



Medford City Council Meeting

Agenda

June 2, 2016

12:00 Noon AND 7:00 P.M.

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

-
10. **Roll Call**
 20. **Approval or Correction of the Minutes of the May 19, 2016 Regular Meeting**
 30. **Oral Requests and Communications from the Audience**
Comments will be limited to 3 minutes per individual or 5 minutes if representing a group or organization. PLEASE SIGN IN.
 40. **Consent Calendar**
 50. **Items Removed from Consent Calendar**
 60. **Ordinances and Resolutions**
 - 60.1 COUNCIL BILL 2016-64 A resolution affirming the Public Works Director's administrative decision pertaining to abatement costs for a dangerous sidewalk located at 2209 Fairbanks Avenue.
 - 60.2 COUNCIL BILL 2016-65 A resolution affirming the Public Works Director's administrative decision pertaining to abatement costs for a dangerous sidewalk located at 1111 Dakota Avenue.
 - 60.3 COUNCIL BILL 2016-66 A resolution remanding an appeal of the Public Works Director's decision to designate a no parking zone on the east side of Layla Drive to the Public Works Director.
 - 60.4 COUNCIL BILL 2016-67 An ordinance authorizing cash payments to Marley Dog, LLC; DRM Construction, LLC; and SIDRB, LLC for Street System Development Charge credits in the amount of \$366,439.69 for right-of-way dedication and street construction on Stanford Avenue completed as a condition of approval of Eastgate Estates Planned Unit Development – Phases 2 & 3.
 - 60.5 COUNCIL BILL 2016-68 A resolution adopting the sixth Supplemental Budget for the 2015-17 biennium.
 - 60.6 COUNCIL BILL 2016-69 A resolution authorizing the combining of two part-time positions into one full-time position to improve availability of services in Municipal Court.
 - 60.7 COUNCIL BILL 2016-70 An ordinance awarding a contract in the amount of \$146,456.90 to Yakima Construction for construction and rehabilitation of eight miles of trails at Prescott Park.
-

- 60.8 COUNCIL BILL 2016-63 - SECOND READING – VERSION 2 - An ordinance amending section 5.651, replacing sections 5.650 and 5.652, and repealing section 5.654 of the Medford Code pertaining to control of recreational and medical marijuana.

70. Council Business

80. City Manager and Other Staff Reports

80.1 Public Works traffic app by Cory Crebbin

80.2 Further reports from City Manager

90. Propositions and Remarks from the Mayor and Councilmembers

90.1 Proclamations issued:

90.2 Further Council committee reports

90.3 Further remarks from Mayor and Councilmembers

100. Adjournment to the Evening Session

EVENING SESSION
7:00 P.M.

There are no items for Council consideration.



CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 60.1

www.ci.medford.or.us

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

AGENDA SECTION: Ordinances and Resolutions
MEETING DATE: June 2, 2016

COUNCIL BILL 2016-64

A resolution affirming the Public Works Director's administrative decision pertaining to abatement costs for a dangerous sidewalk located at 2209 Fairbanks Avenue.

SUMMARY AND BACKGROUND

An appeal of the Notice of Sidewalk Abatement Assessment for City repair of defective sidewalk at 2209 Fairbanks Avenue was considered by the City Council on May 19, 2016. The property owner, Florepiz Chapman, requested a reduction of the assessed amount of \$3,875.00, citing other financial responsibilities.

PREVIOUS COUNCIL ACTIONS

The Council voted to deny the appeal and directed a payment plan by which the property owner can pay off the assessment amount at \$100 per month at 6% simple interest at the May 19, 2016, Council meeting.

ANALYSIS

Section 3.010 of the Medford Municipal Code (MMC) requires property owners of property within the City to inspect and maintain all sidewalks abutting their property in a condition safe for use by the public at all times. The code further states that if any property owner, by his/her neglect to perform any duty required by this section, causes injury or damage to any person or property, s/he shall be liable to the person suffering such injury or damage and indemnify the city for all damages it has been compelled to pay in such cases.

Section 3.030 of the MMC states if the defective sidewalk is not corrected within the time period provided, the Public Works Director or designee may cause the defective sidewalk to be repaired and shall cause a record to be kept of the cost incurred to repair the sidewalk, including a charge of 25% or \$15, whichever is greater, for engineering and administration. A statement of these costs is filed with the City Recorder who may then assess the costs on the property as provided in Section 5.535.

Section 5.535 of the MMC states the City Recorder shall mail a notice of the assessment for the cost of nuisance abatement to the property owner and that the cost will be assessed to and become a lien against the property for the amount indicated.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

Recovery of \$3,875.00 in abatement costs and administrative fees, as well as interest income.

TIMING ISSUES

None.

COUNCIL OPTIONS

Approve, modify, or deny the resolution.

STAFF RECOMMENDATION

Approve the resolution.



CITY OF MEDFORD
AGENDA ITEM COMMENTARY

Item No: 60.1

www.ci.medford.or.us

SUGGESTED MOTION

I move to approve the resolution denying the appeal of sidewalk abatement assessment for the defective sidewalk at 2209 Fairbanks Avenue and direct the property owner be offered a payment plan in the amount of \$100 per month until fully paid at 6% simple interest to repay the assessment.

EXHIBITS

Resolution

RESOLUTION NO. 2016-64

A RESOLUTION affirming the Public Works Director's administrative decision pertaining to abatement costs for a dangerous sidewalk located at 2209 Fairbanks Avenue.

WHEREAS, the property owner, Florepiz Chapman, was notified on September 21, 2012 of the need to repair a dangerous sidewalk located at 2209 Fairbanks Avenue; and

WHEREAS, on October 17, 2012 Florepiz Chapman requested a 90-day extension which was approved by the Public Works Director; and

WHEREAS, further notification was provided to Florepiz Chapman and in July 2015 the Engineering Division sent a final notice indicating the sidewalk was still in need of repair; and

WHEREAS, no abatement was completed by the property owner, therefore, the City abated the nuisance on March 30, 2016 and requested a lien be placed on the property in the amount of \$3,875.00 for the abatement plus administrative fees; and

WHEREAS, the cost of the abatement was appealed to the City Council by Florepiz Chapman; and

WHEREAS, the City Council considered the matter upon appeal on May 19, 2016, and affirmed the Public Works Director's decision pertaining to the abatement and the cost thereof; now therefore,

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

Section 1. The City Council finds there is substantial evidence in the record affirming the Public Works Director's decision pertaining to abatement and abatement costs for repair of the dangerous sidewalk located at 2209 Fairbanks Avenue.

Section 2. The property owner, Florepiz Chapman, is given a payment plan of \$100 per month at 6% interest from the date hereof to repay the costs of abatement to the City. If amount is not fully paid, interest will be imposed pursuant to Municipal Code Section 3.470(2).

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

ATTEST: _____
City Recorder

Mayor



CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 60.2

www.ci.medford.or.us

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

AGENDA SECTION: Ordinances and Resolutions
MEETING DATE: June 2, 2016

COUNCIL BILL 2016-65

A resolution affirming the Public Works Director's administrative decision pertaining to abatement costs for a dangerous sidewalk located at 1111 Dakota Avenue.

SUMMARY AND BACKGROUND

An appeal of the Notice of Sidewalk Abatement Assessment in the amount of \$1,232.50 for City repair of the defective sidewalk at 1111 Dakota Avenue was considered by the City Council on May 19, 2016.

PREVIOUS COUNCIL ACTIONS

The Council voted to deny the appeal at the May 19, 2016, Council meeting.

ANALYSIS

Section 3.010 of the Medford Municipal Code (MMC) requires property owners of property within the City to inspect and maintain all sidewalks abutting their property in a condition safe for use by the public at all times. The code further states that if any property owner, by his/her neglect to perform any duty required by this section, causes injury or damage to any person or property, s/he shall be liable to the person suffering such injury or damage and indemnify the city for all damages it has been compelled to pay in such cases.

Section 6.730 of the MMC does not remove the sidewalk responsibility established by MMC 3.010.

Section 3.030 of the MMC states if the defective sidewalk is not corrected within the time period provided, the Public Works Director or designee may cause the defective sidewalk to be repaired and shall cause a record to be kept of the cost incurred to repair the sidewalk, including a charge of 25% or \$15, whichever is greater, for engineering and administration. A statement of these costs is filed with the City Recorder who may then assess the costs on the property as provided in Section 5.535.

Section 5.535 of the MMC states the City Recorder shall mail a notice of the assessment for the cost of nuisance abatement to the property owner and that the cost will be assessed to and become a lien against the property for the amount indicated.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

Recovery of \$1,232.50 in abatement costs and administrative fees.

TIMING ISSUES

None.

COUNCIL OPTIONS

Approve, modify, or deny the resolution.

STAFF RECOMMENDATION

Approve the resolution.

SUGGESTED MOTION

I move to approve the resolution denying the appeal of the sidewalk abatement assessment for the defective sidewalk at 1111 Dakota Avenue.

EXHIBITS

Resolution

RESOLUTION NO. 2016-65

A RESOLUTION affirming the Public Works Director’s administrative decision pertaining to abatement costs for a dangerous sidewalk located at 1111 Dakota Avenue.

WHEREAS, the property owners, Brian & Emily Tamblyn, were notified on February 13, 2015 of the need to repair a dangerous sidewalk located at 1111 Dakota Avenue; and

WHEREAS, on February 25, 2015 the Tamblyns requested a 90-day extension which was approved by the Public Works Director; and

WHEREAS, further notification was provided to the Tamblyns and in July 2015 the Engineering Division sent a final notice indicating the sidewalk was still in need of repair; and

WHEREAS, no abatement was completed by the property owner, therefore, the City abated the nuisance on March 17, 2016 and requested a lien be placed on the property in the amount of \$1,232.50 for the abatement plus administrative fees; and

WHEREAS, the abatement and the cost thereof was appealed to the City Council by the Tamblyns; and

WHEREAS, the City Council considered the matter upon appeal on May 19, 2016, and affirmed the Public Works Director’s decision pertaining to the abatement and the cost thereof; now therefore,

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

Section 1. The City Council finds there is substantial evidence in the record affirming the Public Works Director’s decision pertaining to abatement and abatement costs for repair of the dangerous sidewalk located at 1111 Dakota Avenue.

Section 2. The appeal is hereby denied.

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

ATTEST: _____
City Recorder

Mayor



CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 60.3

www.ci.medford.or.us

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

AGENDA SECTION: Ordinances and Resolutions
MEETING DATE: June 2, 2016

COUNCIL BILL 2016-66

A resolution remanding an appeal of the Public Works Director's decision to designate a no parking zone on the east side of Layla Drive to the Public Works Director.

SUMMARY AND BACKGROUND

An appeal of the Public Works decision to designate a Fire Lane/No Parking Zone on Layla Drive from Lozier Lane to Arlington Drive and on Cox Lane was considered by the City Council on May 19, 2016.

PREVIOUS COUNCIL ACTIONS

The Council voted to remand the appeal to the Public Works Director at the May 19, 2016, Council meeting.

ANALYSIS

Layla Drive is a 28 foot wide minor residential street with curb, gutter, and sidewalks along most of its length. Street lighting and parking are available on both sides. Cox Lane is a 24 foot wide, fifty foot long street providing access to two lots. Applegate Lane is a 220 foot long segment of 28 foot wide minor residential street with curb and gutter, sidewalks, street lighting and parking available on both sides.

Medford Municipal Code (MMC) 10.430 aims to maintain at least 20 feet of unobstructed clearance on minor residential streets for fire apparatus; however, this subdivision was built prior to the implementation of the current code. Layla Drive does not have the offset driveways called for in MMC 10.430. When cars are parked along both sides of the street, the space between them is approximately 14 feet, and less in the curves on the south end of the neighborhood.

Public Works determined that parking restrictions are warranted to ensure adequate emergency vehicle access and attempted to meet the desires of the citizens requesting a no parking zone while considering factors such as safety, visibility, impact on objecting residents, and compliance.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

None.

TIMING ISSUES

None.

COUNCIL OPTIONS

Approve, modify, or deny the resolution.

STAFF RECOMMENDATION

Approve the resolution.

SUGGESTED MOTION

I move to approve the resolution to remand the matter of designating a Fire Lane/No Parking Zone on Layla Drive to the Public Works Director.

EXHIBITS

Resolution

RESOLUTION NO. 2016-66

A RESOLUTION remanding an appeal of the Public Works Director's decision to designate a no parking zone on the east side of Layla Drive to the Public Works Director.

WHEREAS, the Public Works Director's decision in this matter was appealed to the City Council by Kim, Kevin, and Janice Stowe; and

WHEREAS, on May 19, 2016, the City Council reviewed the applicable criteria and reviewed the matter and voted to remand this matter to the Public Works Director; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MEDFORD, OREGON that an appeal of the Public Works Director's decision to designate a no parking zone on the east side of Layla Drive, is hereby remanded to the Public Works Director.

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

ATTEST: _____
City Recorder

Mayor



CITY OF MEDFORD
AGENDA ITEM COMMENTARY

Item No: 60.4

www.ci.medford.or.us

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

AGENDA SECTION: Ordinances and Resolutions
MEETING DATE: June 2, 2016

COUNCIL BILL 2016-67

An ordinance authorizing cash payments to Marley Dog, LLC, DRM Construction, LLC, and SIDRB, LLC for Street System Development Charge credits in the amount of \$366,439.69 for right-of-way dedication and street construction on Stanford Avenue completed as a condition of approval of Eastgate Estates Planned Unit Development – Phases 2 & 3.

SUMMARY AND BACKGROUND

Approve an ordinance authorizing payment to Marley Dog, LLC, DRM Construction, LLC, and SIDRB, LLC, (Developers) for Street System Development Charge (SDC) Credits resulting from dedication of right-of-way and street construction on Stanford Avenue done as a condition of approval of Eastgate Estates Planned Unit Development (PUD) – Phases 2 & 3.

PREVIOUS COUNCIL ACTIONS

None.

ANALYSIS

As a condition of the development of Eastgate Estates PUD-Phases 2 & 3, the Developers were required to construct the portion of Stanford Avenue, which passes through the development, to Collector Street Standards. This required the dedication of right-of-way 74' in width and construction of a 44' wide street. Along the eastern edge of the project the right-of-way and street widths were half the width plus 12' as allowed by Chapter 10 of the Medford Municipal Code (MMC).

The value of the right-of-way dedication was determined by an appraisal requested by the Developers.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

The right-of-way dedication and street construction generated a total of \$366,439.69 in Street SDC credits. SDC credit payments which exceed \$50,000 must be approved by the City Council prior to disbursement per MMC 3.815(5)(c)(i)(a).

Payments totaling \$78,142.72 shall be made from project code CE1815 – Eastgate Phase 2 & 3 R/W Dedication Pmts.

Payments totaling \$288,296.98 shall be made from project code CC1815 – Eastgate Phase 2 & 3 Street Construction Pmts.

TIMING ISSUES

All SDC credits shall be paid to the Developers in accordance with Section 3.815 (5)(c) of the MMC. An initial payment of \$239,443.69 shall be made to the Developers upon approval of this ordinance. The remaining \$126,996.00 in credits shall be paid as individual building permits are issued. For each of the 41 Single Family Residence (SFR) lots the payment shall be \$2,744.08. For each of the 8 Duplex lots the payment shall be \$1,811.09.

COUNCIL OPTIONS

Approve, modify or deny the ordinance.



CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 60.4

www.ci.medford.or.us

STAFF RECOMMENDATION

Approve the ordinance for payments to Marley Dog, LLC., DRM Construction, LLC., and SIDRB, LLC., for Street SDC credits generated as a result of right-of-way dedication and street construction on Stanford Avenue, a Collector street.

SUGGESTED MOTION

I move to approve the ordinance authorizing payment of Street SDC credits to Marley Dog, LLC., DRM Construction, LLC., and SIDRB, LLC., in the total amount of \$366,439.69, to be paid in accordance with Section 3.815 (5)(c) of the MMC.

EXHIBITS

Ordinance
SDC Credit Calculations
Map

ORDINANCE NO. 2016-67

AN ORDINANCE authorizing cash payments to Marley Dog, LLC; DRM Construction, LLC; and SIDRB, LLC for Street System Development Charge credits in the amount of \$366,439.69 for right-of-way dedication and street construction on Stanford Avenue completed as a condition of approval of Eastgate Estates Planned Unit Development- Phases 2 & 3.

WHEREAS, the Street System Development program credits developers that dedicate land and construct right-of-way improvements for the City's arterial and collector street system; and

WHEREAS, the Code of Medford requires City Council approval prior to issuing payments for System Development Charge credits over \$50,000; now, therefore;

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

That cash payments to Marley Dog, LLC; DRM Construction, LLC; and SIDRB, LLC, of Street System Development Charge credits in the total amount of \$366,439.69 for right-of-way dedication and street construction on Stanford Avenue completed as a condition of approval of Eastgate Estates Planned Unit Development- Phases 2 & 3 is hereby authorized, payable as follows:

- 1) An initial payment of \$239,443.69 shall be made to the developers upon approval of this ordinance, and
- 2) The remaining \$126,996.00 shall be paid as individual building permits are issued in the amount of \$2,744.08 for Single Family Residence lots and \$1,811.09 for Duplex lots.

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

ATTEST: _____
City Recorder

Mayor

STREET SDC CREDIT CALCULATION FORM

A. PROJECT INFORMATION

Parent Proj. No. _____
 Paving Proj. No. P-1815d
 Project Name: Eastgate Est PUD-Ph 2&3
 Location: Stanford Ave--from Sherwood Pk Dr to
Creek View Dr.
 Date of Final Order Nov. 14, 2013
 Date of R/W Dedication N/A
 Date of 1st Plan Submittal: Nov. 5, 2013
 Date of Final Inspection: Feb. 19, 2016

PLANNING NUMBER
 LDS 13-088
 LDP _____
 PUD _____
 SPAC _____
 Bldg Permit _____
 Other _____

Developer Name: Marley Dog, LLC,
DRM Construction, LLC
SIDRB, LLC
 Mailing Address: P.O. Box 4428
 City/State/Zip: Medford, OR 97501

Phone: _____

B. STREET SDC CREDIT CALCULATIONS

1. Right-of-Way Dedication Credits

a. Street Name: Stanford Avenue

1) Parent parcel: 371w34 1202
Map Tax Lot

Parent parcel size: 11.95 Ac x 43,560 = 520,542 sf

Parent parcel valuation: \$538,000.00 (Per Appraisal--Darlene Fry)

Unit valuation (\$/sf): \$1.03 per sf

Area dedicated:
Length X Width = 75,607 sf

Reduction for direct driveway access (if any):
Length X Width = 0 sf

Net right-of-way area to credit: = 75,607 sf

2) Total Credit for Right-of-way = \$78,142.72

2. Street Construction Credits Applicable Const. Cost Factor = \$454,707

a. Street Name: Stanford Avenue

1) Roadway Construction Credits (Multiplier = 0.0000118)

Area of street pavement (curb face to curb face):
Length X Width = 45,716.12 sf

Reduction for direct driveway access (if any):
Length X 14 ft width = 0.00 sf

Net Roadway Area to Credit = 45,716.12 sf

SDC Credit Rate per SF of Roadway Area:
0.0000118 X \$454,707 ConstCostFactor = \$5.366 per sf

Sub-Total Roadway Credits
45,716.12 X \$5.366 = \$245,291.79

STREET SDC CREDIT CALCULATION FORM

2) Curb and Gutter Credits (Multiplier = 0.0000198)

Length of C & G for this street	=	<u>1376</u>	lf
Reduction in length for direct access (if any)	=	<u> </u>	lf
Net length of C& G to credit	=	<u>1376</u>	lf
SDC Credit Rate per LF of C&G:			
0.0000198	X	<u>\$454,707</u>	=
		ConstCostFactor	\$9.003 per lf
<u>Sub-Total Curb & Gutter Credits</u>			
<u>1376</u>	X	<u>\$9.003</u>	=
			<u><u>\$12,388.40</u></u>

3) Sidewalk Credits (Multiplier = 0.0000087)

Area of eligible sidewalk:			
<u>0</u>	X	<u>0</u>	=
Length		Width	<u>0.00</u> sf
SDC Credit Rate per SF of Sidewalk Area:			
0.0000087	X	<u>\$454,707</u>	=
		ConstCostFactor	\$3.956
<u>Sub-Total Sidewalk Credits</u>			
<u>0.00</u>	X	<u>\$3.956</u>	=
			<u><u>\$0.00</u></u>

4) Illumination (Multiplier = 0.009619)

Number of street lights to credit	=	<u>7</u>	
SDC Credit Rate per Street Light:			
0.009619	X	<u>\$454,707</u>	=
			\$4,373.83
<u>Sub-Total Street Light Credits:</u>			
<u>7</u>	X	<u>\$4,373.83</u>	=
			<u><u>\$30,616.79</u></u>

5) Total Credit for Construction = \$288,296.98

3. TOTAL STREET SDC CREDITS (R/W + CONST) = **\$366,439.69**

STREET SDC CREDIT CALCULATION FORM

C. FORM ROUTING INFORMATION

Credit Calc's Prepared by:	<u>BJ</u>	Date: <u>Rev 4/26/16</u>
Credit Calc's Checked by:	<u> </u>	Date: <u> </u>
Date to Bus Mgr:	<u> </u>	
HTE Proj. Codes	<u>CC1815</u>	<u>CE1815</u>
AIC Needed ?	<u>YES</u>	
Date of Council Action:	<u> </u>	

D. SDC CREDIT DISTRIBUTION for RESIDENTIAL SUBDIVISIONS

SDC fee per SFR lot	\$2,744.08		
No. SFR lots	<u>41</u>		
Total SFR SDC fees	\$112,507.28		
SDC fee per Duplex Lot	\$1,811.09		
No. Duplex Lots (1 unit per lot)	<u>8</u>		
Total MFR SDC fees	\$14,488.72		
Total SDC Fees	\$126,996.00	Deduct from Total Credit	<u>\$126,996.00</u>
Excess credit (if any) to be paid 'up front'			<u>\$239,443.69</u>
Total amount to be distributed btw the residential lots			\$126,996.00
CREDIT AMT TO BE DISTRIBUTED PER LOT			
	Lots 27-34		\$1,811.09
	Lots 35-75		\$2,744.08

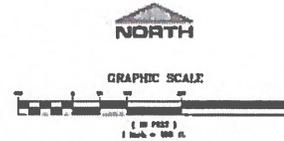
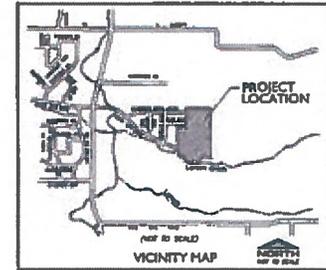
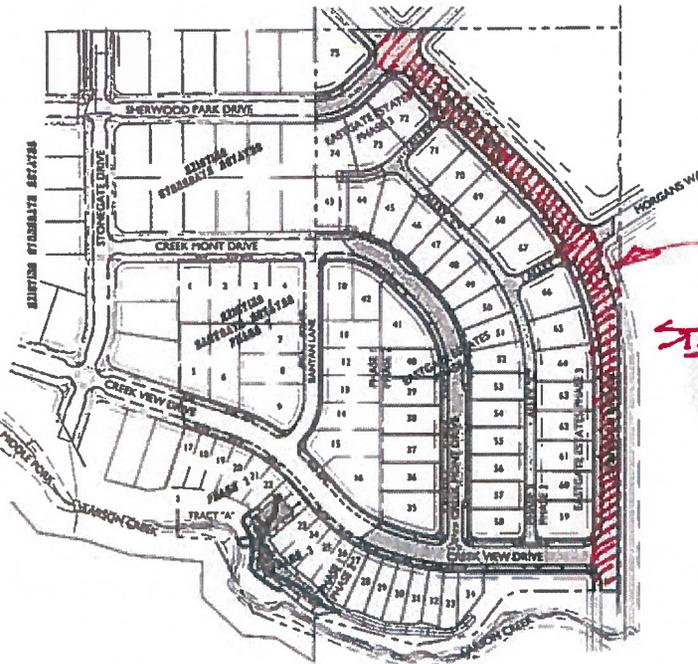
E. PROJECT ACCOUNTING

R/W Credits CE1815	<u>0.213248504</u>	0.000000%
Const Cred CC1815	<u>0.786751496</u>	0.000000%

GENERAL NOTES

1. ALL WORK SHALL CONFORM TO THE APPLICABLE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, OREGON CHAPTER 200B, AS AMENDED BY THE CITY OF MEDFORD ENGINEERING DEPARTMENT.
2. ALL WATER WORKS SHALL BE DONE IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE MEDFORD WATER COMMISSION STANDARDS.
3. ALL DRY TAP WATER SERVICES SHALL BE INSTALLED BY A WWC PREQUALIFIED INSTALLER.
4. SEE SECTION A-C-8 OF WWC STANDARDS REGARDING CROSSINGS WITH WATER AND SANITARY SERVICE LINES.
5. STORM DRAIN PIPE SHALL BE AS INDICATED ON THE PROJECT PLANS. PRIVATE STORM DRAIN PIPE (6", 8", 10" & 12") SHALL BE PVC CONFORMING TO ASTM D-3034. EACH SERVICE SUBMERSION POINT SHALL BE MARKED WITH A PAINTED 2" x 4", PER STANDARD DRAWING C032, AND STORM DRAIN DETECTOR TAP SHALL BE USED.
6. ALL STORM DRAIN CURB INLETS SHALL BE CITY OF MEDFORD TYPE 44 WITH A 12" SLUMP, PER STANDARD DRAWING C032, AND A 6" CURB OPENING UNLESS OTHERWISE SPECIFIED ON THE PLANS. ALL STORM DRAIN MANHOLES SHALL BE CITY OF MEDFORD APPROVED PER STANDARD DRAWING C032.
7. ALL STORM DRAIN PIPES SHALL HAVE WATER-TIGHT JOINTS. PVC AND POLYPROPYLENE PIPE JOINTS SHALL CONFORM TO ASTM D-3032 (TESTABLE JOINTS). TESTS SHALL BE PER-MANUFACTURER, INSTANT-TIME, OR APPROVED EQUAL.
8. ALL WORK ON GRAVITY STORM DRAIN AND SANITARY SEWER SYSTEMS SHALL BEGIN AT THE LOWEST POINT AND PROCEED UPGRADE TO THE HIGHEST POINT. WORK SHALL NOT BEGIN ANYWHERE UNLESS THE LOWEST POINT HAS NOT LEAKED OUT SECTIONS OF THE SYSTEM AND RESTART AT A HIGHER POINT, COMPLETE 30 DAYS DURING CONSTRUCTION.
9. BUILDING PERMITS ARE REQUIRED PRIOR TO CONSTRUCTION OF PRIVATE STORM DRAIN LINES.
10. ALL DRAIN PIPE LENGTHS AND SLOPES ARE FROM CENTER OF STRUCTURE TO CENTER OF STRUCTURE.
11. WHEN CONNECTING TO AN EXISTING PIPE, THE CONTRACTOR SHALL EXPOSE THE END OF THE EXISTING PIPE AND ALLOW THE ENGINEER TO VERIFY EXACT LOCATION AND DIMENSIONS BEFORE INSTALLING ANY NEW PIPE ON THAT SYSTEM.
12. ALL FRENCH DRAINAGE SHALL CONFORM TO CITY OF MEDFORD STANDARDS AND BE PER STANDARD DRAWING C032.
13. DRAINAGE MATERIALS SHALL BE OBTAINED FROM A CITY APPROVED SOURCE. CONTRACTOR SHALL NOTIFY THE CITY ENGINEER OF THE MATERIAL SOURCE PRIOR TO ANY COMMENCEMENT OF MATERIAL PLACEMENT. CONTRACTOR SHALL NOT CHANGE MATERIAL SOURCE IN ANY MANNER WITHOUT APPROVAL FROM THE CITY ENGINEER.
14. STABILIZATION FABRIC SHALL CONFORM TO 2009 OREGON STANDARD SPECIFICATIONS, VOL. 2, SECTION 350 SUBGRADE CEMENT/CLAY.
15. PLACEMENT OR STORAGE OF SPILLS FROM THE COMMISSION OF UTILITIES OR OTHER LINE UTILITIES IS NOT PERMITTED ON MAIN SURFACE STREETS OR HIGHWAY. SPILLS STORED IN OTHER AREAS SHALL BE COVERED TO PREVENT EROSION.
16. ALL CONCRETE SHALL BE 3000 PSI AT 28 DAYS UNLESS OTHERWISE SPECIFIED.
17. THE LOCATION AND ELEVATION OF ALL EXISTING UTILITIES AND STRUCTURES ARE APPROXIMATE. THERE MAY BE UTILITIES THAT ARE NOT SHOWN ON THE PLANS. THE CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL UTILITIES PRIOR TO CONSTRUCTION.
18. CONTRACTORS AND SUBCONTRACTORS SHALL BE PREQUALIFIED WITH THE CITY OF MEDFORD ENGINEERING DEPARTMENT AND THE WWC PRIOR TO STARTING WORK. CONTRACTOR SHALL NOTIFY CITY ENGINEER IMMEDIATELY (7-400-322) AND CITY OF MEDFORD ENGINEERING (774-2000) PRIOR (24-48 HOURS) AND THE WWC (774-2444) 48 HOURS PRIOR TO STARTING WORK.
19. CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATION WITH THE VARIOUS UTILITY COMPANIES REGARDING INSTALLATION REQUIREMENTS FOR THEIR FACILITIES.
20. THE CONTRACTOR SHALL SUBMIT A TRAFFIC CONTROL PLAN AND SECURE APPROVAL OF THE PLAN FROM THE APPROPRIATE AGENCY AT LEAST FIVE (5) BUSINESS DAYS PRIOR TO STARTING WORK.
21. CONTRACTOR SHALL BE RESPONSIBLE TO CLEAN AND/OR MAINTAIN EXISTING PUBLIC STREETS OF SOIL OR OTHER DEBRIS DEPOSITED BY CONSTRUCTION OPERATIONS AND REPAIR ALL UTILITIES DAMAGED BY CONSTRUCTION OPERATIONS IN A TIMELY MANNER TO AVOID INCONVENIENCE OR HAZARDS TO THE PUBLIC.
22. THE CONTRACTOR SHALL NOT REMOVE WORK WITHOUT AGENCY INSPECTIONS WHERE INSPECTIONS ARE REQUIRED BY THE SPECIFICATIONS.
23. REQUESTS BY THE CONTRACTOR FOR CHANGES TO THE PLANS MUST BE APPROVED BY THE CONTRACTING ENGINEER AND THE AGENCY'S ENGINEER BEFORE CHANGES ARE IMPLEMENTED.
24. BENCHMARK: CITY OF MEDFORD BENCHMARK NUMBER 78-167 (TRIANGULATION STATION STATION POINT, BENCH & BRASS DUST IN CONCRETE LOCATED 1/2 MILE EAST OF NORTH ANDERSON ROAD ON THE SOUTH SIDE OF EAST BARRETT ROAD EXTENDED), WITH A PUBLISHED ELEVATION OF 1643.471 FEET.

**CIVIL IMPROVEMENT PLANS
FOR
EASTGATE ESTATES P.U.D. - PHASES 2 & 3
LOCATED IN
SECTION 34, T. 37 S., R. 1 W., W.M.
CITY OF MEDFORD
JACKSON COUNTY, OREGON**



THESE PLANS ARE FOR RECORD PURPOSES ONLY. NO GUARANTEE IS EXPRESSED OR IMPLIED AS TO THE ACCURACY OF THESE DRAWINGS.



DATE: 05/24	DATE: 05/24	DATE: 05/24	DATE: 05/24
DESIGNED BY: JAMES BROWN	APPROVED: [Signature]	APPROVED: [Signature]	APPROVED: [Signature]



CONTACT INFORMATION		
OWNER: MEDFORD WATER, P.E. 125 S. 9TH ST., SUITE 202 MEDFORD, OR 97501 (541) 774-2286	CITY OF MEDFORD: ENGINEERING DEPT. LARRY BROWN, P.E. 125 S. 9TH ST., SUITE 202 MEDFORD, OR 97501 (541) 774-2286	CABLE TELEVISION: COMMUNITY CABLE 125 S. 9TH ST., SUITE 202 MEDFORD, OR 97501 (541) 774-2286
SUBCONTRACTOR: BROWN ENGINEERING 125 S. 9TH ST., SUITE 202 MEDFORD, OR 97501 (541) 774-2286	WATER COMMISSION: 125 S. 9TH ST., SUITE 202 MEDFORD, OR 97501 (541) 774-2286	GIS COMPANY: 125 S. 9TH ST., SUITE 202 MEDFORD, OR 97501 (541) 774-2286
DEVELOPER: SURE, LLC P.O. BOX 4420 MEDFORD, OR 97501 (541) 608-8288	ELECTRIC COMPANY: 125 S. 9TH ST., SUITE 202 MEDFORD, OR 97501 (541) 774-2286	TELEPHONE COMPANY: 125 S. 9TH ST., SUITE 202 MEDFORD, OR 97501 (541) 774-2286

LINES		SYMBOLS	
---	PROPOSED PLUMB	○	AREA DRAIN
---	PROPOSED SOCMAN	○	PIPE PILE
---	PROPOSED STORM	○	CATCH BASIN
---	PROPOSED SEWER	○	SERVICE PIT
---	PROPOSED WATER	○	UTILITY POLE
---	PROPOSED GAS	○	STREET LIGHT
---	PROPOSED POWER	○	UTILITY LIGHT
---	PROPOSED FIBER	○	POWER TRANSFORMER
---	PROPOSED TV	○	POWER SWITCHGEAR
---	PROPOSED PLUMB	○	CAT-IN-SLEEVE
---	PROPOSED C & C	○	AIR WALK
---	PROPOSED SOCMAN	○	CURB INLET
---	PROPOSED WATER	○	
---	PROPOSED GAS	○	
---	PROPOSED POWER	○	
---	PROPOSED FIBER	○	
---	PROPOSED TV	○	
---	PROPOSED PLUMB	○	
---	PROPOSED C & C	○	
---	PROPOSED SOCMAN	○	
---	PROPOSED WATER	○	
---	PROPOSED GAS	○	
---	PROPOSED POWER	○	
---	PROPOSED FIBER	○	
---	PROPOSED TV	○	
---	PROPOSED PLUMB	○	
---	PROPOSED C & C	○	
---	PROPOSED SOCMAN	○	
---	PROPOSED WATER	○	
---	PROPOSED GAS	○	
---	PROPOSED POWER	○	
---	PROPOSED FIBER	○	
---	PROPOSED TV	○	
---	PROPOSED PLUMB	○	
---	PROPOSED C & C	○	
---	PROPOSED SOCMAN	○	
---	PROPOSED WATER	○	
---	PROPOSED GAS	○	
---	PROPOSED POWER	○	
---	PROPOSED FIBER	○	
---	PROPOSED TV	○	
---	PROPOSED PLUMB	○	
---	PROPOSED C & C	○	
---	PROPOSED SOCMAN	○	
---	PROPOSED WATER	○	
---	PROPOSED GAS	○	
---	PROPOSED POWER	○	
---	PROPOSED FIBER	○	
---	PROPOSED TV	○	
---	PROPOSED PLUMB	○	
---	PROPOSED C & C	○	
---	PROPOSED SOCMAN	○	
---	PROPOSED WATER	○	
---	PROPOSED GAS	○	
---	PROPOSED POWER	○	
---	PROPOSED FIBER	○	
---	PROPOSED TV	○	
---	PROPOSED PLUMB	○	
---	PROPOSED C & C	○	
---	PROPOSED SOCMAN	○	
---	PROPOSED WATER	○	
---	PROPOSED GAS	○	
---	PROPOSED POWER	○	
---	PROPOSED FIBER	○	
---	PROPOSED TV	○	
---	PROPOSED PLUMB	○	
---	PROPOSED C & C	○	
---	PROPOSED SOCMAN	○	
---	PROPOSED WATER	○	
---	PROPOSED GAS	○	
---	PROPOSED POWER	○	
---	PROPOSED FIBER	○	
---	PROPOSED TV	○	
---	PROPOSED PLUMB	○	
---	PROPOSED C & C	○	
---	PROPOSED SOCMAN	○	
---	PROPOSED WATER	○	
---	PROPOSED GAS	○	
---	PROPOSED POWER	○	
---	PROPOSED FIBER	○	
---	PROPOSED TV	○	
---	PROPOSED PLUMB	○	
---	PROPOSED C & C	○	
---	PROPOSED SOCMAN	○	
---	PROPOSED WATER	○	
---	PROPOSED GAS	○	
---	PROPOSED POWER	○	
---	PROPOSED FIBER	○	
---	PROPOSED TV	○	
---	PROPOSED PLUMB	○	
---	PROPOSED C & C	○	
---	PROPOSED SOCMAN	○	
---	PROPOSED WATER	○	
---	PROPOSED GAS	○	
---	PROPOSED POWER	○	
---	PROPOSED FIBER	○	
---	PROPOSED TV	○	
---	PROPOSED PLUMB	○	
---	PROPOSED C & C	○	
---	PROPOSED SOCMAN	○	
---	PROPOSED WATER	○	
---	PROPOSED GAS	○	
---	PROPOSED POWER	○	
---	PROPOSED FIBER	○	
---	PROPOSED TV	○	
---	PROPOSED PLUMB	○	
---	PROPOSED C & C	○	
---	PROPOSED SOCMAN	○	
---	PROPOSED WATER	○	
---	PROPOSED GAS	○	
---	PROPOSED POWER	○	
---	PROPOSED FIBER	○	
---	PROPOSED TV	○	
---	PROPOSED PLUMB	○	
---	PROPOSED C & C	○	
---	PROPOSED SOCMAN	○	
---	PROPOSED WATER	○	
---	PROPOSED GAS	○	
---	PROPOSED POWER	○	
---	PROPOSED FIBER	○	
---	PROPOSED TV	○	
---	PROPOSED PLUMB	○	
---	PROPOSED C & C	○	
---	PROPOSED SOCMAN	○	
---	PROPOSED WATER	○	
---	PROPOSED GAS	○	
---	PROPOSED POWER	○	
---	PROPOSED FIBER	○	
---	PROPOSED TV	○	
---	PROPOSED PLUMB	○	
---	PROPOSED C & C	○	
---	PROPOSED SOCMAN	○	
---	PROPOSED WATER	○	
---	PROPOSED GAS	○	
---	PROPOSED POWER	○	
---	PROPOSED FIBER	○	
---	PROPOSED TV	○	
---	PROPOSED PLUMB	○	
---	PROPOSED C & C	○	
---	PROPOSED SOCMAN	○	
---	PROPOSED WATER	○	
---	PROPOSED GAS	○	
---	PROPOSED POWER	○	
---	PROPOSED FIBER	○	
---	PROPOSED TV	○	
---	PROPOSED PLUMB	○	
---	PROPOSED C & C	○	
---	PROPOSED SOCMAN	○	
---	PROPOSED WATER	○	
---	PROPOSED GAS	○	
---	PROPOSED POWER	○	
---	PROPOSED FIBER	○	
---	PROPOSED TV	○	
---	PROPOSED PLUMB	○	
---	PROPOSED C & C	○	
---	PROPOSED SOCMAN	○	
---	PROPOSED WATER	○	
---	PROPOSED GAS	○	
---	PROPOSED POWER	○	
---	PROPOSED FIBER	○	
---	PROPOSED TV	○	
---	PROPOSED PLUMB	○	
---	PROPOSED C & C	○	
---	PROPOSED SOCMAN	○	
---	PROPOSED WATER	○	
---	PROPOSED GAS	○	
---	PROPOSED POWER	○	
---	PROPOSED FIBER	○	
---	PROPOSED TV	○	
---	PROPOSED PLUMB	○	
---	PROPOSED C & C	○	
---	PROPOSED SOCMAN	○	
---	PROPOSED WATER	○	
---	PROPOSED GAS	○	
---	PROPOSED POWER	○	
---	PROPOSED FIBER	○	
---	PROPOSED TV	○	
---	PROPOSED PLUMB	○	
---	PROPOSED C & C	○	
---	PROPOSED SOCMAN	○	
---	PROPOSED WATER	○	
---	PROPOSED GAS	○	
---	PROPOSED POWER	○	
---	PROPOSED FIBER	○	
---	PROPOSED TV	○	
---	PROPOSED PLUMB	○	
---	PROPOSED C & C	○	
---	PROPOSED SOCMAN	○	
---	PROPOSED WATER	○	
---	PROPOSED GAS	○	
---	PROPOSED POWER	○	
---	PROPOSED FIBER	○	
---	PROPOSED TV	○	
---	PROPOSED PLUMB	○	
---	PROPOSED C & C	○	
---	PROPOSED SOCMAN	○	
---	PROPOSED WATER	○	
---	PROPOSED GAS	○	
---	PROPOSED POWER	○	
---	PROPOSED FIBER	○	
---	PROPOSED TV	○	
---	PROPOSED PLUMB	○	
---	PROPOSED C & C	○	
---	PROPOSED SOCMAN	○	
---	PROPOSED WATER	○	
---	PROPOSED GAS	○	
---	PROPOSED POWER	○	
---	PROPOSED FIBER	○	
---	PROPOSED TV	○	
---	PROPOSED PLUMB	○	
---	PROPOSED C & C	○	
---	PROPOSED SOCMAN	○	
---	PROPOSED WATER	○	
---	PROPOSED GAS	○	
---	PROPOSED POWER	○	
---	PROPOSED FIBER	○	
---	PROPOSED TV	○	
---	PROPOSED PLUMB	○	
---	PROPOSED C & C	○	
---	PROPOSED SOCMAN	○	
---	PROPOSED WATER	○	
---	PROPOSED GAS	○	
---	PROPOSED POWER	○	
---	PROPOSED FIBER	○	
---	PROPOSED TV	○	
---	PROPOSED PLUMB	○	
---	PROPOSED C & C	○	
---	PROPOSED SOCMAN	○	
---	PROPOSED WATER	○	
---	PROPOSED GAS	○	
---	PROPOSED POWER	○	
---	PROPOSED FIBER	○	
---	PROPOSED TV	○	
---	PROPOSED PLUMB	○	
---	PROPOSED C & C	○	
---	PROPOSED SOCMAN	○	
---	PROPOSED WATER	○	
---	PROPOSED GAS	○	
---	PROPOSED POWER	○	
---	PROPOSED FIBER	○	
---	PROPOSED TV	○	
---	PROPOSED PLUMB	○	
---	PROPOSED C & C	○	
---	PROPOSED SOCMAN	○	
---	PROPOSED WATER	○	
---	PROPOSED GAS	○	
---	PROPOSED POWER	○	
---	PROPOSED FIBER	○	
---	PROPOSED TV	○	
---	PROPOSED PLUMB	○	
---	PROPOSED C & C	○	
---	PROPOSED SOCMAN	○	
---	PROPOSED WATER	○	
---	PROPOSED GAS	○	
---	PROPOSED POWER	○	



**CITY OF MEDFORD
AGENDA ITEM COMMENTARY**

Item No: 60.5

www.ci.medford.or.us

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

AGENDA SECTION: Ordinances and Resolutions
MEETING DATE: June 2, 2016

COUNCIL BILL 2016-68

A resolution adopting the sixth Supplemental Budget for the 2015-17 biennium.

SUMMARY AND BACKGROUND

The Finance Department is presenting a supplemental budget which will affect the General Fund, Risk Fund, Gas Tax Fund, Park Dedication Fund, Police State Forfeiture Fund, Police Federal Forfeiture Fund, Fleet Services Fund and Sewage Treatment Fund. ORS 294.471 provides for a Supplemental Budget process.

PREVIOUS COUNCIL ACTIONS

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

ANALYSIS

General Fund:

The City Manager’s Office is requesting to recognize and appropriate \$157,570 of proceeds from the sale of property. The appropriations to be increased are transfers to Fire Public Safety Utility Fund.

The City Manager’s Office is requesting to recognize and appropriate \$33,980 of program income from the Neighborhood Stabilization Program (NSP). The corresponding appropriation is to increase grants for the same program.

The Police Department is requesting to recognize and appropriate \$24,680 of unbudgeted revenue. Revenue was received for additional police services provided to the In-N-Out Burger Restaurant during their grand opening. The corresponding appropriation is \$24,680 in salaries and wages to cover overtime incurred.

The Police Department is requesting to recognize and appropriate \$7,070 of unbudgeted revenue. Revenue was received from the High Intensity Drug Trafficking Area (HIDTA) Program and the corresponding appropriation is \$7,070 increased Travel and Training.

The Police Department is requesting to recognize and appropriate \$55,850 of unbudgeted revenue. Revenue was from the unanticipated sale/disposal of vehicles. The corresponding appropriation increases are as follows:

Capital Outlay	\$ 20,330
Garage Maintenance	<u>35,520</u>
Total	<u>\$ 55,850</u>

The Fire Department is requesting to recognize and appropriate unbudgeted revenue of \$63,000. The income was received from the State of Oregon for conflagration responses. The corresponding appropriation in small equipment for the purchase of 30 ballistic safety vests and helmets.



CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 60.5

www.ci.medford.or.us

Risk Fund:

The Human Resources Department is requesting to recognize and appropriate a \$150,000 of unbudgeted revenue. The revenues were from SAIF dividends and wages reimbursement for employees returning to work on light duty. The increase in appropriations is as follows:

Damage Claims	\$ 100,000
Legal Fees	<u>50,000</u>
Total	<u>\$ 150,000</u>

Fire Public Safety Utility Fund:

The Fire Department is requesting to recognize and appropriate unbudgeted transfer revenue of \$157,570. The corresponding appropriation is \$157,570 increased appropriations as follows:

BR0072 – Fire Station #3	\$ 157,570
--------------------------	------------

Gas Tax Fund:

The Public Works Department is requesting to recognize and appropriate a \$517,000 grant. The grant is from the Highway Safety Improvement Program (HSIP) and will be used to upgrade the signals at Jackson and McAndrew. The corresponding appropriation as follows

TB0000	\$517,000
--------	-----------

Park Dedication Fund:

The Parks and Recreation Department is requesting to move \$56,800 of appropriation from project PR0092 to transfers. The transfer is to the Aquatic Reserve Fund (111).

Police State Forfeitures Fund:

The Police Department is requesting to recognize and appropriate \$60,000 of unbudgeted forfeiture revenue. The corresponding appropriation is increased Materials and Services as follows:

Small Equipment	\$ 60,000
-----------------	-----------

Police Federal Forfeitures Fund:

The Police Department is requesting to recognize and appropriate \$175,400 of unbudgeted forfeiture revenue. The corresponding appropriations are in support of the Medford Area Gang Enforcement (MADGE) Unit. A breakdown is \$76,000 in Capital Outlay as follows:

K-9 vehicle	\$ 45,000
K-9 animal	9,000
Narcotic Analyzer	<u>22,000</u>
Total	<u>\$ 76,000</u>

A breakdown of the remaining \$99,400 is in Materials and Services as follows:

Small Equipment	\$ 18,400
Supplies	12,000
Travel and Training	16,800
First Aid Program	10,000
Other Professional Services	18,200
Software Maintenance	<u>24,000</u>
Total	<u>\$ 99,400</u>

Fleet Services Fund:

The Public Works Department is requesting to recognize and appropriate \$45,600 of unbudgeted revenue. The increased appropriations are directly associated with the cost of generating the revenue.



**CITY OF MEDFORD
AGENDA ITEM COMMENTARY**

Item No: 60.5

www.ci.medford.or.us

Sewage Treatment Fund:

The Public Works Department is requesting to recognize and appropriate \$8,500 of unbudgeted revenue. The corresponding appropriation is in capital outlay and is for the purchase of a new mower.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

The proposed resolution will increase or move appropriations as follows:

General Fund	\$ 342,150
Risk Fund	150,000
Fire Public Safety Utility Fund	157,570
Gas Tax Fund	517,000
Park Dedication Fund	56,800
Police State Forfeiture Fund	60,000
Police Federal Forfeiture Fund	175,400
Feet Services Fund	45,600
Sewage Treatment Fund	8,500

TIMING ISSUES

None

COUNCIL OPTIONS

Approve, modify or deny the resolution.

STAFF RECOMMENDATION

Staff recommends approval of the resolution

SUGGESTED MOTION

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

EXHIBITS

Resolution

RESOLUTION NO. 2016-68

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

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

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

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

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

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

ATTEST: _____
City Recorder

Mayor

CITY OF MEDFORD

Appropriation Modification per ORS 294.471

Requesting Department: Finance

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

Date of Proposed Council Action: 6/2/2016

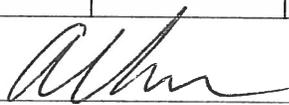
Date **May 19, 2016** *cl*

Explanation of Requested Transfer: See AIC

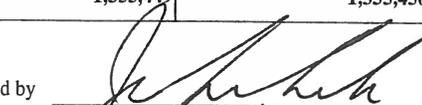
Account Number	Description	Project Number	Debit	Credit
001-1608-614.70-11	Transfer		157,570	
001-0000-440.05-00	Sale of Property		-	157,570
011-3705-642.51-00	CIP	BR0072	157,570	-
011-0000-470.01-00	Transfer			157,570
001-0102-663.27-99	Grants	PG0050	33,980	
001-0000-330.01-05	Federal Grants			33,980
001-3303-641.10-02	Salaries & Overtime		24,680	
001-0000-350.04-00	Misc Income		-	24,680
001-3304-641.23-02	Travel & Training	PD0050	7,070	
001-0000-330.01-06	LLEBG Grant	PD0050	-	7,070
001-3301-641.21-28	Garage Maintenance		35,520	-
001-3301-641.40-04	Capital		20,330	
001-0000-440.05-00	Sale of Property		-	47,550
001-0000-350.07-00	Damage Claims		-	8,300
001-3702-642.24-50	Small Equipment		63,000	
001-0000-330.02-01	State Grants			63,000
003-1503-613.21-14	Damage Claims		100,000	
003-1503-613.22-08	Legal Services		50,000	
003-0000-350.05-00	Refunds			150,000
013-4003-671.5100	CIP	TB0000	517,000	
013-0000-330.01-16	Grants	TB0000		517,000
015-1608-614.70-11	Transfer		56,800	
015-5208-652.51-00	CIP			56,800

Account Number	Description	Project Number	Debit	Credit
026-3304-641.24-50	Small Equipment	PD0067	60,000	
026-0000-350.13-00	Misc Revenue	PD0067		60,000
027-3304-641.40-04	Capital	PD0071	45,000	
027-3304-641.40-06	Capital	PD0071	31,000	
027-3304-641.24-50	Small Equipment	PD0071	18,400	
027-3304-641.24-15	Supplies	PD0071	12,000	
027-3304-641.23-02	Travel & Training	PD0071	16,800	
027-3304-641.23-05	1st Aid Program	PD0071	10,000	
027-3304-641.22-11	Other Professional Services	PD0071	18,200	
027-3304-641.25-13	Software Maintenance	PD0071	24,000	
027-0000-330.01-13	Federal Grants	PD0071	-	107,800
027-0000-330.02-20	State Grant	PD0071	-	67,600
				-
082-4106-672.24-.37	Charges for Services Central Point		10,000	
082-4106-672.24-.36	Charges for Services JC FD 5		12,000	
082-4106-672.24-.40	Charges for Services JC FD4		10,600	
082-4106-672.24-.46	Charges for Services Fort Jones		5,000	
082-4106-672.24-.47	Charges for Services RCC		5,000	
082-4106-672.24-.42	Charges for Services Briceland		3,000	
082-0000-440.20-00	Sales Central Point			10,000
082-0000-440.22-00	Sales JC FD 5			12,000
082-0000-440.24-00	Sales JC FD4			10,600
082-0000-440.26-00	Sales Fort Jones			5,000
082-0000-440.27-00	Sales RCC			5,000
082-0000-440.28-00	Sales Briceland			3,000
090-4502-673.40-06	Capital Outlay		8,500	-
090-0000-440.05-00	Sale of Property			8,500
TOTALS			1,355,449	1,355,450

Requested by


Department Head

Approved by


City Manager *PRO TEM*



CITY OF MEDFORD
AGENDA ITEM COMMENTARY

Item No: 60.6

www.ci.medford.or.us

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

AGENDA SECTION: Ordinances and Resolutions
MEETING DATE: June 2, 2016

COUNCIL BILL 2016-69

A resolution authorizing the combining of two part-time positions into one full-time position to improve availability of services in Municipal Court.

SUMMARY AND BACKGROUND

Municipal Court is requesting to combine two part time positions into one full time position. There are sufficient funds available in the current biennial budget to fund this change. However the addition of a full time position requires Council approval. The full time position will enable Municipal Court to expand the hours for finger printing services as well as provide more flexibility for the clients in the two programs offered by Municipal Court (the Theft program and the Better Choices program). Additional responsibilities for this position will include tracking and monitoring the deferred sentencing clients. This will enable more individuals to take advantage of diversion programs offered by the City.

PREVIOUS COUNCIL ACTIONS

None

ANALYSIS

The budget for the two part time potions will cover a significant portion of the cost of one full time position. The remainder of the cost will be covered by the current Material and Services budget as well as Personnel Service vacancies.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

There are sufficient funds in the current adopted budget to cover this staffing change

TIMING ISSUES

One part time position is vacant and the second part time position will become vacant on June 30th. Now is an opportune time to combine these positions.

COUNCIL OPTIONS

Approve, modify or deny the resolution

STAFF RECOMMENDATION

Staff recommends approval of the resolution

SUGGESTED MOTION

I move to approve the resolution authorizing the position in Municipal Court.

EXHIBITS

Resolution

RESOLUTION NO. 2016-69

A RESOLUTION authorizing the combining of two part-time positions into one full-time position to improve availability of services in Municipal Court.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MEDFORD, OREGON, that the combining of two part-time positions into one full-time position to improve availability of services in Municipal Court is hereby approved.

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

ATTEST: _____
City Recorder

Mayor



CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 60.7

www.ci.medford.or.us

DEPARTMENT: Parks and Recreation
PHONE: (541) 774-2401
STAFF CONTACT: Brian Sjothun, Director

AGENDA SECTION: Ordinances and Resolutions
MEETING DATE: June 2, 2016

COUNCIL BILL 2016-70

An ordinance awarding a contract in an amount of \$146,456.90 to Yakima Construction for construction and rehabilitation of eight miles of trails at Prescott Park.

SUMMARY AND BACKGROUND

The Parks and Recreation Department is requesting the awarding of a construction contract to Yakima Construction in the amount of \$146,456.90 for construction and rehabilitation of eight miles of trails at Prescott Park.

PREVIOUS COUNCIL ACTIONS

On January 9, 2009, Council Bill 2009-007 was approved. This resolution adopted the updated master and management plan for Prescott Park. The establishment of a multi-use trail system was outlined in this document.

On January 16, 2014, Council Bill 2014-12 was approved. This resolution adopted the proposed Prescott Park Conceptual Trails Plan.

On February 20, 2014, Council Bill 2014-26 was approved. This resolution adopted the City of Medford Strategic Plan for 2014-2019. Prescott Park is specifically listed within this plan for expanding use via rehabilitation of existing and construction of new trails.

February 5, 2015, Council Bill 2015-10 was approved. This ordinance authorized the acceptance and expenditure of a grant in the amount of \$75,000 from the Oregon Recreational Trails Program for trail improvements at Prescott Park.

ANALYSIS

The Parks and Recreation Department completed a conceptual trails plan as part of the amenities approved in the 2008 Prescott Park Master Plan. The development of multi-use trails is a high priority within the master plan as well as one of the top three items listed within the current Leisure Services Plan. The proposed contract will add 6.7 miles of new trails along with rehabilitating 1.3 miles of existing trails.

The department received two bids for the project:

Company	Bid
Yakima Construction	\$146,456.90
Roxy Anne Rock Inc.	\$840,601.00

Yakima Construction has previous experience in construction of multi-use trails and meets all of the requirements that were part of the bid process.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

\$146,456.90 is available in project PR0069 – Prescott Park.



CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 60.7

www.ci.medford.or.us

TIMING ISSUES

The department is requesting approval of the contract in order to meet the spending requirements as part of the Recreational Trails Grant that was previously received in the amount of \$75,000. The contractor is able to meet the spending requirements, but will need approval in order to begin work on June 6 and meet the grant deadline of June 30, 2016 for expenditure.

COUNCIL OPTIONS

Approve or deny the resolution.

STAFF RECOMMENDATION

Staff recommends adoption of the ordinance.

SUGGESTED MOTION

I move to approve the ordinance authorizing the construction contract with Yakima Construction in the amount of \$146,456.90.

EXHIBITS

Ordinance

Contract on file in the City Recorder's Office.

ORDINANCE NO. 2016-70

AN ORDINANCE awarding a contract in an amount of \$146,456.90 to Yakima Construction for construction and rehabilitation of eight miles of trails at Prescott Park.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

That a contract in the amount of \$146,456.90 for construction and rehabilitation of eight miles of trails at Prescott Park, which is on file in the City Recorder's Office, is hereby awarded to Yakima Construction.

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

ATTEST: _____
City Recorder

Mayor

APPROVED _____, 2016.

Mayor



CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 60.8

www.ci.medford.or.us

DEPARTMENT: Legal Department **AGENDA SECTION:** Ordinances and Resolutions
STAFF PHONE: 541-774-2020 **MEETING DATE:** June 2, 2016
STAFF CONTACT: Kevin R. McConnell, Deputy City Attorney
Lt. Kevin Walruff, Police Department

COUNCIL BILL 2016-63

SECOND READING- VERSION 2.

An ordinance amending section 5.651, replacing sections 5.650 and 5.652, and repealing section 5.654 of the Medford Code pertaining to the control of recreational and medical marijuana.

SUMMARY AND BACKGROUND:

At the May 19, 2016 City Council meeting, staff provided Council with two versions of the ordinance. Version 1 prohibits the outdoor production of both recreational and medical marijuana in residential zones and retains and expands upon the offensive marijuana odor component of the original ordinance. Version 2 prohibits the production of recreational and medical marijuana in residential zones (indoor and outdoor).

PREVIOUS COUNCIL ACTIONS:

On July 16, 2015, the Council adopted the Control of Recreational and Medical Marijuana ordinance. The intent of the ordinance was two-fold: 1) to prevent the offensive odor of marijuana from traveling to neighboring properties and 2) to limit the production of both medical and recreational marijuana in residential zones to four plants per dwelling.

On October 15, 2015, the Council adopted a zone text amendment that permits state-licensed medical marijuana dispensaries and recreational marijuana producers, wholesalers and processors to obtain a business license and do business within the City when they (among other things) submit proof of said state license. The Council's deliberations regarding the zone text amendment led to a discussion regarding the prohibition of outdoor medical and recreational grows in residential zones, as well as prohibiting the production of marijuana outright in residential zones. The Council directed staff to come back with proposed amendments for its review.

At the November 12, 2015 Special City Council meeting, the City Council considered two versions of Council Bill 2015-119. Version 1 would have prohibited the outdoor production of both recreational and medical marijuana in residential areas, while version 2 prohibited such production outright (indoor and outdoor). The Council adopted version 2. Because the ordinance received more than one "no" vote, the ordinance was forwarded to Council for a second reading at the November 19, 2015 meeting.

After considerable deliberation, the Council postponed the item indefinitely and directed staff to come back with a similar ordinance that, if adopted, would be referred to the voters at the November 8, 2016 election.

Staff has prepared two versions of the amended ordinance for Council's review. If either is adopted, it shall be referred to the electors of the City at the November 8, 2016 statewide general election

ANALYSIS

Version 1

The amended ordinance has the effect of prohibiting the outdoor production of both recreational and medical marijuana in residential areas. Version 1 also includes several other changes, including:

- 1) Section 5.650 (Intent and Purpose): revisions include acknowledging the right to use recreational and medical marijuana pursuant to state law, but identifying the adverse effects and potential dangers related to outdoor grows in residential areas;



CITY OF MEDFORD
AGENDA ITEM COMMENTARY

Item No: 60.8

www.ci.medford.or.us

- 2) Section 5.651 (Definitions): adding definition for “offensive odor of marijuana.” The intent of this amendment was to assist the City in determining when a citation should be issued for an alleged violation of Section 5.652 (Offensive Marijuana Odor), as well as more clearly define the element of the offense that the City must prove by a preponderance of the evidence;
- 3) Making vacant land in residential areas subject to the outdoor production ban;
- 4) Separate the offenses for Offensive Marijuana Odor and Ban on Outdoor Production of Marijuana (Sections 5.652 and 5.653); and
- 5) Striking the severability clause (*former* 5.654), as an applicable severability clause already exists in section 1.050 of the Medford Code.

Version 2

The amended ordinance would prohibit the production of marijuana outright in residential areas (outdoor and indoor). Version 2 does away with the unlawful odor offense contained in the current ordinance and Version 1 of the amended ordinance. Because Version 2 works as a total ban on the production of marijuana in residential zones, staff believes that the inclusion of the offensive odor section would be unnecessary.

As with Version 1 of the ordinance, staff has amended section 5.650 to capture the Council’s intent, ensure that vacant land in residential areas are subject to the ordinance, and stricken the severability clause.

At the May 19, 2016 City Council meeting, the Council adopted Version 1 of the ordinance (Council Bill 2016-60). The Council also voted in favor of Version 2 of the ordinance (Council Bill 2016-63). However, as Version 2 received more than one dissenting vote, the City Charter requires that the Council Bill 2016-63 be moved to a second reading before enactment.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

None.

TIMING ISSUES:

None.

COUNCIL OPTIONS:

1. Approve Version 2 of the ordinance and refer the ordinance to the electors of the City of Medford at the November 8, 2016 general election.
2. Decline to adopt Version 2 of the ordinance, leaving only Version 1 of the ordinance to be considered by the electorate.

STAFF RECOMMENDATIONS:

None.

SUGGESTED MOTION:

If the Council is interested in adopting Version 2:

I move to approve Version 2 of the ordinance prohibiting the production of recreational and medical marijuana in residential zones, and move to refer the ordinance to the electors of the City of Medford at the November 8, 2016 general election.

EXHIBITS:

Ordinance

ORDINANCE NO. 2016-63

AN ORDINANCE amending section 5.651, replacing sections 5.650 and 5.652, and repealing section 5.654 of the Medford Code pertaining to control of recreational and medical marijuana.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

Ban on Production of Marijuana

SECTION 1. Section 5.650 of the Medford Code is replaced to read as follows:

5.650 Intent and Purpose of Sections 5.650 to ~~5.654~~ **5.653**.

~~The City Council of the City of Medford recognizes that citizens of the state of Oregon may both use and grow recreational and medicinal marijuana in accordance with state law. However, the City Council also recognizes that the production of marijuana, without appropriate safeguards in place, can have a detrimental effect upon public safety and neighboring citizens. The City Council finds and declares that the health, safety and welfare of its citizens are promoted by limiting the production of recreational and medical marijuana grows in residential areas and ensuring that the offensive odor of marijuana does not travel to other properties.~~

The City Council of the City of Medford recognizes that Oregon law permits authorized persons to engage in the use of marijuana for both medical and recreational purposes. However, the Council also recognizes that the production of marijuana in residential areas has adversely affected the public health, safety and welfare.

Specifically, the Council finds that the production of marijuana in residential areas has led to an increase in complaints of offensive odor and of criminal activity, such as robbery, burglary, theft, menacing, and the manufacturing, delivery and possession of a controlled substance. In addition, the marijuana produced at a dwelling is not required to be tested for pesticides, microbiological contaminants, or THC and CBD concentration at a state-licensed laboratory, while useable marijuana sold or transferred to a consumer by a state-licensed medical marijuana dispensary or marijuana retailer requires such testing.

The Council declares that the health, safety and welfare of its citizens are promoted by prohibiting the production of recreational and medical marijuana at both dwellings and vacant land within residential areas.

SECTION 2. Section 5.651 of the Medford Code is amended to read as follows:

5.651 Definitions.

Words and phrases used in Sections 5.650 to ~~5.654~~ **5.653** shall have the following meanings ascribed to them:

(1) “Dwelling” means any building or portion thereof containing living facilities, such as a house, apartment or manufactured home. The term includes ~~any accompanying~~ **the** accessory buildings and outdoor areas of a dwelling, if any.

~~(2) “Homegrown Marijuana” means the marijuana produced for recreational use by a person in accordance with state law.~~

~~(3) “Marijuana” means the plant Cannabis family Cannabaceae, any part of the plant Cannabis family Cannabaceae and the seeds of the plant Cannabis family Cannabaceae. The term includes any and all homegrown and medical marijuana as defined in this section.~~

~~(4) “Marijuana cultivator” means a medical marijuana grower or recreational marijuana homegrower. The term includes any landlord or property owner that permits or allows marijuana to be produced at a dwelling.~~

~~(5) “Medical Marijuana” means the marijuana produced for medicinal use in accordance with the Oregon Medical Marijuana Act.~~

~~(6) “Medical Marijuana Grower” means any person engaged in the production of medical marijuana in accordance with state law. The term includes persons authorized to produce marijuana pursuant to the Oregon Medical Marijuana Act; including, but not limited to, a registry identification cardholder, designated primary caregiver, or person responsible for a marijuana grow site.~~

~~(7) “Production of Marijuana” means the planting, cultivation, growing or harvesting of marijuana, and includes the trimming or drying of marijuana leaves or flowers.~~

~~(8) “Property” means any home, business or publicly owned property and right of way.~~

~~(9) “Recreational Marijuana Homegrower” means a person engaged in the production of homegrown marijuana in accordance with state law.~~

(2) “Marijuana” means the plant Cannabis family Cannabaceae, any part of the plant Cannabis family Cannabaceae and the seeds of the plant Cannabis family Cannabaceae.

(3) “Marijuana cultivator” means a person engaged in the production of marijuana and includes:

(a) any person engaged in the production of medical marijuana in accordance with state law; including, but not limited to, a registry identification cardholder, designated primary caregiver or person responsible for a marijuana grow site;

(b) any person engaged in the production of recreational homegrown marijuana in accordance with state law; or

(c) a landlord or property owner that permits or allows a marijuana cultivator to engage in the production of marijuana at a dwelling.

(4) “Production of Marijuana” means the planting, cultivation, growing or harvesting of marijuana, and includes the trimming or drying of marijuana leaves or flowers.

SECTION 3. Section 5.652 of the Medford Code is replaced to read as follows:

5.652 Offensive Marijuana Odor; Limitation on Outdoor Marijuana Grows. Ban on Production of Marijuana.

~~(1) No marijuana cultivator shall cause or allow an offensive odor of marijuana to emanate from a dwelling to any other property. engage in the production of marijuana at a dwelling or on vacant land in residential areas.~~

~~(2) No dwelling shall contain more than four (4) marijuana plants at any time, effective November 1, 2015.~~

(2)(3) Violation of this section constitutes a violation. Every day in which the violation exists constitutes a separate violation.

SECTION 4. Section 5.654 of the Medford Code is hereby repealed as follows:

~~5.654 Severability.~~

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

REFERRAL. This ordinance shall be referred to the electors of the City of Medford at the November 8, 2016 statewide general election.

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

ATTEST: _____
City Recorder

Mayor

APPROVED _____, 2016.

Mayor

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