

CITY COUNCIL AGENDA



MEDFORD
OREGON

January 16, 2020

6:00 P.M.

Medford City Hall, Medford Room
411 W. 8th Street, Medford, Oregon

10. Roll Call

20. Recognitions, Community Group Reports

20.1 Employee Recognition

20.2 Employee of the Quarter

20.3 Oregon Department of Transportation Update by Gary Leaming

20.4 Kid Time Update by Sunny Spicer

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 January 2, 2020 Regular Meeting

50. Consent Calendar

50.1 COUNCIL BILL 2020-05

A resolution establishing a public hearing date for the vacation of a Public Utility Easement (PUE) and Pedestrian Access and Traffic Signal Easement at 295 E. Barnett Road, within the C-R (Regional Commercial) zoning district. (SV-19-049)

50.2 COUNCIL BILL 2020-06

An ordinance authorizing execution of Amendment No. 2 to the Hope Village Operational Agreement.

50.3 COUNCIL BILL 2020-07

An ordinance authorizing the purchase of a new 2020 Crosswind Regenerative Air Street Sweeper in the amount of \$283,639.60.

50.4 COUNCIL BILL 2020-08

An ordinance awarding a contract in an amount of \$1,197,725.30 to Insituform Technologies, LLC for installation of Cured in Place Pipe (CIPP) lining in deteriorated sewer and storm pipes at various locations in the City of Medford.

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.

50.5 COUNCIL BILL 2020-09

An ordinance authorizing the purchase of aerial fire apparatus in the amount of \$1,372,374.00 through the cooperative group purchasing agreement, National Purchasing Partners (NPP), with contingency in the amount of \$21,000.00 added, for a grand total of \$1,393,374.00.

50.6 COUNCIL BILL 2020-10

A resolution appointing representatives to positions as the City representations on Boards and Commissions.

60. Items Removed from Consent Calendar

70. Ordinances and Resolutions

70.1 COUNCIL BILL 2020-01 – SECOND READING

An ordinance authorizing execution of an Employment Agreement between the City of Medford and William P. Haberlach, to provide municipal judge services through January 31, 2023.

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.

80.1 COUNCIL BILL 2020-11

An ordinance approving the incorporation of the 2019 Liberty Park Neighborhood Plan into the Neighborhood Element and Goals and Policies chapters of the City's Comprehensive Plan.

80.2 Consideration of an appeal of a "Notice of Sidewalk Abatement Assessment" regarding the sidewalks at Wolf Run Drive/Highcrest – Parcel 371W23CC 2600.

90. Council Business

90.1 Proclamations issued:

Dr. Martin Luther King, Jr. Day – January 17, 2020
Medford School Choice Week – January 17, 2020

90.2 Committee Reports and Communications

a. Council Officers Update

100. City Manager and Staff Reports

110. Adjournment



AGENDA ITEM COMMENTARY

DEPARTMENT: Planning **AGENDA SECTION:** Consent Calendar
PHONE: (541) 774-2380 **MEETING DATE:** January 16, 2020
STAFF CONTACT: Matt Brinkley, AICP, CFM, Planning Director

COUNCIL BILL 2020-05

A resolution establishing a public hearing date for the vacation of a Public Utility Easement (PUE) and Pedestrian Access and Traffic Signal Easement at 295 E. Barnett Road, within the C-R (Regional Commercial) zoning district.

SUMMARY AND BACKGROUND

Council is requested to consider a resolution to initiate and establish a public hearing date for the vacation of a Public Utility Easement (PUE) and Pedestrian Access and Traffic Signal Easement at 295 E. Barnett Road, within the C-R (Regional Commercial) zoning district. (File No. SV-19-049)

PREVIOUS COUNCIL ACTIONS

No previous Council actions have been identified for this item.

ANALYSIS

The easements to be vacated are located at 295 E. Barnett Road. On August 2, 2019, the Site Plan & Architectural Commission (SPAC) approved a site plan for the construction of an approximate 4,500 square foot restaurant with drive-thru. This approval required a portion of the Pedestrian Access and Traffic Signal easement to be vacated prior to vertical construction to accommodate the placement of the building.

The Pedestrian Access and Traffic Signal easement was granted by recorded document 01-02350 for the purpose of constructing and maintaining a pedestrian access and traffic signal facility.

The Public Utility Easement was granted by recorded document 76-07160 for the purpose of construction, installation and maintenance of utilities.

The vacation of a portion of the Pedestrian Access and Traffic Signal easement is to accommodate the relocation of the McDonald's restaurant. The Pedestrian Access and Traffic Signal easement currently extends beyond the existing pedestrian sidewalk that is located along the southern portion of the subject property. Staff, along with SPAC, found that the portion of easement to be vacated is not needed to provide pedestrian access to and from the site as the area to be vacated is within existing landscaping.

The vacation process for public easements is not required per Oregon Revised Statute (ORS) Chapter 271; however, Section 10.228 of the Medford Land Development Code (MLDC) does state that a request to vacate an "easement" be subject to the vacation provisions of the Code, which the City's legal counsel has interpreted as requiring that their removal be recorded into the public record in accordance with ORS procedures.



MLDC Section 10.112 requires that all affected agencies to be notified of the comment period of this vacation request.

The applicant, McDonald's USA LLC, has requested that Council initiate the vacation process for the public utility easements and Pedestrian Access and Traffic Signal easement as provided in MLDC 10.228(C) and ORS 271.130.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

None.

TIMING ISSUES

None.

COUNCIL OPTIONS

Approve the resolution as presented.

Modify the resolution as presented.

Deny the resolution as presented and direct staff regarding further action.

STAFF RECOMMENDATION

Staff recommends approval of the resolution to initiate the vacations and set the public hearing date of January 16, 2020.

SUGGESTED MOTION

I move to approve the resolution initiating the vacations and setting the public hearing date of January 16, 2020.

EXHIBITS

Resolution

Applicant's Request to Initiate Street Vacation

Legal descriptions of areas to be vacated

Assessor's Map of area to be vacated

Vicinity Map

RESOLUTION NO. 2020-05

A RESOLUTION establishing a public hearing date for the vacation of a Public Utility Easement (PUE) and Pedestrian Access and Traffic Signal Easement at 295 E. Barnett Road, within the C-R (Regional Commercial) zoning district. (SV-19-049)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MEDFORD, OREGON: that the City Council initiates vacation proceedings with regard to the vacation of the right-of-way, running roughly east to west, for the portion of Austin Street between Riverside Avenue and the Pine Street intersection, and that at 6:00 p.m. on the 16th day of January, 2020, in City Hall Council Chambers, 411 W. 8th Street, Medford, Oregon, there shall be a public hearing before the City Council on the question of vacating said property and the City Recorder is directed to give notice of the hearing in accordance with ORS 271.110.

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

ATTEST: _____
City Recorder

Mayor

October 30, 2019
City Council
City of Medford
200 South Ivy Street
Medford, OR 97501



NOV 04 2019
PLANNING DEPT

RE: Request to Initiate the Vacation of Public Easements

Honorable Mayor Wheeler and members of the City Council,

With this letter, we respectfully request that the City Council initiate the vacation of two separate easements, as shown on Exhibit A, to accommodate a new restaurant that was recently approved in Planning File AC-19-047. The vacation of these easements, which are described in more detail below, will have no impact to the public now or in the future. We are seeking the Council's assistance as we have been unable to contact the "affected property owners" as that phrase is defined in ORS 271.130 and as such easement vacations are a necessary condition of our land use approval.

Background. McDonald's Corporation (Applicant) received site plan approval to construct a new, approximately 4,500 square foot, restaurant at the south end of Tax Lot 5900 (Jackson County Assessor's Map 37 1W 30DC) earlier this year. The applicable zoning regulations affecting the subject site establish a maximum setback of 20-feet between the front property line and the new building. An existing Pedestrian Access and Traffic Signal Easement partially occupies this maximum front setback area. To meet the applicable setback requirements, the Applicant has agreed to modify the easement boundary and has verified that no utilities are present nor will the modified boundary impede pedestrian access (see Exhibit E).

A second easement, 5-feet in width, is located at the interior of the subject site, and crosses onto the easterly shared driveway and parking area of Tax Lot 5900 and then onto a small portion of the neighboring Tax Lot 6900. This easement was established as a non-exclusive public utility easement in 1976 for the benefit of the Citizens Savings and Loan Association. A copy of the current easement is attached hereto as Exhibit G and incorporated herein by this reference. While the extent of the public benefit accruing through this easement is unclear, at the advice of City staff the vacation of this easement is included with this request as well.

Process. The City of Medford requires that a new Pedestrian Access and Traffic Signal easement will be in place/recorded prior to the vacation of the current easement. A legal description and map illustrating the proposed replacement easement is included in Exhibit E.

Per Medford Land Development Code (MLDC) Section 10.228(D), the City's decision to approve an easement vacation is based on the following:

- (1) The requested vacation complies with the Public Facilities Element of the Comprehensive Plan, including the Transportation System Plan, and
- (3) If initiated by Council, that the request meets the applicable criteria in ORS 271.130.

The criteria in ORS 271.130 are largely reflected in the additional local approval criteria in MLDC Section 10.228(E)(6)3., which provides for notice to affected property owners and an opportunity for said property owners to object to the proposed vacation.

BEND, OR | KEIZER, OR | TUALATIN, OR | VANCOUVER, WA

CITY OF MEDFORD
EXHIBIT #
www.aks-eng.com
File # SV-19-047

Page 1 of 19

Findings. As illustrated in the attached exhibits, the requested easement vacations comply with all applicable criteria.

Per MLDC 10.228(D), the requested vacations comply with the Comprehensive Plan and Transportation System Plan as:

1. The modification to the boundary of the Pedestrian Access and Traffic Signal easement does not impact any existing or planned traffic signal equipment or facilities nor does the planned easement modification impede pedestrian access in the E Barnett Road corridor.
2. The Applicant has confirmed via survey research and through discussions with City staff that the internal public utility easement does not host any public utility facilities. Further, this easement does not establish a right to the public but rather to a single private property. The elimination of this easement therefore will not impact the installation of any planned City utilities or transportation system improvements.

The applicable criteria in MLDC 10.228(E) and ORS 271.130 can be satisfied following the successful completion of providing notice to, and the opportunity for affected property owners to comment on this request. A list of affected property owners, and associated mailing labels, are included in Exhibit F.

Conclusion. As provided here and in the corresponding attachments, this request satisfies all applicable local and state requirements for the City to initiate and ultimately approve the vacation of two easements located on the subject site. For this reason, we respectfully request that the City Council direct staff to:

1. Record the planned Pedestrian Access and Traffic Signal Easement included in Exhibit E;
2. Authorize staff to process the vacation of the existing Pedestrian Access and Traffic Signal Easement as shown in Exhibit D; and,
3. Authorize staff to process the vacation of the existing 5-foot wide public utility easement shown in Exhibit G.

Thank you for your consideration in this matter. Please do not hesitate to contact me with any questions regarding this request.

Sincerely,



AKS ENGINEERING & FORESTRY, LLC

Zach Pelz, AICP

3700 River Road N, Suite 1

Keizer, OR 97303

503-400-6028 | PelzZ@aks-eng.com



McDonald's USA LLC | Easement Vacations
AKS Job No. 5722-06

October 30, 2019

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Attachments:

City of Medford Type IV Vacation Application Form

Vacation application fee

Exhibit A – ALTA Survey

Exhibit B – City of Medford Public Works Staff Report

Exhibit C – City of Medford Notice of Decision (AC-19-047)

Exhibit D – Existing Pedestrian Access and Traffic Signal Easement (TO BE VACATED)

Exhibit E – Proposed Pedestrian Access and Traffic Signal Easement (TO BE RECORDED)

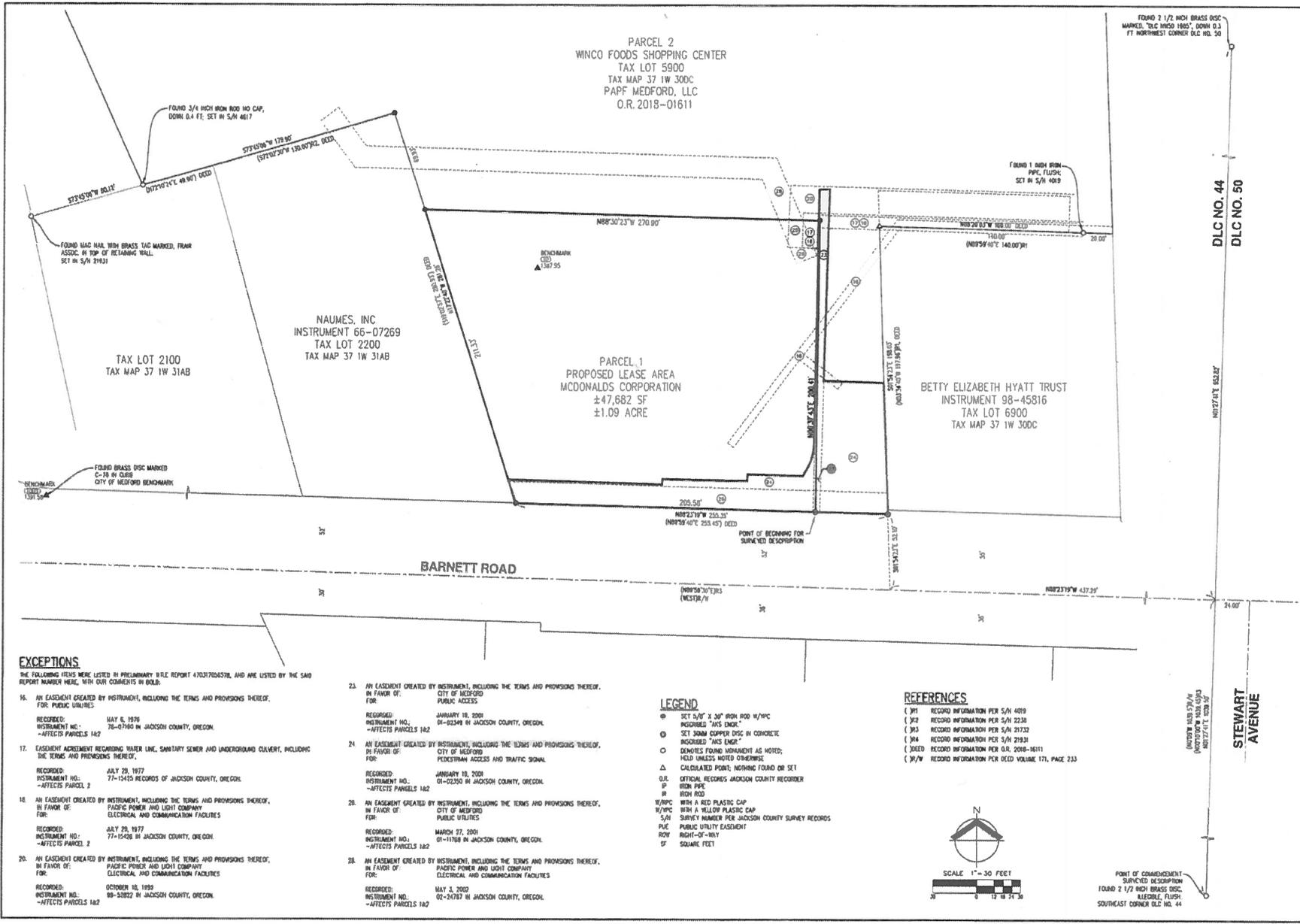
Exhibit F – Affected Properties Map per ORS 271.080(2)

Exhibit G – Existing Public Utility Easement (TO BE VACATED)





Exhibit D



AKS
AKS ENGINEERING & SURVEYING, LLC
2343 SW KENNA RD STE 100
MEDFORD, OREGON 97504
P 543.543.8782
F 543.543.8782
84-105-007

**ENGINEERING - SURVEYING - NATURAL RESOURCES
FORESTRY - PLANNING - LANDSCAPE ARCHITECTURE**

**ALTA/NSPS
TITLE LAND SURVEY
MEDIATION
BOUNDARY MAP AND
EASEMENT EXCEPTIONS**

**OREGON
MEDFORD**

**RECORDED BY: [Signature] KLT
DRAWN BY: [Signature] KLT
CHECKED BY: [Signature] KLT
DATE: 12/12/24
SCALE: AS SHOWN
RECORDED PROFESSIONAL LAND SURVEYOR
JANUARY 8, 2025
NO. 10000
EXPIRES 12/31/29**

**JOB NUMBER
5722-06
SHEET
03**

EXCEPTIONS

THE FOLLOWING ITEMS WERE LISTED IN PRELIMINARY R.L. REPORT 47037706578, AND ARE LISTED BY THE SAID REPORT NUMBER HERE, WITH OUR COMMENTS IN BOLD:

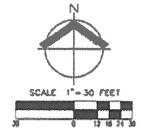
- AN EASEMENT CREATED BY INSTRUMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, FOR: PUBLIC UTILITIES
RECORDED: MAY 6, 1976
INSTRUMENT NO.: 76-07860 IN JACKSON COUNTY, OREGON.
-AFFECTS PARCELS 1&2
- EASEMENT ACQUISITION REGARDING WATER LINE, SANITARY SEWER AND UNDERGROUND CULVERT, INCLUDING THE TERMS AND PROVISIONS THEREOF.
RECORDED: JULY 29, 1977
INSTRUMENT NO.: 77-13425 RECORDS OF JACKSON COUNTY, OREGON.
-AFFECTS PARCEL 2
- AN EASEMENT CREATED BY INSTRUMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, IN FAVOR OF: PACIFIC POWER AND LIGHT COMPANY ELECTRICAL AND COMMUNICATION FACILITIES
RECORDED: JULY 29, 1977
INSTRUMENT NO.: 77-15426 IN JACKSON COUNTY, OREGON.
-AFFECTS PARCEL 2
- AN EASEMENT CREATED BY INSTRUMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, IN FAVOR OF: PACIFIC POWER AND LIGHT COMPANY ELECTRICAL AND COMMUNICATION FACILITIES
RECORDED: OCTOBER 18, 1999
INSTRUMENT NO.: 99-50822 IN JACKSON COUNTY, OREGON.
-AFFECTS PARCELS 1&2
- AN EASEMENT CREATED BY INSTRUMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, IN FAVOR OF: CITY OF MEDFORD PUBLIC UTILITIES
RECORDED: JANUARY 18, 2001
INSTRUMENT NO.: 01-02349 IN JACKSON COUNTY, OREGON.
-AFFECTS PARCELS 1&2
- AN EASEMENT CREATED BY INSTRUMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, IN FAVOR OF: CITY OF MEDFORD PROCESSION ACCESS AND TRAFFIC SIGNAL
RECORDED: JANUARY 18, 2001
INSTRUMENT NO.: 01-02350 IN JACKSON COUNTY, OREGON.
-AFFECTS PARCELS 1&2
- AN EASEMENT CREATED BY INSTRUMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, IN FAVOR OF: PUBLIC UTILITIES
RECORDED: MARCH 27, 2001
INSTRUMENT NO.: 01-11708 IN JACKSON COUNTY, OREGON.
-AFFECTS PARCELS 1&2
- AN EASEMENT CREATED BY INSTRUMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, IN FAVOR OF: PACIFIC POWER AND LIGHT COMPANY ELECTRICAL AND COMMUNICATION FACILITIES
RECORDED: MAY 3, 2002
INSTRUMENT NO.: 02-24787 IN JACKSON COUNTY, OREGON.
-AFFECTS PARCELS 1&2

LEGEND

- SET 5/8" x 3/8" IRON ROD W/PPC RECORDED "JMS DISC"
- SET 3/8" COPPER DISC IN CONCRETE RECORDED "ACS ENGR"
- SCREWS FOUND THROUGH ILS NOTED; HOLD UNLESS NOTED OTHERWISE
- CALCULATED POINT; NOTHING FOUND OR SET
- O.R. OFFICIAL RECORDS JACKSON COUNTY RECORDER
- IRON PIPE
- IRON ROD
- W/PPC WITH A RED PLASTIC CAP
- W/PPC WITH A YELLOW PLASTIC CAP
- SURVEY NUMBER PER JACKSON COUNTY SURVEY RECORDS
- P.U.E. PUBLIC UTILITY EASEMENT
- RIGHT-OF-WAY
- ROW
- SF SQUARE FEET

REFERENCES

- (31) RECORD INFORMATION PER S/A 4819
- (32) RECORD INFORMATION PER S/A 2238
- (33) RECORD INFORMATION PER S/A 21732
- (34) RECORD INFORMATION PER S/A 21931
- (35E) RECORD INFORMATION PER O.R. 2008-18111
- (36/W) RECORD INFORMATION PER DEED VOLUME 171, PAGE 233



01 02350

R/W 4287 15.-
RECEIVED

PEDESTRIAN ACCESS AND TRAFFIC SIGNAL EASEMENT

NOV 04 2019
PLANNING DEPT

KNOW ALL MEN BY THESE PRESENTS that,

JOSEPH ADES,
as "Grantor"/owner of the real property described herein, does here grant to the City of Medford, a municipal corporation of the State of Oregon, as "Grantee" a perpetual easement for public access and traffic signal equipment over and across that property more fully described in attached Exhibit "A" made a part hereof, subject to the terms and conditions set forth below.

Said easement is for the purpose of enabling Grantee to construct, reconstruct, maintain, use, operate and repair, at Grantee's cost and expense a pedestrian access and traffic signal facilities of the Grantee, together with the right to make such excavation of other work as Grantee may require and deem convenient for the installation, repair and maintenance thereof, including such reasonable right of ingress and egress to and from such easement as may be necessary to carry out its purposes so long as Grantee repairs all damage caused by such ingress or egress.

Grantor reserves the right to use and possess such land within the easement including, without limitation, such portion of the easement as may be required to install, replace, maintain or upgrade any subsurface or overhead utility lines or easements serving Grantor's property or to enable Grantor, at its option, to landscape and maintain that portion of the easement which adjoins Grantor's property, provided that any such use or possession shall not interfere with Grantee's use thereof for the purposes above set forth. Grantor shall not cause any buildings to be constructed over any part of the easement without Grantee's consent.

This easement is made this day 22 of SEPTEMBER, 2000.

By [Signature]
ESTATE OF Joseph Ades
MICHAEL M. ADES, EXECUTOR

After recording, return to: Gordon Davis
1035 NW Hoyt Street
Portland, Oregon 97209

CITY OF MEDFORD
EXHIBIT # _____
File # SV-19-049
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01 02350

R/W 4287

STATE OF ~~OREGON~~^{New York}
COUNTY OF JACKSON^{New York}

This instrument was acknowledged before me this day Sept. 28, 2000
by Joseph Ades as his voluntary act and deed.

Joan Mercante
Notary Public for Oregon^{New York}
My commission expires

JOAN MERCANTE
Notary Public, State of New York
No. 01ME5072129
Qualified in Queens County
Certificate Filed in New York County
Commission Expires January 27, 2001



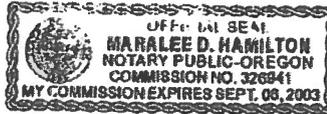
ACCEPTED:

CITY OF MEDFORD

By: Robert Devel Date 1/18/01
City Engineer

Personally appeared the above named Robert Devel and acknowledged the
foregoing instrument to be his voluntary act and deed on behalf of the City of Medford.

Maralee D. Hamilton
Notary Public for Oregon
My commission expires



2

01 02350

EXHIBIT A

(AREA F)

Commencing at the Northwest corner of Donation Land Claim No. 50 in Township 37 South, Range 1 West, Willamette Meridian, Jackson County, Oregon; thence WEST 437.54 feet; thence SOUTH 900.49 feet to the most Southerly, Southeast corner of that tract described in Document No. 72-04061, Official Records of said Jackson County for the **POINT OF BEGINNING**; thence North 03°34'50" West (Record North 03°34'40" West), along the Easterly line of said tract, 90.18 feet; thence, leaving said Easterly line, South 89°59'30" West 41.27 feet; thence North 00°00'30" West 131.91 feet; thence South 89°20'17" West 7.02 feet; thence South 00°39'43" East 172.31 feet; thence, along the arc of a 45.00 foot radius non-tangent curve to the right (the long chord to which bears South 15°58'36" West 25.77 feet), an arc distance of 26.14 feet; thence South 89°59'30" West 38.14 feet; thence South 00°00'30" East 5.00 feet; thence South 89°59'30" West 57.89 feet; thence South 00°00'30" East 4.00 feet; thence South 89°59'30" West 105.81 feet to the Westerly line of said tract; thence South 19°03'10" East, along said Westerly line, 16.67 feet to the Northerly right-of-way line of Barnett Road; thence North 89°59'30" East, along said Northerly line, 255.45 feet to the Point of Beginning.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

David M. Minneci

OREGON
JULY 26, 1988
DAVID M. MINNECI
2349

David M. Minneci
L.S. 2349 - Oregon
Expires 12-31-00
Hoffbuhr and Associates, Inc.

Ades -PAE-II 5900
00-018
February 8, 2000
(adesPAE.doc)

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

JAN 19 2001

10:33 AM
Spokane J. [Signature]
COUNTY CLERK

3

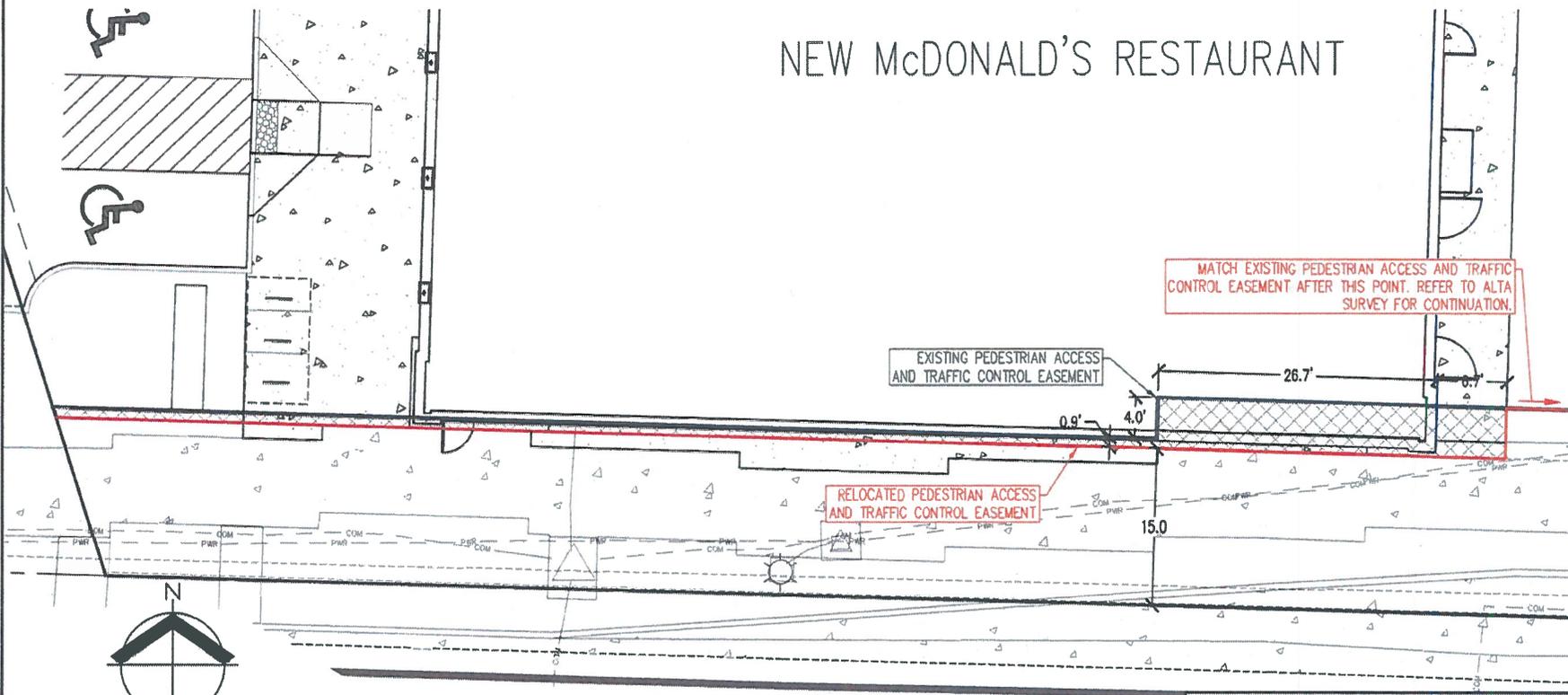


Exhibit E

LEGEND

-  AREA OF PEDESTRIAN ACCESS EASEMENT TO BE VACATED
TOTAL AREA = ±265 SF
-  PROPOSED/NEW SIDEWALK
-  EXISTING SIDEWALK

NEW McDONALD'S RESTAURANT



SCALE: 1" = 10 FEET



E BARNETT ROAD

DATE: 10/29/2019

RELOCATED PEDESTRIAN ACCESS AND CONTROL EASEMENT		EXHIBIT
MEDFORD McDONALD'S RELOCATION		E
AKS ENGINEERING & FORESTRY, LLC 3700 RIVER RD N, STE 1 KEIZER, OR 97303 P: 503.400.6028 F: 503.400.7722 aks-eng.com		DRWN: TDR CHKD: ZP AKS JOB: 5722-06



OWC 5722-06 ROW EX E VACATION EX 1 C100



AKS ENGINEERING & FORESTRY, LLC
12965 SW Herman Road, Suite 100, Tualatin, OR 97062
P: (503) 563-6151 | www.aks-eng.com

AKS Job #5722-06

OFFICES IN: BEND, OR - KEIZER, OR - TUALATIN, OR - VANCOUVER, WA

EXHIBIT A

Pedestrian Access and Traffic Signal Easement Vacation

A tract of land located in the Northeast One-Quarter of Section 31, Township 37 South, Range 1 West, Willamette Meridian, City of Medford, Jackson County, Oregon, and being more particularly described as follows:

Commencing at the southeast corner of Donation Land Claim No. 44; thence North 01°27'41" East 1039.50 feet along the east line of Donation Land Claim No. 44 to the original centerline of East Barnett Road, from which the northeast corner of Donation Land Claim No. 50 bears North 01°27'41" East 952.82 feet; thence, along said centerline, North 88°23'19" West 437.29 feet; thence, leaving said centerline, North 01°54'24" West 52.10 feet, to the northerly right-of-way of East Barnett Road (52.00 feet from centerline) and the southerly southeast corner of the tract per Instrument Number 2018-16111, Deed Records of Jackson County, Oregon; thence North 88°23'19" West 255.35 feet to the southwest corner of said tract; thence, along the west line of said tract, North 17°22'40" West 15.87 feet to the Point of Beginning; thence, continuing along said west line, North 17°22'40" West 1.04 feet; thence, leaving said west line, South 88°20'13" East 105.80 feet; thence North 01°39'47" East 4.00 feet; thence South 88°20'13" East 33.45 feet; thence South 01°36'41" West 4.86 feet; thence North 88°23'19" West 138.91 feet to the Point of Beginning.

The above described tract of land contains 262 square feet, more or less.

12/4/2019



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EXHIBIT B

MAP OF PEDESTRIAN ACCESS AND TRAFFIC SIGNAL EASEMENT VACATION

A TRACT OF LAND LOCATED IN THE NE 1/4 OF SEC. 31, T37S,
R1W, W.M., CITY OF MEDFORD, JACKSON COUNTY, OREGON

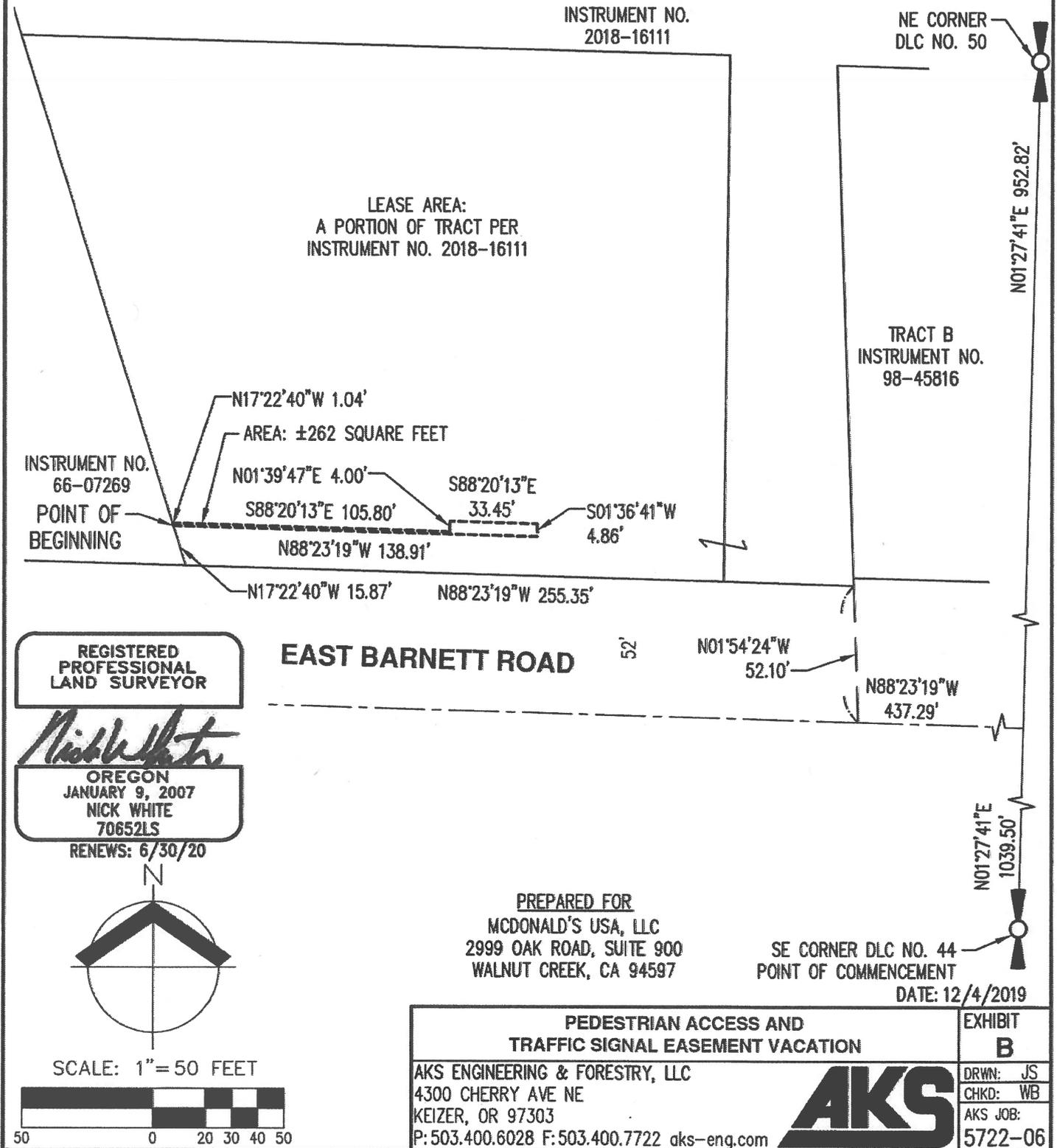




Exhibit F

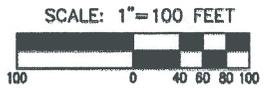
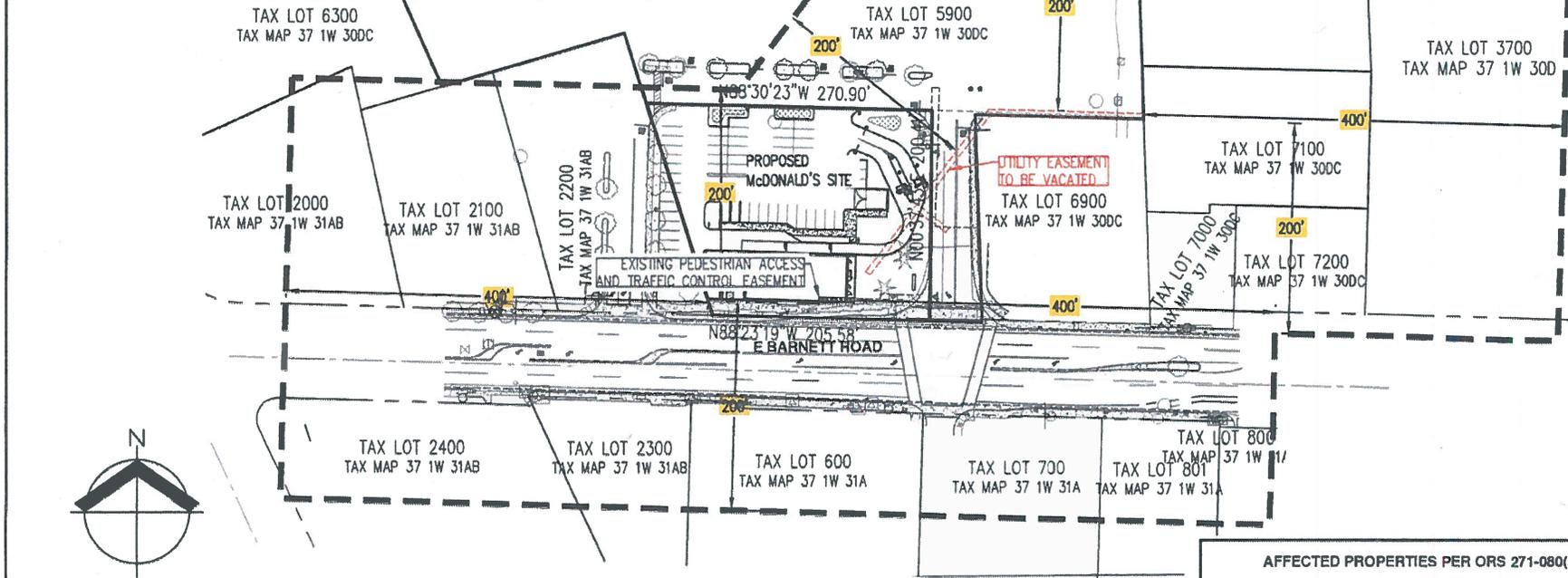
Tax Lot	Area Within Boundary (acres)	Percent of Total Area
600 (House To Home Gallery)	0.50	4.5%
700 (KFC)	0.38	3.4%
800 (Del Taco)	0.10	1.0%
801 (Rooster's)	0.25	2.3%
2000 (Burger King)	0.42	3.8%
2100 (Ex McDonald's)	0.66	6.0%
2200 (Ex McDonald's)	0.70	6.4%
2300 (Sovana Inn)	0.31	2.8%
2400 (Walgreens)	0.56	5.1%
3700 (Vacant)	1.65	15.0%
5800 (Winco Plaza)	0.76	6.9%
5900 (PAPP)	2.81	25.6%
6300	0.03	0.3%
6900 (Jack In The Box)	0.71	6.5%
7000 (New China Chinese Restaurant)	0.21	1.9%
7100 (Royal Crest Motel)	0.65	5.9%
7200 (Chevron)	0.29	2.6%
Totals:	11.00	100.0%

LEGEND

 VACATED PORTION OF PEDESTRIAN ACCESS AND TRAFFIC SIGNAL EASEMENT

AREA SUMMARY:

TOTAL AREA = 13.06 ACRES
 AREA WITHIN PUBLIC ROW IN E BARNETT RD = 2.05 ACRES
 AREA EXCLUDING PUBLIC ROW = 11.00 ACRES
 2/3 OF PRIVATE PROPERTY = 7.33 ACRES



DATE: 11/27/2019

AFFECTED PROPERTIES PER ORS 271-080(2)		EXHIBIT
MEDFORD McDONALD'S RELOCATION		B
AKS ENGINEERING & FORESTRY, LLC		DRAWN: TDR
3700 RIVER RD N, STE 1		CHECKED: ZP
KEIZER, OR 97303		AKS JOB:
P: 503.400.6028 F: 503.400.7722 aks-eng.com		5722-06



OWC: 5722-06 ROW VACATION EX 1 C100

RECEIVED

NOV 04 2019

PLANNING DEPT

76-07160

4:04 908

After Recording Return to:

Until a change is requested,
all tax statements shall be
sent to the following address:

DEED OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that the S. S. KRESGE COMPANY, TWENTY-SECOND MEDFORD CORPORATION, JOSEPH ADES and THE NEW YORK BANK FOR SAVINGS, hereinafter referred to as "Grantors", do hereby grant to CITIZENS SAVINGS AND LOAN ASSOCIATION, hereinafter referred to as "Grantee", its successors and assigns, a non-exclusive public utility easement five (5) feet in width, Northerly of, parallel and adjacent to the following described line:

Commencing at the Northwest corner of Donation Land Claim No. 50, Section 31, Township 37 South, Range 1 West, Willamette Meridian, Jackson County, Oregon; thence West 309.80 feet; thence South 702.66 feet to the point of beginning at a point on the North line of the tract of land described by Jackson County Deed Records, Volume 567, page 262; thence South 89 degrees, 59' 20" West 145 feet, more or less; thence South 35 degrees, 25' West 190 feet, more or less, to the terminus of the Public Utility Easement.

TOGETHER WITH a non-exclusive public utility easement five (5) feet in width, Northerly of, parallel and adjacent to the following described line:

Commencing at the point of beginning of the above described Public Utility Easement; thence South 89 degrees, 59' 20" West 145 feet, more or less; thence South 35 degrees, 25' West 115 feet, more or less, to the point of beginning; thence South 54 degrees, 35' East 33 feet, more or less, to the terminus of the Public Utility Easement.

This easement is granted for the purpose of construction, installation and maintenance of utilities, (including water and sewer), together with the right at any time to have free

CITY OF MEDFORD

EXHIBIT #

Page 15 of 19

File # 50 49-049

76-07160

ingress and egress in, to, from and upon said easement for the purpose of maintenance.

There is no monetary consideration involved in this transaction.

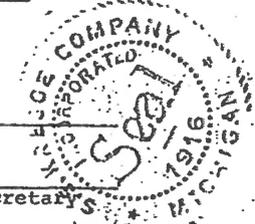
TO HAVE AND TO HOLD the within granted non-exclusive easement unto said Grantee, its successors and assigns, forever for the purposes above set out.

IN WITNESS WHEREOF, Grantors have hereunto set their hands and seals as of the 11th day of February, 1976.

S. S. KREEGE COMPANY

By J. P. Johnson
J. P. Johnson, Vice President

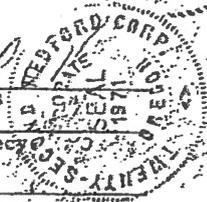
By Beatrice L. McGaw
Beatrice L. McGaw, Assistant Secretary



TWENTY-SECOND MEDFORD CORPORATION

By Harold W. Schulkind
Harold W. Schulkind, Vice Pres

By Herbert R. Margulies
Herbert R. Margulies, Asst. Secy



Joseph Ades
Joseph Ades

The New York Bank For Savings joins in the execution of this easement solely for the purpose of signifying their consent to the grant thereof.

THE NEW YORK BANK FOR SAVINGS
By John F. Smith
VICE PRESIDENT



STATE OF MICHIGAN)
COUNTY OF OAKLAND) ss. February 18, 1976

Personally appeared J. P. Johnson and Beatrice L. McGaw, who, being duly sworn, did say that they are the Vice President and Assistant Secretary, respectively, of S. S. Kreege Company, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and they acknowledged said instrument to be its voluntary act and deed.

Before me:

Mary E. Harker
Notary Public for Michigan

My commission expires: June 12, 1977



MARY E. HARKER
Notary Public, Oakland County, Mich.
My Commission Expires June 12, 1977

Page Two - Deed of Easement

76-07160

STATE OF NEW YORK)
COUNTY OF NEW YORK) ss.

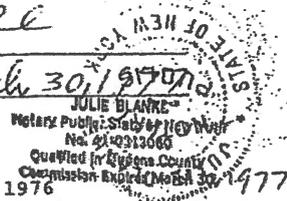
February 11, 1976

Personally appeared HAROLD W. SHANKIN and HERBERT A. MARGOLIS, who being duly sworn, did say that they are the VIC. PRESIDENT and ASST. SECRETARY respectively, of Twenty-Second Medford Corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and they acknowledged said instrument to be its voluntary act and deed.

Before me:

Julie Blanke

Notary Public for New York
My commission expires: March 30, 1977



STATE OF NEW YORK)
COUNTY OF NEW YORK) ss.

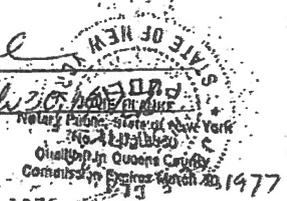
FEBRUARY, 1976

Personally appeared the above named Joseph Ades, who is known to me to be the person described in and who executed the foregoing Deed of Easement, and acknowledged to me that he executed the foregoing instrument freely and voluntarily.

Before me:

Julie Blanke

Notary Public for New York
My commission expires: March 30, 1977



STATE OF NEW YORK)
COUNTY OF N.Y.) ss.

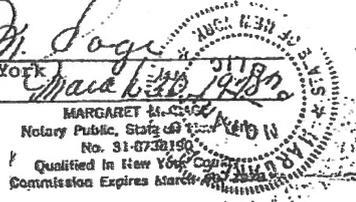
4-26-76, 1976

Personally appeared Bert T. Palumbo, who, being duly sworn, did say that he is the Vice President of The New York Bank for Savings, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and he acknowledged said instrument to be its voluntary act

Before me:

Margaret M. Loge

Notary Public for New York
My commission expires: March 16, 1977



Jackson County, Oregon
Recorded
OFFICIAL RECORDS
4:04 MAY 6 1976 P.M.
HARRY CHIPMAN
CLERK and RECORDER
By Petty Deputy
J. Thompson

Page Three - Deed of Easement

S.W.1/4, S.E.1/4, SEC.30, T.37S., R.1W., W.M.
 JACKSON COUNTY
 1" = 100'

37 1W 30DC
 MEDFORD

FOR ASSESSMENT AND
 TAXATION ONLY



CANCELLED TAX
 LOT NUMBERS:
 41 00
 4401 ADDED TO 4900
 5000
 51 00
 5200
 53 00
 59 00A1
 6500 REMAPPED TO 371W31AB
 6600
 6700 REMAPPED TO 371W31AB
 6800 REMAPPED TO 371W31AB
 7101
 8902

49-50

49-1

Subject Areas

37 1W 30DC
 MEDFORD
 DOR CONVERSION APRIL 14, 1999
 REV AUGUST 14, 2017



Project Name:
East Barnett Road
Public Utility Easement &
Pedestrian Access &
Traffic Control Easement
Vacation

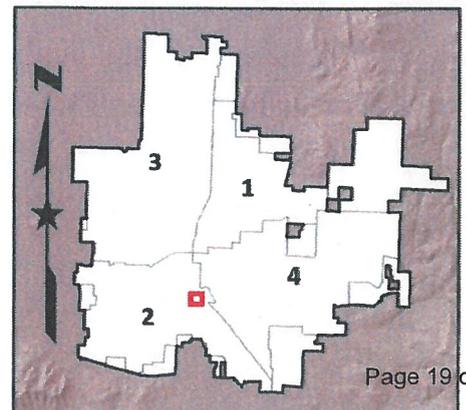
Map/Taxlot:
371W30DC5900

0 125 250
Feet

Legend

-  Subject Area
-  Tax Lots

12/13/2019





AGENDA ITEM COMMENTARY

DEPARTMENT: Legal Department
PHONE: (541) 774-2020
STAFF CONTACT: Eric B. Mitton, Deputy City Attorney

AGENDA SECTION: Consent Calendar
MEETING DATE: January 16, 2020

COUNCIL BILL 2020-06

An ordinance authorizing execution of Amendment No. 2 to the Hope Village Operational Agreement.

SUMMARY AND BACKGROUND

The City Council is being asked to approve an amendment to the operational agreement with Rogue Retreat for operation of Hope Village. Hope Village is a transitional housing campground that has been operated by Rogue Retreat since October 2017. This amendment would allow for four additional transitional housing units on the premises, as well as a recreational vehicle to be used as caretaker quarters.

PREVIOUS COUNCIL ACTIONS

On November 17, 2016 the Council approved Resolution No. 2016-140 and Ordinance No. 2016-141. Resolution No. 2016-140 designated a portion of City-owned property near the Service Center at 821 N. Columbus Avenue as a campground under the terms of Oregon Revised Statutes (ORS) 446.265. Ordinance No. 2016-141 authorized a contract with Rogue Retreat to manage a transitional housing campground located near the Service Center at 821 N. Columbus Avenue.

On January 18, 2017 the City entered into the Hope Village Operational Agreement with Rogue Retreat to manage a transitional housing campground located near the Service Center at 821 N. Columbus Avenue, called Hope Village.

On August 3, 2017 the City Council approved Ordinance No. 2017-86 amending the lease agreement with Rogue Retreat to designate additional tax lots as part of the original campground under the terms of ORS 446.265.

On December 7, 2018, an amendment to the operational agreement was executed eliminating the requirement for a \$20,000 letter of credit.

ANALYSIS

Rogue Retreat has successfully operated Hope Village, a transitional housing campground authorized under ORS 446.265 and located at 821 N. Columbus Avenue, for over two years. The original pilot project allowed for 14 transitional housing units. The operational agreement of January 18, 2017 expanded the limit to 30 units phased in over a period of time. Rogue Retreat now seeks to expand this by four additional units. In addition, Rogue Retreat seeks allowance of a single recreational vehicle for purposes of caretaker quarters. Given space limitations at the existing site, Rogue Retreat does not anticipate additional expansions of the operation at this location beyond this proposed amendment.



FINANCIAL AND/OR RESOURCE CONSIDERATIONS

None.

TIMING ISSUES

Rogue Retreat is eager to proceed with the addition as soon as possible.

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 ordinance.

SUGGESTED MOTION

I move to approve the ordinance authorizing execution of Amendment No. 2 to the Hope Village Operational Agreement.

EXHIBITS

Ordinance

Amendment No. 2

ORDINANCE NO. 2020-06

AN ORDINANCE authorizing execution of Amendment No. 2 to the Hope Village Operational Agreement.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

Section 1. That execution of Amendment No. 2 to the Hope Village Operational Agreement, which is on file in the City Recorder's office, is hereby authorized.

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

ATTEST: _____
City Recorder

Mayor

APPROVED _____ 2020.

Mayor

AMENDMENT NO. 2

This Amendment No. 2 is entered into the ____ day of _____, 2020, between the CITY OF MEDFORD, a municipal corporation of the State of Oregon, and ROGUE RETREAT, a nonprofit organization registered with the State of Oregon (Contractor) Federal Tax ID No.: 93-1261999.

The parties agree as follows:

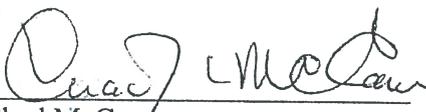
1. Recital E is amended to add the following two sentences at the end of the recital: "Effective on the date of execution of Amendment No. 2, the maximum number of transitional housing units is increased to 34 units (17 duplexes). In addition, Contractor may place one recreational vehicle on the property for purposes of housing a caretaker."
2. Section 4.1 is amended to add the following sentence at the end of the section: "Contractor may begin construction of the additional four units (two duplexes) authorized by Amendment No. 2 on any date after execution of that Amendment, pursuant to Section 24 of this Agreement, and provided that all permits necessary to commence construction have been obtained."
3. Section 5.1 is amended to add the following sentence at the end of the section: "In addition, Contractor may place one recreational vehicle on the property for purposes of housing a caretaker."
4. Section 5.2.2 is amended to add the following sentence at the end of the section: "This section does not prohibit the caretaker's recreational vehicle described in Section 5.1."
5. Except as amended herein, all remaining terms and conditions of the Agreement and Amendment No. 1 shall remain as previously written.

CITY OF MEDFORD

Gary Wheeler
Mayor

Date: _____

ROGUE RETREAT



Chad McComas
Executive Director

Date: 1-8-2020

EXHIBIT A



AGENDA ITEM COMMENTARY

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

AGENDA SECTION: Consent Calendar
MEETING DATE: January 16, 2020

COUNCIL BILL 2020-07

An ordinance authorizing the purchase of a new 2020 Crosswind Regenerative Air Street Sweeper in the amount of \$283,639.60.

SUMMARY AND BACKGROUND

Council is requested to consider authorizing the purchase of a new 2020 Crosswind Regenerative Air Street Sweeper for the amount of \$283,639.60. This equipment is used to clean roadway surfaces and prevent contamination from entering the storm drainage system.

PREVIOUS COUNCIL ACTIONS

On September 20, 2012, Council approved Council Bill 2012-142 authorizing purchases through the National Joint Powers Purchasing Alliance (now known as Sourcewell).

On June 6, 2019, Council Bill 2019-45 was approved adopting the 2019-2021 Biennial Budget for the City of Medford and making appropriations thereunder.

ANALYSIS

The proposed street sweeper, which has a useful life of 8-10 years, will replace the current 2003 model. Maintenance costs for this unit have become excessive and the sweeper can no longer be relied upon for daily use. To extend the useful life would require complete reconstruction.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

Purchase of this unit will be pursuant to ORS 279A.220 (2) (a) National Joint Powers Alliance (Sourcewell). Sourcewell is a national purchasing alliance which aggregates the purchases of many agencies in order to obtain better prices than an individual agency can achieve. These "open purchase orders" are approved for agencies to use in the State of Oregon. Elgin contract #122017-fsc has provided a quote for a unit that meets the City's needs in the amount of \$283,639.60. Purchase through Sourcewell provides an \$8,810.40 discount.

On page 9-15 of the City of Medford adopted Biennial Budget 2019-2021, \$300,000.00 is budgeted for the purchase of a street sweeper from the Storm Drain Fund 501.

TIMING ISSUES

None.

COUNCIL OPTIONS

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



STAFF RECOMMENDATION

Staff recommends purchase of a new street sweeper as described in the approved biennium budget.

SUGGESTED MOTION

I move to approve the purchase of a new street sweeper from Elgin in the amount of \$283,639.60.

EXHIBITS

Ordinance

Quote from Elgin

ORDINANCE NO. 2020-07

AN ORDINANCE authorizing the purchase of a new 2020 Crosswind Regenerative Air Street Sweeper for the amount of \$283,639.60.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

That the purchase of a new 2020 Crosswind Regenerative Air Street Sweeper for the amount of \$283,639.60, is hereby authorized.

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

ATTEST: _____
City Recorder

Mayor

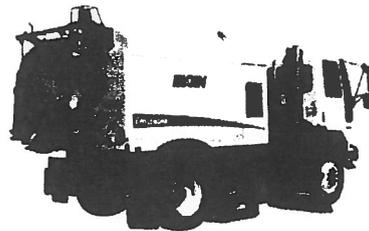
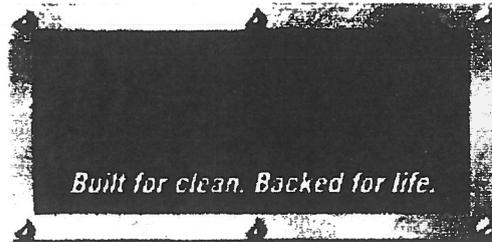
APPROVED _____ 2020.

Mayor



Presents a Proposal Summary

of the



Crosswind

Crosswind Regenerative Air Street Sweeper with 74 HP Auxiliary Engine

for

Jeff Farschon

City of Medford

821 N Columbus Ave

Medford, Oregon 97501

List Summary

Order Qty	Part Number	Description	List Price
1	CROSSWIND-J	CROSSWIND-J	\$0.00
1	1125106	J-JD 74 HP T4F-PETERBILT 220	\$132,770.00
1	1129590	20 PETERBILT MDL220 WB=156	\$106,250.00
1	1125120	ALTS-PETERBILT CHASSIS T4F J	\$2,625.00
1	1092227	O+URETHANE LINED HPR	\$8,175.00
1	1032481	A-16'8"HOSE-EFGJLPSY	\$0.00
1	1111175	O+LH SB TILT W/DSPL-T4	\$1,060.00
1	1111176	O+RH SB TILT W/DSPL-T4	\$1,060.00
1	1119464	O+FRT SPR BAR PTBLT PM10-T4	\$585.00
1	4810001	WHT FREIGHTLINER	\$0.00
1	4820001	WHT FREIGHTLINER	\$0.00
1	1090150	A-T3 RED LOGO-J	\$0.00
1	1127046	A+INSPCTN DOOR & STEP LH	\$810.00
1	1127045	A+INSPCTN DOOR & STEP RH	\$810.00
1	1085887	O+6" HOPPER DRAIN	\$845.00
1	1059209	O+HOPPR DELUGE,WTR-J	\$1,060.00
1	0730166	BROOM MEASUREMENT RULER	\$0.00
1	1129691	A+(2) ALT REAR BUMPER LED-J	\$1,145.00
1	1122155	A-LED STOP, TAIL. TURN LIGHTS	\$665.00
1	1120877	A-AUTO LUBE SWPR-J T4F	\$4,445.00
1	FRT-124-008	FRT-CA,NV,ID,OR,WA	\$6,355.00
1	0701705	AIR PRODUCTS MACH DELIVERY PKT	\$0.00
1	1121515	O-AUX PTO PUMP W/ DMP 74 T4F J	\$1,385.00
1	1114911	A-BROOM HOURS	\$110.00
1	1061886	O-HYD OIL LVL/THERMO	\$195.00
1	1120875	A-MEMORY SWEEP T4F-J	\$2,755.00
1	1119215	O+VAC ENHANCER W/DSPL-T4F	\$505.00
1	1110823	O+FUNCT WATER SYSTEM-T4	\$765.00
1	1112947	A-SIDE BROOM SCRUB-T4	\$1,710.00
1	1120822	A+INDV SB LIGHTS-LED-T4F	\$785.00
1	1126244	O-FLOW BLOCKER AUTO J T4F	\$2,410.00
1	1070059	O-AIR PURGE SYSTEM	\$400.00
1	0701674	CROSSWIND-J T4F OPERATORS MANL	\$0.00
1	0702253	CROSSWIND-J T4F PARTS BOOK	\$0.00
1	0704047	JD 4045TFC03 T4F PARTS BOOK	\$0.00
1	0704046	JD 4045TFC03 T4F OPER MANUAL	\$0.00
1	1095548	A+SIDE CAM LEFT HAND	\$610.00
1	0702020	ELGIN SAFETY MANUAL	\$0.00
1	2210470	Extra 140G Water	\$7200.00
1	2210469	Rear Fenders	\$1,700.00
1	2210285	Reverse Sweep Option	\$6,300.00

Factory Price: \$292,450.00

NJPA (Sourcewell) Discount \$8,810.40

Special Customer Price: **\$283,639.60**

Price valid for 30 Days from date of 12/2/2019

PROPOSAL DATE: 12/2/2019
QUOTE NUMBER: 2019-34459

Price List Date: 12/2/2019

PO NUMBER:

QTY: _____ Customer Initials: _____

PAYMENT TERMS:

PROPOSAL NOTES:

1. Multiple unit orders will be identical to signed proposal. Changes or deviations to any unit of a multiple unit order will requires a new signed proposal.
2. Chassis specifications and data codes for customer supplied chassis must be submitted to and approved by Elgin Sweeper Company prior to submittal of customer purchase order
3. All prices quoted are in US Dollars unless otherwise noted.

SIGNED BY:

_____ Date: _____

LIMITED WARRANTY

ELGIN SWEEPER COMPANY warrants each new machine manufactured by it against defects in material and workmanship provided the machine is used in a normal and reasonable manner. This warranty is extended only to the original user-purchaser for a period of twelve (12) months from the date of delivery to the original user-purchaser.

ELGIN SWEEPER COMPANY will cause to be repaired or replaced, as the Company, may elect, any part or part of such machine which the Company's examination discloses to be defective in material or workmanship.

Repairs or replacements are to be made at the selling Elgin distributor's location or at other locations approved by ELGIN SWEEPER COMPANY.

The ELGIN SWEEPER COMPANY warranty shall not apply to:

1. Major components or trade accessories such as but not limited to, trucks, engines, tires or batteries that have a separate warranty by the original manufacturer.
2. Normal adjustments and maintenance services.
3. Normal wear parts such as but not limited to, broom filters, broom wire, shoe runners and rubber deflectors.
4. Failures resulting from the machine being operated in a manner or for a purpose not recommended by ELGIN SWEEPER COMPANY.
5. Repairs, modifications or alterations without the consent of ELGIN SWEEPER COMPANY which, in the Company's sole judgment, have adversely affected the machine's stability or reliability.
6. Items subjected to misuse, negligence, accident or improper maintenance.

The use in the product of any part other than parts approved by ELGIN SWEEPER COMPANY may invalidate this warranty. ELGIN SWEEPER COMPANY reserves the right to determine, in its sole discretion, if the use of non-approved parts operates to invalidate the warranty.

Nothing contained in this warranty shall make ELGIN SWEEPER COMPANY liable for loss, injury, or damage of any kind to any person or entity resulting from any defect or failure in the machine.

TO THE EXTENT LIMITED BY LAW, THIS WARRANTY IS IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING WITHOUT LIMITATION, ANY IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.

This warranty is also in lieu of all other obligations or liabilities on the part of ELGIN SWEEPER COMPANY, including but not limited to, liability for incidental and consequential damages on the part of the Company or the seller.

ELGIN SWEEPER COMPANY makes no representation that the machine has the capacity to perform any functions other than as contained in the Company's written literature, catalogs or specifications accompanying delivery of the machine.

No person or affiliated company representative is authorized to give any other warranties or to assume any other liability on behalf of ELGIN SWEEPER COMPANY in connection with the sale, servicing or repair of any machine manufactured by the Company.

ELGIN SWEEPER COMPANY reserves the right to make design changes or improvements in its products without imposing any obligation upon itself to change or improve previously manufactured products.



AGENDA ITEM COMMENTARY

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

AGENDA SECTION: Consent Calendar
MEETING DATE: January 16, 2020

COUNCIL BILL 2020-08

An ordinance awarding a contract in an amount of \$1,197,725.30 to Insituform Technologies, LLC for installation of Cured in Place Pipe (CIPP) lining in deteriorated sewer and storm pipes at various locations in the City of Medford.

SUMMARY AND BACKGROUND

Council is requested to consider a contract with Insituform Technologies, LLC for installation of Cured in Place Pipe (CIPP) lining in deteriorated sewer and storm pipes at various locations in the City of Medford. The City is contracting this project due to the specialized nature of the work.

PREVIOUS COUNCIL ACTIONS

On June 6, 2019, Council Bill 2019-45 was approved adopting the 2019-2021 Biennial Budget for the City of Medford and making appropriations thereunder.

On January 17, 2019, Council approved Council Bill 2019-04 awarding a contract to Insituform Technologies, LLC in the amount of \$819,211.80 for the lining of 18,842 feet of sewer pipe.

ANALYSIS

Two bids were received and Insituform Technologies, LLC is the apparent low bidder with a bid of \$1,197,725.30. The other bid was submitted by Michels Corporation in the amount of \$1,318,862.90. The engineer's estimate was \$1,553,085.70.

Seventy-five sewer pipes, totaling 18,265.7 feet, and 19 storm drain pipes, totaling 5,162.3 feet will be lined as shown on exhibits "Special Provisions: Work To Be Done" and "Pipe Segment Location Map Index". Rehabilitation of deteriorated sewer and storm pipes maintains flow and reduces potential for failures in the future. Trenchless technologies such as CIPP are less disruptive for citizens and have minimal impact on street pavement life.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

Expenditure of \$1,197,725.30, which is included on pages 9-19 and 9-20 of the 2019-2021 Biennial Budget.

TIMING ISSUES

The work will start after January 22, 2020 and is scheduled to be complete by June 5, 2020.

COUNCIL OPTIONS

- Approve the ordinance as presented.
- Modify the ordinance as presented.



AGENDA ITEM COMMENTARY

- Deny the ordinance and provide direction to staff regarding rehabilitation of the sewer and storm collection systems.

STAFF RECOMMENDATION

Approve the ordinance for a contract with Insituform Technologies, LLC.

SUGGESTED MOTION

I move to approve the ordinance for a contract in the amount of \$1,197,725.30 with Insituform Technologies, LLC to line pipes with CIPP.

EXHIBITS

Ordinance

Bid Tabulation

Schedule of Items

Special Provisions: Work To Be Done

Pipe Segment Location Map Index

Contract on file in the City Recorder's Office

ORDINANCE NO. 2020-08

AN ORDINANCE awarding a contract in an amount of \$1,197,725.30 to Insituform Technologies, LLC for installation of Cured in Place Pipe (CIPP) lining in deteriorated sewer and storm pipes at various locations in the City of Medford.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

That a contract in the amount of \$1,197,725.30 to Insituform Technologies, LLC for installation of Cured in Place Pipe (CIPP) lining in deteriorated sewer and storm pipes at various locations in the City of Medford, which is on file in the City Recorder's office, is hereby awarded.

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

ATTEST: _____
City Recorder

Mayor

APPROVED _____ 2020.

Mayor

BID TABULATIONS

2020 Wastewater Collection and Storm Drainage Systems Rehabilitation Project in the City of Medford

Location: Various Streets in the City of Medford

Project No: MSC-D-2101

Date of Bid Opening: December 10, 2019



**Peter Brown
Public Works Operations
Engineering Tech IV**

PUBLIC WORKS - OPERATIONS

Item No.	Item Description	Unit of Measure	Estimated Quantity	Low Bidder Insituform Technologies		Michels Corp.
				Unit Bid	Amount	Unit Bid
1	MOBILIZATION	LS	1	\$28,704.00	\$28,704.00	\$26,490.00
2	TEMPORARY WORK ZONE TRAFFIC CONTROL, COMPLETE	LS	1	\$93,643.00	\$93,643.00	\$34,255.00
3	EROSION CONTROL	LS	1	\$550.00	\$550.00	\$544.00
4	POLLUTION CONTROL PLAN	LS	1	\$550.00	\$550.00	\$544.00
5	MAINLINE VIDEO INSPECTION	LS	1	\$87,831.00	\$87,831.00	\$96,643.00
6	INTERNAL SERVICE REINSTATEMENT	EACH	285	\$144.00	\$41,040.00	\$241.00
7	CIPP LINER, 6 INCH	FOOT	1737.2	\$31.00	\$53,853.20	\$39.00
8	CIPP LINER, 8 INCH	FOOT	13243.5	\$29.00	\$384,061.50	\$37.00
9	CIPP LINER, 10 INCH	FOOT	2105.6	\$30.00	\$63,168.00	\$38.00
10	CIPP LINER, 12 INCH	FOOT	2376.5	\$50.00	\$118,825.00	\$54.00
11	CIPP LINER, 15 INCH	FOOT	2443.9	\$56.00	\$136,858.40	\$66.00
12	CIPP LINER, 24 INCH	FOOT	1521.3	\$124.00	\$188,641.20	\$108.00
				Total Bid =	\$1,197,725.30	\$1,318,862.90

SPECIAL PROVISIONS

WORK TO BE DONE

The Work to be done under this Contract consists of rehabilitating existing pipes by furnishing and installing cured-in-place lining as shown, in the City of Medford, Oregon.

1. Cleaning of pipes.
2. Mainline video Inspection.
3. Install cured-in-place lining
4. Internal service reinstatement
5. Perform additional and incidental work as called for by the specifications and plans.

APPLICABLE SPECIFICATIONS

The Specification that is applicable to the work on this project is the 2008 edition of the "Oregon Standard Specifications for Construction".

All number references in these Special Provisions shall be understood to refer to the sections and subsections of the Standard Specifications and Supplemental Specifications bearing like numbers and to sections and subsections contained in these Special Provisions in their entirety.

CLASS OF PROJECT

This is a City of Medford Project.

PIPE SEGMENT LOCATION MAP INDEX STORM REHAB

Pipe ID #	Map Page #	Pipe Segment Page#	Diameter / Length						Laterals to Reinstale	Protruding Laterals	Street / Cross Street		
			6"	8"	10"	12"	15"	18"				24"	
1	91089	2	1				180.3			0		W 8th St at Jeanette	
2	95517	4	1				390.1			0		Stevens St at Northwood Dr	
3	96253	6	1				145.2			1		Flintridge Av to easement	
4	96254	6	1				263.0			4	2	Access from 2806 Fairfield Dr	
5	96256	6	1				174.1			0		Hanover Cir to Easement	
6	97418	6	2				234.0			2	1	Arlington Dr at Layla Dr	
7	98184	3	2				195.0			1	1	Salyer St at Bayberry Dr	
8	98323	2	2				53.5			0		W McAndrews near Jackson St	
9	99121	1	2				199.0			4	2	Halvorsen St at Britt Dr	
10	90227	4	2				540.4			4	1	White Oak Dr at Country Club Dr	
11	92134	5	3				404.1			8		Berrydale Av West of Table Rock Rd	
12	92474	3	3				217.1			0		Connell Av to Starwood Ct	
13	93881	4	3				163.0			1		White Oak Dr Easement to Dellwood Av	
14	93885	4	3				119.0			0		Access from 2411 Dellwood Av	
15	96250	6	4				382.8			10	10	Easment access from 2251 Fairfield Dr	
16	98267	1	4				540.5			7	7	Cherry St and Tanglewood Easement	
17	92248	3	4							178.3	0	Howard Av Easement to the East	
18	93884	4	4							137.9	2	Dellwood Av West of Black Oak Dr	
19	94065	4	5							645.0	4	S Groveland Av E Main St to Oakwood Dr	
				6"	8"	10"	12"	15"	18"	24"			
				0.0	0.0	0.0	1834.2	2366.9	0.0	961.2	48	24	

PIPE SEGMENT LOCATION MAP INDEX SEWER REHAB

Pipe ID #	Map Page #	Pipe Segment Page#	Diameter / Length						Laterals to Reinstale	Protruding Laterals	Street / Cross Street
			6"	8"	10"	12"	15"	18"			
1	30684	4	244.5						5		Easement from 924 Stewart to Peach
2	30685	4	32.8						0		Easement 921 Winchester to 924 Stewart
3	30686	4	250.7						5	1	Easement from 933 Winchester to 921 Winchester
4	30927	2	326.6						6		Humphrey from Western to Columbus
5	30928	2	315.6						4		Humphrey from Kenwood to Western
6	32426	6	33.0						0		W. 8th at alley E of Grape
7	32703	15	436.5						9		Easement from 1507 E. Main St to Crown Ave.
8	35435	3	97.5						2		Narregan from MH S Iowa to Iowa
9	30097	13		412.6					5		Crater Lake Av Woodrow to Spring
10	30135	11		205.0					2		Easement 1441 Highcrest to 1431 Highcrest
11	30152	11		321.3					3		Easement from 1502 Moon Terr to 1423 Angelcrest
12	30241	6		363.1					3		Fir from 10th to 9th
13	30383	14		202.0					4		Beatty MH N of Manzanita to NMHN
14	30402	3		173.6					1		Easement from Alley S of Jackson to Jackson (at Broad st)
15	30772	2		315.0					7		8th from MH E of Hamilton to NMHE
16	30914	2		287.4					5		Columbus from Palm to 2nd
17	30915	2		92.0					2		Columbus Sunset to Palm
18	30922	2		274.5					3		Columbus Fairmount to Humphrey
19	30924	3		155.4					1		Easement N Haven E Summit
20	31128	3		172.5					7		Cedar MH N of Jackson to Iowa
21	31445	1		188.3					4		Easement Swing lane.
22	32084	5		134.0					1		Easement between 353 and 361 Ogara to Back yard of 361 Ogara
23	32085	5		232.4					9		Easement from 341 Ogara To 361 Ogara
24	32086	5		203.4					8		Easement from 375 Ogara To 361 Ogara
25	32098	5		211.2					6		Easement from 387 Ogara To 375 Ogara
26	32099	5		251.0					8		Ivy south of Panther to Panther
27	32100	5		200.0					6		Ivy from N of Ogara to NMHN
28	32142	7		294.0					1		Stewart south of Barnett to Barnett

PIPE SEGMENT LOCATION MAP INDEX SEWER REHAB

29	32143	7		107.5					1		Stewart between Center and Barnett
30	32147	7		96.0					1		Stewart between Center and Barnett
31	32148	7		215.0					0		Stewart S of Center to N of Center
32	32152	7		143.2					0		Stewart ave S. of Center
33	32439	6		371.6					4		Larks easement E of Riverside S of Jackson
34	32487	7		345.0					5		Geneva Minnesota to Sherman
35	32621	9		351.0					3		Windsor N. Dellwood
36	32625	8		272.0					3	1	Windsor from Duncan to NMHE
37	32626	8		104.7					0		Windsor W of Modoc to Modoc
38	32675	9		351.2					6		Lynwood N of Siskiyou to Siskiyou
39	32858	10		261.5					3		Modoc N of Woodlawn to Woodlawn
40	32859	10		173.4					0		Modoc N of Woodlawn
41	32865	10		164.0					2		Easement between Black Oak and White Oak
42	32866	10		104.0					2		Easement between Black Oak and White Oak (City to expose Manhole prior to install)
43	33463	11		207.0					4		Easement from Moon Terr. To back yard of 1502 Moon Terr
44	33503	11		282.0					2		Easement from 1402 Moon Terr to 1423 Angelcrest
45	33579	11		178.0					1		Easement 1431 Highcrest to 4498 Innsbruck
46	33580	11		310.4					2		Easement from 1423 Angelcrest to Angelcrest
47	33629	11		467.0					3		Easement 1501 Satellite to 1441 Highcrest
48	33630	11		211.0					1		Easement Satellite to NMHW
49	33708	12		497.5					12		McAndrews W of Brookdale to Brookdale
50	34356	13		310.1					2		Crater Lake Av MH N of Covina to Covina
51	34370	13		364.6					2		Crater Lake Av N of Woodrow to Woodrow
52	34454	13		73.5					0		Crater Lake Av Crossing N of Johnson
53	35733	7		138.0					0		Stewart N of Center
54	35834	8		420.0					8	3	Ellendale N Barnett to Barnett
55	35850	10		196.0					2		Easement between Black Oak and White Oak



DEPARTMENT: Fire Department
PHONE: (541) 774-2301
STAFF CONTACT: Eric Thompson, Fire Chief

AGENDA SECTION: Consent Calendar
MEETING DATE: January 16, 2020

COUNCIL BILL 2020-09

An ordinance authorizing the purchase of aerial fire apparatus in the amount of \$1,372,374.00 through the cooperative group purchasing agreement, National Purchasing Partners (NPP), with contingency in the amount of \$21,000 added, for a grand total of \$1,393,374.

SUMMARY AND BACKGROUND

Council is requested to consider the purchase of an aerial fire apparatus in the amount of \$1,372,374 through the cooperative group purchasing agreement, National Purchasing Partners (NPP). Contingency in the amount of \$21,000 will be added for a grand total of \$1,393,374. The aerial apparatus is budgeted within the Fire Apparatus Reserve Fund. This is to replace our current 20 year-old aerial platform apparatus.

PREVIOUS COUNCIL ACTIONS

On May 7, 1998 Council approved Ordinance 1998-91 authorizing the purchase of an aerial platform truck and related equipment from Pierce Fire Equipment in the amount of \$687,296. The apparatus was placed into service in 1999.

On June 4, 2015 Council approved Resolution 2015-57 adopting the 2015-2017 budget that included the Fire Apparatus Reserve Fund. The fund accumulates \$1,000,000 each biennial cycle, and is designed to replace retired fire vehicles according to the department's vehicle life-cycle program.

On June 6, 2019 Council approved Resolution 2019-45 adopting the 2019-2021 biennial budget that included the aerial fire apparatus in the amount of \$1,300,000, leaving \$371,600 unappropriated funds within the Fire Apparatus Replacement Fund.

ANALYSIS

The current Ariel was built in 1998 and placed in service in 1999. The citizens and the department have capitalized on this investment for the past 21 years. Since the manufacture date of the existing aerial, there have been many critical enhancements in design, safety, and technology. These enhancements increase the safety of our firefighters, reduce operational expenses, and improve our service delivery capabilities to the community. To maximize firefighter capabilities and minimize risk of injuries, it is important that fire apparatus be equipped with the latest safety features and operating capabilities. Examples of improvements include requirements for rollover stability; tire pressure indicators; seat belt warning systems; roadability, including minimum accelerations and top speed limitations; enhanced step and work surface lighting; cab integrity testing; increased use of retroreflective striping in the rear of apparatus; and enhanced aerial control technologies. Over the years the maintenance requirements and expenses have increased, and parts for the 20 year old truck can be challenging to secure, and costly.



FINANCIAL AND/OR RESOURCE CONSIDERATIONS

\$1,300,000 is budgeted in the Fire Apparatus Reserve Fund. The Fire Department will utilize funds from within the existing budget to cover \$72,374 in unanticipated increased expenses. The base price for the apparatus is \$1,273,267. There are essential additions to the base specification to ensure the apparatus is operationally effective upon delivery. These additions are necessary to enable the apparatus to be utilized in multi facets of or service delivery. Added options include a 10kW Generator in the amount of \$17,292; a breathing air system plumbed to the aerial platform for firefighter air supply in the amount of \$11,391; a pump system to supply water from an external source to the fire in the amount of \$59,500; and a large diameter fire suppression nozzles in the amount of \$10,924. These additions provide our firefighters with the resources to be effective and be able to capitalize on our investment in the apparatus. A contingency is added to the total purchase price.

\$63,824 is budgeted in Fire, General Fund, Operations. The 2019-2021 budget called for a utility task vehicle and trailer (\$42,000), a replacement Training Division equipment/command, toy hauler trailer (\$15,000), small equipment (\$6,824). The Fire Department has elected to delay the purchase of the noted motive equipment and utilize the funds to purchase the aerial.

\$8,550 in revenue was received from an estate bequeathment, and the OR State Fire Marshal for 2019 wildland fire in Oregon. The revenue was appropriated through the Supplemental Budget process to the Fire Apparatus Reserve Fund.

\$21,000 in contingency, if needed, would be obtained through a supplemental budget process to appropriate additional wildland deployment funds also from the Kincadee fire deployment. These funds were incurred from the use of our department apparatus deployed to the incident.

TIMING ISSUES

The January 31, 2020 deadline to place the order for the apparatus is critical to avoid paying an additional 3% increase of manufacturing and material costs.

COUNCIL OPTIONS

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

STAFF RECOMMENDATION

Staff recommends approval of the ordinance in the amount of 1,393,374.

SUGGESTED MOTION

I move to approve the ordinance authorizing the purchase of the aerial fire apparatus.

EXHIBITS

Ordinance

ORDINANCE NO. 2020-09

AN ORDINANCE authorizing the purchase of aerial fire apparatus in the amount of \$1,372,374.00 through the cooperative group purchasing agreement, National Purchasing Partners (NPP), with contingency in the amount of \$21,000.00 added, for a grand total of \$1,393,374.00.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

That the purchase of aerial fire apparatus in the amount of \$1,372,374.00 through the cooperative group purchasing agreement, National Purchasing Partners (NPP), with contingency in the amount of \$21,000.00 added, for a grand total of \$1,393,374.00, is hereby authorized.

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

ATTEST: _____
City Recorder

Mayor

APPROVED _____, 2020.

Mayor



DEPARTMENT: Mayor and Council

AGENDA SECTION: Consent Calendar

PHONE: (541) 774-2000

MEETING DATE: January 16, 2020

STAFF CONTACT: Donna Holtz, Chief Administrative Officer

COUNCIL BILL 2020-10

A resolution appointing representatives to voting positions as the City representatives on boards and commissions

AND

Consider the appointments of non-voting liaisons to City of Medford Boards and Commissions per Medford Municipal Code (MMC) 2.436.

SUMMARY AND BACKGROUND

Council is requested to consider approval of a resolution appointing City representatives as voting members of the specified outside organizations and approve non-voting liaisons to City of Medford Boards and Commissions per Medford Municipal Code (MMC) 2.436.

PREVIOUS COUNCIL ACTIONS

On January 17, 2019, the Council adopted resolution 2019-03 to designate Councilmembers and/or citizens as representatives of outside organizations. This resolution authorizes those appointed to vote on behalf of the City of Medford.

On March 7, 2019, Council adopted resolution 2019-18 to add Eric Stark to the appointments.

On September 19, 2019, Council appointed Tim D'Alessandro and Kevin Stine as alternates during Eric Zimmerman's military deployment.

ANALYSIS

Appointments are made by the Council President. Boards and commissions listed below are not City of Medford boards and commissions, but instead include a member from the governing body of the City as a voting member of the board or commission. In these instances, the council member may act as a voting member of the Board, not as a council liaison. Those council members, when appropriate, should obtain direction from the entire council prior to voting on a matter per MMC 2.436(6).

<u>Voting Member to Outside Organizations</u>
Hospital Facilities Authority (2 positions)
Rogue Valley Area Commission on Transportation (RVACT)
Rogue Valley Council of Governments (RVCOG)
Rogue Valley Metropolitan Policy Organization (MPO)
Regional Rate Committee (2 positions) (Regional Sewer)
Southern Oregon Regional Economic Development, Inc. (SORED)



The Council President also appoints non-voting liaisons to outside organizations and City of Medford Boards and Commissions listed below to serve as communicators between the volunteer commission/board and the City Council. Councilors in these roles are not considered members and do not vote on any matter presented to their commission or board per MMC 2.436(2)(3).

<u>Non-Voting Liaisons to Board and Commission</u>
Chamber of Commerce Board
Housing Advisory Commission
Medford Water Commission
Parking Committee
Parks & Recreation Commission
Police Advisory Committee
Transportation Commission
TRADCO
Travel Medford Tourism Council

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

N/A

TIMING ISSUES

MMC 2.436 states the president shall appoint Council liaisons at the second regular City Council session.

COUNCIL OPTIONS

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

STAFF RECOMMENDATION

Staff makes no recommendation.

SUGGESTED MOTION

I move to approve the resolution to appoint City representatives listed in Exhibit A as voting members of the specified outside organizations.

AND

I move to approve the appointments of non-voting liaisons listed in Exhibit B of specified outside organizations and City of Medford Boards and Commissions.

EXHIBITS

Resolution

Exhibit A – Voting Members of Boards for 2020

Exhibit B – Non-Voting Liaisons of Boards and Commissions for 2020

RESOLUTION NO. 2020-10

A RESOLUTION appointing representatives to voting positions as the City representatives on boards and commissions.

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

That the Mayor and City Council hereby appoint the following representatives to voting positions as the City representative on the following boards and commissions:

Hospital Facilities Authority Board	Dick Gordon & Eric Stark; Mike Zarosinski, Alternate
Rogue Valley Area Commission on Transportation (RVACT)	Tim D'Alessandro; Mike Zarosinski, Alternate
Rogue Valley Council of Governments (RVCOG)	Dick Gordon; Eric Stark, Alternate
Rogue Valley Metropolitan Policy Organization (MPO)	Kevin Stine; Kay Brooks, Alternate
Regional Rate Committee (Regional Sewer)	Tim D'Alessandro & Mike Zarosinski; Kay Brooks, Alternate
Southern Oregon Regional Economic Development, Inc. (SORED)	Alex Poythress; Kevin Stine, Alternate

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

ATTEST: _____
City Recorder

Mayor

Exhibit A

Voting Members of Boards 2020

<u>Organization</u>	<u>Member(s)</u>	<u>Alternate</u>
Hospital Facilities Authority (2 positions)	Dick Gordon Eric Stark	Mike Zarosinski
Rogue Valley Area Commission on Transportation (RVACT)	Tim D'Alessandro	Mike Zarosinski
Rogue Valley Council of Governments (RVCOG)	Dick Gordon	Eric Stark
Rogue Valley Metropolitan Policy Organization (MPO)	Kevin Stine	Kay Brooks
Regional Rate Committee (2 positions) (Regional Sewer)	Tim D'Alessandro Mike Zarosinski	Kay Brooks
Southern Oregon Regional Economic Development, Inc. (SORED)	Alex Poythress	Kevin Stine

Exhibit B

Non-Voting Liaisons 2020

<u>Non-Voting Liaisons</u>	<u>Liaison(s)</u>	<u>Alternate</u>
Chamber of Commerce Board Ex-Officio Rep. Gary Wheeler	Gary Wheeler	Kevin Stine
Housing Advisory Commission	Clay Bearnson	Kay Brooks
Medford Water Commission	Tim D'Alessandro	Alex Poythress
Parking Committee	Alex Poythress	Clay Bearnson
Parks & Recreation Commission	Eric Stark	Dick Gordon
Police Advisory Committee	Kay Brooks	Eric Stark
Transportation Commission	Mike Zarosinski	Tim D'Alessandro
TRADCO	Tim D'Alessandro	Clay Bearnson
Travel Medford Tourism Council	Alex Poythress	Clay Bearnson
Council Standing Committees		
Finance Committee	Alex Poythress, Kevin Stine, Mike Zarosinski	
Oregon Legislative Liaison	Kevin Stine Mike Zarosinski	Tim D'Alessandro, Clay Bearnson



DEPARTMENT: Mayor & Council

PHONE: (541) 774-2000

STAFF CONTACT: Donna Holtz, Chief Administrative Officer

AGENDA SECTION: Ordinances and Resolutions

MEETING DATE: January 16, 2020

COUNCIL BILL 2020-01 – SECOND READING

An ordinance authorizing execution of an Employment Agreement between the City of Medford and William P. Haberlach, to provide municipal judge services through January 31, 2023.

SUMMARY AND BACKGROUND

Council is requested to consider an Employment Agreement authorizing the Mayor to reappoint Judge William Haberlach to a three (3) year term as the City of Medford's Municipal Court Judicial Officer beginning February 1, 2020 through January 31, 2023.

PREVIOUS COUNCIL ACTIONS

On January 19, 2017 Council adopted Ordinance 2017-07, authorizing an employment agreement with Judge William Haberlach to provide municipal judge services through January 31, 2020.

On January 2, 2020 Council discussed Council Bill 2020-01 and voted six in favor and two in opposition. The ordinance is being brought back January 16, 2020 per the City Charter which requires a second reading when there is more than one dissenting vote.

ANALYSIS

The City Charter, Section 20 states the judge shall be admitted to practice law by the Oregon Supreme Court. The Judge shall be appointed by the Mayor, with the approval of the Council for a term of three years, subject to being removed by a two-thirds vote of the whole council for cause as defined by ordinance in effect prior to the occurrence of the grounds for cause. Council has consistently approved the Mayor to reappoint Judge William Haberlach to three (3) year terms as Municipal Court Judge since 1978.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

Annual salary: \$84,444.54; \$150 of salary contribution to HRA VEBA per pay period; and \$501.11 per pay period paid as a deferred compensation contribution in lieu of PERS. Municipal Court will include year two and three funding in their proposed 2021-23 biennial budget.

TIMING ISSUES

The current employment agreement with Judge Haberlach expires on January 31, 2020. The need is for Council to approve the agreement in order to continue service starting February 1, 2020.

COUNCIL OPTIONS

Approve the ordinance as presented.

Modify the ordinance as presented.

Deny the ordinance and provide direction to staff.



STAFF RECOMMENDATION

Staff recommends approval of the ordinance to reappoint Municipal Court Judge William Haberlach to be effective February 1, 2020 through January 31, 2023.

SUGGESTED MOTION

I move to approve the ordinance authorizing the execution of an Employment Agreement with William Haberlach to reappoint him to a three (3) year term as the Municipal Court Judge.

EXHIBITS

Ordinance

Employment Agreement on file in the City Recorder's office.

ORDINANCE NO. 2020-01

AN ORDINANCE authorizing execution of an Employment Agreement between the City of Medford and William P. Haberlach, to provide municipal judge services through January 31, 2023.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

That execution of an Employment Agreement between the City of Medford and Municipal Court Judge, William P. Haberlach, to provide municipal judge services through January 31, 2023, which agreement is on file in the City Recorder's office, is hereby authorized.

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

ATTEST: _____
City Recorder

Mayor

APPROVED _____, 2020.

Mayor



DEPARTMENT: Planning

PHONE: (541) 774-2380

STAFF CONTACT: Matt Brinkley, AICP CFM, Planning Director

AGENDA SECTION: Public Hearings

MEETING DATE: January 16, 2020

COUNCIL BILL 2020-11

An ordinance approving the incorporation of the 2019 Liberty Park Neighborhood Plan into the Neighborhood Element and Goals and Policies chapters of the City's Comprehensive Plan.

SUMMARY AND BACKGROUND

Council is requested to consider a legislative amendment to incorporate the 2019 Liberty Park Neighborhood Plan into the Comprehensive Plan along with changes to the Neighborhood Element and Goals and Policies chapters. City staff in coordination with consultants from Angelo Planning Group and Jacobs worked with a 12-member citizen based Neighborhood Advisory Committee for 16 months to create the updated plan for the neighborhood. The plan outlines goal statements, land use recommendations, and transportation recommendations including a project list to help shape changes in Liberty Park. The draft plan was presented to City Council during a study session held on September 12, 2019.

The Planning Commission voted 7-0 in favor of adopting the neighborhood plan during the December 12, 2019, hearing. (File No. CP-19-004)

PREVIOUS COUNCIL ACTIONS

On June 1, 2017, City Council supported Planning staff's request to submit a Transportation and Growth Management Grant to the State to complete a neighborhood plan for Liberty Park. The grant was awarded to the City in August 2017.

On April 19, 2018, Council Bill 2018-33 approved the City Center Revitalization Plan Substantial Amendment No. 6 which outlined improvements for the Medford Urban Renewal Agency (MURA) to pursue projects in Liberty Park and the downtown core.

ANALYSIS

Liberty Park is situated north of downtown. The boundaries of the plan include McAndrews Road on the north, Interstate 5 on the east, Jackson Street on the south and the railroad tracks on the west. The land area is approximately 200 acres in size.

Decades ago, the Liberty Park neighborhood helped justify the creation of MURA. Although the agency was successful in completing improvements in downtown, the same level of success and investment was not seen in Liberty Park.

In 2017, conversations began about extending the life of MURA and a renewed focus to improve Liberty Park began to take shape. At the same time, the Planning Department was interested in completing a neighborhood plan for Liberty Park and submitted a grant to the State of Oregon for



assistance. The City was awarded a Transportation and Growth Management grant which provided staff the opportunity to work through the planning process with a consultant team from Angelo Planning Group and Jacobs. With assistance from a 12 member Neighborhood Advisory Committee (NAC), community stakeholders, and an array of public input, a new neighborhood plan was formed.

The 2019 Liberty Park Neighborhood Plan is a planning tool to carry forward the vision of the residents and identify the land use and transportation needs within its boundaries. The plan seeks to create a healthy and vibrant neighborhood that improves transportation connections for the residents to destinations like downtown, commercial centers, and the Bear Creek Greenway. It also supports the establishment and expansion of local businesses, re-investment in vacant or partially vacant sites, and seeks new opportunities for additional housing within the residential core of the neighborhood and the commercially zoned properties along the perimeter. Transportation projects identified in the plan seek to address topics such as traffic calming through speed reductions and lane reconfigurations, sidewalk infill, enhancements to the bicycle network, and improved pedestrian crossings.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

The plan outlines 22 transportation projects estimated at \$8.2 million dollars. Funding sources for all the projects have not yet been identified. Possible funding sources include the Medford Urban Renewal Agency, funds allocated through the Transportation System Plan for bicycle and sidewalk improvements, and other state or federal grant opportunities.

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 to adopt the 2019 Liberty Park Neighborhood Plan.

SUGGESTED MOTION

I move to approve the ordinance incorporating the 2019 Liberty Park Neighborhood Plan into the Neighborhood Element and Goals and Policies chapters of the City's Comprehensive Plan.

EXHIBITS

Ordinance

Council Report, including Exhibits A through N

ORDINANCE NO. 2020-11

AN ORDINANCE approving the incorporation of the 2019 Liberty Park Neighborhood Plan into the Neighborhood Element and Goals and Policies chapters of the City's Comprehensive Plan.

WHEREAS, the City Council has determined that the proposed 2019 Liberty Park Neighborhood Plan satisfied the applicable criteria as demonstrated by the Findings and Conclusions included in the Council Report dated January 8, 2020 attached as Exhibit A and incorporated herein by reference and which are adopted as the findings and conclusions of the City Council; now, therefore,

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

That the incorporation of the 2019 Liberty Park Neighborhood Plan into the Neighborhood Element and Goals and Policies chapters of the City's Comprehensive Plan, is hereby approved.

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

ATTEST: _____
City Recorder

Mayor

APPROVED _____, 2020.

Mayor



COUNCIL REPORT

for a Type IV legislative decision: Major Comprehensive Plan Amendment

Project Liberty Park Neighborhood Plan

Applicant City of Medford

File no. CP-19-004

To Mayor & City Council

for 01/16/2020 hearing

From Carla Angeli Paladino, Principal Planner, Long-Range Planning

Reviewer Matt Brinkley, AICP CFM, Planning Director

Date January 8, 2020

BACKGROUND

Proposal

A legislative amendment to incorporate the 2019 Liberty Park Neighborhood Plan into the Neighborhood Element and Goals and Policies chapters of the Comprehensive Plan. **See Exhibit A** for links to the Liberty Park Neighborhood Plan document and appendices) (**See Exhibits B and C** for the proposed text changes to the Neighborhood Element and Goals and Policies chapters).

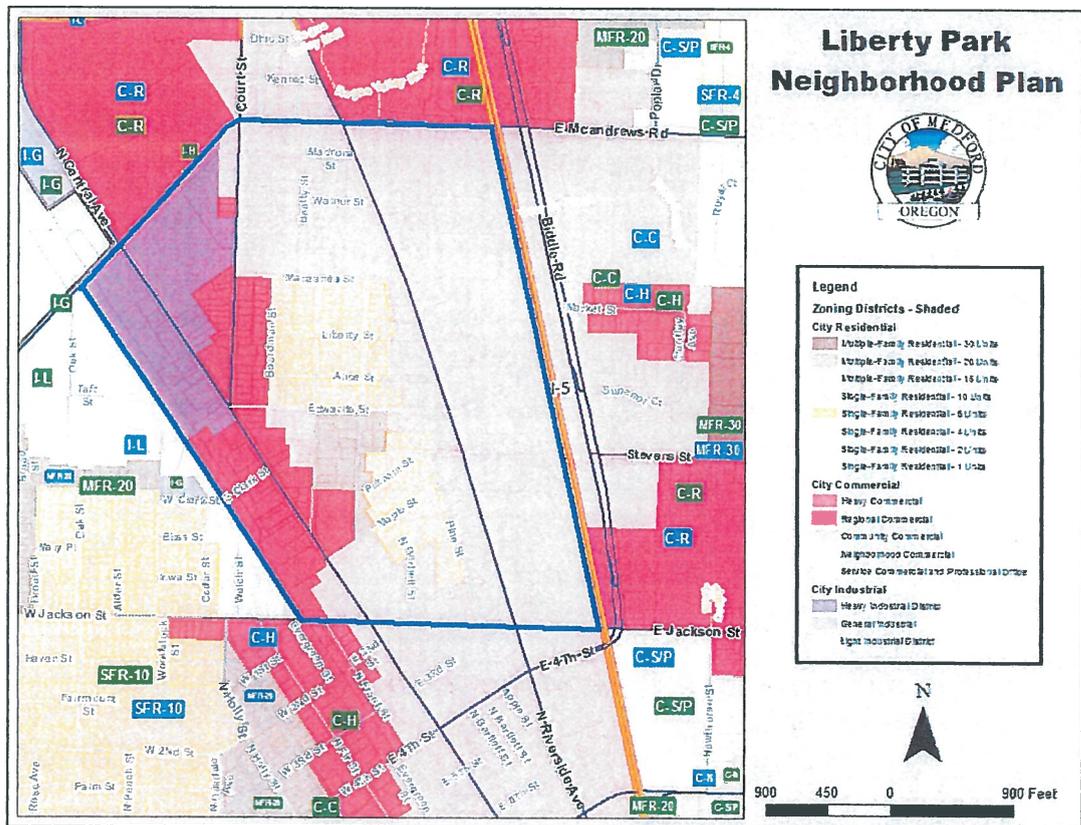
Planning Commission Recommendation

On December 12, 2019, the Planning Commission voted 7-0 in favor of the proposed amendment (**See Exhibit N**). Two citizens spoke at the hearing regarding the project.

EXHIBIT A

History

The Liberty Park Neighborhood (formerly known as Beatty Manzanita) is located north of downtown. The study area for the project includes McAndrews Road on the north, Interstate 5 (I-5) on the east, Jackson Street on the south, and the railroad tracks on the west. The residential core is separated from the commercial and industrial perimeter by Central Avenue, Court Street and Riverside Avenue. Old survey data shows many of the originally platted subdivisions within the neighborhood were established in 1888 and 1906, making this one of the oldest neighborhoods in the city.



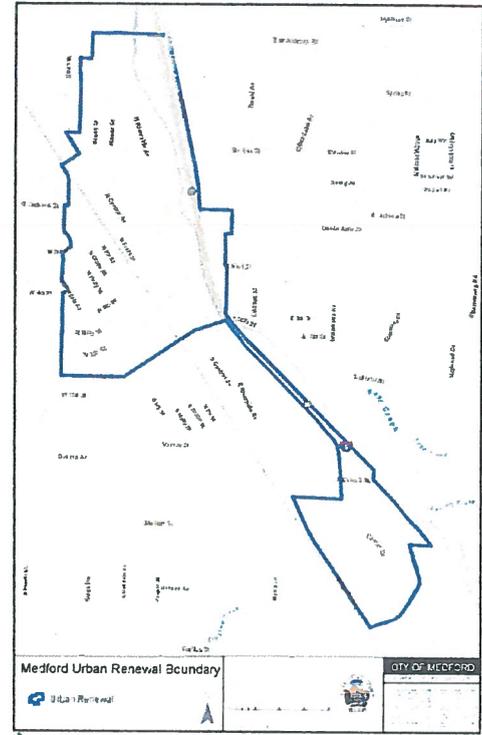
In 1988, the City Council approved Ordinance No. 6213 which established an urban renewal program known as the City Center Revitalization Plan. The urban renewal boundary is approximately 605 acres in size and includes parcels and right-of-way within the Liberty Park Neighborhood and extends south to the South Gate Shopping Center. Over the next thirty

years, urban renewal made substantial streetscape and capital improvements in the downtown core.

In 2018, the Medford Urban Renewal Agency extended the life of the program with a renewed focus on improving the Liberty Park Neighborhood.

In August 2017, the City was awarded a Transportation and Growth Management (TGM) Grant from the State to develop a neighborhood plan for Liberty Park. The project would build off of a Neighborhood Action Plan created by residents and community leaders in 2002.

City Planning Staff in coordination with consultants from Angelo Planning Group and Jacobs worked closely with a citizen based Neighborhood Advisory Committee (NAC) to develop the Liberty Park Neighborhood Plan.



The project kicked off in June 2018. The NAC met as a group for the first time to discuss the planning process and identify goals for the project. That evening, the first Open House for the project was held at Liberty Park on Maple Street inviting residents and business owners to share their vision for the neighborhood and changes needed.

Over the course of sixteen months, the NAC would meet six times to discuss goals and objectives, outline a vision, review land use and transportation projects, provide comments on the draft plan and make final recommendations.

In coordination with the NAC's work, the development of the plan was provided to the public for comments and feedback through on-line survey opportunities and four open house public gatherings (June and December 2018 and April and July 2019).

The draft plan was presented to the community (during open house #4 in July 2019) and during study sessions with the City Council in September

(See **Exhibit G** for minutes), the Transportation Commission in October and December (See **Exhibit H**), the Planning Commission in November (See **Exhibit I**), and the Bicycle and Pedestrian Advisory Committee (BPAC) in December.

The plan is divided into three main categories:

- Goals
- Land Use Recommendations
- Transportation Recommendations including a project list

There are nine key goals the plan aims to achieve that relate to:

- Making the neighborhood easier and safer to get from one place to another;
- Effectively utilizing social services and law enforcement to help minimize crime and reduce the impacts of homelessness;
- Creating a healthy and vibrant neighborhood through a shared sense of responsibility;
- Creating and enhancing places within the neighborhood such as parks, gathering places, and community facilities that enrich lives;
- Providing a range of quality housing for a range of incomes, ages, and needs;
- Supporting the creation and expansion of local businesses to serve neighborhood residents and workers;
- Finding opportunities to create family wage jobs and educational advancements for residents in the neighborhood;
- Conserving natural resources and preserving the natural environment through connections to the Bear Creek Greenway; and
- Improving transportation systems from the neighborhood to downtown and other parts of the City.

The land use recommendations outline broad concepts for future improvement of the neighborhood with a focus on:

- Identifying locations for infill and redevelopment;
- Working to enhance connectivity to and safety of the Bear Creek Greenway and creating park spaces;
- Creating a regulatory framework that addresses design guidelines, land uses, enhanced landscaping, and encourages development of new housing;

- Reviewing the General Land Use Plan (GLUP) and zoning designations and making adjustments to those designations;
- Finding partnerships with law enforcement and code enforcement to help alleviate concerns with criminal activity, dilapidated buildings, and impacts of homelessness; and
- Reviewing where auto-oriented businesses such as gas stations, drive-throughs, and car-related businesses are permitted and how they are designed on a site.

Additional work through adoption of an implementation plan will be needed to refine some of the land use concepts noted above.

The transportation recommendations are categorized under the following topics including:

- Traffic calming (for interior streets and perimeter arterials);
- Enhancement of the bicycle network and improvement of connections to downtown;
- Improvement of pedestrian crossings and a connection to the Bear Creek Greenway;
- Infilling sidewalk along the residential core and commercial areas of the neighborhood; and
- Relocation of bus stops.

A specific project list describes each of the twenty-two identified improvements recommended for the neighborhood. The project costs are estimated at approximately \$8.2 million.

Authority

This proposed legislative land use action is a Type IV Major Comprehensive Plan Amendment. The Planning Commission is authorized to recommend, and the City Council to approve, amendments to the Comprehensive Plan under Medford Municipal Code §§10.214 and 10.220.

ANALYSIS

More than 30 years ago, the Liberty Park neighborhood and the issues it was facing helped justify the creation of the Medford Urban Renewal Agency (MURA). Over the years, the renewal agency has completed significant improvements in downtown, creating opportunities for

reinvestment and change. To date, the same level of success and investment has not been fully realized in Liberty Park. However, with renewed City interest in this neighborhood, funding available from MURA, and private investment already taking place, the revitalization and strengthening of the neighborhood is possible.

The 2019 Liberty Park Neighborhood Plan is a planning tool to carry forward the vision of the residents and identify the land use and transportation needs within its boundaries. The plan serves as a blueprint and seeks to positively affect how residents live, work, shop, recreate, travel, invest, and interact within and outside of Liberty Park. The adoption of the neighborhood plan into the City's Comprehensive Plan helps direct where future improvements and investments will occur moving forward.

FINDINGS AND CONCLUSIONS

Applicable criteria

For the applicable criteria the Medford Municipal Code §10.220(B) redirects to the criteria in the "Review and Amendments" chapter of the Comprehensive Plan. The applicable criteria in this action are those for conclusions, goals and policies, and implementation strategies.

The criteria are set in *italics* below; findings and conclusions are in roman type.

Comprehensive Plan, Review and Amendments chapter: Amendments [to Conclusions] shall be based on the following:

1. *A change or addition to the text, data, inventories, or graphics which substantially affects the nature of one or more conclusions.*

Findings

Over the course of the past 16 months, City staff in coordination with consultants from Angelo Planning Group and Jacobs, and a 12-member citizen based Advisory Committee have been working to develop a neighborhood plan for the Liberty Park area. The plan formalizes the vision and goals set out for the neighborhood and outlines land use and transportation recommendations as well as specific transportation projects to be constructed within the neighborhood boundary. The plan formalizes proposed changes within the neighborhood to help support future decisions and investments from potential funding sources such as

the Medford Urban Renewal Agency (MURA), City Capital Improvement Plans and grant opportunities made available through state and federal funding sources.

The plan (Exhibit A) will be formally adopted into the Neighborhood Element of the Comprehensive Plan. A new summary of conclusions (Exhibits B and C) will be added to the Conclusions chapter of the Comprehensive Plan providing an overview of the neighborhood and its specific circumstances.

Conclusions

Criterion 1: Satisfied. The Liberty Park plan outlines six conclusion statements that help provide context for existing conditions and opportunities for change. The conclusions summarize the neighborhood's historic location, the mix of land uses, and its proximity to downtown, commercial centers, and the greenway. They speak to the lack of infrastructure that makes it difficult for residents to travel within and outside of the neighborhood. In addition, the conclusion statements highlight opportunities for redevelopment and improvement that will help realize the goals of the plan and help alleviate unwanted activities that are occurring within the neighborhood.

The new conclusions are reflective of the neighborhood plan objectives. This criterion is found to be satisfied.

Comprehensive Plan, Review and Amendments chapter: Amendments [to Goals and Policies] shall be based on the following [criteria 1-6]:

1. *A significant change in one or more Conclusion.*

Findings

The Liberty Park Neighborhood Plan and its Conclusions are new additions to the Comprehensive Plan as noted above and as outlined in Exhibits B and C. There are no existing Conclusion statements to modify with this proposal.

Conclusions

Criterion 1: Not Applicable. A new Conclusions section will be added to the Comprehensive Plan to reflect the Liberty Park Neighborhood Plan. There

are no current Conclusions to modify or change with this project. This criterion is found to be not applicable.

2. *Information reflecting new or previously undisclosed public need.*

Findings

The updated neighborhood plan is divided into two main categories: land use and transportation recommendations including a detailed transportation project list. The concepts under the land use category relate to opportunities for infill and redevelopment, motel uses, parks and open space, evaluating land use and development standards, and coordinating with law and code enforcement to help address unwanted activities occurring within the neighborhood.

Concerns with unwanted activities taking place at the motels and then filtering into the neighborhood were raised throughout the planning process. The Medford Police Department provided data from 2017 to 2019 showing the services calls for nine motels in the neighborhood compared to another motel chain outside of the neighborhood (**See Exhibit D**). Six of the nine motels had at least one year where service calls were over 100. In three cases, service calls exceeded 200 calls, with one of the three motels exceeding 400 calls in two consecutive years. The numbers help to quantify the concerns raised and provide data to help support future actions or communications with motel owners to identify solutions or changes to benefit the neighborhood.

The transportation recommendations focus on issues related to traffic calming, modifications to Court/Central and Riverside, improving the bicycle network, enhancing pedestrian crossings and bus stop locations, as well as sidewalk construction and connections to the Bear Creek Greenway. Through public input and discussions and support of the Neighborhood Advisory Committee (NAC), twenty-two distinct projects dispersed throughout the neighborhood have been outlined to be completed.

Conclusions

Criterion 2: Satisfied. The 2019 neighborhood plan delves deeper into the issues and improvements needed within Liberty Park. A list of transportation improvements have been identified along with land use

recommendations to help support changes in the future. This criterion is found to be satisfied.

3. *A significant change in community attitudes or priorities.*

Findings

Between June and August 2017, the Medford Urban Renewal Agency (MURA) Board began contemplating an amendment to the City Center Revitalization Plan (an area 605.6 acres in size that includes downtown and the Liberty Park neighborhood). Three public hearings were held during that time to gather input on whether to increase the district's indebtedness and continue the Agency. Some projects were identified by the Board, early in the discussions, that would allocate approximately 10 percent of the funds to seismic upgrades in the downtown core and the remaining funds to projects in the Liberty Park area.

At the same time, the Planning Department applied for a Transportation and Growth Management (TGM) grant from the Department of Land Conservation and Development (DLCD) and the Oregon Department of Transportation (ODOT) to develop a revised neighborhood plan for the Liberty Park neighborhood. The grant was submitted in June 2017 and the City received its award letter in August 2017.

Following that, MURA directed staff to establish a MURA Advisory Committee to develop and consider projects in Liberty Park. The Committee met three times with one meeting being a neighborhood community input meeting held in January 2018 attended by approximately 40 citizens. The final recommendations that were proposed by the MURA Advisory Committee were general in nature as the committee recognized a more detailed neighborhood plan was going to be developed.

In April 2018, the City Council passed Council Bill No. 2018-33, adopting the City Center Revitalization Plan Substantial Amendment No. 6, which outlined improvements for MURA to pursue related to Liberty Park and the downtown core. The project list in the amendment included street upgrades to Manzanita and Edwards streets, a sewer lateral replacement program, housing assistance through a home improvement program for single-family, multiple family housing or mixed use developments, and a placeholder for projects that would be identified as part of the Liberty Park Neighborhood Planning process, as well as the establishment of a below

market rate or grant program for seismic retrofitting of buildings within a designated downtown boundary. The passage of the ordinance set the stage for the start of the Liberty Park planning process and a more focused look at the types of projects needed in the neighborhood.

In June 2018, the Planning Department kicked off the Liberty Park Neighborhood Plan with a meeting of the Neighborhood Advisory Committee (NAC) followed by an Open House to discuss the plan with members of the public. Over the course of the following 16 months, a plan was created for the Liberty Park neighborhood. The plan outlines both land use and transportation recommendations, in addition to over twenty specific transportation projects to complete.

Both the amendment to the City Center Revitalization Plan and the update to the Liberty Park Neighborhood Plan signifies a shift in community priorities that supports adoption of the plan and future funding considerations for the projects contained within it.

Conclusions

Criterion 3: Satisfied. For nearly thirty years, the Medford Urban Renewal Agency has operated, completing improvements in the City's downtown core and elsewhere in the boundary. In 2017, the MURA Board decided to consider extending the life of the program with a renewed focus on making investments in the Liberty Park neighborhood. In April 2018, the Council substantiated this consideration by approving a substantial amendment to the City Center Revitalization Plan and increasing the maximum indebtedness by over 19 million dollars. In addition, the Council supported the Planning Department's application to request assistance through the State's TGM program to update the Liberty Park Neighborhood Plan and identify additional projects for future consideration by MURA and other public funding sources. A renewed interest and priority has been directed at the Liberty Park neighborhood. This criterion is found to be satisfied.

4. Demonstrable inconsistency with another Plan provision.

Findings

The addition of the Liberty Park Neighborhood Plan is found to be appropriate and consistent with other plan provisions already outlined in the Comprehensive Plan. The plan supports a number of existing goals

and policies found within the following elements: Housing, Parks, Law Enforcement, and the Transportation System Plan. There are no inconsistencies found within the Comprehensive Plan.

Conclusions

Criterion 4: Not Applicable. This criterion is not applicable as there are no inconsistencies among the various elements in the Comprehensive Plan.

5. Statutory changes affecting the Plan.

Findings

The proposal focuses attention on the Liberty Park neighborhood and establishes a plan that is specific to this locale. The plan was not written in order to address statutory changes.

Conclusions

Criterion 4: Not Applicable. There are no statutory changes that affect the plan. This criterion is not applicable to the proposal under consideration.

6. All applicable Statewide Planning Goals.

Goal 1—Citizen Involvement

Goal 1 requires the development of a citizen involvement program that is widespread, allows two-way communication, provides for citizen involvement through all planning phases, and is understandable, responsive, and funded.

Findings

The Liberty Park Neighborhood Plan was created through citizen input and involvement during the planning process. From the beginning, the various elements of the plan from plan goals to the identification of transportation projects have been reviewed, discussed, and amended through conversations with the Neighborhood Advisory Committee (NAC) members. The NAC represents twelve community members from various sectors including City Council, Planning Commission, housing authority, neighborhood residents, business owners, social service agencies, primary educational institutions, and the Rogue Valley Transit District. The NAC met six times during the development of the plan in public meetings. At the last meeting in September 2019, the NAC provided final recommendations on the plan including adding language related to the motels within the neighborhood, a new alley paving project located between Bartlett and

Maple, and including opportunities for gateway signage, park space and improved landscaping along the major corridors.

At the start of the process, Planning Staff conducted 29 stakeholder interviews with a diverse group of citizens representing neighborhood residents, business owners, social service and educational representatives, and City officials and leaders. Information from the interviews helped identify strengths and limitations within the neighborhood, desired uses, and the relationship between the neighborhood and the adjacent commercial corridors, downtown, and the greenway. The information helped set the stage for identifying plan goals and potential uses.

The City engaged with the community through two on-line platforms, a community visioning survey and community visioning tool. The survey was taken by over 100 people who shared ideas about what uses they envision in the neighborhood, priority projects, how they travel within and through the neighborhood, and their level of comfort using the existing streets within and surrounding the neighborhood. The community visioning tool was geared toward understanding residents preferences related to proposed streetscapes and provided an outlet for feedback on the development of the plan.

Four public open houses were held throughout the project specifically in June and December 2018 and in April and July 2019. Each open house focused on a different aspect of the plan starting with plan goals and objectives and was followed by recommendations on land use and transportation topics in December. In April 2019, the public was asked to comment on draft final alternatives and recommendations, and in July staff presented the draft plan and solicited questions and comments from those in attendance.

In addition, the plan has been discussed and presented to the following appointed and elected officials.

- City Council Study Session on September 12, 2019
- Transportation Commission on October 23, 2019 & December 4, 2019
- Planning Commission Study Session on November 11, 2019
- Bicycle and Pedestrian Advisory Committee on December 9, 2019

Planning staff has maintained a Liberty Park Neighborhood Plan project page on the City's website informing residents of upcoming meetings and plan development. The formal adoption of the plan will be evaluated through the public hearings process by both the Planning Commission and City Council, providing additional opportunities for residents to voice their opinions and recommendations regarding the plan.

Conclusions

Goal 1: Satisfied. The plan has been developed and improved through the assistance of the NAC, through information obtained through stakeholder interviews and on-line surveys, as well as public comments during four public open houses. Also final comments from citizens can be provided during the public hearing process. This criterion is found to be satisfied.

Goal 2—Land-use Planning

Goal 2 requires that a land use planning process and policy framework be established as a basis for all decisions and actions relating to the use of land. All local governments and state agencies involved in the land use action must coordinate with each other. City, county, state and federal agency and special districts plans and actions related to land use must be consistent with the comprehensive plans of cities and counties and regional plans adopted under Oregon Revised Statutes (ORS) Chapter 268.

Findings

The City of Medford has an acknowledged Comprehensive Plan and an adopted set of land use regulations to help ensure a land use process consistent with state law. The City was fortunate to receive a Transportation and Growth Management (TGM) grant from the State to help coordinate efforts between state and local agencies on the plan. Progress reports and updates were sent to the Oregon Department of Transportation (ODOT) representative at identified intervals to inform of the plans progress. The development of the plan was guided by a twelve-member advisory committee and substantial public input and involvement was received from local residents and appointed and elected officials.

The adoption of the plan follows the Type IV legislative review process. This enables the public to provide additional comments and feedback on the plan through two public hearings. The Department of Land Conservation and Development (DLCD) was notified of the application to amend the City's Comprehensive Plan in early October 2019. Referral agencies both

internal and external of the City, and including the Oregon Department of Transportation were notified of the proposal and afforded an opportunity to comment on the plan and challenge any inconsistencies with the City's adopted plans. Comments were received from Medford Engineering (Exhibit E), Medford Water Commission (Exhibit F) Jackson County (Exhibit J), Medford Fire Rescue (Exhibit K), and Medford Building (Exhibit L).

Conclusions

Goal 2: Satisfied. The plan has developed through a coordinated effort between state and local officials and direct local support from a diverse mix of residents and businesses. The adoption process is in line with state and local land use laws and procedures. This criterion is found to be satisfied.

Goal 3—Agricultural Lands does not apply in this case.

Goal 4—Forest Lands does not apply in this case.

Goal 5—Natural Resources, Scenic & Historic Areas, and Open Spaces does not apply in this case.

Goal 6—Air, Water, and Land Resources Quality does not apply in this case.

Goal 7—Areas Subject to Natural Hazards does not apply in this case.

Goal 8—Recreation Needs

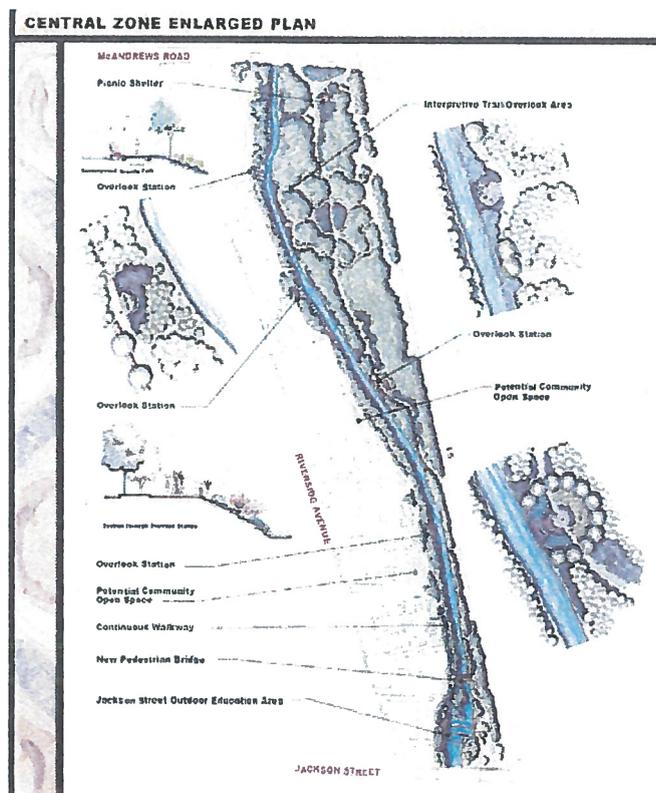
Goal 8 seeks to satisfy the recreational needs of the citizens of the state and visitors, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Findings

The Liberty Park neighborhood includes park and open spaces, Bear Creek, and the Greenway trail on the east. Bear Creek is bordered by commercial development and is not readily accessible to residents in the neighborhood through safe pedestrian or creek crossings. The plan identifies upgrades to pedestrian crossings on Riverside Avenue and a future creek crossing for residents both within and outside Liberty Park to facilitate better use of these amenities. Discussions with the Parks Department led to the creation of a concept plan that envisions activating the space along Bear Creek with features such as a dog park, playground, and nature trails.



In addition, the Bear Creek Master Plan adopted in 2003 (see image below) outlines amenities such as overlook stations and a creek crossing along this segment of the creek. Future projects may require updates to the Bear Creek Master Plan.



Enhancements along Bear Creek Greenway and the creation of additional green spaces within the neighborhood were identified as important components of the plan.

Conclusions

Goal 8: Satisfied. The Bear Creek Greenway is the largest green space within Liberty Park but is cut off from the residential core of the neighborhood making it challenging to access. Proposed enhancements through a creek crossing project and other pedestrian crossing projects along Riverside Avenue are proposed to better link the neighborhood to the creek. Additional green spaces are desired amenities within the neighborhood however no specific locations have been identified in the plan. This criterion is found to be satisfied.

Goal 9—Economic Development

Goal 9 requires local comprehensive plans and policies contribute to a stable and healthy economy in all regions of the state.

Findings

The residential center of the Liberty Park neighborhood is surrounded by commercial and industrial land uses. These land uses provide opportunities for infill, expansions or conversions of existing businesses, and new development to occur. Over the years new investment has taken place along the Court/Central and Riverside corridors including Kids Unlimited expansion, Options for Southern Oregon, Star Auto Body and Enterprise Rental Car. The plan focuses on continuing this trend of investment by identifying locations for redevelopment of sites and making transportation improvements that will support new development along these corridors. Economic changes in Liberty Park will help strengthen ties to downtown and other commercial centers.

Conclusions

Goal 9: Satisfied. The plan supports economic advancements within the neighborhood. This criterion is found to be satisfied.

Goal 10—Housing

Goal 10 requires local jurisdictions to provide for the housing needs of its citizens and provide for the appropriate type, location and phasing of public facilities and services sufficient to support housing development in areas developed or undergoing development or redevelopment.

Findings

Housing within the neighborhood is predominantly comprised of single family residences with pockets of multiple family dwellings. The Shirleen Mobile Home Park is located on Riverside Avenue. Motels exist mainly along Riverside Avenue but also on Court Street, some of which provide more extended stay housing options. Other types of social service housing assistance also exist within the neighborhood such as Hearts with a Mission and Rogue Retreat.

The plan seeks to provide infill or redevelopment opportunities within the residential core that may take the form of accessory dwelling units, duplexes up to five-plexes, live-work units, and cottage cluster housing. The commercial zones on the perimeter of the neighborhood provide other options for mixed use and multiple family developments.



Conclusions

Goal 10: Satisfied. The plan seeks to provide quality, affordable, and attractive housing options for people of all incomes, ages, and needs. The neighborhood has a strong residential base that can be expanded upon to help create new housing units in a central location in the City. This criterion is found to be satisfied.

Goal 11—Public Facilities and Services

Goal 11 requires cities and counties to plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development. The goal requires that urban and rural development be "guided and supported by types and levels of urban and rural public facilities and services appropriate for, but limited to, the needs and requirements of the urban, urbanizable and rural areas to be served."

Findings

Transportation facilities are one component of the required infrastructure needed for development based on the City's Comprehensive Plan. A central focus of the plan evaluates the transportation needs within the neighborhood. Twenty-two distinct transportation improvements are identified that include projects such as the installation of bicycle facilities and sidewalk, vehicle speed reductions, traffic calming measures, and enhanced pedestrian crossings and bus stops.

The Liberty Park plan is identified in Action Item 8-b of the City's Transportation System Plan (TSP) which supports implementation of transportation improvements within specific neighborhood plans and requests coordination and consistency between the neighborhood plan and the TSP. Project B2 in the Liberty Park plan references Project #462 in the TSP related to street improvements, specifically the installation of bicycle facilities on Edwards Street. Edwards Street is the only minor collector street that runs east-west through the neighborhood. The description of the project in the Liberty Park plan was originally consistent with the TSP but further review of the project and the potential for future land use changes along Edwards Street necessitated a more flexible solution to be described. Therefore, an alternative is built in that would allow for the City to evaluate the cross section of Edwards Street through the lens of the City's legacy street provisions. This flexibility provides for a review of possible modifications to the cross section that may be more in

line with the existing and (future) development patterns occurring on the street.

There are existing water, sewer, and storm drain infrastructure within the neighborhood. A detailed evaluation of the condition of these facilities was not conducted as part of the plan. Comments from the Engineering Department indicate there is capacity in the sanitary sewer collection system to support future zone changes within the neighborhood (**Exhibit E**). Storm drain facilities also exist within the project boundary and new projects would be able to connect to these facilities. Liberty Park has existing water lines and fire hydrants in the majority of the streets. The Medford Water Commission would review any proposed improvement projects to evaluate the sizing of existing facilities (**See Exhibit F**).

Conclusions

Goal 11: Satisfied. Liberty Park has existing utility infrastructure that can be used and upgraded as development occurs. A central focus of the plan is to provide transportation improvements that benefit the neighborhood and City overall. This criterion is found to be satisfied.

Goal 12—Transportation

Goal 12 requires cities, counties, metropolitan planning organizations, and ODOT to provide and encourage a "safe, convenient and economic transportation system. Goal 12 is implemented through OAR 660, Division 12, also known as the Transportation Planning Rule ("TPR"). The TPR contains numerous requirements governing transportation planning and project development.

Findings

Please see transportation findings outlined in Goal 11 above (Public Facilities and Services).

Conclusions

Goal 12: Satisfied. The Liberty Park plan outlines transportation projects that help create a safer, enhanced multi-modal system that is consistent with the goals of the state and the City's adopted TSP. This criterion is found to be satisfied.

Goal 13—Energy Conservation

Goal 13 seeks to conserve energy

Findings

Liberty Park is an established neighborhood located in close proximity to downtown and other commercial and residential areas making it a model for how compact development can help the City conserve energy. The plan seeks to make transportation facilities more multi-modal and provide better connectivity to surrounding locations helping to encourage new means of travel by residents. Other improvements such as alley upgrades, establishing new green spaces, and planting trees within the neighborhood are other important ways to conserve energy. Also, by improving existing building stock and creating infill opportunities less resources are expended because infrastructure exists to serve the planned land uses.

Conclusions

Goal 13: Satisfied. Focusing improvements in Liberty Park helps to ensure the viability of the neighborhood into the future and creates more energy efficiencies through infrastructure, compact development patterns, and enhanced transportation options. This criterion is found to be satisfied.

Goal 14—Urbanization does not apply in this case.

Goals 15-19 do not apply to this part of the State.

Comprehensive Plan, Review and Amendments chapter: Amendments [to Implementation Strategies] shall be based on the following [criteria 1-6]:

1. *A significant change in one or more Goal or Policy.*

Findings

The Liberty Park Neighborhood Plan and its Goals, Policies and Implementation Strategies are new additions to the Comprehensive Plan as outlined in Exhibits B and C. There are no existing Goals and Policies to modify with this proposal.

Conclusions

Criterion 1: Not Applicable. New Goals, Policies, and Implementation Strategies are being added to the Comprehensive Plan to reflect the Liberty Park Neighborhood Plan. There are no current Conclusions to modify or

change with this project. This criterion is found to be not applicable as there are no existing Goals, Policies, or Implementation Strategies to amend related to the Liberty Park Neighborhood.

2. *Availability of new and better strategies such as may result from technological or economic changes.*

Findings

The Liberty Park neighborhood is a gateway to the City's downtown center and is one of the oldest established neighborhoods within the City. Its residential core is surrounded by commercial and industrial activity making it a very unique and ideal neighborhood setting if proposed improvements (such as sidewalk infill, enhanced street crossings, and speed reductions) are completed to balance the interplay between the different uses. Opportunities for development and redevelopment of sites are noted within the plan, and investments have already started occurring with the growth of Kids Unlimited, Hearts with a Mission, Star Auto Body, NW Pineapple, and Options for Southern Oregon. However, the neighborhood is not without its challenges that exist with some current businesses (e.g. motels) and societal issues (homelessness, crime, and aging buildings) which cause strain on the neighborhood overall.

The updated neighborhood plan provides guidance to modify the built environment through a number of transportation and park projects which in turn help improve the neighborhood and provide support for reinvestment and new investment in the residential core and outer commercial/industrial areas. An economic strengthening of this neighborhood is positive for downtown and the City as a whole.

Conclusions

Criterion 2: Satisfied. The Liberty Park Neighborhood Plan refocuses attention to this established and centrally located neighborhood within the City. The list of projects and land use considerations within the plan will guide future changes to support continued growth and improvements within the neighborhood.

3. *Demonstrable ineffectiveness of present strategy(ies).*

Findings

In 2002, a collaborative effort among residents, community members, and city officials helped create the Liberty Park Neighborhood Revitalization Action Plan. The plan was recognized by the City Council by Resolution No. 2003-225 in August 2003. In the years that followed, few changes occurred in the neighborhood, leaving room for additional work to be accomplished.

Preceding the completion of the Urban Growth Boundary expansion, in 2014, the City evaluated changes to nearly 500 acres of land within the City limits to gain efficiency in needed land uses. The Liberty Park area was included in this evaluation and modifications to approximately 19 acres were made to the General Land Use Plan map from Urban Residential to Urban Medium Density Residential (land bounded by Manzanita, Boardman, Edwards, and properties east of Niantic). Although this area is mostly developed, the idea was to create redevelopment opportunities as its location is optimal due to its proximity to downtown and other commercial centers.

In 2017, renewed focus was placed on the Liberty Park Neighborhood through efforts of the MURA Board. The City followed alongside by re-engaging citizens within the neighborhood and creating an updated neighborhood plan through a detailed and citizen informed planning process.

The proposed plan will be incorporated into the Comprehensive Plan giving it more emphasis within the City's land use framework than the previous plan.

Conclusions

Criterion 3: Satisfied. The previous objectives of the 2002 plan which relate to housing, mobility, connectivity to the natural environment and downtown, and enhanced economic and educational opportunities for the residents have been incorporated into the goals of the 2019 neighborhood plan. It is unclear why the previous plan did not maintain momentum, but renewed attention has been directed at this neighborhood to help realize positive changes and to complete identified projects deemed important to the stability and growth of Liberty Park.

4. *Statutory changes affecting the Plan.*

Findings

The proposal focuses attention on the Liberty Park neighborhood and establishes a plan that is specific to this locale. The plan was not written in order to address statutory changes.

Conclusions

Criterion 4: Not Applicable. There are no statutory changes that affect the plan. This criterion is not applicable to the proposal under consideration.

5. *Demonstrable budgetary constraints in association with at least one of the above criteria.*

Findings

The plan outlines twenty-two transportation projects within the neighborhood to be completed. The project costs are estimated at approximately \$8.2 million. The plan does not identify direct funding sources for each project. However, it is anticipated that MURA will review the list and identify projects to fund that best align with the mission of the Agency, and that are deemed appropriate uses of MURA's tax increment resources under state law. Preliminary discussions are already underway among the MURA Board and the MURA Advisory Committee regarding first round projects to implement. The projects discussed to date include modifying the speed limit within the residential core of the neighborhood to 20 miles per hour, restriping Central Avenue from Court/Edwards Street to Jackson Street with parking and bicycle lanes, and evaluating changes on Bartlett Street.

In addition, Planning staff has begun discussing funding options with Engineering staff. Some of the funding sources discussed include but are not limited to MURA funds, annual funding dedicated through the Transportation System Plan (TSP) for bicycle and sidewalk improvements (a request would be made for a portion of this funding in the next budget cycle through the Bicycle and Pedestrian Advisory Committee (BPAC) and a formal recommendation through the Transportation Commission (TC) to City Council), and Safe Routes to School grants. A detailed review of the projects and possible funding sources still needs to be outlined in order to assist with implementing the plan.

Conclusions

Criterion 5: Satisfied. The twenty-two transportation projects outlined within the plan are categorized generally into near (11), medium (7) and long (4) term projects. Discussions regarding projects to be funded through MURA have begun and a more in-depth review will occur once the plan is adopted. Aside from MURA funds, a more formal evaluation of project funding will be analyzed in preparation for the next City budget cycle and opportunities available through state and federal funding sources.

6. *All applicable Statewide Planning Goals.*

Findings

The pertinent Statewide Planning Goals for the project have been addressed in detail in Criterion 6 above.

Conclusions

Criterion 6: Satisfied. The Liberty Park Neighborhood Plan is in compliance with the applicable Statewide Planning Goals. This criterion is found to be satisfied.

RECOMMENDED ACTION

The Planning Commission recommends adopting the proposed amendments based upon findings and conclusions in the Council Report dated January 8, 2020, including Exhibits A through N.

EXHIBITS

- A Liberty Park Neighborhood Plan and Appendices
- B Amendments to the Neighborhood Element
- C Amendments to the Goals and Policies Element
- D Motel service call data between 2017-2019
- E Comments from the Engineering Department
- F Comments from the Medford Water Commission
- G City Council Study Session Minutes, September 12, 2019
- H Transportation Commission Meeting Minutes, December 4, 2019 (Draft Excerpt)
- I Planning Commission Study Session Minutes, November 11, 2019

- J Comments from Jackson County
- K Comments from Medford Fire-Rescue
- L Comments from Medford Building
- M Bicycle and Pedestrian Advisory Committee Meeting Minutes, December 9, 2019 (Draft Excerpt)
- N Planning Commission Hearing Minutes, December 12, 2019 (Draft Excerpt)

CITY COUNCIL AGENDA: JANUARY 16, 2020

Exhibit A

2019 Liberty Park Neighborhood Plan and Appendices

The plan and appendices noted above can be found under the Liberty Park page on the City's website at the following links:

Plan

[https://www.ci.medford.or.us/SIB/files/Liberty%20Park%20NH%20Plan%20November%202019_1\(1\).pdf](https://www.ci.medford.or.us/SIB/files/Liberty%20Park%20NH%20Plan%20November%202019_1(1).pdf)

Appendices

<https://www.ci.medford.or.us/SIB/files/Liberty%20Park%20NH%20Plan%20-%20Appendix%20-%20Reduced.pdf>

Exhibits B and C

Neighborhood Element & Conclusions, Goals, and Policies Element

Medford Comprehensive Plan

Chapter 10

Neighborhood Element

Introduction

The divisions of this chapter are special area plans that have been adopted by the Council. ~~One~~Two plans ~~is~~are incorporated by reference; ~~two~~three others are incorporated into this document.

Contents

Introduction

10.1 Southeast Plan

10.2 Southeast Circulation Plan

10.3 Bear Creek Master Plan

10.4 Urbanization Planning.....

10.5 **Liberty Park Neighborhood Plan.....**

10.5 Liberty Park Neighborhood Plan

Adopted by Medford City Council on Month, Date, Year
Ordinance no. 2020-~~XX~~

1. Introduction

2. Public Engagement

3. Land Use Recommendations

4. Transportation Recommendations

5. Transportation Projects

Appendix A - Comprehensive Plan and Zoning Amendments

Appendix B - Technical Memoranda

Appendix C - Public Involvement and Title IV/Environmental Justice Summary

The entire Liberty Park Neighborhood Plan, as adopted as part of the Medford Comprehensive Plan, has been printed as a separate document which contains all of the chapters and appendices noted above. The plan and appendices can be viewed in paper format at the Medford Planning Department (200 South Ivy Street, Medford, Oregon 97501) and is available on the City's website at the following links:

Plan:

[https://www.ci.medford.or.us/SIB/files/Liberty%20Park%20NH%20Plan_November%202019_1\(1\).pdf](https://www.ci.medford.or.us/SIB/files/Liberty%20Park%20NH%20Plan_November%202019_1(1).pdf)

Appendices:

<https://www.ci.medford.or.us/SIB/files/Liberty%20Park%20NH%20Plan%20-%20Appendix%20-%20Reduced.pdf>

NEIGHBORHOOD ELEMENT

Adopted 3/7/2013 by Ord. 2013-42; Amd Urbanization Planning 11/15/2018 by Ord. 2018-131; Amd Liberty Park Plan XX/XX/2020 by Ord. 2020-XX

LIBERTY PARK NEIGHBORHOOD PLAN – CONCLUSIONS

1. The 2019 Liberty Park Plan identified the following:

a. Liberty Park is one of the City’s oldest and most established neighborhoods, with a diverse mix of residents and businesses. It includes a mix of housing, commercial, and retail businesses, educational and other institutions, and industrial uses, while serving as a gateway to the Downtown, other commercial areas, and the Bear Creek Greenway.

b. Liberty Park lacks a complete and reliable network of sidewalks and safe and convenient crossings, and has little in the way of bicycle infrastructure, making access and mobility within and outside the neighborhood a challenge.

c. There are opportunities through redevelopment to create multi-modal connections from the Liberty Park neighborhood to the Bear Creek Greenway, downtown, and other commercial and residential areas which would be a benefit to local residents, visitors, and employees.

d. Several parcels within the Liberty Park neighborhood are vacant or underutilized, and their redevelopment supports the goals of the Liberty Park Neighborhood Plan.

e. Residential and mixed-use development and redevelopment is desired in the plan area’s commercial corridors.

f. The neighborhood is facing issues of crime, illegal dumping, and homelessness.

LIBERTY PARK NEIGHBORHOOD PLAN – GOALS, POLICIES, AND IMPLEMENTATION MEASURES

Goal 1: Make Liberty Park Neighborhood a safe neighborhood for residents to walk, bicycle, and socially interact through design of private development and public spaces.

Policy 1-A: The City of Medford shall implement the transportation projects of the Liberty Park Neighborhood Plan through a variety of sources which may include its Capital Improvement Plan, Transportation System Plan, private development, and other relevant processes and sources.

Policy 1-B: The City of Medford shall implement an overlay zone for the neighborhood that includes site and design standards and multi-modal requirements of development and redevelopment in the area.

Goal 2: Enhance and promote social services and law enforcement that meet community needs and help minimize crime and the impacts of homelessness on the neighborhood.

Goal 3: Create and maintain a happy, health, attractive, and vibrant neighborhood for residents and business owners through a shared sense of responsibility, accountability, ownership, and respect.

Goal 4: Create, maintain and enhance places within the neighborhood that contain resources to enrich lives, including parks, gathering places and other educational and community facilities and services that enhance the neighborhood and improve the lives of people within it.

Goal 5: Provide quality, affordable, attractive housing for people with a range of incomes, ages, and needs through development and redevelopment of a full range of housing types and mixed residential and commercial development.

Policy 5-A: The City of Medford shall implement an overlay zone and other development code amendments for the Liberty Park Neighborhood that support development and redevelopment of a variety of housing types and mixed uses.

Policy 5-B: The City of Medford shall evaluate potential rezoning of properties that better reflect existing and potential uses in the neighborhood and the goals of the neighborhood plan.

Goal 6: Support creation and expansion of local businesses, including those that serve neighborhood residents and workers and provide products that meet every day needs.

Goal 7: Conserve natural resources, preserve the natural environment and provide access to nature, including connectivity to the Bear Creek Greenway.

Policy 7-A: The City of Medford shall work to create bicycle and pedestrian access to the Bear Creek Greenway from Riverside Drive.

Implementation 7-A(1): Work with the City of Medford Parks and Recreation Department to identify one or more preferred locations for access from the neighborhood to Bear Creek Greenway.

Implementation 7-A(2): Require development and redevelopment of properties east of Riverside Drive to provide access and amenities, as identified in adopted plans.

Implementation 7-A(3): Implement an improved pedestrian crossing on Riverside Avenue with wayfinding, and signage to support access to the Bear Creek Greenway from the Liberty Park neighborhood.

Goal 8: Support the creation of family wage jobs and advanced educational opportunity to the residents of the neighborhood.

Goal 9: Connect this neighborhood into the downtown economy and to other parts of the City through improvement and maintenance of an efficient, effective transportation system that supports all types of travel, including walking, bicycling, driving, and transit.

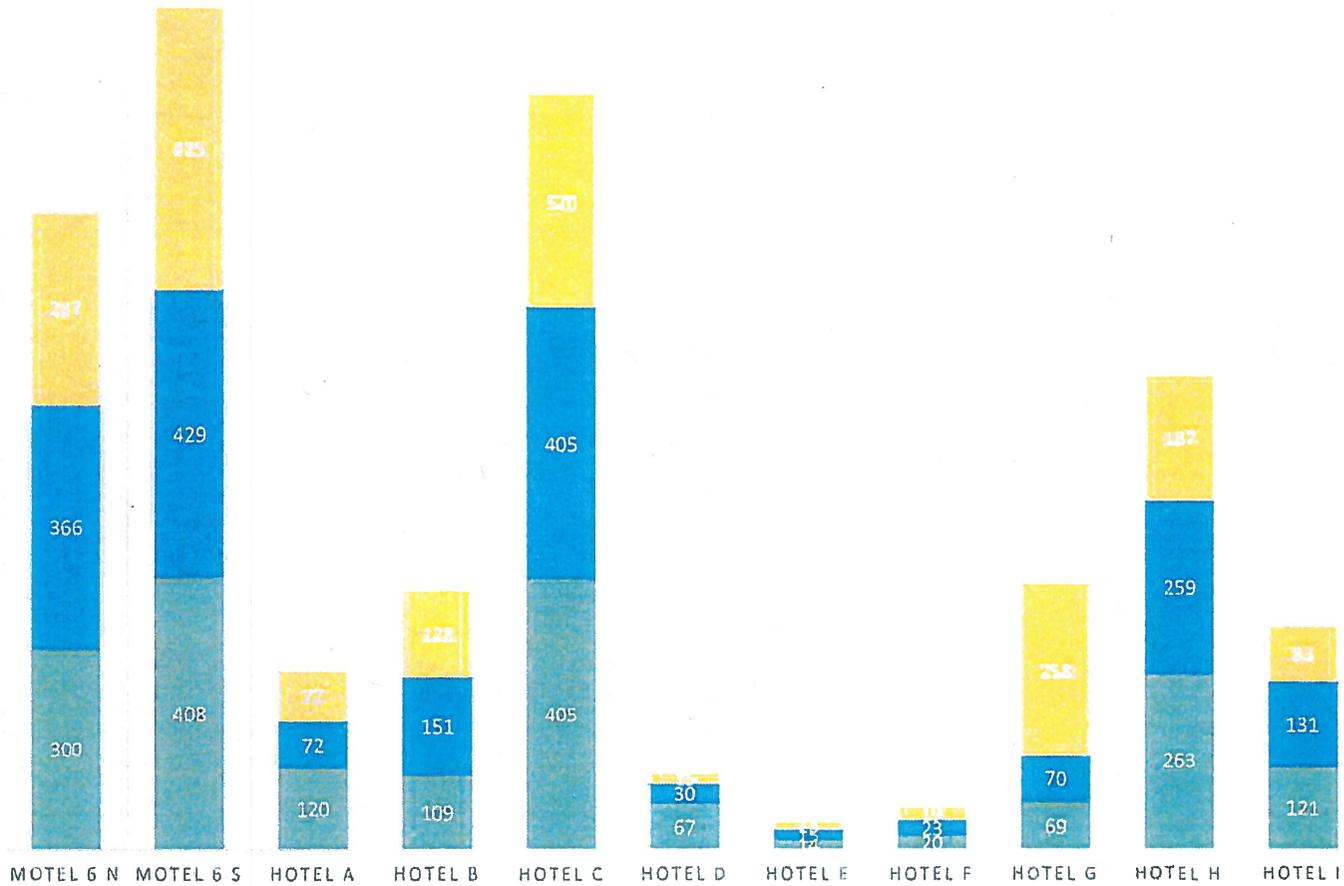
Policy 9-A: The City of Medford shall evaluate and implement a reconfiguration of OR-99 (Court/Central and Riverside) as described in the Liberty Park Neighborhood Plan in order to improve multi-modal travel, reduce speeds, and increase the aesthetic appeal along these facilities.

Policy 9-B: The City of Medford shall partner with the Rogue Valley Transit District to locate bus stops to better connect to local activity centers and pedestrian crossings within the Liberty Park Neighborhood.



CALLS FOR SERVICE BY YEAR

■ 2017 ■ 2018 ■ 2019



Created by E. Greb 11/05/2019 @ 0900



LD DATE: 11/6/2019
File Number: CP-19-004

PUBLIC WORKS DEPARTMENT STAFF REPORT

Liberty Park Neighborhood Plan Major Comprehensive Plan Amendment

- Project:** Legislative amendment to incorporate the Liberty Park Neighborhood Plan in to the Neighborhood Element Goals and Policies section of the Comprehensive Plan.
- Applicant:** City of Medford
- Planner:** Carla Paladino, Principal Planner – Long Range Division
-

I. Sanitary Sewer Facilities

Capacity exists in the sanitary sewer collection system to support the zone changes if the zone changes were applied for at this time.

II. Storm Drainage Facilities

The City of Medford has existing storm drain facilities in the area. The Liberty Park neighborhood would be able to connect to these facilities at the time of development. The Liberty Park neighborhood may be required to provide stormwater quality and detention at time of development in accordance with MLDC, Section 10.729 and/or 10.486.

III. Transportation System

The plan talks about requiring development or redevelopment in certain areas to provide better pedestrian access to the Bear Creek Greenway and coordinating the Bear Creek Greenway connection with an enhanced crossing project across Riverside. Public Works recommends that an additional study be completed to identify which of the four Bear Creek Greenway connections shown in the plan is desired so these items can be implemented in the correct locations.

Public Works recommends removing the timelines associated with the priority on page 17 since there is no identified funding stream.

Prepared by: Jodi K Cope

Reviewed by: Doug Burroughs

City of Medford

200 S. Ivy Street, Medford, OR 97501

(541) 774-2100

cityofmedford.org

Exhibit F



BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

FROM: Rodney Grehn P.E., Water Commission Staff Engineer

SUBJECT: CP-19-004

PARCEL: N/A

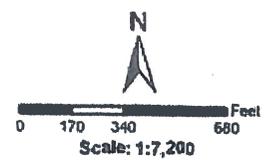
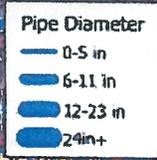
PROJECT: Legislative amendment to incorporate the Liberty Park Neighborhood Plan into the Neighborhood Element Goals and Policies section of the Comprehensive Plan. Planner, Carla Angeli Paladino.

DATE: November 6, 2019

I have reviewed the above plan authorization application as requested. Conditions for approval and comments are as follows:

COMMENTS

1. The proposed Liberty Park Neighborhood Plan is in an older part of town, Medford Water Commission has existing water lines and fire hydrants in most streets within the proposed Liberty Park area.
2. Upon submittal of proposed improvement projects within the Liberty Park area, water lines and fire hydrant coverage will be reviewed by Medford Water Commission for possible required up sizing of water lines.



Water Facility Map
City of Medford
Planning Application:
CP-19-004
Nov 6, 2019

Legend

- Air Valve
 - Sample Station
 - Fire Service
 - ◆ Hydrant
 - ▲ Reducer
 - ⊠ Blow Off
 - ◆ Plug-Caps
- Water Meters:**
- Active Meter
 - On Well
 - Unknown
 - Vacant
- Water Valves:**
- ◆ Butterfly Valve
 - Gate Valve
 - ◆ Tapping Valve
- Water Mains:**
- Active Main
 - - Abandoned Main
 - Reservoir Drain Pipe
 - Pressure Zone Line
- Boundaries:**
- ▭ Urban Growth Boundary
 - ▭ City Limits
 - ▭ Tax Lots
- MWC Facilities:**
- C Control Station
 - P Pump Station
 - R Reservoir



City Council Study Session Minutes - Excerpt

MINUTES

September 12, 2019

6:00 P.M.

Prescott Room, Medford Police Station

219 South Ivy Street, Medford, Oregon

The Medford City Council Study Session was called to order at 6:00 p.m. in the Prescott Room of the Medford Police Station on the above date with the following members and staff present:

Mayor Gary Wheeler; Councilmembers Clay Bearnson, Kay Brooks (arrived at 6:11 p.m.) Tim D'Alessandro, Dick Gordon, Alex Poythress, Eric Stark, Kevin Stine, Michael Zarosinski (arrived at 6:07p.m.); City Manager Brian Sjothun, Deputy City Manager Eric Zimmerman, City Attorney Lori Cooper, Deputy City Recorder Winnie Shepard

Councilmembers Tim D'Alessandro and Dick Gordon were absent.

Liberty Park Plan

Principal Planner Carla Paladino outlined the history of the Liberty Park Neighborhood Plan, noting that this study session was to provide revision recommendations to the draft plan and to receive direction from Council. She advised that the plan recognizes the needs and wants of the residents of that area.

The City received a grant from the state last year for this project. A team was created, consisting of the [Liberty Park] Neighborhood Advisory Committee, City of Medford staff and APG and Jacobs Consultants was assembled to work on the Plan. They determined the following goals:

- Create a safe neighborhood
- Minimize crime and impacts of homelessness
- Enhance places and lives
- Increase quality and range of housing options
 1. Maintain existing historic housing while increasing the housing options
- Support and foster local businesses
- Promote family wages jobs and educational opportunities
- Make better connections to the greenway, downtown and other areas

Land Use Considerations

- Seek opportunities for infill and redevelopment
- Enhance the Bear Creek Greenway and park spaces
- Create a land use framework
- Partner with law and code enforcement

Transportation Projects:

- Traffic calming – reducing speed, reducing lanes, etc.
- Greenway connections
- Lane reconfigurations – lane reductions/configurations on Central and Riverside
- Sidewalk infill; providing a buffer from traffic
- Bicycle network; connectivity
- Bus stop relocations
- Pedestrian crossings; improve safety
- Alley improvements

Ms. Paladino provided the draft plan to Council and requested revisions, suggestions and corrections.

Council discussed the potential lane reduction on Riverside. Ms. Paladino advised that through public outreach, approximately 50% of citizens approved the lane reduction. Councilmember Brooks believed that three lanes of traffic in each direction was excessive; there are only four lanes on the freeway.

Councilmembers agreed that the area's streetscaping/aesthetics needed improvement.

Council discussed funding options. Ms. Paladino advised that the City received funding for study, but not for implementation. The team did not consider funding options; the grant was limited to the Plan.

Councilmember Zarosinski questioned whether the Greenway improvements proposed in the Plan were included in the Greenway Master Plan. They were not included in the Greenway plan, but the team did review it.

Council discussed the significant blight, and chronic nuisance properties in the neighborhood. Councilmember Brooks noted that the [Liberty Park] Neighborhood Advisory Committee has been discussed blight at length.

Medford Urban Renewal Director Harry Weiss advised that the Plan is a guiding document for how the City Council and MURA can align services and leverage resources to complete area improvements. He advised against closing the blighted hotels as people were using them as residences. Although it wasn't ideal housing, closing them could potentially create homelessness.

Ms. Paladino clarified that she will bring back the final plan in December and a Council meeting in January. There were no objections.

The meeting adjourned at 7:11 p.m.

Winnie Shepard, CMC
Deputy City Recorder

TRANSPORTATION COMMISSION MINUTES



MEDFORD
OREGON

December 4, 2019 (DRAFT – EXCERPT)
12:30 P.M.
Medford City Hall, Medford Room 330
411 West 8th Street, Medford, Oregon

Exhibit H

The regular meeting of the Transportation Commission was called to order at 12:32 p.m.

10. Roll Call

Commissioners Present

Al Densmore, Chair
Dennie Conrad, Vice Chair
Jaime Jordan
Jared Pulver
Peggy Penland
Kim Parducci

Commissioners Absent

Tim D'Alessandro, Council Liaison
Suzanne Schroeder
Kay Brooks, Council Liaison

Staff Present

Cory Crebbin, Public Works Director
Karl MacNair, Transportation Manager
Debra Royal, Recording Secretary

Staff Not Present

Alex Georgevitch, Deputy Public Works Director/City Engineer
Kyle Kearns, Planner II

Citizen Present

Paige West

20. Citizen Communications

None.

30. Approval of Minutes from September 25, 2019

There being no additions or corrections, the minutes for September 25, 2019, were approved as submitted.

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.

40. Agenda Items

40.2 Liberty Park Neighborhood Plan

Carla Paladino made a presentation on the future development of the Liberty Park neighborhood plan/concept. (Presentation Powerpoint is included in the Meeting Packet.)

In August of 2017, a growth management grant was provided by the state to hire a consultant to assist with development of the plan. The last plan was developed by city officials and residents in 2002, but the plan was never implemented. This current plan is an effort to update the 2002 plan and create a vision for the neighborhood. There are 22 projects in the plan. MURA was also looking at investing in the plan. After her presentation, Ms. Paladino ask the TC for recommendations. The plan is scheduled to go to the Planning Commission next Thursday and to Council on January 16, 2020.

Commissioners Kim Parducci, Jaime Jordan, and Jared Pulver had a number of questions having to do with: traffic congestion, queuing analysis, density increases, lighting, police activity at local motels, midblock crossing, RRFBs, funding, and MURA's involvement.

Mr. Crebbin reminded the members that this is a concept with Mr. MacNair stating that this is what the community would like to see.

After a lengthy discussion of the issues raised by the commissioners, Ms. Parducci made a MOTION to forward the plan to the Planning Commission with a positive recommendation. Ms. Jordan SECONDED the motion. The motion passed by a unanimous vote.

PLANNING COMMISSION STUDY SESSION MINUTES



Exhibit I
MEDFORD
OREGON

November 11, 2019

12:00 P.M.

Lausmann Annex, Room 151

200 S. Ivy Street, Medford, Oregon

The regular meeting of the Planning Commission was called to order at 12:00 noon in the Medford Lausmann Annex, Room 151, 200 S. Ivy Street, Medford, Oregon on the above date with the following members and staff in attendance:

Commissioners Present

Mark McKechnie, Chair
Joe Foley, Vice Chair
Bill Mansfield
David McFadden
E.J. McManus
Jared Pulver
Jeff Thomas

Staff Present

Kelly Evans, Assistant Planning Director
Eric Mitton, Deputy City Attorney
Carla Paladino, Principal Planner

Commissioner Absent

David Culbertson, Excused Absence

20. Subject

20.1 CP-19-004 Liberty Park Neighborhood Plan Review

Carla Paladino, Principal Planner recognized Commissioner Foley. He was on the Liberty Park Neighborhood Advisory Committee. They met six times over the course of fifteen to sixteen months.

The boundaries of the project encompassed land south of McAndrews, west of Interstate 5, north of Jackson Street and east of the railroad tracks.

In 2002 an action plan for the neighborhood was created. However, the plan was never formally adopted into the Comprehensive Plan. In August of 2017 the City was awarded a Transportation and Growth Management Grant to receive outside consultant help to update the plan. In June of 2018, the advisory committee was formed. In April 2018, the Medford Urban Renewal Agency (MURA) Substantial Amendment was approved. The neighborhood plan is to guide future Medford Urban Renewal Agency investments. Also, help realize a new vision for the neighborhood.

There were twenty-nine stakeholder interviews that included neighbors, business owners, social service agencies, City Manager and anyone that had a thought on the project. A neighborhood advisory committee was formed with twelve members that had six meetings. There were two community surveys online and staff held four open houses.

The plan talks about goals, land use recommendations and transportation recommendations.

The first open house and meeting with the advisory committee was to hear what people envisioned for the neighborhood, goals and what are they trying to accomplish. What staff heard the most was to create a safe neighborhood, minimize crime and impacts of homelessness, enhance places and lives, increase quality, range of housing options, support and foster local businesses, promote family wage jobs and educational opportunity and make better connections to the Greenway, Downtown and other neighborhoods.

For land use review the main topics in the plan are to look for infill and redevelopment opportunities. The Medford Urban Renewal Agency purchased approximately three acres for redevelopment on the west side of Central Avenue.

Commissioner McFadden asked, does that include the warehouses in that area? Ms. Paladino replied yes.

Other elements of the land use review are to enhance the Bear Creek Greenway and park spaces, evaluate uses, GLUPs and zoning, create site and design standards, and partner with law and code enforcement to address negative activities.

The plan is heavy on transportation projects. There are twenty-two projects outlined under eight main categories, projects address all modes, help accomplish the stated goals related to connectivity and safety, and test ideas with pilot projects.

Traffic calming would reduce traffic speeds (interior to 20 mph and along major roadways to 25 mph). Launch a "20 a Plenty" campaign within the neighborhood, pilot project for traffic calming along streets that have been noted as problematic, pilot project for diagonal diverters (redirect traffic) and look for opportunities for traffic calming at Pine and Maple with traffic circles, speed humps, bulb out, or chicanes.

Lane configuration would modify the configuration on Riverside and Central to slow traffic, add bicycle lanes to provide connectivity and opportunity to travel along these roadways, less travel lanes makes it easier for pedestrians to cross these major streets, and reduce speed from 30 mph to 25 mph.

Bicycle network could possibly add sharrows and signage to the street letting people know to share the road with bicycles, help make the connection from the Neighborhood to Downtown, Edwards Street is the only higher order street that bisects the residential core of the neighborhood, the Transportation System Plan includes a project that would add bicycle facilities, depending on the future land use pattern of Edwards, a different cross section may be looked at, corresponds to the Transportation System Plan project #462.

The Greenway Crossing is to find the best location to provide crossing after further study. The possibilities would be Manzanita, Alice, Edwards and Austin. This is a long term project.

For sidewalk infill the Plan includes a project to install missing sidewalks within the residential core of the neighborhood and within the commercial / industrial areas. In total, approximately three miles of sidewalk are proposed to be installed to provide safe places for residents and visitors to walk and visit.

For bus stop relocations there are existing bus stops along Riverside and along Court / Central. The project would look at relocating three of the locations in coordination with the pedestrian crossing enhancement at these locations. Coordination with Rogue Valley Transportation District would be needed.

Another improvement would be alley improvements. Since the open house in July, an alley improvement project was added to the list of projects. These create better access to existing homes, provide opportunities for storm water drainage and improve aesthetics and how the space is used and functions. The project looks at four main alleys located within the core.

The next steps for the draft plan is to make final edits to the Plan and prepare the Plan for adoption. The hearing schedule was originally scheduled for the Planning Commission hearing on November 14, 2019. Staff is not ready so they will request a continuance to the December 12, 2019 Planning Commission meeting and January 16, 2020 to City Council.

Commissioner Mansfield asked, how does staff suggest the City be involved in support and foster local businesses and promote family wage jobs? What do cities do to promote and support local businesses and support family wage jobs in a particular area? Ms. Paladino responded it is allowing for better and easier use of home occupations. They have not picked a solution to family wage jobs. It could be bringing in businesses that may help people that live there.

Commissioner Mansfield asked, is staff suggesting that the City taxes should be spent for increasing quality and range of housing options? There are a lot of possibilities. Ms. Paladino replied that it is the entire gamut of possibilities. Everything from potentially funding from the Medford Urban Renewal Agency to help for housing rehabilitation using some of the CDBG dollars. Looking at opportunities for changes along the commercial core (vacant lots how to get

people to want to build multi-family or mixed-use) and promoting the neighborhood as a location that is close to Downtown. Infill strategies would be looking at the zoning use possibilities.

Commissioner Mansfield asked, what is the motel issues about? Ms. Paladino stated that there is a lot of crime at the hotels in the area that are causing issues to the neighborhood. In some of the locations the police are getting over four hundred calls per year. Commissioner Mansfield asked, how does Planning play a part in solving that? Ms. Paladino replied that there is a pilot that happened with Motel 6 through the Police Department that helped reduce the number of calls and crime occurring. Eric Mitton, Deputy City Attorney reported that it is under the chronic nuisance property ordinance. When there is a certain number of certain types of calls for service the City can reach out and state that the business needs to setup an abatement plan to address the issues. If they don't the City has the ability to shut down the business for a twelve month window. That brought Motel 6's corporate counsel to make changes on how they do business. They brought in on-site private security. They number of theft and drug calls have plummeted at Motel 6 south. That is a good model of how an affordable motel can successfully address some of the drug and crime issues while still catering to the affordable market. Ms. Paladino stated that there are strong feelings from some of City Council members that they would like the City to buy some of the motels and change them into different types of housing.

Chair McKechnie asked, is there enough single family housing for the neighborhood to survive? He is wondering if that is not the solution they want to spend money on. Ms. Paladino reported that the General Land Use Plan designations in some of the area are MFR designations. Areas that are SFR-10 need to be rezoned. The lots are small so the impact should be minimal. There would be small increments of units. The idea is not to disrupt the residential core but make changes to the outer edges.

Commissioner McFadden asked, how do we protect the existing housing? Vice Chair Foley commented that the committee talked about an overlay that allows more flexibility to put duplexes. Also, mixing businesses and residential together. Residents that engaged heavily with the committee basically owned a single-family home.

Chair McKechnie commented that other jurisdictions have created an enterprise zone for something like this. It comes with a monetary incentive to redevelop.

Commissioner Mansfield stated that enterprise zones means the rest of the taxpayers subsidize that area. He is not necessarily opposed to that but he is speaking reality.

Chair McKechnie commented not necessarily. The development pays the impact of whatever that development is by fees like System Development Charges.

Commissioner Pulver asked, does the Medford Urban Renewal Agency own this going forward and how do we prioritize projects? Ms. Paladino responded that it would be multi-departmental. For bicycle and pedestrian projects annually the Transportation System Plan has funding that is fluid. Could the Bicycle and Pedestrian Advisory Committee prioritize some of the things happening in Liberty Park in the next biennium? The Medford Urban Renewal Agency has an advisory committee that are looking at land reconfiguration and the crossing at Jackson. The Parks Department probably has a piece in terms of the Greenway.

Commissioner Pulver asked, who owns and is responsible for the Greenway? Ms. Paladino responded the Parks Department.

Commissioner Pulver asked, does the Oregon Department of Transportation (ODOT) have jurisdiction on Riverside, Court and Central? Ms. Paladino replied they are our streets, however, if the City impacts anything north or south on ODOT's facilities they will have to be identified.

Commissioner McManus's understanding is that on the outer edges of Liberty Park if there is some type of a configuration pilot or test the zones would be changed. He is on the MURA Advisory Committee. At the collaboration of making sure some of the outer boundary changes will be reflected to take advantage of some of the Transportation changes. Ms. Paladino replied that staff updated the text about the lane reconfiguration to two travel lanes, one bike lane and parking.

Chair McKechnie commented on the design standards stating that in a transitional neighborhood they tend to be a "buzz kill" on stuff. He suggested to be careful of imposing design standards on this. Rather than doing an enterprise zone perhaps the first project in or the second project gets a waiver on fees or additional design support. Ms. Paladino stated that the design standards would also be site standards.

100. Adjournment

101. The meeting was adjourned at approximately 12:42 p.m.

Submitted by:



Terri L. Richards

Recording Secretary

Exhibit J



JACKSON COUNTY *Roads*

Roads Engineering

Chuck DeJanvier
Construction Engineer

200 Antelope Road
White City, OR 97503
Phone: (541) 774-6255
Fax: (541) 774-6295
DeJanvCA@jacksoncounty.org
www.jacksoncounty.org

October 25, 2019

Attention: Carla Paladino
Planning Department
City of Medford
200 South Ivy Street, Lausmann Annex, Room 240
Medford, OR 97501

RE: Comprehensive Plan Amendment to incorporate the Liberty Park Neighborhood Plan into the Neighborhood Element and Goals and Policies section of the Comprehensive Plan.
Planning File: CP-19-004

Dear Carla:

Thank you for the opportunity to comment on the request for Comprehensive Plan Amendment to incorporate the Liberty Park Neighborhood Plan into the Neighborhood Element and Goals and Policies section of the Comprehensive Plan. Jackson County Roads have the following comments:

1. Please contact the Oregon Department of Transportation for comments.

If you have any questions or need further information feel free to call me at 774-6255.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Chuck DeJanvier'.

Chuck DeJanvier
Construction Engineer

Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 10/30/2019
Meeting Date: 11/6/2019

LD File #: CP19004

Planner: Carla Paladino

Applicant: City of Medford

Site Name: Liberty Park Neighborhood

Project Location: Liberty Park Neighborhood

Project Description: Legislative amendment to incorporate the Liberty Park Neighborhood Plan in to the Neighborhood Element Goals and Policies section of the Comprehensive Plan.

Visit
<http://www.ci.medford.or.us/SIB/files/Liberty%20Park%20NH%20Plan%20-%20Revised%20Oct2019.pdf>

Specific Development Requirements for Access & Water Supply

Reference	Description	Conditions
Approved	Approved as submitted with no additional conditions or requirements.	

Construction General Information/Requirements

Development shall comply with access and water supply requirements in accordance with the Oregon Fire Code in affect at the time of development submittal. Fire apparatus access roads are required to be installed prior to the time of construction. The approved water supply for fire protection (fire hydrants) is required to be installed prior to construction when combustible material arrives at the site.

Specific fire protection systems may be required in accordance with the Oregon Fire Code. This plan review shall not prevent the correction of errors or violations that are found to exist during construction. This plan review is based on information provided only.

Design and installation shall meet the Oregon requirements of the International Fire, Building, Mechanical Codes and applicable NFPA Standards.

Medford Fire-Rescue, 200 S Ivy St. Rm 180, Medford OR 97501 541-774-2300

www.medfordfirerescue.org



MEMORANDUM

To: Carla Angeli Paladino, Planning Department
From: Chad Wiltrout, Building Department (541) 774-2363
CC: Applicant, City of Medford
Date: November 5, 2019
Subject: CP-19-004_Major Comp Plan Amendment – Liberty Park Neighborhood Plan

Please Note:

This is not a plan review. Unless noted specifically as Conditions of Approval, general comments are provided below based on the general information provided; these comments are based on the 2019 Oregon Structural Specialty Code (OSSC) unless noted otherwise. Plans need to be submitted and will be reviewed by a commercial plans examiner, and there may be additional comments.

Fees are based on valuation. Please contact Building Department front counter for estimated fees at (541) 774-2350 or building@cityofmedford.org.

For questions related to the Conditions or Comments, please contact me, Chad Wiltrout, directly at (541) 774-2363 or chad.wiltrout@cityofmedford.org.

General Comments:

1. For list of applicable Building Codes, please visit the City of Medford website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Design Criteria" on left side of screen and select the appropriate design criteria.
2. All plans are to be submitted electronically. Information on the website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Electronic Plan Review (ePlans)" for information.
3. A site excavation and grading permit will be required if more than 50 cubic yards is disturbed.



MEDFORD
BUILDING SAFETY

4. A separate demolition permit will be required for demolition of any structures not shown on the plot plan.

Comments:

5. Permits required for any new structures or additions.

Bicycle and Pedestrian Advisory Committee Minutes



MEDFORD
OREGON

(Draft Excerpt)
December 9, 2019
5:15 P.M.
Lausmann Annex, Room 151
200 S. Ivy Street
Medford, OR 97501

Exhibit M

The regular meeting of the Landmarks and Historic Preservation Commission was called to order at 5:15 PM in the Lausmann Annex Room 151 200 S. Ivy Street, Medford, Oregon on the above date with the following members and staff in attendance:

Commissioners Present

Jeff Roberts
Erika Balbier
Robert Bierma
Suzanne Schroeder

Commissioners Absent:
Joe Smith

Staff Present

Christina Charvat, Public Works
Haley Cox, Parks and Recreation
Chris Olivier, Planning Department
Carla Paladino, Planning Department
Harry Weiss, MURA Director

10. Roll Call

20. Approval of Minutes

20.1 November 11, 2019 Minutes, tabled for the January 13, 2020 meeting.

30. Oral Requests and Communications

- Mr. Olivier invited the Bicycle and Pedestrian Advisory Commission to the AARP Regional Livability Solutions Forum. The meeting will be held Wednesday, December 11, 2019.

40. New Business

40.1 Liberty Park Plan/Mura Update (Carla Paladino and Harry Weiss)

- Ms. Paladino presented a PowerPoint presentation of the Liberty Park Plan.
 - Ms. Paladino said that the boundaries of the project encompassed land south of McAndrews, west of Interstate-5, north of Jackson Street, and east of the railroad tracks.
 - Project scope: Create an updated plan for the neighborhood, help realize a new vision for the neighborhood, MURA adopted a substantial amendment that was approved in April 2018.
 - Public Outreach: Stakeholders Interviews, Neighborhood Advisory Committee meetings, open houses, and community surveys.
 - Summary of Plan: Plan goals, land use recommendations, transportation recommendations.
-

- **Goal Statements:** Create a safe neighborhood, minimize crime and impacts of homelessness, enhance places and lives, increase quality and range of housing options, support, and foster local businesses, and promote family-wage jobs and educational opportunities. Make better connections to the Greenway, Downtown, and other neighborhoods.
- **Land Use Review:** Look for infill and redevelopment opportunities, enhance the Bear Creek Greenway and park spaces, partner with law and code enforcement to address negative activities, evaluate uses, GLUPs and zoning, create site and design standards.
- **Transportation projects:** There are 22 projects outlined under eight main categories, projects address all modes, test ideas with pilot projects.
- **Traffic Calming** to reduce the speed limit to 20 mph on residential streets. MURA will request for City Council to allow for the reduction of the residential core to MPH on December 19, 2019.
- **Lane Reconfiguration:** Modify the configuration on Riverside and Central to slow traffic, add bicycle lanes to provide connectivity and opportunity to travel along roadways, add some landscaping as barriers to separate the vehicles from bicycles, fewer travel lanes make it easier for pedestrians to cross major streets.
- **MURA Consideration:** Restripe Central, Edwards to Jackson. Restriping with two vehicle lanes, parking, and buffered bicycle lanes.
- **Bicycle Network:** Add sharrows and signage to the street letting people know to share the roadways with bicyclist, help make the connection from the neighborhood to Downtown, TSP includes a project that would add bicycle facilities.
- **Pedestrian Crossing:** Make it safer for pedestrians to get to businesses, services and to the Greenway, looks at adding continental striped crosswalks at Central and Beatty, Court/Central and Edwards, and Austin and Riverside, Beatty and Austin would also include rectangular rapid flashing beacons to enhance safety and provide additional triggers for motorist to be aware of pedestrian crossing.
- **Greenway crossings** from Manzanita, Alice, Edwards, Austin, find the best location to provide crossing after further study.
- **Sidewalk Infill:** Plan includes a project to install missing sidewalk within the residential core of the neighborhood and outer commercial/industrial areas. Approximately three miles of sidewalk infill are proposed to be installed to provide safe places for residents and visitors to walk and visit.
- **Bus Stop Relocations:** there are three existing bus stops along Riverside and four along Court/Central. The project would look at relocating three of the locations in coordination with the pedestrian crossing enhancement at these locations. Coordination with RVTD will be needed.
- **Alley Improvements:** Since the open house in July, an alley improvement project was added to the list of projects to create better access to existing homes and provide opportunities for storm water drainage and improve aesthetics and how the space functions. The project is looking at four main alleys located within the core.

**Bicycle and Pedestrian Advisory Committee
December 9, 2019**

- The next steps for the draft plan are: Planning Commission on Thursday, December 12, 2019, City Council Hearing scheduled for January 16, 2020, and begin working on the implementation plan (land use and transportation).
- Ms. Paladino and Mr. Weiss asked for direction from the Committee.

Motion: BPAC is in support for the 20 mph speed limit.

Motion moved by: Mr. Roberts

Seconded by: Ms. Schroeder

Motion passes

Motion: BPAC supports the restriping of Central Avenue with two vehicle lanes, parking and buffered bicycle lane.

Motion moved by: Mr. Roberts

Seconded by: Ms. Schroeder

Motion passes

Motion: BPAC supports the Liberty Park Neighborhood Plan

Motion Moved by: Mr. Roberts

Seconded by: Ms. Schroeder

Motion passes.

PLANNING COMMISSION MINUTES



MEDFORD
OREGON

(Draft Excerpt)
December 12, 2019
5:30 P.M.

Medford City Hall, Council Chambers
411 West 8th Street, Medford, Oregon

Exhibit N

The regular meeting of the Planning Commission was called to order at 5:30 PM in the Medford City Hall, Council Chambers, 411 West 8th Street, Medford, Oregon on the above date with the following members and staff in attendance:

Commissioners Present

Mark McKechnie, Chair
Joe Foley, Vice Chair
David Culbertson
Bill Mansfield
David McFadden
E.J. McManus
Jeff Thomas

Staff Present

Kelly Evans, Assistant Planning Director
Carla Paladino, Principal Planner
Madison Simmons, Senior Assistant City Attorney
Alex Georgevitch, City Engineer
Terri Richards, Recording Secretary
Dustin Severs, Planner III
Sarah Sousa, Planner IV

Commissioner Absent

Jared Pulver, Excused Absence

10. Roll Call

50. Public Hearings

Madison Simmons, Senior Assistant City Attorney read the Quasi-Judicial statement.

New Business

50.4 CP-19-004 A legislative amendment to incorporate the Liberty Park Neighborhood Plan into the Neighborhood Element and Goals and Policies section of the Comprehensive Plan. Applicant, City of Medford; Planner, Carla Paladino.

Chair McKechnie inquired whether any Commissioners have a conflict of interest or ex-parte communication they would like to disclose. Vice Chair Foley disclosed that he was on the Liberty Park Neighborhood Advisory Committee but it would not affect his decision.

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

Planning Commission Minutes
December 12, 2019

Carla Paladino, Principal Planner reported the Type IV Major Comprehensive Plan Amendment can be found in the Medford Land Development Code Sections 10.214 and 10.220. The applicable criteria were addressed in the staff report, included with the property owner notices, and hard copies are available at the entrance of Council Chambers for those in attendance. Ms. Paladino gave a staff report.

The public hearing was opened.

a. Lucas M. Hanson, 523 N. Riverside Avenue, Medford, Oregon, 97501. Mr. Hanson commented that he received a letter stating that in order to have an opinion in the future on any further proceedings he needed to attend this meeting in favor or opposed to the proposal. He is not sure if he is in favor or opposed to the proposal.

a. Mike Miles, 1203 Riverside Avenue, Medford, Oregon, 97501. Mr. Miles would like to see things get started. There have been four or five meetings. In the last five years Liberty Park has gone downhill. Sidewalks are needed right now to get the energy going. Put a sidewalk on Niantic and Manzanita would connect downtown to that area between Central and Riverside.

The public hearing was closed.

Main Motion: The Planning Commission, based on the findings and conclusions that all of the applicable criteria are satisfied or not applicable, forwards a favorable recommendation for approval of CP-19-004 to the City Council per the staff report dated December 5, 2019, including Exhibits A through L.

Moved by: Vice Chair Foley

Seconded by: Commissioner McFadden

Amended motion: Add Mr. Miles recommendation that the City Council direct the Engineering Department and Public Works Department to move forward as quickly as possible for public improvements within the area mentioned by Mr. Miles.

Moved by: Commissioner McFadden

Seconded by:

Motion failed due to no second,

Roll Call Vote on Main Motion: Motion passed, 7-0-0.



AGENDA ITEM COMMENTARY

DEPARTMENT: Legal Department
PHONE: (541) 774-2020
STAFF CONTACT: Eric B. Mitton, Deputy City Attorney

AGENDA SECTION: Public Hearings
MEETING DATE: January 16, 2020

Consideration of an appeal of a "Notice of Sidewalk Abatement Assessment" regarding the sidewalks at Wolf Run Drive/Highcrest – Parcel 371W23CC 2600.

SUMMARY AND BACKGROUND

Council is requested to hear an appeal of a "Notice of Sidewalk Abatement Assessment" regarding the sidewalks at Wolf Run Drive/Highcrest, Oregon – Parcel 371W23CC 2600. This particular parcel is a common area within the Meadows at Creekwood Village housing development.

PREVIOUS COUNCIL ACTIONS

On June 15, 2017, Council held an appeal hearing related to a Public Works administrative decision that the sidewalks in the common area of the development at Wolf Run Drive and Eagle Trace Drive are defective and need to be repaired. The hearing was tabled.

On May 17, 2018, Council held the continued hearing related to the Public Works administrative decision. Council denied Appellants' appeal, finding that David and Elahe Young were personally liable for the repairs and necessarily finding that the repairs were necessary.

ANALYSIS

Since Council's decision on May 17, 2018, no progress was made on repairing the sidewalks at issue. Ultimately, in October 2019, the City (through a contractor) repaired the sidewalks itself. Because the Youngs have taken the position that the May 17, 2018 decision is not binding on them, future legal action may be needed to secure repayment. That is not the issue for this proceeding, however.

For this proceeding, the only question is whether the lien placed on the real property itself is appropriate. Appellants' notice of appeal does not articulate a challenge to the existence of a lien on the real property, nor does it articulate a challenge to the magnitude of the lien on the real property.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

The lien would be in the amount of \$21,800.00 (contractor cost plus 25% administrative fee). Because the real property upon which the lien would be placed is a common area within a residential subdivision, the lien is not expected to result in immediate repayment of that cost, and other legal action may be necessary. However, the lien does create another possible source of repayment of the City's cost in repairing the sidewalk.

TIMING ISSUES

None.



COUNCIL OPTIONS

Affirm the lien assessment and deny the appeal.

Deny the lien assessment and affirm the appeal.

STAFF RECOMMENDATION

Staff recommends affirming the lien assessment and denying the appeal.

SUGGESTED MOTION

I move to affirm the lien assessment and deny the appeal.

EXHIBITS

Executive summary, including exhibits



MEMORANDUM

To: Mayor and Council
From: Eric B. Mitton, Deputy City Attorney
Meeting Date: January 16, 2020
Subject: Executive Summary

DESCRIPTION

Consideration of an appeal of a “Notice of Sidewalk Abatement Assessment” regarding the sidewalks at Wolf Run Drive/Highcrest, Oregon – Parcel 371W23CC 2600. This particular parcel is a common area within the Meadows at Creekwood Village housing development.

As background context, these particular sidewalks have been the subject of multiple prior City Council meetings (specifically June 15, 2017, and May 17, 2018). During the May 2018 proceeding, Council determined that David and Elahe Young were personally liable for the sidewalk repairs and could not deflect liability onto a dissolved corporation that had never been funded for these sorts of repair purposes (though they could seek reimbursement from the residents of the subdivision). After that meeting, no action was taken by either Dr. Young or residents of the subdivision to repair the sidewalks. Eventually, the City of Medford repaired the sidewalks itself in October 2019. The Youngs have refused to reimburse this amount pursuant to Council’s prior decision, so Circuit Court action may be required to obtain payment from the Youngs personally.

This particular appeal proceeding, however, does not address Dr. Young’s personal liability. Instead, as part of routine practice, the City places a lien on any real property where such abatement has occurred until the City is repaid. It is unlikely that this particular lien will result in reimbursement unless redevelopment of the area occurred, since the parcel at issue is a common area and not a housing lot. Nevertheless, City staff, as regular practice, intends on placing a lien in addition to pursuing reimbursement from Dr. Young personally.

David and Elahe Young, through their attorney, filed a notice of appeal, stating objection “to a sidewalk abatement assessment to the extent the city seeks to hold them individually liable.” Although the City does intend on holding the Youngs individually liable—consistent with Council’s prior decision on that issue—this particular lien assessment is not part of that process. This lien is against the real property itself, not any

RE: Enter Subject Here
Study Session Date: Month DD, YYYY

individual person. City staff explained this to the Youngs' attorney, but the Youngs have not withdrawn their appeal.

WHAT ARE THE ISSUES BEFORE CITY COUNCIL?

The sole issues before City Council for this particular proceeding are whether the City should place a lien on this property in connection with sidewalk abatement that the City performed on that property, and whether the amount of that lien is appropriate.

The issue of whether the sidewalks needed repair is not before City Council. That was necessarily decided by City Council on May 17, 2018 when Appellants' last sidewalk appeal was decided.

CITY COUNCIL SCOPE OF REVIEW AND CODE CRITERIA

The applicable procedure for this hearing, including City Council's scope of review, is listed in Medford Municipal Code Sections 1.025(4), 3.030(3) and 5.535(1) and (2). Section 1.025(4) states:

At the hearing the appellant or other parties interested may present witnesses and offer evidence in support of their case and, in the discretion of the council or appellate board, evidence may be heard to sustain the administrative decision.

Section 3.030(3) states:

The Public Works Director or designee shall cause a record to be kept of the cost incurred to repair the sidewalk, including a charge of 25 percent or \$15, whichever is greater, for engineering and administration, and shall file a statement of costs with the City Recorder, who may then assess the costs on the property as provided in Section 5.535.

Sections 5.535(1) and (2) state:

(1) The City Recorder shall mail notice of the assessment for the cost of nuisance abatement to the property owner or his agent, stating:

(a) The date the notice is mailed;

(b) The cost of abatement;

(c) That the cost will be assessed to and become a lien against the property for the amount indicated;

(d) That objections to the proposed assessment must be made in writing and filed with the Recorder not more than 15 days after mailing the notice.

(2) Not less than 15 days after the date of the notice, objections to the proposed assessment shall be heard and determined by the Council in its regular course of business.

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As such, potential questions on appeal of the lien assessment are whether the cost of abatement was correctly calculated, and whether entry of a lien against the real property is appropriate.

CHRONOLOGY

1. On March 15, 2017, a letter was sent to David and Elahe Young informing them that the sidewalks and curb ramps fronting Wolf Run Drive and Eagle Trace Drive were defective and required repair.
2. On June 15, 2017, Mr. Iraj Ostovar appeared at a public hearing before City Council in Dr. Young's place and asserted that four other individuals besides Dr. Young were contacts for "Meadows at Creekwood Home Owners Association." However, Mr. Mark Knouff, one of those four individuals, appeared at the public hearing and asserted that the homeowners' association had yet to be established. The sidewalk appeal was tabled by Council so that staff could also provide notice to Meadows at Creekwood Home Owners Association through its registered agent Dr. Young.
3. On May 17, 2018, the continued hearing was brought back to City Council. No repairs had been made, and the homeowner's association remained administratively dissolved. Dr. Young and his attorney, Mr. Talmadge, testified. After a lengthy hearing, Council determined that David and Elahe Young should be personally liable for the sidewalk repairs and denied the appeal. In denying the appeal, Council also necessarily decided that the sidewalks did indeed need repairs, a point David and Elahe Young had never substantively disputed.
4. On May 19, 2018, Dr. Young submitted a sidewalk repair permit request. However, sidewalk repairs were never performed.
5. On June 19, 2018, Dr. Young wrote to the Mayor, City Council, and the Deputy City Attorney, requesting that the city take no action with respect to the sidewalk until after appeal deadlines from the Council's decision had run, and stating that repair estimates were being obtained in case David and Elahe Young did not appeal further. No further appeal was filed, and no repairs were made.
6. Between June 2018 and October 2019, counsel for the City and counsel for the Youngs communicated repeatedly. Assurances were made that the issue would be resolved imminently, which never materialized. Counsel for the Youngs made clear

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that the Youngs did not consider themselves bound by Council's decision of May 17, 2018.

7. In October 2019, the City of Medford, acting through a contractor, repaired the sidewalks. The contractor invoiced the City \$17,440.00. That sum, plus the 25% administrative fee mandated by MMC 3.030(3), totals \$21,800.00.
8. On October 31, 2019, the City of Medford mailed a "notice of sidewalk abatement assessment" in the amount of \$21,800.00 to "Meadows at Creekwood Village H.O.A., Attn Dr. David Young." Meadows at Creekwood Village H.O.A. is the dissolved corporation that remains the record owner of the parcel at issue. Dr. David Young is the last individual who served as that now-dissolved corporation's registered agent and was served with this particular notice in that capacity.
9. On November 11, 2019, David and Elahe Young, through their attorney Mr. Talmadge, filed an appeal stating "Dr. David Young and Elahe Young object to a sidewalk abatement assessment to the extent the city seeks to hold them individually liable," and telling the City to pursue a remedy against the long-dissolved corporation "Meadows at Creekwood Village H.O.A."
10. Since November 11, 2019, counsel for the City has repeatedly asked Appellants to withdraw the appeal, since the basis of the appeal (disputing Council's prior decision regarding personal liability) does not relate to the matter being appealed (assessment of an abatement lien against personal property). Appellants have not withdrawn the appeal.

CITY COUNCIL OPTIONS

After considering the testimony and evidence that staff and Appellants provide before and during her hearing before City Council, Council can either:

- (1) Find that the lien assessment against the real property in the amount of \$21,800 is warranted and deny the appeal, or
- (2) Find that the lien assessment against the real property in the amount of \$21,800 is unwarranted and grant the appeal.

RECOMMENDATION

Appellants' notice of appeal does not articulate any reason why a lien should not be placed on the real property at issue for the sidewalk abatement that the City of Medford

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performed in October 2019. Staff recommends denying the appeal and affirming the lien assessment.

EXHIBITS

- 1 Invoice for sidewalk repairs
- 2 Assessment letter
- 3 Notice of appeal



Invoice INV0052

NAME The City Of Medford
 ADDRESS 200 S. Ivy Medford OR. 97501
 EMAIL ken.parducci@cityofmedford.org
 DATE October 21, 2019
 DUE October 31, 2019

Tavin Jessen Concrete LLC
 Tavin
 975 Dahlia Ter. Eagle point OR. 97524
 541-538-9112
 tjessen1@outlook.com

DESCRIPTION	UNIT PRICE	QTY	TOTAL
Wolf Run <i>12 sidewalk grinds at \$150 = \$1,800</i> <i>12 sidewalk panels demo and re-pour \$13.25 a Square foot = \$4,000</i> <i>Wheelchair ramp rip out and replace = 4,500</i> <i>Sidewalk gap repair \$21.25 a lineal foot 336ft = \$7,140</i>			\$17,440.00
		SUBTOTAL	\$17,440.00
		TOTAL	\$17,440.00
		PAID	\$0.00
		DUE	\$17,440.00

Payment instructions

By check
 Make checks payable to: Tavin Jessen Concrete



MEDFORD
CITY MANAGER'S OFFICE

October 31, 2019

Meadows at Creekwood Village H.O.A.
Attn: Dr. David Young
348 S. Modoc Avenue
Medford, OR 97504

Meadows at Creekwood Village H.O.A.
Attn: Dr. David Young
1309 NE Sixth Street
Grants Pass, OR 97526

NOTICE OF SIDEWALK ABATEMENT ASSESSMENT

Legal registered owner or agent of the following real property: Wolf Run Drive/Highcrest, Medford, Oregon – Parcel 371W23CC 2600

Per Medford Code Section 5.535 you are hereby notified that the above property owes **\$21,800.00** to the City of Medford for sidewalk abatement services performed at the above property. Enclosed is the invoice for that service.

Objections to the proposed assessment must be made in writing and filed with the City Recorder not more than 15 days after the mailing of this notice. This assessment will become a lien against the property for the amount indicated with an annual interest rate of 18%.

An error in the name or address of the owner or agent in charge of the property or failure to receive the notice of assessment shall not render the assessment void, but it shall remain a valid lien against the property.

Karen M. Spoonts, MMC
City Recorder

Mailing Date: October 31, 2019
Deadline to Object: November 15, 2019

Attachment: Invoice

Cc: Nepheli Sparks, Engineering



City of Medford
 411 W. 8th Street
 Medford, OR 97501
 541-774-2030

INVOICE

Customer Type: SIDEWALK
 Customer Number: C00109028
 Invoice Number: IN022254
 Invoice Date: 10/30/19
 Terms: DUE UPON RECEIPT

To: MEADOWS AT CREEKWOOD VILLAGE H.O.A.
 Attn: DR DAVID F YOUNG
 348 S Modoc Ave
 MEDFORD, OR 97504

Trans Date	Description	Amount
10/30/19	WOLF RUN DR Case #17-00874 Sidewalk Abatement Lien #2019-36	21,800.00
Total Due		21,800.00

Tax Lot 371W23CC2600

PLEASE RETURN THIS PORTION WITH YOUR PAYMENT

Please make checks payable to:



City of Medford
 Attn: Finance Dept.
 411 W. 8th Street
 Medford, OR 97501
 541-774-2030

Customer Type: SIDEWALK
 Customer Number: C00109028
 Invoice Number: IN022254
 Invoice Date: 10/30/19
 Total Amount Due \$ 21,800.00

Total Payment \$ _____

Edward H. Talmadge P.C.
Attorney at Law

135 5th Avenue SW
Albany, OR 97321

Phone: 541-500-8082
Fax: 503-563-7593
talmadgefirm@gmail.com

Via First-Class Mail and Email

recorder@cityofmedford.org
eric.mitton@cityofmedford.org

November 11, 2019

Karen M. Spoonts, MMC
City Recorder
411 West 8th Street
Medford, OR 97501

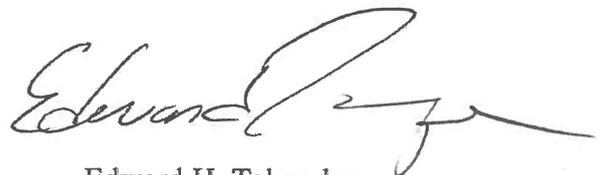
Eric Mitton
City Attorney's Office
411 West 8th Street, Room 332
Medford, Oregon 97501

OBJECTION TO SIDEWALK ABATEMENT ASSESSMENT

Dr. David Young and Elahe Young object to a sidewalk abatement assessment to the extent the city seeks to hold them individually liable.

The city's proper remedy is against Meadows at Creekwood Village H.O.A. The H.O.A's attorney is Milan Hanson. His contact information is 800 W 8th Street, Medford, OR 97501, 541-776-3405, milan@southernoregonlaw.com.

Sincerely Yours,



Edward H. Talmadge
Attorney at Law

EHT: tr
enclosure
cc: client
Milan Hanson by email and first-class mail