

CITY COUNCIL AGENDA



MEDFORD
OREGON

July 2, 2020

6:00 P.M.

Medford City Hall, Council Chambers

411 W. 8th Street, Medford, Oregon

This meeting may be viewed via livestream at www.cityofmedford.org. Click on COUNCIL MEETINGS at the bottom of the first page. From there click on LIVE STREAM GOVERNMENT CHANNEL.

10. Roll Call

20. Recognitions, Community Group Reports

20.1 Employee Recognitions

30. Oral Requests and Communications from the Audience

Comments will be limited to 4 minutes per individual, group or organization. PLEASE SIGN IN.

40. Approval or Correction of the Minutes of the June 18, 2020 Regular Meeting and the June 25, 2020 Special Meeting

50. Consent Calendar

50.1 COUNCIL BILL 2020-88

A resolution adopting the Medford Homeless System Action Plan (HSAP) revised as of July 2020.

50.2 COUNCIL BILL 2020-89

An ordinance approving a contract in the amount of \$148,695.00 with West Coast Pipeline for sanitary sewer replacements.

50.3 COUNCIL BILL 2020-90

An ordinance designating a speed limit of 20 miles per hour on designated streets in the Liberty Park neighborhood.

60. Items Removed from Consent Calendar

70. Ordinances and Resolutions

70.1 COUNCIL BILL 2020-91

An ordinance amending Section 6.200 of the Medford Municipal Code pertaining to the boundary of the Downtown Parking District.

Meeting locations are generally accessible to persons with disabilities. To request interpreters for hearing impaired or other accommodations for persons with disabilities, please contact the ADA Coordinator at (541) 774-2074 or ada@cityofmedford.org at least three business days prior to the meeting to ensure availability. For TTY, dial 711 or (800) 735-1232.

70.2 COUNCIL BILL 2020-92

A resolution designating a portion of the property identified with Assessor's map and tax lot description of 372W13AA Tax Lot 103, near the corner of Biddle and Midway Roads in Medford, Oregon, as a temporary, transitional housing campground under the provisions of ORS 446.265.

80. 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 4 minutes. PLEASE SIGN IN.

YOU ARE ENCOURAGED TO SUBMIT WRITTEN COMMENTS INSTEAD OF TESTIFYING IN PERSON. IF YOU PROVIDE TIMELY WRITTEN TESTIMONY BY NOON OF THE DATE OF THE MEETING, YOU NEED NOT TESTIFY IN PERSON.

80.1 COUNCIL BILL 2020-82 – CONTINUED FROM JUNE 18, 2020

An ordinance amending sections 9.560, 9.561, 10.732, and 10.839 of the Medford Municipal Code pertaining to electrified fences. (DCA-19-010) Land Use, Legislative; Planner: Carla Paladino, carla.paladino@cityofmedford.org

90. Council Business

90.1 Proclamations issued:

Medford-Alba Sister Cities Day – July 2, 2020
Parks & Recreation Month – July 2020
Smart Irrigation Month – July 2020

90.2 Committee Reports and Communications

- a. Council Officers Update
- b. Site Plan and Architectural Commission Appointment
- c. Committee Reports and/or Communications

100. City Manager and Staff Reports

110. Adjournment



AGENDA ITEM COMMENTARY

DEPARTMENT: Planning
PHONE: (541) 774-2390
STAFF CONTACT: Angela Durant, Principal Planner

AGENDA SECTION: Consent Calendar
MEETING DATE: July 2, 2020

COUNCIL BILL 2020-88

A resolution adopting the Medford Homeless System Action Plan (HSAP) revised as of July 2020.

SUMMARY AND BACKGROUND

Council is requested to consider approval of a resolution adopting the most recent revision to the Medford Homeless System Action Plan (HSAP). The City completed the HSAP in consultation with LeSar Development Consultants (LDC) in April 2019. The City's three primary objectives in completing the HSAP were to: 1) better define the City's role in addressing homelessness and housing instability; 2) identify actionable goals for the City to implement and/or support based on identified system and service gaps; and 3) develop a driving document to assist Council with establishing priorities, partnerships, and funding decisions.

The City introduced the HSAP to community partners and conducted extensive outreach to collect feedback during the months of May through July, 2019. The majority of the feedback received was positive. However, the City also received feedback on specific areas of the HSAP that warranted a more extensive review to identify potential opportunities for improvement. In order to remain focused on strategic action during this process, Council directed the implementation of five recommended goals and 32 actions through the adoption of the HSAP Implementation Plan on November 21, 2019 (Exhibit A). Council further directed staff to bring back findings from the feedback received for discussion during a study session on January 9, 2020. During the study session, Council and Mayor directed staff to make minimal revisions to the HSAP in a manner that would better reflect the intent of the City and the good work of the community. Exhibit B highlights the six categories of community feedback that contributed to the revisions presented in the updated HSAP. The most recent update to the HSAP is on file with the City Recorder's Office and also available on the City's website ([click here](#) to access the electronic version.)

PREVIOUS COUNCIL ACTIONS

On January 9, 2020, Council held a study session to discuss the adoption of a revised HSAP after consideration of community feedback and directed staff to make revisions for further consideration.

On November 21, 2019, City Council approved Council Bill 2019-122 adopting the HSAP Implementation Plan.

On October 10, 2019, Council held a study session to discuss the HSAP and provided staff with direction on implementation of the HSAP recommended goals and actions.

On May 30, 2019, Council approved Council Bill 2019-63 adopting the 2019-2021 Biennial Goals for the City of Medford.



On February 28 and May 9, 2019, Council held study sessions to establish 2019-21 Biennial Goals for the City of Medford.

On April 25, 2019, Council held a study session to discuss the HSAP with consultants from LeSar Development Consultants.

On April 9 and 16, 2019, Council held G-3 meetings to discuss the HSAP.

ANALYSIS

Through extensive data collection, research, consultations with community partners and stakeholders, site visits, and an 87-respondent survey, LDC presented findings that resulted in the recommendation of five goals and 31 actions. LDC also provided the City with descriptions of the City's suggested role, timelines, and potential partners, as related to each recommended action. City Council later requested that implementation of a "reunification" program be added as the 32nd action. The City further expanded this list to include specific implementation tasks, responsible groups, proposed resources, and more precise timelines. This expanded list became the draft version of the HSAP Implementation Plan, which was adopted by Council. This action was extremely beneficial in streamlining action, while the full document was more meticulously reviewed.

City staff conducted extensive outreach to collect community input during the months of May through July 2019 through presentations to various bodies including the Continuum of Care (CoC) Board, Homelessness Task Force (HTF) CoC Workgroup, Public Managers Group, City Leadership, Housing Advisory Commission (HAC) and Community Development Grants Commission (CDGC). City staff also solicited feedback through the City's nonprofit email distribution list, as well as the CoC's and HTF's distribution lists. All feedback was considered and revisions were made based on the six categories described in Exhibit B. Careful consideration of each area of feedback resulted in the following revision categories, all of which are highlighted in yellow throughout the updated HSAP:

- Updated the City of Medford logo
- Replaced photos on cover-page
- Completed extensive revisions to the Executive Summary (pages 1-5)
- Referenced or credited Maslow Project (pages 2 & 43)
- Added "reunification" as an action under Goal 5 (pages 6 & 56)
- Added community partners to encampment cleanups (page 11)
- Clarified health services and funding through Jackson County (page 12)
- Referenced or credited ACCESS (pages 17 & 30)
- Added to and edited the CoC's efforts (page 18)
- Added to, edited, and clarified the County's efforts and resources (pages 19 & 29)
- Clarified the City's efforts (pages 19-21)
- Added agencies to other community resources (page 29)
- Clarified outreach status and recommendations (pages 2, 38 & 39)



- Added references to youth (pages 38 & 41)
- Added Community Works to and edited Appendix B (page 58)
- Clarified the CoC's decision to remain independent (page 59)

In conclusion, staff feels that the City has gone above and beyond to review and revise the document created by LDC in a manner that does not remove the integrity of LDC's work, but also delicately addresses the key concerns of valuable community partners. Council's potential adoption of the HSAP would recognize LDC's expertise, reflect the City's proactive determination to take strategic action, and provide the community with a general assessment of the region-wide initiative to collectively address homelessness. Overall, the HSAP meets the established objectives and may continue to serve as a guiding resource for the City and region-wide partners moving forward.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

This action is not specifically requesting funds from Council, but investments in the HSAP will be part of the future budget and grant opportunities, along with partnerships.

TIMING ISSUES

City Council's approval is requested on July 2, 2020, to conclude amendments to the HSAP.

COUNCIL OPTIONS

Approve the resolution as presented.

Modify the resolution as presented.

Decline to approve the resolution and provide direction to staff.

STAFF RECOMMENDATION

Staff recommends approval of the resolution to adopt the Medford Homeless System Action Plan.

SUGGESTED MOTION

I move to approve the resolution adopting the Medford Homeless System Action Plan.

EXHIBITS

Resolution

Exhibit A: Medford HSAP Implementation Plan

Draft Revision to the HSAP is on file with the City Recorder's Office

RESOLUTION NO. 2020-88

A RESOLUTION adopting the Medford Homeless System Action Plan (HSAP) revised as of July 2020.

WHEREAS, in April 2019 City completed the draft Medford Homeless System Action Plan (HSAP) in consultation with LeSar Development Consultants (LDC). The City's three primary objectives in completing the HSAP were to: 1) better define the City's role in addressing homelessness and housing instability; 2) identify actionable goals for the City to implement and/or support based on identified system and service gaps; and 3) develop a driving document to assist Council with establishing priorities, partnerships, and funding decisions; and

WHEREAS, the City introduced the draft HSAP to community partners and conducted extensive outreach to collect feedback during the months of May through July, 2019 and in November of 2019, the City Council approved the HSAP Implementation Plan via Council Bill 2019-122; and

WHEREAS, Council Bill 2019-122 directed the implementation of five recommended goals and 32 actions. Council further directed staff to bring back findings from the community feedback process for discussion during a study session on January 9, 2020; and

WHEREAS, following consideration of community feedback during the study session on January 9, 2020, Council directed staff to make minimal revisions to the HSAP to better reflect the intent of the City and the good work of the community; now, therefore,

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

The Medford Homeless System Action Plan (HSAP), revised as of July 2020 and on file in the City Recorder's office, is hereby adopted.

PASSED by the Council and signed by me in authentication of its passage this ___ day of July, 2020.

ATTEST: _____
City Recorder

Mayor



Exhibit A

Medford Homeless System Action Plan Implementation Plan
Adopted by Medford City Council on November 21, 2019

The following table lists the original five goals and 31 actions recommended in the Medford Homeless System Action Plan (HSAP), in order of priority, by LeSar Development Consultants. City Council added the development of a reunification program as a diversion strategy listed under Goal 5, Action 5.5. The table also serves as the HSAP Implementation Plan, which includes staff recommended implementation tasks, responsible groups, proposed resources, and begin/end dates. The implementation plan is intended to serve as a roadmap for the City to develop and/or support programs, partnerships and funding priorities. All actions are proposed for consideration or implementation in some capacity during the 2019-21 Biennium. However, 16 of the 32 are identified as priority actions based on need, timing, funding and ability to implement during the targeted timeframe. Collective feedback from community stakeholders, leadership bodies, and Council advisory commissions prompted focus on priority actions that seek to accomplish the following:

- Support the City's Livability Team with outreach and housing resources for chronically homeless individuals;
- Support development of permanent and transitional housing options;
- Provide assistance to rapidly rehouse homeless individuals and families;
- Coordinate distribution of services;
- Increase resources for homelessness diversion and prevention;
- Prioritize City funding programs including the Housing Opportunity Fund (HOF), Community Development Block Grant (CDBG), General Fund Grant (GFG) and HSAP implementation funds; and
- Establish City roles to address homelessness and oversee the HSAP.

Acronyms and Abbreviations

Acronym/Abbreviation	Description	Acronym/Abbreviation	Description
CDBG	City of Medford Community Development Block Grant Program	HOF	City of Medford Housing Opportunity Fund
CDGC	Medford Community Development Grants Commission	HSAP	City of Medford Homeless System Action Plan
CCO	Coordinated Care Organization	HTF	Homeless Task Force (CoC Workgroup)
COC	Jackson County Continuum of Care	LVT	Medford Police Department's Livability Team
GFG	City of Medford General Fund Grant Program	MPD	City of Medford Police Department
HAC	Medford Housing Advisory Commission	MURA	Medford Urban Renewal Agency
HCDD	Medford Planning Department's Housing and Community Development Division	RVCOG	Rouge Valley Council of Governments

Goal #1: Increase the Supply of Affordable and Supportive Housing

Actions	Role of the City	Proposed Implementation Task(s)	Responsible Group(s)	Proposed Resources	Begin Date - End Date
Action #1.1: Continue implementing ad hoc Housing Advisory Committee recommendations, through the newly appointed permanent Housing Advisory Commission including prioritizing affordable housing project review, creating developer incentives, and updating policies and standards to facilitate increased density and innovative housing models.	Maintain current role within HAC and ensure recommendations from the Action Plan are incorporated into ongoing HAC recommendations.	<ol style="list-style-type: none"> 1) Develop Strategic Housing Plan as part of the consolidated planning process required as a CDBG entitlement jurisdiction. 2) Request Council establish funding priorities under the HOF and CDBG programs for the development of affordable housing. 	<ol style="list-style-type: none"> 1) HCDD and HAC 2) HCDD, CDGC, HAC and Council 	HOF, CDBG, GFG, MURA and community leverage	9/1/17 - 6/30/22
Actions	Role of the City	Proposed Implementation Task(s)	Responsible Group(s)	Proposed Resources	Begin Date - End Date
Action #1.2: City and County work collaboratively to set annual housing production goals.	Reach out to appropriate County personnel to begin discussions regarding setting goals.	<ol style="list-style-type: none"> 1) City support and/or fund the production of 100 units, as established by the 2019-21 Council Goals. 2) Establish 5-year housing production goal during the CDBG consolidated planning process. 	HCDD, HAC, CDGC and MURA	HOF, CDBG and community leverage	7/1/19 - 6/30/22

Actions	Role of the City	Proposed Implementation Task(s)	Responsible Group(s)	Proposed Resources	Begin Date - End Date
<p>Action #1.3: City and County work collaboratively to inventory all available publicly-owned land (City, County, State, and Federal) that may be suitable for housing development. Additionally, work with faith-based community and non-profits to identify land they may own for affordable/supportive housing development.</p>	<p>Begin inventorying land and reach out to County personnel to work with them on creating regional inventory list. City and County engage faith-based community and non-profits.</p>	<ol style="list-style-type: none"> 1) Develop Surplus Property List including properties in Downtown and Liberty Park. 2) Work with the COC Housing Pipeline and Faith-based workgroups to identify additional suitable land. 3) Expand surplus property list to include properties, citywide. 4) Research opportunities to create a Community Housing Foundation. 	<ol style="list-style-type: none"> 1) City Manager's Office and MURA 2) HCDD and COC 3) City Manager's Office and MURA 4) HCDD and HAC 	<p>City, MURA and COC staffing</p>	<p>9/1/19 - 6/30/21</p>
<p>Action #1.4: Engage private landlords in the city to rent to homeless households and develop a city or region-wide landlord engagement program that could provide funding for financial incentives to local landlords, deposits and application fees, and damage/mitigation funds.</p>	<p>Create landlord engagement campaign targeted at landlords to rent to homeless households. Work with partners to create funding pool that would provide financial incentives to landlords, deposits, damage funds, and other housing related expenses for homeless households to access.</p>	<p>Conduct research and present case studies to HAC and CDGC prior to presentation to Council</p>	<p>HCDD</p>	<p>City staffing</p>	<p>7/1/21 - 6/30/22</p>

Actions	Role of the City	Proposed Implementation Task	Responsible Group(s)	Proposed Resources	Begin Date - End Date
<p>Action #1.5: Increase RRH resources for non-Veteran households, both families and single adults. It is estimated that the region needs to create a MINIMUM of 83 RRH units for single non-Veteran adults and 22 units for non-Veteran families to meet current demand.</p>	<p>City needs to prioritize existing City funds that could be used for the rental assistance portions of RRH. The City should also work with the Housing Authority to understand if there are any rental assistance funds that could be paired with City funds for the use of RRH. The City should then engage in discussions with the County and CCO's to help determine funds to be used to provide the case management support with the rental assistance. The City can work with COC to determine best way to roll out the new RRH program</p>	<ol style="list-style-type: none"> 1) Develop strategic RRH program in partnership with the COC. 2) Request Council establish funding priorities under the GFG program. 3) Establish a performance goal that 85% of households served are stabilized in housing for six months or longer, which mirrors Oregon Housing and Community Services' 2019-23 homelessness goal. 	<p>HCDD, HAC, and CDGC and Council</p>	<p>CDBG, GFG and community leverage</p>	<p>10/10/19 – 6/30/22</p>
<p>Action #1.6: Increase the supply of new PSH units for Non-Veteran single adults. It is estimated that the region needs to create a MINIMUM of 259 PSH units (Includes 245 for non-Veteran single adults and 14 for non-Veteran families to meet current demand).</p>	<p>Prioritize the creation of new PSH. This can include acquiring and rehabbing underutilized or closed hotels or motels, using pre-fabricated or modular units on City-owned land while traditional development is considered, and use City-owned property for PSH development. Work with County, VA, CCOs, and ACCESS to discuss funding of supportive services.</p>	<ol style="list-style-type: none"> 1) Develop Surplus Property List referenced in Action 1.3 and work with community partners to explore opportunities with hotels and/or modular units. 2) Develop Strategic Housing Plan as referenced Action 1.1 which will include strategies to increase production of PSH units. 	<ol style="list-style-type: none"> 1) City Manager's Office and MURA 2) HCDD and HAC 	<p>HOF, CDBG and community leverage</p>	<p>9/1/19 – 6/30/22</p>

Actions	Role of the City	Proposed Implementation Task(s)	Responsible Group(s)	Proposed Resources	Begin Date - End Date
<p>Action #1.7: Engage the County, Housing Authority, CCOs, and hospitals to create a PSH pilot targeted to frequent users of healthcare systems.</p>	<p>Convene partners to discuss the creation of a PSH pilot that could be targeted to high-cost homeless individuals. To quickly create a pilot, the most efficient way would be to determine how to create new PSH rental assistance (in form of voucher or other source) and pair with services funds ideally funded by the healthcare sector.</p>	<p>Facilitate a convening including interested culturally specific service providers, behavioral health providers, housing developers, housing funders, Medicaid funders, elected officials, City staff and lived experience.</p>	<p>HCDD and HAC</p>	<p>HOF, CDBG, GFG and MURA</p>	<p>12/18/19 – 6/30/22</p>
<p>Action #1.8: Explore zone changes that would facilitate development of affordable housing, including density bonuses, multi-family zoning, and by-right development</p>	<p>City is responsible for this action.</p>	<ol style="list-style-type: none"> 1) Develop code amendment to address the multi-family residential review process (by-right development) 2) Complete City-initiated zone and GLUP change project 	<p>Planning Department, Planning Commission and HAC</p>	<p>City staffing</p>	<p>8/1/19 – 3/31/20</p>
<p>Action #1.9: Implement an ADU program to include SDC waivers. Explore opportunities to create a low-interest ADU loan program for homeowners. Develop permit-ready ADU design options.</p>	<p>City is responsible for this action.</p>	<p>Develop ADU and SDC Reduction programs for implementation during the second round of the HOF</p>	<p>HCDD and HAC</p>	<p>HOF, General Fund and City staffing</p>	<p>10/10/19 – 3/31/20</p>

Goal #2: Increase Leadership, Collaboration and Funding

Actions	Role of the City	Proposed Implementation Task(s)	Responsible Group(s)	Proposed Resources	Begin Date - End Date
<p>Action #2.1: Identify a single point of contact within the City who is responsible for homelessness and can oversee Action Plan implementation.</p>	<p>City is responsible for this action.</p>	<ol style="list-style-type: none"> 1) Develop a proposal to the CDGC for recommendation to Council to amend Medford Code 2.441: a) increase the membership to include two individuals with lived experience; b) increase the voting members constituting a quorum to six members; and c) add "acting as the advisory body to Council on matters associated with homelessness" and "implementing the Homeless System Action Plan" as statutory responsibilities. 2) Appoint HCDD staff as the single point of contact for the HSAP. 	<p>CDGC and HCDD</p>	<p>City staffing</p>	<p>9/25/19 – 12/31/19</p>
<p>Action #2.2: Continue to assess the estimated City and public costs of managing homelessness, including calculating staff time, emergency response, property damage, etc. Use the information to quantify needs and continue to strengthen the business case to invest in housing and services for homeless households.</p>	<p>Work with other sectors including healthcare and criminal justice to identify the costs associated with homelessness.</p>	<p>Complete a Cost Analysis of Homelessness</p>	<p>HCDD, CDGC and COC</p>	<p>CDBG and community leverage</p>	<p>7/1/20 – 12/31/21</p>

Actions	Role of the City	Proposed Implementation Task(s)	Responsible Group(s)	Proposed Resources	Begin Date – End Date
Action #2.3: Create a cross-sector Funders Collaborative that includes both public- and private- sector funders.	Convene all regional public and private funders to establish a regional funders collaborative to begin discussion of funding needs, priorities, and best way to align and increase funding for impact.	City is now an active member of the Jefferson Funders Forum , which is an existing regional funders collaborative.	HCDD staff	City staffing	9/12/19 – ongoing
Action #2.4: Support creation and implementation of a City and faith-based collaborative to identify shared goals, coordinate activities, and explore opportunities related to safe parking programs, shared housing opportunities, and affordable housing development. (This can be combined or expanded with COC Faith-Based Workgroup)	Convene all faith-based organizations within the City on an ongoing basis to discuss needs, strategies, and share best practices.	<ol style="list-style-type: none"> 1) Facilitate a convening of all organizations that distribute services to the homeless including nonprofits, faith-based organizations, known individuals, and businesses. 2) Request Council establish funding priorities under the HSAP to cover associated costs. 	<ol style="list-style-type: none"> 1) HCDD, HTF, CDGC and MPD 2) HCDD, CDGC, HAC and Council 	HSAP	1/6/20 – 1/30/20
Action #2.5: Support creation and implementation of a City and business sector work group to address issues, develop education materials, and explore partnership opportunities related to workforce development and training.	Convene the Chamber, Downtown Association, and other interested businesses in the city on an ongoing basis to discuss needs, strategies, and share best practices.	Facilitate initial convening to establish local interest	HCDD and CDGC	City staffing	7/15/20 – 12/31/19

Actions	Role of the City	Proposed Implementation Task(s)	Responsible Group(s)	Proposed Resources	Begin Date - End Date
<p>Action #2.6: Support the creation and implementation of a Lived Experience Advisory Board that would provide input on City policies and programs as well as regional approaches. Determine with the COC, if this is best created at a regional level as part of the COC, but could still provide input on City specific activities.</p>	<p>Work with COC and other non-profits to identify potential board members who are current or past participants in homeless services or have been homeless in the city. Act as the group convener and support Board members with incentives for their participation.</p>	<ol style="list-style-type: none"> 1) Develop a proposal to the CDGC for recommendation to Council to amend Medford Code 2.441: a) increase the membership to include two individuals with lived experience; b) increase the voting members constituting a quorum to six members; and c) add "acting as the advisory body to Council on matters associated with homelessness" and "implementing the Homeless System Action Plan" as statutory responsibilities. 2) Make a request to the COC that one of the members with lived experience be appointed to the COC Board. 	<p>HCDD</p>	<p>GFG Program</p>	<p>12/4/19 - 1/1/20</p>
<p>Action #2.7: Create an area resource map using Geographic Information Systems (GIS).</p>	<p>Work with COC and other partners to identify and document available resources for homeless households throughout the city.</p>	<ol style="list-style-type: none"> 1) Resource completed. 2) Obtain the enhanced resources list from the COC Manager to provide to the Medford Livability Team for distribution. 	<ol style="list-style-type: none"> 1) RVCOG 2) HCDD 	<p>RVCOG and City staffing</p>	<p>10/15/19 - ongoing</p>
<p>Action #2.8: Continue to participate and provide leadership within the COC and invest in build-out of infrastructure through the COC.</p>	<p>Work with COC to determine infrastructure needs of the COC and dedicate funds with other regional partners.</p>	<p>City funds COC through noncompetitive GFG program.</p>	<p>City leadership staff and Council</p>	<p>GFG</p>	<p>ongoing</p>

Actions	Role of the City	Proposed Implementation Task(s)	Responsible Group(s)	Proposed Resources	Begin Date - End Date
Action #2.9: Require applicants demonstrate adherence to best practices and community standards in all City contracts for homeless services.	City is responsible for this action but may need input from COC on community standards.	Add best practices and standards to the City's CDBG public services and capital improvement project guidebooks and update contracts to include federally recommended standards.	CDGC and COC	CDBG, City and COC staffing	8/5/2020 - ongoing
Action #2.10: Develop a performance culture within the City where City funds are only provided to programs that demonstrate positive outcomes. Review current contracts and potentially shift funding to higher performing projects.	City is responsible for this action but may need input from COC on performance measures.	<ol style="list-style-type: none"> 1) Enhance City's quarterly performance reporting platform and regularly attend Jefferson Funders Forum meetings and implement best practices for measuring performance outcomes learned through the JFF. 2) Hold training on evidence-based performance measurement for all City grant recipients. 	HCDD and CDGC	City staffing	2/26/20
Goal #3: Address Unsheltered Homelessness and Encampments					
Actions	Role of the City	Proposed Implementation Task(s)	Responsible Group(s)	Proposed Resources	Begin Date - End Date
Action #3.1: Create a Chronically Homeless Response Group to support activities and increase collaboration between key agencies and outreach partners such as street outreach personnel, MPD, Public Works, Behavioral Health and businesses.	Convene all partners who have a stake in unsheltered homelessness and encampments.	Establish group similar to the Neighborhood Livability Team and hold regular meetings to target individuals through the Chronically Homeless Outreach Partnership referenced in Action 3.3	MPD Livability Team	City's and other agency's staffing	9/19/19 - 6/30/22

Actions	Role of the City	Proposed Implementation Task(s)	Responsible Group(s)	Proposed Resources	Begin Date - End Date
<p>Action #3.2: Increase resources for non-uniformed street outreach services dedicated to single adults and pair outreach staff with MPD.</p>	<p>Dedicate City funds to increasing street outreach services and work with County and other partners such as CCOs and business groups to identify funding to match.</p>	<p>Target specific partners to develop sustainable volunteer outreach program to accompany the LVT along the Greenway, in parks and Downtown.</p>	<p>HCDD, MPD, CDGC and HTF</p>	<p>HSAP, CDBG, City staffing and community volunteerism</p>	<p>9/3/19 – 6/30/22</p>
<p>Action #3.3: Create a pilot to address encampments on the Greenway, in parks, and Downtown to assess individuals, provide intensive supports, and offer housing placements.</p>	<p>As part of Chronically Homeless Response Ad Hoc Working Group discuss idea of a pilot.</p>	<ol style="list-style-type: none"> 1) Establish the Chronically Homeless Outreach Partnership pilot program, which may include shelter beds, an interim housing facility, integrated mental health and addictions recovery services, job training, and permanent housing placement services. This program is meant to be a primary resource for the LVT to house chronically homeless individuals. Data will be collected through the working group referenced in Action 3.1. 2) Request Council establish funding priorities under the HSAP to lease one housing unit with five rooms to provide an interim, co-housing resource for the LVT. 	<ol style="list-style-type: none"> 1) MPD, HCDD, CDGC and community partners 2) HCDD, CDGC, HAC and Council 	<p>HSAP, shared resources from partners and local grants</p>	<p>10/18/19 – 6/30/22</p>

Actions	Role of the City	Proposed Implementation Task(s)	Responsible Group(s)	Proposed Resources	Begin Date - End Date
<p>Action #3.4: Update City policies related to encampment abatement to include proactive outreach responses and offer support prior to 24-hour posting and abatement.</p>	<p>City is responsible for this action. Update policies based on input from Ad Hoc Working Group and pilot activities</p>	<p>Assess through the Chronically Homeless Outreach Partnership to identify and update outreach responses, accordingly.</p>	<p>MPD</p>	<p>City staffing</p>	<p>1/1/20 - 6/30/22</p>
<p>Goal #4: Increase Temporary Housing Programs and Successful Placements</p>					
Actions	Role of the City	Proposed Implementation Task(s)	Responsible Group(s)	Proposed Resources	Begin Date - End Date
<p>Action #4.1: Support the creation of a year-round, low barrier shelter program for single adults, families, and couples. Keep the winter shelter program during first year of operation and consider if needed beyond that timeframe.</p>	<p>Identify site within the city to be used for shelter program and provide funding to help develop and operate as needed.</p>	<ol style="list-style-type: none"> 1) Year-round shelter completed. 2) Request Council establish a funding priority under the HSAP to provide financial assistance to the Kelly Shelter as a resource essential to the success of the LVT. 3) Support the search for a location to maintain a temporary winter shelter in addition to the new year-round shelter. 	<ol style="list-style-type: none"> 1) ACCESS and Rogue Retreat 2) HCDD, HAC, CDGC and Council 3) HCDD, CDGC, COC, Rogue Retreat, Fire Department and Building Safety Department 	<p>HSAP, CDBG, and City, COC and agency staffing</p>	<p>10/15/19 - 6/30/22</p>
<p>Action #4.2: As part of year-round shelter, consider creating a Central Access Point within the city that could be the starting place for all populations to access the homeless services system.</p>	<p>Work with COC to understand if this is needed.</p>	<p>Work with the CoC and other partners to identify the need for and options related to a central access point that could also serve as a site for distribution of services.</p>	<p>CDGC, CoC, and other partners</p>	<p>Community partners</p>	<p>11/22/19 - 5/21/20</p>

Actions	Role of the City	Proposed Implementation Task(s)	Responsible Group(s)	Proposed Resources	Begin Date – End Date
<p>Action #4.3: Only provide City funds to temporary housing programs that have adopted best practices such as Housing First that includes a low-barrier entry criteria and harm reduction, uses HMIS, and uses the CES.</p>	<p>City is responsible for this action.</p>	<p>Hold study session to research best practices and the effective use of multiple models for addressing homelessness.</p>	<p>HCDD, CDGC and COC</p>	<p>City and COC staffing</p>	<p>12/18/19 – 3/18/20</p>
<p>Action #4.4: Work with interested churches to create safe parking programs in their parking lots. Promote partnerships that provide funding to churches to ensure adequate restrooms and basic services at the lots and funds for service engagement. Engage church volunteers to assist with other services at the parking lots.</p>	<p>Engage area churches to develop safe parking programs. Identify funds to provide to area non-profits or churches to operate programs. Engage COC to ensure that parking programs are interacting with CES.</p>	<ol style="list-style-type: none"> 1) Identify 1-2 interested churches to implement a pilot program, potentially using City funding for rehabilitation costs to meet code requirements including access to restrooms and other services. 2) Review code to consider including nonprofits as authorized organizations to offer safe parking under certain circumstances. 	<ol style="list-style-type: none"> 1) CDGC and COC 2) Planning Department, City Attorney and Fire Department 	<p>HSAP, CDBG, and City and COC staffing</p>	<p>3/1/20 - 6/30/20</p>

Goal #5: Increase Diversion and Prevention Strategies

Actions	Role of the City	Proposed Implementation Task(s)	Responsible Group(s)	Proposed Resources	Begin Date – End Date
<p>Action #5.1: Increase resources for homelessness prevention and ensure City funds are targeted to households most likely to become homeless and funds are used efficiently.</p>	<p>Conduct assessment of current contracts where the City is providing funds for homelessness prevention and/or emergency assistance and evaluate target populations and outcomes. Based on assessment, increase funding for activities that are making an impact in preventing households from becoming homeless.</p>	<ol style="list-style-type: none"> 1) Request Council establish a funding priority under the GFG program to increase funding to housing stabilization programs that provide temporary financial assistance to low-income households at risk of losing their housing. Assistance may include rent and utilities, mortgage payments, child care, transportation costs, eviction prevention services, job training expenses, etc. 2) Implement the 85% performance standard presented in Action 1.5. 	<p>HCDD, CDGC, HAC and Council</p>	<p>GFG and CDBG</p>	<p>10/10/19 – 6/30/22</p>
<p>Action #5.2: Provide increased funding for legal services to support City residents facing eviction.</p>	<p>City is responsible for this action.</p>	<p>Request Council establish a funding priority under the GFG, as referenced under Action 5.1. Center for Nonprofit Legal Services is the only local agency offering eviction prevention services to low-income residents.</p>	<p>HCDD, CDGC, HAC and Council</p>	<p>GFG</p>	<p>10/10/19 – 6/30/22</p>
<p>Action #5.3: Increase diversion training and activities and incorporate into CES and temporary housing programs.</p>	<p>Provide funding to COC to create and expand Diversion training to non-profits. Work with partners such as the County to provide match.</p>	<p>Hold study session with CDGC and COC Manager to explore priority need.</p>	<p>HCDD, CDGC and COC Manager</p>	<p>GFG</p>	<p>3/25/20</p>

Actions	Role of the City	Proposed Implementation Task(s)	Responsible Group(s)	Proposed Resources	Begin Date - End Date
<p>Action #5.4: As part of a diversion strategy, increase shared housing and/or roommate matching strategies to connect homeowners who may have a room to rent or to connect homeless individuals together to live as roommates.</p>	<p>Work with COC to engage in discussions with COC partners to discuss shared housing models.</p>	<p>Hold study session through the HAC and CDGC to explore opportunities and existing code.</p>	<p>HAC, CDGC, Planning Department, COC Manager, and ACCESS Housing Director</p>	<p>City's and organization's staffing</p>	<p>7/15/20</p>
<p>Action #5.5: As directed by Council, increase resources to reunite homeless individuals with their family or support network outside the City of Medford.</p>	<p>Work with the COC and other interested partners to develop a reunification program that follows best practices and community standards.</p>	<p>Work with COC, through a Request for Interest, to identify an agency to administer the program and to develop best practices, standards, and procedures.</p>	<p>HCDD, CDGC and COC</p>	<p>HSAP \$50K</p>	<p>11/22/19 - 12/31/19</p>



AGENDA ITEM COMMENTARY

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

AGENDA SECTION: Consent Calendar
MEETING DATE: July 2, 2020

COUNCIL BILL 2020-89

An ordinance approving a contract in the amount of \$148,695.00 with West Coast Pipeline for sanitary sewer replacements.

SUMMARY AND BACKGROUND

The Council is requested to consider approval of a contract in the amount of \$148,695.00 to West Coast Pipeline to replace sanitary sewer pipes in two locations in the City of Medford.

The sanitary sewer pipes need replacement because they are old and deteriorated. The need to replace these sewer pipes was established by the City's video inspection program and these specific pipes are budgeted for replacement on page 9-55 of the City of Medford Adopted Biennial Budget 2019-2021. The pipes are too badly deteriorated to use Cured In-Place Pipe (CIPP) lining. Replacing pipes before failure reduces cost and impacts to the public.

PREVIOUS COUNCIL ACTIONS

On June 6, 2019, Council approved Council Bill 2019-45 adopting the budget for the City of Medford for the biennium commencing July 1, 2019, and making appropriations thereunder.

ANALYSIS

Three bids were received and West Coast Pipeline was the low bidder with a bid of \$148,695.00. The other two bids submitted were: J Copeland Construction - \$187,377.25 and Central Pipeline - \$344,675.00.

This project will replace two sewer pipes totaling approximately 740 feet. Both pipes are in poor condition with one serving residential properties between Ivy and Holly Street from 3rd to 2nd Streets and the other serving commercial properties between Main and 8th Street from Holly Street to Grape Street. The project will improve pipe alignment and private connections. Two pipe segments will be replaced with larger pipes to increase capacity.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

Expenditure of \$148,695.00 is included on page 9-55 and 9-63 of the Adopted Biennial Budget 2019-2021. This contract will be paid for 70% from the Sanitary Sewer Maintenance Fund (Fund 502) and 30% from the Sewer Collection SDC Fund (Fund 521).

TIMING ISSUES

Work is scheduled to be completed by September 30, 2020.



COUNCIL OPTIONS

- Approve the ordinance as presented.
- Modify the ordinance.
- Deny the ordinance and provide direction to staff regarding sanitary sewer maintenance.

STAFF RECOMMENDATION

Approve the ordinance for a contract with West Coast Pipeline.

SUGGESTED MOTION

I move to approve the ordinance for a contract in the amount of \$148,695.00 with West Coast Pipeline for sanitary sewer replacements.

EXHIBITS

Ordinance

Exhibit A – Bid Tabulation

Exhibit B – Map

Contract documents are on file in the City Recorder's office

ORDINANCE NO. 2020-89

AN ORDINANCE approving a contract in the amount of \$148,695.00 with West Coast Pipeline for sanitary sewer replacements.

WHEREAS, the proposed project will replace two sewer pipes totaling approximately 740 feet. Both pipes are in poor condition with one serving residential properties between Ivy and Holly Street from 3rd to 2nd Streets and the other serving commercial properties between Main and 8th Street from Holly Street to Grape Street; and

WHEREAS, three bids were received on this project, and West Coast Pipeline was the low bidder with a bid of \$148,695.00; and

WHEREAS, 70% of this contract will be paid from the Sanitary Sewer Maintenance Fund and 30% from the Sewer Collection SDC Fund; now, therefore,

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

A contract, on file in the City Recorder's office, in the amount of \$148,695.00 with West Coast Pipeline for sanitary sewer replacements is hereby approved.

PASSED by the Council and signed by me in authentication of its passage this _____ day of July, 2020.

ATTEST: _____
City Recorder

Mayor

APPROVED _____, 2020

Mayor



Project: Alley SS Replacement Projects

Location: Alley C4 (between Ivy and Holly Street from 3rd to 2nd Street) and Alley C35 (between Main and 8th Street from Holly to Grape Street)

Project No: SS882

Date of Bid Opening: May 19, 2020

Proj Mgr: R. Thom / A. Beltz

No.	Item	Unit	Quantity	Lowest Bidder		J Copeland Construction		Central Pipeline	
				West Coast Pipeline		Unit Bid	Amount	Unit Bid	Amount
1	MOBILIZATION	LS	1	\$5,000.00	\$5,000.00	\$11,000.00	\$11,000.00	\$85,064.00	\$85,064.00
2	TEMPORARY PROTECTION AND DIRECTION OF TRAFFIC	LS	1	\$2,500.00	\$2,500.00	\$12,000.00	\$12,000.00	\$6,500.00	\$6,500.00
3	TEMPORARY SIGNS	SQFT	373	\$15.00	\$5,595.00	\$5.25	\$1,958.25	\$24.00	\$8,952.00
4	TEMPORARY BARRICADES, TYPE II	EACH	9	\$250.00	\$2,250.00	\$300.00	\$2,700.00	\$80.00	\$720.00
5	TEMPORARY BARRICADES, TYPE III	EACH	6	\$500.00	\$3,000.00	\$300.00	\$1,800.00	\$200.00	\$1,200.00
6	PEDESTRIAN CHANNELIZING DEVICES	FOOT	297	\$42.00	\$12,474.00	\$12.00	\$3,564.00	\$12.00	\$3,564.00
7	4 INCH SANITARY SEWER PIPE, 10 FT DEPTH	FOOT	170	\$60.00	\$10,200.00	\$40.00	\$6,800.00	\$140.00	\$23,800.00
8	6 INCH SANITARY SEWER PIPE, 10 FT DEPTH	FOOT	131	\$65.00	\$8,515.00	\$40.00	\$5,240.00	\$179.00	\$23,449.00
9	8 INCH SANITARY SEWER PIPE, 10 FT DEPTH	FOOT	553	\$67.00	\$37,051.00	\$115.00	\$63,595.00	\$173.00	\$95,669.00
10	8 INCH STORM SEWER PIPE, 5 FT DEPTH	FOOT	184	\$35.00	\$6,440.00	\$55.00	\$10,120.00	\$148.00	\$27,232.00
11	PIPE TEES, 4 INCH	EACH	13	\$150.00	\$1,950.00	\$85.00	\$1,105.00	\$200.00	\$2,600.00
12	PIPE TEES, 6 INCH	EACH	6	\$200.00	\$1,200.00	\$85.00	\$510.00	\$200.00	\$1,200.00
13	CONCRETE SANITARY SEWER MANHOLES	EACH	3	\$4,000.00	\$12,000.00	\$5,500.00	\$16,500.00	\$6,500.00	\$19,500.00
14	CONCRETE STORM SEWER MANHOLES	EACH	1	\$4,000.00	\$4,000.00	\$3,600.00	\$3,600.00	\$4,200.00	\$4,200.00
15	CONCRETE INLET, TYPE G-1	EACH	1	\$3,000.00	\$3,000.00	\$2,900.00	\$2,900.00	\$2,600.00	\$2,600.00
16	CONCRETE INLET, AREA DRAINAGE BASIN	EACH	1	\$2,500.00	\$2,500.00	\$2,400.00	\$2,400.00	\$2,600.00	\$2,600.00
17	NEW SEWER CONNECTION TO EXISTING HOUSE, 410 N IVY ST	LS	1	\$5,000.00	\$5,000.00	\$1,600.00	\$1,600.00	\$3,500.00	\$3,500.00
18	MANHOLES OVER EXISTING SEWERS	EACH	1	\$4,000.00	\$4,000.00	\$5,200.00	\$5,200.00	\$6,800.00	\$6,800.00
19	TRENCH RESURFACING	SQYD	370	\$39.00	\$14,430.00	\$68.00	\$25,160.00	\$40.00	\$14,800.00
20	CONCRETE CURBS, CURB AND GUTTER	FOOT	55	\$28.00	\$1,540.00	\$35.00	\$1,925.00	\$45.00	\$2,475.00
21	CONCRETE DRIVEWAYS, REINFORCED	SQFT	550	\$11.00	\$6,050.00	\$14.00	\$7,700.00	\$15.00	\$8,250.00
Extended Total					\$148,695.00		\$187,377.25		\$344,675.00
Written Total					\$148,695.00		\$187,377.25		\$344,675.00

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AGENDA ITEM COMMENTARY

DEPARTMENT: MURA
Planning
Public Works

AGENDA SECTION: Consent Calendar
MEETING DATE: July 2, 2020

PHONE: 541.774.2701; 541.774.2381; 541.774.2115

STAFF CONTACT: Harry Weiss; Matt Brinkley; Karl MacNair

COUNCIL BILL 2020-90

An ordinance designating a speed limit of 20 miles per hour on designated streets in the Liberty Park neighborhood.

SUMMARY AND BACKGROUND:

Council is requested to consider adoption of an ordinance designating a 20 mile per hour speed limit on certain streets located within N Riverside Avenue, McAndrews Road, Court Street, Central Avenue, and Jackson Street in the Liberty Park neighborhood.

PREVIOUS COUNCIL ACTIONS

On January 16, 2020, City Council by Ordinance 2020-11 approved the incorporation of the 2019 Liberty Park Neighborhood Plan into the Neighborhood Element and Goals and Policies chapters of the City's Comprehensive Plan.

ANALYSIS

On December 19, 2019, the MURA Board of Directors by Resolution 2019-018 approved a minor amendment to the City Center Revitalization pertaining to the implementation of a 20 MPH speed limit in the Liberty Park area. The Liberty Park Neighborhood Plan includes a variety of strategies for speed reduction and traffic calming in the neighborhood.

Initially the Plan proposed a "Twenty Is Plenty" public education campaign to reduce cut-through speeding traffic in the residential core. The education campaign was modeled on similar efforts in other Oregon communities promoting voluntary speed reduction. Subsequent to the formulation of the "Twenty Is Plenty" recommendation, the Oregon Legislature amended ORS 810.180(11) allowing cities to "establish by ordinance a designated speed for a highway under the jurisdiction of the city that is five miles per hour lower than the statutory speed." The new authority was effective January 1, 2020, and allows the City Council by ordinance to reduce the current 25 mile per hour statutory speed limit on residential streets to 20 miles per hour. Rather than pursue the purely voluntary "Twenty Is Plenty" campaign, the MURA Board of Directors adopted the implementation of a mandatory 20 MPH speed limit for the neighborhood pursuant to the newly granted authority. All streets within the area surrounded by Riverside, McAndrews, Central and Jackson except for Edwards Street will be posted at 20 miles per hour.



In anticipation of community interest in speed reduction in residential neighborhoods, Public Works developed a policy to help guide decisions for local requests. Additional restrictions to those contained in state statute included collector roadways (unless special circumstances exist), streets bounded by SFR-0 zoning, streets that do not meet the definition of a residence district on both sides, and streets where speed differential is likely to be increased by reducing the speed limit. At its February 26, 2020, meeting the Transportation Commission endorsed the policy as proposed. The reduction of speed limits in Liberty Park complies with the adopted policy, with the exception of Madrona Street and Edwards Street. Madrona Street predominantly serves businesses and can be considered a business district as defined in ORS801.170. Business districts have a statutory speed of 20 miles per hour defined in ORS 811.111. Edwards Street is a minor collector and will not be designated at 20 miles per hour pursuant to the policy.

The reduction of speed limits in Liberty Park was reviewed by the Traffic Coordinating Committee and forwarded to the Transportation Commission which voted unanimously in support of the proposal at the Commission's meeting on May 27, 2020.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

If approved MURA will fund the expense of new signs and their installation as well as conduct public outreach. New signs installed are approximately \$125 per unit; 17-20 signs will be installed at an approximate cost of \$2500. There is no cost to the City.

TIMING ISSUES

None.

COUNCIL OPTIONS

- Approve the ordinance.
- Modify the ordinance.
- Deny the ordinance.

STAFF RECOMMENDATION

Staff recommends approval of the ordinance.

SUGGESTED MOTION

I move to approve the ordinance designating a speed limit of 20 miles per hour on designated streets in the Liberty Park neighborhood.

EXHIBITS

- Ordinance
- Exhibit - Proposed 20 MPH Streets in Liberty Park

ORDINANCE NO. 2020-90

AN ORDINANCE designating a speed limit of 20 miles per hour on designated streets in the Liberty Park neighborhood.

WHEREAS, Oregon Revised Statutes (ORS) 811.105(2)(b) and 811.111(1)(d)(B) designate 20 miles per hour as the speed limit on streets in a business district, and ORS 811.105(2)(d) and 811.111(1)(d)(D) designate 25 miles per hour as the speed limit on streets in a residence district, excepting arterial streets; and

WHEREAS, ORS 810.180(11) authorizes cities to establish a designated speed for a street under the jurisdiction of the city that is five miles per hour lower than the statutory speed of 25 miles per hour, provided the street is located in a residence district and is not an arterial street; and

WHEREAS, the Liberty Park Neighborhood is a residence district as defined in ORS 801.430 and 810.180(12), with the exception of Madrona Street, between Beatty Street and N Riverside Avenue, which, due to the predominance of business buildings fronting the street, is a business district, as defined in ORS 801.170. Edwards Street, from N Central Avenue to N Riverside Avenue, is located within the Liberty Park Neighborhood and is designated as a minor collector street; and

WHEREAS, the adopted Liberty Park Neighborhood Master Plan recommends a variety of traffic calming and speed reduction measures to mitigate cut-through traffic and enhance the safety and residential qualities of the area; and

WHEREAS, the Medford Urban Renewal Agency (MURA) is proposing that Council implement a 20 mile per hour speed limit on designated streets in Liberty Park as an undertaking under Project 24 Improvements to the Liberty Park Area of the City Center Revitalization Plan, including paying the cost of installing new speed limit signs; and

WHEREAS, MURA's petition for the speed limit reduction has been reviewed and endorsed by the Traffic Coordinating Committee and Transportation Commission of the City of Medford; now, therefore,

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

Section 1. The City Council finds a) that the Liberty Park Neighborhood is a residence district as defined in ORS 801.430 and 810.180(12), with the exception of Madrona Street, between Beatty Street and N Riverside Avenue, which, due to the predominance of business buildings fronting the street, is a business district, as defined in ORS 801.170; b) that Edwards Street, from N Central Avenue to N Riverside Avenue, is located within the Liberty Park Neighborhood and, because it is designated as a minor collector street, is not being recommended

for a speed reduction; and c) that all of the streets listed in Section 2 of this Ordinance are located within the Liberty Park Neighborhood.

Section 2. A business district speed limit of 20 miles per hour is hereby designated on Madrona Street from N Riverside Avenue to Beatty Street pursuant to ORS 811.105(2)(b) and 811.111(1)(d)(B), effective immediately. A speed limit of 20 miles per hour is designated on the following streets pursuant to ORS 810.180(11), effective when signs giving notice of the designated speed are posted:

- N Bartlett Street from E Jackson Street to Maple Street;
- Pine Street from E Jackson Street to Austin Street;
- Maple Street from N Riverside Avenue to N Central Avenue;
- Austin Street from Pine Street to Niantic Street;
- Putnam Street from Austin Street to Niantic Street;
- Niantic Street from Maple Street to Madrona Street;
- Beatty Street from N Central Avenue to E McAndrews Road;
- Boardman Street from Edwards Street to Manzanita Street;
- Alice Street from N Riverside Avenue to Boardman Street;
- Liberty Street from N Riverside Avenue to Boardman Street;
- Manzanita Street from N Riverside Avenue to Court Street; and
- Walnut Street from N Riverside Avenue to Beatty Street.

PASSED by the Council and signed by me in authentication of its passage this ____ day of July, 2020.

ATTEST: _____
City Recorder

Mayor

APPROVED _____, 2020

Mayor



AGENDA ITEM COMMENTARY

DEPARTMENT: MURA
Planning
Public Works

AGENDA SECTION: Ordinances and Resolutions
MEETING DATE: July 2, 2020

PHONE: 541.774.2701; 541.774.2381; 541.774.2100

STAFF CONTACT: Harry Weiss; Matt Brinkley; Cory Crebbin

COUNCIL BILL 2020-91

An ordinance amending Section 6.200 of the Medford Municipal Code pertaining to the boundary of the Downtown Parking District.

SUMMARY AND BACKGROUND:

Council is requested to consider an ordinance amending Medford Municipal Code Section 6.200 to expand the boundary of the Downtown Parking District to be the same boundary as the Central Business overlay.

PREVIOUS COUNCIL ACTIONS

On June 6, 1963, by Ordinance 8621 Medford City Council established a “motor vehicle off-street parking facility benefit district” pursuant to ORS 223.810-845. That district has evolved through numerous amendments over the past 57 years to encompass the present day Downtown Parking District.

On October 6, 2011, by Ordinance 2011-196 Medford City Council amended the Medford Municipal Code adding Section 10.410 Downtown Parking Administrative Mapping Category to track and map parcels within the Downtown Parking District described in MMC 6.200, and providing that inclusion in or removal from the Downtown Parking District is by the Medford City Council.

ANALYSIS

The expansion of the Downtown Parking District will serve to remove current regulatory and financial impediments to investment in adaptive use of existing buildings and infill development in the greater Downtown area by exempting uses from providing off-street parking, a requirement that particularly impedes the development of housing.

The exemption from off-street parking requirements in the Downtown Parking District originates in the Central Business overlay standards. Initially the Medford Municipal Code provided an explicit exemption from off-street parking for commercial uses in the district and did not explicitly address residential development. In hearing the appeal of SPAC’s denial of the Skypark development proposal, a previous City Attorney concluded that residential development was similarly exempt from the off-street parking requirements. City Council adopted that finding in Resolution 2015-52, affirming that all uses within the Downtown Parking District are exempt from providing off-street parking.

Expansion of the District is subject to the authority of Medford City Council as an administrative action and is not a land use decision. MURA’s recommendation to Council originates in its role as advisor to the City on Downtown revitalization and economic development policy. The recommendation specifically advances the following Council Goals for the 2019-2021 Biennium:



AGENDA ITEM COMMENTARY

- Increase Opportunities for Downtown Housing
- Identify and Remove Barriers to Economic Development
- Downtown Redevelopment: Reimagine the Parking District

The existing Parking District extends roughly from 4th Street to 10th Street, and Bear Creek to the railroad alignment. This area comprises less than half of the Downtown core and excludes areas with significant potential for infill development. The Central Business Overlay is a more comprehensive representation of the Downtown area, and provides more flexible standards for site development. Making the Downtown Parking District coterminous (i.e. having the same boundary) with the Central Business Overlay will optimize development flexibility. Future changes in the boundary of the Central Business Overlay would automatically result in the same changes to the Parking District.

The Downtown Parking District is distinct from the Downtown Parking Enforcement Area inside of which Diamond Parking provides parking enforcement services. The expansion of the Downtown Parking District does not change the boundary of the Downtown Parking Enforcement Area.

The expansion of the Downtown Parking District was presented to the Parking Committee on January 9, 2020, and received unanimous endorsement. The Transportation Commission considered the proposal on May 27, 2020, and endorsed the expansion by a vote of 4 in favor, 2 opposed, and 1 abstention. Objections cited a general concern about parking in Downtown and that expansion be presented as part of a more comprehensive parking program.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

Expansion of the Downtown Parking District imposes no cost on the City.

TIMING ISSUES

There are a number of developments being explored at present that the district expansion would facilitate.

COUNCIL OPTIONS

- Approve the ordinance.
- Modify the ordinance.
- Deny the ordinance.

STAFF RECOMMENDATION

Staff recommends approval of the ordinance.

SUGGESTED MOTION

I move to approve the ordinance amending Section 6.200 of the Medford Municipal Code pertaining to the boundary of the Downtown Parking District.

EXHIBITS

- Ordinance
- Exhibit –Parking District Expansion Map

ORDINANCE NO. 2020-91

AN ORDINANCE amending section 6.200 of the Medford Municipal Code (MMC) pertaining to the boundary of the Downtown Parking District.

WHEREAS, the Medford Municipal Code (MMC) Section 6.200 currently establishes a Downtown Parking District bounded by Fourth Street on the north, Tenth Street on the south, Bear Creek on the east, and railroad right-of-way on the west; and

WHEREAS, the Downtown Parking District is an administrative area established by the City Council and changes to the area do not constitute a land use decision; and

WHEREAS, the City of Medford does not impose off-street parking requirements for commercial and residential uses located within the Downtown Parking District pursuant to the MMC Section 10.358(1)(a), MMC Table 10.743-1, and City Council Resolution 2015-52 dated June 4, 2015; and

WHEREAS, the Medford Urban Renewal Agency (MURA) has recommended that the Downtown Parking District be expanded to reduce regulatory and financial impediments to investment in adaptive use of existing buildings and infill development in the greater Downtown area; and

WHEREAS, the Central Business District overlay is a more comprehensive representation of the greater Downtown area; and

WHEREAS, MURA's petition for expansion of the Downtown Parking District to coincide with the Central Business District overlay has been reviewed and endorsed by the Parking Committee and the Transportation Commission; now, therefore,

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

Section 1. Section 6.200 of the MMC is amended to read as follows:

6.200 Downtown Parking District.

A Downtown Parking District is created for the establishment and maintenance of off-street motor vehicle parking facilities for public use ~~in that area bound by Fourth Street on the north, Tenth Street on the south, Bear Creek on the east, and the railroad right-of-way on the west.~~ **The boundaries of**

the Downtown Parking District shall be identical to, and coterminous with, the boundaries of the Central Business District overlay as shown on the official zoning map of the City of Medford, including all future amendments to those boundaries.

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

PASSED by the Council and signed by me in authentication of its passage this ____ day of July, 2020.

ATTEST: _____
City Recorder

Mayor

APPROVED _____, 2020

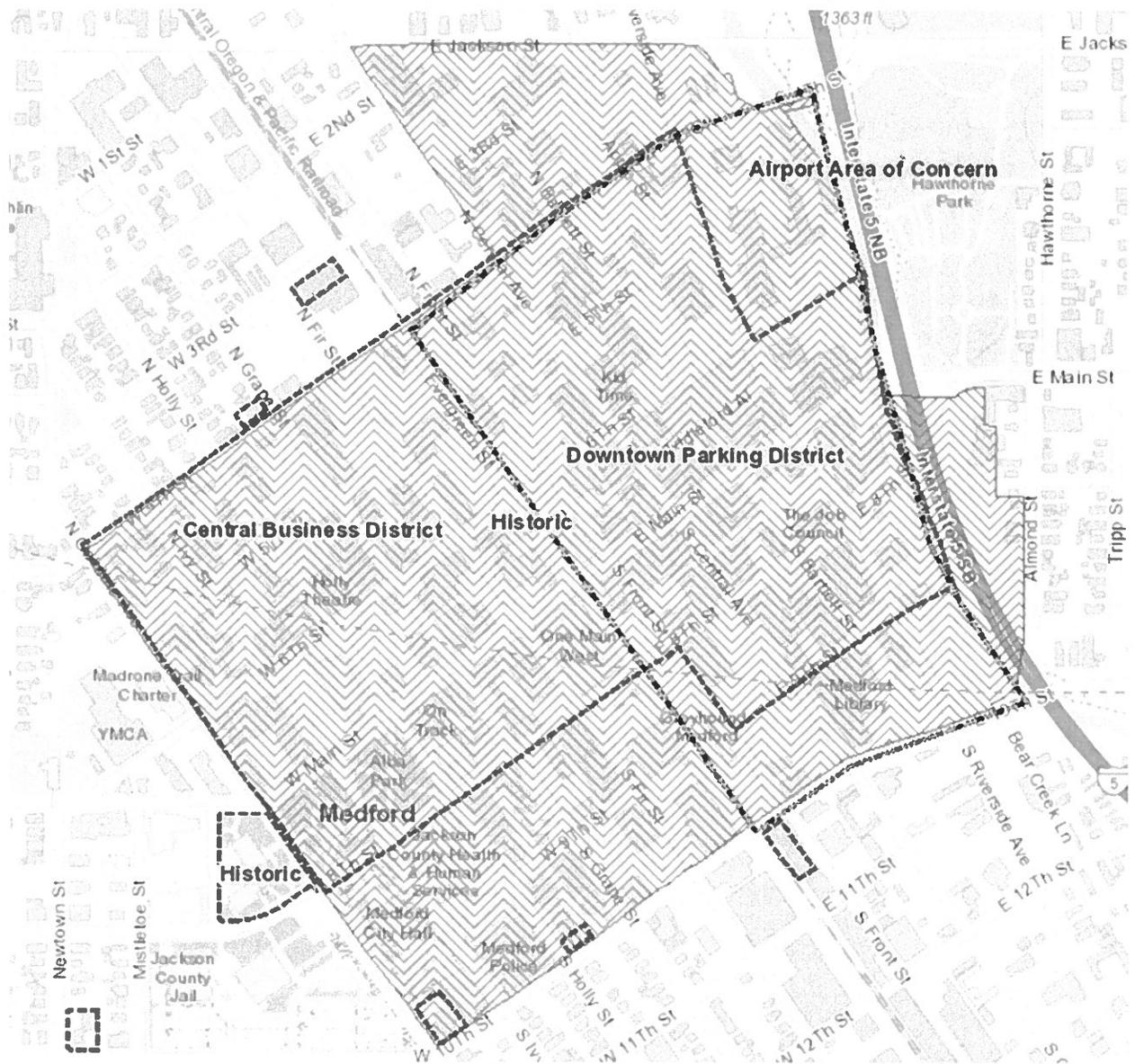
Mayor

EXPANSION OF DOWNTOWN PARKING DISTRICT BOUNDARY

Yellow/Black Dashed Line = Existing District Boundary

Gray Hatched Area = Existing Central Business Overlay

(Purple dashed line indicates Historic District/Properties Overlays)





AGENDA ITEM COMMENTARY

DEPARTMENT: Police

AGENDA SECTION: Ordinances and Resolutions

PHONE: (541) 774-2209

MEETING DATE: July 2, 2020

STAFF CONTACT: Scott Clauson, Police Chief; Kelly Madding, Deputy City Manager

COUNCIL BILL 2020-92

A resolution designating a portion of the property identified with Assessor’s map and tax lot description of 372W13AA, Tax Lot 103, near the corner of Biddle and Midway Roads in Medford, Oregon, as a temporary, transitional housing campground under the provisions of ORS 446.265.

SUMMARY AND BACKGROUND

Council is requested to consider a Resolution designating a portion of privately-owned property identified with Assessor’s map and tax lot description of 372W13AA, Tax Lot 103, near the corner of Biddle and Midway Roads as a campground under the terms of ORS 446.265. The property is owned by Cearley Enterprises, Inc. The City will agree to provide abatement of vegetation and trash clean-up on adjacent Greenway properties under the same ownership in exchange for use of the property. The City will coordinate with local non-profits who will provide resources to allow homeless individuals to safely camp in a designated area.

PREVIOUS COUNCIL ACTIONS

On November 17, 2016, Council Bill 2016-140 was approved designating a portion of City-owned property near the Service Center at 821 N. Columbus Avenue as a campground under the terms of ORS 446.265 and to be operated by Rogue Retreat.

ANALYSIS

For the past four months, at the recommendation of Jackson County Public Health, the City of Medford and the Jackson County Sheriff have allowed “camping in place” to occur on the Bear Creek Greenway. Jackson County is currently in a Phase 2 reopening plan and as we move into summer fire danger is becoming more pronounced. In fact, since March 1, 2020, there have been 78 reported fires along the Greenway and within the City limits. In addition, while basic hygiene services have been provided to those camping along the Greenway there has been a sharp increase in trash accumulating in these areas. The City has been working with local non-profits on developing a COVID-19 Temporary Homeless Campground. The campground would be open until the September 30, 2020. The campground would have a maximum capacity of 25 campsites, all meeting the Center for Disease Control’s distancing requirements. Food, hand washing and portable restrooms will be provided as well as case management services.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

The City will bear no direct cost of the campground operations.

During initial fundraising for the Greenway program in March, Jackson County was able to raise roughly \$90,000 for the program through a variety of non-profits, CCO’s, local jurisdictions, including the City of Medford. These cash donations have gone solely to the materials and services being delivered to the public such as food, toilet rentals, etc. Jackson County Parks has provided all labor



and vehicle use, along with ACCESS foods. As of June 1 Jackson County along with ACCESS has served over 10,000 meals. It is anticipated that by June 22 the County will have expended roughly \$45,000 of the program to date, leaving an additional \$45,000 (roughly). The County has offered to transfer these funds for City use to help with the expenses related to this project. They received approval to transfer the funds to the City of Medford, from those agencies that created the initial fund. The City will utilize these funds to pay for the campground operation. However, if Jackson County chooses to retain the funds they will then pay Rogue Retreat for site management. By the City designating this site as an urban campground the City is in no way obligated to fund the COVID-19 Temporary Homeless Campground. The non-profit service providers that have been working with the City on this project are aware of this situation.

TIMING ISSUES

Police and Fire are facing a level of urgency to get this project underway in order to move encampments out of heavily vegetated areas as we enter fire danger season.

COUNCIL OPTIONS

- Approve the resolution as presented.
- Modify the resolution as presented.
- Deny the resolution and provide direction to staff.

STAFF RECOMMENDATION

Staff recommends approval of the resolution.

SUGGESTED MOTION

I move to approve the resolution designating a portion of privately owned property identified with Assessor's map and tax lot description of 372W13AA, Tax Lot 103, near the corner of Biddle and Midway Roads as an urban campground under the provisions of ORS 446.265.

EXHIBITS

- Resolution
- Map of designated Urban Camping Site

RESOLUTION NO. 2020-92

A RESOLUTION designating a portion of the property identified with Assessor’s map and tax lot description of 372W13AA, Tax Lot 103, near the corner of Biddle and Midway Roads in Medford, Oregon, as a temporary, transitional housing campground under the provisions of ORS 446.265.

WHEREAS, homelessness is an ongoing dilemma across the nation and in the City of Medford and the health and safety of homeless individuals has become increasingly difficult to protect with the advent and continuation of the COVID-19 (novel coronavirus) pandemic; and

WHEREAS, COVID-19 health and safety requirements dictate adequate social distancing, which is a particular challenge for the homeless community; and

WHEREAS, many people in Medford have no practical alternative to sleeping outside and those that have been camping along the Bear Creek Greenway have been encouraged to stay in place during the spread of COVID-19; and

WHEREAS, the City desires to designate a temporary, transitional housing campground under the provisions of ORS 446.265. That statute allows cities “to authorize the establishment of transitional housing accommodations used as individual living units by one or more individuals . . . who lack permanent or safe shelter and who cannot be placed in other low income housing[;]” and

WHEREAS, local organizations have coalesced to provide services to residents of the proposed transitional housing campground to assist them through the COVID-19 pandemic; and

WHEREAS, in addition to offering basic services such as restrooms, handwashing stations, trash service, access to health services and meals, the proposed campground will provide a safe place for homeless individuals as they seek to remain healthy during the COVID-19 pandemic; now, therefore,

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

A portion of the property identified with assessor’s map and tax lot description of 372W13AA, Tax Lot 103, near the corner of Biddle and Midway Roads in Medford, Oregon, as depicted in Exhibit A, is hereby designated as a temporary, transitional housing campground under the provisions of ORS 446.265.

PASSED by the Council and signed by me in authentication of its passage this ___ day of July 2020.

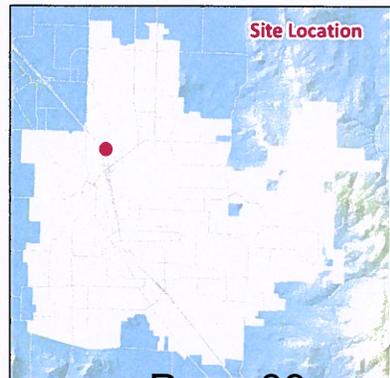
ATTEST: _____
City Recorder

Mayor



Legend

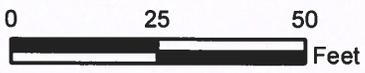
-  Potential Campground Area
-  Maplot 372W13AA103
-  Other Taxlots
-  Bear Ck Greenway Access Path



Potential Campground Site Map



Date: 6/22/2020





AGENDA ITEM COMMENTARY

DEPARTMENT: Planning
PHONE: (541) 774-2380
STAFF CONTACT: Matt Brinkley, AICP CFM, Planning Director

AGENDA SECTION: Public Hearings
MEETING DATE: July 2, 2020

COUNCIL BILL 2020-82 – (CONTINUED FROM JUNE 18, 2020)

An ordinance amending sections 9.560, 9.561, 10.732, and 10.839 of the Medford Municipal Code (MMC) pertaining to electrified fences. (DCA-19-010)

SUMMARY AND BACKGROUND

Council is requested to consider a legislative code amendment to modify the electric fence regulations found in Sections 9.560, 9.561, 10.732, and 10.839 of the Municipal Code. The proposal seeks to expand the allowances for electric fences into the Community Commercial (C-C) zoning district and update the regulations to reflect changes in building and fire code regulations.

The topic was discussed by City Council during the April 30, 2020, study session. The Planning Commission voted 7-1 in favor of the amendment during the May 14, 2020, public hearing. (File No. DCA-19-010)

PREVIOUS COUNCIL ACTIONS

On September 3, 2015, Council Bill 2015-88 was approved expanding the regulations for electric fences.

On April 30, 2020, the City Council held a study session to discuss the proposed amendment. The proposed amendment is consistent with Council direction regarding its preference for "Option 3."

On June 18, 2020, the City Council continued the public hearing for the amendment until July 2, 2020.

ANALYSIS

The Planning Department has been working with the applicant (Amarok Ultimate Perimeter Security) and agent (Greg Lemhouse) on this proposal since last fall. The topic to modify the existing electric fence provisions was discussed with the Planning Commission during the August 26, 2019, study session and the amendment was initiated by the Commission at the request of the applicant on September 12, 2019.

The applicant seeks to simplify the permitted use regulations for electric fences and to expand the use of electric fences into the Community Commercial zoning district. Currently, electric fences are permitted around outdoor storage areas including vehicle storage areas in the Heavy Commercial zone, and all three of the industrial zoning districts. Some companies located in the Community Commercial zoning district were seeking help from Amarok to install an electric fence security system, but were not permitted to do so because of the restriction in that zone. Those inquiries led to proposed changes to the regulations.



AGENDA ITEM COMMENTARY

Planning and Fire-Rescue staff began drafting new regulations in spring 2020. The draft resulted in the creation of several options. For the permitted use section, planning staff suggested expanding the number and types of uses for which electric fences can be permitted. The other option was to remove the list of uses and simply identify which zoning districts permit electric fences. The first option included restricting electric fences in a number of zones like the Central Business overlay, as well as prohibiting them in residential and park zones and when adjacent to those zones. The second option was to simply prohibit electric fences in the Central Business overlay only. The final option was very similar to the first, however the adjacency restriction was removed. The option favored most by both the Planning Commission and City Council during the study sessions was Option 3.

The proposed regulations will allow for electric fences in the following zoning districts: Community Commercial, Heavy Commercial, General Industrial, Light Industrial, and Heavy Industrial. The prohibited locations include the Central Business overlay, Liberty Park Plan Area, Southeast Plan Areas, and in the Neighborhood Commercial, Service-Commercial/Professional, Single Family, Multi-Family, and Public Parks zoning districts. The new provisions add an inspection from the Fire Department to ensure compliance before energizing the fence and adding the site to a Fire Department registration list. The fence details outline the location and height requirements for both the electrified and non-electrified fences. Warning signs continue to be required and additional details on placement, spacing and appearance of signage are included. Emergency site access provisions have been updated. New sections including Hours of Operation and Surveillance have been added. In Chapter 10, two sections that reference the Chapter 9 provisions have been revised.

The amendment is supported by the Police Chief and has been reviewed and updated based on feedback from Fire-Rescue, Building Safety, and Legal staff.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

The allowance of electric security systems in additional zoning districts provides the opportunity for businesses to individually protect their properties from potential theft and burglary, which may reduce the number of emergency calls received by the Medford Police Department.

TIMING ISSUES

None.

COUNCIL OPTIONS

- Approve the ordinance as presented.
- Modify the ordinance as presented.
- Decline to approve the ordinance and provide direction to staff.

STAFF RECOMMENDATION

Staff recommends approval of the ordinance modifying the electric fence provisions found in Chapters 9 and 10 of the Municipal Code.



SUGGESTED MOTION

I move to approve the ordinance modifying the electric fence provisions found in Chapters 9 and 10 of the Municipal Code.

EXHIBITS

Ordinance

DCA-19-010 Council Report, including Exhibits A-E

DCA-19-010 PowerPoint, April 30, 2020 City Council Study Session (Exhibit E)

ORDINANCE NO. 2020-82

AN ORDINANCE amending sections 9.560, 9.561, 10.732, and 10.839 of the Medford Municipal Code (MMC) pertaining to electrified fences. (DCA-19-010)

WHEREAS, on September 3, 2015, Council Bill 2015-88 was approved expanding the regulations then in existence for electric fences; and

WHEREAS, the Planning Department has been working on proposed Code changes that would simplify the permitted use regulations for electric fences and expand the use of electric fences into the Community Commercial zoning district; and

WHEREAS, the proposed amendments will a) expand the allowances for electric fences into the Community Commercial (C-C) zoning district; b) update the regulations to reflect changes in building and fire code regulations; and c) prohibit Electrified Fences in the Central Business overlay, Liberty Park and Southeast Plan Areas, and in the Neighborhood Commercial, Service-Commercial/Professional, Single Family, Multi-Family, and Public Parks zoning districts; and

WHEREAS, the allowance of electrified security systems in additional zoning districts provides the opportunity for businesses to individually protect their properties from potential theft and burglary, which may reduce the number of emergency calls received by the Medford Police Department; now, therefore,

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

SECTION 1. Section 9.560 of the MMC is amended to read as follows:

9.560 Fences and Walls.

Pursuant to and in conjunction with Medford Code Sections 10.731 – 10.733, the following shall be prohibited.

1) ~~Electric~~ **Electrified** fencing, except as regulated by Section 9.561;

SECTION 2. Section 9.561 of the MMC is amended to read as follows:

9.561 ~~Electric~~ **Electrified** Fences.

It shall be unlawful for any person to install, maintain or operate an ~~electric~~ **electrified** fence in violation of this section. The construction and use of ~~electric~~ **electrified** fences shall be allowed in the city only as provided in this section, and sections 10.731 through 10.735, subject to the following standards.

Definition:

Electrified Fence – Any fence, barrier or enclosure partially or totally enclosing a building, field or yard, carrying any electrical pulse or charge through any part, section or element thereof.

(1) **Permitted.** ~~Electric~~ **Electrified** fences shall ~~only~~ be permitted around ~~outdoor storage areas including vehicle storage areas~~ in the following zones: C-C, C-H, I-L, I-G, and I-H or where needed to control livestock.

(2) **Prohibited.** **Electrified fences are prohibited in the following locations:**

- a. **Central Business overlay district;**
- b. **Liberty Park Plan Area;**
- c. **Southeast (S-E) Plan Area;**
- d. **The Neighborhood Commercial (C-N) and Service-Commercial/Professional (C-S/P) zoning districts;**
- e. **All of the Single Family and Multi-Family zones (SFR-00 through SFR-10, MFR-15, MFR-20, and MFR-30); and**
- f. **In the Public Parks (P-1) zoning district.**

(32) **Permits Required.** ~~Electric~~ **Electrified** fences shall only be installed under a permit issued by the Building Safety Department, and if an alarm is included, shall also have a Burglar Alarm permit issued under Medford Municipal Code 8.605 through 8.695. **Prior to initially energizing an electrified fence, the property owner or owner's agent shall contact the Fire Department to ensure fire officials inspect the premise for compliance and the location is added to the Fire Department's electrified fence registration list.**

(43) **Electrification.** The electric charge produced by the fence upon contact shall be non-lethal, and shall not exceed the energizer characteristics set forth in the International Electro-technical Commission (IEC) Standard No. 60335-2-76, ~~2002~~ **2018** edition. All electrical components shall bear the label of a testing agency recognized by the State of Oregon Department of Consumer and Business Services, Building Codes Division. **The electrified fence shall be installed and used in accordance with the Oregon Electrical Specialty Code and Oregon Structural Specialty Code, the listing, and the manufacturer's installation instructions.**

(43.1) The energizer for ~~electric~~ **electrified** fences ~~must~~ **shall** be driven by a commercial storage battery ~~or batteries~~ not to exceed 12 volts DC. The storage battery ~~or batteries~~ may be charged either by a solar panel, or a commercial trickle charger, or a combination of both. **AC current shall not be used to energize any electrified fence.**

(54) **Fence Details.** **Electrified fences shall be constructed in the following manner:**

(5.1) **Maximum Height.** **Electrified fences shall not exceed 10 feet in height.**

(5.2) **Perimeter Fence.** **No electrified fence shall be installed or used unless it is completely surrounded by a non-electrified perimeter fence in order to separate the electrified fence from the abutting property line and right-of-way. The non-electrified perimeter fence shall be installed under the regulations and height limitations in Medford Municipal Code 10.731 through 10.735. The minimum height of the non-electrified perimeter fence shall be six feet. The electrified and non-electrified perimeter fence shall be separated by no more than 12 inches.**

(5.3) Setbacks. Electrified fences shall not be located in the front yard setback, required landscaping areas, or required bufferyard areas as set forth in Chapter 10. No electrified fence shall be installed within 12 inches of a property line.

(5.4) Fence Standards in conjunction with a Bufferyard. When a bufferyard exists, the applicant shall provide photographs of the existing fence or wall and vegetation. When a bufferyard does not exist, the non-electrified fence or wall shall be of solid construction (e.g. wood, concrete, masonry block) and the minimum height shall be eight feet. In either case, the installation of the non-electrified perimeter fence and electrified fence shall be outside of the bufferyard and built in accordance with Section 5.2.

~~No electric fence shall be installed or used unless it is separated from the abutting property or right-of-way by a non-electric fence or wall. When abutting a residential property, the non-electric fence or wall shall be of solid construction.~~

~~(4.1) The non-electric fence shall be installed under the regulations and height limitations in Medford Municipal Code 10.731 through 10.735.~~

~~(4.2) The non-electric fence shall be a height equal to, or greater than the highest level of electrification, but in no case less than 6 feet in height. Electric fences shall not exceed the height of the legally permitted non-electric surrounding fence. Electric fences shall not be located in the front yard setback.~~

~~(4.3) A separation shall be maintained between the electric fence and a surrounding non-electric fence or wall, adequate to allow maintenance of landscaping, but no less than 12 inches, and no electric fence shall be installed within 24 inches of a property line.~~

~~(4.4) When an electric fence is installed within a required buffer yard as defined in Medford Municipal Code 10.790, the non-electric fence shall be shall be constructed of a material and design that is sight obstructing, and compatible with adjacent uses, per the standards of that section. The installation of the electric fence shall not interfere with or cause the removal of the required buffer yard plantings.~~

(65) Warning Signs. Electric Electrified fences shall be clearly identified with warning signs in English and in Spanish that read: "Warning-Electric Fence" or an equivalent, together with a pictorial warning, and include the international symbol for an electrical hazard at intervals of not to exceed forty three feet. The warning signs shall be mounted on both sides of the electrified fence. The signs shall be reflective with a minimum two-inch letter height, minimum stroke of one-half inch and with a contrasting background.

(76) Emergency Access. Fire Department access shall be provided in accordance with the Fire Code and the Oregon Structural Specialty Code. When a vehicle gate opens automatically, it shall open using a sensing device approved by the Fire Department. The vehicle gate shall provide a means for the Fire Department to egress through the gate. Power to the electrified fence, excluding gate opening controls, shall be deactivated upon automatic Fire Department access through the gate. In addition, an approved Knox key box or approved equivalent shall be provided at an exterior location for any keyed locks or keyed gates for immediate emergency access necessary for life-saving or fire-fighting purposes. An approved method to

manually disconnect electrical power to all portions of the fence and gates, **such as a “Knox Remote Shunt Control Station,”** shall be provided at an exterior location. The method and location of **both the key box** and the electrical disconnect shall be approved by the Medford Fire Marshal ~~Fire Ceode O~~official.

(8) Hours of Operation. An electrified fence shall only be energized during the hours when the general public does not have legal access to the protected property, unless when used to control livestock.

(9) Surveillance. Electrified fences shall be part of a functioning security system and monitored 24 hours a day.

(107) Compliance. Failure to maintain an ~~electrie~~ electrified fence in conformance with the standards set forth in this section shall result in the fence being declared a public nuisance subject to abatement under Medford Municipal Code 5.530.

SECTION 3. Section 10.732 of the MMC is amended to read as follows;

10.732 Fencing of Lots.

(4) All fencing shall comply with Sections 9.560 (Fences and Walls) and 9.561 (Electrified Fences) Hazardous Fences Prohibited, of the City Code.

SECTION 4. Section 10.839 of the MMC is amended to read as follows:

10.839 Marijuana-Related Businesses.

(4) The ~~hazardous fence and wall~~ provisions in Sections 9.560 (Fences and Walls) and 9.561 (Electrified Fences) apply.

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

PASSED by the Council and signed by me in authentication of its passage this _____ day of July, 2020.

ATTEST: _____
City Recorder

Mayor

APPROVED _____, 2020

Mayor

because it was unclear at the time what the reasoning was for expanding into all of the commercial zoning districts. Staff was also concerned with the aesthetic impact on the City's built environment with such a wide reaching scope.

The applicant's request was forwarded to the Planning Commission for formal discussion and initiation at their September 12, 2019 public hearing. The Commissioners voted 6-1 in favor of initiating the amendment. The amendment was added to the Long Range Division's 2020 work tasks.

Planning and Fire-Rescue staff began drafting changes to Chapter 9, where the bulk of the regulations are housed, in March and April 2020. The majority of the changes proposed were agreed upon by staff and the applicant. The remaining topic of where to permit and prohibit electric fences became the focus of the discussion and proposed changes. Planning staff drafted three options for consideration by the Planning Commission and City Council. Study sessions were held by both the Planning Commission and City Council on April 27th and April 30th (**Exhibit E, CC Minutes and Powerpoint**). Of the three Options, Options #1 and #3 provided for the most discussion and analysis. A breakdown of these two options is below.

Option #1

Permitted uses

Identified 7 distinct uses that would permit electric fences

- Heavy Construction
- Equipment Rental and Leasing
- Auto Dismantlers & Metal Recyclers
- Trucking Establishments
- Towing Companies
- Outdoor Storage areas
- Auto repair, Services, and Garages
- Control of livestock

Prohibited Areas

Listed distinct areas and zoning

- Central Business overlay

Option #3

Permitted uses

Allow in 5 zoning districts regardless of the use on the property

- Community Commercial
- Heavy Commercial
- Light Industrial
- General Industrial
- Heavy Industrial

Prohibited Areas

Same list as Option #1 minus the

- Central Business Overlay

<i>districts, plus when adjacent to residential zones, residential uses in commercial zones, and Public Parks zone</i>	Liberty Park Plan Area	<i>adjacency requirements</i>	Liberty Park Plan Area
	Southeast Plan Area		Southeast Plan Area
	When adjacent to residential dwelling units built in any commercial zoning district		Neighborhood Commercial and Service-Commercial/Professional
	Neighborhood Commercial and Service Commercial/Professional		Single-family and Multi-family zones
	Single-family and Multi-family zones or when adjacent to these zones		Public Parks zone
	In the Public Parks zoning district or when adjacent to this zone		

Based on discussions with both the Planning Commission and City Council, Option #3 was identified as the preferred option.

PC Recommendation

On May 14, 2020, the Planning Commission voted 7-1 (with Commissioner McKechnie dissenting) to forward a favorable recommendation on the proposal (**Exhibit D**). A friendly amendment was made to the original motion, requesting to remove the Community Commercial zoning district from the proposal. The motion failed 4-4.

The applicant and agent were in attendance of the Zoom hearing that evening and overall in support of the draft language. The applicant raised several questions related to electric permits needed, clarification of language under Sections 5.2 and 5.3 regarding the separation distance between electrified and non-electrified fences and the distance of the electrified fence from property lines, as well as buffer standards. The language in Sections 5.2, 5.3, and 5.4 have been modified to address these concerns.

Authority

This proposed plan authorization is a legislative amendment of Chapters 9 and 10 of the Municipal Code. The Planning Commission is authorized to recommend, and the City Council to approve, amendments to Chapter 10 under Medford Municipal Code Sections 10.214 and 10.218.

ANALYSIS

Prior to 2015, electric fences were prohibited unless used for the control of livestock and when located inside of an existing fence. Therefore, the current regulations adopted five years ago are relatively new and are limited in scope. Available data from the City on the location and number of permits issued since 2015 is sparse, potentially meaning the City does not have a large number of these types of fences installed to date. Amarok, the applicant for this code amendment, reviewed their database and provided the location of five electric fence installations within the City (one of the locations is not permitted because of the zoning).

Amarok has been an electric fence security system provider since the 1990s and provides this type of fencing to businesses across the country. The request to review and modify the current regulations stems from interested customers within Medford unable to have this type of system because of limitations on where these types of fences can be located.

Overall a review and update to the electric fence requirements is positive because it provides an opportunity to revise standards that are identified in building codes, clarify fence details, update emergency access provisions, and incorporate new language that was not previously addressed such as hours of operation and surveillance.

Specifically, the main topic of discussion for this amendment focuses on where electric fences should be permitted and where they should be prohibited. As noted previously, the allowance of electric fences in a broader context (in more zoning districts) has only occurred over the last five years. The current amendment as proposed opens up that allowance even further causing concern for possible aesthetic and compatibility issues with residential uses and commercial centers. To address concerns about compatibility and aesthetic impacts, the amendment identifies specific plan areas and zoning districts where electric fences will continue to be prohibited.

The finer point of this issue is in locations where commercial or industrial uses are adjacent to residential zones, residential uses, or commercial centers. These specific circumstances are unique land use situations where a residential home may share a property line with a commercial or industrial use, and which property owner's rights for safety, security, and livability carry more weight? The residential property owner does not have the right to install an electric fence whereas the commercial/industrial property owner does. This potential conflict can be addressed through adherence of the bufferyard standards already available in Chapter 10 of the development code. Protections are in place for these very scenarios and if they are installed will help reduce the visual impact of an electric fence through use of fences or walls along property lines, landscaping, and setbacks. The proposal seeks to use these existing buffer standards to help reduce the potential visual conflicts for the residential owner while still allowing for a business owner to install an electric fence security system.

Electric fence security systems, such as those provided by Amarak, provide business owners with a multi-layer protection barrier (fencing, warning signs, non-lethal shock, and alarms) that would cause a potential trespasser to rethink invading the premises. The proposal allows business owners within the five zoning districts outlined to determine if this type of protection is necessary for their property and the requirements that must be followed in order to install an electric fence. The amendment also tries to be mindful of areas like the downtown core and residential and neighborhood-scale commercial zoning districts by prohibiting electric fences in these locations. The proposal seeks to balance competing interests.

FINDINGS AND CONCLUSIONS

The criteria that apply to code amendments are found in Medford Municipal Code §10.218. The criteria are rendered in italics; findings and conclusions in roman type.

Land Development Code Amendment. The Planning Commission shall base its recommendation and the City Council its decision on the following criteria:

10.184 (2) (a). Explanation of the public benefit of the amendment.

Findings

Satisfied. The use of an electric fence security system is voluntary and provides a business owner the ability to choose a heightened defense system to protect their goods and property from theft and crime. At a high level, such protection and monitoring may benefit the City's law enforcement by reducing the number of calls made to the police department and allowing for officers to focus on more serious types of crimes. Properties that were once targets may no longer be, and criminal activity in a particular location may be reduced or stop because of these systems.

Generally, the proposal provides an opportunity to update standards, add provisions, and clarify regulations that are out of date, no longer apply, or are relevant to enhance the topic being evaluated. In this case, Planning and Fire-Rescue staff coordinated to amend the electric fence language to better align with building and fire code provisions, emergency access needs, and simplify text to make the rules more understandable.

Conclusions

The provisions provide another means for business and property owners to protect their sites. Additional protections to properties may assist in reducing the City's case load of theft-related crimes. The regulations are updated to ensure access by emergency personnel is safe and efficient. Overall, the amendment reflects needed changes to better understand and enforce the code related to electric fences. This criterion is satisfied.

10.184 (2) (b). *The justification for the amendment with respect to the following factors:*

1. *Conformity with goals and policies of the Comprehensive Plan considered relevant to the decision.*

Findings

Satisfied. The amendments to the electric fence regulations most closely align with the goals and policies found in the Fire Emergency Services and Law Enforcement provisions of the Comprehensive Plan. Specifically the following statements:

Fire Emergency Services Policy 3-C: The City of Medford Fire Department shall provide staff to adequately review development proposals for compliance with the Uniform Fire Code.

Implementation 3-C(1): Review development proposals to assure adequate and timely access for all necessary fire apparatus.

Staff from Fire-Rescue were co-writers of the electric fence amendment. Their involvement provided changes to ensure the safety of emergency personnel and vehicles accessing properties with an electric fence security system and important updates related to fire and building codes, warning signs, and permit and inspection requirements.

Law Enforcement Goal 1: To provide a safe and secure environment for people and property in the City of Medford.

Policy 1-A: The City of Medford Police Department shall strive to provide rapid and timely response to all emergencies.

Theft and burglary are a problem in the City of Medford as noted in the e-mail from Police Chief Clauson. Electric fence security systems provide business owners with another tool they can use to defend against crime occurring on their properties.

Conclusions

The City's first responders are an important consideration in the proposal to ensure they can safely and easily gain access to properties armed with an electric fence security system in the event of an emergency. In addition, Fire and Police staff are in support of the provisions to help mitigate impacts of crime on business owners. The Comprehensive Plan broadly relates to the proposal. This criterion is satisfied.

2. *Comments from applicable referral agencies regarding applicable statutes or regulations.*

Findings

Satisfied. The proposal was drafted by both Planning and Fire-Rescue staff and reviewed and coordinated closely with Building Safety and Legal staff. The proposal was distributed to internal and external referral agencies for review and comments. A Land Development committee meeting was held on April 29, 2020, to discuss the proposal. The following partners provided emails or memorandums with official no comments on the subject: Oregon Department of Aviation, Public Works-Engineering, Medford Water Commission, and Fire-Rescue.

Following the City Council study session, Police Chief Scott Clauson was e-mailed the draft proposal to gain insights from the law enforcement perspective on the need for these types of fences. The e-mail from Chief Clauson is attached to the record. **(See Exhibit B)**

Conclusions

The proposal was coordinated with internal city agencies to capture applicable Building and Fire Code requirements and updates. The amendment was discussed with Police Chief Clauson in order to better understand the issues businesses are facing with theft and burglary and the impact additional protection of an electric fence could provide. Referral agencies were provided the opportunity to review the amendment and provide comments. This criterion is satisfied.

3. *Public comments.*

Findings

Satisfied. The proposal has been discussed during three public study sessions. To date, only one public comment via e-mail has been received on the topic from Robert Shand. **(See Exhibit C)** The proposal is posted on the City's website for review by the public and has been provided to the Planning Departments' interested parties list for code amendments.

The proposal will be discussed and deliberated on at two scheduled public hearings on May 14th and June 18th providing opportunities for additional public input and testimony.

Conclusions

The development and review of code amendments is conducted in a public setting providing opportunities for citizens to engage and provide input throughout the process. The upcoming public hearings are additional avenues for residents to participate in the legislative code amendment process. This criterion is satisfied.

4. *Applicable governmental agreements.*

Findings

Not Applicable. There are no established governmental agreements between the City and another jurisdiction associated with electric fence provisions.

Conclusions

This criterion is found to be not applicable to this proposal.

RECOMMENDED ACTION

The Planning Commission recommends approving the electric fence amendment based on the analysis, findings and conclusions included in the Council Report dated June 25, 2020, including Exhibits A through E.

EXHIBITS

- A Proposed amendment
- B E-mail dated May 1, 2020 from Chief Scott Clauson
- C E-mail dated April 30, 2020 from Robert Shand
- D Planning Commission Hearing Minutes, May 14, 2020 (Excerpt)
- E City Council Study Session Minutes, April 30, 2020 and Power Point

CITY COUNCIL AGENDA: JULY 2, 2020

(Deleted language is ~~struck through~~ and new language is red underlined)

9.560 Fences and Walls

Pursuant to and in conjunction with Medford Code Sections 10.731 – 10.733, the following shall be prohibited.

- (1) ~~Electric-Electrified~~ fencing, except as regulated by Section 9.561;

.....

9.561 ~~Electric~~ Electrified Fences

It shall be unlawful for any person to install, maintain or operate an ~~electric~~ electrified fence in violation of this section. The construction and use of ~~electric~~ electrified fences shall be allowed in the city only as provided in this section, and sections 10.731 through 10.735, subject to the following standards.

Definition:

Electrified Fence - Any fence, barrier or enclosure partially or totally enclosing a building, field or yard, carrying any electrical pulse or charge through any part, section or element thereof.

- (1) Permitted. Electric fences shall ~~only~~ be permitted ~~around outdoor storage areas including vehicle storage areas~~ in the following zones: C-C, C-H, I-L, I-G, and I-H or where needed to control livestock.

- (2) Prohibited. Electrified fences are prohibited in the following locations:

- a. Central Business overlay district;
- b. Liberty Park Plan Area;
- c. S-E Plan Area;
- d. The Neighborhood Commercial (C-N) and Service-Commercial/Professional (C-S/P) zoning districts;
- e. All of the Single Family and Multi-Family zones (SFR-00 through SFR-10, MFR-15, MFR-20, and MFR-30);
- f. In the Public Parks (P-1) zoning district

- (3) Permits Required. ~~Electric-Electrified~~ fences shall only be installed under a permit issued by the Building Safety Department, and if an alarm is included, shall also have a Burglar Alarm permit issued under Medford Municipal Code 8.605 through 8.695. Prior to initially energizing an electrified fence, the property owner or owner's agent shall contact the Fire Department to ensure fire officials inspect the premise for compliance and the location is added to the Fire Department's electrified fence registration list.

(43) Electrification. The electric charge produced by the fence upon contact shall be non-lethal, and shall not exceed the energizer characteristics set forth in the International Electro technical Commission (IEC) Standard No. 60335-2-76, 2002-2018 edition. All electrical components shall bear the label of a testing agency recognized by the State of Oregon Department of Consumer and Business Services, Building Codes Division. The electrified fence shall be installed and used in accordance with the Oregon Electrical Specialty Code and Oregon Structural Specialty Code, the listing, and the manufacturer's installation instructions.

(43.1) The energizer for electric-electrified fences must-shall be driven by a commercial storage battery or batteries not to exceed 12 volts DC. The storage battery(ies) may be charged either by a solar panel, or a commercial trickle charger, or a combination of both. AC current shall not be used to energize any electrified fence.

(54) Fence Details. Electrified fences shall be constructed in the following manner:

(5.1) Maximum Height. Electrified fences shall not exceed 10 feet in height.

(5.2) Perimeter Fence. No electrified fence shall be installed or used unless it is completely surrounded by a non-electrified perimeter fence in order to separate the electrified fence from the abutting property line and right-of-way. The non-electrified perimeter fence shall be installed under the regulations and height limitations in Medford Municipal Code 10.731 through 10.735. The minimum height of the non-electrified perimeter fence shall be six feet. The electrified and non-electrified perimeter fence shall be separated by no more than 12 inches.

(5.3) Setbacks. Electrified fences shall not be located in the front yard setback, required landscaping, or bufferyard requirements as set forth in Chapter 10. No electrified fence shall be installed within 12 inches of a property line.

(5.4) Fence Standards in conjunction with a Bufferyard. When a bufferyard exists, the applicant shall provide photographs of the existing fence or wall and vegetation. When a bufferyard does not exist, the non-electrified fence or wall shall be of solid construction (e.g. wood, concrete, masonry block) and the minimum height shall be eight feet. In either case, the installation of the non-electrified perimeter fence and electrified fence shall be outside of the bufferyard and built in accordance with Section 5.2.

No electric fence shall be installed or used unless it is separated from the abutting property or right-of-way by a non-electric fence or wall. When abutting a residential property, the non-electric fence or wall shall be of solid construction.

~~(4.1) The non-electric fence shall be installed under the regulations and height limitations in Medford Municipal Code 10.731 through 10.735.~~

~~(4.2) The non-electric fence shall be a height equal to, or greater than the highest level of electrification, but in no case less than 6 feet in height. Electric fences shall not exceed the height of the legally permitted non-electric surrounding fence. Electric fences shall not be located in the front yard setback.~~

~~(4.3) A separation shall be maintained between the electric fence and a surrounding non-electric fence or wall, adequate to allow maintenance of landscaping, but no less than 12 inches, and no electric fence shall be installed within 24 inches of a property line.~~

~~(4.4) When an electric fence is installed within a required buffer yard as defined in Medford Municipal Code 10.790, the non-electric fence shall be shall be constructed of a material and design that is sight-obstructing, and compatible with adjacent uses, per the standards of that section. The installation of the electric fence shall not interfere with or cause the removal of the required buffer yard plantings.~~

~~(65) Warning Signs. Electric-Electrified fences shall be clearly identified with warning signs in English and in Spanish that read: "Warning-Electric Fence" or an equivalent, together with a pictorial warning, and include the international symbol for an electrical hazard at intervals of not to exceed forty thirty feet. The warning signs shall be mounted on both sides of the electrified fence. The signs shall be reflective with a minimum two-inch letter height, minimum stroke of one-half inch and with a contrasting background.~~

~~(76) Emergency Access. Fire Department access shall be provided in accordance with the Fire Code and the Oregon Structural Specialty Code. When a vehicle gate opens automatically, it shall open using a sensing device approved by the Fire Department. The vehicle gate shall provide a means for the Fire Department to egress through the gate. Power to the electrified fence, excluding gate opening controls, shall be deactivated upon automatic Fire Department access through the gate. In addition, an approved Knox key box or approved equivalent shall be provided at an exterior location for any keyed locks or keyed gates for immediate emergency access necessary for life-saving or fire-fighting purposes. An approved method to manually disconnect electrical power to all portions of the fence and gates, such as a "Knox Remote Shunt Control Station", shall be provided at an exterior location. The method and location of both the key box and the electrical disconnect shall be approved by the Medford Fire Marshal Fire Code Official.~~

~~(8) Hours of Operation. An electrified fence shall only be energized during the hours when the general public does not have legal access to the protected property, unless when used to control livestock.~~

(9) Surveillance. Electrified fences shall be part of a functioning security system and monitored 24 hours a day.

(107) Compliance. Failure to maintain an ~~electric-electrified~~ fence in conformance with the standards set forth in this section shall result in the fence being declared a public nuisance subject to abatement under Medford Municipal Code 5.530.

[Added, Sec. 2, Ord. No. 2015-88, Sept. 3, 2015.]

Chapter 10 Adjustments

10.732 Fencing of Lots.

(4) All fencing shall comply with Sections 9.560 (Fences and Walls) and 9.561 (Electrified Fences), ~~Hazardous Fences Prohibited~~, of the City Code.

10.839 Marijuana-Related Businesses

(4) The ~~hazardous fence and wall~~ provisions in Sections 9.560 (Fences and Walls) and 9.561 (Electrified Fences) apply.

Friday 5/1/2020 11:39 a.m
E-mail from Scott A. Clauson
Re: Electric Fences

Hi Carla,

Thank for soliciting my feedback. I have been very interested in this project since the first time you mentioned it several months ago.

Business owners, in particular, are very frustrated about the chronic theft that occurs at their sites regularly. We recommend good lighting, fencing, cameras, cars that get locked up and heavy duty locks on storage units. Despite these recommendations, thieves continue to break in and generally cause thousands of dollars' worth of damage for mere pennies. Unfortunately, Southern Oregon is afflicted with rampant substance abuse and lack of jail space which fuels theft from businesses. So needless to say, I am very supportive of an additional measure that business owners can take to protect their property.

I have a different perspective on 9.561 (2d) (2f). I believe the fences should be allowed. These commercial locations remain vulnerable next to residential areas. A recent example, from two weeks ago was the Medford School District yard that was getting hit almost nightly by thieves. This fenced area is adjacent to a residential area. This theft was very difficult to stop even with cameras and lighting, which resulted in thousands of dollars' worth of tools being taken. We hid some police cameras and finally obtained some footage that lead to an arrest. This is just one example of how difficult it is for property owners to protect their valuables. This type of theft occurs nightly in Medford.

I would argue that they should be allowed on (2g) as well, but I would like to get your input. I am sure there is good reason for prohibiting this.

I hope that helps. I would gladly come to the next meeting and offer my insight if needed.

Scott Clauson | *Chief of Police*
City of Medford, Oregon | Police Department
219 S. Ivy Street, Medford, Oregon 97501
Ph: 541.774.2209 | Fax: 541.774.2570
[Website](#) | [Facebook](#) | [Twitter](#)



From: Robert Jr. Shand [<mailto:robertcshand@gmail.com>]

Sent: Wednesday, April 29, 2020 7:28 AM

To: Kay E. Brooks <Kay.Brooks@cityofmedford.org>; Mayor and Council <mayor@cityofmedford.org>

Subject: Thank you for your representation and a suggestion on electric fences

Hi Kay, Thank you for sharing my concerns re: the MURA/Maslow camp ground on Central Ave. at this past council meeting. The single agenda item for tomorrows 4/30/2020 study session with regards to electric fencing and if and how it may be incorporated in areas of commercial/residential proximities. Bartlett St. Between the Starr shop and The Bartlett St. Apts. would be a good example. Initially there is/was a chain link fence. Then, an electrified fence was placed behind it complete with warning signs. The aesthetics were that of Stalag 13. the view was improved some what by the installation of privacy slats. I personally would take it a step further and add some living greenery. My suggestion would be: At locations of commercial/residential or downtown ,that there would be an aesthetically appropriate fence or barrier in front of an electrified fence thus softening the appearance of the electric/security fence. This would also help with the safety issue of accidental contact by children, pets or others. Thank you again for your representation of Ward 3. Kindest regards. Bob Shand



New Business

50.3 DCA-19-010 A legislative code amendment to modify the electric fence regulations found in Sections 9.560-9.561 and Sections 10.732 and 10.839(4) of the Municipal Code. Applicant, Michael Pate; Agent, Greg Lemhouse; Planner, Carla Paladino.

Chair McKechnie inquired whether any Commissioners have a conflict of interest or ex-parte communication they would like to disclose. Commissioner Culbertson disclosed he had a conversation on the phone with Greg Lemhouse regarding this application amongst other things. It was general and nothing specific. Commissioner Jordan disclosed that he serves on a non-profit board that Greg Lemhouse has provided services to that board. He feels he does not have a conflict and can vote in an impartial way.

Chair McKechnie inquired whether anyone in attendance wishes to question the Commission as to conflicts of interest or ex-parte contacts. None were disclosed.

Carla Paladino, Principal Planner reported that the Development Code Amendment approval criteria can be found in the Medford Land Development Code Sections 10.214 and 10.218. Ms. Paladino gave a staff report.

Commissioner Pulver asked, is the requirement of the double fence and 10 inch separation for safety purposes? Ms. Paladino replied yes.

Commissioner Pulver asked, on an older property that a buffer does not exist would there be a non-electrified fence or wall at the property line then the electric fence 10 inches from that fence? Ms. Paladino reported no, the applicant would have to stay out of the buffer yard. The perimeter fence would be 8 feet of solid construction and act as the buffer wall (but would not be on the property line).



Vice Chair Foley asked, what is the restriction in the Liberty Park Overlay with Star Auto Body and their electric fence? Ms. Paladino reported an electric fence was installed and because it is zoned Community Commercial the property owner was told by a building inspector they could not have the fence. The fence is not activated and they do not have a permit to have it. Also, since they are in the Liberty Park Neighborhood they would not be able to apply for a new one.

The public hearing was opened.

a. Greg Lemhouse, United Strategies, 2305 Ashland St., Ste. C PMB 265, Ashland, Oregon, 97520. Mr. Lemhouse reported that they agree with the staff report that seems to be in line with Option 3 which they supported and it seems like the Planning Commission supported at their study session. It is important to note that they think the perimeter security systems enhance livability. When backed up against residential it increases safety.

Mr. Lemhouse reserved rebuttal time.

b. Michael Pate, Amarok (Electric Guard Dog), 550 Assembly Street, Columbia, SC 29201, Mr. Pate thinks there is a conflict regarding the maximum of a 10 inch separation from the perimeter fence to the actual fence then in the next breath it talks about a minimum of 24 inches from the property line. He does not know why electrical permits would be required. They run off a 12 volt battery. They will comply if need be. Regarding the buffer yard it seems to him with a buffer yard there will be two barriers.

Chair McKechnie stepped in for Ms. Paladino on the buffer yard. His understanding is that it does not apply to all properties depending on the zoning. Buffer yards are only between a commercial property and a residential property.

Ms. Paladino reported under permits required the language states requiring a permit for the electrified fence from the Building and Safety Department including an alarm permit. There is language that the Fire Department does an inspection.

The 24 inches is noted on page 113 of the agenda packet Section 5.3 that no electrified fence shall be installed within 24 inches of a property line. They can review and make sure it is not conflicting with the other separation wall.

In terms of the buffer yard there is a chart of what zones buffer yards are required.

Mr. Pate asked, is the buffer yard requirement in the code? Ms. Paladino responded yes. It is a land use requirement.

Mr. Pate asked, is the requirement for the second fence also in the code? Ms. Paladino replied no.

The public hearing was closed

Main Motion: The Planning Commission, based on the findings and conclusions that all of the applicable criteria are either satisfied or not applicable, forwards a favorable recommendation for approval of DCA-19-010 to the City Council based on the staff report dated May 7, 2020, including Exhibits A through D.

Moved by: Vice Chair Foley

Seconded by: Commissioner McFadden

Commissioner Pulver thinks this is a big step. He agrees with the applicant that the more secure and safe the community the more deterrent it is to crime. He looked at properties that have the electrified fences. He does not know if aesthetically it is good or bad. It sends a different message.

Amended motion: Removing Community Commercial from allowed zones for this use.

Moved by: Commissioner Pulver

Seconded by: Commissioner McFadden

Roll Call Vote for Amended Motion: Motion failed, 4-4-0, with Commissioner Culbertson, Commissioner Mansfield, Commissioner McFadden and Vice Chair Foley voting no.

Roll Call for Main Motion: Motion passed, 7-1-0, with Chair McKechnie voting no.

60. Reports

60.1 Site Plan and Architectural Commission.

Commissioner Culbertson reported that the Site Plan and Architectural Commission met on Friday, May 1, 2019. They approved an eight unit, residential Cottage Cluster Development located at 1132 and 1146 Woodrow Lane.

60.2 Transportation Commission.

Commissioner Pulver reported that the Transportation Commission has not met but will meet later this month.

60.3 Planning Department

Kelly Evans, Assistant Planning Director reported the Governor approved Phase 1 for Jackson County. At least through the first Planning Commission meeting of June 11, 2020 will be in this format.

Monday, May 25, 2020 is Memorial Day. The City offices will be closed.

CITY COUNCIL STUDY SESSION MINUTES



MEDFORD
OREGON

April 30, 2020
6:00 P.M.
Virtual Meeting

A virtual City Council Study Session was called to order at 6:00 p.m. on the above date with the following members and staff present:

Mayor Gary Wheeler; Councilmembers Clay Bearnson, Kay Brooks, Tim D'Alessandro, Dick Gordon, Alex Poythress (left at 6:34 p.m.), Eric Stark (left at 6:34 p.m.), Kevin Stine (left at 6:34 p.m.), Michael Zarosinski; City Manager Brian Sjothun, Deputy City Manager Kelly Madding, City Attorney Rick Whitlock, Deputy City Attorney Eric Mitton, Deputy City Recorder Winnie Shepard

Electric Fence Ordinance

Principal Planner Carla Paladino presented a PowerPoint regarding a proposed Code amendment for electric fences. (PowerPoint attached.)

Proposed changes include:

- Name change from "electric fence" to "electrified fence."
- Adding a definition.
- Permits will be required through the building department. The fire department will conduct an inspection and retain the address and contact information on file.
- Electrified fences shall have a non-lethal charge, comply with building code requirements, follow all Code and manufacturer instructions and be battery powered.

Fence specifics:

- Maximum height of 10 feet.
- A six foot perimeter fence must surround the electrified fence.
- Property must comply with landscaping requirements and fencing standards.
- Warning signage posted in both English and Spanish.
- Property owner/manager must provide access emergency personnel.
- Cannot be active when the building is accessible to the public, must be part of a surveillance system and monitored 24 hours a day.

Ms. Paladino reviewed the current Code language and outlined the requests from the applicants.

Councilmember Gordon requested input from the Police Department regarding the need of electrified fences within city limits.

Applicant Greg Lemhouse had requested the fence as a security measure to prevent crime. Creating a barrier will make it more difficult to access a property.

Applicant Michael Pate advised that the system runs on a 12 volt battery. The signage and shock are both crime deterrents. The surveillance system can determine the breach within a 10-foot radius. The system is considered a verified alarm, preventing unnecessary police dispatch for non-criminal activity and would be installed in high-crime areas. He outlined the aesthetics of the fences, noting they are not overly obvious, the signage is clear and electrified fences are required to have an audible sound. He requested Council approve option 3.

The distance between the perimeter fence and the electrified fence is typically 4 or 5 inches. The perimeter fence may have 4-5 strands on top to prevent a person from climbing over. A person is criminally trespassing if they are able to touch the electrified fence. A person cannot inadvertently make contact.

At Council's request, staff will provide specifics of a "solid fence" in the proposed Code.

* Councilmembers Poythress, Stine and Stark left the meeting.

Mayor clarified that Council preferred option 3. There were no objections.

The meeting adjourned at 6:40 p.m.



Winnie Shepard, CMC
Deputy City Recorder



Electric Fence Amendment (DCA-19-010)

City Council Study Session
April 29, 2020
Curtis Angel Paladino



Direction

- Are there any recommended changes to the draft text overall?
- What is the preferred option for where electric fences are permitted and/or prohibited?



Presentation Outline

- Background
- Proposal Summarized
- Options Reviewed
- PC Recommendations
- Council Direction/Discussion




Background



Amendment Request

- Citizen initiated amendment
- Amarak (Electric Guard Dog) seeking code changes
- PC discussed last August & initiated the amendment in September
- PC discussed the proposal on Monday



Proposal Summarized



Code Changes Proposed

- Modify Title
- Definition Added
- Permits Required
- Electrification



Code Changes Proposed

- Fence Details
- Location of Fences
- Fencing standard when adjacent to residential zone or use
- Text Correction




Code Changes Proposed

- Warning Signs Required
- Emergency Access
- Hours of Operation
- Surveillance




Existing Regulations

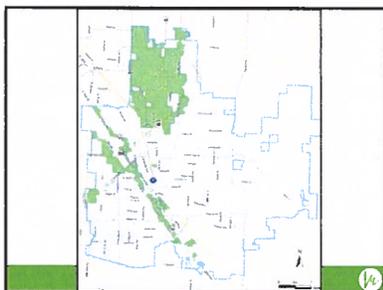
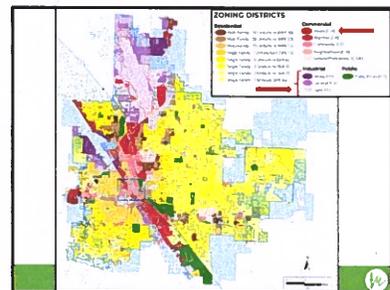


Existing Regulations

Fences are permitted around outdoor storage areas, including vehicle storage in:

- Heavy Commercial (C-H)
- Light Industrial (I-L)
- General Industrial (I-G), and
- Heavy Industrial (I-H) zones

And where needed to control livestock

Permitted Options



OPTIONS 1 & 2 Permitted Uses Expanded

Existing Uses Retained	New Uses Added
Outdoor Storage areas	Heavy Construction Equip Rental & Leasing
Control of Livestock	Auto Dismantlers and Metal Recyclers
	Trucking Establishments
	Towing Companies
	Auto Repair, Services, and Garages



OPTION 3 Zones Expanded

- Simplify language
- Allow fencing in the following zones:
 - Community Commercial (C-C)
 - Heavy Commercial (C-H)
 - 3 Industrial Zones (I-L, I-G, and I-H)
 - And where needed to control livestock
- Allow businesses to decide on fencing regardless of use

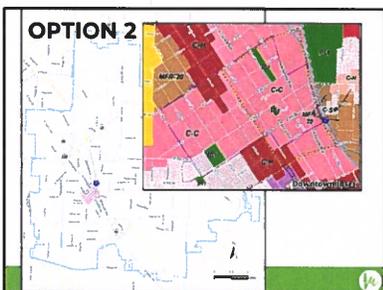
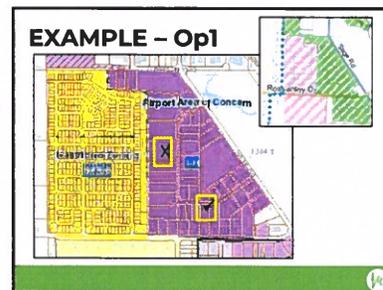
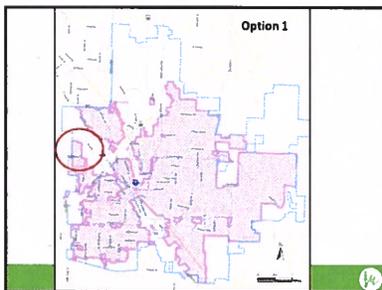



Prohibited Options



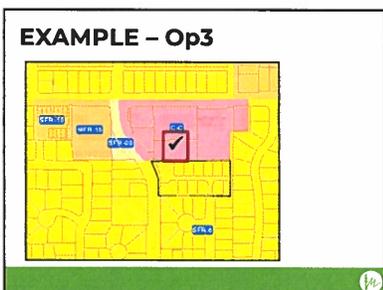
OPTION 1

- Central Business overlay district
- Liberty Park Plan Area
- Southeast Plan Area
- **When adjacent** to residential in Commercial zones
- Neighborhood Commercial & Service-Commercial Professional
- SFR and MFR zones and **when adjacent**
- Public Parks zone or **when adjacent**



OPTION 3

- Central Business overlay district
- Liberty Park Plan Area
- Southeast Plan Area
- ~~When adjacent to residential in Commercial zones~~
- Neighborhood Commercial & Service-Commercial Professional
- SFR and MFR zones ~~and when adjacent~~
- Public Parks zone ~~or when adjacent~~



**Planning Commission
Recommendations**

PC COMMENTS

- 4 in favor of Option #3
- 1 in favor of Option #2
- 2 not in support of expanding into C-C zone

