties on the west side this property had relatively easy access to existing public facilities and services. It is also well suited to provide for a portion of the City's identified industrial and commercial land need over the next 20 years.

There is a portion of property west of Harry & David's facilities that staff left out of the ESAs. It would require a lot partition so as not to be split by the UGB as the neighboring property is now. It also does not have direct connections to either Garfield Street or South Stage Road, making it unattractive for inclusion.

Summary—efficient accommodation of identified land needs (employment) and orderly and economic provision of public facilities and services (easy connections to existing infrastructure).

### **MD-7 north**

This portion of MD-7 had a good score for proximity and a moderate score for parcelization. In general the properties on the west side of the urban reserve are smaller than the properties on the east side. Although most of these areas scored poorly for parcel size they were retained for further consideration in order to maintain a balanced

distribution of land around the existing UGB in the ESAs. The area scored good for water, sewer, and transportation. The area is well situated for the extension of services. It is also well suited to provide for a portion of the City's identified employment land need over the next 20 years.

Summary—efficient accommodation of identified land needs (employment) and orderly and economic provision of public facilities and services (easy connections to existing infrastructure).

#### **MD-7 mid and south**

This portion of MD-7 had a good score for proximity and a moderate score for parcelization. In general the properties on the west side of the urban reserve are smaller than the properties on the east side. Although most of these areas scored poorly for parcel size they were retained for further consideration in order to maintain a balanced distribution of land around the existing UGB in the ESAs. A conceptual master plan has been submitted for the area showing a coordinated plan for development. This plan helps to reduce concerns regarding parcelization and the fragmented development that can result from it. The area scored good and poor for water, good for sewer, and good for transportation. With the exception of parcel size, and water for a portion of the area, all scores for this area were good. The area is well situated for the extension of services. The area also has a good mix of land uses and can be developed to meet the density, mixed-use, and walkability requirements of the Regional Plan.

Summary—efficient accommodation of identified land needs (good mix of uses) and orderly and economic provision of public facilities and services (easy connections to existing infrastructure).

#### **MD-8**

MD-8 had a good score for proximity and a moderately poor score for parcelization. In general the properties on the west side of the urban reserve are smaller than the properties on the east side. Although most of these areas scored poorly for parcel size they were retained for further consideration in order to maintain a balanced distribution of land around the existing UGB in the ESAs. A conceptual master plan has been submitted for the area showing a coordinated plan for development. This plan helps to reduce concerns regarding parcelization and the fragmented development that can result from it. The area scored good for water, sewer, and transportation. With the exception of parcel size, all scores for this area were good. The area is well situated for the extension of services. The area also has a good mix of land uses and can be developed to meet the density, mixed-use, and walkability requirements of the Regional Plan.

Summary—efficient accommodation of identified land needs (good mix of uses) and orderly and economic provision of public facilities and services (easy connections to existing infrastructure).

#### **MD-9 south**

This portion of MD-9 had a good score for proximity and a moderately poor score for parcelization. In general the properties on the west side of the urban reserve are smaller than the properties on the east side. Although most of these areas scored poorly for parcel size they were retained for further consideration in order to maintain a balanced distribution of land around the existing UGB in the ESAs. Many of the property owners have demonstrated a willingness to plan future development together. This coordinated approach helps to reduce concerns regarding parcelization and the fragmented development that can result from it. The area scored good for water, sewer, and transportation. With the exception of parcel size, all scores for this area were good. The area is well situated for the extension of services. The area also has a good mix of land uses and can be developed to meet the density, mixed-use, and walkability requirements of the Regional Plan.

Summary—efficient accommodation of identified land needs (good mix of uses) and orderly and economic provision of public facilities and services (easy connections to existing infrastructure).

#### **MD-9 mid**

This portion of MD-9 had a good score for proximity and a moderately poor score for parcelization. In general the properties on the west side of the urban reserve are smaller than the properties on the east side. Although most of these areas scored poorly for parcel size they were retained for further consideration in order to maintain a balanced distribution of land around the existing UGB in the ESAs. This area is only divided into two properties. The poor scores for parcel size are not due to parcelization, but rather, the fact that this area is quite small compared to other portions of the urban reserve. The small size of this area helps to eliminate concerns regarding parcelization and the fragmented development that can result from it. The area scored good for water, sewer, and transportation. With the exception of parcel size, all scores for this area were good. The area is well situated for the extension of services. The area has only one identified land use because it is not large enough to accommodate a useful mix of uses but it can be developed to meet the density, mixed-use, and walkability requirements of the Regional Plan.

Summary—efficient accommodation of identified land needs (single use but small in scale) and orderly and economic provision of public facilities and services (easy connections to existing infrastructure).

#### **MD-9 north**

This portion of MD-9 had a good score for proximity and a moderately poor score for parcelization. In general the properties on the west side of the urban reserve are smaller than the properties on the east side. Although most of these areas scored poorly for parcel size they were retained for further consideration in order to maintain a balanced distribution of land around the existing UGB in the ESAs. The majority of the properties in the area are held under a common ownership which helps to reduce concerns regarding parcelization and the fragmented development that can result from it. The area scored good for water, sewer, and transportation. With the exception of parcel size, all scores for this area were good. The area is well situated for the extension of services. The area also has a good mix of land uses and can be developed to meet the density, mixed-use, and walkability requirements of the Regional Plan.

Summary—efficient accommodation of identified land needs (good mix of uses) and orderly and economic provision of public facilities and services (easy connections to existing infrastructure).

#### **CONCLUSION**

In the course of the Planning Commission hearings other evidence was presented that led to a number of changes from the staff recommendation, such as including the Mahar property in MD-5. This was the point at which the vision of the City's future began asserting itself, supplementing and balancing the analysis-based recommendation with various economic, social, environmental, and energy considerations (see pp. 46–54 of the August 6, 2015 Council agenda packet).



**MEMORANDUM**

**Subject** UGB Amendment, Phase 2: ESA Boundary Amendment  
**Supplemental Findings memo no. 2**  
Summaries of testimony and questions around the map; responses to general testimony.

**File no.** CP-14-114

**To** Mayor and City Council

**From** John Adam, Principal Planner, Comprehensive Planning

**Date** September 9, 2015 *for 09-17-2015 meeting*

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**INTRODUCTION**

This memo comments on each of the areas in the urban reserve by reference to its “MD” number, providing the status of each through the UGBA process and responding to some of the testimony received. The second part of the memo will respond to some of the testimony that stood out for the Council and staff.

**MD-1**

No part of MD-1 was included in the staff recommendation. Planning Commission did not choose to add any land from it. There was no testimony regarding it.

**MD-2**

Most of MD-2 was in the staff recommendation and was not changed by the Planning Commission. Testimony centered on the mix of land uses and the land dedications to the Medford School District and to the Medford Parks Foundation.

**MD-3**

About two thirds of MD-3 was in staff’s recommendation. When the Planning Commission asked for alternatives to remove 175 acres, one of the alternative recommendations was to leave out the northwestern third of the area because it had less effect on

potential transportation improvements than removing the southeastern third<sup>1</sup>. This exclusion was part of the Planning Commission's recommendation.

This area is where the question of who would pay for street upgrades when the City took over jurisdiction of County roads first came up. There were also charges made of inconsistencies between the scoring maps and staff's recommendations.

#### **MD-4**

This area was in the staff recommendation. When the Planning Commission asked for alternatives to remove 175 acres, one of the alternative recommendations was to leave out the northern two thirds of the area. This exclusion was part of the Planning Commission's recommendation.

Petitioners testified that the Goal 14 locational factors require inclusion of MD-4. Staff disagrees. The location factors are not criteria, they're guidelines. Consider the first two:

1. Efficient accommodation of identified land needs;

The MD-4 area is about 280 acres; the Planning Commission's recommended map excludes 180 of those. Councilmember Gordon replied to a petitioner that the City needs to bring in land that it is sure will be built on, voicing his doubt that urban development is intended for MD-4. If the Council believes that is the case, that the land will not develop in the next 20 years, then to bring in such land is precisely the opposite of efficient accommodation of the City's land need.

2. Orderly and economic provision of public facilities and services.

The MD-4 area was left out of the 1990 UGB amendment either because Hillcrest opposed inclusion or for other reasons. The City has had to work around it since then: sewer, water, and transportation utilities have had to bypass this area. The single obvious benefit of inclusion would be the extension of Spring Street through to provide a parallel route to East McAndrews Road and Hillcrest Road. Such an extension would also have to pass through Dunbar Farms. The 100 acres in the southern third was retained to make such an extension a possibility.

#### **MD-5 northeast**

None of this area was in the staff recommendation. Approximately 180 acres owned by Mahar was added by the Planning Commission.

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<sup>1</sup> See p. 180 of the 08-06-2015 Council agenda packet (Commission Report, Exhibit L, p. 149)

Petitioners testified that the Hansen property north of Chrissy Park should be included so that there was a logical boundary, that it would make “map sense.” Inclusion would be logical only if a necessary street or other utility connection were to be made through it. Since that is not the case, leaving a gap there does not hurt the City in any way.

There was quite a lot of testimony about trails and the continuation of the SE Plan, plus arguments regarding sewer connections. The Planning Commission responded to that and added the Mahar piece. There was also a request toward the end of the hearings to add a little more just northeast of the point where East Barnett Road starts to bend southward. In order to do that land would have to be siphoned from elsewhere or the land need “bank” would have to be supplemented.

#### **MD-5 southwest**

There were no issues raised in the testimony about Centennial, the area across North Phoenix Road from it, or the employment area at the south end.

#### **MD-6**

There was a petition from property owners along Starlite Lane not to be included. There’s no reason not to include them: the lots comprise about 18 acres, but they were counted as “developed” so they were not expected to help meet the identified commercial land need. The City does not have an aggressive annexation policy, so they could remain outside the city limits if they chose. Inclusion in the UGB does not alter property taxes, inclusion in the city limits does, improvements on the land does.

Staff does not advocate leaving those 18 acres out, but it would be possible to do so. They are mostly developed acres, so there would be almost no additional commercial land need created by exclusion. The City should include, however, the full right-of-way of South Stage Road in the UGB expansion in order to have continuous and not intermittent jurisdiction.

#### **MD-7**

There appeared to be no controversy here. The area was in the original staff recommendation and remained through the Planning Commission recommendation.

There was a request to consider designating MD-7 North as Commercial instead of Service Commercial (CM instead of SC). There are two lots in MD-7 North totaling 36 acres, more or less. The lots have frontage on Garfield Street, a major arterial that becomes a minor arterial immediately west of Holly Street. When staff was trying to distribute the

land need types around the expansion areas<sup>2</sup>, it seemed to make more sense to put SC in this location rather than such a large amount of CM given the relatively low traffic on Garfield Street and its distance from the interchange and highway. If the Council would like to accommodate the request—in whole or in part—the 18 acres of SC would have to be redistributed.

#### **MD-8**

There appeared to be no controversy here. This area was in the original staff recommendation and remained through the Planning Commission recommendation.

#### **MD-9**

There appeared to be no controversy here. These areas were in the original staff recommendation and remained through the Planning Commission recommendation.

### **GENERAL TESTIMONY**

#### Process

There was testimony attacking the process the City went through to develop the current proposal. There was a charge that the coarse filter method used is not spelled out in State law. That is correct, because land selection is largely at a city's discretion.

The City has almost 4,500 acres in the urban reserve. All of it is first priority for inclusion by definition. Staff believed that there had to be a way to winnow out the poorly situated lands from the better-situated ones.

There was testimony alleging inconsistencies between what the coarse filter maps showed and the resulting external study areas (ESAs). The coarse filter scoring maps were not intended to be additive. If they had been, staff could have aggregated the scores and put the resulting map in front of the Planning Commission without further effort. As pointed out before, exclusion from the ESAs does not preclude Council from adding any land it chooses from the urban reserve into the expansion. The maps were tools for reasoning. Considerations of transportation and distribution of ESAs around the periphery played just as large a role in the selection process<sup>3</sup>.

For both the coarse filter and the facilities scoring, the negative testimony generally tends to overcomplicate the maps and give them disproportional importance in the final

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<sup>2</sup> It was a continual struggle to find good locations for the large amount of commercial land need, even after moving some of that need into the existing UGB in Phase 1.

<sup>3</sup> See also pp. 40–42 of the 08-06-2015 Council agenda packet (Commission Report, Exhibit B, pp. 9–11)

decision. Exclusion from the coarse filter step does not prevent the Council from putting the land in if it wants to—provided the City stays within its budget of needed acres.

### Transportation

Note in the clarification of the transportation scoring<sup>4</sup> that the scoring process was not a direct translation of the Kittelson memo<sup>5</sup>. There was not only one factor in play—relative costs of the scenarios—there were other factors noted under each scenario: lack of connectivity in areas and the need to upgrade the Phoenix–Foothill corridor no matter where the growth goes.

The analysis was not as well designed as it might have been were there unlimited funds and time to explore dozens of growth scenarios. Given those limitations, the analysis was designed to tease out gross inadequacies in the system. The virtually identical stresses on Phoenix–Foothill, on the intersection of Highland and Barnett, and on East Vilas Road in Scenarios 2 and 3 led to the moderate and low scores in the ESAs near those facilities. Another fact that should be clear from the transportation scoring map is the lack of fine gradations as seen on sewer and water. That is because the growth effects are felt more systemically rather than proximally; it would have been deceptive to assign finer gradations. Scoring on a large scale was the best that could be done at this high level.

But the scores were not all that bad. MD-3 and MD-5 each received the equivalent of a ‘C’—not spectacular, but easily a passing grade. The Hansen property in northeast MD-5 (north of Chrissy Park) received a lower score because it could not contribute to the eventual connectivity of the street system (recreational trail use notwithstanding). Inclusion of the Mahar piece, by contrast, would permit a connection from East Barnett Road to Cherry Lane—one of the N–S connections called out as lacking on the east side.

### Stormwater

Staff asked for an evaluation of these facilities at the same time other facilities were being evaluated. Public Works explained that an analysis would be unnecessary since mitigation is required on site. Stormwater is a concern of development, not a high-level expansion concern.

### Sewer<sup>6</sup>

Much of the scoring was based on a meeting with RVS and Public Works to reconcile the differences in their approaches to the question of relative costs to serve areas. The northeast portion of MD-5 (Mahar and Hansen) received low scores because it was re-

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<sup>4</sup> See pp. 170–73 of the 08-06-2015 Council agenda packet (Commission Report, Exhibit J, pp. 139–142)

<sup>5</sup> See pp. 126–33 of the 08-06-2015 Council agenda packet (Commission Report, Exhibit I, pp. 95–102)

<sup>6</sup> The findings provide a full explanation. See pp. 40–41 of the 08-06-2015 Council agenda packet (Commission Report, Exhibit B, pp. 9–10)

ported that there were downstream capacity problems in East Barnett Road and because the sewer system was still stubbed a good distance away from the parcels in this area. Subsequent testimony and information from Public Works supplemented the understanding of this issue, including how considering the marginal cost of sewer improvements was important, leading to the realization that sewer scores could reasonably be viewed as flatter than had been earlier determined.

Testimony on this factor attacked the early materials while ignoring the record of continual improvement in understanding of the issue. The tactic in this challenge and in similar ones was to dismiss subsequent clarifications as “ad hoc,” as though the information were made up on the fly, or clarification were unwelcome.

### Agricultural Buffering

There was a statement made that if we considered land for agricultural buffers we could add an additional 121 acres to our UGB because those bufferyards are considered unbuildable. Staff did account for the bufferyards in the original staff recommendation and was able to add about 65 acres to the land need by counting the bufferyards as unbuildable. Staff did not account for the new bufferyards that would need to be created by the Planning Commission recommendation. The map is in flux, calculating the agricultural buffers is complex given all the variables that have to be taken into account. And then there is also some overlap between open space and agricultural buffering.

Staff has begun calculating how much more land can be put in the “unbuildable” column. It will not be 121 acres because much was already accounted for. Also, further changes to the map will trigger a recalculation.

### Concept plan

Staff disagrees that the conceptual plan is inadequate to present to the County. In combination with the requirement for urbanization plans showing how the density obligations will be met, the conceptual plan is a solid framework showing distribution of land uses and transportation. The urbanization plans are an innovation to deal with the problem of reconciling the small discrepancy between the Housing Element’s projected density and the Regional Plan Element’s density target. Mr. Woerner had several months ago provided an idea about “pre-zoning” that we folded into the urbanization plan concept<sup>7</sup>.

### Slopes

There may be 582 acres of 15–25 percent slope and 265 acres of 25–35 percent slope in the existing UGB<sup>8</sup> if you sum all the streambanks, bluffs, and road cuts in the City. In

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<sup>7</sup> See p. 23 of the 08-06-2015 Council agenda packet (Commission Report, Exhibit A, p. 4)

<sup>8</sup> Exhibit Z, p. 2

other words, not all those acres are together in one or two big clumps, they are strung out across the City. They do not affect the potential density to the extent argued in Exhibit Z.

### Double counting

This issue first came up in a March 3, 2015 letter from 1000 Friends of Oregon<sup>9</sup> that raised a number of questions or challenges to the expressed land need. Staff responded to the letter, and to some counter-arguments from CSA Planning, in a memorandum dated May 6, 2015<sup>10</sup>. Staff countered all the challenges except the double counting of land for government uses and some parkland excess. That led to the Planning Commission's recommendation to remove 135 and 18 acres from the land need.

A subsequent letter from Mr. Harland<sup>11</sup> presents another argument from in the debate over the alleged double counting of government land needs. It also tackles the other land excesses alleged in the 1000 Friends letter that staff had already countered. The new argument is that when the Economic Element calculated land need for government uses it allocated 85 percent to office uses and 15 percent were unallocated but could be assumed to be workers in the field—public works crews, parks maintenance, and so forth. The sports park was cited as an example of a large land area with few employees attached to it. Those low employee-to-land ratios equal some extra amount.

Staff believes this argument would also be double counting. The land for parks was already accounted for in the Housing Element as a component of residential need. The Economic Element already accounted for employees for parks maintenance under appropriate NAICS categories for warehousing and maintenance without specifying them as government employees<sup>12</sup>. But if staff understands the argument being made, the more important question is why 15 percent of government employees were left unallocated. If that were the case it would cast doubt on the stated employment land need.

## **COUNCIL QUESTIONS**

### Map reductions

Some of the Council questions appeared to point in the direction of removing some land from various areas, presumably to redistribute them. The two thoughts staff would interject are that roads have to connect and that if Commercial land is taken out then it is Commercial land that has to go back in. Likewise with Residential and Industrial land.

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<sup>9</sup> See pp. 90–104 of the 08-06-2015 Council agenda packet (Commission Report, Exhibit C, pp. 59–73)

<sup>10</sup> See pp. 105–111 of the 08-06-2015 Council agenda packet (Commission Report, Exhibit D, pp. 74–80)

<sup>11</sup> Exhibit Z

<sup>12</sup> See footnote 22 on p. 109 of the 08-06-2015 Council agenda packet.

### Urbanization plans

The urbanization plans<sup>13</sup> will be required prior to annexation and will demonstrate in greater detail how particular areas will meet the Regional Plan Element objectives. The conceptual plan developed by staff and the Planning Commission followed the general distribution of land uses and roadways required by the Regional Plan Element, and will be adopted as General Land Use Plan map designations and street classifications when the UGB expansion is adopted. The urbanization plans will demonstrate compliance with the minimum density requirement and, where appropriate, how the Regional Plan Element goal of having mixed-use, pedestrian-friendly neighborhoods will be achieved. The conceptual plan of the whole urban reserve was a starting point, not an end point. Staff conceived that petitioners would have some latitude to shift land uses around in developing their urbanization plans.

The urbanization plan concept is simple: applicants submit a map showing zoning designations and major roads; the City then adopts it into the Neighborhood chapter of the Comprehensive Plan and the General Land Use Plan map is adjusted accordingly. These will be simple maps; lavish illustrations and specialized development standards will not be necessary. The focus is land uses and densities.

In most cases the plan areas have logical boundaries that include multiple owners. Interestingly, the City has seen parties of owners assembling themselves and making joint development agreements to share the benefits and the costs from eventual development.

As with any plan age is the enemy. Successive owners tend to have no interest in previously adopted plans, still less if planned open space is located on their property. That gets to the question raised by the Council: how binding can these plans be? In other words, what promises can petitioners be held to? Councilmember Jackle suggested that proper ESEE findings cannot be made unless proffered amenities can be secured through some kind of device. Staff will explore the options if the Council wishes.

### **CONCLUSION**

There was testimony stating that the findings need work. Staff agrees. The findings explain the bases for staff's recommendation and the Planning Commission's recommendation. Staff's plan is to prepare a set of final findings when the City Council provides direction for amending the UGB. With the aid of testimony offered at the hearings, staff will prepare the most legally defensible findings possible. However, both the State and 1000 Friends have indicated that the City's process has been generally sound, and if the Planning Commission's recommendation were to be adopted they would not have rea-

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<sup>13</sup> See p. 23 of the 08-06-2015 Council agenda packet (Commission Report, Exhibit A, p. 4)

son to challenge Medford's amendment. That is not typical position for UGB amendments in Oregon to be in.

There were generally three types of testimony:

1. Put mine in,
2. Keep mine in,  
and
3. There are some problems with the process or findings.

Part of the purpose of this memo was to respond to the last one. If there are flaws, they are either refinable or explicable. Most of the information in this memo was derived from the submitted findings, which necessarily lacks a narrative structure and so lacks the focus on particular questions.