



Medford City Council Meeting

Agenda

February 21, 2019

6:00 P.M.

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

10. Roll Call

Employee Recognition

20. Recognitions, Community Group Reports

20.1 Quarterly Economic Development update by Colleen Padilla of SOREDI

20.2 Audit Report by Moss Adams

30. Oral Requests and Communications from the Audience

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

40. Public Hearings

50. Approval or Correction of the Minutes of the February 7, 2019 Regular Meeting

60. Consent Calendar

60.1 COUNCIL BILL 2019-09 An ordinance awarding a contract in an amount of \$199,700 to Van Row Mechanical for replacement of the air-conditioning system located in the Lausmann Annex.

60.2 COUNCIL BILL 2019-10 An ordinance awarding a contract in an amount of \$47,170 to S&S Sheetmetal, Inc. for modification to the ventilation duct system located in the Lausmann Annex.

60.3 COUNCIL BILL 2019-11 An ordinance awarding a contract in an amount of \$181,095 to J. Copeland Construction, Inc. for installation of storm drain improvements on Cherry Street from Prune Street to Lewis Park.

60.4 COUNCIL BILL 2019-12 An ordinance authorizing execution of a Purchase and Sale Agreement in the amount of \$175,000 for purchase of right-of-way from Phoenix-Talent School District for the realignment of Coal Mine Road.

70. Items Removed from Consent Calendar

80. Ordinances and Resolutions

90. Council Business

90.1 Proclamations issued: None

90.2 Committee Reports and Communications

100. City Manager and Staff Reports

100.1 Federal Legislative Agenda

100.2 MPO - Alternative Measures

100.3 Further reports from City Manager

110. Adjournment



CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 60.1

www.ci.medford.or.us

DEPARTMENT: Parks, Recreation, Facilities
PHONE: (541) 774-2483
STAFF CONTACT: Rich Rosenthal, Director

AGENDA SECTION: Consent Calendar
MEETING DATE: February 21, 2019

COUNCIL BILL 2019-09

An ordinance awarding a contract in an amount of \$199,700 to Van Row Mechanical for replacement of the air-conditioning system located in the Lausmann Annex.

SUMMARY AND BACKGROUND

Council is requested to approve a contract in the amount of \$199,700 with Van Row Mechanical, Inc., for emergency air conditioning system repairs at the Lausmann Annex.

PREVIOUS COUNCIL ACTIONS

On June 1, 2017, Council approved Council Bill 2017-57, adopting the 2017-19 biennial budget and making appropriations thereunder, including Facility Management maintenance funding.

ANALYSIS

In response to unanticipated and time-sensitive repairs to the heating, ventilation and air-conditioning (HVAC) system at the Lausmann Annex, the Facilities Management Division is requesting approval a \$199,700 contract with Van Row Mechanical, Inc., for air-conditioning system repairs.

The Lausmann Annex air-conditioning unit experienced a high rate of intermittent failures in 2018, and Facilities Management staff determined the most economical option is to replace the building's 22-year-old chiller and cooling tower.

The current cooling system has two compressors: one is no longer operational, and the other is plagued by high oil temperatures that cause sudden system outages. Redundant air-conditioning units of this size and type have a median life expectancy of 25 years, and short-term unit repairs are not advised, not cost-effective, or not a reliable investment of maintenance funds due to the system's age and reliance on obsolete refrigerants.

The Division intended to budget for and to replace the entire Lausmann Annex HVAC system during the 2019-21 biennium, but the rapid rate of deterioration of the air-conditioning system, the high risk for system outages this coming summer, and the lead time necessary to install a new cooling system prompted the expedited request.

The cost of short-term repairs, which cannot be guaranteed to be effective to nurse the system through the entire summer, is at least \$75,000, presuming parts are available in a timely manner. The remaining-fiscal-period Facilities Division operating budget is not capable of absorbing short-term repair or complete-unit replacement costs.

The benefits of installing a new chiller and cooling tower at this time are two-fold:

- Replacement is dependent on equipment availability as well as certified contractors who are skilled in heavy commercial installations. Neither may be available in a timely manner during hot-weather months should the system fail beyond repair.
- A new system will be up to 20 percent more energy efficient and use more earth-friendly refrigerants.

Because the overall cost exceeds \$100,000, Facilities Management conducted a low-bid procurement process for the air-conditioning system replacement project. Two contractors submitted bids:



CITY OF MEDFORD
AGENDA ITEM COMMENTARY

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Van Row Mechanical	\$199,700
Patterson Plumbing	\$298,765

If the proposed contract and funding source are approved, installation of the new system will begin immediately and could take up to 13 weeks for materials to arrive and to be installed. Unless there are extremely hot days in March, April and early May, the work is not expected to impact day-to-day operations at the Lausmann Annex.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

The City is to pay \$199,700. Funding is available from the City's General Fund contingency and will be brought back to Council in the next budget amendment on March 21, 2019. The General Fund contingency balance at the start of the biennium was \$13,727,000; the amount remaining after this transfer will be \$13,709,080.

TIMING ISSUES

Work to be completed by May 30, 2019.

COUNCIL OPTIONS

Approve the ordinance.
Reject the ordinance and provide direction to staff.

STAFF RECOMMENDATION

Staff recommends approval of contingency fund allocation.

SUGGESTED MOTION

I move to approve a contract in the amount of \$199,700 with Van Row Mechanical, Inc., for emergency HVAC repairs at the Lausmann Annex.

EXHIBITS

Ordinance
Van Row Mechanical, Inc. service contract (on file in City Recorder's office)

ORDINANCE NO. 2019-09

AN ORDINANCE awarding a contract in an amount of \$199,700 to Van Row Mechanical for replacement of the air-conditioning system located in the Lausmann Annex.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

That a contract in an amount of \$199,700 for replacement of the air-conditioning system located in the Lausmann Annex, which is on file in the City Recorder's office, is hereby awarded to Van Row Mechanical.

PASSED by the Council and signed by me in authentication of its passage this _____ day of _____, 2019.

ATTEST: _____
City Recorder

Mayor

APPROVED _____, 2019.

Mayor



CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 60.2

www.ci.medford.or.us

DEPARTMENT: Parks, Recreation, Facilities
PHONE: (541) 774-2483
STAFF CONTACT: Rich Rosenthal, Director

AGENDA SECTION: Consent Calendar
MEETING DATE: February 21, 2019

COUNCIL BILL 2019-10

An ordinance awarding a contract in an amount of \$47,170 to S&S Sheetmetal, Inc. for modification to the ventilation duct system located in the Lausmann Annex.

SUMMARY AND BACKGROUND

Council is requested to approve a contract in the amount of \$47,170 with S&S Sheetmetal, Inc., for ventilation system modifications at the Lausmann Annex.

PREVIOUS COUNCIL ACTIONS

On June 1, 2017, Council approved Council Bill 2017-57, adopting the 2017-19 biennial budget and making appropriations thereunder, including Facility Management maintenance funding.

ANALYSIS

In response to air-quality concerns at the Lausmann Annex, the Facilities Management Division is requesting approval a \$47,170 contract with S&S Sheetmetal, Inc., for modifications to the ventilation system.

If the contract is approved, the building's fresh-air intake ventilation duct will be relocated from the west side of the building to the central roof in order to improve air quality for 100 City employees working at Lausmann Annex as well as for building visitors.

The proposed repair addresses concerns brought forward by the Medford Water Commission (MWC) about frequent second-hand smoke and vehicle exhaust odors that are sucked into the building by the air-intake duct, which is located adjacent to the parking lot and within 25 feet of the designated resident smoking area for the Medford Plaza Apartments.

City staff efforts to work with the neighboring property owner about devising a mutually agreeable plan to relocate the smoking area, as well as requests to smoking area users were rebuffed and unsuccessful.

The MWC's share of the ventilation mitigation cost is \$10,783.06 based on its proportion of building occupancy. The overall cost share is:

City of Medford	\$36,386.94
Medford Water Commission	\$10,783.06
Total Cost	\$47,170.00

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

The City is to pay \$36,386.94; Medford Water Commission is to pay \$10,783.06. Funding is available from the City's General Fund contingency and will be brought back to Council in the next budget amendment on March 21, 2019. The General Fund contingency balance at the start of the biennium was \$13,727,000; assuming both Feb. 21 requests are approved, the amount remaining after this transfer will be \$13,658,605.

TIMING ISSUES

Work to be completed by May 30, 2019.



CITY OF MEDFORD
AGENDA ITEM COMMENTARY

Item No: 60.2

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COUNCIL OPTIONS

Approve the ordinance.

Reject the ordinance and provide direction to staff.

STAFF RECOMMENDATION

Staff recommends approval of contingency fund allocation.

SUGGESTED MOTION

I move to approve a contract in the amount of \$61,627 with S&S Sheetmetal, Inc., for emergency HVAC repairs at the Lausmann Annex.

EXHIBITS

Ordinance

S&S Sheetmetal, Inc. quote (on file in City Recorder's office)

MWC letter regarding Lausmann air-quality concerns

ORDINANCE NO. 2019-10

AN ORDINANCE awarding a contract in an amount of \$47,170 to S & S Sheetmetal, Inc. for modification to the ventilation duct system located in the Lausmann Annex.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

That a contract in an amount of \$47,170 for modification to the ventilation duct system located in the Lausmann Annex, which is on file in the City Recorder's office, is hereby awarded to S & S Sheetmetal, Inc.

PASSED by the Council and signed by me in authentication of its passage this _____ day of _____, 2019.

ATTEST: _____
City Recorder

Mayor

APPROVED _____, 2019.

Mayor



200 S. Ivy Street – Room 177, Medford, Oregon 97501
Customer Service (541) 774-2430 • Administration (541) 774-2440
Fax (541) 774-2555 • water@cityofmedford.org
www.medfordwater.org

January 10, 2019

Dear Ms. Cooper:

I am writing on behalf of the Medford Water Commission, regarding the Medford Plaza Apartments located at 235 S. Oakdale, adjacent to the MWC offices. For multiple months MWC has experienced a nearly constant smoke odor at some point during the day, due to residents of the apartments smoking on the northeast portion of their property. Unfortunately, that smoking area is located within 10 feet of the air intake for MWC. This is a violation of ORS 433.845.

MWC has communicated its frustration over the issue to City of Medford staff in the past and is still seeking resolution. The smoke odor has created a hazardous workplace, as employees routinely smell tobacco and marijuana smoke, just from being in the office. ORS 475B.381 states that it is unlawful for any person to engage in the use of marijuana in a public place.

We urge you to obtain an immediate resolution with the property owner to relocate the smoking area. The employees of MWC should not have to wait until air intakes are relocated for relief. If the City is unable to offer such assurances, please advise us, and we will refer this to the Oregon Health Authority to investigate the apartments for possible enforcement.

Thank you for your cooperation.

Brad Taylor
General Manager

CC. Brian Sjothun, Richard Rosenthal, Mark Bartholomew



CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 60.3

www.ci.medford.or.us

DEPARTMENT:	Public Works Department	AGENDA SECTION:	Consent Calendar
PHONE:	(541) 774-2100	MEETING DATE:	February 21, 2019
STAFF CONTACT:	Cory Crebbin, P.E., Public Works Director		

COUNCIL BILL 2019-11

An ordinance awarding a contract in an amount of \$181,095 to J. Copeland Construction, Inc. for installation of storm drain improvements on Cherry Street from Prune Street to Lewis Park.

SUMMARY AND BACKGROUND

Council is requested to authorize a construction contract with J. Copeland Construction, Inc., to extend storm drain improvements on Cherry Street from Prune Street to Lewis Park. The project under consideration is titled "Cherry Street Storm Drain Improvement Project" and will construct approximately 935 feet of underground storm drain pipe improvements within the Elk Creek drainage basin.

The project is included within the City of Medford's Comprehensive Storm Drainage Master Plan and within the 2017-2019 Adopted Biennial Budget as shown on page 8-49.

Following a two week advertising period, Public Works received and opened bids for the project on January 29, 2019. J. Copeland Construction, Inc., submitted the lowest responsible bid of \$181,095.00. Nine (9) bids were received and are shown on the attached Bid Summary.

PREVIOUS COUNCIL ACTIONS

On June 15, 2017, Council approved Council Bill 2017-57 adopting the City of Medford Budget for the biennium commencing July 1, 2017, and making appropriations thereunder.

ANALYSIS

This project is consistent with City of Medford's Comprehensive Storm Drainage Master Plan and provides the capacity needed to prevent a 10-Year storm event from overtopping the existing Elk Creek channel between Prune Street and Lewis Park. The additional capacity will be provided through installation of a 30 inch pipe placed beneath Cherry Street from Prune Street to Lewis Park.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

The construction contract is for \$181,095.00 and is budgeted within the Storm Drain Utility Fund. The project is included in the Biennial Budget 2017-2019 on page 8-49.

TIMING ISSUES

If Council authorizes a construction contract with J. Copeland Construction, Inc. the project may commence anytime thereafter. Once started, all work on the project shall be completed prior to the elapse of 60 calendar days or not later than August 30, 2019, whichever occurs first.

COUNCIL OPTIONS

Approve the ordinance as presented.

Modify the ordinance as presented.

Deny the ordinance or motion and provide direction to staff regarding the Cherry Street Storm Drain.

STAFF RECOMMENDATION

Staff recommends approval of the ordinance for a contract with J. Copeland Construction, Inc.

ORDINANCE NO. 2019-11

AN ORDINANCE awarding a contract in an amount of \$181,095 to J. Copeland Construction, Inc. for installation of storm drain improvements on Cherry Street from Prune Street to Lewis Park.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

That a contract in an amount of \$181,095 for installation of storm drain improvements on Cherry Street from Prune Street to Lewis Park, which is on file in the City Recorder's office, is hereby awarded to J. Copeland Construction, Inc.

PASSED by the Council and signed by me in authentication of its passage this _____ day of _____, 2019.

ATTEST: _____
City Recorder

Mayor

APPROVED _____, 2019.

Mayor

Project: Cherry Street Storm Drain Improvements

CITY OF MEDFORD

Location: Lewis Park to Prune Street

Project No: SD971

Date of Bid Opening: January 29, 2019

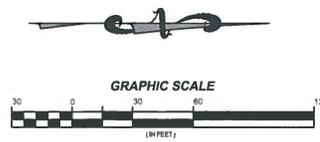
Proj Mgr: D. Hart / M. Lundberg



J Copeland Construction, Inc.	\$181,095.00
Central Pipeline, Inc.	\$215,952.00
Ledford Construction	\$249,293.00
Kogap	\$253,760.00
West Coast Pipe	\$254,138.25
LTM dba Knife River Materials	\$257,057.00
Pilot Rock Excavation, Inc.	\$266,199.00
Upper Rogue Excavation	\$303,714.00
JRT Construction, LLC	\$357,460.00



CITY OF MEDFORD
 DEPARTMENT OF PUBLIC WORKS
 ENGINEERING DIVISION



NO.	REVISION	DATE	BY
REVISED AS CONSTRUCTED BY			
CITY OF MEDFORD - ENGINEERING DEPARTMENT			
CHERRY STREET STORM DRAIN IMPROVEMENTS LEWIS PARK TO PRUNE STREET PROJECT MAP			
DESIGNED BY	M. LUNDENBERG	JULY 22/2016	PROJECT NO. SD971
DRAWN BY	D. HART	JULY 22/2016	
CHECKED BY (BY PROJECT MANAGER)			
APPROVED BY (BY ENGINEER)			SHEET NO. PM-1
DATE			



CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 60.4

www.ci.medford.or.us

DEPARTMENT:	Public Works Department	AGENDA SECTION:	Consent Calendar
PHONE:	(541) 774-2100	MEETING DATE:	February 21, 2019
STAFF CONTACT:	Cory Crebbin, P.E., Public Works Director		

COUNCIL BILL 2019-12

An ordinance authorizing execution of a Purchase and Sale Agreement in the amount of \$175,000 for purchase of right-of-way from Phoenix-Talent School District for the realignment of Coal Mine Road.

SUMMARY AND BACKGROUND

Council is requested to authorize payment to the Phoenix-Talent School District (School District) for right-of-way needed for the realignment of Coal Mine Road.

- The realignment of Coal Mine Road is identified as Project 481 in the Transportation System Plan (TSP) adopted by Council Bill 2018-126.
- Stonegate Planned Unit Development (PUD) improved approximately 350 feet of Coal Mine Road from the intersection of N. Phoenix Road to the east (the beginning of the realignment).
- Horse Arena development located on Coal Mine Road is being developed and needs roadway improvements to the existing Coal Mine Road and N. Phoenix Road intersection for safety.
- The developer of Horse Arena has agreed to construct the realigned portion of Coal Mine Road consistent with the TSP in lieu of doing work on the existing alignment if the City will obtain the needed right-of-way from the Phoenix-Talent School District.

Project 481 is a Tier II project that is anticipated to be developer constructed. When a developer dictates right-of-way for, and/or builds a higher order street, they are entitled to SDC credits. Because we do not know when or where development will build projects that will entitle them to these credits, we budget a lump sum. Project number SDC0000 covers these situations and can be found on page 8-54 of the adopted biennial budget.

PREVIOUS COUNCIL ACTIONS

On June 15, 2017, Council approved Council Bill 2017-57 adopting the City of Medford budget for the biennium commencing July 1, 2017, and making appropriations thereunder.

On November 15, 2018, Council approved Council Bill 2018-126 adopting a revised Transportation System Plan (2018-2038).

ANALYSIS

Stonegate PUD improved the realigned Coal Mine Road from the intersection of N. Phoenix Road approximately 350 feet to the east. The improved street ends at the School District property. Horse Arena subdivision is located east of the School District property and the traffic analysis requires a southbound left turn lane to be constructed at the intersection of N. Phoenix Road and the existing Coal Mine Road alignment because the realignment of Coal Mine Road has not been completed. The left turn lane would be SDC - creditable work performed by the developer on an intersection that will be closed once the realignment of Coal Mine Road is complete. The developer of Horse Arena asked staff to consider obtaining the right-of-way from the School District and in turn they will construct a half-street improvement along the realigned portion of Coal Mine Road.



CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 60.4

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If the right-of-way is obtained it allows for the completion of the Coal Mine Road realignment as envisioned in the TSP. Further, it does not create the potential for 'throw-away' work or duplicate work along N. Phoenix Road.

The right-of-way was valued by a State Licensed Appraiser and through negotiations with the Phoenix-Talent School District an amicable agreement was reached.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

Right-of-way acquisition in the amount of \$175,000. Funds for development-related right-of-way payments are included on page 8-54 of the Biennial Budget 2017-2019.

TIMING ISSUES

Horse Arena is currently under development and their next phase of development will need to be designed to either provide a left turn lane on N. Phoenix Road or construct a half-street improvement along the realigned Coal Mine Road. The developer is waiting on this decision to proceed with their next phase of development.

COUNCIL OPTIONS

Approve the ordinance as presented.

Modify the ordinance as presented.

Deny the ordinance or motion and provide direction to staff regarding the acquisition of right-of-way for the future realignment of Coal Mine Road.

STAFF RECOMMENDATION

Staff recommends approval of the ordinance for the purchase of right-of-way in the amount of \$175,000 with the Phoenix-Talent School District.

SUGGESTED MOTION

I move to approve the ordinance for the purchase of right-of-way in the amount of \$175,000 from the Phoenix-Talent School District.

EXHIBITS

Ordinance

Site Map

Portion of TSP Figure 20 showing Project 481

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

ORDINANCE NO. 2019-12

AN ORDINANCE authorizing execution of a Purchase and Sale Agreement in the amount of \$175,000 for purchase of right-of-way from Phoenix-Talent School District for the realignment of Coal Mine Road.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

That execution of a Purchase and Sale Agreement in the amount of \$175,000 for purchase of right-of-way from Phoenix-Talent School District for the realignment of Coal Mine Road, which agreement is on file in the City Recorder's office, is hereby authorized.

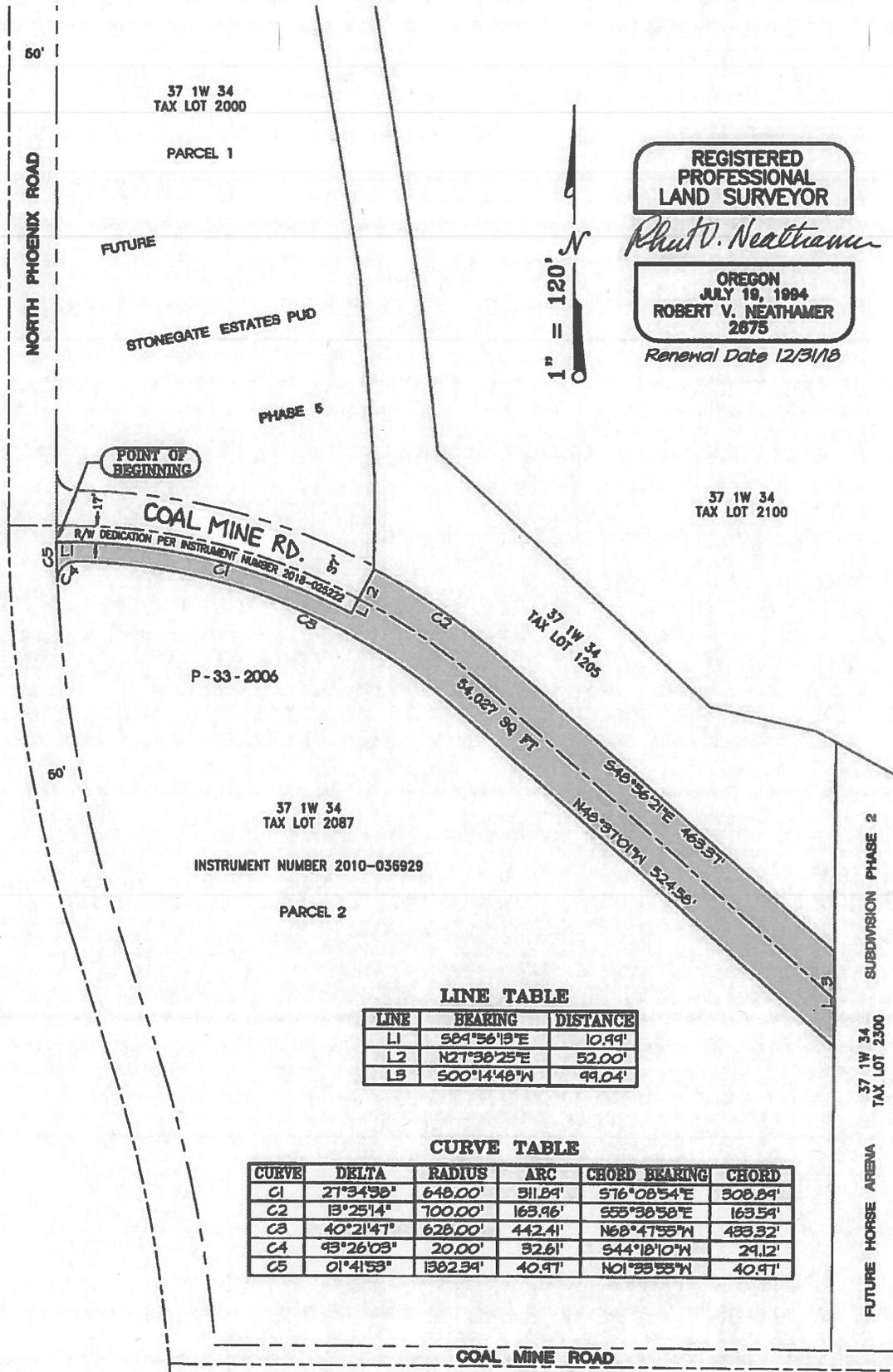
PASSED by the Council and signed by me in authentication of its passage this _____ day of _____, 2019.

ATTEST: _____
City Recorder

Mayor

APPROVED _____, 2019.

Mayor



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Robert V. Neathamer

OREGON
JULY 19, 1994
ROBERT V. NEATHAMER
2675

Renewal Date 12/31/18

1" = 120'

37 1W 34
TAX LOT 2000

PARCEL 1

FUTURE

STONEGATE ESTATES PUD

PHASE 6

POINT OF BEGINNING

COAL MINE RD.
R/W DEDICATION PER INSTRUMENT NUMBER 2018-025222

37 1W 34
TAX LOT 2100

37 1W 34
TAX LOT 1205

P-33-2006

37 1W 34
TAX LOT 2087

INSTRUMENT NUMBER 2010-036929

PARCEL 2

SUBDIVISION PHASE 2

37 1W 34
TAX LOT 2300

FUTURE HORSE ARENA

LINE TABLE

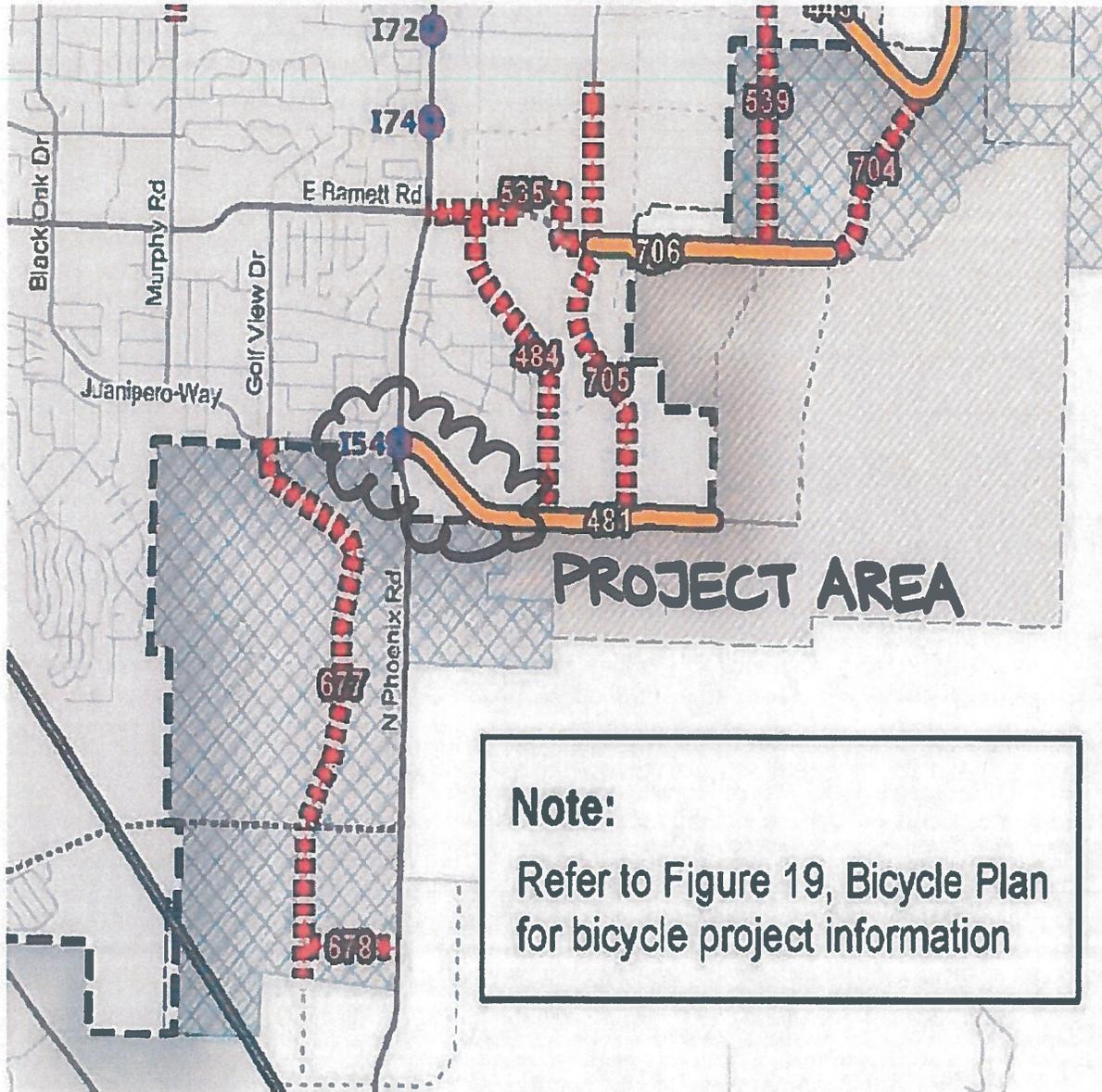
LINE	BEARING	DISTANCE
L1	S89°56'13"E	10.99'
L2	N27°38'25"E	52.00'
L3	S00°14'48"W	99.04'

CURVE TABLE

CURVE	DELTA	RADIUS	ARC	CHORD BEARING	CHORD
C1	27°34'38"	648.00'	311.89'	S76°08'54"E	308.89'
C2	13°25'14"	700.00'	163.96'	S55°38'58"E	163.59'
C3	40°21'47"	628.00'	442.41'	N68°47'58"W	483.32'
C4	93°26'03"	20.00'	32.61'	S44°18'10"W	29.12'
C5	01°41'53"	1382.34'	40.97'	N01°33'53"W	40.97'

COAL MINE ROAD

EXHIBIT MAP



PORTION OF TSP FIGURE 20



CITY OF MEDFORD
AGENDA ITEM COMMENTARY

Item No: 100.1

www.ci.medford.or.us

DEPARTMENT: City Manager's Office
PHONE: (541) 774-2000
STAFF CONTACT: Brian Sjothun, City Manager

AGENDA SECTION: City Manager's Report
MEETING DATE: February 21, 2019

CITY OF MEDFORD



2019 LEGISLATIVE AGENDA

GRANT REQUESTS

PROJECT DESCRIPTION

FEDERAL REQUEST

South Stage Overcrossing and Foothill Road Mega Corridor

\$25,000,000

The City of Medford is currently divided by Interstate 5 and Bear Creek with limited connectivity from east to west sides. Existing and planned urban areas are located on the eastside of I-5 while Medford's urban center, planned employment center, employment hubs, the region's largest urban trail system and the Bear Creek Greenway are located on the west side of the Interstate. The City is seeking funding to expand existing infrastructure and plan for a new overcrossing that together will address current and future demands for enhanced connectivity and access to employment.

This existing Foothill Road Corridor extends 11 miles through the center of Medford from neighboring small and rural communities northeast and south of the City, providing a critical connection through residential and commercial areas outside Interstate 5. However, the capacity of the Corridor needs to be expanded to sufficiently accommodate these demands and future residential, commercial, and industrial growth throughout the region.

Furthermore, completion of a new connection across the Interstate – the Stage Road Overcrossing – would connect the east and west sides of Interstate 5 and Bear Creek by providing connection for auto, bicycle and pedestrian travel that does not now exist between the two sides of the Interstate for three miles. The location of this overcrossing will also support future economic growth, provide alternate routes in the case of the Cascadia event and allow for connection of two regional trail networks and the north-south Bear Creek Greenway.

Account: Department of Transportation BUILD Program

Downtown "Livability Team" Police Force

\$375,000

The City of Medford is anxiously awaiting for the Department of Justice's to end its delay of releasing its FY17 and FY18 COPS Hiring grant program funds. Once the grant competition is announced, the City will be seeking funds to establish a new "Livability Team" to address issues associated with the City's homelessness population in its downtown core and assist in the abatement of nuisance properties through the City's Neighborhood Livability Partnership. Three officers and two support staff will be sought for this initiative to improve safety and general livability for all individuals in Medford. The addition of these positions will enhance the capabilities of the Medford Police Department by providing resources needed to curb systemic homelessness issues in Medford, ensure the levels of safety and security that are essential for a healthy downtown core, and adequately address the underlying issues of nuisance properties within the City.

Account: Department of Justice COPS Hiring Program

Bear Creek Restoration Project**\$52,746**

In partnership with local stakeholders and the Rogue Valley Council of Governments, Medford is working to restore needed areas along the Bear Creek Greenway. The Greenway attracts an estimated 146,000 visitors per year in walkers, hikers and bicyclists and sustains a significant salmon population. Unfortunately, its water quality is ranked as “poor” by the ODEQ and invasive plants threaten habitat quality for these species. Furthermore, dense patches of this invasive vegetation have created significant public safety hazards for visitors along the Greenway.

The City has partnered with RVCOG to submit an application to the Five Star and Urban Waters program for \$52,746, matched with over \$140,000 of local support. Under the proposal submitted by RVCOG, the project would utilize these grant funds and matching investments to provide needed restoration work along Bear Creek within a 50-acre area in Medford and a 20-acre area in the neighboring City of Central Point. The project will facilitate the removal of invasive plants while retaining and planting additional native trees and shrubs to make streamside habitat improvements and discourage illicit activities for enhanced public safety.

Account: EPA Urban Waters; National Fish and Wildlife Foundation Five Star and Urban Waters Restoration Program

Downtown Reinvestment**\$500,000**

The City of Medford is at a turning point with a vision to restore, regenerate and boost the downtown core. We are working with local partners to begin the challenging process of creating dynamic and positive revitalization to the downtown area. The structures within this district consist of commercial and residential uses that contribute to the health, wealth and beauty of Medford’s history. The repurposing of these buildings is essential to keeping the vitality alive downtown. However, most structures downtown are unreinforced, soft-story, older tilt-up concrete or have parapets that would trigger seismic upgrades. Any construction project that exceeds \$100,000 or \$15 per square foot, and/or a Change of Occupancy to higher category occupancy requires a seismic retrofit.

Medford’s overall vacancy rate is below 2%, but its downtown vacancy rate is 18.9%, more than nine times the city average. These properties in the Central Business District are clearly underutilized. Leveraging its Urban Renewal funds, Medford is interested in utilizing Pre-Disaster Mitigation grant funds help ease the burden of retrofitting the historic buildings downtown and acquire properties where needed to redevelop them for enhanced uses.

Account: FEMA Pre-Disaster Mitigation Grant Program

Wildfire Protection

As a forested community, the threat of wildfire represents a constant threat to the City of Medford each summer. Medford recognizes the devastating impacts these fires have had in similar areas such as the tragic events in Paradise, California and is taking action to enhance local protection for our City. To address these dangers, Medford is seeking funds to prepare a Community Wildfire Protection Plan (CWPP) and implement mitigation measures that will help prevent wildfires from reaching the City and harming residents, homes, infrastructure, and businesses.

Prescott Park Trails Expansion Project**\$300,000**

The City is seeking funds to address the recreational deficiency of outdoor, multi-use trails close to the City’s urban center by improving access to Prescott Park and development of planned multi-use trails. Prescott Park is located just northeast of Medford and is home to Roxy Ann Peak, an elevated summit standing 2,000 feet above the Rogue River Valley floor. Located within a 15-minute drive for 92.2% of



Medford's residents, the Park offers 1,700 acres of City-owned land with panoramic views of the Rogue River Valley, Mt. Shasta, Mt. Ashland, Table Rock, and the City of Medford.

Grant funds would be used to expand the miles of multi-use trails, enhance access to trail heads through road improvements, construct additional trails that will provide essential firebreaks during wildland fires, and develop trails for residents and visitors to the region. This project will enhance outdoor recreation opportunities for nearly the entire total population living in Medford and southern Oregon, as well as visitors to the region.

Account: LWCF Outdoor Recreation Legacy Partnership Program

Medford I-5 Viaduct Corridor Improvements

A major earthquake could wipe out one of Jackson County's most important bridges on Interstate 5 - the 3,222-foot-long viaduct that cuts through the heart of Medford and serves as a critical link in the West Coast's primary north-south transportation corridor. The aging structure, built in 1962, already is an economic engine for the region, and transportation officials expect freight traffic on Interstate 5 to double within five years.

Because of its importance to West Coast traffic and worries about its longevity, the Oregon Department of Transportation is investing \$4 million from the Oregon Transportation Commission to study safety, operational, and structural needs of bridge and surrounding corridor. The viaduct's ability to withstand an earthquake or other major disaster is critical from public safety and economic standpoints.

POLICY AGENDA

Accessible Housing and Homelessness

The City has worked with community partners to form the Jackson County Homeless Task Force to develop cohesive strategies for addressing the extensive homelessness crisis in Medford and Jackson County. Established as the Medford/Ashland/Jackson County Continuum of Care, the City and its local partners receive funds through HUD's Continuum of Care grant program that are critical for achieving this mission. Unfortunately, despite increased efforts by the local community to address this problem and recent, more accurate measures that reflect even higher homeless populations than previously expected, our Continuum of Care has consistently received an allocation of HUD funds far below the level of need in the community. Additional funding for this program is critical, as well as improved funding distribution for communities like Medford and Jackson County that consistently lose funding to larger metropolitan areas.

Forest Management Reform and Wildfire Relief

Due to a lack of proper land management, catastrophic wildfires continue to destroy federal forestlands every summer while local communities suffer significant air quality hazards caused by wildfire smoke. Last summer, air quality in the Rogue Valley was unhealthy for 37 days, forcing many Medford residents to stay indoors for extended weeks on end while visitors avoided the area. As a result, the City suffered from a decrease in quality of life and business, including a \$3 million loss in tourism activity. The City supports further reform of federal policies to enable more active forest management that improves the health of our federal forests, mitigates wildfires, and provides long-term economic benefits for the community.

Medford Casino Proposal

The Coquille Indian Tribe applied to have 2.42 acres of land located in Medford acquired in trust for class II gaming. The City has several concerns regarding the proposed project including its loss of regulatory jurisdiction over City land, the impacts a class II casino will have on the City, the potential for future casino



expansion at the site and the introduction of class III games, and the economic impacts related to substitution effects and problem gambling and related issues. Before any project moves forward, it must include extensive input from the local community to address these concerns and ensure fair local service agreements with the City.

Investment Package – Infrastructure Spending

President Trump has proposed a ten-year, \$1 trillion investment package to create American jobs and stimulate economic development. The City supports a robust federal infrastructure package that will address the growing transportation, water and housing infrastructure backlog in our community and communities around the country.

Increase HIDTA Funding Within ONDCP

Funding from the High Intensity Drug Trafficking Area (HIDTA) program provides critical support for the success of the Medford Area Drug Gang Enforcement Team (MADGE). MADGE is an interagency drug and gang task force comprised of personnel from the Medford Police Department, Jackson County Sheriff's Office, Oregon State Police, Federal Bureau of Investigation, Jackson County Community Justice and the Jackson County District Attorney's Office. The team focuses on disrupting and dismantling middle to upper level drug trafficking organizations in the county and surrounding region. In addition, the team works with the various law enforcement agencies within the county to address controlled substance activity within neighborhoods through strict enforcement and nuisance abatement laws.

The City supports increasing HIDTA funding and maintaining its administration through ONDCP, rather than a large federal agency such as DOJ that would jeopardize this program's strong record of success through flexible and reliable administration of funds.

FY 2020 Program Appropriation Levels

The City supports increased funding levels for federal programs that provide vital assistance to our community including - HUD Continuum of Care Homeless Assistance, CDBG, HOME Investment Partnerships, BUILD, COPS Hiring, BYRNE Justice Assistance Programs, Economic Development Administration and Assistance to Firefighters funding.

Police Equipment Funding

The City strongly supports funding for police equipment, including restoration of COPS Technology Grants. There are very few funding options at the federal level to help police departments purchase equipment even though federal mandates continue to require costly upgrades. Federal funds for upgrades are important especially for police departments with cash strapped budgets.

EPA Regulatory Concerns and Unfunded Mandates – The City opposes legislative or regulatory initiatives that undermine local government decision making and contributes to reduction in our workforce.

- *Waters of the U.S.:* The City has strong concerns over the potential impacts of the EPA and the U.S. Army Corps of Engineers' previous rule to amend the definition of "waters of the U.S." and expand the range of waters that fall under federal jurisdiction. The City supports the agencies' efforts to postpone implementation of the rule until it can be further reviewed and replaced with an improved measure that protects the environment without excessive regulation.
- *FEMA and Endangered Species:* The National Marine Fisheries Service (NMFS) issued a Biological Opinion that found FEMA must change its implementation of the National Flood Insurance Program to better protect endangered species within floodplains. NMFS's recommendations, as written, would require FEMA to go above and beyond its legal authority, amending and issuing new regulations that would subject communities to excessively restrictive floodplain



development standards. Along with other local governments throughout the Pacific Northwest, the City applauds the inclusion of language in the 2018 FAA Reauthorization bill to delay these regulations, and supports a permanent fix to prevent the unnecessary limitations they would place on communities in floodplains like Medford.

Banking Access for Legal Cannabis Businesses

Cannabis businesses operating under state laws (like those in Oregon) that have legalized medicinal or recreational cannabis have been mostly denied access to the banking system because banks that provide them services can be prosecuted under federal law. Without the ability to access bank accounts, accept credit cards, or write checks, businesses must operate using large amounts of cash. This condition creates safety risks for businesses and local communities, makes it more difficult for local and state governments to collect taxes, and increases the risks of theft crimes and tax evasion. The City supports the passage of bipartisan legislation, such as the Secure and Fair Enforcement (SAFE) Banking Act, to address this problem by ensuring legal cannabis businesses have access to basic banking services.

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CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 100.2

www.ci.medford.or.us

DEPARTMENT: City Manager
PHONE: (541) 774-2009
STAFF CONTACT: Eric Zimmerman, Deputy City Manager

AGENDA SECTION: City Manager's Report
MEETING DATE: February 21, 2019

SUMMARY AND BACKGROUND

The Rogue Valley Metropolitan Planning Organization (RVMPO) is required to meet certain standards per the Transportation Planning Rule (TPR) and specifically is required to show a 5% per capita reduction in vehicle miles traveled (VMT). In cases when an organization recognizes that meeting reduction standards will be difficult, certain alternative measures exist as an offset for RVMPO to consider as a means to making improvement towards reducing VMT. The RVMPO could not meet the VMT reduction requirements and therefore created a list of alternative measures that satisfied the Department of Land Conservation and Development (DLCD). Alternative Measure 7 deals with transportation funding and committed 50% of the Surface Transportation Block Grant (STBG) to fund transit until a local funding package is secured. Once funding is secured the money is dedicated to bicycle/pedestrian and Transit Oriented District (TOD) development projects.

Measure 15-141 was passed in May of 2016 and provided the Rogue Valley Transit District (RVTD) with an additional funding source for 5-years (estimated to be close to \$9.5M for the 5-years). Further, House Bill 2017 was passed as part of the 2017 Legislative session and went into effect on October 6, 2017 that provides a new funding source for transit throughout the state. These new funds, call State Transportation Improvement Fund (STIF) will provide RVTD with an initial FY19 forecast of approximately \$1.169M and is expected to increase to \$3.091M in FY21 (December Forecast). Between the two funding sources it has become clear that there has been local funding to allow for the reconsideration of Alternative Measure 7. The current allocation of STBG funds from the RVMPO is approximately \$0.96M in FY18 and increases to \$1.04M in FY21.

The RVMPO established a sub-committee in 2018, including the City of Medford's City Engineer, to investigate and negotiate a possible future funding agreement between RVMPO and RVTD related to the Alternative Measure 7 STBG funds.

On February 26, 2019 the Policy Committee of the RVMPO is scheduled to vote on a proposed funding agreement that will direct the amount of funding for the foreseeable future between the RVMPO and RVTD and which can be revisited at any time should either party make such a request or a significant change in funding occurs.

PREVIOUS COUNCIL ACTIONS

1/17/19 Motion- Council appointed Al Densmore (Primary) and Eric Zimmerman (Alternate) as the City's representatives to the RVMPO.

ANALYSIS

The sub-committee recommended that the RVMPO fund RVTD annually with \$700,000 as MPO's alternative strategy to reduce VMT. This amount shall not increase or decrease for inflation or with the regular growth trends of the STBG funding. RVTD is recommended this amount of funding as it does not significantly change their funding in the short-term and it provides steady and predictable revenue to the transit district. Over time the agreement will grow to be less impactful as inflation reduces the value of a steady fund but it appears all parties find these facts to be acceptable.

The RVMPO receives more STBG funding than is allocated to RVTD. Additional STBG funds will be available to members for grant applications to complete projects within the various jurisdictions. RVTD will not be eligible to apply for any additional STBG grants. Some members have expressed a desire to apply



CITY OF MEDFORD AGENDA ITEM COMMENTARY

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for more grants from RVMPO for projects within their jurisdiction. Any additional funds available for Alternative Measure 7 will be allocated through the traditional grant process and projects must be bicycle/pedestrian or TOD related that address VMT reduction. Given the nature of road work and the expensive cost of projects that greatly impact a reduction in VMT, it is important to maintain a perspective about the relative impact of multiple small grants in the region and the larger collective impact of the funding agreement to RVTD and the VMT reduction.

The funding proposal by the sub-committee is supported by staff as a means for RVMPO to impact VMT.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

It can be argued that if the RVMPO stopped funding RVTD, there would be more STBG grant opportunity for the members of the RVMPO for bicycle/pedestrian and TOD projects. Such funds would be competitive and issued through a grant process. Predicting the success of the City is not feasible.

TIMING ISSUES

Guidance is needed before February 26, 2019.

COUNCIL OPTIONS

Vote to support a steady funding source to RVTD through RVMPO using STBG funds.

Vote to support an alternative amendment be proposed to RVMPO for the use of STBG funds allocated to RVTD.

Vote to oppose a funding source to RVTD through RVMPO using STBG funds.

STAFF RECOMMENDATION

Staff recommends the City Council authorize the City's representatives to the RVMPO Policy Committee to vote in support of the sub-committee's recommendation for a steady funding agreement between RVMPO and RVTD using STBG funds.

SUGGESTED MOTION

To authorize our representatives to the RVMPO to support the sub-committee's recommendation for a steady funding agreement between RVMPO and RVTD for the discussed STBG funding.

EXHIBITS

- A. Proposed agreement

INTERGOVERNMENTAL AGREEMENT

THIS AGREEMENT is made and entered into by and between the Rogue Valley Metropolitan Planning Organization, hereinafter referred to as “RVMPO”, and the Rogue Valley Transportation District, hereinafter referred to as “RVTD”, both of which are hereinafter referred to collectively as “PARTIES”;

WITNESSETH

WHEREAS, RVMPO is a voluntary association of local governments serving Jackson County, Oregon; and

WHEREAS, RVTD is a member agency of the RVMPO; and

WHEREAS, RVMPO has, over the past several years, provided to RVTD 50% of the MPO’s annual allocation of Surface Transportation Block Grant (STBG) funds; and

WHEREAS, the Policy Committee of the RVMPO created a sub-committee with representatives of the City of Medford, Oregon Department of Transportation (ODOT), Jackson County and RVTD to review this ongoing allocation and return to the Policy Committee with recommendations; and

WHEREAS, the purpose of this agreement is to ensure that both parties agree to and understand the arrangement regarding the allocation of funding to the RVTD from the RVMPO’s annual allocation of STBG funds.

NOW THEREFORE, in consideration of the mutual terms, conditions, stipulations and covenants herein contained, the PARTIES do hereby agree to the following:

A. DESCRIPTION OF AGREEMENT

1. RVMPO hereby agrees to reduce the current allocation of 50% of STBG funds to RVTD on an annual basis, beginning in FY 2020, down to the amount of \$700,000 of STBG funds annually. RVTD shall be able to utilize these monies as RVTD sees fit and in accordance with all pertinent federal and state laws and regulations.
2. RVTD shall not be eligible to apply for remaining RVMPO allocation of STBG funds during the duration of this agreement.

B. DURATION OF AGREEMENT

This agreement shall take effect in Federal Fiscal Year 2020 (commencing October 1, 2019) and shall be reviewed every five years (plus or minus a year so as not to interfere with the TIP/STIP cycle) unless one or more of the following incidents occur:

